



Time Crunch: OSHA Shortens Reporting Deadlines for Workplace Injuries

The Occupational Safety and Health Administration (“OSHA”) has announced a final rule that significantly alters employers’ obligations for reporting workplace injuries to the agency. Under the new rule, employers must notify OSHA when an employee is killed on the job or suffers a work-related hospitalization, amputation, or loss of an eye. Employers will have an eight hour deadline to file a report of a work-related fatality, and will have a 24 hour deadline to file a report of any work-related in-patient hospitalization, amputation, or loss of an eye. This changes from the current requirement that three people be hospitalized to trigger a reporting obligation, and adds all amputations and loss of an eye as reportable injuries.

All employers who are covered by the Occupational Safety and Health Act are required to comply with OSHA’s new reporting requirements, even employers who are exempt from maintaining injury and illness records. Reports can be made to the nearest OSHA Area Office, OSHA’s toll-free number (1-800-321-6742), or via OSHA’s web portal, which the agency is currently developing.

Employers operating under federal OSHA jurisdiction must comply with the new rule beginning January 1, 2015. Employers in states which have OSHA-Approved State Plans should monitor their state agency’s implementation dates, but OSHA is encouraging such states to adopt the new rule on January 1, 2015, to the extent feasible. Additionally, certain OSHA-Approved State Plans already have reporting requirements similar to the new OSHA rule.

With this final rule, OSHA makes clear its intention to continue, and likely increase, its inspection and enforcement initiatives with respect to employee injuries. Although the agency denies that it will inspect every report of a covered injury, employers should expect a boost in required reporting and OSHA inspections, and, potentially, citations and fines.

If you have questions regarding OSHA's new rule, Thompson Coburn attorneys are available to discuss and answer your questions.

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