

BREAKING NEWS

DECEMBER 31, 2018 DEADLINE: RECORDING AND REPORTING OCCUPATIONAL INJURIES AND ILLNESSES

(Note: This action only affects California employers who are required to, and did not submit this data electronically by the July 1, 2018 deadline.)

December 2018 — Earlier this year, employers in states regulated by Federal OSHA were required to electronically submit certain records of occupational injuries and illnesses no later than July 1, 2018. The electronic submission requirements, along with the incorporation of an existing statutory prohibition on retaliating against employees for reporting work-related injuries or illnesses, were added to Federal OSHA's recording and reporting regulations found in the Code of Federal Regulations, title 29, part 1904.

In October 2018, Cal-OSHA issued amendments to conform California's recordkeeping requirements to the Federal OSHA program. **Non-exempt California employers are now required to submit Form 300A data covering calendar year 2017 by December 31, 2018, if they did not previously submit this data earlier in the year.**

GOING FORWARD

Beginning in 2019 and every year thereafter, covered establishments must submit Form 300A data covering the previous calendar year by March 2 of the current year.

This would require employers to submit 2018 Form 300A data electronically by March 2, 2019. Cal-OSHA has not currently published an opinion on when they will require the 2018 Form 300A information to be entered in the Injury Tracking Application (ITA) website.

In the absence of current information, we strongly recommend clients submit the 2018 information electronically by March 2, 2019, as per the instructions posted at Federal OSHA's ITA website: <https://www.osha.gov/injuryreporting/>

FORM 300A POSTING REQUIREMENTS (UNLESS PARTIALLY EXEMPT)

Regardless of whether or not you are required to submit your Form 300A data electronically, you must still meet the annual posting requirement.

At the end of each calendar year, you must:

1. Review the Cal-OSHA Form 300 to verify that the entries are complete and accurate, and correct any deficiencies identified;
2. Create an annual summary of injuries and illnesses recorded on the Cal-OSHA Form 300 using the Cal-OSHA Form 300A Annual Summary of Work-related Injuries and Illnesses;
3. Certify the annual summary; and
4. Post the annual summary.

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You must post a copy of the annual summary in each establishment in a conspicuous place or places where notices to employees are customarily posted. You must ensure that the posted annual summary is not altered, defaced or covered by other material.

You must post the annual summary no later than February 1 of the year following the year covered by the records and keep the posting in place until April 30.

For additional information on submitting and posting Occupational Injury and Illness Reports and Records, see resources below or contact Jeff Hulson, Director, Risk & Loss Advisors:

- <https://www.osha.gov/injuryreporting/>
- <https://www.dir.ca.gov/dosh/calosha-updates/log300-reporting.html>
- https://www.dir.ca.gov/T8/14300_32.html

JEFF HULSON

Director, Risk & Loss Advisors

Phone: (858) 550-4987

Jeff.Hulson@MarshMMA.com