



## ILA-USMX JOINT SAFETY COMMITTEE

# OSH ALERT 2023-05 [21 July 2023]

## OSHA Issues Final Rule Amending Electronic Reporting of Injuries/Illnesses Regulation [29 CFR 1904]

In today's **FEDERAL REGISTER**, OSHA has published a final rule which substantially amends regulations already in effect and dealing with the mandatory electronic submission of annual injury and illness data that employers are required to maintain on OSHA Forms 300; 300A and 301.

The notice's **SUMMARY** section:

**SUMMARY:** OSHA is amending its occupational injury and illness recordkeeping regulation to require certain employers to electronically submit injury and illness information to OSHA that employers are already required to keep under the recordkeeping regulation. Specifically, OSHA is amending its regulation to require establishments with 100 or more employees in certain designated industries to electronically submit information from their OSHA Forms 300 and 301 to OSHA once a year. OSHA will not collect employee names or addresses, names of health care professionals, or names and addresses of facilities where treatment was provided if treatment was provided away from the worksite from the Forms 300 and 301. Establishments with 20 to 249 employees in certain industries will continue to be required to electronically submit information from their OSHA Form 300A annual summary to OSHA once a year. All establishments with 250 or more employees that are required to keep records under OSHA's injury and illness regulation will also continue to be required to electronically submit information from their Form 300A to OSHA on an annual basis. OSHA is also updating the NAICS codes used in appendix A, which designates the industries required to submit their Form 300A data, and is adding appendix B, which designates the industries required to submit Form 300 and Form 301 data. In addition, establishments will be required to include their company name when making electronic submissions to OSHA. OSHA intends to post some of the data from the annual electronic submissions on a public website after identifying and removing information that could reasonably be expected to identify individuals directly, such as individuals' names and contact information.

We provide a link to today's full notice: <https://www.govinfo.gov/content/pkg/FR-2023-07-21/pdf/2023-15091.pdf>.

In sum, today's final rule expands the universe of data that must be electronically submitted each year; particularly by those in industries identified within the two (2) appendices found within today's notice.

The marine cargo handling industrial sector [Base NAICS Code 4883] has been identified within both of those appendices. Consequently, employers operating within that sector will be required (effective January 1, 2024) to electronically file their respective data appearing within each of those three (3) forms to an OSHA-maintained website. "Some" data from that website, OSHA advises, will be publicly accessible.

**Got a question about this particular subject? Write to the JSC at: [blueoceana@optonline.net](mailto:blueoceana@optonline.net)**

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