

INACTIVE - ALL ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-GRS-87-006

All items in this schedule are inactive. Items are either obsolete or have been superseded by newer NARA approved records schedules.

Description:

In Fiscal Year 2013, the GRS Team began a five year project to update and revise the General Records Schedules (GRS) under OMB/NARA M 12 18, Managing Government Records Directive. The old GRS was completely superseded.

See <https://www.archives.gov/records mgmt/grs> for the revised GRS, crosswalks, faqs, tools, and other resources.

Date Reported: 4/2/2019

INACTIVE - ALL ITEMS SUPERSEDED OR OBSOLETE

REQUEST FOR RECORDS DISPOSITION AUTHORITY <i>(See Instructions on reverse)</i>		LEAVE BLANK	
		JOB NO N1-GRS-87-6	
TO GENERAL SERVICES ADMINISTRATION NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408		DATE RECEIVED 2/11/87	
1 FROM (Agency or establishment) National Archives and Records Administration		NOTIFICATION TO AGENCY	
2 MAJOR SUBDIVISION Office of Records Administration		In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10. If no records are proposed for disposal, the signature of the Archivist is not required.	
3 MINOR SUBDIVISION Records Appraisal and Disposition Division		5 TELEPHONE EXT 724-1457	DATE 5-1-87
4 NAME OF PERSON WITH WHOM TO CONFER Jean E. Keeting			ARCHIVIST OF THE UNITED STATES <i>Frank A. Bink</i>

6. CERTIFICATE OF AGENCY REPRESENTATIVE

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records, that the records proposed for disposal in this Request of _____ page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, if required under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, is attached

A GAO concurrence is attached, or is unnecessary

B. DATE 2/10/87	C. SIGNATURE OF AGENCY REPRESENTATIVE <i>Kenneth F. Rossman</i>	D. TITLE Director, Records Appraisal and Disposition Division
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7 ITEM NO	8 DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARS USE ONLY)
1.	Addition to General Records Schedule 1: Civilian Personnel Records 35. Occupational Injury and Illness Files. Reports and logs (including OSHA forms 100, 101, 102, and 200, or their equivalents) maintained as prescribed in 29 CFR 1904 and OSHA pamphlet 2014 to document all recordable occupational injuries and illnesses for each establishment. Destroy when 5 years old.		

other inspection conducted under section 8(a) of the Act.

[36 FR 17850, Sept. 4, 1971, as amended at 38 FR 22624, Aug. 23, 1973]

PART 1904—RECORDING AND REPORTING OCCUPATIONAL INJURIES AND ILLNESSES

Sec

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STATISTICAL REPORTING OF OCCUPATIONAL INJURIES AND ILLNESSES

- 1904.20 Description of statistical program.
- 1904.21 Duties of employers
- 1904.22 Effect of State plans.

AUTHORITY: Secs. 8(c) (1), (2), 8(g) (2), and 24(e), 84 Stat 1599, 1600, 1615; 29 U.S.C. 657, 673.

SOURCE: 36 FR 12612, July 2, 1971, unless otherwise noted

EDITORIAL NOTE: For nomenclature changes to Part 1904, see 42 FR 65165, Dec. 30, 1977.

§ 1904.1 Purpose and scope.

The regulations in this part implement sections 8(c) (1), (2), 8(g)(2), and 24 (a) and (e) of the Occupational Safety and Health Act of 1970. These sections provide for recordkeeping and reporting by employers covered under the act as necessary or appropriate for enforcement of the act, for developing information regarding the causes and prevention of occupational accidents and illnesses, and for maintaining a

program of collection, compilation, and analysis of occupational safety and health statistics. The regulations in this part were promulgated with the cooperation of the Secretary of Health, Education, and Welfare.

§ 1904.2 Log and summary of occupational injuries and illnesses.

(a) Each employer shall, except as provided in paragraph (b) of this section, (1) maintain in each establishment a log and summary of all recordable occupational injuries and illnesses for that establishment; and (2) enter each recordable injury and illness on the log and summary as early as practicable but no later than 6 working days after receiving information that a recordable injury or illness has occurred. For this purpose form OSHA No. 200 or an equivalent which is as readable and comprehensible to a person not familiar with it shall be used. The log and summary shall be completed in the detail provided in the form and instructions on form OSHA No. 200.

(b) Any employer may maintain the log of occupational injuries and illnesses at a place other than the establishment or by means of data-processing equipment, or both, under the following circumstances:

(1) There is available at the place where the log is maintained sufficient information to complete the log to a date within 6 working days after receiving information that a recordable case has occurred, as required by paragraph (a) of this section.

(2) At each of the employer's establishments, there is available a copy of the log which reflects separately the injury and illness experience of that establishment complete and current to a date within 45 calendar days.

(Approved by the Office of Management and Budget under control number 1220 0029)

(Secretary's Order No 12 71, 36 FR 8754) [37 FR 736, Jan. 18, 1972, as amended at 42 FR 65165, Dec 30, 1977, 47 FR 145, Jan 5, 1982]

§ 1904.3 Period covered.

Records shall be established on a calendar year basis.

[42 FR 65165, Dec. 30, 1977]

§ 1904.4 Supplementary record.

In addition to the log of occupational injuries and illnesses provided for under § 1904.2, each employer shall have available for inspection at each establishment within 6 working days after receiving information that a recordable case has occurred, a supplementary record for each occupational injury or illness for that establishment. The record shall be completed in the detail prescribed in the instructions accompanying Occupational Safety and Health Administration Form OSHA No. 101. Workmen's compensation, insurance, or other reports are acceptable alternative records if they contain the information required by Form OSHA No 101. If no acceptable alternative record is maintained for other purposes, Form OSHA No. 101 shall be used or the necessary information shall be otherwise maintained.

(Approved by the Office of Management and Budget under control number 1220 0029)

(Secretary's Order No. 12 71, 36 FR 8754)

[37 FR 736, Jan. 18, 1972, as amended at 47 FR 145, Jan 5, 1982]

§ 1904.5 Annual summary.

(a) Each employer shall post an annual summary of occupational injuries and illnesses for each establishment. This summary shall consist of a copy of the year's totals from the form OSHA No. 200 and the following information from that form: Calendar year covered, company Name establishment name, establishment address, certification signature, title, and date. A form OSHA No. 200 shall be used in presenting the summary. If no injuries or illnesses occurred in the year, zeros must be entered on the totals line, and the form must be posted.

(b) The summary shall be completed by February 1 beginning with calendar year 1979. The summary of 1977 calendar year's occupational injuries and illnesses shall be posted on form OSHA No. 102.

(c) Each employer, or the officer or employee of the employer who supervises the preparation of the log and summary of occupational injuries and

illnesses, shall certify that the annual summary of occupational injuries and illnesses is true and complete. The certification shall be accomplished by affixing the signature of the employer or the officer or employer who supervises the preparation of the annual summary of occupational injuries and illnesses, at the bottom of the last page of the log and summary or by appending a separate statement to the log and summary certifying that the summary is true and complete.

(d) (1) Each employer shall post a copy of the establishment's summary in each establishment in the same manner that notices are required to be posted under § 1903.2(a)(1) of this chapter. The summary covering the previous calendar year shall be posted no later than February 1, and shall remain in place until March 1. For employees who do not primarily report or work at a single establishment, or who do not report to any fixed establishment on a regular basis, employer shall satisfy this posting requirement by presenting or mailing a copy of the summary during the month of February of the following year to each such employee who receives pay during that month. For multi-establishment employers where operations have closed down in some establishment during the calendar year, it will not be necessary to post summaries for those establishments.

(2) A failure to post a copy of the establishment's annual summary may result in the issuance of citations and assessment of penalties pursuant to sections 9 and 17 of the Act.

(Approved by the Office of Management and Budget under control number 122 0029)

(Sec 8, 84 Stat 1598, 29 U.S.C. 657, Secretary's Order No 12-71, 36 FR 8754)

[37 FR 736, Jan 18, 1972, as amended at FR 65165, Dec 30, 1977; 47 FR 145, Jan 1982]

§ 1904.6 Retention of records.

Records provided for in §§1904.4, and 1904.5 (including for OSHA No. 200 and its predecessor forms OSHA No. 100 and OSHA No. 102) shall be retained in each estab-

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ishment for 5 years following the end of the year to which they relate

(Approved by the Office of Management and Budget under control number 1220 0029)

[42 FR 65166, Dec 30, 1977, as amended at 47 FR 145, Jan 5, 1982, 47 FR 14706, Apr 6, 1982]

§ 1904.7 Access to records.

(a) Each employer shall provide, upon request, records provided for in 1904.2, 1904.4, and 1904.5, for inspection and copying by any representative of the Secretary of Labor for the purpose of carrying out the provisions of the act, and by representatives of the Secretary of Health, Education, and Welfare during any investigation under section 20(b) of the act, or by any representative of a State accorded jurisdiction for occupational safety and health inspections or for statistical compilation under sections 18 and 24 of the act.

(b) (1) The log and summary of all recordable occupational injuries and illnesses (OSHA No. 200) (the log) provided for in § 1904.2 shall, upon request, be made available by the employer to any employee, former employee, and to their representatives for examination and copying in a reasonable manner and at reasonable times. The employee, former employee, and their representatives shall have access to the log for any establishment in which the employee is or has been employed.

(2) Nothing in this section shall be deemed to preclude employees and employee representatives from collectively bargaining to obtain access to information relating to occupational injuries and illnesses in addition to the information made available under this section.

(3) Access to the log provided under this section shall pertain to all logs retained under the requirements of § 1904.6

(Sec 8, 24, 84 Stat 1599, 1600, 1615 (29 U S C 657, 673), Secretary of Labor's Order No 8 76 (41 FR 25059), sec 4 of the Administrative Procedure Act (5 U S C 553))

[43 FR 31329, July 21, 1978]

29 CFR Ch. XVII (7-1-86 Edition)

§ 1904.8 Reporting of fatality or multiple hospitalization accidents.

Within 48 hours after the occurrence of an employment accident which is fatal to one or more employees or which results in hospitalization of five or more employees, the employer of any employees so injured or killed shall report the accident either orally or in writing to the nearest office of the Area Director of the Occupational Safety and Health Administration, U.S. Department of Labor. The reporting may be by telephone or telegraph. The report shall relate the circumstances of the accident, the number of fatalities, and the extent of any injuries. The Area Director may require such additional reports, in writing or otherwise, as he deems necessary, concerning the accident.

(Approved by the Office of Management and Budget under control number 1218-0007)

[36 FR 12612, July 2, 1971, as amended at 49 FR 50718, Dec 31, 1984]

§ 1904.9 Falsification, or failure to keep records or reports.

(a) Section 17(g) of the Act provides that "Whoever knowingly makes any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Act shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment, for not more than 6 months or both."

(b) Failure to maintain records or file reports required by this part, or in the details required by forms and instructions issued under this part, may result in the issuance of citations and assessment of penalties as provided for in sections 9, 10, and 17 of the Act.

(Secretary's Order No 12 71, 36 FR 8754)

[37 FR 737, Jan 18, 1972]

§ 1904.10 Recordkeeping under approved State plans.

Records maintained by an employer and reports submitted pursuant to, and in accordance with the requirements of an approved State plan under section 18 of the act shall be re-

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garded as compliance with this Part 1904.

§ 1904.11 Change of ownership.

Where an establishment has changed ownership, the employer shall be responsible for maintaining records and filing reports only for that period of the year during which he owned such establishment. However, in the case of any change in ownership, the employer shall preserve those records, if any, of the prior ownership which are required to be kept under this part. These records shall be retained at each establishment to which they relate, for the period, or remainder thereof, required under § 1904.6.

§ 1904.12 Definitions.

(a) "Act" means the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1590 et seq., 29 U.S.C. 651 et seq.).

(b) The definitions and interpretations contained in section (2) of the Act shall be applicable to such terms when used in this Part 1904.

(c) "Recordable occupational injuries or illnesses" are any occupational injuries or illnesses which result in:

(1) Fatalities, regardless of the time between the injury and death, or the length of the illness; or

(2) Lost workday cases, other than fatalities, that result in lost workdays; or

(3) Nonfatal cases without lost workdays which result in transfer to another job or termination of employment, or require medical treatment (other than first aid) or involve: loss of consciousness or restriction of work or motion. This category also includes any diagnosed occupational illnesses which are reported to the employer but are not classified as fatalities or lost workday cases.

(d) "Medical treatment" includes treatment administered by a physician or by registered professional personnel under the standing orders of a physician. Medical treatment does not include first aid treatment even though provided by a physician or registered professional personnel.

(e) "First Aid" is any one-time treatment, and any followup visit for the

purpose of observation, of minor scratches, cuts, burns, splinters, and so forth, which do not ordinarily require medical care. Such one-time treatment, and followup visit for the purpose of observation, is considered first aid even though provided by a physician or registered professional personnel.

(f) "Lost workdays": The number of days (consecutive or not) after, but not including, the day of injury or illness during which the employee would have worked but could not do so, that is, could not perform all or any part of his normal assignment during all or any part of the workday or shift, because of the occupational injury or illness.

(g)(1) "Establishment". A single physical location where business is conducted or where services or industrial operations are performed. (Example: A factory, mill, store, hotel, restaurant, movie theater, fair, ranch, bank, sales office, warehouse or central administrative office) Where distinctly separate activities are performed at a single physical location (such as contract construction activities operated from the same physical location as a lumber yard) each activity shall be treated as a separate establishment.

(2) For firms engaged in activities such as agriculture, construction, transportation, communications, electric, gas and sanitary services which may be physically dispersed records may be maintained at a place to which employees report each day.

(3) Records for personnel who do not primarily report or work at a single establishment, and who are normally not supervised in their work, such as traveling salesmen, technicians, engineers, etc., shall be maintained at the location from which they are paid or the base from which personnel operate to carry out the activities.

(h) Establishments Classified by Standard Industrial Classification Codes (SIC) 52-89. (1) Establishments whose primary activity consists of retail trade; finance, insurance, real estate and services are classified by SIC's 52-89.

(2) Retail trades are classified as SIC's 52-59 and for the most part include establishments engaged in selling merchandise to the general public for personal or household consumption. Some of the retail trades are automotive dealers, apparel and accessory stores, furniture and home furnishing stores, and eating and drinking places.

(3) Finance, insurance and real estate are classified as SIC's 60-67 and include establishments which are engaged in banking, credit other than banking, security dealings, insurance, and real estate.

(4) Services are classified as SIC's 70-89 and include establishments which provide a variety of services for individuals, businesses, government agencies, and other organizations. Some of the service industries are: Personal and business services, in addition to legal, education, social, and cultural; and membership organizations.

(5) The primary activity of an establishment is determined as follows: For finance, insurance, real estate, and services establishments, the value of receipts or revenue for services rendered by an establishment determines its primary activity. In establishments with diversified activities, the activities determined to account for the largest share of production, sales or revenue will identify the primary activity. In some instances these criteria will not adequately represent the relative economic importance of each of the varied activities. In such cases, employment or payroll should be used in place of the normal basis for determining the primary activity.

(Sec 8, 84 Stat 1598, 29 U.S.C. 657)
[36 FR 12612, July 2, 1971, as amended at 37 FR 20822, Oct 4, 1972, 47 FR 57702, Dec 28, 1982]

§ 1904.13 Petitions for recordkeeping exceptions.

(a) *Submission of petition.* Any employer who wishes to maintain records in a manner different from that required by this part may submit a petition containing the information specified in paragraph (c) of this section to the Regional Commissioner of the Bureau of Labor Statistics wherein the establishment involved is located

(b) *Opportunity for comment.* Affected employees or their representatives shall have an opportunity to submit written data, views, or arguments concerning the petition to the Regional Commissioner involved within 10 working days following the receipt of notice under paragraph (c)(5) of this section.

(c) *Contents of petition.* A petition filed under paragraph (a) of this section shall include:

- (1) The name and address of the applicant;
- (2) The address of the place or places of employment involved;
- (3) Specifications of the reasons for seeking relief;
- (4) A description of the different recordkeeping procedures which are proposed by the applicant;

(5) A statement that the applicant has informed his affected employees of the petition by giving a copy thereof to them or to their authorized representative and by posting a statement giving a summary of the petition and by other appropriate means. A statement posted pursuant to this subparagraph shall be posted in each establishment in the same manner that notices are required to be posted under § 1903.2(a) of this chapter. The applicant shall also state that he has informed his affected employees of their rights under paragraph (b) of this section;

(6) In the event an employer has more than one establishment he shall submit a list of the States in which such establishments are located and the number of establishments in each such State. In the further event that certain of the employer's establishments would not be affected by the petition, the employer shall identify every establishment which would be affected by the petition and give the State in which they are located.

(d) *Referrals to Assistant Commissioner.* Whenever a Regional Commissioner receives a petition from an employer having one or more establishments beyond the geographic boundary of his region, or a petition from a class of employers having any establishment beyond the boundary of his region, he shall refer the petition to the Assistant Commissioner for action.

(e) *Additional Notice, Conferences.*
(1) In addition to the actual notice provided for in paragraph (c)(5) of this section, the Assistant Commissioner, or the Regional Commissioner, as the case may be, may provide, or cause to be provided, such additional notice of the petition as he may deem appropriate.

(2) The Assistant Commissioner or the Regional Commissioner, as the case may be, may also afford an opportunity to interested parties for informal conference or hearing concerning the petition.

(f) *Action.* After review of the petition, and of any comments submitted in regard thereto, and upon completion of any necessary appropriate investigation concerning the petition, if the Regional Commissioner or the Assistant Commissioner, as the case may be, finds that the alternative procedure proposed will not hamper or interfere with the purposes of the Act and will provide equivalent information, he may grant the petition subject to such conditions as he may determine appropriate, and subject to revocation for cause.

(g) *Publication.* Whenever any relief is granted to an applicant under this Act, notice of such relief, and the reasons therefor, shall be published in the FEDERAL REGISTER.

(h) *Revocation.* Whenever any relief under this section is sought to be revoked for any failure to comply with the conditions thereof, an opportunity be afforded to the employers and affected employees, or their representatives. Except in cases of willfulness or where public safety or health requires otherwise, before the commencement of any such informal proceeding, the employer shall (1) be notified in writing of the facts or conduct which may warrant the action; and (2) be given an opportunity to demonstrate or achieve compliance.

(i) *Compliance after submission of petitions.* The submission of a petition or any delay by the Regional Commissioner, or the Assistant Commissioner, as the case may be, in acting upon a petition shall not relieve any employer from any obligation to comply with this part. However, the Regional Commissioner or the Assistant Commis-

sioner, as the case may be, shall give notice of the denial of any petition within a reasonable time.

(j) *Consultation.* There shall be consultation between the appropriate representatives of the Occupational Safety and Health Administration and the Bureau of Labor Statistics in order to insure the effective implementation of this section.

(Secretary's Order No 12 71, 36 FR 8754)
[36 FR 12612, July 2, 1971, as amended at FR 737, Jan 18, 1972; 42 FR 65166, Dec 3, 1977]

§ 1904.14 Employees not in fixed establishments.

Employers of employees engaged in physically dispersed operations such as occur in construction, installation, repair or service activities who do not report to any fixed establishment on a regular basis but are subject to common supervision may satisfy the provisions of §§ 1904.2, 1904.4, and 1904.6 with respect to such employees:

(a) Maintaining the required records for each operation or group of operations which is subject to common supervision (field superintendent, first supervisor, etc.) in an established central place;

(b) Having the address and telephone number of the central place available at each worksite; and

(c) Having personnel available at central place during normal business hours to provide information from records maintained there by telephone and by mail.

(Sec 8, 84 Stat 1598, 29 U.S.C. 657)
[37 FR 20822, Oct 5, 1972]

§ 1904.15 Small employers.

An employer who had no more than ten (10) employees at any time during the calendar year immediately preceding the current calendar year need not comply with any of the requirements of this part except the following:

(a) Obligation to report under § 1904.8 concerning fatalities or multiple hospitalization accidents; and

(b) Obligation to maintain a log of occupational injuries and illnesses under § 1904.2 and to make re-

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under § 1904.21 upon being notified in writing by the Bureau of Labor Statistics that the employer has been selected to participate in a statistical survey of occupational injuries and illnesses

(The information collection requirements contained in paragraph (b) were approved by the Office of Management and Budget under control number 1220-0045)

[42 FR 38568, July 29, 1977, as amended at 47 FR 145, Jan 5, 1982, 47 FR 14706, Apr 6, 1982]

§ 1904.16 Establishments classified in Standard Industrial Classification Codes (SIC) 52-89, (except 52-54, 70, 75, 76, 79 and 80)

An employer whose establishment is classified in SIC's 52-89, (excluding 52-54, 70, 75, 76, 79 and 80) need not comply, for such establishment, with any of the requirements of this part except the following.

(a) Obligation to report under § 1904.8 concerning fatalities or multiple hospitalization accidents; and

(b) Obligation to maintain a log of occupational injuries and illnesses under § 1904.21, upon being notified in writing by the Bureau of Labor Statistics that the employer has been selected to participate in a statistical survey of occupational injuries and illnesses.

[47 FR 57702, Dec 28, 1982]

STATISTICAL REPORTING OF OCCUPATIONAL INJURIES AND ILLNESSES

§ 1904.20 Description of statistical program.

(a) Section 24 of the Act directs the Secretary of Labor, in consultation with the Secretary of Health, Education, and Welfare, to develop and maintain a program of collection, compilation, and analysis of occupational safety and health statistics. The Commissioner of the Bureau of Labor Statistics has been delegated this authority by the Secretary of Labor. The program shall consist of periodic surveys of occupational injuries and illnesses.

(b) The sample design encompasses probability procedures, detailed stratification by industry and size, and a systematic selection within strata. Stratification and sampling will be carried out by State and other jurisdic

29 CFR Ch. XVII (7-1-86 Edition)

tions in order to provide the most efficient sample for eventual State estimates. Some industries will be sampled more heavily than others depending on the injury rate level based on previous experience. Nationally, the survey should produce adequate estimates for most four-digit Standard Industrial Classification (SIC) industries in manufacturing and for three digit SIC classification in nonmanufacturing. In participating States where the sample size has been supplemented significantly, comparable estimates are possible.

(Secretary's Order No 12 71, 36 FR 8754)

[37 FR 2439, Feb 1, 1972, as amended at 42 FR 65166, Dec 30, 1977]

§ 1904.21 Duties of employers.

Upon receipt of an Occupational Injuries and Illnesses Survey Form, the employer shall promptly complete the form in accordance with the instructions contained therein, and return it in accordance with the aforesaid instructions.

(Approved by the Office of Management and Budget under control number 1220-0045)

[42 FR 65166, Dec 30, 1977, as amended at 47 FR 145, Jan 5, 1982, 47 FR 14706, Apr. 6, 1982]

§ 1904.22 Effect of State plans.

Nothing in any State plan approved under section 18(c) of the Act shall affect the duties of employers to submit statistical report forms under § 1904.21.

(Secretary's Order No 12 71, 36 FR 8754)

[37 FR 2439, Feb. 1, 1972]

PART 1905—RULES OF PRACTICE FOR VARIANCES, LIMITATIONS, VARIATIONS, TOLERANCES, AND EXEMPTIONS UNDER THE WILLIAMS-STEIGER OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

Subpart A—General

Sec

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1905.3 Petitions for amendments to this part

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1905.51 Finality for purposes of judicial review.

AUTHORITY Secs 6, 8, 16, 84 Stat 1593, 1598 1606, 29 U.S.C 655, 657, 665

SOURCE 36 FR 12290, June 30, 1971, unless otherwise noted

Subpart A—General

§ 1905.1 Purpose and scope.

(a) This part contains rules of practice for administrative proceedings (1) to grant variances and other relief under sections 6(b)(6)(A) and 6(d) of

the Williams-Steiger Occupational Safety and Health Act of 1970, and (2) to provide limitations, variations, tolerances, and exemptions under section 16 of the Act.

(b) These rules shall be construed to secure a prompt and just conclusion of proceedings subject thereto.

(c) The rules of practice in this part do not apply to the granting of variances under section 6(b)(6)(C). When ever appropriate, the procedure for granting such a variance shall be published in the FEDERAL REGISTER.

§ 1905.2 Definitions.

As used in this part, unless the context clearly requires otherwise—

(a) "Act" means the William Steiger Occupational Safety and Health Act of 1970

(b) "Secretary" means the Secretary of Labor.

(c) "Assistant Secretary" means the Assistant Secretary of Labor for Occupational Safety and Health.

(d) "Person" means an individual, partnership, association, corporate business trust, legal representative and organized group of individuals, an agency, authority, or instrumentality of the United States or of a State

(e) "Party" means a person admitted to participate in a hearing conducted in accordance with Subpart C of this part. An applicant for relief and an affected employee shall be entitled to be named parties. The Department of Labor, represented by the Office of the Solicitor, shall be deemed to be a party without the necessity of being named.

(f) "Affected employee" means an employee who would be affected by the grant or denial of a variance, limitation, variation, tolerance, or exemption, or any one of his authorized representatives, such as his collective bargaining agent.

§ 1905.3 Petitions for amendments to this part.

Any person may at any time petition the Assistant Secretary in writing to revise, amend, or revoke any provisions of this part. The petition shall set forth either the terms or the substance of the rule desired, with a

Recordkeeping and Reporting Guidelines for Federal Agencies



Under the Williams-Steiger
Occupational Safety and Health Act of 1970

U.S. Department of Labor
Occupational Safety and Health Administration

Revised 1985
OSHA 2014



US Department of Labor
William E. Brock, Secretary

Occupational Safety and Health Administration
1985

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Introduction

This booklet summarizes Federal accident reporting and recordkeeping requirements of the Occupational Safety and Health Administration (OSHA) for the use of agency managers, supervisors, safety and health committees and union representatives. It addresses provisions of the Occupational Safety and Health Act of 1970 (PL 91-596), Executive Order 12196, Occupational Safety and Health Programs for Federal Employees, and 29 CFR Part 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs.

It should be noted that a significant change occurred in 1984 when the Occupational Safety and Health Administration adopted the use of Federal Employees Compensation Act (FECA) data from the Office of Workers' Compensation Programs (OWCP) in lieu of information from agency-prepared OSHA 102F statistics. This change provided OSHA with a comprehensive and universal injury/illness data system without imposing an administrative burden on Federal agencies. OSHA will use the OWCP data (supplemented by the more detailed requirements described herein) to monitor the status of occupational safety and health at the Federal-wide agency and establishment levels.

It is emphasized that the requirements and definitions noted in this booklet apply strictly to OSHA recordkeeping and reporting and in no way infringe upon nor interfere with the filing of injury and illness reports under the Federal Employees Compensation Act.

The recordkeeping and reporting provisions described in this booklet cover statutory and regulatory OSHA requirements. Agencies should augment these minimal requirements in order to facilitate accident prevention consistent with their missions, organizations, and operational complexities.

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I. Definitions

As used in this booklet, the following definitions apply for OSHA reporting.

- **Establishment** — a single physical location where business is conducted or where services or operations are performed. Where distinctly separate activities are performed at a single physical location, each activity shall be treated as a separate "establishment." Typically, an "establishment" refers to a field activity, regional office, area office, installation or facility.
- **Injury (Traumatic)** — a wound or other condition of the body caused by external force, including stress or strain. The injury is identifiable as to time and place of occurrence and member or function of the body affected, and is caused by a specific event or incident or series of events or incidents within a single day or work shift.
- **Illness/Disease (Occupational)** — a physiological harm or loss of capacity produced by systemic infection, continued or repeated stress or strain, exposure to toxins, poisons, fumes, etc., or other continued and repeated exposures to conditions of the work environment over a long period of time. For practical purposes, an occupational illness/disease is any reported condition which does not meet the definition of injury (traumatic) above.
- **Fatality** — death resulting from either injury (traumatic) or illness/disease (occupational).
- **Lost Time Case** — a nonfatal injury (traumatic) that causes disability for work beyond the day or shift on which it occurred, or a nonfatal illness/disease (occupational) that causes disability at any time.
- **No Lost Time Case** — a nonfatal injury (traumatic) or illness/disease (occupational) that does not meet the definition of Lost Time Case.
- **Catastrophe** — an accident resulting in five or more agency and/or nonagency people being hospitalized for inpatient care.

II. Management Information Systems (MIS) (EO 12196 and 29 CFR 1960.66(c))

Agencies are to operate occupational safety and health management information systems to

- Help identify unsafe and unhealthful working conditions
- Establish program priorities
- Provide for the maintenance of records required by OSHA

Accident investigation, analysis and documentation of facts, causal and contributing factors and designation of preventive and corrective measures are the keystones of an effective MIS. Likewise, the dissemination of appropriate information to management, supervisors, employee representatives and employees helps to ensure the prevention of similar accidents.

III. Log of Occupational Injuries and Illnesses (1960.67, .69, and .71)

Each establishment is required to maintain a log of occupational injuries and illnesses. The log provides a quick and current view of workplace safety and health throughout the establishment.

The format shown in Appendix A is to be used for the log. As a minimum, all injuries, illnesses and fatalities for which a CA-1, 2 or 6 is filed with the establishment shall be entered in the log within six working days of receipt. Compensation claims controverted or otherwise challenged by the agency shall be logged but may be omitted from agency statistical tabulations and rates pending OWCP adjudication of the legitimacy of the claims. If a claim results in a scheduled award it shall be logged as a lost time case.

Employee notices of injury (CA-1) submitted by employees to document an incident or exposure and which are retained at the establishment since there is no current lost time or medical reimbursement required may be recorded in the appropriate columns of the log. Likewise, injury and illness/disease claims which result in permanent transfer to another position, termination of employment or subsequent granting of Continuation of Pay (COP) shall be recorded on the log as lost time cases.

A summary of the log or the entire log minus the names of the injured shall be posted in the establishment within 45 days of the end of the fiscal year. The material shall remain posted for 30 days.

Development and/or maintenance of logs at area or regional levels is permitted if provisions are made for at least semiannually, as a minimum, feedback of data to each establishment for local management, employee representatives and employee access.

IV. Supplemental Records (1960.68)

An injury or illness resulting in a fatality or a lost time case, including termination and permanent transfers, warrants investigation, analysis and documentation beyond the log. This supplemental record shall fully identify the personnel, equipment and activities involved as well as the causes and contributing factors of the accident. OSHA Form 101 (Appendix C), OWCP Forms CA 1, 2 and 6, or equivalent agency forms, shall be used for supplemental records.

This record shall be completed within six working days after receipt of information that the accident has occurred.

Note: Privacy Act restrictions applicable to OWCP records shall be maintained for OWCP forms and data when they are used in relation to accident prevention.

V. Fatality and Catastrophe Notification (1960.70)

Agencies must notify OSHA within 48 hours of the occurrence of each occupational accident resulting in fatal injury or inpatient care hospitalization of five or more people, agency and nonagency people included. Notifications can be made telephonically or telegraphically to national, regional or area offices of OSHA. For the national office the point of contact is the Office of Federal Agency Programs (OFAP). The business hour telephone number is (FTS) 523-6021 (Area Code 202). Note: Deaths occurring within six months of an occupational accident shall be reported to OSHA within 48 hours.

Agency notifications to OSHA shall include

- Names of individuals involved
- Number of fatalities and/or injuries and illnesses and the extent of any injuries
- Circumstances of the accident, i.e., establishment name, time, date, location, type of accident, and kind of operation conducted at the accident site
- Actions taken by the agency, i.e., to investigate the accident and whether OSHA assistance is desired

Agencies shall provide OFAP with a summary report of each fatal and catastrophic accident investigation. The summaries should address date/time of accident, agency/establishment name and location, personnel categories (employee, public, etc.) and consequences, description of operation and the accident, causal factors, applicable standards and their effectiveness and proposed agency corrective/preventive actions.

VI. Agency Annual Report (1960.74)

By January 1st of each year, agencies shall submit to the Secretary of Labor a report describing the previous fiscal year's occupational safety and health program. The report provides an executive summary of the status of the agency's occupational safety and health program, problems encountered and plans and programs for improving the program. Guidelines for the report are provided in Appendix B.

VII. Access to and Retention of Records and Reports (1960.71 and .73)

Agencies shall publicize the availability of and provide access to establishment logs, supplemental records and fatal/catastrophic summaries. Access to these documents shall be provided to establishment/agency safety and health personnel, establishment occupational safety and health committees, employees, employee representatives and former employees with a need to know, and to the Secretary of Labor, Secretary of Health and Human Services and their authorized representatives.

Records and reports shall be maintained by the agency for five years following the end of the fiscal year to which they relate.