



OSHA RECORDKEEPING AND ACCESS TO RECORDS

Tate Engineering Systems retains records pertaining to safety for the following reasons:

- To comply with OSHA, MOSH, and VOSH regulations.
- To comply with State Worker's Compensation regulations.
- To provide documentation in case of litigation.

OSHA, MOSH & VOSH COMPLIANCE

- **Reporting fatalities and catastrophes:** Tate Engineering Systems must report to OSHA any workplace incident resulting in a fatality or the in-patient hospitalization of, amputation or loss of eye within 8 hours. During business hours, make this report to your local OSHA office. After business hours, or if you don't know how to get in touch with your local office, make your report to the OSHA Toll Free 24 Hour Hot Line, 800-321-OSHA.
- **Keeping injury and illness records:** Tate Engineering Systems must keep detailed records of accidents and illnesses that occur, in accordance with the procedures in this chapter.

Specifically, employee medical records are records that concern the health status of an employee, and are made or maintained by a physician, nurse, or other health care personnel, or technician. Employee exposure records may include either environmental and/or biological monitoring. Tate Engineering Systems must prepare and maintain records of work-related injuries and illnesses in accordance with Title 29 of the Code of Federal Regulations (CFR) Part 1904-"Recording and Reporting Occupational Injuries and Illnesses." These regulations include, among other things, the following:

- Use of the Injury and Illness Report to record information about recordable cases.
- Use of the Log of Work-Related Injuries and Illnesses (Form 300) to list injuries and illnesses and track days away from work, restricted, or transferred.
- Use of the Summary (Form 300A) to show totals for the year in each category.
- The summary is posted from February 1 to April 30 of each year in a place visible to employees signed by a company official.

RETENTION OF RECORDS

All records must remain in Tate Engineering System's possession for thirty years after the year to which they relate.

WORKERS COMPENSATION RECORDKEEPING REQUIREMENTS

In addition to the OSHA recordkeeping requirements, State's Workers' Compensation laws require forms and paperwork. These requirements vary by state, but the following items apply to all states in our territory:

1. **Employer's First Report of Injury** - Employers are required to file the First Report of Injury within two working days of being notified of the injury occurring or being reported. For this reason, it is imperative that accurate, prompt reporting be accomplished.



OSHA RECORDKEEPING AND ACCESS TO RECORDS

We do not admit or accept responsibility for an injury/illness by reporting the case. Therefore, all injuries or illnesses related to the job, either directly or indirectly, must be reported to the individual facility location.

2. Report Completion - The Manager of Human Resources is responsible for sending completed records. The report can be prepared either by Human resources or the Safety Manager, depending upon local need and the circumstances of the injury.
3. Report Files - These reports are to be filed in the employee's personnel file.
4. Report Attachments - A copy of an Accident Investigation report should be provided with the First Report of Injury. Any other pertinent data, such as job descriptions, witness statements, medical information, police reports, etc. should also be provided.

DOCTOR'S FIRST REPORT OF INJURY

The attending physician completes this report and sends the original to the State and a copy to the individual facility location. This report states the diagnosis, initial treatment and other pertinent information needed.

Our copy of this report should be kept with the injury file in the Human Resource Department. The report should also be reviewed to insure that the report content matches what the employee states as to the injury cause and nature of injury or complaint. Dates and times should also be compared with initial information.

If review of this report shows a discrepancy, the doctor's office should be notified in writing immediately. The doctor's office will initiate needed changes.

ADJUDICATION OF CLAIM

When an injured employee becomes represented by an attorney, the attorney will file with the court an "Adjudication of Claim". This basically notifies the carrier and the court system that the case is not litigated. The employer must receive a copy of this adjudication form from the attorney.

Often the first notification than an injury occurred is receipt of the Adjudication of Claim. When this occurs, the Safety Officer should complete the Employer's First Report of Injury to the best of their ability and forward it to the individual facility location.

When the "adjudication" is received on a known claim, it should be placed in the injury file. The affected employee should not be questioned or contacted regarding his/her right to seek and retain legal counsel. The individual facility will handle all future correspondence with the employee.

EMPLOYEE NOTIFICATION OF INJURY



OSHA RECORDKEEPING AND ACCESS TO RECORDS

1. Reporting requirements - All employees are required to report a work related injury or illness to management immediately. This is an established safety rule and must be consistently enforced. An employee's failure to report a work related injury will result in disciplinary action.
2. Management Responsibility - When an employee reports an occupational injury or illness, the following steps should be taken:
 - a. Provide medical attention immediately.
 - b. Conduct an accident investigation (unless it is a "first aid" case) to determine cause, not fault.
 - c. Provide the investigation report and other information so that the First Report of Injury can be sent to the individual facility location.
 - d. Determine if the employee can return to his/her normal job, requires light duty or will not report for work until released by the doctor (lost time).
 - e. All recordable illnesses or injuries must be recorded on the OSHA 300 Log within seven calendar days of receiving information that the injury occurred.
3. Late Reporting of Injuries - If an employee does not report an injury, or reports it after he/she has had medical treatment, the Manager of Human resources should be consulted and where applicable, disciplinary action may be taken for not reporting promptly. The employee is **NOT** disciplined for having an injury, but for failure to report an incident and follow Tate Engineering Systems reporting procedures.
4. Medical Reports - Copies of all medical reports should be sent to the individual facility location office and one copy maintained in the Human Resources Department.
5. Return to Work/Doctor Release - Any on-the-job injury requiring treatment of an employee by a doctor, clinic or emergency room facility must have a written release from the doctor returned to the employee's supervisor and/or manager BEFORE the employee can return to work. The release must include the following information:
 - a. Employee's name.
 - b. Date of accident and/or treatment.
 - c. Date of authorized return to work.
 - d. Any limitations set by the doctor (i.e., restricted to light duty, no lifting, etc.).

The releases are to be sent to the HR Manager and Branch General Manager as soon as possible after their receipt.

Online Filing Now Available

To help employers comply with new requirements to report severe worker injuries, OSHA has created a streamlined reporting webpage and now offers the option of reporting incidents online. The expanded



OSHA RECORDKEEPING AND ACCESS TO RECORDS

requirements took effect in January 2015. Now, in addition to reporting any worker fatality within 8 hours, employers must report within 24 hours any severe injury – defined as an amputation, hospitalization or loss of an eye.

ACCESS TO MEDICAL RECORDS

1. Tate Engineering Systems, Inc. HR Director shall inform employees of the existence, location, and availability of any records. The HR Director is the person responsible for maintaining and providing access to records, and each employee's rights of access to these records.
2. Tate Engineering Systems, Inc. shall assure the preservation and retention of employee medical records (and exposure records) for the duration of employment plus thirty years.
3. Whenever an employee or designated representative requests access to a record, Tate Engineering Systems, Inc. shall assure that access is provided in a reasonable time, place, and manner. If Tate cannot reasonably provide access to the record within fifteen working days, Tate shall notify the employee of the reason for the delay within the fifteen working days.
4. Whenever an employee or designated representative requests a copy of a record, Tate shall assure that either a copy of the record is provided without cost to the employee or representative, the necessary mechanical copying facilities (e.g., photocopying) are made available without cost to the employee or representative for copying the record.
5. Whenever access is requested to an analysis which reports the contents of employee medical records by either direct identifier (name, address, social security number, payroll number, etc.) or by information which could reasonably be used under the circumstances indirectly to identify specific employees (exact age, height, weight, race, sex, date of initial employment, job title, etc.), HR Director shall assure that personal identifiers are removed before access is provided.
6. Upon employment and at least annually thereafter, Tate shall inform current employees of the existence, location, and availability of any medical or exposure records. HR Director is the person responsible for maintaining and providing access to records and, each employee's rights of access to these records.
7. If Tate dissolves and ceases to do business, Tate shall transfer all records subject to this section to the successor employer. Whenever an employer is ceasing to do business and there is no successor employer, the employer shall notify affected current employees of their rights of access to records.

SIGN: _____ NAME PRINT: _____

DATE: _____



OSHA RECORDKEEPING AND ACCESS TO RECORDS