

Updates to OSHA's Recordkeeping Rule: Who is Required to Keep Records and Who is Exempt

Under OSHA's recordkeeping regulation, certain covered employers are required to prepare and maintain records of serious occupational injuries and illnesses using the **OSHA 300 Log**. This information is important for employers, workers and OSHA in evaluating the safety of a workplace, understanding industry hazards, and implementing worker protections to reduce or eliminate hazards.

The revised rule updates the list of industries that are exempt from the requirement to routinely keep OSHA injury and illness records due to relatively low occupational injury and illness rates.

Who is exempt under the new rule?

There are two classes of employers that are partially exempt from routinely keeping injury and illness records. First, employers with ten or fewer employees at all times during the previous calendar year are exempt from routinely keeping OSHA injury and illness records. **OSHA's revised recordkeeping regulation maintains this exemption.**

Second, establishments in certain low-hazard industries are also partially exempt from routinely keeping OSHA injury and illness records. **Starting on January 1, 2015, there will be a new list of industries that will be partially exempt from keeping these OSHA records. Establishments located in states under Federal OSHA jurisdiction must begin to comply with the new requirements on January 1, 2015. Establishments located in states that operate their own safety and health programs should check with their state plan for the implementation date of the new requirements.**

Since 1982, this list has included establishments in the divisions of retail trade; finance, insurance and real estate; and the service industry if the three-year average lost workday case rate for their major industry group was 75 percent below the overall three-year average of the lost workday case rate for private industry. **OSHA's revised recordkeeping regulation provides an updated**

list of low-hazard industries that are exempt from routinely keeping OSHA injury and illness records. The new list of exempt industries is now classified by the North American Industry Classification System (NAICS), which is the standard used by federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing and publishing statistical data related to the U.S. business economy. Also, the injury and illness rate threshold is based on more recent Bureau of Labor Statistics (BLS) data.

Am I required to prepare and maintain records under the new rule?

To find out if you are required to prepare and maintain records under the updated rule, first determine your NAICS code by:

1. Using the search feature at the U.S. Census Bureau NAICS main webpage: www.census.gov/eos/www/naics. In the search box for the most recent NAICS, enter a keyword that describes your business. Choose the primary business activity that most closely corresponds to you, or refine your search to get more choices.
2. Viewing the most recent complete NAICS tables on the U.S. Census Bureau NAICS main webpage: www.census.gov/eos/www/naics. Select the two-digit sector code and choose a six-digit industry code to read its definition.

- Using an old Standard Industrial Classification (SIC) code to find your NAICS code using the detailed conversion tables on the U.S. Census Bureau Concordances page: www.census.gov/eos/www/naics/concordances/concordances.html.
- Contacting your nearest OSHA office or state agency for help.

Once you have found your NAICS code, you can use **Table 1** below to determine if your industry is exempt from the recordkeeping rule.

NOTE: Establishments of companies with 10 or fewer employees at all times in the previous year continue to be exempt from keeping OSHA injury and illness records, regardless of their industry classification. The partial exemption for size is based on the number of employees in the entire company.

What forms do I need to complete?

The OSHA injury and illness [recordkeeping forms](#) are:

- the Log of Work-Related Injuries and Illnesses (OSHA Form 300),

- the Summary of Work-Related Injuries and Illnesses (OSHA Form 300A), and
- the Injury and Illness Incident Report (OSHA Form 301).

Employers must fill out the Log and the Incident Report only if a recordable work-related injury or illness has occurred. Employers must fill out and post the Summary annually, even if no recordable work-related injuries or illnesses occurred during the year.

In place of the OSHA forms, employers may also use equivalent forms (forms that have the same information, are as readable and understandable, and are completed using the same instructions as the OSHA forms they replace). Many employers use an insurance form instead of the Incident Report, or supplement an insurance form by adding information required by OSHA.

Where can I find more information?

For more information about the updated industry codes, visit OSHA's webpage on the updated recordkeeping rule at www.osha.gov/recordkeeping2014.

Table 1: New List of Partially Exempt Industries

NAICS Code and Industry Description							
4412	Other Motor Vehicle Dealers	5151	Radio and Television Broadcasting	5412	Accounting, Tax Preparation, Bookkeeping, and Payroll Services	6213	Offices of Other Health Practitioners
4431	Electronics and Appliance Stores	5172	Wireless Telecommunications Carriers (except Satellite)	5413	Architectural, Engineering, and Related Services	6214	Outpatient Care Centers
4461	Health and Personal Care Stores	5173	Telecommunications Resellers	5414	Specialized Design Services	6215	Medical and Diagnostic Laboratories
4471	Gasoline Stations	5179	Other Telecommunications	5415	Computer Systems Design and Related Services	6244	Child Day Care Services
4481	Clothing Stores	5181	Internet Service Providers and Web Search Portals	5416	Management, Scientific, and Technical Consulting Services	7114	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
4482	Shoe Stores	5182	Data Processing, Hosting, and Related Services	5417	Scientific Research and Development Services	7115	Independent Artists, Writers, and Performers
4483	Jewelry, Luggage, and Leather Goods Stores	5191	Other Information Services	5418	Advertising and Related Services	7213	Rooming and Boarding Houses

NAICS Code and Industry Description

4511	Sporting Goods, Hobby, and Musical Instrument Stores	5211	Monetary Authorities - Central Bank	5511	Management of Companies and Enterprises	7221	Full-Service Restaurants
4512	Book, Periodical, and Music Stores	5221	Depository Credit Intermediation	5611	Office Administrative Services	7222	Limited-Service Eating Places
4531	Florists	5222	Nondepository Credit Intermediation	5614	Business Support Services	7224	Drinking Places (Alcoholic Beverages)
4532	Office Supplies, Stationery, and Gift Stores	5223	Activities Related to Credit Intermediation	5615	Travel Arrangement and Reservation Services	8112	Electronic and Precision Equipment Repair and Maintenance
4812	Nonscheduled Air Transportation	5231	Securities and Commodity Contracts Intermediation and Brokerage	5616	Investigation and Security Services	8114	Personal and Household Goods Repair and Maintenance
4861	Pipeline Transportation of Crude Oil	5232	Securities and Commodity Exchanges	6111	Elementary and Secondary Schools	8121	Personal Care Services
4862	Pipeline Transportation of Natural Gas	5239	Other Financial Investment Activities	6112	Junior Colleges	8122	Death Care Services
4869	Other Pipeline Transportation	5241	Insurance Carriers	6113	Colleges, Universities, and Professional Schools	8131	Religious Organizations
4879	Scenic and Sightseeing Transportation, Other	5242	Agencies, Brokerages, and Other Insurance Related Activities	6114	Business Schools and Computer and Management Training	8132	Grantmaking and Giving Services
4885	Freight Transportation Arrangement	5251	Insurance and Employee Benefit Funds	6115	Technical and Trade Schools	8133	Social Advocacy Organizations
5111	Newspaper, Periodical, Book, and Directory Publishers	5259	Other Investment Pools and Funds	6116	Other Schools and Instruction	8134	Civic and Social Organizations
5112	Software Publishers	5312	Offices of Real Estate Agents and Brokers	6117	Educational Support Services	8139	Business, Professional, Labor, Political, and Similar Organizations
5121	Motion Picture and Video Industries	5331	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)	6211	Offices of Physicians		
5122	Sound Recording Industries	5411	Legal Services	6212	Offices of Dentists		

Table 2: Industries That Include Establishments Newly Required to Keep Records

NAICS Code	Title of NAICS Code
3118	Bakeries and tortilla manufacturing
4411	Automobile dealers
4413	Automotive parts, accessories, and tire stores
4441	Building material and supplies dealers
4452	Specialty food stores
4453	Beer, wine, and liquor stores
4539	Other miscellaneous store retailers
4543	Direct selling establishments
5311	Lessors of real estate
5313	Activities related to real estate
5322	Consumer goods rental
5324	Commercial and industrial machinery and equipment rental and leasing
5419	Other professional, scientific, and technical services
5612	Facilities support services
5617	Services to buildings and dwellings
5619	Other support services
6219	Other ambulatory health care services
6241	Individual and family services
6242	Community food and housing, and emergency and other relief services
7111	Performing arts companies
7113	Promoters of performing arts, sports, and similar events
7121	Museums, historical sites, and similar institutions
7139	Other amusement and recreation industries
7223	Special food services
8129	Other personal services

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory-impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.

For assistance, contact us. We can help. It's confidential.



www.osha.gov (800) 321-OSHA (6742)



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