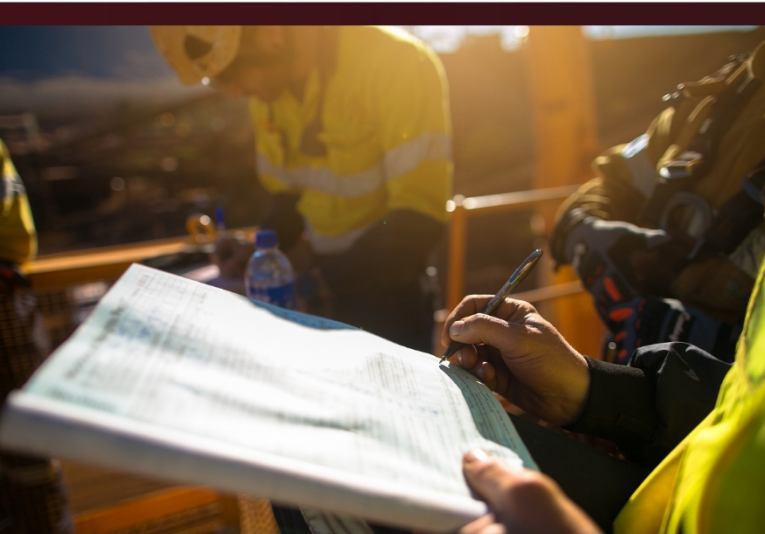


OSHA Safety Cornerstones



OSHA Expands Injury and Illness Submission Requirements for Employers in High-hazard Industries

On July 17, 2023, OSHA announced a [final rule](#) requiring certain employers in designated high-hazard industries to electronically submit additional injury and illness information. The final rule will become effective on Jan. 1, 2024.

Injury and Illness Submission Expansion Overview

OSHA's announcement of this final rule follows proposed amendments announced in March 2022 to regulations requiring specific establishments in certain high-hazard industries to electronically submit information from their Log of Work-Related Injuries and Illnesses and their Injury and Illness Incident Report. The final rule includes the following requirements:

- Establishments with 100 or more employees in certain high-hazard industries must electronically submit information from their Form 300, Log of Work-Related

Injuries and Illnesses, and Form 301, Injury and Illness Incident Report, to OSHA once a year. These submissions are in addition to the submission of Form 300A, Summary of Work-Related Injuries and Illnesses.

- Establishments are required to include their legal company name when making electronic submissions to OSHA from their injury and illness records to improve data quality.

The final rule retains the current requirements for electronic submission of Form 300A information from establishments with 20-249 employees in certain high-hazard industries and establishments with 250 or more employees in industries that must routinely keep OSHA injury and illness records.

Some of the data collected on the OSHA website will be published to allow employers, employees, potential employees, employee representatives, current and potential customers, researchers and the general public to use information about a company's workplace safety and health record to make informed decisions. OSHA stated it believes that providing public access to the data will ultimately reduce occupational injuries and illnesses.

Employer Next Steps

Employers should review the final rule. If their business is considered a high-hazard industry, then they must understand the new regulatory requirements. Employers should update and implement their policies and procedures to comply with the new regulations by Jan. 1, 2024.



WINTERS-OLIVER
INSURANCE AGENCY, INC.

OSHA Proposes Rule Clarifying PPE Standard for Construction Workers

On July 19, 2023, OSHA issued a [notice of proposed rulemaking](#) (NPRM) to revise its construction personal protective equipment (PPE) standard to explicitly require that the equipment properly fit the person wearing it. The failure of standard-sized PPE to protect physically smaller construction workers properly and problems with access to properly fitting PPE have long been safety and health concerns in the construction industry. Improperly fitting PPE may fail to provide protection to an employee, present additional hazards or discourage employees from using such equipment.

OSHA standard 29 CFR 1926.95 sets out the requirements for PPE in construction. The current standard does not clearly state that PPE must fit each affected employee properly, whereas the general industry and maritime OSHA standards do. The proposed rule clarifies the existing requirement, and OSHA states it does not expect the change will increase employers' costs or compliance burdens. The proposed revision would align the language in OSHA's PPE standard for construction with standards for general industry and maritime. Looking ahead, employers subject to the construction standard should review the NPRM and submit comments by Sept. 18, 2023.

OSHA Issues a Heat Hazard Alert

On July 27, 2023, OSHA issued a [heat hazard alert](#) to remind employers of their obligation to protect workers against heat illness or injury in outdoor and indoor workplaces. In addition, OSHA stated it will increase its enforcement where workers are exposed to heat hazards. This will include increased inspections in high-risk industries such as construction and agriculture.

The heat hazard alert comes as President Joe Biden announces new actions to protect workers from extreme heat and new investments to protect communities; record-breaking high temperatures are exposing millions of people to the serious dangers of heat in the workplace.

Heat Hazard Alert

OSHA uses hazard alerts to provide specific information on safety and health hazards to employers, workers and other stakeholders. An alert describes the hazard and offers recommendations on how hazardous exposures can be eliminated or reduced and what actions employers should take to protect employees. The recent alert issued for heat illness or injury in outdoor and indoor workplaces does the following:

- Highlights what employers can and should be doing now to protect employees
- Ensures employees are aware of their rights, including protections against retaliation
- Highlights the steps OSHA is currently taking to protect workers



- Directs employers, employees and the public to crucial OSHA resources, including guidance on heat

Next Steps

OSHA may increase monitoring employer efforts to keep workers safe during the heat hazard alert. When no specific standard applies, OSHA may use the general duty clause to ensure worker safety. As a result, employers should review and implement their heat illness or injury policies and procedures during extreme heat conditions. For more workplace safety and compliance resources, contact us today.