

Ratcheting Up Reporting Rules

News

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Ed Foulke was quoted on *Human Resource Executive Online* on October 6, 2014. The article “Ratcheting Up Reporting Rules” focused on OSHA’s new workplace death and serious-accident reporting rules which have employers scrambling to ensure they are reporting a much broader array of workplace incidents.

Ed called the injury reporting requirements “significant” on two counts. For one, OSHA has expanded the need for OSHA call-ins by employers, particularly the change from three to one when it comes to hospitalizations, amputations and loss of an eye. “Under the former rules, very rarely would more than three people go to hospital in a single incident, so the new rules can exponentially increase reporting,” said Ed.

Ed added that, to complicate matters, OSHA has expanded the definition of amputations, so that even the loss of the tip of the finger, for example, without bone loss, now is considered an amputation, which is a reportable injury.

“That could lead to huge numbers in terms of reporting,” said Ed, adding that another interesting provision in the updated regulations is the addition of 25 new industries that are required to keep injury and illness records -- called “OSHA 300” reports. That list, which will be posted on the OSHA website, includes segments such as “bakeries and tortilla manufacturers,” auto dealers, building supplies, beer, wine and liquor stores, performing arts companies and lessors of real estate.

“OSHA never talked about it during this rule-making process for three years,” said Ed. “Plaintiff’s attorneys, unions, anti-industry groups and other organizations can easily obtain that information, and that could lead to increased litigation.”

To read the full article, visit [*Human Resource Executive Online*](#).

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