

IN OSHA FIRST, AGENCY RELEASES DETAILED WORKPLACE SAFETY INCIDENT REPORTS – WHAT EMPLOYERS CAN DO ABOUT IT

Insights
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For the very first time, the U.S. Department of Labor’s Occupational Safety and Health Administration (OSHA) has publicized the comprehensive details on the nearly 900,000 reported workplace injuries and illnesses recorded by the agency in 2023, which may result in increased scrutiny toward employers from OSHA and the public alike. The December 12 release marks a significant development in workplace safety transparency and has important implications for employers nationwide. What do you need to know about this surprising development, and what can you do about it?

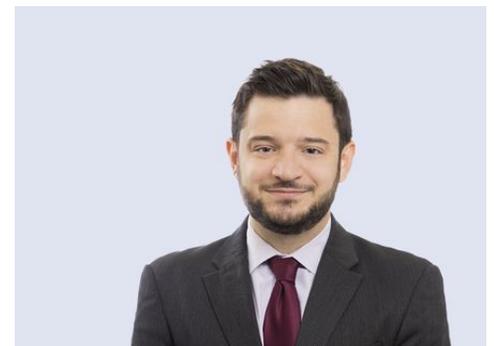
Quick Snapshot

As a result of last week’s data dump, employers, employees, unions, and the general public now have access to detailed information regarding incidents reported in 2023. The data can be found [here](#). It includes information such as:

- Employer names and workplace locations where reported incidents occurred;
- Descriptions of injuries and illnesses reported;
- Events and causes leading to reportable incident; and
- Other detail-specific information regarding these reported incidents.

Key Takeaway for Employers

Related People



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This data release comes at a time when **workplace safety and proper recordkeeping** are under increased scrutiny. You should recognize that OSHA's potential continued publication of incident-level details will likely heighten transparency and **magnify public perception** of workplace safety records. Companies with poor safety performance may face not only regulatory attention but also reputational risks among workers, customers, and other stakeholders – not to mention attention from unions looking at making inroads at your organization.

Assistant Secretary for Occupational Safety and Health Doug Parker emphasized the data's potential impact on the public's ability to scrutinize safety records: *"This information is an unprecedented tool for researchers, public health officials, businesses and workers to understand the nature of workplace injuries and illnesses in this country, whether they are looking at national trends, or the factory where they work every day."*

Why This Matters

OSHA's publication of granular data is a **game-changer** for workplace safety. While it is unclear whether the incoming Trump administration will continue this practice, employers should brace for more detailed benchmarking against peers, potential media scrutiny, and increased expectations from employees and regulators. The release reflects OSHA's growing push for **transparency and accountability**, aligning with its broader efforts to ensure robust compliance nationwide.

What Employers Should Do

This newly accessible data can make employers targets for inquiries from **unions**, the **media**, and other external stakeholders. You should be prepared to address questions about your workplace safety records and demonstrate your commitment to ongoing improvement. At the same time, OSHA has been increasingly focused on **recordkeeping compliance**, including opening inspections for employers who have failed to submit required records properly.

You should take this opportunity to:

- Review your **recordkeeping practices** to ensure accuracy and compliance to avoid inspections or penalties.



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Service Focus

Workplace Safety

- **Avoid logging unnecessary records** that could inflate incident numbers.
- Conduct a **thorough review** of your injury and illness records to identify trends, recurring hazards, or over-reporting.
- **Be proactive in addressing workplace hazards** to improve safety performance.
- Proactively **strengthen workplace safety programs** to mitigate risks and reduce reportable incidents.
- Prepare to respond to **potential union or press inquiries** about your workplace safety data.
- **Communicate effectively with employees** about ongoing safety efforts to reinforce trust and accountability.

How Fisher Phillips Can Help

Our firm has extensive experience assisting employers with:

- Understanding and complying with OSHA's recordkeeping and reporting requirements;
- Addressing OSHA inspections and enforcement actions related to recordkeeping compliance;
- Conducting safety audits to evaluate and identify any potential safety hazards;
- Improving workplace safety programs to reduce incidents and minimize risk;
- Providing employers with training on OSHA recordkeeping requirements and the inspection process; and
- Preparing responses to union and media inquiries regarding workplace safety data.

Conclusion

If you're unsure about your recordkeeping duties or compliance with relevant safety standards, it's important to take the initiative to assess potential exposure. If you have any questions, please reach out to your Fisher Phillips attorney, the authors of this Insight, or a member of Fisher Phillips' [Workplace Safety Practice Group](#). Make sure you

are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information.