

# OSHA

# CORNERSTONES

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## IN THIS ISSUE

### Clarification on Work-related Recordkeeping Exemption

*OSHA has clarified the requirements needed for an injury or illness to not be considered work-related.*

### 3 Major OSHA Rules Expected in 2016

*The Office of Management and Budget has revealed the regulatory rules OSHA will release in 2016.*

### OSHA Penalties to Increase in 2016

*New federal budget legislation requires OSHA to increase its maximum penalties for the first time since 1990.*

provided by  
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## 2014 Work-related Injury and Illness Statistics

The Bureau of Labor Statistics (BLS) recently released statistics on work-related injuries and illnesses in 2014. According to the BLS, two key factors are used to measure the severity of these injuries and illnesses:

- **Incidence rate:** The number of cases, per 10,000 full-time employees, of injuries and illnesses that require time away from work.
- **Average days away from work:** The average number of days an employee spends away from work to recover from an injury or illness.

The BLS found that the overall incidence rate of nonfatal occupational injury and illness cases in 2014 was 107.1, down from a rate of 109.4 in 2013. The number of days away from work was approximately the same in both years. Additionally, the BLS detailed the most common workplace injuries and illnesses, as well as the most commonly affected parts of the body.

### Common Injuries and Illnesses

Sprains, strains and tears were the most common workplace injury in 2014. The incidence rate for these injuries was approximately 38.9 cases per 10,000 full-time employees, which represents a decrease from 2013's rate of 40.2 cases. However, these are still significant injuries; on average, workers with sprains, strains or tears needed 10 days away from work to recover.

The statistics also show that soreness and pain were common injuries, but generally required fewer days away from work.

### Commonly Affected Parts of the Body

The upper extremities (e.g., hands, shoulders) were most affected by injuries and illnesses in 2014, with an incidence rate of 32. Hands accounted for 40 percent of those cases, the most among upper extremities. However, shoulder injuries and illnesses required an average of 26 days away from work to recover, more than any other part of the body.

### Musculoskeletal Disorders

The BLS specifically noted that musculoskeletal disorders (MSDs) accounted for 32 percent of all workplace-related injuries and illnesses in 2014. Although the incident rate of MSDs was lower than it had been in 2013, these injuries can affect employees in any industry.

For more information on preventing workplace injuries and illnesses, contact Baldwin Krystyn Sherman Partners today.

## Clarification on Work-related Recordkeeping Exemption

OSHA requires employers to keep and maintain records of work-related injuries and illnesses. However, if an employee develops an injury or illness while performing a personal task or is injured outside of his or her normal work hours, it can be difficult to determine your OSHA obligations. That's why OSHA recently clarified the requirements necessary for an injury or illness to be exempt from recordkeeping requirements.

In the clarification, OSHA presented an example in which an employee brought a plow to work, which he intended to loan to a co-worker. After the employee's regular shift ended, he attempted to move the plow to the co-worker's truck. However, in the process, the employee injured his back.

OSHA stated that the injury presented in this example would not be considered work-related, and would therefore be exempt from recordkeeping regulations. This is because the injury met both of the requirements needed to fall under the personal-task exemption:

- The injury or illness must solely be the result of an employee performing a personal task at the workplace
- The injury or illness must occur outside of an employee's assigned work hours, including during formal and informal break times.

If you have questions about compliance or any other OSHA-related topic, contact us today. We have comprehensive compliance programs and resources to help keep your employees safe.



### OSHA CORNERSTONES

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## NEWS & NOTES

### 3 Major OSHA Rules Expected in 2016

OSHA frequently introduces or revises safety rules to remain up to date with new technologies and workplace procedures. According to the Office of Management and Budget (OMB), three major rules are expected to be published in 2016:

- **Permissible silica exposure:** There is currently a National Emphasis Program (NEP) on workplace silica exposure. A final rule to lower the permissible exposure to silica will be published in February 2016.
- **Tracking of workplace injuries and illnesses:** This rule is expected to require businesses with 250 or more employees to submit all of their injury and illness records to OSHA every quarter. The rule is expected in March 2016.
- **Walking-working surfaces:** This rule will address slip, trip and fall hazards, and will be published in April 2016.

### OSHA Penalties to Increase in 2016

As a result of the Bipartisan Budget Act of 2015, OSHA must increase its monetary penalties. The Act requires federal agencies to annually adjust their penalties based on the Consumer Price Index (CPI).

OSHA is expected to raise its maximum penalties by about 80 percent. This figure represents the difference between the CPI in 2015 and 1990—the last time OSHA increased its penalties.

This increase would raise OSHA's maximum penalty for a "serious," "other than serious" or "failure to abate" violation from \$7,000 to approximately \$12,600. The increase is expected to go into effect in August 2016.

For more information on the upcoming penalty increase, call us at 813-984-3200 and ask to see our News Brief, "Internal Memo Reveals Details About New OSHA Enforcement Weighting System."

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