

2013 OSHA WORKPLACE INJURY AND ILLNESS POSTING REQUIRED BY FEBRUARY 1, 2014

The 2013 posting cycle for OSHA's workplace injury and illness reporting rule begins on February 1, 2014 and runs through April 30. The OSHA injury and illness recording and posting requirements apply to most establishments (workplaces) with more than 10 employees. OSHA requires employers to record and post all work related injuries occurring during the previous calendar year. The following list identifies establishments within the petroleum marketing industry and indicates whether the establishment must comply with the OSHA Injury and Illness recording and posting requirements:

I. MUST MY WORKPLACE COMPLY?

Exempt Workplaces:

- ***Gasoline Service Stations (without c-stores) (NAICS Code 447190)*** are exempt from the OSHA injury and illness requirements regardless of the number of employees.

Possibly Exempt Workplaces:

- ***Convenience Food Stores with Gasoline Stations (NAICS Code 447110)***. Where a convenience store and gasoline station is combined, exemption from the OSHA injury and illness reporting rule will depend on the "primary activity" at the establishment. The primary activity of an establishment is determined by the value of receipts for each business activity. If the value of receipts for fuel sales is greater than c-store sales, then the establishment is classified as a Gasoline Service Station and is exempt from the injury and illness reporting rule. If the c-store gross receipts are greater than fuel sales, then the OSHA Injury and Illness requirements apply.

Workplaces that Must Comply:

- ***Petroleum Bulk Plants (NAICS Code 424710)*** with more than 10 employees working at the bulk plant or company headquarters must comply with the OSHA injury and illness requirements. This category includes motor fuel, heating oil and propane bulk facilities.
- ***Petroleum and Petroleum Products Merchant Wholesalers - No Bulk Facilities (NAICS 424720)*** with more than 10 employees must comply with the OSHA injury and illness requirements. This category includes motor fuel, heating oil and propane non-bulk facilities. ***Heating Oil Dealers (NAICS Code 454311)*** with more than 10 employees must comply with the OSHA injury and illness requirements.

II. HOW DO I COMPLY?

Forms and Posting

- ***Form 300*** - Employers are required to keep Form 300, Injury and Illness Log listing all injuries and illnesses that occur in the workplace throughout the reporting year.

- **Form 301** - Employers are required to use OSHA Form 301 to record each workplace injury and illness within seven days of occurrence.
- **Form 300A** - Employers are required to post Form 300A, the Summary of Work-Related Injuries and Illnesses, in a workplace every year from February 1 to April 30.
- OSHA Forms 300, 300A and 301 and Instructions are available at:
<https://www.osha.gov/recordkeeping/RKforms.html>

Employee Access:

- Current and former employees, or their representatives, have the right to access injury and illness records. Employers must provide a copy of the relevant record(s) by the end of the next business day.

Recordable Injuries and Illnesses:

OSHA's definition of work-related injuries, illnesses and fatalities are those in which an event or exposure in the work environment either cause or contributes to the condition. In addition, an event or exposure in the work environment significantly aggravates a pre-existing injury or illness is also considered work-related. Injuries include, but not limited to, a cut, fracture, sprain, or amputation. Illnesses include both acute and chronic illnesses, such as, but not limited to, a skin disease (i.e. contact dermatitis), respiratory disorder (i.e. occupational asthma, pneumoconiosis), or poisoning (i.e. lead poisoning, solvent intoxication). The following injury and illnesses must be recorded

- All work-related fatalities.
- All work-related injuries and illnesses that result in days away from work, restricted work or transfer to another job, loss of consciousness or medical treatment beyond first aid.
- All significant work-related injuries or illnesses diagnosed by a physician or other licensed health care professional, even if it does not result in death, days away from work, restricted work or job transfer, medical treatment beyond first aid, or loss of consciousness.
- Illnesses include both acute and chronic illnesses, such as, but not limited to, a skin disease (i.e. contact dermatitis), respiratory disorder (i.e. occupational asthma, pneumoconiosis), or poisoning (i.e. lead poisoning, solvent intoxication).

A guide to identifying recordable injury and illnesses can be found in the FORM 300, 300A and 301 instructions at:
<https://www.osha.gov/recordkeeping/RKforms.html>