

# LEGAL UPDATE

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

On July 17, 2023, OSHA announced a [final rule](#) that will require certain employers in designated high-hazard industries to electronically submit additional injury and illness information than what is currently required but employers are already required to keep. The final rule will become effective on Jan. 1, 2024.



### IMPORTANT DATES

#### July 17, 2023

OSHA announced a final rule to require certain employers in designated high-hazard industries to electronically submit injury and illness information.

#### July 21, 2023

The new rule will be published in the Federal Register.

#### Jan. 1, 2024

Effective date for the final rule for designated high-hazard industries.

### 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 submission 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; and
- 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 that it believes that providing public access to the data will ultimately reduce occupational injuries and illnesses.

### Employer Next Steps

Employers should review the requirements in 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.