



News & Updates

EMPLOYER ALERT: OSHA REGULATIONS REQUIRE SUMMARY OF WORK-RELATED INJURIES AND ILLNESSES TO BE POSTED BY FEB. 1

All employers covered by Part 1904 of the OSHA Regulations must post a Summary of Work-Related Injuries and Illnesses by February 1. The form must be completed and posted even if no work-related injuries or illnesses occurred during the year. The Occupational Safety and Health Administration (OSHA) has issued a helpful booklet for employers including Form 300A and instructions on completing the form, which can be found here: <http://www.osha.gov/recordkeeping/new-osh300form1-1-04.pdf>. The summary must be posted from February 1 until April 30.

Employers are not required to use Form 300A and may use an equivalent form. However, if an employer uses an equivalent form, the summary must also include the employee access and employer penalty statements found on the OSHA 300A Summary Form.

The form requires a company executive to certify that "he or she has examined the OSHA 300 Log and that he or she reasonably believes, based on his or her knowledge of the process by which the information was recorded, that the annual summary is correct and complete." A company executive can be any of the following individuals:

1. An owner of the company *if* the company is a sole proprietorship or partnership;
2. An officer of the corporation;
3. The highest ranking company official working at the establishment; or
4. The immediate supervisor of the highest ranking company official working at the establishment.

The summary must be posted "in each establishment in a conspicuous place or places where notices to employees are customarily posted." Employers should ensure that the summary "is not altered, defaced or covered by other material."

OSHA regulations cover all private-sector employers who have one or more employees in any state or U.S. territory. The regulations do not cover public sector employers, self-employed individuals, family members operating a farm, or domestic household workers.

For more information, visit OSHA's website at: <http://www.osha.gov/>.

If you have questions about this new posting rule, please contact Sean P. Beiter (716.566.5409; sbeiter@goldbergsegalla.com), or another member of the Goldberg Segalla Labor and Employment Practice Group.

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