

Editor's Note: Safety Group Program Monthly Newsletter Article — Jan. 2021
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You Should Know These Updates to OSHA Recordkeeping and Reporting in the Age of COVID-19

Most employers are required to keep records of work-related illnesses and injuries. As you might expect, the onset of the COVID-19 pandemic raised questions related to Occupational Safety and Health Administration (OSHA) recordkeeping guidelines. The agency [recently clarified](#) the employer requirements related to COVID-19, following confusion over reporting and recordkeeping requirements from April and May 2020 that provided a bit of leeway on enforcement.

One common question asked is whether employers must report an employee's COVID-19 infection to OSHA. **Respiratory illness is typically excluded** under OSHA regulations because it's hard to ascertain whether the infection occurred at work. But after some back and forth, OSHA determined that work-related COVID-19 cases should be recorded if an employer is required to keep records of workplace injuries. Here's an overview of the reporting guidelines at the federal and state levels.

Recording COVID-19 infections

OSHA has clarified that [a case is recordable](#) if:

- It is a confirmed case of COVID-19, [based on CDC guidelines](#).
- It is work-related, meaning an event or exposure in the work environment either caused or contributed to the condition.

A death or inpatient hospitalization triggers the reporting requirement. Employers have 24 hours to report an inpatient hospitalization if it happens within 24 hours of the work-related incident that led to infection. Employers have eight hours to report a work-related death that happens within 30 days of the initial exposure.

The timeline of cases dictates how reporting is done, which is why it's important to complete an investigation and document all information. Work-related exposure to COVID-19 starts the OSHA "clock" on these reporting requirements. Symptoms often take three to 14 days to develop, so it's unlikely hospitalization would occur 24 hours after exposure, negating the requirement to report the incident to OSHA.

Colorado COVID-19 reporting guidelines

According to guidelines updated in December 2020, if a workplace or facility reports more than two cases among employees within a 14-day window, it should close temporarily. The manager

should report the potential outbreak to its [county's public health agency](#). The manager must fill out the [COVID-19 outbreak report form](#) and send it to the agency. Rapid risk assessment can decrease the length of closure.

Once the outbreak is confirmed, managers should look for symptoms of COVID-19 in staff using the Colorado Department of Health & Environment's [line list template](#). The local health agency will help determine the next steps and gauge the extent of the outbreak, working to set a safe reopening date.

General checklist for OSHA recordkeeping

Use this OSHA recordkeeping checklist to stay on track during the pandemic:

1. Encourage employees to report incidents.
2. Investigate all COVID-19 cases to determine their causes.
3. Document the inclusion or omission of every case of COVID-19, including an investigation into whether the case was work-related or not.
4. Maintain OSHA logs, updating logged COVID-19 cases as new information becomes available, including lost and restricted days.
5. Report work-related COVID-19 fatalities or inpatient hospitalizations when they occur. You can do this by:
 - Calling the nearest OSHA office.
 - Calling OSHA's 24-hour hotline, 1-800-321-OSHA (6742).
 - Electronically submitting the report online.

A few general recordkeeping best practices reminders: Keep OSHA logs for five years following the end of the calendar year that these records cover and make your recordkeeping accessible so the records are easy to locate. Don't discriminate against workers who report cases or ask to see OSHA records. Enforce your organization's OSHA recordkeeping policies and practices. Train and update workers with recordkeeping responsibilities.

You can consult the Pinnacol [Knowledge Center](#) to learn more about staying compliant and keeping secure, accurate OSHA records. On that page, you can access OSHA's recordkeeping requirements, OSHA's logs and Recordkeeping Advisor, and Pinnacol's OSHA Report Manager. Visit the [OSHA recordkeeping page](#) for additional resources.

Want to learn more about reporting and recording during the pandemic? [Contact a Pinnacol safety consultant](#) to discuss your questions.

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