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# ***North Carolina Department of Labor Occupational Safety & Health Division***

## **Director's Office Update**

### **OSH Annual Training September 12, 2018**

#### **Presented by:**

Kevin Beauregard, Deputy Commissioner of Labor/Director

Scott Mabry, Asst. Deputy Commissioner of Labor/Asst. Director

Occupational Safety and Health Division of North Carolina



# OSH Division HR/Budget Update

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## Budget

- State FY 2019 Budget
  - 2% LI
  - 5 Days Bonus Leave
  - NCDOL also requested \$1,052,79 for OSH. Governor included in his proposed budget, but NC Legislature did not
- Fed FY2019 Budget
  - President - OSHA no overall change, State Plans no change
  - House - OSHA +\$3 million, State Plans no change
  - Senate - OSHA +\$3 million, State Plans +\$2 million
  - Federal shutdown or CR on 10/1
  - Election Year

## Certifications/Designations

- October 1, 2018 – August 30 , 2018
  - **40** OSH employees received increases associated with **52** certifications and designations for a total of **\$50,081**
  - **25** OSH employees are on a waiting list for an additional **\$48,719** in increases
  - Certifications/Designations obtained: **3 ASP's, 2CSP's, 1 CIH, 9 MESH, 7 C-MESH, 7 IH MESH, 17 PS MESH, 1CHST and 5 OCSS**
  - **OSH Certification Totals: 8 ASP's, 16 CSP's and 9 CIH's**

# OSH SALARIES as of 9/10/2018

POSITION	CURRENT ANNUAL SALARY (WITHOUT FRINGE) LESS THAN 2 YEARS			CURRENT ANNUAL SALARY (WITHOUT FRINGE) 2 YEARS TO LESS THAN 5 YEARS			CURRENT ANNUAL SALARY (WITHOUT FRINGE) 5 YEARS TO 7 YEARS			CURRENT ANNUAL SALARY (WITHOUT FRINGE) MORE THAN 7 YEARS		
	LOW	MEDIAN	HIGH	LOW	MEDIAN	HIGH	LOW	MEDIAN	HIGH	LOW	MEDIAN	HIGH
COMPLIANCE SAFETY OFFICER	\$46,654	\$48,063	\$52,020	\$47,127	\$51,197	\$58,965	\$53,170	\$53,170	\$53,170	\$55,204	\$58,217	\$75,920
COMPLIANCE HEALTH OFFICER	\$49,159	\$53,620	\$53,894	\$56,033	\$57,696	\$63,603	\$56,587	\$59,437	\$62,286	\$59,769	\$70,515	\$78,011
CSB SAFETY OFFICER	\$48,316	\$48,316	\$48,316	\$57,731	\$57,731	\$57,731	N/A	N/A	N/A	\$54,473	\$60,381	\$66,637
CSB SAFETY HEALTH OFFICER	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$62,057	\$72,051	\$81,812
STAR SAFETY OFFICER	N/A	N/A	N/A	N/A	N/A	N/A	\$56,385	\$58,376	\$60,366	N/A	N/A	N/A
STAR HEALTH OFFICER	\$60,162	\$60,162	\$60,162	N/A	N/A	N/A	N/A	N/A	N/A	\$72,124	\$72,124	\$72,124
ETTA SAFETY TRAINER	\$48,710	\$50,186	\$52,149	\$53,640	\$53,640	\$53,640	N/A	N/A	N/A	\$62,889	\$62,889	\$62,889
ETTA HEALTH TRAINER	N/A	N/A	N/A	N/A	N/A	N/A	\$57,562	\$57,562	\$57,562	\$65,964	\$65,964	\$65,964
ETTA SAFETY STANDARDS OFFICER	\$47,651	\$47,651	\$47,651	\$55,367	\$55,062	\$54,756	N/A	N/A	N/A	N/A	N/A	N/A
ETTA HEALTH STANDARDS OFFICER	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$66,101	\$67,862	\$69,623
OSH SUPERVISOR	\$72,595	\$75,414	\$78,664	\$74,473	\$76,782	\$79,405	\$82,750	\$82,750	\$82,750	\$75,634	\$85,681	\$87,966



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# OSH Division

*Cut-Loose, In-Training, Vacant*

July 2018

West Compliance	Safety	%	Industrial Hygienist	%
Cut Loose	23	74%	21	81%
In-Training	6	19%	2	8%
Vacant	2	7%	3	11%
<b>Total</b>	<b>31</b>		<b>26</b>	

East Compliance	Safety	%	Industrial Hygienist	%
Cut Loose	13	48%	8	44%
In-Training	10	37%	4	22%
Vacant	4	15%	6	33%
<b>Total</b>	<b>27</b>		<b>18</b>	

<b>Safety Cut Loose</b>	<b>62%</b>	<b>Health Cut Loose</b>	<b>66%</b>
<b>Safety In-Training</b>	<b>28%</b>	<b>Health in-Training</b>	<b>14%</b>
<b>Safety Vacant</b>	<b>10%</b>	<b>Health Vacant</b>	<b>20%</b>

# OSH Division

## Cut-Loose, In-Training, Vacant

FFY 2018—3<sup>rd</sup> Qtr.

Consultative Services	Safety	%	Industrial Hygienist	%
Cut Loose	10	91%	8	100%
In-Training	0	0%	0	0%
Vacant	1	9%	0	0%
<b>Total</b>	<b>11</b>		<b>8</b>	
<b>Education, Training and Technical Assistance</b>	<b>Safety</b>	<b>%</b>	<b>Industrial Hygienist</b>	<b>%</b>
Cut Loose	6	55%	6	100%
In-Training	4	36%	0	0%
Vacant	1	9%	0	0%
<b>Total</b>	<b>11</b>		<b>6</b>	
<b>Agricultural Safety and Health</b>	<b>Safety</b>	<b>%</b>	<b>Industrial Hygienist</b>	
Cut Loose	4	67%	NA	
In-Training	2	33%	NA	
Vacant	0	0%	NA	
<b>Total</b>	<b>6</b>			

# OSH Division

## Standards Section—New to Website

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- **A - Z Safety and Health Topics**

- *Laboratory Safety*
- *Flammable Liquids*
- *Medical Services and First Aid*
- *Underground Construction*

- **Special Emphasis Program Web Pages**

- *Long Term Care*
- *Construction*
- *Food Manufacturing*
- *Grocery and Related Wholesalers*
- *Arboriculture and Logging*
- *Health Hazards*



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# OSHNC Procedure Updates

- New 5-year Strategic Plan
  - Amputation SEP, will be developed in FY 2019
  - Removed Accommodations
- 10 Comp. Action Requests (AR) FY 2018  
16 submitted in FY 2017.
- 4 CSB AR submitted in FY 2018, 4 AR FY2017
- Monday am notice by ETTA
- See One Stop



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Rev 2: 3/2013

## ACTION REQUEST

*Note: Requester of the action request only completes boxes below that are unshaded, then emails completed form to the affected bureau chief. For help completing the form, place the cursor in the field and press F1.*

To Bureau: OSH Compliance	Primary Contact: Jackie Spangler
Requester Name: Jackie Spangler	Action Request #: 06-18
Time Sensitive: Yes	Date: 03/01/2018

Description of problem, nonconformity, and/or suggestion for improvement.

Update of Chapter 16 in the FOM due to changes in processes in the Osha Express/Budget Department for processing of Penalty payments beginning March 1, 2018.

FOM Chapter XVI, cont'd.

D-3

F. Processing Penalty Checks (Processed by NCDOL Budget Division).

## Problem Review and Program Recommendation

FOM Chapter XVI, cont'd.

D-3

F. Processing Penalty Checks (Processed by NCDOL Budget Division).

1. The Budget Division will email copies of the transmittals to the appropriate field office.

2. The administrative staff will print off and review all transmittals received from budget for inspections in the OE. If the final payment has been made on an inspection and all violations have been abated they will, print off a case audit report attach a copy of the transmittal and write "paid & abated" on the case audit report. The case audit with the attached transmittal will then be placed in the CSHO's mail box.

## Action Plan

See attachment with updates for review

3/22/18 – Changes made in FOM and posted on OSS.

Authorized By: Jackie Spangler	Date: 3/22/18	Plan Effective Date:
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# New Equipment & Services

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- Drones, HP Tablets, videoconference equipment, cyclones, dosimeters, gas monitors, aerosol monitors, paracetamol monitors, electronic file systems, 2-way radios, sampling pumps, etc..
- 7 OE Scanners deployed (CSB, Compliance , ASH)
- Additional Datachem study seats acquired for: ASP, CSP, OHST, CIH and CHMM
- Podcast Equipment



# FFY 2017 FAME Observations

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- ALL RRI's did not contain documentation of abatement for all hazards
- Sampling was not always used appropriately, as part of an investigation
- Some violations were not classified correctly
- Some EDB cases were not entered into WEBIMIS in a timely manner and/or hard copy files did not contain all required forms
- May be going to 3-year cycle

## FY 2017 Comprehensive Federal Annual Monitoring Evaluation (FAME) Report

NORTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION,  
OFFICE OF OCCUPATIONAL SAFETY AND HEALTH



Evaluation Period: October 1, 2016 – September 30, 2017

Initial Approval Date: November 30, 1972  
Program Certification Date: August 3, 1976  
Final Approval Date: December 15, 1987

Prepared by:  
U. S. Department of Labor  
Occupational Safety and Health Administration  
Region IV  
Atlanta, Georgia



# Internal Training Audit - CSHO

## Progression Notebook



**OSH One Stop Shop**  
OCCUPATIONAL SAFETY AND HEALTH DIVISION

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## Training Resources

Training Resources - Quick Jump...

### CSHO Progression Notebook

#### CSHO Progression Notebook

This page details the structure of the new CSHO's Progression Notebook and how it will be set up.

- [Guidance for the Supervisor](#)
- [Guidance for the CSHO Lead](#)
- [Guidance for the CSHO Trainee](#)

This page details the structure of the new CSHO's Progression Notebook and how it will be set up. Questions regarding the notebook contents should be directed to the district supervisor and/or bureau chief. The CSHO trainee will be provided with a 3 ring notebook and will tab and print out the pages as directed below. In some cases, you will download documents to your computer desktop for your use.

[CSHO Progression Notebook Table of Contents \(TOC\)](#)

# OSHA Beryllium Standard



UNITED STATES  
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A TO Z INDEX

Occupational Safety and Health Administration

English | Spanish

ABOUT OSHA ▾ WORKERS ▾ EMPLOYERS ▾ REGULATIONS ▾ ENFORCEMENT ▾ TOPICS ▾ NEWS & PUBLICATIONS ▾ DATA ▾ TRAINING ▾

## Final Rule to Protect Workers from Beryllium Exposure

**OSHA Issues Direct Final Rule (DFR) Revising Beryllium Standard For General Industry and Companion NPRM on Proposed Changes for Beryllium Standard for General Industry.**  
Learn more from the [news release](#).

The Occupational Safety and Health Administration (OSHA) has issued a final rule to prevent chronic beryllium disease and lung cancer in American workers by limiting their exposure to beryllium and beryllium compounds. The rule contains standards for general industry, construction, and shipyards.

OSHA estimates that the rule will save 90 lives from beryllium-related diseases and prevent 46 new cases of chronic beryllium disease each year, once the effects of the rule are fully realized. The rule is projected to provide net benefits of about \$560.9 million, annually.

About 62,000 workers are exposed to beryllium in their workplaces, including approximately 11,500 construction and shipyard workers who may conduct abrasive blasting operations using slags that contain trace amounts of beryllium. The majority of workers affected by this rule are exposed in general industry operations such as beryllium metal and ceramic production, non-ferrous foundries, and fabrication of beryllium alloy products. Responsible employers have been protecting workers from harmful exposure to beryllium for years, using engineering and work practice controls along with personal protective clothing and equipment.

### Key Provisions

- Reduces the permissible exposure limit (PEL) for beryllium to 0.2 micrograms per cubic meter of air, averaged over 8-hours.
- Establishes a new short term exposure limit for beryllium of 2.0 micrograms per cubic meter of air, over a 15-minute sampling period.
- Requires employers to: use engineering and work practice controls (such as ventilation or enclosure) to limit worker exposure to beryllium; provide respirators when controls cannot adequately limit exposure; limit worker access to high-exposure areas; develop a written exposure control plan; and train workers on beryllium hazards.
- Requires employers to make available medical exams to monitor exposed workers and provides medical removal protection benefits to workers identified with a beryllium-related disease.

### About the Rule

**NEW** OSHA issues a [final rule to extend the compliance date](#) for specific ancillary requirements of the general industry beryllium standard to Dec. 12, 2018.

- Learn more from the [news release](#)

**NEW** OSHA Issues [Direct Final Rule \(DFR\) Revising Beryllium Standard For General Industry](#).

[Correction to the Interim Enforcement Memorandum and Notice of Delay in Enforcement for Certain Provisions of the Beryllium Standards](#). OSHA Letter of Interpretation, (May 9, 2018).

[Read the Rule \[PDF\]](#)

[General Industry Standard - 1910.1024](#)

[Construction Standard - 1926.1124](#)

[Shipyard Standard - 1915.1024](#)

[Beryllium Rule Fact Sheet](#)

[Frequently Asked Questions](#)

[Medical Surveillance for Beryllium-Exposed Workers Fact Sheet](#)

[Beryllium Final Docket Content Report](#)



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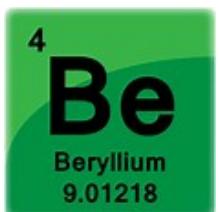
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# OSHA Beryllium Standard

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- OSHA delayed enforcement of select provisions (provisions related to methods of compliance, beryllium work areas, regulated areas, personal protective clothing and equipment, hygiene areas and practices, housekeeping, communication of hazards, and recordkeeping) for the general industry beryllium standard until **December 12, 2018**.
- OSHA will continue to enforce the PEL, exposure assessment, respiratory protection, medical surveillance, and medical removal protection provisions, which will provide a high degree of protection from the adverse health effects of beryllium exposure, including a serious beryllium-related lung disease known as chronic beryllium disease.



# OSH Division

## Standards Section—New/Revisions



CHERIE B. BERRY  
COMMISSIONER

ROTH MARRY  
ASSISTANT DEPUTY COMMISSIONER  
OCCUPATIONAL SAFETY AND HEALTH DIVISION

**MEMO**

To: OSH Division  
From: Karen Berry, Assistant Deputy Commissioner  
Date: June 1, 2018  
Re: Interim Enforcement Guidance and Delay of Enforcement of the Beryllium Standards under 29 CFR 1910.1024, 29 CFR 1926.112(e), and 29 CFR 1926.112(f) to August 9, 2018

On May 9, 2018, the Occupational Safety and Health Administration (OSHA) issued a memorandum offering guidance on how to implement the new beryllium standards. The memorandum concluded that no enforcement guidance for the Beryllium standards, which is in effect until December 12, 2018, will be issued until after May 11, 2018 enforcement date for certain provisions of the Beryllium standards:

1. The memorandum concluded that no enforcement guidance for the Beryllium standards, which is in effect until December 12, 2018, will be issued until after May 11, 2018 enforcement date for certain provisions of the Beryllium standards:
  - Beryllium exposure limits (1910.1024(e)) in the general industry 1910.1024(e), construction 1926.112(e),
    - General industry exposure assessment 1910.1024(d);
    - General industry respiratory protection 1910.1024(g);
    - General industry engineering controls 1910.1024(f); and
    - General industry medical removal 1910.1024(j).
  - 3. The memorandum established a 45-day delay in enforcement of all other requirements of 1910.1024 (not listed above).

The May 9, 2018 memorandum was addressed by the Occupational Safety and Health (OSH) Division on June 70, 2018. On June 1, 2018, OSHA issued an additional memorandum. This memorandum confirmed the first two elements from the May 9, 2018 memorandum outlined above, but extended the delay in enforcement of all other requirements of 1910.1024 from June 25, 2018 until August 9, 2018.

Per this memorandum, the OSH Division of the North Carolina Department of Labor adopts the above-mentioned OSHA's interim enforcement procedure and delayed enforcement dates for use in North Carolina. The referenced memorandums from May 9, 2018 and June 1, 2018 are attached.

**Talking Points**

**Limited Extension of Select Compliance Dates for Occupational Exposure to Beryllium in General Industry**

- OSHA has finalized the delay in enforcement of select provisions (provisions related to methods of compliance, beryllium work areas, regulated areas, personal protective clothing and equipment, hygiene areas and practices, housekeeping, communication of hazards, and recordkeeping) for the general industry beryllium standard until December 12, 2018.
- OSHA will continue to enforce the permissible exposure limits, exposure assessment, respiratory protection, medical surveillance, and medical removal protection provisions, which will provide a high degree of protection from the adverse health effects of beryllium exposure, including a severe beryllium-related lung disease known as chronic beryllium disease.
- On January 1, 2017, OSHA published a final beryllium standard for the general industry standard for general industry construction and shipyards. Following promulgation of the final rule, employers challenged the rule in federal court and approached OSHA with questions and concerns about some of the provisions in the final rule.
- On March 2, 2018, OSHA issued a memo stating that no provisions of the general industry standard would be enforced until May 11, 2018, in order to provide additional time to conclude negotiations with litigants. No subsequent enforcement delay followed. On June 1, 2018, delayed enforcement of the first two provisions of the general industry standard's ancillary provisions (the provisions that are the subset of this final rule) until June 25, 2018, and the second, June 21, 2018, delayed enforcement of those provisions until August 9, 2018.
- On June 1, 2018, OSHA proposed an extension of the compliance date for certain ancillary requirements of the general industry beryllium standard to December 12, 2018, entitled "Limited Extension of Select Compliance Dates for Occupational Exposure to Beryllium in General Industry" in order to complete a planned notice of proposed rulemaking (NPRM) to propose changes to the standard to be consistent with the affected provisions of the rule. The revisions OSHA plans to propose in this planned NPRM are generally designed to clarify the standard or to simplify compliance.
- OSHA is currently reviewing the comments received and is considering any substantive comments from employers and concerns about the effect of a delay on worker protections from public health organizations and unions.
- OSHA has determined that this limited delay will maintain essential safety and health protections for workers. OSHA plans an NPRM to clarify specific provisions of the beryllium standard that would both maintain the standard's worker safety and health protections and address enforcement compliance issues.
- Other provisions of the rule that the standard already establishes compliance dates in 2019 (showers and changing rooms and showers) or 2020 (engineering controls) are also unaffected.
- The Limited Extension of Select Compliance Dates for Occupational Exposure to Beryllium in General Industry will be published in the Federal Register as a Final Rule on (date).

- *BE 3—Interim Enforcement Guidance and Delay of Enforcement of the Beryllium Standards until August 9, 2018. As indicated on previous slide OSHA has now delayed enforcement for select provisions until 12/12/18 and OSH will also delay.*



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# OSHA Silica FAQ's

https://www.osha.gov/dsg/topics/silicacrystalline/construction\_info\_silica.html

Safety and Health Topics | Res...

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Edit View Favorites Tools Help

Page Safety Tools ? &  UNITED STATES DEPARTMENT OF LABOR

[f](#) [t](#) [i](#) [n](#) [e](#)

Find it in OSHA 

A TO Z INDEX

Occupational Safety and Health Administration

English | Spanish

ABOUT OSHA ▾ WORKERS ▾ EMPLOYERS ▾ REGULATIONS ▾ ENFORCEMENT ▾ TOPICS ▾ NEWS & PUBLICATIONS ▾ DATA ▾ TRAINING ▾

Safety and Health Topics / Silica, Crystalline

## Silica, Crystalline



[Home](#)

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[Sampling and Analysis](#)

[FAQs](#)

### Occupational Exposure to Respirable Crystalline Silica

#### 29 C.F.R. § 1926.1153

#### Frequently Asked Questions ("FAQs") for the Construction Industry

On March 25, 2016, the Occupational Safety and Health Administration (OSHA) published a final rule regulating occupational exposure to respirable crystalline silica (silica) in the construction industry (the standard). 81 Fed. Reg. 16286. OSHA developed these Frequently Asked Questions (FAQs) about the standard in consultation with industry and union stakeholders.

These FAQs provide guidance to employers and employees regarding the standard's requirements. This document is organized by topic. A short introductory paragraph is included for each group of questions and answers to provide background information about the underlying regulatory requirements.

The following acronyms are used throughout this document:

AL - action level (25  $\mu\text{g}/\text{m}^3$  as an 8-hour time-weighted average)  
HEPA filter - high-efficiency particulate air filter  
PEL - permissible exposure limit (50  $\mu\text{g}/\text{m}^3$  as an 8-hour time-weighted average)  
PLHCP - physician or other licensed health care professional  
TWA - time-weighted average

Type here to search 



## Occupational Safety & Health Division

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# OSHA Silica Video- Uploaded 8/7/18

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- <https://youtu.be/-kQmLYqIR2A>



The image shows a YouTube video player. At the top, the YouTube logo and a search bar are visible. The main content area displays the OSHA logo (a blue circle with a white 'O' and 'S' inside) and the text "Occupational Safety and Health Administration" in white. Below this, a video player interface shows a play button, a progress bar at 0:02 / 5:00, and video controls. The video title "Protecting Workers from Silica Hazards in the Workplace Video" is displayed in a white box. Below the title, the US Department of Labor logo is shown, along with a "Subscribe" button and "12K" subscribers. The video has "3,398 views" and "14" likes. At the bottom, it says "Uploaded on Aug 7, 2018" and "Informational video on the hazards of exposure to respirable crystalline silica."



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# OSHA Injury Tracking Application



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A TO Z INDEX

Occupational Safety and Health Administration

English | Spanish

ABOUT OSHA ▾ WORKERS ▾ EMPLOYERS ▾ REGULATIONS ▾ ENFORCEMENT ▾ TOPICS ▾ NEWS & PUBLICATIONS ▾ DATA ▾ TRAINING ▾

[Final Rule](#) / [Injury Tracking Application \(ITA\) - Electronic Submission of Injury and Illness Records to OSHA](#)

## Injury Tracking Application Electronic Submission of Injury and Illness Records to OSHA

[Launch ITA](#)

### ANNOUNCEMENTS

Under the current recordkeeping rule, the initial deadline for electronic submission of information from OSHA Forms 300 and 301 by covered establishments with 250 or more employees was July 1, 2018. However, OSHA has published a [Notice of Proposed Rulemaking \(NPRM\)](#) to amend its recordkeeping regulation to remove the requirement to electronically submit to OSHA information from the OSHA Form 300 (Log of Work-Related Injuries and Illnesses) and OSHA Form 301 (Injury and Illness Incident Report) for establishments with 250 or more employees which are required to routinely keep injury and illness records. OSHA will not enforce this deadline for these two forms without further notice while this rulemaking is underway.

Employers can continue to electronically report their Calendar Year (CY) 2017 Form 300A data to OSHA, but submissions after July 1, 2018 will be flagged as "Late". **Remember, not all establishments are covered by this requirement.** To review which establishments need to provide their 2017 data, [click here](#).

Click "Launch ITA" to provide OSHA your 2017 OSHA Form 300A information.

**Who:** Establishments with 250 or more employees that are currently required to keep OSHA injury and illness records, and establishments with 20-249 employees that are classified in [certain industries](#) with historically high rates of occupational injuries and illnesses.

If employers in State Plan states have questions about their obligation to submit injury and illness information, please contact your [State Plan office](#).

**What:** Covered establishments must electronically submit information from their 2017 OSHA Form 300A.

**When:** In 2018, covered establishments must submit information from their completed 2017 Form 300A by July 1, 2018. Beginning in 2019 and every year thereafter, covered establishments must submit the information by March 2.

**How:** OSHA will provide a secure website that offers three options for data submission. First, users will be able to manually enter data into a web form. Second, users will be able to upload a CSV file to process single or multiple establishments at the same time. Last, users of automated recordkeeping systems will have the ability to transmit data electronically via an API (application programming interface). We will provide status updates and related information here as it becomes available.



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# OSHA Injury Tracking Application

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- OSHA published a Notice of Proposed Rulemaking (NPRM) to amend its recordkeeping regulation to remove the requirement to electronically submit to OSHA information from the OSHA Form 300 (Log of Work-Related Injuries and Illnesses) and OSHA Form 301 (Injury and Illness Incident Report) for establishments with 250 or more employees which are required to routinely keep injury and illness records. **OSHA will not enforce this deadline for these two forms without further notice while this rulemaking is underway.**
- Employers can continue to electronically report their Calendar Year (CY) 2017 Form 300A data to OSHA, but submissions after July 1, 2018 will be flagged as "Late". A new site specific targeting system is under development by OSHA that will utilize the reported data.



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# Questions?



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