

OSHA Announces Electronic Recordkeeping App

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On July 14, 2017, the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) announced the creation of a new web-based application that will allow employers to electronically submit required injury and illness data from their completed 2016 OSHA Form 300A. The application will launch on August 1, 2017.

OSHA is using the planned August 1 application launch as a reason to delay the initial deadline for submitting the data electronically. On May 12, 2016, OSHA had published a final rule amending its Recording and Reporting Occupational Injuries and Illnesses regulation. That rule required certain employers to electronically submit annual records of work-related injuries and illnesses to OSHA (for a comprehensive discussion of the rule, view our Labor & Employment Practice briefing). The rule established July 1, 2017 as the initial deadline by which certain employers were required to electronically submit the information from their completed 2016 Form 300A to OSHA. On June 28, 2017, OSHA issued a proposed rule that would extend the initial submission deadline by five months, to December 1, 2017, in order "to provide the new administration an opportunity to review the new electronic reporting requirements prior to their implementation and allow affected entities sufficient time to familiarize themselves with the electronic reporting system, which will not be available until August 1."

As one might anticipate, the comments on the proposed rulemaking are split, with some worker safety groups (including the Utility Workers Union of America and the United Steelworkers union) opposing the delay, and industry groups (including the National Association of Manufacturers and the National Association of Home Builders) supporting the delay. Numerous comments from industry groups further request that OSHA stay the final rule all together.

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