

LEGISLATIVE UPDATE

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2005 OSHA POSTING REQUIREMENT

If your company is covered by the OSHA recordkeeping standard (most are), starting on February 1, 2005 you are required to post a summary (OSHA Form 300A) of the total number of job-related injuries and illnesses that occurred in 2004 for each facility or establishment. All covered employers are required to post the Form 300A for three months until April 30, 2005.

The Form 300A provides the total number of job-related injuries and illnesses. Companies or establishments with no recordable injuries or illnesses in 2004 still must post the 300A summary with zeros on the total line. It is important to note that the 300A summary must be signed or certified by a company executive or the top facility manager. This requirement *cannot* be performed by the facility safety or human resources manager. In addition, certifying false information to OSHA could potentially subject the executive to criminal liability under the Occupational Safety and Health Act of 1970.

The posted 300A summary must be displayed in a common area wherever notices to employees usually are posted. Employers with ten or fewer employees and employers in certain industry groups are normally exempt from federal OSHA injury and illness recordkeeping and posting requirement.

Please note: even employers normally exempt from recordkeeping requirements have to comply with specific recordkeeping rules of applicable OSHA standards. Additionally, all employers covered by the Act (including employers exempt from the recordkeeping requirements) are required within eight (8) hours to report by telephone to the nearest OSHA office all accidents that result in one or more fatalities or the hospitalization of three or more employees.