

OSHA Electronic Recordkeeping and Reporting Requirements Expanded to Certain Employers

By Lindsay A. Casile

Effective January 1, 2024, the Occupational Safety and Health Administration (“OSHA”) expands its electronic recordkeeping and reporting requirements for certain employers in designated industries. The regulation, “Improve Tracking of Workplace Injuries and Illnesses,” requires a new category of employers, those in specified “high-hazard” industries with 100 or more employees, to annually submit injury and illness information electronically to OSHA.

Specifically, the revised regulation requires the following:

- Establishments with 100 or more employees in certain high-hazard industries must electronically submit information from OSHA’s Injury & Illness Forms 300 and 301, in addition to the already required Form 300A.
- Covered establishments must electronically submit information from these forms by March 2 each year. For example, annual reporting for 2023 must be submitted by March 2, 2024.
- When making these annual electronic submissions, establishments are required to include their legal company name.

According to OSHA, “high-hazard” industries include, but are not limited to, agriculture, manufacturing, construction, grocery, retail, transportation, and warehousing. OSHA published a full list of designated “high-hazard” industries subject to the new electronic reporting requirements as Appendix B to Subpart E of the regulation (29 CFR § 1904.41). To assist organizations in determining whether they are subject to this new rule, OSHA provides, on its website, an [ITA Coverage Application](#).

Data collected from OSHA Forms 300, 300A, and 301 will be made available to the public, excluding any personally identifying information, such as employee names, addresses, and/or medical providers. According to an OSHA press release, Assistant Secretary for Occupational Safety and Health, Doug Parker, explains that public access to this information will ultimately reduce occupational injuries and illnesses and “OSHA will use these data to intervene through strategic outreach and enforcement to reduce worker injuries and illnesses in high-hazard injuries. The safety and health community will benefit from the insights this information will provide at the industry level, while workers and employers will be able to make more informed decisions about their workplace’s safety and health.”

Notably, the rule does not change OSHA’s existing electronic reporting requirements for electronic submission of Form 300A for establishments with 20 to 249 employees in certain designated industries and establishments with 250 or more employees that are required to keep OSHA injury and illness records. OSHA has created a website, the [Injury Tracking Application](#), for establishments to electronically submit this data.

For further information, assistance with these recordkeeping and reporting requirements, or for general OSHA guidance and compliance, please contact any of the listed Roetzel attorneys.

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