

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)
REGULATORY UPDATES

FINAL STATUTES AND RULEMAKING

CITATION	SUMMARY
<p>Subject: Improve Tracking of Workplace Injuries and Illnesses</p> <p>Publication Date: 05/12/2016</p> <p>Effective Date: 01/01/2017</p> <p>Action: Final rule</p> <p>CFR: 29 CFR Parts 1904 and 1902</p> <p>Agency/Docket Number: OSHA-2013-0023</p> <p>RIN: 1218-AC49</p>	<p>OSHA issued a final rule to modernize injury data collection to better inform workers, employers, the public, and OSHA about workplace hazards. With this new rule, OSHA is applying the insights of behavioral economics to improve workplace safety and prevent injuries and illnesses. Under the new rule, all establishments with 250 or more employees in industries covered by OSHA’s current recordkeeping regulation must electronically submit to OSHA injury and illness information from OSHA Forms 300, 300A, and 301. Establishments with 20-249 employees in certain industries* must electronically submit information from OSHA Form 300A only. *The list of industries is available at:</p> <p style="text-align: center;">OSHA.gov</p> <p>To ensure that the injury data on OSHA logs are accurate and complete, the final rule also promotes an employee’s right to report injuries and illnesses without fear of retaliation, and clarifies that an employer must have a reasonable procedure for reporting work-related injuries that does not discourage employees from reporting. This aspect of the rule targets employer programs and policies that, while normally promoting safety, have the effect of discouraging workers from reporting injuries and, in turn leading to incomplete or inaccurate records of workplace hazards.</p> <p>The new requirements take effect August 10, 2016, with phased in data submissions beginning in 2017. A copy of the final rule is available at:</p> <p style="text-align: center;">FederalRegister.gov</p>

LETTERS OF INTERPRETATION

OSHA has issued the following letters of interpretation since our last regulatory update:

May 11, 2016 - Recognized and Generally Accepted Good Engineering Practices in Process Safety Management Enforcement [1910.119].

[OSHA.gov](#)

February 8, 2016 - Respirator fit test requirements [1910.134(f); 1910.134(f)(2); 1910.134(k)].

[OSHA.gov](#)

RECENT DEVELOPMENTS**OSHA and NIOSH provide guidance for protecting workers from exposure to Zika virus**

An outbreak of Zika is spreading through Central and South America, Mexico, and parts of the Caribbean, including U.S. territories. Though Zika currently isn't spreading on the mainland through mosquitoes, which is the main route of transmission of the virus, employers and workers should take steps to prevent or minimize the risk of Zika infection if transmission starts to occur or if they work with travelers returning to the U.S. with Zika. An OSHA and NIOSH interim guidance document provides recommendations on protecting workers who may be at risk for Zika virus infection through on-the-job exposure to mosquitoes or the blood or other body fluids of infected individuals. The guidance document is available at:

[OSHA.gov - Publications](#)

NIOSH releases study on work-related hearing loss

The National Institute for Occupational Safety and Health released a study in its Morbidity and Mortality Weekly Report on hearing impairment among noise-exposed workers in the United States from 2003 to 2012. This study found a prevalence of 13 percent hearing loss (mild to complete) among 1.4 million audiograms studied. This study confirms and quantifies the prevalence of hearing loss among employees of nine major industry sectors. The mining, construction and manufacturing industries had the highest prevalence of workers with any hearing impairment or moderate to severe hearing impairment. Occupational hearing loss, primarily caused by high noise exposure, is the most common U.S. work-related illness. NIOSH estimates that 22 million U.S. workers are exposed to hazardous occupational noise. Information on the NIOSH study is available at

[OSHA.gov](#)

OTHER RECENT DEVELOPMENTS**Fall Protection Chapter added to OSHA Technical Manual**

OSHA has published a new chapter in the OSHA Technical Manual. Chapter 4, Section V, Fall Protection in Construction, provides OSHA inspectors with technical information critical in evaluating fall hazards and abatement methods in the construction industry. This chapter includes key information on fall prevention, hazard assessment, and detailed images on protection equipment. The new chapter is available on OSHA's website at:

[OSHA.gov](https://www.osha-slc.gov)**New fact sheets available on hazards related to scaffolds and confined spaces**

OSHA has released new fact sheets on scaffolds and confined spaces. A ladder jack scaffolds fact sheet illustrates how to prevent injuries from falls when using work platforms supported by portable ladders. The fact sheet is available at:

[OSHA.gov](https://www.osha-slc.gov)

The confined spaces fact sheet emphasizes the OSHA requirement for employers to develop and implement procedures for summoning rescue or emergency services in permit-required confined spaces. The fact sheet is available at lifts are used frequently at:

[OSHA.gov](https://www.osha-slc.gov)**OSHA and NOAA provide guidance to protect outdoor workers from lightning strikes**

OSHA and the National Oceanic and Atmospheric Administration have released a Lightning Safety When Working Outdoors Fact Sheet that provides employers and workers with information about lightning hazards and protective measures that can be taken to ensure workers' safety. Often overlooked as an occupational hazard, lightning strikes can severely injure or kill workers in occupations such as construction, logging, utility repair, agriculture, telecommunications, lawn services, and airport ground operations. A copy of the fact sheet is available at:

[OSHA.gov](https://www.osha-slc.gov)**New OSHA fact sheet addresses hazards related to combustible dust**

A new OSHA fact sheet titled Protecting Workers from Combustible Dust Explosion Hazards explains how to capture, contain and clean combustible dusts generated in a variety of workplaces before they become dispersed in clouds that present the risk of flash fires or explosions. The fact sheet is available at:

[OSHA.gov](https://www.osha-slc.gov)