

**OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)  
REGULATORY UPDATES**

**1.0 FINAL STATUTES AND RULEMAKINGS**

Citations	Summary
<p>Title: Tracking of Workplace Injuries and Illnesses</p> <p>Publication Date: 07/30/2018</p> <p>Agency: Occupational Safety and Health Administration</p> <p>Document Type: Proposed Rule</p> <p>Document Citation: 83 FR 36494</p> <p>Pages: 36494-36507</p> <p>CFR: 29 CFR 1904</p> <p>Document Number: 2018-16059</p>	<p>The Occupational Safety and Health Administration (OSHA) has issued a Notice of Proposed Rulemaking (NPRM) to better protect personally identifiable information or data that could be re-identified with a particular individual by removing provisions of the "Improve Tracking of Workplace Injuries and Illnesses" rule. OSHA believes this proposal maintains safety and health protections for workers, protects privacy and reduces the burdens of complying with the current rule.</p> <p>The proposed rule eliminates the requirement to electronically submit information from 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 that are currently required to maintain injury and illness records. These establishments would be required to electronically submit information only from OSHA Form 300A (Summary of Work-Related Injuries and Illnesses).</p> <p>Under the current recordkeeping rule, the deadline for electronic submission of Calendar Year 2017 information from OSHA Forms 300 and 301 was July 1, 2018. In subsequent years, the deadline is March 2. OSHA is not currently accepting the Form 300 or 301 data and will not enforce the deadlines for these two forms without further notice while this rulemaking is underway. The electronic portal collecting Form 300A data is accepting CY 2017 data, although submissions after July 1, 2018, will be marked late.</p> <p>The proposed rule is available at <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-07-30/pdf/2018-16059.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-07-30/pdf/2018-16059.pdf</a></p>
<p>Title: Limited Extension of Select Compliance Dates for Occupational Exposure to Beryllium in General Industry</p> <p>Publication Date: 08/09/2018</p> <p>Agency: Occupational Safety and Health Administration</p> <p>Dates: This rule is effective August 9, 2018.</p> <p>Document Type: Rule</p> <p>Document Citation: 83 FR</p>	<p>OSHA issued a final rule to extend the compliance date for specific ancillary requirements of the general industry beryllium standard to December 12, 2018. This extension affects provisions for methods of compliance, beryllium work areas, regulated areas, personal protective clothing and equipment, hygiene facilities and practices, housekeeping, communication of hazards, and recordkeeping. This compliance date extension does not affect the compliance dates for other requirements of the general industry beryllium standard.</p> <p>OSHA has determined that the extension will maintain essential safety and health protections for workers while the agency prepares a Notice of Proposed Rulemaking to clarify certain provisions of the beryllium standard that would maintain the standard's worker safety and health protections, and address employers' compliance burdens.</p>

Citations	Summary
39351 Pages: 39351-39360 (10 pages) CFR: 29 CFR 1910 Document Number: 2018-17106	OSHA began enforcing the new permissible exposure limits for general industry, construction, and shipyards, and the general industry provisions for exposure assessment, respiratory protection, medical surveillance, and medical removal on May 11, 2018. Those requirements are unaffected by this rule. Any provisions for which the standard already establishes compliance dates in 2019 (change rooms and showers) or 2020 (engineering controls) are also unaffected by this rule.

## 2.0 LETTERS OF INTERPRETATION

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

April 16, 2018 - Regarding guardrail systems and fall protection requirements to scaffold systems, including form scaffolds. - [1926.451(g)(4)(i)]

- <https://www.osha.gov/laws-regs/standardinterpretations/2018-04-16>

July 27, 2018 - Compliance with the access provisions when using a software application containing the records - [1904.35; 1904.40; 1904.29(b)(6)]

- <https://www.osha.gov/laws-regs/standardinterpretations/2018-07-27>

August 9, 2018 - Clarification on the use of a cold therapy only setting on a therapeutic device is first-aid - [1904.7(b)(5)(ii)]

- <https://www.osha.gov/laws-regs/standardinterpretations/2018-08-09>

## 3.0 RECENT NEWS AND DEVELOPMENTS

### New Compliance Assistance Resources Available for OSHA’s Silica Standards

OSHA's silica standards require employers to limit worker exposures to respirable crystalline silica and take steps to protect workers. OSHA has several new resources to help employers meet the requirements of the standards.

- A customizable slide presentation can be used to help train construction workers.
- A five-minute video shows how to protect workers from exposure to silica dust.
- A series of short videos demonstrates the proper use of specified dust control methods for six common construction tasks.

The presentation and videos are available on OSHA’s silica topic website at <https://www.osha.gov/dsg/topics/silicacrystalline/index.html>.

### Free Workplace Violence Prevention Webinar Available Online

A free 60-minute webinar on preventing workplace violence in healthcare settings is available from The Joint Commission, a long-standing OSHA national alliance partner. The webinar includes an overview of OSHA's Guidelines for Preventing Workplace Violence for Healthcare and Social Service Workers, as well as a discussion of a multi-hospital intervention study that reduced violent events. The webinar is available at:

[https://www.jointcommission.org/workplace\\_violence\\_prevention\\_implementing\\_strategies\\_for\\_safer\\_healthcare\\_organizations/](https://www.jointcommission.org/workplace_violence_prevention_implementing_strategies_for_safer_healthcare_organizations/)

### **New Webpage Provides Updates on Protecting Workers from Legionnaire's Disease**

OSHA recently revised the Legionellosis Safety and Health Topics page to provide the latest information on preventing, identifying and controlling *Legionella* bacteria hazards in workplaces. The new page updates Chapter 7 of the OSHA Technical Manual, as well as OSHA's *Legionella* eTool. Employers, healthcare providers, and health and safety professionals can use the new resource to protect workers and collaborate during worksite investigations of Legionellosis (Legionnaire's Disease and the milder Pontiac Fever). Approximately 6,000 cases are reported each year in the United States. The webpage is available at <https://www.osha.gov/SLTC/legionnairesdisease/index.html>

### **New Public Service Announcement on Trench Safety Available**

OSHA released a new public service announcement on trench safety. The 45-second video, "5 Things You Should Know to Stay Safe," highlights well-known and proven safety measures that can eliminate hazards and prevent worker injuries. The video and other trench safety resources are available at <https://www.osha.gov/SLTC/trenchingexcavation/>

### **OSHA Updates National Emphasis Program on Trenching and Excavation**

OSHA has updated its National Emphasis Program (NEP) on preventing trenching and excavation collapses in response to a recent spike in trenching fatalities. Under the NEP, OSHA will increase its education and enforcement efforts; inspectors will record trenching and excavation inspections in a national reporting system; and each area office will develop outreach programs. The NEP began Oct. 1, with a three-month period of education and prevention outreach. The NEP is available at the following link: [https://www.osha.gov/sites/default/files/enforcement/directives/CPL-02-00-161\\_0.pdf](https://www.osha.gov/sites/default/files/enforcement/directives/CPL-02-00-161_0.pdf)