



# Reporting & Recordkeeping

## INFORMATION AND RESOURCES FOR ACCESSING AND USING INJURY & ILLNESS LOGS

Reporting workplace injuries and illnesses is critical for worker's to protect their right to file a worker's compensation claim and can prevent other workers from being sick, injured or killed. Employers are required to train employees on how to report workplace injuries and illnesses and must keep and provide appropriate access to incident reports. They also must keep logs of work-related illnesses and injuries. New York public employers must use the SH-900 logs while private sector employers use the OSHA 300 logs. Reviewing these logs can help to identify workplace hazards and their root causes.

Employees, former employees, personal representatives or union representatives can ask for copies of the SH-900's/OSHA 300s. CSEA can research, analyze the data and provide recommendations.

The employer must:

- provide the requester a copy of the SH-900/OSHA 300 logs by the end of the next business day.
- include individual names on the logs – only names for “privacy concern cases” may be excluded.
- not charge for the copies the first time they are provided.

It is important for union representatives to request these logs because they:

- Identify who is getting hurt, where they are getting hurt and severity of the injury.
- Assist in building a union argument for contract language that strengthens worker safety.
- Help safety and health committees focus on eliminating hazards that result in injury or illness.
- Hold employers accountable to provide a safe and healthy workplace.
- Verify information in the logs is correct.
- Ensure employer compliance with this regulation.

### PRIVACY CONCERN CASES ARE:

- An injury or illness to an intimate body part or the reproductive system
- An injury or illness resulting from a sexual assault
- Mental illness
- HIV infection, hepatitis or tuberculosis
- Needle stick injuries and cuts from sharp objects that are contaminated with another person's blood or other potential infectious material, and
- Other illnesses, if the employee independently and voluntarily requests that his or her name not be entered on the log.

**Always report work-related injuries and illnesses to your employer as soon as possible to protect your right to file a worker's compensation claim in the future if necessary. Document as many details as possible. If your employer will not accept an incident report or retaliates for reporting, contact your union representative immediately. Always keep a copy of the incident report.**

## EMPLOYERS MUST...

- Keep records of fatalities, injuries and illness that result in any of the following:
  - Death;
  - Days away from work, restricted work, or transfer to another job;
  - Medical treatment beyond first aid;
  - Loss of consciousness;
  - Significant injury or illness even if it does not result in the above outcomes.
- Record injuries and illnesses that occur to employees who are not on the employer's payroll if the employer supervises these employees on a day-to-day basis, i.e., executive, hourly, salary, part-time, seasonal or temporaries.
- Post the previous year summary from February 1 through April 30.
- Save SH-900/OSHA 300 Logs, privacy case list, annual summary, and the SH900.2/OSHA 301 Incident Report forms for each of the last five (5) years.

### Employers *should*:

- routinely examine the data from the logs and mitigate any hazards found.
- do a proper incident investigation for every incident report.
- encourage reporting.
- stay away from incentive programs that discourage reporting.

**For more information and resources visit:**

**[www.cseany.org/safety](http://www.cseany.org/safety)**



CSEA has been winning the fight for safe and healthy working conditions for over 100 years, yet there is more to be done. Hazards old and new- from Asbestos to Zika- remain a threat to workers every day. CSEA will not back down from the fight and nothing is more important than saving lives and keeping workers free from injury. Your help is needed now more than ever.

*The life you save could be YOUR OWN.*

### REPORTING FATALITIES & SERIOUS INCIDENTS

Employers must report a fatality or in-patient hospitalizations of 2 or more workers within 8 hours to PESH or OSHA.

An in-patient hospitalization, amputation, or eye loss must be reported within 24 hours.

Union leadership should report all fatalities and serious incidents to their Labor Relations Specialist/ OSH Specialist immediately so that a union led investigation can promptly begin and resources can be sent to the surviving family.

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