

PUBLICATION

OSHA Deadline for Submission of 2016 Work-Related Injuries and Illnesses is Fast Approaching

Authors: Donna M. Glover

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Employers have until December 1, 2017 to electronically submit injury and illness information from their 2016 Summary of Work-Related Injuries and Illnesses (Form 300A) under OSHA's 2016 Improve Tracking of Workplace Injuries and Illnesses Rule ("the Rule"). OSHA initially established July 1, 2017 as the submission deadline then in June 2017 delayed the deadline until December 1, 2017. Again, on November 24, 2017, OSHA extended the deadline to December 15, 2017.

The Rule applies to two categories of "establishments." An establishment is defined as "a single physical location where business is conducted or where services or industrial operations are performed." A company may be comprised of one or more establishments. The Rule applies to the following categories of establishments:

- establishments that had 250 or more employees any time during the previous year, and
- establishments that had between 20 and 249 employees any time during the previous year and are classified as belonging to certain industries with historically high rates of occupational illnesses and injuries, as determined by an OSHA list of NAICS codes.

The Rule requires covered establishments to submit information from their Form 300A for the past year using OSHA's online Injury Tracking Application (ITA), found [here](#). Paper submission is not an option. According to OSHA's website, "the following OSHA-approved State Plans have not yet adopted the requirement to submit injury and illness reports electronically: **CA, MD, MN, SC, UT, WA and WY**. Establishments in these states are **not** currently required to submit their summary data through the ITA. Similarly, state and local government establishments in **IL, ME, NJ, and NY** are **not** currently required to submit their data through the ITA.

Starting in 2018, the first category of covered establishments (those that had 250 or more employees at any time during the previous year) will be required to electronically submit information from their Forms 300 and 301, in addition to their Form 300A. Currently, the deadline for the 2018 reporting is July 1, 2018.

Earlier this year, OSHA indicated that it may repeal or possibly amend portions of the Rule, which could mean that we may see a last minute extension of the December 15, 2017 deadline. Nevertheless, without a deadline extension by OSHA, covered "establishments" should plan to complete electronic reporting by the deadline. Failure to meet a reporting requirement could subject an employer to OSHA penalties.