

Workplace Accident  
& Incident Reporting  
in the New Age of OSHA  
Electronic Recordkeeping

29 CFR 1904.35

In Effect 8/10/2016

**GCG RISKMANAGEMENT, INC.**



# OSHA's new Electronic Reporting Rule 1904.35 includes some other issues not directly related to electronic reporting:

- ▶ A. Requirement to inform employees of their right to report workplace injuries.
- ▶ B. Requirement to have accident/incident reporting procedures that do not discourage or discriminate against employees who do make reports.



# OSHA's new Electronic Reporting Rule 1904.35 includes some other issues not directly related to electronic reporting:

► **Requirement to have no other personnel policies that could discourage or discriminate against employee reporting injuries or accidents, including -**

1. Safety Incentive Programs that focus on driving the # of reportable to "0"
2. Drug & Alcohol Testing Programs that could be perceived as discouraging, discriminating or punishing to employees who report incidents.
3. *Again, anything about the accident/incident reporting process that could be **perceived** as, or actually **unintentionally have, a discouraging, discriminating or punishing effect** on the reporting employee.*



# So, review your Accident & Incident Reporting Procedures to ensure:

- ▶ The process results in a detailed, thorough and complete report.
- ▶ Such as necessary to do a good job at investigating root causes, collecting all facts, considering all possibilities, including prevention and corrective actions, as necessary.



CRYSTAL CLEAR REPORTING



# Be Careful that Your Reporting System Does Not Create Unnecessary Problems:

- ▶ But not over-burdensome
- ▶ Not unnecessarily tedious, demanding
- ▶ Seemingly pointlessly
- ▶ Cumbersome, redundant, inefficient
- ▶ Poorly designed through neglect or incompetent management
- ▶ So that the net effect is to discourage reporting and that the process is perceived as a form of punishment for making reports.



# Accident & Incident Reporting Policies

- ▶ Ensure employees know their right and obligation/responsibility to report **ALL** incidents no matter how seemingly small or insignificant.
- ▶ Ensure employees know their right and obligation/responsibility to report **“Near Misses”**.
- ▶ Ensure accident/incident **investigation process is thorough, efficient and meaningful.**



# Accident & Incident Reporting Policies

- ▶ Carefully explain to employees involved, **why the investigation is conducted the way it is, in order to gain relevant insight, collect important information, to help identify risks, hazards, and formulate preventive measures.**
- ▶ Ensure **employees do not feel that they are being penalized** in any way for making the report.
- ▶ Ensure full and meaningful participation by employees in the investigation process.
- ▶ **REWARD REPORTING!!!!**

