

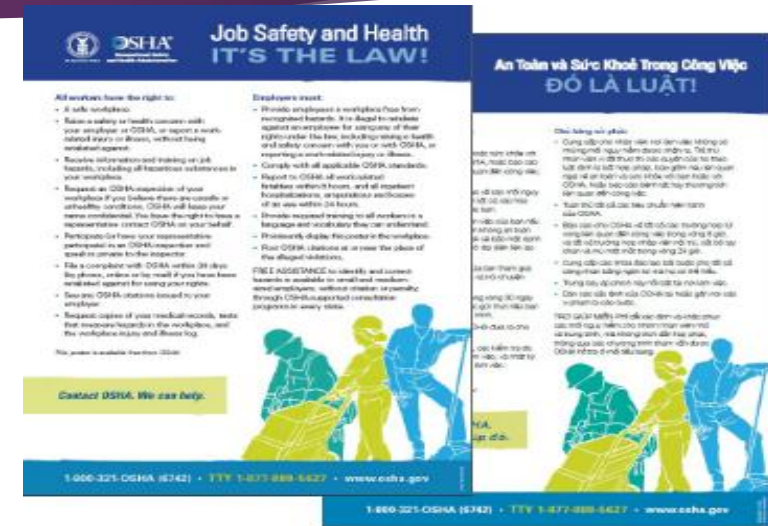
Safety Incentive Programs
in the New Age of OSHA
Electronic Recordkeeping
29 CFR 1904.35
in effect 8/10/2016

GCG RISK MANAGEMENT, INC.



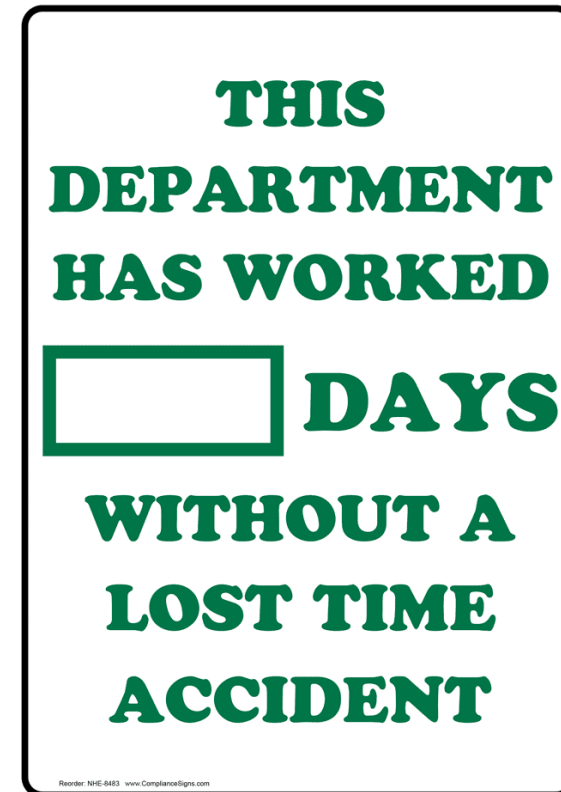
OSHA's new Electronic Reporting Rule 1904.35 includes some other issues not directly relevant to electronic reporting:

- ▶ Requirement to inform employees of their right to report workplace injuries.
- ▶ Requirement to have accident/incident reporting procedures that do not discourage or discriminate against employees who do make reports.
- ▶ Requirement to have no other personnel policies that could discourage or discriminate against employee reporting injuries or accidents.



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

- ▶ Drug & Alcohol Testing Programs that could be perceived as: discouraging, discriminating or punishing employees who report incidents.
- ▶ Safety Incentive Programs that focus on driving the number of reportable injuries to “0”, at least, on the worker, management or site management level.



Can't we use ANY numbers as a Benchmark for Safety Incentive???



- ▶ The use of statistics, including: **numbers of reported accidents & incidents; or “OSHA Recordable” Cases; “Medical Only” Cases; and/or “DART - Loss Time” Cases; or Workers’ Compensation cases and their attending costs; as a measure of Safety Performance is not completely forbidden.**
- ▶ **However, be very careful in its application . . .**

Numbers of Incidents Can be Used but Carefully, and Only when:

- ▶ 1. The numbers of incidents measured **must NOT be the focus** of the Safety Incentive Plan.
- ▶ 2. It **must NOT be applied towards employees, line-staff, their supervisors, managers and on-site managers.**
- ▶ The problem with these 2 issues above, is that they can ***drive down reporting***, so incidents are **underreported**, and ***a culture of subversive risk-taking can develop.***



Numbers of Incidents Can be Used but Carefully, and Only when:



- ▶ 1. They are only a **contributory feature** of a **comprehensive multi-faceted** Safety Incentive Plan.
- ▶ 2. It must **only be applied to the highest or corporate level of management or leadership** several steps removed from the front-line and on-site level.