

## EMA COMPLIANCE BULLETIN

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### ANNUAL OSHA WORKPLACE INJURY AND ILLNESS POSTING BEGINS FEBRUARY 1st

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The 2024 posting cycle for OSHA's workplace injury and illness recordkeeping rule begins on February 1, 2025, and runs through April 30, 2025. OSHA requires employers with more than ten employees to record and post work-related injuries and illnesses that occurred during the previous calendar year as set forth in 29 C.F.R. Part 1904 in a visible workplace location. Additionally, employers with 250 or more employees, and establishments with 20-249 employees in OSHA-specified industries with historically high rates of occupational injuries and illnesses, are required to electronically submit 2024 injury and illness data on Form 300A by March 2, 2025, using the Agency's Injury Tracking Application.

This compliance bulletin identifies covered workplaces within the petroleum marketing industry and indicates whether, and how, the establishment must comply with the OSHA injury and illness recording, posting, and reporting requirements.

#### I. Must My Workplace Comply?

OSHA's injury and illness recording and posting requirements apply to most workplaces with more than ten employees. The following list identifies exempt and covered facilities in the motor and heating fuels distribution chain:

##### Exempt Workplaces

- Gasoline Stations (**NAICS Code 4471**), including Service Stations without C-Stores (**NAICS Code 447190**) and Gasoline Stations with C-Stores (**NAICS Code 447110**)

##### Covered Workplaces

- Petroleum Bulk Plants (**NAICS Code 424710**) with more than ten employees working at the bulk plant or company headquarters. This category includes motor fuel, heating oil, and propane bulk facilities.
- Petroleum and Petroleum Products Merchant Wholesalers - No Bulk Facilities (**NAICS 424720**) with more than ten employees. This category includes motor fuel, heating oil and propane non-bulk facilities.

- Fuel Dealers - Retail (**NAICS Code 454310**) with more than ten employees must comply with the OSHA injury and illness requirements. Fuel dealers include direct to consumer sellers of alternative fuels, heating oil, LPG, bottled gas, jet fuel bulk stations, firewood, and coal.
- Plumbing, Heating and Air-Conditioning Contractors (**NAICS 238220**) with more than ten employees. This category comprises establishments primarily engaged in installing and servicing plumbing, heating, and air-conditioning equipment. Contractors in this industry may provide both parts and labor when performing work. The work performed may include new work, additions, alterations, maintenance, and repairs.

Additionally, businesses with 20-249 employees must submit Form 300A electronically by March 2 of each year for the prior calendar year. The electronic submissions must be made through OSHA's [Injury Tracking Application](#). Importantly, electronic submissions of Forms 300 and 301 apply to establishments with 100 or more employees in designated "high-hazard" industry groups. The only covered high-hazard group is Fuel Dealers – Retail (**NAICS Code 454310**) as part of the broader category of Direct Selling Establishments (**NAICS 4543**) listed in Appendix B to the OSHA rule.

## II. How Do I Comply

### Forms Requirements

OSHA Forms 300, 300A and 301 and Instructions are available at: <https://www.osha.gov/recordkeeping/RKforms.html>

- Form 300 - Employers are required to keep Form 300, Injury and Illness Log listing all injuries and illnesses that occur in the workplace throughout the reporting year.
- Form 301 - Employers are required to use OSHA Form 301 to record each workplace injury and illness within seven days of occurrence.
- Form 300A - Employers are required to post Form 300A, the Summary of Work-Related Injuries and Illnesses, in a visible location in the workplace every year from February 1 to April 30.
- Electronic submissions to OSHA are made via the [Agency's Injury Tracking Application](#).

## Employee Access

Current and former employees, or their representatives, have the right to access injury and illness records. Upon request, employers must provide a copy of the relevant records by the end of the next business day.

## Recordable Injuries and Illnesses

OSHA's definition of work-related injuries, illnesses and fatalities are those in which an event or exposure in the work environment either cause or contributes to the condition. In addition, an event or exposure in the work environment that significantly aggravates a pre-existing injury or illness is also considered work-related.

Injuries include, but not limited to, a cut, fracture, sprain, or amputation. Illnesses include both acute and chronic illnesses, such as, but not limited to, a skin disease (e.g., contact dermatitis), respiratory disorder (e.g., occupational asthma, pneumoconiosis), or poisoning (e.g., lead poisoning, solvent intoxication). The following injury and illnesses must be recorded:

- All work-related fatalities.
- All work-related injuries and illnesses that result in days away from work, restricted work or transfer to another job, loss of consciousness or medical treatment beyond first aid.
- All significant work-related injuries or illnesses diagnosed by a physician or other licensed health care professional, even if it does not result in death, days away from work, restricted work or job transfer, medical treatment beyond first aid, or loss of consciousness.
- Illnesses include both acute and chronic illnesses, such as, but not limited to, a skin disease (i.e. contact dermatitis), respiratory disorder (i.e. occupational asthma, pneumoconiosis), or poisoning (i.e. lead poisoning, solvent intoxication).

A guide to identifying recordable injury and illnesses can be found in the FORM 300, 300A and 301 instructions at: <https://www.osha.gov/recordkeeping/RKforms.html>

**IMPORTANT!** All employers are required to notify OSHA by telephone or online when an employee is killed on the job or suffers a work-related hospitalization, amputation or loss of an eye. Fatalities must be reported within eight hours, while an in-patient hospitalization, amputation or loss of an eye must be reported within 24 hours. Go to <https://www.osha.gov/report.html> for OSHA reporting contacts.

**IMPORTANT!** Many jurisdictions have their own OSHA-approved state programs for private sector employees. These states/territories generally follow federal rules but may vary slightly. Check your state OSHA website to determine whether any variations from the

federal program exist. Go to <http://www.osha.gov/dcsp/osp/index.html> to find contact information for state programs.