



# OSHA NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

---

**DIRECTIVE NUMBER:** 03-10 (CPL 02)      **EFFECTIVE DATE:** December 1, 2003

**SUBJECT:** Audit and Verification Program of 2002 Occupational Injury and Illness Records

---

## ABSTRACT

- Purpose:** This notice establishes a program and the procedures by which to conduct audits to verify the accuracy of the data employers submit as part of the OSHA Data Initiative (ODI) and the accuracy of the underlying records on which the employer's ODI submission is based.
- Scope:** OSHA-wide
- References:** OSHA Instruction CPL 02-00-103 (CPL 2.103) Field Inspection Reference Manual (FIRM) September 26, 1994; OSHA Instruction CPL 02-00-131 (CPL 2-0.131), Recordkeeping Policies and Procedures Manual January 1, 2002; OSHA Instruction CPL 02-02-046 (CPL2-2.46), Authorization and Procedures for Reviewing Medical Records January 5, 1989; CFR 1913.10(b) (6), Authorization and Procedures for Reviewing Medical Records; FIRM (CPL 2.103) change memorandum: Mandatory Collection of OSHA 200 and Lost Workday Injury and Illness (LWDII) Data During Inspections, June 21, 1996
- Cancellations:** OSHA Notice 02-05 (CPL 2), Audit and Verification Program of 2001 Occupational Injury and Illness Records (November 29, 2002)
- Expiration:** One year from date of issuance unless replaced earlier by a new Notice
- State Impact:** State Adoption not Required, See Paragraph VI
- Action Offices:** National, Regional, and Area Offices

**Originating Office:** Office of Statistical Analysis, Directorate of Evaluation and Analysis

**Contact:** Office of Statistical Analysis (202-693-1886)  
200 Constitution Ave NW, Room N3507  
Washington DC, 20210

By and Under the Authority of

John L. Henshaw  
Assistant Secretary

## **Executive Summary**

In 1995, the OSHA Data Initiative (ODI) was established to gather and compile occupational injury and illness information from establishments in high-hazard industries. OSHA considers onsite audits of employer injury and illness records a key method of verifying the accuracy of data submitted for the ODI, and for estimating the extent of employer compliance with OSHA recordkeeping requirements defined in 29 CFR 1904. In order to implement this quality control component, OSHA developed a sampling protocol and software to streamline a process that would otherwise be too resource intensive for widespread use. This Notice establishes the procedures to follow in conducting on-site audits of employer injury and illness records.

## **Significant Changes**

The reference year for the injury and illness records to be audited is updated from CY 2001 records to CY 2002 records. This year's audits do not include establishments in the construction industry. The software associated with the program has been updated to reflect OSHA Form 300. It should be noted that the changes to the recordkeeping requirements under Part 1904 do not affect the procedures for conducting the audits.

## TABLE OF CONTENTS

I.	<u>Purpose</u> .....	1
II.	<u>Scope</u> .....	1
III.	<u>References</u> .....	1
IV.	<u>Cancellation</u> .....	1
V.	<u>Expiration Date</u> .....	1
VI.	<u>Federal Program Change</u> .....	1
VII.	<u>Action</u> .....	1
	A. Responsible office.....	2
	B. Action offices .....	2
	C. Information offices.....	2
VIII.	<u>Background</u> .....	2
IX.	<u>General Procedures</u> .....	2
	A. Scope.....	2
	B. Inspection procedures.....	2
	C. Audit components .....	3
	D. Formal training of personnel.....	4
	E. Employee participation.....	4
	F. Opening conference .....	4
	G. Closing conference.....	5
X.	<u>Procedures to Conduct Data Check and Records Audit</u> .....	5
	A. Determine the availability and location of records .....	5
	B. Obtain a copy of the employer's completed OSHA 300 Log .....	5
	C. Compare the Log Summary and the hours worked data .....	6
	D. Determine the audit sample size .....	6
	E. Review all pertinent records.....	7
	F. Review employer's Log .....	7
	G. Interview the Designated Recordkeeper .....	8
	H. Conduct Employee Interviews (optional) .....	8
	I. Determine audit results.....	8
XI.	<u>Issuance of Citations</u> .....	8
XII.	<u>Evaluation</u> .....	10
XIII.	<u>Recording and Tracking</u> .....	10

APPENDIX A Steps for Conducting the Records Audit Using ORAA.....	A-1
APPENDIX B Letters to Employers.....	B-1
APPENDIX C Worksheets and Questionnaires .....	C-1
APPENDIX D Scope of audits of CY 2002 Data.....	D-1
Index .....	Index-1

- I. Purpose. This notice establishes a program and the procedures by which to conduct audits to verify the accuracy of the data employers submit as part of the OSHA Data Initiative (ODI) and the accuracy of the underlying data on which the employer's ODI submission is based.
- II. Scope. OSHA-wide. The Audit and Verification program will be conducted by Federal Area Offices or, by agreement with a State, by State personnel.
- III. References.
  - A. OSHA Instruction CPL 02-00-103 (CPL 2.103), Field Inspection Reference Manual (FIRM), September 26, 1994
  - B. OSHA Instruction CPL 02-00-131 (CPL 2-0.131), Recordkeeping Policies and Procedures Manual January 1, 2002
  - C. OSHA Instruction CPL 02-02-046 (CPL2-2.46), Authorization and Procedures for Reviewing Medical Records, January 5, 1989
  - D. CFR 1913.10(b) (6), Authorization and Procedures for Reviewing Medical Records
  - E. OSHA Instruction ADM 03-01-005 (ADM 12.5A), OSHA Compliance Records, June 28, 1993
  - F. OSHA Instruction ADM 01-00-002 (ADM 4.4), Administrative Subpoenas, August 19, 1991
  - G. OSHA Instruction CPL 02-00-080 (CPL 2.80), Handling of Cases To Be Proposed for Violation-By-Violation Penalties, October 21, 1990
  - H. FIRM change memorandum: Mandatory Collection of OSHA 200 and Lost Workday Injury and Illness (LWDII) Data During Inspections, June 21, 1996
- IV. Cancellation. OSHA Notice 02-05 (CPL 2) Audit and Verification Program of 2001 Occupational Injury and Illness Records, November 29, 2002.
- V. Expiration Date. One year from date of issuance unless replaced earlier by a new Notice.
- VI. Federal Program Change. The OSHA Data Initiative (ODI) is a Federal program in which some State Plan States participate by collecting data under a cooperative agreement with OSHA. States that utilize the data to focus their activities, for performance measurement, etc., have an interest in the quality of the data and are encouraged to participate in the audit program. (States which decline to participate in the audit program may choose to have Federal OSHA conduct audits in their State or may request that audits not be performed in their State.) States may conduct the audits with either compliance or non-compliance staff, as long as the personnel who conduct the audits are able to obtain access to medical records. States which have opted to participate in the Audit and Verification Program should follow the guidelines in this document, with the exception of section XI concerning citations. Although State Plan States have the legal authority to take enforcement action concerning recordkeeping violations found during audits under the State equivalent of 29 CFR Part 1904, they may develop alternate procedures for handling recordkeeping violations discovered during the audits.

- VII. Action. The Regional Administrators and Area Directors shall ensure that the procedures established in this notice are adhered to in Federal enforcement jurisdictions.
- A. Responsible Office. Office of Statistical Analysis (OSA), Directorate of evaluation and Analysis
  - B. Action Offices. National, Regional and Area Offices, State Plan States
  - C. Information Offices. Directorate of Cooperative and State Programs; Office of Occupational Medicine
- VIII. Background. OSHA has developed and implemented a system to collect and compile data on occupational injuries and illnesses for individual establishments in certain private sector industries. These data, combined with other data, will be used for OSHA's enforcement and compliance assistance programs, and to assess the results of the Agency's efforts to improve safety and health in the Nation's workplaces.

Quality assurance is an integral part of the data collection process to ensure that the data OSHA collects accurately reflect the injury and illness experience at the workplace. As a condition of the OMB clearance for the data collection, OSHA must evaluate the accuracy of data that employers submit, assess the effect(s) of the data collection on employer recordkeeping practices, and estimate the extent of employer compliance with OSHA's recordkeeping requirements.

Onsite audit of employer records is the best method to verify the accuracy of employer-maintained data on occupational injuries and illnesses. OSHA developed methods intended to facilitate the use of the audit procedures, such as statistical sampling of employees within an establishment for review of their records and computer software to help conduct and document the audit.

- IX. General Procedures.
- A. Scope. OSHA, or State personnel in States which have agreed to participate in the Audit and Verification Program, will conduct a data check and records audit on a sample of 250 establishments, selected by OSA using a random sampling protocol developed for the project. The sample will be chosen from the universe of general industry establishments within scope of the OSHA Data Initiative (approximately 125,000 establishments).

An establishment **will not** be audited if it meets any of the following criteria: 1) The establishment had less than 40 total employees in CY 2002; 2) The establishment was not in one of the SICs listed in Appendix D; 3) Corporate office locations with no production facilities; and 4) Establishments that did not maintain an OSHA log for CY 2002. Furthermore, if an establishment is an approved participant in OSHA's Voluntary Protection Programs (VPP), or in the

OSHA Consultation's Safety and Health Achievement Recognition Program (SHARP), it is to be deleted from the inspection list. If it is determined that an assigned establishment meets any of these criteria, the audit should not be performed. Contact Dave Schmidt in the Office of Statistical Analysis and a replacement establishment will be provided.

- B. Inspection Procedures. For audits conducted in Federal jurisdiction, normal inspection procedures as established in the Field Inspection Reference Manual FIRM CPL 02-00-103 (CPL 2.103) will be followed, including the opening conference, records verification, employee interviews, and closing conference, with the exception that walk-around inspections will not normally be performed unless a complaint is received or the Area Director has approved the expansion of the site visit. If any complaints are made to the CSHO that are not related to recordkeeping, the CSHO will, at his or her discretion, address the complaint or refer the complaint to the Area Office for processing. Furthermore, if through review of the injury and illness records the CSHO perceives a significant safety or health hazard (e.g. amputations associated with specific work process), the CSHO should contact the Area Director to obtain approval to expand the site visit to address the significant safety or health hazard.

Each data check and records audit visit will be counted as an OSHA inspection requiring the completion of an OSHA 1. Pre-inspection planning will consist primarily of a general familiarization with the size and activity of the establishment to be inspected, a check for VPP or SHARP status, and the entry of preliminary data into the associated software, OSHA Recordkeeping Audit Assistant (ORAA). For audits conducted in Federal jurisdiction, a Medical Access Order (MAO) is required to review medical information with personal identifiers. MAOs for each employer (and/or the employer's designated health care provider or medical records holder) should be requested from the OSHA Medical Records Officer (MRO). The MRO is located in the Office of Occupational Medicine (OOM), Directorate of Science, Technology and Medicine, and is responsible for ensuring that all medical records are protected under guidelines as mandated in 29 CFR 1913.10. OSA will supply the MRO with an advance listing of establishments to be inspected under the Audit program. However, each Area Office will be responsible for contacting OOM and providing written detailed information on each inspection (i.e. purpose, employer, date(s) of inspection, and the name(s) and address(es) of the individual(s) conducting the inspection (see Appendix B for a sample MAO request form). In addition, if the scope of the inspection is expanded and requires review of additional medical records, the CSHO must consult with OOM in order to determine whether the MAO requires an amendment or additional documentation. Case files shall be established in accordance with ADM 03-01-005 (ADM 12.5A).

- C. Audit Components. As detailed in Section X, Audit Procedures, the data check and records audit shall involve:

1. Comparing the employer's CY 2002 Log Summary, employment and hours worked data submitted to OSHA for the data collection with the CY 2002 Log Summary, employment and hours worked data provided at the establishment (OSHA Form 300A);
  2. Selecting a sample of employees within the establishment;
  3. Reviewing available documentation concerning any injuries or illnesses for each employee selected in the sample to identify recordable cases;
  4. Comparing recordable cases discovered from the files of selected employees with the establishment's OSHA Form 300 (Log) to determine if the employer properly recorded cases on the Log and to identify recordable injuries and illnesses that the employer did not record (under-recording);
  5. Scanning the establishment's Log to identify cases entered on the Log involving the selected employees that were not recordable (over-recording);
  6. Interviewing the establishment's recordkeeper(s) about OSHA recordkeeping requirements and their establishment's recordkeeping practices;
  7. Using the OSHA Recordkeeping Audit Assistant (ORAA) software system to record information gathered during the audit as described in Appendix A, "Steps for Using ORAA to Conduct the Data Check and Records Audit."
- D. Formal Training of Personnel. OSA will conduct one or more two-day training session(s) for OSHA and State personnel new to the program. The specialized training will address: the procedures for comparing the collected data with the employer's Log and for conducting the audit to verify the accuracy of records; the method for selecting a sample of employees within the establishment; the use of the OSHA Recordkeeping Audit Assistant (ORAA) software system for documenting and tracking audit information; and a review of CPL 02-02-046 (CPL2-2.46), "Authorization and Procedures for Reviewing Medical Records".
- E. Employee Participation. As called for in this directive, some employees must be interviewed during each audit. Procedures in section A.4.e. of chapter II of the FIRM CPL 02-00-103 (CPL 2.103) will be followed for all interviews.

Whenever the scope of the inspection is expanded beyond the audit, CSHOs shall involve employee representatives in the walk-around as outlined in Section A.2.h of Chapter II of the FIRM CPL 02-00-103 (CPL 2.103) in accordance with normal inspection procedures.

Whenever the CSHO believes the injury and illness records reviewed did not provide full and accurate information pertaining to injuries and illnesses experienced by the employees, the CSHO shall use the procedures outlined in section X. H of this directive to select a sample of employees to interview.

F. Opening Conference. The CSHO shall present an explanatory letter (Appendix B) to the employer explaining the purpose, scope, and process for the data check and records audit. In addition, the CSHO will provide the employer with at least two copies of a Medical Access Order attached to a cover letter which addresses the medical records review concerns. For audits conducted in Federal jurisdiction, the CSHO shall also inform the employer about the Agency citation policy (Section XI below) and indicate that where applicable, violations will be cited accordingly. The employer and employees shall be informed that any complaints received that are not related to recordkeeping will be addressed by the CSHO at his or her discretion or referred to the Area Office for processing.

G. Closing Conference. At the conclusion of the records audit, the CSHO shall conduct a closing conference with the employer and the employee representatives. The CSHO shall discuss the strengths and weaknesses of the employer's recordkeeping program, and describe any recordkeeping deficiencies and violations found during the data check and records audit. For audits conducted in Federal jurisdiction, the closing conference shall follow the procedures established in the FIRM CPL 02-00-103 (CPL 2.103) as applicable to these inspections.

X. Procedures to Conduct Data Check and Records Audit The procedures described in this section and the referenced Appendices are included to ensure consistency in implementation of the program, and to support a meaningful evaluation of the results.

A. Determine the availability and location of records needed to conduct the audit (the employer's OSHA Log, employee roster, medical records, etc.).

The availability of records required for the audit and their location at the establishment are to be recorded on a checklist in ORAA. (A hard copy is included in Appendix C.)

B. Obtain a copy of the employer's completed OSHA Form 300 for the establishment for calendar year 2002; the total hours worked for all employees and the average number of employees in 2002; and a copy of a complete roster of all employees who worked at the establishment for 2002.

The employee roster should include full-time, part-time and seasonal employees. The listing may be an alphabetic listing, a payroll listing, a listing by department, or it may be in some other form. **The roster must be for employees who worked during CY 2002.** The list should not contain multiple entries for an individual.



Ask the employer for the total hours worked and the average number of employees at the establishment for CY 2002. These figures should be available from the employer's completed OSHA Form 300A. If, however, the numbers are not available, the values can be estimated using the worksheet on the back of the OSHA Form 300A.

Note: The average employment figure will almost always be less than the total number of employees on the employee roster due to employee turnover.

C. Compare the Log Summary and the hours worked data submitted to OSHA for the data collection with the data provided at the establishment.

The Submission Comparison Worksheet section of ORAA (hard copy contained in Appendix C) shall be used to compare the Log Summary and hours worked data submitted for the Data Initiative collection with the data provided by the employer at the establishment. The data submitted by employers in response to the ODI collection, including the name of the person who signed the data collection form, will be pre-entered into the worksheet for the CSHO. The CSHO shall enter the employment and injury and illness values from the establishment's OSHA Form 300A that is provided to the CSHO at the establishment. **The values should be entered exactly as recorded by the employer. Adjustments or corrections should not be made by the CSHO.** The calculation of the percent difference is performed by ORAA. If there are differences in the numbers of cases reported and/or the number of hours worked, the CSHO shall ask the person who signed the submission why the numbers differ. If this person is not available, the question should be addressed to the recordkeeper or the manager. The response should be recorded on the Worksheet.

D. Determine the audit sample size and draw sample of employees.

The first step is to ascertain the total number of employees on the CY 2002 employee roster and the total number of cases recorded on the OSHA Form 300. When these parameters are entered into the ORAA function section "Determine Audit Sample", the software will provide the number of employees whose records will be reviewed in the audit, the random starting point and the sampling period.

The CSHO shall use the CY 2002 **employee roster** to select the employees whose records will be reviewed (employees are **not** sampled from the Log). Counting down from the top of the roster, the first employee selected is determined by the "random starting point" supplied by ORAA. Continue counting down the value of the "sampling period" and note each employee selected until the sample size is obtained. For example, if the random starting point is 10, the 10th employee listed on the roster is the first selection and if the "sampling period" is 18, every eighteenth employee after the first is selected until the sample size is achieved (note: the required sample may be achieved before the end of the roster is reached).

If in identifying the sample of employees, the CSHO determines that an employee name is a duplicate or can not be used for whatever reason, he/she shall substitute the next employee name on the roster. If the CSHO comes to the end of the employee roster before obtaining the required sample size, he/she shall continue the interval count from the top of the employee roster.

The CSHO shall compile a list of the employees selected for the audit sample.

- E. Review all pertinent records for each employee selected in the audit sample and independently reconstruct log entries for the sampled employees. Compare the reconstructed cases with the employer's OSHA Form 300.

The CSHO shall perform a comprehensive review of the sampled employees' records in order to identify all of the occupational injuries and illnesses that may have occurred to those employees for the reference year. The records to be reviewed shall include medical records, worker's compensation records, insurance records, and if available, payroll/absentee records, company safety incident reports, company first aid logs, and/or alternate duty rosters

For audits conducted in Federal jurisdiction, the CSHO shall conduct the review of medical records in accordance with the procedures as specified in CPL 02-02-046 (CPL 2-2.46) and in CFR 1913.10(b)(6), "Authorization and Procedures for Reviewing Medical Records."

Using the various records compiled, the CSHO shall independently construct Log entries for the recordable cases identified from the employee files. The CSHO shall identify the recordable cases and enter the reasons for recordability into the ORAA. (Note: An exact calculation of days away from work and days of restricted work activity is not required. An approximation based on an initial review of the records is acceptable.) The CSHO shall then use the ORAA software to compare the reconstructed Log entries with the employer's 300 Log, and to document any differences that exist.

The CSHO shall make copies of the OSHA Form 300 for inclusion in the case file. For audits conducted in Federal jurisdiction, the CSHO shall also make copies of any documentation needed to support discovered recordkeeping deficiencies. If a copying machine is not available, or is not made available for CSHO use, or the employer will not allow appropriate documents to be temporarily removed from the premises, the CSHO shall subpoena all records considered necessary for verification using the procedures outlined in the FIRM 02-00-103 (CPL 2.103) Chapter II, Section A.2.c.(3) and ADM 01-00-002 (ADM 4.4).

- F. Review employer's log to identify any cases recorded for the sampled employees that do not meet the OSHA recordability criteria (over-recording).

After review of the sampled employees' files, the CSHO shall scan the employer's Log for any recorded cases for the sampled employees not identified as recordable in the file review. The CSHO will determine the cases' recordability by considering the documentation in the employee's records and, if necessary, talking with the employer, recordkeeper or employee. The CSHO shall document any over-recorded cases in ORAA. Documentation of over-recorded cases should be limited to cases pertaining to the sampled employees only.

G. Interview the Designated Recordkeeper(s).

The CSHO shall interview the designated recordkeeper(s) (a maximum of two persons) regarding the manner in which injuries and illnesses are recorded at the establishment. The purpose of this interview is to assess each recordkeeper's knowledge of the OSHA injury/illness recordkeeping requirements and to determine whether recordkeeping problems exist. The CSHO shall use the Recordkeeping Procedures Questionnaire, and should enter responses into ORAA. (A hard copy is included in Appendix C.)

If the CSHO learns of any company policies that may have an effect on the injury and illness records, it should be noted in the comments section of the questionnaire. For example, if the CSHO learns there is an awards program tied to the number of injuries and illnesses recorded on the OSHA Log, the program is to be described in the comments section.

H. Conduct Employee Interviews.

Employee interviews must be conducted using the following procedures if the CSHO believes the injury and illness records reviewed did not provide full and accurate information pertaining to injuries and illnesses experienced by the employees. A sub-sample of employees to be interviewed must be selected from the list of employees selected for the audit sample in section X.D above. The suggested number of employees to be interviewed is contained in the Employee Questionnaire function of ORAA. The questionnaire to be used in the interview is the Employee Questionnaire. Responses to the questionnaire are entered into ORAA. (A hard copy is included in Appendix C.)

I. Determine audit results.

Upon completion of the audit, the CSHO shall use ORAA to generate a summary of the audit findings, including the percent of cases over-recorded and under-recorded. This summary can be used in the closing conference in discussing the audit findings with the employer and should be included in the case file as part of the audit documentation.

XI. Issuance of Citations Whenever OSHA recordkeeping violations are identified by Federal

personnel conducting audits within their Federal enforcement authority, appropriate citations and penalties shall be proposed, and supporting documentation shall be provided, in accordance with guidelines in the FIRM 02-00-103 (CPL 2.103) and CPL 02-00-131 (CPL 2-0.131).

- A. Recordkeeping violations found on the OSHA Form 300. Chapter 2, Paragraph II.A of CPL 02-00-103 (CPL 2-0.131) states "All CSHOs on all inspections must review and record the establishment's injury and illness records for the three prior calendar years..." If, during this review, the CSHO identifies recordkeeping violations on the OSHA Form 300, the CSHO will issue citations in accordance with CPL 02-00-103 (CPL 2-0.131), Chapter 2, Paragraph II.B.
- B. No copies of the OSHA-200 Log. If an employer is unable to produce copies of the OSHA-200 Log, the employer may be cited under 29 CFR 1904.44 for failing to retain copies of the OSHA-200 Log for the previous five years, and for failing to provide access to those forms.
- C. Citations of violations found shall be classified as other-than-serious with proposed penalties appropriate to the circumstances in each case. If violations are characterized as "willful," "repeat," or "failure to abate," the Regional Administrator or Regional Solicitor should be contacted for guidance.
- D. Violation-by-violation citation and penalty procedures shall be considered, if appropriate, in accordance with OSHA Instruction CPL 02-00-080 (CPL 2.80) and the FIRM 02-000-103 (CPL 2.103).
- E. Employers shall not be cited for over-reporting of cases. The employer shall be informed of such over-reporting and the need to eliminate these identified cases on the employer's OSHA 300 Log.
- F. The primary purpose of the Audit and Verification Program is to assure the statistical accuracy of the data collected under the ODI and employers generally will not be cited for violation of 1904.41 (failure to submit data to OSHA) or for discrepancies found during the audit in their Data Initiative submission compared to the establishment's OSHA Form 300, employment and hours worked data as part of the audit inspection.
- G. When OSHA recordkeeping violations are identified by Federal personnel conducting audits of employers within the State's authority to enforce, and are unaccompanied by State personnel, such apparent violations should be referred to the appropriate State plan.
- H. When OSHA recordkeeping violations are identified by State personnel conducting audits or accompanying a Federal auditor in their State, the State's procedures developed in accordance with section VI. of this document regarding the handling of such violations should be followed.

- I. Other violations shall be cited, as appropriate, for a limited scope inspection.
- XII. Evaluation. The Area Director will provide OSA with an ORAA data file of the audits. The file can be submitted by e-mail.

In a final report, OSA will summarize the findings of the audit project, including (but not limited to) the accuracy of the data that employers submitted to OSHA for the data collection, employer knowledge about OSHA injury/illness recordkeeping requirements, and the level of compliance with 29 CFR Part 1904.

- XIII. Recording and Tracking. In accordance with the FIRM 02-000-103 (CPL 2.103) change memorandum: "Mandatory Collection of OSHA 200 and Lost Workday Injury and Illness (LWDII) Data During Inspections" issued by a Deputy Assistant Secretary Memorandum to the Regional Administrators dated June 21, 1996, the CSHO shall enter the summary line of the employer's OSHA 200 and 300 Logs and the hours worked for three prior calendar years into the IMIS.

Item 24 of the OSHA 1, inspection type, should be coded as "k. Planned -- Other." Item 35 of the OSHA 1, scope, should be coded as "b. Partial Inspection." To facilitate tracking of these inspections for evaluation of the program, an IMIS code of "RKAUDIT" will be entered in the Optional Information block No. 42 of the OSHA-1.

Type   ID     Value

N16 RKAUDIT

## APPENDIX A

### SUMMARY OF STEPS FOR CONDUCTING THE DATA CHECK AND RECORDS AUDIT USING THE OSHA RECORDKEEPING AUDIT ASSISTANT (ORAA) SOFTWARE

The ORAA software system has been developed to facilitate conducting, documenting, and analyzing the results of injury/illness recordkeeping audits. Table A-1 displays steps in the audit process along with the corresponding ORAA function. More detailed documentation and information is included in the HELP function of the software.

**TABLE A-1  
USING ORAA IN CONDUCTING THE DATA CHECK AND RECORDS AUDIT**

Audit Step or Task	ORAA Function to Use
Enter information about the establishment and the contacts used during the audit.	Main Menu Function: Track Audited Establishments  Screens: Establishment and Contacts
Compare Log Summary and employment data from the OSHA data collection with the data provided at the establishment.	Main Menu Function: Submission Comparison Worksheet
Determine and document the availability and location of the records needed for the audit.	Main Menu Function: Records Identification
Determine the number of employees whose records must be reviewed and select the audit sample.	Main Menu Function: Determine Audit Sample
Reconstruct log entries from the review of sampled employee records.	Main Menu Function: Manage Injury/Illness Cases  Screens: Case #, date, type, work relationship Basis for recordability Supporting Documentation
Compare the reconstructed or auditor-identified cases with the cases on the employer's OSHA 300 Log.	Main Menu Function: Manage Injury/Illness Cases  Screens: Employer's Log 300 Case Assessment

Audit Step or Task	ORAA Function to Use
Identify and document over-recorded cases.	Main Menu Function: Document Over-recorded Cases
Interview the establishment's designated recordkeeper(s). Record their responses.	Main Menu Function: Recordkeeper Questionnaire
Select a sample of employees for interview and record their responses.	Main Menu Function: Employee Questionnaire
Summarize findings of the audit.	Main Menu Function: Determine Audit Results

## **APPENDIX B**

### **LETTER TO EMPLOYERS**

Included in this appendix are two sample letters to be given to the employer during the opening conference. One briefly explains the reason for the audit and the audit procedures. The other letter is a sample Cover Letter to be attached to the Medical Access Order (MAO) to be presented to the employer. This letter briefly explains the basic requirements of 1910.1020 and 1913.10. In addition, this Appendix contains a Sample MAO request form to be used in requesting a MAO from the OSHA Medical Records Officer (MRO).

Note: Electronic copies of these letters are available in ORAA. To access these files, use the CPL button on the Main Menu of ORAA then choose Appendix B. The contents of the letters can be copied by blocking the desired text and choosing "Copy" from the Edit function of the software.

## Letter to Employers

Dear (Employer):

Your workplace has been scheduled for a **records audit** as part of OSHA's initiative to assess the quality of data collected from employers. This letter explains how your establishment was selected for an inspection under this program and the procedures that will be followed during the records audit.

Your establishment was selected for the records audit, using a statistically random approach, from a list of establishments required to submit CY 2002 injury and illness data to OSHA. As part of the review to verify the accuracy and completeness of your company's CY 2002 OSHA Form 300, the OSHA compliance officer will ask you to furnish the following information:

1. CY 2002 employee roster(s)
2. Your CY 2002 OSHA Form 300 and Form 300A
3. Workers' Compensation First Reports of Injury for a sample of employees
4. Medical records for a sample of employees (To protect the privacy of medical records, a formal written Access Order is attached. It explains this process more fully).
5. The total number of hours worked by your employees in 2002
6. The average number of persons employed in 2002

In addition, the compliance officer will ask to see other related records for some employees, as needed, such as, but not limited to, nurse/doctor/clinic logs, company first aid reports, company accident reports, insurers' accident reports, accident and health benefit insurance records, within-plant employee transfer records, absentee records, and employee/payroll records. Since all OSHA inspections include a review of the most recent three years of Injury and Illness Logs, the compliance officer will also ask to review those; only the CY 2002 log will be audited in detail.

As part of the recordkeeping audit, the compliance officer may talk with several of your employees. We will make reasonable efforts to avoid disruption of your workplace activities and would, therefore, prefer to interview employees away from their particular work stations.

Only a recordkeeping inspection will be conducted at this time. We appreciate your cooperation in this program. If you have any questions, your compliance officer is available to discuss them with you.

Sincerely,  
Area Director

Attachment

**Attachment for Medical Record Access  
Sample Cover Letter**

Employer

Attention:

The Occupational Safety and Health Administration would like to examine any and all employee (permanent, temporary and/or contracted) medical records from January 1, 2002 to the present date. The examination of this medical information is in connection with OSHA's records audit of your workplace.

The Occupational Safety and Health Act of 1970 authorizes OSHA access to records, including employee medical records, during the course of inspections and investigations conducted under the Act. On [date], the Assistant Secretary for Occupational Safety and Health approved a Medical Access Order (copies attached) authorizing access to specific medical records by certain OSHA officials. The specified medical records pertain to all individuals who are, or have been, employed by your organization. The records must in each instance be accompanied by explicit personal identifiers (name, address, payroll number and/or social security number).

Due to the personal privacy interests involved, OSHA exercises its authority to access, examine, copy and analyze personally identifiable employee medical information. The Agency, after a careful determination, asserts that such access is consistent with the statutory purpose and is necessary to achieve the objectives of the investigation. The Assistant Secretary for OSHA and the Agency's Medical Records Officer have determined that OSHA needs to gain access to the specified personally identifiable employee medical information in furtherance of this investigation [29 U.S.C. 657; 29 CFR 1910.1020(e)(3), 1913.10(d)(2)].

In order to safeguard the employees' interest in the privacy of the medical records that are to be examined and copied (if necessary), OSHA has prescribed detailed rules of practice and procedure in 29 CFR Part 1913 to govern OSHA's handling of personally identifiable employee medical information. A Principal OSHA Investigator has been designated (see Medical Access Order) to be primarily responsible for assuring that the examination and use of medical information obtained during this investigation is in accordance with applicable regulations.

Please note that a copy of this letter and the attached Medical Access Order must be prominently posted at the above referenced place of employment for at least fifteen (15) working days [29 CFR 1910.1020(e)(3) (ii), 1913.10(e)(3)]. Where it is agreed by the Principal OSHA Investigator, employer, and collective Bargaining Agent if any, individual notice to employees or the placement of a copy of this letter and Medical Access Order in each employee's medical file may also be appropriate [29 CFR 1913.10(e)(4)].

OSHA's regulations further provide that an employer may file written objections concerning the Medical Access Order with the OSHA Medical Records Officer (see Medical Access Order), who is responsible for assuring Agency compliance with these rules. However, the filing of written objections does not defer the employer's obligation to provide prompt access by OSHA to the medical records.

Your cooperation is appreciated. If you have any questions please feel free to contact me or the Principal OSHA Investigator.

Sincerely,

MEDICAL ACCESS ORDER (MAO) REQUEST FORM

Date: \_\_\_\_\_ Region: \_\_\_\_\_ Area/District Office: \_\_\_\_\_

1. Name of Company to be inspected: \_\_\_\_\_

Address: \_\_\_\_\_

a. Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

b. Type of Company/Product: \_\_\_\_\_

c. SIC Code: \_\_\_\_\_ Number of employees: \_\_\_\_\_

2. Purpose of Inspection (CTD, Recordkeeping, etc):

\_\_\_\_\_

3. Basis for Inspection (employee, union complaint, etc):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Date of Initial Investigation: \_\_\_\_\_ Preliminary findings: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Period of Record Review: January 1, 20\_\_ to present date.

6. Investigation to: Begin (approx) \_\_\_\_\_ Completed by \_\_\_\_\_

7. Other (unusual concerns, circumstances, etc):

\_\_\_\_\_

\_\_\_\_\_

8. Principal Investigator and other team member information: Name Job Title Address Phone:

P.I.

\_\_\_\_\_

\_\_\_\_\_

Members:

\_\_\_\_\_

\_\_\_\_\_

**APPENDIX C**  
**WORKSHEETS AND QUESTIONNAIRES**

Appendix C contains the following components:

- Submission Comparison Worksheet
- Records Identification Worksheet
- Recordkeeping Procedures Questionnaire
- Employee Interview Questionnaire (Optional)

## SUBMISSION COMPARISON WORKSHEET

The Submission Comparison Worksheet is used to record differences found between the Log Summary and employment data (average employment and hours worked) that the employer submitted to OSHA for the Data Collection and the data provided by the employer during the audit at the establishment.

### 1. Establishment Information

Inspection Identification Number:

SIC:

Establishment Name:

Facility Address:

Mailing Address:

Individual at the establishment who signed the data submitted to OSHA

Name:

Title:

Telephone Number:

### 2. Comparison of CY 2002 Log Summary and Employment Data Submitted to OSHA and Provided During the Audit

Fill in the Log Summary, average employment, and total hours worked numbers provided to you for the audit only if the values differ from those in the "value submitted to OSHA" column.

Data Element	(1) Value Submitted to OSHA	(2) Value Provided During Audit
Average Number of employees		
Total hours worked		
Total number of deaths (G)		
Cases with days away from work (H)		
Cases with job transfer or restriction (I)		
Other recordable cases (J)		
Number of days of restricted work (K)		
Number of days away from work (L)		
Injuries (M1)		
Skin disorders (M2)		
Respiratory conditions (M3)		
Poisonings (M4)		
Other occupational illnesses (M5)		

**3. Employer Explanation for Differences: CY 2002 Log Summary and Employment Data Submitted to OSHA and Data Provided During the Audit.**

If there are differences between the CY 2002 Log Summary and employment data submitted to OSHA for the Data Collection and the data the employer provided during the audit, ask to talk with the individual identified in section 1 of this worksheet who signed the submission to OSHA. Ask that individual (if not available, the manager or recordkeeper) "Why are the numbers different?" Record the response in the space below.

A) Differences in hours worked:

B) Differences in the number of recorded cases:

C) Other differences (e.g. average number of employees, number of days away from work, etc.):

## RECORDS IDENTIFICATION WORKSHEET

This worksheet is included in the ORAA software system under the Track Audited Establishments function on the Main Menu. The worksheet is used to document the availability of particular types of records that the employer indicates will be made available for the audit and their location.

Records	Person- nel Office	Safety Office	Payroll Office	Medical Center	Super- visor's Office	Other- specify
OSHA Form 300						
Employee roster (e.g., payroll)						
OSHA No. 301 or Workers' Compensation equivalent (log related)						
State workers' compensation forms (independent of the OSHA Form 301)						
Medical records						
Nurse/doctor/clinic logs						
Company first aid reports						
Company accident reports						
Insurers' accident reports						
Accident and health benefit insurance records						
Absentee records						
Union records						
Other (specify)						

## RECORDKEEPING PROCEDURES QUESTIONNAIRE

This questionnaire is included in the ORAA software system under the Recordkeeping Procedures Questionnaire Function on the Main Menu. The questionnaire is used to record responses to the interview with the manager and the recordkeeper.

### OSHA Recordkeeper Questions

(Name)      Last:              First:              Middle:

Title:

Date:

1. In keeping the OSHA records, which of the following do you use (Check all that apply):

- a. The OSHA Regulation 29 CFR Part 1904
- b. Instructions on the OSH forms
- c. OSHA website
- d. Internal guidelines
- e. Other (list)

2. Do you have a computerized recordkeeping system?

Yes                       No

3. a. Does this company have other facilities?

Yes                       No

b. If yes, do you use centralized recordkeeping?

Yes                       No

4. Do you have a completed Log and Summary of Occupational Injuries and Illnesses, OSHA Form 300, for the calendar year 2002?

Yes                       No

5. a. Do you have a completed supplementary record for each case entered on the log?

Yes                       No

b. If yes, which form(s) do you use as the supplementary record?

- (1)  OSHA 301
- (2)  State Workers' Compensation Form
- (3)  Insurer's Form
- (4)  Other

6. How do you get information about workplace injuries and illnesses? For example, are supervisors required to report to you any injury or illness that occurs?

7. a. Are you the person normally responsible for determining whether or not a case is recordable?

Yes                       No

b. If not, who is? \_\_\_\_\_

8. How were you trained to handle the duties of completing the OSHA Log?

- Self taught/no formal training
- Trained by supervisor, colleague, or previous recordkeeper
- Classroom training
- Other (please specify)\_\_\_\_\_

9. If you need assistance in determining if a case should be recorded, how is it obtained?

10. Do employees of your establishment request access to the OSHA log?

Frequently                       Occasionally                       Never

11. Recording criteria for work related **injuries** includes:

- All injuries are recordable  Yes  No
- Visit to doctor for observation only  Yes  No
- First aid  Yes  No
- Medical treatment  Yes  No
- Loss of consciousness  Yes  No
- Restricted work activity  Yes  No
- Days away from work  Yes  No

12. Recording criteria for work related **illnesses** includes:

- All illnesses are recordable  Yes  No
- Illnesses are recordable only when they meet the same criteria for recording injuries  Yes  No

13. Criteria used for **specific injury and illness condition** for OSHA recordkeeping purposes includes:

- All potentially contaminated needlesticks are recordable  Yes  No
- A case of occupational hearing loss is recordable only if there is a shift of 25dB or greater.  Yes  No

14. Criteria to determine if an injury or illness is **work related** for OSHA recordkeeping purposes include:

- Only if it occurred while the employee was on the clock  Yes  No
- Workers' Compensation decides  Yes  No
- Employee tripped in parking lot  Yes  No
- Its is caused by work  Yes  No
- It is contributed to by work  Yes  No
- Employee injured during commute  Yes  No

15. What constitutes **restricted work activity** for OSHA recordkeeping purposes?

- Cannot work full shift  Yes  No
- Cannot perform a job task employee regularly does once a week  Yes  No
- Cannot perform a job task employee regularly does once a month  Yes  No
- Doctor's note with restrictions that does not affect the employee's ability to perform all duties  Yes  No

16. a. Does your company use temporary employees?

Yes  No

b. If yes, does your company supervise them on a daily basis?

Yes  No

c. If yes, do you record their injuries and illnesses on your OSHA log?

Yes  No

## OPTIONAL EMPLOYEE INTERVIEW QUESTIONNAIRE

This questionnaire is included in the ORAA software system under the Employee Questionnaires Function on the Main Menu. The questionnaire is used to record responses to the interviews with a sample of employees.

### Name/Employment Information

Last:                      First:                      Middle:

Date:                      Occupation (regular job title):

Tenure (length of time on the job):

Department/Division:

### Recordkeeping Questions

1.     a.     Have you ever seen an OSHA form 200 or form 300, the Log of Occupational Injuries and Illnesses, for your establishment?  
  
              Yes                                          No
- b.     If yes, did you see it by:  
  
              Viewing the summary portion of the log posted by the employer.  
  
              Requesting access to see the entire OSHA log.
2.     Did you experience an injury or illness during CY 2002 that was caused or aggravated by an event or exposure in your work environment?  
  
              Yes (go to Question 3)                          No (go to Question 7)
3.     Briefly describe this injury and/or illness.

4. a. Did you report the injury or illness to your employer?
- Yes  No
- b. If yes, was the case recorded on the OSHA log?
- Yes  No  Don't Know
- c. If no, why not?
5. Have you or your employer filed for workers' compensation for this injury or illness?
- Yes  No
6. a. a. Did your injury and/or illness involve any days away from work or days of restricted work activity? If yes, explain.
- Yes  No
- b. If yes, how many workdays?
- \_\_\_\_\_ Number of days away from work
- \_\_\_\_\_ Number of days restricted work activity
7. a. Are you aware of any of your coworkers experiencing a job-related injury or illness during CY 2002?
- Yes  No
- b. If yes, who?

## APPENDIX D

### Scope of OSHA Data Initiative Collection

The scope of the Data Initiative determines the scope of the establishments to be audited. If the establishment falls outside of these parameters, do not do the audit. A replacement unit will be selected. The following is the industry scope of the Data Initiative collection. If you are unsure if an establishment falls within the scope of the collection, contact the Office of Statistics at 202-693-1886.

20 through 39 <b>All of Manufacturing</b>	4513 Air Courier Services
0181 Ornamental Floriculture and Nursery Products	4581 Airports, Flying Fields, & Airport Terminal Services
0182 Food Crops Grown Under Cover	4783 Packing and Crating
0211 Beef Cattle Feedlots	4952 Sewerage Systems (California only)
0212 Beef Cattle, Except Feedlots	4953 Refuse Systems
0213 Hogs	4959 Sanitary Services, NEC (California only)
0214 Sheep and Goats	5012 Automobiles and Other Motor Vehicles
0219 General Livestock, Except Dairy and Poultry	5013 Motor Vehicle Supplies and New Parts
0241 Dairy Farms	5014 Tires and Tubes
0251 Broiler, Fryer, and Roaster Chickens	5015 Motor Vehicle Parts, Used
0252 Chicken Eggs	5031 Lumber, Plywood, Millwork, and Wood Panels
0253 Turkeys and Turkey Eggs	5032 Brick, Stone, and Related Construction Materials
0254 Poultry Hatcheries	5033 Roofing, Siding and Insulation Materials
0259 Poultry and Eggs, NEC	5039 Construction Materials, NEC
0291 General Farms, Primarily Livestock and Animal Specialties	5051 Metal Service Centers and Offices
0782 Lawn and Garden Services (North Carolina only)	5052 Coal and Other Minerals and Ores
0783 Ornamental Shrub and Tree Services	5093 Scrap and Waste Materials
4212 Local Trucking without Storage	5141 Groceries, General Line
4213 Trucking, Except Local	5142 Packaged Frozen Food Products
4214 Local Trucking with Storage	5143 Dairy Products, Except Dried or Canned
4215 Courier Services, Except Air	5144 Poultry and Poultry Products
4221 Farm Product Warehousing and Storage	5145 Confectionery
4222 Refrigerated Warehousing and Storage	5146 Fish and Seafoods
4225 General Warehousing and Storage	5147 Meats and Meat Products
4226 Special Warehousing and Storage, NEC	5148 Fresh Fruits and Vegetables
4231 Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation	5149 Groceries and Related Products, NEC
4311 United States Postal Service	5181 Beer and Ale
4491 Marine Cargo Handling	5182 Wine and Distilled Alcoholic Beverages
4492 Towing and Tugboat Services	5211 Lumber and Other Building Materials Dealers
4493 Marinas	5311 Department Stores (Pilot collection)
4499 Water Transportation Services, NEC	5411 Grocery Stores (Maryland only)
4512 Air Transportation, Scheduled	8051 Skilled Nursing Care Facilities

8052 Intermediate Care Facilities  
8059 Nursing and Personal Care Facilities, NEC  
8062 General Medical and Surgical Hospitals (Pilot  
collection)

8063 Psychiatric Hospitals (Pilot collection)  
8069 Specialty Hospitals, Except Psychiatric (Pilot  
collection)

## Index

Average Number of Employees.....	6
Citations.....	10, 11
Closing Conference.....	5
Determine the Audit Sample Size.....	7
Employee Interviews.....	4, 9, 10
Employee Representatives.....	4
Employee Roster.....	5
Employee Sample Selection.....	7
Hours Worked.....	6
IMIS.....	11
Interview the Designated Recordkeeper.....	9
Medical Records.....	8, 9
Medical Records Access Order.....	3, 5
Opening Conference.....	5
Optional Information Block.....	11
ORAA.....	3
ORAA Data File.....	11
OSHA.....	13, 11
Over-recording.....	8, 9
Records Review.....	7
Scope of Audit Program.....	2
State Plan States.....	1, 11
Submission Comparison Worksheet.....	6
Training.....	4