

HR Tip of the Week
P•A•S ASSOCIATES
November 19, 2018

Emergency Regulations for Workplace Injuries Reporting Approved

The Office of Administrative Law (OAL) has approved [Cal/OSHA's emergency regulations](#), which will require certain California employers to submit their injury and illness log (Form 300A) information to a federal OSHA database annually. This is in compliance with federal OSHA requirements.

While Cal/OSHA opted to pursue emergency regulations this month, federal OSHA announced this past April that employers in states with their own plans would be required to comply. Cal/OSHA then declared an emergency for rulemaking purposes.

The emergency rulemaking process eliminates all public discussion of policy and allows comments during the public five-day comment period solely on the rule's compliance with the Administrative Procedures Act's requirements. This includes necessity, clarity and consistency with state and federal laws.

The first compliance date to submit the data from 2017 is December 31, 2018. Beginning in 2019, summary data will be due by March 2 of the year after the calendar year covered by the forms. For example, the data from 2018 will be due March 2, 2019.

The following employers must submit online Form 300A covering calendar year 2017 by December 31, 2018:

- All employers with 250 or more employees, unless specifically exempted by section [14300.2 of Title 8](#) of the California Code of Regulations.
- Employers with 20 to 249 employees in the specific industries listed in [Appendix H of the emergency regulations](#).

Instructions to submit the summaries online each year are on federal OSHA's [Injury Tracking Application webpage](#).

Cal/OSHA will proceed with the formal rule making process to make the emergency regulations permanent by submitting the required documentation to OAL. The rule making process will also include a public comment period and public hearing. The dates for the comment period and public hearing will be posted on Cal/OSHA's proposed regulation page.

To view a PDF version of this week's HR Tip, please visit

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