

- (11) The employer must only report to DOSH each inpatient hospitalization that involves medical care or treatment. Inpatient hospitalization involving only observation or diagnostic testing need not be reported.

[Statutory Authority: RCW 49.17.010, .040, and .050. 19-17-068 (Order 16-25), § 296-27-031, filed 08/20/2019, effective 01/01/2020. Statutory Authority: RCW 49.17.010, .040, and .050. 16-23-138 (Order 16-10), § 296-27-031 filed 11/22/16, effective 12/23/16. Statutory Authority: RCW 49.17.010, .040, and .050. 15-11-066 (Order 14-24), § 296-27-031, filed 05/09/15, effective date 07/01/15. Statutory Authority: RCW 49.17.010, .040, .050, and .060. 09-01-058 (Order 08-27), § 296-27-031, filed 12/23/08, effective 03/01/09. Statutory Authority: Chapter 42.30 and 43.22 RCW, RCW 49.17.040, 49.17.050 and 49.17.240. 02-01-064 (Order 01-27) § 296-27-031, filed 12/14/01, effective 01/01/02.]

WAC 296-27-03101 Providing records to government representatives.

- (1) The employer must provide copies of the records within 4 business hours when an authorized government representative asks for the records you keep under this section.
- (2) If the employer maintains the records at a location in a different time zone, they may use the business hours of the establishment at which the records are located when calculating the deadline.

[Statutory Authority: RCW 49.17.010, .040, and .050. 19-17-068 (Order 16-25), § 296-27-03101, filed 08/20/2019, effective 01/01/2020. Statutory Authority: RCW 49.17.010, .040, and .050. 15-11-066 (Order 14-24), § 296-27-03101, filed 05/09/15, effective date 07/01/15. Statutory Authority: Chapter 42.30 and 43.22 RCW, RCW 49.17.040, 49.17.050 and 49.17.240. 02-01-064 (Order 01-27) § 296-27-03101, filed 12/14/01, effective 01/01/02.]

WAC 296-27-03103 Electronic submission of injury and illness records to OSHA.

Note: The information required by this section is reported and tracked by OSHA from their own injury and illness data analysis. DOSH is not notified when employers submit this information to OSHA.

- (1) **Summary of basic requirements.**
- (a) Annual electronic submission of OSHA Form 300A Summary of Work-Related Injuries and Illnesses by establishments that employed two hundred fifty or more different employees. If your establishment employed two hundred fifty or more different employees during the course of the previous calendar year, and this chapter requires your establishment to keep records, then you must electronically submit information from OSHA Form 300A Summary of Work-Related Injuries and Illnesses to OSHA or OSHA's designee.
- (b) Annual electronic submission of OSHA Form 300A Summary of Work-Related Injuries and Illnesses by establishments that both; employed twenty to two hundred forty-nine different employees, and are in designated industries. If your establishment employed twenty to two hundred forty-nine different employees during the course of the previous calendar year, and your establishment is in a designated industry listed in WAC 296-27-071 Appendix B, then you must electronically submit information from OSHA Form 300A Summary of Work-Related Injuries and Illnesses to OSHA or OSHA's designee.

- (c) Electronic submission of OSHA 300A records upon notification. All establishments not meeting the criteria of (a) or (b) of this subsection, must, upon notification; electronically submit the information from your OSHA 300A to OSHA or OSHA's designee.
 - (d) Electronic submission of the employer identification number (EIN). When electronically reporting injury and illness records, the employer must also provide the EIN or federal tax identification number used by the establishment.
- (2) **Basic requirements.**
- (a) Categories of employers that must submit OSHA Form 300A information to OSHA.
 - (i) First, if your establishment had two hundred fifty or more total employees over the course of the previous calendar year, and this chapter requires your establishment to keep injury and illness records; then you must submit the required information to OSHA once a year. This information is due before the date listed in subsection (3) of this section.
 - (ii) Second, if your establishment had twenty or more, but fewer than two hundred fifty total employees over the course of the previous calendar year, and your establishment is in a designated industry listed in WAC 296-27-071 Appendix B; then you must submit the required information to OSHA once a year. This information is due before the date listed in subsection (3) of this section.
 - (iii) Third, if your establishment is not in either of the two categories above, then you must submit information to OSHA only when OSHA notifies you to do so for an individual calendar year. OSHA's notification will provide instructions for when this information is due.
 - (b) Categories of employees included under (a) of this subsection requirement.

Employers must count all full-time, part-time, seasonal, and temporary workers towards their running count of individual employees for the year. Each individual employed in the establishment during any part of the previous calendar year counts as one employee.
 - (c) Notification from OSHA for a subsection (1)(c) of this section employer to submit records electronically.

OSHA will only notify subsection (1)(c) of this section employers by mail when they must submit information as part of an individual data collection. OSHA will also announce individual data collections through publication in the Federal Register the OSHA newsletter, and announcements on the OSHA web site. If you are an employer who must routinely submit information per subsection (1)(a) and (b) of this section, then OSHA will not notify you about your routine submittal.
 - (d) Due date for the above mentioned information.

Employers required to submit information under subsection (1)(a) or (b) of this section, must submit the information once a year, by the date listed in subsection (3) of this section - Effective reporting date of this section of the year after the calendar year covered by the form or forms. Employers submitting information because OSHA notified them to submit information as part of an individual data collection under subsection (1)(c) of this section, must submit the information as specified in OSHA's notification.

- (e) Process for employers to submit the above mentioned information.

Employers must submit the information electronically. OSHA will provide a secure web site for the electronic submission of information. For individual data collections under subsection (1)(c) of this section, OSHA will include the web site's location in the notification for the data collection.

- (f) Partially exempt establishments from the recordkeeping rule itself, under WAC 296-27-00103 and/or 296-27-00105.

Employers that are partially exempt from keeping injury and illness records under WAC 296-27-00103 and/or 296-27-00105 do not have to routinely submit OSHA Form 300A information under subsection (1)(a) and (b) of this section. However, these employers must submit information under subsection (1)(c) of this section if OSHA informs you in writing that OSHA is collecting injury and illness information from you for any specific year. If you receive such a notification, then you must keep the injury and illness records required by this part and submit that information as directed by OSHA.

- (g) Enterprise or corporate entities electronically submitting OSHA Form 300A records on behalf of its establishment(s).

Enterprise or corporate offices which, have ownership of, or control over, one or more establishments required to submit information under subsection (1) of this section; may collect and electronically submit the information on behalf of the establishment(s).

(3) Effective reporting date.

Employers must begin submitting the above mentioned information to OSHA by the following date and schedule.

Beginning in calendar year 2020, establishments which are required to submit under subsection (1)(a) and (b) of this section must routinely submit the required information by March 2nd, for the previous calendar year. For example employers will electronically report calendar year 2019 information to OSHA after; OSHA begins accepting calendar year 2019 information, and before March 2, 2020.

[Statutory Authority: RCW 49.17.010, .040, and .050. 19-17-068 (Order 16-25), § 296-27-03103, filed 08/20/2019, effective 01/01/2020. Statutory Authority: RCW 49.17.010, 49.17.040, and 49.17.050. WSR 15-11-066, § 296-27-03103, filed 5/19/15, effective 7/1/15; WSR 02-01-064, § 296-27-03103, filed 12/14/01, effective 1/1/02.]

WAC 296-27-03105 Requests from the Bureau of Labor Statistics for data.

- (1) If you receive a Survey of Occupational Injuries and Illnesses form from the (BLS), or a BLS designee, you must promptly complete the form and return it following the instructions contained on the survey form.
- (2) Each year, the BLS sends injury and illness survey forms to randomly selected employers and uses the information to create the nation's occupational injury and illness statistics. In any year, some employers will receive a BLS survey form and others will not. The employer does not have to send injury and illness data to the BLS unless you receive a survey form.