



## ILA-USMX JOINT SAFETY COMMITTEE

# OSH ALERT 2023-03 [30 January 2023]

## Electronically Reporting CY 2022 Injuries/Illnesses to OSHA

The ILA~USMX Joint Safety Committee (JSC) would like to remind our management constituents having responsibility to electronically submit their firm's CY 2022 injury and illness data to OSHA, that the deadline to do so is March 2<sup>nd</sup>.

As many of you know, it's a relatively simple process made even easier by utilizing the agency's Injury Tracking Application (ITA). For your convenience, we provide a link to that application's webpage here:

<https://www.osha.gov/injuryreporting>

OSHA recently transitioned its login procedure to utilize one single account to access all applications: [Login.gov](https://login.gov). All current and new account holders must connect their ITA account to a Login.gov account with the same email address to access the application for the 2023 collection of Calendar Year 2022 Form 300A data. Before proceeding, entities are encouraged to review the [guidance](#) on how to connect your accounts. OSHA has a history of citing employers who fail to timely upload their Form 300A data by March 2, so ensure your account access is up to date before that date.

OSHA provides the [secure ITA website](#) that offers three options for injury and illness data submissions. Users may manually enter data, upload a CSV file to add multiple establishments at the same time, or transmit data electronically via the API (application programming interface).

In late-2021, OSHA proposed restoring the Obama-era requirement for all covered employers to submit full OSHA Form 300s (Log of Work-Related Injuries and Illnesses) and OSHA Form 301s (Injury and Illness Incident Report). However, this proposed revision has not yet become effective.

**Got a question about this particular subject? Write to the JSC at: [blueoceana@optonline.net](mailto:blueoceana@optonline.net)**

## Working Together For The Benefit Of All

ILA-USMX OSH Alerts are devised to reflect the best possible information and guidance, and are products of diligent research and the most up to date subject matter knowledge. Consequently, while the information contained herein is believed to be accurate, owing to a host of factors ILA-USMX can convey no direct or implied warranty relative to the reliance of parties upon content.



## ILA-USMX JOINT SAFETY COMMITTEE

# OSH ALERT 2023-02 [26 January 2023]

## OSHA Revises Enforcement Policy



Today, the Occupational Safety & Health Administration (OSHA) announced the issuance of new enforcement guidance distributed to its regional and area offices which would permit the issuance of “***instance-by-instance citations***” in specific cases. While that concept may not sound revolutionary, its affect has the potential to be head-turning.

To quote from today’s press release (the full release is available via the hyperlink provided below):

*"OSHA Regional Administrators and Area Office Directors now have the authority to cite certain types of violations as “***instance-by-instance citations***” for cases where the agency identifies “high-gravity” serious violations of OSHA standards specific to certain conditions where the language of the rule supports a citation for each instance of non-compliance. These conditions include lockout/tagout, machine guarding, permit-required confined space, respiratory protection, falls, trenching and for cases with other-than-serious violations specific to recordkeeping."*

The tenor of the release appears to aim this amplified genre of enforcement at employers who place “***profit over safety.***”

**Link to Press Release:** <https://www.osha.gov/news/newsreleases/national/01262023-0>

**Got a question about this particular subject? Write to the JSC at:** [blueoceana@optonline.net](mailto:blueoceana@optonline.net)

## Working Together For The Benefit Of All

ILA-USMX OSH Alerts are devised to reflect the best possible information and guidance, and are products of diligent research and the most up to date subject matter knowledge. Consequently, while the information contained herein is believed to be accurate, owing to a host of factors ILA-USMX can convey no direct or implied warranty relative to the reliance of parties upon content.



# ILA-USMX JOINT SAFETY COMMITTEE

## OSH ALERT 2023-01 [16 January 2023]

### OSHA Civil Monetary Fines Going Up

The ILA~USMX Joint Safety Committee (JSC) is obliged to make its management and labor constituents aware that, through a Final Rule published in the January 13, 2023 **FEDERAL REGISTER**, the Occupational Safety & Health Administration (OSHA) has announced increases in the amounts of civil monetary penalties that may be imposed for alleged violations of OSHA standards and regulations.

We've revised a table which tracks the characterization of the alleged violations and makes comparisons between the current maximum penalty limits with those that have taken practical effect today:

	Paragraph	Remove	Add
	§ 1903.15(d) introductory text	January 15, 2022	January 15, 2023
	§ 1903.15(d)(1)	\$10,360	\$11,162
Willful	§ 1903.15(d)(1)	\$145,027	\$156,259
Repeated	§ 1903.15(d)(2)	\$145,027	\$156,259
Serious	§ 1903.15(d)(3)	\$14,502	\$15,625
Other-Than-Serious	§ 1903.15(d)(4)	\$14,502	\$15,625
Failure to Correct	§ 1903.15(d)(5)	\$14,502	\$15,625
Failure To Post	§ 1903.15(d)(6)	\$14,502	\$15,625

Also, for those constituents interested in reviewing the entirety of the Final Rule, the hyperlink below will provide access:

<https://www.govinfo.gov/content/pkg/FR-2023-01-13/pdf/2023-00271.pdf>

Got a question about this particular subject? Write to the JSC at: [blueoceana@optonline.net](mailto:blueoceana@optonline.net)

### Working Together For The Benefit Of All

ILA-USMX OSH Alerts are devised to reflect the best possible information and guidance, and are products of diligent research and the most up to date subject matter knowledge. Consequently, while the information contained herein is believed to be accurate, owing to a host of factors ILA-USMX can convey no direct or implied warranty relative to the reliance of parties upon content.