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OSHA Publishes Final Rule Revising Requirements for Electronic Reporting of Injury and Illness Data

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On January 25, 2019, OSHA published a [final rule](#) revising the requirements for its 2016 "Improve Tracking of Workplace Injuries and Illnesses" regulation. The final rule repeals the requirement that employers with 250 or more employees electronically submit data from OSHA Forms 300 and 301. Employers still must maintain those records on-site. Employers with 20 or more employees in certain [designated industries](#) and employers with 250 or more employees are still required to submit data from OSHA Form 300A annually. The final rule also now requires that employers submit their employer identification number along with their injury and illness data submissions. The compliance date for employers to submit their employer identification number is March 2, 2020.

The deadline to electronically submit OSHA Form 300A data for calendar year 2018 is March 2, 2019. Employers are required to submit data through OSHA's [ITA portal](#).

We note that a lawsuit has been filed challenging the revised rule on the grounds that the process by which revisions were made allegedly failed to meet all of the requirements of the Administrative Procedure Act. We will be following this suit.

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