

Filing Attachment for OAR 437-001-0700 Recording workplace injuries and illnesses

Table 1 - Exempt industries

Employers do not need to keep Oregon OSHA injury and illness records for any establishment in the following 2007 North American Industry Classification System (NAICS) codes. Subsequent codes that are added with further revisions of the NAICS codes would apply to this exemption list, unless Oregon OSHA or the Department of Consumer and Business Services asks them in writing to keep these records.

NAICS Code	Industry Description	NAICS Code	Industry Description
4412	Other Motor Vehicle Dealers	5411	Legal Services
4431	Electronics and Appliance Stores	5412	Accounting, Tax Preparation, Bookkeeping, and Payroll Services
4461	Health and Personal Care Stores	5413	Architectural, Engineering, and Related Services
4471	Gasoline Stations	5414	Specialized Design Services
4481	Clothing Stores	5415	Computer Systems Design and Related Services
4482	Shoe Stores	5416	Management, Scientific, and Technical Consulting Services
4483	Jewelry, Luggage, and Leather Goods Stores	5417	Scientific Research and Development Services
4511	Sporting Goods, Hobby, and Musical Instrument Stores	5418	Advertising and Related Services
4512	Book, Periodical, and Music Stores	5511	Management of Companies and Enterprises
4531	Florists	5611	Office Administrative Services
4532	Office Supplies, Stationary, and Gift Stores	5614	Business Support Services
4812	Nonscheduled Air Transportation	6515	Travel Arrangement and Reservation Services
4861	Pipeline Transportation of Crude Oil	5616	Investigation and Security Services
4862	Pipeline Transportation of Natural Gas	6112	Junior Colleges
4869	Other Pipeline Transportation	6113	Colleges, Universities, and Professional Schools
4879	Scenic and Sightseeing Transportation, Other	6114	Business Schools and Computer and Management Training
4885	Freight Transportation Arrangement	6115	Technical and Trade Schools
5111	Newspaper, Periodical, Book, and Directory Publishers	6211	Offices of Physicians
5112	Software Publishers	6212	Offices of Dentists
5121	Motion Picture and Video Industries	6213	Offices of Other Health Practitioners
5122	Sound Recording Industries	6214	Outpatient Care Centers
5151	Radio and Television Broadcasting	6215	Medical and Diagnostic Laboratories
5172	Wireless Telecommunications Carriers (except Satellite)	6244	Child Day Care Services
5173	Telecommunications Resellers	7114	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
5179	Other Telecommunications	7115	Independent Artists, Writers, and Performers
5181	Internet Service Providers and Web Search Portals	7213	Rooming and Boarding Houses
5182	Data Processing, Hosting, and Related Services	7221	Full-Service Restaurants
5191	Other Information Services	7222	Limited-Service Eating Places
5211	Monetary Authorities - Central Bank	7224	Drinking Places (Alcoholic Beverages)
5221	Depository Credit Intermediation	8112	Electronic and Precision Equipment Repair and Maintenance
5222	Nondepository Credit Intermediation	8114	Personal and Household Goods Repair and Maintenance
5223	Activities Related to Credit Intermediation	8121	Personal Care Services
5231	Securities and Commodity Contracts Intermediation and Brokerage	8122	Death Care Services
5232	Securities and Commodity Exchanges	8131	Religious Organizations
5239	Other Financial Investment Activities	8132	Grantmaking and Giving Services
5241	Insurance Carriers	8133	Social Advocacy Organizations
5242	Agencies, Brokerages, and Other Insurance Related Activities	8134	Civic and Social Organizations
5251	Insurance and Employee Benefit Funds	8139	Business, Professional, Labor, Political, and Similar Organizations
5259	Other Investment Pools and Funds		
5312	Offices of Real Estate Agents and Brokers		
5331	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)		

Table 2 - Related rules

This table indicates which sections of the rule address each topic.	
(i) Determination of work-relatedness.	See 437-001-0700(6)
(ii) Determination of a new case.	See 437-001-0700(7)
(iii) General recording criteria.	See 437-001-0700(8)
(iv) Additional criteria. (Needlestick and sharps injury cases, tuberculosis cases, hearing loss cases, medical removal cases, and musculoskeletal disorder cases)	See 437-001-0700(9) through (12)

Figure 1 – Decision tree

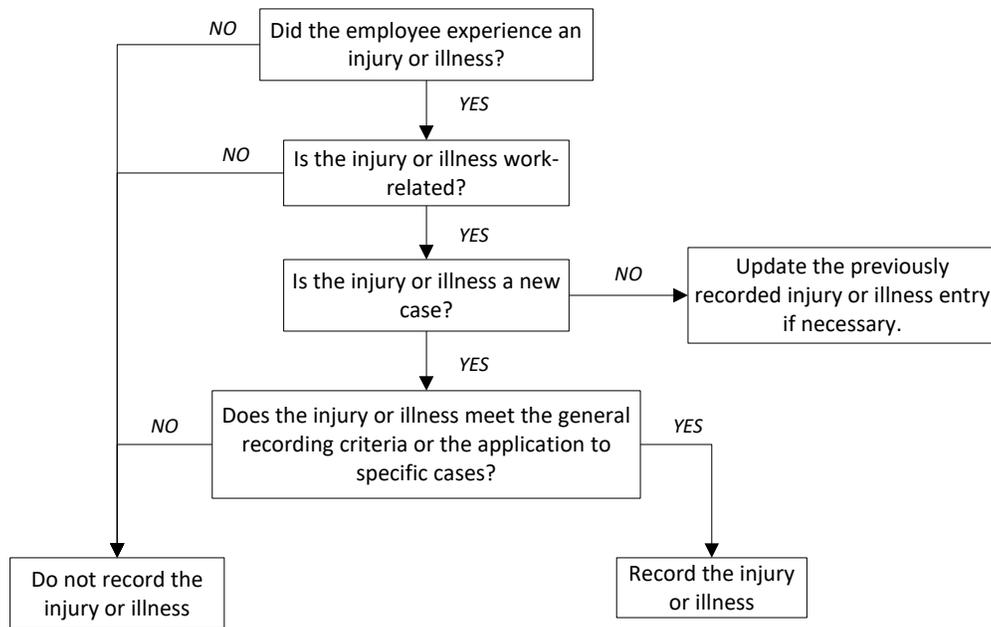


Table 3 - Work environment exceptions

Do not record injuries and illnesses if . . .
At the time of the injury or illness, the employee was present in the work environment as a member of the general public rather than as an employee.
The injury or illness involves signs or symptoms that surface at work but result solely from a nonwork-related event or exposure that occurs outside the work environment.
The injury or illness results solely from voluntary participation in a wellness program or in a medical, fitness, or recreational activity such as blood donation, physical examination, flu shot, exercise class, racquetball, or baseball.

Do not record injuries and illnesses if . . .

The injury or illness is solely the result of an employee eating, drinking, or preparing food or drink for personal consumption (whether bought on the employer's premises or brought in). For example, if the employee is injured by choking on a sandwich while in the employer's establishment, the case is not work-related.

Note: If the employee becomes ill by ingesting food contaminated by workplace contaminants (such as lead), or gets food poisoning from food supplied by the employer, the case is work-related.

The injury or illness is solely the result of an employee doing personal tasks (unrelated to their employment) at the establishment outside of the employee's assigned working hours.

The injury or illness is solely the result of personal grooming, self-medication for a nonwork-related condition, or is intentionally self-inflicted.

The injury or illness is caused by a motor vehicle accident and occurs on a company parking lot or company access road while the employee is commuting to or from work.

The illness is the common cold or flu (Note: contagious diseases such as tuberculosis, brucellosis, hepatitis A, or plague are work-related if the employee is infected at work).

The illness is a mental illness. Mental illness is not work-related unless the employee voluntarily provides the employer with an opinion from a physician or other licensed health care professional with appropriate training and experience (psychiatrist, psychologist, psychiatric nurse practitioner, etc.) stating that the employee has a work-related mental illness.

Table 4 - Travel status exemptions

Do not record injuries or illnesses that occur when the employee is on travel status if they meet one of the exceptions listed below.

If the employee . . .	You may use the following to determine if an injury or illness is work-related.
checked into a hotel or motel for one or more days.	When a traveling employee checks into a hotel, motel, or other temporary residence, they establish a "home away from home." You must evaluate the employee's activities after they check into the hotel, motel, or other temporary residence for their work-relatedness in the same manner as you evaluate the activities of a nontraveling employee. When the employee checks into the temporary residence, they have left the work environment. When the employee begins work each day, they re-enter the work environment. If the employee has established a "home away from home" and is reporting to a fixed worksite each day, you also do not consider injuries or illnesses work-related if they occur while the employee is commuting between the temporary residence and the job location.
took a detour for personal reasons.	Injuries or illnesses are not work-related if they occur while the employee is on a personal detour from a reasonably direct route of travel (e.g., took a side trip for personal reasons).

Table 5 - General recording criteria

Record a work-related injury or illness if it results in one or more of the following:	
(i) Death,	See 437-001-0700(8)(a)
(ii) Days away from work,	See 437-001-0700(8)(b)
(iii) Restricted work or transfer to another job,	See 437-001-0700(8)(c)
(iv) Medical treatment beyond first aid,	See 437-001-0700(8)(d)
(v) Loss of consciousness,	See 437-001-0700(8)(e)
(vi) A significant injury or illness diagnosed by a physician or other licensed health care professional.	See 437-001-0700(8)(f)

Table 6 - First aid treatment

(A)	Using a nonprescription medication at nonprescription strength (for medications available in both prescription and nonprescription form, a recommendation by a physician or other licensed health care professional to use a nonprescription medication at prescription strength is medical treatment for recordkeeping purposes);	(H)	Drilling of a fingernail or toenail to relieve pressure, or draining fluid from a blister;
(B)	Administering tetanus immunizations (other immunizations, such as Hepatitis B vaccine or rabies vaccine, is medical treatment);	(I)	Using eye patches;
(C)	Cleaning, flushing or soaking wounds on the surface of the skin;	(J)	Removing foreign bodies from the eye using only irrigation or a cotton swab;
(D)	Using wound coverings such as bandages, Band-Aids™, gauze pads, etc.; or using butterfly bandages or Steri-Strips™ (other wound closing devices such as sutures, staples, etc. are medical treatment);	(K)	Removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means;
(E)	Using hot or cold therapy;	(L)	Using finger guards;

(F)	Using any nonrigid means of support, such as elastic bandages, wraps, nonrigid back belts, etc. (devices with rigid stays or other systems designed to immobilize parts of the body are medical treatment for recordkeeping purposes);	(M)	Using massages (physical therapy or chiropractic treatment are medical treatment for recordkeeping purposes); or
(G)	Using temporary immobilization devices while transporting an accident victim (e.g., splints, slings, neck collars, back boards, etc.).	(N)	Drinking fluids for relief of heat stress.

This is a complete list of all first aid treatments for this standard. These treatments are considered first aid regardless of the professional status of the person providing the treatment.

Table 7 – (24)(b) Designated Industries

Annual Electronic Submission of OSHA Form 300A Summary of Work-Related Injuries and Illnesses by Establishments With 20-249 Employees in Designated Industries.

NAICS	Industry	NAICS	Industry
11	Agriculture, Forestry, Fishing and Hunting.	4882	Support Activities for Rail Transportation.
22	Utilities.	4883	Support Activities for Water Transportation.
23	Construction.	4884	Support Activities for Road Transportation.
31-33	Manufacturing.	4889	Other Support Activities for Transportation.
42	Wholesale Trade.	4911	Postal Service.
4413	Automotive Parts, Accessories, and Tire Stores.	4921	Couriers and Express Delivery Services.
4421	Furniture Stores.	4922	Local Messengers and Local Delivery.
4422	Home Furnishings Stores.	4931	Warehousing and Storage.
4441	Building Material and Supplies Dealers.	5152	Cable and Other Subscription Programming.
4442	Lawn and Garden Equipment and Supply Stores.	5311	Lessors of Real Estate.
4451	Grocery Stores.	5321	Automotive Equipment Rental and Leasing.
4452	Specialty Food Stores.	5322	Consumer Goods Rental.
4522	Department Stores.	5323	General Rental Centers.
4523	General Merchandise Stores, including Warehouse Clubs and Supercenters.	5617	Services to Buildings and Dwellings.
4533	Used Merchandise Stores.	5621	Waste Collection.
4542	Vending Machine Operators.	5622	Waste Treatment and Disposal.
4543	Direct Selling Establishments.	5629	Remediation and Other Waste Management Services.
4811	Scheduled Air Transportation.	6219	Other Ambulatory Health Care Services.
4841	General Freight Trucking.	6221	General Medical and Surgical Hospitals.
4842	Specialized Freight Trucking.	6222	Psychiatric and Substance Abuse Hospitals.
4851	Urban Transit Systems.	6223	Specialty (except Psychiatric and Substance Abuse) Hospitals.
4852	Interurban and Rural Bus Transportation.	6231	Nursing Care Facilities (Skilled Nursing Facilities).
4853	Taxi and Limousine Service.	6232	Residential Intellectual and Developmental Disability, Mental Health and Substance Abuse Facilities.
4854	School and Employee Bus Transportation.		
4855	Charter Bus Industry.		
4859	Other Transit and Ground Passenger Transportation.		
4871	Scenic and Sightseeing Transportation, Land.		
4881	Support Activities for Air Transportation.		

NAICS	Industry
6233	Continuing Care Retirement Communities and Assisted Living Facilities, Facilities for the Elderly.
6239	Other Residential Care Facilities.
6242	Community Food and Housing, and Emergency and Other Relief Services.
6243	Vocational Rehabilitation Services.
7111	Performing Arts Companies.
7112	Spectator Sports.
7121	Museums, Historical Sites, and Similar Institutions.
7131	Amusement Parks and Arcades.

NAICS	Industry
7132	Gambling Industries.
7211	Traveler Accommodation.
7212	RV (Recreational Vehicle) Parks and Recreational Camps.
7223	Special Food Services.
8113	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance.
8123	Drycleaning and Laundry Services.

Table 8 – (24)(c) Designated Industries

Designated Industries for Annual Electronic Submission of information from OSHA Form 300 Log of Work-Related Injuries and Illnesses and DCBS Form 801 by Establishments With 100 or More Employees in Designated Industries.

Note: If subsection (24)(c) applies, then your establishment is also required to electronically submit the OSHA Form 300A summary in accord with either subsection (24)(a) or (24)(b) depending on the size of the establishment.

NAICS	Industry.	NAICS	Industry.
1111	Oilseed and Grain Farming.	3116	Animal Slaughtering and Processing.
1112	Vegetable and Melon Farming.	3117	Seafood Product Preparation and Packaging.
1113	Fruit and Tree Nut Farming.	3118	Bakeries and Tortilla Manufacturing.
1114	Greenhouse, Nursery, and Floriculture Production.	3119	Other Food Manufacturing.
1119	Other Crop Farming.	3121	Beverage Manufacturing.
1121	Cattle Ranching and Farming.	3161	Leather and Hide Tanning and Finishing.
1122	Hog and Pig Farming.	3162	Footwear Manufacturing.
1123	Poultry and Egg Production.	3211	Sawmills and Wood Preservation.
1129	Other Animal Production.	3212	Veneer, Plywood, and Engineered Wood Product Manufacturing.
1133	Logging.	3219	Other Wood Product Manufacturing.
1141	Fishing.	3261	Plastics Product Manufacturing.
1142	Hunting and Trapping.	3262	Rubber Product Manufacturing.
1151	Support Activities for Crop Production.	3271	Clay Product and Refractory Manufacturing.
1152	Support Activities for Animal Production.	3272	Glass and Glass Product Manufacturing.
1153	Support Activities for Forestry.	3273	Cement and Concrete Product Manufacturing.
2213	Water, Sewage and Other Systems.	3279	Other Nonmetallic Mineral Product Manufacturing.
2381	Foundation, Structure, and Building Exterior Contractors.	3312	Steel Product Manufacturing from Purchased Steel.
3111	Animal Food Manufacturing.		
3113	Sugar and Confectionery Product Manufacturing.		
3114	Fruit and Vegetable Preserving and Specialty Food Manufacturing.		
3115	Dairy Product Manufacturing.		

NAICS	Industry.
3314	Nonferrous Metal (except Aluminum) Production and Processing.
3315	Foundries.
3321	Forging and Stamping.
3323	Architectural and Structural Metals Manufacturing.
3324	Boiler, Tank, and Shipping Container Manufacturing.
3325	Hardware Manufacturing.
3326	Spring and Wire Product Manufacturing.
3327	Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing.
3328	Coating, Engraving, Heat Treating, and Allied Activities.
3331	Agriculture, Construction, and Mining Machinery Manufacturing.
3335	Metalworking Machinery Manufacturing.
3361	Motor Vehicle Manufacturing.
3362	Motor Vehicle Body and Trailer Manufacturing.
3363	Motor Vehicle Parts Manufacturing.
3366	Ship and Boat Building.
3371	Household and Institutional Furniture and Kitchen Cabinet Manufacturing.
3372	Office Furniture (including Fixtures) Manufacturing.
3379	Other Furniture Related Product Manufacturing.
4231	Motor Vehicle and Motor Vehicle Parts and Supplies Merchant Wholesalers.
4233	Lumber and Other Construction Materials Merchant Wholesalers.
4235	Metal and Mineral Merchant Wholesalers.

NAICS	Industry.
4239	Miscellaneous Durable Goods Merchant Wholesalers.
4244	Grocery and Related Product Merchant Wholesalers.
4248	Beer, Wine, and Distilled Alcoholic Beverage Merchant Wholesalers.
4413	Automotive Parts, Accessories, and Tire Stores.
4422	Home Furnishings Stores
4441	Building Material and Supplies Dealers.
4442	Lawn and Garden Equipment and Supplies Stores.
4451	Grocery Stores.
4522	Department Stores.
4523	General Merchandise Stores, including Warehouse Clubs and Supercenters.
4533	Used Merchandise Stores.
4543	Direct Selling Establishments.
4811	Scheduled Air Transportation.
4841	General Freight Trucking.
4842	Specialized Freight Trucking.
4851	Urban Transit Systems.
4852	Interurban and Rural Bus Transportation.
4853	Taxi and Limousine Service.
4854	School and Employee Bus Transportation.
4859	Other Transit and Ground Passenger Transportation.
4871	Scenic and Sightseeing Transportation, Land.
4881	Support Activities for Air Transportation.
4883	Support Activities for Water Transportation.

NAICS	Industry.
4889	Other Support Activities for Transportation.
4911	Postal Service.
4921	Couriers and Express Delivery Services.
4931	Warehousing and Storage.
5322	Consumer Goods Rental.
5621	Waste Collection.
5622	Waste Treatment and Disposal.
6219	Other Ambulatory Health Care Services.
6221	General Medical and Surgical Hospitals.
6222	Psychiatric and Substance Abuse Hospitals.
6223	Specialty (except Psychiatric and Substance Abuse) Hospitals.
6231	Nursing Care Facilities (Skilled Nursing Facilities).
6232	Residential Intellectual and Developmental Disability, Mental Health, and Substance Abuse Facilities.
6233	Continuing Care Retirement Communities and Assisted Living Facilities for the Elderly.
6239	Other Residential Care Facilities.
6243	Vocational Rehabilitation Services.
7111	Performing Arts Companies.
7112	Spectator Sports.
7131	Amusement Parks and Arcades.
7211	Traveler Accommodation.
7212	RV (Recreational Vehicle) Parks and Recreational Camps.
7223	Special Food Services.

Appendix A (Nonmandatory) to 437-001-0700, Age Related Hearing Loss

You cannot use age correction for determining whether an employee has reached the 25 dB threshold above audiometric zero. You cannot age-correct an audiogram for determining a Standard Threshold Shift (STS) for purposes of OAR 437-002-1910.95, "Occupational Noise Exposure."

When determining whether you must record an STS on the OSHA 300 Log, you can allow for the contribution of aging by adjusting the current audiogram. If you choose to adjust the audiogram, follow the procedure described below. This procedure and the age correction tables were developed by the National Institute for Occupational Safety and Health in the criteria document entitled "Criteria for a Recommended Standard . . . Occupational Exposure to Noise," (HSM)-11001).

For each ear;

(i) Determine from Table F-1 (for males) or F-2 (for females) the age correction values for the employee by:

(A) Finding the age at which the current audiogram was taken and recording the corresponding values of age corrections at 2000 Hz, 3000 Hz, and 4000 Hz;

(B) Finding the age at which the baseline audiogram was taken and recording the corresponding values of age corrections at 2000 Hz, 3000 Hz, and 4000 Hz.

(ii) Subtract the values in the baseline from the values in the current audiogram.

(iii) The calculated difference represents the portion of the change in hearing that may be due to aging.

(iv) An STS is a loss of 10 dB as an average of the 2000 Hz, 3000 Hz, and 4000 Hz between the baseline audiogram and the current audiogram. Once you have performed the age correction, add up the results of the age-corrected audiogram and divide by three. If the result is 10 or larger, then it is still an STS.

Example: Employee is a 32-year-old male. The audiometric history for his right ear is shown in decibels below.

Employee's age	Audiometric test frequency (hz)		
	2000	3000	4000
*27	0	0	5
28	0	0	10
29	0	5	15
30	5	10	20
31	10	20	15
*32	10	10	25

The audiogram at age 27 is considered the baseline since it was the initial audiogram. Asterisks have been used to identify the baseline and current audiogram. A threshold shift of 10 dB exists at both the 2000 Hz and 3000 Hz, and a 20 dB shift exists at 4000 Hz between the audiograms taken at ages 27 and 32.

(The threshold shift is computed by subtracting the hearing threshold at age 27, which was 0, 0, 5, from the hearing threshold at age 32, which is 10, 10, and 25). A retest audiogram has confirmed this shift. The contribution of aging to this change in hearing may be estimated in the following manner:

Go to Table F-1 and find the age correction values at age 27 and age 32.

	Frequency (Hz)		
	2000	3000	4000
Age 32	5	7	10
Age 27	4	6	7
Difference	1	1	3

The difference represents the amount of hearing loss that may be attributed to aging in the time period between the baseline audiogram and the current audiogram. In this example, the difference at 2000 Hz is 1 dB, the difference at 3000 Hz is 1dB, and the difference at 4000 Hz is 3 dB. These values are subtracted from the respective hearing levels of the current audiogram.

Once you have done the age correction, compare the age-corrected audiogram to the baseline to determine the severity of the shift. There is no need to age-correct the baseline for this purpose because the calculation above already took that into consideration.

	Frequency (Hz)		
	2000	3000	4000
Age-corrected Current Audiogram	5	7	10
Baseline Audiogram	4	6	7
Difference	1	1	3

An STS is present when the difference between the current audiogram and the baseline audiogram is 10 dB averaged from the 2000 Hz, 3000 Hz, and 4000 Hz readings. In this instance, the average of 9 dB (from the 2000 Hz reading), 9 dB (from the 3000 Hz reading), and 17 dB (from the 4000 Hz reading) is 11.7 dB. This is an STS because the shift is more than 10 dB, even after the age correction.

Table F 1 - Age correction values in decibels for males

Years	Audiometric Test Frequency (Hz)			Years	Audiometric Test Frequency (Hz)		
	2000	3000	4000		2000	3000	4000
20 or younger	3	4	5	41	6	10	14
21	3	4	5	42	7	11	16
22	3	4	5	43	7	12	16
23	3	4	6	44	7	12	17

Years	Audiometric Test Frequency (Hz)			Years	Audiometric Test Frequency (Hz)		
	2000	3000	4000		2000	3000	4000
24	3	5	6	45	7	133	18
25	3	5	7	46	8	13	19
26	4	5	7	47	8	14	19
27	4	6	7	48	8	14	20
28	4	6	8	49	9	15	21
29	4	6	8	50	9	16	22
30	4	6	9	51	9	16	23
31	4	7	9	52	10	17	24
32	5	7	10	53	10	18	25
33	5	7	10	54	10	18	26
34	5	8	11	55	11	19	27
35	5	8	11	56	11	20	28
36	5	9	12	57	11	21	29
37	6	9	12	58	12	22	31
38	6	9	13	59	12	22	32
39	6	10	14	60 or older	13	23	33
40	6	10	14				

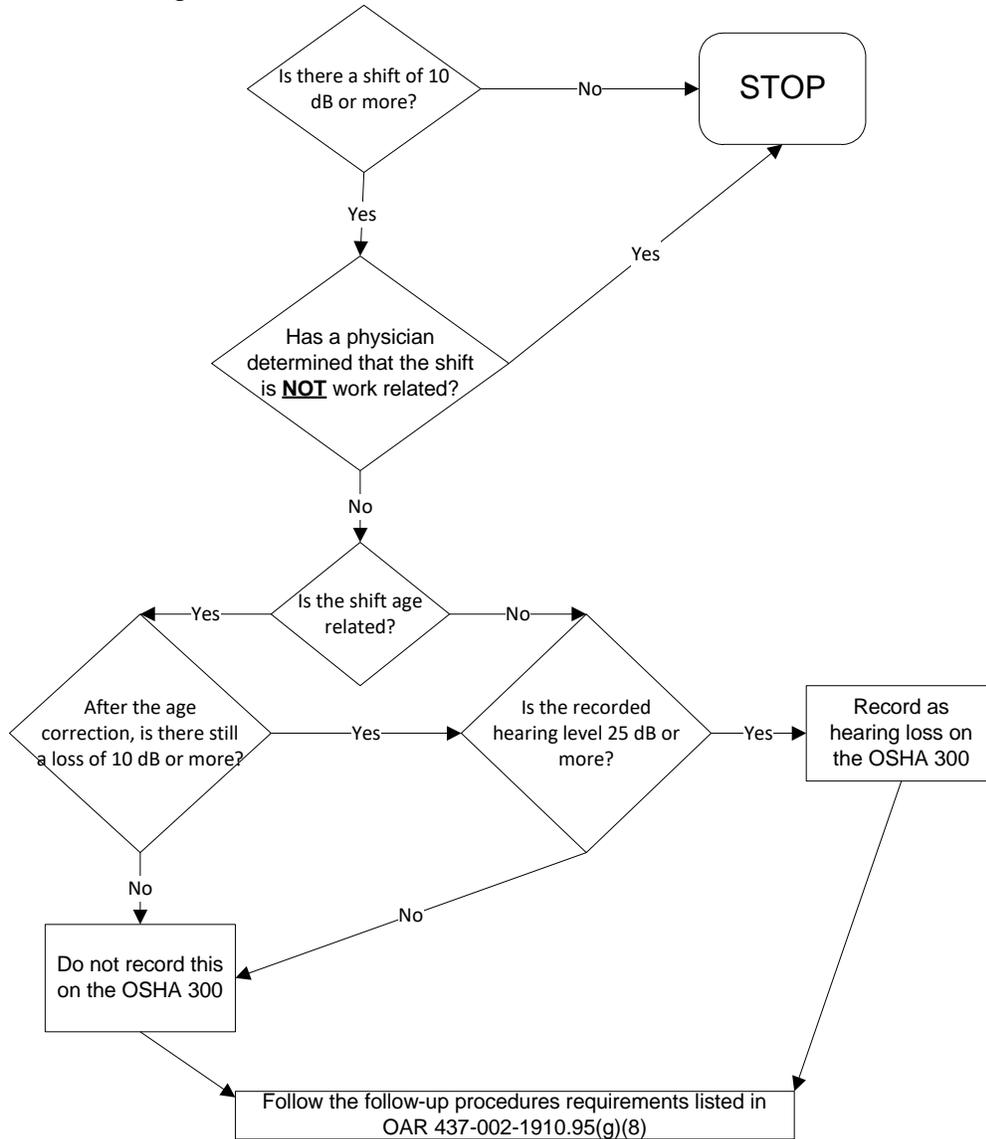
Table F 2 - Age correction values in decibels for females

Years	Audiometric Test Frequency (Hz)			Years	Audiometric Test Frequency (Hz)		
	2000	3000	4000		2000	3000	4000
20 or younger	4	3	3	41	8	8	8
21	4	4	3	42	8	9	9
22	4	4	4	43	8	9	9
23	5	4	4	44	8	9	9
24	5	4	4	45	8	10	10
25	5	4	4	46	9	10	10
26	5	5	4	47	9	10	11
27	5	5	5	48	9	11	11
28	5	5	5	49	9	11	11
29	5	5	5	50	10	11	12
30	6	5	5	51	10	12	12
31	6	6	5	52	10	12	13
32	6	6	6	53	10	13	13
33	6	6	6	54	11	13	14
34	6	6	6	55	11	14	14

Years	Audiometric Test Frequency (Hz)			Years	Audiometric Test Frequency (Hz)		
	2000	3000	4000		2000	3000	4000
35	6	7	7	56	11	14	15
36	6	7	7	57	11	15	15
37	7	7	7	58	12	15	16
38	7	7	7	59	12	16	16
39	7	8	8	60 or older	12	16	17
40	7	8	8				

Appendix B (Nonmandatory) to 437-001-0700, Hearing Loss Recordability Flowchart

All numbers referenced below are taken as an average of the 2K, 3K, and 4K Hz. levels of the audiogram.



* 29 CFR 1910.95 assumes that any shift is workplace-induced unless a physician determines otherwise.