

OSHA 300, 300A and 301 Forms and What To Do – Download

Disclaimer: The following information is general business information about a major small business issues and this information does not include every requirement of every law or rule. This information is not legal advice and should not be used as legal advice and does not assure compliance. The information may change after the reader receives this information. The reader should contact a qualified accountant and a qualified attorney for legal advice on how best to benefit the reader's small business and comply with applicable laws and rules.

Requirements:

1. **Maintain an OSHA 300 form on an up-to-date basis over 5 years.**
2. **Complete an OSHA 301 form for every workplace injury or illness and keep it up-to-date for 5 years.**
3. **Certain industries must electronically submit their 300A report to OSHA by March 2, 2021.**
4. **Complete an OSHA 300A form by, and post the OSHA 300A form from February 1 – April 30 each year.**

Forms You Need

Below are two links to download forms many businesses need to complete. The forms include instructions.

Fillable Forms

Below are two links to download the fillable OSHA 300 Forms and Instructions (fillable means you can input your data on the form from your computer). See: https://www.osha.gov/recordkeeping/osha-rkforms-winstr_fillable.pdf

Non-Fillable Forms

These forms are non-fillable (meaning you cannot input data on the form using your computer you must write in the information) OSHA 300, OSHA 301, and OSHA 300A forms are available via the Internet at. See: <https://www.osha.gov/recordkeeping/new-osha300form1-1-04-FormsOnly.pdf>

More OSHA 300 Information

Many small employers are required to:

- Maintain an OSHA 300 injury illness log;
- Complete OSHA 301 incident reports;
- Complete and post an OSHA 300A form by **February 1** and post the OSHA 300A from **February 1 to April 30** of each year for the previous year and
- Electronically submit data for the previous year to the U.S. Department of Labor by **March 2nd** each year. This issue is confusing, so read carefully. Questions? Contact: Ed Delach; U.S. DOL/OSHA; 300 Fifth Ave., Suite 1280; Seattle; 206-757-6687

Below is a summary of the OSHA 300, OSHA 301, and OSHA 300A form requirements.

There are three key triggers for a small businesses to have to complete OSHA 300, OSHA 301, and OSHA 300A forms:

1. **Employers with 10 or fewer employees companywide** may be exempt from keeping OSHA 300, OSHA 301, and OSHA 300A forms unless OSHA or the BLS informs your business in writing that you must keep these records. Firms that may be exempt from keeping OSHA 300, OSHA 301, and OSHA 300A forms unless directed in writing to complete the forms by OSHA or the BLS are listed on the following Internet website. See: <https://www.osha.gov/laws-regs/regulations/standardnumber/1904/1904SubpartBAppA>
2. **Employers with 11 to 19 employees** may be exempt from keeping OSHA 300, OSHA 301, and OSHA 300A forms *unless the firm is directed by the U.S. Department of Labor to keep OSHA 300, OSHA 301, and OSHA 300A forms.* See below for more details. Firms with 11 – 19 workers do not need to submit OSHA 300A electronic data to the U.S. Department of Labor by March 2nd unless the firm is directed by the U.S. Department of Labor to keep OSHA 300, OSHA 301, and OSHA 300A forms.

Only a small fraction of establishments are required to electronically submit their Form 300A data to OSHA.

Establishments that meet any of the following criteria DO NOT have to send their information to us. Remember, these criteria apply at the establishment level, not to the firm as a whole.

- The establishment's peak employment during the previous calendar year was 19 or fewer, regardless of the establishment's industry.
- The establishment's industry is on this list, regardless of the size of the establishment.
- The establishment had a peak employment between 20 and 249 employees during the previous calendar year AND the establishment's industry is not on this list: <https://www.osha.gov/recordkeeping/NAICScodesforelectronicsubmission.html>

3. Employers with 20 or more employees in certain industries are required to keep OSHA 300, OSHA 301, and OSHA 300A forms. The list of firms that MUST keep the OSHA 300 logs, OSHA 301 incident reports and prepare, post and electronically submit their OSHA 300A data are listed on the following Internet website. See: <https://www.osha.gov/laws-regs/regulations/standardnumber/1904/1904.41AppA> and newly added employers required to keep OSHA 300, 301 and 300A Records. See: https://www.osha.gov/recordkeeping2014/reporting_industries.html

More Details About OSHA 300 Forms

All employers MUST: Employers covered by the OSH Act must report to OSHA any workplace incident that results in a fatality (within 8 hours) or the hospitalization (within 24 hours) of three or more employees to call 1-800-423-7233, option 1 and **1-800-321-6742**. See: 29CFR1904.39. See: <https://www.law.cornell.edu/cfr/text/29/1904.39>

Firms with fewer 10 or fewer workers are partially exempt from recordkeeping. If your company had ten (10) or fewer employees, companywide, at all times during the last calendar year, you do not need to keep OSHA injury and illness records unless OSHA or the federal Bureau of Labor Statistics informs your business in writing that you must keep records. See: [29CFR1904.1\(a\)\(1\)](https://www.osha-slc.gov/29CFR1904.1(a)(1)) Refer to OSHA 300 instructions (link below) for clarifications.

Employers with 11 -19 employees:

If your company had more than ten (10) employees, companywide, at any time during the last calendar year, you must keep OSHA injury and illness records (OSHA 300 log and OSHA 301 incident records) unless your establishment is listed as a partially exempt industry; OR OSHA or the BLS informs you in writing that you must keep OSHA 300 records [29CFR1904.1\(a\)\(2\)](https://www.osha-slc.gov/29CFR1904.1(a)(2)) .

Employers required to keep OSHA 300, 301 and 300A Records. See: <https://www.osha.gov/laws-regs/regulations/standardnumber/1904/1904.41AppA>

Newly added employers required to keep OSHA 300, 301 and 300A Records. See: https://www.osha.gov/recordkeeping2014/reporting_industries.html

Partially exempt employers unless directed by OSHA or the BLS informs your business in writing to keep these records. See: <https://www.osha.gov/recordkeeping/ppt1/RK1exempttable.html>

Firms with 11 – 19 workers listed as partially exempt, do not need to submit OSHA 300A electronic data to the U.S. Department of Labor by March 2nd unless the firm is directed by the U.S. Department of Labor to keep OSHA 300, OSHA 301, and OSHA 300A forms. See: <https://www.osha.gov/recordkeeping/ppt1/RK1exempttable.html>

List of partially exempt employers:

Employers required to keep OSHA injury and illness records (OSHA 300 log and OSHA 301 incident records) can find those forms via the Internet at: <https://www.osha.gov/recordkeeping/new-osha300form1-1-04-FormsOnly.pdf>

Instructions to keep OSHA injury and illness records (OSHA 300 log and OSHA 301 incident records) can find those forms via the Internet at: <https://www.osha.gov/recordkeeping/tutorial/508.html> Refer to OSHA 300 instructions for clarifications.

Employers required to keep OSHA injury and illness records (OSHA 300 log and OSHA 301 incident records) must **keep those records updated and available for inspection for five years**

Employers with 20 to 249 employees:

Establishments with 20 or more employees in designated industries must complete OSHA 300, 301 and 300A form, post the OSHA 300A form, post the OSHA 300A form from February 1 to April 30 and submit OSHA 300A data electronically to the U.S. Department of Labor by March 2nd . [29CFR1904.41](https://www.osha.gov/recordkeeping/ppt1/RK1exempttable.html) Refer to OSHA 300 instructions for clarifications.

Required reporting designated industries listed via the Internet at:
<https://www.osha.gov/laws-regs/regulations/standardnumber/1904/1904.41AppA>

Annual Posting Requirement Employers required to maintain an OSHA 300 injury/illness log are required to post an OSHA 300A form from February 1st to April 30th of each year for the prior calendar years that reports injuries and illnesses, even if the employer had no reportable injuries or illnesses. If the firm had no injuries or illnesses, the employer would simply insert a zero in the appropriate places on the OSHA 300A form.

Annual Reporting Requirement:

Annual electronic submission of OSHA Form 300A Summary of Work-Related Injuries and Illnesses by establishments with 20 or more employees in designated industries. If your establishment had 20 or more employees at any time during the previous calendar year, and your establishment is classified in an industry listed in appendix A to subpart E of this part, then you must electronically submit information from OSHA Form 300A Summary of Work-Related Injuries and Illnesses to OSHA or OSHA's designee. [29CFR1904.41\(a\)\(2\)](#). Refer to OSHA 300 instructions for clarifications.

OSHA 300 Updates

You must also update the Forms 300 and 301 with any changes that may occur to the recorded cases during the 5- year recordkeeping period following an injury or illness.

OSHA 300 Is Confidential

The OSHA 300 injury/illness log and an OSHA 301 incident report contain personal health information and are confidential. You must make the forms available to employees, former employees, their representatives, and to OSHA and state officials upon request. (Note, however, that both the Log 300 and Form 301 incident reports will include information relating to employee health and thus can only be used in a manner that protects confidentiality to the extent possible while promoting occupational safety and health.) For details concerning the access provisions, refer to sections 1904.35 and 1904.40 using the Regulatory Text link on the Recordkeeping page.

OSHA 300 5-Year Recordkeeping Period Employers required to keep OSHA 300 and OSHA 301 forms are required to keep those completed and updated forms for 5 years

Link to OSHA 300 Recordkeeping Rules: <https://www.osha.gov/laws-regs/regulations/standardnumber/1904>