

# LEGAL UPDATE

## OSHA Electronic Reports Are Due March 2

Each year, the Occupational Safety and Health Administration (OSHA) requires certain employers to submit information from their [OSHA Form 300A](#) electronically. Affected employers must submit their reports using OSHA's [Injury Tracking Application](#) (ITA).

Affected establishments include:

- ☑ Establishments with **250 or more employees**, if they are already required to create and maintain OSHA records; and
- ☑ Establishments with **between 20 and 249** employees that belong on a [high-risk industry](#).

OSHA or the Bureau of Labor Statistics may require otherwise exempt establishments to submit these reports on a special, case-by-case basis.

OSHA will collect information on injuries and illnesses to identify emerging hazards, characterize specific areas of concern, or target inspection and outreach initiatives under OSHA's emphasis program.

### Establishment Size

Coverage under the electronic reporting rule applies to establishments, not employers. An employer may have several worksites or establishments. In these situations, some establishments may be affected while others are not.

To determine whether an establishment is affected, employers must determine each establishment's peak employment during the calendar year and must **count every individual** that worked at that establishment, regardless of whether he or she worked full-time, part-time, or was a temporary or seasonal worker. A firm with more than one establishment may submit establishment-specific data for multiple establishments.

### Important Dates

#### February 1

Employers must complete and display their OSHA 300A forms. The forms must be on display until April 30.

#### March 2

Employers subject to the electronic reporting requirement must submit their electronic reports using the ITA.

***Employers must count every individual that worked at that establishment, regardless of whether he or she worked full-time, part-time, or was a temporary or seasonal worker.***

Provided to you by [LassiterWare](#)

This Legal Update is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice. Readers should contact legal counsel for legal advice. ©2021 Zywave, Inc. All rights reserved.

**LASSITERWARE**  
ACRISURE AGENCY PARTNER