

MBAA Safety Toolbox Talk



Determining Work-Relatedness

Overview

The Occupational Safety and Health Administration (OSHA) requires employers to record injuries and illnesses, resulting from events or exposures occurring in the work environment, on their OSHA 300 forms. Employers must consider an injury or illness to be work-related if an event, or exposure, in the workplace either caused, or contributed to, the resulting condition. An injury or illness is also work-related if it significantly aggravated a pre-existing injury or illness. The following sections provide some guidance in navigating you through the requirements of 29 CFR 1904 - Recording and Reporting Occupational Injuries and Illness.

Work Environment

OSHA defines the work environment as the establishment and other locations where one or more employees are working or are present as a condition of their employment. This includes not only physical locations, but also the equipment or materials used by the employee during his or her work.

Travel

Injuries and illnesses that occur while an employee is travelling are work-related if, at the time of the injury or illness, the employee was engaged in work activities "in the interest of the employer (i.e. travel to and from customer contacts, conducting job tasks, entertaining or being entertained to transact, discuss, or promote business). For entertainment to be considered work-related, the activities must be at the direction of the employer – mandatory attendance. When a traveling employee checks into a temporary residence (i.e. hotel, motel, etc.), he or she establishes a "home away from home." When the employee checks into the temporary residence, he or she is considered to have left the work environment. When the employee begins work each day, he or she re-enters 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. Injuries or illnesses are not considered work-related if they occur while the employee is on a personal detour from a reasonably direct route of travel (has taken a side trip for personal reasons).

Working from Home

Injuries and illnesses that occur while an employee is working at home, including work in a home office, will be considered work-related if the injury or illness occurs while the employee is performing work for pay (or compensation in the home), and the injury or illness is directly related to the performance of work. For example, if an employee drops a box of work documents and injures their foot, the case is considered work-related. If an employee working at home is electrocuted because of faulty home wiring, the injury is not considered work-related.

Pre-existing Conditions

An injury or illness is a pre-existing condition if it resulted solely from a non-work-related event or exposure that occurred outside the work environment. A pre-existing injury or illness has been significantly aggravated, when an event or exposure in the work environment results in any of the following (provided the pre-existing injury or illness would likely not have occurred without the occupational event/exposure):

- Death
- Loss of consciousness
- One or more days away from work, or days of restricted work, or days of job transfer
- Medical treatment in a case where no medical treatment was needed for the injury or illness before the workplace event or exposure, or a change in medical treatment was necessitated by the workplace event or exposure.

Horseplay

OSHA considers injuries to employees sustained at the worksite as a result of "horseplay" recordable on OSHA Logs, so long as the injuries also meet other general recording criteria (such as requiring medical treatment beyond first aid). Employers are encouraged to review their recordkeeping practices to ensure that they are complying with this interpretation of OSHA's recordkeeping rule.

Exemptions to Recording

An injury or illness that falls under one of the following exceptions is not considered work-related.

- At the time of the injury/illness, the employee was present in the work

environment as a member of the general public rather than as an employee.

- The injury/illness involves signs or symptoms that surface at work but result solely from a non-work-related event or exposure.
- The injury/illness results solely from voluntary participation in a wellness program or in a medical, fitness, or recreational activity.
- The injury/illness is solely the result of an employee eating, drinking, or preparing food or drink for personal consumption.
 - If the employee is made ill by workplace contaminants or gets food poisoning from food supplied by the employer, the case would be work-related.
- The injury/illness is solely the result of an employee doing personal tasks, at work, outside of the employee's assigned working hours.
- The injury/illness is solely the result of personal grooming, self-medication for a non-work-related condition, or is intentionally self-inflicted.
- The injury/illness is caused by a motor vehicle accident and occurs on company property while the employee is commuting to/from work.
- The illness is the common cold or flu. Note: if the employee is infected at work then it would be considered work-related.
- The illness is a mental illness.
 - If the employee voluntarily provides the employer with an opinion from a physician or other licensed health care professional (psychiatrist, psychologist, etc.) stating that the employee has a mental illness that is work-related, then the illness is recordable.

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