

## Work injuries, illnesses also watched by OSHA

Workplace deaths aren't the only events federal regulators want to monitor. Injuries and illnesses also must be documented, although in a different fashion.

The Occupational Safety and Health Administration requires employers to note all work-related illnesses and all but the most minor injuries on what are known as OSHA 200 logs. The logs must be available for inspection by OSHA as well as employees.

OSHA officials know, however, that recordkeeping rules are widely flouted: In fiscal year 1993, the last year for which statistics are available, the agency issued 5,444 recordkeeping citations -- some alleging multiple violations -- and proposed nearly \$1.9 million in penalties.

The reasons employers fail to make OSHA 200 entries range from ignorance to fear. Because companies hate to be blamed for workplace accidents, they want their logs to show as few sprains, cuts and chemical-inhalation cases as possible. Too many "recordables" can keep a contractor from winning a coveted job and get the manager of an industrial plant in deep trouble with the corporate office. Insurance companies also scrutinize OSHA 200 logs.

A Dec. 2 memorandum to employees of Shell Oil Co.'s Deer Park refinery from refinery manager Steve Reeves indicates how closely plant officials watch injury and illness rates:

"Safety performance in November made a significant, disappointing turn with 5 recordables, the worst month since July 1993 . . ." Reeves wrote.

By law, occupational injuries and illnesses must be logged within six days. But Stephen Newell, director of OSHA's Office of Statistics in Washington, said "there's kind of an unfortunate Catch-22" associated with recordkeeping. "People should be using the data for survey purposes to identify problems. Unfortunately, what's happening in corporate America is that the numbers are used to evaluate performance. There's a perverse incentive to under-report."

Some companies are unwilling to record all but the most incontrovertible workplace illnesses and injuries. Anything that might fall into a gray area -- especially when it comes to illnesses -- goes unrecorded.

Employees may be encouraged not to seek outside medical attention or miss work. Some companies go so far as to put sick or injured workers on bogus "light duty," paying them full wages while they play cards or read the newspaper.

OSHA officials stress that the agency's recordkeeping requirements are not mere exercises in paper-shuffling.

"The information in the OSHA 200 is the foundation of a good safety and health program, not only for OSHA but for employers," Newell said. OSHA, he said, has "very limited resources and a huge mandate. Without the data we really can't focus our resources on where the worst problems are."

OSHA got serious about enforcing its recordkeeping rules in 1986, when it began citing companies for allegedly "egregious" OSHA 200 violations. The first such case was against the Union Carbide chemical plant in Institute, W. Va., which initially faced a fine of \$1.3 million and ultimately paid \$166,000 as part of a settlement.

OSHA since has issued citations alleging egregious recordkeeping violations to more than 60 firms. Last month it cited one of the nation's biggest contractors, BE&K Inc. of Birmingham, Ala., for six alleged "willful" violations and proposed penalties totaling \$560,000. Willful violations are just a notch below egregious ones. The BE&K action is the biggest recordkeeping case OSHA has ever tried to make against a construction company.