

J. J. Keller® Safety Management Suite – Incident Center: Q&A

Q: Does this tool make annual reporting to OSHA seamless?

A: Yes. In the left-hand menu under "Incidents", there is a link to provide your OSHA 300A report to OSHA's electronic recordkeeping site, ITA.

Q: Can multiple people have access to the same homepage?

A: No. The license is meant to provide one user with access to the Incident Center. To share one account across multiple users, consider upgrading to full SMS Teams or Enterprise.

Q: We have multiple companies and need different people to have access. Is that possible?

A: No. To share one account across multiple users, consider upgrading to full SMS Teams or Enterprise.

Q: Is there a way to import data from another system/database?

A: Yes. You can import Company Data (Employees, Locations, Work Areas, etc.) as well as Incident Records using the Import/Export Center under the Profile menu in the upper right.

Q: Can information be extrapolated to an insurance carrier?

A: You can export all Incident Records using the Import/Export Center under the Profile menu in the upper right. Alternatively, you can print any incident record by opening the record, expanding/collapsing the appropriate sections, and printing (right-click > Print; select "Save to PDF" or "Print PDF" depending on the browser. You can also generate an OSHA Form 301 from the incident record page, which contains much of the same information as your state's first report of injury form.

Q: What form should I use to post my annual summary of workplace injuries and illnesses?

A: The OSHA 300A can be used to post the annual summary of injuries and illnesses. The OSHA 300A is a separate, unique form.

Q: Are volunteers considered employees for recordkeeping purposes?

A: An OSHA letter of interpretation dated 05/13/2005 about coverage of volunteers says that if staff are volunteers who receive no monetary or other compensation, it is OSHA's view that they are not employees subject to coverage under the federal OSH Act. However, some states that operate their own occupational safety and health laws also extend coverage to certain volunteers and other workers exempt from federal OSHA authority. Regardless of whether volunteers are covered, OSHA encourages organizations to ensure that their volunteers receive the training outlined in OSHA's standards. That way, the organization will reduce the risks and provide a safer working environment for its volunteer workers.

Q: Can the employer be cited if the employee fails to follow a work restriction?

A: From the National Association of Manufacturers (NAM) legal challenge to OSHA's Recording and Reporting regulations: "Section 1904.7(b)(4)(viii) deals with the recordability of cases in which a physician or other health care professional has recommended a work restriction. The section also states that the employer 'should ensure that the employee complies with [the recommended]

restriction.' This language is purely advisory and does not impose an enforceable duty upon employers to ensure that employees comply with the recommended restriction."

Q: How does this work for locations in different states?

A: The program allows you to track multiple locations located in different states, or you can purchase multiple licenses for each location to have their own login.

Q: Where do you enter the employees and hours?

A: Employee records are added under "Company Data" or through import. Total hours tracked for reporting purposes are added in "Employment Data" under "Incidents" in the left-hand menu.

Q: Is there a place to enter and keep track of first aid incidents?

A: Yes, as a type of incident. These incidents are not considered recordable and are excluded from OSHA forms.

Q: Can you upload forms to an incident? i.e. work restrictions from doctor, etc.

A: Yes, you can upload attachments to the "Investigation" section of the record.

Q: For online reporting, Can I directly upload the OSHA 300 log from the tool on OSHA's website?

A: Yes, you can generate a CSV file for upload to OSHA's website.

Q: Do you provide OSHA training for employees?

A: The Incident Center includes the OSHA recordkeeping training program for facilitator-led classroom training. This program can be used as is or augmented to include your own content. You can also create your own training programs from scratch and track these training events as well. Other training programs, as well as self-directed online courses, are only available with full SMS.

Q: What if the incident is not related? Re-open? Or new case?

A: If an employee has a new incident occur not related to another incident in the program it would be a new case. Use the "Is it Recordable" wizard located below the "Add New" button on the Incident Recordkeeping page to determine recordability before adding the case.

Q: How long do you retain these records in the tracker?

A: Records are maintained until deleted by user.

Q: Will this information ever be shared with OSHA

A: There are certain situations that require you to report an incident to OSHA, example would be an injury resulting in death. However, the program does not automatically share this information with OSHA.

Q: For injury and illness recordability, is the parking lot considered part of the work environment? What if the employee has not clocked in yet?

A: The parking lot issue arises from the definition of "work environment" in §1904.5(b). 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. The work environment includes not only

physical locations, but also the equipment or materials used by the employee during the course of his or her work.” Employees are present in the parking lot as a condition of employment, which means the parking lot is part of the “work environment.” As stated in §1904.5(a), “You must consider an injury or illness to be work-related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing injury or illness.” This also means that the recordability is not affected by whether or not the employee has clocked in for the day—the employee is present as a condition of employment. For example, if an employee drives to work, parks in an employee parking lot, gets out of the car and slips on some ice with the result being a broken arm, the case is recordable. The injury was caused by an exposure in the work environment and does not specifically meet an exemption given in §1904.5(b)(2), which includes (among other things) employees who are present as members of the general public. The confusing part is that the “work environment” must have some connection to the workplace. For example, if an establishment does not have a designated parking area, employees may have to park on a public street. In this case, the public street is not considered part of the work environment, partly because the employer has no control over the conditions of the street (such as snow removal). On the other hand, if the company forms an agreement to use and maintain a designated area of a larger parking lot that is shared by several employers, there is arguably a connection to the workplace. Thus, the parking area could be considered part of the work environment.

Q: Do nonprofits have to fill out OSHA 300 every time there is an incident recorded?

A: It depends. Nonprofit employers are covered under OSHA – so they might need to keep and maintain the OSHA 300 Logs. However, if they have 10 or fewer employees for their entire firm for the year or their industry NAICS code is listed in Appendix A to Subpart B (to 1904) as a low-hazard industry, then they would be partially exempted from the requirement to keep the logs. The partial exemption does not apply to reporting the work-related death or serious injury of an employee. Further, injury and illness recordkeeping does not apply to volunteers, self-employed persons, or contractors, but only to workers that are on the payroll or to workers that are not on the payroll but whose work the employer supervises on a day-to-day basis, such as temporary workers from a staffing agency.

Q: What is the definition of a contract worker?

A: Since there is no single definition, much will depend upon the facts involved in a particular situation. An employee (as opposed to an independent contractor) could be hired on a contractual basis for a specific period of time to, for example, complete a particular project. The employee does not work for himself (his own company) but works for the employer. The work is based on the terms of the contract, but the employer generally controls the work. If you are asking about independent contractors, they are not employees. They have their own business and control the work they do. They could be brought in for a predetermined period of time, for a predetermined price. Because independent contractors are not employees, employers are not responsible for providing a variety of traditional employer benefits to them, including the terms of the contract and the details of the relationship. We assume the question is not related to federal contractors.

Q: If a person gets Covid and its not work related, is it still a recordable?

A: No, this would not be a recordable since the person did not contract it at the workplace.

Q: How does the system work for multiple lactations. Does it consolidate the information? Can each location add its information? Can the system allow only the location adding information to only view its information?

A: You, as the subscriber are able to put multiple locations into the program, and it does allow you to populate reports for each individual location or you can include all locations. However the program is not meant to be shared by multiple locations/people. This program is username and password protected with all the sensitive information that is in the program.

Q: When you fill out the Incident records does that record is send to OSHA, or somehow link with them?

A: The system does not send individual records to OSHA, however you are able to upload the 300A summary to OSHA using the site should your company be required to do so. You can also generate the OSHA Form 301 from the individual record view page if necessary, this too would be delivered manually.

Q: What is the cost?

A: 1 year -\$595, 2 years-\$1,012 (15% off), or 3 years-\$1,190 (1 year free)

Q: Can you define "needed medical beyond first aid"? Does that mean if we sent them to the Urgent Care clinic/ER, and they were given a cast, etc. But were not kept overnight.

A: If the incident only required the following types of treatment, mark it first aid (not OSHA recordable):

- Using non-prescription medications at nonprescription strength;
- Administering tetanus immunizations;
- Cleaning, flushing, or soaking wounds on the skin surface;
- Using wound coverings, such as bandages, BandAids™, gauze pads, etc., or using SteriStrips™ or butterfly bandages;
- Using hot or cold therapy;
- Using any totally non-rigid means of support, such as elastic bandages, wraps, non-rigid back belts, etc.;
- Using temporary immobilization devices while transporting an accident victim (splints, slings, neck collars, or back boards);
- Drilling a fingernail or toenail to relieve pressure, or draining fluids from blisters;
- Using eye patches;
- Using simple irrigation or a cotton swab to remove foreign bodies not embedded in or adhered to the eye;
- Using irrigation, tweezers, cotton swab or other simple means to remove splinters or foreign materials

Q: Is it required to track any COVID related illness?

A: You are required to track COVID-19 cases if the following applies:

1. Is it a confirmed case of COVID-19
2. It is work related (they contracted the virus at work)
3. It involves one or more of the general recording criteria, such as days away from work or medical treatment beyond first aid.

Q: Is there any other way to track work related COVID cases without this product?

A: You can use OSHA Form 301 for tracking incidents without the service

Q: Does the system have the capability to submit electronically to insurance carriers?

A: No, the program will not be able to submit electronically to insurance carriers. However, Full SMS Enterprise does include API bundles for integration with an IC/TPA.