



Standard Interpretations - Table of Contents

• **Standard Number:** 1904; 1904.4(a); 1904.5(a); 1904.7(b)(1)(v); 1904.5(b)(2); 1904.5(b)(2)(ii) ; 1904.7(b)(5)(i); 1904.7(b)(6)

October 19, 2015

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Dear Mr. Cross:

Thank you for your August 12, 2015, letter to the Occupational Safety and Health Administration (OSHA) regarding the recordkeeping requirements contained in 29 CFR Part 1904 - Recording and Reporting Occupational Injuries and Illnesses. Specifically, you requested clarification on whether an employee's laceration and subsequent fainting at the sight of blood constitutes a recordable case on the OSHA Form 300.

**Scenario:** An employee scratched his index finger on a vinyl saw clamp at work. He immediately began walking to the onsite first aid station to obtain a Band-Aid. On the way, the injured employee met a co-worker who told him that he had a Band-Aid in his pocket. As the co-worker began to apply the Band-Aid, the injured employee looked at his finger where there was a small amount of blood on the skin adjacent to the nail bed. The worker immediately became light headed and fainted. The injured worker did not incur any additional injury or treatment. When he regained consciousness, the employee indicated that he fainted because he cannot tolerate seeing blood.

**Question:** Is this a recordable case on the OSHA Log of Work-related Injuries and Illnesses?

**Response:** Section 1904.5(a) states, "[the employer] 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. Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the work environment, unless an exception in Section 1904.5(b)(2) specifically applies." Under this language, a case is presumed work-related if an event or exposure in the work environment is a discernible cause of the injury or illness or of a significant aggravation to a pre-existing condition. The work event or exposure need only be one of the discernable causes; it need not be the sole or predominant cause.

In order to be a recordable event, a loss of consciousness must be the result of a work-related event or exposure. Loss of consciousness is no different, in this respect, from any other injury or illness. The exception to the presumption of work-relatedness in section 1904.5(b)(2)(ii) allows an employer to exclude cases that involve signs or symptoms that surface at work but result solely from a non-work-related event or exposure that occurs outside the work environment. This exception allows employers to exclude cases where a loss of consciousness is due solely to a personal health condition, such as epilepsy, diabetes, or narcolepsy. See, the January 19, 2001, preamble to the final rule revising OSHA's recordkeeping regulation at 66 FR 5994.

In the scenario above, the employee's fainting was not solely the result of a non-work-related event or exposure that occurred outside the work environment. Specifically, the employee sustained a work-related laceration that contributed to the fainting incident. But for the work-related laceration, the employee would not have seen his own blood and would not have fainted. Therefore, the exception in section 1904.5(b)(2)(ii) does not apply.

Section 1904.7(b)(1)(v) provides that a work-related injury or illness must be recorded if it results in loss of consciousness. Section 1904.7(b)(6) goes on to provide that employers must record every work-related injury or illness if a worker becomes unconscious, regardless of the length of time the employee remains unconscious. The fact that a Band-Aid, which is included on the list of first aid treatments in section 1904.7(b)(5)(i), was first applied to treat the employee is not relevant in this case. Section 1904.4(a) makes clear that employers must record injuries and illnesses that are work-related, a new case, and meets one or more the recording criteria in section 1904.7, or the application of specific cases in section 1904.8 through section 1904.11. In the scenario above, when the employee fainted, the case met the general recording criteria in section 1904.7(b)(1)(v) and therefore must be recorded.

We hope you find this information helpful. OSHA requirements are set by statute, standards, and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in responses to new information. To keep appraised of such developments, you can consult OSHA's website at <http://www.osha.gov>.

Sincerely,

Amanda Edens, Director  
Directorate of Technical Support and Emergency Management

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