



Reply to the attention of:

OCT - 6 2009

COPY FOR YOUR  
INFORMATION

Mr. Matt Chandler  
Tri-Fab & Construction, Inc.  
c/o Exxon Mobil  
P.O. Box 874  
Joliet, IL 60604

Dear Mr. Chandler:

Thank you for your recent letter to the Occupational Safety and Health Administration (OSHA) regarding the recordkeeping regulation contained in 29 CFR Part 1904 – Recording and Reporting Occupational Injuries and Illnesses. In an effort to provide you with prompt and accurate responses, we developed and continue to refine a set of Frequently Asked Questions (FAQ), in addition to maintaining a log of Letters of Interpretation (LOI) on the OSHA Recordkeeping website.

**Scenario:** An employee reported to work and another employee noticed he was sweating profusely. Once the employee was on the job site, he put on the proper PPE for the task at hand. This PPE consisted of rubber boots, rubber gloves, a slicker suit, hard hat with face shield and goggles. The employee then stated that he had been sweating a lot since he left his house to come to work and wasn't feeling well. An on-site paramedic was notified and the employee was put into an ambulance and was administered oxygen and an IV of saline by the Exxon Mobil shift paramedic as a precautionary measure since they were unsure of his illness. The employee was transported to St. Joe's Hospital for further evaluation. The hospital continued the saline IV and had vitals monitored and a blood test done. Would this be considered an OSHA recordable?

**Response:** 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. Based on the description provided in your scenario, it is likely the employee's activities at work (i.e. donning and wearing the described PPE) contributed to his condition. Administration of oxygen and use of an IV solution to relieve heat stress are both considered medical treatments for OSHA recordkeeping purposes. Therefore the case should be recorded on your OSHA Log.

**1904.5(a)**

***Basic requirement.*** 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. Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the work environment, unless an exception in § 1904.5(b)(2) specifically applies.

**1904.5(b)(3)**

***How do I handle a case if it is not obvious whether the precipitating event or exposure occurred in the work environment or occurred away from work?*** In these situations, you must evaluate the employee's work duties and environment to decide whether or not one or more events or exposures in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing condition.

**1904.5(b)(4)**

***How do I know if an event or exposure in the work environment "significantly aggravated" a preexisting injury or illness?*** A preexisting injury or illness has been significantly aggravated, for purposes of OSHA injury and illness recordkeeping, when an event or exposure in the work environment results in any of the following:

**1904.5(b)(4)(iv)**

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.

Thank you for your interest in occupational safety and health. We hope you find this information helpful. 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 response to new information. To keep apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>.

Sincerely,



Keith Goddard, Director  
Directorate of Evaluation and Analysis