



U.S. Department of Labor
Occupational Safety & Health Administration

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Standard Interpretations

11/30/2005 - Clarification on recording days away from work for follow-up visits to doctor while on restricted-duty job and recovery time to stabilize preexisting condition.

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• **Standard Number:** 1904; 1904.5(b)(2)(ii)

November 30, 2005

Chris Korleski
Honda of America Mfg., Inc
2400 Honda Parkway
Marysville, OH 43040-9251

Dear Chris Korleski:

Thank you for your letter dated June 21, 2005 in which you request our guidance on the proper recordability of two workplace injuries to insure that you are consistent with the OSHA Injury and Illness Recordkeeping regulation, 29 CFR Part 1904, and its application to the OSHA 300 log.

Injury Scenario #1: An employee sustained a work-related ankle injury (sprain) and received medical treatment. The employee immediately returned to work with restrictions. The employee's doctor has requested that the employee return for periodic office visits so that he can observe the patient's improvement. The employee's doctor states that on the days the employee has an appointment, the employee is "unable to work that date." Your question concerns whether the days used by the associate [employee] to visit the doctor for follow-up, should be considered as days away from work?

Response #1: The days the employee did not work because he needed to travel to his doctor's office for observation of the injury should not be counted as days away from work on the OSHA log. As long as the employee was physically able to perform his restricted duty job, and the doctor's recommendation not to work on the days in question was made solely to ensure that the employee was free to keep the appointment for observation, you would count the time as restricted work activity.

Injury Scenario # 2: Honda states that an employee "had a pre-existing and non-work-related blood condition that prevented the associate's blood from clotting as quickly as it should." You also state that the employee "sustained a mild work-related laceration to her lower leg and received medical treatment." The physician ultimately directed the employee to take "five days off work to allow her blood condition to stabilize." The employee's own doctor stated that "absent the anticoagulant condition, the employee would have been able to return to work while the laceration healed." Your question is "whether OSHA believes that the days away from work attributable to allowing the pre-existing blood condition to stabilize should be counted as days away from work on our OSHA log."


Response #2: Yes, this is a recordable injury involving days away from work. The employee sustained a work-related laceration, and needed time off work to recover from the injury. The exception in 29 CFR 1904.5(b)(2)(ii) for signs or symptoms that appear at work but result solely from non-work related events or exposures does not apply here. The laceration was not a sign or symptom of a pre-existing conditions; it was an injury caused

by an event or exposure at work. The fact that the employee might not have needed days away to recover from the laceration had she not had a pre-existing blood condition that prevented her blood from clotting as quickly as it should does not change the outcome. But for the work related injury, the employee would not have been away from work.

Thank you for your interest in occupational safety and health. 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. In addition, 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>. If you have any further questions, please contact the Division of Recordkeeping Requirements at 202-693-1876.

Sincerely,

Keith Goddard, Director
Directorate of Evaluation and Analysis

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200 Constitution Avenue, NW
Washington, DC 20210