



UNITED STATES DEPARTMENT OF LABOR  
OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION

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**Standard Interpretations**

**02/24/2009 - Determining recordkeeping for work-relatedness of accident occurring during off-site event.**

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• **Standard Number:** 1904; 1904.5(b)(1)

**This letter constitutes OSHA's interpretation only of the requirements discussed and may not be applicable to any situation not delineated within the original correspondence.**

February 24, 2009

Mr. William K. Principe  
Constangy Brooks & Smith, LLP  
Suite 2400  
230 Peachtree Street, NW  
Atlanta, GA 30303-1557

Dear Mr. Principe:

Thank you for your December 8, 2008 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 web site.

Your letter states that an employee is injured while participating in go-cart racing, which occurred during an off-site team-building event. Employees were required to attend the off-site meeting and lunch, but were then free to choose among the following options: (1) participating in the team-building event; (2) returning to the office to finish the work day; or (3) taking a ½-day vacation.

**Questions:** Is an injury incurred during the go-cart racing considered to be work-related? Is the answer any different if an employee elects to stay for the go-cart racing but is not required to participate and is injured while watching the racing?

**Response:** Under Section 1904.5(b)(1), 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."

In the scenario presented, the employee is at the go-cart facility as a condition of


employment. Therefore, he or she is in the work environment and any injury or illness that arises is presumed to be work-related and must then be evaluated for its recordability under the general recording criteria. This holds true for both participating in and observing the races.

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. 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,

Keith Goddard, Director  
Directorate of Evaluation and Analysis

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