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Occupational Safety & Health Administration

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Standard Interpretations

04/25/2006 - Restrictions from restricted work activities.

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• **Standard Number:** 1904.7; 1904.7(b)(3); 1904.7(b)(4)(i)

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.

April 25, 2006

Ms. Linda Ballas & Associates
4413 Copper Creek Lane
Toledo, Ohio 43615

Dear Ms. Ballas:

This is in response to your letter dated January 6, 2006. In your letter, you presented the scenario listed below and requested clarification of how it should be recorded on the OSHA Form 300.

Question: An employee has a work-related occupational injury and is examined by the company physician. The employee can be returned to work, full duty; however, the employee is given a 20-pound lifting restriction, or a "do not use left hand" restriction for 3 weeks. The restriction is given because the employees may get rotated for non-routine tasks, or equipment breakdown that might occur once or twice a month. By issuing the restriction, the supervisor knows not to allow that employee to do non-routine tasks. Is this still considered a work restriction for recordkeeping purposes and do the total days need to be counted on the OSHA Log since the restriction is for non-routine tasks and the physician is saying the employee can perform all of his normal routine work and work the full work day?

Answer: This case should not be considered as a case involving restricted work activity. §1904.7(b)(4)(i)(A) states that restricted work occurs when an employer keeps the employee from performing one or more of the routine functions of his or her job. For recordkeeping purposes, an employee's routine functions are those work activities the employee regularly performs at least once per week. In the above scenario, the employee is restricted from activities he or she may have performed only once or twice a month and therefore does not meet the definition of routine job functions.

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 www.osha.gov.

Sincerely,

Keith L. Goddard, Director
Directorate of Evaluation and Analysis

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