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June 26, 2013

Ms. Brandi Behrnes
c/o John L. Lowery & Associates, Inc.
9348 S. Choctaw Dr.
Baton Rouge, LA 70815

Dear Ms. Behrnes:

Thank you for your September 2012 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.

You are asking OSHA to determine whether your employer is required to record a work-related injury sustained by an employee which was treated by a reduction procedure performed on her dislocated ring finger. You further stated that the employee had no broken bones, no medication, no splints, and no restrictions and returned to work immediately after the reduction of her ring finger. You want to know if this is considered first aid.

As stated in the November 16, 2009 letter of interpretation, reduction is the care of a disorder not included on the first aid list under 1904.7(b)(5) and therefore it is considered medical treatment for OSHA recordkeeping purposes. Your letter states that an injured employee could have performed this procedure by himself or herself. This fact is irrelevant.

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 apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>. In an effort to provide the public 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.

Sincerely,

Jens Svenson, Acting Director
Directorate of Evaluation and Analysis

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