

Major Citations for Failure to Record Injury and Illness Information on Log 300

November 2006

- **June 2004:** Federal OSHA issued a Willful citation and \$70,000 fine (later changed to “unclassified”) to Weyhaeuser’s Trus Joint facility in Buckhannon, WV, for failing to record at least 38 injuries and illnesses on its Log 300. The citations “paint a picture of an organization where under-reporting of injuries and illnesses appeared to be a routine practice that was tolerated, and even rewarded, by company vice presidents.” (Occupational Hazards, 9/30/04).
- **October 2004:** Southern California Edison under-reported workplace injuries and illnesses for the previous seven years and had to return \$35 million in safety-related bonuses to the California Public Utilities Commission. “Edison found evidence that supervisors contacted outside medical personnel to influence treatment, change medical records or downgrade the seriousness of an injury. Other times, Edison said, its managers encouraged employees to dodge safety reporting requirements by undergoing physical therapy or using vacation days during recover.” (LA Times, 10/22/04).
- **October 2004:** Federal OSHA issued two Willful citations and \$140,000 in fines to General Motors Powertrain Corp. in Massena, NY, for failing to record 98 instances of work-related noise-induced hearing losses and other injuries and illnesses. Eight other citations with \$20,000 in fines were issued.
- **October 2004:** An audit of 16 other Weyhaeuser Trus Joint facilities, required by the settlement of the June 2004 citations, revealed that at least 60 other injuries and illnesses were not recorded onto the Log 300. An outside auditor reviewed a total of 251 incidents led to workers compensation claims at the 16 plants in 2002 and 2003, and found recording errors in 45% of the cases. No citations or fines were issued by Fed OSHA because the audits were part of the settlement.
- **April 2005:** Fed OSHA conducted 46 inspections of high-hazard industry facilities with very low workplace injury and illness rates, and found five plants where recordable injuries and illness were not entered onto the facilities’ Log 300. Citations and fines were issued in these cases.
- **November 2005:** Federal OSHA issued three Willful citations and \$165,000 in fines to Fraser Paper’s Madawaska, ME, paper mills for Log 300 violations between 2003 and 2005. Fed OSHA found 59 instances of injuries and illnesses that were not records, 77 instances where recordable entries were not made within 7 days, and two years (2003 and 2005) for which incomplete annual injury and illness log summaries were certified as being complete.
- **April 2006:** The Wall Street Journal reports “researchers estimated that 869,034 work-related injuries and illnesses occurred on average each year in Michigan from 1999 to 2001, compared with the BLS [Bureau of Labor Statistics] estimate of 281,567 per year. Dr. Rosenman estimates that 75% of the injuries and illnesses missed by BLS resulted from employer underreporting.”
- **June 2006:** Cal/OSHA issues “Willful” citations to the KFM construction consortium rebuilding the eastern span of the San Francisco Bay Bridge for failing to include 13 lost time injuries on its Log 300, including several resulting in major surgeries. Cal/OSHA found KFM used an elaborate

system of cash incentives, reprisals and careful management of medical treatment to reduce reported and recorded injuries.

- **November 2006:** Federal OSHA issues 33 citations against the Volks Constructors company in Baton Rouge, LA, with penalties of \$47,600. Four of these citations related to failure to complete the “OSHA Form 301” used for a first report of injury; failure to record 102 injuries on the company’s Log 300; company executives’ certification of Log 300s that were neither correct nor complete; and failure to provide the Log 300 and Form 301 upon request.

References and related articles:

- “OSHA Cites Baton Rouge Firm for Recordkeeping,” *Occupational Hazards*, November 17, 2006.
- “Study Finds U.S. Undercounts Workplace Injuries, Illnesses,” Kris Maher, *Wall Street Journal*, May 1, 2006, page A4.
- “How Much Work-Related Injury and Illness is Missed by the Current National Surveillance System?,” Kenneth D. Rosenman, et al., *Journal of Occupational and Environmental Medicine*, pp. 357-365, V. 48, No. 4, April 2006.
- “Paper Company Fined \$170,000 by OSHA for Alleged Recordkeeping Failures,” Josh Cable, *Occupational Hazards*, November 30, 2005.
- “OSHA Recordkeeping: Overcoming the Hurdle to Honesty,” James L. Nash, *Occupational Hazards*, January 2005.
- “Weyerhaeuser Fires Plant, Safety Managers for Recordkeeping Abuses,” James L. Nash, *Occupational Hazards*, November 2004.
- “Edison Says Safety Data Were Rigged,” Elizabeth Douglass, *Los Angeles Times*, October 22, 2004.
- “OSHA Fines GM \$160,000 for Recordkeeping, Safety Violations,” James L. Nash, *Occupational Hazards*, October 13, 2004.
- “An Estimate of the U.S. Government’s Undercount of Nonfatal Occupational Injuries,” J. Paul Leigh, et al., *Journal of Occupational and Environmental Medicine*, pp. 10-18, V. 46, No. 1, January 2004.
- “Occupational Injury and Illness Surveillance: Conceptual Filters Explain Underreporting,” Lenore S. Azaroff, et al., *American Journal of Public Health*, pp. 1421-1429, V. 92, No. 9, September 2002.