

Part 801

Recordi

§ 801.0 Purpose.

This Part implements Labor Law, section 27-a, subdivision 9, which provides for recordkeeping and reporting by public employers as necessary or appropriate for enforcement of Labor Law, section 27-a, for developing information regarding the causes and prevention of occupational injuries and illnesses, and for making public periodic reports of work-related deaths, injuries and illnesses.

§ 801.1 Reserved.

§ 801.2 Reserved.

§ 801.3 Reserved.

§ 801.4 Recording criteria.

(a) Each employer required by this Part to keep records of fatalities, injuries, and illnesses must record each fatality, injury and illness that:

- (1) is work-related; and
- (2) is a new case; and
- (3) meets one or more of the general recording criteria of section 801.7 or the application to

§ 801.33 Retention and updating.

(a) The employer must save the SH 900 Log, the privacy case list (if one exists), the annual summary, and the SH 900.2 Incident Report forms for five (5) years following the end of the calendar year that these records cover.

§ 801.34 Reserved.

§ 801.35 Employee involvement.

(a) The employer's employees and their representatives must be involved in the recordkeeping system in the following ways:

- (1) the employer must inform each employee of how he or she is to report an injury or illness to the employer;
- (2) the employer must provide limited access to its injury and illness records for its employees and their representatives by:
 - (i) When an employee, former employee, personal representative, or authorized employee representative asks for copies of the employer's current or stored SH 900 Log(s) for an establishment the employee or former employee has worked in, the employer must give the requester a copy of the relevant SH 900 Log(s) by the end of the next business day.
 - (ii) The employer must leave the name

§ 801.42 Requests from