

**OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**

PROGRAM DIRECTIVE

Program Directive: A-297
Issued: May 18, 2016
Revised: December 12, 2024

- SUBJECT:** Reporting Fatalities, Catastrophes, In-patient Hospitalizations, and Reportable Injuries to Oregon OSHA
- PURPOSE:** This instruction gives enforcement information on Oregon OSHA’s reporting regulation OAR 437-001-0704.
- BACKGROUND:** On March 18, 2015, Oregon OSHA adopted changes to the recordkeeping and reporting rules in response to federal OSHA’s final rule dated Sept. 18, 2014. The reporting rules were moved from 437-001-0700 to 437-001-0704 as part of these changes.
- Effective January 1, 2024, civil penalty amounts will be adjusted annually in accordance with Administrative Order 3-2023 and OAR 437-001-0142. Current civil penalties are included in [Oregon OSHA’s Annual Adjustments to Penalties Bulletin](#).
- ACTION:** The following guidelines apply to enforcement actions relative to employers reporting fatalities and injuries:
- A. Summary of rule:
 - a. OAR 437-001-0704 requires an employer to report any work-related incident that results in the death (fatality) of any employee or the in-patient hospitalization of three or more employees (catastrophe) to Oregon OSHA within 8 hours of the incident or when the employer became aware of the inpatient hospitalization. This includes heart attacks and motor vehicle accidents. Additionally, an employer must report a fatality if it occurs within 30 days of the incident that contributed to an employee’s death.
 - b. OAR 437-001-0704 also requires employers to report any work-related incident that results in an in-patient hospitalization, loss of an eye, or amputation or avulsion that includes bone or cartilage loss to Oregon OSHA within 24 hours of the incident or employer knowledge. Employers must report in-patient hospitalizations if

they occur within 24 hours of the incident that led to the hospitalization.

- B. Inspection and citation guidance.
 - a. An other-than-serious citation will normally be issued for failure to report such occurrences. The minimum penalty assessed will be \$250 and not greater than the maximum penalty for a serious-rated violation in accordance with OAR 437-001-0145(2), as adjusted annually in accordance with OAR 437-001-0142 as appropriate in order to ensure future compliance.
 - b. If Oregon OSHA becomes aware of an incident required to be reported under OAR 437-001-0704 through some means other than an employer report, prior to the elapse of the reporting period and an inspection of the incident is made, a citation for failure to report will normally not be issued.

**EFFECTIVE
DATE:**

This directive is effective immediately and will remain in effect until canceled or superseded.

History: Issued 5-18-2016; Revised 12-12-2024