

EMPLOYER RESOURCE SERIES

Proven ways to prevent & manage movement-related pain that align with OSHA's recording requirements

OSHA recording criteria must be considered when trying to prevent work-related conditions from worsening and becoming significant injuries. OSHA's list of first aid is quite clear, and anything outside of that list is considered medical treatment, thus meets OSHA recording criteria.

However, there are movement-based strategies (“exercises”) that do not meet OSHA recording criteria depending upon their classification and intent. These exercises should not be episode dependent or target a specific tissue pathology.

Exercises as Part of a Prevention Program

Historically, stretching and warm-up programs are common in the workplace. Such programs are designed to prepare the employee's body to perform the routine functions of their respective jobs. These movements are typically job-function dependent rather than directed at a specific injury or illness.

Employees presenting with work-related minor MSK discomfort may benefit from the performance of these exercises to prevent the condition from worsening. Performance of the prevention program, does not qualify as medical treatment beyond first aid as stated in an OSHA letter of interpretation** (see back or click this link - <https://www.osha.gov/laws-regs/standardinterpretations/2015-12-14-1>):

"...In the scenario above, there is no change in the course of stretching exercises to specifically address the discomfort in the employee's shoulder. Therefore, the supervisor's advice to continue with the already existing program of stretching does not constitute medical treatment beyond first aid for recordkeeping purposes."

**OSHA requirements are set by statute, standards and regulations. 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 enforcement guidance may be affected by changes to OSHA rules. Also, from time to time guidance is updated in response to new information. To keep apprised of such developments, consult OSHA's website at <https://www.osha.gov>.



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Dear Mr. Principe:

Thank you for your recent letter to the Occupational Safety and Health Administration (OSHA) regarding the recordkeeping requirements contained in 29 CFR Part 1904 - Recording and Reporting Occupational Injuries and Illnesses. Specifically, you requested clarification on whether an employee's continued participation in a daily stretching program constitutes medical treatment for recordkeeping purposes.

Scenario: An employer requires all of its employees to engage in stretching exercises at the beginning of each shift and hourly during the shift. An employee reports to his supervisor that he is feeling minor discomfort in his left shoulder associated with his work tasks. The supervisor advises the employee to continue participating in the stretching exercises that all employees participate in each day and to report back if he continues to be symptomatic. The employee never reports back to the supervisor about any continuing symptoms.

Question: Would the supervisor's advice to continue participation in the daily stretching exercises constitute medical treatment for OSHA recordkeeping purposes?

Response: OSHA discussed the issue of therapeutic exercise in the preamble to the final rule revising OSHA's injury and illness recordkeeping regulation. See, 66 FR 5992, January 19, 2001. OSHA stated that it considers therapeutic exercise as a form of physical therapy and intentionally did not include it on the list of first aid treatments in Section 1904.7(b)(5)(ii). Section 1904.7(b)(5)(ii)(M) states that physical therapy or chiropractic treatment are considered medical treatment for OSHA recordkeeping purposes and are not considered first aid. Section 1904.7(b)(5)(iii) goes on to state that the treatments included in Section 1904.7(b)(5)(ii) is a comprehensive list of first aid treatments. Any treatment not included on this list is not considered first aid for OSHA recordkeeping purposes.

Section 1904.7(b)(5)(i) defines medical treatment to mean "the management and care of a patient to combat disease or disorder." In this context, stretching exercises constitute medical treatment when they are recommended as a new course of action to address an employee's work-related condition or disorder.

In the scenario above, there is no change in the course of stretching exercises to specifically address the discomfort in the employee's shoulder. Therefore, the supervisor's advice to continue with the already existing program of stretching does not constitute medical treatment beyond first aid for recordkeeping purposes. Provided the employee did not receive any other treatment, restricted work activity or job transfer, the case does not meet the recording criteria under 1904.7.

Please note this response to your letter only addresses the employer's obligation to record an injury or illness case on the OSHA Form 300. This letter does not address the appropriateness of the advice provided by the supervisor without consultation with a licensed health care professional.

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>.

Sincerely,

Amanda Edens, Director
Directorate of Technical Support and Emergency Management

Your employees are struggling with movement-related pain, which often leads to increases in lost-time injuries, turnover and medical costs. At New Life For Work, our customized solutions identify and address these problems early to get you back to a thriving workforce.



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