

**ADM Part 11. Recording and Reporting of Occupational Injuries and Illnesses  
Compared With  
29 C.F.R. Part 1904 – Recording and Reporting Occupational Injuries and Illnesses**

**Summary:** The significant differences between ADM Part 11 Recording and Reporting of Occupational Injuries and Illnesses and 29 C.F.R. Part 1904 – Recording and Reporting Occupational Injuries and Illnesses are in:

- Determination of work-relatedness.
- Falsification, or failure to keep records or reports.
- Record keeping on federal OSHA forms.
- Reporting fatalities and multiple hospitalization incidents to MIOSHA.
- Annual OSHA injury and illness survey of 11 or more employees.

The below comparison show only those provisions where MIOSHA rules are different than OSHA or where MIOSHA rules are not included in 29 C.F.R.

\*\*\*\*means there is a comparable OSHA rule to this paragraph

MIOSHA	OSHA
<p><b>R 408.22110 Determination of work-relatedness.</b></p> <p><b>Rule 1110.</b> (1) to(2)(a)****</p> <p>(i) Can 1 business location include 2 or more establishments? Normally, 1 business location has only 1 establishment. Under limited conditions, the employer may consider 2 or more separate businesses that share a single location to be separate establishments. An employer may divide 1 location into 2 or more establishments only when all of the following provisions apply:</p> <p>(A) Each of the establishments represents a distinctly separate business.</p> <p>(B) Each business is engaged in a different economic activity.</p> <p>(C) A single industry description in the standard industrial classification manual (1987) does not apply to the joint activities of the establishments.</p> <p>(D) Separate reports are routinely prepared for each establishment on the number of employees, their wages and salaries, sales or receipts, and other business information. For example, if an employer operates a construction company at the same location as a lumber yard, the employer may consider each business to be a separate establishment.</p> <p>(ii) to (iii)****</p> <p>(b) to (g)****</p>	<p>Equivalent</p> <p><b>No comparable OSHA provisions</b></p> <p><b>No comparable OSHA provisions</b></p> <p><b>No comparable OSHA provisions</b></p> <p><b>No comparable OSHA provisions</b></p> <p>Equivalent</p> <p>Equivalent</p>

MIOSHA	OSHA
<p><b>R 408.22118 Falsification, or failure to keep records or reports.</b></p> <p><b>Rule 1118.</b> (1) Whoever knowingly makes a false statement, representation, or certification in an application, record, report, plan or other document filed or required to be maintained pursuant to the act, or fails to maintain or transmit records or reports as required under the act, shall be subjected to the provisions of section 35(7) of the act.</p> <p>(2) Failure to maintain records or file reports required by this part, or in the details required by forms and instructions issued under this part, is a violation of the act and may result in the issuance of citations and assessment of penalties as provided for in sections 33, 35, 41, and 42 of the act.</p>	<p><b>No comparable OSHA provisions.</b></p> <p><b>No comparable OSHA provisions.</b></p>
<p><b>R 408.22119 Record keeping on federal OSHA forms.</b></p> <p><b>Rule 1119.</b> Records maintained by an employer pursuant to this part on the federal record keeping forms OSHA 301, OSHA 300, AND OSHA 300-A shall be regarded as in compliance with the state requirements as provided in this part.</p>	<p><b>No comparable OSHA provisions.</b></p>
<p><b>R 408.22139 Reporting fatalities and multiple hospitalization incidents to MIOSHA.</b></p> <p><b>Rule 1139.</b> (1) to(2)(b)</p> <p>(c) <b>Do I have to report every fatality or multiple hospitalization incident resulting from a motor vehicle accident? Yes, you do have to report all of these incidents. If the motor vehicle accident occurs on a public street or highway, you do have to report the incident to MIOSHA.</b> These injuries must be recorded on your MIOSHA injury and illness records, if you are required to keep such records.</p> <p>(d) <b>Do I have to report a fatality or multiple hospitalization incident that occurs on a commercial or public transportation system? Yes, you do have to call MIOSHA to report a fatality or multiple hospitalization incident if it involves a commercial airplane, train, subway, or bus accident.</b> These injuries must be recorded on your MIOSHA injury and illness records, if you are required to keep such records.</p> <p>(e) to (g)****</p>	<p>Equivalent</p> <p><b>1904.39(b)(3)</b> <i>Do I have to report every fatality or multiple hospitalization incident resulting from a motor vehicle accident? No, you do not have to report all of these incidents. If the motor vehicle accident occurs on a public street or highway, and does not occur in a construction work zone, you do not have to report the incident to OSHA.</i> However, these injuries must be recorded on your OSHA injury and illness records, if you are required to keep such records.</p> <p><b>1904.39(b)(4)</b> <i>Do I have to report a fatality or multiple hospitalization incident that occurs on a commercial or public transportation system? No, you do not have to call OSHA to report a fatality or multiple hospitalization incident if it involves a commercial airplane, train, subway or bus accident.</i> However, these injuries must be recorded on your OSHA injury and illness records, if you are required to keep such records.</p> <p>Equivalent</p>

