

## **2023 OSHA Injury and Illness Data Due Tomorrow**

NDA would like to remind members that certain demolition contractors must electronically submit their OSHA Form 300A (Summary of Work-Related Injuries and Illnesses) to the Occupational Safety and Health Administration (OSHA) by March 2, 2024. This data must be submitted through [OSHA's Injury Tracking Application](#).

According to OSHA regulations, demolition contractors with 20 or more employees at a single establishment are required to keep injury and illness records and must electronically submit their Form 300A data to OSHA. The electronic reporting requirements are based on the size of the establishment, not the firm. An establishment is defined as a single physical location where business is conducted or where services or industrial operations are performed.

Establishments under federal OSHA jurisdiction should use the [ITA Coverage Application](#) to determine if they are required to electronically report their injury and illness information to OSHA. Establishments under State Plan jurisdiction should consult with their [State Plan](#) to determine eligibility. Covered employers must submit Form 300A data even if they had zero recordable injury or illnesses in 2023.

In addition to reporting requirements, contractors with more than 10 employees are required to keep a record of serious work-related injuries and illnesses at the worksite for five years. Each February through April, employers must post a summary of the injuries and illnesses recorded the previous year in a noticeable place. Detailed guidance from OSHA on injury and illness recordkeeping and reporting requirements can be found below:

- [Injury Recordkeeping and Reporting Requirements](#)
- [Injury Tracking Application Information](#)
- [Injury Tracking Application](#)
- [ITA Coverage Application](#)
- [Detailed Guidance on Injury and Illness Recordkeeping Rule](#)
- [Frequently Asked Questions](#)
- [State Plans](#)

For any questions, please contact NDA's Director of Government Affairs Alex McIntyre at [amcintyre@demolitionassociation.com](mailto:amcintyre@demolitionassociation.com).

## **Congress Passes Short-Term Measure to Avert Government Shutdown**

Yesterday, Congress passed a short-term continuing resolution (CR) to fund the federal government at existing levels into next week. The bill funds programs in the Departments of Agriculture, Commerce, Energy, Interior, Justice, Transportation and Veterans Affairs through March 8 and all other departments through March 22. Congress is working to finalize an agreement to fund the government through the remainder of the fiscal year. NDA will continue to advocate for the demolition industry's priorities in any long-term appropriations bill passed by Congress.

## **Federal Judge Delays Implementation of Joint Employer Rule**

A federal judge from the U.S. District Court for the Eastern District of Texas has delayed implementation of the National Labor Relations Board (NLRB) final joint employer rule to March 11, 2024. The judge

delayed the rule following a court hearing for a lawsuit challenging the rule, which was filed by business groups.

Under the NLRB's final rule, an entity may be considered a joint employer of a group of employees if each entity has an employment relationship with the employees and they share or codetermine one or more of the employees' essential terms and conditions of employment such as wages, benefits, compensation, hours of work and scheduling, assignment of duties, and other factors. This new standard applies whether or not such control is exercised, and without regard to whether any such exercise of control is direct or indirect.

NDA has significant concerns with NLRB's final rule to redefine the joint employer relationship and its potential impact on demolition contractors. To this end, [NDA has been working with Congress](#) to pass a resolution to overturn the final rule. NDA will keep members updated on the latest developments.

### **EPA Announces \$1 Billion for Superfund Cleanup Projects**

This week, the U.S. Environmental Protection Agency (EPA) announced more than \$1 billion in funding from the Bipartisan Infrastructure Law for cleanup projects at more than 100 Superfund sites across the country. The funding will launch new cleanup projects at 25 Superfund sites and continue other cleanups at over 85 Superfund sites. To see a list of the sites to receive funding for new cleanup projects, visit [EPA's Superfund webpage](#).