

Parking Lot Injuries: OSHA Recordable?



**Case 1**

An employee must report to work by 8:00 a.m. The employee drove into the company parking lot at 7:30 a.m. and parked the car. The employee exited the car and proceeded to the office to report to work. The parking lot and sidewalks are privately owned by the facility and both are within the property line, but not the controlled access points (i.e., fence, guards). The employee stepped onto the sidewalk and slipped on the snow and ice. The employee suffered a back injury and missed multiple days of work. The company believes that the employee was still in the process of the commute to work since the employee had not yet checked in at the office. Since a work task was not being performed, the site personnel deemed the incident not work-related and therefore not recordable.

OSHA’s response: Company parking lots and sidewalks are part of the employer’s establishment for recordkeeping purposes. Here, the employee slipped on an icy sidewalk while walking to the office to report for work. In addition, the event or exposure that occurred does not meet any of the work-related exceptions contained in 1904.5(b)(2). The employee was on the sidewalk because of work; therefore, the case is work-related regardless of the fact that he had not actually checked in.

We talked preventing parking lot slips, trips, and falls. We explore circumstances in which parking lots slips and falls might trigger OSHA reporting requirements.

If an employee slips and falls in your parking lot on the way to work, or if an employee goes out to the parking lot for a smoke break and has a fall, are these work-related OSHA 300 log recordable incidents? Here are two cases excerpted from an OSHA letter of interpretation that can help you answer this question.

**Case 2**

An employee reports to work. Several hours later, the employee goes outside for a “smoke break.” The employee slips on the ice and injures his back. Since the employee was not performing a task related to the employee’s work, the company has deemed this incident non-work related and therefore not recordable.

OSHA’s response: Under Section 1904.5(b)(2)(v), an injury or illness is not work-related if it is solely the result of an employee doing personal tasks (unrelated to their employment) at the establishment outside of the employee’s assigned working hours. In order for this exception to apply, the case must meet both of the stated conditions. The exception does not apply here because the injury or illness occurred within normal working hours. Therefore your case in question is work-related, and if it meets the general recording criteria under Section 1904.7 the case must be recorded.

**Prevent Slips, Trips, and Falls-Anywhere on Your Premises.**

No matter where on your premises an employee slips, trips, or falls, the result is the same—an accident and injury, perhaps leading to lost workdays, workers’ comp cost, and more.

