

1 A bill to be entitled
 2 An act relating to workplace safety; creating s. 440.1026,
 3 F.S.; providing definitions; requiring public employers to
 4 submit by a certain date injury and illness data to the
 5 Division of Workers' Compensation in the Department of
 6 Financial Services using a specified form; authorizing the
 7 division to adopt rules; requiring the division to compile
 8 data from the reports and make the data available on the
 9 division's website; requiring the employer to retain the
 10 reports for 7 years; requiring the division to establish a
 11 toll-free telephone number for public employees relating
 12 to workplace safety by a certain date; requiring the
 13 division to provide certain information on its website by
 14 a certain date; requiring all public employers to comply
 15 with certain federal Occupation Safety and Health
 16 Administration standards by a certain date; amending s.
 17 440.59, F.S.; revising the annual report submitted by the
 18 department to include an analysis and summary on public
 19 employers' work-related injuries and workers' compensation
 20 claims; requiring the report to be provided to public
 21 employers and related officials; providing an effective
 22 date.

23
 24 Be It Enacted by the Legislature of the State of Florida:

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 26 Section 1. Section 440.1026, Florida Statutes, is created
 27 to read:
 28 440.1026 Public employer workplace safety.-

29 (1) As used in this section, the term:

30 (a) "OSHA" means the Occupation Safety and Health
 31 Administration in the Department of Labor.

32 (b) "Public employer" means any agency within state,
 33 county, or municipal government, including school districts,
 34 which employs individuals for salary, wages, or other
 35 remuneration.

36 (2) Effective October 1, 2010, all public employers shall
 37 collect and retain injury and illness data as incidents occur
 38 using OSHA Form 300, Log of Work-Related Injuries and Illnesses.

39 (a) Data from the report shall be collected and submitted
 40 to the division pursuant to procedures adopted by the division
 41 by rule.

42 1. Data from the report shall be compiled by the division
 43 and the employer and made available on the department's website.

44 2. The data shall be used to provide information needed
 45 for the annual department report submitted pursuant to s.
 46 440.59.

47 3. The reporting procedures must facilitate the state's
 48 participation in the United States Department of Labor's Bureau
 49 of Labor Statistics' injuries, illnesses, and fatalities
 50 database.

51 (b) The report shall be retained by the employer for 7
 52 years.

53 (3) Effective October 1, 2010, the division shall
 54 establish and publicize the availability of a toll-free
 55 telephone number for public employees to ask questions, request
 56 materials, seek assistance related to workplace safety, and

57 | report perceived unsafe workplace conditions.

58 | (4) Effective October 1, 2010, the division shall include
 59 | on its website a safety information link that provides a list of
 60 | professional resources that are available to assist public
 61 | employers in enhancing safety in their workplaces.

62 | (5) Effective June 30, 2013, all public employers must
 63 | comply with OSHA general industry standards 29 C.F.R. part 1910,
 64 | and construction standards 29 C.F.R. part 1926, as applicable.

65 | Section 2. Section 440.59, Florida Statutes, is amended to
 66 | read:

67 | 440.59 Reporting requirements.—The department shall
 68 | annually prepare a report of the administration of this chapter
 69 | for the preceding calendar year. ~~including~~

70 | (1) The report must include:

71 | (a) A detailed statement of the receipts of and
 72 | expenditures from the fund established in s. 440.50. ~~and~~

73 | (b) A statement of the causes of the accidents leading to
 74 | the injuries for which the awards were made. ~~together with~~

75 | (c) A comprehensive analysis and summary of public
 76 | employers' work-related illnesses, injuries, fatalities, and
 77 | compensation claims and costs.

78 | (d) Such recommendations as the department considers
 79 | advisable.

80 | (2) On or before September 15 of each year, the department
 81 | shall submit a copy of the report to the Governor, the President
 82 | of the Senate, the Speaker of the House of Representatives, the
 83 | Democratic and Republican Leaders of the Senate and the House of
 84 | Representatives, and the chairs of the legislative committees

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85 having jurisdiction over workers' compensation. Each public
86 employer and related governing official shall be provided with a
87 copy of the analysis and summary described in paragraph (1)(c).
88 The report may be provided electronically.

89 Section 3. This act shall take effect July 1, 2010.