



## ACCESS TO EMPLOYEE EXPOSURE AND MEDICAL RECORDS

**Purpose** The policy will document Company procedures for complying with the OSHA requirements concerning access to employee exposure and medical records.

---

**Reference** OSHA 29 CFR 1910.1020 – (The Company will keep a copy of this reference and its appendices, and make copies readily available, upon request, to employees).

**Definitions** Employee Exposure Records – A record containing any of the following kinds of information: workplace monitoring information, biological monitoring information, an SDS or a chemical inventory, etc.

Employee Medical Records – A record concerning the health status of an employee which is made or maintained by a physician, nurse, or other healthcare personnel, or technician, including: medical questionnaires, results of medical examinations, medical opinions, first aid records, description of treatments, employee medical complaints, etc.

**Location of Records** Exposure and medical records are maintained in the Company office and the respective medical facilities used by the Company.

**Scope** Employees, designated representatives of employees, and OSHA have the right to access employee exposure and medical records.

---

**In this chapter**

Topic	See Page
Policy	2-3
Training	3
Record Retention and Transfer	3
Authorization for Release of Employee Exposure and Medical Records	4

---



**Policy**

Management will provide the appropriate form for employees to request access to exposure and medical records.

The written authorization does not authorize the release of information not in existence on the date of the written authorization, unless the release of future information is expressly authorized. The release of information is in effect for no more than one year and may be revoked in writing at any time by the employee. Whenever an employee or designated representative requests access to a record, the Company representative will assure that access is provided in a reasonable time, place and manner. If the Company cannot reasonably provide access to the record within fifteen (15) working days, the Company will within fifteen (15) working days inform the employee or designated representative requesting the record of the reason for the delay and the earliest date when the records can be made available.

Whenever an employee or designated representative requests a copy of a record, the Company will assure that either:

- a hard copy is provided without cost to the employee or representative,
- the necessary mechanical copying facilities are made available without cost to the employee or representative for copying the records, or
- the record is loaned to the employee or representative for a reasonable time to enable a copy to be made.

Whenever a record has been previously provided without cost to an employee or designated representative, the Company may charge reasonable, non-discriminatory administrative costs. The Company will not charge for an initial request for a copy of new information that has been added to the record, which was previously provided.

The Company will, upon request as stated in 29 CFR 1913.10, assure the prompt access of representatives of OSHA to employee exposure and medical records and to analyses using exposure or medical records. The Company will post the OSHA written access



order and its accompanying cover letter for at least fifteen (15) working days.

Whenever access is requested to an analysis which reports the contents of employee medical records by either direct identifier (name, address, social security number, payroll number, etc.) or by information which could reasonably be used under the circumstances indirectly to identify specific employees (exact age, height, weight, race, sex, date of initial employment, job title, etc.), the employer will assure that personal identifiers are removed before access is provided. If the employer can demonstrate that removal of personal identifiers from an analysis is not feasible, access to the personally identifiable portions of the analysis need not be provided.

Trade secret information disclosure must follow requirements as stated in 29 CFR 1910.1020(f).

### **Training**

Employees will be trained on this policy upon initial employment and annually thereafter. This company will inform current employees of the existence, location, and availability of any records covered by this section; the person responsible for maintaining and providing access to records; and each employee's rights of access to these records.

### **Record Retention and Transfer**

Exposure and medical records for each employee will be preserved and maintained for at least the duration of employment plus thirty (30) years.

Medical records of employees who have worked for less than one (1) year for the Company will not be retained beyond the term of employment if they are provided to the employee upon the termination of employment.

If this company ceases to do business, all records will be transferred to the successor company. If this company ceases to do business and there is no successor company to receive or maintain the records or intends to dispose of any records required to be preserved for at least thirty years, this company will transfer the records to the Director of the National Institute for Occupational Safety and Health (NIOSH) as required by OSHA.



### Authorization for Release of Employee Exposure and Medical Records

I, \_\_\_\_\_, hereby authorize \_\_\_\_\_ to release to \_\_\_\_\_, the following exposure and/or medical information from my personal exposure and/or medical records:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I give my permission for this exposure and/or medical information to be used for the following purpose:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I do not** give permission for the following information to be released:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I do not** give permission for any other use or re-disclosure of this information.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Full name of employee or legal representative

\_\_\_\_\_

Signature of employee or legal representative

\_\_\_\_\_

Date \_\_\_\_\_

This authorization will expire in one year. You may designate an expiration of less than one year by completing the information below.

Expiration Date \_\_\_\_\_

Signature \_\_\_\_\_