



Total Number of Days Away from Work

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](http://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

The University of Tennessee
Municipal Technical Advisory Service
1610 University Avenue
Knoxville, TN 37921-6741
865-974-0411 phone
865-974-0423 fax
www.mtas.tennessee.edu

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Reference Number: MTAS-1983

The total number of days away from work may be capped at 180 calendar days. Employers are not required to keep track of the number of days away from work if the injury or illness lasts more than 180 days. In such a case, entering 180 in the total days away column will be considered adequate. 29 C.F.R. § 1904.7(b)(3)(vii). Additionally, if an employee who is away from work because of a work-related injury or illness retires or leaves the company, you may stop counting days if the reason for leaving is unrelated to the injury or illness. If, however, the employee leaves the company because of the injury or illness, you must estimate the total number of days away or days of restricted/job transfer and enter the day count on the 300 Log. 29 C.F.R. § 1904.7(b)(3)(viii).

In situations where a case occurs in one year but results in days away during the next calendar year, you must record the injury or illness only once. You must enter the number of calendar days away for the injury or illness on the OSHA 300 Log for the year in which the injury or illness occurred. If the employee is still away from work when you prepare the annual summary, you must estimate the total number of calendar days the employee is expected to be away, use that number to calculate the total for the annual summary, and then update the initial log entry later when the day count is known or reaches the 180-day cap. 29 C.F.R. § 1904.7(b)(3)(ix).

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

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