

Chapter 7. Division of Labor Statistics and Research
Subchapter 1. Occupational Injury and Illness Reports and Records
Article 2. Employer Records of Occupational Injury or Illness

[New query](#)

§ 14300.2. Partial Exemption for Establishments in Certain Industries.

(a) Basic requirement.

(1) If you are a public or private sector employer and all of your establishments are classified in the retail, service, finance, insurance or real estate industries listed in Table 1 in Appendix A of this section, you do not need to keep Cal/OSHA injury and illness records required by Article 2 unless the government asks you to keep the records under Section 14300.41 or Section [14300.42](#). However, all employers must report to the Division of Occupational Safety and Health any workplace incident that results in a serious injury or illness, or death, as required at Title 8 Section 342.

(2) If one or more of your establishments are classified in a non-exempt industry, you must keep Cal/OSHA injury and illness records required by Article 2 for all such establishments except those partially exempted because of size under Section [14300.1](#).

(b) Implementation.

(1) Does the partial industry classification exemption apply only to the types of establishments in the retail, service, finance, insurance or real estate industries listed in Table 1?

Yes. Establishments classified in agriculture; mining; construction; manufacturing; transportation; communication, electric, gas and sanitary services; or wholesale trade, and those establishments in the retail, service, finance, insurance and real estate industries not specifically listed in Table 1 in Appendix A are not eligible for the partial industry classification exemption.

(2) Is the partial industry classification exemption based on the industry classification of my entire company or on the classification of individual establishments operated by my company?

The partial industry classification exemption applies to individual establishments. If a company has several establishments engaged in different classes of activities, some of the company's establishments may be required to keep records, while others may be exempt.

(3) How do I determine the Standard Industrial Classification code for my company or for individual establishments?

You determine your Standard Industrial Classification (SIC) code by using the Standard Industrial Classification Manual, Executive Office of the President, Office of Management and Budget. You may contact the nearest office of the Division of Occupational Safety and Health for help in determining your SIC code. The SIC Manual can also be viewed at the Internet site for OSHA, www.osha.gov.

Appendix A to Section 14300.2

Public and private sector employers are not required to keep Cal/OSHA injury and illness records for any establishment classified in the following Standard Industrial Classification (SIC) codes, unless they are asked in writing to do so by OSHA, the Bureau of Labor Statistics (BLS), or a state agency operating under the authority of OSHA or the BLS. All employers, including those partially exempted by reason of size or industry classification, must report to the Division of Occupational Safety and Health any workplace incident that results in a serious injury or illness, or death, as required at Title 8 Section 342.

TABLE 1
PARTIALLY EXEMPT INDUSTRIES IN CALIFORNIA

SIC Code	Industry Description	SIC Code	Industry Description
525	Hardware Stores	731	Advertising Services
542	Meat and Fish Markets	732	Credit Reporting and Collection Services
544	Candy, Nut, and Confectionery Stores	733	Mailing, Reproduction and Stenographic Services
545	Dairy Products Stores		
546	Retail Bakeries	737	Computer and Data Processing Services
549	Miscellaneous Food stores	738	Miscellaneous Business Services

551	New and Used car Dealers	764	Reupholstery and Furniture Repair
552	Used Car Dealers	782	Motion Picture Distribution and Allied Services
554	Gasoline Service Stations		
557	Motorecycle Dealers 783 Motion Picture Theaters	783	Motion Pictures Theaters
56	Apparel and Accessory Stores	784	Video Tape Rental
573	Radio, Television, and Computer Stores	791	Dance Studios, Schools, and Halls
58	Eating and Drinking Places	792	Producers, Orchestras, Entertainers
591	Drug Stores and Proprietary Stores	793	Bowling Centers
592	Liquor Stores	801	Offices and Clinics of Medical Doctors
594	Miscellaneous Shopping Goods Stores	802	Offices and Clinics of Dentists
599	Retail Stores, Not Elsewhere Classified	803	Offices of Osteopathic
60	Depository Institutions (banks and savings institutions)	804	Offices of Other Health Practitioners
		807	Medical and Dental Laboratories
61	Nondepository	809	Health and Allied Services, Not Elsewhere Classified
62	Security and Commodity Brokers		
63	Insurance Carriers	81	Legal Services
64	Insurance Agents, Brokers and Services	82	Educational Services (schools, colleges, universities and libraries)
653	Real Estate Agents and Managers		
654	Title Abstract Offices	832	Individual and Family Services
67	Holding and Other Investment Offices	835	Child Day Care Services
722	Photographic Studios, Portrait	839	Social Services, Not Elsewhere Classified
723	Beauty Shops	841	Museums and Art Galleries
724	Barber Shops	86	Membership Organizations
725	Shoe Repair and Shoeshine Parlors	87	Engineering, Accounting, Research, Management, and Related Services
726	Funeral Service and Crematories		
729	Miscellaneous Personal Services	899	Services, Not Elsewhere Classified

NOTE: In California, establishments in SIC Code 781 (Motion Picture Production and Allied Services) are required to record. Federal law does not require these establishments to record. This is the only difference between the list of establishments shown in Table 1 above and the list shown in the equivalent federal rule at 29 CFR 1904.2.

NOTE: Authority cited: Section 6410, Labor Code. Reference: Section 6410, Labor Code.

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The above information is provided free of charge by the Department of Industrial Relations from its web site at www.dir.ca.gov.