

(Mar. 4, 1927, ch. 509, §28, 44 Stat. 1438; Pub. L. 92-576, §13, Oct. 27, 1972, 86 Stat. 1259; Pub. L. 98-426, §17, Sept. 28, 1984, 98 Stat. 1650.)

AMENDMENTS

1984—Subsec. (e). Pub. L. 98-426 substituted “a fee, gratuity, or other consideration” for “any fees, other consideration, or any gratuity”; “with respect to” for “in respect of”; and “both” for “by both such fine and imprisonment”; and inserted “under this chapter,” after “compensation”.

1972—Subsec. (a). Pub. L. 92-576 substituted provisions respecting payment of attorney’s fee for successful prosecution of claim for former provisions respecting approval by deputy commissioner or court of claims for legal services or for any other services rendered in respect of a claim or award for compensation and for lien upon the compensation in the manner and to the extent fixed by the deputy commissioner or the court. See subsec. (c).

Subsecs. (b) to (e). Pub. L. 92-576 added subsecs. (b) to (d), redesignated former subsec. (b) as (e), and in subsec. (e), as so redesignated, struck out item (1) and (2) designations before “who”, substituted “services rendered as a representative of a claimant” for “services so rendered”, and included approval by the Board.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-426 effective Sept. 28, 1984, see section 28(e)(1) of Pub. L. 98-426, set out as a note under section 901 of this title.

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-576 effective 30 days after Oct. 27, 1972, see section 22 of Pub. L. 92-576, set out as a note under section 902 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 931 of this title.

§ 929. Record of injury or death

Every employer shall keep a record in respect of any injury to an employee. Such record shall contain such information of disease, other disability, or death in respect of such injury as the Secretary may by regulation require, and shall be available to inspection by the Secretary or by any State authority at such times and under such conditions as the Secretary may by regulation prescribe.

(Mar. 4, 1927, ch. 509, §29, 44 Stat. 1438; Pub. L. 98-426, §27(a)(2), Sept. 28, 1984, 98 Stat. 1654.)

AMENDMENTS

1984—Pub. L. 98-426, §27(a)(2), substituted “Secretary” for “commission”. See Transfer of Functions note set out under section 902 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-426 effective Sept. 28, 1984, see section 28(e)(1) of Pub. L. 98-426, set out as a note under section 901 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 30 section 932.

§ 930. Reports to Secretary

(a) Time for sending; contents; copy to deputy commissioner

Within ten days from the date of any injury, which causes loss of one or more shifts of work, or death or from the date that the employer has knowledge of a disease or infection in respect of

such injury, the employer shall send to the Secretary a report setting forth (1) the name, address, and business of the employer; (2) the name, address, and occupation of the employee; (3) the cause and nature of the injury or death; (4) the year, month, day, and hour when and the particular locality where the injury or death occurred; and (5) such other information as the Secretary may require. A copy of such report shall be sent at the same time to the deputy commissioner in the compensation district in which the injury occurred. Notwithstanding the requirements of this subsection, each employer shall keep a record of each and every injury regardless of whether such injury results in the loss of one or more shifts of work.

(b) Additional reports

Additional reports in respect of such injury and of the condition of such employee shall be sent by the employer to the Secretary and to such deputy commissioner at such times and in such manner as the Secretary may prescribe.

(c) Use as evidence

Any report provided for in subsection (a) or (b) of this section shall not be evidence of any fact stated in such report in any proceeding in respect of such injury or death on account of which the report is made.

(d) Compliance by mailing

The mailing of any such report and copy in a stamped envelope, within the time prescribed in subsections (a) or (b) of this section, to the Secretary and deputy commissioner, respectively, shall be a compliance with this section.

(e) Penalty for failure or refusal to send report

Any employer, insurance carrier, or self-insured employer who knowingly and willfully fails or refuses to send any report required by this section or knowingly or willfully makes a false statement or misrepresentation in any such report shall be subject to a civil penalty not to exceed \$10,000 for each such failure, refusal, false statement, or misrepresentation.

(f) Tolling provision

Where the employer or the carrier has been given notice, or the employer (or his agent in charge of the business in the place where the injury occurred) or the carrier has knowledge, of any injury or death of an employee and fails, neglects, or refuses to file report thereof as required by the provisions of subsection (a) of this section, the limitations in subsection (a) of section 913 of this title shall not begin to run against the claim of the injured employee or his dependents entitled to compensation, or in favor of either the employer or the carrier, until such report shall have been furnished as required by the provisions of subsection (a) of this section.

(Mar. 4, 1927, ch. 509, §30, 44 Stat. 1439; June 25, 1938, ch. 685, §11, 52 Stat. 1167; Pub. L. 98-426, §§18, 27(a)(2), Sept. 28, 1984, 98 Stat. 1650, 1654.)

AMENDMENTS

1984—Subsec. (a). Pub. L. 98-426, §18(a)(1), inserted “, which causes loss of one or more shifts of work,” after “Within ten days from the date of any injury”.

Pub. L. 98-426, §27(a)(2), substituted “Secretary” for “commission”. See Transfer of Functions note set out under section 902 of this title.