

# Accident Reporting and Workers Comp





Workplace accident causes fall into one or more of the 7 categories

- 1. Personal Beliefs and Feelings
- 2. Decision to Work Unsafely
- Mismatch and Overload
- 4. Systems Failure
- 5. Traps
- 6. Unsafe Conditions
- 7. Unsafe Acts

how did you finish that work so fast





- 1. Personal Beliefs and Feelings
  - the worker "felt invincible"
  - was working to fast
  - being a show-off or know it all
  - ignored the rules out of contempt for authority
  - peer pressure
  - personal issues outside of work affected judgment
- 2. Decision to Work Unsafely
  - The worker benefits from not using all designed safety procedures





- 3. Mismatch or Overload
  - Individual cannot physically perform task because of health
  - Individual is fatigued
  - High stress levels
  - Distracted
  - Unsatisfactory work conditions
  - Demanding Work
  - Schedule Pressure
  - Complex or very difficult task





- 4. Systems Failure
  - Lack of clear policy
  - Lack of rules, regulations and procedures
  - Poor hiring procedures
  - Inadequate monitoring and inspections
  - Failure to correct known hazards
  - Insufficient training for employees
  - No enforcement
  - Rewarding unsafe behavior
  - Inadequate tools to complete work
  - Production requirements set to high
  - Inadequate communication to employees
  - No management support for safety





#### 5. Traps

- Poor design of work stations
- Bad housekeeping
- Defective equipment
- Overly complicated and confusing controls
- Poor work area
- Inadequate lifting equipment
- Uncontrolled hazards
- Unregulated ergonomic hazards
- Excessive temperatures
- Insufficient lighting
- Insufficient ventilation





- 6. Unsafe Conditions
  - The result of one of the categories mentioned previously. May be caused by the environment, personnel, or equipment
- 7. Unsafe Acts
  - Horseplay or fighting
  - Drugs and alcohol
  - Unauthorized tools and equipment
  - Worker forgets to use the proper tool or procedure
  - Distractions





## **Accident Reports**

- Accident reports are filled out when there is a minor accident and answers the following questions
- Who who was injured
- What What occurred
- Where where did it occur
- When when did it occur

It does not investigate the "why" of the accident though





#### **OSHA Form 301**

Injury and Illness Incident Report

- Often filled out as an initial first step and requires very little training and experience to complete
- Your company might have a different comparable form to the 301 for minor incidents



#### OSHA's Form 301

#### Injury and Illness Incident Report

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes



Form approved OMB no. 1218-0176

This Injury and Illness Incident Report is one of the first forms you must fill out when a recordable workrelated injury or illness has occurred. Together with the Log of Work-Related Injuries and Illnesses and the accompanying Summary, these forms help the employer and OSHA develop a picture of the extent and severity of work-related incidents.

Within 7 calendar days after you receive information that a recordable work-related injury or illness has occurred, you must fill out this form or an equivalent. Some state workers' compensation, insurance, or other reports may be acceptable substitutes. To be considered an equivalent form, any substitute must contain all the information asked for on this form.

According to Public Law 91-596 and 29 CFR 1904, OSHA's recordkeeping rule, you must keep this form on file for 5 years following the year to which it pertains.

If you need additional copies of this form, you may photocopy and use as many as you need.

Completed by		
Title		
Phone (	Date	

Information about the employee	Information about the case
1) Full name	10) Case number from the Log (Transfer the case n
2) Street	11) Date of injury or illness//
	12) Time employee began work AM / PM
City State ZIP	13) Time of event AM / PM
5) Date of birth / / /  4) Date hired / /  5)	14) What was the employee doing just before the incident occ tools, equipment, or material the employee was using. Be spe carrying roofing materials"; "spraying chlorine from hand specific the specific control of the sp
Information about the physician or other health care professional  6) Name of physician or other health care professional	15) What happened? Tell us how the injury occurred. Examples: fell 20 feet"; "Worker was sprayed with chlorine when gasket developed soreness in wrist over time."
7) If treatment was given away from the worksite, where was it given?  Facility	16) What was the injury or illness? Tell us the part of the body t more specific than "hurt," "pain," or sore." Examples: "strain tunnel syndrome."
Street  City State ZIP  8) Was employee treated in an emergency room?  Yes  No  9) Was employee hospitalized overnight as an in-patient?	17) What object or substance directly harmed the employee? In the same of the incident, "radial arm saw." If this question does not apply to the incident,
Yes No	18) If the employee died, when did death occur? Date of death

umber from the Log after you record the case.) eck if time cannot be determined urred? Describe the activity, as well as the cific. Examples: "climbing a ladder while orayer"; "daily computer key-entry." 'When ladder slipped on wet floor, worker broke during replacement"; "Worker hat was affected and how it was affected; be ed back"; "chemical burn, hand"; "carpal xamples: "concrete floor"; "chlorine"; leave it blank.



## Accident-Analysis Report (AAR)

- Different than an Accident Report, it is filled out when the injury or illness is serious
- Answers the "why" of the accident
- Involves an in depth formal analysis to determine the root cause of the accident
- (your company may refer to these proceedings as something other than an Accident-Analysis Report but should contain the same formatting)
- Investigations are often done by people with specialized training and experience





#### When to Fill Out a AAR

- During an emergency, it is important that the first step is to implement emergency procedures such as first aid and calling emergency services
- As soon as the incident is being handled by a professional team, the accident investigation should begin immediately (wait to long and the results can be skewed)
- Immediate investigations are more likely to produce accurate information as people's memories of the event can become distorted over time





### What to Investigate

 The accident investigations goal is to document the facts, not to find fault (trying to assign blame can cause inaccuracies in the witnesses' testimony)

Causes of the incident should be the primary focus





# 5 Component Approach to Accident Investigation

- 1. Task Related Questions
- 2. Material Related Questions
- 3. Environment Related Questions
- 4. Personnel Related Questions
- 5. Management Related Questions





### **Task Related Questions**

- Were the proper safety procedures used?
- Have conditions changed without updated procedures
- Were the appropriate tools available
- Was the appropriate PPE available
- Were safety devices used properly
- Were safety devices working properly
- Was LOTO utilized





### **Material Related Questions**

- Was there an equipment failure
- Was the machinery old or poorly designed
- Were hazardous substances being used and identified
- Was the proper PPE used in this situation





### **Environment Related Questions**

- Were the weather conditions satisfactory
- Was the work environment clean
- Was noise a contributing factor
- Was there adequate lighting
- Were there toxic vapors or gasses
- Was there dust impeding view
- Was there obstacles or impediments to the worker





### **Personnel Related Questions**

- Were workers properly trained on the task
- Were workers properly experienced with the task
- Were workers physically able to complete the task
- Were workers fatigued
- Were there any physical health considerations





### **Management Related Questions**

- Is there a safety policy regarding the work
- Were safety procedures communicated to the workers beforehand
- Was the safety procedure enforced
- Were the workers experienced, trained and supervised
- Had any hazards been identified beforehand and eliminated
- Were tools, machinery and equipment properly maintained
- Had safety inspections been completed before
- Were the employees rushed by schedule pressure





### Who Should Investigate

- Many companies have varying degrees of people to investigate incidents, depending on the severity. Often it is the supervisors or managers and/ or the safety and health professionals.
- Sometimes if an incident is severe enough or has occurred multiple times, an outside specialist is brought in
- If management has been repeatedly told about a hazard, and it still has not been corrected, an OSHA representative may be contacted (link in Unit Section of Moodle)



Online - Use the Online Complaint Form

Submit your complaint online to OSHA



Fax/Mail/Email - Complete the OSHA Complaint Form [Español], or Send a Letter Describing Your Complaint

Complete the complaint form or letter, and then fax, mail, or email it back to your local OSHA office.



Telephone - Call Your Local OSHA Office or 800-321-6742 (OSHA)

OSHA staff can discuss your complaint with you and respond to any questions you may have.



In Person - Visit Your Local OSHA Office

OSHA staff can discuss your complaint with you and respond to any questions you may have.





## **OSHA Reporting Requirements**

- Employers of 11 or more employees must keep records of occupational injuries and illnesses as they occur
- Regardless of severity, all illness and injury must be recorded
- If an employee dies or is hospitalized for 3 or more days then the employer must report the accident within 8 hours to the nearest OSHA office (this is not company size dependent)





## **OSHA Reporting Requirements**

The reporting form must include the following

- Case number of the accident
- Victim's department or unit
- Location and date of the accident or date that an illness was first diagnosed
- Victim's name, social security number, gender, age, home address, and telephone number
- Victim's normal job assignment and length of employment with the company
- Victim's employment status at the time of the accident (i.e., temporary, permanent, full-time, parttime)
- Case numbers and names of others injured in the accident
- Type of injury and body part(s) injured (e.g., burn to right hand; broken bone, lower right leg) and severity of injury (i.e., fatal, first aid only required, hospitalization required)
- Name, address, and telephone number of the physician called

- Name, address, and telephone number of the hospital to which the victim was taken
- Phase of the victim's work day when the accident occurred (e.g., beginning of shift, during break, or end of shift)
- Description of the accident and how it took place, including a step-by-step sequence of events leading up to the accident
- Specific tasks and activities with which the victim was involved at the time of the accident (e.g., task: mixing cleaning solvent; activity: adding detergent to the mixture)
- Employee's posture or proximity related to his or her surroundings at the time of the accident (e.g., standing on a ladder; bent over at the waist inside the robot's work envelope)
- Supervision status at the time of the accident (i.e., unsupervised, directly supervised, indirectly supervised)
- Causes of the accident
- Corrective actions that have been taken so far
- Recommendations for additional corrective action





# Why are Some Accidents Not Reported?

- Red Tape even if you are the one injured, you may not want to report the accident because it is A LOT of paperwork
- Ignorance Not all supervisors and managers know how to report an accident
- Embarrassment Employees may not report an accident because they are embarrassed by the outcome or their part in it
- Record Spoiling companies sometimes try to preserve their safety record, even when a major incident occurs
- Fear of Repercussions Employees might not report an accident for fear they may be found at fault and labeled accident prone, put on leave, or even fired
- No Feedback Incidents go unreported because employees feel like reporting is a waste of time because they may have filed similar complaints earlier





## **Knowledge Check 1**

 True or False: Companies are required to report fatalities to OSHA within 10 hours of the incident occurring





### **Knowledge Check 1**

False: Companies are required to report fatalities within 8 hours of the incident occurring





## **Accident Investigation Mistakes**

- 1. Failing to investigate near misses
- 2. Taking ineffective corrective action
- 3. Allowing biases to affect the results of the investigation
- 4. Failing to investigate in a timely manner
- 5. Failing to account for human nature in interviews
- 6. Failing to learn investigation techniques
- 7. Allowing office politics to affect results of the investigation
- 8. Failing to conduct an in depth investigation
- 9. Allowing conflicting goals to affect the investigation
- 10. Failing to account for the effects of uncooperative people





## **Workers Compensation**

- Workers comp was developed to allow injured employees to be compensated for on site injury or illness without having to take their employer to court which can be a long, expensive and drawn out process
- The goal of workers compensation is to replace income and rehabilitate employees who have been affected by workplace injury or illness





#### **AOE** and **COE**

- Injury <u>arises out of employment</u> (AOE) occurs when the person who injures themselves on the job site
- Injury occurs in the <u>course of employment</u> (COE) occurs when a person injures themselves outside of the worksite

 This is a major point of contention when filing workers compensation claims especially for chronic conditions





### **State Departments**

- There is not really a set department that oversees workers compensation and is different for every company and state
- In Idaho it is the Idaho Industrial Commission

If you have further questions regarding workers compensation visit their website





### **End of Show**

