



LMCIT
Risk Management Information

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REPORTING EMPLOYEE ACCIDENTS & CONDUCTING INCIDENT INVESTIGATIONS

Employers have an obligation to identify workplace hazards and develop controls designed to eliminate or protect employees from those hazards. Investigating incidents of near accidents and investigating actual employee injuries are important techniques used to meet this obligation. This memo discusses the details of conducting effective incident investigations as well as reviewing insurance and OSHA reporting requirements for work-related injuries and illnesses.

Incident/Accident Investigation

For the purpose of this memo, we will define accidents as incidents that have resulted in injuries or illness to employees. Incidents are defined as accidents, but also includes “near misses” and events that expose employees or others to hazards which could cause injury or illness. Examples of incidents that have not resulted in accidents will be discussed later. The principles of investigation are the same for both so we’ll focus on accident investigations as we review these principles.

Why do we investigate accidents?

Experience is the best teacher. We can expect that an accident that has occurred once can occur again, particularly if the underlying causes have not been corrected. An effective investigation will uncover the root cause of the accident, develop actions designed to prevent a similar occurrence, implement the actions, and finally, follow up the implementation to ensure that the actions taken are working as necessary.

Minnesota’s OSHA considers accident investigations to be so important that this process is a requirement for the city’s overall safety program. All cities with more than ten employees must have a written safety program that must include accident investigation procedures. This requirement is called the “AWAIR” standard.

Who should conduct the accident investigation?

Often, the injured employee’s immediate supervisor is a good choice. The supervisor’s knowledge of the department’s operations can give them insight into the causes of an accident that an outsider might not have. Department managers should participate in any accident investigation occurring in their department. An additional person, or a safety committee, may be needed to view circumstances objectively or to bring in specialized knowledge for a particular

investigation. Safety committees should review the supervisor's report of injuries and reports of incidents to:

1. Confirm that an adequate investigation was completed;
2. Conduct further investigations as necessary;
3. Discuss corrective actions needed;
4. Make sure the corrective actions (controls) are put in place;
5. Monitor the effectiveness of the controls and make changes as necessary; and
6. Periodically review these efforts to identify trends or pattern of accidents that can be analyzed to prevent future accidents.

When should we investigate?

All incidents and accidents should be investigated. The level and effort put into any particular investigation has to be weighed against the potential for harm and the frequency of occurrence. Serious accidents that occur frequently are the highest priority. The rare risk of a minor injury is the lowest priority. Common sense must be used to judge how best to determine the investigation effort.

Investigate as soon as possible. Always make sure injured employees receive immediate medical attention, and secure the area to ensure that no further injuries or damage can occur. But once the situation is stabilized, begin the investigation process.

It is important to investigate early because the episode is still fresh in people's minds, the physical circumstances have not significantly changed, and any witness's should be available.

How should we investigate?

Always remember the purpose of accident investigation. That purpose is to prevent future accidents. People are basically reasonable. But in accident investigations we frequently treat them as if they weren't.

Most accidents have a human component. That is, at sometime in most accidents a person made a decision, and that decision contributed to how the accident happened. For example, suppose Doug is standing in the middle of the block and needs to walk across the street. He looks up and down the street and decides that he can cut across without going to the corner and crossing at the light. He thinks the chances of an injury are so slight that the convenience of crossing the street from where he is outweighs the risk. That's the problem with looking at human error in accident investigations. Sometimes, human error isn't really error at all. Like Doug, people make decisions that seem reasonable at the time. We can do better if we change the environment in which the decision is made.

- The investigator needs to have all the preliminary information available regarding the accident; the person injured and the injury itself. You may need information regarding similar accidents that have happened in the past.
- Interview witnesses and do not lose the opportunity to discuss with the injured person, when available, the details regarding occurrence of the accident, and to obtain that person's recommendation for eliminating the hazard which caused the injury.
- Document your efforts. Every accident investigation report should contain:
 - All information regarding the injured person
 - What the employee was supposed to be doing
 - What was actually being done at the time of the accident
 - How it was being done
 - Training the person has received
 - Past accident record
- Examine the tools, machinery, protective equipment, and other physical conditions as they existed at the time and place of the accident.

Developing corrective action

Study what was learned from the investigation and what changes can be made to address the causes of the accident. When hazards cannot be completely eliminated or controlled, alternate methods for increasing present protection should be considered and applied. Any reduction of the hazard is better than taking no action.

Much work expended on investigations is lost because nobody puts the ensuing recommendations to work. Arrangements should be made for the prompt consideration and disposition of recommendations resulting from accident investigations.

Incident investigation

Incidents are situations and/or circumstances that represent the potential to create injuries or property damage. When these are identified, they should be analyzed for the purpose of identifying corrective action just as if an injury did occur. The prevention of accidents is the best loss control. Use site inspections, first aid logs, safety information available about the equipment or activity, and safety suggestions from employees as techniques for locating the potential of accidents. Outside safety experts can also assist you in your efforts to identify these potential accidents.

Insurance reporting requirements

The “First Report of Injury” form is used to report workplace injuries to the LMCIT claims department. It is important to fill these forms out completely and promptly. Delays in the reporting of these accidents can result in fines to both LMCIT and your city. Included in this section you can find information on the “First Fax” method for speedy reporting. Please contact the LMCIT claims staff for additional information if needed.

Internal reporting

Accidents that have not been reported promptly to the city cannot be reported quickly to LMCIT. Therefore, a strong policy requiring employees to report all accidents to their supervisor is very important. This gives the supervisor the opportunity to begin the investigation process. The supervisor should then report the accident to department management and possibly the safety committee for review. All results of the investigation should be reported likewise.

OSHA reporting

OSHA requires that all workplace injuries and illnesses that meet certain criteria be recorded on the OSHA 200 log. This form is available with the booklet entitled “Record Keeping Guidelines” that explains the reporting criteria from MN OSHA at 651-296-2116. OSHA requires that the 200 log be maintained on record for five full years. This log is maintained at your site and need only be provided to OSHA at their request. Keep the current year plus the last five-year’s completed logs in your files. OSHA is very sensitive to the under reporting of accidents and the violation of this requirement is one of the most cited by OSHA across the nation. The OSHA 200 log for any given year must be posted in a conspicuous place during the following year’s month of February. This requirement is there to give information to employees concerning the types of injuries that have occurred in their workplace.

OSHA also has other reporting requirements that employers need to be aware of:

- Any amputation injury involving a power press must be reported in writing or by telephone to OSHA **within thirty days**.
- An occupational death or the inpatient hospitalization of three or more employees as a result of a single incident must be reported to OSHA **within eight hours**.