



## Employee Safety and Health Program

**Policy 9: Investigation and Reporting of Events**

**Effective Date: April 1, 2004**

### References:

North Carolina State Employees Workplace Requirements Manual for Safety and Health, pages 2.2.1-2.2.4

North Carolina State Employees Workplace Requirements Program for Safety and Health: Section 2, page 2.8.1

### Purpose:

To provide a mechanism for the investigation of events which result in: (1) injuries, (2) occupational illnesses, and or (3) violence or criminal activity to Department of Labor employees in the course of the performance of their job duties in order to determine the cause of such events and assess the need for training, policy or procedural changes to prevent recurrence; and, to establish a process for the timely investigation of all serious accidents to Department of Labor employees.

### Policy:

- I. The supervisor of an employee experiencing an injury or occupational illness, or an act of violence or criminal activity while performing the duties of the job, shall investigate the actions and conditions leading up to and causing the event, determine the causes of the event, and make recommendations for preventing their recurrence.
- II. In the event of a serious accident to any Department of Labor employee, the affected employee's supervisor, in conjunction with the Workers' Compensation Administrator and the Safety and Health Coordinator, shall investigate the accident, and shall issue a report to the Commissioner of Labor, Division Directors, and the affected Unit Manager, which shall document the causes and effects of the accident and include recommendations to prevent the recurrence of such an accident.

### Procedures:

- I. Adverse Events
  - A. Initiation of Investigation
    1. Upon notification that an employee has experienced an event, the

supervisor shall initiate the following steps:

- a. If the event is an injury or occupational illness, the supervisor shall ensure that the procedures established by the Departmental Workers' Compensation Administrator are followed.
  - b. If the event is an act of violence or criminal activity, the supervisor shall ensure that the proper authorities have been contacted in accordance with Policy 11 of the Employee Safety and Health Manual.
2. Within twenty-four (24) hours of notification, the supervisor shall begin an investigation of the event.
- a. If the reported event results in medical treatment only, the supervisor is not required to provide a physical investigation of the site of accident unless it occurred on property controlled by the Department.
  - b. If the reported event results in restricted work or lost work days, and the accident site is within the State of North Carolina, the supervisor shall provide for the site of accident to be observed and any relevant facts recorded.
    - i. The supervisor may elect to visit the accident site personally, or may delegate responsibility to an employee, who shall perform the inspection duties listed below as the responsibility of the supervisor. The employee must have adequate knowledge to perform such investigation.
    - ii. The supervisor shall, with assistance of the Workers' Compensation Administrator if deemed necessary, determine if it is necessary to record the site of accident on film or videotape.
  - c. If an illness is reported, the supervisor shall determine, with the assistance of the Workers' Compensation Administrator if necessary, if a visit to an offsite location will contribute to the investigation.
  - d. If the reported event results in restricted workdays or lost workdays, and the site of accident is outside the State of North Carolina, the supervisor shall immediately notify the Unit Manager, who shall make provisions for the physical inspection of the accident site. The Unit Manager may contact the Workers' Compensation Administrator for assistance if deemed necessary.

- e. If the reported event meets the requirements for Serious Accident as set forth below, the supervisor shall follow the procedures outlined below.
3. The supervisor shall interview, and may if deemed necessary, record the statements of the following individuals: the afflicted employee, any persons who were involved in or witnessed the event, and any other persons with information relevant to the investigation.
- a. It is the responsibility of all employees to cooperate with investigations conducted under this policy and give truthful information to the best of their knowledge.
  - b. Other involved persons may refuse cooperation with the investigation. In such cases, the supervisor shall record their name, address, phone number, and their reason for refusal, if any is given.
4. The supervisor shall record the results on the investigation on the Supervisor's Investigation of Event Form provided by the Employee Safety and Health Steering Committee, and should submit it to the Workers' Compensation Administrator within four (4) days of notification of the event. If the supervisor cannot complete the investigation within that time, he/she shall contact the Workers' Compensation Administrator within that timeframe, explain the need for delay, and make an interim report.

B. Determinations from Investigation

1. The supervisor shall attempt to ascertain the following information, as appropriate, through the investigation:
- a. Actions leading up to the event.
  - b. The specifics of the event itself.
  - c. The type of event.
  - d. Any equipment or tool involved in the event, the type of power driving the equipment or tool, and the part that caused the affliction, if applicable.
  - e. If a safety guard or device was needed on the equipment or tool, if it was in place or removed, and if it was or would have been effective in place.

- f. If a policy, procedure, work rule, or standard existed that addressed the issues of the event, if they were followed or violated, and if they were or would have been effective.
  - g. Issues that caused and/or contributed to the event, in the categories of environment, equipment, and employee.
  - h. Any other pertinent information.
2. The supervisor shall attempt to devise methods to prevent the recurrence of the event to other employees.
- a. The supervisor shall ascertain what actions, if any, within his/her authority should be taken.
    - i. Categories shall include, but not be limited to:
      - (a) Correction of physical hazards.
      - (b) Purchase and issuance of equipment.
      - (c) Employee training.
      - (d) Creation of or changes to policy, procedures, and/or work rules.
    - ii. The supervisor shall prepare a plan of action for the implementation of these methods.
  - b. The supervisor shall devise recommendations for actions beyond his/her authority which the supervisor determines should be taken to prevent recurrence, and shall record them on the Supervisor's Investigation of Event form.
3. The Workers' Compensation Administrator shall review the supervisor's recommendations within one week of receipt of the report, and shall forward them to the Employee Safety and Health Steering Committee, the affected Unit Safety and Health Committee(s), the affected Division Director(s), and/or the affected Unit Manager(s), as appropriate.
4. The affected Unit Safety and Health Committee shall ensure that the recommendations are followed by assigning responsibility for correcting the issue(s) addressed and establishing a deadline for action.
5. Storage and Retention of Investigation Report

- a. The report generated from the supervisor's investigation shall be retained in the Workers' Compensation file for the affliction, for the period established in Policy 6 of the Employee Safety and Health Manual.
- b. The report shall be considered an exposure record, and a copy shall be made available to the employee upon request under the procedures in Policy 6.

## II. Serious Accidents

- A. If any employee becomes aware of an event which in his/her determination meets the definition of Serious Accident, that employee shall immediately contact his/her supervisor.
- B. Upon notification, the supervisor shall immediately halt the work of Department employees at the accident site.
  - 1. If the accident site is on property controlled by the Department, the supervisor shall:
    - a. Take precautions to prevent further injury to other personnel in the area.
    - b. Take feasible precautions that will limit the spread of damage and not expose Departmental employees to further danger.
    - c. Provide for emergency first aid to any injured personnel, and make provisions for injured personnel to be transported to the appropriate medical facility in accordance with the building's emergency procedures.
    - d. Secure the accident site, including but not limited to the following:
      - i. Have all unnecessary and uninvolved personnel leave the area.
      - ii. Assure that nothing is cleaned up or tampered with by unauthorized persons or Department employees.
      - iii. Physically block off the area with rope or tape, if deemed necessary.
      - iv. Allow no one to re-enter the site, with the exception of authorized Department staff; law enforcement personnel; firemen, emergency response, and HazMat Team

personnel; and ambulance or rescue personnel.

2. If the accident site is not on property controlled by the Department, the supervisor shall:
  - a. Assure that injured personnel are provided medical treatment and Department employees are removed from the area of danger.
  - b. Determine if staff should be sent to the site to record details of the accident site.
  - c. Determine if the proper response authorities have been notified, and provide for notification if they have not.
- C. The supervisor shall then contact the following persons:
  1. The affected Unit Manager;
  2. The affected Division Director;
  3. The Workers' Compensation Administrator; and
  4. Any other persons specified in other Departmental, Division, or Unit procedures.
- D. The supervisor shall then gather preliminary information on the accident by:
  1. Preparing a list of witnesses to the accident - including Department employees, members of the general public, and others - and informing them where possible that they may be interviewed by the Workers' Compensation Administrator.
  2. Preparing a list of persons who were involved in the accident or its cause.
  3. Instructing each Department witness to prepare comprehensive and detailed statements of the accident and their involvement.
- E. Duties of the Workers' Compensation Administrator
  1. The Workers' Compensation Administrator shall report any accident which is fatal to one or more employees, or which results in the hospitalization of three or more employees, to OSHNC within eight (8) hours of the accident or death, and to the Office of State Personnel, Employee Risk Management Section, within twenty-four (24) hours of the accident or death.

2. The Workers' Compensation Administrator, in conjunction with the Safety and Health Coordinator, shall coordinate with the supervisor investigating the accident and/or the controller of the accident site (if different) to perform the following tasks:
  - a. Investigate the accident site.
  - b. Photograph the accident site and any evidence associated with the site.
  - c. Measure the dimensions of and sketch the accident site and any other object or site involved in the accident.
  - d. Acquire samples of any chemicals or substances involved in the accident.
  - e. Conduct recorded interviews of all personnel involved in and/or witnessing the accident.
  
3. Within one month of the accident, the Workers' Compensation Administrator, in conjunction with the Safety and Health Coordinator, shall present to the Commissioner of Labor and the Director of the affected Division a full report of the accident and recommendations to prevent its recurrence.
  - a. This report shall include, but not be limited to, the details of the accident, when the accident occurred, who was involved in the accident, and a determination of the cause of the accident
  - b. The Workers' Compensation Administrator shall make the report and recommendations available to the Employee Safety and Health Steering Committee, the affected Unit Safety and Health Committees and to the employees of the affected unit.
  - c. It shall be the responsibility of the affected Unit Safety and Health Committee to oversee the implementation of the recommendations.

Approved:

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John Baldwin, Chief of Staff  
NC Department of Labor

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Allen McNeely, Deputy Commissioner  
Division of Occupational Safety & Health

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Date

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Date

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4/1/09  
Review Date

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Andy Frazier, Deputy Commissioner  
Standards and Inspections Division

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Date