**PURPOSE**

To promote safe and healthy working conditions for employees, identify the cause(s) of an accident, injury, illness, or near miss, and identify corrective actions and mitigation controls to prevent reoccurrence.

**SCOPE OF APPLICATION**

All employees are covered under this policy. Each City employee is responsible for notifying his or her immediate supervisor or manager when a work-related accident, injury, illness, or "near-miss" occurs.

**AUTHORITY**

8 California Code of Regulations, Chapter 3.2 California Occupational Safety and Health Regulations

8 California Code of Regulations, Chapter 7, Department of Industrial Relations, Subchapter 1, Occupational Injury or Illness Reports and Records

**DEFINITIONS**

“Near Miss” means an unplanned event that did not result in injury, illness or damage – but had the potential to do so.

“Injury or Illness” means an abnormal condition or disorder. Injuries include, but are not limited to, a cut, fracture, sprain, or amputation. Illnesses include both acute and chronic illnesses, but are not limited to, a skin disease, respiratory disorder, or poisoning.

“Serious injury or illness” means any injury or illness occurring in a place of employment or in connection with any employment which requires inpatient hospitalization for a period in excess of 24 hours for other than medical observation or in which an employee suffers a loss of any member of the body or suffers any serious degree of permanent disfigurement, but does not include any injury or illness or death caused by the commission of a Penal Code violation, except the violation of Section 385 of the Penal Code, or an accident on a public street or highway.

“Fatality” means any occupational injury or illness which results in death.
POLICY

Employee Reporting Responsibilities

When any work-related injury, illness, accident, or near miss occurs, employees are required to immediately report the incident to their supervisor, or as soon as reasonably practicable. Employees are required to cooperate with all accident investigations of any incident in which they were involved, witnessed, or where their knowledge of the situation or procedure could be helpful. The purpose of conducting accident investigations is to identify the cause(s) of the accident, injury, illness, or near miss and identify corrective actions and mitigation controls to prevent reoccurrence.

Supervisor/Division Manager/Desighee Reporting Responsibilities

The supervisor/Division Manager/designee is responsible for ensuring the employee receives appropriate medical treatment immediately. The supervisor/Division Manager/designee is also responsible for assisting the employee through the workers’ compensation process, completing the accident investigation, including the City of San Jose Accident Investigation Form, and ensuring corrective actions and mitigation controls are implemented.

Serious Injury or Fatality

The Department Safety Officer in conjunction with the Human Resources Workers’ Compensation, Health and Safety Division Manager/designee shall report immediately by telephone or telegraph to the nearest District Office of the California Division of Occupational Safety and Health any serious injury or illness, or death, of an employee occurring in the employee’s place of employment or in connection with City employment. Immediately means as soon as practically possible but not longer than 8 hours after the City knows or with diligent inquiry would have known of the death or serious injury or illness.

Any equipment or machinery involved in an accident resulting in a fatality is not to be moved and is to be locked out from further operation until a representative of OSHA investigates the accident and authorizes its removal. If, however, it is necessary to move the equipment or machinery to prevent further accidents or to remove the victim, it may be moved as necessity dictates.

Responsibilities

Employee

Informs supervisor or accident, injury, illness or near miss.

Completes employee section of the Accident/Injury Investigation Form. As soon as reasonably practicable after an incident.

Effective Date: January 21, 2020
## Supervisor
Ensure the employee receives the appropriate medical treatment immediately.

Act immediately to correct unsafe conditions, if possible. Cordon off area, if appropriate, and implement any other safety actions as means to prevent similar accidents.

Contact the Department Safety Officer for guidance on eliminating any unsafe conditions and assistance with the investigation process.

Investigate the incident and complete the Occupational Injury/Illness Investigation Form and submit the completed form to the Department Director/Designee, Workers’ Compensation Liaison and Department Safety Officer.

## Safety Manager
If necessary, meet with the supervisor and employee to discuss the incident, its cause, and any actions that will be taken to prevent similar incidents.

Provide assistance to Department staff with completing the Accident/Injury Investigation report, identifying cause(s), corrective actions and implementation of corrective actions.

Review Accident/Injury Investigation Reports with Department Safety Committees

## ACCIDENT INVESTIGATION PROCEDURES

In the event of a serious injury or fatality:

<table>
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<tr>
<th>Department Safety Officer/Human Resources Health and Safety Division Manager/designee</th>
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Effective Date: January 21, 2020
In the event of an employee injury or illness:

- Always consider the employee’s well-being first and obtain medical treatment immediately. In emergency situations, call 911.

- If 911 is called, notify the Department Workers’ Compensation Liaison and the Human Resources Health and Safety Division Manager/designee immediately.

- If 911 is not called, notify the Department Workers’ Compensation Liaison immediately of any injury, illness, or property damage.

In all cases the following shall occur:

**Department Manager or Supervisor**

Complete the City of San Jose Accident/Injury Investigation Report as soon as practicable.

An Accident/Injury Investigation shall include inspecting the area of the accident, taking photos to include in the report, and interviewing the injured employee and witnesses.

**Supervisor and Division Manager/Designee**

Review and sign the Accident/Injury Investigation Report before submitting it to the Safety Officer and Workers’ Compensation Liaison. The employee’s Department Safety Officer is available to consult on properly completing the Accident/Injury Investigation Report.

Ensure the implementation of any corrective actions that are identified.

**Department Safety Officer**

Review the Accident/Injury Investigation Report for completeness and proper identification of cause(s). Ensure proper determination of incident cause(s) and any confirm any corrective actions.

Brief the Department’s Safety Committee on the incident and any corrective action at the next staff monthly meeting. Employee medical information is confidential. Accordingly, no employee medical information shall be disclosed during Safety Committee meetings.

**Division Manager/Designee**

Review and sign off on all Accident/Injury Investigation Reports.
Department Workers’ Compensation Liaison: Forward the signed Accident/Injury Investigation Report to the Department Safety Officer for final review and sign off.

Employee’s Supervisor: Follow through on any disciplinary action with the Office of Employee Relations, if appropriate, upon approval of the Accident/Injury Investigation Report by the employee’s Division Manager/designee.

Department Safety Officer: Retain the final and completed Accident/Injury Investigation Report.

Approved:

/s/ Jennifer Schembri
Director of Employee Relations
Director of Human Resources
January 21, 2020

Approved for Posting:

/s/ Jennifer Maguire
Assistant City Manager
January 21, 2020