



## Tailgate Topic Review

[PP 01/22/2017 - 02/04/2017]

### Reporting Accidents/Workers Compensation

## EXTRACTS; BCA IIPP CHAPTER 11 & SUPERVISOR'S GUIDE & CAL-OSHA REGULATIONS

### Types of Accidents

BCA Accident Reporting Flowchart identifies four<sup>1</sup> types of accidents that must be reported.

1. BCA Employee Injured on Duty – Non vehicle
2. BCA Employee Mileage vehicle – Non Injury
3. BCA Employee Mileage vehicle – With Injury
4. Project Accident Form M-29

Each supervisor shall have full knowledge of the requirements for each type of accident.

### If you get hurt

1. Get Medical Care.
  - If you need emergency care, call 911 for help immediately from the hospital, ambulance, fire department or police department.
  - If you need first aid, contact your employer.
2. Report Your Injury<sup>2</sup>.
  - Report the injury **immediately**<sup>3</sup> (*as soon as practically possible*) to your supervisor or to an employer representative.
  - Don't delay. There are time limits. If you wait too long, you may lose your right to benefits.
  - Your employer is required to provide you a claim form within one working day after learning about your injury.
  - Within one working day after you file a claim form, your employer shall authorize the provision of all treatment, consistent with the applicable treating guidelines, for your alleged injury and shall be liable for up to ten thousand dollars (\$10,000) in treatment until the claim is accepted or rejected.

<sup>1</sup> Serious injury and illness accidents will be discussed in the next Tailgate Safety Meeting topic.

<sup>2</sup> CALIFORNIA - DIR Notice to Employees--Injuries Caused By Work DWC 7 (6/10)

<sup>3</sup> Article 3. Reporting Work-Connected Injuries; "**Immediately** means as soon as practically possible but not longer than 8 hours after the employer knows or with diligent inquiry would have known of the death or serious injury or illness. If the employer can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident."



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### **Workers' Compensation**

The City is self-insured for workers' compensation. That means the City doesn't carry insurance to cover workers' compensation claims; instead, we pay as we go. The Personnel Department runs the City's workers' compensation program. The Personnel Department adjusts the City's workers' compensation claims, authorizes or makes all benefit payments, identifies and tries to resolve safety concerns, and mitigates needless or excessive claim costs.

Anyone who is a permanent full-time or part-time employee of the City is eligible for workers' compensation benefits; this includes new employees on probation.

A work-related injury is one that **Arises Out of Employment** or in the **Course Of Employment**. This may be an injury to the body or a psychiatric/psychological injury.

What is not a work-related injury?

- Injuries that occur away from work and aren't related to work.
- Injuries that occur while you're driving/biking/walking/commuting to and from work.
- Injuries caused by employees engaged in horseplay or skylarking.
- Injuries incurred in a fight or physical altercation.
- Injuries incurred during lunch or break periods.
- Injuries incurred while under the influence of alcohol or drugs.

### **Investigation Requirements of a workplace accident**

If an employee notifies their supervisor that they were injured on the job the supervisor shall:

- Confirm that the employee has had medical care.
- If the employee needs immediate care send them to the closest MPN provider.
- Promptly investigate & evaluate all reports of injury. When you are first notified that an injury has occurred, get the facts. Consider whether what you are told fits the injury reported. Ask questions until you're satisfied you have the true and full story.
- Visit the accident site. Gather any other physical information and take pictures.
- Seek out any witnesses or co-workers that witnessed the accident.



## INJURY & ILLNESS PREVENTION PROGRAM

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- Provide the employee with all the correct forms and if the accident may result in a Workers' Comp claim include the Workers' Comp Checklist to ensure that the employee completes all required paperwork.
- Both the injured worker and the supervisor needs to complete the required paperwork as expeditiously as possible.
- Supervisors are tasked with tracking the injured workers' lost time. They must review the timesheet for the correct workers' compensation claim number and variation code(s) to use for IOD pay.

### **WHAT'S AN EMPLOYEE TO DO?**

Injured employees must:

- Attend all scheduled medical appointments and participate in the prescribed treatment, including physical therapy appointments
- Maintain contact with their supervisors to let them know what's going on
- Get written releases from doctors to return to work, including any restrictions which may apply
- Notify their supervisors within one business day of a release to return to work and provide a copy of the written release within three business days by personal delivery, fax, or mail
- Return to assigned duties as indicated by their supervisors
- Participate in the City's Return to Work Program and keep their supervisors informed of their progress while they're in a Program position