

On The Alert!

Date: August 10, 2017
Attention: ASCIP Members
Affected Department: Risk Management/District Administration
Applicability: K-12 and Community College Districts

CAL/OSHA REPORTING FOR SERIOUS INJURIES AND ILLNESS

The California Occupational Safety and Health Administration (Cal/OSHA) requires that employers report serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any job duties immediately by telephone or fax to the nearest District Office. Under Title 8 Section 342 of the California Code of Regulations, a "serious injury or illness" is defined as one in which an employee (i) *is reasonably expected to be hospitalized in excess of 24 hours (for other than observation)*, (ii) *sustains the loss of any body part*, or (iii) *incurs a serious permanent disfigurement*. Additionally, "immediately" is defined to be as soon as practically possible, but not longer than eight (8) hours after the employer knows, or with diligent inquiry would have known, of the incident. (Serious injuries or fatalities resulting from a criminal act or an accident on a public street or highway are exempt from reporting to Cal/OSHA.)

Districts must report a fatality or serious injury or illness as defined above to the nearest Cal/OSHA District Office as soon as practically possible, but not longer than 8 hours from the triggering event. If the District can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident. Failure to adhere to such reporting requirement within the time constraints described above is subject to a minimum civil penalty of \$5,000.

ASCIP recommends that Districts develop a Policy which outline procedures for internal reporting of reportable incidents and Cal/OSHA reporting. The District should designate a staff person to make all notifications to Cal/OSHA. Sites should notify such person whenever injuries or illnesses occur. That designated staff person should be reachable afterhours and on the weekend.

ASCIP recommends the following procedures for responding to serious injuries and illnesses:

1. See that first aid or appropriate medical care is provided for the injured person(s).
2. Attempt to correct or isolate the hazardous condition that caused the injury/illness so that additional people are not injured.
3. Have site supervisor obtain written statements from witnesses (as quickly as possible so events are clear in people's memories).
4. Site supervisor needs to notify designated District staff person of incidents to determine whether Cal/OSHA notification is warranted.
5. Notify Cal/OSHA of the fatality or serious injury or illness as soon as practically possible, but not longer than eight (8) hours. To search for the nearest Cal/OSHA District Office by zip code, go to: <http://www.dir.ca.gov/asp/DoshZipSearch.html>
6. In the event that an emergency service agency (Police/Fire) responded to an incident, the District should request a copy of their incident report.

Please contact your ASCIP risk services consultant at (562) 404-8029 to discuss further.

Districts should be prepared to provide the following information when notifying Cal/OSHA of a serious injury, serious illness, or death:

1. Time/date of accident
2. Department/address/phone number
3. Name & job title of reporting person
4. Incident site address
5. Contact person at the site
6. Name/address of injured
7. Nature of injury
8. Current location of injured
9. Names of police/fire agencies responding
10. Description of accident & whether scene has been altered

ASCIP staff can provide assistance and guidance in determining an appropriate response and notification requirements for serious injuries, illnesses and fatalities. Please contact ASCIP staff at (562) 404-8029 should you have any questions regarding this bulletin.

Resources:

<http://www.dir.ca.gov/title8/330.html>

<http://www.dir.ca.gov/title8/342.html>

[Arthur J Gallagher Risk Management Safety Insight](#)