

Step-by-Step Procedure in the Event of a Potentially Reportable Death or Serious Injury

Due to the importance of the immediate reporting obligation and its complexity, the following 4 steps should guide the investigation and reporting whenever a death or serious injury associated with any County facility or activity occurs:

- Step 1: Immediate Investigation** The Department representative needs to perform an accident investigation as soon as possible to collect all pertinent facts and information, as discussed above to determine whether the incident meets the § 330(h) definition of *serious injury or illness*, and whether § 342 reporting and required information is available. Notify the Department Head/Agency of the results.
- Step 2: Internal Notification** The Department representative should immediately contact an Occupational Safety and Environmental Compliance (OSEC) professional for assistance during normal business hours at:
- Thom.Steinmetz@ceo.sccgov.org, (408) 441-4283
- Tristan.Robledo@ceo.sccgov.org, (408) 441-4285
- Step 3: External Notification** Before 8-hours post-incident elapses, the Department representative shall report to DOSH Fremont District Office at **(510) 794-2521**, and email the required information (reporting form and any related information) OSEC@ceo.sccgov.org.
- The Department representative shall also contact an investigator in the Office of County Counsel at **(408) 299-5954**. County Counsel responds to, and independently investigates major or sensitive incidents on behalf of the County.
- Step 4: Follow-Up Reporting** The Department representative must complete Employer's Report of Occupational Injury or Illness (State Form 5020/County of Santa Clara Form 370) and immediately submit to the Workers' Compensation Division either online or via fax **(408) 441-4230**; main telephone number **(408) 441-4300**. Distribute copies of the report according to instructions on the form.

Reporting Work-Related Serious Injuries and Fatalities to County Employees Form

Every work-related **serious injury or illness or fatality** to County employees must be reported promptly, and **no later than 8 hours** to the nearest Cal/OSHA (DOSH) District Office.

Call Fremont District Office of DOSH to report at (510) 794-2521 or send an Email to:

[Doshfremont.dir.ca.gov](mailto:OSEC@ceo.sccgov.org)

Email report to OSEC at OSEC@ceo.sccgov.org

Required Information:

Time and date of accident
Employer's name, address and telephone number
Name and job title, or badge number of person reporting the accident
Address of site of accident or event
Name of person to contact at site of accident
Name and address of injured employee(s)
Nature of injury
Location where injured employee(s) was (were) moved to
List and identity of other law enforcement agencies present at the site of accident
Description of accident and whether the accident scene or instrumentality has been altered

California OSHA Regulations for Reporting Work-Related Serious Injuries and Fatalities

§ 330(h) "Serious injury or illness" means any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement, but does not include any injury or illness or death caused by an accident on a public street or highway, unless the accident occurred in a construction zone.

§ 342. Reporting Work-Connected Serious Injuries and Fatalities.

(a) Every employer shall report immediately to the Division of Occupational Safety and Health any serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any employment. The report shall be made by the telephone or through a specified online mechanism established by the Division for this purpose. Until the division has made such a mechanism available, the report may be made by telephone or email. 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.

Serious injury or illness is defined in section 330(h), Title 8, California Administrative Code.

(b) Whenever a state, county, or local fire or police agency is called to an accident involving an employee covered by this part in which a serious injury, or illness, or death occurs, the nearest office of the Division of Occupational Safety and Health shall be notified by telephone immediately by the responding agency.

(c) When making such report, the reporting party shall include the following information, if available:

- (1) Time and date of accident.
- (2) Employer's name, address and telephone number.
- (3) Name and job title, or badge number of person reporting the accident.
- (4) Address of site of accident or event.
- (5) Name of person to contact at site of accident.
- (6) Name and address of injured employee(s).
- (7) Nature of injury.
- (8) Location where injured employee(s) was (were) moved to.
- (9) List and identity of other law enforcement agencies present at the site of accident.
- (10) Description of accident and whether the accident scene or instrumentality has been altered.

(d) The reporting in (a) and (b) above, is in addition to any other reports required by law and may be made by any person authorized by the employers, state, county, or local agencies to make such reports.