



Workplace accidents can be traumatizing for all those involved. However, by conducting an accident investigation, you will be able to recognize hazards and improve working conditions. Don't be fooled... they are not designed to place blame or fault, so it is important that you cooperate to ensure that a similar accident does not occur in the future.

It is important to act quickly and take action immediately for legal reasons, but also because studies show that the faster you initiate the workers compensation process after an injury, the lower the ultimate cost of your claims. On top of that, waiting more than 48 hours after an incident occurs gives the injured party and witnesses time to forget crucial details about what happened.

- Your HISIG Loss Control Team
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ACCIDENT INVESTIGATION

When an accident occurs, how do you know if it is work related?

According to the Occupational Health & Safety Administration (OSHA), an injury or illness is considered work-related if:

An event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing injury or illness. Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the work environment.

Exceptions

- At the time of the injury or illness, the employee was present in the work environment as a member of the general public rather than as an employee.
- The injury or illness involves signs or symptoms that surface at work but result solely from a non-work-related event or exposure.
- The injury or illness results solely from voluntary participation in a wellness program or in a medical, fitness or recreational activity.
- The injury or illness is solely the result of an employee eating, drinking or preparing food or drink for personal consumption, whether bought on the employer's premises or brought in.
- The injury or illness is solely the result of an employee doing personal tasks (unrelated to their employment) at the establishment outside of assigned working hours.
- The injury or illness is solely the result of personal grooming, self medication for a non-work-related condition, or is intentionally self-inflicted.
- The injury or illness is caused by a motor vehicle accident and occurs on a company parking lot or company access road while the employee is commuting to or from work.
- The illness is the common cold or flu; however, note that contagious diseases, such as tuberculosis, brucellosis, hepatitis A or plague, are considered work-related if the employee is infected at work).

Incident Reporting

When an incident occurs, securing details surrounding an alleged accident upfront will assist in making the right decisions and deter possible fraudulent claims from being reported:

1. **If emergency treatment is needed, call 911. Call CHSI Solutions Hotline at 866-521-2474 to report an employee work related injury.**
2. **Complete forms provided in your Employee Accident Packet and take to your HR department.**
3. **A completed copy of the Accident Investigation Form should be retained within the organization as well as forwarded to your adjuster, along with the form 5020.**
4. **Educate employees to immediately report all injuries to their supervisor, no matter how minor they may seem.**
5. **Instruct supervisors to immediately complete the supervisor accident report form and provide co-workers involved with witness report forms. Accident site inspections should also be conducted if applicable.**
6. **Review the cause of the accident to determine if further loss control measures need to be taken to avoid future accidents.**

Workplace accidents cost your company in lost productivity, employee morale, increased expenses and much more. Take a proactive approach to accident investigations to promote safety and build a defense against fraud.

For additional assistance in conducting an accident investigation, or to obtain the forms mentioned above, please contact us:

**CHSI Solutions Hotline 866-521-2474 or
HISIG Risk Management team 800-266-0550.**

Need Accident Investigation Training?

Contact Us: (800-266-0550)

IMPORTANCE OF ACCURATE JOB DESCRIPTIONS

Inaccurate or outdated job descriptions can negatively affect recruiting and productivity, are a detriment to the employer-employee relationship and pose serious legal risks for the company.

Job descriptions are an essential component of any organization. Not only is it important that they are thorough and accurate when first crafted, it is also vital that they are kept up-to-date, as employees' job functions may evolve. Inaccurate or outdated job descriptions can also negatively affect recruiting and productivity, are a detriment to the employer-employee relationship and pose serious legal risks for the company.

Impact on Recruiting

When a recruiter is told to hire a new employee, he/she should have a very specific idea of the type of person to hire – specifically which qualities, skills and past experience to look for to yield a solid group of potential candidates. This can be gleaned from a detailed job description. Without one, the recruiter cannot hope to find a candidate that will match the manager's expectations for the position.

On the applicant side, prospective employees need specific job descriptions to decide if the position is a good fit for their qualifications and their desired career. Well-written, accurate job descriptions will ensure that the most relevant, qualified candidates apply for the job.

Employer Expectations

Having an accurate job description creates a concrete set of expectations for the employer to communicate to the employee. The employee is aware of his/her responsibilities as outlined in the job description, so there is less confusion as to job expectations. It can also serve as an evaluation tool for employers to measure job performance based on pre-defined job duties.

Legal Implications

Perhaps most importantly, accurate and up-to-date job descriptions will limit company liability. Job descriptions have been successfully used by employees against former employers in recent litigation.

- **Fair Labor and Standards Act (FLSA):** The FLSA defines exempt and non-exempt status – exempt employees are not subject to minimum wage and overtime pay requirements. This can be a serious liability if an employee began work under exempt status, but is now performing non-exempt work as well without an updated job description. The job description must make clear whether the employee is exempt or

not and must be in line with the duties the employee is actually performing – failing to do so can leave companies vulnerable to lawsuits.

o Exempt: The employee must be paid a salary (not an hourly fee) and perform duties defined as relatively high-level work in which the employee uses judgment and discretion on a regular basis. The employee's primary duties must fit this classification in order to be considered exempt.

o Non-exempt: Any employee who is paid by the hour is non-exempt, and thus subject to minimum wage and overtime requirements.

- **Americans with Disabilities Act (ADA):** The ADA stipulates that employers define the "essential functions" of a job, which are the basic duties that an employee must perform. An individual is only protected under the ADA if he/she is capable of performing the essential functions of a job, so it is vital that these functions are specified.

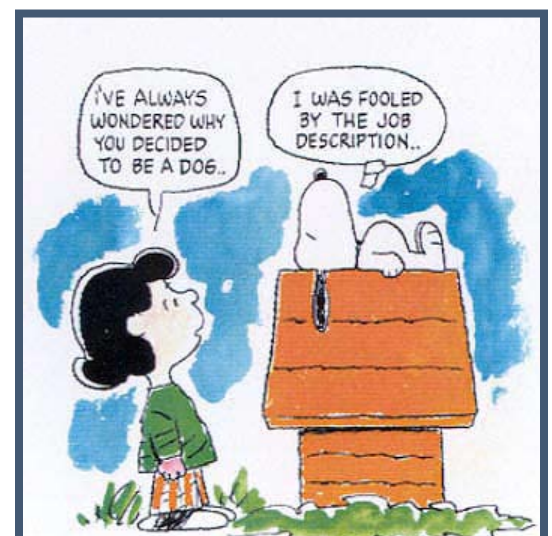
How to Write a Good Job Description

When crafting a job description, interview the manager who will oversee the position and possibly employees who are performing similar jobs. Then, perform a job analysis to further define the position. This may include:

- *Job responsibilities of current employees*
- *Analysis of duties, tasks and responsibilities that need to be accomplished by whomever fills the position*
- *Research of other companies who have similar jobs*

Once enough information has been gathered, write a thorough, detailed job description. Common components of a well-written job description include:

- *Succinct and accurate job title*
- *Overall position description*
- *Responsibilities and tasks that will be required to perform*
- *Essential functions - examples of each*
- *Required knowledge, skills and abilities*
- *Required education and experience*
- *Description of the physical demands*
- *Description of the work environment*



Need help developing job descriptions?

Contact Us: hisigLC@sgbinsurance.com