

RESOLUTION NO. 321-22 8-23-22 COL FIN Amend Accident Invest Policy rev

**Amending the Cayuga County Accident Reporting/Investigation Policy for County Employees**

By: Hon Christopher Petrus, Chair, Government Operations Committee

By: Hon. Hans Pecher, Chair Ways and Means Committee

WHEREAS, The County Legislature has adopted numerous policies and procedures for conducting County business and others which are mandated by Federal and State governments; and,

WHEREAS, The County wishes to amend the Accident Investigation Policy for County Employees, by updating form names, as well as the individuals to report to, and establishing the timeline for reporting; now therefore be it

RESOLVED, The Cayuga County Legislature does hereby amend The Cayuga County Accident Investigation Policy; and be it further

RESOLVED, That the policy be posted to the County Website, County Portal and distributed by the Clerk of the Legislature to all Department Heads; and it is further

RESOLVED, That this resolution will take effect immediately upon its adoption.



State of New York }  
County of Cayuga }

*I do hereby certify, that I have compared the forgoing copy of a Resolution duly passed and adopted by the Cayuga County Legislature at a meeting held on the 23rd day of August 2022 with the original Resolution, and that the same is a true and correct copy and transcript thereof, and the whole thereof.*

*Given under my hand and official seal August 24th, 2022*

*Shula P. Smith*  
CLERK, CAYUGA COUNTY LEGISLATURE

**DEPARTMENT: Finance**

**POLICY TITLE: Accident Investigation Policy**

**EFFECTIVE DATE: 8-23-22**

**RESOLUTION NO.:**

**SUPERSEDES POLICY OF: 5-27-14, Resolution No. 165-14**

This document lays out the procedures to be followed in the event of an accident or injury involving a Cayuga County employee or member of the general public injured or involved in an accident on Cayuga County premises. The document also provides the procedure to be followed by Cayuga County employees who are involved in a motor vehicle accident regardless of the location of that accident.

Intent:

1. To maintain a safe and healthy work environment.
2. To ensure accidents and incidents which occur on County property or during the course of employment with the County are reported in a timely manner.
3. To minimize accidents, injuries and illnesses by correcting identified causes when appropriate and feasible.

Employees must ensure that accidents, incidents and near-misses which result or may result in injury or illness, regardless of severity, are reported to the appropriate departments within the required amount of time outlined in this policy. This accident/incident reporting policy requirements apply to all accidents and incidents involving County employees, contractors, and visitors, which result in, or has the potential to have resulted in personal injury, illness, damage of County property, or the damage of private property while on County property.

## **DEFINITIONS**

**“Accidents”** are rare events that cause injury or illness to a person, when no preventable contributing factors can be identified. An example might be a tree being struck by lightning and falling onto a person or vehicle, or a deer running into the path of a moving vehicle. The term accident implies that an event just happens and that nothing can be done in the future to prevent similar events from occurring.

**“Incidents”** are events that cause injury or illness to a person, that might have been prevented had one or more contributing factors been removed. An example of an incident would be a person falling in an icy parking lot. Contributing factors might include untreated icy pavement, inappropriate footwear, drug/alcohol use, inattention to the weather conditions, etc. The terms “accident” and “incident” are often used interchangeably in common usage and are used synonymously throughout this document. It is noted however that most events causing injury, illness or property damage have one or more contributing factor, and investigations should focus on the identification of these factors so that measures can be taken to prevent recurrence.

**“Near-Miss”** events are situations that might have resulted in an injury or have the potential of causing personal injury or property damage while on County property, or through the course of conducting County business.

**“Occupational incidents”** are accidents that occur to a County employee while conducting work related activities for the County.

**“Non-occupational incidents”** are incidents that occur to County employees, volunteers, visitors or the general public while they are on County property, or off county property attending or participating in a County-sponsored activity. This includes a County employee who while in a non-working status becomes injured or ill while attending or participating in a County sponsored activity.

## **RESPONSIBILITIES**

Employees are responsible for:

1. Following safe work practices and abiding by all County and departmental safety standards and policies.
2. Reporting any conditions they consider unsafe to their supervisor.
3. Promptly reporting any accidents, incidents, or near misses to their supervisor.

The employee’s immediate supervisor (or the designated Supervisor<sup>1</sup>) is responsible for:

1. Ensuring prompt medical treatment for the injured employee and securing the accident scene as appropriate.
2. Reporting occupational accidents or incidents to ***the Clerk of the Cayuga County Legislature at ext. 1498 and Payroll at ext. 1323 or 1401*** as soon as possible, but no later than 24 hours following the accident or incident. Accidents and incidents must be reported using the *Employee Report of Work Related Injury/Illness/Exposure Forms included as appendices to this document as described in later sections*.
  - a. Note: in the case of accidents that result in a fatality or the hospitalization of more than one employee, the report must be submitted **IMMEDIATELY**. The county is required to report any such incidents to the local PESH office within 8 hours of the incident.
  - b. Accidents that result in a “lost time *and or medical treatment*” injury must be reported to the Clerk of the Cayuga County Legislature *and Payroll* within 8 hours.
3. Investigating occupational accidents and areas under their supervision. Investigations should be conducted using the *Supervisor Investigation Report of Work Related Injury/Illness/Exposure Forms* provided as attachments to this document. *Be sure to take pictures if at all possible.*
4. Ensuring proper employee involvement in occupational accident investigations in an attempt to get their input into the cause and corrective actions.
5. Correcting unsafe conditions or actions that contributed to the accident as appropriate (i.e. issuing a work order or by direct action of the supervisor).
6. Ensuring that emergency equipment (i.e., Fire extinguisher, spill cleanup, etc.) used in the accident for which the department is responsible is replaced or returned to normal operating condition.
7. Ensuring that employees under their supervision understand the reporting requirements and are aware of their responsibilities.

## **PROCEDURE**

The following procedure describes the steps to be taken in the event of an accident or injury. A team effort is absolutely necessary for the procedure to be effective. Responsibilities are initially dependent

upon who is present at the time of the accident. If a person is injured, and you are the only other person present, it will be your responsibility to stabilize the situation, and to notify the injured person's supervisor. Once the supervisor is involved, it is their responsibility to ensure that notifications are made and reporting forms are completed and submitted as described below:

A team approach may also be appropriate during reporting and investigation activities. The relationship between an injured person and the person's direct supervisor may be too close to allow for an objective, impartial investigation of the incident/accident. Each department should identify at least one Supervisor that can act to support other departments as needed to assist with accident investigation and reporting activities.

When an incident or accident occurs it is the Supervisor's responsibility to:

1. Stabilize the Situation
  - a. Contact Fire/EMO/911 to control emergencies or Public Safety concerns if appropriate.
  - b. Assure that individuals that may be injured have first aid or medical attention.
  - c. If a motor vehicle is involved in the accident, notify the police so that a police report (MV-104A) is prepared. A police report must be filed with the insurance office for all accidents involving county vehicles regardless of seriousness or fault.
2. Control the scene and gather preliminary information - Do not clean up the scene unless hazards exist that require immediate control.
  - a. Get someone to take photographs.
  - b. Collect and record preliminary information
    - i. When (date and time) did it occur?
    - ii. Injuries? Who? What?
    - iii. Property damage? Where?
    - iv. Witnesses?
3. Make Notifications – The following notifications shall be made by the individuals noted below:
  - a. Supervisor and/or Department Head – The injured/affected person will verbally notify their supervisor or Department Head as soon as they are able.
  - b. Clerk of the Legislature (**315) 253-1498** – to be contacted by the Supervisor or Department Head. This verbal notification should occur as soon as possible after the situation is stabilized.
    - i. The Clerk of the Legislature will notify others as appropriate (Chairman of the Legislature, Human Resources Director, County Attorney, Payroll, etc.).
4. Investigate *the Injury/Illness/Exposure* –
  - a. Injured to meet with a designated Supervisor<sup>1</sup>.
  - b. Designated supervisor to complete accident investigation form within 48 hours and submitted to the appropriate department(s):
    - i. If *the Injury/Illness/Exposure* involves a visitor or member of the public: complete County of Cayuga Accident/Injury Report Non-Employee form. Upon completion, the form shall be submitted to the Clerk of the Cayuga County Legislature.
    - ii. If *the Injury/Illness/Exposure* involves a County employee the designated Supervisor should ensure that the employee completes the Employee Report of Work-Related *Injury/Illness/Exposure* form, and shall complete the *Supervisor Investigation Report of Work Related Injury/Illness/Exposure* form. Additionally, if there were witnesses to the incident, the Supervisor will ensure that each witness completes a Witness Statement of Employee Injury/Illness/Exposure form. Upon completion the forms shall be sent to the Cayuga County *Finance Department*,

Attn: Payroll. A copy of the forms shall also be submitted to the Clerk of the Cayuga County Legislature.

- iii. If accident involves a motor vehicle – Notify police so a police report (MV-104A) can be prepared, and complete the Report of Motor Vehicle Accident Form (MV-104) and the NYMIR Automobile Accident Guide. Upon completion, the forms shall be sent to the Clerk of the Cayuga County Legislature.
5. Cooperate in the Follow up process – Upon receipt of the accident report forms, the information will be reviewed by the appropriate management. The injured will be notified if additional information or forms are required for worker’s compensation or insurance claims. In addition, County management will determine whether additional investigation activities are necessary and will designate the appropriate person(s) to conduct the additional investigation.

Notes:

1. It is important that accident information be collected in an impartial and objective manner. For serious accidents or injuries, a supervisor from another department or division who does not have a personal relationship with the injured should be designated to complete the conduct the accident investigation.
2. *It is important that forms be submitted to Payroll within 48 hours as indicated on all Forms. If forms are not timely submitted to the Worker’s Compensation Carrier penalties are charged by the State Board*
3. *Make sure that the employee requests and provides Payroll with all Medical notes.*
4. *Accident/injury forms are located in the portal, [Injury Report Forms/Documents - Documents](https://www.cayugacounty.us/Injury-Report-Forms/Documents-Documents) ([cayugacounty.us](https://www.cayugacounty.us))*

**Policy shall be reviewed annually by the Finance Department, Revisions must be in Resolution form, go through the Government Operations Committee and approved by the Legislature.**