

Investigating Construction Workplace Incidents

Introduction

A workplace incident is a clue that something has gone wrong. It may also be the first evidence of a more widespread problem at your company that could affect your employees' safety and productivity, as well as your profitability. An incident investigation program can determine why the incident occurred and how a reoccurrence might be avoided.

These investigations should address two key questions:

- What happened?
- Why did it happen?

Finding the answers will enable you to identify hazards and develop controls that prevent a reoccurrence and improve your business' operational efficiencies. Often, the conditions that lead to accidents contribute to work delays, job hindrances, poor employee morale, and a host of other problems. By identifying and correcting these conditions, you can improve productivity and increase your business' operating margins.

At The Hartford, we believe that an incident investigation program can be an effective safety management tool. It can help your construction business by contributing to a safer operation or job site – benefiting employees, visitors, and your bottom line. Through our work with many construction clients, we have learned that employers with an effective investigation program are generally more successful in understanding their business and controlling their costs.

In this TIPS, we focus on helping you to develop and implement an effective incident investigation program. We have combined our expertise with knowledge gained from industry research and consultation on actual incident investigations.

Elements of an Effective Incident Investigation Program

To be effective, your investigation program must be carefully planned and documented so that it can be administered consistently for each incident. In addition, the support of top management is critical for success. Your written program should include these basic elements:

Scope of the Program. Identify what types of incidents will be investigated:

- Injuries
- Property damage
- Motor vehicle accidents
- Hazardous materials spills
- Thefts

Your policy should also require employees to report (to their supervisor) all incidents, accidents, and near misses, no matter how slight they may seem. Let them know that they will not suffer any penalties for reporting incidents.

Responsibilities. Determine who will be responsible for conducting investigations and for analyzing, reporting, and following up on the findings. These tasks could be assigned to a safety director, the safety committee, or to a special committee dedicated to incident investigation. There are many effective ways you can approach these tasks. Regardless of your approach, the employee(s) assigned to conduct the investigation must have appropriate expertise and training. This is especially important for incidents that involve specialized equipment, hazardous operations, or specialty personnel. Investigators must also be trained to conduct interviews of employees and other witnesses under stressful or traumatic conditions.

Investigation Procedures

Guidelines need to be established for the gathering, recording and analyzing of information about each incident or near miss. In our experience, a well-designed incident investigation form can help you to gather, record and communicate information clearly. There are a variety of forms available for use, or you can create one to address your specific need. A variety of safety vendors or your Hartford Loss Control Consultant can provide further assistance.

Once you have decided what form to utilize, be certain that the individual assigned responsibility to complete the form does so thoroughly and accurately. Consistency in information gathering will support a robust analysis.

Analysis and Reporting Procedures

Before a claim occurs, determine what statistics should be captured, and how these will be used to identify trends and problem areas. Consider when, and to whom, you will submit these incident reports. As part of your investigation, you should also be aware of any regulatory or legal requirements for reporting incidents. OSHA, EPA and local authorities have specific requirements.

Record keeping. You'll also need to determine what investigation records to retain, and how long they should be kept. As these requirements vary by state, you should consult with your attorney, insurance agent or consultant, or The Hartford's Loss Control Consultant, for specific guidance.

Employee Participation. We believe that the quality of your program can be enhanced through employee participation. Employees should be encouraged to participate as they often have firsthand job knowledge and are keenly interested in maintaining a safe workplace.

Documentation. Your safety program, including the investigation portion, should be documented in writing – and distributed to your employees. In this way, everyone shares a common understanding of the program. Based upon our observations, many companies document this information in their safety manual and provide a copy to their employees.

Investigate Each “Near Miss”. Although OSHA requires only that employers report “recordable” injuries, The Hartford recommends you investigate *all* injuries, incidents, and accidents – including near misses. Even though a “near miss” may not result in an injury or other loss, the conditions which led to this situation are the same that could cause an actual incident. Treat a near miss as seriously as you would an actual incident; investigate it thoroughly, identify the cause of the incident, and correct the cause. In addition, when you include near misses in your overall analysis, you will gain a fuller understanding of your company's safety and health status. Often, job hindrances and/or loss patterns are not always discernable when only actual injuries are investigated.

Conduct the Investigation. Initiate an investigation immediately after an incident occurs. The investigation begins by gathering, recording and organizing as much information as possible about the incident. The accuracy, completeness and quality of this information may be critical to the outcome of any claim or legal action associated with the incident. Information should be gathered from as many sources as available and necessary. This includes information from direct observation, discussions with the injured employee or witnesses, or by reviewing reports. The level of detail may vary depending upon the seriousness of the accident.

Record the Facts. Describe what took place or what triggered the investigation. Ask What, Where, When, Who, How, and Why. Record only facts and never speculate or guess.

Get the Big Picture. Find out what happened before, during and after the incident occurred. Determine who was present and what each person was doing before and during the accident. Identify specific equipment, materials, or vehicles that were involved.

Visit the Accident Scene. A direct observation of the accident scene can often provide important information. If a site visit is called for, make a complete inspection of the area. Note, as appropriate, the weather, road or surface conditions, and lighting conditions. Describe any damage to property, equipment, etc. If appropriate, note the type and condition of footwear worn by affected employees or others involved in the incident.

Be Specific. Be as specific as possible in recording the facts of the incident. In general, the more precise the information, the more useful it is. For example, rather than stating “The employee fell in front of the building,” record that “The employee fell while walking across the rubber mat outside the main entrance on the north side of the building.” Instead of saying that the incident took place “Wednesday afternoon,” record that the incident took place “Wednesday at 2:45 p.m.”

Take Pictures. If the seriousness of the accident warrants it, consider using a video or still camera to record the accident scene. Photographs are useful to document exact conditions. Take pictures from different angles. When taking close-ups, include a ruler or familiar object as a point of reference. To mark the date, include the day’s newspaper. You should also be careful to not allow anyone other than company personnel or law enforcement officials to take pictures. Never take photos or video of injured people.

Identify Witnesses. Record the names and contact information of all employees who were present, as well as any non-employee witnesses, such as visitors, passersby, law enforcement officials, medical providers, or customers. Anyone who witnessed the incident should be asked to complete an incident report immediately.

Conduct Interviews. Interview affected employees and any witnesses. Conduct interviews immediately, if possible. In general, information is more accurate when it’s recalled immediately following an event, rather than months or years later. If any affected person states that he or she was not injured, or if any affected person refuses medical treatment,

record these facts as well. Information being collected and recorded throughout the investigative process should always be done objectively. There will be time after the investigation is complete to fully analyze what happened.

Analysis, Reporting and Follow-Up. The value of an investigation is in the knowledge gained about conditions that led to the incident. Your accident investigation program should require that all accidents be reported to your insurance company as soon as possible. Don’t wait until after your internal investigation is complete. Valuable time may be lost. Insurance companies, such as The Hartford, have professionals who are trained to help you understand what happened and why. This can be important in preventing a reoccurrence, identifying responsible parties or subrogation opportunities.

At the appropriate time, the team should also prepare a report to submit to management (and to the proper authorities, as needed). This report should include all factual information gathered during the investigation, the team’s analysis, their conclusions about what caused the incident, and specific recommendations for steps to prevent similar incidents. The team may also wish to share a summary of its findings with employees who may benefit from understanding what happened.

Summary

Accidents occur for many reasons, including failure of equipment, materials, people, or the work environment to behave as expected. A successful incident investigation can help you to determine what happened, how and why it occurred, and what can be done to prevent a similar incident. In addition, by taking steps to lessen the likelihood of another accident, you’ve made an important investment in the future of your business.

For more information, contact your local Hartford agent or your Hartford Loss Control Consultant. Visit The Hartford’s Loss Control web site at www.thehartford.com/losscontrol

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