Work-Related Serious Injury or Fatality Reporting Requirements

Based on California Occupational Safety and Health Administration (Cal/OSHA) regulations, the County must report all employee serious work-related injuries or fatalities to the nearest office of the Division of Occupational Safety and Health (DOSH) within eight (8) hours. Assembly Bill 2837 effective January 1, 2003 mandated a minimum of $5,000 fine for non-compliance, which is payable by the injured employee’s department or agency. When a serious injury or death occurs to a County employee, immediately follow these four (4) reporting requirements.

Reporting Requirement #1

The Department representative needs to perform an accident investigation as soon as possible to collect all pertinent facts and information as outlined in the Cal/OSHA regulations attached. Section 300(h) defines serious injury or illness and Section 342(c) outlines the information required. Notify the Department Head/Agency of the results.

Reporting Requirement #2

The Department representative should immediately contact an Occupational Safety and Environmental Compliance (OSEC) staff member for assistance at the telephone numbers below, during normal business hours:

(408) 441-4280 Telephone, (408) 432-7555 FAX

For all other hours the Department representative should immediately call the San Jose - Fremont Cal/OSHA DOSH at (510) 794-2521 and send a FAX of the required information (reporting form and any related information) to OSEC at (408) 432-7555.

Reporting Requirement #3

The Department representative should also contact an investigator in the Office of County Counsel at (408) 299-5954 office or (408) 421-6724 mobile. County Counsel responds to and independently investigates major or sensitive incidents on behalf of the County.

Reporting Requirement #4

The Department representative must then complete the Employer’s Report of Occupational Injury or Illness (State Form 5020/County of Santa Clara Form 370) and immediately send the form to the Workers’ Compensation Division via FAX at (408) 432-7572. Distribute copies of this 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 district office of the Division of Occupational Safety and Health (DOSH).

Call DOSH to report at (510) 794-2521

Fax report to OSEC at (408) 432-7555

**Required Information:**

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<th>Time and date of accident</th>
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<table>
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<tr>
<th>Employer’s name, address and telephone number</th>
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<thead>
<tr>
<th>Name and job title, or badge number of person reporting the accident</th>
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<tr>
<th>Address of site of accident or event</th>
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<th>Name of person to contact at site of accident</th>
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### California OSHA Regulations for Reporting Work-Connected Serious Injuries and Fatalities

**§300(h)** “Serious injury or illness” means any injury or illness occurring in a place of employment or in connection with any employment which requires inpatient hospitalization for a period in excess of 24 hours for other than medical observation or in which an employee suffers a loss of any member of the body or suffers any serious degree of permanent disfigurement, but does not include any injury or illness or death caused by the commission of a Penal Code violation, except the violation of Section 385 of the Penal Code, or an accident on a public street or highway.

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

(a) Every employer shall report immediately by telephone to the nearest District Office of 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.
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 CCA Section 330(h) [see below].

(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, whether by telephone or telegraph, 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).
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.