

## **REPORTING INCIDENTS AND ACCIDENTS**

### **I. Policy**

This policy is designed to outline the purpose and procedure for reporting any on-the-job incidents, injuries, or accidents. The Commission on Legal Counsel for Indigents (CLCI) is committed to providing safe working environments to avoid such occurrences and expects employees to comply, knowing however, accidents are sometimes inevitable.

An incident is an unplanned occurrence that resulted or could have resulted in injury to people or damage to property, specifically involving the general public and state employees. An incident can also involve issues such as harassment, violence, and discrimination. Incidents may also be referred to as an accident or near miss.

Promptly reporting potential liability arising from someone having or claiming to have been injured or to have had damage to their property is critical. When an incident is reported promptly, unsafe conditions are quickly corrected, and evidence is preserved for administration of potential claims as well as protection of the State's interests. Late or inaccurate reporting could jeopardize the defense of a claim or lawsuit.

### **II. Responsibilities**

The State of North Dakota places a high importance on the knowledge that each of its workers is in a safe worksite. Safety is freedom from danger, hazard, or accident. Remember, the loss from an accident affects the injured worker, his or her family, coworkers, and the employing state agency. The success of any safety effort depends on state agency commitment, involvement, and support.

Employees must report all incidents and accidents as soon as possible to their

supervisor but in no Instance later than 8 hours after occurrence. The supervisor, along with the injured employee or the individual that has the first-hand knowledge about the incident or accident, is responsible for completing SFN 61991 General or Motor Vehicle Incident Report. Once completed the form must be submitted to the Executive Director or designee.

The Executive Director or designee will report the incident or accident within 24 hours through Risk Management's on-line reporting system and contact the Risk Management Division at 701.328.7584. If the incident Involves personal Injury to a state employee, the employee working with the supervisor or Executive Director shall fill out a report of first injury with Workforce Safety and Insurance online services.

If a vehicle accident Involves serious injury and/or property damage, it should be reported Immediately to local law enforcement using 9-1-1 and State Radio (1.800.472.2121). If able the employee involved in the accident should follow and complete the Vehicle Crash/Damage Procedures form located in the state fleet vehicle.

If a state employee is served with any legal documents asserting a claim against an employee related to his or her employment, they should immediately contact the Executive Director. The Executive Director or designee will then immediately contact risk management.

If a data breach or cyber-Incident occurs, it should be reported immediately to the Executive Director and entered into Risk Management on-line reporting system and contact the Risk Management Division at 701.328.7584. Risk Management Division In conjunction with the State's Information Technology Department will investigate.

*Approved by TF on July 15<sup>th</sup>, 2020; Adopted by Loss Control Committee May 19, 2022*