

ELIZABETH POLICE DEPARTMENT GENERAL ORDERS



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SUBJECT: EMPLOYEE INJURY INVESTIGATION

EFFECTIVE DATE:

April 28, 2021

ACCREDITATION STANDARDS:

2.1.5

BY THE ORDER OF:

Chief Giacomo Sacca

BY AUTHORITY OF:

Police Director Earl J. Graves

SUPERSEDES ORDER #:

PURPOSE: The purpose of this policy is to provide guidelines for all officers, supervisors, administrators and employees of the department with regard to injuries and exposures that occur while on duty.

POLICY: It is the policy of this agency that any and all injuries that occur while on duty shall be reported immediately to the employee's supervisor. Any employee who is injured while on duty shall be offered the opportunity to receive immediate attention for the injury at a medical facility approved by the department.

PROCEDURES:

I. Managing the Initial Complaint

- A. Employees who are hurt, suffer an exposure to an infectious disease, or who are injured from an exposure to a harmful chemical while on duty (hereinafter referred to simply as “injured and injury”) must report the incident to their supervisor immediately.
 - 1. **First Report of Injury Reporting:** if capable, the injured officer shall complete the First Report of Injury (FROI) form. If unable to complete the form due to their injuries, their supervisor shall complete the form for them.
- B. The employee, or in their incapacity another employee, shall request the appropriate level of medical assistance needed to treat the injury (Basic Life Support / Advanced Life Support.)
- C. Based on the extent of the injury, a supervisor may assign another employee to travel with the injured employee to the hospital.
- D. If an officer is injured and requires transport to the hospital, the officer’s field supervisor shall take possession of and secure the officer’s duty belt/weapons.
 - 1. If the officer was injured during a use of force incident his/her duty belt/weapons shall be turned over to Internal Affairs, if deemed necessary by a supervisor in Internal Affairs.
 - 2. All other incidents shall see the officer’s duty belt/weapons secured in a safe manner as to prevent non-authorized personnel from being able to gain access to it.
- E. In case of emergency, the employee should be taken to the nearest hospital, which is in the best interest of the employee with all consideration being given to the nature and extent of the injury. In a non-emergency situation, the employee shall visit the closest approved medical facility. Upon arrival, the employee or their representative shall inform the facility that he/she is covered under Workman’s Compensation for the department.
- F. Supervisor Responsibilities:
 - 1. The supervisor responding to the scene of an injured employee shall first and foremost make sure the employee receives prompt and appropriate medical care for their injury.
 - 2. The supervisor shall make family and departmental notifications as outlined in the department’s Duty Death and Serious Injury policy.
 - 3. First Report of Injury (FROI) Report:
 - a. Responsibility for Completion: The employee’s supervisor, who was on duty at the time of the workplace injury, illness, or exposure, shall complete this report if the employee cannot.

- b. Timeframe for Submission: This report must be submitted within twenty-four (24) hours of the workplace injury, illness, or exposure.
 - c. Who it Should be Submitted: Chief of Police, through the chain of command.
4. OSHA/NJOSH-301 (Injuries and Illnesses Incident Report):
- [Click here for form OSHA/NJOSH-301](#)
- a. Responsibility for Completion: The employee's supervisor, who was on duty at the time of the workplace injury, illness, or exposure, shall complete this report.
 - b. Timeframe for Submission: This report must be submitted within twenty-four (24) hours of the workplace injury, illness, or exposure.
 - c. Who it Should be Submitted: Chief of Police, through the chain of command.
5. **PEOSH Notification**: The [Public Employees Occupational Safety and Health Act](#) (N.J.S.A. 34:6A-25 et seq.) applies as to this department as follows:
- a. Definitions ([N.J.S.A. 34:6A-27](#))
 - 1). "Employer" means public employer and shall include any person acting directly on behalf of, or with the knowledge and ratification of: (1) the State, or any department, division, bureau, board, council, agency or authority of the State, except any bi-state agency; or (2) any county, municipality, or any department, division, bureau, board, council, agency or authority of any county or municipality, or of any school district or special purposes district created pursuant to law.
 - 2). "Employee" means any public employee, any person holding a position by appointment or employment in the service of an "employer" as that term is used in this act and shall include any individual whose work has ceased as a consequence of, or in connection with, any administrative or judicial action instituted under this act; provided, however, that elected officials, members of boards and commissions and managerial executives as defined in the "New Jersey Employer-Employee Relations Act," P.L.1941, c. 100, C. 34:13A-1 et seq. shall be excluded from the coverage of this act.
 - 3). "Workplace" means a place where public employees are assigned to work.
6. For purposes of clarification, the work environment is "the establishment and other locations where one or more employees are working or are present as a condition of their employment. The work environment includes

not only physical locations but also the equipment or materials used by the employee in the course of his or her work.”

- a. If the individual responsible for reporting is not sure whether the incident is work-related or not, a report is to be completed.
7. A supervisor shall notify the New Jersey Public Employees Occupational Safety and Health (PEOSH) in the following cases and within the subsequent time frames:
 - a. As of January 1, 2015, employers are required by PEOSH to report all work-related **fatalities and multiple hospitalization incidents** to PEOSH within eight (8) hours ([CFR Part 904.39\(a\)\(1\)](#)) as adopted by New Jersey).
 - 1). Only fatalities occurring within 30 days of the work-related incident must be reported to PEOSH.
 - b. As of January 1, 2015, employers are required by the [Occupational Safety and Health Administration](#) (OSHA) (adopted by New Jersey PEOSH) to report all work-related in-patient hospitalizations, amputations, and losses of an eye to PEOSH within twenty-four (24) hours ([CFR Part 904.39\(a\)\(2\)](#)) as adopted by New Jersey).
 8. The PEOSH 24-hour Hotline contact numbers are as follows:
 - a. (800) 624-1644 - Voice
 - b. (609) 292-3749 – Fax
- OPEOSH**
225 East State Street, 8th Floor West
Trenton, NJ 08625
9. The report shall be made directly to the 24-hour hotline number or fax number listed above.
 - a. Any employer who willfully or repeatedly violates the requirements of the Public Employees Occupational Safety and Health Act shall be assessed a civil administrative penalty of up to \$70,000 for each violation pursuant to [N.J.S.A. 34:6A-41\(d\)](#).
 10. For additional information or answers to questions, a supervisor may contact the Office of Public Employees' Occupational Safety and Health at (609) 633-3896 or e-mail peosha@dol.nj.gov.
- G. If the injury/exposure is due to a bloodborne pathogen a supervisor shall follow-up with the employee to make sure he/she has received follow-up treatment in accordance with initial medical treatment protocols.
 - H. **Supervisory Administrative Investigation:**
 1. An administrative investigation shall be conducted on all employee injuries.

2. The highest ranking supervisor on duty shall respond and conduct an on-scene investigation of all serious injuries.
3. The investigation shall include the interviewing of all witnesses to the injury, as well as the injured employee.
4. The supervisor shall, visit the accident site, as part of their investigation, and ensure the documenting of the scene by photographing it.
5. If there was any faulty equipment that lead to the injury it shall be documented and secured pending an official review of its operation.
6. The supervisor shall review the written account of the incident by the employee (FROI) as part of their investigation into the cause of the injury if they (the employee) were able to complete one on their own.
7. **Supervisory Reporting:** at the conclusion of the incident the on-scene supervisor must complete a written report summarizing their findings.
 - a. The First Report of Injury report, the Supervisor's Report and all other reports and documentation shall be compiled into a case jacket for the injury incident and forwarded to the officers assigned command level officer for a meaningful review.

II. **Meaningful Review and Analysis of Incident(s)**

- A. The command level officer shall perform a review of all injuries. This shall include at a minimum the following:
 1. Review all the material compiled by the supervisory investigator relative to the injury; and
 2. If necessary, speak with the supervisory investigator regarding their finding.
 3. Generate a Meaningful Review entry into Guardian Tracking Software stating in the simplest terms possible the documentation, inspections, and reviews completed, along with any recommendations.
- B. **Per Incident Analysis Reporting:** the commander will complete a written summary report, to be included in the injury incident case file, detailing their findings through the meaningful review including, implementing changes that will likely reduce or eliminate future occurrences. These include, but are not limited to, policy changes, training, equipment enhancements, and/or discipline:
- C. **Annual Incident Analysis Reporting:** The commanding officer of the personnel bureau or their designee, will complete an annual analysis of all reported injuries in a calendar year and submit a written summary report to the Chief of Police with their findings and any recommendations for changes that will likely reduce or eliminate future occurrences. These include, but are not limited to, policy changes, training, equipment enhancements, and/or discipline:

III. **Work-Related Exposures and Hearing Loss**

- A. If an employee is involved in a workplace exposure, the municipality's Bloodborne Pathogens Exposure Control Plan shall be referenced, and procedures followed in providing initial and follow-up medical care.
- B. A supervisor shall be assigned to follow-up with the employee to make sure he/she has received further treatment in accordance with initial medical treatment protocols and the municipality's Bloodborne Pathogens Exposure Control Plan.
- C. Law Enforcement Activities Specific Reporting Protocol:
 - 1. In accordance with 29 CFR 1904.8, all work-related needlestick injuries and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material (as defined by 29 CFR 1910.1030).
 - a. The case must be entered on the [OSHA/NJOSH-300](#) (Log of Work-Related Injuries and Illnesses) as an injury.
 - b. To protect the employee's privacy, the affected employee's name **will not be listed** on the [OSHA/NJOSH-300](#) Log (see the requirements for privacy cases in paragraphs 29 CFR 1904.29(b)(6) through 1904.29(b)(9)).
 - c. [Click here for guidance on complying with this specific protocol on a case by case, case-specific circumstance.](#)
 - 2. In accordance with 29 CFR 1904.10, if an employee's hearing test (audiogram) reveals that the employee has experienced a work-related Standard Threshold Shift (STS) in hearing in one or both ears, and the employee's total hearing level is 25 decibels (dB) or more above audiometric zero (averaged at 2000, 3000, and 4000 Hz) in the same ear(s) as the STS, you must record the case on the [OSHA/NJOSH-300](#) Log.

IV. Log of Work-Related Injuries and Illnesses

- A. The New Jersey Department of Labor and workforce development requires all New Jersey public employers to publicly post form [OSHA/NJOSH-300](#) (Log of Work-Related Injuries and Illnesses).
 - 1. *“OSHA/NJOSH-300 is used to classify work-related injuries and illnesses and to note the extent and severity of each case. Employers must keep a log for each establishment or site. When an incident occurs, use the OSHA/NJOSH-300 Log to record specific details about what happened and how it happened.”*
- B. The New Jersey Department of Labor and workforce development requires all New Jersey public employers to publicly post form [OSHA/NJOSH-300A](#) (Log of Work-Related Injuries and Illnesses).

1. *OSHA/NJOSH-300A shows the totals for the categories on the OSHA/NJOSH-300 log for each year, along with information about the hours worked and the number of employees at the establishment or site.*
2. ***The log must be posted in a visible location from February 1 through April 30 each year.***