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| Policy Title   | <b>WORK-RELATED INJURIES AND ILLNESSES POLICY</b>   |
| Effective Date | December 11, 2023   |
| Supersedes     | Policy dated December 1, 2016   |
| Approval       | <br><b>Matthew A. Brown</b><br>State Personnel Director  |
| References     | 29 CFR Parts 1902, 1904<br>Worker's Compensation IC 22-3<br>Indiana Occupational Safety and Health Act (IOSHA) IC 22-8-1.1<br>State's Drug-Free Workplace Policy<br>State's Drug and Alcohol Testing Policies |

**PURPOSE**

To ensure the safety of State of Indiana (the "State") employees and establish procedures for recording and reporting work-related injuries and illnesses in accordance with Occupational Safety and Health Administration ("OSHA") regulations.

**SCOPE**

This policy applies to employees in the state civil service and employees covered by the INSPD worker's compensation plan.

**POLICY STATEMENT**

It is the policy of the State to provide safe and healthy workplaces and fully adhere to the requirements of federal and state law for recording and reporting Work-related Injuries or Illnesses. All employees have the right and obligation to report Work-related Injuries or Illnesses.

The State will not dismiss or otherwise discriminate against any employee for the good faith reporting of Work-related Injuries or Illnesses. Any such discriminatory behavior violates this policy and should be reported immediately. Any person found to have engaged in misconduct constituting such discrimination for the good faith reporting of Work-related Injury or Illness may be disciplined up to and including dismissal.

**DEFINITIONS**

Injury or Illness: An injury or illness means an abnormal condition or disorder. Injuries include cases such as, but not limited to, a cut, fracture, sprain, or amputation. Illnesses include both acute and chronic illnesses, such as, but not limited to, a skin disease, respiratory disorder, or poisoning.

Work-related: An injury or illness is considered Work-related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing injury or illness unless an exception applies as established by 29 C.F.R. 1904.5.

INSPD-designated Administrator: JWF Specialty Co., Inc.

## RESPONSIBILITIES

Employees are responsible for:

- accurately and promptly reporting Work-related Injuries or Illnesses to a designated management official of the employing agency;
- following applicable safety policies and practices established by the employing agency; and
- accurately and promptly reporting discrimination prohibited by this policy.

Employing Agencies are responsible for:

- establishing and distributing reasonable procedures for employees to report Work-related Injuries or Illnesses promptly and accurately;
- informing employees to whom they should submit reports of Work-related Injuries or Illnesses;
- assigning a designated person or persons to receive reports of Work-related Injury or Illness and training the designee(s) in the proper procedures and timeliness;
- refraining from dismissing, discriminating, or retaliating against any employee for their good faith reporting of Work-related Injuries or Illnesses;
- refraining from conducting drug testing solely because of an injury, unless authorized by state or federal law or regulation. Except when authorized by federal or state law or regulation, employing agencies should not conduct drug testing solely because an injury or illness occurred if it is unlikely to have been caused by employee drug use, or if the method of drug testing does not identify current impairments, but only use at some time in the recent past;
- posting required employment posters designated by OSHA;
- posting the agency's OSHA 300A Summary of Work-Related Injuries and Illnesses by February 1 until April 30 of the year following the year covered by the agency's OSHA 300 form;
- appropriately and accurately recording Work-related Injuries or Illnesses;
- providing the INSPD-designated Administrator with the information required for submissions to the Indiana Worker's Compensation Board; and
- timely and accurately reporting Work-related Injuries or Illnesses to OSHA officials, if required.

INSPD (Indiana State Personnel Department) is responsible for:

- assigning or contracting with a designated service provider to receive reports of injury or illness and manage claims in accordance with the worker's compensation plan, laws, rules, and policies for Work-related Injury or Illness; and
- ensuring the First Report of Injury Form is completed and submitted to the INSPD-designated Administrator.



## PROCEDURES

### Reporting a Work-related Injury or Illness

The State encourages a prompt reporting of Work-related Injury or Illness so that rapid response and appropriate action may be taken. In the event of a Work-related Injury or Illness, the following steps must be followed immediately:

Individuals who have experienced and/or observed a Work-related Injury or Illness must report the incident as soon as they become aware of the injury/illness to

- Agency HR representative, and
- the reporting employee's supervisor; or
- any other agency management official.

Employees who experience or observe a Work-related Injury or Illness must provide the employing agency with an accurate, written record of the injury or illness. Verbal reports of Work-related Injury or Illness must be reduced to writing by either the individual who experienced or observed the Work-related Injury or Illness or by the agency official who received the report. All employees have a right to make such a report and all members of management and the agency HR representative who receive such reports have an obligation to ensure the report is submitted to the INSPD-designated Administrator.

The INSPD-designated Administrator will review the reports and investigate to determine how the claim will proceed.

### Treatment for a Work-related Injury or Illness

The agency official receiving the report shall ensure the employee receives appropriate first aid and may contact the INSPD-designated Administrator for determination whether additional medical treatment is required and information on authorized health care providers.

The INSPD-designated Administrator will direct treatment by authorized health care providers in accordance with the worker's compensation plan. A list of designated clinics for workplace injuries is located [here](#).

There is a seven-day waiting period prior to benefits during which the employee may use available accrued leave. If the coverage period exceeds twenty-one days, the original seven-day period becomes compensable and adjustments to leave balances may be made. If the employee is incapacitated for thirty consecutive calendar days, the employee shall complete and submit an application to the [State's Short- and Long-Term Disability Plan](#).

Employees who return to work but whose injury or illness results in intermittent appointments or treatments occurring during the employee's assigned work hours shall enter absence requests for Workers' Compensation to receive pay for the time spent on the appointment or treatment.

### Recording Work-related Injuries and Illnesses

Any report of Work-related Injury or Illness will be promptly investigated by the State or the INSPD-designated Administrator. If an investigation finds there has been a recordable Work-

related Injury or Illness, it must be recorded by the employing agency on the OSHA Form 300. A recordable injury or illness involves in any of the following:

- death,
- days away from work,
- restricted work or transfer to another job,
- medical treatment beyond first aid,
- loss of consciousness, or
- a significant injury or illness diagnosed by a physician or other licensed health care professional.

Recordable Work-related Injuries and Illnesses must be recorded using the appropriate OSHA Forms and posted on the agency's OSHA 300A Summary of Work-Related Injuries and Illnesses by February 1 until April 30 of the year following the year covered by the agency's OSHA 300 form.

### **Required Reporting of Work-related Injury or Illness to OSHA**

Employing agency must notify OSHA of the following events within the stated timeframes:

- 8-hours: Work-related Injury or Illness results in an employee's death
- 24-hours: Work-related Injury or Illness results in an employee's in-patient hospitalization, amputation, or loss of an eye.

To Make a Report:

- Call the nearest [OSHA office](#).
- Call the OSHA 24-hour hotline at [1-800-321-6742](tel:1-800-321-6742) (OSHA).
- [Report online](#)

Be prepared to provide this information: Business name; names of employees affected; location and time of the incident, brief description of the incident; contact person and phone number.

### **Required Reporting of Work-related Injury or Illness to Indiana Worker's Compensation Board**

The INSPD-designated Administrator must report injuries to the Indiana Worker's Compensation Board within seven (7) days after employing agency has knowledge of the injury, either actual, alleged, or reported, that causes an employee's death or the need for medical care beyond first aid, a report of the injury shall be made in writing and submitted electronically to the worker's compensation board. The report shall contain the name, nature, and location of the business of the employer, the name, age, sex, wages, occupation of the injured employee, the date and hour of the accident causing the alleged injury, the nature and cause of the injury, and such other information as may be required by the board.

The employing agency is responsible for ensuring the INSPD-designated Administrator receives all the required information in a timely manner to meet the seven-day deadline.



## FORMS & RESOURCES

### [First Report of Injury Form \(State Form 34401\)](#)

JWF Specialty Co., Inc.  
Phone 1-888-818-7795 (toll free)  
Fax 1-866-893-4674

### [Short-and Long-Term Disability and Worker's Compensation Program Employee Handbook](#)

<https://www.osha.gov/recordkeeping>

<https://www.osha.gov/recordkeeping/forms>

[Forms 300, 300A, 301 and Instructions](#) - PDF Fillable Format

[Forms 300, 300A, 301 Excel format \(Forms ONLY\)<sup>1</sup>](#)

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<sup>1</sup> Requires Microsoft Excel or equivalent; these forms are not designed for printing on standard 8.5 x 11" paper. If you want to print on 8.5 x 11" paper, you may need to change your Acrobat® application settings to use "Shrink to Fit", and you may also need to make configuration changes for your specific printer. It is also recommended that you do not attempt to print these forms from your web browser -- download the PDF file and open it directly in Acrobat®. If you do not have the ability to reproduce the original 8.5 x 14" forms, you may want to contact a local printer or publishing company to have the forms professionally reproduced for you -- simply provide the printer with a copy of the PDF file on disk.

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