

Section 97 ACCIDENT REPORTING

I. GENERAL

Accident notification and reporting on construction and work zone accidents is essential to keep executive management informed of developing situations, to provide notice to the Insurance Carrier as to potential liability, to define the scope of safety related problems, and to identify corrective actions. Report accidents involving Contractor and subcontractor employees; Department employees, consultant inspection personnel, the traveling public, or other private citizens within the contract limits. Accident notification requirements are categorized as *Immediate* or *Standard* depending on severity and degree of involvement with construction activities.

The EIC is a central figure in both the accident notification and reporting procedure, and in most cases, will be responsible for initiating the process when an accident occurs. All inspection personnel, including both Department and consultant employees, are responsible for notifying the EIC as soon as they become aware that an accident has occurred. The Regional Construction Safety Coordinator (RCSC) monitors the process to ensure that is completed in a timely fashion, and that all reporting requirements are met.

II. ACCIDENT NOTIFICATION

Notification is intended to provide Department Executive Managers with sufficient information to appropriately manage the situation or respond to inquiries from media or other State agencies. The requirement for accident notification depends upon the severity and the degree to which construction activities are involved. Notification of an accident that occurred in the vicinity of active work zone traffic control or construction activities is to be considered related. It is not necessary for work zone traffic control or construction activities to be a causative factor, or even to be directly involved, for an accident to be considered related. If the severity of injuries is not known, make a reasonable assumption and proceed accordingly. When accident victims are transported by emergency services (ambulance) and the severity of injuries is not known, assume that injuries are serious for the purposes of notification.

For incidents not meeting the criteria for notification such as small claims for flat tires, stone chips, paint splatters, etc. the EIC should make a note of any such incidents in the daily contract diary.

A. Immediate Notification

After learning of an accident, the EIC must notify the RCSC, the Construction Area Supervisor or the Regional Construction Engineer immediately at the telephone number listed on Form HC 51 *Accident Notification* (See Exhibit 97A). The EIC must also notify the Contractor (except Department staff accidents off the contract site), as soon as possible.

During normal work hours (typically 7:00 AM - 4:30 PM, Monday through Friday), the Regional Construction Group must notify the Office of Construction by e-mail to the *Accidents* e-mail address, with a follow-up phone call if an e-mail response is not received within one hour.

Outside of normal work hours, the Regional Construction Group must notify the Statewide Transportation Information and Coordination Center (STICC) which is listed on Form HC 52 *Accident Notification*. The STICC operates 24 hours per day/7 days per week.

The following accidents/incidents require ***Immediate Notification***:

1. Any injuries to Construction Program Employees requiring hospital transportation via emergency services at or in route to a construction field location.
2. Any injuries to State employees requiring hospital transportation via emergency services from accidents involving state-owned vehicles and private vehicles used on State business.
3. Any fatality or injury to a State, Consultant or Contractor employee requiring hospital transportation via emergency services directly related to construction activity.
4. Traffic accidents resulting in fatal or multiple (3 or more) personal injuries to motorists, if directly related to construction activity or work zone traffic control.
5. Any utility incident that causes significant interruption of service, evacuations, emergency services response, or highway closure.
6. Any utility incident involving a gas or other flammable material facility.
7. Any incident involving a school bus or train.
8. Any accident resulting in media attention.

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The RCSC/Regional Construction Group should notify Regional staff in accordance with established Regional policy. It is recommended that Regional policies include, but not necessarily be limited to:

- Regional Director (Fatalities, Multiple injury accidents and accidents receiving media attention)
- Regional Construction Engineer
- Construction Area Supervisor
- Regional Traffic Engineer (Traffic accidents)
- Regional Safety & Health Representative
- Regional Claims Contacts

The Office of Construction distributes **Immediate Notifications** to:

- Commissioner's Office
- Chief Administrative Officer
- Office of External Relations
- Public Information Officer
- Chief Engineer
- Office of Construction Staff
- Office of Legal Services
- Employee Safety & Health Office
- Regional Construction Group

B. Standard Notification

After learning of an accident, the EIC must notify the RCSC, within 5 business days via e-mail using an initial accident report. The EIC must also notify the Contractor (except Department staff accidents off the contract site).

Standard notification to the Office of Construction should be made via e-mail of an initial accident report to the *Accidents* e-mail address.

III. ACCIDENT REPORTING

Take photographs of any accident that occurred in the vicinity of work zone traffic control or construction activities to document conditions at the time of the incident, or as soon thereafter as possible. If the severity of injuries is not known, make a reasonable assumption and proceed accordingly. In cases where accident victims are transported by ambulance and the severity of injuries is not known, assume that injuries are serious for the purposes of initial reporting. The basic rule is "If in doubt, assume the worst and report it."

Accidents involving Construction employees that occur at or in route to a construction project must be reported as construction accidents. Accidents involving Construction employees that occur in a Regional or Main Office or other non-project location should not be reported as construction accidents.

A. CARP

The Construction Accident Reporting Program (CARP) was devised to simplify and streamline accident reporting, and replaces previously used forms. CARP is available in a stand-alone version in every field office. CARP consists of several screens with check boxes and fillable fields. CARP identifies 3 stages of reports: *Initial*, *Reviewed* and *Final* at each level. CARP uses 4 different databases, the Field Office, Regional Office, Main Office Pending and Main Office Final as the report is processed. (See Exhibit 97B)

The descriptions called for in CARP are intended to convey a factual account of the accident and may include contributory factors and activities or conditions that were related or associated with the accident. The report should not provide any analysis or assessment of responsibility or cause.

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B. Standard Notification/Initial Report

The RCSC/Regional Construction Group need not provide the Office of Construction with a separate notification for incidents requiring *Standard Notification*.

The following accidents/incidents require *Standard Notification* in the form of a CARP Initial Report to the Office of Construction within 10 days:

1. Traffic accident involving work zone traffic control, but not resulting in fatal or multiple (3 or more) personal injuries.
2. Traffic accident within the contract limits resulting in a fatality or personal injury, but not related to construction activity or within limits of active work zone traffic control.
3. Traffic accidents involving state-owned vehicles and private vehicles used on State business that do not involve injuries to State employees requiring hospital transportation via emergency services.
4. Any construction related accident resulting in minor injury to a State, Consultant or Contractor employee not requiring hospital transportation via emergency services or damage to private property.
5. A utility incident that does not cause significant interruption of service, evacuations, emergency services response, or highway closure.
6. Any near miss accident.

C. Field Office

CARP may be used to generate an initial report, which can be used to provide information required for *Immediate Notification*. Accident reporting begins with all known information being compiled and entered into CARP. The EIC must generate an accident report using CARP, export an ASCII file using the CARP function, and forward the accident report file by e-mail to the RCSC/Regional Construction Group as soon as possible, and within a maximum of 5 work days following the accident. As additional information is learned, CARP is used to revise the report and the report is e-mailed to the RCSC/Regional Construction Group. For accidents involving an injury to a Department employee, appropriate forms (SAF-9, etc.) must be completed in accordance with MAP 4.4-2 *Workers' Compensation, Occupational Injury Leave & Mandatory Alternate Duty*.

C. Regional Construction Group/RCSC

The RCSC must import the file generated in the field office into the Regional Office Accident Database and review the report. CARP will assign a 9 digit accident report number (RR-XXX-YYYY) upon import. The RR identifies the region, the XXX is a sequential number for each region starting at 001 each year, and YYYY is for year. When the RCSC approves the report, (at any of the 3 stages) the report record is copied to the Main Office Pending Accident Database.

Accident information is to be gathered promptly to ensure accurate documentation. When the required information has been gathered, the report must be updated as a final report by the RCSC in CARP. The RCSC/Regional Construction Group should generally finalize the report in CARP within 30 days after the incident. If a police report or other information has been requested but is not forthcoming, the report should be annotated in CARP with the name of the law enforcement organization that responded and the report finalized.

The RCSC/Regional Construction Group must complete and finalize all accident reports in CARP for the calendar year not later than January 31 of the following year.

D. Office of Construction

The Office of Construction reviews the reports submitted by the Regions to ensure they are complete, and provides comments to the RCSC as necessary. When the Office of Construction approves the final report submitted by the Region, CARP moves the report record to the Main Office Final Accident Database, and the Office of Construction will notify the RCSC that the report has been finalized. The RCSC/Regional Construction Group have Read-Only access to the Main Office Final Accident Database.

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IV. ACCIDENT INVESTIGATION

Accident investigation is essential to define the scope of safety related problems, to identify corrective action and provide information for potential defense of liability issues. Construction accident investigations may require photographs, witness statements, diagrams, sketches of accident site, copies of plan sheets, copies of traffic control plans, police reports (MV104 and MV104A vehicle accident reports), Contractor report(s), SAF-9inj for DOT employee injuries, SAF-1C and SAF-9mva for DOT employee vehicle/equipment accidents, and C-2 Workers Compensation report for consultant or Contractor employee injuries. Additional accident reporting requirements are contained in MAP 2.4-3-4 *Reporting Vehicle Accidents for Department of Transportation Employees Operating Vehicles or Equipment on State Business*, and MAP 2.14-5-1 *Contract Accident Review Group*.

Analysis and assessment are in attachments, which are to be included in accident files and should be based on a complete investigation by qualified professionals having the appropriate responsibility and authority. The Engineer's Field Office and the Regional Construction Group must maintain an accident report or file for each accident which will include the aforementioned items with the printed copy of the report from CARP.

If a Contract Accident Review Group is convened relative to a construction accident, the reports required under the Office of Construction accident reporting procedures will be prepared in conjunction with the review board investigation.

A. Accident File

The Engineer's Field Office and the Regional Construction Group must maintain a hard copy accident file for each accident. The accident file will contain, a printed copy of the accident report and as applicable, photographs, witness statements, diagrams, sketches of accident site, copies of plan sheets, copies of traffic control plans, police reports, SAF-9inj, SAF-1C, SAF-9mva, and C-2 Workers Compensation for consultant or Contractor employee injuries. Regions must retain accident records for 10 years.

B. Accident Report Distribution

The RCSC/Regional Construction Group e-mails copies of the approved final accident report (MS Word files) as follows:

- Regional Claims Engineer
- Regional Traffic Engineer (Traffic accidents only)
- Regional Utilities Engineer (Utility accidents only)
- Regional Structures Engineer (Accidents involving structures only)
- Regional Health & Safety Representative (accidents involving Department personnel only)
- Construction Area Supervisor
- Engineer-in-Charge
- Contractor Superintendent (except accidents involving Department personnel off the contract site)

EXHIBITS

- A Sample Form HC 51 *Field Office Accident Notification Poster*
- B CARP Flowchart

ACCIDENT NOTIFICATION

All Department and consultant inspection personnel shall ensure the EIC is notified as soon as they become aware that an accident has occurred on the contract site, or as a result of construction operations.

The following incidents require immediate notification

1. Any injuries to Construction Program Employees requiring hospital transportation via emergency services at or in route to a construction field location.
2. Any injuries to State employees requiring hospital transportation via emergency services from accidents involving state-owned vehicles and private vehicles used on State business.
3. Any fatality or injury to a State, Consultant or Contractor employee requiring hospital transportation via emergency services directly related to construction activity.
4. Traffic accidents resulting in fatal or multiple (3 or more) personal injuries to motorists, if directly related to construction activity or work zone traffic control.
5. Any utility incident that causes significant interruption of service, evacuations, emergency services response or highway closure.
6. Any utility incident involving a gas or other flammable material facility.
7. Any incident involving a school bus or train.
8. Any accident resulting in media attention.

THE EIC SHOULD CONTACT THESE PERSONNEL IN ORDER, UNTIL SOMEONE IS REACHED

Regional Construction Safety Coordinator (RCSC) (###) 123-4567

Construction Area Supervisor (###) 123-4567

Regional Construction Engineer (###) 123-4567

DURING NON-WORK HOURS (For ALL Regions)

Statewide Office of Public Security Center 1-866-880-7353
OR 1-866-880-7354

Notify the Contractor as soon as possible after learning of an accident (except for accidents involving NYSDOT personnel off the contract site).

