



TDCJ Risk Management's *Training Circular*

Volume 13 Issue 7

Risk Management Issues

July 2013



July

Accident/Injury Investigation



An accident occurs when a person or object receives an amount of energy or hazardous material that cannot be absorbed safely. The energy or hazardous material is the direct cause of the accident.

Definitions

“Accident” is an incident that results in property damage or injury to a person.

The **direct cause** is usually the result of one or more unsafe acts, unsafe conditions or both. These unsafe acts and conditions are the indirect causes. A good accident investigation program is designed to discover the root causes of the accident/incident.

“Employee/Offender Occupational-Related Illness” is when an offender or employee contracts an illness associated with a certain/particular occupation that would not normally occur if the individual did not have that occupation (e.g., heat-exhaustion, exposure to hazardous chemicals, food poisoning).

potential for doing so in the future, conduct that reduces the degree of safety normally present in an activity .

“Unsafe Conditions” -Any physical state which deviates from that which is acceptable, normal, or correct in terms of its past production or potential future production of personal injury and or damage to property, any physical state which results in a reduction in the degree of safety normally present.



“Serious Injury” is any injury to staff or offenders that requires treatment beyond first aid. Unit medical staff shall determine the level of treatment required.



A **root cause** is the action or condition that resulted in an undesired event. Incidents should also be investigated. An incident is a near miss, an undesired event that could have resulted in injury to an employee or property dam-

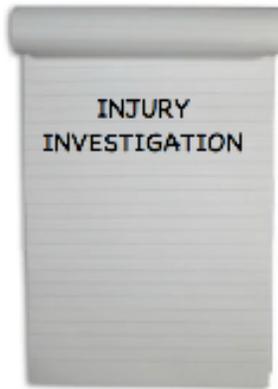
“Unsafe Acts” -A behavioral departure from an accepted, normal, or correct procedure or practice which, in the past, has produced injury or property damage or which has the

Prevention is Key!

Accident investigation is a device for preventing future accidents. An investigation

must be fact finding and not using a three-part analysis fault finding. Eliminating one process:
 or more causes can prevent most accidents. Accident investigations determine not only what happened, but also how and why.

The Risk Management Department is responsible for the investigation and reporting of all accidents and injuries occurring on Agency owned or leased property.



Investigations of accidents and injuries are required to:

- Determine the sequence of events leading to a failure;
- Identify the cause of the accident; and
- Find methods to prevent reoccurrence of the accident or injury.

Job Safety Analysis (JSA) is an accident/investigation tool used to review job methods and uncover hazards.

The JSA is documented by



- **Sequence of Basic Job Steps** -Break the job down into successive steps or activities and observe how these actions are performed.
- **Potential Hazards** -Identify the hazards and potential accidents. This is a critical step since only those hazards identified can be eliminated.
- **Recommended Action or Procedure** -Develop safe job procedures to eliminate the hazards and prevent potential accidents.

Implementing Controls

- **Engineering Controls:** Remove hazard before a person comes in contact with it.
- **Administrative Controls:** Training, Standard Operating Procedures (SOPs), Progressive Disciplinary Action, warnings, or limit the exposure.
- **Personal Protective Equipment (PPE):** Ensure the availability and use of

PPEs such as safety goggles, gloves, hearing protection, and other similar equipment. When engineering and administrative controls cannot eliminate work hazards, PPE must be used to ensure worker health and safety. Operating manuals and **Material Safety Data Sheets (MSDS)** shall govern the types of PPE required during equipment operation and chemical use.



The Texas Department of Criminal Justice shall emphasize a safe environment for all employees and offenders as stated in **AD-10.61**.

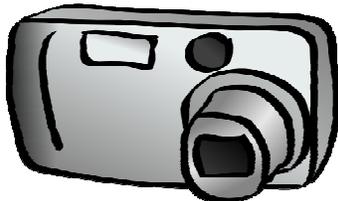
When an injury is incurred by an employee or an offender, a **RM-03 Supervisor's Investigation of Employee/Offender Injury** must be completed by the appropriate supervisor of the employee or offender and forwarded to the appropriate Risk Management Office.

Employee injuries should also be recorded as outlined in **PD-45 Worker's Compensation and Return to Work Program**.

All reports of inquiry shall be submitted to the Risk Management Central Office. Injury investigation information is to be entered into the SI00 Automated Reporting System in accordance with Policy **RM-30; Risk Management Department Reporting Requirements**.

Following a situation when employee injuries are sustained as the result of offender aggression, the procedures utilized shall be reviewed and evaluated by a unit Incident Disposition Board as outlined in **AD-03.48 Prevention of Employee Injuries due to Offender Aggression**.

All employee and offender injuries shall be photographed in accordance with **AD-03.47 Taking Photographs following an Injury or Use of Force Incident**.



For accidents involving the Agency such as vehicle accidents and/or third parties resulting in death, personal in-

jury, or property damage, reporting shall take place according to **Emergency Action Center (EAC) policy**.

Investigation by a TDCJ Risk Management Coordinator shall be conducted as required only to secure the area and record information that will be available at a later time.

The **OGC Litigation Support** office shall be notified by submitting an **OGC Personal Injury Form (Attachment B of AD-11.04 Reporting Accidents to the Office of General Counsel)** within 24 hours after an incident.



Supervisors, Risk Management Coordinators, or other investigatory entities may conduct investigations in accordance with TDCJ policy. Investigators shall forward their findings to the OGC Litigation Support office.

An **RO-92, Tort Claim-Motor Vehicle Accident Form (Attachment E of AD-02.50 Vehicle Policy)** shall be completed each time a TDCJ vehicle or trailer is involved in an

accident, regardless of how minor the damage.



If an employee or an offender is involved in an accident in a state vehicle, the nearest law enforcement agency shall be notified, unless the accident occurred on TDCJ property. If the accident occurs on TDCJ property, the warden or ranking authority shall be contacted.

All Serious or Unusual Incidents are required to be reported to the Emergency Action Center (EAC) as outlined in **AD-02.15 Operations of the Emergency Action Center and Reporting Procedures for Serious or Unusual Incidents**

Some examples of Serious/Unusual Incidents requiring EAC Notification include:

- Accidental injury requiring treatment beyond first aid (staff or offender)
- Accidental death
- Accidental injury requiring treatment beyond first aid and admittance to a hospital
- Accident involving a state

vehicle that results in damage to non-TDCJ property or resulting in serious injury

- Accident involving a state owned vehicle and a privately owned vehicle, regardless of the injuries or damage sustained
- Employee death
- Employee/offender occupational-related illness

The Offender Orientation Handbook requires Offenders to immediately report any injury to an employee.

A successful accident investigation determines not only what happened, but also how and why the accident occurred.



Comprehensive documentation and record keeping of all incidents and accidents can be a valuable tool in the investigation and accident prevention process.



The ultimate goal of an investigation is to prevent a similar or perhaps more disastrous sequence of events from occurring in the future.

An ounce of Prevention Is worth A pound of Cure!

References:

TDCJ AD-02.15 Operations of the Emergency Action Center and Reporting Procedures for Serious or Unusual Incidents.

TDCJ AD-02.50 Vehicle Policy.

TDCJ AD-03.47 Taking Photographs following an Injury or Use of Force Incident.

TDCJ AD-03.48 Prevention of Employee Injuries due to Offender Aggression.

TDCJ AD-10.61 TDCJ Safety Policy

TDCJ AD-11.04 Reporting Accidents to the Office of General Counsel.

TDCJ Offender Orientation Handbook.

TDCJ PD-45 Worker's Compensation and Return to Work Program.

TDCJ Risk Management Program Manual.



Training Circular
TDCJ Risk Management Department
Volume 13 Issue 7
July 2013

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The *Training Circular*, a publication of the Texas Department of Criminal Justice Risk Management Department, is published monthly in an effort to promote and enhance risk management awareness on issues relating to TDCJ employees. Design and layout of the *Training Circular* is performed by Robert C. Warren, Risk Management. Comments, suggestions and safety related items are welcome. Send Suggestions to:

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