

Occupational Disease and Work-Related Injury Reporting

921.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, psychiatric injuries, and work-related injuries.

921.1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury - An injury, disease or psychiatric injury arising out of employment (Labor Code § 3208; Labor Code § 3208.3; Labor Code § 3212 et seq.).

921.2 POLICY

The Redding Police Department will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (Labor Code § 3200 et seq.).

921.3 RESPONSIBILITIES

921.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate (8 CCR 14300.35).

921.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded to Risk Management with 24 hours. Any related Citywide disease or injury reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

The Risk Management Office shall be advised immediately concerning any occurrence listed below. After hours notification of Risk Management shall depend on the seriousness of the incident and notification will be at the discretion of the supervisor. Guidelines for after-hours call outs are as follows:

- (a) Accidents or incidents with possible City liability that include but are not limited to the following:
 - 1. Any injury as the result of a firearm discharge,

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2. Any physical injuries during the course of an arrest that requires a suspect to receive medical attention,
 3. Any property damage caused by a City of Redding employee,
 4. Any unintentional injury to anyone that requires medical attention (i.e., a non-involved party or witness injured during the course of an arrest),
 5. Any potential life-threatening situation requiring the Redding Police Department SWAT team.
- (b) Accidents or incidents involving City vehicles and equipment, including non-injury traffic accidents; and,
- (c) Accidents or incidents in which a City employee receives a serious injury requiring medical attention.

If the accident or incident occurs at one of the airports, the Airport Manager shall be notified immediately, before notification of Risk Management.

For the purposes of this policy, City property includes, but is not limited to: shrubs, trees, parking meters, traffic signs, street signs, traffic signals, lawns, fire hydrants, vehicles, buildings, furnishings, facilities, equipment, and other apparatus owned and/or operated by the City of Redding.

921.3.3 DIVISION COMMANDER RESPONSIBILITIES

The Division Commander who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police, the City's risk management entity, and the Administration Division Commander to ensure any required Division of Occupational Health and Safety Administration (Cal/OSHA) reporting is made as required in the illness and injury prevention plan identified in the Illness and Injury Prevention Policy.

921.3.4 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police shall review and forward copies of the report to the Personnel Department. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

921.3.5 OFF DUTY STATUS DUE TO INDUSTRIAL INJURY

Employees who are off work due to an industrial injury are subject to the same shift adjustments and requirements as Administrative Leave and are not entitled to overtime compensation, regardless of their assigned shift, per current case law (*Mannetter v. County of Marin*). If an employee is assigned to a shift which qualifies for shift differential when placed on 4850 leave, the employee will continue to receive the differential while on that assigned shift.

Note: Worker's Compensation benefits will be provided based on the employee's average weekly wage for the previous 12-month period per the California Labor Code.

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921.4 OTHER DISEASE OR INJURY

Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Division Commander through the chain of command and a copy sent to the Administration Division Commander.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

921.5 SETTLEMENT OFFERS

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

921.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City's right of subrogation, while ensuring that the member's right to receive compensation is not affected.