

# **GILES CHEMICAL CORPORATION**

## **INJURY REPORTING PROCEDURES**

The following instructions and procedures have been prepared to give you a ready guide for handling and reporting accidents. All accidents and injuries (no matter how minor) must be reported by the responsible Manager to the Giles Chemical Corporation Safety Manager and the Human Resources Manager. Prompt and complete information is extremely important and will assist in the investigation of the incident. Contact the Safety Manager as follows:

**Stacy Howell**  
***Quality and Safety Manager***  
***Giles Chemical Corporation***  
***P.O. Box 370***  
***Waynesville, NC 28786***  
***Phone: 828-452-4784 ex 47***  
***Cell Phone: 828-734-3243***  
***Fax: 828-452-4786***  
***[showell@gilescorp.com](mailto:showell@gilescorp.com)***

Worker Compensation claims will be filed by the HR Manager. The Human Resources Manager will work in conjunction with the Safety Manager and the Employee Manager to ensure that all incidents and injuries are reported in a timely manner. Information must be completely accurate and forwarded to the HR Manager on the day of the accident. These instructions are intended to be used as a guide and may not cover every possible situation that might arise. Should an unusual situation occur or should you have questions, please call:

**Kathy Smith**  
***H.R. Manager and Corporate Officer***  
***Giles Chemical Corporation***  
***P.O. Box 370***  
***Waynesville, NC 28786***  
***Phone: 828-452-4784 ex 21***  
***Cell Phone: 828-506-1879***  
***Fax: 828-452-6080***  
***[kcsmith@gilescorp.com](mailto:kcsmith@gilescorp.com)***

All employees will be seen at Urgent Care (located at the Hospital) 828-452-8354, if Urgent care is closed or in the event of a life threatening emergency Patients may be seen at the Emergency Room 828-452-8110. The Human Resource Manager or Safety Manager in her absence must call the appropriate location and inform them that a Giles employee is being transported or will be arriving for treatment. Remind them that the employee should receive and drug and alcohol screening as part of their treatment.

### **Employee Rights and Responsibilities:**

Employees are required to report accidents and incidents to their Supervisor no matter how minor. Employees, by law, have the right to have their injuries reported to our workers' compensation insurance company under states' workers compensation laws. Failure by a manager to report an injury that an Employee has requested to be reported as a workers' compensation claim can lead to additional financial penalties against Giles Chemical Corporation, may limit our ability to investigate or deny the claim and is in direct violation of company policy. Remember only a licensed adjuster can deny a workers' compensation claim.

### **Manager Responsibilities:**

Every accident or incident no matter how minor must be reported to Management and be investigated by Management. Managers are responsible for accurate documentation, including follow up calls and communications.

- Seek appropriate medical attention – dial 911 if necessary – caring for the injured employee is your first concern
- Employees with minor injuries should be taken to Urgent Care at Haywood Regional Medical Center, Clyde, NC. More severely injured employees should be transported by EMS as they deem necessary.
- Injured employees with **serious burns, head trauma, suspected broken bones, complaints of back pain or strain must be sent for Medical treatment – no exceptions**
- Immediately correct Hazard or quarantine area if possible
- Complete Accident/Incident Report – identify witnesses and get signed statements – **a witness is someone who actually saw the injury occur.**
- Have injured party sign and date the Report
- Present Report to HR for Insurance filing – same day as injury
- Conduct investigation
- If fraud is suspected – do not publicize it. Immediately notify Human Resources that the claim needs to be investigated
- Follow up every three days with injured party until injury is resolved – documenting file each time
- Documents related to accidents, type of injury and course of treatment are considered confidential health information and must be kept under lock and key and may be reviewed only by authorized personnel.

If an attorney / private investigator / or any other person calls asking questions regarding any incident or asks to talk to Employees or witnesses or asks to take pictures related to an incident, do not provide the person with information or allow them to interview anyone or take pictures, measurements or any other information until you have received specific direction from a GILES CHEMICAL CORPORATE OFFICER. The Corporate officer must first seek counsel from Dee Bumgardner, Agent with Wachovia Insurance Services (1-800-568-0419) AND Kerry Friedman or Eileen McMinn with Patla Straus Robinson and Moore (1-828-255-7641). Once a visit is approved you have the right to ask for identification prior to allowing them past the reception area. If you cannot confirm who the person is or who they represent, kindly ask them to contact a GILES CHEMICAL CORPORATION CORPORATE OFFICER to reschedule their visit. Under no circumstances should they be allowed on Company property without prior authorization.

**Prescription Drugs:** In the event an injured worker needs prescription drugs the employee must report in person to CVS pharmacy on Russ Avenue in Waynesville with the prescription:

- Inform the Pharmacist: This prescription results from a Workers Comp claim with Giles Chemical
- Give the Pharmacist the last four digits of our main phone number: 4784
- Complete all applicable forms required by the pharmacy, including date of injury, description of injury, etc.
- Pharmacy will process the prescription and bill our Workers Comp carrier: St. Paul/Travelers

## **Claims Reporting Considerations**

## **WHEN SHOULD A POTENTIAL WORKERS' COMPENSATION CLAIM INCIDENT BE REPORTED?**

There are two (2) main considerations in determining whether or not Human Resources should report an Employee's injury to our insurance carrier:

### **1. HAS OR IS THE EMPLOYEE SEEKING MEDICAL ATTENTION FROM A DOCTOR/CLINIC OTHER THAN FIRST AID?**

**If YES** – The Manager and/or Safety Manager must complete the incident report; have the Employee sign it, then report the incident to the HR Manager. The HR Manager will make a report with the Insurance Carrier. The Employee should be directed to Urgent Care at Haywood Regional Medical Center in Clyde NC

**If NO** – The Manager and/or Safety Manager must still complete the incident report and both the manager and the Employee are to sign and date the completed incident report. A copy of the report must be forwarded to the HR Manager's office. The H. R. Manager will file a "Report Only" notification with the insurance company. The manager completing the incident report must let the Employee know that if they later need seek medical care, they must inform the manager immediately and go to Urgent Care at Haywood Regional Medical Center in Clyde NC.

If the Employee does seek medical care later, the incident must be changed from "Report Only" status with the INSURANCE CARRIER by the HR Manager the same day the Safety Manager is aware that the Employee has sought medical care.

**If the Employee is unsure**, ask the Employee if the same thing had happened to them at home, would they go to a doctor?

**If the answer is YES** – complete the incident report, have the Employee go to Urgent Care at Haywood Regional Medical Center in Clyde NC, and the HR Manager must report the incident to the INSURANCE CARRIER.

**If the answer is NO** – the manager must still complete the incident report, give a copy to the H. R. Manager and follow-up with the Employee within 3 days and find out how the Employee is doing. If needed, have the Employee go to Urgent Care at Haywood Regional Medical Center in Clyde NC at which time the incident must be reported to Insurance Carrier by the HR Manager. It is essential that a manager does the follow-up and that the response from the Employee be documented as part of the written incident report.

### **2. Has the Employee requested that their injury be reported as a workers' compensation claim?**

**If YES** – Complete the incident report and have the Employee sign it. The incident must be reported to Insurance Carrier by the HR Manager as soon as possible – same day as injury.

Employees have the right to have their injuries reported to our workers' compensation insurance company under states' workers compensation laws. Failure by a manager to report an injury that an Employee has requested to be reported as a workers' compensation claim can lead to additional financial penalties against Giles Chemical Corporation and may limit our ability to investigate or deny the claim and is in direct violation of Company policy. Remember only a licensed adjuster can deny a workers' compensation claim.

**If NO** – a manager must complete the incident report, noting that the employee does not want the claim reported as a Workers Comp Claim and ask the employee to sign it. The employee should be informed that after the initial injury is reported; they may request to be seen by a doctor at a later date. The Manager must follow-up with the Employee within 3 days to find out how the Employee is doing and if needed, have the Employee go to Urgent Care at Haywood Regional Medical Center, Clyde, NC at which time the incident must be reported to the Insurance Carrier by the HR Manager. It is essential that a manager does the follow-up and that the response from the Employee be documented as part of the written incident report.

**Q. If the Employee has a minor injury and does not want to have it reported, do I really need to fill out the incident report?**

- A. YES, completing the incident report protects you and Giles Chemical Corporation in the event the Employee later needs to seek medical care and file a workers' compensation claim. The incident report, when it was completed, and the facts it contains may be a critical factor in determining the outcome of the defensibility of the claim by an adjuster. Second, the information gathered in the incident report may also help the treating physician determine what areas were injured. Third, by completing the incident report and having the Employee complete their information and signing the report protects you in the event there is ever a dispute regarding what was reported, the nature of the injury, etc.

**Q. How important is the information that I put down on the incident report?**

- A. What is documented is highly critical. The information recorded must be factual. Do not include subjective comments or opinions: Example: if the Employee slipped and fell and you did not see the accident, state "the Employee states that he slipped and fell in the kitchen next to the dishwasher." Comments such as: "I told this Employee not to do..." or "this accident happened because of a stupid..." are never appropriate. The incident report may at some point be part of the evidence in a legal proceeding and may be the only reflection of you as a manager, so it is very important that the information documented is true, factual, and if needed state the source of your information if you do not have first hand knowledge of the facts.

**Q. Why is it important to have the Employee go to our designated clinic?**

- A. Urgent Care at Haywood Regional Medical Center in Clyde NC is staffed by doctors, nurses, and other medical specialists who have expertise in the treatment of occupation injuries and are committed to work with the Employee and with you in helping the Employee safely return to a productive life. Urgent Care has our Zero Tolerance Policy on file and understands that all employees must be tested for Drugs and Alcohol post accident. Also Urgent Care at Haywood Regional Medical Center in Clyde NC understands our operations and the importance of transitional duty as part of the healing process.

**Q. My Employee states they want to go to their own family doctor, what do I say?**

- A. Explain to the Employee that Urgent Care at Haywood Regional Medical Center in Clyde NC is a benefit set up for them and that these doctors and clinics have been carefully selected based on their quality of care, their expertise in handling occupational care, and their concern for helping the Employee safely return to a productive life.

**Q. If the Employee states that they do not need to see a doctor, why does a manager need to follow-up again with the Employee within three (3) days to see how they are doing?**

- A. This is a critical step, an employee may initially and honestly feel that they do not need to see a doctor right away but change their minds after a couple days if the pain or discomfort increases or does not go away. For example: an employee does not feel they need to go to a doctor for a minor cut for which they applied basic first aid. Within a few days the cut may start to heal or become infected; if the cut becomes infected seeking medical attention is appropriate. Also, by follow-up with the employee a manager is strongly communicating that they have a concern for the employee and what happened to them. The follow-up discussion is also a good time to talk about how a similar accident can be prevented in the future. If the employee states they do want medical care, have the employee go to Urgent Care at Haywood Regional Medical Center in Clyde NC and change the status of the incident with the Safety Manager and the HR Manager. The Insurance Carrier will be contacted by the HR Manager immediately.

**Q. I have done my follow-up and the employee says everything is OK; do I really need to document this?**

- A. YES, your documentation including the date and a summary of what was said may be very critical if there is ever a dispute or legal action regarding this incident. Without your written documentation the defensibility of your actions is very questionable.

**Q. I followed-up with the employee three (3) days after the incident and now they want to see a doctor, will I get penalized for not reporting the incident to the insurance company sooner?**

A. No – providing that you had documented and completed the incident report when the employee first reported the incident to you and both you and the employee signed off on the incident report, including the section where the employee stated that they did not need to seek medical attention at that time. The H.R. Manager must always receive a copy of all Reports of Injuries – including first aid cases, etc.

**Q. An employee has an injury and it is treated using our first aid supplies at the work location and the employee does not feel they need to see a doctor, what do I do?**

A. If the treatment is limited to basic first aid (band-aid, gauze, etc.) only and the employee does not want to go to Urgent Care – Haywood Regional Medical Center in Clyde NC, you and the employee must still complete and sign the incident report, and a copy must be forwarded immediately to the HR Manager. Also a manager must follow-up with the employee within three (3) days to see how the employee is doing. This follow-up must be documented. During the follow-up with the employee, you both need to determine whether or not the Employee feels that they need to see a doctor/clinic.

**Q. What does a manager do if the Employee did want to see a doctor when the injury happened and their injury has not completely healed after three days when the manager follows-up with the Employee?**

A. The manager must document their follow-up conversation with the Employee and attach their written notes to the original incident report. The manager must schedule, complete, and document periodic follow-ups with the Employee until the Employee states that they have completely recovered from the injury.

**Q. Why must a manager complete the incident report and do any required follow-ups?**

A. Every single injury that occurs to any Employee is important and the incident must be investigated. The safety of our Employees is a direct management responsibility that cannot be delegated. Managers are accountable (legally and morally) for ensuring a safe work environment and when there is an injury, even a minor injury the incident needs to be investigated to determine why it happened, what can be done to prevent a future injury, and most importantly to show care and concern for the safety of the injured Employee and for all other Employees.

**Q. Would it be best if the adjuster talked to the Employee about their injury, they are professionals and I am concerned I will say the wrong thing.**

A. As a manager your concern and follow-up with an Employee is the most important factor in determining the outcome of an employee injury, regardless of whether or not the injury was a minor or a major injury. If you are showing and communicating care and concern for the Employee – you are doing the right thing. Documenting your communications is also important so there is a record of what happened. Numerous studies have shown that the most important influence impacting the length of a workers' compensation claim is the relationship between the employee and their manager.

**Q. The injured Employee has questions about their workers' compensation benefits, what do I say?**

A. Questions regarding benefits and payments should be directed referred directly to the adjuster. If the Employee is having problems getting their questions answered, contact Human Resources to help ensure that the Employee's questions get answered.

**Q. I do not believe that the Employee really hurt himself at work or that they were not really injured, what do I do based on the two criteria given?**

- A. You investigate the incident and document your factual findings on the incident report including having the Employee sign off on the incident report, you have the Employee go to the Urgent Care at Haywood Regional Medical Center in Clyde NC, and the incident must be reported to the Insurance Carrier by the HR Manager immediately. **Remember only a licensed adjuster can make the determination regarding whether or not the Employee's injury is covered by the state's workers' compensation law.** You cannot withhold reporting the claim according to state laws. You must inform the Safety Manager and Human Resource Manager. The Human Resources Manager will inform the adjuster of any concerns regarding the claim and request further investigation of the concerns. This type of information must be kept confidential and should only be discussed between the HR Manager, Safety Manager, employee Manager and Corporate Officers.
- Q. My Employee who reported the incident will not complete their section of the incident report &/or sign the incident report, what do I do?**
- A. The manager needs to do the following:
1. Ask the Employee why they do not want to complete their section &/or sign the incident report. The Employee may want you change something or just may not be comfortable about signing the incident because they are unsure of the process. Remember, most Employees are not familiar with the workers' compensation system.
  2. Reassure the Employee that you want to get their input on what happened to them and their input is important to you because you want an accurate report of what happened.
  3. Either the Employee will complete their section and sign the incident report or if they do not, **do not pressure them in anyway and assure them that it is OK.**
  4. If they do not complete the employee section or sign it, document the incident report as to the reason(s) that the Employee stated for not completing or signing the form, finish completing the incident report as accurately as possible.
- Q. With the incident report and the other information on the Employee's injury, can this information be stored in the personnel Employee's file?**
- A. No. The information regarding an Employee's workers' compensation incident and claim contains medical information. Federal regulations regarding medical privacy restricts who can have access to an employee's medical information, therefore this information needs to keep separately in a locked drawer or cabinet. Incident Report and Incident Investigation Report will be secured by the Safety Manager. All medical records, documents, doctors notes, medical follow up paperwork, etc must be maintained in a secure file by the HR Manager.

## WHEN TO REPORT A GENERAL LIABILITY INCIDENT?

The same guidelines should be used regarding any and all Visitor or Vendor's incidents or injuries. Incident Reports must be made even if the person does not want or need medical attention. Follow-up calls must be made by the Manager they were visiting or the Safety Manager and all contacts and conversations must be documented. Tell the Visitor or Vendor that you are sorry that this accident has happened, show concern for them. You can also tell the Visitor or Vendor that you need to get some basic information about the accident/incident so that it can be investigated. Do not promise the Visitor or Vendor that GILES CHEMICAL CORPORATION will pay their bills or state that the Company is responsible for the accident. The Vendor is not necessarily required to use Urgent Care if they need medical attention; however that is still the most convenient location for minor injuries. The Visitor or Vendor may go to own their doctor/clinic if they so choose.

### WORKERS COMP ACCIDENT REPORT

**Report claim to: ST PAUL/TRAVELERS AT 1-800-832-7839**

**GILES CHEMICAL CORPORATION POLICY # P-UB-982K1910-05**

**All Workers Comp Accidents must be reported immediately to the Safety Manager and Human Resources Manager**

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DATE AND TIME OF INJURY: \_\_\_\_\_ / \_\_\_\_\_  
NAME OF EMPLOYEE: \_\_\_\_\_  
WITNESS NAME (actually saw the accident occur): \_\_\_\_\_  
WITNESS PHONE NUMBER: \_\_\_\_\_  
WITNESS ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

DESCRIBE FULLY HOW THE ACCIDENT OCCURRED:

\_\_\_\_\_

\_\_\_\_\_

Signature of injured employee: \_\_\_\_\_ Date \_\_\_\_\_

First Aid Case: Employee does not want to seek Medical Treatment at this time

\_\_\_\_\_ (signature of employee)

NATURE AND LOCATION OF INJURY (BE AS SPECIFIC AS POSSIBLE, i.e... AMPUTATION, FRACTURE, LACERATION, RIGHT, LEFT, ETC.)

\_\_\_\_\_

\_\_\_\_\_

\*\*\*\*\*  
Information needed to file the claim: "REPORT ONLY" (employee will require no more than 1 medical office visit) REPORT ONLY STATUS? Yes ( ) or No ( )  
EMPLOYEE ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

SOCIAL SECURITY NUMBER: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

Rate of pay \$ \_\_\_\_\_ per hour \$ \_\_\_\_\_ total per day

Claim Submitted to: \_\_\_\_\_ Claim number assigned: \_\_\_\_\_

Office claim was assigned to: \_\_\_\_\_

Address \_\_\_\_\_

Claim Office Phone # \_\_\_\_\_ Fax # \_\_\_\_\_

Submitted by: \_\_\_\_\_ date \_\_\_\_\_

**Prescription Drugs:** Employee must report in person to CVS pharmacy on Russ Avenue in Waynesville with the prescription  
Inform the Pharmacist: This prescription results from a Workers Comp claim with Giles Chemical  
Give the Pharmacist the last four digits of our main phone number: 4784  
Complete all applicable forms required by the pharmacy, including date of injury, description of injury, etc.  
Pharmacy will process the prescription and bill our Workers Comp carrier: St. Paul/Travelers

**\*\*\*Any single death or in-patient hospitalization of three or more workers must be reported to the OSHA WITHIN EIGHT HOURS!! 1-800-522-6762**