

Occupational Disease and Work-Related Injury and Death Reporting

1022.1 PURPOSE AND SCOPE

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

1022.1.1 DEFINITIONS

Definitions related to this policy include (CRS § 8-40-201):

Accident - Any unforeseen event occurring without the will or design of the member whose mere act caused it. An accident or injury includes disability or death resulting from accident or occupational disease.

Occupational disease - Any disease resulting directly from employment or work conditions that is a natural incident of the work and a result of the exposure occasioned, and that can be fairly traced to the employment as a proximate cause and not from a hazard to which the member would have been equally exposed outside of his/her employment.

1022.2 POLICY

The Louisville Police Department will address occupational diseases and work-related injuries and deaths appropriately, and will comply with applicable state workers' compensation requirements (CRS § 8-43-101 et seq.).

1022.3 RESPONSIBILITIES

1022.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 4 days to a supervisor, and shall seek medical care when appropriate.

1022.3.2 SUPERVISOR RESPONSIBILITIES

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

Supervisors shall promptly complete a First Report of Injury form and send it up the chain of command. The Chief of Police will ultimately send it to Human Resources staff for processing and notification to the City's insurance carrier.

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

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If an employee is physically or mentally unable to provide notice of an occupational disease or work-related injury, his/her supervisor shall report such disease or injury in writing as soon as practicable (CRS § 8-43-102).

1022.3.3 DIVISION COMMANDER RESPONSIBILITIES

The Division Commander who receives a report of an occupational disease or work-related injury or death 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 Administrative Services Division Commander.

1022.3.4 CHIEF OF POLICE RESPONSIBILITIES

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

The Chief of Police or the authorized designee shall ensure that a printed card notifying employees of their responsibility to report a workplace injury is displayed at all times in a prominent place in the workplace pursuant to CRS § 8-43-102.

1022.4 OTHER DISEASE OR INJURY

Diseases, injuries or deaths 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 Administrative Services 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.

1022.5 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.

1022.5.1 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

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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.

