



## Requirements for Reporting Fatalities and Serious Injuries to Cal/OSHA

### 1. Basic Requirement

- a. Every employer shall **report immediately (within 8 hours)** to the nearest District Office of the Division of Occupational Safety and Health (DOSH or Cal/OSHA) **any serious Injury or Illness or death of an employee** occurring in a place of employment or in connection with any employment. (California Code of Regulations, Title 8, section 342)

### 2. Definitions

- a. “Employee” - means every person who is required or directed by any employer to engage in any employment or to go to work or be at any time in any place of employment. (California *Labor Code* section 6304.1)
  - 1) Independent contractors and volunteers are not employees.
- b. Immediate – as soon as practicable, and in no event later than 8 hours after the employer knows, or with diligent inquiry would have known, of the death or serious injury.
- c. Serious injury or illness - means any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement, but does not include any injury or illness or death caused by an accident on a public street or highway, unless the accident occurred in a construction zone.
- d. Working days - Mondays through Fridays but shall not include Saturday, Sunday or State Holidays

### 3. Who Makes a Report

- a. Due to the requirement for immediate reporting, the employee’s direct supervisor shall use the information contained in this bulletin to report a serious injury or illness directly to an office of Cal/OSHA as soon as it known that an employee was transported to the hospital for care and will likely need to be admitted.
- b. The supervisor should also notify immediately their department head, Risk Management, and Human Resources.

### 4. When to Report

- a. If an employee dies at work.

- b. If an employee is injured or falls ill at work and is transported to a hospital and it is likely that they will be admitted to the hospital and not released that same day. If you are unable to determine if the employee will be admitted, the report to Cal/OSHA should be made out of caution.
- c. If three or more employees are injured during a single incident such as an explosion.
- d. Volunteers: Volunteers are not considered employees; a serious injury will not result in a call to Cal/OSHA even if they are covered under Workers Compensation.
- e. Contractors: It is the responsibility of contractor to report a death or serious injury to Cal/OSHA. If a serious injury is brought to the district's attention, remind your contractor of their obligation to call Cal/OSHA to report that injury. Likewise, for any sub-contractors working on behalf of a contractor at a district, the sub-contractor should be reminded to report a serious accident to Cal/OSHA.

## **5. What to Report**

- a. Information to include in the report to Cal/OSHA includes:
  - Time and date of accident.
  - District's name, address, and telephone number.
  - Name and job title, of person reporting the accident.
  - Address of site of accident or event.
  - Name of person to contact at site of accident.
  - Name and address of injured employee(s).
  - Nature of injury.
  - Location to which injured employee(s) was moved.
  - List and identity of law enforcement agencies present at the site of accident.
  - Description of accident and whether the accident scene or equipment was altered.
- b. Accidents that result in serious injury or illness, or death that occur in a construction zone on a public street or highway are included by statute.
- c. Work-related injuries, illnesses and deaths caused by the commission of a crime are no longer excluded from the definition of "serious injury or illness".

## **6. How to Report**

- a. Reports shall be made to the nearest District Office of the Division of Occupational Safety and Health by Phone or Email until an online form is developed and provided by Cal/OSHA.

**Van Nuys District Office**  
District Manager  
6150 Van Nuys Blvd., Ste. 405  
Van Nuys, CA 91401  
*Telephone:* (818) 901-5403  
*Fax:* (818) 901-5578  
*Email:* [DOSHVN@dir.ca.gov](mailto:DOSHVN@dir.ca.gov)

## **7. Fines for not reporting**

- a. An employer who violates this regulation may be assessed a civil penalty of not less than five thousand dollars (\$5,000).