

Occupational Disease and Work-Related Injury Reporting

1042.1 PURPOSE AND SCOPE

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

1042.1.1 DEFINITIONS

Definitions related to this policy include:

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

1042.2 POLICY

The Fontana 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.).

1042.3 RESPONSIBILITIES

1042.3.1 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).

Any member sustaining any minor occupational work-related injury, not requiring immediate medical treatment may complete a Minor Injury Report Memorandum. The memorandum will be submitted to a supervisor and a scar report will be completed by the employee supervisor, in accordance with FPD policy 1042.3. The memorandum and the SCAR will be routed, via the administrative division, to Human Resources. Human Resources will place the documents in the employees secure personnel medical file. This form is not required in the event an employee receives an injury requiring immediate medical attention.

1042.3.2 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 promptly to the Administrative Lieutenant. Any related city wide 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.

Fontana Police Department

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1042.3.3 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, Administrative Lieutenant, who will forward it to the city's risk management entity. The Division Commander should ensure any required Division of Occupational Health and Safety Administration (Cal/OSHA) reporting is made.

1042.3.4 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.

1042.4 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.

1042.4.1 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.