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## Work-Related Illness and Injury Reporting

### 820.1 PURPOSE AND SCOPE

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

#### 820.1.1 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.).

### 820.2 POLICY

The Humboldt County Probation Department (HCPD) will address work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (Labor Code § 3200 et seq.).

### 820.3 RESPONSIBILITIES

#### 820.3.1 MEMBER RESPONSIBILITIES

Any member suffering from any occupational illness 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).

#### 820.3.2 SUPERVISOR RESPONSIBILITIES

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

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related Countywide injury- or illness-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.

#### 820.3.3 DIVISION DIRECTOR RESPONSIBILITIES

The Division Director who receives a report of an occupational illness 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 Probation Officer or authorized designee, the County's risk management entity, and the Administration Supervisor to ensure any required Division of Occupational Safety and Health (Cal/OSHA) reporting is made as required in the illness and injury prevention plan identified in the Illness and Injury Prevention Policy.

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#### **820.3.4 CHIEF PROBATION OFFICER RESPONSIBILITIES**

The Chief Probation Officer or authorized designee 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.

#### **820.4 OTHER ILLNESS OR INJURY**

Illnesses 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 Director through the chain of command and a copy sent to the Chief Probation Officer or authorized designee.

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

#### **820.5 SETTLEMENT OFFERS**

When a member sustains an occupational illness or work-related injury that is caused by another person and is subsequently contacted by that person, the person's 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 a supervisor as soon as possible.

##### **820.5.1 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 illness or work-related injury, the member shall provide the Chief Probation Officer or authorized designee 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 Probation Officer or authorized designee. The purpose of such notice is to permit the County to determine whether the offered settlement will affect any claim the County may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the illness or injury, and to protect the County's right of subrogation, while ensuring that the member's right to receive compensation is not affected.