

Guide for the Use of Accident Investigation Forms

The Workers' Compensation Accident Investigation Form is to be used only for Workers' Compensation claims. Please note the motor vehicle accident supplement on the last page. Use this, if an employee is injured as the result of a motor vehicle accident. Note that a Property & Liability Accident Investigation Form should also be used, if a Property & Liability claim is to be filed.

The claimant's form is to be given to persons who seek to make a claim against the county. For example, if a citizen falls in the courthouse and you are contacted, the citizen should be asked to complete the claimant's statement. Send the completed claimant's statement to John Jervey at SCAC.

These forms should be kept at locations where the public may frequently visit. The managers in these areas should be informed about the form and when it should be given to potentially injured citizens. We are not seeking to solicit lawsuits against the county. If it is obvious that some member of the public has had an accident at a county facility, we should be prepared to get their statement of the facts surrounding an incident. This could be quite useful, if a lawsuit follows. Sometimes, right after an incident, a potential claimant may be more accurate in their description of what happened. Over time, claimants may modify their story in order to secure a more favorable outcome from a claim. If the claimant's original statement on the claimant's form contradicts a later allegation, our defense position will be enhanced.

The General Liability Accident Investigation Form should be used for potential claims against the county. If a citizen fell at a county facility, this form should be used. You should also attempt to get a claimant's statement.

It is important for you to be notified when there is an incident and it is possible that a citizen may wish to make a claim against the county.

The Employee Statement Form should be used in conjunction with a General Liability claim. If an employee witnessed a fall at the courthouse, take their statement using this form and send it to John Jervey at SCAC.

The Property Form is used to investigate and report property claims. Remember—for property and liability claims we are attempting to get the facts, take corrective action and strengthen our defense position. For Workers' Compensation claims, we are seeking the facts—not fault—and documenting corrective action. Workers' Compensation is a no fault coverage and does not usually involve a defensive position by the employer.