



**U.S. Department of  
Transportation**

Office of the Secretary  
of Transportation

# ORDER

DOT 3903.1

11-10-2004

**Subject: OCCUPATIONAL SAFETY AND HEALTH:  
INCIDENT INVESTIGATION, REPORTING AND RECORDKEEPING**

---

1. PURPOSE. This Order establishes policies and assigns responsibilities for investigating, reporting and recordkeeping of occupational injuries and illnesses in all Department of Transportation (DOT) operations and facilities.
2. CANCELLATIONS.
  - a. Paragraphs 8h and i, DOT Order 3902.7A, dated May 25, 1990.
3. REFERENCES.
  - a. Title 29 Code of Federal Regulations (CFR), Part 1904, Recording and Reporting Occupational Injuries and Illnesses.
  - b. Title 29 CFR 1960, Subpart I, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters.
  - c. Executive Order 12196, as amended, Occupational Safety and Health Management Programs for Federal Employees, February 26, 1980.
4. SCOPE. This Order applies to all DOT organizations. It encompasses all DOT personnel, facilities and operations worldwide, including contractor personnel performing work at DOT facilities if supervised by DOT, and adopts the following policies.
5. POLICY. DOT is responsible for providing safe and healthful workplaces and conditions of employment for all employees. The following policies support this Order:
  - a. The Office of the Secretary (OST) and the Operating Administrations (OA) shall investigate and report all employee occupational safety and health incidents, injuries and illnesses which occur in operations internal to DOT, including those involving contractors and visitors to DOT facilities.
  - b. Employees shall report work-related injuries or occupational illnesses to their supervisors on the appropriate forms approved by the Office of Workers' Compensation Programs, U. S. Department of Labor (DOL). These reports shall be transmitted electronically by workers' compensation specialists through the DOT Workers' Compensation Information System (WCIS). WCIS will maintain workers compensation information and related costs.

---

DISTRIBUTION: All Secretarial Offices  
All Operating Administrations  
Bureau of Transportation Statistics

OPI: Assistant Secretary  
for Administration

c. The following work-related incidents are reportable:

- (1) Death, more than one workday away from work, restricted work or transfer to another job, medical treatment beyond first aid, or loss of consciousness.
- (2) Significant injury or illness diagnosed by a physician or other licensed health care professional, even if it does not result in death, days away from work, restricted work or job transfer, medical treatment beyond first aid, or loss of consciousness.
- (3) Motor vehicle incidents resulting in injury or damage.
- (4) Accidental damage to government property or equipment other than motor vehicle.
- (5) Incidents resulting in injury or damage to non-DOT personnel or property while on DOT-owned, leased, or General Services Administration assigned space.

d. This Order implements the occupational safety and health recordkeeping requirements imposed by the Occupational Safety and Health Act of 1970. Effective January 1, 2005, all DOT OAs shall adhere to the reporting criteria contained in Title 29 CFR, Part 1904, Recording and Reporting Occupational Injuries and Illnesses; and Title 29 CFR 1960, Subpart I, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters.

## 6. BACKGROUND.

a. Preventing incidents that result in injuries and occupational illnesses or damage to DOT facilities and equipment significantly enhances DOT's ability to meet mission requirements, achieve performance goals and effectively utilize available resources. Comprehensive investigations of incidents and accurate reporting and recordkeeping are essential to the success of the Department's Occupational Safety and Health Program (OSH).

b. Investigations to determine how and why an event occurred are necessary to prevent future occurrences of similar events. Accurate reporting and recordkeeping is necessary to identify trends that lead to further investigations and to assess the effectiveness of the overall DOT OSH Program. Further, certain records are necessary to comply with DOL reporting and recordkeeping requirements.

c. Procedures that apply to all DOT incident investigations, and reporting and recordkeeping requirements relating to the DOT OSH Program are included in this Order and supersede paragraphs 8, h and i of DOT Order 3902.7A, dated May 25, 1990.

7. FORMS. The following forms are provided by the Occupational Safety and Health Administration (OSHA) or the Office of Workers' Compensation (OWCP) to report recordable incidents, injuries, occupational illnesses or motor vehicle incidents.

They are available online at <http://www.osha.gov/recordkeeping>; and at [http://www.dol.gov/esa/owcp\\_org.htm](http://www.dol.gov/esa/owcp_org.htm).

- a. OSHA Form 300- Log of Work-Related Injuries and Illnesses. This form, or a reasonable electronic facsimile, will be used to log all occupational injuries and illnesses.
  - b. OSHA Form 300A- Summary of Work-Related Injuries and Illnesses. OSHA Form 300A will be completed, certified, and posted annually according to the provisions contained in 29 CFR 1960.69, and 29 CFR 1904.32.
  - c. OSHA Form 301- Injury and Illness Incident Report. OAs that have developed their own reporting form may continue to use it provided that they include all of the required data elements found in 29 CFR 1904.
  - d. Form SF-91, Operator's Report of Motor Vehicle Accident, and where appropriate, Form SF-94, Statement of Witness, may be used to record witness identity and incident/illness information after a motor vehicle incident, but shall not be used in lieu of OSHA Form 301.
  - e. DOL Form CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation.
  - f. DOL Form CA-2, Federal Employee's Notice of Occupational Disease and Claim for Compensation.
8. **REPORTING RESPONSIBILITIES.** Prompt investigation and reporting of any occupational incident or illness involving DOT employees or property will provide valuable information necessary for the systematic identification and correction of safety and health hazards.
- a. **Employees.** Each DOT employee, or someone acting on the employee's behalf, is responsible for the prompt reporting of all occupational injuries and illnesses to their immediate supervisor. The employee is responsible for:
    - (1) Completion of Items 1 through 16 of Form CA-1 for each traumatic injury sustained while in the performance of their official duties;
    - (2) Completion of Form CA-2 for each occupational illness or disease sustained in the performance of their duties;
    - (3) Timely submission of incident/illness information and workers' compensation forms to their immediate supervisor.
  - b. **Supervisors.** Supervisors are responsible for the timely completion and submission of the following forms. Specifically, supervisors are responsible for completion of:

- (1) OSHA Form 301, Injury and Illness Incident Report, (or equivalent) for each employee involved in an incident or illness. The forms shall be completed within six work days from the date of the incident. Completed forms shall be distributed in accordance with each OA's instructions, ensuring that the safety officer receives the original copy.
- (2) Completion of DOL Form CA-1, Items 21 through 45 and obtaining witness information, where appropriate, for the completion of Items 17 through 20.
- (3) Forwarding completed DOL Forms CA-1 and CA-2 to the Office of Human Resources, normally to a workers' compensation specialist, within 5 workdays of receipt from the employee, where the information will be entered into the WCIS system for electronic transmission to DOL.

c. OST and OA Safety Officers. The OST and OA safety officer shall enter OSHA Form 301 information on OSHA Form 300, Log of Federal Occupational Injuries and Illnesses. A computer generated facsimile of OSHA Form 300 is acceptable. A copy of OSHA Form 301 and OSHA Form 300 shall be retained by the safety officer for a period of five years following the end of the incident/illness report's calendar year and pursuant to 29 CFR 1960.67, 1960.68, and 1960.69, 1960.70 and 29 CFR 1904.33.

- (1) Statements from witnesses, photographs, investigative and other supporting data shall be attached to OSHA Form 301 and retained by the OA safety officer for a period of five years following the close of the incident/illness report's calendar year. In those instances where a tort claim is filed against the Federal government, a copy of OSHA Form 301, and other investigative evidence shall be sent to the DOT or OA Tort Claims Officer or Office of the General Counsel, or OA Office of the General Counsel, upon their request.
- (2) All OST and OA safety officers shall have access to the WCIS system and verify the accuracy of each report and, where authorized, ensure the timely electronic submission of incident/illness data in the WCIS system. The goal of the Department for submission of all incident/illness reports is five working days from the date of the incident.
- (3) All OST and OA safety officers should analyze occupational incidents, injuries and illnesses for causes and costs. Case information and cost data on work-related injuries and illnesses are contained in the Department's WCIS. Reports pertaining to work-related injuries and illnesses are available to OA safety officers through the OA workers' compensation program manager.
- (4) An employee, former employee, and/or an authorized representative, have limited access to OSHA Form 300, and other incident records and reports that contain their

name. Access may be limited to the requirements of the Freedom of Information Act (FOIA) and Privacy Act. In accordance with FOIA requirements, access to information on any log maintained for DOT will be restricted to information that does not constitute an unwarranted invasion of personal privacy consistent with exception 6 and 7(c) of the FOIA. An employee whose name does not appear on a log will be limited to information that does not identify any injured or ill employees, and will not be provided access to the names of the injured or ill employees. Additional information on employee rights of access to these documents is provided in 29 CFR 1904.7 and 29 CFR 1960.71. OST and OAs should consult their FOIA and Privacy Act specialists for further guidance before disclosing any work-related incident, injury or illness.

- (5) OST and OA safety officers should ensure compliance with recording criteria and determine the work-relatedness of each incident in accordance with 29 CFR 1904.4 to 1904.11.

d. Departmental OSH Manager. The Departmental OSH Manager will be responsible for providing prompt notification to the Designated Agency Safety and Health Official (DASHO) of all serious or fatal incidents and will notify DOL within 8 hours from the date and time of the incident. At the discretion of the DASHO, a committee will be established to further investigate the incident and provide a report of its findings to the Assistant Secretary for Administration. The Departmental OSH Manager will collaborate and coordinate with the Departmental Workers' Compensation Program Manager on issues of mutual interest.

e. Departmental Workers' Compensation Program Manager. The Departmental Workers' Compensation Program Manager is responsible for policy formulation, planning, program administration, and evaluation; and for establishing Departmental objectives and strategies regarding the workers' compensation program. The Departmental Workers' Compensation Program Manager will collaborate and coordinate with the Departmental OSH Manager on issues of mutual interest.

## 9. INVESTIGATION AND REPORTING PROCEDURES.

a. DOT is required to report to DOL all incidents, illnesses and multiple hospitalizations of a significant nature. The OST or OA official responsible for the injured employee(s) or damaged property shall report the following incidents within 8 hours from the date and time of the incident, to the appropriate OST or OA safety officer who shall promptly inform the DOT Departmental OSH Manager by telephone:

- (1) Any occupational incident which is fatal to one or more employees;
- (2) Any occupational incident or illness which results in the hospitalization of 3 or more employees involved in the same incident, or which involves property damage of \$100,000 or more, including fires in any type of structure;

(3) Any employee fatal heart attack which occurs on the job.

b. The preliminary report of all incidents, illnesses and multiple hospitalizations of a significant nature shall include at a minimum:

- (1) Facility name, date, time and location of the illness or incident;
- (2) Names and other identifiable information of all persons involved;
- (3) Number of deaths or hospitalizations;
- (4) Number and extent of injuries and illnesses;
- (5) Extent of damage to government-owned, government-leased property and privately owned property;
- (6) Name, address, and telephone number of the senior management representative of the facility; and
- (7) Any additional information which explains how the incident occurred and the causes.

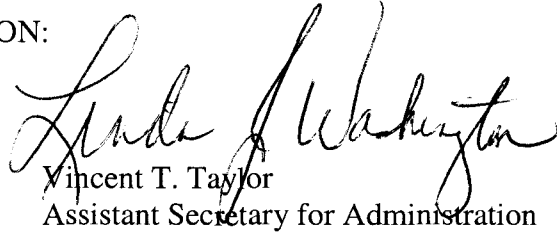
c. Incidents not immediately reportable but which result in death of an employee within 30 days of the date of the incident, shall be reported to the appropriate OA safety officer within 8 hours from the time the supervisor or other responsible management official becomes aware of the incident. The Departmental OSH Manager and Departmental Workers' Compensation Program Manager will be notified in writing within 5 working days. See 29 CFR 1904.39(b)(6) for additional information. If death occurs after 30 days from the date of the incident, consult with the Departmental Occupational Safety and Health Manager for further advice.

#### 10. RECORDS RETENTION.

- a. Records and reports required to be maintained under the provisions of 29 CFR 1960, Subpart I, sections .67, .68, .69 and .73; and 29 CFR 1904.33, shall be retained by each OA for a minimum of five years following the end of the fiscal year to which they relate, and at any location, including a Federal record retention center, to which OSHA or a designated representative would have reasonable access.
- b. Records required by a specific OSHA standard shall be retained in accordance with those standards. For example, medical records, exposure samplings and reports must be retained for a minimum of 30 years after the employee terminates employment.
- c. Records pertaining to OWCP claims, including copies maintained by the employing agency, are to be protected under the government-wide Privacy Act system of records

entitled DOL/GOVT-1. This system of records is maintained and under the control of OWCP. Please refer to 20 CFR 10.11 for more information.

FOR THE SECRETARY OF TRANSPORTATION:



Vincent T. Taylor  
Assistant Secretary for Administration