

Reports of Public Sector Workplace Death & Injuries

In addition to promptly completing a First Report of Injury and filing it with your carrier, public employers must also notify the Maine Department of Labor of injuries or fatalities of public sector employees in certain circumstances. Incidents that result in a fatality must be reported within 8 hours. Amputations, loss or fracture of any body part or injury that necessitates immediate hospitalization or formal admission to the inpatient service of a hospital or clinic for care or treatment must be reported within 24 hours. Specifics are contained in Maine statutes which can be accessed through <http://legislature.maine.gov/legis/statutes/26/title26sec2.html> and the Department of Labor's Notice which is reproduced below :



Important Notice **Public Sector Only**



The Maine Department of Labor, Bureau of Labor Standards has jurisdiction (MRSA Title 26), and responsibility to investigate injuries and fatalities of public sector (county, municipal, or state) employees.

MRSA Title 26: LABOR AND INDUSTRY **Chapter 1: GENERAL PROVISIONS** **Section 2: REPORT OF DEATH AND INJURIES**

1. Reports of deaths. The person in charge of any workplace as defined in section 1 provided by the State, a state agency, a county, a municipal corporation, a school district or other public corporation or political subdivision shall, within 8 hours after the occurrence, report the death of any person in the workplace or on the premises to the Director of the Bureau of Labor Standards, or the director's designee, by telephone or electronically, stating as fully as possible the cause of the death and the place where the deceased person has been sent and supplying other information relative to the death that may be required by the director who may investigate the causes of the death and require such precautions to be taken as will prevent the recurrence of similar events. A statement contained in any such report is not admissible in evidence in any action arising out of the death reported. [2015, c. 138, §1 (AMD).]

2. Reports of serious physical injuries. The person in charge of any workplace as defined in section 1 provided by the State, a state agency, a county, a municipal corporation, a school district or other public corporation or political subdivision shall, within 24 hours after the occurrence, report all serious physical injuries requiring immediate hospitalization sustained by any person in the workplace or on the premises to the Director of the Bureau of Labor Standards, or the director's designee, by telephone or electronically, stating as fully as possible the extent and cause of the injury and the place where the injured person has been sent and supplying other

information relative to the injury that may be required by the director who may investigate the causes of the injury and require such precautions to be taken as will prevent the recurrence of similar events. A statement contained in any such report is not admissible in evidence in any action arising out of the accident reported. [2015, c. 138, §1 (AMD).]

3. Serious physical injuries defined. "Serious physical injuries," as used in this section, means an incident that results in an amputation, loss or fracture of any body part or that necessitates immediate hospitalization or formal admission to the inpatient service of a hospital or clinic for care or treatment.

NOTE: Incidents should be reported as soon as possible so appropriate notification can be made.

Phone: (207) 592-4501

Email: accident.bls@maine.gov

IMPORTANT: A First Report of Injury must also be completed and sent to your Workers Compensation insurer.