

# **Incident Investigation And Reporting Manual**

**MTA METRO-NORTH RAILROAD**

*Rev. 5/02/07*

# Safety Statement

Metro-North is committed to safety. We are determined to create an environment where safety is *Priority One* and to eliminate all accidents and injuries.

**Therefore, Metro-North adopts the following principles:**

- Working safely is a condition of employment. It is the responsibility of all employees.
- All accidents and injuries are preventable.
- We will provide safety programs, training and equipment that enable employees to avoid accidents and injuries.
- All employees must know and follow the safety rules and ensure that proper procedures are followed.
- Safety is the most important factor in everything we do.

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**Revision: 5/2/07**

# Section 1 - Introduction

## Purpose

The purpose of this program is to ensure that all incidents are properly reported and investigated to determine the corrective actions that will prevent reoccurrence. All incidents must be reported, investigated and documented in accordance with this program.

Good incident investigation procedures:

- Provide information to prevent future occurrences, determine injury rates, identify trends or problem areas and satisfy legal reporting requirements
- Identify the causal factors that contributed directly or indirectly to each incident
- Identify corrective actions for each incident
- Identify deficiencies in systems, practices and procedures

## Definitions

**Incident:** Any undesired event arising from the operations of MTA Metro-North Railroad which results in or may result in injury or illness to any person or damage to the property of the railroad or another.

**Investigation:** A detailed, systematic search to uncover the "who, what, when, where, why, and how" of an incident or near miss and to determine what corrective actions are needed to prevent a recurrence.

**Near miss:** Any undesired event arising from the operations of MTA Metro-North Railroad which under slightly different circumstances could have resulted in injury or illness to any person or damage to the property of the railroad or another. This may be used as an opportunity to improve safety performance by learning from an incident with potential for more serious consequence.

# Section 2 – Pre-Incident Preparation

## The Investigator's Role

The incident investigator is responsible for an efficient and comprehensive incident investigation. This often requires the investigator to rapidly bring order to a confused situation while conducting a microscopic search for facts and evidence. To do this, the investigator must be familiar with the techniques and procedures of incident investigation before an incident occurs. This can only be accomplished with advance preparation. Ideally, the investigator will also be familiar with the equipment, operations, processes and procedures involved in a particular incident.

Every factor relating to an incident must be discovered and analyzed to determine the actual sequence of events and the direct, indirect and root causes of the incident. Throughout the evidence collection, interviews and report writing, everything you do as an investigator has two ultimate goals:

1. Determine the causes of the incident.
2. Prevent it from happening again.

Following these principles will secure the best results possible:

1. Generally, the local supervisor or shift supervisor is the best person to lead the investigation. Regardless of title or position, the lead investigator should be trained and qualified to conduct an investigation in accordance with these instructions. For a serious incident or in extenuating circumstances, a designated official or team will conduct the investigation. When special expertise, or additional personnel or resources are needed, investigators should arrange for this through their department management.
2. It is of the utmost importance to get to the scene and begin the investigation immediately after the occurrence. After time has elapsed, it is harder to obtain accurate facts and determine the conditions that led to the incident.
3. When investigating an incident strive for **comprehensiveness** and **accuracy**. Nothing can replace thorough fact finding by observation, photography, interview, research and reconstruction and the careful analysis of those facts.
4. Incidents are rarely caused by a single factor but rather by a combination of several conditions or events.
5. Finally, remember that the ultimate purpose of incident investigation is to identify corrective actions that will lead to a healthier and safer work environment.

## **Pre-Incident Planning**

Since we cannot predict when or where an incident will occur, pre-planning is essential for a prompt and effective response. Pre-planning helps ensure that the injured will be properly attended to and that the investigation is handled professionally. Employees who are required to perform any of the tasks below must be sufficiently trained so that they can perform these important functions:

1. Rescue and First Aid/CPR
2. Site Emergency Response Procedures
3. Notifying the appropriate authorities (medical, fire, police, etc.)
4. Notifying those who will investigate the incident.

## **Recommended Equipment for Incident Investigations**

Maintaining an Incident Investigation Kit is an important step in pre-planning for an incident investigation. The kit should have the basic equipment that an investigator might use for an investigation. Investigators must comply with all of Metro-North's health and safety practices in the area of the incident by wearing or using all of the required safety clothing or equipment. Bear in mind that an incident can greatly change the characteristics of a work area, creating the need for different or specialized safety equipment.

### **Kit Contents**

1. Caution tape
2. Measuring tapes (six and fifty feet)
3. Camera and film
4. Forms, checklists, logs, etc.
5. Clipboard with note pad and pencil



# Section 3 – Medical Treatment and Evaluation of Employee Injuries

## Emergency medical treatment

The supervisor's first responsibility is to provide first aid or emergency medical treatment whenever necessary. If treatment is warranted, emergency medical responders must be called to the scene or the employee must be promptly transported to the closest appropriate medical facility. A supervisor, or in extenuating circumstances, another designated, responsible employee must accompany an injured employee to the medical facility.

## Medical evaluation

It is important to recognize the distinction between medical treatment and medical evaluation. Medical treatment is actual care of an injury or illness by a qualified health care professional. Medical treatment is to be provided at the discretion of the employee. That is, an employee may decline medical treatment. Medical evaluation does not involve treatment. Medical evaluation involves examination by a qualified health care professional and may involve non-invasive diagnostic procedures for the purposes of determining the nature and extent of injury. Metro-North, as the employer, has the right to have an employee who sustains an on-the-job injury evaluated by the Metro-North Occupational Health Services Department or by an outside medical provider designated by Metro-North. An employee cannot simply refuse to cooperate with a reasonable request to appear for a medical evaluation related to his or her illness or injury. If the supervisor is in doubt as to how to handle a situation where the employee objects to medical evaluation, they should seek guidance from a senior department official.

The supervisor must arrange for an immediate medical evaluation of an injured employee before the employee is released from duty. Whenever practical, this evaluation should be scheduled with the Metro-North Occupational Health Services Department or, if necessary, at an outside medical facility designated by Metro-North. If the employee received emergency medical treatment and the treating physician provides this evaluation it is not necessary to schedule another initial medical evaluation.

## **Continued; Section 3 – Medical Treatment and Evaluation of Employee Injuries**

An injured employee is responsible for complying with instructions concerning medical evaluations. This includes but is not limited to, keeping appointments with the Metro-North Occupational Health Services Department and with other medical consultants as directed by Occupational Health Services, as well as completing all necessary authorizations for the release of related medical information to Metro-North.

Supervisors may authorize exceptions to the requirement for medical evaluation only in the case of minor cuts, abrasions, bruises or insect bites and only when the circumstances of the incident are clearly established and are consistent with the nature and severity of the injury. When it is determined that an evaluation is not required refer to The Supervisor's Post Incident Management Guide and The Post Injury Instructions. (Appendix F and G)

Supervisors are not permitted to waive the medical evaluation without authorization from a senior department manager when:

- The employee cannot complete his/her tour of duty.
- The employee cannot perform all the duties of his/her position, even temporarily.
- The circumstances of the incident are inconsistent with the nature or severity of the injury.
- The injury is of the following type:
  - strain or sprain of the neck, back, shoulder or knee
  - head trauma.
  - any loss of consciousness
  - electric shock

For employees evaluated at a non-Metro-North facility, the supervisor should obtain a copy of any documentation supplied by the facility to the employee pertaining to his or her diagnosis and work restrictions, this document should be faxed immediately to the Metro-North Occupational Health Services Department.

## **Medical Evaluation Steps**

If an injured employee is to be evaluated and/or treated at the Metro-North Occupational Health Services (OHS) Department, the supervisor must call to schedule the first available appointment. The supervisor must indicate that the appointment is for evaluation or treatment of an occupational injury to ensure that it is scheduled in timely fashion. The supervisor initiates the documentation by filling out the first part of the MD-40, and directs the employee to present it at OHS. If the employee is sent to Metro-North OHS directly from a field location where an MD-40 is not available, the Supervisor should call the Occupational Health Services Department to advise them of the circumstances. Metro-North OHS staff will determine if the employee is fit for duty. This is indicated on the MD-40 along with any restrictions. The employee must present the completed MD-40 to the supervisor or other designated official before returning to work.

If an injured employee is evaluated or treated at an outside medical facility and found fit for duty it is not necessary for the employee to be seen at Metro-North Occupational Health Services. All documentation should be forwarded to Claims Services to be filed with the Incident Investigation Report. If an injured employee is evaluated or treated at an outside medical facility and is found not qualified for full duty or qualified for restricted duty, a follow up appointment must be scheduled with the Metro-North Occupational Health Services Department. This will ensure that the employee's recovery, rehabilitation and return to duty are properly managed.

## **Transportation of Injured Employees**

Emergency medical transportation should be summoned to transport seriously injured employees for medical treatment. Unless there are extreme extenuating circumstances, employees with the following injuries or symptoms should not be transported in company or private vehicles: broken bones (except fingers or toes), difficulty breathing, cardiac problems, electric shock, seizures, loss of consciousness, severe hemorrhage, burns (except superficial), spinal injury, severe trauma or severe abdominal pain.

Transportation for treatment or medical evaluation of minor injuries may be accomplished using company vehicles.

## **Post-incident Debriefing**

When employees have been involved in or have witnessed a serious incident, it may be advisable to arrange for professional post-incident debriefing. Post-incident debriefing is available through the Metro-North Employee Assistance Program. When in doubt as to whether assistance from an EAP Counselor would be helpful, supervisors are encouraged to contact an EAP representative for guidance. During regular business hours EAP can be reached at 212-340-2792. At other times, they can be contacted through the Chief Rail Traffic Controller at 212-340-2050.

# Section 4 – Conducting the Investigation

## **Taking Control of the Incident Scene**

The senior investigating supervisor should take charge of the incident scene. The following tasks should be performed:

- Ensure imminent danger no longer exists and that the incident scene is safe.
- Secure the area to preserve evidence.
- Disperse personnel who are not needed for the investigation or involved in controlling the scene.

## **Ensuring the Scene is Safe**

Take immediate steps to ensure that the incident site is safe for employees, investigators and others with a need to be in the area. Remember that every incident is unique and requires respect for the particular situation. Especially in the case of incidents involving hazardous substances, explosions, fire, or releases of hazardous energy (steam, electricity, hydraulic, etc.) ensure that remediation or control measures have made the site safe. Control measures might include, but are not limited to, testing to confirm the absence of hazardous substances, environmental clean-up or de-energization and Lockout/Tagout procedures. For incidents on or about tracks, ensure that the site is protected against movement of trains and equipment. For sites in areas of vehicle traffic, ensure that traffic control measures are in place. Make sure that additional hazards that may have been caused by the incident are contained.

## **Securing the Area**

It is vital to preserve evidence that will assist in determining the cause of the incident. The area must be secured before any evidence is tampered with or destroyed. Conditions can change rapidly and irreversibly after an incident due to such things as weather conditions or the need to make the area suitable for working again. If you move quickly, the incident scene can be secured and blocked-off from unauthorized personnel until the investigation is completed. Follow the basic steps outlined below to ensure the quality of your investigation:

1. Barricade, rope off, or otherwise secure the area.
2. Immediately document the scene as it exists after the incident.
3. Take photographs and/or videotape the area from several vantage points.
4. Draw sketches from several angles including measured dimensions.

## **Continued; Section 4 – Conducting the Investigation**

### **Criminal Investigations**

If there is any indication whatsoever that criminal activity may have been involved, the MTA Police must be notified immediately. In any incident involving a fatality or the possibility those injuries may be fatal, even if no criminal activity is suspected; the MTA Police must be notified. The MTA Police should be contacted through the Operations Control Center, 212-340-2050.

If a crime is suspected, the Police will assume criminal investigative authority over the incident scene. Before their arrival the site should not be disturbed beyond what may be necessary to provide rescue, medical treatment and site safety. The Police will initiate an investigation, remove or secure any evidence that is relevant to their investigation and take statements from witnesses. The Police will determine as quickly as possible if a crime has been committed. If evidence indicates that the incident was the result of criminal intent, the criminal investigation takes priority over all other investigations and the incident investigation will continue only as a subordinate activity to the criminal investigation. Once criminal activity is determined not to be a factor, the Police will release control of the investigation.

### **Reopening the Incident Scene**

It is important to restore the incident scene to normal operational status as soon as possible without impeding the investigation. You must efficiently obtain all of the evidence you need from the incident location before reopening the area. Once this is completed:

1. Ensure the area is safe and serviceable
2. Remove any caution tape or barriers
3. Ensure that all employees in the area and anyone involved with the investigation understand that the site is being returned to service.
4. Release the area to the department for normal service.

# Section 5 - Evidence

## Collecting and Preserving Evidence

There is often hectic activity and confusion at an incident scene. Personnel often initially mishandle critical elements of the investigation scene and clues are often lost in the shuffle. It is important to act quickly to secure the site and prevent tampering, removal or disturbance of evidence.

Survey the secured area to locate objects, substances or conditions that may be related to the incident. Take photographs or videotape before the site is disturbed. Physical hazards and safety controls present or absent at the time of the incident are particularly important. When evidence is located make sure that it is marked and protected. In particular, take steps to ensure the observation and recording of fragile, perishable, or transient evidence (for example: instrument readings, control settings, weather and other environmental conditions, chemical spills, stains, skid marks).

Do not hesitate to get assistance with technical matters or with operating and maintenance procedures and practices. Local employees are extremely valuable in these situations. They are most familiar with things like the machinery, building structure, piping, wiring, materials and other conditions at the incident scene.

Tools, material, parts and equipment that may be relevant must be carefully examined, secured and noted as evidence. Such items must be protected against further damage or alteration. Look for unusual marks, tears, fractures, bends or other signs of tools, equipment or parts that have been stressed, broken, abused or improperly used. It is better to secure items rather than to find that a tool, part or material is important but has been misplaced, discarded or altered.

All collected evidence should be held for forwarding to Claims Services as part of the permanent case file. For direction on securing and storing evidence, contact the Director of Claims Services

## **Continued; Section 5 - Evidence**

### **Photographing/Videotaping the Area**

Photographing and videotaping are valuable methods for recording conditions that may change during the investigation or shortly thereafter. They can aid in preparing your report and in analyzing conditions at incident site after the initial investigation.

Ideally, photographs and videotaping must be done before any changes occur at the scene. If the incident scene has been altered, determine what was moved or changed and why, and make a record of the changes.

Photograph or videotape from several distinct locations and different angles: front, back, and both sides. Photographs should be numbered and the counter on the video camera logged as positioning of the video camera changes. Make sure to place the direction of vision on your map or sketch. Document the pictures and video by using a logging chart (See Appendix D). Keep the original photographs and videotape in the investigation file.

### **Re-enactment of Incidents**

Re-enactment can provide valuable information for the investigation. This is done by having someone, preferably the person who had the accident, demonstrate what was being done and how the accident happened. This technique should only be used:

1. When it can supply information that can't be obtained in any other way.
2. When it will aid in determining preventive action.
3. When it is necessary to verify facts given by a witness or the injured employee.

If you decide to re-enact an accident, be sure the re-enactment will not result in a repetition of the injury. Additional injuries have happened when the original accident was acted out simply because the worker did exactly what was done before and the same result occurred.

#### **Before re-enacting any incident, supervisors need to:**

1. Ensure that the worker understands that he/she should only go through the motions and should not actually repeat the actual unsafe act that caused the accident.
2. Instruct the worker to demonstrate (in slow motion) what happened to cause the accident. This will reduce the chance of another accident, and aid you in understanding the sequence of events.
3. Insure that the worker is emotionally stable and does not object to re-enacting the situation. Remember that an accident may seriously upset a worker. Re-enacting the accident may be even more disturbing.
4. Watch closely the entire time to insure that the worker is not in any danger.

## **Sketching the Area**

Sketch or draw parts of the incident scene, especially if the material has been destroyed or moved. If possible, use existing plans or diagrams and modify appropriately. The following will assist in sketching the scene:

1. Use graph paper to organize and scale the sketch. Establish the value for a square at the bottom of each sketch (i.e. 1 square = 1 foot).
2. Indicate north as you would on a map to orient the scene.
3. Use a strip of the graph for measuring any diagonals on the sketch.
4. Locate important objects and people on the sketch.
5. Outline large objects and label them inside their outlines. Smaller objects may be identified outside the outline with an arrow to the object.
6. If there is too little space for labels, use letters or other identifiers at the bottom of the diagram or on an attached page.
7. Locate movable objects with measurements from two fixed locations.
8. If the sketch is used to orient photographs or videotapes, identify the location and direction of each photograph/videotape.
9. Title and date the sketch. Identify who drew the sketch and who identified the area to sketch.

## **Sampling of Materials, Chemicals and Substances**

There are many reasons for taking samples of materials during an incident investigation. Samples may reveal contributing factors or the actual cause of the incident. In cases where environmental issues or hazardous substances may have contributed to the injury or illness contact the **Safety and Security Department**. Safety officers can be contacted through the Chief Rail Traffic Controller. Safety will arrange for safe and appropriate sampling and testing.

In cases where a mechanical or structural failure is suspected, one should secure the parts that show evidence of failure so that the appropriate type of tests can be arranged.

## **Explosion or Fire**

If an incident involves an explosion or fire, notify the **Safety and Security Department** immediately. They will arrange for qualified experts to investigate the incident to determine the cause of the fire or explosion.

## **Records**

There are many types of records that may provide useful evidence. Personnel and training records, permits, contractor logs, logs of operations, recordings of telephone and radio communications, manuals, rulebooks, operating procedures, maintenance records, maintenance charts, inspection reports or reports of difficulties or abnormalities are particularly useful. Although records are generally not as perishable as other kinds of evidence, the investigator should determine as quickly as possible what records and documents may be relevant and take action to secure them.



# Section 6 - Interviewing

## Guidelines for Conducting Investigative Interviews

The objective of an interview is to obtain accurate, comprehensive and truthful information from the person being interviewed. To accomplish this, interviews must be conducted in a professional manner.

### Determining Whom to Interview

The best place to begin is to develop a list of the people who were present during and immediately before the incident. Compiling this list should be one of the first activities conducted at the scene. Some personnel may have witnessed the entire incident, while others may only be able to provide one or two facts. Do not predetermine that a person is not worth interviewing, especially if that person was present or has indicated that he or she has something to say. Other interview subjects may include, but are not limited to: employees familiar with the operation or site, co-workers of involved or injured employees, non-employees who may have been present, emergency responders such as police, firemen or EMS personnel or others who may have relevant information even though they may not have been at the site. These might include people who may have heard instructions or conversations either in person or over telephones or radio. In general, anyone who can provide facts should be interviewed.

### Planning the Interview

In many incident investigations interviews are the primary source of information. Interviews should be accomplished in a thorough and efficient manner. The following guidelines will help conduct fact-finding interviews of the highest quality:

1. Have a plan and know where the interview is going to lead. Prepare questions ahead of time.
2. Schedule the interviews to avoid a hasty and ineffective session. When formal interviews may be delayed, get preliminary statements as soon as possible from all witnesses. Try to obtain and record initial eyewitness statements before the witnesses leave the incident site.
3. If possible, schedule interviews before interviewees are involved in reenactments or walkthroughs of the circumstances.
4. Hold your interviews in private to avoid distractions.
5. Make sure to put the person being interviewed at ease. Establish rapport before the interview starts. Create an environment in which the witness will be comfortable. Explain the purpose of the interview. To overcome reluctance, emphasize that you are trying to obtain information to prevent future incidents. Do not treat the interview like an interrogation. Reasonable requests for an employee's union representative to be present for the interview should generally be accommodated.
6. Avoid questions that suggest an expected answer. Use open-ended questions. Avoid questions that will produce only "yes" or "no" answers. Some prompting may be necessary to address specific points. However, it is essential to avoid leading the witness.

Continued; **Planning the Interview**

7. Above all, remember that your purpose is to obtain accurate information. Emphasize areas of direct observation. Identify hearsay accordingly. Use sketches and diagrams to help the witness. When possible, record the exact words of the witness. Do not "put words into the mouth of" the witness.
8. Let the person talk, but don't let them ramble on. Interrupt politely when necessary and turn the conversation back to the subject at hand. Keep control of the interview.
9. Before the interview, try to ensure that you understand the technology, equipment or process involved in the incident.
10. For eyewitnesses, divide the interview into two parts: 1) let the person describe what happened with no questions, 2) ask any of your questions that were not covered.
11. Close the interview in a courteous manner. Encourage the person to contact you if any other pertinent information comes to mind.

**Conducting a Comprehensive Interview**

The best interview is complete, correct, and pertinent. It can be embarrassing to discover vital information was overlooked because you failed to ask the right questions. The best interviewers "get it all" by asking questions in these six key areas: **Who? What? Where? When? How? Why?**

1. **Who** questions will identify those involved, those who may have witnessed the incident or those who can help prevent reoccurrence.
2. **What** questions will lead you into actions, events, and physical objects.
3. **Where** questions can help you determine the locations of critical objects and people. They can "set the scene."
4. **When** questions should establish time of day, duration and temporal relationships like before, during, after and the sequence of events.
5. **How** questions provide information on the interaction and relationship among the activities and events (going beyond their timing and into the functional relationships among them). "*How*" questions refer to the actions of equipment and the actions of those involved.
6. **WHY** questions may give you clues to corrective measures since the answers will focus on unsafe acts or hazardous conditions. They may reveal contributing causes that may not have been apparent to others.

## Sample Key Questions for Incident Investigation

<p>WHO...</p> <ul style="list-style-type: none"> <li>was injured?</li> <li>saw the accident?</li> <li>was working with him/her?</li> <li>had instructed, trained, assigned the affected employee?</li> <li>else was involved?</li> <li>can help prevent recurrence?</li> </ul>	<p>WHAT...</p> <ul style="list-style-type: none"> <li>was the accident?</li> <li>was the injury/illness?</li> <li>was being done at time of accident?</li> <li>were they told to do?</li> <li>tools were being used?</li> <li>machine was involved?</li> <li>operation was being performed?</li> <li>instructions had been given?</li> <li>precautions were necessary?</li> <li>PPE should be used?</li> <li>did others do to contribute to the accident?</li> <li>problem or question was encountered?</li> <li>did the employee or others do after the accident?</li> <li>did witnesses see?</li> <li>will be done to prevent recurrence?</li> <li>safety rules were violated?</li> <li>safety rules were lacking?</li> <li>safety rules/procedures are needed?</li> </ul>
<p>WHEN...</p> <ul style="list-style-type: none"> <li>did the accident occur?</li> <li>did the employee begin the task?</li> <li>was the employee assigned to the task?</li> <li>were the hazards pointed out to the employee?</li> <li>did the supervisor last check on the employee's progress?</li> <li>did the employee notice something was wrong?</li> </ul>	<p>HOW...</p> <ul style="list-style-type: none"> <li>was the employee injured?</li> <li>could the accident have been avoided?</li> <li>could co-workers avoid similar accidents?</li> <li>could the supervisor have prevented the accident?</li> </ul>
<p>WHY...</p> <ul style="list-style-type: none"> <li>was the employee injured?</li> <li>did the employee behave that way?</li> <li>did other persons behave that way?</li> <li>wasn't personal protective equipment used?</li> <li>weren't specific instructions given to the employee?</li> <li>was the employee in that position/place?</li> <li>was the employee using that machine or tool(s)?</li> <li>didn't the employee check with supervisor?</li> <li>did the employee continue working under the circumstances?</li> <li>was the employee allowed to continue working?</li> <li>wasn't the supervisor there at the time?</li> </ul>	<p>WHERE...</p> <ul style="list-style-type: none"> <li>did the accident occur?</li> <li>was the employee at the time of accident?</li> <li>was the supervisor at the time?</li> <li>were co-workers at the time?</li> <li>were other persons involved at the time?</li> <li>were witnesses when the accident occurred?</li> <li>else does this condition exist?</li> </ul>

## **Making a Record of the Interview**

Strive to make the best possible record of the interview. There must be a written record of all interviews. This can range from the interviewer's notes to a professional verbatim record. In most cases, the interviewer's summary of the interview is sufficient. This summary can be a narrative of the interviewee's statement or it can be in Question and Answer format. It may help to conduct the interviews in pairs with one person recording the answers to the questions. In special cases it may be advisable to arrange for a professional reporter. The investigator should contact department managers to make these arrangements. The lead investigator should determine the method appropriate for a particular investigation.

In all cases, the interview record should indicate the date, place and time of the interview as well as the names of those present. Identify the qualifications or role of each interviewee (occupation, years of experience, expertise, etc.) Whether the permanent record of the interview is made on the spot or is later typed, it is preferable to have it reviewed by the interviewee and signed by him or her attesting to its accuracy. Be prepared to correct the record based on the employee's review. The statement should be signed on each page; any cross-outs or changes should be initialed. The last page of the statement should include the following signature line:  
*"I have read the above \_\_\_ page statement and it is true, full and correct.  
Signed \_\_\_\_\_."*

A signed copy of a well-conducted interview will be more valuable to the investigation than a terse or poorly written statement obtained from a witness solely to "get a statement" from them. Even if the employee refuses to sign the record of the interview, it will still be more valuable than a poor statement written by the employee without the amplification or clarification of a well-prepared interviewer. If requested, you may supply each witness with a copy of his or her statement.

## **Credibility of Witnesses**

Remember that those being interviewed are human. Eyewitnesses can overlook or fail to recall critical evidence. Since incidents occur with no forewarning, witnesses are not prepared for them. Consequently, they observe only a few key points and may imagine the rest. Do not be surprised if a witness realizes, during the re-staging of an incident, that they could not have seen or known all of what they reported.

Individuals naturally rationalize the circumstances of traumatic incidents after the event. For various reasons, some witnesses may mislead, exaggerate or withhold information. Those directly involved, while satisfied that their duties were properly performed, may feel uneasy that a thorough investigation will implicate them.

Establishing a rapport with the person being interviewed can help determine the reasonableness, accuracy and credibility of their observations.

### **Analyzing the Interview Information**

Before using the information obtained in the interviewing process, the investigator should determine how much valid, factual evidence it contains. For incidents in clear view of all witnesses, this job may be a simple process; on the other hand, where the circumstances are complex and where conflicting statements have been obtained, the investigator must carefully evaluate the testimony. In the end, the interviewer, based on all of the above factors, must make a reasoned judgment of the accuracy of the information provided. This judgment will determine the weight given to the information developed in the interviews.

# Section 7 - Determining the Causes

## Reviewing the Evidence

At the conclusion of the investigative phase of your investigation you should have:

- Established accurate, complete, and substantive information that can be used to support the analysis and conclusions of the investigation.

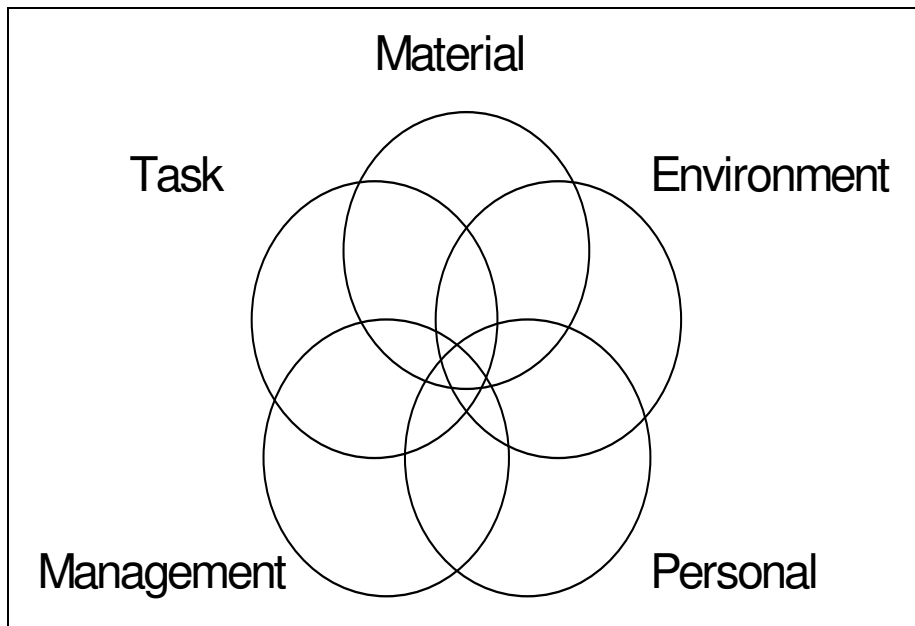
This may include:

- background information on the site, facility, equipment or people
  - description of the injury, exposure or property damage
  - physical evidence
  - chronology of pertinent events/causal factors
  - hazards and safety controls present or absent at the time of the incident
  - technical data on operations or processes impacting the incident
  - related events that provide information
  - description of organizational, procedural, policy, or safety management processes relating to the incident, such as quality assurance procedures, safety practices, work planning procedures and job safety analyses.
- established a clear chronological description of the incident (what happened and when)
  - resolved matters of speculation and disputed facts through analysis, testing, and discussion
  - ensured that relevant facts are not overlooked and are objectively considered during the investigation
  - ensured that investigators' preconceived notions, press accounts, and other influences have not biased the investigation

## Cause Analysis

There are many models of incident causation and cause analysis techniques. Figure 1 shows a simple model with sample questions for each cause category. Investigators can use it to make sure that they have considered all possible significant causes in their analysis. It illustrates that the causes of any incident can be grouped into five categories - task, material, environment, personal, and management. Each category is examined more closely below. Remember that these are only *sample* questions. No attempt has been made to develop a comprehensive checklist.

## Incident Causation



### Task

Here the actual work procedure being used at the time of the incident is explored. Members of the incident investigation team will look for answers to questions such as:

- Was a safe work procedure used?
- Had conditions changed to make the normal procedure unsafe?
- Were the appropriate tools and materials available?
- Were they used?
- Were safety devices working properly?
- Was lockout used when necessary?

For most of these questions, an important follow-up question is "If not, why not?"

## Continued; Incident Causation

### Material

To seek out possible causes resulting from the equipment and materials used, investigators might ask:

- Was there an equipment failure?
- What caused it to fail?
- Was the machinery poorly designed?
- Were hazardous substances involved?
- Were they clearly identified?
- Was a less hazardous alternative substance possible and available?
- Was the raw material substandard in some way?
- Should personal protective equipment (PPE) have been used? Was it used?

Again, each time the answer reveals an unsafe condition; the investigator must ask **why** this situation was allowed to exist.

### Environment

The physical environment, and especially a sudden change to that environment, is a factor that needs to be identified. The situation at the time of the incident is what is important, not what the "usual" conditions were. For example, incident investigators may want to know:

- What were the weather conditions?
- Was poor housekeeping a problem?
- Was it too hot or too cold?
- Was noise a problem?
- Was there adequate light?
- Were toxic or hazardous gases, dusts, or fumes present?



## Continued; Incident Causation

### Personal

The physical and mental condition of those individuals directly involved in the event must be explored. The purpose for investigating the incident is **not** to establish blame against someone. However, the inquiry will not be complete unless personal characteristics are considered. Some factors will remain essentially constant while others may vary from day to day:

- Were workers experienced in the work being done?
- Had they been adequately trained?
- Can they physically do the work?
- What was the status of their health?
- Were they tired?
- Were they under stress (work or personal)?

### Management

Management holds the legal responsibility for the safety of the workplace and therefore the role of supervisors and higher management must always be considered in an incident investigation. Answers to any of the preceding types of questions logically lead to further questions such as:

- Were safety instructions communicated to and understood by all employees?
- Were written procedures available?
- Were they being enforced?
- Was there adequate supervision?
- Were workers trained to do the work?
- Had hazards been previously identified?
- Had procedures been developed to overcome them?
- Were unsafe conditions corrected?
- Was regular maintenance of equipment carried out?
- Were regular safety inspections carried out?

## Continued; Incident Causation

This model of incident investigation provides a guide for uncovering possible causes and reduces the likelihood of looking at facts in isolation. Some investigators may prefer to place some of the sample questions in different categories; however, the categories are not important, as long as each pertinent question is asked. Obviously there is considerable overlap between categories; this reflects the situation in real life. Again it should be emphasized that *the above sample questions do not make up a complete checklist, but are examples only.*

Incidents are usually complex. Typically, incidents have multiple contributing causes and an incident can be the end of a complex causal chain. A detailed analysis of an incident will normally reveal three cause levels:

- At the lowest level, the **direct cause** is the immediate event or condition that caused the incident. Often this is defined as energy or hazardous material that cannot be safely absorbed.
- Unsafe acts and conditions are the **indirect causes** or **contributing causes**. The direct cause is usually the result of one or more unsafe acts, unsafe conditions, or both. Contributing causes are conditions or acts that collectively increase the likelihood of an incident but that individually did not cause it.
- **Root causes** are the absence of or deficiencies in, management systems that control human actions and equipment performance. Root causes, if corrected or eliminated, would prevent recurrence of the incident. Root causes are the most basic causes of an event that meet the following conditions: they can be reasonably identified and management has the ability to fix or influence them.

Causes at each level can only be determined through an effective investigation that develops all of the factors that contributed to the incident. In a thorough cause analysis, it is important to look beyond the errors and failures that immediately precipitated the incident. The investigator must identify system deficiencies at the work and management levels to determine the underlying oversights, omissions, performance errors, and accepted risks that are the root causes. These causes may lie in the organizational structure, safety management systems, or management oversight processes related to the incident. Addressing the basic or root causes produces the most significant long-term prevention benefit that is the goal of incident investigation.

## **Continued; Incident Causation**

Examples of root causes include, but are certainly not limited to, the following:

For equipment failures:

- Inappropriate design or application
- Lack of predictive or preventive maintenance
- Erroneous repairs
- Unauthorized or ill-advised equipment changes

For human errors:

- Wrong, confusing, or missing procedures
- Lack of, wrong, or incomplete training
- Poor human/system interfaces
- Poor work conditions
- Excessive workload
- Lack of or deficient communication systems or processes
- Lack of or deficient supervision
- Poor workplace culture and motivational issues

For external influences:

- Failing to anticipate and protect against reasonably foreseeable external conditions such as poor weather

# Section 8 – Corrective Actions

## Developing Corrective Actions

Corrective actions are the most important outcome of the investigation. The fundamental purpose of incident investigation is prevention and it is corrective actions that prevent reoccurrence. Just as there can be many causes that contribute to a single incident, there may be multiple corrective actions that need to be taken. It is important that corrective actions focus not only on the indirect or contributing causes of incidents but also on the root causes.

The initial response to an incident often focuses on corrective actions to control direct and indirect causes. These are important steps but they do not produce the significant long-term prevention benefit that can be achieved by addressing root causes. This is a particular challenge for incident investigators for several reasons. First, root causes are more difficult to identify. Second, they involve systems and processes that are often beyond the span of influence of the investigator. This makes it critical that management supports the rigorous investigation of incidents and promotes a safety culture that encourages systemic improvements in workplace safety. Third, because significant corrective actions can have long implementation lead times they can be eclipsed by other priorities. Recording corrective actions on paper, assigning responsibility for them and tracking implementation can help achieve the long-term goal of preventing similar incidents. The Corrective Action Log (Appendix E) can be a useful tool for this purpose.

# Section 9 - Reporting

## Initial Incident Notification

Effective investigation and case management depend on prompt response.

Immediately after providing emergency medical assistance and securing the incident scene provide the information on the **Initial Report of Incident** form to the Operations Control Center by faxing this report to 212-340-2104. If there will be a delay obtaining a form or accessing a fax, call 212-340-2772 to provide this information by telephone. (Appendix A)

Initiating the notification process promptly ensures that the investigation will be adequately supported and that critical evidence will be available and preserved. It also enables the Claims Services and Occupational Health Services Departments to manage the medical treatment and evaluation more effectively.

When there is a question as to whether an incident or complaint constitutes an occupational injury or illness, the supervisor should initiate the notification process and begin the investigation. Generally, the determination will be made based on the facts developed in the investigation. Contact a Claims Services Department or Safety/Security Department representative for guidance.

## Incident Investigation Report

The final step in the incident investigation procedure is to prepare and submit a final report. The basic form for reporting all occupational injuries and illnesses is the Incident Investigation Report (Appendix B)

This report is to be completed and forwarded to the Safety/Security Department **as soon as it is completed but no later than seven days of the date of the occurrence**. When completion of the report must be delayed notify department management who will contact the Safety/Security Department for direction.

# Section 10 – Responsibilities

## Investigator

The investigator will be responsible for:

1. Providing prompt and appropriate medical treatment to any injured parties.
2. Arranging for initial medical evaluation for injured employees.
3. Reporting the incident as soon as possible after providing emergency medical attention and securing the incident site.
4. Conducting a comprehensive investigation in accordance with Metro-North policy and instructions. Collecting all pertinent information and determining the facts relevant to the incident.
5. Analyzing the facts and determining causal factors that contributed to the incident with particular emphasis on determining the root causes of the incident.
6. Completing and submitting The Incident Investigation Report.
7. Communicating the results of the investigation as required especially to those responsible for implementing corrective actions.

## Supervisor

The immediate supervisor will be responsible for:

1. Providing prompt and appropriate medical treatment to the injured.
2. Accompanying the injured employee to the nearest authorized medical facility.
3. Ensuring the employee returns to the work site to provide information concerning the incident upon release from the medical professional.
4. Ensuring that employees under his or her jurisdiction understand their responsibilities related to injury reporting and incident investigation.
5. Conducting or arranging for a safety review as soon as possible with the injured employee. A safety review is a formal meeting involving the injured employee and a line supervisor or manager in which the employee's safety performance is discussed.
6. Implementing corrective actions in his or her area of responsibility as determined by the investigation.

## **Employee**

The employee will be responsible for:

1. Reporting any injury or occupational illness immediately to his or her supervisor.
2. Following instructions given by the supervisor concerning the medical evaluation.
3. Whenever possible, returning to the work site to provide information concerning the incident upon release from the medical professional.
4. Cooperating with the investigation to provide complete and accurate information.
5. Participating in a Safety Review as requested by his or her supervisor. Represented employees may elect to have their union representatives present.

## **Safety and Security Department**

The Safety/Security Department will be responsible for:

1. Assisting in the incident investigation process as needed.
2. Providing technical support for the investigation as needed.
3. Reporting all incidents to external agencies as required.
4. Ensuring that the incident investigation was performed properly.
5. Auditing the incident investigation process.

## **Claims Services Department**

The Claims Services Department will be responsible for:

1. Assisting in the incident investigation process as needed
2. Providing technical support for the investigation as needed
3. Maintaining all records associated with the occurrence.
4. Coordinating Case Management

## **Occupational Health Services Department**

The Occupational Health Services Department will be responsible for:

1. Providing timely appointments for post-incident evaluations of injured employees
2. Evaluating employee's fitness for duty
3. Managing employees back to full duty in coordination with treating doctors, the employee's department and the Claims Services Department

## **All Departments**

The Department will be responsible for:

1. Ensuring that all incidents including near misses, significant property damage, vehicle accidents and reports of occupational injury or illness occurring within their jurisdiction are investigated and reported according to company policy.
2. Ensuring that the causes are determined and that corrective actions are taken to prevent similar occurrences.

## **Operations Control Center (Delay Clerk)**

The Operations Control Center Delay Clerk will be responsible for:

1. Immediately, upon receipt of the Initial Report of Incident Form, page the Injury Group with a brief notification of the incident (excluding name and employee number).
2. Immediately faxing a copy of the Initial Report of Incident Form to the Safety Department at 212-340-3428 and the Occupational Health Services Department at 212-499-4740.
3. Including the Initial Report of Incident form in the Daily Operations Report.

## **Grade Crossing Accident/Incident**

It is the responsibility of the Operations Services Department to coordinate with the Maintenance of Way, Maintenance of Equipment and the MTA Police to ensure that a proper investigation is conducted.

- Maintenance of Equipment and Maintenance of Way are responsible for conducting Federally mandated testing requirements.
- MTA Police are responsible for the reports that comply with the various requirements of the States of New York and Connecticut.
- Operations Services Department is required to gather and submit the required reports to enable the Safety/Security Department to comply with Federal reporting requirements.



# ***Metro-North Railroad***

## **Incident Investigation and Reporting**

### **Appendix A**

# Initial Report of Incident Form

<b>Initial Report of Incident</b>		Incident # _____
Section 1 - Basic Incident Information	<b>Type of Report</b> (Check all that apply) <input type="checkbox"/> Employee Injury/Illness (complete section 2) <input type="checkbox"/> Non-employee Injury/Illness (complete section 2) <input type="checkbox"/> Property Damage <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Environmental Contamination <input type="checkbox"/> Near Miss	
	Person filing this report	Date and time Reported
	Name _____ Empl. No. _____ Phone _____	_____/_____/_____ _____ am/pm
	Date and time of Incident	If not reported immediately, explain:
	_____/_____/_____ _____:_____ am/pm	
Location of Incident		
<h2>Brief Description of the Incident</h2>		
Section 2 - Injured Party Information	<b>① Injured Person</b> (Employee <input type="checkbox"/> Yes, <input type="checkbox"/> No)	
	Name _____	Empl. No. (for empl. only) _____ Occupation/Title (for empl. only) _____
	Complete for non-employee only	
	Home address _____	Daytime phone _____
	_____	Evening phone _____
	_____	SS no. _____
	_____	D.O.B _____
	Description of injury and disposition _____	
	_____	
	<b>② Injured Person</b> (Employee <input type="checkbox"/> Yes, <input type="checkbox"/> No)	
Name _____	Empl. No. (for empl. only) _____ Occupation/Title (for empl. only) _____	
Complete for non-employee only		
Home address _____	Daytime phone _____	
_____	Evening phone _____	
_____	SS No. _____	
_____	D.O.B _____	
Description of injury and disposition _____		
_____		
<b>This Initial Report of Incident must be filed as soon as possible after the occurrence. It can be filed by telephone (212-340-2772) or fax (212-340-2104).</b>		

# ***Metro-North Railroad***

## **Incident Investigation and Reporting**

### **Appendix B**

#### **Incident Investigation Report**

## Incident Investigation Report

Incident # \_\_\_\_\_

**Type of Report**       Employee Injury/Illness       Non-employee Injury/Illness  Environmental Contamination  
 (Check all that apply)       Property Damage       Motor Vehicle Accident       Near Miss

Date and time of Incident ____/____/____ ____:____ am/pm	Location of Incident
Date and time reported ____/____/____ ____:____ am/pm	Train no. _____ Eng./Car no. _____ Vehicle: Plate no. _____ Unit no. _____

**Were there personal injuries?**  Yes  No. If Yes, complete section 2.

**Describe how the incident occurred** (attach additional pages if necessary). Include relevant events leading up to the incident. Describe the task, operation, procedure or process involved.

**Cause** – List the causes of the incident including any contributing factors. See *Incident Investigation and Reporting Manual, Section 7, Determining the Cause* for guidance.

### Recommendations/Corrective Actions to Prevent Recurrence

Actions already taken:

Actions to be taken (include short term actions and recommendations to improve systems, processes or procedures):

Action	Assigned to for follow up

Investigation Report Prepared by:

Name	Emp. No.
Title	Phone

Signature \_\_\_\_\_

List other participants in the investigation

Name	Emp. No.	Phone

Report Approved by:

Officer's Name	Phone
Title	Phone

Signature \_\_\_\_\_

#### Employee Review

Did the injured employee have an opportunity to review this report?  
 Yes  No

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

If employee was unavailable or refused to sign, explain:

\_\_\_\_\_

Section 1 – Investigation Summary

**Injured Person** Was injured person an employee?  Yes  No.

Name (F,MI,L) \_\_\_\_\_ Empl. No. \_\_\_\_\_ Occupation/Title \_\_\_\_\_  
\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ D.O.B \_\_\_\_\_ Time began work \_\_\_\_\_ Assigned tour of duty \_\_\_\_\_  
D.E.S \_\_\_\_\_ D.O.B \_\_\_\_\_ Time began work \_\_\_\_\_ Assigned tour of duty \_\_\_\_\_  On /  Off duty at time of incident

Department \_\_\_\_\_ Sub-department \_\_\_\_\_ Mgmt. Center \_\_\_\_\_ Gang/Run no. \_\_\_\_\_ Work Order \_\_\_\_\_

Immediate Supervisor \_\_\_\_\_ Phone no. \_\_\_\_\_

Complete for non-employee only:  
Home address \_\_\_\_\_

Daytime phone \_\_\_\_\_

Evening phone \_\_\_\_\_

SS No. \_\_\_\_\_

D.O.B \_\_\_\_\_

Description of the injury, illness or complaint  
\_\_\_\_\_  
\_\_\_\_\_

Check and circle all body parts injured:  Head  Neck  Back  Foot, L/R  Ankle, L/R  Knee, L/R  
 Other \_\_\_\_\_  Elbow, L/R  Hand, L/R  Eye, L/R  Ear L/R  Shoulder, L/R

**Medical treatment and evaluation** (Check and provide detail for all that apply. Identify responding agency and name of responder, if possible.)

First Aid Describe: \_\_\_\_\_ By: \_\_\_\_\_

Emergency Medical Treatment Describe: \_\_\_\_\_ By: \_\_\_\_\_

Hospital/Medical Facility Describe: \_\_\_\_\_ Dr.: \_\_\_\_\_

Transported Via: \_\_\_\_\_ Escorted by: \_\_\_\_\_

No medical treatment Explain: \_\_\_\_\_

Medical Evaluation At: \_\_\_\_\_ By: \_\_\_\_\_

Diagnosis and restrictions, if any:  
\_\_\_\_\_

Assigned duties

What were the employee's assigned duties?

If the work being performed was not part of the employee's normal job duties, explain:

Qualifications and Training

Did the work being performed require the employee to have special training, qualifications, licenses or certifications? If so, were they current? Attach copies of training records, licenses, certificates etc. if they are pertinent.

Briefings and Instructions

Did the employee receive any relevant job safety briefing, instructions or warnings prior to the incident? If so, identify who delivered them and describe the content.

Section 2 - Injured Party Information

Section 3 – Property, Vehicle, Equipment Information

Train and Engine

Was a Metro-North or foreign railroad train or engine involved in this incident?  Yes.  No. If yes, complete this section.

\_\_\_\_\_, If other railroad, identify: \_\_\_\_\_  
Train no. \_\_\_\_\_

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
Eng. no. \_\_\_\_\_ Car nos. (list only cars relevant to the incident)

Equipment damaged due to incident:  Yes,  No.

If yes, describe: \_\_\_\_\_ Est. cost \$ \_\_\_\_\_

Was an inspection of the equipment performed?  Yes,  No. If yes, by whom: \_\_\_\_\_ (Attach copy of report)

Describe any relevant findings: \_\_\_\_\_

Motor vehicle\*, track car or other self-propelled equipment

Unit No. \_\_\_\_\_ Plate no. \_\_\_\_\_ Description \_\_\_\_\_

Operator \_\_\_\_\_ Empl. no. \_\_\_\_\_

Qualified/licensed to operate this vehicle/equipment  Yes,  No. If no, explain: \_\_\_\_\_

Equipment damaged due to incident:  Yes,  No.

If yes, describe: \_\_\_\_\_ Est. cost \$ \_\_\_\_\_

Was an inspection of the equipment performed?  Yes,  No. If yes, by whom: \_\_\_\_\_ (Attach copy of report)

Describe any relevant findings: \_\_\_\_\_

\* For motor vehicle accident attach copy of DMV report

Property Damage (includes damage to Metro-North property and to third party vehicles, equipment, property, etc.)

Describe:

Owner (if not Metro-North): Provide name, address, and telephone number:

Section 4 – Other Circumstances

Other Personnel – List other personnel that are significant in the investigation (eyewitnesses, supervisors, co-workers, crew members, emergency responders, etc.)

Name	Empl. No.	Title (if MNR)/Company(if not MNR)	Phone No.
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Physical Evidence** – List any tools, materials, photographs, samples or other items that are significant to the investigation. Indicate their current disposition (e.g. returned to service, secured as evidence, discarded) and the contact person or custodian.

Description	Disposition	Contact Person
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Weather and site conditions – Describe any conditions at the incident site relevant to the investigation (includes temperature, ground conditions, precipitation, visibility, lighting, etc.)

Personal Protective Equipment

Was PPE required for the work being performed? If yes, describe:

Was the employee wearing the prescribed PPE? If not, explain:

Safety devices / appliances

Describe any safety devices or appliances related to the cause of this incident. If the absence, defeat, or failure of a safety device or appliance was a contributing factor, explain:

Procedures, Rules, Instructions

Explain any procedures, rules, instructions related to the cause of this incident. If the absence of, or failure to follow, rules, procedures, instructions was a contributing factor, explain.

Record of Statement or Interview

Date and time of Statement \_\_\_\_/\_\_\_\_/\_\_\_\_ am/pm Location where taken: \_\_\_\_\_

This is a written statement by: \_\_\_\_\_  
Name Empl. No.

This is a record of an interview of: \_\_\_\_\_ Interviewer: \_\_\_\_\_  
Name Empl. No. Name

Also present at the interview: \_\_\_\_\_  
Name Empl. No. Name Empl. No.

Name (print)	Position/title	Company (if not Metro-North)
_____	_____	_____

Section 5 - Statements

Use additional pages if necessary. Initial each page and sign the statement below on the last page only.

I have read the above \_\_\_\_ page statement and it is true, full and correct. Signed: \_\_\_\_\_ Date: \_\_\_\_\_



Diagram of the incident

Use additional pages or separate sheet for larger or multiple drawings. Diagrams should indicate scale (when drawn to scale) and geographic direction. Show the locations of any involved equipment. Persons, trains, objects, etc.

Drawn by: \_\_\_\_\_ Date: \_\_\_\_\_

# ***Metro-North Railroad***

## **Incident Investigation and Reporting**

### **Appendix C**

#### **Fifteen Day Report**

<b>Injured Employee's Name:</b>	<b>Employee No.</b>	<b>Date of Accident:</b>
---------------------------------	---------------------	--------------------------

**15 Day Period Following Occurrence**

Complete daily beginning the first day after the injury occurred.

Day #	Date	Detail of Work Performed
1	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
2	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
3	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
4	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
5	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
6	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
7	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
8	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
9	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
10	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
11	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
12	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
13	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
14	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____
15	/ /	<input type="checkbox"/> Full Duty <input type="checkbox"/> Restricted Duty <input type="checkbox"/> Rest Day <input type="checkbox"/> Off Due to Injury <input type="checkbox"/> Other _____

Comments:

Supervisor's Name	Supervisor's Employee No.	Date
Supervisor's Signature	Employee's Signature	

**Forward completed Fifteen Day Report to the Safety Department, 11th floor, 347 Madison Ave.**

# ***Metro-North Railroad***

## **Accident Investigation and Reporting**

### **Appendix D**

#### **Photography/Video Log**

# Photography/Videotaping Log

<i>Item #</i>	<i>Date</i>	<i>Time</i>	<i>Roll # Tape #</i>	<i>Frame # Counter #</i>	<i>Location</i>	<i>Direction</i>	<i>Subject</i>	<i>Distance to Subject</i>	<i>Comments</i>
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									

Signature

Date

# ***Metro-North Railroad***

## **Incident Investigation and Reporting**

### **Appendix E**

### **Corrective Action Log**



# ***Metro-North Railroad***

## **Incident Investigation and Reporting**

### **Appendix F**

#### **Post Incident Management Supervisor's Guide**



## **POST INCIDENT MANAGEMENT Supervisor's Guide**

Introduction	Page 1
Key Definitions	Page 2
Post Incident Management Steps	Page 3 & 4

- Employee Requires/Requests Medical Treatment
- Employee Refuses Medical Treatment
- Employee is Evaluated by Outside Facility

Transportation of Injured Employees	Page 5
Case Management	Page 5
Implementation Examples	Page 6
Remember...	Page 7
Important Addresses and Telephone Numbers	Page 7

## **Introduction**

When an employee injury is reported, you as the supervisor have several important responsibilities.

The most important of these is to ensure that employees who are injured are given any first aid or emergency medical treatment that may be necessary.

It is also important that employee injuries are reported promptly and completely, as is detailed in the Incident Investigation Manual.

Once first aid or initial medical treatment has been provided, it is essential that you, the supervisor, determine what steps must be taken to evaluate fully the employee's injuries and, ultimately, their fitness for duty.

This packet will assist you in fulfilling that responsibility. Metro-North has procedures in place to help its injured employees get the medical treatment they need to return to work as soon as they are able. To accomplish this goal, your work in the first several hours of an incident is critical.

Please keep this guide with your important papers for future ready reference. We always hope that injuries never happen. But, if they do, we want you to be prepared.

## **Key Definitions**

Before detailing the specifics of these procedures, it is important for you to recognize and understand the distinction between two critical concepts: **medical treatment** and **medical evaluation**.

**Medical treatment** is the actual care of any injury or illness by a qualified health care professional. Except in the most severe circumstances, medical treatment is to be provided at the discretion of the employee. An employee can decline medical treatment.

In **medical evaluation**, a qualified health care professional examines an individual to determine if an injury has occurred and the nature and extent of that injury. Medical evaluation may involve non-invasive diagnostic procedures. It does **not** involve actual treatment.

When an on-the-job injury occurs, Metro-North does not have the right to require **treatment**. The railroad does have the right to have an injured employee **evaluated** by the qualified health care professionals who staff the Metro-North Occupational Health Services Department. An employee cannot refuse to cooperate with a reasonable request to appear for a medical evaluation related to his or her illness or injury.

If you, as the supervisor, are in doubt as to how to handle a situation where the employee objects to a medical evaluation, you should seek guidance from a senior department official.

## POST INCIDENT MANAGEMENT STEPS

### *If the employee requires or requests medical treatment:*

If the employee injury is severe, call for emergency medical assistance immediately. If the EMT decides that treatment is required at a medical facility, accompany the employee and stay until the employee is either admitted or released.

If the injury does not require emergency treatment, but does require something more than first aid, you can transport the employee to a treatment facility yourself. (More information is available on transporting employees for treatment later in this document.) Again, stay at the facility until the employee is released.

You also must remind the injured employee that he/she has a responsibility. If the injured employee is **unable** to report for full duty on the next scheduled tour of duty he or she must report to the Metro-North Occupational Health Service Department, (OHS) on that day instead. No appointment is necessary.

If an injured employee is evaluated or treated at an outside medical facility and is found not qualified for full duty or qualified for restricted duty, the injured employee must report to OHS within 24 hours. In addition, any documentation supplied by the facility pertaining to a diagnosis or work restrictions must be faxed immediately by the employee to the Metro-North OHS Department. This will ensure that the employee's recovery, rehabilitation and return-to-duty is properly managed.

Failure to report to OHS will be considered an unauthorized absence, unless the employee has been found medically unable to travel by the treating physician.

If the injured employee is **unable** to travel to OHS the employee's treating physician must contact OHS at 212 499-4720 to obtain the forms necessary to document the employee's inability to travel.

When possible, the supervisor should complete the first part of the MD-40 and direct the employee to present it to OHS. If an employee goes to OHS from a field location or from home, an MD-40 is not necessary. The supervisor must call OHS, however, to advise them of the circumstances. Metro-North OHS staff will determine if an employee is fit for duty. IF Metro-North OHS staff qualifies an employee for restricted duty, they must contact the supervisor to arrange the restricted duty assignment before the employee is released from the OHS facility.

***If the employee refuses medical treatment:***

Everyone has the right to refuse medical treatment. A medical evaluation must be done by OHS, however, if the employee cannot complete his/her tour of duty.

Supervisors must also remember that, in spite of the employee's initial ability to work, circumstances can change. If the employee calls and indicates that their condition has worsened and that he/she cannot come to work because of their injury, you must remind the employee that he/she must report instead to OHS for medical evaluation.

This procedure applies no matter how much time has elapsed between the initial Injury and the phone call that indicates the employee's inability to report for duty a OHS evaluation is required.

***If an injured employee is evaluated or treated at an outside medical facility and Found fit for duty:***

Under these circumstances, it is not necessary for the employee to report to Occupational Health Services. Instead, the employee should forward to Claims Services a copy of all the documentation provided as part of medical treatment/evaluation.

**Transportation of Injured Employees**

Emergency medical transportation should be summoned to transport seriously injured employees for medical treatment. Unless there are extreme extenuating circumstances, employees with the following injuries or symptoms should not be transported in company or private vehicles: broken bones ( except fingers or toes ), difficulty breathing, cardiac problems, electric shock, seizures, loss of consciousness, severe hemorrhage, burns (except superficial ), spinal injury, severe trauma or severe abdominal pain.

Transportation for treatment or medical evaluation of minor injuries may be accomplished using company vehicles or private or public transportation.

## Case Management

An injured employee must comply with **all** instructions given by OHS personnel, including keeping appointments with the Metro North occupational health Services Department and with other medical consultants as directed by Occupational Health Services, as well as completing all necessary authorizations for the release of medical information to Metro North.

If any employee is not qualified for any type of work he/she will be evaluated by OHS On a regular basis to ensure that the employee is receiving the appropriate medical treatment and rehabilitation. It is the employee's responsibility to comply with all OHS instructions. The supervisor must ensure that the employee is in compliance.

If an employee is qualified for restricted duty he/she will report to the workplace with an MD40 form describing the work restrictions. The supervisor must ensure that the employee is following the restriction and is in compliance with OHS instructions. If the supervisor has any questions regarding the restrictions and duration of the assignment, he/she should contact the OHS case manager.

### **Implementation Examples:**

The following examples illustrate the steps that supervisors and employees must follow after the report of the incident. They should be used as a guide.

1. An employee is injured on Friday at 3:00 PM at Stamford. The employee goes to Stamford Hospital for treatment and is qualified for work. The employees rest days are Saturday and Sunday. The employee's condition worsens over the weekend and he is unable to report for duty on Monday. **This employee must call to advise his supervisor that he is reporting to OHS no later than Tuesday between 8:30 AM and 4:30 PM.**

**The employee must bring all documentation from Stanford Hospital to OHS on Monday.**

2. An employee is injured on Monday at 2:00 AM in GCT. The employee is taken to New York Hospital for treatment and advised not to work for two ( 2 ) days. **The employee must call his supervisor to advise that he is reporting to OHS no later than Tuesday between 8:30 AM and 4:30PM. The employee must bring all documentation from New York Hospital with him to OHS.**

3. An employee with rest days on Tuesday and Wednesday is injured on Friday at 1:00PM. He reports to his supervisor that he banged his hand and bruised it but that he/she did not require medical treatment. He continued to work and completed his tour of duty. During Friday evening his hand becomes stiff and sore. On Saturday he is unable to report to work. **He must call his supervisor to advise that he is going to OHS for evaluation on Saturday between 8:30AM and Noon.**

**Remember:**

Even if an employee does not require treatment or evaluation and continues to work full duty after reporting an injury, you must remind the employee before he/she is released from duty of his/her responsibilities. A reminder form is included in this packet. Again, if the employee is **unable** to report to work (due to the injury) for their next scheduled tour of duty, they must report to the OHS Department for a medical evaluation.

No appointment is necessary.

**Important Addresses and Telephone Numbers:**

Occupational Health Services Department  
Graybar Building – 420 Lexington Ave.  
New York City – 22nd. Floor.  
Phone: 212 499-4720 / Fax: 212 499-4740  
Office Hours: Monday through Friday 8:30AM until 4:30PM  
Saturday and Sunday, 9:00AM until Noon

Claims Services Department  
347 Madison Avenue  
New York City – 11<sup>th</sup>. Floor  
Phone: 212 340-3435 / Fax: 212 340-4820

# ***Metro-North Railroad***

## **Post Injury Instructions**

### **Appendix G**



## Post Injury Instructions

You have reported an injury at work. Metro-North is concerned about your health and safety and is committed to ensuring that you receive the best possible medical care.

If you are unable to report to work because of this injury:

- You must report instead to the Metro-North Occupational Health Services Department.
- You must report to OHS **the first time you are unable to report to work because of this injury** – whether that is the next workday after the injury or whether several days have elapsed before you are unable to work.

The OHS office is located at 420 Lexington Avenue, 22<sup>nd</sup> Floor. No appointment is necessary. The hours are:

Monday through Friday - 8:30AM until 4:30PM  
Saturday and Sunday --- 9:00AM until Noon

Telephone Number: 212 499-4720  
Fax Number: 212 499-4740

Please bring all medical documentation with you. Failure to report to OHS will be considered an unauthorized absence unless you are medically unable to travel.

If you are unable to travel, your treating physician must contact OHS to obtain the forms necessary to document your inability to travel.

If you begin to receive medical treatment for this injury at a later date, notify your supervisor and forward all information to OHS.

### I ACKNOWLEDGE THAT I HAVE RECEIVED THESE INSTRUCTIONS:

\_\_\_\_\_  
EMPLOYEE NAME

\_\_\_\_\_  
EMPLOYEE #

\_\_\_\_\_  
SUPERVISOR

\_\_\_\_\_  
DATE

REVISIONS: 5/02/07

- Table of Contents – Section 10 – Responsibilities **ADD:** Grade Crossing Accident/ Incident, page 27.
- Section 3, page 5 – Medical Treatment and Evaluation of Employee Injuries.  
When it is determined that an evaluation is not required refer to the Supervisor's Post Incident Management Guide and Post Injury Instructions.
- Section 10, page 26 – Responsibilities; Safety and Security Department, **DELETE:** #3 – Conducting Injury Reviews.
- Section 10, page 27 – Responsibilities; **ADD:** Grade Crossing Accident/Incidents: It is the responsibility of the Operations Services Department to Co-ordinate the grade crossing investigation with the Maintenance of Way, Maintenance of Equipment departments and the MTA Police.

Appendices----Add: Appendix F-Post Incident Management Supervisor's Guide  
Appendix G- Post Injury Instructions