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INJURY & NEAR MISS REPORTING PROCEDURES

OUTLINING THE PURPOSE AND PROCEDURES FOR REPORTING NEAR MISS AND ON-THE-JOB INJURIES.

1. PURPOSE

To establish a standardized process for reporting and responding to workplace injuries and near misses based on severity levels. This ensures immediate and appropriate action, regulatory compliance, and timely claim management. Near misses that could have resulted in severe injuries or fatalities are treated as Level 1 incidents to ensure proactive risk mitigation.

2. SCOPE

This procedure applies to all Emery Sapp & Sons employee-owners at all project sites and office locations.

3. INCIDENT CLASSIFICATION

Level 1 – Severe Incident or Near Misses (Critical Response Required)

- Life-threatening injuries, permanent disabilities, amputations, or fatalities.
- Injuries requiring emergency medical response or being admitted to hospital.
- Significant property damage or major regulatory implications.
- Near misses that had the potential to result in severe injury, fatality, or major damage.

Level 2 – Moderate Incidents (Off-Site Medical Treatment Required)

- Injuries requiring medical treatment beyond first aid (e.g., stitches, fractures, prescription medication).
- May involve restricted duty or lost time but does not result in being admitted to hospital.
- Requires OSHA reporting if applicable. To ensure compliance and mitigate potential risks, it is recommended that a representative from either the Risk or Legal department be available to provide guidance before conducting the OSHA interview with the employee.

Level 3 – Minor Incidents (First Aid Only)

- First-aid only injuries (e.g., minor cuts, bruises, strains, or burns).
- No lost time, admitted to hospital, or medical treatment beyond first aid.
- Employee-owner returns to work immediately or with minor restrictions.

4. REPORTING PROCEDURES BY INCIDENT LEVEL

4.1 Level 1 – Severe Incident or Near Misses

Severe Incident Immediate Actions

- Supervisor Call Emergency Services Immediately if Necessary** – Ensure emergency response for severe injuries.
- Supervisor Secures the Scene** – Prevent further harm, restrict access, and preserve evidence.
- Supervisor Notifies Safety**
- Safety Notifies Risk, HR, Legal, and Executive Leadership**
- Safety Notifies OSHA Within 8 Hours (if fatality) or 24 Hours (if admitted to hospital, amputation, or loss of an eye).**
- Risk Notifies Workers' Compensation Carrier within 24 hours.**
- Incident Investigation Team Deployed** – Risk, Safety, and Legal teams conduct a full review. The Investigation Team and Supervisor complete the Incident Report within 24 hours and supplement as information becomes available. The injured worker must complete an Employee Owner Injury Statement (if/once stable). Witnesses (if applicable) should complete a Witness Statement Form.
- Internal & External Communication Managed** – Only designated company representatives may discuss the incident externally.

Near Miss Reporting & Response

- Any near miss that could have resulted in severe injury or fatality is treated by Safety as a Level 1 incident.
- Immediate reporting to Safety and Risk is required.
- Safety deploys an investigation team to analyze root causes.
- Corrective measures are implemented to prevent future incidents.
- Safety training is conducted based on findings.

Legal Escalation Protocols

- All Level 1 Incidents and Near Misses must be reviewed by legal counsel before incident report is finalized.
- No employee or supervisor may make statements to OSHA without authorization from company leadership and legal counsel.
- No employee or supervisor may make statements to media or third parties.
- A Crisis Response Team (Legal, Risk, Safety, HR, and Executive Leadership) will handle all external communications and regulatory interactions.

Follow-Up

- Safety to Conduct Root Cause Analysis – build storyboard and post-incident evaluation with branch leadership and key players to find out how to avoid future incidents.
- Corrective Measures & Training Implemented by Safety.
- Regulatory Compliance Ensured – Work with OSHA or other agencies.
- Return-to-Work Plan Developed by Safety, Risk, and HR (if applicable).

4.2 Level 2 – Moderate Incident

Immediate Actions

- Supervisor Call Emergency Services Immediately, if necessary** – Ensure emergency response for severe injuries.
- Supervisor Secures the Scene** – Prevent further harm, restrict access, and preserve evidence.
- Supervisor Notifies Safety**
- Safety Notifies Risk, and HR within 12 hours via text or email.** If the incident results in a head injury or loss of eyesight, Safety shall escalate the notification to legal as well.
- Employee Owner Sent to an Approved Medical Provider** for evaluation and treatment.
- Incident Scene Secured** (if needed) for investigation.
- Supervisor Completes Incident Report** and submits it to Safety, HR and Risk within 24 hours. Risk determines if incident gets reported as a claim to the workers' compensation insurer.
- If Reporting as a Workers' Compensation claim**, Risk reports the claim to the workers' compensation insurer within **24 hours**.
- Investigation Conducted** – Gather employee owner injury statement, witness statements, site photos, and safety reports.

Follow-Up

- Modified Duty Assigned by Safety, HR, and Risk (if applicable).
- OSHA Reporting Completed by Safety if required.
- Corrective Actions implemented to prevent recurrence.

4.3 Level 3 – Minor Incident

Immediate Actions

- Employee Owner Reports Injury to Supervisor Immediately.**
- On-Site First Aid Administered.**
- Supervisor Completes Incident Report** and submits it to Safety and Risk within **24 hours**.
- Safety Reviews the Incident** and logs it for tracking purposes.

Follow-Up

- If symptoms worsen, the injury may be escalated to Level 2.
- The safety team reviews the cause and implements preventative measures.

5. ROLES & RESPONSIBILITIES

5.1 Employee Owner

- Report injuries immediately, no matter how minor.
- Cooperate with medical treatment and return-to-work procedures.

5.2 Supervisor

- Ensure immediate medical attention.
- Secure the scene if necessary.
- Complete and submit an **Incident Report** within the required timeframe.

5.3 Risk, Safety & HR

- Safety oversee the incident reporting process, coordinate investigations, determine corrective actions, and ensure OSHA and regulatory compliance.
- Risk make the determination for reporting the claim to the insurance carrier and proactively manage the claims process. Engage the Workers Compensation Coordinator.
- Safety to coordinate regulatory organization appropriate post-incident drug screening and communicate process to HR.
- HR and/or Safety to maintain communication with the injured employee owner.
- Safety to coordinate acquiring updates from the treating physician providing medical updates
- Risk, Safety, and HR assess necessary work restrictions or light-duty assignments and coordinate and develop a Return-to-Work or Modified Duty plan, as applicable

5.4 Workers Compensation Care Coordinator

- Maintains communication with Risk and HR and updates them on claim status.

5.5 Executive Leadership & Legal (For Level 1 Incidents)

- Oversee emergency response and external communications.
- Participate in serious injury and fatality reviews.

6. TRAINING & COMPLIANCE

- Annual Safety Training for All Employee Owners** on injury and near-miss reporting procedures.
- Quarterly Supervisor Training** on incident management and OSHA requirements.
- Safety Drills Conducted** for emergency scenarios.

7. POST-INCIDENT EVALUATION

Supervisor, Safety, Risk, HR and Leadership Participate in a Post-Incident Review Meeting

– includes a Storyboard and Post-Incident Evaluation

This policy is subject to updates based on changes in state laws and company requirements.

KEY INCIDENT DOCUMENTS

- Incident Report
- Incident Photos
- Employee Statement(s), if available
- Witness Statement(s), if applicable
- Storyboard, if applicable
- Post-Incident Evaluation Form, if applicable
- Site Sketches, if applicable
- Equipment, Tools, Materials Involved

SUPPORTING DOCUMENTS

- Modified Duty Letter
- Work Release Document (Showing Restrictions)
- Medical Treatment Declination Statement

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