

## **Initial Investigation - Employer**

General Investigation at the scene – Take a lot of digital photographs.

Determine the date of the occurrence. Was it a regular workday?

Determine the time of the occurrence. Was it during regular work hours? Clocked in or out?

Determine the exact location of the accident. Did it occur on premises?

Was the injured worker where they were supposed to be at the time of the incident?

Obtain complete details as to how the accident occurred.

Any possible contributory negligence or other tortfeasor liability?

Was the injured worker engaged in their regular job duties or was there a deviation of job duties? Why? Authorized by whom? When?

Did the injured worker violate any work place rules or regulations? Are the rules written? How was the injured worker made aware of the rules? Are the rules posted?

### Assault related Injury

Determine if the act was obviously intentional?

Who provoked the original assault?

Did the altercation have anything to do with the business of the employer?

Who was the aggressor?

Were there ill feelings between the individuals involved?

### Self Inflicted Injury

Establish the willful misconduct.

Ascertain possible motives.

### Suspected Horseplay

Who started the horseplay?

Was the injured worker the instigator or the victim?

Was the employer aware of the horseplay and did they object?

Had employer condoned such behavior in the past?

Any policy expressly forbidding this type of behavior?

Had employer previously punished, penalized or discharged an employee for similar acts?

Suspected alcohol and or drug use

Blood test/Urine test day of injury?

Is the consumption of alcohol or usage of drugs permitted on the job?

Determine exactly how much the injured worker had to drink prior to the injury.

Was the worker taking any medication at the time of the incident that may have affected his or her alertness?

Was the worker aware of any prohibitions against the use of alcohol or drugs at work?

Ascertain if injured worker appeared under the influence or intoxicated. This is to be accomplished through interviews of co-workers or witnesses.

Were there any testing policies on the part of the employer and had the injured worker undertaken such tests?

Injured worker's history

Obtain complete employment history.

Collect all employee identification information.

Verify employee with photograph.

Verify all developed information.

Verify salary and employment information.

Obtain the names of witnesses from the injured worker and conduct in-person interviews. Obtain signed statements.

Develop independent witnesses and conduct interviews.

Verify all factual information provide by injured worker in support of the claim.

Note information provided by injured worker that is not verifiable.

Note information provided by witnesses and coworkers that is inconsistent with information provided by injured worker.