Near-miss Reporting
in the Workplace

Provided by: Bitner Henry Insurance Group

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INTRODUCTION

For every accident that occurs in the workplace, there are just as many, if not more, close calls. Maybe a co-worker was pulled aside just in time to avoid burns from a piece of industrial equipment. Or, perhaps a forklift tipped over in the middle of a job and the worker using it was able to walk away unscathed. Situations like these are commonplace at just about every business and are referred to as near misses.

Specifically, near misses refer to any unplanned event that did not result in injury, illness or property damage but had the potential to do so. While organizations strive to avoid any kind of workplace accidents, near misses can provide invaluable insight into known and unknown safety hazards. This, in turn, allows organizations to be proactive when it comes to monitoring and responding to on-the-job risks.

Close calls or near misses on the job are valuable lessons in safety. A near miss is an indication that something is wrong. It's a warning that a machine isn't operating correctly, materials aren't stacked properly or that someone has done something unsafe.

However, near misses often go unreported as employees often take a "no harm, no foul" approach to notifying management of accidents. This guide is designed to educate employers and employees on the importance of reporting near misses. In addition, this resource is a one-stop source organizations of all kinds can use to create their own near-miss reporting program.

Please note this guide is not an adequate substitute for the advice of a legal advisor. To learn more, or to receive other risk management tips, contact Bitner Henry Insurance Group today.

THE IMPORTANCE OF TRACKING NEAR MISSES

Above all, near misses are a valuable source of information. Near misses provide companies with an opportunity to identify hazards or weaknesses in their risk management programs and correct them to prevent future incidents.
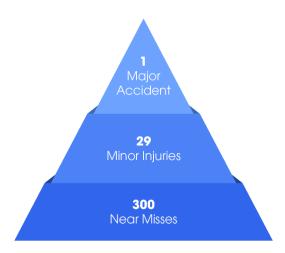
In addition to helping organizations improve workplace safety, reporting near misses provides the following benefits:

1. **Proactive monitoring**—It's best to think of near misses as symptoms of undiscovered safety concerns. Too often, organizations only address workplace safety hazards after an accident occurs. Near-miss reporting can help organizations be proactive when it comes to identifying negative trends and safeguarding their employees. This, in turn, can help reduce workplace accidents overall and protect companies from potential legal action or occupational fines.

2. **Low-cost prevention**—Having employees report near misses is affordable and one of the simplest ways to identify potential hazards. In contrast, organizations who only take action after an accident occurs often incur major expenses due to things like lost time at work, equipment repairs, and occupational fines and penalties.

3. **Culture building**—Near-miss reporting can help drive workplace culture in a positive direction. Reporting programs not only encourage employee involvement in safety initiatives, but they also promote two-way communication between the management team and workers.

Accident Theory and the Safety Triangle

Employer safety initiatives are often reactive, and many businesses don't take the time to address hazards until it's too late. This makes proactive monitoring and safety protocols all the more important, particularly when you consider that severe accidents typically occur after many smaller, less severe accidents have already occurred.

This concept is referred to as the safety triangle. Effectively, this theory states that accidents occur in a fixed ratio and that, for every 300 near misses, there are typically 29 minor injuries and one major accident. This ratio is demonstrated in the graphic below:

1
Major
Accident

29
Minor Injuries

300
Near Misses

The safety triangle illustrates the importance of staying on top of workplace risks. Near misses are opportunities to address safety concerns before they balloon into bigger issues. Simply put, by focusing on minor incidents, organizations can reduce the probability of having major incidents—making it all the more important for companies to create their own near-miss reporting program.

LEGAL REQUIREMENTS FOR REPORTING INCIDENTS

While no federal law requires employers or employees to report near misses, the federal Occupational Safety and Health (OSH) Act gives virtually all employees and their representatives the right to file complaints. Under this act, employees may also request inspections of their workplaces if they believe that a serious hazard is present or that an employer is not following safety and health standards under the law. The OSH Act strictly prohibits employers from retaliating against employees for these actions.

However, the Occupational Safety and Health Administration (OSHA), which enforces the OSH Act, encourages employees to bring any hazardous working condition to their employer's attention. If a condition clearly presents a risk of death or serious physical harm and there is not sufficient time for OSHA to inspect, an employee who (where possible) has brought the condition to the employer's attention may have a legal right to refuse to work in a situation in which he or she would be exposed to the hazard.

The OSH Act also requires employers to keep records of certain injuries and illnesses, and to report certain workplace incidents to OSHA within specific time periods. Specifically, all employers must report:

- Any work-related fatality within **eight hours**; and

- Any of the following, if it results from a work-related incident, within **24 hours**:

    o Inpatient hospitalization;

    o Amputation; or

    o Loss of an eye.

In addition, a 2016 final rule requires certain establishments to submit injury and illness information electronically to OSHA. Employers that are not in a partially exempt industry and have more than 10 employees must also prepare and maintain records of serious occupational injuries and illnesses using OSHA Forms 300, 300A and 301. These forms are described in more detail below.

- **Form 300 (Log of Work-related Injuries and Illnesses)**: Used to classify work-related injuries and illnesses and to note the extent and severity of each case. When an incident occurs, employers must use Form 300 to record specific details about what happened and how it happened.

- **Form 300A (Summary of Work-related Injuries and Illnesses)**: Shows the total number of work-related injuries and illnesses for the year in each category. At the end of the year, employers must post the Form 300A in a visible location so that employees are aware of the injuries and illnesses occurring in their workplace. Employers must keep a log for each establishment or site. When an employer has more than one establishment, a separate log and summary must be kept at each physical location that is expected to be in operation for one year or longer.

- **Form 301 (Injury and Illness Incident Report)**: Must be filled out within seven calendar days after an employer receives information that a recordable work-related injury or illness occurred. This report includes information about the employee and the treating physician, and detailed information about the case. Employers must keep this report on file for five years following the year it pertains to.

Employers should also become familiar with any applicable state- or local-law requirements regarding workplace safety and health.

COMPONENTS OF A NEAR-MISS REPORTING PROGRAM

Implementing a near-miss reporting program can be a challenge if you aren't prepared. The ways these programs are launched can differ based on the size of your company and the types of risks present in your workplace. To ensure you get your near-miss reporting program off the ground successfully, consider the following best practices:

- Encourage reporting in the workplace. This can help establish a culture where employees feel comfortable identifying and controlling hazards.

- Ensure your system is nonpunitive. Employees should not be punished for improving workplace safety.

- Take near-miss incidents seriously and investigate them thoroughly to identify weaknesses in your policies and procedures.

- Leverage investigation results to improve workplace safety, hazard control systems and employee training.

One of the best things about launching a near-miss reporting program is that organizations do not need to overhaul their existing safety management systems. By simply revising existing policies and procedures, companies can create a near-miss reporting program that works for them. The following are some key components of a strong near-miss reporting program.

Identify

In order for your near-miss reporting program to be effective, employees need to understand how to recognize near-miss events. To accomplish this, you must clearly define what you mean by a near miss. This definition needs to be broad and account for a variety of scenarios. The following is an example of how you might define a near miss.

A near miss is an opportunity to improve health and safety in a workplace based on a condition or an incident with potential for more serious consequences, including:

- *Unsafe conditions*

- *Unsafe behavior, such as a worker modifying personal protection equipment for comfort*

- *Minor incidents and injuries that had potential to be more serious*

- *Events where injury could have occurred but didn't*

- *Events where property damage could have resulted but didn't*

- *Events where a safety barrier was challenged, such as a worker bypassing a machine guard*

- *Events where potential environmental damage could have resulted but didn't*

Another way to help employees identify near misses is through training and on-the-job risk assessments. These efforts can help workers understand where accidents commonly occur and encourage them to be particularly vigilant regarding specific risks.

Report

It's difficult for employers to address near-miss concerns if they aren't reported using a formal process. As such, organizations should establish a system employees can use to communicate near misses and provide proper training on that system.

Experts recommend that near-miss reporting systems be as clear and simple as possible in order to promote employee involvement. In general, near misses should be reported in writing, either by the worker involved in the incident, a worker who witnessed the incident or by a supervisor who was told about the incident.

Reporting forms should be easy to understand and allow employees or managers to share the date, location and specifics of the incident. For a sample near-miss reporting form that you can adapt for your specific needs, click here.

Even if employees understand how to report a near miss, they may be reluctant to do so out of fear of disciplinary action. Therefore, employers should communicate the value of reporting near misses and train employees on the following:

- What near misses are and how to identify them

- Why reporting near misses is important

- The role each person plays when it comes to near-miss reporting

- What a near-miss reporting system is and how it works, including the responsibilities at all management levels

- How to report a near miss*

Much of this can be accomplished through the use of strong policies and procedures. While these policies may vary from business to business, they should at least include a strong definition of near misses and details on what employees should do if one occurs in the workplace. For the sake of simplicity, organizations may consider updating their existing policies with the following language:

Workers must report all workplace incidents, hazardous conditions, near misses, and property and environmental damage to their immediate supervisor as soon as possible. Workers who experience a work-related injury or occupational illness should seek immediate medical attention and promptly report the injury/illness to their supervisor. **Note:** *All work-related injuries/illnesses, no matter how slight, must be reported to a supervisor.*

*It's important to note that anonymous reporting is not recommended. This is because, when employees submit anonymous reports regarding near misses, it can be difficult for employers to follow up appropriately.

Prioritize and Investigate

After an employee submits a near-miss report, the employer should investigate the matter thoroughly. As part of the investigation process, employers should prioritize near misses based on the severity of incident and the potential for future injuries.

Adequate prioritization ensures that your near-miss reporting program doesn't get overburdened and that you are addressing the most important risks first. During the prioritization phase of your investigation, you should be able to determine:

- The severity of the incident as well as the amount of attention you will give it

- How you will go about determining the root cause of the incident and how simple it will be

- The amount of resources you will dedicate to finding and implementing solutions

- The extent to which information about the near-miss incident will be shared throughout the company

As a general rule, if major injuries or fatalities are likely, a full investigation is encouraged. Not every near miss will be considered a high priority, which is OK. Just make sure to examine each incident thoroughly and make plans to follow up on low-priority near misses as needed.

Any information regarding an incident must be distributed to the individuals who will perform the investigation. These individuals will vary from organization to organization and will depend on the priority and nature of a particular near miss. Just remember that, when distributing information about near misses to those who will respond, details should:

- Be transferred quickly

- Reach all appropriate people

- Be presented in a useful and understandable format

Once you discover a high-priority near miss, you should examine it thoroughly. When investigating a near miss, it's important to keep in mind the following:

- Look into both what happened and what could have happened.

- Evaluate the potential consequences of the reported near miss and rank it by severity.

- Identify both the direct and root causes of the near miss. If you can't easily pinpoint the cause of a near miss, you may want to form an investigative team to look deeper into the report.

For more tips on conducting investigations, click here.

Intervene and Take Action

When employers respond to a near miss, it shows that management takes safety concerns seriously. This, in turn, can have an encouraging effect on employees, making it all the more likely for them to report near misses.

After you investigate a near miss, it's critical to implement solutions to make your workplace safe. Corrective actions will depend on the type of incident. While many solutions will be simple fixes (e.g., repairing equipment or providing additional training), there will be times when employers will have to be extra thorough to ensure hazards are addressed appropriately. Common actions include:

- Eliminating the cause of the hazard

- Installing safety devices

- Using warning signs to alert people to the hazard

- Implementing new safe work procedures to account for the hazard

- Increasing worker training and awareness of the hazard

Once you have identified a solution, you should implement it in a timely fashion. In addition, corrective actions should be communicated to anyone involved in the near miss as well as to those whom the solution may affect. It's important to remember that, if a solution includes new or revised safety procedures, employees will likely need additional training.

Review

Once you have implemented a solution, it's crucial that you continually monitor the situation to ensure you have successfully mitigated the hazard. It should also be noted that implementing new solutions has the potential to create additional hazards, making it even more important to remain vigilant.

Any data you collect on a near miss—both before and after the incident—can be useful indicators of your workplace's health and safety performance. As such, consider maintaining records of all near-miss reports, including what happened and how you responded.

Involve Health and Safety Committees and Similar Bodies

When it comes to ensuring a safe working environment, organizations can maximize their efforts by involving health and safety committees. These bodies typically consist of labor and management representatives who meet on a regular basis to deal with health and safety issues. In general, health and safety committees can help employers:

- Recognize and evaluate workplace hazards.

- Participate in the development and implementation of programs to protect the employees' safety and health.

- Respond to employee complaints and suggestions concerning safety and health, following up on hazard reports and recommending action.

- Ensure the maintenance and monitoring of injury and work hazard records.

- Set up and promote programs to improve employee training and education.

- Participate in safety and health inquiries and investigations.

- Make recommendations to management for incident prevention and safety program activities.

- Monitor effectiveness of safety programs and procedures.

While specific requirements related to health and safety committees may differ depending on where you operate, any employer's near-miss reporting program can benefit from including these bodies in the process of creating a system, managing it effectively and promoting employee participation.

HOW TO ENCOURAGE NEAR-MISS REPORTING

An employer's ability to address near misses is directly influenced by an employee's willingness to report workplace hazards. There are any number of reasons why a worker wouldn't report a near miss, including the following:

- The employee is afraid of being punished or doesn't want to look bad.

- The employee doesn't know how to identify or report a near miss.

- The employee doesn't understand the benefits of reporting a near miss.

In order for your near-miss reporting program to be successful, you must encourage your employees as much as possible. This can be accomplished in a variety of ways:

1. **Create a zero-blame culture**—Ensure employees understand that information collected in near-miss reports will be used to improve the workplace, [not punish workers](). Above all, employers need to earn their employees' trust, empowering them to spot hazards in a proactive manner. Establishing clear roles and responsibilities for each worker as it relates to correcting safety concerns can contribute to a successful near-miss reporting program.

2. **Communicate**—Employees are more likely to report near misses if they know about the program and how it is used. Effective communication and training on the importance of reporting near misses can increase employee buy-in. Some organizations even share details regarding specific incidents, highlighting any corrective action taken.

3. **Ensure your program is easy to understand**—Complicated workplace procedures can prevent employees from reporting near misses. Thus, it's important that your near-miss reporting program be simple and easy to understand. Many employers utilize a standard form that can be completed in writing and submitted to the appropriate personnel in a timely fashion. Keep the questions simple and the form concise to further promote reporting. Above all, you should create a policy and procedure that's communicated to all employees and has the backing of senior management.

4. **Share feedback**—Whenever you address a workplace hazard, it's important to communicate preventive actions to the entire company. Be specific about how the corrective action will improve workplace safety. This can motivate employees to report near misses as they can see that their suggestions are valued and help shape the workplace.

5. **Incentivize reporting**—Consider encouraging reporting through workplace incentives. For example, employers may recognize employees who report near misses on a companywide level.

CONCLUSION

Establishing a reporting program for near misses is a simple way to elevate workplace safety. Not only do near-miss reporting programs protect your employees and save money, but they also promote a positive, safety-forward culture.

In addition to establishing a near-miss reporting program, securing the proper coverage can go a long way toward protecting employers from liability concerns. To customize your risk management program, contact Bitner Henry Insurance Group today. A representative can work with you to assess your individual risks and elect policies that are right for you.

Near-miss Incident Report

Involved employee's name:	
Date and time of incident:	
Date and time reported:	
Home phone:	
Witness names:	
Cause of incident – What acts or conditions led directly to the incident?	
Were safety procedures violated? Describe:	
Incident site inspection – Why was an unsafe act committed, or why was the unsafe condition present?	
Recommendations/steps to take to prevent a similar incident:	
Is there a potential outside liable party responsible for the cause of the unsafe act or condition?	

Supervisor Signature:	Date:

Description of Incident

(Use additional sheets of paper, if more space is needed.)