

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1544

S.P. 519

In Senate, April 10, 2003

An Act To Revise the Standards for Reporting Public Sector Workplace Deaths and Serious Injuries

Submitted by the Department of Labor pursuant to Joint Rule 204.
Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator EDMONDS of Cumberland.
Cosponsored by Representative DUPLESSIE of Westbrook and
Representatives: JACKSON of Fort Kent, TREADWELL of Carmel.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 26 MRSA §2**, as corrected by RR 1995, c. 2, §57, is repealed and the following enacted in its place:

6 **§2. Reports of deaths and injuries**

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

22 **2. Reports of serious physical injuries.** The person in charge of any workplace as defined in section 1 provided by the State, a state agency, a county, a municipal corporation, a school district or other public corporation or political subdivision shall, within 24 hours after the occurrence, report in writing or by telephone to the Director of the Bureau of Labor Standards all serious physical injuries requiring immediate hospitalization sustained by any person in the workplace or on the premises, stating as fully as possible the extent and cause of the injury and the place where the injured person has been sent and supplying other information relative to the injury that may be required by the director who may investigate the causes of the injury and require such precautions to be taken as will prevent the recurrence of similar events. A statement contained in any such report is not admissible in evidence in any action arising out of the accident reported.

40 **3. Serious physical injuries defined.** "Serious physical injuries," as used in this section, means an incident that results in an amputation, loss or fracture of any body part or that necessitates immediate hospitalization.

46 **SUMMARY**

48 This bill reduces the time frame in which a public employer

2 must report a death or serious injury to the Director of the
Bureau of Labor Standards within the Department of Labor from 48
4 hours to 8 hours for a death and 24 hours for a serious injury.
These new limits are consistent with the federal requirements
6 under the Occupational Safety and Health Administration
regulations.