



CHECKLIST FOR CONSTRUCTION ACCIDENT INVESTIGATIONS

The Harmonie Group has asked its member firms and their respective construction practice attorneys to assist in putting together this CHECKLIST FOR CONSTRUCTION ACCIDENT INVESTIGATIONS.

This checklist is provided to illustrate possible action items you may wish to review in the course of investigating or handling your particular accident, case, or event. As all states vary, and since each individual accident is different, there is no correct or complete list of investigation steps that will be appropriate for all situations. However, these specific steps are matters you should consider as possibly being necessary or required in your particular situation after carefully weighing the facts and the legal issues and after consulting with an experienced attorney. As always, Harmonie member firm attorneys are prepared to discuss with you the individual items listed to determine if there is applicability to your specific case. In certain cases, other steps may be required depending on the circumstances.

The Harmonie Group does not practice law, and this summary checklist should not be construed as a recommendation or a list of required steps in any particular case. It is provided as an illustration of possible matters that only you, with competent legal advice and consideration of the variables involved, can determine are necessary in your specific case.

CONSTRUCTION ACCIDENT INVESTIGATION CHECKLIST

IDENTIFY:

- Person(s) involved, injured or killed, summon help and medical assistance as needed, and notify family/contact person(s);
- The exact location site of the accident;
- The date and exact time of the accident;
- All eyewitnesses to the accident and surrounding conditions;
- Foremen and other safety managers on site;
- All contractors and subcontractors working on site at the time of the accident;
- Employer and foreman of the injured worker(s);
- Personal protection equipment available and in use, e.g., tie-offs, lanyards, helmets, ladders.

LOCATE:

- All warnings, signage and other safety devices on location;
- All flagging, tie-offs and barriers;
- Guarding and safety mechanisms;
- Warnings and manuals for all equipment involved;
- Contracts of all involved parties, indemnity agreements, insurance policies and certificates, notify insurers.

DETERMINE:

- Construction activities ongoing at the time of the accident;
- What was injured worker doing at the time of the accident;
- All environmental or weather conditions for the day of the accident;
- Basic cause of the accident, e.g., fall, collapse, equipment failure;

- General nature of the primary injury, e.g., fracture, cut, head injury;
- What companies owned or furnished any tools or equipment involved in the accident;
- Preserve evidence and/or document worksite conditions before altered by ongoing construction.

OBTAIN:

- Accident report;
- Police/Fire Department reports;
- Jobsite progress photographs and any accident site photographs taken;
- Any site, security or newscast videotape;
- Handwritten or recorded statements of witnesses;
- OSHA investigation documents and reports;
- Daily reports or logs for the day before and of the accident;
- Safety meeting records of all involved parties and for the project.

The Harmonie Group provides a 24-hour emergency/accident response directory of construction attorneys through its 24-hour hotline: 1-877-247-3659. The firms in the group may have relationships and be able to make suggestions on accident reconstructionists, adjusters, photographers, criminal defense attorneys, lab testing facilities, and many more resources.

INTERNATIONAL LEGAL ASSISTANCE

This checklist is geared toward the legal needs for construction litigation in the United States; however, The Harmonie Group has an international member with offices in the UK, Spain and Mexico. Should you need legal advice in any of these countries, you may contact the law firm of Davies Arnold Cooper at +44 020 7936 2222.



The Harmonie Group also provides access to legal services across Canada through its affiliation with the Canadian Litigation Counsel. For CLC firms located throughout Canada, visit www.clnow.com or call (866) 252-5515.

For more information on The Harmonie Group, go to www.harmonie.org or contact:

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THE GENERAL PHONE NUMBERS OF THE HARMONIE GROUP MEMBER FIRMS (BELOW) SHOULD BE USED DURING LOCAL NORMAL BUSINESS HOURS. HARMONIE FIRM MEMBERS MAY BE REACHED AFTER HOURS BY CALLING THE 24 HOUR HOTLINE: 1-877-247-3659.

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