

# Privacy Guidelines for Safety Reporting

## **Personally Identifiable Information and Personal Medical Information in Incident Reports and Safety Alerts**

### **Purpose:**

This document provides guidance on privacy issues in preparing Incident Reports and Safety Alerts.

### **Principles:**

- We are committed to respecting the privacy rights of injured persons.
- We comply with OSHA/OH&S reporting requirements for safety incidents.
- Communicating safety alerts and key learnings across the business is important to help prevent recurrences and for employee training.

### **Definitions:**

- “*Personally-Identifiable Information*” means information that can be used to identify a person.
- “*Personal Medical or Health Information*” means information about a person’s medical history, mental or physical condition, or treatment.

### **General Guidelines:**

- Special care should be taken to ensure that Incident Reports and Safety Alerts respect the injured person’s privacy and avoid disclosure of Personally Identifiable Information or Personal Medical or Health Information.
- Incident Reports should not disclose Personally Identifiable Information or Personal Medical or Health Information, except to the extent required for OSHA/OH&S or other regulatory reporting purposes.
- Information disclosed in Safety Alerts should be limited to that which is reasonably necessary for purposes of identifying key learnings and workplace safety training.
- Communications and discussions (emails, sharing of incidents, etc.) on a person’s injury or illness should also follow these guidelines. This includes initial notification emails regarding serious incidents and Incident Review Presentations (PPTs).
- These guidelines apply to reporting of safety incidents involving Weyerhaeuser employees, contractors, and members of the public, and for both work and non-work-related incidents.

**Guidance re Personally Identifiable Information:** Incident Reports and Safety Alerts should be written to avoid disclosing personal information or personally identifying the injured person.

- **Name:** Except for “Privacy Cases” (described below), it is okay to disclose the person’s name on the Incident Report, as this is required for OSHA reporting. (Note that the person’s name is not generally accessible in SEEDS except to certain authorized users.) Do not use the person’s name in Safety Alerts.

- **Job Position:** It is okay to refer to the person’s job position and to the length of time (months/years) that the person has been in that job position.
- **Hire Date:** Avoid disclosing the person’s specific hire date; however, you may state the number of years / months the person has been with the company.
- **Gender:** Use gender neutral terms and avoid referring to the gender of the person (e.g., “*The associate* received burns to *the* face and right forearm”, rather than “*She* received burns to *her* face and right forearm”)
- **Age:** Do not state the person’s age or birth date.
- **Photos / Video:** Do not include photos or video that identifies the person (e.g., the person’s image, tattoos, name on hard hat, or other identifying marks) without her or his written consent. However, it is generally okay to have a photo of the injury, as long as the photo does not reveal the identity of the person.
- **Re-enactment.** If you reenact a scene / photo, add a footer saying “safe reenactment” or similar. Use “Image Release” form to obtain consent of persons used in the photo/video.
- **Disciplinary Action:** Do not disclose disciplinary action taken; instead it is okay to state that “the site used its standard incident follow-up protocol.”

**Guidance re Medical / Health Information:** Incident Reports and Safety Alerts should be written to avoid disclosing personal medical or health information.

- **Injury / Illness:** The information entered into the Incident Reports and Safety Alerts should be limited to the sequence of events that lead to the employee’s injury/illness, and only a general description of injuries sustained. For example: broken lower left leg, cut to right forearm which required sutures.
- **First Aid / AED:** Detailed documentation of emergency procedures like first aid or cardiopulmonary resuscitation are recorded at the site level, outside of the company reporting system. Incidents involving the use of an Automatic External Defibrillator (AED) must be submitted to Corporate Occupational Health using the *AED Event Summary* (e-form # 20813).
- **Treatment:** Details of treatment for the injury/illness or specific medications should not be included in the Incident Report or Safety Alert. It is acceptable to state that “prescription medication was provided” or “a prescription was provided”. Note that prescriptions can include physiotherapy and chiropractic treatment.
- **Hospitalization:** Avoid statement of specific treatment location (e.g., say “regional trauma center” not “Seattle Harborview hospital”).
- **Outcome / Prognosis:** Information on estimated time off should be confined to general information only. Avoid general statements such as “employee is expected to fully recover”.
- **Drug/Alcohol Testing:** Do not refer directly to individual substance abuse testing or test results in the Incident Report or Safety Alert. It is okay to say that “the site followed its standard incident follow-up protocol”, and to add that it specifically followed drug/alcohol post-incident testing procedures. However, do not state whether the person was tested or the result.

- **Other Personal Health Information:** Other personal health information such as pre-existing medical conditions, medications, or personal health information (including medical information about non-work-related situations) should not be included in the Incident Report or Safety Alert. This includes medical or health information that the employee shares with a supervisor. This guidance also applies to non-work-related investigations and incident reports.
- **Privacy Cases:** Some injuries/illnesses are subject to extra protection because of their private nature. An employee's name should not be included anywhere on the Incident Report or Safety Alert when the injury or illness:
  - is to an intimate body part or reproductive system;
  - results from a sexual assault;
  - relates to a mental illness;
  - relates to HIV infection, hepatitis, or tuberculosis;
  - is caused by a needle stick injury or cut from a sharp object contaminated with another person's blood or other potentially infectious material; or
  - triggers the employee's voluntary request to have his or her name removed from the incident report.

Instead, the phrase "Privacy Case" should be referenced in the sequence of events rather than providing details of a sensitive nature on the incident report. In the Case Management section of the SEEDS report, the Privacy Case check box should be checked off. If the incident is deemed recordable, Privacy Case will show on the OSHA Log instead of the employee's name.

If an employee with an injury/illness that qualifies as a Privacy Case can still be identified on the Incident Report despite the omission of his or her name, discretion must be used in describing the injury to avoid revealing intimate or private details. For example, a sexual assault case could be described as an "injury from assault," or an injury to a reproductive organ could be described as a "lower abdominal injury" on the incident report.