

## **Privacy Guidelines for Safety Reporting**

### **Protecting Personally Identifiable Information (PII) and Protected Health Information (PHI) in Incident Communications**

#### **Purpose:**

The purpose of this document is to set expectations for communicating and sharing safety incident information while abiding by privacy guidelines and protecting personal information.

#### **Principles:**

- We are committed to respecting the privacy rights of our employees and contractors.
- 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 and contractor training.

#### **Definitions:**

- “*Incident Communications*” consist of verbal and written transfer of information regarding safety incidents, and include Incident Reports, Safety Alerts, PowerPoint presentations, email correspondence, telephone calls, and other communications.
- “*Incident Reports*” are the reports of safety incidents using SEEDS, Weyerhaeuser’s incident management system.
- “*Protected Health Information*” or “*PHI*” means information about a person’s medical history, mental or physical condition, or treatment.
- “*Personally-Identifiable Information*” or “*PII*” means information that can be used to identify a person, including name, age, gender, date of hire, image, or other personal information.
- “*Safety Alerts*” are documents that summarize the incident, investigation findings, and key learnings.

#### **General Guidelines:**

- Special care shall be taken to ensure that all Incident Communications respect the injured or ill person’s privacy and avoid disclosure of Personally Identifiable Information or Protected Health Information.
- Incident Communications shall not disclose Personally Identifiable Information or Protected Health Information, except to the extent required for OSHA/OH&S or other regulatory reporting purposes.
- Information disclosed in Incident Communications should be limited to that which is reasonably necessary for purposes of incident review, identification of key learnings, workplace safety training, and other business purposes.
- These guidelines apply to reporting of safety incidents involving Weyerhaeuser employees, contractors, and members of the public, whether for work or non-work-related incidents.

**Personally Identifiable Information (PII) Guidance:** Incident Communications should be written to avoid disclosing personal information or personally identifying the injured or ill person.

- **Name:** Except for “Privacy Cases” (described below), it is acceptable to disclose the person’s name on the Incident Report, as this is required for OSHA/OH&S 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 or any witnesses’ names in Safety Alerts or presentations.
- **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. This also refers to transfer dates (i.e., state time in position without disclosing the specific transfer date).
- **Gender:** Use gender-neutral terms and avoid referring to the gender of the person (e.g., “*the employee* 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 videos that identify 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 for use in an Incident Review Presentation, add a disclaimer saying “safe reenactment” or similar notice, and obtain the consent of all persons used in the photo/video.
- **Disciplinary Action:** Do not disclose disciplinary action taken against individuals involved in the incident; however, it is okay to state that “*the site adhered to its Drug and Alcohol Policy to address post-incident testing.*”

**Protected Health Information (PHI) Guidance:** Incident Communications should be written to avoid disclosing Protected Health Information.

- **Injury/Illness:** The information entered into Incident Communications should be limited to the sequence of events that led to the person’s injury/illness, and only a general description of injuries sustained. For example:
  - “*The employee sustained a fractured lower left leg.*”
  - “*The employee lacerated their right forearm.*”
- **First Aid/AED:** Incident Communications should not include details of first aid. Detailed documentation of emergency procedures like first aid or cardiopulmonary resuscitation is recorded at the site level, outside of SEEDS.
- **Treatment:** Details of specific treatment for the injury/illness or specific medications should not be included in the Incident Communications. It is acceptable to state that “*prescription medication was provided*” or “*treatment was provided*”.

- **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, such as “*the employee is expected to be off for two months*”. Avoid general and subjective statements such as “*the employee is expected to fully recover*”.
- **Drug/Alcohol Testing:** Do not refer directly to individual substance abuse testing or test results in Incident Communications. It is acceptable to state “*the site adhered to its Drug and Alcohol Policy to address post-incident testing*”. Do not indicate whether the person was tested or the results of any drug/alcohol test.
- **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 Communications. This includes medical or health information that the person 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 highly sensitive and private nature. The injured person’s name should not be included in any Incident Communications (and will not be included in the OSHA/OH&S report) for the following injuries or illnesses:
  - an injury or illness to an intimate body part or the reproductive system;
  - an injury or illness resulting from a sexual assault;
  - mental illness;
  - HIV infection, hepatitis, or tuberculosis;
  - needlestick injuries or cuts from a sharp object contaminated with another person’s blood or other potentially infectious material; or
  - other illnesses, if the person voluntarily requests that his or her name not be entered on the Incident Report.

In such instances, only 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 . If the incident is deemed recordable, “Privacy Case” will show on the OSHA Log instead of the person’s name.

If a person with an injury/illness that qualifies as a Privacy Case is still identifiable 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.