

12.9 ACCIDENT REPORTING

Any employee operating county equipment or vehicles must report all vehicular accidents and property damage or liability claims to his or her supervising Elected Official or Department Head and to the appropriate law enforcement authorities immediately, or, in the case of injury to the employee, as soon as the employee is able.

Each vehicular accident, no matter how minor, must be reported to appropriate law enforcement authorities so that an official accident report can be filed. The Department Head or Elected Official, or his or her designee, in charge of the department must notify Human Resources of the accident on the day of the accident if it occurred on a business day, or on the first business day following the accident if it occurred after hours or on a non-workday. Employees involved in accidents are required to submit to a drug and alcohol test immediately following the accident. Refusal to submit to the drug and alcohol test will result in disciplinary action up to and including termination.

A copy of any accident report involving county equipment or vehicles must be forwarded to Human Resources as soon as the law enforcement investigation is completed. A copy of the accident report must also be filed in the personnel file of the employee involved in the accident. Human Resources will provide the Commissioners Court with copies of each accident report, upon request.

Accidents Requiring Post-Accident Drug & Alcohol Testing

Austin County requires employees to undergo post-accident drug and alcohol testing under the following circumstances:

1. **Fatality** – Any accident involving a death, regardless of fault.
2. **Injury Requiring Medical Treatment** – If an employee or another person requires immediate medical treatment away from the scene.
3. **Employee Transported to Hospital** – If the employee involved must be taken from the scene for emergency medical care.
4. **Vehicle Accident with Towing** – If a company or personal vehicle used for work must be towed from the scene due to disabling damage.
5. **Citation Issued** – If the employee receives a citation for a moving violation arising from the accident.
6. **Property Damage** – Significant property damage estimated above a set threshold (e.g., \$1,000 or company policy limit).
7. **Equipment Accident** – Forklifts, machinery, or heavy equipment accidents causing injury, property damage, or loss of production.
8. **Near Miss with Serious Risk** – An incident that could have resulted in severe injury or major damage but was narrowly avoided.
9. **Spills or Environmental Releases** – Any accident involving hazardous material spills or environmental damage.
10. **At Supervisor's Discretion** – When management has reasonable suspicion that drugs or alcohol may have been a factor.

Testing should be conducted as soon as possible following the accident. Employees who fail to report an accident or refuse to comply with post-accident testing requirements will be subject to disciplinary action, up to and including termination.

Exceptions to Post-Accident Testing

Post-accident drug and alcohol testing **is not required** in the following situations:

1. **Minor Injuries Only** – When the incident results in only first-aid treatment that does not require medical care away from the scene.

2. **No Reasonable Suspicion** – When the supervisor has no reason to believe drugs or alcohol contributed to the incident.
3. **Pre-Existing Damage** – If damage clearly results from normal wear and tear, equipment failure, or a pre-existing condition not caused by the employee.
4. **Unrelated Medical Events** – If the incident was caused solely by a documented medical condition (e.g., heart attack, seizure, diabetic event).
5. **Unavoidable Acts of Nature** – If the accident was caused exclusively by natural events such as lightning, floods, or other unforeseeable acts of God, with no employee fault involved.
6. **Unavoidable Acts**-Damage to stationary vehicles.

Even if an exception applies, supervisors retain the authority to require testing if circumstances raise a reasonable suspicion of drug or alcohol use.