

Construction Accident Response Information for VIRGINIA



Emergency Response Team - 24 Hour Response **Toll Free: 1-877-752-0001**

We understand that accidents and incidents do not always occur during "business hours," and that sometimes a client needs legal assistance on an emergency basis. Accordingly, Franklin & Prokopik has established a 24 Hour Emergency Response Team to respond to such situations. All of the attorneys below have agreed to accept "after-hours" calls for advice or investigation. Please contact us at any of the numbers below if you would like additional copies of this document.

For procedures to follow in an emergency, please refer to the guide on the opposite side of this document.

Contact Attorneys:

Primary:

Name: Helen Neighbors
Direct Dial No.: (571) 612-5929
Fax: (703) 793-0298
Cell Phone: (703) 887-6270
Email Address: hneighbors@fandpnet.com

Alternate:

Name: Rebecca Dannenberg
Direct Dial No.: (571) 612-5936
Fax: (703) 793-0298
Cell: (703) 409-0251
Email Address: rdannenberg@fandpnet.com

Alternate:

Name: Joshua Hoffman
Direct Dial No.: (571) 612-5938
Fax: (703) 793-0298
Cell: (757) 570-8388
Email Address: jhoffman@fandpnet.com

Emergency Numbers or 24 Hour Contact Information - Before or after normal business hours or on weekends and holidays, incidents can be reported by calling the appropriate pager number for the nearest office:

Richmond Region Office: (804) 256-5223
Northern VA Region Office: (540) 372-5310
Tidewater Region Office: (757) 629-8923
Southwest Region Office: (540) 983-5362
Abingdon Field Office: (540) 983-5362
Lynchburg Field Office: (540) 983-5362
Verona Field Office: (540) 372-5310

If unable to reach the local phone numbers, the State Police Duty Sergeant in Richmond, VA should be contacted at 804/674-2026.

Forensic Engineering:

(Accident reconstruction, fire cause and origin, structural, mechanical, electrical engineer, or other discipline)

Contact Name: Ryan Siekmann
Business Name: SEA, Ltd
Address: 1110 Benfield Blvd.
Suites A-D
Millersville, MD 21108
Business Phone: (410) 987-1077
Cell Phone: (614) 570-4745
24 hour: (614) 570-4745
Fax: (410) 987-1129
Email: rsiekmann@SEALimited.com

Independent Adjusters/Investigators:

(Obtaining statements, police reports, etc.)

Contact Name: Paul Plitt
Business Name: Love, Barnes & McKew
Address: 9891 Broken Land Pkwy, Suite 210
Columbia, MD 21046
Business Phone: (410) 888-9200
Toll Free: (800) 899-2235
Cell Phone: (443) 803-9040
Home Phone: (410) 744-1680
Fax: (410) 888-9286
Email: pplitt@lbmadjusters.com

During normal business hours (8:15 A.M. - 5:00 P.M.) an incident should be reported to the closest regional or field office at the following numbers:

Richmond Region Office: (804) 371-3104
Northern VA Region Office: (703) 392-0900
Region Office: (757) 455-0891
Southwest Region Office: (540) 562-3580
Abingdon Field Office: (276) 676-5465
Lynchburg Field Office: (434) 385-0806
Verona Field Office: (540) 248-9280

RESPONDING TO A CONSTRUCTION ACCIDENT

Nearly as important as an adequate safety prevention program is the need for an effective emergency response plan. This guide is designed to provide you a basic plan to implement in an emergency. For questions or more detailed descriptions, please contact any F&P attorney at the contact numbers on this document.

Provide Medical Treatment

- Ensure the safety of the involved individual/s - by providing first aid, calling 911 or referring to an occupational health clinic.
- Offer medical treatment even if you do not believe it is necessary and document your efforts.

Correct Safety Hazards

- As soon as practicable, secure the accident scene and ensure that any safety hazards are abated.
- If the safety hazard cannot be abated promptly, secure the area from further employee exposure.
- Once the emergency has passed, take permanent steps to correct any hazard.

Notify Integral Company Personnel

- Report to the individuals designated by your company as Emergency Contacts.
- If you are on a multi-employer worksite, evaluate the need to contact other onsite employers.

Consider Contacting your Attorney

- Results of an investigation directed by counsel may be privileged, while the results of self-directed investigation are typically not protected from disclosure to opposing parties.
- Experienced counsel brings knowledge, resources, authority and distance to help lead you through a crisis.

Post Accident Preservation and Investigation

- It is critical to preserve the accident scene and certain evidence while the investigation is taking place to avoid spoliation claims during the litigation process.
- Steps to consider include obtaining witness statements, taking photographs/video, conducting testing or samplings, requiring drug and alcohol testing of involved employees.

If Required, Contact OSHA

- Contact OSHA if the accident involves the death of an employee from a work-related incident or the inpatient hospitalization of three or more employees as a result of a work-related incident.
- Report the incident to 1-800-321-OSHA (1-800-321-6742) or your local regional office within 8 hours.
- Be prepared to provide your company name, incident location, time of the incident, names of injured or deceased employees, and the contact person for the employer and a brief description of the incident.

Contact Insurance Carriers

- Call your insurance broker or agent to assess what insurance carriers may be involved and give notice.
- Once the carriers for at-fault parties are identified, place those carriers on notice as well.

Prepare for Government Inspections

- Inspections may be conducted by OSHA, DOT, and/or any number of other governmental agencies on a state, federal or local level.
- Employers must designate an employer representative to be the primary point of contact for such inspections.
- Company policy and/or advice of counsel should be sought to determine whether or not a warrant should be required of any such inspector. Note that there are limited circumstances as to when inspectors may conduct inspections without a warrant.

Prepare for Media Inquiries

- Public statements can have adverse legal ramifications, in addition to damaging your company's reputation.
- Have a "safe" media response prepared until a more specific media plan is in place: "We take this very seriously and are in the process of conducting a thorough investigation. Unfortunately, we cannot comment during the pending investigation."

Copyright ©2018 Franklin & Prokopik, P.C. This Franklin & Prokopik document contains information of general interest to the public and does not constitute legal advice. No claims, promises or guarantees about the accuracy, completeness, or adequacy of the information contained in this document are made. The receipt of this information does not create an attorney-client relationship. As legal advice must be tailored to the specific circumstances of each case, and laws are constantly changing, nothing provided herein should be used as a substitute for the advice of competent counsel.