



**INSPECTORATE  
MINISTRY OF PUBLIC HEALTH,  
SOCIAL DEVELOPMENT AND  
LABOR.**

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## **Reporting obligation in case of occupational accidents**

Employers are obliged to report all occupational accidents to the Labor Inspectorate. This duty to report applies not only to employees, but also to persons who work under the authority of the employer, such as temporary employees.

### **What to do in case of an accident at work:**

- 1) Report the accident immediately to the Labor Inspectorate any time and every day (24/7). Call 1-721-5247247 or e-mail to [inspectoratevsa.sxm@gmail.com](mailto:inspectoratevsa.sxm@gmail.com). The email should include the victim's name and condition, name of the company or employer, contact info of the managing director or other contact person, when and where the accident happened, and a short description about the accident. A completed accident report form is expected within 2 working days.
- 2) Leave the accident situation unchanged as much as possible. The Inspectorate will initiate an investigation as soon as possible after the report. The inspector must be able to properly assess the situation on the spot.

### **When does a reporting obligation exist?**

An occupational accident needs to be reported immediately after a work-related accident occurs. A work-related accident is any accident that occurs to an employee during the execution of his work, where the employee dies, or attains permanent injury and/or needs to be nursed as a consequence. An accident can also occur where no personal injury was experienced due to coincidental circumstances.

- 1) An accident at work is an accident that occurs at or as a result of work. This can be in a company or institution, for example at a (construction) site, the land, farmyard, road, bridges, via-ducts, or in the water, and so on. In short, wherever employees can be at work.  
**NB: (Traffic) accidents on your way to work and visa versa are not considered to be occupational accidents. However, if you are for example a tour guide on a coach or a garbage collector on a truck and an accident happened, then the reporting obligation exists.**
- 2) "Permanent injury" means, among other things, amputation, blindness, or chronic psychological / traumatic complaints.
- 3) "Hospital admission" means that a victim is admitted to a hospital. A daily admission is also considered a hospital admission. Outpatient treatment is therefore not considered to be hospitalization.



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## **When does the Inspectorate conduct research?**

In principle, the inspectorate investigates all mandatory reports of occupational accidents. Sometimes there is reason for the inspection to also investigate non-mandatory labor accidents. For example, when there is a suspicion that the accident is the result of a violation of the statutory regulations. If the inspectorate decides not to investigate an accident, the employer will be contacted by telephone. The motivation of this decision will be confirmed later in writing. The victim receives a copy of this document.

## **Purpose of the investigation:**

The goal of the investigation is the following:

- to determine the circumstances and the cause of the accident;
- to check whether the accident was caused by one or more violations of the statutory provisions;
- to give effective recommendations to prevent similar incidents from happening again.

## **What happens after an investigation?**

- 1) The Inspection strives to complete investigations within 6 weeks and will draft an accident report, which will be provided to you.
- 2) The inspector can issue (a) written instruction(s), if one or more violations of the working conditions legislation are recorded that are demonstrably related to the accident.
- 3) Other investigations besides the investigation by the Labor Inspectorate can take place at the same time, for example in the case of fatal accidents, where the public prosecutor always first checks whether there is a suspected crime.