New approaches to recording work related deaths may provide important opportunities for reducing injury

Assessor: Commuting deaths (deaths of persons who died as a result of motor vehicle crashes while travelling to or from work) should not be considered work related deaths since they would not be working at the time of their death.

JL: When do you consider most people commence work?

Assessor: When they get to their place of work

JL: Where do you work?

Assessor: From my home in Tauranga, I should be there by 11:00 am.

JL: So you’re not working at the moment?

Assessor: Well of course I am, and my client is paying for this time.

JL: So if this plane went down and we all died—how should your death be classified: work or non-work related death?

Assessor: Work related death.

JL: What category of work related death: working, commuting, or bystander?

Assessor: Working.

JL: But what distinguishes your activity from my driving to work each day?

Assessor: My travel is a departure from the norm.

JL: So given that your drive to the airport was a departure from the norm presumably you would also consider this work activity?

Assessor: I need to think about that.

The conversation continued canvassing a wide range of issues including when work starts and finishes and if one has an employment contract which does not stipulate the hours within which one must be at work.

Thinking about such matters is something the assessor volunteered he had never done before. He is not alone in this respect. Many individuals/agencies working in the area simply ignore the
issue, or offer a legal response such as “it’s not covered by the Act”.

Readers may well ask how big a problem are these bystander and commuting deaths? Arguably one of the most comprehensive and largest population based studies of work related deaths has been undertaken in Australia. The study included work related traffic fatalities. It showed that in the early 1990s there were about 200 bystander deaths per year—about 40% occurring in connection with some sort of formal workplace, and the remainder being bystander deaths resulting from collisions with working vehicles in which the working vehicles were deemed to be at fault. Another 400 deaths per year occurred in similar motor vehicle incidents where the non-worker’s vehicle was considered at fault. There were an additional 150 commuting deaths per year, some of which were clearly related to work exposures such as end of shift drinking, fatigue from long shifts, and travel at night for shift workers.5 6

Worldwide many of these deaths receive little or no attention from occupational health and safety authorities, usually because they are deemed to be outside the authority’s formal or informal scope (as defined by legislation or custom), to be covered by other authorities, and/or not to really be “work related”. This is well illustrated by a critique of the situation in Britain.7

From a public health perspective it is important that we look beyond legislative and political boundaries in considering the impact of work related deaths. As in so many studies, the keys are to clearly establish what aspect of work related fatalities are of interest in the study; use clear definitions and apply them consistently; and collect the information in such a way that the data can be used to examine different aspects of the problem. Subject to resolving definitional issues, all commuting and bystander deaths should be separately identified. This allows one to more fully appreciate the impact of work, and to begin to consider how such deaths might be prevented, while at the same time meeting other legislative and political requirements. By taking a more inclusive approach to recording work related deaths we provide an opportunity for governments to identify new opportunities to reduce injury.


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Reporting of work related fatalities: bystanders and commuters

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*Inj Prev* 2004 10: 193-194
doi: 10.1136/ip.2004.006114

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