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Kazakhstan

1. Provide first aid but do not move the victim.

The employer must transport the victim to a healthcare organisation, if necessary, after first aid treatment has been administered.

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Date: January 2020

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2. Preserve the accident scene and identify any witnesses - and move everyone else away.

The employer must preserve the on-the-job accident scene (equipment and mechanisms, tools) in the same condition as at the time of the accident until an investigation starts, provided that this does not pose threat to the lives and health of other individuals and that the interruption of production processes does not lead to an emergency situation. The employer must also take photos of the accident scene.

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<p>3. Take any immediate measures necessary to prevent recurrence.</p>	
<p>4. Notify the authorities if there is a requirement to do so.</p>	<p>Kazakhstan: In the event of an on-the-job accident, the employer must notify:</p> <ul style="list-style-type: none"> • close relatives of the victim: immediately (no specific period stipulated); • authorised agencies (the number and composition of these will depend on the hazard level of the accident) in accordance with the established form: within one day; • employees' representatives: within one day; and • the insurance company, with which the employer entered into a contract for mandatory insurance of employees against accidents in the course of performance of labour activities: within one day. <p>Hide note</p> <hr/> <p>Author: Aequitas</p> <p>Date: January 2020</p> <p>Contact: Alexandr Chumachenko</p>
<p>5. Set up a communication management system.</p>	<p>In Kazakhstan, on-the-job accidents are investigated in accordance with both general and special procedures. In both cases a commission is formed to investigate the case within a one-day period of the moment the employer receives an opinion on the severity of the injury. This commission includes both employees' representatives and employer's representatives.</p> <p>A commission to investigate the case in accordance with the general procedure is formed by the employer, and the chief executive officer or his or her authorised representative presides over this commission.</p> <p>In the event of a special investigation (if the accident caused grievous bodily harm to the victim or even the victim's death, or if the harm was caused, regardless of the severity of injuries, to two and more persons, or resulted in acute group exposure to toxins), the commission is formed by the authorised labour agency with the state labour inspector presiding. In extremely hazardous (severe) cases, other authorised agencies may also be included in the commission. A representative of the insurance company that is in a contractual relationship with the employer and/or the victim may also take part in the work of the commission.</p>

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<p>6. Appoint your own expert.</p>	<p>In Kazakhstan, an accident is investigated directly by the commission. Where a commission is formed to investigate in accordance with a special procedure (see step 5), to resolve any issues requiring expert opinions the Chairman (i.e. the authorised agency's representative) may form expert sub-commissions composed of specialists of scientific-and-research organisations and regulatory authorities at the employer's expense. Please note that any person or commission other than the officially formed commission formed to investigate the case is prohibited from interrogating witnesses or eyewitnesses, or conducting parallel investigations during the officially formed commission's period of activity without the consent of the commission Chairman.</p> <p>Hide note</p> <hr/> <p>Author: Aequitas</p> <p>Date: January 2020</p> <p>Contact: Alexandr Chumachenko</p>
<p>7. Write your own report of the accident.</p>	<p>The employer must prepare an accident report (the document used to formally present the investigation results). This report must be prepared based on the investigation materials.</p> <p>Hide note</p> <hr/> <p>Author: Aequitas</p> <p>Date: January 2020</p> <p>Contact: Alexandr Chumachenko</p>
<p>8. Make sure to claim under the workers' compensation scheme concerned in good time so that the victim (or family) receives</p>	<p>Employee insurance against accidents incurred in the course of performing labour activities is mandatory for all employers, and all employees without any exceptions must be insured.</p> <p>Hide note</p> <hr/> <p>Author: Aequitas</p> <p>Date: January 2020</p>

the compensation they are entitled to.	Contact: Alexandr Chumachenko
9. Take adequate post-incident measures to prevent recurrence, as this is the best way to avoid another accident.	<p>The employer's obligation to take measures to eliminate circumstances that could contribute to an accident arises out of its other obligations to ensure safe labour conditions for its employees. Furthermore, if an accident is caused by a violation of safety measures committed by the employer in the course of its activities, the authorised agencies may order that the employer rectify these violations.</p> <p>Hide note</p> <hr/> <p>Author: Aequitas Date: January 2020 Contact: Alexandr Chumachenko</p>
10. Make sure to notify your insurance company in relation to any policy you have covering the civil liability of the company, its directors and/or supervisors.	<p>In addition to insuring employees against accidents, employers must take out other types of mandatory insurance in accordance with the procedure described and in instances stipulated by legislation. For example, owners of hazardous industrial facilities must insure against civil liability for harm caused to third parties.</p> <p>Hide note</p> <hr/> <p>Author: Aequitas Date: January 2020 Contact: Alexandr Chumachenko</p>
11. Seek legal advice very early on in the investigation. Don't wait until the start of court proceedings, as the advice your lawyer can give you might help you avoid going to court in the first place.	<p>Hide note</p> <hr/> <p>Author: Aequitas Date: January 2020 Contact: Alexandr Chumachenko</p>