

Death Benefits

A variety of death benefits may be available to your family. You may qualify to receive Social Security Benefits, Veteran's Administration Benefits, Life Insurance, Workers' Compensation, and Union or Fraternal Organization death benefits.

Social Security: If the deceased has a surviving spouse or dependent child, a monetary benefit is usually available. The family member must apply for payment personally. It is also worthwhile to review other Social Security benefits that may be available to the survivors. It is important to begin this process as soon as possible, but no later than 30 days from the death.

Veterans' Administration: Survivors of any person, who was an active or retired member of the military at the time of death, or honorably discharged veteran, could be eligible for a variety of benefits.

Insurance: Agents of all insuring companies should be contacted as soon as possible. They will supply the necessary information and forms for claims. Policies that the survivors hold naming the decedent as the beneficiary should be changed.

Workers' Compensation: If a worker dies as a result of injury, Workers' Compensation may pay benefits such as funeral expenses, medical fees, and compensation to dependents.

Bereavement Fares: Most major U.S. airlines offer bereavement fares, which are discounted airline tickets for family members traveling to a funeral or medical emergency. The airlines may require certain information before granting a bereavement fare. This may include a death certificate, the name and phone number of the funeral home, a doctor's note, or hospital phone number. You should contact the airline of your choice for further information.

Tennessee OSHA	(800) 249-8510
Office of the State Medical Examiner	(844) 860-4511
Funeral information	(888) 923-8637
Vital Statistics	(855) 809-0072
Bureau of Workers' Compensation	(800) 332-2667
Social Security Administration	(800) 772-1213
Veterans Administration	(800) 827-1000
TN Dept. of Veterans Services	(615) 741-2345
Tennessee OSHA	www.tnosha.gov
Funeral Directors	www.funeralhomes.com
Vital Statistics	www.tn.gov/health/section/vital-records
Bureau of Workers' Compensation	www.tn.gov/workforce/injuries-at-work
Social Security Administration	www.ssa.gov
Veterans Administration	www.tn.gov/veteran/section/federal-va
Kids' Chance	www.kidschancega.org

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When a Worker Dies on the Job in Tennessee

Helpful Information for Families and Friends



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About this Guide

The time following a workplace fatality is tragic, especially for family and friends of the deceased. This guide explains the roles of the Tennessee Occupational Safety and Health Administration (TOSHA), the police, and the coroner after a workplace fatality. This guide also describes the steps taken by each after the accident and lists resources that family and friends may find helpful.

The information provided is general, so you should contact the organizations listed at the end of this brochure for more specific information.

What the Occupational Safety and Health Administration Does

A fatal accident does not always lead to issuance of citations. If a decision is made to issue citations, copies of the citations will be mailed to you. The amount of information that TOSHA can give you or your legal representative before the investigation is completed is restricted under the Tennessee Open Records Act. The Tennessee Occupational Safety and Health Administration (TOSHA) will initiate an investigation as soon as possible after being notified of a fatality in the workplace. Investigations can be complex and may take several months to complete. TOSHA works in cooperation with the police and other government agencies, when necessary, as part of its investigation.

TOSHA will conduct an investigation to determine the cause of the accident and may issue citations with monetary penalties to the employer if violations of the Tennessee OSH Act are found. You are encouraged to contact your local TOSHA office if you have any information that may be helpful to the investigation.

What the Police Do

The police normally respond to workplace fatalities and are responsible for contacting family members. They will also inform the coroner's office and prepare a summary of evidence for the coroner. Personal property found on the deceased will be returned to the next of kin or immediate family members as soon as possible. In some instances, it may be necessary to retain certain items until the investigation has been completed. Clothing is usually disposed of when the deceased is admitted to the mortuary.

To assist the coroner, a police officer will take statements and prepare a report. Police officers will ask you questions about the deceased and the circumstances of the death. Usually, they will be able to obtain most of the necessary information when they first speak with you. However, there may be follow-up questions and statements to be signed so that the file can be sent to the coroner. The police and TOSHA inspectors will conduct independent investigations. TOSHA will determine whether any workplace health and safety laws have been violated, while the police consider matters of criminal law.

What the Coroner Does

Each county has its own coroner. The coroners are responsible for investigating the circumstances surrounding certain fatalities, including accidental workplace deaths. This investigation may include an autopsy if the coroner decides that such a procedure is necessary to determine the cause of death. An autopsy may not be performed if the coroner decides the death was due to natural causes. Upon the conclusion of the coroner's investigation, the deceased will be released to the funeral home that you specify.

A death certificate will be issued by the coroner after the investigation is completed. The death certificate may be obtained from the coroner or the Department of Health and Environment.

How to Obtain a Death Certificate

Certified copies of death certificates are usually necessary for Social Security Benefits, life insurance policy claims, transfers of financial instruments and tangible property, tax returns and numerous other claims. These are obtained from the county in which death occurred or the State Dept. of Vital Statistics. We suggest that you phone these offices before visiting. If an autopsy was performed and you wish to have a copy of the report, you should contact the coroner of the county where the death occurred.