

Reporting and investigating injuries and incidents

OHS information for workers, employers, and prime contractors

KEY INFORMATION

- The types of incidents and injuries reportable to government are:
 - 1) serious injury or incident,
 - 2) incident at a mine or mine site,
 - 3) potentially serious incident (PSI).
- It is the responsibility of the prime contractor, or if there isn't one, the employer of the work site to report the injury or incident.
- Serious injury or incident must be reported as soon as possible to the OHS Contact Centre at 1-866-415-8690.

What information is required when reporting?

Callers need to be prepared to provide the following information:

- the location of the injury or incident,
- the time and date when the injury or incident happened,
- the name of the employer(s) involved,
- the name, job title and phone number(s) of the site contact, and
- a general description of what happened.

Additional information may be requested but is not limited to the following:

- the employer's relationship to the work site i.e. owner, prime contractor, contractor, or supplier,
- the injured worker's name and job title (if applicable), or
- the name and location of the hospital where the worker was taken (if applicable).

What are the types of injuries and incidents that must be reported?

In addition to reporting mine or mine site incidents, the following serious injuries and incidents that must be reported are ones that:

- result in the death of a worker,
- result in a worker being admitted to hospital,
- involve an unplanned or uncontrolled explosion, fire or flood that causes, or has the potential of causing, a serious injury,
- involve the collapse or upset of a crane, derrick or hoist, and
- involve the collapse or failure of any component of a building or structure necessary for its structural integrity.

“Admitted to a hospital” means when a physician writes admitting orders that result in the worker being an inpatient of the hospital but excludes workers assessed in an emergency room or urgent care centre and being released without being admitted to the hospital. *OHS Act 40(2b)*



Can anything be touched or moved at the scene of a serious incident?

The scene of a serious injury or incident must not be disturbed unless:

- an OHS officer gives permission to do so,
- for the purpose of attending to a person who has been injured or killed,
- actions must be taken to prevent further injuries, or
- property endangered by the incident must be protected.

When does an investigation have to be conducted?

When any serious injury or incident happens, an investigation must be conducted. It's the responsibility of the prime contractor or the employer to investigate and complete an investigation report with the participation of the health and safety committee or representative. A link to the Sample Incident Investigation Report template is provided in the "For more information" section.

What happens after a serious injury or incident has been reported?

An OHS officer or investigator may attend the incident scene to gather additional information or conduct an investigation. They have the authority but are not limited to do following activities:

- visit the scene of the incident,
- collect information including electronic documents that relate to the health and safety of workers, and statements at the work site,
- document production, seize or take samples of any substance, material, product, tool, appliance or equipment that was present at, involved in, or related to the incident, and
- enter any place or area at the work site that the injury or incident occurred where the officer believes related information exists.

A statement given is not admissible in evidence for any purpose in a trial, public inquiry under the *Fatalities Inquiries Act* or any other proceeding except:

- (a) to prove non-compliance with this section in an action or proceeding,
- (b) to prove the commission of an offense under section 74(3) in an action or proceeding,
- (c) to prove the giving of contradictory evidence in an action or proceeding, or
- (d) as evidence in a review under section 70(1) or an appeal as listed in clauses 51(6)(d)(ii) and (iii). *OHS Act 53(7)*

Can a work site refuse entrance or interfere with an officer during an investigation?

No person is allowed to interfere with or hinder an officer with performing their duties and functions. Examples of this would be:

- denying officer access to all or part of a work site,
- telling an officer that they must make an appointment to complete their work, or
- refusing to allow an officer to privately interview a worker.

Every person present when an injury or incident occurred or who has information relating to the injury or incident shall, at the request of the officer, provide any information respecting the injury or incident.
OHS Act 53(2)



What compliance tools may an officer use?

OHS enforces compliance with provincial legislation through inspections, investigations, education of legislative requirements, and enhanced enforcement measures. OHS officers play an important role in enforcing compliance and have the authority to enforce the legislation in a number of ways, including:

- conducting inspections,
- issuing orders,
- writing tickets, and
- issuing administrative penalties.

If an incident occurs at a mine or mine site, the prime contractor or if there is no prime contractor, the employer shall make a report to a Director of Inspection of the time, place and nature of the incident as soon as possible.

OHS Act 40(3)

An injury is considered serious if it falls under Section 40(2)(a) or (b) of the OHS Act, in that it:

- results in a fatality, or
- causes an individual to be admitted to hospital as an inpatient.

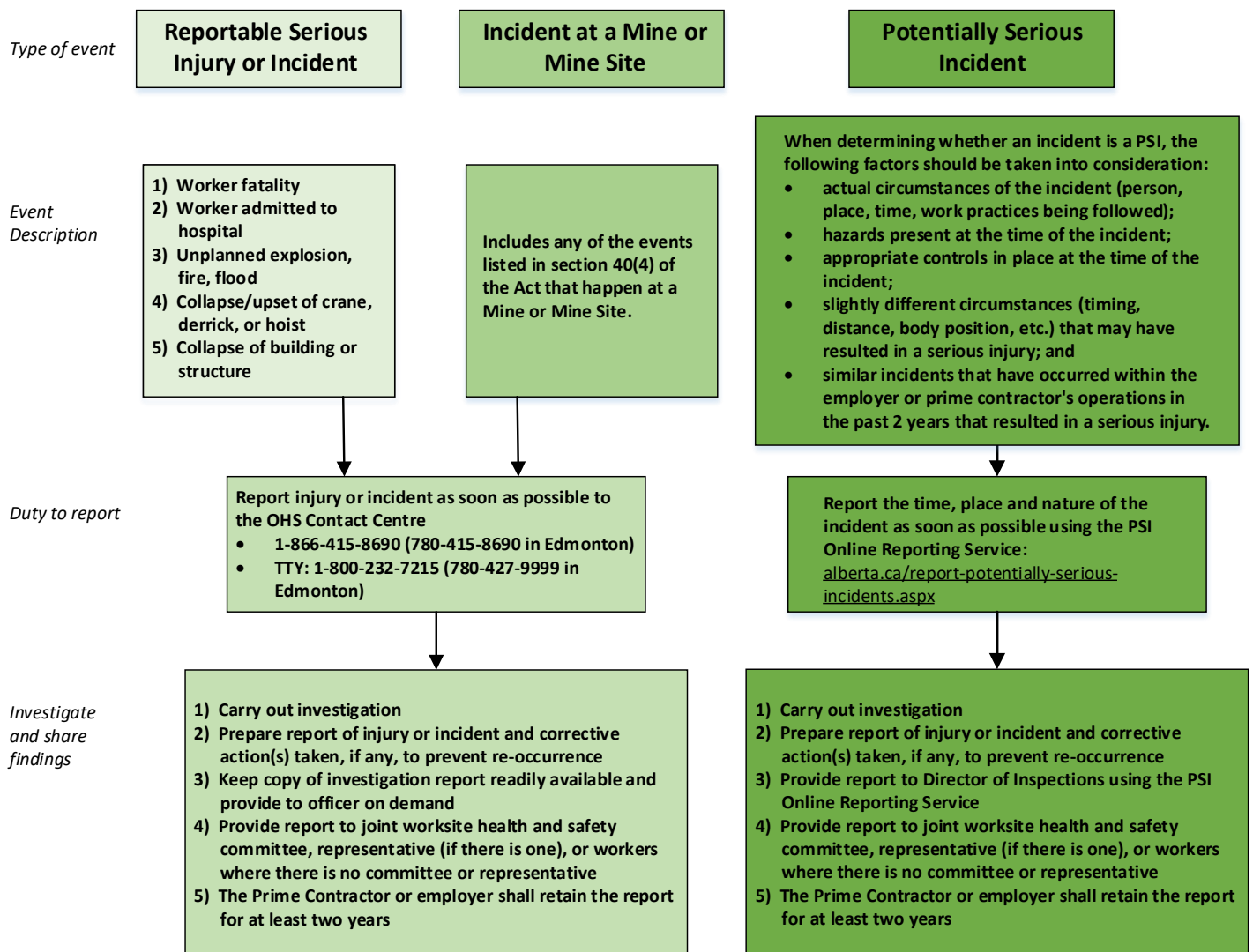
A PSI is any event where a reasonable and informed person would determine that under slightly different circumstances, there would be a high likelihood for a serious injury to a person.

A PSI is not limited to workers and it does not require the occurrence of an injury.

When determining whether an incident is a PSI, the following factors should be taken into consideration:

- actual circumstances of the incident (person, place, time, work practices being followed),
- hazards present at the time of the incident,
- appropriate controls in place at the time of the incident,
- slightly different circumstances (timing, distance, body position, etc.) that may have resulted in a serious injury, and
- similar incidents that have occurred within the employer or prime contractor's operations in the past 2 years that resulted in a serious injury.

Flowchart for reporting serious injuries, incidents, and potentially serious incidents



Potentially Serious Incident (PSI) Examples

PSI	Non-Reportable Incident
<p>A worker wearing a hard hat is struck on the head by a falling object and although stunned, recovers without injury. Several more, larger and heavier objects fall near the worker. If the worker had been in a slightly different position, they may have experienced a serious injury.</p>	<p>Workers are working overhead on a platform. There is netting in place to catch falling objects and the ground below the work area is quarantined using barriers. A worker drops a hammer and it falls into the netting.</p>
<p>A worker is crossing a road in a marked intersection to another work site and is nearly hit by a vehicle. The worker was obeying traffic signals at the intersection. Changes in any factor such as their walking speed, the speed of the vehicle, their attentiveness to their environment may have resulted in the worker sustaining a serious injury.</p>	<p>A worker is walking and trips over an uneven surface and falls. The potential for a serious injury is low. For this employer, no other persons have experienced a serious injury from an incident of this type.</p>
<p>An armed person storms onto a work site and threatens workers with death. The armed person robs the work site and leaves. Workers are not physically injured but experience psychological harm. The potential for serious incident in this example is high, given the many factors involved – any change in one factor may have led to a different outcome.</p>	<p>A worker is being harassed at work. The employer does not have history of this type of incident and has policies and procedures in place to deal with harassment and violence. The employer is working with the worker and the joint work site health and safety committee to address the issue.</p>
<p>A worker sweeping up and cleaning debris in a publicly accessible part of a work site receives a needlestick injury from a needle of unknown origin. The worker is sent to an urgent care centre to be assessed and for follow-up care. The hazards associated with the needle are unknown.</p>	<p>A restaurant worker is preparing food and cuts their finger. They are treated with first aid. The potential for serious injury is low.</p>
<p>A resident at a group home becomes aggressive towards their support worker but does not injure workers physically or psychologically. The employer was aware of the resident's tendency towards aggressive behaviour but failed to inform workers.</p>	<p>A resident is known to be aggressive and all staff are made aware and training to deal with aggressive residents. A resident is aggressive with staff and the staff implement training and controls appropriately.</p>
<p>During an arrest, a police officer is assaulted by a perpetrator. Personal protective equipment failed to protect the officer and they sustained a small non-serious cut to their throat. Under slightly different circumstances the officer could have been seriously injured.</p>	<p>During an arrest, a police officer is assaulted by a perpetrator. Personal protective equipment and training allows the officer to de-escalate the situation.</p>

<p>A flag person controlling traffic at a highway construction project is nearly hit by a passing vehicle.</p>	<p>A flag person stands behind a barrier while controlling traffic at a highway construction project. Vehicle operators respect the barriers and the posted speed limit. A person in a passing vehicle tosses a cigarette from their vehicle and almost hits the flag person. Potential for serious injury is low.</p>
<p>A chemical substance is unexpectedly discharged into the open air at a product processing site when no persons are present. This was not a planned event. If a person was present, they would have sustained serious injury.</p>	<p>A chemical release at a plant is planned and all persons present are wearing appropriate personal protective equipment.</p>
<p>A vehicle is left unattended overnight on a slight slope at a work site. No workers are at the work site. A mechanical failure results in the vehicle rolling down-slope. Workers arrive the next day to find that the vehicle has crashed into fencing. No one was injured. If a person was in the wrong place, at the wrong time, they may have sustained serious injury.</p>	<p>An unattended vehicle's parking break fails, and the vehicle rolls three feet into a parking lot guard rail scratching the front head light.</p>
<p>While hoisting a motor, the weld on the lifting eye breaks. The area around and below the electric motor is not secured with appropriate controls. The motor falls. No one was injured. If a person was in the wrong place, at the wrong time, they could have sustained serious injury.</p>	<p>While hoisting a motor, the area around and below is secured with the appropriate controls. One of the hoisting straps inadvertently releases and the motor shifts.</p>
<p>A bicyclist ignored the "Road Closed" signs and proceeds to travel along the road. No barriers were placed around the open sewer. The bicyclist does not realize a sewer cover had been removed and lodges their front tire into the sewer. They are ejected from their bicycle and sustain injury to their face.</p>	<p>A sidewalk is under construction and barriers are placed to restrict access to this section of the sidewalk. A pedestrian tripped over the corner of the barrier and stumbles.</p>

Contact Us

OHS Contact Centre

Throughout Alberta

- 1-866-415-8690

Edmonton & Surrounding area

- 780-415-8690

Deaf or hearing impaired:

- 1-800-232-7215 (Alberta)
- 780-427-9999 (Edmonton)

PSI Online Reporting Service

<https://www.alberta.ca/report-potentially-serious-incidents.aspx>

Website

alberta.ca/occupational-health-safety.aspx

FOR MORE INFORMATION:

Sample investigation report template (LI016TMP)

ohs-pubstore.labour.alberta.ca/li016TMP

Reporting and investigating potentially serious incidents (LI016-1)

ohs-pubstore.labour.alberta.ca/li016-1

Joint work site health and safety committees (LI036)

ohs-pubstore.labour.alberta.ca/li036

The role and duties of the prime contractor (LI018)

ohs-pubstore.labour.alberta.ca/li018

The role and duties of an officer (LI046)

ohs-pubstore.labour.alberta.ca/li046

Get Copies of OHS Act, Regulation and Code

Alberta Queen's Printer

qp.gov.ab.ca

Occupational Health and Safety

alberta.ca/ohs-act-regulation-code.aspx

© 2018 Government of Alberta

This material is for information only. The information provided in this material is solely for the user's information and convenience and, while thought to be accurate and functional, it is provided without warranty of any kind. The Crown, its agents, employees or contractors will not be liable to you for any damages, direct or indirect, arising out of your use of the information contained in this material. If in doubt with respect to any information contained within this material, or for confirmation of legal requirements, please refer to the current edition of the *Occupational Health and Safety Act*, Regulation and Code or other applicable legislation. Further, if there is any inconsistency or conflict between any of the information contained in this material and the applicable legislative requirement, the legislative requirement shall prevail. This material is current to December 2018. The law is constantly changing with new legislation, amendments to existing legislation, and decisions from the courts. It is important that you keep yourself informed of the current law. This material may be used, reproduced, stored or transmitted for non-commercial purposes. The source of this material must be acknowledged when publishing or issuing it to others. This material is not to be used, reproduced, stored or transmitted for commercial purposes without written permission from the Government of Alberta.