

Don't Incriminate Yourself When Reporting Workplace Accidents to OHS Officials



Failing to submit timely and appropriate reports of workplace accidents, injuries and illnesses can lead to [fines](#) and other OHS penalties. Accident reporting is crucial to the viability of the OHS system. The government needs to know when accidents happen. It also needs basic information about the accident so it can investigate and enforce the laws.

But companies have rights, too. In addition to figuring out what happened, government investigators seek evidence that can be used to prosecute the company and its officials. And the accident report is often the first place they look for incriminating evidence, warns an OHS lawyer. 'In Ontario, for example, prosecutors will often use and put into evidence the accident report the company submitted under the OHS Act,' she explains.

The problem is that employers may make the investigators' job easy by [serving up more](#)

[information](#) about the accident [than the law requires](#). This additional and unrequired information all too often ends up as evidence in the prosecution's case.

Bottom Line: It's essential to implement a [written policy](#) to manage these risks and guard against self-incrimination during the accident investigation and reporting process.