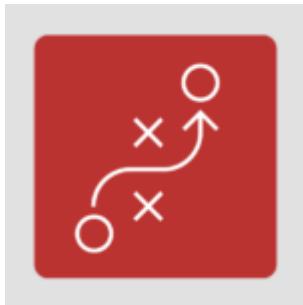


Workplace Incident, Injury, & Illness Reporting Compliance Game Plan



While preventing workplace incidents, injuries, and illnesses (which we'll refer to collectively as "incidents" unless the context requires otherwise) is the paramount goal, immediate and effective response is critical in the event prevention fails. One of the key elements of incident response is to provide [proper and timely notification](#). Unfortunately, that's not as simple as it sounds. [Incident reporting rules](#) are complicated and vary significantly by jurisdiction. Here's an 8-step Game Plan to ensure compliance, no matter which part of the country you're in.

3 Layers of Incident Reporting

One of the reasons incident reporting is so tricky is that there are different layers of reporting required under 2 different sets of laws:

- OHS laws: Immediate, i.e., typically within 24 hours, reporting of workplace deaths, serious injuries, and dangerous events that could have but didn't result in death or serious injury.
- OHS laws: Post-investigation, typically 3 to 5 days, reporting of serious incidents to follow up on immediate reports.

- Workers' comp: Reporting of work-related injuries to which workers may be entitled to workers' comp benefits.

As OHS coordinator, you need to keep all these layers distinct and not let them bleed into each other, so you know exactly where you are in the incident reporting continuum and comply with what's required at that particular stage.

Step 1. Recognize Which Incidents Must Be Immediately Reported

The employer or prime contractor in charge of safety at a construction site where workers of more than one employer work (which we'll refer to collectively as the "employer") is responsible for immediately reporting certain kinds of incidents that occur at the site. The OHS laws list the specific incidents that employers must immediately report.

Death or Serious Injury: Triggers for immediate reporting include incidents involving death or serious injury. Many jurisdictions specify what constitutes a serious injury that must be immediately reported, which typically includes:

- Amputation of a limb, hand, or foot.
- Severe loss of blood.
- Loss of sight in an eye.
- Fractures of the skull, spine, pelvis, and other bones.
- Poisoning or asphyxiation.
- Any other injury requiring admission to a hospital.

Notice that in most jurisdictions, the duty to immediately report a serious injury or death is triggered only if the victim is a "worker" or "employee." **Exception:** In Ontario, Newfoundland, Northwest Territories, and Nunavut, immediate reporting is required if any person dies or suffers serious injury.

Hazardous Occurrences: Employers must also immediately report

certain kinds of dangerous or hazardous occurrences to OHS authorities, including near misses that don't result in any actual injuries. Thus, for example, you must immediately report a crane collapse or major spill of a toxic substance even if nobody gets hurt in the incident.

Here are the actual immediately reportable OHS incident triggers in each part of Canada:

Table 1. Incidents Requiring Immediate Notification (1)

Jurisdiction	Death/Serious Injury Events	Hazardous Occurrences that Must Be Reported Regardless of Actual Injury
FED	<p><u>Accident, occupational disease, or other hazardous occurrence resulting in:</u></p> <ul style="list-style-type: none">• Employee death.• Disabling injury to 2 or more employees.• Loss of body member or use of that member.• Permanent impairment of body function.	<ul style="list-style-type: none">• Explosion.• Damage to a boiler or pressure vessel resulting in a fire or rupture to a boiler or pressure vessel.• Free fall of elevating device.• Damage to an elevating device rendering it unserviceable.

Jurisdiction	Death/Serious Injury Events	Hazardous Occurrences that Must Be Reported Regardless of Actual Injury
AB	<p><u>An injury, illness, or incident:</u></p> <ul style="list-style-type: none"> • That results in a worker's death. • For which there's reason to believe the worker has been or will be admitted to a hospital beyond treatment in an emergency room or urgent care facility. 	<ul style="list-style-type: none"> • An unplanned or uncontrolled explosion, fire, or flood that causes or has the potential to cause serious injury or illness. • The collapse or upset of a crane, derrick, or hoist. • The collapse or failure of any component of a building or structure necessary for the building or structure's structural integrity.
BC	Any incident that results in serious injury to or the death of a worker.	<p>Any accident that:</p> <ul style="list-style-type: none"> • Involves major structural failure or collapse of crane, tower, building, bridge, hoist, temporary construction support system, or excavation. • Involves the major release of a hazardous substance. • Involves a fire or explosion that had the potential to cause serious injury to a worker.

Jurisdiction	Death/Serious Injury Events	Hazardous Occurrences that Must Be Reported Regardless of Actual Injury
MB	<p><u>A “serious incident” in which:</u></p> <ul style="list-style-type: none"> • A worker is killed. • A worker suffers: <ol style="list-style-type: none"> 1. <ul style="list-style-type: none"> - an injury resulting from electrical contact, - unconsciousness as a result of concussion, - a fracture of the skull, spine, pelvis, arm, leg, hand, or foot, - amputation of an arm, leg, hand, foot, finger, or toe, - third-degree burns, - permanent or temporary loss of sight, - a cut or laceration that requires medical treatment at a hospital, or - asphyxiation or poisoning. 	<p><u>A “serious incident” that involves:</u></p> <ul style="list-style-type: none"> • The collapse or structural failure of crane, building, structure, hoist, lift, temporary support system, or excavation. • An explosion, fire, or flood. • An uncontrolled spill or escape of a hazardous substance. • The failure of an atmosphere-supplying respirator.

Jurisdiction	Death/Serious Injury Events	Hazardous Occurrences that Must Be Reported Regardless of Actual Injury
NB	<p><u>An employee suffers a serious injury resulting in(2):</u></p> <ul style="list-style-type: none"> • A loss of consciousness. • An amputation. • A fracture other than a fracture to fingers or toes. • A burn that requires medical attention. • A loss of vision in one or both eyes. • A deep laceration. • Admission to a hospital facility as an in-patient. • Death. 	<p><u>Any of the following that occur at a place of employment:</u></p> <ul style="list-style-type: none"> • An accidental explosion or accidental exposure to a biological, chemical, or physical agent, whether or not a person is injured. • A catastrophic event or catastrophic equipment failure that results in, or could have resulted, in an injury.

Jurisdiction	Death/Serious Injury Events	Hazardous Occurrences that Must Be Reported Regardless of Actual Injury
NL	<p><u>A workplace accident that:</u></p> <ul style="list-style-type: none"> • Results in “serious injury” to a person, defined as: <ul style="list-style-type: none"> - a fracture of the skull, spine, pelvis, femur, humerus, fibula or tibia, or radius or ulna; - an amputation of a major part of a hand or foot; - the loss of sight of an eye; - a serious internal hemorrhage; - a burn that requires medical attention; - an injury caused directly or indirectly by explosives; - an asphyxiation or poisoning by gas resulting in a partial or total loss of physical control; or - another injury likely to endanger life or cause permanent injury, but does NOT include injuries that may be treated by first aid or medical treatment and the worker is able to return to work either immediately after treatment or at the next scheduled shift); or - Results in the death of a person 	A workplace accident that had, or continues to have, the reasonable potential of causing serious injury to or the death of a person.

Jurisdiction	Death/Serious Injury Events	Hazardous Occurrences that Must Be Reported Regardless of Actual Injury
NS	<p><u>A fire, flood, or accident at the workplace that causes:</u></p> <ul style="list-style-type: none"> • Unconsciousness. • A fracture of skull, spine, pelvis, arm, leg, ankle, wrist, or major part of the hand or foot. • Loss or amputation of leg, arm, hand, foot, finger, or toe. • A third degree burn to any part of the body. • Loss of sight in one or both eyes. • Poisoning or asphyxiation. • Any injury that admission to a hospital. • Any injury that endangers an employee's life, unless the injury can be treated by immediate first aid or medical treatment and the person can return to work the following day. 	<p><u>Any of the following events occur at a workplace:</u></p> <ul style="list-style-type: none"> • An accidental explosion. • A major structural failure or collapse of a building or other structure. • A major release of a hazardous substance. • A fall from a work area in circumstances where fall protection is required, regardless of whether any person is injured.

Jurisdiction	Death/Serious Injury Events	Hazardous Occurrences that Must Be Reported Regardless of Actual Injury
ON	<p><u>Workplace incidents in which, from any cause, a person is killed or "critically injured," defined as injury that:</u></p> <ul style="list-style-type: none"> • Places life in jeopardy. • Produces unconsciousness. • Results in substantial blood loss. • Involves the fracture of an arm or leg (but not a finger or toe). • Involves the amputation of an arm, leg, hand, or foot (but not a finger or toe). • Consists of burns to a major portion of the body. • Causes sight loss in an eye. 	<p>Certain specific hazardous occurrences listed in the Regulations at construction project sites, mines and mining plants, diving operations sites, and sites where X-ray machinery is used must be reported within 2 days.</p>
PEI	<p><u>A workplace accident in which a worker is seriously injured in a manner which causes or may cause:</u></p> <ul style="list-style-type: none"> • Fatality. • Loss of limb. • Unconsciousness. • Substantial blood loss. • Fracture. • Amputation of a leg, arm, hand, or foot. • A burn to a major portion of body. • Sight loss in an eye. 	<p>An accidental explosion, regardless of actual injuries.</p>

Jurisdiction	Death/Serious Injury Events	Hazardous Occurrences that Must Be Reported Regardless of Actual Injury
QC	<p><u>Incidents that caused:</u></p> <ul style="list-style-type: none"> • A worker's death. • The loss of a limb or part of a limb. • The total or partial loss of the use of a limb. • Significant physical trauma to a worker. • Serious injuries to 2 or more workers likely to prevent them from working for at least 1 day. • Material damage of \$150,000(3) or more. 	N/A

Jurisdiction	Death/Serious Injury Events	Hazardous Occurrences that Must Be Reported Regardless of Actual Injury
SK	<p><u>An accident at a place of employment that:</u></p> <ul style="list-style-type: none"> • Causes or may cause a worker's death. • Will require a worker to be admitted to a hospital as an in-patient for 72 hours or more. 	<p><u>A "dangerous occurrence" at a place of employment, whether or not a worker sustains injury, defined as a condition or circumstance that doesn't result in but could have resulted in a worker's death or hospitalization as an in-patient for 72 hours or more, including:</u></p> <ul style="list-style-type: none"> • The structural failure or collapse of: <ol style="list-style-type: none"> 1. <ul style="list-style-type: none"> - a structure, scaffold, temporary falsework, or concrete formwork; or - all or any part of an excavated shaft, tunnel, caisson, coffer dam, trench, or excavation. • The failure of a crane or hoist or the overturning of a crane or unit of powered mobile equipment. • An accidental contact with an energized electrical conductor. • The bursting of a grinding wheel. • An uncontrolled spill or escape of a toxic, corrosive, or explosive substance. • A premature detonation or accidental detonation of explosives. • The failure of an elevated or suspended platform. • The failure of an atmosphere supplying respirator.

Jurisdiction	Death/Serious Injury Events	Hazardous Occurrences that Must Be Reported Regardless of Actual Injury
NT/NU	<p><u>A work site “accident causing serious bodily injury,” defined as an accident that:</u></p> <ul style="list-style-type: none"> • Causes or could be reasonably expected to cause an individual’s death. • Requires an individual to be hospitalized as an inpatient for at least 24 hours. 	<p><u>A “dangerous occurrence” at a work site that could have resulted in “an accident causing serious bodily injury,” regardless of whether such injuries actually occurred, including:</u></p> <ul style="list-style-type: none"> • Structural failure or collapse of: <ul style="list-style-type: none"> - a structure, scaffold, temporary falsework, or concrete framework, or - a tunnel, caisson, coffer dam, trench, excavated shaft, or excavation. • Failure of a crane or hoist. • The overturning of a crane or powered mobile equipment. • Accidental contact with an energized electrical conductor. • The bursting of a grinding wheel. • An uncontrolled spill or escape of a toxic, corrosive, or explosive substance. • Premature or accidental detonation of explosives. • The failure of an elevated or suspended platform. • The failure of an atmosphere-supplying respirator.

Jurisdiction	Death/Serious Injury Events	Hazardous Occurrences that Must Be Reported Regardless of Actual Injury
YK	<ul style="list-style-type: none"> • An incident that results in serious injury to or the death of a worker. • An incident or injury that results in a worker's admission to a hospital as an inpatient. 	<ul style="list-style-type: none"> • A major structural failure or collapse of a bridge, building, crane, excavation, hoist, mine, mining development, temporary construction support system, tower, or any other like structure. • A major release of a hazardous substance. • An explosion or fire that has the potential to cause serious injury to or the death of a worker or other person. • An incident, injury, or death that's required to be reported by the regulations or by order of the board.

NOTES:

- (1) Table 1 shows incident notification rules for general industry; most jurisdictions have separate and more stringent reporting requirements for mines and mining plants and other high-risk operations.
- (2) Immediate injury notification in New Brunswick is not required if workplace is a vehicle and employee is injured on a highway or public road.
- (3) The material damage reporting threshold in Québec is annually adjusted for inflation.

Step 2. Submit OHS Incident Reports by the Reporting Deadline

Remember that this analysis covers incidents that employers must report immediately, or "as soon as reasonably

practicable" after the incident occurs. Make sure you know the deadline for immediate reporting in your jurisdiction while keeping in mind that you might have to submit a subsequent report on the incident a few days later after completing your incident investigation. As shown below, only a few jurisdictions specify an actual deadline for immediate reporting.

Jurisdiction	Deadline to Report Fatal & Serious Injuries & Hazardous Occurrences
Federal	No later than 24 hours after becoming aware of the incident or hazardous occurrence.
Alberta	As soon as possible.
British Columbia	Immediately.
Manitoba	Immediately and by the fastest means of communication possible.
New Brunswick	Immediately.
Newfoundland	Immediately.
Northwest Territories	As soon as reasonably possible.
Nunavut	As soon as reasonably possible.
Nova Scotia	No later than 24 hours.
Ontario	Within 48 hours after the occurrence.
Prince Edward Island	Within 24 hours of the accident.
Québec	Within 24 hours of the incident.
Saskatchewan	As soon as reasonably possible.
Yukon	Immediately.

Step 3. Report OHS Incidents to the Right Parties

The duty to immediately report an incident means notifying the

government agency in charge of enforcing OHS laws. Some jurisdictions also require employers to provide notification to representatives of the workers at the site, including the JHSC or designated health and safety representative:

Table 3: Immediate Incident Reporting: To Whom

Jurisdiction	Employers Must Immediately Report OHS Incidents to:
Federal	The government OHS Head of Compliance & Enforcement within 24 hours.
Alberta	A government OHS Director.
British Columbia	WorkSafeBC.
Manitoba	The Workplace Safety & Health branch director or a branch health and safety officer.
New Brunswick	<ul style="list-style-type: none">• The Workplace Health, Safety, and Compensation Commission.• The workplace JHSC (if there's an actual injury).• The workplace safety representative (if there's an actual injury).
Newfoundland	An OHS assistant deputy minister.
Northwest Territories	<ul style="list-style-type: none">• The Chief Safety Officer.• The workplace JHSC.• The workplace safety representative.
Nunavut	<ul style="list-style-type: none">• The Chief Safety Officer.• The workplace JHSC.• The workplace safety representative.
Nova Scotia	The Executive OHS Director or a person the Director designates.

Jurisdiction	Employers Must Immediately Report OHS Incidents to:
Ontario	<ul style="list-style-type: none"> • A Ministry of Labour inspector. • An OHS Director. • The workplace JHSC. • The workplace safety representative. • The trade union.
Prince Edward Island	<ul style="list-style-type: none"> • The OHS Director or a person the Director designates. • The workplace JHSC. • The workplace safety representative.
Québec	<ul style="list-style-type: none"> • CNESST. • The workplace JHSC. • The workplace safety representative. • The certified association (under the <i>Labour Code</i>).
Saskatchewan	<ul style="list-style-type: none"> • The Ministry. • The workplace JHSC co-chairs. • The workplace safety representative.
Yukon	The Workers' Safety and Compensation Board.

Step 4: Report OHS Incidents in the Proper Form

Employers must notify government agencies of immediately reportable incidents directly and via the fastest means available—phone, in-person, or online on the agency's website for reporting incidents. Notification via snail mail is not acceptable.

Table 4: Method Required for Immediate Reporting of Incidents

Jurisdiction	Reporting Method
Federal	Phone or fax.
Alberta	In writing with a paper or downloaded or stored electronic copy readily available at the affected work site to workers, the JHSC, and safety representative.
British Columbia	“Immediately notify” not defined.
Manitoba	<ul style="list-style-type: none"> • Verbally by phone or in-person; or • in writing by delivering it personally or by sending it by fax, e-mail, courier, or mail.
New Brunswick	“Notify immediately” not defined.
Newfoundland	Fatalities must be reported by phone.
Northwest Territories	Notice must be on a form approved by the Chief Safety Officer.
Nunavut	Notice must be on a form approved by the Chief Safety Officer.
Nova Scotia	Employer can meet immediate notification requirement by giving the Director a “true copy” of the notice of accident that it must give the WCB under the <i>Workers’ Comp Act</i> , provided that it does so within 24 hours.
Ontario	Written report of circumstances of the occurrence.
Prince Edward Island	Notice must be in writing.
Québec	Notice must be in writing.

Jurisdiction	Reporting Method
Saskatchewan	<ul style="list-style-type: none"> • Notice must be in writing, directed to the director or an officer and delivered to the director or officer personally or by fax, courier, or post. • In addition to written notice, notice of accidents that cause or may cause a worker's death must first be reported by telephoning an officer.
Yukon	"Immediately report" not defined.

Step 5. Include the Right Information in Your Incident Report

The next challenge is determining which information to include in your incident report. Keep in mind that immediate notification is preliminary; its objective is to break news, not break down causes. Accordingly, all you're expected to provide at this point is very basic information about the incident like:

- Victims' names.
- Types of injuries suffered.
- The prime contractor or controlling employer at the site or a contact.
- A very basic description of the incident.
- In some jurisdictions, a very basic description of its cause.

Step 6. Investigate Reportable OHS Incidents

Immediate notification is just the first stage of incident reporting. You must next have one or more competent persons investigate the incident and prepare a written report

identifying its causes and the corrective actions necessary to prevent a recurrence. In many jurisdictions, the JHSC, or safety representative must participate in the post-incident investigation.

Step 7. Submit Post-Investigation Incident Report

Once the [investigation](#) ends, you must create a written report and submit it to the government OHS agency and, in most jurisdictions, the JHSC or safety representative within a specific deadline—typically 3 to 5 days after the incident. Most jurisdictions require employers to furnish these reports on a specific form, such as the WorkSafeBC Form 7, Sask. WCB Form E1 or WCB Alberta Form C040.

Compliance Pointer: Lawyers warn that the government may seek to use the information listed in your post-investigation report as evidence in a later OHS proceeding against you. So, [be careful not to incriminate yourself](#). Provide only the information the report form asks for. Be especially careful when describing the cause of the incident. **Rule of Thumb:** List only facts and avoid speculation as to why the incident happened or who's to blame for causing it.

8. Furnish Overlapping Injury Reports Required by Workers' Comp

As noted above, OHS and workers' comp reporting requirements sometimes overlap. For example, employers might have to report serious injuries like amputations or third degree burns to both the government OHS agency and the workers' comp board. Keep in mind that these are distinct reporting obligations.

Exception: In Nova Scotia, employers can use the WCB Injury Report Form to meet their duty to notify the OHS Director of serious injuries, provided that they give the Director a "true

copy" within 24 hours.

One key difference in reporting obligations is that workers' comp requires employers to report only when injuries or illnesses to a worker actually occur; by contrast, OHS laws require you to report any explosions, building collapses, and other hazardous occurrences that take place in the workplace even if nobody gets injured.