Release of Dangerous Goods



KNOW THE LAWS OF YOUR PROVINCE General OHS reporting requirements that might apply in the event of an incident involving the release of dangerous goods or hazardous substances		
		LAW

FED	1) Without restricting the generality of Sec. 124, every employer shall, in respect of every work place controlled by the employer and, in respect of every work activity carried out by an employee in a work place that is not controlled by the employer, to the extent that the employer controls the activity, investigate, record and report in the manner and to the authorities as prescribed all accidents, occupational diseases and other hazardous occurrences known to the employer [Code, Sec. 125(1)(c)]. 2) The employer shall report to a health and safety officer any accident, occupational disease or other hazardous occurrence referred to in Sec. 15.4 that had one of the following results: a) the death of an employee; b) a disabling injury to two or more employees; c) the loss by an employee of a body member or a part thereof or the complete loss of the usefulness of a body member or a part thereof; d) the permanent impairment of a body function of an employee; e) an explosion; f) damage to a boiler or pressure vessel that results in fire or the rupture of the boiler or pressure vessel; or g) any damage to an elevating device that renders it unserviceable, or a free fall of an elevating device [Regs., Sec. 15.5].	*Canada Labour Code*; *Canada OHS Regs.*

AB	The prime contractor or, if there's no prime contractor, the contractor or employer responsible for the work site must report the following injuries and accidents: a) an injury or accident that results in death, b) an injury or accident that results in a worker's being admitted to a hospital for more than two days, c) an unplanned or uncontrolled explosion, fire or flood that causes a serious injury or that has the potential of causing a serious injury, d) the collapse or upset of a crane, derrick or hoist; or e) the collapse or failure of any component of a building or structure necessary for the structural integrity of the building or structure [Sec. 18(1)].	*OHS Act*
BC	An employer must immediately notify the Board of the occurrence of any accident that involved the major release of a hazardous substance [Sec. 172(1)(c)].	*Workers' Compensation Act*
MB	1) "Serious incident" means an incident that involves an uncontrolled spill or escape of a hazardous substance [Sec. 2.6(c)(iii)]. 2) When a serious incident occurs at a workplace, an employer must immediately and by the fastest means of communication available, notify the division of the incident [Sec. 2.7(1)].	*Workplace Safety and Health Reg.*

NB	Where an employee is injured in a manner that causes, or may cause, a fatality, loss of limb or occupational disease, or that requires or may require hospitalization, the employer shall ensure that notice of the injury is made to the Commission immediately after the occurrence thereof [Sec. 43(1)].	*OHS Act*

NL	1) Where an accident takes place at a workplace a) that results in serious injury to a person or results in the death of a person; or b) that had, or continues to have, the reasonable potential of causing serious injury to or the death of a person, the employer, or principal contractor shall immediately notify the assistant deputy minister of the accident [Sec. 54(1)]. 2) “Serious injury” means: a) a fracture of the skull, spine, pelvis, femur, humerus, fibula or tibia, or radius or ulna; b) an amputation of a major part of a hand or foot; c) the loss of sight of an eye; d) a serious internal haemorrhage; e) a burn that requires medical attention; f) an injury caused directly or indirectly by explosives; g) an asphyxiation or poisoning by gas resulting in a partial or total loss of physical control; or h) another injury likely to endanger life or cause permanent injury, but doesn’t include injuries to a worker of a nature that may be treated through first aid or medical treatment and the worker is able to return to his or her work either immediately after the treatment or at his or her next scheduled shift [Sec. 54(3)].	*OHS Act*

NT/NU	1) “Accident of a serious nature” includes an uncontrolled spill or escape of a toxic or hazardous substance [Sec. 35(1)(b)].2) An employer shall immediately report to the Chief Safety Officer an accident of a serious nature involving any employee occurring at a place of employment, within 24 hours of the accident [Sec. 35(3)].	*General Safety Regulations*
NS	The employer shall send written notice to the Director: a) of a fire or accident at the workplace that occasions serious injury to an employee, within seven days of its occurrence; b) of an accidental explosion at the workplace, whether any person is injured or not, within twenty-four hours of its occurrence; and c) where at the workplace a person is killed from any cause or is injured from any cause in a manner likely to prove fatal, within twenty-four hours of the occurrence of the death or injury [Sec. 63(1)].	*OHS Act*

ON	1) Where a person is killed or critically injured from any cause at a workplace, the constructor, if any, and the employer shall notify an inspector, immediately of the occurrence and the employer shall, send to a Director a written report of the circumstances of the occurrence containing such information and particulars as the regulations prescribe [Sec. 51(1)]. 2) If a person is disabled from performing his or her usual work or requires medical attention because of an accident, explosion, fire or incident of workplace violence at a workplace, but no person dies or is critically injured because of that occurrence, the employer shall, within four days of the occurrence, give written notice of the occurrence containing the prescribed information and particulars to the Director, if an inspector requires notification of the Director [Sec. 52(1)].	*OHS Act*

PE	Where an accident occurs in the workplace in which a worker is seriously injured in a manner which causes or may cause a fatality, suffers a loss of limb, unconsciousness, substantial loss of blood, a fracture, an amputation of a leg, arm, hand, or foot, a burn to a major portion of the body, or the loss of sight in an eye, the employer shall ensure that written notice is sent, by the fastest means available, to the Director within 24 hours of the accident [Sec. 36(1)].	*OHS Act*
QC	Every employer must inform the Commission of an incident, by the most rapid means of communication, and, within 24 hours, make a written report to it, in the form and with the information prescribed by regulation, if the incident has caused: 1) the death of a worker; 2) the loss of a limb or of part of a limb, the total or partial loss of the use of a limb or a significant physical trauma to a worker; 3) such serious injuries to several workers as probably to prevent them from performing their work for one working day; or 4) material damage valued at $150,000 or more [Sec. 62].	*An Act Respecting Occupational Health and Safety*

SK	1) An employer or contractor shall give notice to the division as soon as is reasonably possible of every accident at a place of employment that: a) causes or may cause the death of a worker; or b) will require a worker to be admitted to a hospital as an in-patient for a period of 72 hours or more [Sec. 8(1)]. 2) “Dangerous occurrence” means any occurrence that doesn’t result in, but could have resulted in, a condition or circumstance set out in Sec. 8(1) and includes, an uncontrolled spill or escape of a toxic, corrosive or explosive substance [Sec. 9(1)(e)]. 3) An employer, contractor or owner shall give notice to the division as soon as is reasonably possible of any dangerous occurrence that takes place at a place of employment, whether or not a worker sustains injury [Sec. 9(2)].	*OHS Regs.*
YT	1) “Serious accident” means accidental release of a controlled product [Sec. 30(1)(i)]. 2) If a serious injury or a serious accident takes place at or on any work, undertaking, or business, the employer or person responsible for that place of work, undertaking or business, shall immediately, or as soon as reasonably practicable, give notice to a safety officer, or the office of a safety officer, of the injury or accident [Sec. 30(2)].	*OHS Act*