

# New OHSA Regulations To Streamline Reporting



The Province of Ontario has passed new Regulations to streamline reporting requirements under the *Occupational Health and Safety Act (OHSA)* which will come into effect on July 1, 2021.

[Ontario Regulation 420 / 21 ' Notices and Reports under Sections 51 to 53.1 of the Act ' Fatalities, Critical Injuries, Occupational Illnesses and Other Incidents](#) will incorporate the critical injury reporting obligations, which had previously been independently defined in its own Regulation, and streamline reporting requirements into a singular Regulation.

## Reporting Changes

The new Regulations will revoke the notice and reporting requirements outlined in the following regulations:

- [0. Reg. 429/21: Farming Operations](#)
- [0. Reg. 426/21: Construction Projects](#)
- [0. Reg. 427/21: Health Care and Residential Facilities](#)
- [0. Reg. 428/21: Diving Operations](#)
- [0. Reg. 421/21: Industrial Establishments](#)
- [0. Reg. 422/21: Mines and Mining Plants](#)
- [0. Reg. 423/21: Oil and Gas – Offshore](#)
- [0. Reg. 425/21: X-Ray Safety](#)
- [0. Reg. 424/21: Window Cleaning](#)

Additional reporting requirements are included for diving operations, construction project mines, and x-ray safety.

Section 3 of the Regulation outlines when employers must provide a written report or notice. This must occur if:

1. a worker is killed or critically injured from any cause at a workplace;
2. a worker 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;
3. the employer is advised by or on behalf of a worker that the worker has an occupational illness or that a claim in respect of an occupational illness has been filed with the Workplace Safety and Insurance Board by or on behalf of the worker.

Copies of the report or written notice prepared under *OSHA* must be retained for at least 3 years after the date or report is made.

## **Reports with Respect to a Motor Vehicle Collision**

Section 2 of the Regulation outlines the reporting requirements for employers in the event that a worker is involved in a motor vehicle collision. Written reports and notice will not apply when a worker is killed, critically injured, disabled from performing his or her usual work or requires medical attention as a result of a collision involving a motor vehicle unless:

1. the worker affected was working at a project; or
2. the worker affected was not travelling in the motor vehicle at the time of the collision.

# Critically Injured Incorporated

The definition of “critically injured” is also included in the new Regulation, revoking Regulation 834 “Critical Injury ‘ Defined”. When reporting an incident “critically injured” is defined as an injury of a serious nature that:

1. places life in jeopardy,
2. produces unconsciousness,
3. results in substantial loss of blood,
4. involves the fracture of a leg or arm but not a finger or toe,
5. involves the amputation of a leg, arm, hand or foot but not a finger or toe,
6. consists of burns to a major portion of the body, or
7. causes the loss of sight in an eye;

These new changes will make reporting simpler and more streamlined. They also clarify under what circumstances an employer is obligated to provide a report or written notice. Employers should review their current reporting policies and practices to ensure they comply with the new Regulations.

*The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.*

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