



Labour

Information on **OCCUPATIONAL HEALTH AND SAFETY**

7 HAZARDOUS OCCURRENCE INVESTIGATION RECORDING AND REPORTING

INTRODUCTION

Occupational health and safety in areas of federal jurisdiction is governed by Part II of the *Canada Labour Code* and the *Canada Occupational Health and Safety (COHS) Regulations*. The purpose of Part II of the *Canada Labour Code* is to prevent accidents and injury arising out of, linked with or occurring in the course of employment. However, when these efforts fail, the result can often be a work place accident or illness.

It is important to know what needs to be done in the event of an accident or occupational disease. Once the injured or endangered parties have been looked after, the place where the incident happened must be secured for investigation purposes and anything related to the incident must be left undisturbed. The investigation determines what steps need to be taken to prevent a recurrence.

1. Which accidents need to be investigated?

ALL accidents, occupational diseases and other hazardous occurrences affecting any of the employer's workers must be investigated by a qualified person. The investigation should identify the causes of the occurrence so that the employer, in conjunction with the work place health and safety committee or the health and safety representative, can take the necessary measures to prevent a recurrence.

2. Who investigates accidents in the work place?

The employer must designate a qualified person to properly investigate, record and report hazardous occurrences. Work place health and safety committees and health and safety representatives are required to participate in investigations and to provide comments on the employer's investigation report.

The health and safety policy committee, should one exist, can determine the extent to which it considers its participation necessary. For further information on policy committees, work place health and safety committees and health and safety representatives, please refer to pamphlets 6A, 6B and 6C respectively.

3. Types of Hazardous Occurrences

Under the COHS Regulations there are several different types of hazardous occurrences including the following:

Minor Injury: any employment injury or an occupational disease for which medical treatment is provided and excludes a disabling injury [Note: Medical treatment is that which is provided at a medical treatment facility, which means at a hospital, medical clinic or physician's office at which emergency medical treatment can be dispensed and is not to be confused with first aid.]

Disabling Injury: any employment injury or an occupational disease that results in either time loss, or modified duties. Disabling injuries can be either temporary (sprained wrist), or permanent (severed limb), depending on whether or not the employee is expected to make a full recovery.

Loss of Consciousness: from an electric shock or a toxic or oxygen deficient atmosphere.

Rescue / Revival or other Emergency Procedures: any incident that requires emergency procedures to be implemented, such as a hazardous substance spill, bomb threat or violence prevention procedure.

4. Do ALL Hazardous Occurrences need to be reported to the Labour Program?

Yes, in one form or another, all hazardous occurrences must be reported to the Labour Program. The reporting requirements vary depending on the type of occurrence.

Reports within 24 hours – (to Health and Safety Officer)

The employer must report to a health and safety officer by telephone, telex or fax as soon as possible within 24 hours after becoming aware of an occurrence that resulted in:

- death of an employee (even if it appears to be from natural causes);
- permanent disabling injury of an employee, or temporary disabling injury of two or more employees from the same occurrence;

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- permanent impairment of a body function of an employee;
 - an explosion;
 - damage to a boiler or pressure vessel that results in fire or rupture of the boiler or pressure vessel;
 - damage to an elevating device that renders it unusable, or a free fall of an elevating device.

Authorization may be required from a health and safety officer before disturbing an accident scene where an employee has been killed or seriously injured. All Labour Program offices have an after-hours emergency telephone number that can be used to contact a health and safety officer.

Reports within 72 hours – (to Work Place Health and Safety Committee)

In addition to the 24 hours report to the Labour Program, where a boiler or pressure vessel, or elevating device is damaged, the employer must record in writing within 72 hours a description of the occurrence including date, time and location. The record must include the causes of the occurrence and the corrective measures taken or the reason for not taking correctives measures. The employer must immediately send a copy of this record to the work place health and safety committee or the health and safety representative.

Reports within 14 days – (to Health and Safety Officer)

The employer must also report in writing to a health and safety officer, within 14 days, occurrences that resulted in:

- disabling injuries (temporary or permanent);
- electric shock, toxic atmosphere or oxygen deficient atmosphere that caused an employee to lose consciousness;
- rescue, revival or other similar emergency procedures;
- a fire or an explosion.

The report should either be submitted using the form, *Hazardous Occurrence Investigation Report (LAB 1070)*, or it must contain all the information required by this form and deemed acceptable to the Labour Program. Addresses and telephone numbers for the various district offices are available on the Labour Program website or by calling 1-800-641-4049.

Motor vehicle accidents on public roads are subject to the same recording and reporting requirements identified above. If police investigated the accident, the police report must accompany the report on the investigation conducted by the police and the work place health and safety committee. Both the employer's report and the police report must be submitted to a health and safety officer.

The work place health and safety committee or health and safety representative must receive a copy of all investigation reports.

NOTE: Reports submitted to provincial workers' compensation boards or other insurance agencies DO NOT fulfill an employer's obligation to report to the Labour Program.

Annual Reports by 1st March – (to Minister)

Each year, ALL employers are required to submit to the Minister the *Employer's Annual Hazardous Occurrence Report (LAB 1009)* by March 1st for the 12-month period ending December 31st, even if there have not been any hazardous occurrences. This report primarily asks for the total number of: disabling injuries, minor injuries, deaths, occupational diseases and other hazardous occurrences that have occurred in the past year.

The *Employer's Annual Hazardous Occurrence Report (LAB 1009)* is sent to:

Occupational Health and Safety
Labour Program – Human Resources and Skills Development Canada
165 Hôtel-de-Ville Street
Gatineau, Quebec K1A 0J9
Telephone: (877) 568-9609
Local calls: (819) 997-5472
Fax: (819) 953-1743

5. Does the Work Place Health and Safety Committee also have to report?

Yes. Each year the chairperson(s) of the employer's work place health and safety committee must send to the regional Labour Program office, the *Work Place Committee Report (LAB 1058)* by March 1st for the 12-month period ending December 31st. This report includes the number of minor and disabling injuries, and the number of investigations the Committee has participated in.

6. Do records have to be kept?

Yes. All records of hazardous occurrences, including the log of minor injuries, the employer investigation reports (including police reports), and the employer annual reports to the Minister, must be kept by the employer for a period of **10 years**.

7. What about employers in air, rail, and marine transportation?

Employers in the air, rail and marine sectors are required to investigate and report hazardous occurrences onboard aircraft, trains, and marine vessels, to Transport Canada in much the same way as they are required to investigate and report hazardous occurrences on the ground to the Labour Program. Specific annual report forms must be used for the annual reporting requirements.

- *Employer's Annual Hazardous Occurrence Report (Aircraft) (LAB 1010)*

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- *Employer's Annual Hazardous Occurrence Report (Vessels) (LAB 1145)*
 - *Employer's Annual Hazardous Occurrence Report (Trains) (LAB 1167).*

All forms are available at **labour.gc.ca**.

The number, 1-800-641-4049, offers 24-hour bilingual information on the Directorate's programs and services and provides a single point of contact for our clients and Canadians

You can order this pamphlet by contacting:

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Phase IV, 12th Floor
Gatineau, Quebec
K1A 0J9

Fax: (819) 953-7260

Online: <http://www12.hrsdc.gc.ca>

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