

10. INCIDENT REPORTING & INVESTIGATION

**This information does not take precedence over The Saskatchewan Employment Act and related regulations, or any other governing legislation. All worker should be familiar with the legislation applying to them in their workplace.*

Definitions

incident: an unexpected event which results in, or could have resulted in, damage, injury, financial loss or negative environmental impact. *Incident causes* include:

- the *direct* cause (what directly led to the incident, such as an unsafe work practice, an equipment failure, etc.)
- the *indirect* causes (working conditions that set the stage for the incident, such as inadequate training, procedures, etc.)
- the *root* cause (fundamental flaws that ultimately created the conditions in the work environment leading to the incident - such as inadequate training - that may indicate defects in the employers' health and safety management system)

Accident Causing Serious Bodily Injury: *"every accident at a place of employment that: (i) 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"* [Reg 8(1)].

Dangerous Occurrence: *"any occurrence that does not result in, but could have resulted in, a condition or circumstance set out in subsection 8(1)"* [Reg 9(1)].

direct cause (of an incident): the unsafe act or condition that immediately precedes the incident .

first aid / medical consultation injury: an injury which occurs at work, but does not require invasive treatment by medical personnel and does not result in lost time – *this includes injuries where no first aid treatment is required, such as a muscle strain or a bruise* [see also "*Recordability Guideline*"] and does not result in lost time – *this includes injuries where no first aid treatment is required, such as a muscle strain or a bruise*

Immediately Dangerous to Life or Health (IDLH): *"a condition in which a hazardous atmosphere exists to such an extent that a worker who is not using an approved respiratory protective device will suffer escape-impairing or irreversible health effects if the worker does not leave the hazardous atmosphere within 30 minutes"* [Reg 2(1(ii))].

indirect cause (of an incident): any factor which may have contributed to the direct cause of an incident

injury: *any disease and any impairment of the physical or mental condition of a person*" [Reg 2(1)(2)].

investigation: steps taken to determine the underlying cause(s) behind an incident in the workplace

lost time injury: an injury which (i) occurs at work, is treated by medical personnel and involves lost time beyond the day of the incident, or (ii) results in a fatality.

medical treatment injury: an injury which occurs at work and requires **certain types of medical treatment, but results in no lost time beyond the day of the injury. (***not all injuries that result in treatment by a medical professional are classified as medical treatment injuries -- see "Recordability Guideline"*)

no-loss occurrence (or "near miss"): an unplanned release of energy which does not result in a loss, but which could have under slightly different circumstances. (**Example:** a tool falls from an area above where a worker is working and lands 1m away from him. There was no damage, injury, or financial loss. However, if the worker had been standing where the tool had fallen, it could have resulted in an injury, or even a fatality.)

Introduction

An accident is any unplanned event that causes injury. A dangerous occurrence is any event that could have caused injury, but did not. Dangerous occurrences are often called "no-loss occurrences", "close calls" or "near misses".

Investigations of dangerous occurrences can prevent accidents. Investigations of accidents can prevent the same thing happening again. It is therefore very important to investigate both accidents and dangerous occurrences. Investigations should identify health and safety problems and help prevent future accidents and dangerous occurrences. They should not be blame fixing exercises.

OH&S requires that certain incidents be investigated - these include accidents that cause the death of a worker or require a worker to be hospitalized for 24 hours or more. The regulations specify what must be in the reports [Reg 29, 30, 31]. If the accident involves a fatality, once the injured are cared for and the site is made safe, the scene must not be disturbed until an investigation can be made [Reg 30].

Incident Reporting & Investigation Policy

The purpose of this policy is to ensure that incidents are investigated so that causes can be determined and corrective actions can be implemented to prevent recurrence.

At NexGen Mechanical Inc., all incidents must be reported. The following types of incidents will be investigated:

1. incidents that cause property damage or interrupt operation with a loss or potential loss exceeding \$10,000;
2. incidents which cause or may cause the death of a worker or that require a worker to be admitted to a hospital as an in-patient for a period of 24 hours or more; and
3. incidents that, by regulation, must be reported to Occupational Health & Safety or other regulatory agencies.

Responsibilities

1. Each worker will verbally report any incident to the job lead or manager immediately.
2. The job lead or manager will:
 - complete the incident report with the worker to ensure complete and accurate reporting of the facts; and
 - submit the written report to the project manager prior to the end of the day in which the incident occurred.
3. Senior management will review all incident reports and ensure investigations are conducted and corrective action implemented as required.

***In the case of a serious incident,
all media enquiries must be directed
to senior management.***

Incident Response & Reporting Procedures

It is your responsibility to report all injuries, no matter how minor they may seem, so that you will be protected in the event of future complications.

1. In all cases of injury, standard first aid procedures must be followed immediately.
2. If the incident resulted in, or had the potential for, serious injury or property damage (as outlined in the company's Incident Reporting & Investigation Policy), an incident investigation must be undertaken.
3. In cases involving a medical treatment injury, lost time injury, or large loss, a WCB "Worker's Report of Injury" must be completed.
4. Where the injured person must be transported to a medical facility, use ambulance service where possible.
5. If the incident involved a motor vehicle accident, the appropriate accident forms must be completed.

No-loss Occurrence (or "near miss"): Report the incident to your job lead or manager. Where the occurrence does not meet the company's policy-driven incident investigation requirement, at the discretion of the manager, the incident may be documented (a) through discussion at a toolbox meeting ONLY, or (b) through the established incident reporting procedure.

First Aid / Medical Consultation Injury: (an injury which occurs at work, but does not require invasive treatment by medical personnel and does not result in lost time – *this includes injuries where no first aid treatment is required, such as a muscle strain or a bruise* [see also "Recordability Guideline"] and does not result in lost time – this includes injuries where no first aid treatment is required, such as a muscle strain or a bruise)

- (a) Record in the first aid book any supplies used (even if it's just a band-aid).
- (b) Report the injury to your job lead or manager.

Medical Treatment Injury: (an injury which occurs at work and requires ****certain types of medical treatment**, but results in no lost time beyond the day of the injury. (****not all injuries that result in treatment by a medical professional are classified as medical treatment injuries -- see "Recordability Guideline"**)

- (a) Seek the required medical attention immediately.
- (b) In the case of a serious injury, have someone else drive you to a medical facility.
- (c) If you have not done so previously, report the circumstances of the injury to your job lead or manager and complete the appropriate incident report form.
- (d) Record in the first aid book any supplies used.

Lost Time Injury: (an injury which occurs at work, is treated by medical personnel and involves lost work days beyond the day of the injury) [*for purposes of statistical calculations, this definition also an injury which results in a fatality*]

- (a) Follow steps (a) through (c) as outlined in "Medical Treatment Injuries".
- (b) Have someone record in the first aid book any supplies used.
- (c) Notify your job lead or manager of when you expect to be able to return to work.

Reporting of Incidents to OH&S

The following types of occurrences must be reported to OH&S as soon as is reasonably practicable (*where notification of OH&S is required, such notification must be carried out by the subcontractor responsible for the individual(s) involved*):

Accidents Causing Serious Bodily Injury Reg. 8(1): Any accident which causes or may cause the death of a worker, or will require a worker to be admitted to a hospital as an in-patient for a period of 72 hours or more.

Dangerous Occurrences Reg 9(1): A “dangerous occurrence” means any occurrence that does not result in, but could have resulted in, a condition or circumstance set out in subsection 8(1) and includes:

- a) the structural failure or collapse of:
 - (i) a structure, scaffold, temporary falsework or concrete formwork; or
 - (ii) all or any part of an excavated shaft, tunnel, caisson, coffer dam, trench or excavation;
- b) the failure of a crane or hoist or the overturning of a crane or unit of powered mobile equipment;
- c) an accidental contact with an energized electrical conductor;
- d) the bursting of a grinding wheel;
- e) an uncontrolled spill or escape of a toxic, corrosive or explosive substance;
- f) a premature detonation or accidental detonation of explosives;
- g) the failure of an elevated or suspended platform; and
- h) the failure of an atmosphere-supplying respirator.

If you are unsure of whether a specific incident must be reported to OH&S, call [Saskatoon 1-800-667-5023] or [Regina 1-800-567-7233] and ask to speak to an Occupational Health Officer.

The following regulatory excerpt applies to an accidents that causes or may cause the death of a worker, or that requires a worker to be hospitalized for 24 hours or more.

OH&S Regulations Excerpt (Part III, General Duties)

Investigation of certain accidents

29(2) *After the investigation of an accident, an employer, in consultation with the co-chairpersons [of the OHC] or their designates, or with the representative, shall prepare a written report which includes:*

- (a) a description of the accident;*
- (b) any graphics, photographs or other evidence that may assist in determining the cause or causes of the accident;*
- (c) an explanation of the cause or causes of the accident;*
- (d) the immediate corrective action taken; and*
- (e) any long-term action that will be taken to prevent the occurrence of a similar accident or the reason for not taking action.*

General Guidelines for Conducting an Investigation

**This information does not take precedence over The Saskatchewan Employment Act and related regulations, or any other governing legislation. All workers should be familiar with the legislation applying to them in their workplace.*

Whenever there is an incident or accident in the workplace, it is important that causes be examined. More time and energy should be spent investigating those situations that have the highest potential for injury or property damage if they were to happen again, but do not minimize the importance of situations that seem to be less serious, especially if they happen more than once.

Every investigation should produce the following results:

- accurate, unbiased descriptions of exactly what happened
- a determination of the immediate cause, and also of the underlying or contributing causes
- an analysis of associated costs (where required)
- corrective action that reduces the probability of a recurrence
- a positive effect on worker morale

Prepare: Before commencing an investigation, be sure you are equipped with the necessary tools to do the job:

- required safety equipment and clothing for the area(s) you wish to enter
- if you are not familiar with the area(s), you will need someone to accompany you or orient you concerning the hazards you could encounter
- writing materials for notes, statements, sketches, etc.
- a camera if appropriate (cannot be used in an explosive atmosphere)
- testing equipment if necessary
- measuring tape
- required permits and notifications

Steps in the Investigation Process:

1. **Get an Overview of the Situation:** Find out briefly what happened and who saw it.
2. **Gather Physical Evidence:** Make notes of what you observe at the scene; take photographs (where possible) and/or draw diagrams (include date and time taken, and by whom, on each photo or sketch). Look for things such as:
 - positions of injured workers
 - condition of equipment and materials
 - where objects are in relation to each other (measure between structural points, not moveable objects)
 - the angle something came from or the force behind an object
 - safety devices that were in use, and their positions
 - housekeeping in the area
 - noise and lighting levels, etc.

Note: before removing anything from the scene, ensure that the authorities having jurisdiction (police, fire, OH&S, etc.) who are involved are made aware of this move and are in agreement with it.

3. **Interview Witnesses:** Talk with everyone who was in the area at the time of the incident/accident, or just before or just after it happened. The following techniques can make your interviews more effective:
 - Conduct the interview at the scene, if possible, or in a comfortable place such as a private office.

- Keep the interview positive. Do your best to put the interviewee at ease, ensuring each person that the investigative process is a fact-finding mission, not an attempt to lay blame.
- Interview one person at a time, and privately.
- Ask open-ended questions (questions which require more than a simple "yes" or "no" answer); don't ask leading questions.
- Do not talk down to the person or rush them to answer quickly.
- Paraphrase what people tell you to make sure you understand
- Watch for clues from the person's body language.
- Record a statement for each witness (don't use a tape recorder if it makes the person uncomfortable); have them sign it, and give them a copy as soon as possible.
- Thank the person, and ask them to come back to you if they think of anything else.

Six basic questions you should include in any interview are:

- **Who** was injured?
- **What** were the materials, machines, equipment, or conditions involved?
- **When** did it happen?
- **Where** did it happen?
- **Why** did it happen?
- **How** did it happen?

Keep in mind that:

- different people have different perceptions
 - information may be overlooked because the witnesses are under emotional stress
 - people may "cover" for themselves or each other in an attempt to avoid further trouble.
4. **Check Background Information:** Check for additional information that may be relevant to the equipment, people or conditions involved. Check prior records such as technical data sheets, maintenance reports, past accident reports, training reports, safe work practices and procedures, etc.

5. **Determine Causes:** Your investigation needs to identify not only what happened, but also what caused it to happen. There is rarely, if ever a single cause behind an incident or accident -- even the most simple situations come out of a combination of factors. Causes are likely to fall into five categories, and you should look for causes in all five of these categories in every investigation you conduct. (Note: The following is simply a list of suggested questions to ask, not a checklist to follow):

Task:

- Was a safe work procedure being used?
- Had conditions changed to make the normal procedure unsafe?
- Were appropriate tools and materials available?
- Were they used?
- Were safety devices working properly?
- Were lockout and/or tag-out procedures used when necessary

Material:

- Was there an equipment failure?
- If so, what caused it to fail?
- Was the machinery poorly designed?
- Were hazardous substances involved?
- Were they clearly identified?
- Was a less hazardous alternative substance available?
- Was the raw material unsafe in some way?
- Was personal protective equipment called for?
- If so, was it used?

Environment (at the specific time of the incident):

- What were the weather conditions?
- Was poor housekeeping a problem?
- Was it too hot or too cold?
- Was noise a problem?
- Was there adequate light?
- Were toxic gases, dusts or fumes present?

Personnel:

- Were workers experienced in what they were doing?
- Had they been adequately trained?
- Were they physically capable?
- What was the status of their health?
- Were they tired?
- Were they under stress (personal and/or work-related)?

Management:

- Were safety rules in effect?
 - Were they being enforced?
 - Was adequate supervision given?
 - Had hazards been previously identified?
 - Had procedures been developed to overcome them?
 - Were unsafe conditions corrected?
 - Was regular maintenance of equipment carried out?
 - Were regular safety inspections carried out?
6. **Recommend Corrective Action:** Determine specific corrective actions for each of the causes, and assign responsibility. Each corrective step should be assigned a target date for completion. The corrections may be implemented in stages, depending on hazard priority, training priorities, budget, etc. Your knowledge of the worksite and the crew gives you a perspective that no one else in the company may have, and that perspective is important in making the best possible decisions. Your recommendations are not just another part of the report form to fill out. They are your conclusions about how to meet your responsibilities as a job lead or manager and do what is best for the company -- they are your conclusions about how to protect your workers, get the job done most efficiently, and save money for the company.
 7. **Determine Costs:** Estimate the costs of the accident/incident, including the hidden (uninsured) costs.
 8. **Write the Investigation Report:** The report is a comprehensive summary of information related to the incident or accident. When describing the nature of any injuries sustained, use non-specific language until medical evidence is available. (For

example, rather than saying "Joe had a broken leg", say "we suspected Joe had a broken leg".) Likewise, use "approximately" when referring to time. In addition to the report form itself, you should write a chronological sequence of events on a separate sheet.

- 9 **Follow-up:** Once the report is filed and the recommended corrective action approved and assigned, it is essential to follow up to see that those corrective actions take place as scheduled. Track the progress of corrective actions to ensure they are effective in correcting the problem. Involve other people in the follow-up when appropriate, and include documentation of follow-up activities with the original report.