

Reporting Serious Accident – Legislation

Definition: "serious incident"

2.6 In sections 2.7 to 2.9, "**serious incident**" means an incident

- (a) in which a worker is killed;
- (b) in which a worker suffers
 - (i) an injury resulting from electrical contact,
 - (ii) unconsciousness as the result of a concussion,
 - (iii) a fracture of his or her skull, spine, pelvis, arm, leg, hand or foot,
 - (iv) amputation of an arm, leg, hand, foot, finger or toe,
 - (v) third degree burns,
 - (vi) permanent or temporary loss of sight,
 - (vii) a cut or laceration that requires medical treatment at a hospital as defined in *The Health Services Insurance Act*, or
 - (viii) asphyxiation or poisoning; or
- (c) that involves
 - (i) the collapse or structural failure of a building, structure, crane, hoist, lift, temporary support system or excavation,
 - (ii) an explosion, fire or flood,
 - (iii) an uncontrolled spill or escape of a hazardous substance, or
 - (iv) the failure of an atmosphere-supplying respirator.

Notice of serious incident

2.7(1) When a serious incident occurs at a workplace, an employer must immediately and by the fastest means of communication available, notify the branch of the incident and provide the following information:

- (a) the name and address of each person involved in the incident;
- (b) the name and address of the employer, and if any person involved in the incident is employed by another employer, the name and address of that other employer;
- (c) the name and address of each person who witnessed the incident;
- (d) the date, time and location of the incident;
- (e) the apparent cause of the incident and the circumstances that gave rise to it.

Special meetings

3.4 A co-chairperson of a committee may call a special meeting to deal with matters of urgent concern, including but not limited to serious incidents, accidents, dangerous occurrences or matters believed to constitute a serious risk to the safety or health of a worker or other persons.

2.7(2) An employer who becomes aware that information provided under subsection (1) was inaccurate or incomplete must immediately notify the branch of the correct or complete information.

M.R. 90/2014

Site of serious incident to be preserved

2.8 Except to the extent necessary to free a trapped person or to avoid the creation of an additional hazard, and subject to a directive issued by a safety and health officer under clause 24(1)(1) of the Act, an employer must ensure that nothing involved in a serious incident is altered or moved until at least 24 hours after the notice under subsection 2.7(1) is given.

Investigations: serious incidents and accidents

2.9(1) An employer must ensure that each of the following is investigated as soon as reasonably practicable after it occurs:

- (a) a serious incident;

3.9(2) A representative may call a special meeting with the employer to deal with matters of urgent concern, including but not limited to serious incidents, accidents, dangerous occurrences or matters believed to constitute a serious risk to the safety or health of a worker or another person.