



Occupational Health & Safety Program

SECTION 5

INVESTIGATION OF INCIDENTS

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INVESTIGATION OF INCIDENTS

5.1 INTRODUCTION

WorksafeBC Requirements

The WorksafeBC Health & Safety Regulation states:

69 Incidents that must be investigated

- (1) An employer must conduct a preliminary investigation under section 71 and a full investigation under section 72 respecting any accident or other incident that
- (a) is required to be reported by section 68,
 - (b) resulted in injury to a worker requiring medical treatment,
 - (c) did not involve injury to a worker, or involved only minor injury not requiring medical treatment, but had a potential for causing serious injury to a worker, or
 - (d) was an incident required by regulation to be investigated.
- (2) Subsection (1) does not apply in the case of a vehicle accident occurring on a public street or highway.

70 Investigation Process

- (1) An investigation required under this Division must be carried out by persons knowledgeable about the type of work involved and, if they are reasonably available, with the participation of the employer or a representative of the employer and a worker representative.
- (1.1) For the purposes of subsection (1), the participation of the employer or a representative of the employer and a worker representative includes, but is not limited to, the following activities:
- (a) viewing the scene of the incident with the persons carrying out the investigation;
 - (b) providing advice to the persons carrying out the investigation respecting the methods used to carry out the investigation, the scope of the investigation, or any other aspect of the investigation;
 - (c) other activities, as prescribed by the Board.
- (2) Repealed.
- (3) The employer must make every reasonable effort to have available for interview by a person conducting the investigation, or by an officer, all witnesses to the incident and any other persons whose presence might be necessary for a proper investigation of the incident.
- (4) The employer must record the names, addresses and telephone numbers of persons referred to in subsection (3).

71 Preliminary investigation, report and follow-up action

- (1) An employer must, immediately after the occurrence of an incident described in section 69, undertake a preliminary investigation to, as far as possible,
- (a) identify any unsafe conditions, acts or procedures that significantly contributed to the incident, and
 - (b) if unsafe conditions, acts or procedures are identified under paragraph (a) of this subsection, determine the corrective action necessary to prevent, during a full investigation under section 72, the recurrence of similar incidents.
- (2) The employer must ensure that a report of the preliminary investigation is
- (a) prepared in accordance with the policies of the board of directors,
 - (b) completed within 48 hours of the occurrence of the incident,
 - (c) provided to the Board on request of the Board, and
 - (d) as soon as practicable after the report is completed, either

- (i) provided to the joint committee or worker health and safety representative, as applicable, or
- (ii) if there is no joint committee or worker health and safety representative, posted at the workplace.
- (3) Following the preliminary investigation, the employer must, without undue delay, undertake any corrective action determined to be necessary under subsection (1) (b).
- (4) If the employer takes corrective action under subsection (3), the employer, as soon as practicable, must
 - (a) prepare a report of the action taken, and
 - (b) either
 - (i) provide the report to the joint committee or worker health and safety representative, as applicable, or
 - (ii) if there is no joint committee or worker health and safety representative, post the report at the workplace.

72 Full investigation, report and follow-up action

- (1) An employer must, immediately after completing a preliminary investigation under section 175, undertake a full investigation to, as far as possible,
 - (a) determine the cause or causes of the incident investigated under section 71,
 - (b) identify any unsafe conditions, acts or procedures that significantly contributed to the incident, and
 - (c) if unsafe conditions, acts or procedures are identified under paragraph (b) of this subsection, determine the corrective action necessary to prevent the recurrence of similar incidents.
- (2) The employer must ensure that a report of the full investigation is
 - (a) prepared in accordance with the policies of the board of directors,
 - (b) submitted to the Board within 30 days of the occurrence of the incident, and
 - (c) within 30 days of the occurrence of the incident, either,
 - (i) provided to the joint committee or worker health and safety representative, as applicable, or
 - (ii) if there is no joint committee or worker health and safety representative, posted at the workplace.
- (3) The Board may extend the time period, as the Board considers appropriate, for submitting a report under subsection (2)(b) or (c).
- (4) Following the full investigation, the employer must, without undue delay, undertake any corrective action determined to be necessary under subsection (1) (c).
- (5) If the employer takes corrective action under subsection (4), the employer, as soon as practicable, must
 - (a) prepare a report of the action taken, and
 - (b) either
 - (i) provide the report to the joint committee or worker health and safety representative, as applicable, or
 - (ii) if there is no joint committee or worker health and safety representative, post the report at the workplace.

USE SECTION 5 APPENDIX 1 ~ EMPLOYERS INCIDENT INVESTIGATION REPORT FORM

https://www.sd54.bc.ca/apps/pages/index.jsp?uREC_ID=1071391&type=d&pREC_ID=1359013

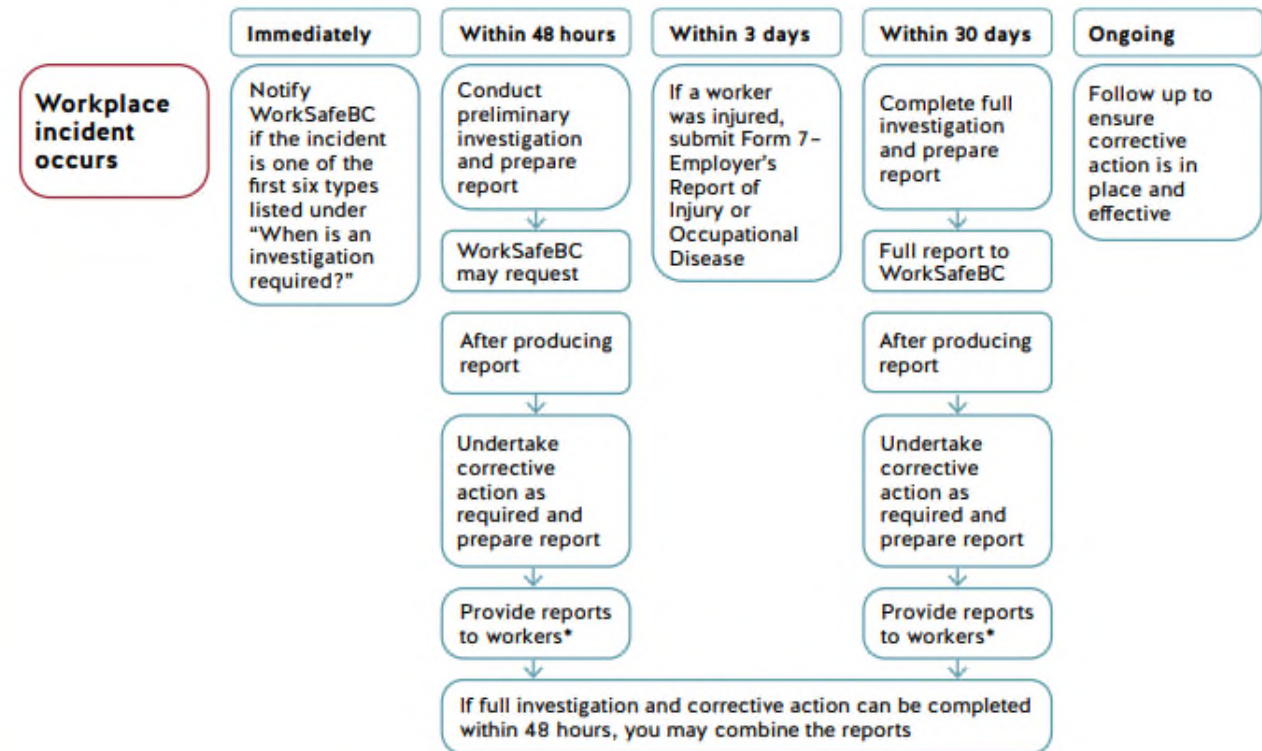
Report type	When	Template sections
Preliminary investigation	Complete within 48 hours	1 to 14
Interim corrective action	As soon as possible	1, 9, and 12
Full investigation	Complete within 30 days	1 to 19
Full corrective action	As soon as possible	1, 9, and 17

All reports prepared for incident/injury reports are forwarded to SD54 Safety Officer who will send, if necessary to WSBC.

<https://www.worksafebc.com/-/media/WorkSafeBC/Resources/health-safety/forms/52e40guide-pdf-en.pdf>

The information you provide in sections 1 to 14 is sufficient to satisfy your legal obligation to prepare both a preliminary incident investigation report and interim corrective action report. You must provide these reports to your joint occupational health and safety committee (or worker health and safety representative, if applicable). If there is no joint committee or worker representative, the reports must be posted in the workplace. Don't send these reports to WorkSafeBC unless an officer asks for them.

What to do following a workplace incident



* Provide to the joint health and safety committee or worker health and safety representative, as applicable. If there is no joint committee or worker representative, post the report in the workplace.

<https://www.worksafebc.com/-/media/WorkSafeBC/Resources/health-safety/forms/52e40guide-pdf-en.pdf>

73 Employer or supervisor must not attempt to prevent reporting

An employer or supervisor must not, by agreement, threat, promise, inducement, persuasion or any other means, seek to discourage, impede or dissuade a worker of the employer, or a dependant of the worker, from reporting to the board

- (a) an injury or allegation of injury, whether or not the injury occurred or is compensable under Part 2,
- (b) an illness, whether or not the illness exists or is an occupational disease compensable under Part 2,
- (c) a death, whether or not the death is compensable under Part 2, or

a hazardous condition or allegation of hazardous condition in any work to which this Part applies.

Purpose

The purpose of an incident investigation is to determine the cause and to implement suitable corrective measures. The immediate supervisor is responsible for conducting incident investigations. The point is to find fact, not fault. Supervisors are reminded to focus on how and why the event occurred, rather than who should be blamed.

Scope

The investigation is a systematic process of examination, observation and inquiry comprised of three parts including:

Description of Incident

The description identifies in detail how, when and where the incident occurred including all related factors (i.e. weights, heights, and distances, time of day, weather conditions);

Basic and Contributory Cause of Incident (Why did it occur?)

What acts, failures to act and conditions contributed to the accident or incident?

Recommendations/Corrective Action

After the cause of Incident has been determined, recommendations to prevent recurrence should now be prepared.

Definition

Includes an occurrence, which results in or had the potential for causing an injury or occupational disease.

A. RESPONSIBILITIES

District Responsibilities

- To ensure that all employees are aware of the requirements to report incidents and injuries;
- To ensure that investigations are undertaken when required;
- To ensure that all those conducting investigations are adequately trained;
- To ensure that recommendations are followed up on.

First Aid Attendants Responsibilities

- To treat all injuries in an appropriate manner;
- To ensure that injured workers to notify their immediate supervisor;
- To complete all reports as required.

Employees Responsibilities

- To report all incidents and injuries;
- To advise their immediate supervisor of any injuries or incidents;

- To cooperate with the investigation team;

Health & Safety Committee Responsibilities

- To assist the employer with investigations when requested;
- To ensure that recommendations resulting from investigations are acted upon in a timely fashion;
- To study statistics of incidents/injuries and make recommendations to the employer.

B. INCIDENT/INJURIES REPORTING

All incidents or injuries must be reported immediately. Employees will report these to the First Aid Attendant at that site. All injuries are to be reported prior to seeking medical attention without causing undue risk to the workers well being, meaning that, serious injuries be handled appropriately by seeking medical attention immediately where required and reporting the injury either simultaneously or immediately after receiving medical attention. First Aid Attendants will ensure that the employee's chain of command is notified of the incident and the severity, including recommendation for investigation if required. Incidents must be treated seriously and the Incident Investigation Report must be completed.

Incident Reporting

All serious incidents or injuries must be reported and documented immediately. The incident reporting procedures described here are intended to assist workers with legitimate claims for compensation as quickly and fairly as possible.

Injury Reporting

First aid Injuries: All injuries, major and minor must be recorded in the first aid treatment book, which is maintained by the First Aid Attendant at all schools and Operations sites.

Medical Aid Injuries: All injuries requiring off-site medical attention must use the administrative procedures:

- The First Aid Attendant initiates the medical treatment memorandum;
- The form is sent along with the injured worker to the physician or hospital;

Equipment Property Damage Reporting

The Principal/ Operations Manager must be promptly notified of serious equipment or property damage. An Incident Investigation Report must be completed (with diagrams) for all serious incidents and forwarded to the District Health and Safety Manager at the Administration Office.

68 Immediate notice of certain accidents

(1) An employer must immediately notify the Board of the occurrence of any accident that

- resulted in serious injury to or the death of a worker,
- involved a major structural failure or collapse of a building, bridge, tower, crane, hoist, temporary construction support system or excavation,
- involved the major release of a hazardous substance,
- (c.1) involved a fire or explosion that had a potential for causing serious injury to a worker, or
- was an incident required by regulation to be reported.

(2) Except as otherwise directed by an officer of the Board or a peace officer, a person must not disturb the scene of an accident that is reportable under subsection (1) except so far as is necessary to

- attend to persons injured or killed,
- prevent further injuries or death, or
- protect property that is endangered as a result of the accident.

C. INVESTIGATION PROCESS

What Incidents should be investigated?

All incidents should be investigated, although the primary focus should be on serious and major incidents. Minor incidents, however, must not be overlooked; they may signal a trend toward unsafe acts that will eventually cause a serious incident. The investigation of an incident should be proportionate to the loss potential. As the degree of loss potential increases, so will the degree of investigation. Cause(s) must be determined and preventive action taken.

Near Miss

The “Unreported Incident” is a big problem. Many workers do not report near miss incidents because they fear ridicule from their fellow workers, reprisal from a supervisor, loss of wages due to lost time or a bad reputation as an incident prone worker. Unreported incidents mean nothing is learned from the experience, incident causes are not corrected, and a “failure to report” attitude could spread.

Who Should Investigate?

Investigations are to be conducted by the Principal or supervisor in charge of the area and, if they are reasonably available, a worker representative. A member of the Joint Safety Committee may assist in the investigation and the Principal or Operations Manager will ensure that the appropriate corrective actions take place. As the investigation can be rather complex, training may be required for investigation techniques for those involved in conducting investigations.

Investigation Kit

Responding to the requirements of an incident investigation where time is of the essence can be a challenging experience. To assist this endeavor, an investigation kit should be available at each school or Operations Facility. Investigation Kits should be made to be site specific and ideally contain the following items:

- Digital camera;
- Tape measure;
- Clipboard, paper and pencils;
- Pens, pencils, labels and markers;
- An incident investigation template and incident template and incident check list
- <https://www.worksafebc.com/en/resources/health-safety/forms/incident-investigation-report-form-52e40?lang=en>
- Flashlights and extra batteries;
- Large envelopes or plastic bags for preserving evidence;
- “Do not enter” tape
- Disposable gloves and coveralls;
- Work gloves;
- High visibility vest.
- A complete list of emergency phone numbers and investigation procedures;

Investigation Procedure

The success of an investigation is generally the result of prompt and efficient response. The investigator must be prepared so that the investigation process can be adequately planned, initiated and completed successfully. The person or team (Supervisor, Member of the Joint Committee) conducting an investigation into an incident should proceed as follows:

- visit the scene, gather and record evidence;
- ensure that any injured persons are cared for;

- ensure that no further injury or damage occurs;
- evaluate evidence
- examine equipment/materials involved;
- preservation of evidence, collect and safeguard any physical evidence;
- where practicable, the scene of any accident should be left untouched, except for activity necessitated by rescue work or to prevent further failures or injuries until the incident has been investigated;
- take photographs of the scene;
- interview people involved and obtain written statements where appropriate;
- analyze all the available information to determine the causes;
- look for causes where “the system failed the worker”, not only for those where” the worker failed the system”
- determine what corrective action will prevent recurrence, complete the report, and

Note: Incident Investigations are NOT conducted to fix blame. They are conducted to prevent recurrence.

Determining Incident Classification

Lost Time Incident (LTI)

A lost time incident (LTI) is an incident where a physician directs the injured to remain away from work longer than the day of the incident.

Medical Aid (MA)

An injury requiring treatment by a physician beyond simple first aid care but does not result in time lost from work beyond the day of the injury is classified as a Medical Aid (MA) injury.

First Aid (FA)

A first aid is when a qualified person renders immediate treatment and the worker immediately returns to work.

Determining Cause of Incident

To determine the most appropriate cause, consider details of the investigation including, where possible, the employee’s statement, and whether the incident was due to an ACT of the employee, a CONDITION of the individual’s working environment or a PERSONAL FACTOR inherent in the employee at the time of the incident or onset of illness.

Unsafe Act

Where the cause was a specific action or lack of action by the individual, which would be considered UNDER THE INDIVIDUAL’S CONTROL. Generally, violation of safety rules or disregard of hazard would be considered unsafe acts unless specific criteria indicate a personal factor to be the cause.

Improper Attire

Failure to attire safety – did not use (or misused) safety equipment available or required for use, or was inappropriately attired for the job conditions.

Safety Equipment Devices Misused

- Lockout
- Testing devices – not used or misused
- Making devices ineffective

Improper Procedure

- Improper use of equipment
- Unauthorized use of equipment
- Failure to report a condition
- Failure to heed a hazard
- Failure to follow instructions or established procedure (not involving misuse of safety equipment)

Unsafe Environment or Condition

Where the cause was a situation or event, not controlled by an individual. A condition causing an allergic reaction to some but not most employees should be considered a personal factor and not an unsafe condition. Inadequate training or instruction should be considered a condition as opposed to a deficiency in skill or ability.

- Inadequate safety attire prescribed, provided or available for use
- Inadequate safety devices (improperly or inadequately guarded or protected equipment)
- Inadequate supervision
- Faulty construction, design, layout (including lighting, ventilation, arrangement of facilities, etc.)
- Inadequate housekeeping/maintenance/inspection
- Defective equipment
- Unsafe act by another person
- Upset condition such as fire, explosion, etc. or abnormal operation
- Inclement weather (wind, rain, snow, ice, etc.)
- Alleged condition where **REPEATED exposure could lead to physical impairment** (such as hearing loss from noise, pneumoconiosis from dust, vapors, etc.)

Personal Factor (Mental, Physical)

Where there is evidence of a deficiency in ability, physical condition or mental attitude, an uncontrollable factor inherent in the individual at the time of the individual's injury or illness including allergy, fatigue, intoxication, temper, etc.

- Deficiency in skill or ability
- Physical handicap including allergic sensitivity, crippled, poor hearing or eyesight, obesity, inadequate strength or stamina for job requirements
- Abnormal mental or physical state (affected by medication, alcohol, narcotics, worry, fear, etc.)
- Other personal factor
- Inadequate job experience