

In Saskatchewan, the *Occupational Health and Safety Regulations, 2020*, Sections 2-2 and 2-3 come into effect on a worksite whenever there is a serious injury or an incident that has the potential to cause a serious injury. The contractor or employer responsible for the worksite must notify the Occupational Health and Safety (OHS) Division of the Ministry of Labour Relations and Workplace Safety (LRWS) as soon as reasonably possible.

Accidents Causing Serious Bodily Injury

Section 2-2(1) – An employer or contractor shall give notice to the division as soon as is reasonably possible of every accident at a place of employment that:

- a) causes or may cause the death of a worker; or will require a worker to be admitted to a hospital as an inpatient for a period of 72 hours or more.

Dangerous Occurrences

Section 2-3(1) – In this section, “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). This includes:

- a) 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) failure of a crane or hoist, or the overturning of a crane or unit of powered mobile equipment
- c) accidental contact with an energized electrical conductor
- d) bursting of a grinding wheel;
- e) an uncontrolled spill or escape of a toxic, corrosive or explosive substance
- f) premature detonation or accidental detonation of explosives
- g) failure of an elevated or suspended platform
- h) failure of an atmosphere-supplying respirator

If the incidents mentioned above did not result in accidents causing serious bodily injury, they could have. The employer is required to investigate these incidents and any other serious injuries or incidents that have the potential for serious injury.

Since these “other” serious injuries and incidents are not defined in the regulations, it is important that your company’s investigation policy clearly identifies them.

A near miss incident can fall into this category, as a near miss is an event that does not result in injury, illness or damage but had the potential to do so.

Fatal Accident

If a fatal accident occurs:

- The police must be notified of the occurrence immediately.
- Ensure that the scene is not disturbed and arrangements are made to preserve evidence.
- The OHS Division of the Ministry of LRWS must be notified.

Reporting Injuries

According to the Saskatchewan Workers’ Compensation Board (WCB), a “work injury is the result of any work-related event that causes a need for medical treatment and/or time away from work.” These are injuries that occur while a worker is at work, on company premises, or on company business. All work injuries must be reported to WCB, even those that do not result in time away from work. These injuries must be reported. Proper documentation needs to be submitted to WCB as soon as possible. Communication is essential in this process between the employee, employer and WCB.

Summary

Remember the importance of reporting incidents. It is imperative to be as proactive as possible with your company’s health and safety program. Much can be learned and implemented from recording and investigating all incidents, including near misses. However, once an incident occurs, the procedures become more reactive.

Ensure incidents that require reporting to proper authorities are reported in a timely and efficient manner. Always err on the side of caution. If in doubt as to whether an incident should be reported or not, contact the proper authorities to seek guidance or advice.

Remember that underreporting or not reporting incidents could result in legal action.