

TOWNSHIP OF WOLLASTON

xi. REPORTING REQUIREMENTS TO THE MINISTRY OF LABOUR POLICY

PURPOSE:

To promote a safe working environment, the Township of Wollaston will comply with all relevant Health and Safety legislation and will follow this policy for reporting to the Ministry of Labour, Training and Skills Development, when required.

SCOPE:

All employees, volunteers, students, Council Members shall promptly report all incidents of injury / accident or damage to their immediate supervisor or the Clerk / Administrator. The appropriate forms are to be filled out. If appropriate this may include a report to the Ministry of Labour, Training and Skills Development, as per the [Occupational Health and Safety Act](#) (OHSA),

RESPONSIBILITY:

Supervisors / Department Heads have the responsibility for reporting incidents to the Ministry of Labour, Training and Skills Development.

POLICY:

The Township of Wollaston as an employer will need to notify the Ministry of Labour, Training and Skills Development, if a workplace hazard caused anyone to be critically injured or killed at the workplace defined as includes any place where a worker is performing their duties. This notice may be in addition to notifying WSIB of the incident. See Workplace Safety Insurance Board (WSIB) Reporting Requirements policy. This notice to the Ministry must be done even if the person is not a worker (for example, a visitor or customer) when:

- someone is killed or critically injured
- one of your workers has an occupational illness
- there is an accident, explosion or fire, or there is an incident of workplace violence and someone is injured and can't do their usual work or needs medical attention
- there is an accident or unexpected event on a construction site **even if no one is hurt**

These requirements are in sections 51, 52, 53 and clause 25(2)(n) of the OHSA.

The Ministry of Labour, Training and Skills Development considers an injury "critical" if it is of a serious nature that:

- places life in jeopardy
- produces unconsciousness
- results in substantial loss of blood
- involves the fracture of a leg or arm, including a wrist, hand, ankle, foot or multiple fingers or toes
- involves the amputation of a leg, arm, hand, foot or multiple fingers or toes
- consists of burns to a major portion of the body
- causes the loss of sight in an eye

Management staff will assess each critical injury or death at the workplace to determine if the hazard that caused the incident could pose an ongoing risk to worker health and safety. Management staff will review the INJURY / ACCIDENT / DAMAGE INVESTIGATION FORM to assist in the determination.

If there **isn't a reasonable connection**, you don't have to report it.

Examples of incidents you need to report include when a:

- a person is critically injured by something falling on them
- a worker is killed because of ice falling from a roof
- a person entering a building slips on an icy step and breaks a leg
- a worker loses consciousness due to heat stress

Who to notify:

If someone is critically injured or killed at the workplace and there is a reasonable connection between the hazard that led to the critical injury or death and workers' health and safety, you must do all of the following:

1. Call **1-877-202-0008 to report the incident** to the Ministry of Labour, Training and Skills Development's Health and Safety Contact Centre. **You can make a report to this number at any time of day.**
2. Call or tell Clerk / Administrator about the incident.
3. Notify the Ministry of Labour, Training and Skills Development, **in writing, within 48 hours** of the incident. Make sure to:
 - address the notice to "Attention: Director"
 - mail or fax it, to the closest Eastern Regional Office

Peterborough
300 Water Street North
3rd Floor, South Tower
Peterborough ON K9J 8M5

Tel: 705-755-4700 or 1-800-461-1425
Fax: 705-755-4724

The information you need to include in the notice will depend on the type of workplace. **Generally**, the written notice should include:

- the name and address of the employer or, for a dive site, the name and address of the person writing the notice
- the name and address of the constructor if there is one (for example, on construction projects)
- a description of what happened and the injuries to the person
- a description of the machinery, equipment or procedure involved
- the time and place of the incident
- the name and address of the person who was injured or killed
- names and addresses of all witnesses to the incident and, for mining workplaces, the names and addresses of all workers and supervisors involved
- name and address of the physician or surgeon or other medical practitioner, if any, who attended to the person who was injured or killed
- if the workplace is a construction project, the steps taken to prevent a recurrence

The following regulations set out what needs to be included in the written notice:

- *Regulation 213/91 - Construction Projects section 8*

Management must make sure that no one interferes with, disturbs, destroys, alters or carries away anything at the scene or connected to the workplace death or critical injury, unless:

it is necessary due to a condition specified in the OHS Act such as

- (a) saving life or relieving human suffering;
- (b) maintaining an essential public utility service or a public transportation system; or
- (c) preventing unnecessary damage to equipment or other property, or
- (d) a Ministry of Labour, Training and Skills Development inspector gives you permission to do so

To give notice of an injury that is not critical

If a worker needs medical attention, or is unable to do their work, **due to an accident, explosion, fire or incidence of workplace violence, you must report it to the:**

1. the health and safety representative
2. union (if there is one)

The notification must be submitted in writing **within 4 days of the incident.**

The Clerk / Administrator keep a record of the incident in the Township's permanent records.

A Ministry of Labour, Training and Skills Development inspector may require that you give a copy of the written notice to a Director at the Ministry of Labour, Training and Skills Development.

What to include in the non-critical injury notice:

The information in the notice will depend on the type of workplace. **Generally**, the written notice should include:

- the name, address and type of business of the employer the name and address of the person writing the notice
- a description of what happened, and of the injury or illness
- a description of the machinery, equipment or procedure involved
- the time and place of the incident
- the name and address of the person who was injured or became ill
- names and addresses of all witnesses to the occurrence
- name and address of the physician, surgeon or other medical practitioner, if any, who attended to the injured person
- if the incident happened on a construction project, the name and address of each medical facility where the worker was treated
- the steps taken to prevent a recurrence

To give notice of an occupational illness

If you are advised that a worker (**current or former**) has an occupational illness, or that a claim for an occupational illness has been filed with the Workplace Safety and Insurance Board, you must notify, in writing, **within 4 days of being advised:**

1. a director of the Ministry of Labour, Training and Skills Development
2. your joint health and safety committee or health and safety representative
3. the union (if there is one)

Address the notice to, "Attention: Director" and then mail or fax the notice, to the Peterborough Regional Office.

The notice may also be emailed to MLTSDoccillness.notices@ontario.ca.

What to include in the occupational illness notice:

Generally, the written notice should include:

- the name, address and type of business of the employer, the name and address of the person writing the notice
 - a description of the occupational illness and what may have caused it
 - the period when the worker was affected
 - the name and address of the worker affected
 - name and address of the physician or other medical practitioner, if any, who was or is attending to the person for the illness
 - if the worker is in construction, the name and address of each medical facility where the worker has been or is being attended for the illness
 - the steps taken to prevent further illness
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To give notice of an incident at a construction site

Management must report the following incidents at **construction sites** (if you are the constructor) (if you are the employer of the workers involved), regardless of whether the incident caused an injury:

- an accident
- a premature or unexpected explosion, fire, flood or inrush of water
- the failure of any equipment, machine, device, article or thing
- a cave-in, subsidence or rockburst

If these incidents resulted in a death or critical injury, follow the rules for reporting a death or critical injury.

Otherwise, you must notify, in writing, **within 2 days**:

1. a director of the Ministry of Labour, Training and Skills Development
2. health and safety representative
3. the trade union (if there is one)

The notice should:

- set out what happened, and the steps taken to prevent it from happening again
 - be addressed to, "Attention: Director"
 - be mailed or faxed to the Ministry of Labour, Training and Skills Development Peterborough regional office closest to the workplace where the incident occurred
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Engineer's report

If you report a death, critical injury, non-critical injury or incident on a construction project you must, **in certain circumstances**, also send a professional engineer's written report to the Ministry of Labour, Training and Skills Development within 14 days of the incident, stating the cause of the incident.

You must send the engineer's report if the incident involved a failure of all or part of:

- temporary or permanent works
- a structure
- a wall of an excavation or of a similar earthwork for which a professional engineer has given a written opinion that the stability of the wall is such that no worker will be endangered by it, or
- a crane or similar hoisting device

Send the engineer's report to the Ministry of Labour, Training and Skills Development office that received your initial report.

To give notice of a structural hazard

If a staff member or health and safety representative tells you that there are potential structural inadequacies with the workplace that may be dangerous or a hazard to workers, **you must notify the Ministry of Labour, Training and Skills Development if you do not own the workplace** (for example, if you rent or lease it).

A structural inadequacy could be an issue with part of the workplace building or structure that may be faulty and/or unsafe due to:

- damage
- distress
- deterioration or instability of a roof, wall, beam or support
- severe watertightness issues such as a failed waterproofing system

This could include the building or any other part of the workplace, whether temporary or permanent.

The notice should be:

- addressed to, "Attention: Director"
- mailed or faxed to the [Ministry of Labour, Training and Skills Development regional office](#) closest to the workplace

This requirement is in [clause 25\(2\)\(n\)](#) of the *Occupational Health and Safety Act* and must be read with subsection 25(5) of the *Occupational Health and Safety Act*.

[File a workplace health and safety complaint](#)