

VBN Paving Limited

INCIDENT REPORTING & INVESTIGATION POLICY

Purpose:

The purpose of this policy is to find out the root cause of incidents and to prevent similar incidents in the future by investigating the circumstances leading up to the event so that the root cause can be determined and used to develop prevention strategies.

Scope:

- Any and all incidents that result in bodily injury or property damage, regardless of how minor.
- Any and all incidents that did not result in bodily injury or property damage, but had the potential to do so. Also known as a "near miss" or a "dangerous occurrence".
- Incident being defined as: an unplanned, unexpected event that interrupts the completion of an activity.

Responsibility:

VBN PAVING Senior Management is responsible for:

- Notifying government authorities when appropriate and necessary
- Reviewing the results of the investigation
- Implementing changes in controls to eliminate future similar incidents

VBN PAVING Health & Safety Manager is responsible for:

- Managing the incident investigation
- Reporting the results of the investigation to Senior Management
- Recommending how to improve controls to eliminate future similar incidents

VBN PAVING Senior and Site Supervisors are responsible for:

- Securing immediate information
- Completing Damage, Injury or Vehicle Report
- Notifying the Health & Safety Manager
- Participating in the incident investigation

VBN PAVING Employees are responsible for:

- Notifying the Site Supervisor immediately of any incident that they were involved in or a witness to

OCCUPATIONAL HEALTH AND SAFETY ACT

PART VII- NOTICES

Notice of death or injury

51. (1) Where a person is killed or critically injured from any cause at a workplace, the constructor, if any, and the employer shall notify an inspector, and the committee, health and safety representative and trade union, if any, immediately of the occurrence by telephone or other direct means and the employer shall, within forty-eight hours after the occurrence, send to a Director a written report of the circumstances of the occurrence containing such information and particulars as the regulations prescribe. R.S.O. 1990, c. O.1, s. 51 (1); 2011, c. 1, Sched. 7, s. 2 (7).

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Preservation of wreckage

- (2) Where a person is killed or is critically injured at a workplace, no person shall, except for the purpose of,
- (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, interfere with, disturb, destroy, alter or carry away any wreckage, article or thing at the scene of or connected with the occurrence until permission so to do has been given by an inspector. R.S.O. 1990, c. O.1, s. 51 (2).

52. (1) If a person is disabled from performing his or her usual work or requires medical attention because of an accident, explosion, fire or incident of workplace violence at a workplace, but no person dies or is critically injured because of that occurrence, the employer shall, within four days of the occurrence, give written notice of the occurrence containing the prescribed information and particulars to the following:
- 1. The committee, the health and safety representative and the trade union, if any.
 - 2. The Director, if an inspector requires notification of the Director. 2001, c. 9, Sched. I, s. 3 (12); 2009, c. 23, s. 5.

Notice of occupational illness

- (2) If an employer is advised by or on behalf of a worker that the worker has an occupational illness or that a claim in respect of an occupational illness has been filed with the Workplace Safety and Insurance Board by or on behalf of the worker, the employer shall give notice in writing, within four days of being so advised, to a Director, to the committee or a health and safety representative and to the trade union, if any, containing such information and particulars as are prescribed. R.S.O. 1990, c. O.1, s. 52 (2); 1997, c. 16, s. 2 (12).
- (3) Subsection (2) applies with all necessary modifications if an employer is advised by or on behalf of a former worker that the worker has or had an occupational illness or that a claim in respect of an occupational illness has been filed with the Workplace Safety and Insurance Board by or on behalf of the worker. R.S.O. 1990, c. O.1, s. 52 (3); 1997, c. 16, s. 2 (13).

53. If an accident, premature or unexpected explosion, fire, flood or inrush of water, failure of any equipment, machine, device, article or thing, cave-in, subsidence, rockburst, or other prescribed incident occurs at a project site, mine or mining plant, the constructor of the project or the owner of the mine or mining plant shall, within two days after the occurrence, give notice in writing with the prescribed information and particulars,
- (a) to the committee, health and safety representative and trade union, if any; and
 - (b) to a Director, unless a report under section 51 or a notice under section 52 has already been given to a Director. 2011, c. 1, Sched. 7, s. 2 (8).

For a more concise listing, refer to the most current edition of the Occupational Health and Safety Act and Regulation for Construction Projects.

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Occupational Health and Safety Act ONTARIO REGULATION 213/91 CONSTRUCTION PROJECTS Sections 8-12

- 8.** A written report under subsection 51 (1) of the Act respecting an occurrence in which a person is killed or critically injured shall set out,
- (a) the name and address of the constructor and the employer, if the person involved is a worker;
 - (b) the nature and the circumstances of the occurrence, and the bodily injury sustained by the person;
 - (c) a description of the machinery or equipment involved;
 - (d) the time and place of the occurrence;
 - (e) the name and address of the person involved;
 - (f) the names and addresses of all witnesses to the occurrence;
 - (g) the name and address of the any legally qualified medical practitioner by whom the person was or is being attended for the injury; and
 - (h) the steps taken to prevent a recurrence. O. Reg. 213/91, s. 8; O. Reg. 145/00, s. 6; O. Reg. 142/17, s. 2.
- 9.** (1) A notice under subsection 52 (1) of the Act respecting an occurrence involving a worker shall set out,
- (a) the name, address and type of business of the employer;
 - (b) the nature and the circumstances of the occurrence, and the bodily injury or illness sustained by the worker;
 - (c) a description of the machinery or equipment involved;
 - (d) the time and place of the occurrence;
 - (e) the name and address of the worker involved;
 - (f) the names and addresses of all witnesses to the occurrence;
 - (g) the name and address of any legally qualified medical practitioner by whom the worker was or is being attended for the injury or illness;
 - (g.1) the name and address of each medical facility, if any, where the worker was or is being attended for the injury or illness; and
 - (h) the steps taken to prevent a recurrence. O. Reg. 213/91, s. 9 (1); O. Reg. 145/00, s. 7 (1); O. Reg. 142/17, s. 3 (1).
- (2) A notice under subsection 52 (2) of the Act (information and particulars respecting a worker's occupational illness) shall contain the following information:
- 1. The employer's name, address and type of business.
 - 2. The nature of the illness.
 - 3. The worker's name and address.
 - 4. The name and address of any legally qualified medical practitioner by whom the worker was or is being attended for the illness.
 - 5. The name and address of each medical facility, if any, where the worker was or is being attended for the illness.
 - 6. A description of the steps taken to prevent a recurrence or further illness. O. Reg. 145/00, s. 7 (2); O. Reg. 142/17, s. 3 (2).

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10. (1) An employer shall keep in the employer's permanent records a record of any accident, explosion or fire involving a worker that causes injury requiring medical attention but does not disable the worker from performing his or her usual work. O. Reg. 213/91, s. 10 (1).

(2) The record shall include particulars of,

(a) the nature and circumstances of the occurrence, and the injury sustained by the worker;

(b) the time and place of the occurrence;

(c) the name and address of the injured worker; and

(d) the steps taken to prevent a recurrence. O. Reg. 213/91, s. 10 (2); O. Reg. 142/17, s. 4.

(3) An employer to whom subsection (1) applies shall make the record available to an inspector upon request. O. Reg. 213/91, s. 10 (3).

11. (1) The following incidents are prescribed for the purpose of section 53 of the Act:

1. A worker falling a vertical distance of three metres or more.

2. A worker falling and having the fall arrested by a fall arrest system other than a fall restricting system.

3. A worker becoming unconscious for any reason.

4. Accidental contact by a worker or by a worker's tool or equipment with energized electrical equipment, installations or conductors.

5. Accidental contact by a crane, similar hoisting device, backhoe, power shovel or other vehicle or equipment or its load with an energized electrical conductor rated at more than 750 volts.

6. Structural failure of all or part of falsework designed by, or required by this Regulation to be designed by, a professional engineer.

7. Structural failure of a principal supporting member, including a column, beam, wall or truss, of a structure.

8. Failure of all or part of the structural supports of a scaffold.

9. Structural failure of all or part of an earth- or water-retaining structure, including a failure of the temporary or permanent supports for a shaft, tunnel, caisson, cofferdam or trench.

10. Failure of a wall of an excavation or of similar earthwork with respect to 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.

11. Overturning or the structural failure of all or part of a crane or similar hoisting device. O. Reg. 213/91, s. 11 (1); O. Reg. 85/04, s. 3; O. Reg. 627/05, s. 1.

(2) A notice under section 53 of the Act shall set out the circumstances of the occurrence and the steps taken to prevent a recurrence. O. Reg. 213/91, s. 11 (2).

12. (1) This section applies with respect to an occurrence for which a report under subsection 51 (1) of the Act or a notice under section 52 or 53 of the Act is given, if the occurrence involves a failure of all or part of,

(a) temporary or permanent works;

(b) a structure;

(c) 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

(d) a crane or similar hoisting device. O. Reg. 213/91, s. 12 (1); O. Reg. 142/17, s. 5.

(2) A constructor or employer who submits a report under subsection 51 (1) of the Act (notice of death or injury) or gives a notice under section 52 or 53 of the Act (notice of accident, etc.)

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shall also provide, within 14 days after the occurrence, a professional engineer's written opinion stating the cause of the occurrence. O. Reg. 145/00, s. 8.

Incident Reporting and Investigation Procedure

1. Report the incident occurrence to the Site Supervisor
2. Provide first aid and medical care to the injured person(s) and prevent further injuries or damage.
3. Once safe, Site Supervisor to immediately advise the Health & Safety Manager of the incident occurrence
4. Site Supervisor or Senior Supervisor must complete the relevant Damage, Injury, or Vehicle report. To be submitted within 24 hours.
5. If deemed necessary by the Health and Safety Manager, fill out a full Supervisors Investigation Kit within 24 hours.
6. Advise and involve the Joint Health & Safety Committee within 24 hours.
7. Investigate the incident
 - a. Worker and witness interviews
 - b. Site/equipment/material inspection
 - c. Occurrence area imaging (photographs, sketches, drawings)
 - d. Material failure analysis (if necessary)
 - e. Re-enactments (if necessary)
 - f. Review of process
8. Identify the causes, investigating deeper until the root cause is found.
9. Complete the Incident Investigation Report within 48 hours.
10. Report the findings of the investigation to Senior Management within 48 hours of the incidents occurrence.
11. Develop a plan for corrective action as quickly as possible with Management, JH&SC and Health and Safety Manager
12. Implement the corrective action plan as quickly as possible
13. Note the corrective actions applied on the Incident Investigation Report
14. Evaluate the effectiveness of the corrective action plan within 3 months of the incident
15. Note the effectiveness of the corrective action plan on the Incident Investigation Report
16. Make changes for continuous improvement
17. Include the details of the incident and the corrective actions taken in future safety meetings and tool box talks

As little time as possible should be lost between the moment of an accident and the beginning of the investigation. In this way, one is most likely to be able to observe the conditions as they were at the time, prevent disturbance of evidence, and identify witnesses.

The tools that members of the investigating team may need (pencil, paper, camera, film, camera flash, tape measure, etc.) should be immediately available so that no time is wasted.

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