



# This is what needs to happen after a workplace accident

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Employers in BC are legally required to investigate certain workplace incidents.

Those include events involving an injury to a worker where medical treatment was required, but also include minor injuries or near-miss events that had the potential to cause serious injury. Near-miss or close call events imply that if things had gone a little bit differently, a worker could have been seriously injured or suffered a health threatening exposure.

The law requires that workplace incident investigations are carried out by persons knowledgeable about the type of work involved and that worker representatives participate in the investigation if they are "reasonably available". Reasonably available is interpreted to mean that the employer must make reasonable efforts to identify and involve appropriate worker representation in investigations. WorkSafeBC Guidelines state that there may be situations where a worker representative is not reasonably available, but "these situations will be the exception rather than the rule".

Worker participation in incident investigations involving HSA members is an important responsibility of HSA OHS stewards sitting on your workplace Joint Occupational Health and Safety Committee (JOHSC).

Even though worker participation in investigations is a legal requirement, many investigations occur without the appropriate involvement of the OHS steward/JOHSC representative. Concerns that HSA worker representatives are not adequately participating in incident investigations should be raised with your Joint Health and Safety Committee. If the matter remains unresolved, a WorkSafeBC prevention officer should be called to investigate and assist with the employer's compliance with this obligation.

If you are injured or involved in a near-miss incident, please ask for OHS steward representation.

During an incident investigation, the worker representative's role includes the following:

- viewing the scene of the incident with the persons carrying out the investigation;
- 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 (Workers' Compensation Act, Section 174 - 1.1).

If you happen to be involved in a workplace incident - including a near-miss event - you must immediately report it to your supervisor. Your employer must conduct a preliminary investigation within 48 hours of the event and a full investigation within 30 days. A worker representative should be involved from the beginning. If you are not sure this is happening, advise your supervisor that you wish to have your HSA OHS steward/Joint Occupational Health and Safety Representative involved in the investigation. If you or your supervisor are not sure who that steward is, please call the HSA office for assistance at 604-517-0994 or toll-free 1-800-663-2017.

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