

The importance of accident investigations

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In British Columbia workplaces, employers are required to undertake investigations into any accident or incident that:

- resulted in injury requiring medical treatment, or
- did not involve injury to a worker or involved a minor injury that did not require medical treatment, but had the potential to cause serious injury, or
- is required to be reported under Section 172 of the Workers' Compensation Act, or
- was an accident required by regulation to be investigated.

Last year in BC's health care and social services sector, there were nearly 8800 work related injuries resulting in workers' compensation claims (WorkSafeBC). In addition, there are thousands of reported incidents that didn't result in any claim. All of these require investigation. And keep in mind there are also countless incidents that go unreported every year which should be reported and investigated.

WHY ARE INVESTIGATIONS NECESSARY?

Incident investigations are intended to determine the cause of an incident, to identify unsafe conditions or acts and to recommend corrective actions so that similar incidents don't occur in the future. The purpose is prevention, not blame. After an investigation, employers are required without any undue delay to take corrective actions and then report on the actions taken. Copies of reports must go to the joint occupational health and safety committee.

WHO SHOULD BE INVOLVED IN INVESTIGATIONS?

Incident investigations should be conducted by people knowledgeable about the work area and the work involved. There should be employer and worker participation in every investigation. HSA joint occupational health and safety committee representatives or stewards should participate in investigations when an incident involves an HSA member or work area.

Employers should not interfere with the union's right to participate in investigations. The argument is sometimes made that there was no worker representative available. The legislation (Section 174 of the Workers' Compensation Act) says that one employer and one worker representative should participate in investigations, "if they are reasonably available". Employers must make a genuine effort to involve a worker rep and when they don't, they should be challenged. An HSA labour relations officer or a WorkSafeBC prevention officer can help ensure compliance with this provision.

Workers - through their union - are equal partners in workplace health and safety. It is the responsibility of HSA joint occupational health and safety representatives to either participate directly in incident investigations or to otherwise insure that incidents involving HSA members are properly investigated.

Instructions for conducting investigations can be found on the WorkSafeBC website.

For more information, contact David Durning, Senior Labour Relations Officer - OH&S at ddurning@hsabc.org.

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