

Summary of Employer Responsibilities Re: **Critical Injury**

CRITICAL INJURY – DEFINED

made under the *Occupational Health & Safety Act* – R.R.O. 1990, Reg 834

For the purpose of the Act and the Regulations, “critically injured” means an injury of a serious nature that,

- (a) places life in jeopardy ;
- (b) produces unconsciousness ;
- (c) results in substantial loss of blood ;
- (d) involves the fracture of a leg or arm, but not a finger or a toe ;
- (f) consists of burns to a major portion of the body ; or
- (g) causes the loss of sight in an eye

NOTICE :

Section 51 of the Act states that when a critical injury or fatality occurs, the employer must provide notice to an inspector, the JHSC, and the union. The notice must be provided by direct means *immediately* and followed up with a written report within 48 hours.

**The toll free number for the MOL's Western Region Occupational Health & Safety Call Centre is:
1-877- 202-0008**

If you are not sure that an injury falls under the above definition, call the toll free number and ask. If it is identified as a critical injury by the MOL, then the following applies.

Note: It is extremely important to secure the scene – the area should be closed off to everyone except authorities (Police etc..) Nothing should be disturbed or touched at all

Legal Requirements to Investigate under the Occupational Health & Safety Act:

When a critical injury or fatality occurs in a workplace, Section 9 of the Occupational Health & Safety Act

When a critical injury or fatality happens in a workplace, section 9 of the Act specifies that the **worker members of the JHSC** shall designate one or more of their members to investigate these cases. **Only one** of these worker members has the right to inspect the place where the accident occurred. **At this time Sandra Livingstone, ARC Industries, 226-314-0875 is the designated certified worker Co-chair.**

There are four major steps of the investigation.

1. Secure & manage the accident scene (therefore you will want to decide if it is a critical injury and get the worker certified rep to the accident scene as soon as possible after the accident occurred.)
2. Fulfill government reporting requirements.
3. Investigate accident causes
4. Prepare report (report goes to MOL, JHSC and Executive Director.)

Where possible the Management Certified Rep will participate with the worker rep conducting the investigation. Where this is not possible, an alternate management person should be on site while the investigation is occurring (JHSC member/Supervisor/Manager).