

# 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;
- e) involves the amputation of a leg, arm, hand or foot but not a finger or 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 (e.g., 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 specifies that the **worker members of the JHSC** shall designate one or more of their members to investigate. **Only one** of these worker members has the right to inspect the place where the accident occurred.

At this time, **Jodie Lind 226-979-8412 (cell)** is the designated certified worker co-chair.

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## There are Four Major Steps of the Investigation

1. Secure & manage the accident scene (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 the 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/direct support supervisor/manager).

For additional information, please refer to G150 – Accident/Injury Report & Investigation policy.

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