



# ELEMENT 10

# INCIDENT REPORTING

&

# INVESTIGATION



## 10.1 Investigation Policy

Acres requires proper investigation of all incidents including injuries, illnesses, loss of or damage to equipment, property, or the environment as per Workers Compensation Act 2015 Division 10 (172) (173) and Bill 9/35. Through proper incident investigation practices, the root cause of an incident can be discovered, and corrective actions can be developed that will assist in ensuring a similar incident does not occur again. Acres' incident investigation procedure is a mandatory requirement and is expected to be followed by all employees and project partners. Acres has implemented the HCSS Incident Field application Module for initial alert of incident only, all incidents must be investigated, and incident investigation document completed on HCSS Forms.

Acres requires all employees and subcontractors to immediately report to their supervisor any incidents and near misses that result in or have the potential to cause injury or property damage. In the event of an incident, investigations will be conducted as soon as possible by the onsite supervisor responsible for the site. Depending on the severity of the incident, additional resources and support can be provided in order to complete a thorough investigation. Acres shall track all subcontractor incidents and review all subcontractor incident reports to prevent recurrence.

Acres shall conduct a preliminary investigation into an incident as per the Workers Compensation Act Bill 9. Acres shall identify any unsafe conditions, acts and or procedures that significantly contributed to the incident. Corrective actions will be defined to address the basic causes and the contributing factors of the incident. The investigation report and interim corrective action plan shall be reviewed by the Superintendent, Project Manager, HSE Manager and the Joint Occupational Health and Safety Committee.

Jason Paige, President

## 10.2 Acres Incident Reporting & Immediate Notice

Acres has implemented the HCSS Incident Field module application to initially send an alert of incident out to all project related management. The onsite supervisor and or his trained designate are responsible to investigate all incidents on their project sites and document the incident as per HCSS Incident Investigations initial alert. The HCSS incident module sends notification immediately upon incident to the manager system. The HCSS incident system has been set up to alert the appropriate department project manager, director and JOHSC co-chairs. In addition to the notification system on HCSS, all incidents must be completed on HCSS Forms using the HSE.019 Incident Investigation Report directly after HCSS incident notification has been completed.

All incidents/injuries involving Acres property or client property must be reported to the supervisor. These are particularly important where such incidents result in or may have resulted in injury or damage:

- a. To a contractor, third party property or person.
- b. To company property or injury to personnel.
- c. Caused by company property or personnel.

All Acres subcontractors shall follow the incident investigation process and submit an incident investigation report as per Acres policy and timeline for reporting.

**HCSS Incident Investigation:** To be completed and reported internally within 24 hrs. of the incident occurring. A Preliminary report must be submitted to WorkSafeBC when the incident warrants board notification and must be within 48 hours of the incident occurring.

## 10.3 Acres Incident Investigation Reporting & Immediate Notice to WorkSafeBC

Acres has a 2-part incident investigation process and the investigation is documented. The onsite supervisor and or his trained designate is responsible to investigate all incidents on their project sites and document the incident as per 10.2 Acres internal incident investigation through HCSS. Upon completion of the internal incident through HCSS by the onsite supervisor shall then complete the **HSE.019 Incident Investigation Report** in consultation with the HSE Advisor and provide notification to the board.

**Part A - Preliminary Incident Investigation:** To be completed and reported internally within 24 hrs of the incident occurring through HCSS. A WorkSafeBC preliminary report must be submitted to WorkSafeBC within 48 hours of the incident occurring.

**Part B - Complete Investigation Report:** Completed investigation report with immediate and basic causes identified, corrective actions, incident details and final review within 72 hrs through the HCSS Manager system. A full WorkSafeBC investigation report must be submitted to WorkSafeBC Prevention Department within 30 days of the incident.

If the incident involves: a serious injury or death of a worker; a major release of a hazardous substance; a collapse of a building, bridge, crane, excavation or construction support system, or; any incident involving

a fire or explosion the project site shall be secured and cease operations to conduct a full investigation. WorkSafeBC must be contacted immediately, and a preliminary investigation report started and submitted to the Board within 48 hours. If the incident occurs outside BC, the provincial workers compensation organization from that province should be contacted immediately.

Once the incident has been reported to the supervisor, he or she shall then complete an HCSS Incident alert. The HCSS reported incident shall send a companywide safety alert via email notifying the project manager and director of the department of the incident with preliminary incident details. The purpose of this safety alert is to communicate information related to the incident that will aid to reduce the risk of a similar occurrence of the incident and inform all parties an incident has occurred. Following the alert, the incident investigation report on HCSS Forms shall be completed.

The incident investigation report is sent directly through HCSS into the manager system. The safety advisor shall then review and closed out the investigation report within 72 hours with appropriate personnel. All reports are filed within the HCSS Manager system for statistical recording purposes.

#### 10.4 Incident Post Testing-Involvement of Drugs or Alcohol

Incidents that involve reasonable suspicion of the involvement of drugs or alcohol and are serious in nature and shall follow Acres Drug & Alcohol Program for post testing requirements. All incidents involving reasonable suspicion of drugs and alcohol must follow the Drug and Alcohol procedures. Incidents that warrant post testing or reasonable suspicion must cease operations immediately and contact senior management and the Human resources manager immediately. Refer to **SharePoint/ Corporate Services/ Human Resources** for program, documentation and procedures.

Incidents that warrant post testing include, but not limited to:

- a) Serious injury to or death of a worker.
- b) Major structural failure or collapse of building, trench or equipment including crane.
- c) Major release of hazardous substances.
- d) Fire or explosion that had a potential for causing serious injury to a worker.
- e) Blasting accident-causing personal injury.
- f) Dangerous incident involving explosives, whether or not there is personal injury.
- g) Motor Vehicle accidents involving company vehicles with damages meeting or exceeding a cost of 5000.00
- h) Property damages meeting or exceeding a cost of 5000.00
- i) Equipment damages meeting or exceeding a cost 5000.00
- j) Injury requiring medical treatment and hospitalization of more than a 24-hour duration.
- k) Minor injury or no injury but had potential for causing serious injury, given reasonable suspicion.

## 10.5 WorkSafeBC Notification of Serious Injuries

The following sections that are relevant to the legislated reporting requirements have been adopted into the Acres HSE program. Issued February 12, 2008; Editorial Revision February 11, 2009; Revised consequential to January 1, 2016 Amendments to the Act.

### Section 172 Immediate Notices of Certain Accidents

Section 172 of the *Workers Compensation Act* ("Act") states

172(1) An employer must immediately notify the Board of the occurrence of any accident that

- a) resulted in serious injury to or the death of a worker;
- b) involved a major structural failure or collapse of a building, bridge, tower, crane, hoist, temporary construction support system or excavation;
- c) involved the major release of a hazardous substance;
- d) (c.1) involved a fire or explosion that had a potential for causing serious injury to a worker, or;
- e) was an incident required by regulation to be reported;

172(2) Except otherwise directed by an officer of the Board or a peace officer, a person must not disturb the scene of an accident that is reportable under subsection (1) except so far as is necessary to

- a) Attend to persons injured or killed
- b) Prevent further injuries or death
- c) Protect property that is endangered as a result of the accident

### Incidents that must be investigated

Section 173 of the *Workers Compensation Act* ("Act") states:

173 (1) An employer must conduct a preliminary investigation under section 175 and a full investigation under section 176 respecting any accident or other incident that;

- a) Is required to be reported by section 172;
- b) Resulted in injury to a worker requiring medical treatment;
- c) Did not involve injury to a worker, or involved only minor injury not requiring medical treatment, but had the potential for causing serious injury to a worker or;
- d) Was an incident required by regulation to be investigated;

(2) Subsection (1) does not apply in the case of a vehicle accident occurring on a public street or highway.

## 10.6 Workers Compensation Act Bill 9

On May 14, 2015 the BC Government passed Bill 9 (*Workers Compensation Amendment Act, 2015*), which expands WorkSafeBC powers to deal with non-compliance as well as increase an employers' obligations with respect to workplace health and safety.

In particular, the amendments expand WorkSafeBC ability to encourage compliance with safety regulations, expedite investigation of workplace incidents and to issue stop work orders where unsafe conditions present a risk to workers. The legislation also permits WorkSafeBC to seek a court injunction to prohibit the worst employer offenders from continuing to operate in an industry when they ignore WorkSafeBC orders and continue to use unsafe practices.

## Incident Investigations and Reporting

Changes were also made to employers' obligation in respect to incident investigations and reporting. The new obligations include the introduction of a two-part incident investigation requirement wherein employers must complete a preliminary investigation within 48 hours of the safety incident.

Additionally, an employer must undertake necessary corrective action "without undue delay" to prevent a similar incident from occurring while a full investigation is being conducted. WorkSafeBC will continue to require a full investigation submitted within 30 days of the safety incident. Failure to comply may result in financial penalties.

### Employers must:

1. Prepare a report of their preliminary investigations within **48 hours** of the incident.
2. Identify any unsafe conditions, acts, or procedures that significantly contributed to the incident.
3. Identify what interim corrective action they plan to take between the date of incident and date the full investigation.
4. Take all actions reasonably necessary, during the interim period, to prevent a recurrence of the incident.

The preliminary report is due (**within 30 days of the incident**).

### The report must include:

1. unsafe conditions, acts, or procedures that made the corrective action necessary.
2. corrective action taken to prevent recurrence of similar incidents.
3. names and job titles of those responsible for implementing the corrective action.
4. date the corrective action was taken.

**Effective Jan. 1, 2016:** Provide WorkSafeBC a copy of the report upon request and, as soon as practicable, give a copy to the joint committee or worker representative or, if neither exist, post in the workplace.

## 10.7 Incident Investigations Process

The purpose of an incident investigation is to determine the cause of the incident, identify any unsafe conditions, acts or procedures and develop corrective actions to prevent a similar incident from occurring.

Investigations must be impartial, and no attempt shall be made to 'cover up' non-compliance with safety

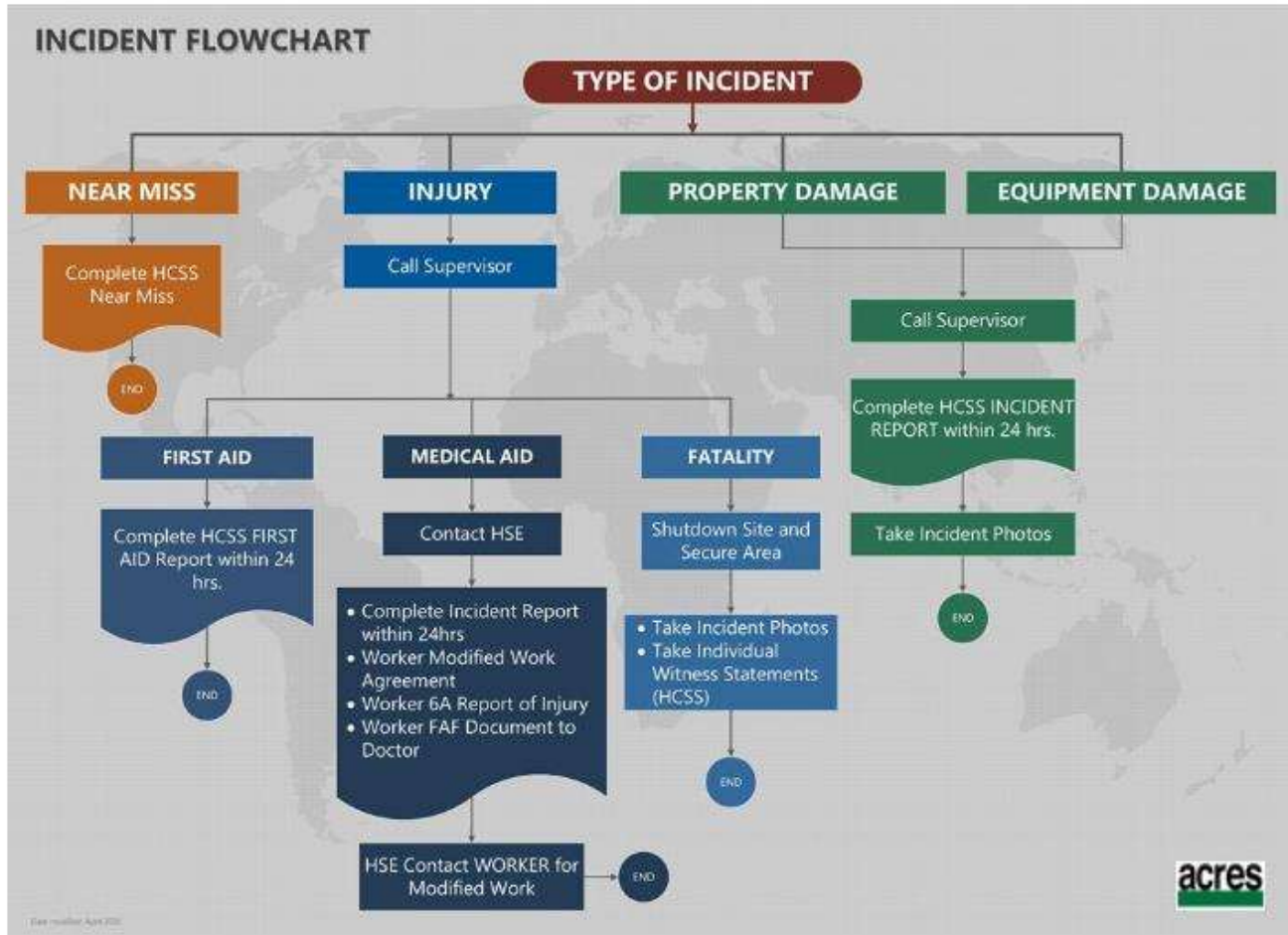
regulations whether by the company or a worker.

## **Incidents to be investigated**

The Acres safety advisor and management must be contacted immediately of the incident. An investigation is performed immediately for:

1. Any incident requiring reporting to WorkSafeBC.
2. Injury resulting in medical aid.
3. Occupational Illness.
4. First Aid treatments.
5. Property damage.
6. Equipment damage.
7. Motor Vehicle accidents.
8. Environmental spills and release.
9. Work Refusals.
10. Near miss incidents that have the potential to harm workers or property damage.

## 10.8 Incident Investigation Flowchart



## 10.9 Incident Investigation Procedure

Acres’ supervisors will receive basic training related to incident investigations from the Leadership for Safety Excellence and Incident Investigation training. Through proper training and mentorship all of our supervisors will be able to conduct effective incident investigations and complete thorough investigation reports. Investigations must gather all facts and follow the WorkSafeBC requirements for investigation purposes to include, date, company, nature of incident, WCB reportable incident, employee name, root cause, contributing factors, short term corrective actions, long term corrective actions, supporting documentation, witness statements, photographic evidence, and review and sign off to include JOHSC member.

Once the immediate injury concerns resulting from the incident have been addressed, it is important to

preserve all evidence that will form part of the incident investigation. As well as physical evidence, there is also a need to collect information from witnesses. All incident findings shall be reviewed with workers to prevent reoccurrence.

### 10.9.1 Protecting the Incident Scene

After the incident has occurred, all work in the affected area must cease and the area must be cleared of all workers and hazards in order to preserve the scene.

- Do not remove from, add to or alter the scene of the accident in any way.
- Secure the scene. Use **Danger** or **Do Not Enter** tape and barricades to prevent unauthorized entry, if necessary.
- Separate witnesses.
- In the event of a fatal or serious incident, nothing can be removed from, touched or changed on the incident location before a WorkSafeBC Officer has given clearance to do so.

### 10.9.2 Witness Statements

It is important to collect statements from witnesses as soon as possible after the incident has occurred. Witness statements must be taken prior to the start of any investigation to gather true facts, provided the witnesses do not have serious or life-threatening injuries and are in a fit state to provide their account of the events surrounding the incident, each witness must be isolated from the crew and made to feel comfortable.

**Refer to HCSS Forms/ HSE.050 Witness Statement.**

1. Request a written statement from each witness that is signed and dated.
2. Request an accurate record of the incident scene (drawings and statements) showing the exact locations of the equipment, workers, materials, tools, etc.
3. Identify and interview all witnesses separately. Interviews should involve a review of their statement and a request for further information that may be helpful to identifying the root cause or contributing factors.

### 10.9.3 Conducting the Investigation

The following must be determined, and the report must show:

1. Who was involved or injured.
2. Where the incident happened (site machine, equipment).
3. When the incident occurred (date, exact time).
4. The immediate and basic causes (conditions, acts, procedures, equipment).
5. Why the unsafe act or condition was permitted (lack of training, supervision, maintenance).
6. How a similar incident can be prevented (must be specific).

Once the scene has been fully investigated and clearance to return to work has been given by the assigned persons in charge, review the inspection report and ensure recommendations for corrective action are determined and carried out. A follow up on-site inspection is necessary to ensure all corrective actions have been undertaken and further incident potential has been eliminated.

## 10.9.4 Incident Investigation Close out

Once the incident has been fully investigated, root cause, contributing factors, short term and long-term corrective actions have been identified and implemented to prevent future reoccurrences, management shall close out the incident investigation report. The following management members shall review and closeout the report with a 24-hour duration period each. HSE Manager, Project Manager, Construction Manager/Director and JOHSC co-chair. The vice president shall only review all serious recordable incidents, property damages, equipment damages that exceed post testing costs as set forth by the Policy or in the absence of a director review sign off. All Senior Management shall have final review and signature for incident investigation close out again with a 24-hour review period.

## 10.9.5 WorkSafeBC BC Investigations

For the purposes of incident investigations submitted to WorkSafeBC BC, Acres shall follow the boards timeline for submission as follows:

1. Preliminary report – Part A – submitted within 48 hours
2. Full Investigation Report- Part B – submitted within 30 days

## 10.9.6 Internal Non-Recordable Incidents

A non-recordable incident is any incident not resulting in a significant injury or illness that necessitates medical attention.

A **Near Miss** is an incident whereby a condition has created the potential for injury or incident to occur but did not result in any loss. For example, a hammer falls from a scaffold and hits the ground. The potential for serious injury exists if the hammer had struck a worker before falling to the ground.

**First Aid** refers to an incident involving a minor injury that can be addressed by a qualified first aid attendant. For example, a cut finger or an object in a worker's eye where both can be remedied with first aid on site.

**Motor Vehicle Incident** refers to any incident involving a motor vehicle

**Equipment Damage** is described as any incident resulting in damage to or loss of equipment, including mobile power equipment, tools or other mechanized equipment on site.

**Property Damage** refers to any damage to or loss of property such as buildings, structures or inanimate objects of value.

**Environmental** refers to any spill, release or damage to the environment. Examples include oil or fuel spills, water contamination, wildlife impacts and more.

## 10.9.7 Internal Recordable Incidents

A company internal recordable incident is any injury or illness involving medical aid, modified work or a lost time injury. Senior management shall review all internal recordable incident investigation reports.

**Medical Aid** is described as any injury requiring attendance from a physician that results in treatment or the issuance of a prescription.

**Modified Work** is described as any case where the worker's injuries require their work duties to be modified on account of an ability limiting injury. For example, if a work has a sprained wrist and cannot fulfill all of their job duties, their duties may be modified to allow them to perform meaningful work with the intention of returning them to full fitness in the shortest time possible.

**Lost Time Incidents** are described as any incident whereby an injury prevents the worker from returning to work. For example, a leg break that requires casting and bed rest thus preventing the worker from attending work.

## 10.10 Work Refusals

Acres acknowledges that it is every works right to refuse unsafe work. Workers have the right to refuse unsafe work. Workers who have reasonable cause to believe that performing a job or task puts them or someone else at risk, they must not perform the job or task. Workers must immediately notify their supervisor or JOHSC member, who will then take the appropriate steps to determine if the work is unsafe and remedy the situation.

When workers refuse work because they believe it's unsafe, Acres will investigate and correct a situation that could have caused harm. If worker refuses work because it's unsafe, workplace procedures will allow the issue to be properly understood and corrected.

Workers have the right to refuse to perform a specific job or task that they believe is unsafe without being disciplined. Acres may temporarily assign a new task to the worker, at no loss in pay until the matter has been investigated and resolved.

Acres shall adhere to WorkSafeBC for procedure for refusal to include;

1. A person must not carry out or cause to be carried out any work process or operate or cause to be operated any tool, appliance or equipment if that person has reasonable cause to believe that to do so would create an undue hazard to the health and safety of any person.
2. A worker who refuses to carry out a work process or operate a tool, appliance or equipment must immediately report the unsafe condition to his or her supervisor.
3. The supervisor receiving the report must immediately investigate the matter, ensuring the unsafe condition is remedied without delay, and if in his or her opinion the report is not valid, inform the person who made the report.
4. If the matter is not resolved, and the worker continues to refuse work, the supervisor must

investigate the matter in the presence of the worker who made the report and in the presence of a JOHSC worker member, a worker who is selected by trade union representing the worker or if neither exists, any other reasonably available worker selected by the worker.

5. If the matter is still not resolved and the worker still refuses work, the worker must immediately notify a WorkSafeBC officer who will then investigate the matter.

There will be no discriminatory action taken against any employee who exercises their right to refuse unsafe work. A temporary assignment for alternate work will be provided to the worker at no loss of pay to the worker until the matter has been resolved. A work refusal is the right of all workers. Workers or crews whom from a group to refuse work activities as a group are and will not be considered a work refusal. Work refusal is an individual right. Refer to **HSE.051 Work Refusal to Work Document and Element 5 Company Rules for Work Refusals.**