

**Workplace Incident/Accident Analysis**  
**Joint Health & Safety Committee (JHSC) — Right to Information Resource**

**What are you as a JHSC member and the trade union entitled to receive from the employer?**

**1. Written notice of disabling workplace injury and occupational illness:**

*Occupational Health and Safety Act*

**“52. (1)** If a person is disabled from performing his or her usual work or requires medical attention because of an accident, explosion or fire at a workplace, but no person dies or is critically injured because of that occurrence, the employer shall, **within four days of the occurrence, give written notice of the occurrence containing the prescribed information and particulars to the following:**

1. **The committee, the health and safety representative and the trade union, if any.**
2. The Director, if an inspector requires notification of the Director. 2001, c. 9, Sched. I, s. 3 (12).

**Notice of occupational illness**

52 (2) **If an employer is advised by or on behalf of a worker that the worker has an occupational illness or that a claim in respect of an occupational illness has been filed with the Workplace Safety and Insurance Board by or on behalf of the worker, the employer shall give notice in writing, within four days of being so advised, to a Director, to the committee or a health and safety representative and to the trade union, if any, containing such information and particulars as are prescribed. R.S.O. 1990, c. O.1, s. 52 (2); 1997, c. 16, s. 2 (12).**

**Idem**

(3) Subsection (2) applies with all necessary modifications if an employer is advised by or on behalf of a former worker that the worker has or had an occupational illness or that a claim in respect of an occupational illness has been filed with the Workplace Safety and Insurance Board by or on behalf of the worker. R.S.O. 1990, c. O.1, s. 52 (3); 1997, c. 16, s. 2 (13).”

**What information is required in the written notices of injury and illness to JHSC and trade unions?**

1. **For each and every disabling workplace injury and occupational illness the employer must report specific details as outlined in section 5 of the *Regulation for Health Care and Residential Facilities* made under the *Occupational Health and Safety Act*:**

“5 (2) If an accident, explosion or fire causes injury to a worker at a facility that disables the worker from performing his or her usual work, the written notice required by subsection 52 (1) of the Act shall include,

- a) the name and address of the employer;
- b) the nature and circumstances of the occurrence and of the bodily injury sustained by the worker;
- c) a description of the machinery or thing involved, if any;
- d) the time and place of the occurrence;
- e) the name and address of the worker who was injured;
- f) the names and addresses of all witnesses to the occurrence;
- g) the name and address of the physician or surgeon, if any, who is attending to or attended to the worker for the injury; and
- h) the steps taken to prevent a recurrence.

(3) If an accident, explosion or fire at a facility causes injury requiring medical attention but does not disable a worker from performing his or her usual work, the employer shall keep a record of that occurrence and the record shall include,

- a) the nature and circumstances of the occurrence and of the injury sustained;
- b) the time and place of the occurrence;
- c) the name and address of the injured worker; and
- d) the steps taken to prevent a recurrence.

(4) The record kept by the employer under subsection (3) for inspection by an inspector shall be notice to a Director.

(5) The written notice required under subsection 52 (2) of the Act if an employer is advised that a worker has an occupational illness or that a claim in respect of an occupational illness has been filed with the Workers' Compensation Board shall include,

- a) the name and address of the employer;
- b) the nature of the occupational illness and the circumstances which gave rise to such illness;
- c) a description of the cause or the suspected cause of the occupational illness;
- d) the period when the worker was affected;
- e) the name and address of the worker who is suffering from the occupational illness;
- f) the name and address of the physician, if any, who is attending to or attended to the worker for the illness; and
- g) the steps taken to prevent further illness. O. Reg. 67/93, s. 5.”

Summarize and analyse accidents using the attached tool. Use your analysis to craft JHSC written recommendations.