

As the director of a company, you are responsible for dealing with this issue in its entirety.



Company directors should complete the following checklist to ensure management is prepared to handle a serious incident.

- Does the company health and safety program include a process to deal with reporting and investigating serious injuries?
- Have the managers and supervisors received training in how to deal with a serious incident at the work site?
- Do the hiring policies include a component that provides the appropriate staff with next of kin information for each of the employees working for the company?
- Does the emergency response plan include a process that allows site supervision the ability to contact a senior company officer in the event a serious incident takes place?
- Have the managers and supervisors been trained on how to properly handle the media in the event of a serious incident?
- Do the managers/supervisors know that in each region of Alberta there is an organization that will assist an employer in dealing with trauma associated with witnessing a serious incident?

Summary

The information provided in this document is intended for owners and directors of companies to prompt thoughts and discussion around what to do if a serious incident were to occur.

The Moral Aspect

It is imperative for directors of companies to deal with serious injury or fatal situations in a very personal and caring way. This basically means that if it were one of your own immediate family members—**son or daughter**—involved in a serious incident, how would you expect the director of that company to handle the issue with you and your family? Large organizations such as the military, RCMP, police departments and fire departments have the resources to assist you in dealing with this type of issue. They train their personnel in how to deal with serious incidents. There are other resources such as religious leaders and social workers as well. Some employers have employee assistance programs [EAP] to assist management in helping their employees deal with the trauma associated with such an event.



The Alberta Construction Safety Association's mission is to provide quality advice and education for the construction industry that will reduce human suffering and financial costs associated with workplace incidents. This brochure is part of a series, **The Toolbox Brochures**, which are available on a variety of safety topics. If you have any questions or comments please contact:



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Handling Serious Incidents



Making Safety A Way Of Life



The Alberta Construction Safety Association

Company Directors – How Do You Handle A Serious Incident?



Company owners or directors do not want to deal with a serious incident involving people being injured, or even worse killed, while in their employ. This document has been created to provide information and the steps to follow if and when an incident occurs.



ALBERTA OCCUPATIONAL HEALTH AND SAFETY ACT – Effective July 1, 2009

Legislation Requirements – It is important for all company owners and/or directors to have an understanding of the Alberta OH&S Legislation that is applicable in the event someone is hurt or killed on their work site. When it comes to legislation, it is important to understand that the senior person on the work site is the person who represents you, the owner or director(s), of your company. If government decides to prosecute a party or parties over a work site incident, it will be handled under this legislation. Directors should be familiar with the following:

Serious Injuries and Accidents – Act-Section 18

- (1) If an injury or accident described in subsection (2) occurs at a work site, the prime contractor or, if there is no prime contractor, the contractor or employer responsible for that work site shall notify a Director of Inspection of the time, place and nature of the injury or accident as soon as possible.
- (2) The injuries and accidents to be reported under subsection (1) are (a) an injury or accident that results in death, (b) an injury or accident that results in a worker's being admitted to a hospital for more than 2 days, (c) an unplanned or uncontrolled explosion, fire or flood that causes a serious injury or that has the potential of causing a serious injury, (d) the collapse or upset of a crane, derrick or hoist, or (e) the collapse or failure of any component of a building or structure necessary for the structural integrity of the building or structure.
- (3) If an injury or accident referred to in subsection (2) occurs at a work site or if any other serious injury or any other accident that has the potential of causing serious injury to a person occurs at a work site, the prime contractor or, if there is no prime contractor, the contractor or employer responsible for that work site shall (a) carry out an investigation into the circumstances surrounding the serious injury or accident, (b) prepare a report outlining the circumstances of the serious injury or accident and the corrective action, if any, undertaken to prevent a recurrence of the serious injury or accident, and (c) ensure that a copy of the report is readily available for inspection by an officer.
- (4) The prime contractor, contractor or employer who prepared the report referred to in subsection (3) shall retain the report for 2 years after the serious injury or accident.
- (5) A report prepared under this section is not admissible as evidence for any purpose in a trial arising out of the serious injury or accident, an investigation or public inquiry under the Fatality Inquiries Act or any other action as defined in the Alberta Evidence Act except in a prosecution for perjury or for the giving of contradictory evidence.
- (6) Except as otherwise directed by a Director of Inspection, an occupational health and safety officer or a peace officer, a person shall not disturb the scene of an accident reported under subsection (1) except insofar as is necessary in (a) attending to persons injured or killed, (b) preventing further injuries, and (c) protecting property that is endangered as a result of the accident.

Investigation Of Accident – Act-Section 19



- (1) If an accident occurs at a work site, an officer may attend at the scene of the accident and may make any inquiries that the officer considers necessary to determine the cause of the accident and the circumstances relating to the accident.
- (2) Every person present at an accident when it occurred or who has information relating to the accident shall, on the request of an officer, provide to the officer any information respecting the accident that the officer requests.
- (3) An officer may, for the purposes of determining the cause of the accident, seize or take samples of any substance, material, product, tool, appliance or equipment that was present at, involved in or related to the accident.
- (4) If an officer seizes or takes samples of any substance, material, product, tool, appliance or equipment under subsection (3), the officer shall (a) give to the person from whom those items were seized or taken a receipt for those items, and (b) on that person's request, return those items to that person when those items have served the purposes for which they were seized or taken.
- (5) Any statement given under this section is not admissible in evidence for any purpose in a trial, public inquiry under the Fatalities Inquiries Act or other proceeding except to prove (a) non-compliance with this section, or (b) a contravention of section 41(3) in an action or proceeding under this Act.
- (6) A peace officer may assist an officer in carrying out the officer's duties under this section if the officer so requests.