

MARCH

SAFETY TALK

In 2016 and 2017, the *Workers Compensation Act* was amended to create new requirements for Incident Investigations. Is your municipality up to speed?

There are two types of investigations required: Preliminary, which must be completed with 48 hours, and Final (or Full), which must commence immediately and be completed within 30 days.

For the Preliminary investigation, there was an early misinterpretation that “48 hours” meant “2 working days”. That is not true. 48 hours means 48 hours. So, if there is an incident on Friday afternoon, the preliminary investigation must be completed by Sunday afternoon.

The Preliminary Investigation is intended to ensure the actual incident leading to injury cannot reoccur immediately and injure another worker.

Initially, there was a great deal of concern with meeting this timeline, but with the exception of the documentation required, supervisors were already likely doing this.

INCIDENT INVESTIGATIONS



Here’s an example: if a worker falls because a ladder rung breaks, the supervisor will take that ladder out of service (but keep it in order to conduct the full investigation). That’s the start of the preliminary investigation, and the preliminary action taken. That’s what would have always happened, the difference now is it needs to be documented by the Supervisor and by a worker representative from the OH&S Committee, if there is one.

The Final Investigation commences immediately, and needs to determine all of the potential causes of the incident. There is never just one cause; direct and indirect actions and issues led to the incident. Every one of these needs to be determined, and a recommendation to prevent a recurrence created for each.

If the final investigation can’t be completed within 30 days, the employer can request an extension. However, because of internal processes, it can take up to one week to get approval from WorkSafeBC – so as soon as there is any thought that the investigation can’t be completed on time, the extension request should be submitted.

An incident investigation should never find fault or place blame. The causes can all be attributed to a failure in a system which led to the incident. You can fix the system!

More information on the requirements for incident investigations can be found in the *Workers Compensation Act*, Part 3 Division 10, WorkSafeBC OH&S Regulation (currently Part 3), or through the Incident Investigation course available from the BCMSA.