

Policy and Procedure

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| Title: | Reporting and Investigating Dangerous Occurrences, Serious Incidents and Refusals to Work (not related to Clinical Occurrences or Radiation/Medication Errors) |
| Policy Number: | 03.004 |
| Effective Date: | Mar 29 2006 |
| Revised Date: | Feb 12 2011 |
| Approving Body: | President and CEO |
| Authority: | CancerCare Manitoba Act |
| Responsible Officer: | President and CEO |
| Delegate: | |
| Contact: | Workplace Safety & Health Committee via Human Resources |
| Applicable to: | All CCMB Staff |

1.0 **BACKGROUND:**

Not Applicable

2.0 **PURPOSE:**

2.1 The Manitoba Workplace Safety and Health Act requires employers with 20 or more workers to establish a written Safety & Health Program. One of the required elements of such a program is a procedure for investigating accidents, dangerous occurrences, and refusals to work.

2.2 The purpose of an incident/occurrence investigation is *prevention*. An incident investigation should:

- determine what actually happened,
- determine the cause or causes of the incident,
- identify any unsafe conditions, acts or procedures,
- help management to identify practical corrective actions,
- determine whether due diligence was observed,

The purpose of these activities is not to find fault or lay blame, but rather to identify the basic causes of incidents so that controls can be put in place to prevent further occurrences.

3.0 **DEFINITIONS:**

3.1 Dangerous occurrence - an occurrence that could have or has resulted in injury

3.2 Serious incident - Workplace Safety and Health Division considers an incident to be serious if it results in:

- death, or serious injury (as defined below),
- collapse or structural failure of a building, tower, crane, hoist, temporary construction support system or excavation,
- an uncontrolled spill or escape of a toxic, corrosive or explosive substance
- explosion, fire or flooding.

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| CANCERCARE MANITOBA GOVERNING DOCUMENTS Policy and Procedure |
| Title: Reporting and Investigating Dangerous Occurrences, Serious Incidents and Refusals to Work (not related to Clinical Occurrences or Radiation/Medication Errors) |
| Page: 2 of 5 |

Serious injuries are defined as:

- fracture of a major bone
- amputation
- loss of sight
- internal hemorrhage
- third degree burns
- unconsciousness resulting from concussion, electrical contact, asphyxiation
- poisoning
- cuts requiring hospitalization or time off work
- any injury resulting in paralysis
- any other injury likely to endanger life or cause permanent disability.

3.4 Refusal to work - the Manitoba Workplace Safety and Health Act allows a worker to refuse to work or do particular work if they believe on reasonable grounds that the work constitutes a danger to their safety or health or to the safety or health of another worker or another person. In the first instance, it is the supervisor's responsibility to try to resolve the issue directly. For the purpose of this P & P, *refusal to work* will apply to situations where this has not been achieved.

4.0 **POLICY:**

4.1 All dangerous occurrences, serious incidents, and refusals to work must immediately be brought to the attention of Human Resources and the Senior Manager Responsible.

4.2 All dangerous occurrences, serious incidents, and refusals to work will be investigated, the findings documented, and corrective action taken as applicable.

4.3 Investigations will be led by a *Lead Investigator*. The Lead Investigator is responsible for leading the investigation and issuing the investigation report. The Lead Investigator, in consultation with the Co-Chairs of the WS& H Committee and the Human Resources may form an *Investigating Committee* and add members to the Investigating Committee as appropriate. CCMB will ensure that the necessary training on how to perform investigations is provided to Lead Investigators.

4.4 When a *serious incident* occurs at a workplace, CancerCare Manitoba must notify Manitoba Labour and Immigration – Workplace Safety and Health Division. Under Manitoba Regulation 108/88R, Section 8, such notification must take place immediately after a serious incident, using the “fastest” means of communication available. This notification will be made by either Human Resources or a member of *Senior Management*.

5.0 **PROCEDURE:**

Reporting Dangerous Occurrences, Serious Incidents, and Refusals to Work

CANCERCARE MANITOBA GOVERNING DOCUMENTS
Policy and Procedure

Title: Reporting and Investigating Dangerous Occurrences, Serious Incidents and Refusals to Work (not related to Clinical Occurrences or Radiation/Medication Errors)

Page: 3 of 5

- 5.1 All *dangerous occurrences, serious incidents, and refusals to work* must immediately be brought to the attention of Human Resources and the *Senior Manager Responsible*. Outside of regular working hours the Senior Manager Responsible can be contacted through HSC Security at **204-787-4567** (Security has a copy of CCMB's "On Call Manual") or the CCMB Administrator On-Call at **1-844-403-4183**.
- 5.2 If notification to Manitoba Labour and Immigration – Workplace Safety and Health Division is required, this notification will be made by a member of *Senior Management*. The 24-hour emergency phone number for Workplace Safety & Health Division is **204-945-0581**. A Manitoba Safety and Health Officer is on duty 24 hours each day of the week to respond to emergency calls.

Investigations and Follow-up

- 5.3 Human Resources receives notification of all *dangerous occurrences, serious incidents, and refusals to work* directly from clients, contractors, staff or supervisors, from other managers, through the occurrence reporting system, or through the employee injury reporting system.
- 5.4 As soon as possible after receiving notification of a *dangerous occurrence, serious incident, or refusal to work*, Human Resources will contact the Worker Co-Chair of the Workplace Safety and Health Committee and together they will appoint a Lead Investigator to be chosen from the following:
- the Worker Co-Chair of the WS&H Committee (required to be the Lead Investigator in the event of a *refusal to work*)
 - member of the Workplace Safety and Health Committee

The Lead Investigator must be someone who has received training to perform investigations. The Lead Investigator, in consultation with the Co-Chairs of the WS&H Committee and Human Resources may form an *Investigating Committee* and add members to the Investigating Committee as appropriate (such as an *expert* resource, etc.). The Workplace Safety and Health Committee always has the right to be represented on the Investigating Committee.

In the case of a *refusal to work* the Lead Investigator must be the *Worker Co-Chair* of the Workplace Safety and Health Committee.

CCMB shall not request or assign another worker to do the work unless the other worker has been advised by the first worker, or by a Manitoba Safety and Health Officer, of the first worker's refusal and the reasons for it.

- 5.5 The Lead Investigator will schedule the investigation as required and follow the process and record the information as outlined in Appendix 'A' – Investigation Report. Upon completion, the *Investigation Report* is to be forwarded to Human Resources for distribution, follow-up, and filing.

CANCERCARE MANITOBA GOVERNING DOCUMENTS
Policy and Procedure

Title: Reporting and Investigating Dangerous Occurrences, Serious Incidents and Refusals to Work (not related to Clinical Occurrences or Radiation/Medication Errors)

Page: 4 of 5

- 5.6 Human Resources is responsible for ensuring that appropriate parties are aware of any follow-up or corrective action that is identified in the Investigation Report. Senior Management or the WS&H Committee may request documentation that corrective action has been completed.
- 5.7 Human Resources will provide a summary of investigation information to the Workplace Safety and Health Committee, ensuring privacy of individual's information is maintained as required by privacy legislation. Investigation information will also be provided to Senior Management as requested or required.

6.0 REFERENCES:

- 6.1 The Manitoba Workplace Safety and Health Act W210
- 6.2 Manitoba Regulation W210 - 108/88R
- 6.3 Manitoba Department of Labour – “A Guide to Setting up a Workplace Safety and Health Program”

Policy Contact:

All enquiries relating to this policy should be directed to:

Name: Workplace Safety & Health Committee via Human Resources

Title/Position:

Phone:

E-mail:

Address:
(if required):

CANCERCARE MANITOBA GOVERNING DOCUMENTS
Policy and Procedure

Title: Reporting and Investigating Dangerous Occurrences, Serious Incidents and Refusals to Work (not related to Clinical Occurrences or Radiation/Medication Errors)

Page: 5 of 5

DOCUMENTATION

Location:

This document is located (hard and e-copy formats):

1. The original signed and approved document is on file in the Executive Office, CCMB
2. The e-copy is on file in the CCMB Governing Documents Library, SharePoint
- 3.

Revision History:

| Date | Version | Status | Author | Summary of Changes |
|------------|---------|---|-----------------|------------------------------|
| dd/mm/yyyy | # | Initial, Draft Final Minor/Major revision | | |
| 29/03/2006 | 1 | | | |
| 12/02/2011 | 2 | | | Minor revisions. |
| 22/03/2018 | 2 | Minor revision | S.Friedenberger | Reformatted to new template. |

Approvals Record:

This Policy requires approval by:

| Approval | Date | Name / Title | Signature |
|----------|------|---------------|-----------|
| | | Not required. | |

FINAL APPROVAL:

| Date | Name / Title | Signature |
|-------------|-------------------------|-----------|
| Feb 12 2011 | President and CEO, CCMB | |