



## GAZZOLA PAVING LIMITED

# Investigations and Reporting Policy Statement

Gazzola Paving Limited is committed to conducting incident investigations to determine the causes and contributing factors. Determining the appropriate conclusions will result in implementing the proper corrective and preventive measures to help prevent a reoccurrence.

It is the responsibility of all workers to report all incidents including near misses immediately to their direct supervisor. Subcontractors are required to report all incidents to Gazzola Paving Limited's Site Superintendent immediately. When needed, Supervisors will start an incident investigation in a timely manner.


Gazzola Paving Limited will ensure that all Investigations team members including all supervisors are trained on the legislative and company specific reporting requirement and investigations procedures. The investigation team is responsible for the determination of any Health & Safety deficiencies including the root causes of the incident to help decide on the necessary actions.

Completed Investigations will be documented for communication and continuous improvement purposes.

Gazzola Paving Limited commits to follow all legislative incident notification requirements mentioned in the Occupational Health & Safety Act and the applicable regulations.

Gazzola Paving Limited will communicate the results of incident investigations with all relevant workplace parties including senior management regularly to ensure actions are agreed and follow-up is completed when needed. Supervisors will be responsible for including sub-contractors in the process of Investigations when required.

Corrective and Preventive actions implemented as a result of an incident investigation will be assessed for effectiveness to ensure they are serving the main goal of preventing reoccurrence of incidents.

  
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Virgil Gazzola, Vice-President

**March 10, 2023**

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Date



## Section 10 – Investigations & Reporting

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### PURPOSE

Hazard and Incident Reporting will be used as a recording and follow up method to provide specific documentation on current health and safety related issues for all workplace parties and at all locations.

An investigation and follow-up procedure is an essential element of the Health and Safety Program. We shall prepare a written report detailing the entire situation in an attempt to determine appropriate conclusions and follow-up actions needed to prevent reoccurrence.

### SCOPE

All incidents, occupational injuries, illnesses and near misses must be reported to allow the company the opportunity to take corrective actions to prevent reoccurrence and to ensure that the proper documentation of these injuries or illnesses is completed.

An investigation and follow-up will be conducted relating to all incidents to determine the causes, contributing factors and subsequently implement corrective actions to prevent a reoccurrence.

### RESPONSIBILITIES

Health and Safety Coordinator Responsibilities:

- Instruct workforce to report hazards and incidents including near misses to ensure they are reported and appropriate follow up actions are completed.
- Review all incident or investigation reports and follow up with Superintendents and Foreman as required.
- Retain all records of Incident Reports and follow up actions as required.
- Ensure all required incidents are investigated and appropriate follow up actions are completed.
- Participate in the Investigation process and follow-up as required.
- Retain all investigation reports and follow up actions as required.
- Comply with all the requirements as defined under the Occupational Health and Safety Act and Regulations.
- Distribute and communicate information to the appropriate parties regarding any nonconformance or deficiencies reported.

Senior Management Responsibilities:

- Ensure all company employees receive the appropriate training and workplace specific overviews.
- Comply with all the requirements as defined under the Occupational Health and Safety Act and Regulations.
- The measures and procedures prescribed are carried out in the workplace.

## Section 10 – Investigations & Reporting

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### Project Manager Responsibilities:

- Ensure all required incidents are investigated and appropriate follow-up actions are completed.
- Ensure equipment, materials and protective devices are provided, maintained and used as required at site and office locations.
- Provide required protective devices, measures and procedures required by the Occupational Health and Safety Act and Regulations.

### Superintendent Responsibilities:

- Ensure all required hazards and near misses are reported and appropriate follow up actions are completed.
- Ensure completion of applicable Incident Reports and follow up as required.
- Review reported findings with each Foreman to ensure identified corrective actions to each unsafe condition.
- Conduct the Workplace Investigation and complete all required reports required by the situation.
- Ensure accurate recording of Voluntary Witness Statements where required.
- Document and determine the causes, contributing factors and subsequently implement corrective actions to prevent a reoccurrence from the incident.
- Ensure each recommendation on the Investigation Report is implemented within the established timelines.
- Review findings with each Foreman to ensure that corrective measures are taken.
- Follow-up on the findings and implement recommendations for each unsafe condition.
- Ensure equipment, materials and protective devices are provided, maintained and used as required at site and office locations.
- Provide required protective devices, measures and procedures required by the Occupational Health and Safety Act and Regulations.

### Foreman Responsibilities:

- Immediately respond to all hazards or near misses reported and record the findings.
- Immediately report all incidents that require an investigation to be conducted to the Superintendent, and/or Health and Safety Coordinator where required.
- Document and determine the causes, contributing factors and subsequently implement corrective actions to prevent a reoccurrence from any Hazard Reported.
- Complete corrective actions where possible. Where corrective actions cannot be completed, contact the Superintendent and or the Health and Safety Coordinator to provide further assistance.
- Ensure each recommendation found on the Incident Report is completed within the established timelines.
- Manage the accident scene and identify witnesses.
- Assist in the completion of the Workplace Investigation & incident reports as required.
- Ensure, where reasonably possible, that every Subcontractor, worker and visitor at the workplace complies with all Occupational Health and Safety Act and Regulations.
- Works in the manner and with the protective devices, measures and procedures required by the Occupational Health and Safety Act and Regulations;

## Section 10 – Investigations & Reporting

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- Advise a worker of the existence of any potential or actual danger to the health or safety of the worker of which they are aware of.
- Take every precaution reasonable in the circumstances for the protection of a worker.
- Where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for the protection of the worker.

### Workers Responsibilities:

- Assist or participate in the workplace investigation & reports as required.
- Provide statements and incident summaries as requested by the Superintendent or Foreman.
- Advise the Foreman if experiencing any difficulties with assigned tasks, or if assigned tasks are beyond perceived limitations or medically not capable of performing tasks.
- Works in the manner and with the protective devices, measures and procedures required by the Occupational Health and Safety Act and Regulations.
- Report to his or her Foreman any injuries, incidents, contravention of the Occupational Health and Safety Act and Regulations or the absence/defect in any equipment or protective device.

## REPORTING PROCEDURE

### Initial Notification

- Employees shall notify the foreman of all incidents including near misses as soon as possible, and before the end of the workday on which the incident took place.
- Reporting must be initially conducted verbally.
- The Foreman or the worker must complete Accident / Incident Reporting Form electronically on the 4S consulting platform, completing the form to the best of their ability including pictures when possible. The report should include at a minimum:
  - Names and occupation of employees involved in the incident;
  - Date and time of the actual incident;
  - Date and time of when the incident was reported;
  - Location of the incident on the project;
  - A brief incident description.
- The Health and Safety Team, supported by the Health and Safety Coordinator, will review the report and will determine the investigation requirements based on the evidence available.
- The Superintendent and/or the Health and Safety Coordinator to provide further assistance for investigation and corrective actions.
- The Health and Safety Team shall assume responsibility for notifying all other appropriate employees and/or regulatory agencies based on the event and severity.

## INVESTIGATION PROCEDURE

A formal investigation will be conducted regarding incidents as following;

- \* Outside Medical Aid Required,

## Section 10 – Investigations & Reporting

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- \* Critical Injuries
- \* Property Damage
- \* Work Refusals
- \* Notices Required by Governing Authorities
- \* Fires
- \* Acts of Violence or Harassing Situations

### Investigation Team

The Superintendent will conduct the investigations with the assistance of the Foreman and where required the Health and Safety Coordinator. Members of the investigation team will be provided appropriate training in legislative and organization specific investigation requirements and techniques through their Supervisory Awareness & Company Policies Training.

The investigation team will be required to:

- Determine the events leading up to the incident,
- Formulate conclusions as to the likely cause of the incident
- Recommend action to prevent a reoccurrence of the same or similar incident

### Gathering Information

After an incident has occurred, the Supervisor will open a file to collect all information relevant to the incident is gathered during the investigation process. This will include information such as:

- Copies of any Job Hazard Assessment completed or reviewed prior to the incident;
- Voluntary Witness statements;
- Incident Form with photographs and/or sketches of the incident scene;
- Copies of hot work or confined space permits and isolation certificates (if applicable);
- Copies of Toolbox Talks;
- Copies of any relevant certification, such as lifting equipment;
- Copies of any incident-related correspondence.

If at any point in the investigation an enforcement authority or external agency becomes involved, the Health and Safety Team will obtain a copy of their report for the incident file.

### Investigation Techniques

An investigation will begin as soon as the incident notification is made to a Supervisor, Health and Safety Team, or, any first aid treatment or medical care has been provided. The Supervisor will perform an incident investigation with the assistance of witnesses, the injured or ill employee (if applicable), and the Health and Safety Team and/or any other subject-matter specialist who may be contacted throughout the duration of the investigation. All documents, including photographs, collected during the investigation will be included in the final report.

While investigating, the following questions shall be considered by the investigator or investigation team:

- Where and when did the incident occur?

## Section 10 – Investigations & Reporting

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- What happened?
- Who was involved?
- Who, if anyone, witnessed the incident?
- What were the actual injuries or damage?
- What was the risk of injury or damage?
- Were all those involved trained, competent, and fully briefed?
- Who was in control of the activity?
- Was a suitable and sufficient risk assessment in place?
- What training or instructions had been given?
- How should the work have been carried out?
- Why were things planned as they were?
- What changed; that is, were there deviations from plans or norms?
- Have root causes been identified?

Finding the facts shall include:

- Inspection of the site;
- Gathering physical evidence;
- Gathering technical evidence;
- Testing or reconstruction;
- Collecting documentation, including:
  - Safety Management System documentation;
  - Interface arrangements;
  - Permit to work and written instructions;
  - Witness evidence and interviews.

### Investigation Process

Note: The following are procedures to be followed in the event of a workplace incident / accident / work-refusal or notification of an unsafe condition.

1. When required, arrange for injured workers to be taken to the Medical Clinic or the Hospital depending on the severity.

Refer to and follow the appropriate steps listed for;

- Incidents/Accidents involving our Workers
- Incidents/Accidents involving Subcontractors

2. **Secure the accident scene and ensure that it is not disturbed.**
3. Do not allow similar work to continue on the site unless steps to prevent a recurrence are in place and authorization has been given by the Superintendent and/or the Ministry of Labour (where applicable).
4. Notify Senior Management and the Health and Safety Coordinator immediately.
5. Begin the Investigation (if authorized by the Superintendent and when required by the Ministry of Labour).

## Section 10 – Investigations & Reporting

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- A. Assessment of the Scene: inspect equipment/material that was involved in the incident. Ensure you use drawings, sketches and take photographs of the incident scene indicating sizes, distances, and weights of objects. Identify any contributing factors to determine the root cause(s) of the incident.
  - B. Interviewing: ensure to interview eyewitnesses, people involved. Interviewing should be conducted as soon as possible by the person conducting the investigation and shall be conducted in a private place, away from any commotion.
6. Submit all the Investigation & Reporting Forms and/or other information to the Health and Safety Coordinator for review and distribution.

### **NEVER DISTRIBUTE INFORMATION TO OTHERS WITHOUT PERMISSION FROM SENIOR MANAGEMENT.**

Refer to the appendix (attached to this section) for the following:

- Ministry of Labour - Reportable Incidents/ Accidents
- Transportation of Injured Workers
- Accidents – Involving our Workers
- Accidents – Involving Subcontractors
- Refusal to Work

### **Root cause analysis**

Root cause analysis is:

- A process for analysing incidents.
- A means of providing objective results.
- A means that allows appropriate corrective actions to be identified which, if implemented, will prevent similar incidents happening in the future.
- A means to provide a link between root cause and performance standards.

There are two sets of causes which investigators will need to identify during the investigation:

1. The immediate cause of the incident (root cause): unsafe practices or conditions which caused the incident, e.g. employees working, equipment, material, environment and processes; and
2. The contributing causes: the factors that enabled the unsafe practices or conditions to occur e.g. lack of monitoring, lack of enforcement, etc.

All major and severe incident investigations will include a review to determine the immediate causes and the system causes of the incident. Identification of system causes of an incident will usually reveal or lead to underlying management system failures that contributed to the incident happening. The contributing causes shall be identified determine recommendations to prevent recurrence.

### **Recommendations**



## Section 10 – Investigations & Reporting

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The investigation will identify the causes of the incident and assist in identifying the recommendations (corrective and preventive actions) to correct the unsafe conditions. The recommendations shall be practical and realistic to increase the credibility of the investigation procedure. The recommendations shall be implemented in a timely manner. Any changes made will be at one, or a combination of, the following locations:

1. At the source of the hazard (e.g. install permanent guard on machinery);
2. Along the path of the hazard to the employee (e.g. setting up barriers);
3. At the employee (e.g. using PPE).

### Communication

The investigation results including all corrective and preventive actions taken will be communicated to employees using bulletin boards, meetings, signs and relevant training.

### Final Report

The investigation team will complete the investigation using the Accident Investigation Reporting Form on the 4S consulting platform.

The Health and Safety Coordinator will review the completed report and may request further amendments be made by the reporting Supervisor/ Health and Safety Team member to any aspect of the report prior to final approval.

Major and severe incidents may be provided additional time to complete the final report due to a variety of factors which could extend the length of the investigation including, but not limited to:

- Complexity of the incident;
- Equipment or machinery involved;
- Number of employees involved and witnesses to the incident;
- Size of environmental spill and cleanup; or
- Additional research required (including subject matter experts) to assist in providing understanding of the incident and appropriate corrective actions.

Extensions will be considered and approved by the Health and Safety Coordinator on a case by case basis upon request from the reporting Supervisor/Health and Safety Team. An extension may only be considered for the final report.

### Follow up

The implemented controls shall meet the following criteria:

1. Eliminate danger to the employee;
2. Does not make work more stressful or uncomfortable;
3. Protects all employees likely to be exposed;
4. Does not create external environmental hazards;
5. Does not create new hazards.

These characteristics can be used by the Supervisor as a tool to measure the effectiveness of the changes.

## Section 10 – Investigations & Reporting

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Supervisors will continually monitor the changes and the performance of employees related to the changes to ensure there are no additional hazards.

### **DISTRIBUTION**

The Investigation reports will be kept on the 4S consulting platform for retrieval by the **Health and Safety Coordinator** after completion of each Investigation.

### **RECORDS**

All records will be maintained electronically on the 4S consulting platform. These records are to be reviewed to determine the need for ongoing file maintenance. All Investigation reports will be maintained for minimum three (3) years.

## Section 10 – Investigations & Reporting

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### Appendix

#### Reportable Incident/Accidents

The following reporting requirements are only a summary of reporting requirements from the Occupational Health and Safety Act (OHSA) and Ontario Regulation 420/21: (Notices and reports under sections 51 to 53.1 of the Act – Fatalities, Critical Injuries, Occupational Illnesses and other incidents). For a complete listing of the reporting requirements refer to the OHSA & Reg. 420/21.

**Section 51 of the Occupational Health and Safety Act** requires the **Constructor** and the **Employer** to report “Fatalities” or “Critical Injuries” immediately to:

- 1- The Ministry of Labour, Training & Skills Development (MLTSD).
- 2- The Joint Health & Safety Committee (JHSC), Health & Safety Representative and trade union if any

In addition to immediate reporting, the employer is to provide a written report, within 48 hours, containing such information as prescribed by Regulation 420/21.

#### **"CRITICAL INJURY" (Regulation 420/21)**

For the purposes of the Act and Regulations, "critical Injury" means an injury of a serious nature that;

- a) places life in jeopardy
- b) produces unconsciousness
- c) results in substantial loss of blood
- d) involves the fracture of a leg or arm but not a finger or toe;
- e) involves the amputation of a leg, arm, hand or foot but not a finger or toe;
- f) consists of burns to major portion of the body, or
- g) causes loss of sight in an eye

**In accordance with the Occupational Health & Safety Act (OHSA) Section 9 (31), the designated worker member(s) of the Joint Health & Safety Committee (JHSC) have the right to investigate cases of fatalities or critical injuries in addition to inspecting the accident scene and any machine or device involved. Any findings shall be reported to the (MLTSD) and to the (JHSC).**

**Section 52 of the Occupational Health and Safety Act** requires the **employer** provide notice of accident, explosion, fire, or incident of workplace violence which does not result in a critical injury to the worker, however, disables the worker from performing regular duties or requires medical attention. This also includes the onset of an Occupational Illness

Notice must contain such information as prescribed by Regulation 420/21 and is to be provided within four days of the occurrence to:

- 1- The Joint Health & Safety Committee (JHSC), Health & Safety Representative and trade union if any
- 2- The Ministry of Labour, Training & Skills Development (MLTSD), **If required by an inspector.**

## Section 10 – Investigations & Reporting

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**Section 53 of the Occupational Health and Safety Act** requires that the **Constructor** provides notice in writing in the event of an accident, premature or unexpected explosion, fire, flood or inrush of water, failure of any equipment, machine device article or thing, cave-in, subsidence or other incident as prescribed

Notice must contain such information as prescribed by Regulation 420/21 and is to be provided within two days of the occurrence to:

- 1- The Joint Health & Safety Committee (JHSC), Health & Safety Representative and trade union if any

The Ministry of Labour, Training & Skills Development (MLTSD), **unless a report under section 51 or a notice under section 52 has already been provided.** Prescribed reportable incidents --- section 4 Reg. 420/21, where Ontario Regulation 213/91 (Construction Projects) made under the (OHS) applies;

1. A worker falling a vertical distance of three metres or more
2. A worker who falls and whose fall is arrested by a fall arrest system
3. A worker becoming unconscious for any reason
4. Accidental contact by a worker or by a worker's tool or equipment with energized electrical equipment, installations or conductors.
5. Accidental contact by a crane, similar hoisting device, backhoe, power shovel or other vehicle or equipment or its load with an energized electrical conductor rated at more than 750 volts.
6. Structural failure of all or part of falsework designed by, or required by the regulation to be designed by, a professional engineer
7. Structural failure of a principal supporting member, including a column, beam, wall or truss, of a structure
8. Failure of all or part of the structural supports of a scaffold
9. Structural failure of all or part of an earth or water retaining structure, including a failure of the temporary or permanent supports for a shaft, tunnel, caisson, cofferdam or trench
10. Failure of a wall of an excavation or of similar earthwork with respect to which a professional engineer has given a written opinion that the stability of the wall is such that no worker will be endangered by it
11. Overturning or the structural failure of all or part of a crane or similar hoisting device

**Section 53.1 of the Occupational Health and Safety Act** requires that any additional notice requirements must be met, as prescribed by the regulations, including specifying who is required to provide the notice, the timeframe in which it shall be provided and the information and particulars it must contain.

In accordance with section 5 Reg. 420/21, the Constructor or Employer (where the incident occurs at a workplace where Ontario Regulation 213/91 "Construction Projects" made under the Act applies) who submit a written report under section 51 of the Act or a written notice under section 52 or 53 of the Act, shall supplement the report or notice with a professional engineer's written opinion stating the cause of the occurrence if it involves a failure of all or part of,

- (i) temporary or permanent works,
- (ii) a structure,
- (iii) a wall of an excavation or of similar earthwork for which a professional engineer has given written opinion that the stability of the wall is such that no worker will be endangered by it, or
- (iv) a crane or similar hoisting device;

## Section 10 – Investigations & Reporting

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### Policy for Transportation of Injured Workers

The following Policy applies to the transportation of injured workers to a Hospital, Doctor's Office or Medical Walk-in-Clinic.

1. In cases of serious accidents, where the possible improper movement (transportation) of an injured worker could result in further injuries or unnecessary pain to the injured worker, an ambulance must be called (911 where applicable)
2. In cases when it is deemed necessary (after First-Aid has been administered) to have the injured worker seek further medical treatment and the transportation of the injured worker is not going to cause further injuries or pain to the worker, the Superintendent / Foreman will make arrangements for the injured worker to be transported immediately (i.e. the company will transport the worker or call a taxi service);

#### **Notes:**

- Under no circumstances is a Superintendent / Foreman to allow a worker who sustains a workplace injury to transport themselves to a medical facility or doctor's office.
- If the worker is transported to a medical facility either by a taxi or the company directly, a representative from the company shall accompany the injured worker (with the applicable forms) to the medical facility and stay with the worker at minimum until he/ she is admitted.
- If the injured worker has reservations about receiving Medical treatment, is nervous and/ or does not speak English fluently, a co-worker who speaks the injured workers native language and English must be sent with the injured worker to the medical facility.
- If the injured worker refuses the provided transportation, alternative arrangements shall be made, as necessary, and in conjunction with Senior Management, and other parties as applicable.

## Section 10 – Investigations & Reporting

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### Accidents Involving Our Workers

When one of our employees sustains a workplace injury, follow the procedures listed below;

#### **Superintendent and/or Foreman must;**

- ensure first aid is administered if required/possible and it is safe to do so
- make arrangements for transportation including calling 911 if applicable or using company vehicles to a Medical Clinic or Hospital (whichever is appropriate). All injured workers must be accompanied by another company representative when being transported to a Medical Clinic or Hospital
- initiate the emergency plan and secure the accident scene if required. (based on the circumstance take the necessary precautions for the safety of the injured worker and/or others)
- immediately notify the **Superintendent** and our Health and Safety Coordinator
- take names and phone numbers of any and all persons who witnessed or may have knowledge of the accident (statements will need to be taken during the investigation)
- take photographs and/or sketches of the incident scene;
- conduct an Investigation (when granted permission from the **Superintendent** and the Ministry of Labour where applicable)
- ensure corrective measures are implemented prior to allowing work to continue
- maintain contact with the injured worker and assist in the Early Safe Return To Work program for the injured worker when applicable

#### **Critical Injury Accidents;**

Take all steps listed above and furthermore ensure the following;

- the **Health and Safety Coordinator** notification to Ministry of Labour (MOL), Worker Health and Safety Representative, and where applicable, the union, to immediately when approved from Senior Management.
- the **Health and Safety Coordinator** prepare written notices to the MOL with the assistance of a Safety Consultant and/or legal counsel where required and review with the Senior Management Team prior to delivery
- cooperate with the Ministry of Labour (MOL) during their investigation

#### **The Superintendent Will Ensure;**

- the Management Team and Health and Safety Coordinator have been informed of the investigation
- in the event of a Critical Injury, provide assistance with the investigation, seek Legal Counsel (if required) and communicate with the Ministry of Labour (if required)
- review the accident investigation report(s) and any Notices to be sent to the Ministry of Labour as required
- take appropriate measures to implement corrective actions
- investigation reports are received by the Health and Safety Coordinator and reports are sent to WSIB as required. Where required make arrangements and assist in the Return to Work.

## Section 10 – Investigations & Reporting

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### **Accidents Involving Subcontractors**

In the event of an incident/accident caused by a subcontractor or accident causing an injury to a sub-contractor's worker, follow the procedures below as a minimum;

#### **Superintendent and/or Foreman must;**

- ensure first aid is administered if required/possible and it is safe to do so
- assist in make arrangements for transportation to a Medical Facility if necessary
- initiate the emergency plan and secure the accident scene if require. (based on the circumstance take the necessary precautions for the safety of the injured worker and/or others)
- immediately notify the **Subcontractors Management**
- take names and phone numbers of any and all persons who witnessed or may have knowledge of the accident (statements will need to be taken during the investigation)
- assist in conducting an Investigation when granted permission from the **Superintendent** (and the Ministry of Labour where applicable)
- request that the subcontractor conducts an investigation into the matter and provides a copy of the investigation report, photographs and statements to our company
- ensure that the subcontractor provides appropriate notification to the governing authorities such as the Ministry of Labour and provide written copies of notices.
- only allow the subcontractor to continue with the work if acceptable measures have been taken to prevent a recurrence

#### **Critical Injury Accidents;**

Follow all steps as above and furthermore ensure the following;

- notification to Ministry of Labour (MOL) and the union immediately
- prepare written notices to the MOL with the assistance of the Health and Safety Coordinator and/or legal counsel where required and review with the Management Team prior to sending
- cooperate with the Ministry of Labour (MOL) during their investigation

#### **The Superintendent Will Ensure;**

- the Management Team and Health and Safety Coordinator has been informed of the accident
- in the event of a Critical Injury, provide assistance with the investigation, seek Legal Counsel (if required) and communicate with the Ministry of Labour
- assist the Supervisor in the event of a MOL reportable incident/accident and obtain copies of any orders or charges given to the subcontractor(s) and/or the Constructor
- review the accident investigation report(s) and any Notices to be sent to the Ministry of Labour
- review the accident investigation report(s) and take appropriate measures to implement corrective measures
- ensure updates and reports are provided to Senior Management

## Section 10 – Investigations & Reporting

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### Refusal to Work

DEFINITION: A worker may refuse to work or do particular work where he or she has reason to believe that;

- A) Any equipment, machine, device or thing the worker is to use or operate is likely to endanger himself, herself or another worker;
- B) The physical condition of the workplace or the part thereof in which he or she works or is to work is likely to endanger himself or herself;
- B1) Workplace violence is likely to endanger himself or herself; or
- C) Any equipment, machine, device or thing he or she is to use or operate or the physical condition of the workplace or the part thereof in which he or she works or is to work is in contravention of this Act or the regulations and such contravention is likely to endanger himself, herself or another worker. R.S.O. 1990, c. O.1, s. 43 (3); 2009, c. 23, s. 4 (2).

\*\* That person may refuse to use or operate the machine device or other thing, or to work in that place.

#### **Steps to be Taken**

- 1) Worker refuses to work and immediately notifies employer or supervisor of the reasons.
- 2) Supervisor investigates, in the presence of the worker and Joint Health And Safety Committee worker representative. Involve the Supervisor in the investigation stage of the Work Refusal. Notify the Management Team.
- 3) Worker remains in a safe place near work-station and be available for questioning, all attempts are made to resolve the perceived problem to the satisfaction of all parties.
- 4) If problem is resolved to the workers' satisfaction, he/she returns to work.
- 5) If not resolved and worker continues to refuse work, NOTIFY THE MINISTRY OF LABOUR.

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**NOTE:** Another worker may be asked to perform the job, only if that worker is advised of the refusal to work and the surrounding circumstances, in the presence of the worker Health & Safety Representative.

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- 6) A Ministry of Labour Inspector investigates the refusal in consultation with the worker, employer and the worker representative of the J.H. & S.C..
- 7) Pending the outcome of the investigation, the worker may stand by or be assigned other work. The worker may NOT be sent home or disciplined for his/her actions.
- 8) A decision will be made in writing and provided to all parties. This decision must be adhered to whether in favour of the worker or employer.
- 9) An Investigation report must be completed by the supervisor or contractor employing the worker refusing work and the worker representative present during the investigation. This report must be provided to the Senior Management Team and the JHSC.

**All attempts should be made to resolve the problem internally before it requires Ministry of Labour involvement.**