

Human Resources, Health, Safety and
Employee Well-Being

INCIDENT INVESTIGATION PROGRAM

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1. INTRODUCTION AND OBJECTIVES

York University (York) is committed to the prevention of injuries and illnesses through the provision and maintenance of healthy and safe conditions within the workplace. It is therefore critical to respond promptly to any incident that results in, or could result in, injuries, illnesses, or property damage.

Occupational injuries and illnesses are those that are attributable to exposure to hazard(s) within the workplace and/or during the completion of tasks assigned by the employer (*including those conducted within remote work settings*). This category includes both physical and psychological injuries / illnesses. Non-occupational injuries and illnesses are those that did not occur in the course of employment. This category includes personal health conditions.

The primary objective of the Incident Investigation Program is to provide a process to respond, investigate and report incidents to minimize future occupational injuries/ illnesses. This program will provide guidance to York Managers so they may effectively respond to any such incidents involving all Community Members, and to contribute to an overall healthy and safe work environment.

This program supports York's Healthy Workplace Policy and complies with both the Ontario Occupational Health and Safety Act (OHSA) and Workplace Safety and Insurance Act (WSIA). The program objectives include, but are not limited to:

- Defining various categories of workplace incidents and illnesses;
- Providing guidelines to assist in responding to workplace incidents and/or illnesses;
- Outlining internal and external reporting requirements following a workplace incident or illness;
- Sharing investigative processes for the identification of root cause analyses and the implementation of corrective measures.

Note: This program is not intended to extinguish rights, remedies and responsibilities under any collective agreement.

2. SCOPE

This program is intended to support all Community Members at York University including, but not limited to, staff and faculty, students, volunteers and visitors.

3. BACKGROUND

The Incident Investigation Program is based on the Internal Responsibility System (IRS), where all workplace parties (the employer, manager, and employee) all have a role to play in health and safety. The legal duties and responsibilities, as outlined within

both the OHSA & WSIA, overlap and complement each other. The IRS also acts as the underlying philosophy of all health and safety programs.

Incident investigations at the University follow two processes depending on the affected individual(s):

Incident Involves Employee (includes student workers)	Incident Involves Non-Employee
<ul style="list-style-type: none"> Workplace Incident Report to be submitted to HSEWB at WIR@yorku.ca Employee's Manager is responsible for the investigation Joint Health & Safety Committee is notified of the incident HSEWB provides support and guidance See Appendix A for more information 	<ul style="list-style-type: none"> York University Incident Report to be submitted to Risk Management The student's faculty or department is typically responsible for investigation HSEWB provides support as needed See Appendix A for more information

This program will provide Managers with information related to the response, reporting and investigation of occupational health and safety related incidents reported at York University (including those within remote-work settings approved by the University).

4. ABBREVIATIONS AND ACRONYMS

ESA	Electrical Safety Authority	
EWB	Employee Well-Being	
FS	Facilities Services	
HSEWB	Health, Safety and Employee Well-Being	
IRS	Internal Responsibility System	
JHSC	Joint Health and Safety Committee	
MLITSD	Ministry of Labour, Immigration, Training and Skills Development	
MECP	Ministry of Environment, Conservation and Parks	
OHSA	Occupational Health and Safety Act	
TPH	Toronto Public Health	
TSSA	Technical Standards and Safety Act,	Technical Standards and Safety Authority
WIR	Workplace Incident Report	
WSIA	Workplace Safety and Insurance Act	
WSIB	Workplace Safety and Insurance Board	

5. DEFINITIONS

Causal Factors	The condition(s), event(s), omission(s), deficiency(ies) or action(s) that contributed directly to the incident. (CSA-Z1005-17, Definitions and Abbreviations)
Community Member(s)	All staff, faculty, instructors, students, volunteers, and members of a governing body of York University.
Contributing Factors	The condition(s), event(s), omission(s), deficiency(ies) or action(s) that may have contributed indirectly to the incident. <i>Note: Contributing factors are those factors, if eliminated, that would not necessarily prevent the incident, but could help prevent future incidents. (CSA-Z1600-14, Definitions and Abbreviations)</i>
Corrective Action(s)	An action[s] taken to eliminate the hazard or minimize the associated risk. (CSA-Z1000-14, Definitions)
Critical Injury	An injury of a serious nature that, places life in jeopardy, produces unconsciousness, results in substantial loss of blood, involves the fracture or amputation of a leg or arm but not a single finger or toe, consists of burns to a major portion of the body; or causes the loss of sight in an eye. (OHSA Reg. 420/21 S. 1(1))
Employee	All persons working for York University including faculty, staff, instructors, student workers, and anyone who is defined as a “worker” under the <i>Occupational Health and Safety Act</i> .
Fatality	An incident that results in death.
First Aid	Employee suffered a minor injury/illness and may have required First Aid (e.g., band aid, ice etc.); however, did not require medical attention from a health care practitioner and employee did not miss any time from work after the date of the incident .
First Responder(s)	The individual(s) authorized, trained, and qualified to act first at a scene to provide a primary response to an incident. (CSA Z1005-17).
Health Care	Employee received medical attention from a health care practitioner (e.g. physician, physiotherapist etc.) WITHOUT any missed time from work beyond the date of incident.
Incident	An occurrence, condition, or situation arising in the course of work that resulted in, or could have resulted, in injury, illness, damage to health, or facilities. (CSA, Z1005-17, Definitions)
Internal Responsibility System (IRS)	A system, within an organization, where everyone has direct responsibility for health and safety as an essential part of an individual's job (Ontario, 2022).
Joint Health and Safety Committee (JHSC)	The committee is an advisory body comprised of employees and management in a workplace, that helps to stimulate or raise awareness of health and safety issues in the workplace, recognizes and identifies workplace risks and develops recommendations for the employer to address these risks (MLITSD, 2022).
Learner	A person who, although not under a contract of service or apprenticeship, becomes subject to the hazards of an industry for

	the purpose of undergoing training or probationary work. WSIA S.2(1). This includes university students in a training placement with an employer (who are not paid by the employers) as a formal part of their course or program (WSIB Policy Report, Vol.6 No.5).
Lost Time	Employee is absent from work for their next scheduled shift after the date of the incident due to the injury or illness after the date of the incident (as approved by WSIB).
Manager	Includes: “management supervisor” for staff; and “academic administrator” for faculty members, instructional and other academic employees (e.g., Chair, Director, Office of the Dean, etc.); and anyone who has charge of a workplace, or authority over a worker as defined as a supervisor under the <i>Occupational Health and Safety Act</i> .
Near Miss	An undesired event that did not result in injury, illness, or damage, but under slightly different circumstances, could have resulted in harm to an individual, damage to workplace property, or loss to process.
Occupational Illness	A condition that results from exposure in a workplace to a physical, chemical or biological agent to the extent that normal physiological mechanisms are affected, and the health of the worker is impaired. (OHSIA S.1(1))
Person-in-Charge	Individual who is tasked with supervising an area and/or team in the absence of the Manager.
Personal Protective Equipment (PPE)	Equipment or clothing worn to minimize exposure to identified biological chemical and/or physical hazards in the workplace. (Government of Canada, 2022).
Preventative Measure	Action taken to eliminate a hazard or minimize the associated risks. (CSA-Z1000-14, Definitions)
Property Damage	Incident that resulted in damage to York’s property.
Psychological Injury / Illness	<p>A work-related mental stress injury or illness caused by a one-time traumatic event, multiple traumatic exposures or substantial work-related stressors, such as being subjected to harassment, witnessing a fatality or a horrific accident, being subjected to physical violence, being put in a life-threatening or potentially life-threatening situation, or being exposed to multiple traumatic events in the course of work over time.</p> <p>Psychological injury / illness <u>does not</u> include mental stress caused by an employer’s management decisions or actions, such as termination, transfer, changes in working hours and/or in changes in productivity expectations, stress caused by normal workplace interpersonal conflict, or discord such as arguments and disagreements. (WSIB)</p>
Recurrence	Incident / injury or illness is indicated to be related to a previous WSIB claim.

Serious electrical incident	<p>Means:</p> <ul style="list-style-type: none"> a) any electrical contact that caused death or critical injury to a person, b) any inadvertent contact with any part of a distribution system operating at 750 volts or above or with a meter, if the contact caused or had the potential to cause death or critical injury to a person, but not if the contact was caused by force majeure, or c) any fire or explosion in any part of a distribution system operating at 750 volts or above or in a meter, if the fire or explosion, as the case maybe, caused or had the potential to cause death or critical injury to a person, but not if it was caused by force majeure. (Electrical Distribution Safety, Regulation 22/04, s. 12(4))
Workplace	Where employees are assigned to or approved to perform work or such other university sanctioned activities. This includes the designated area where a worker performs work remotely.

6. ROLES AND RESPONSIBILITIES

Shared Responsibility - All York Community Members

- Create, promote, and maintain a healthy and safe work environment.
- Report any workplace hazards, incidents or illnesses to an appropriate York University designate (first aider, Manager, Campus Security).
- Participate in the incident investigation process (as applicable).
- Follow requirements outlined within this program.

Divisional / Department Head or Delegate

This level corresponds with the Employer under the OHSA. (President, Vice-President, Provost & VP-Academic, Associate/ Assistant Vice-President, Executive Director, Principal, Dean, Dean of Libraries, Senior Executive Officer, Director).

- Ensure adequate resources are made available to support legislative requirements.
- Conduct the incident investigation in collaboration with respective H&S Advisor and JHSC worker member, as required.
- Monitor the effectiveness of this program and applicable procedure(s) on an ongoing basis.

Manager

This level corresponds with the Supervisor under the OHSA. (Manager, Associate Dean).

- Complete York's Incident Investigation training.
- Respond to workplace hazards and/or potential health and safety concerns;
- Implement corrective action(s) to eliminate or mitigate identified hazards;
- Initiate emergency response and incident scene protection when required;
- Complete a [Workplace Incident Report](#) (WIR) for incident(s) involving **employees** and report this information to Health, Safety and Employee Well-Being (wir@yorku.ca) within 24 hours.
- Notify appropriate JHSC worker member in the event of an incident/ injury/ illness involving employees;
- Complete the [York University Incident Report \(Non-Employee\)](#) for cases involving **non-employees** (students, visitors etc.), and report this information to Risk Management and the applicable Area Health and Safety Officer within 24 hours.
- Immediately report **critical injuries** or fatalities to HSEWB via phone. If after regular business hours, utilize the HSEWB on-call contact information. Note: To reach the on-call Health & Safety Advisor for urgent matters after regular business hours/weekends, call Security Services at 416-736-5333.
- At the direction of HSEWB, support internal notification of **critical injuries** or fatalities to relevant parties (e.g., Communication & Public Affairs Division, Risk Management Services, and University Office of the Counsel).
- At the direction of HSEWB, notify the relevant JHSC worker member immediately in cases of **critical injuries** (including fatalities), and/or suspected critical injuries.
- Conduct incident investigations in collaboration with respective H&S Advisor, JHSC worker member, and/or other partners as applicable.
- Assist in return-to-work processes in collaboration with EWB for injured employees, where required.
- Guide affected employees to appropriate resources (e.g., Employee and Family Assistance Program - EFAP or community resources), while maintaining confidentiality.
- Ensure appropriate training is provided or arranged for employees, as necessary.

Area Health and Safety Officers (AHSO)

- Assist Managers in understanding their legislated duties and responsibilities;
- Assist Managers with the investigation process, where required;
- Contact HSEWB if the factors that contributed to the injury or illness of a non-employee could also pose a risk to employee health and safety.
- Provide advice on actions to eliminate or reduce hazards and address potential health and safety concerns.
- Coordinate health and safety training activities within their area, as required.

Employees

- Report all incidents, hazards, near misses, recurrences, or occupational illnesses to their Manager and assist in completion of a [Workplace Incident Report](#).

- Do not disturb the incident scene in the event of a critical injury (including fatalities).
- Participate in the incident investigation process and related training, as applicable.
- Comply with the incident prevention plan as outlined by the Manager.
- If the incident results in an absence from work, participate in the return-to-work efforts per support provided by Employee Well-Being.

Joint Health and Safety Committees

- Review summary of Workplace Incident Reports for their respective area.
- Review incident reports and Ministry of Labour, Immigration, Training, and Skills Development (MLITSD) written reports (e.g., field visit reports) shared by HSEWB.
- Investigate applicable incidents, in particular where an employee is critically injured. Note: JHSC worker members will be asked to participate in critical incident investigations involving **non-employees** where either HSEWB and/or MLITSD has determined that a reasonable nexus between the hazard giving rise to the critical injury and a risk to employee safety is present at a workplace.
- Review critical incidents in meetings to inform and to provide recommendations for corrective action(s), where required.
- Complete York's Incident Investigation training.
- Be consulted during the development and subsequent review and evaluation of this program.

Union(s)

- Provide representation to employees in accordance with the applicable collective agreement and legislative requirements.
- Participate in the review of this program through the Joint Health and Safety Committees.

Department of Community Safety

- Provide emergency response to the York University community.
- Assume control of an incident scene as outlined within the OHSA.
- Immediately contact HSEWB during business hours and the on-call H&S Advisor after regular business hours in the event of an occupational illness, a [critical injury](#) (including fatalities), and/or suspected critical incident.
- Conduct incident debriefing session(s) with staff responding to incident related calls, where appropriate.
- Ensure appropriate training is provided or arranged for first responders.

Risk Management

- Receive York University Incident Reports for cases involving non-employees, and follow-up with applicable parties, as necessary.
- Participate in incident investigations involving employees and non-employees, where required.
- Notify HSEWB in the event of a critical incident or suspected incident as soon as possible.
- Liaise with external government agencies (e.g., MLITSD, TPH, Local Police), where required.
- Provide advice and counsel in incident response and investigation.
- Provide recommendations for corrective action(s), where required.

Health, Safety and Employee Well-Being (HSEWB)

- Lead the development and assist with implementation including ongoing management/coordination of this program.
- Provide and/or facilitate incident investigation training.
- Receive completed WIRs and follow-up with applicable parties. Follow-up on incomplete WIRs, where necessary.
- Participate in incident investigations, where required.
- Provide advice and counsel in incident response and investigation.
- Provide recommendations for corrective action(s), where required.
- Immediately report **critical injuries** (including fatalities) to the MLITSD and if necessary to other internal parties (e.g., Communication & Public Affairs Division, Risk Management Services, and University Office of the Counsel) if it has not been done by the Manager or person-in-charge.
- Submit a **critical injury** or fatality report to MLITSD within 48 hours of the occurrence (involving employees and non-employees).
- Liaise with external government agencies (MLITSD, WSIB, TPH), where required.
- Notify JHSC(s) for information purposes; in the event of an employee and non-employee incident/ injury/ illness, when applicable.
- Guide affected employees to appropriate resources (e.g., Employee and Family Assistance Program - EFAP or community resources), while maintaining confidentiality.
- Liaise with healthcare providers and WSIB.
- Provide advice and counsel to employees with respect to WSIB reporting.
- Manage compensation claims on behalf of the University.
- Facilitate return to work for affected employees; where applicable.

7. PART A: PREVENTION AND EDUCATION

Training and Education

Health, Safety and Employee Well-Being (HSEWB) offers a number of health and safety related courses via [YU Learn](#) to ensure compliance with the OHSA. With respect to this program, all employees are provided with incident investigation awareness training within the mandatory course below:

Table 1: Mandatory Training for all York Employees

Course Title	Course Code	Course Description	Link
Health & Safety Orientation	HS101	This learning module is for employees of York University, to explain your rights and responsibilities on the job and tell you what Ontario's Occupational Health & Safety Act expects from employers, supervisors and employees.	Link

To ensure compliance with the OHSA, Managers are required to complete additional training outlining requirements related to the incident investigation process at the University. Members of the JHSC and HSOs also have the option to enrol in the Incident Investigation course.

Table 2: Mandatory Training for York Managers

Course Title	Course Code	Course Description	Link
Occupational Health & Safety Act for Supervisors	HSOHSA	This online training outlines the roles and responsibilities of all workplace parties under the Occupational Health & Safety Act. If you have managerial and/or supervisory responsibilities, this training must be completed <u>within your first week of hire</u> . It is recommended that this training be completed once every three (3) years.	Link
Incident Investigation	HSAI10	Managers are responsible to investigate any workplace incidents that happened to their employees. This is a mandatory online training for all academic and non-academic Management. It is recommended that this training be completed once every three (3) years.	Link

The above courses must be completed in sequential order as HSOHSA acts as the prerequisite for HSAI10.

8. PART B: PROCEDURES AND PROCESSES

This section outlines York's incident response, reporting, and investigation procedures for health and safety related cases. Please refer to Appendix A for a flow chart of the procedures.

8.1 IMMEDIATE INCIDENT RESPONSE

- a. Assess the situation to determine the appropriate response:

Situation	Example(s)	Response
First aid	<ul style="list-style-type: none"> minor injury/ illness that can be treated with first aid (e.g., band aid, ice etc.) 	Have a certified first aider provide First Aid treatment or Call Security (416-736-5333 or ext. 33333)
Urgent matter	<ul style="list-style-type: none"> serious hazard odours non-life-threatening medical aid required 	Call Security (416-736-5333 or ext. 33333)
Life-threatening emergency	<ul style="list-style-type: none"> medical emergency fire explosion 	Call 911 , and then call Security (416-736-5333 or ext. 33333)
Critical Injury (known or suspected)	<ul style="list-style-type: none"> an injury of a serious nature that: <ul style="list-style-type: none"> places life in jeopardy, produces unconsciousness, results in substantial loss of blood, involves the fracture or amputation of a leg or arm but not a single finger or toe, consists of burns to a major portion of the body, or causes the loss of sight in an eye 	Call 911 , and then call Security (416-736-5333 or ext. 33333) Report to HSEWB

8.2 INCIDENT REPORTING REQUIREMENTS (INTERNAL NOTIFICATIONS)

- a. Complete a [Workplace Incident Report](#) (WIR) for near misses, incidents, and occupational illness involving **employees** (including work-study students) report this information to Health, Safety and Employee Well-Being (wir@yorku.ca) within 24 hours.

- b. For incidents involving **non-employees** (students, visitors etc.), the [York University Incident Report \(Non-Employee\)](#) should be completed and reported to [Risk Management](#) and the applicable Area Health and Safety Officer within 24 hours.
- c. Additional resources can be found in the Appendices of this program. [Appendix A](#) illustrates the overall Incident Investigation Process. [Appendix B](#) provides additional information regarding WIRs. Refer to [Appendix C](#) for guidance on incidents that occur while working remotely.
- d. See Table 3 and Table 4 below for additional information regarding notification of incidents within York University.

Table 3: Internal Reporting Requirements

Incident:	Reported By:	Initially Reported To:	Form Used / Time Requirement:
Near Miss	Manager	<ul style="list-style-type: none"> EWB 	<ul style="list-style-type: none"> Complete WIR as soon as possible
Property Damage	Manager	<ul style="list-style-type: none"> HSEWB Risk Management 	<ul style="list-style-type: none"> Complete WIR Non-Employee Incident Report As soon as possible, in case of an injury within 24 hours.
Occupational Illness	Manager	<ul style="list-style-type: none"> EWB 	<ul style="list-style-type: none"> Complete and submit WIR, within 24 hours
First Aid, Health Care and Lost Time, including explosion or fire causing injury.	Manager	<ul style="list-style-type: none"> EWB 	<ul style="list-style-type: none"> Complete and submit WIR within 24 hours
Recurrence	Manager	<ul style="list-style-type: none"> EWB 	<ul style="list-style-type: none"> Complete and submit WIR within 24 hours
Critical Injury including fatalities (known or suspected)	Manager	(Employee) Immediately notify Security, HSEWB	<ul style="list-style-type: none"> Send WIR within 24 hours Provide updates as needed.
		(Non-employee) Immediately notify Security, Risk Management, and HSEWB	<ul style="list-style-type: none"> Send York University Incident Report (Non-Employee) within 24 hours

Table 4: Joint Health & Safety Committee Notification Requirements

Incident:	Reported By:	Timeline:
Employee WIRs	Area manager to share report with local JHSC co-chairs	As soon as possible
Occupational Illness	Manager to send notification to JHSC co-chairs	Within 4 days of report being received
Critical Injury	Manager to send notification to JHSC co-chairs	As soon as possible

Table 5: Additional Security Notification Requirements

Situation:	Responsible for Contacting Security:
Off-campus Transportation is required. For further details regarding transportation refer to Appendix D .	Area Manager
An incident affects a number of areas/ departments (e.g., Energy Management, Maintenance).	Area Manager

8.3 INCIDENT REPORTING REQUIREMENTS (EXTERNAL AGENCY NOTIFICATIONS)

HSWEB is primarily responsible for contacting external regulatory agencies in the event of a workplace incident. See [Appendix D](#) for additional information regarding when and how to report to external agencies.

8.4 INVESTIGATION PROCEDURES

The purpose of the investigation is to identify and address all root causes of the incident along with any contributing factors that led to its development. To ensure accordance with the OHSWA, Managers must conduct an incident investigation for every incident with the goal of identifying potential hazard(s) and implementing appropriate control measures to prevent any reoccurrences.

The Manager is the primary individual responsible for investigating all **employee** related incidents (including near misses) and implementing appropriate control measures to prevent a reoccurrence. When the Manager is unavailable, the Divisional Head or Department Head conducts the investigation.

The Manager must notify a JHSC worker member as early as possible in the investigation process where the incident involves an employee.

JHSC worker members may be asked to participate in incident investigations involving non-employees where either HSEWB and/or MLITSD has determined

that a reasonable nexus between the hazard giving rise to the critical injury and a realistic risk to employee safety at a workplace is present.

The Manager is responsible for identifying corrective and preventative actions and assigning responsibility for task completion. Managers are encouraged to consult with the area HSO, JHSC members and HSWEB regarding follow-up actions, as necessary.

Health and safety related incidents involving **students** are investigated by the student's faculty or department, and typically involve the area HSO. Such investigations may involve consulting with Risk Management, Student Community & Leadership Development (SC&LD), and other internal partners, as needed.

Should the investigation of a non-employee incident identify hazards that may impact employee health and safety, the area HSO or Risk Management will forward a copy of the incident report to HSEWB.

Note: All investigative notes and video footage collected during the investigation must be retained as these may be requested by a third-party investigator (e.g., MLITSD Inspector, Local Police Dept. etc.) for further review.

For guidance on how to conduct a thorough incident investigation, refer to [Appendix F](#).

8.5 CRITICAL INJURY/ FATALITY (KNOWN OR SUSPECTED)

a. Critical Injury Definition

Incidents involving the following to any persons on York premises are considered to be critical injuries:

Clause	Category
(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 single finger or toe;
(f)	Consists of burns to a major portion of the body; or
(g)	Causes the loss of sight in an eye

<https://www.ontario.ca/laws/regulation/R21420>

b. Critical Injury Response

- i. **Call 911(if needed)**, and then call Security (416-736-5333 or ext. 33333)
- ii. Security and/or the Manager must ensure that the incident scene remains secure until it is released by a MLITSD inspector. Place caution tape around the surrounding area.
- iii. The scene may only be disturbed for the following reasons outlined below:
 - Saving life or relieving human suffering;
 - Maintaining an essential public utility service or a public transportation system; or
 - Preventing unnecessary damage to equipment or other property.

c. Critical Injury Reporting

Whether a critical injury is known or suspected, **notify Security and HSEWB** by phone immediately after contacting emergency services to allow for **immediate** reporting to the MLITSD. If after regular business hours, utilize the HSEWB on-call procedure. To reach the on-call Health & Safety Advisor for urgent matters after regular business hours/weekends, call Security Services at 416-736-5333.

HSEWB will be responsible for reporting known and suspected critical injuries to the MLITSD. In the event a representative from HSEWB is unavailable, the Manager or the person-in-charge will be responsible for reporting the incident to MLITSD at **1-877-202-0008**.

HSEWB will notify, if necessary, other internal parties (e.g., Communication & Public Affairs Division, Risk Management Services, and University Office of the Counsel) if it has not been done by the Manager or person-in-charge. HSEWB is responsible for notifying the relevant JHSC co-chairs of the critical incident and providing a copy of the workplace incident report. Critical injuries are reported within the employee's department / faculty to ensure senior leadership is aware of these types of incidents and support the applicable corrective action(s).

For **employee** related critical injuries, send a [Workplace Incident Report](#) to wir@yorku.ca within 24 hours.

For **non-employee** related critical injuries, send the [York University Incident Report \(Non-Employee\)](#) to Risk Management and hsewb@yorku.ca within 24 hours and copy the area HSO.

HSEWB will submit a critical injury written report to MLITSD within 48 hours of being notified of the occurrence.

d. Critical Injury Investigation

To ensure compliance with the OHSA, workplace parties such as the Manager, a JHSC worker member, in conjunction with member(s) from the HSEWB team will be required to investigate critical injuries that occur in the workplace. The incident investigation will proceed only once the scene has been released by the MLITSD.

MLITSD investigates incidents involving a critical injury or fatality of parties in the workplace as defined under Regulation 420/21: *Notices and Reports Under Sections 51 to 53.1 of the Act – Fatalities, Critical Injuries, Occupational Illnesses and Other Incidents*.

8.6 SPECIAL CONSIDERATIONS - BY INCIDENT TYPE

Special considerations should be exercised for **employees** involved in incidents outlined below. See Table 6 for more information.

Table 6: Special Considerations and Resources by Incident Type

Incident Category	Consideration
Musculoskeletal Disorders (MSDs)	<p>MSDs involve muscle, joint and/or tendon overuse that may develop gradually over time.</p> <p>Access York's Office Workstation Setup Interactive Tool if this type of incident involves an employee primarily based at a computer workstation. For specific workplace incident, complete a WIR and submit it to wir@yorku.ca.</p>
Chemical Spill and/or Release	Follow the York University Chemical Spill/Fumes or Environmental Spill Emergency Response Procedures in the Laboratory Safety Manual Laboratory Safety Program
Working Remotely and/or off-site (Employees)	Refer to Appendix C for more information.
Workplace Violence and/or Workplace Harassment	<p>For incidents involving workplace violence and harassment refer to the following programs for the specific procedures:</p> <ul style="list-style-type: none">• Workplace Harassment Prevention• Workplace Violence Prevention

8.7 SPECIAL CONSIDERATIONS - FOR NON-EMPLOYEES

When incidents involve **non-employees**, additional requirements and resources are to be considered. See Table 7 for more information.

Table 7: Special Considerations and Resources for Non-Employees

Category	Consideration
Learners	This group often includes university students in a training placement with an employer. Investigation of incidents / occupational illnesses involving learners is the joint responsibility of the training agency and the placement employer. If a learner sustains an injury/occupational illness, follow the procedure outlined in Section 8.2.
Visitor/ Volunteer	<p>The University will be required to investigate incidents involving all visitors and volunteers at the University to ensure all hazards are identified and mitigated appropriately.</p> <p>For these types of incidents, complete the York University Incident Report (Non-Employees) and submit to Risk Management.</p> <p>Follow York University Emergency Procedure (Call 911 and Security) in the event of a life threatening emergency. The relevant (if applicable) Faculty or department will need to determine the incident response and reporting procedures. This may also include consulting with Risk Management, and the area HSO.</p> <p>In case of a critical injury or fatality, the incident must be reported to HSEWB immediately by phone for reporting purposes to MLITSD. To reach the on-call Health & Safety Advisor for urgent matters after regular business hours/weekends, call Security Services at 416-736-5333.</p>

9. NO REPRISAL

This program prohibits reprisals against employees who exercise their rights or bring forward concerns pertaining to their health and safety. Employees who engage in reprisals or threats of reprisals may be disciplined up to and including termination from employment.

Reprisal includes:

- Any act of retaliation that occurs because an employee has complained or provided information about an incident or concern;
- Intentionally pressuring a person to ignore or not report an incident or concern; and/or
- Intentionally pressuring a person to lie or provide less than full cooperation with an investigation.

10. NON-COMPLIANCE

Any employee who violates this program, and/or Manager who fails to take action when advised of a violation, will be subject to appropriate disciplinary action, up to and including termination of employment.

Disciplinary action will also be taken if a complaint is found to have been made fraudulently and with malicious intent.

11. RECORD KEEPING

- All training records to be kept within department files and by HSEWB;
- Department(s) must confidentially retain all investigative materials/notes collected, the original WIR (employees), and the York University Incident Report (non-employees);
- HSEWB will confidentially maintain records related to WIRs, MLITSD written reports, and any investigative material collected during such processes.

12. REVIEWED BY

The Incident Investigation Program shall be reviewed once every three (3) years in consultation with the Joint Health and Safety Committees and other applicable internal parties. This program was reviewed by the following internal parties/areas:

- Health and Safety Officers
- Human Resources
- Community Safety Department
- Risk Management Services
- Office of the Counsel

13. RELATED POLICIES / PROGRAMS / PROCEDURES

- [Hybrid Work Policy](#)
- [Hazard Recognition and Reporting Program](#)
- [First Aid Program](#)
- [Fitness for Work Program](#)
- [Opioid Exposure Control Program](#)
- [Lab Safety Program](#)
- [Workplace Violence Prevention Program](#)
- [Workplace Harassment Prevention Program](#)

14. REFERENCES

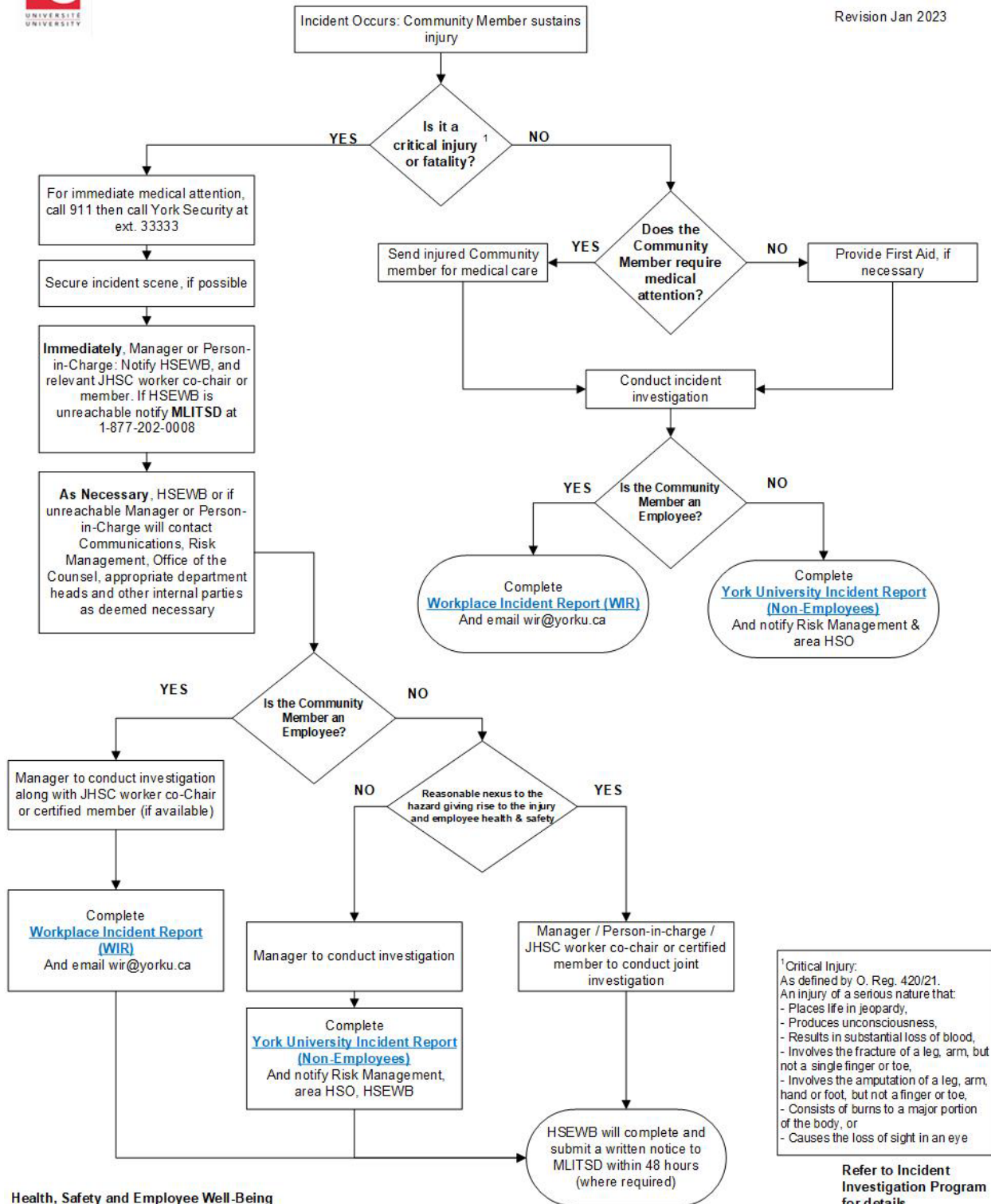
- <https://www.ccohs.ca/oshanswers/hsprograms/investig.html>
- <https://www.ontario.ca/page/report-pollution-and-spills>
- CSA standard, Z1005:21 Workplace Incident Investigation
- <https://www.wsib.ca/en/operational-policy-manual/claims/work-relatedness>

APPENDIX A: INCIDENT INVESTIGATION PROCESS FLOW CHART



Incident Investigation Process

Revision Jan 2023



Health, Safety and Employee Well-Being
hsewb@yorku.ca, extension 55491

APPENDIX B: WORKPLACE INCIDENT REPORT (WIR)

WIRs must be completed and distributed by the Manager to EWB (wir@yorku.ca), to the employee, to the applicable JHSC member or co-chair and to the area HSO within 24 hours. This is to ensure that WSIB reporting requirements are met. EWB may contact the Manager in addition to receiving the WIR (e.g., if information required for WSIB reporting is incomplete).

HSEWB will review incidents regarding hazards and corrective actions, they may also contact the Manager directly for clarification or to request further information regarding corrective and/or preventative actions. In addition, JHSCs and HSOs may contact the Manager regarding the reported incident. Therefore, it is important that the WIR is as complete as possible. If more information becomes available after submitting the WIR, forward this information to the correct department:

Further follow-up on health care and lost time incidents: Send to EWB at wir@yorku.ca

Further follow-up on corrective and/or preventative actions related to any WIR: Send to HSEWB at hsewb@yorku.ca.

Posted on YU link under [Employee Resources -> Health, Safety and Employee Well-Being -> Health and Safety Programs -> Incident Investigation](#)

APPENDIX C: INCIDENTS OCCURRING WHILE WORKING REMOTELY

With the introduction of hybrid-work arrangements at the University, considerations for the both the prevention and management of incidents occurring within the remote location must take place. Employees involved in incidents occurring during the course of their work duties while working remotely must also be reported to York University should they occur within the course of work. Reporting processes for such events is the same as existing incident investigation processes as outlined under section 8 within this program.

Incident related information provided to HSEWB will be reviewed to determine whether or not further action will need to be taken. For any resulting injuries attributed to incidents occurring in the remote location, EWB will make the determination as to whether the injury should be managed as “*occupational*” (work-related) or “*non-occupational*” (unrelated to work).

Category	Example
Occupational	Employee reports an injury while working at their remote workstation due to performance of a task.
Non-occupational	Employee is injured while taking out the garbage or doing laundry at their place of residence.

For additional information pertaining to reporting obligations as outlined by the WSIB, please visit: <https://www.wsib.ca/en/faqs-about-working-home-working-remotely>

APPENDIX D: TRANSPORTATION OF ILL OR INJURED EMPLOYEE**General Information**

- a) Upon becoming aware of an employee's illness, injury, or other impairment, the Manager shall investigate the matter as promptly as possible.
- b) For situations where immediate medical attention is required, a call shall be placed to 911 followed by Security Services at 416-736-5333. If these calls have not yet been made, the Manager shall ensure they are completed promptly.
- c) At the time an injury occurs, York University shall provide transportation for the injured employee (if the employee needs it) to a hospital or a physician located within a reasonable distance or to the employee's home. If the employee declines transportation, the Manager shall document the fact that alternate transportation was offered and declined.
- d) Personal vehicles are not to be used by York personnel to transport an injured employee(s) or any other injured party. Examples of suitable transportation to the hospital or a doctor's office are a taxi and/or an ambulance depending on the nature of the injury.
- e) The department and/or faculty shall be responsible for the cost associated with transporting their injured employee(s) in case of a workplace incident.
- f) If a taxi is used to transport the employee, the Manager of the injured/ill employee and/or Security Services will be responsible for preparing a taxi chit. Taxi chits are available through the Security Control Centre and a supply can be obtained from central finance at acctpay@yorku.ca. The completed taxi chit must be given to the taxi driver.

Transportation of Employee: Non-Critical Injury

The preferred method of transportation to a medical facility, doctor's office or employee's home is an ambulance or taxi.

In case of a minor injury (e.g., minor cuts, scrapes and bruises) where no additional attention is required beyond self-care, the Manager determines if it is safe for the employee to drive/travel independently to the hospital, doctor's office or employee's home.

Transportation of Employee: Critical Injury

An ambulance should be called, follow York processes and advise Community Safety.

Under rare circumstances, should an ambulance not be appropriate (e.g., isolated work location or employee declines), the Manager is to arrange for a taxi and take additional measures such as ensuring the injured employee is in the care of a qualified first aid attendant as deemed necessary.

APPENDIX E: EXTERNAL REPORTING REQUIREMENTS

HSWEB is primarily responsible for contacting external regulatory agencies in the event of a workplace incident. Any potential liability on the behalf of York University may require notification to Risk Management.

Note: This is provided as additional information only. Refer to Section 8 of this program for Manager Reporting Requirements.

Report:	Reported By:	Reported To:	Time Requirement:
Fatality or Critical Injury	HSEWB If HSEWB is unreachable, reported by Manager or person-in-charge.	MLITSD 1-877-202-0008	Immediately by phone. HSEWB to prepare and submit a written report within 48 hours. OHSA S.51(1)
Disabling injury (<i>but no death or critical injury</i>) from fire or explosion	EWB HSEWB	WSIB MLITSD York Risk Management Department	WSIB: 72 hours after employer is aware of the incident. WSIA S.21(1) MLITSD: Written notice within 4 days. OHSA S.52(1).
Occupational Illness	EWB HSEWB	WSIB MLITSD	MLITSD- within 4 days after reported to Manager or claim is filed. OHSA S.52(2)
Lost Time or Health Care Injury	EWB	WSIB	72 hours after incident reported to Manager. WSIA S.21(1)
Injury involving an elevator or lifting device	FS via Elevator Maintenance Contractor	TSSA	The elevator maintenance contractor will contact TSSA immediately, and provide a written report within 24 hours TSSA S.36 Phone (1-877-682-8772)
Environmental Releases	HSWEB	MECP Spills Action Centre: 1-800-268-6060	Immediately. https://www.ontario.ca/page/report-pollution-and-spills
Serious electrical incidents	FS HSEWB	ESA	Within 48 hours or sooner after the occurrence. Phone (1-877-372-7233)

APPENDIX F: GUIDANCE FOR COMPLETING AN INCIDENT INVESTIGATION

To perform the investigation, the following recommended items are to be kept as an incident investigation kit:

- Copy of the respective incident report (where available)
- JHSC worker member contact list: [York University Joint Health & Safety Committees](#)
- Mobile first aid kit
- Personal Protective Equipment (PPE) such as gloves, masks, gown
- Clipboard
- Pen/pencil
- Paper for notes and sketches
- Flashlight (particularly if work involves entering dark/poorly lit locations);
- Tape measure
- Caution/Danger or 'Do Not Enter' tape
- Camera

Investigative Steps

a. Gather Data:

- Determine what happened, how it happened, where and when the incident occurred. Consider:

<ul style="list-style-type: none">• events leading up to incident• positions of injured employees• clothing worn• footwear worn• time of day• weather conditions• lighting levels• noise levels	<ul style="list-style-type: none">• housekeeping of area• products being used• equipment being used• safety devices in use• position of appropriate guards or barriers• position of controls of machinery• damage to equipment
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- Identify potential witnesses to interview;
- Sketch a layout of the incident scene, providing measurements, where possible;
- Take pictures, as required; and
- Inspect any equipment involved in the incident.
Note: *If the Manager is not trained on the use of the respective equipment, the inspection process should be performed in conjunction with a member that is trained.*

b. Interview as many people as necessary. These may include:

- injured employee(s) (if they are able to participate). **Note:** *Unionized employees may elect to have a representative present during the interview.*

Non-bargaining employees may elect to have a support person present during the interview.

- eye witnesses;
- those familiar with events and/or processes occurring in the area prior to the incident;
- employees on other shifts;
- employees in similar jobs elsewhere in organization; and
- transferred employees;

c. Evaluate potential contributing factors to determine root cause(s):

Factor	Examples of Questions
People	<ul style="list-style-type: none"> • Did the employee follow the safe operating procedures? • Were employees experienced in the work being done? • Had they been adequately educated and trained? • Can they physically do the work? • What was the status of their health? • Were they tired? • Was fatigue or shiftwork an issue? • Were they under stress (work or personal)? • Was there pressure to complete tasks under a deadline, or to by-pass safety procedures?
Organization	<ul style="list-style-type: none"> • Were safety rules or safe work procedures communicated to and understood by all employees? • Were written procedures and orientation available? • Were the safe work procedures being enforced? • Was there adequate supervision? • Were employees educated and trained to do the work? • Had hazards and risks been previously identified and assessed? • Had procedures been developed to eliminate the hazards or control the risks? • Were unsafe conditions corrected? • Was regular maintenance of equipment carried out? • Were regular safety inspections carried out? • Had the condition or concern been reported beforehand? • Was action taken?
Equipment	<ul style="list-style-type: none"> • Was there an equipment failure? • What caused it to fail? • Was the machinery poorly designed? • Were hazardous products involved? • Were they clearly identified? • Was a less hazardous alternative product possible and available?

Factor	Examples of Questions
	<ul style="list-style-type: none">• Was the raw material substandard in some way?• Should personal protective equipment (PPE) have been used?• Was the PPE used?• Were users of PPE properly educated and trained?
Environment	<ul style="list-style-type: none">• What were the weather conditions?• Was poor housekeeping a problem?• Was it too hot or too cold?• Was noise a problem?• Was there adequate light?• Were toxic or hazardous gases, dusts, or fumes present?
Materials	<ul style="list-style-type: none">• Were the appropriate tools and materials available?• Were they used?• Was training provided on the tools/materials?
Processes	<ul style="list-style-type: none">• Was a safe work procedure used?• Had conditions changed to make the normal procedure unsafe?• Were safety devices working properly?• Was lockout used when necessary?

d. Make recommendations to prevent recurrence.

Recommendations should:

- be specific
- be constructive
- identify root causes
- identify contributing factors

Recommendations should not:

- seek to blame an employee or community member
- seek discipline of an employee