

Incident Reporting Requirements

When and What Federally- and Provincially-Regulated Employers in Alberta Must Report to the Government

Background

In the world of occupational health and safety, incidents are frequently required to be reported to the appropriate government agency depending on how the worksite is regulated. Provincially-regulated employers report their incidents to [Alberta Occupational Health and Safety](#) [1]; Federally-regulated employers report to the [Canada Labour Program](#) [2].



In the aftermath of an incident, emotions can run high and reporting requirements may not seem important. However, there are deadlines as short as 24 hours for certain incident types and an Occupational Health and Safety Officer may have to visit the scene. For these reasons and more, it is important that organizations understand the reporting requirements that apply to their operations.

The purpose of this bulletin is to outline the reporting requirements for both Federally- and Provincially-regulated employers. It is critical that an organization understand which regulations they fall under; trucking companies that operate within and outside of Alberta's borders (ie. in general, carriers with a [Federal safety fitness certificate](#)) are Federally-regulated [3, 4]. AMTA recommends businesses consult the [Canada Labour Program](#) for clarification if their status is unclear or there are multiple factors [2].

This bulletin will explain when and how incidents need to be reported to Provincial and Federal agencies. While most employers need only concern themselves with the rules for their operations, safety professionals in the transportation industry in Alberta should be familiar with both. Professionally, it increases transferability, but another reason is it helps professionals distinguish between occupational health and safety resources that come from different regulators.

But first, let's explain what we mean by "incident".

What is an incident?

The word "incident" is not specifically defined in Alberta's Occupational Health and Safety (OHS) Act, Regulation, or Code [5, 6, 7] but is used throughout the texts. It is also not defined in Part II of the Canada Labour Code or the resulting Regulations, but is again used throughout [8, 9]. For this bulletin, we will define "incident" this way:

- **An incident is an event or occurrence that resulted in injuries and/or death to people, damage to or loss of property or environmental elements, or any combination of these. An incident is also an event or occurrence that did not result in any of the above consequences but could have under slightly different circumstances.**

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In other words, when we say “incident” we are describing any event at a workplace that is unplanned and unwanted. Accidents, collisions, injuries, near misses: these and other terms are all incidents for the purposes of this bulletin.

Both Federal and Provincial legislation use different language to describe workplace incidents of varying severity. The following subsections will define the terms related to incident reporting for both Federal and Provincial employers.

Provincially-Regulated Terms

Section 33(2) of Alberta’s [Occupational Health and Safety Act](#) lists the criteria for reporting injuries, illnesses, and incidents, language which helps clarify “workplace incidents”:

- An injury, illness, or incident that results in the death of a worker.
- An injury, illness, or incident in which there is reason to believe the worker has been or will be admitted to a hospital beyond treatment in an emergency room or urgent care facility.
- An unplanned or uncontrolled explosion, fire, or flood that causes a serious injury or illness or that has the potential of causing a serious injury or illness.
- The collapse or upset of a crane, derrick, or hoist.
- The collapse or failure of any component of a building or structure necessary for the structural integrity of the building or structure. [5]

“Workplace incidents” is a general term used on the Government of Alberta’s [website](#) with specific reporting requirements that vary depending on the nature of the incident. This website provides clearer directions on reporting requirements and helps employers apply the above referenced legislation [1].

A “potentially serious incident” (PSI) is the Government of Alberta’s way of saying near miss. The term “near miss” is a common concept in health and safety, but it is not specifically used by Alberta Occupation Health and Safety. Like a workplace incident, the Government of Alberta has specific requirements for when a PSI must be reported [10].

Federally-Regulated Terms

The term “hazardous occurrence” is commonly used by the Canada Labour Program in the way that most people would use the word incident; it is a term found throughout Part II of the Canada Labour Code and the Canada Occupational Health and Safety Regulations [8, 9] and in such contexts as “all accidents, occupational diseases and other hazardous occurrences” require investigation [11].

There are different types of hazardous occurrences with varying levels of severity, so hazardous occurrence is a general term that means events resulting in injuries and/or death to people, damage to or loss of property or environmental elements, or any combination of these. The most serious form of a hazardous occurrence is a work-related death. There are also minor injuries and disabling injuries, and we will explore these further in the paragraphs below.

Other than these, hazardous occurrences include:

- “an explosion
- damage to a boiler or pressure vessel that results in fire or the rupture of the boiler or pressure vessel
- damage to an elevating device that renders it unusable, or a free fall of an elevating device
- an electric shock, toxic atmosphere or oxygen deficient atmosphere that caused an employee to lose consciousness
- the implementation of rescue, revival or other similar emergency procedures
- a fire” [12]

A “minor injury” is defined as an injury from employment or occupational disease where medical treatment is given at a medical treatment facility, not including first aid given by the employer [12]. This does not include disabling injuries, which are defined below. After treatment for a minor injury, the worker must be healthy and uninjured enough to return to their regular work duties; if they can't, the injury is a disabling injury.

A “disabling injury” is an occupational disease or injury that results in permanent impairment of a body function, the loss of a body member or part, and/or the ability to use a member or part [12]. Disabling injuries also include a disease or injury that “prevents an employee from reporting for work or from effectively performing all the duties connected with the employee's regular work on any day subsequent to the day on which the injury or disease occurred, whether or not that subsequent day is a working day for that employee” [12]. In other words, if an injury to an employee means that they miss the next day of work, would have missed the next day of work, or are prevented from performing any aspect of their job, the injury is classed as a disabling injury.

Annual Reports

Federally-regulated employers must also become familiar with the specific types of reports required by the Canada Labour Program. These include the Workplace Committee Report (LAB 1058) and the Employer's Annual Hazardous Occurrences Report (EAHOR) [13].

While both Federal and Provincial employers are required to report certain types of incidents to their respective government representatives, only Federally-regulated employers are required to report annually regardless of what sorts of incidents – or lack thereof – occurred at their worksites.

Alberta Occupational Health and Safety Reporting Requirements

Compared to the rules for Federally-regulated employers, the rules for reporting incidents to Alberta Occupational Health and Safety are less prescriptive. We will describe the requirements for serious injuries and incidents and also the rules for potentially serious incidents.

Reporting Serious Injuries or Incidents

The following workplace incidents must be reported to Alberta Occupational Health and Safety as soon as possible; there is no specific timeframe as there is for Federally-regulated employers.

These are taken directly from the Government of Alberta's [website](#):

- “a worker has died at work or from an illness connected to the work site
- a worker has been or will be admitted to a hospital as a result of a workplace injury, illness or incident
 - note that hospital admission does not include treatment at an emergency room or urgent care centre
- a person has been injured or becomes ill from:
 - an unplanned or uncontrolled explosion, fire or flood
 - the collapse or upset of a crane, derrick or hoist
 - the collapse or failure of any component of a building or structure” [1]

OHS Officers may have to attend the scene of a reportable incident. Do not alter or disturb the scene unless a Provincial OHS Officer directs you to, you need to tend to someone who is ill, injured, or killed, action is needed to prevent further illnesses, fatalities, and/or injuries, and/or action is needed to protect property in danger of further damage [1].

Reporting Potentially Serious Incidents (PSI Reporting)

Potentially serious incidents (PSIs) in Alberta as described in the sections above must be reported to Alberta Occupation Health and Safety [10]. This reporting can be done through the OHS Online Incident Reporting [website](#) [15].

There is no specified timeframe for this reporting, and after the December 1st, 2021 OHS legislation change in Alberta, new requirements have been implemented to facilitate employer investigations [16]. For those readers interested in the legislated requirements for PSIs, they can read Section 33(5) of the [Occupational Health and Safety Act](#) [5].

Canada Labour Program Reporting Requirements

The simplest way to break down reporting requirements for Federally-regulated employers is to list the requirements by the time window required to make the report.

24 Hour Reports

The following list, taken directly from the Government of Canada's website, require a report to be made within 24 hours a health and safety officer:

- “death of an employee (even if it appears to be from natural causes)
- permanent disabling injury of an employee, or temporary disabling injury of 2 or more employees from the same occurrence
- permanent impairment of a body function of an employee
- an explosion
- damage to a boiler or pressure vessel that results in fire or rupture of the boiler or pressure vessel
- damage to an elevating device that renders it unusable, or a free fall of an elevating device” [11]

72 Hour Reports to Workplace Health and Safety Committee or Representative

From the above 24 hour reports to a health and safety officer, employers must also submit a written report to their workplace health and safety committee or representative (depending on the size of the employer) for incidents that resulted in damage to a boiler, pressure vessel, or elevating device [11].

14 Day Reports

The following list, taken directly from the Government of Canada's [website](#), require a report to be made within 14 days a [health and safety officer](#):

- “disabling injuries (temporary or permanent)
- electric shock, toxic atmosphere or oxygen deficient atmosphere that caused an employee to lose consciousness
- rescue, revival or other similar emergency procedures
- a fire or an explosion” [11]

This 14 day report is best made by using the Government of Canada's [Hazardous Occurrence Investigation Report \(LAB 1070\)](#) since it requires the employer to submit all necessary information.

Employer's Annual Hazardous Occurrence Report (EAHOR)

Federally-regulated employers must submit the EAHOR to the Canada Labour Program by March 1st of each year for the previous calendar year [13]. This report requires the employer to fill out information related to their operations, contact information, and the number of:

- Disabling injuries;
- Deaths;
- Minor injuries, and;
- Other hazardous occurrences [13].

Some of the items on this list will also require separate reports according to the above reporting timelines. Even though they are reported to the Labour Program during the appropriate reporting window above (like a 24 hour report), they will still need to be included again on the EAHOR for the year in which they occurred.

Employer's Annual Harassment and Violence Occurrence Report (EAHVOR) – Annual

Federally-regulated employers in Canada must submit an annual Employer's Annual Harassment and Violence Occurrence Report (EAHVOR). It is due by March 1st, 2022 (the first date an EAHVOR has ever been due since the creation of the regulation in 2021) and annually thereafter on March 1st. Instructions can be found on the Government of Canada's website [17].

The EAHVOR will specifically address incidents of workplace harassment and violence. Information about occurrences and resolution times are required to complete this form.

Health and Safety Committee Reporting (LAB1058) - Annual

Federally-regulated employers must submit a form called the Work Place Committee Report (LAB 1058) to the Canada Labour Program by March 1st of each year for the previous calendar year [13]. This form documents the activities of the health and safety committee (if applicable).

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Both the Work Place Committee Report and the EAHOR are important forms for employers to remember. Federally-regulated employers that forget to file these reports may become the subject of an investigation by a Federal Health and Safety Officer.

Motor Vehicle Collisions

In general, collisions involving workers that occur on public roadways are considered workplace incidents and are subject to the reporting requirements listed in this bulletin [11, 14]. Sometimes collisions on public roadways are more complicated than other incidents because other police agencies are involved and the employer may not be able to directly observe and/or investigate the incident. When in doubt, report the collision to the appropriate occupational health and safety authority as soon as possible.

Summary

As this bulletin demonstrates, incident reporting is not straightforward. While employers often focus more on the immediate aftermath of an incident and on their investigations, reporting requirements must also be met. By reviewing the contents of this bulletin and summarising the appropriate rules in your incident investigation forms/tools, reporting can become a straightforward part of the post-incident procedure instead of remaining a confusing and mysterious requirement.

Need Help? Contact AMTA

AMTA can provide carriers with guidance on the information presented in this bulletin. If you have any questions, please contact AMTA and our experienced staff will be happy to help. For your safety and compliance questions, please email Workplace Support Services (WSS) directly at wss@amta.ca.

For more updates like this on a variety of topics related to the trucking industry, please [sign up for our eNews](#).

References

- 1 - "Report serious injuries, illnesses or incidents", Government of Alberta, accessed December 22nd, 2021, <https://www.alberta.ca/report-serious-injuries-incident.aspx>
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- 3 - "List of federally regulated industries and workplaces", Government of Canada, accessed July 27th, 2021, <https://www.canada.ca/en/services/jobs/workplace/federally-regulated-industries.html>
- 4 - "Commercial carrier operating status", Government of Alberta, accessed July 27th, 2021, <https://www.alberta.ca/commercial-carrier-operating-status.aspx>
- 5 - "Occupational Health and Safety Act", Statutes of Alberta, 2020 Chapter O-2.2, Province of Alberta, accessed December 22nd, 2021, https://www.qp.alberta.ca/1266.cfm?page=O02P2.cfm&leg_type=Acts&isbncIn=9780779826728
- 6 - "Occupational Health and Safety Regulation", Alberta Regulation 184/2021, Province of Alberta, accessed December 22nd, 2021 https://www.qp.alberta.ca/1266.cfm?page=2021_184.cfm&leg_type=Regs&isbncIn=9780779826803

- 7 - "Occupational Health and Safety Code", Alberta Regulation 191/2021, Province of Alberta, accessed December 22nd, 2021, https://www.qp.alberta.ca/documents/OHS/OHSCode_December_2021.pdf
- 8 - "Occupational Health and Safety", Part II, Canada Labour Code, Government of Canada, accessed July 29th, 2021, <https://laws-lois.justice.gc.ca/eng/acts/L-2/page-23.html#h-341197>
- 9 - "Canada Occupational Health and Safety Regulations", Government of Canada, accessed July 29th, 2021, <https://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/FullText.html>
- 10 - "Report potentially serious incidents", Government of Alberta, accessed December 22nd, 2021, <https://www.alberta.ca/report-potentially-serious-incidents.aspx>
- 11 - "Hazardous occurrence investigation recording and reporting", Government of Canada, accessed July 29th, 2021, <https://www.canada.ca/en/employment-social-development/services/health-safety/reports/hazardous-occurrence.html>
- 12 - "Employer's Annual Hazardous Occurrence Report: Additional information and resources", Government of Canada, accessed July 29th, 2021, <https://www.canada.ca/en/employment-social-development/services/health-safety/workplace-safety/employer-annual-report/information.html#h2.2-h3.3>
- 13 - "Employers' Annual Reports", Government of Canada, accessed July 29th, 2021, <https://www.canada.ca/en/employment-social-development/services/health-safety/workplace-safety/employer-annual-report.html>
- 14 - "Worksite fatality investigation reports", Government of Alberta, accessed December 22nd, 2021, <https://www.alberta.ca/fatality-investigation-reports.aspx>
- 15 - "OHS Online Incident Reporting", Government of Alberta, accessed December 22nd, 2021, <https://oirportal.labour.alberta.ca/pre-screening/>
- 16 - "Potentially serious incident reporting: legislation updates." Government of Alberta, accessed December 22nd, 2021, <https://open.alberta.ca/dataset/148d3812-21f5-4385-8c98-f76a3c3fdb21/resource/28167fa4-affa-41ad-aec9-1bf9f091e186/download/lbr-potentially-serious-incident-reporting-legislation-updates-2021-12.pdf>
- 17 - "Employer's health and safety annual reports: How to complete", Government of Canada, accessed January 11th, 2022, Employer's health and safety annual reports: How to complete - [Canada.ca](https://www.canada.ca)