

# Potentially serious incident reporting: legislation updates

## OHS information for employers, prime contractors and workers

This bulletin provides information on legislation changes to potentially serious injury reporting.

### KEY INFORMATION

- Potentially serious incident reports must be provided to Occupational Health and Safety (OHS) once an investigation is completed.
- Information collected from potentially serious injury reports is used for information and education purposes. OHS may follow-up if there is evidence of a current or ongoing serious health and safety concern.

*The Ensuring Safety and Reducing Red Tape Act* made changes to the *Occupational Health and Safety (OHS) Act* to clarify and simplify potentially serious incident reporting requirements.

Section 33(5) of the *OHS Act* gives the two criteria that define a reportable potentially serious incident. These are:

- The incident had a likelihood of causing a serious injury or illness.
- There is reasonable cause to believe that corrective action may need to be taken to prevent recurrence.

The prime contractor, or if there is no prime contractor, the employer shall conduct an investigation and report as laid out in section 33(6) of the *OHS Act*.

Once the investigation is complete, a report must be submitted to an OHS Director through the online reporting system. Immediate reporting of these potentially serious incidents is no longer required. A copy of the report must also be provided to the joint health and safety committee or health and safety representative, if there is one, or made available to workers.

### What's new

- Immediate reporting of potentially serious incidents is no longer required.
- Potentially serious incident reports must be submitted after an investigation is complete.
- Potentially serious incident reports will be used for information and education purposes, and won't result in remedial inspection in most cases. OHS may follow up if there is evidence of a current or ongoing serious health and safety concern.

### What stays the same

- Provide potentially serious incident reports by using the [OHS Online Reporting Service](#).
- Potentially serious incidents are not limited to workers. If someone who isn't a worker is involved, it's a potentially serious incident if it resulted from work activities at the work site or could have happened to a worker.
- Potentially serious incidents don't require an injury or illness to occur. Near misses can also be potentially serious incidents.
- Submitting a complete potentially serious incident investigation report through the OHS Online Reporting Service fulfills the requirement to provide a copy of the report to an OHS Director.
- Incomplete reporting may be followed up by OHS.

## Contact us

### OHS Contact Centre

Anywhere in Alberta

- 1-866-415-8690

Edmonton and surrounding area

- 780-415-8690

Deaf or hard of hearing (TTY)

- 1-800-232-7215 (Alberta)
- 780-427-9999 (Edmonton)

### Notify OHS of health and safety concerns

[alberta.ca/file-complaint-online.aspx](https://alberta.ca/file-complaint-online.aspx)

Call the OHS Contact Centre if you have concerns that involve immediate danger to a person on a work site.

### Report a workplace incident to OHS

[alberta.ca/ohs-complaints-incidents.aspx](https://alberta.ca/ohs-complaints-incidents.aspx)

### Website

[alberta.ca/ohs](https://alberta.ca/ohs)

## Get copies of the OHS Act, Regulation and Code

### Alberta Queen's Printer

[qp.gov.ab.ca](https://qp.gov.ab.ca)

### OHS

[alberta.ca/ohs-act-regulation-code.aspx](https://alberta.ca/ohs-act-regulation-code.aspx)

## For more information

Incident reporting and investigation (LI016)

[ohs-pubstore.labour.alberta.ca/li016](https://ohs-pubstore.labour.alberta.ca/li016)

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