



A Health and Safety Guideline for Your Workplace

Reporting Injuries and Illnesses

If an employee at your workplace was injured or became ill on the job, would your company know what forms must be submitted by law, when, and to whom?

In Ontario, the Workers' Compensation Act and the Occupational Health and Safety Act have requirements for recording or reporting workplace injuries and illnesses. To comply with the Workers' Compensation Act, your company must follow the procedures and use the forms provided by the Workers' Compensation Board (WCB or 'the Board'). The types and contents of reports required under the Occupational Health and Safety Act are specified in the Regulation for Industrial Establishments (R.R.O. 851/90).

What the Laws Say

Workers' Compensation Act

This Act has specific requirements in two main areas: first aid and accidental injury or disease.

First Aid

Keep records of all first aid treatment or advice given to employees who are injured or become ill on the job (R.R.O. 1101/90). We suggest you use IAPA's First Aid Report Form for this purpose. (To order this form, call us at one of the numbers listed on the last page of this guideline.)

Whenever an employee requires more than first aid treatment or advice, complete and give the employee a Treatment Memorandum (WCB Form 156) to take to the doctor, hospital, or emergency centre.

As defined by the Act, "health care" includes medical, surgical, optometrical and dental aid, as well as the aid of drugless practitioners and chiroprodists.

Accidental Injury or Disease

Employers, employees, and health care practitioners are required to submit reports as outlined below. These are mainly for compensation purposes. Make sure employees understand their obligation in this respect.

Employer's Reports

Complete and submit an Employer's Report of Accidental Injury/Industrial Disease (WCB Form 7), within three calendar days, each time that a work-related injury or disease:

- z disables a worker from earning full wages; or
- z results in the worker requiring health care.

If the accident results in a fatality, state this clearly on the form.

Answer all questions fully. If you do not have all the required information, send in what you have, making a note that you will provide the missing information as soon as possible.

If you doubt the employee's version of the accident or injury, or if any circumstances justify an investigation, state this in the appropriate space in the form. Attach a letter asking for an investigation, and give your reasons for the request.

This form must be completed by the manager or another authorized representative. Send the original to the Board (by fax, courier, or mail); give the pink copy to the worker; and keep the yellow copy for your records.

When the Board assigns a claim number, attach it to your copy of the Form 7. Make sure that you quote this number on all future reports and correspondence with the Board.

Employee's Reports

The Board will send an Employee's Report of Accident (WCB Form 6A) to the employee for completion and return.

The Board will also advise the employee of the assigned claim number. Make sure the employee knows that this number must be quoted on all correspondence he or she may have with the Board.

Health Practitioner's Report

The employee's physician, dentist, or chiropractor, as the case may be, must submit initial reports to the board as follows:

- z Physician's First Report (WCB Form 8); or
- z Physician's Report of Death (WCB Form 10);
- z Dental Report (WCB Form 8B);
- z Chiropractor's First Report (WCB Form 8C).

Progress Reports

After a claim is allowed and initial payment made, the Board will request periodic reports from the employer, employee and the health care practitioner.

Complete and return an Employer's Progress Report (WCB Form 42) each time you are asked to do so.

The Board will send the worker an Employee's Progress Report (WCB Form 41) to complete and return. They will also give the worker a Doctor's Progress Report (WCB Form 26) or Chiropractor's Progress Report (WCB Form 26C). It is up to the employee to take the form to his or her doctor or chiropractor to complete and return.

Employer's Subsequent Statement

When the employee returns to work, complete and submit an Employer's Subsequent Statement (WCB Form 9) to the Board, giving the following information:

- z the exact date the employee returned to work;
- z the type of work being done (regular or modified);
- z employee's earnings (indicate if they are the same as before).

For more information, call the Workers' Compensation Board at (416) 927-9555, or toll-free 1-800-387-0750 or 1-800-387-5540. Or, write to the WCB at the following address:

2 Bloor Street East
Toronto, Ontario
M4W3C3.

Occupational Health and Safety Act

While the Workers' Compensation Act deals largely with compensating workers who suffer work-related injuries or illnesses, the purpose of the Occupational Health and Safety Act is to prevent workplace injuries and illnesses. This Act requires companies to submit reports in three specific areas: fatalities and critical injuries, disabling injuries and occupational illnesses, and non-disabling injuries.

A "critical injury" is defined as an injury that:

- z is life-threatening;
- z produces unconsciousness;
- z involves the fracture of a leg or arm (but not a finger or toe);
- z involves the amputation of a leg, arm, hand or foot (but not a finger or toe);
- z consists of burns to a major portion of the body;
- z causes the loss of sight in an eye.

A "disabling injury" is an injury that disables a worker from doing his or her usual work.

Fatality or Critical Injury

If a worker is killed or critically injured on the job, immediately notify the following by telephone, telegram, or other direct means:

- z Ministry of Labour inspector;
- z joint health and safety committee or health and safety representative;
- z trade union, if any.

Follow this up, within 48 hours, by a written report containing the following information:

- a) company name and address;
- b) nature of the injury and description of the accident that caused it;

- c) a description of the machinery or equipment involved;
- d) time and place of the accident;
- e) name and address of the victim;
- f) names and addresses of witnesses;
- g) the name and address of the attending physician or surgeon. A copy of the WCB Form 7 submitted in respect of the injury may be used for this purpose.

Disabling Injury Or Occupational Illness

In the case of a disabling injury or work-related illness (that is, if the employer is advised of a work-related illness of a worker or former worker, or is advised of a claim for a work-related illness filed by or on behalf of a worker or former worker) give written notice within four days, to the following:

- z Ministry of Labour Director;
- z joint health and safety committee or health and safety representative;
- z trade union, if any.

It should contain the information listed in a) to g) above, plus:

- h) the type of business conducted;
- i) steps taken to prevent a recurrence.

Here again, you may use a copy of the Form 7, submitted in the respect of the injury or illness. Attach a letter or sheet giving the additional information.

Before giving copies of Form 7's to your health and safety committee or representative, or the trade union, make sure that you first delete all personal information such as the employee's social insurance number, age, wages, and past medical history.

Non-Disabling Injury

If any injury requires medical attention, but is non-disabling, make a record of the accident, explosion, or fire that caused it. Include the following information:

- a) the nature and circumstances of the accident and the injury that happened;
- b) the time and place of the accident;
- c) the name and address of the injured person.

Keep this record for at least one year, or as long as necessary to ensure that the two most recent records of accidents are on file.

How Can Employers Use These Reports?

Don't regard these reports as compliance requirements. Use them to help improve health and safety in your workplace. For example, a detailed monthly analysis of your first aid records and Form 7's will help you to identify such trends as:

- z where most of your accidents are happening;
- z what injuries and illnesses are most common;
- z what processes, equipment, tools, or materials are involved.

This, in turn, will help you to identify the need to revise procedures, modify equipment, change processes, substitute material, provide personal protective equipment, or upgrade employee training programs.

Make these analyses part of your company's system for monitoring its health and safety program.

Reporting Injuries and Illnesses is one in a series of guidelines designed to help you make your workplace safer and healthier. Other guidelines include:

- z First Aid at Work
- z Hearing Conservation
- z Induction Training
- z Planned Accident Prevention

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