

# Health and Safety Legislation in Canada

## Health and Safety Legislation in Canada - Injury Reporting

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## What are the reporting requirements when an injury or serious incident occurs?

The employer will likely need to report an injury or illness to the workers' compensation board for their jurisdiction when:

- a worker experiences a work-related injury or illness that requires medical attention
- the injury leads to one or more missed work shifts
- the worker requires modified duties

There are additional reporting requirements for serious incidents, injuries, and fatalities across Canada. These events must be reported to the government department responsible for health and safety. The regulations will include requirements for investigations.

Below, we have summarized the definitions of serious injuries and incidents as well as workers' compensation reporting requirements for each jurisdiction.

Always verify the legislation to ensure all events are properly reported to the appropriate agency.

For the number to call in the event of such incidents, please see our OSH Answers document [Canadian Government Departments Responsible for Health and Safety](#). For clarification or more information, please contact the [workers' compensation board](#) directly.

Note: The text in the columns of the table below is taken from the applicable legislation and jurisdiction's website. As information and laws may change from time to time, always consult with that jurisdiction for more information. A link has been provided to the Workers' Compensation Board's reporting requirements for each jurisdiction within the table.

<b>Jurisdiction</b>	<b>Serious Injury, Illness, or Incident Definition</b>	<b>Injury Reporting to Workers' Compensation Board Requirements</b>
<b>Federal (Canada)</b>	<p><b>Canada Occupational Health and Safety Regulations, Section 15.5</b></p> <p>Within 24 hours, an employer must report to the Head of Compliance and Enforcement by telephone or fax the date, time, location and nature of any incident, occupational disease or other hazardous occurrence that results in:</p> <ul style="list-style-type: none"> <li>• the death of an employee;</li> <li>• a disabling injury to two or more employees;</li> <li>• the loss by an employee of a body member or a part thereof or the complete loss of the usefulness of the body member or a part thereof;</li> <li>• the permanent impairment of a body function of an employee;</li> <li>• an explosion;</li> <li>• damage to a boiler or pressure vessel that results in fire or the rupture of the boiler or pressure vessel; or</li> <li>• any damage to an elevating device that renders it unserviceable, or a free fall of an elevating device.</li> </ul>	<p>The Government of Canada uses provincial workers' compensation agencies to provide services for federal employees under the <i>Government Employees Compensation Act (GECA)</i>.</p> <p>Federal employers work with the Federal Workers Compensation Service (FWCS) and provincial workers' compensation boards to:</p> <ul style="list-style-type: none"> <li>• process claims, and</li> <li>• support the safe and timely return to work.</li> </ul> <p>Refer to the provincial or territorial workers' compensation board for reporting requirements.</p> <p>Click on the <a href="#">link</a> for more information.</p>
<b>Alberta</b>	<p><b>Occupational Health and Safety Act, Section 33(2)</b></p> <p>As soon as possible, an employer must report to a Director the time, place and nature of injury, illness and incident that results in:</p>	<p><b>Workers' Compensation Board</b></p> <p>Within 72 hours (3 days) of an injury or illness, the employer must submit an employer report of injury form.</p>

Jurisdiction	Serious Injury, Illness, or Incident Definition	Injury Reporting to Workers' Compensation Board Requirements
	<ul style="list-style-type: none"> <li>• an injury, illness or incident that results in the death of a worker,</li> <li>• 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,</li> <li>• 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,</li> <li>• the collapse or upset of a crane, derrick or hoist, and</li> <li>• the collapse or failure of any component of a building or structure necessary for the structural integrity of the building or structure.</li> </ul>	<p>An employer must submit a report to the workers' compensation board if the incident results in, or is likely to result in:</p> <ul style="list-style-type: none"> <li>• lost time or the need to temporarily or permanently modify work beyond the date of accident,</li> <li>• death or permanent disability (amputation, hearing loss, etc.),</li> <li>• a disabling or potentially disabling condition caused by occupational exposure or activity (poisoning, infection, respiratory disease, dermatitis, etc.),</li> <li>• the need for medical treatment beyond first aid (assessment by physician, physiotherapy, chiropractic, etc.), or</li> <li>• incurring medical aid expenses (dental treatment, eyeglass repair or replacement, prescription medications, etc.).</li> </ul> <p>Click on the <a href="#">link</a> for more information.</p>
<p><b>British Columbia</b></p>	<p><b>Workers Compensation Act, Part 2 Division 10, Section 68</b></p> <p>The employer must notify the Board immediately of any occurrence that:</p> <ul style="list-style-type: none"> <li>• resulted in serious injury to or the death of a worker,</li> </ul>	<p><b>WorkSafeBC</b></p> <p>As soon as possible after an injury or illness, the employer must contact WorkSafeBC and submit a claim if a worker:</p>

<b>Jurisdiction</b>	<b>Serious Injury, Illness, or Incident Definition</b>	<b>Injury Reporting to Workers' Compensation Board Requirements</b>
	<ul style="list-style-type: none"> <li>• involved a major structural failure or collapse of a building, bridge, tower, crane, hoist, temporary construction support system or excavation,</li> <li>• involved the major release of a hazardous substance,</li> <li>• involved a fire or explosion that had a potential for causing serious injury to a worker, or</li> <li>• was an incident required by regulation to be reported.</li> </ul>	<ul style="list-style-type: none"> <li>• Is taken from or leaves the jobsite for treatment at a medical facility,</li> <li>• Misses time from work after the day of the injury,</li> <li>• Loses consciousness,</li> <li>• Is diagnosed with a work-related disease,</li> <li>• Develops symptoms of a mental health condition related to work or the work environment, or</li> <li>• Suffers broken eyeglasses, dentures, hearing aid or artificial limb due to a work-related incident.</li> </ul> <p>Click on the <a href="#">link</a> for more information.</p>
<b>Manitoba</b>	<p><b>Workplace Safety and Health Regulations, Section 2.6 to 2.7</b></p> <p>An employer must immediately notify the branch of the incident and provide the name and address of each person involved (including witnesses), the name and address of the employer, the date, time and location of the incident, and the apparent cause of the incident.</p> <p>A serious incident means an incident:</p> <ul style="list-style-type: none"> <li>• in which a worker is killed;</li> <li>• in which a worker suffers</li> </ul>	<p><b>Workers Compensation Board</b></p> <p>Within 5 business days, an employer must submit an incident report. It must include an employer report as well as information from the worker and the worker's healthcare provider.</p> <p>Click on the <a href="#">link</a> for more information.</p>

Jurisdiction	Serious Injury, Illness, or Incident Definition	Injury Reporting to Workers' Compensation Board Requirements
	<ul style="list-style-type: none"> <li>• that involves</li> </ul>	
<p><b>New Brunswick</b></p>	<p><b>Occupational Health and Safety Act, Section 43(1)</b></p> <p>The employer must notify the Commission immediately if a worker suffers an injury resulting in:</p> <ul style="list-style-type: none"> <li>• a loss of consciousness,</li> <li>• an amputation,</li> <li>• a fracture other than a fracture to fingers or toes,</li> <li>• a burn that requires medical attention,</li> <li>• a loss of vision in one or both eyes,</li> <li>• a deep laceration,</li> <li>• admission to a hospital facility as an in-patient, or</li> <li>• death.</li> </ul> <p>Or, if there is:</p> <ul style="list-style-type: none"> <li>• an accidental explosion or an accidental exposure to a biological, chemical or physical agent occurs at a place of employment, whether or not a person is injured, or</li> <li>• a catastrophic event or a catastrophic equipment failure occurs at a place of employment that results, or could have resulted, in an injury.</li> </ul>	<p><b>WorkSafe NB</b></p> <p>Within 3 days, an employer must file an employer report of injury or illness. This report must be filed whether the employer supports the worker's claim or not.</p> <p>Click on the <a href="#">link</a> for more information.</p>

<b>Jurisdiction</b>	<b>Serious Injury, Illness, or Incident Definition</b>	<b>Injury Reporting to Workers' Compensation Board Requirements</b>
<b>Newfoundland and Labrador</b>	<p><b>Occupational Health and Safety Regulations, 2012, Section 10</b></p> <p>Within 3 days, an employer must provide written notice to the minister whenever there is a serious incident regarding the nature of the incident, the time and place of the incident, the name and address of the injured worker, and the name and address of the treating physician. Note that in the event of a fatality, the employer must report to the minister immediately by telephone.</p> <p>A serious injury is one that:</p> <ul style="list-style-type: none"> <li>• places life in jeopardy;</li> <li>• produces unconsciousness;</li> <li>• results in substantial loss of blood;</li> <li>• involves the fracture of a leg or arm but not a finger or toe;</li> <li>• involves the amputation of a leg, arm, hand, foot, finger or toe;</li> <li>• consists of burns to a major portion of the body; or</li> <li>• causes the loss of sight in an eye.</li> </ul>	<p><b>Workplace NL</b></p> <p>Within 3 days, an employer must file an employer report of injury or illness that happens at work and requires medical treatment or may require time away from work.</p> <p>The worker and healthcare professional must also submit the necessary forms.</p> <p>Click on the <a href="#">link</a> for more information.</p>
<b>Northwest Territories and Nunavut</b>	<p><b>Occupational Health and Safety Regulations, Sections 8 to 9</b></p>	<p><b>Workers' Safety and Compensation Commission</b></p> <p>An employer must submit an Employer's Report of Incident to the WSCC after providing first aid and transporting them to the closest medical centre.</p>

Jurisdiction	Serious Injury, Illness, or Incident Definition	Injury Reporting to Workers' Compensation Board Requirements
	<p>As soon as possible, an employer must give notice to the Chief Safety Officer of an incident causing serious bodily injury or a dangerous occurrence. The notice must include the name of each injured or deceased individual, the name of the employer, the date, time and location of the incident, the circumstances of the incident, the apparent injuries, and the contact information for the employer.</p> <p>An accident causing serious bodily injury means an incident that:</p> <ul style="list-style-type: none"> <li>• causes or could reasonably be expected to cause the death of an individual, or</li> <li>• requires an individual to be admitted to a hospital as an in-patient for a period of 24 hours or more.</li> </ul> <p>A dangerous occurrence means one that did not result in, but could have resulted in serious bodily injury, such as:</p> <ul style="list-style-type: none"> <li>• structural failure or collapse of</li> <li>• failure of a crane or hoist or the overturning of a crane or powered mobile equipment,</li> <li>• accidental contact with an energized conductor,</li> <li>• bursting of a grinding wheel,</li> <li>• uncontrolled spill or escape of a toxic, corrosive or explosive substance,</li> </ul>	<p>This fully completed form must be completed within 3 business days.</p> <p>Click on the <a href="#">link</a> for more information.</p>



Jurisdiction	Serious Injury, Illness, or Incident Definition	Injury Reporting to Workers' Compensation Board Requirements
	<ul style="list-style-type: none"> <li>• premature or accidental detonation of explosives,</li> <li>• failure of an elevated or suspended platform, or</li> <li>• failure of an atmosphere-supplying respirator.</li> </ul>	
<p><b>Nova Scotia</b></p>	<p><b>Occupational Health and Safety Act, Section 63</b></p> <p>As soon as possible within 24 hours, an employer must notify the Director of a fire, flood, or incident at the workplace that causes:</p> <ul style="list-style-type: none"> <li>• unconsciousness,</li> <li>• a fracture of the skull, spine, pelvis, arm, leg, ankle, wrist or a major part of the hand or foot,</li> <li>• loss or amputation of a leg, arm, hand, foot, finger or toe,</li> <li>• a third degree burn to any part of the body,</li> <li>• loss of sight in one or both eyes,</li> <li>• asphyxiation or poisoning,</li> <li>• any injury that requires the admission to hospital, or</li> <li>• any injury that endangers the life,</li> </ul> <p>of an employee, unless the injury can be treated by immediate first aid or medical treatment and the person can return to work the following day.</p> <p>Or after:</p>	<p><b>Workers' Compensation Board</b></p> <p>Within 5 business days, an employer must report the injury to WCB if a worker received medical aid or lost time from work.</p> <p>Click on the <a href="#">link</a> for more information.</p>

<b>Jurisdiction</b>	<b>Serious Injury, Illness, or Incident Definition</b>	<b>Injury Reporting to Workers' Compensation Board Requirements</b>
	<ul style="list-style-type: none"> <li>• an accidental explosion,</li> <li>• a major structural failure or collapse of a building or other structure,</li> <li>• a major release of a hazardous substance, or</li> <li>• a fall from a work area in circumstances where fall protection is required by the regulations,</li> </ul> <p>at the workplace, whether any person is injured or not.</p> <p>The employer must notify the Director immediately when a person is killed from any cause, or is injured from any cause in a manner likely to prove fatal, at the workplace.</p>	
<b>Ontario</b>	<p><b>Occupational Health and Safety Act, Section 51.</b></p> <p>The employer must immediately notify an inspector by telephone and within 48 hours send the Director a written report of the circumstances of any death or critical injury at a workplace.</p> <p>A critical injury is defined in O. Reg. 834 as an injury of a serious nature that:</p> <ul style="list-style-type: none"> <li>• places life in jeopardy,</li> <li>• produces unconsciousness,</li> <li>• results in substantial loss of blood,</li> </ul>	<p><b>Workplace Safety and Insurance Board (WSIB)</b></p> <p>Within 3 days, an employer must report a workplace injury that:</p> <ul style="list-style-type: none"> <li>• requires treatment from a hospital beyond first aid,</li> <li>• results in lost time away from work, or</li> <li>• requires modified work (even if they do not receive health care) and has been doing modified work for more than 7 days.</li> </ul> <p>Click on the <a href="#">link</a> for more information.</p>

<b>Jurisdiction</b>	<b>Serious Injury, Illness, or Incident Definition</b>	<b>Injury Reporting to Workers' Compensation Board Requirements</b>
	<ul style="list-style-type: none"> <li>• involves the fracture of a leg or arm but not a finger or toe,</li> <li>• involves the amputation of a leg, arm, hand or foot but not a finger or toe,</li> <li>• consists of burns to a major portion of the body, or</li> <li>• causes the loss of sight in an eye.</li> </ul> <p>Within 4 days, an employer must give written notice to the Director of an accident, explosion, fire or incident of workplace violence where no one dies or is critically injured. There are additional requirements to report if an accident, premature or unexpected explosion, fire, flood or inrush of water, failure of any question, machine, device, article or thing, cave-in, subsidence, rockburst, or other incident that occurs at a project site, mine, mining plant, or other prescribed location.</p>	
<b>Prince Edward Island</b>	<p><b>Occupational Health and Safety Act, Section 36 to 37</b></p> <p>The employer must send written notice to the Direction within 24 hours of an incident which results in:</p> <ul style="list-style-type: none"> <li>• a fatality,</li> <li>• a loss of limb,</li> <li>• unconsciousness,</li> <li>• substantial loss of blood,</li> <li>• a fracture,</li> </ul>	<p><b>Workers Compensation Board</b></p> <p>Within 3 days, an employer must file a report of the injury or illness. A workplace injury or illness is considered to be one that:</p> <ul style="list-style-type: none"> <li>• Happens at work.</li> <li>• Requires medical treatment.</li> <li>• May or may not result in time off work.</li> </ul> <p>Click on the <a href="#">link</a> for more information.</p>

<b>Jurisdiction</b>	<b>Serious Injury, Illness, or Incident Definition</b>	<b>Injury Reporting to Workers' Compensation Board Requirements</b>
	<ul style="list-style-type: none"> <li>• an amputation of a leg, arm, hand, or foot,</li> <li>• a burn to a major portion of the body, or</li> <li>• the loss of sight in an eye.</li> </ul> <p>The employer must also report an accidental explosion, whether or not a person has been injured.</p>	
<b>Quebec</b>	<p><b>Act Respecting Occupational Health and Safety, Section 62</b></p> <p>Within 24 hours, the employer must make a written report to the Commission of an incident that has caused:</p> <ul style="list-style-type: none"> <li>• the death of a worker;</li> <li>• the loss of a limb or of part of a limb, the total or partial loss of the use of a limb or a significant physical trauma to a worker;</li> <li>• such serious injuries to two or more workers as probably to prevent them from performing their work for one working day; or</li> <li>• material damage valued at \$150,000 or more.</li> </ul>	<p><b>CNESST</b></p> <p>An employer must record the incident and first aid into the Register of accidents, incidents, and first aid.</p> <p>If the worker is away from work for 14 days or less, you must provide them with 90% of their salary that they would have normally received if not injured. More than 14 days, the CNESST will replace lost wages.</p> <p>The worker will also be required to submit a worker's claim.</p> <p>Click on the <a href="#">link</a> for more information.</p>
<b>Saskatchewan</b>	<p><b>Occupational Health and Safety Regulations, 2020, Section 2-2 to 2-3</b></p>	<p><b>Workers' Compensation Board</b></p> <p>Within 5 days, an employer must submit an Employer's Initial Report of Injury (E1) form.</p>

Jurisdiction	Serious Injury, Illness, or Incident Definition	Injury Reporting to Workers' Compensation Board Requirements
	<p>An employer must notify the ministry as soon as possible after an incident that causes serious bodily injury or a dangerous occurrence. The notice must include the name of each injured or deceased worker, the name of the employer, the date, time and location of the incident, the circumstances related to the incident, the apparent injuries, and the contact information for the employer.</p> <p>An incident that causes seriously bodily injury includes an incident that:</p> <ul style="list-style-type: none"> <li>• causes or may cause the death of a worker, or</li> <li>• will require a worker to be admitted to a hospital for 72 hours or more.</li> </ul> <p>A dangerous occurrence means any incident that does not result in, but could have caused serious bodily injury and includes:</p> <ul style="list-style-type: none"> <li>• the structural failure or collapse of:</li> <li>• the failure of a crane or hoist or the overturning of a crane or unit of powered mobile equipment;</li> <li>• an accidental contact with an energized electrical conductor;</li> </ul>	<p>The worker must also submit a Worker's Initial Report of Injury (W1) form.</p> <p>Click on the <a href="#">link</a> for more information.</p>

<b>Jurisdiction</b>	<b>Serious Injury, Illness, or Incident Definition</b>	<b>Injury Reporting to Workers' Compensation Board Requirements</b>
	<ul style="list-style-type: none"> <li>• the bursting of a grinding wheel;</li> <li>• an uncontrolled spill or escape of a toxic, corrosive or explosive substance;</li> <li>• a premature detonation or accidental detonation of explosives;</li> <li>• the failure of an elevated or suspended platform; and</li> <li>• the failure of an atmosphere-supplying respirator.</li> </ul>	
<b>Yukon</b>	<p><b>Worker's Safety and Compensation Act, section 57</b></p> <p>The employer must immediately report the time, date, place and nature of the incident, injury or death to the board.</p> <p>The incidents and injuries that must be reported include:</p> <ul style="list-style-type: none"> <li>• an incident that results in serious injury to or the death of a worker;</li> <li>• an incident or injury that results in a worker's admission to a hospital as an inpatient;</li> </ul>	<p><b>Workers' Compensation Health and Safety Board</b></p> <p>Within 3 working days, an employer must submit an Employer's Report of Injury/Illness if a worker misses more than a day of work due to an injury.</p> <p>The worker and doctor must also submit a report of injury. If first aid was provided and there is no lost time beyond the day of the injury, no form needs to be completed.</p> <p>Click on the <a href="#">link</a> for more information.</p>

Jurisdiction	Serious Injury, Illness, or Incident Definition	Injury Reporting to Workers' Compensation Board Requirements
	<ul style="list-style-type: none"> <li>• a major structural failure or collapse of a bridge, building, crane, excavation, hoist, mine, mining development, temporary construction support system, tower or any other like structure;</li> <li>• a major release of a hazardous substance;</li> <li>• an explosion or fire that has the potential to cause serious injury to or the death of a worker or other person;</li> <li>• an incident, injury or death that is required to be reported by the regulations or by order of the board.</li> </ul>	

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## What do I do in the event of a serious incident or workplace fatality?

If there is a serious incident or fatality at the workplace, you cannot disturb the immediate area where the injury or incident occurred. This requirement means that you would secure the scene so that no one can alter, move or remove equipment, documentation, or other information related to the event.

There is an exception to this rule – you can enter the scene:

- If the government agency or police gives you permission to do so.
- To provide first aid or to prevent further injuries or death.
- To protect property endangered by the incident.

As soon as they are aware of the incident, the employer would call the 24-hour phone line of the government agency having authority. In the event of a fatality, emergency services would also be called which would include the police.

The police will likely conduct a preliminary investigation and determine if the death was accidental. Once it is determined that it is a workplace fatality, the government agency will conduct an investigation. This investigation will include interviewing witnesses, gathering information, reviewing work procedures, and more. The employer must assist with the investigation and cannot threaten or reprimand workers for providing witness statements.

The employer may be able to conduct their own investigation at the same time, as long as they have coordinated these efforts with the authority having jurisdiction.

There may be additional requirements depending on the industry and jurisdiction. It is a good practice to create a document or procedure which includes:

- The definitions of a critical or serious incident, injury, and workplace fatality.
- The 24-hour number to call in the event of a serious incident, injury, or fatality.
- The process to secure the scene to prevent it from being disturbed before emergency services and the government agency arrives.
- The forms to be completed to inform the government agency within a certain timeframe and the follow-up report that is required after the investigation.

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## How can an employer provide support after a serious incident or critical event?

Incidents, injuries, and near-misses can increase stress and anxiety among workers, whether they are directly involved or not. It is important to check in with workers and make sure they are able to continue to work safely.

Providing resources and additional support can assist throughout this time. Consider offering counselling after a traumatic event or referring workers to a professional. Workplaces may also offer an [Employee Assistance Program \(EAP\)](#) or provide information for the crisis support line in the community.

The CSA Standard Z1003-13 (R2022), *Psychological health and safety in the workplace*, describes a critical event as one that has an impact at the individual level and the organizational level. These events can overwhelm the usual effective coping skills of an individual or group or may interrupt the normal flow of activities of the organization in a way that impacts psychological health and safety.

It is important to acknowledge and address the psychological impact of serious incidents and fatalities.



For more information, please see our OSH Answers: [Mental Health - How to Address and Support](#).

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## What are the different types of injuries?

Injuries are often classified as first aid, medical aid, modified work, and lost-time injuries for reporting purposes.

The following terms are commonly used to define incidents. Always verify with your local workers' compensation board or industry association for definitions and good practices for your workplace.

- **First Aid Injury:** All injuries requiring first aid treatment. Worker returns to work after the incident.
- **Medical Aid Injury:** Injuries that require additional medical treatment from a health care provider or specialist. The worker returns for their next regularly scheduled shift. May also include modified work duties.
- **Modified Work Injury:** Injuries that require a workplace accommodation or modification of work duties so that a worker can stay at work, avoiding a lost-time injury.
- **Lost Time Injury:** Injuries that require additional medical treatment from a health care provider or specialist and require additional time off work. The worker does not return for their next regularly scheduled shift.
- **Recordable Injury:** All medical aid, modified work, and lost time injuries.

Recordable injuries are those that must be reported to the workers' compensation board.

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## Are there additional responsibilities for returning a worker to work after an injury or illness?

Yes. An employer must make efforts for an early and safe return to work. For more information, please see our OSH Answers:

- Return to Work – [Program Overview](#)
  - Return to Work – [Accommodation](#)
  - Return to Work – [Job Demands Analysis](#)
  - Return to Work – [Functional Abilities Evaluation](#)
  - Mental Health – [Return to Work](#)
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