



Administrative Procedure 5170

Workplace Safety and Health – Investigating and Reporting Workplace Incidents and Refusals to Work

Board Governance Policy Cross Reference: [1](#), [12](#), [13](#)

Administrative Procedures Cross Reference:

[Workplace Safety and Health](#)

[Workplace Safety and Health – Duties/Responsibilities for Safety and Health](#)

Form Cross Reference:

[Hazard/Near Miss Report Form](#)

[Incident Investigation Summary Report](#)

[Refusal to Work Form](#)

[Workplace Safety and Health Concern Form](#)

[Quick Reference Guide for Work Related Injury](#)

Legal/Regulatory Reference:

[Workplace Safety and Health Act](#)

[Manitoba School Board Association | HUB International](#)

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The Brandon School Division is committed to developing specific administrative procedures for investigating unsafe incidents and dangerous occurrences within the workplace. These events provide invaluable information needed to mitigate and prevent similar incidents in the future. Similarly, a comprehensive investigation of each employee work refusal is essential to resolving the conditions and circumstances which led to the refusal.

Procedures to Investigate Unsafe Incidents, Dangerous Occurrences

The investigating team will utilize the Incident Investigation Summary Report Form to gather information, determine causes and implement corrective measures and follow up as necessary.

- Supervisors and/or School Leaders shall report all injuries and investigations at work to the BSD Workplace Safety and Health Officer, Supervisors and Co-chairs of their committee.
- The appropriate Supervisor will make contact with the family as needed.
- BSD WSH officer and Human Resources track all incidents.
- Safety and Health Committee members are to be trained and educated on the techniques of conducting an incident investigation. It is recommended that as many members of the Committee as possible be trained in these techniques.

All injuries to employees and students shall be reported promptly through the hub electronic reporting system:

- [Manitoba School Board Association | HUB International](#) (this link is for all students, staff, volunteers)

WCB Reporting Requirements – all staff excluding teachers

Workers Compensation Board (WCB)

Employers must report any work related injury/illness that involves time loss from work and/or a need for medical attention to the WCB. Employers must report the incident within five (5) working days of the incident or within five (5) working days of when they first learn of the incident. WCB charges late fees for reports that are delayed longer than 5 days post-injury.

Forms and the Quick Reference Guide for Work Related Injury_ for WCB can be found on the portal under WSH [Workplace Safety & Health - Home \(sharepoint.com\)](#) .

This applies to Support Staff only as Teachers are not covered by WCB

What is an Incident?

An incident is any unplanned event that causes injury. A dangerous occurrence is any event that could have caused injury, but did not. The term “incident” will be used to describe both incidents and dangerous occurrences.

What is a Hazard or Near Miss?

A hazard or near miss is the opportunity to bring to the Division’s attention a potential hazard for injury or a situation where an injury could have occurred. When a hazard is recognized or a near miss is experienced, employees should complete the Hazard/Near Miss Report Form to allow pro-active measures to be considered. **This needs to be sent to BSD WSH officer, Supervisors and Co-Chairs of Committee.**

What is an Incident Investigation?

- An incident investigation is the account and analysis of an incident based on information gathered by a thorough examination of all contributing factors and causes involved.
- All accidents should be investigated however **serious incidents to students are not to be reported to WSH**. Serious incidents to students are to be reported to the BSD WSH officer and your supervisor.

Investigations: Serious Incidents and Accidents

2.9(1) An employer must ensure that each of the following is investigated as soon as reasonably practicable after it occurs:

- (a) a serious incident;
- (b) an accident or other dangerous occurrence
 - (i) that injures a person, and results in the person requiring medical treatment, or
 - (ii) that had the potential to cause a serious incident.

2.9(2) An investigation must be carried out by

- (a) the co-chairpersons of the committee at the workplace or their designates;
- (b) the employer and the representative at the workplace; or
- (c) the employer, in the presence of a worker employed at the workplace who is not associated with the management of the workplace, when there is no committee or representative at the workplace.

2.9(3) After an investigation is completed, an employer, in consultation with the co-chairpersons or their designates, the representative or the worker, as applicable, must prepare a written report (Incident Investigation Summary Report 5170Fb) that includes the following:

- (a) the name of any person injured or killed;
- (b) the date, time and place of the incident, accident or dangerous occurrence;
- (c) a description of the incident, accident or dangerous occurrence;
- (d) any graphics, photographs or other evidence that may assist in determining the cause or causes of the incident, accident or dangerous occurrence.

Report a Serious Incident

Contact Workplace Safety and Health at any time to report a serious incident, injury or fatality at a workplace:

1-855-957-SAFE (7233) (toll-free in Manitoba)

Requirement to Notify WSH

When a serious incident occurs at a workplace, the employer is required to notify the Workplace Safety and Health Branch (WSH) of the incident immediately, and by the fastest means of communication available.

Definition of Serious Incident

The Workplace Safety and Health Regulation defines a serious incident as one:

- in which a worker is killed;
- in which a worker suffers
 - an injury resulting from electrical contact,
 - unconsciousness as the result of a concussion,
 - a fracture of his or her skull, spine, pelvis, arm, leg, hand or foot,
 - amputation of an arm, leg, hand, foot, finger or toe,
 - third degree burns,
 - permanent or temporary loss of sight,
 - a cut or laceration that requires medical treatment at a hospital as defined in The Health Services Insurance Act, or
 - asphyxiation or poisoning; or
- that involves
 - the collapse or structural failure of a building, structure, crane, hoist, lift, temporary support system or excavation,
 - an explosion, fire or flood, an uncontrolled spill or escape of a hazardous substance, or
 - the failure of an atmosphere-supplying respirator.

When a Serious Incident Occurs

A Worker is seriously injured (by WSH definition) at a school. As soon as the Employer (Principal/Supervisor) is aware of the incident (which should be immediately) the Employer does the following.

1. Provide immediate medical attention to the worker - Call 911 if necessary, provide first aid, take worker to hospital, etc.
2. Secure the scene.
3. Call WSH Client Services (855-957-7233) or the toll free number
 - WSH Client Services will instruct the Employer on the next steps (WSH Officer will be attending or Employer to self investigate)
4. Contact your WSH Committee representatives or designates to advise them of the incident and instructions given by WSH Client Services.

If a WSH Officer is attending, the WSH Committee does not conduct an investigation until after the WSH Officer has attended and released the scene.

If the Employer is directed to self investigate, the WSH Committee will conduct an investigation as soon as possible, ensuring the scene is secure until they can attend the site.

In order to report as quickly as possible and ensure there is no delay in notifying WSH, it is best to have someone from that school or facility to make the call to WSH. For example, you could designate the Principal or an Administrative Assistant to make the call and provide the details. A quick guidance note or bulletin posted in the office would be beneficial for the caller to refer to, ensuring all required information is reported. (reference the Incident Investigation Summary Report Form)

In order to preserve the scene, no equipment or materials that were involved in an incident may be altered or moved, unless it is necessary to free an injured or trapped person, to avoid creating additional hazards, or to provide immediate/critical care.

If you are unsure whether an incident is reportable under the requirements of the Workplace Safety and Health Regulation, contact WSH for clarification.

Whether or not an incident or other dangerous occurrence is required to be reported to WSH, the employer must conduct an internal investigation with the workplace safety and health committee co-chairs (or their designates). This investigation is to assist in determining the cause(s) of the incident so that measures can be put in place to reduce the likelihood that a similar incident will occur again.

When reporting an incident to WSH, please have the following information ready:

- the name and address of each person involved in the incident;
- the name and address of the employer, or any other employers involved;
- the name and address of each person who witnessed the incident;
- the date, time and location of the incident;
- the apparent cause of the incident and the circumstances that gave rise to it

If you realize that any of the above information you provided was incorrect or incomplete, you must immediately contact WSH again with the new information.

Procedures to Investigate Refusal to Work

- Any person who believes that there is a safety and health hazard within their workspace that may endanger their safety or health will file a Workplace Safety and Health Concern Form and may refuse to work within that workspace. The decision to refuse to work will be reported immediately to the Site Supervisor, School Leader, Manager of Facilities, and Safety Officer. The Worker Co-Chair of the Workplace Safety and Health Committee, Manager of Facilities, Safety Officer, and the facility Workplace Safety and Health Representative will investigate the concern. If the safety concern is in a Division support building, then the Site Supervisor and Manager of Facilities shall conduct the investigation. If the matter cannot be resolved to the satisfaction of the originator(s), they may contact the Workplace Safety and Health Committee.
- Interim and post investigation reports will be made. The originator of the refusal to work will be assigned temporary duties of a similar nature within the Division in cases where the concern is justified. In circumstances where the refusal to work is not supportable, the originator of the refusal to work will be returned to work immediately without reprimand, unless for just cause. Should the originator of the refusal to work still believe that the workplace is unsafe, they may appeal the decision of the investigation team to the Manitoba Workplace Safety and Health Officer for consideration.
- The Division Senior Administration Team will be responsible for addressing and coordinating efforts to remediate unsafe conditions and defects identified during an investigation. Subsequent follow up on corrective actions taken will also be the responsibility of Senior Administration, thereby ensuring that effective measures have been taken to mitigate all hazards.