



Effective Workplace Incident Investigations

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WORKSAFE NB

AGENDA

- Introduction
- Why Investigate ?
- What to Investigate ?
- Who should investigate ?
- Preparation for an Effective Investigation
- Incident Reporting
- Phases of an Investigation
- Summary
- WorkSafeNB's Investigations Process



INTRODUCTION

- What is an Incident / Accident?
 - An unwanted, unplanned event which disrupts the orderly flow of the work process; it may or may not involve injury to people, or damage to equipment
 - Potential loss situation
 - Incidents also include near misses



WHY INVESTIGATE ?

- Prevention
 - Knowing what really happened
 - Determining the real cause
 - Identifying the risks
 - Develop controls
 - Define trends
 - Demonstrate concerns
- Fact finding not fault-finding

WHY INVESTIGATE ?

- Benefits
 - Shows concerns
 - Increases productivity
 - Reduces operating costs
 - Shows that front line leaders have control



Why Investigate ?

Costs associated to Incidents

Injury, ill-health
and damage

Direct costs

Direct costs tend to be the ones that we think of first.

Lost time

Extra wages/overtime

Sick pay

Production delays

Fines

Loss of contracts

Legal costs

Indirect costs

Indirect costs may be those that are less obvious BUT, as you can see from the diagram, they account for more of the overall cost of an accident than the direct costs.

Damage to product, plant,
buildings, tools and
equipment

Clearing the site

Investigation time

Excess on insurance claims

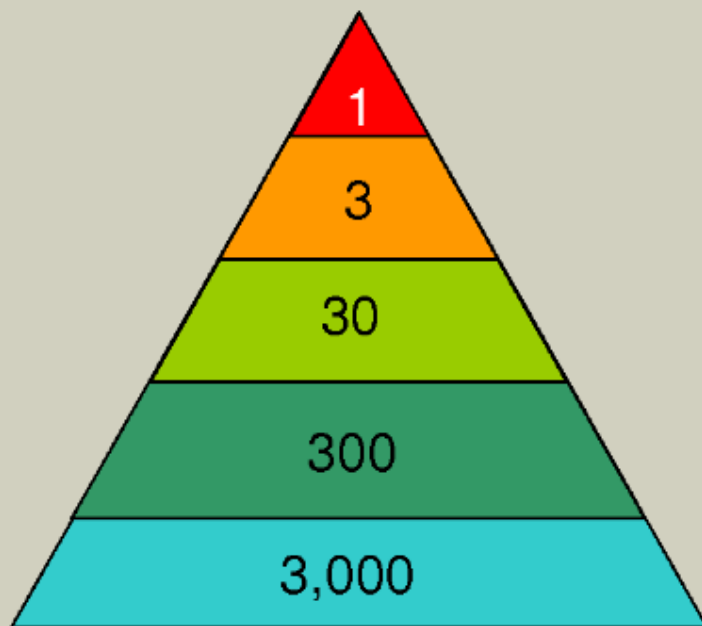
Loss of business reputation

WHAT TO INVESTIGATE ?

- All incidents should be investigated
- High potential incidents are investigated in depth to allow adequate control of the problem
 - Ex: Incident resulting in first aid or minor property damage are not investigated as thoroughly as one that resulted in death or significant property damage.....unless the potential outcome of the “minor” incident had significant potential

What to Investigate ?

Accident Pyramid



For every:

1 - Major Accident

There were 3 Lost Time Accidents

30 First Aid Accidents

300 Near Misses

And 3,000 "At Risk" Behaviors

Careful

Attention

WORKSAFE

TRAVAIL SÉCURITAIRE



WHO SHOULD DO THE INVESTIGATION?

- Designating the investigator or the investigating team is a critical first step
- Possible choices
 - Immediate supervisors
 - JHSC
 - Health & safety professionals / advisors
 - Special committee
 - Middle / senior management



WHO SHOULD DO THE INVESTIGATION?

- *Occupational Health and Safety Act, Section 15 A committee may*
 - *j) participate in all inspections, inquiries and investigations concerning the health and safety of employees, and in particular the investigation of any matter referred to in section 43;*

PREPARATION FOR AN EFFECTIVE INVESTIGATION

A good investigation system starts with a clear
Investigation Policy / Procedure



PREPARATION FOR AN EFFECTIVE INVESTIGATION

- Investigation Procedure / Policy
 - *Occupational Health and Safety Act, Section 8.1(1) Every employer with 20 or more employees regularly employed in the Province shall establish a written health and safety program, in consultation with the committee or the health and safety representative, that includes provisions with respect to....*
 - (e) a system for the prompt investigation of hazardous occurrences to determine their causes and the actions needed to prevent recurrences;
 - (f) a record management system that includes reports of employee training, accident statistics, work procedures and health and safety inspections, maintenance, follow-up and investigations;



THE FIRST STEP !

- If you don't know about it you can't investigate it
- Develop an Incident Reporting Procedure

FIRST STEP

- Why incidents do not get reported
 - Fear of punishment
 - Concern about records
 - Concern about reputation
 - Fear of medical treatment
 - Desire to avoid work interruption
 - Poor understanding of importance
 - Avoidance of red tape
- How to get incidents reported
 - React in a positive way
 - Give more attention to loss control
 - Recognize individual performance
 - Develop awareness of the value of incidents information
 - Show personal belief by action
 - Make mountains out of molehills



PHASES OF AN INVESTIGATION

What is the first thing that you should do when there is an incident at your workplace ?

PHASES OF AN INVESTIGATION

INITIAL ACTIONS

- **Respond promptly and positively**
 - Take charge and give specific instructions to specific people / Secure scene
 - Section 43(3) of the OHS Act
 - *43(3) Except as otherwise ordered by an officer, no person shall disturb the scene of an accident that results in serious injury or death except as is necessary*
 - (a) to attend to persons injured or killed;*
 - (b) to prevent further injuries; or*
 - (c) to protect property that is endangered as a result of the accident.*

PHASES OF AN INVESTIGATION

INITIAL ACTIONS (CONT.)

- **Ensure First Aid and call Emergency services**
 - People's well being and lives come first (First Aid training) ask for someone to get help if needed, call emergency services
 - Control potential secondary incidents
 - Secondary incidents are usually more serious.....explosions that follows the puncture, the collapse that follows the impact



PHASES OF AN INVESTIGATION

INITIAL ACTIONS (CONT.)

- **Identify sources of evidence at the scene**
 - **Important to** identify the essential information before it can be disturbed or destroyed
 - Four (4) categories of evidence
 - 1) **People** / Witness
 - 2) **Positions** of People, equipment or items including environmental conditions
 - 3) **Parts** or items, tools (physical items)
 - 4) **Paper**, any documentation which has a bearing on the incident (policies, procedures, records)

PHASES OF AN INVESTIGATION

INITIAL ACTIONS (CONT.)

- **Preserve evidence from alteration or removal**
 - If the loss potential is high, then a good investigation is more important than getting back to work
 - Better to keep things from being moved
 - Keep people away from the incident scene so nothing is disturbed

PHASES OF AN INVESTIGATION

INITIAL ACTIONS (CONT.)

- **Determine the loss potential**
 - Seeing how badly people are hurt and property is damaged is easy
 - It's also important to determine how bad it could have been and how likely it is to occur again
 - This will determine how the investigation should proceed

PHASES OF AN INVESTIGATION

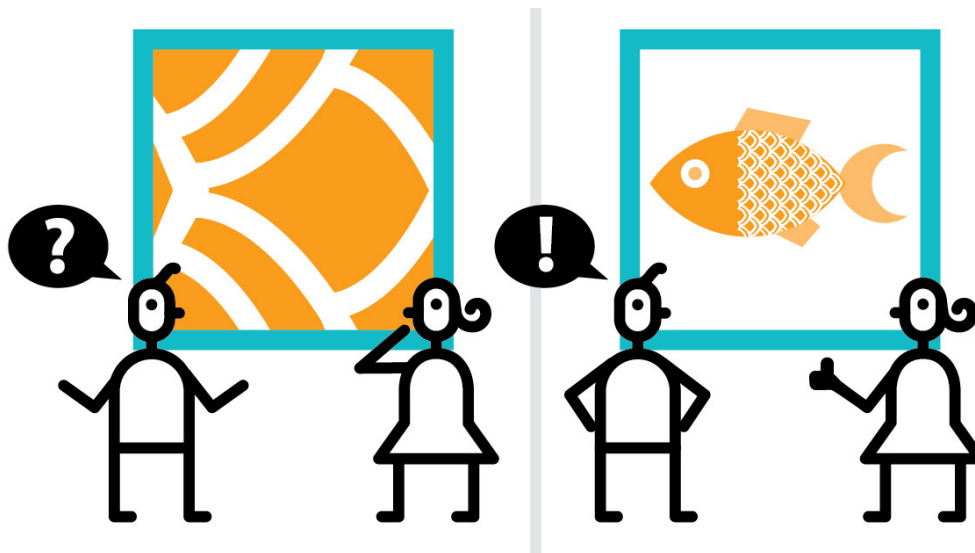
INITIAL ACTIONS (CONT.)

- **Notify appropriate personnel**
 - Managers may need to be on scene right away
 - Might only be a courtesy call
 - Notification procedure provides guidelines for these decisions

PHASES OF AN INVESTIGATION

GATHERING INFORMATION

- Get the BIG Picture first
 - Large amount of information available on an incident scene, look around, visualize what might have happened
- Document the scene
 - Take notes, pictures, sketches



PHASES OF AN INVESTIGATION GATHERING INFORMATION (CONT.)

- Identify Witnesses
 - Anyone who knows something related to what happened
 - Direct witnesses: eyewitness
 - Indirect witnesses: supervisor, co-worker
 - Best to start with eyewitness and people involved
 - Witnesses are most likely to forget the details if not questioned promptly
 - The first details gives the investigator the starting point to identify the causes

PHASES OF AN INVESTIGATION

GATHERING INFORMATION (CONT.)

- Interview Witnesses
 - Memory and willingness to talk can be affected by the way people are questioned
 - Interview separately
 - Interview in an appropriate place
 - Put the person at ease
 - Get the individual's version
 - Ask necessary questions at the right time
 - Record key points by taking notes
 - Have the witness make a sketch
 - End in a positive note
 - Keep the line open

PHASES OF AN INVESTIGATION

GATHERING INFORMATION (CONT.)

- Equipment Examination (Parts)
 - Have a look at the tools, equipment and materials that were used
 - Look for proper guards, safety features, hazard warnings labels
 - Technical assistance might be required for material failure analysis
- Records Check
 - Training, maintenance, work schedule, work instructions, practices, procedures

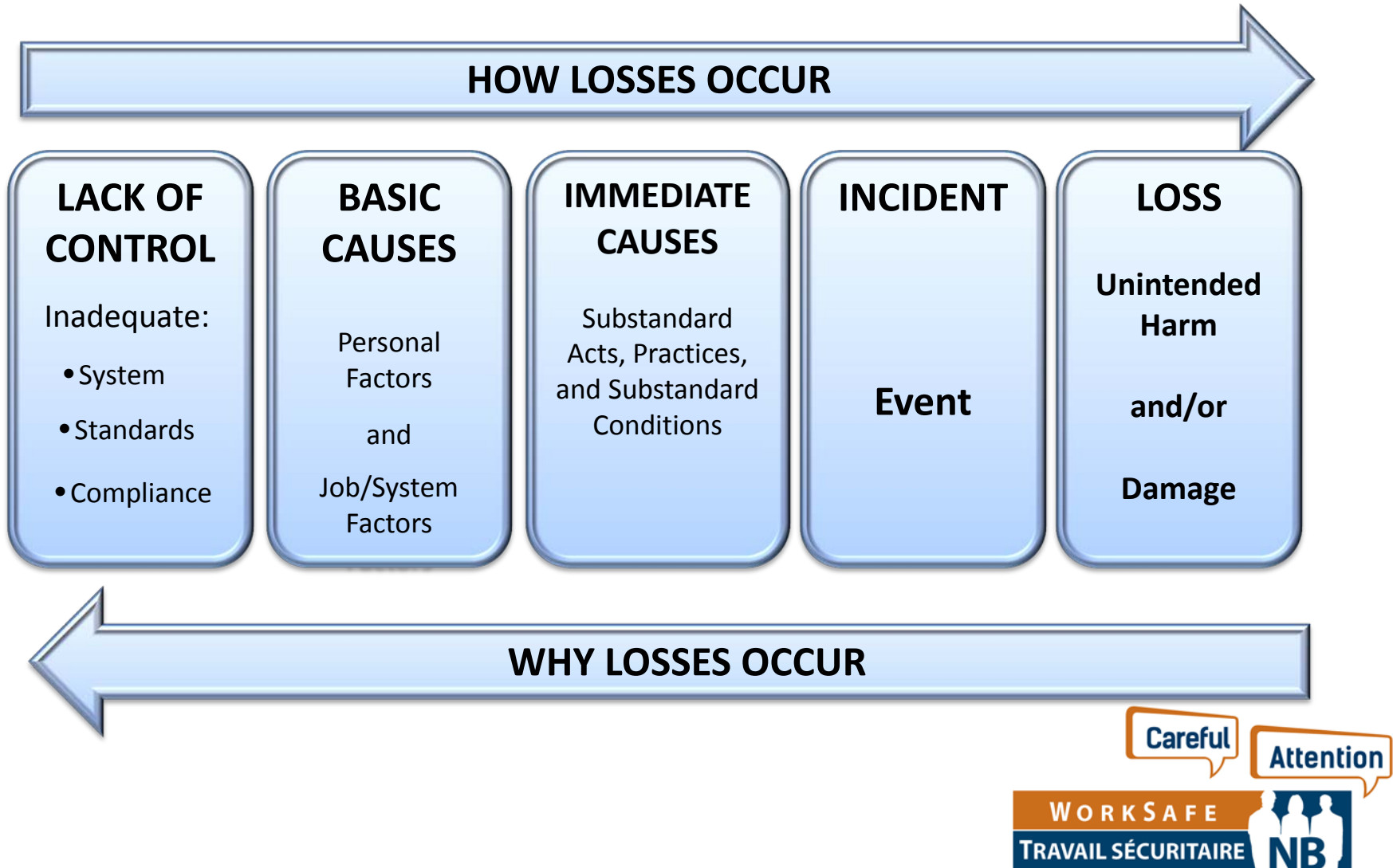
PHASES OF AN INVESTIGATION

ANALYZING CAUSES

- As information is gathered, investigators will pick a few most obvious causes
- Investigators might need to go back for more information to get to the real problem
- Determine the root cause
 - Who ?, what ?, where ?, when ?, how ? and why ?
- Use an accident causation model

Phases of an Investigation

Analyzing causes



PHASES OF AN INVESTIGATION

TAKING REMEDIAL ACTIONS

- Temporary Actions
 - What can I do right now to keep this from happening again ?
 - Worn-out tool that needs to be replaced
 - Hole that needs to be covered
 - Guard needs to be replaced
 - Change in PPE
 - Procedure

PHASES OF AN INVESTIGATION

TAKING REMEDIAL ACTIONS (CONT.)

- Permanent Actions
 - Usually controlled by higher management
 - Investigator to make recommendations
 - Process improvement
 - Engineering modifications
 - Equipment change
 - Policies, Procedures

PHASES OF AN INVESTIGATION

WRITING THE INVESTIGATION REPORT

- Standard Form
 - A standard form can be used by organization
 - Do not leave spaces blank (if using a standard form)
 - Be as specific as possible
 - Must include
 - Incident description; pre-contact, contact and post-contact phase of the event
 - Basic cause
 - Corrective actions & Recommendations



PHASES OF AN INVESTIGATION

WRITING THE INVESTIGATION REPORT (CONT.)

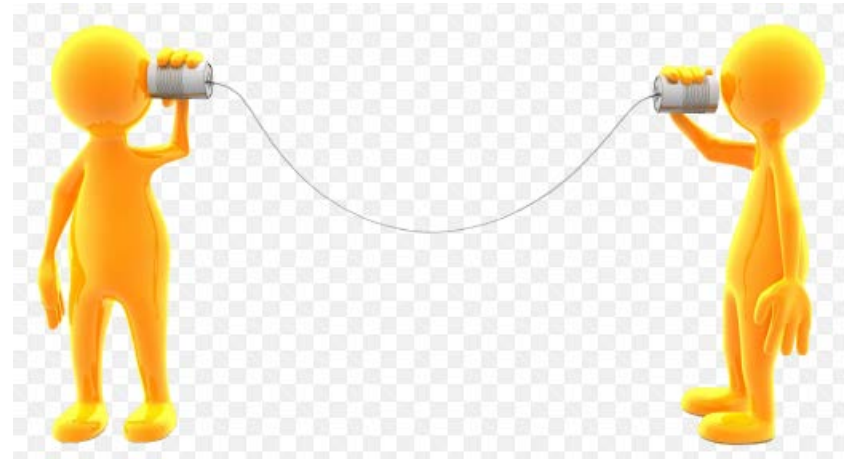
- Recommendations
 - Critical actions in investigation must come from higher management
 - Should be practical, workable and implemented
 - Prioritize your recommendation
 - Higher management must provide response to recommendation



PHASES OF AN INVESTIGATION

COMMUNICATION

- One of the most valuable actions is sharing the incident information
- A tool for information release is an Incident Announcement form
- Other ways of sharing
 - Posting the form
 - Safety talks
 - Information sessions



PHASES OF AN INVESTIGATION COMMUNICATION (CONT.)

- Sharing the incident information will promote a strong safety culture and sustainability of the investigation process
- Information shared should be kept to a minimum. Do not share personal information about employees ex: DOB, wages, telephone numbers, health information

PHASES OF AN INVESTIGATION

FOLLOW UP

- Verify if the recommendations have been completed
- Make sure the recommendations don't have unexpected, undesired effects
- A good follow up is needed for the investigation to be effective

SUMMARY

- Workplace Incidents:
 - Are caused by unsafe acts and conditions
 - Are Preventable
 - Must be reported (serious and near misses)
 - Must be investigated immediately to establish root cause(s)
- A positive safety culture is required

WORKSAFENB'S INVESTIGATIONS PROCESS

OHS ACT

- **43(1)** *The employer shall notify the Commission immediately if an employee suffers an injury resulting in*
 - *(a) a loss of consciousness,*
 - *(b) an amputation,*
 - *(c) a fracture other than a fracture to fingers or toes,*
 - *(d) a burn that requires medical attention,*
 - *(e) a loss of vision in one or both eyes,*
 - *(f) a deep laceration,*
 - *(g) admission to a hospital facility as an in-patient, or*
 - *(h) death.*

WORKSAFE NB'S MODEL OHS ACT

- **43(2)** *Where an injury is reported under subsection (1), the employer shall immediately give notification to the committee or to the health and safety representative.*

WORKSAFE NB'S MODEL OHS ACT

- *43(3) Except as otherwise ordered by an officer, no person shall disturb the scene of an accident that results in serious injury or death except as is necessary*
 - *(a) to attend to persons injured or killed;*
 - *(b) to prevent further injuries; or*
 - *(c) to protect property that is endangered as a result of the accident.*

WORKSAFE NB'S MODEL OHS ACT

- **43(4)** *The employer shall notify the Commission immediately if*
 - *(a) 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*
 - *(b) a catastrophic event or a catastrophic equipment failure occurs at a place of employment that results, or could have resulted, in an injury.*

WORKSAFE NB'S MODEL

- Incident reported go to WorkSafeNB's Regional Offices where the incident occurred
- Details of the incident determines the type of Investigation WorkSafeNB will conduct



WORKSAFE NB'S MODEL

- Centralized Investigation Officers
 - Fatalities
 - Zero Tolerance
 - fall protection, lockout and trenching
 - Life Altering Injury
 - paraplegia
 - quadriplegia
 - amputation of limb
 - third degree burn to at least 50% of body
 - loss of vision in at least one eye

WORKSAFE NB'S MODEL

- Multiple Injured Workers
- Unexpected Explosions
 - an event causing great damage and distress which exceeds the capacity for the workplace to function normally
- Unexpected and potentially harmful exposures to a biological, chemical or physical agent that requires immediate medical treatment beyond the capacity of the workplace's designated first aid providers



WORKSAFE NB'S MODEL

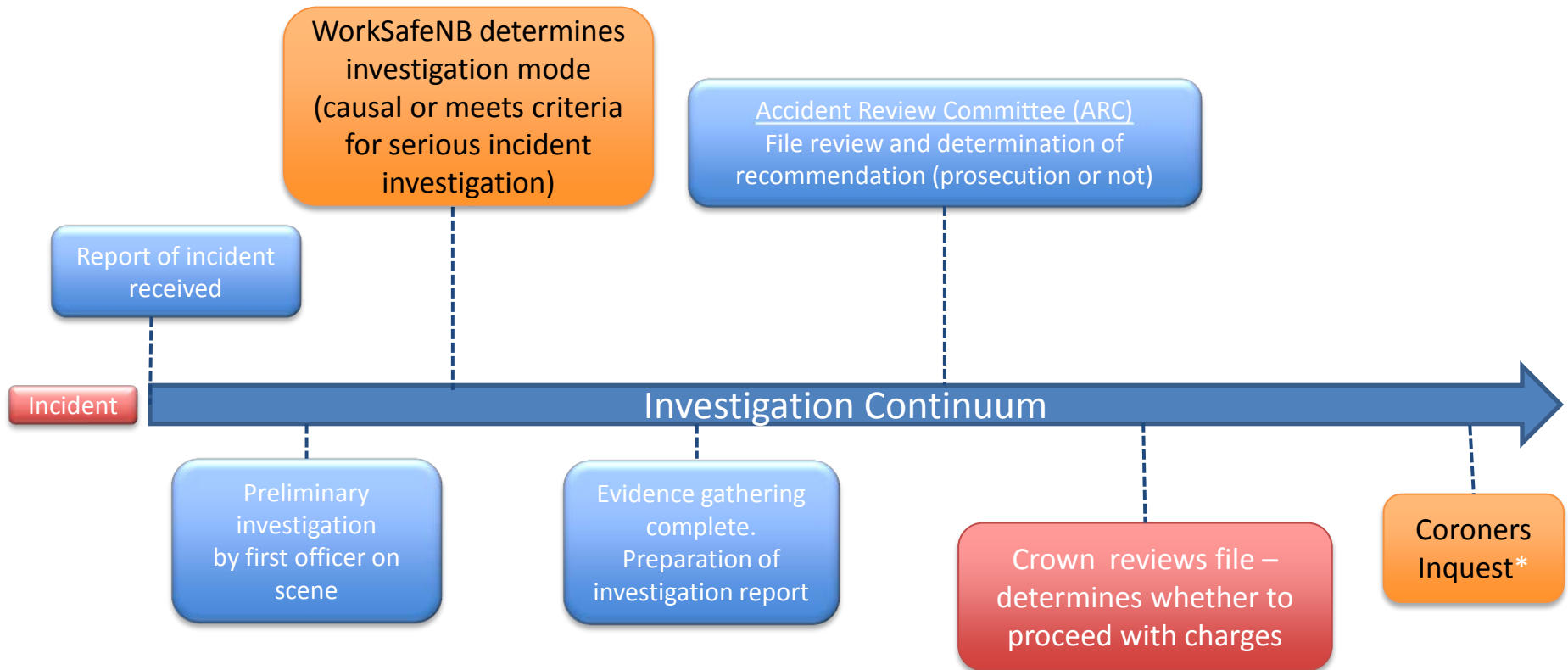
- Catastrophic failure
 - Any unexpected and sudden event or loss of equipment causing great damage and distress which exceeds the capacity of the workplace to function normally
- All other types of incidents are investigated by the Regional Health & Safety Officers

WORKSAFE NB'S MODEL ADVANTAGES

- Consistency
- Standardization of
 - Evidence collection
 - Witness statements
 - Photography evidence
 - Scene documentation



Incident Investigation Continuum -WorkSafeNB



Statute of Limitations
Maximum one year
from date of incident information must be laid before the Court

Questions ?

