

Investigations

- Policies should clearly explain what happens when an incident is reported, including who investigates, and the involvement of the reporting worker in the investigation process.
- Policies should include how reports are shared with WSH committees, including committee co-chairs, Divisional Safety Officer, supervisor, and others.

Post Investigation

- Investigation report must clearly set out results of investigation, including direct and indirect causes of incident, and immediate and long-term corrective actions that will be taken to prevent the occurrence of a similar incident, accident, or near miss, or the reasons for no action being taken. [WSH Act 2.9(3)]
- The investigation report shall be shared with the worker and the worker shall be debriefed.



Training and Orientation

Upon hire, and at the start of each school year, staff are to be trained in their rights and responsibilities as they relate to WSH legislation. This shall include information on the procedure for reporting concerns and any safe work procedures required to prevent injury to themselves or others. [WSH Act 7.4(5)(h), WSH Reg 2.2.1(3)]

Further Information and Support

See The Manitoba Teachers' Society Workplace Safety and Health page at <https://www.mbteach.org/mtscms/2020/07/17/workplace-safety-health/>

If you require assistance with a Workplace Safety and Health concern, contact a Teacher Welfare Staff Officer at **204-831-3055** or **1-800-262-8803**.

Manitoba Workplace Safety and Health: **204-957-SAFE (7233)** in Winnipeg
1-855-957-SAFE (7233) outside Winnipeg

Workplace Safety & Health

Guiding Principles
for Workplace Safety
and Health Reporting
of Incidents, Accidents
and Near Misses

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Background Information

WSH incidents in schools are underreported, and when they are reported, there is an inconsistency in the next steps (investigating, implementing control measures, and communicating back to members who report). Each school division has its own method by which incidents are reported—some on paper, some online. Some divisions already have effective reporting procedures in place that are clearly understood by members. In other divisions, members are unaware of how to report and what to expect as follow up.

A clear and easily accessible reporting system would encourage members to report safety incidents, help principals and WSH committees investigate, and support a culture of safety in schools. This document provides Guiding Principles for an effective reporting system.

MTS Guiding Principles on Reporting Systems

MTS believes that all MTS members should have access to a WSH Reporting System:

- for which they have received training;
- that is easy to access whether at work or offsite, preferably online or in an electronic format;
- that follows a clear and consistent process regardless of school or worksite within a division;
- that allows for third-party reporting;
- that sends copies of reported concerns to multiple parties (supervisor, WSH representative, WSH committee co-chairs, divisional safety officer, local president, and the reporting worker);
- that has the ability to track data, including the need for medical treatment and days lost from work;
- that ensures that concerns are addressed or investigated in a timely fashion by the appropriate investigator (supervisor or WSH Co-Chairs);
- that sends copies of the investigation report to multiple parties, including corrective actions taken, if any; and
- that ensures that the reporting worker is debriefed regarding the results of the investigation and the corrective actions that will be put in place, if any.

What to Report: Unsafe Conditions, Accidents, Violent Incidents, Near Misses, Harassment, Work Refusals

- **“unsafe condition”** – Any condition that has the potential to cause injury or illness to a worker.
- **“accident or incident”** – An occurrence that caused an injury or illness to a worker.
- **“violent incident”** – The attempted or actual exercise of physical force against a worker; or a threatening behaviour or statement that physical force will be exercised. All violent incidents must be reported and investigated, regardless of the age or developmental ability of the person who perpetrated the violence. (*WSH Act 1.1*)
- **“near miss”** – An occurrence that had the potential to cause an injury or illness to a worker.
- **“harassment”** – Objectionable conduct that creates a risk to the health of a worker; or severe conduct that adversely affects a worker’s psychological or physical well-being. Includes psychological bullying and human rights violations by co-workers, supervisors, parents, students, and others. [*WSH Act 1.1, 1.1.1(1)*]
- **“work refusal”** – A worker refusing to do particular work on the grounds that it poses a danger to their health or safety. (*WSH Act 43*)

Workers who raise workplace safety and health concerns are protected by law from reprisal, including job termination and loss of wages. [*WSH Reg 42(1)*]

Who Investigates?

For concerns that do not require medical treatment:

1. Report the concern to the supervisor for resolution. (Note: In a school, the principal is the supervisor.)
2. If unresolved, report the concern to the school or site WSH Committee Co-Chairs. If there is no Committee, report concerns to the WSH Representative at the school or site.
3. If the concern cannot be remedied at the committee or representative level, or if the issue is urgent and not receiving appropriate attention, contact the WSH Branch.

Type of Concern	Examples	Investigator
unsafe condition	<ul style="list-style-type: none"> • icy sidewalk, overloaded shelving, unguarded saw • doing hazardous work without specialized training 	Supervisor first, then Co-Chairs if unresolved.
incident/accident not requiring medical treatment	<ul style="list-style-type: none"> • fall on ice with scratched hands and knees • fall from ladder with minor bruising 	Supervisor first, then Co-Chairs if unresolved.
violent incident not requiring medical treatment	<ul style="list-style-type: none"> • slapped or pinched by a student • parent threatens to assault teacher 	Supervisor first, then Co-Chairs if unresolved.
near miss not likely to have resulted in a serious incident	<ul style="list-style-type: none"> • trip over carpet in hallway but did not fall • student throws eraser at teacher but misses 	Supervisor first, then Co-Chairs if unresolved.
work refusal	<ul style="list-style-type: none"> • teacher feels they are in danger by being asked to supervise on a canoe trip without proper training, safety equipment, or other resources • teacher feels they are in danger from a student who has previously assaulted them 	Supervisor first, then Co-Chairs, then WSH Branch.
harassment	<ul style="list-style-type: none"> • malicious comments made by a colleague • parent posting derogatory comments online 	WSH Committee not involved. Formal complaints are submitted as per Divisional Policy. May be investigated internally or by a third party.

For Serious Incidents, Potentially Serious Incidents, and Incidents Requiring Medical Treatment (WSH Reg 2.6-2.9)

Serious Incident *must be reported immediately to WSH Branch	<ul style="list-style-type: none"> • death, injury resulting from electrical contact, fracture, amputation, loss of sight, unconsciousness, poisoning, third degree burns, asphyxiation, laceration requiring medical treatment, collapse or structural failing of a building 	Committee Co-Chairs
Potentially Serious Incident (“near miss” that could have resulted in a Serious Incident)	<ul style="list-style-type: none"> • car falls from hoist but does not injure anyone • student swings baseball bat at teacher’s head but does not make contact 	Committee Co-Chairs
Non-Serious Incident, Accident, or Violent Incident Requiring Medical Treatment	<ul style="list-style-type: none"> • first degree burns from touching a hot element • assault causing concussion with no loss of consciousness, but requiring medical treatment 	Committee Co-Chairs