



Toolbox Talk: What to expect when Alberta OHS officers conduct an investigation.

Arriving at the incident site

- When Alberta OHS learns of a work site incident that is reportable under section 40 of the *Occupational Health and Safety (OHS) Act*, an OHS officer is assigned to conduct an investigation.
- The officer is tasked with investigating the incident to explain what has happened and ensure that other Albertans are not at risk.
- If the incident is a serious injury, fatality, or a high potential incident, the officer will visit the farm or ranch.
- Before arriving at the farm or ranch, the investigator will attempt to contact the farm operator to gather more information about the incident if appropriate information has not been provided.
 - This will help the investigator arrive prepared for hazards that may still be present at the farm or ranch, or any other variables that may impact the investigation, and address any biosecurity concerns.

Securing the incident site

- The investigator will also direct the companies involved that the incident scene must remain secure, and ask that witnesses of the incident could remain at the scene so that they can be interviewed.
- The investigator may also provide further direction depending on the incident. For example, if a person was injured by an auger the investigator may ask for the equipment to be turned off and secured.
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Initial steps in the investigation – who will be there, what will they do?

- OHS officers usually work in partners or small teams – once they arrive at the farm they will introduce themselves to the various people at the incident scene to understand who is present.
- If police are present at the incident, and their investigation is complete, they will release the incident scene to OHS and the OHS investigation will begin.



- Sometimes OHS officers will cordon off an area to make a visual boundary of the incident scene, or change a boundary already made by police.
- Every OHS officer is a little different on how they conduct an investigation. However, common activities will include attendance at the incident site, taking pictures and measurements, and interviewing people who may have information for the investigation.
- The order of these phases of the investigation could vary based on the particular incident.
- Depending on the size of the incident scene and complexity of the investigation, the OHS officer may call more people to attend the farm to assist them, such as engineers, surveyors and OHS technical advisors. This may take time to complete, but the officer will ensure they effect as little of the surrounding work site and work activities as possible.
- Items may be seized by the OHS officer to be examined off site. The officer will issue a receipt for the items. All items seized will be returned to their rightful owner.
- The OHS officer may request assistance from a Health and Safety Committee member or designated Health and Safety Rep if one exists.

Completing the initial investigation and corrective actions (orders and demands)

- Once the officer(s) has completed their work at the incident site they will meet with the involved parties and release the incident scene back to the appropriate regulated party (e.g. the farming operator).
- Compliance orders, stop work orders, stop use (e.g. machinery, equipment) orders, administrative penalties, and prosecutions can all be considered as enforcement tools to address non-compliance identified through the investigation.
- At that time, there may be orders issued to parties involved to resolve any outstanding health and safety concerns to ensure that the same incident will not happen again.
 - An order is a directive issued from an OHS officer to a regulated party (e.g. employer, supplier, supervisor) to make sure the employer meets the minimum requirements outlined in OHS legislation.
- The order will have a due date by which the regulated party is expected to take the action required by the order.
- After the officer leaves the farm or ranch they may ask for more information from the farm owner or employer in the form of a demand.
 - A demand is a document which lists out information the OHS officer is looking for regarding the incident. For example, the officer may want to see a contract between the farm owner and a contractor they hired to complete something on their farm.
- The OHS officer may also ask to re-interview any people as more questions can arise during the investigation process. The location for the interviews will depend on what is convenient for everyone involved.



- Lastly, there is a statutory requirement for an investigation, and corresponding report, to be completed by a regulated party (either a prime contractor or employer) regarding all workplace incidents that are reportable to Alberta OHS.
 - At an appropriate time, the investigator will send an additional demand to the appropriate regulated party requesting their own investigation report (this could be several months after the incident). The regulated party may need to contact the farm owner or other regulated party to get the information required to complete their investigation. This investigation will often include corrective actions to help ensure the same incident from happening again.
- When the incident results in a life altering injury or a fatality, the officer will complete an OHS investigation report. Once the investigation is complete and all legal proceedings (if any) have been concluded, OHS will share the OHS investigation report with the involved parties. All fatality reports will then be posted on the Alberta OHS website.
 - This could occur some time after the incident date, as the statute of limitations in two years in Alberta. The involved parties can contact the OHS to ask questions about Alberta OHS, safety standards or the investigation process at any time at 1-866-415-8690.

What are some things that OHS might ask for?

- Site orientation and worker training records (trade certificates if applicable)
- Hazard assessments
- Emergency response plan
- First aid training records
- Equipment certifications, specifications, maintenance schedules, owner’s manual

Other Resources:	https://www.alberta.ca/ohs-incident-investigations.aspx
Sources:	Alberta Labour