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EMPLOYER INJURY REPORTING AND INVESTIGATIONS

A worker reporting and injury can be a high stress situation – here are some tips for best practices:

1 Proactive Actions (Before any Injury Occurs):

Being prepared when a work injury happens can reduce the stress of investigations and injury reporting:

- Accurate and up-to-date job description and general physical requirements of the employment role. The more detailed this is, the better.
- Keeping good records related to workers' medical absences, any worksite or safety concerns raised, and well-documented performance issues.

2 Immediate Actions Following the Incident

When a worker advises you of an injury, the initial steps should be to:

- Ask the details as to what occurred, including what exactly happened, when it happened, and who, if anyone else, was present for the incident.
- Medical Attention at this stage is the overriding priority. Ensure the worker is allowed to leave and seek medical attention as needed. If the worker is on a captive worksite, ensure they receive any medical attention available, and prioritize transit to an available location for more significant care if needed.

Note: A worker is required to report having a workplace accident immediately to the employer, and to WorkplaceNL within three months. If these timelines are not met by the worker, the employer should follow up with the worker and WorkplaceNL. Late reporting by a worker can compromise an employer's ability to investigate/manage an in injury claim.

3 Priority Investigation (Within 24 – 48 Hours)

When the worker has sought any necessary medical care, prioritize an initial investigation of the incident. This can include:

- Speaking with the worker and any potential witnesses and gathering their version of events.
- Review the reported injury site and rectify any potential hazards that could have led to the injury, if possible.
- Review any security footage of the incident, if available.
- Make notes on your investigation of the incident. In addition to this, make note of any recent non-work-related conditions or injuries which may be relevant that the worker had disclosed.



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4 Early and Safe Return to Work (Within 24 – 48 Hours)

As soon as practical, reach out to the worker regarding a potential return to work. Even if a worker is unable to undertake their full duties due to an injury, there are often modified duties and/or accommodations you can provide, which can keep them at work and assist in their recovery. This can include:

- Requesting information from the worker regarding their functional ability.
- Identifying available lighter-duty roles that are within the worker's abilities.

NOTE: Even if you have concerns regarding the authenticity of the injury, reaching out for modified duties ensures you meet your legislative obligations and ideally keeps the worker at work. Workers who spend significant time off work initially present a higher risk of longer-term disability.

5 Injury Reporting to WorkplaceNL (Within 72 Hours)

The Act requires that employers report work injuries within three days of being made aware an injury occurred. Even if the full investigation may be incomplete, file your basic Form 7, Employers Report of Injury with the information available at the time.

If you have any potential objections to the claim, be sure to note them on the form. Otherwise, you have 10 days from the date the worker reported the injury to file an objection.

If you want to submit a more fulsome report afterward with more information, you can do so. You are also able to provide relevant supporting documentation/evidence to WorkplaceNL, including relevant investigation information. This can include security footage and witness statements, among other relevant information.

*NOTE: Death or Serious Injuries such as significant fractures, amputations, loss of sight, internal bleeding, burns, explosion injuries, asphyxiation, or a serious injury causing permanent disability need to be reported to Occupational Health and Safety **immediately** following the incident.*



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