

**Alberta WCB
Policies &
Information**

Chapter:

GENERAL POLICIES

Subject:

RECORDING AND REPORTING ACCIDENTS

Authorization:

BoD Resolution 2003/04/14

Date:

April 29, 2003

APPLICATION 2: EMPLOYER RECORDING AND REPORTING OF ACCIDENTS

1. ***What information must employers make available for workers?***

As set out in the *WCA* and *WC Regulation*, employers must:

- give the worker a copy of the accident record documenting the injury
- give workers a completed copy of WCB-approved employer report of injury form when it is submitted to WCB

2. ***What accidents must employers record?***

Employers must record all accidents and immediately provide a copy of that record to the worker. See s.9 of the *WC Regulation*.

Employers must keep accident records for a period of time as set out in the *Occupational Health and Safety Code*. Accident records must be kept confidential.

3. ***What are the consequences for an employer of not recording an accident?***

Employers who do not record accidents in accordance with the *WCA* and *WC Regulation* may be subject to a penalty.

4. ***What must employers report to WCB and when?***

Employers must report an accident or alleged accident to WCB if, as a result of the accident, the worker:

- is disabled or likely to be disabled for more than the date of accident (see Part I, 1.0)
- is entitled to medical aid other than first aid
- dies

If the employer is aware that a worker received medical aid due to an accident, but is uncertain if that medical aid was medical treatment or first aid (see Part I, 3.0), the employer *must* report the accident to WCB. WCB will determine the nature of the medical aid rendered.

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Reporting (continued)

Accuracy, completeness, and timeliness of employer reporting is essential. Employers must report to WCB within 72 hours after acquiring knowledge of the accident or the allegation of an accident (see Question 6), and provide a copy of that notice to the worker. Employers must also provide WCB with any other information it requires in connection with the accident. It is an offence to knowingly provide false or misleading information in connection with a claim for compensation.

When the injured worker returns to work, the employer must advise WCB within 24 hours. Failure to advise WCB of a worker's return to work may result in a penalty.

5. *When is an employer considered to have acquired knowledge of an accident?*

WCB considers an employer to have acquired knowledge of an accident or the allegation of one if evidence supports the employer was made aware of the accident. Employer includes a person in charge (such as lead hand, foreman, supervisor, manager, etc.); or an established reporting channel such as first-aid attendant, dispatcher, safety officer, HR personnel, attendance call-in hotline, contracted injury management consultant or anyone considered by WCB to be an agent or acting on behalf of the employer.

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6. *Are there circumstances when a delay in reporting might be justified?*

Each case is judged on its own merits. Circumstances beyond the employer’s control, such as loss of records due to fire, may be considered reasonable grounds for delay.

The following are *not* reasonable grounds for reporting an accident beyond the reporting period:

- the accident occurred in a remote location
- the worker was on shift work
- lack of a process or person in place to ensure timely reporting
- incomplete investigation to determine details of the accident, including work-relatedness
- disagreement with the validity of a claim; upon being notified of an accident, WCB will determine the relationship between the accident and the worker’s employment

7. *Can the worker and employer agree not to report an accident?*

No, under the *WCA*, no person can enter into an agreement to waive or forego any of the benefits a worker or a worker’s dependants are or might become entitled to.

Employers have a legal obligation to report work-related injuries to WCB and there are financial penalties for failure to comply. Furthermore, an employer cannot, directly or indirectly, attempt to impede a worker, or the worker’s dependant, from reporting an accident to the Board.

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8. *What should employers do if an injury becomes more serious after they report it to WCB?*

An injury resulting from an accident may become more serious after the employer is first notified of it. For example, an employer may not report an accident to WCB because it involved first aid only, but the injury worsens and the worker later requires medical treatment. Alternatively, an employer may report an accident as no time loss but the injury worsens and the worker later misses time from work.

In such cases employers must:

- if the accident was not previously reported, report it to WCB within 72 hours of becoming aware of any changes that make the accident reportable in accordance with the *WCA* and this policy
- if the accident was previously reported, inform WCB of the new circumstances as soon as they become aware of any such changes

9. *What are the consequences for an employer for late, incomplete, or non-reporting of accidents?*

Late or incomplete reports, or failure to report an accident in accordance with s.33 of the *WCA* may delay the adjudication of a claim, which can lead to increased claim costs for employers and delay both the payment of benefits and the worker's return to work.

In addition, the employer may be subject to the following:

- an audit of accident and claims records and reporting practices
- an administrative penalty
- investigation of the accident and the costs of the investigation charged to the employer

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Consequences (continued)

- disqualification from optional premium pricing, including retroactive disqualification, which may result in premium adjustments and employers having to pay back premium pricing program refunds

In extreme cases employers may be subject to prosecution.

10. *When is this policy application effective?*

This policy application (Application 2 – Employer Recording and Reporting of Accidents) is effective May 1, 2003, except when noted otherwise in a specific policy section(s).

[Document History](#)

Previous versions

- [Policy 0105 Part II - April 2018](#)
- [Policy 0105 Part II - August 2015](#)
- [Policy 0105 Part II - March 2009](#)
- [Policy 0105 Part II - January 2004](#)
- [Policy 0105 Part II \(1st Issue\) - May 2003](#)