

New Ontario Regulation Streamlines Reporting and Notice Requirements Under *Occupational Health and Safety Act*

July 5, 2021

On **July 1, 2021** [O. Reg. 420/21](#): *Notices and Reports under Sections 51 To 53.1 of the Act - Fatalities, Critical Injuries, Occupational Illnesses and Other Incidents* under the Ontario *Occupational Health and Safety Act* (“Regulation 420/21”) came into effect, to streamline the notice and reporting requirements under the *Occupational Health and Safety Act* (“OHSA”).

Regulation 420/21:

- Incorporates the definition of “critical injury” from its former regulation:
 - places life in jeopardy
 - produces unconsciousness
 - results in substantial loss of blood
 - involves the fracture of a leg or arm but not a finger or toe
 - involves the amputation of a leg, arm, hand or foot but not a finger or toe
 - consists of burns to a major portion of the body
 - causes the loss of sight in an eye
- Consolidates the notice and reporting obligations formerly found in various industry-specific regulations under the OHSA. As such, the notice and reporting requirements in the following regulations have been revoked:
 - Regulation 851: [Industrial Establishments](#)
 - Regulation 854: [Mines and Mining Plants](#)
 - Regulation 855: [Oil and Gas – Offshore](#)
 - Regulation 859: [Window Cleaning](#)
 - Regulation 861: [X-Ray Safety](#)
 - Regulation 213/91: [Construction Projects](#)
 - Regulation 67/93: [Health Care and Residential Facilities](#)
 - Regulation 629/94: [Diving Operations](#)
 - Regulation 414/05: [Farming Operations](#)
- Prescribes the content of the written report or notice to be provided by an employer or constructor under Sections 51-53.1 of the OHSA.
- Requires an employer or constructor to retain for at least **three years** a copy of any written notice or report required under Sections 51 to 53.1 of the OHSA.

- Permits an employer or constructor to file a written report or notice **electronically** with the Ministry of Labour, Training and Skills Development, through an [Ontario Government](#) website (with forms available shortly).

An employer governed by the OHSA should review its accident reporting policies and protocols to ensure they comply with the requirements of Regulation 420/21.

To learn more and for assistance, contact your Sherrard Kuzz LLP lawyer or any member of our team at info@sherrardkuzz.com.

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