

One is too many

A closer look at workplace fatalities

Workplace injury is on the decline in Nova Scotia, as fewer people are injured at work each year.

But there remains much work to do. And there is no greater example of this than workplace fatalities – the number of people who die either in acute incidents on the worksite, at the worksite because of a health condition, or after an exposure on the worksite due to a chronic occupational illness.

While tragedies are grouped differently, each of them shares a simple, human truth – they did not need to happen, and they take far too great a human toll on our province.

Understanding Fatalities

The Nova Scotia Department of Labour, Skills and Immigration defines a **workplace fatality** as follows:

- The injury that caused the fatality occurred at a place that meets the definition of a workplace and at the time of the injury that caused the fatality the deceased was an employee of a company, a self-employed person or neither an employee nor a self-employed person, but who, at the time of the fatality, was contributing to work at the workplace.
- The injury that caused the fatality occurred within the physical boundaries of Nova Scotia or outside the physical boundaries of Nova Scotia, involving an employee of an organization or a self-employed person that fell under Nova Scotia Occupational Health and Safety legislation at the time of the fatality.

This definition includes two types of fatalities – acute, and chronic.

Acute Fatalities happen when work-related tragedy strikes at a workplace. For example, these include falls, drownings or losses at sea, and motor vehicle collisions. These incidents often receive significant media attention.

Chronic Fatalities include two different types of workplace and/or work-related death:

- **Chronic, Health-Related.** These are deaths due to health conditions, which may or may not be related to work, but which occur at the worksite. For example, this includes a worker who suffers a heart attack or stroke on the job. Importantly, this event may or may not be related to the work, but is included because it occurred on the worksite.
- **Chronic, Occupational Disease.** These tragedies may take years to unfold. They often result from chronic occupational disease such as asbestosis, lung conditions related to coal mining, work-related cancers, or other conditions. These deaths can occur years after the initial workplace exposure took place, and not while at work.

Are there other deaths due to work that are not covered in these statistics?

Almost certainly so. These statistics are those workplace deaths that are reported to the OHS Division, and, those deaths due to occupational disease from WCB Nova Scotia-covered workplaces. There are very likely other deaths due to occupational diseases, for example, that do not appear in these annual statistics.

What happens when a death occurs at a worksite?

Usually, the first call is to 911. First responders respond to the site. The Occupational Health and Safety division is notified, and an inspector is dispatched. The investigation begins to determine how the incident occurred and if there was a violation of the NS OHS Act and/or its regulations. Both OHS Investigators and police may be involved.

Why do these definitions matter?

There is often interest in workplace fatalities. Accuracy is important, as all workplace fatalities impact families, communities, and co-workers.

As such generalizations such as “X number of people died at work,” or, “x number of people were killed on the job” can often be inaccurate and misleading, as they may be true about only a subset of the total number.

Family is notified first. Once this occurs, other details may be released publicly.

Following the workplace fatality, if the workplace is covered by WCB Nova Scotia, a special team contacts the family, beginning the process of adjudication to determine what WCB benefits are payable.

What benefits are payable?

Each situation is different, and each must be adjudicated based upon the details of each case. In general, for a compensable workplace fatality in a covered workplace, and when there is a surviving spouse and/or children, benefits will include \$15,000 in a one-time payment, and up to \$5,000 to cover funeral expenses.

Other benefits may include ongoing dependent spouse benefits, and child benefits until children turn 18, and possibly longer if they are enrolled in education programs.

The *Workers' Compensation Act* sets out specific definitions that affect how survivor benefits are paid. For more information, consult the *Workers' Compensation Act*, or contact the WCB at 1-800-870-3331.

How does Nova Scotia compare to other jurisdictions?

Each Canadian jurisdiction handles fatalities differently. As such, comparing one jurisdiction to another should consider the different definitions that may be used in each jurisdiction.

The Association of Workers' Compensation Boards of Canada (AWCBC) maintains a comparative list of workplace deaths which are compensable within a given year. This list should be used for comparative purposes only, as some fatalities are not compensable, and therefore the list does not paint a complete picture

of fatalities in Nova Scotia. Nonetheless, the database is the best comparison tool, at present, of workplace fatalities across different Canadian jurisdictions.

Are fatalities more common in any one industry than another?

Yes. In Nova Scotia, more fatalities over the past several years have occurred in fishing than in any other industry. In fact, they are many times more likely in that industry than in any other, based upon data from the past several years.

What other supports are available to families suffering the impact of workplace tragedy?

Threads of Life is a national charity dedicated to supporting families during this very challenging time, and, to providing an ongoing network of support. The WCB works closely with Threads of Life and provides workers, or their families, with information on the services it offers. To learn more, visit threadsoflife.ca

Where can I learn more?

Contact us at any time at:

WCB Nova Scotia: 1-800-870-3331

wcb.ns.ca

Labour, Skills and Immigration: 1-800-9LABOUR
novascotia.ca/lae/healthandsafety

Who is responsible for workplace fatality data?

The OHS Division of the Nova Scotia Department of Labour, Skills and Immigration is the official source for the current number of workplace fatalities. In 2011, WCB Nova Scotia and the Department of Labour, Skills and Immigration began reporting a single fatality number. The number includes both:

- *Acute and chronic health-related deaths occurring at worksites within a given year, which is data compiled by Labour, Skills and Immigration, and*
- *Deaths in a calendar year due to chronic occupational diseases, which is data compiled by the WCB.*

WCB information is provided to the Department of Labour, Skills and Immigration's OHS Division as it becomes available. Sometimes, it can take some time for a death due to occupational disease to be classified as a workplace fatality, because it may not be initially clear that the death is due to the work-related condition.