

## Utility Didn't Have Duty to Report Incident Involving Another Employer's Worker



A worker was injured when he contacted a live power line. His employer called the utility for help rescuing him, which the utility provided. The utility didn't report the incident to the workers' compensation board, however, arguing that it wasn't an employer in this case. The utility was charged with violating the reporting requirement. A court ruled that it was unreasonable under these circumstances to conclude that the utility was an employer with a reporting duty and ordered a review of the violation. A review officer said the utility had a reporting duty here not only as an employer but also as the owner of the site with a "significant connection" to the incident. A subsequent court again disagreed as did an appeals court. The appeals court recognized that the OHS law does address the duties of owners but that it *doesn't* include a reporting duty.