

SCHEDULE “C” – SERIOUS INCIDENT INVESTIGATION PROTOCOL

Technical Standards and Safety Authority

PURPOSE

The Corporation agrees to ensure the involvement of a government body or law enforcement agency other than the Corporation to assist with the investigation of serious incidents or fatalities as set out in clause 4 below and ensure the avoidance of conflict of interest, or the appearance of conflict of interest, regarding the conduct of an investigation. This protocol shall be subject to the approval of the Minister.

REQUIREMENTS OF THE CORPORATION

1. The Corporation will enter into an investigation Protocol agreement with the Ministry of Labour, Training and Skills Development (MLTSD) regarding MLTSD monitoring of certain Corporation investigations. The Protocol agreement with MLTSD will clarify how MLTSD involvement will be initiated, the expectations on MLTSD involvement in terms of oversight and monitoring role of an investigation by the Corporation, and the fees payable to MLTSD.
2. The Protocol and any amendments thereto are subject to approval of the Minister.
3. The Corporation will provide the Minister with a signed copy of the Protocol and the Protocol shall form part of this Schedule.
4. The Corporation agrees to invoke the Protocol regarding an incident in which all of the following three conditions exist:
 - a) The Corporation has previously inspected or authorized the equipment or facility involved;
 - b) The investigation relates to a serious incident or fatality; and
 - c) There is a conflict of interest, or a perceived conflict of interest arising out of the investigation by the Corporation.
5. In the event that MLTSD is unable to monitor an investigation by the Corporation for any reason, the Corporation and the Minister shall together ensure the involvement of a government body or law enforcement agency to monitor the investigation.

6. The Minister retains the right to request that the Corporation invoke the Protocol in the circumstances described in paragraph 4, or for any other situation the Minister may consider appropriate.

**Technical Standards and Safety
Authority**

As originally signed by RJ Falconi

Chair of the Board

Date: April 25, 2022

**Her Majesty the Queen in right of
Ontario**

**As originally signed by The Honourable
Minister Ross Romano**

Minister of Government and Consumer
Services

Date: April 28, 2022