

Ministry of Labour, Training and Skills Development  
Health & Safety

# Worker Health & Safety And Regulatory Compliance Construction Program Presentation

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## Note:

This presentation has been prepared to assist workplace parties in understanding their rights and duties under the Occupational Health and Safety Act (OHSA) and its regulations.

This presentation does not constitute legal advice.

To determine your rights and duties under OHSA, please contact your legal counsel or refer to the legislation.

# Mission Statement

Working to prevent workplace injuries and illnesses, promoting and enforcing employment standards, helping settle workplace disputes and collective agreements, supporting apprenticeships, the skilled trades, industry training and employment services in Ontario.

# Internal Responsibility System

The Internal Responsibility System (IRS) is the underlying philosophy in the OHSA.

Every individual, worker, supervisor, manager, senior executive, etc. is responsible for health and safety and has specific roles to maintain a safe and healthy workplace as well as improve unsafe working conditions where necessary.



The Internal Responsibility System does the following:

- ❖ Establishes responsibility sharing systems;
- ❖ Promotes a safety culture;
- ❖ Promotes best practices;
- ❖ Helps develop self reliance; and,
- ❖ Ensures compliance.

# Penalties for Non-Compliance

A successful prosecution could, for each conviction, result in:

- A fine of up to \$100,000 for an individual person and/or up to 12 months imprisonment;
- A fine of up to \$1,500,000 for a corporation.
- More scheduled offences(tickets) with increased fine amounts. **Supervisors, Employers and Constructors** can be ticketed!

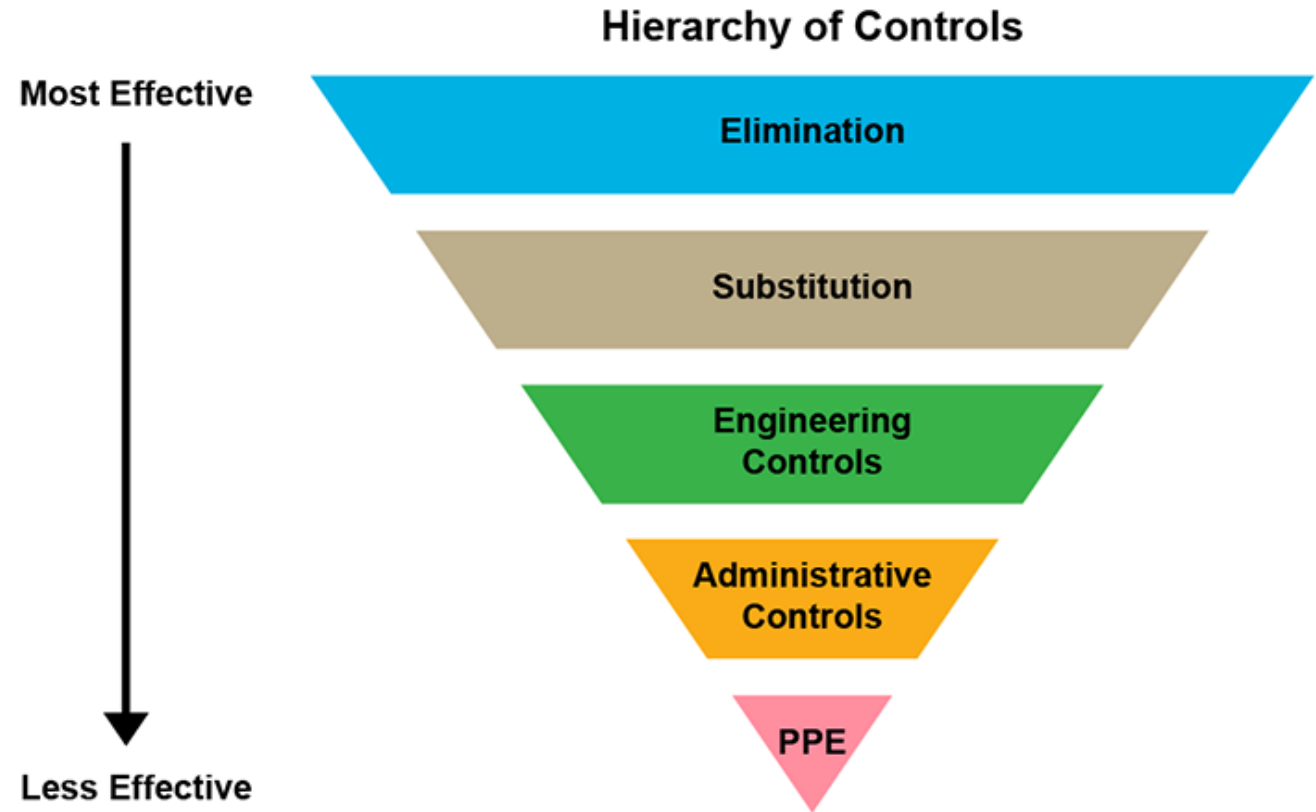
# OHS System Priorities

OHS System Priorities cross all programs and influence the focus of all inspections.

Health and Safety Associations (HSAs) & MLTSD's Prevention Office support MLTSD enforcement activities (so do the Occupational Health and Safety Branch [OHSB] and Policy) and provide information to workers and employers.

In response to COVID-19, the Ministry of Labour, Training and Skills Development plans to adjust the current 2020-21 health and safety compliance initiative schedule. Further updates will be provided as necessary.

We thank you for your continued efforts in keeping workplaces safe in Ontario during this time



# Initiatives

Occupational health and safety inspectors carry out their initiatives to:

- ✓ raise awareness of hazards
- ✓ increase compliance with the *Occupational Health and Safety Act* and its regulations

Provincial health and safety compliance initiatives focus on specific hazards or topics and have two phases.

During phase 1 of the initiatives the ministry focuses **on education, outreach, and awareness:**

During phase 2 the ministry conducts a focused **inspection blitz** :

Ministry of Labour, Training and Skills Development

## Construction: Guidance for Health and Safety

### Employer Responsibilities:

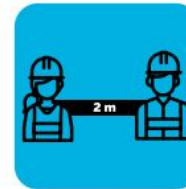
If you find out a worker has been exposed to COVID-19 at work, or a related claim has been filed with the WSIB, make sure to notify the ministry and your workplace joint health and safety committee, health and safety representative and trade union. Call the ministry's **Health and Safety Contact Centre at 1-877-202-0008**.

### Worker Rights:

Workers have the right to refuse unsafe work. If health and safety concerns are not resolved internally, a worker can seek enforcement by filing a complaint with the ministry's **Health and Safety Contact Centre at 1-877-202-0008**.

#### Keep them safe:

All staff on site  
All people accessing site  
Supervisors and managers  
Suppliers and delivery people  
Machine operators  
General labourers  
Skilled tradespeople  
Signal persons  
Material handlers  
Painters and finishers  
Architects and engineers  
Office workers  
Health and Safety teams



Practice physical distancing and stay 2 metres from other people



Conduct meetings outdoors



Clean tools before and after use



Clean toilets frequently



Make hand washing or sanitizing stations easily available



Disinfect facepieces and other personal protective equipment



Stagger start and finish times



Bag work clothes when bringing home laundry

## Provincial Initiatives in Cross-Sectors

- ❖ Healthy Workers, Healthy Workplaces:
  - Occupational Disease – “Stay Safe All Day”
  - February 2, 2021 – May 7, 2021

Cross-Sector Initiative results will be updated on the MLTSD website.

[www.ontario.ca/page/workplace-inspection-blitzes-and-initiatives](http://www.ontario.ca/page/workplace-inspection-blitzes-and-initiatives)

**Keep it up at work  
...be COVID SAFE!**

**COVID should not be on  
the menu at lunch**

- Eat at a safe distance from others
- Finish eating and put your mask back on to socialize
- Go separately to pick up food



## OHS System Priorities

For 2021, the OHS System Priorities are:

1. Healthy Workers in Healthy Workplaces – “Stay Safe All Day” – Covid-19 Initiative – Ongoing

Starting on February 2, 2021, the Ministry began a 3-month "Stay Safe All Day" initiative that will focus on compliance with COVID precautions, including during break times.

This will be our focus for every field visit that the Construction Health and Safety Program performs.

During this time we will be holding all appropriate workplaces accountable for non-compliance with COVID precautions.

To do this we will be using the Occupational Health and Safety Act, the Construction Regulations, the Reopening Ontario Act and the Emergency Management and Civil Protection Act. We will not hesitate to issue stop work orders or initiate prosecution for violations under these Acts or Regulations if warranted.

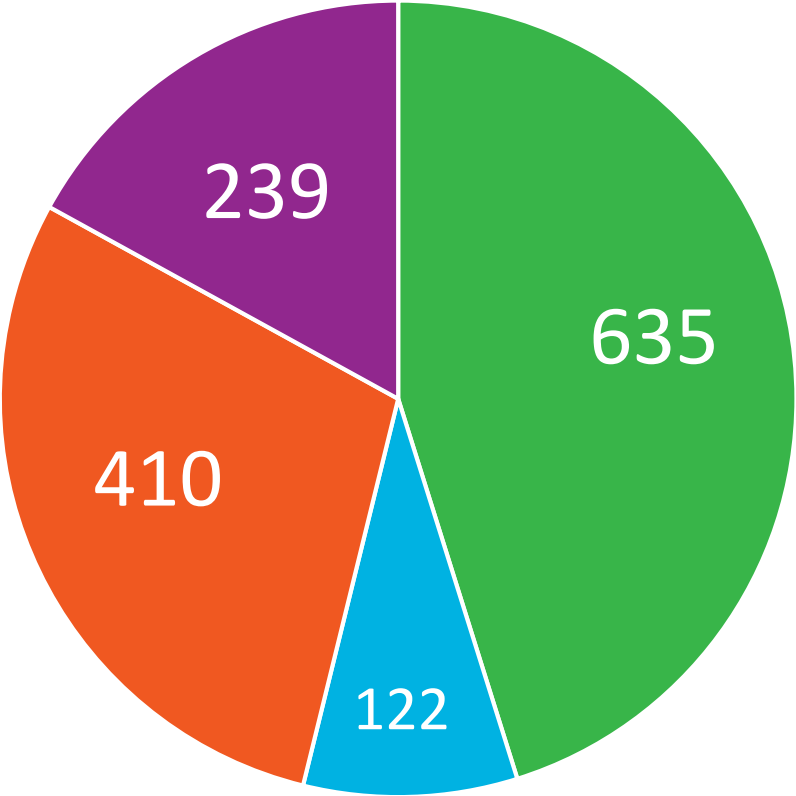
There is no excuse for noncompliance.



Most Frequent Orders  
Asphalt Paving, Bridge Construction, Highway & Road Construction  
January 1, 2016 – December 31, 2020

Throughout this  
timeframe **over  
2,500 orders** have  
been issued by  
MLTSD

25% of all orders  
pertain to Traffic  
Protection Plans



■ Traffic Protection Plan   ■ Traffic Direction   ■ Hard Hats   ■ Hi-Vis Garments



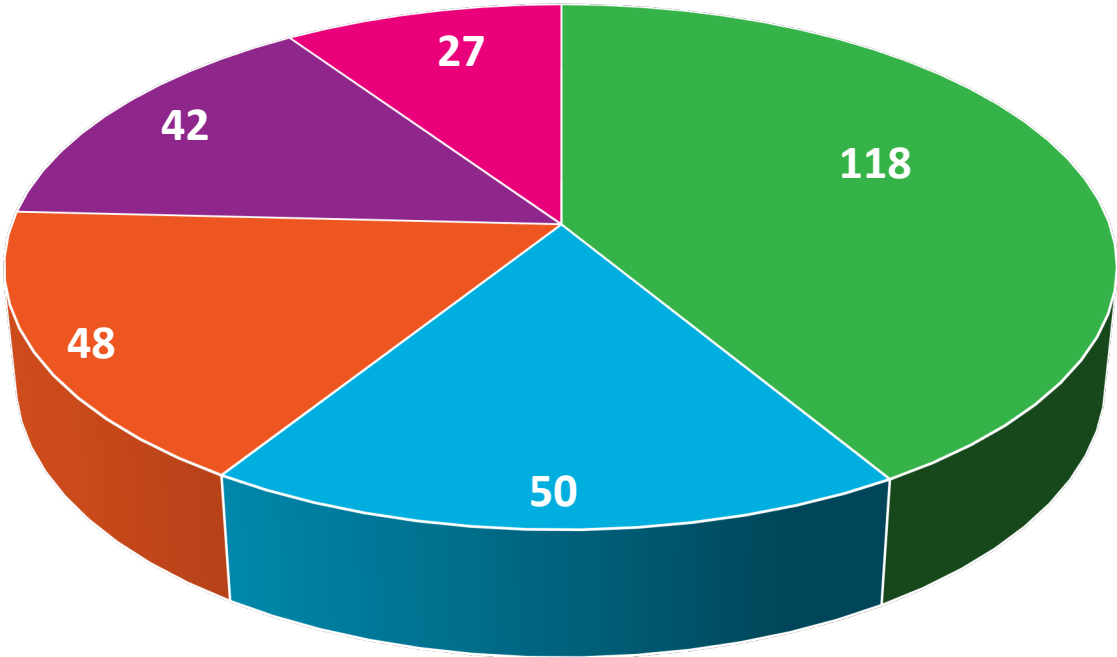
# Stop Work Orders

Over the last five years **383 stop work orders** were issued while inspecting Asphalt Paving, Bridge, Highway and Road Construction Projects.

**Non-compliant Traffic Protection Plans** are the most prevalent reason for work to stop in order to protect workers!



The Top Five Reasons MLTSD Inspectors Stopped Work



- Traffic Protection
- Equipment Operation
- Fall Protection
- Excavation Compliance
- Guardrail Compliance

Order Frequency 2016 – 2020  
By Regulatory Section

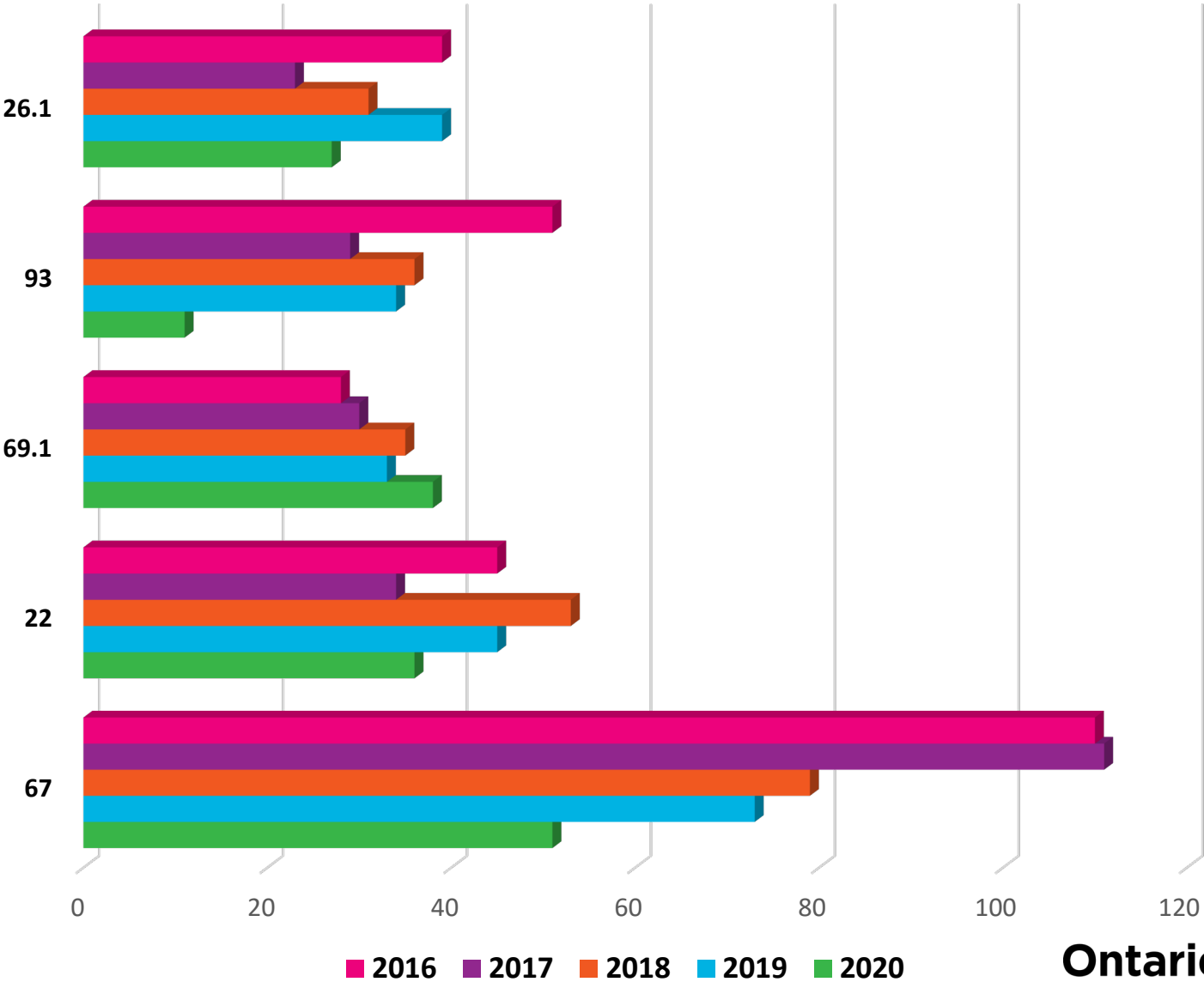
# Top Five Orders

The most common orders issued to organizations classed as “**Highway Street and Bridge Construction**” (NAICS Code 237310) over the last five years.

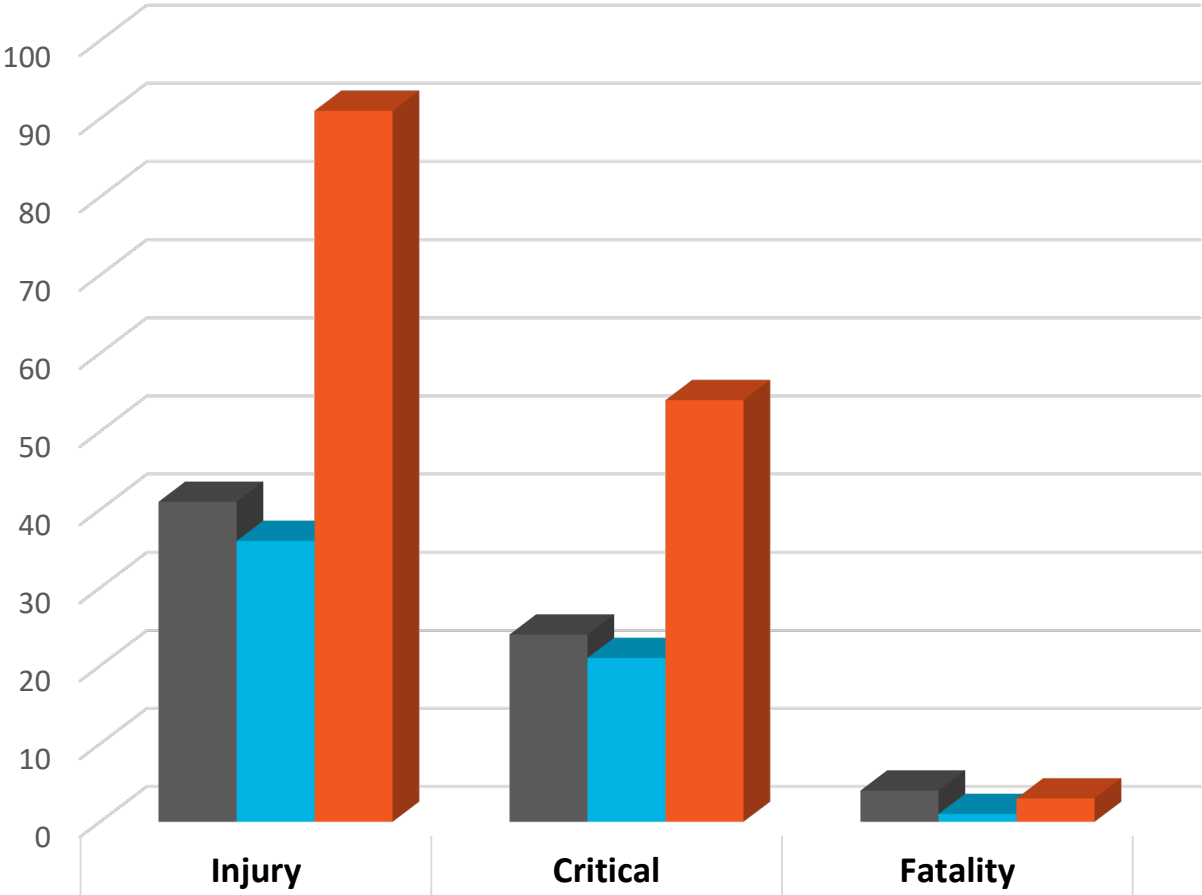
These organizations have received **1,659** orders over that time frame.

The most frequent order involved the need for a traffic protection plan to be developed in writing, implemented and communicated to the workers.

2020 saw the trend towards traffic protection plan compliance continue in a favorable direction, with 51 orders issued vs. 111 in 2017.



Injuries, Critical injuries and Fatalities  
January 1, 2016 through December 31, 2020



■ Asphalt Paving	41	24	4
■ Bridge Construction	36	21	1
■ Highway & Road Construction	91	54	3

The frequency of critical injuries across all three sectors is remaining relatively constant.

The average number of critical injuries per sector, per year is:  
Asphalt Paving: 4.8  
Bridge Construction: 4.2  
Highway & Road: 10.8

This needs to change!

Over the same time frame, 13 members of the public (non-workers) were either critically injured or killed in and around these projects (as reported to the Ministry)

Public way protection is required by the regulations too!



# We Are Here to Help

## Ministry of Labour Health & Safety Contact Centre

- Toll-free: 1-877-202-0008  
Fax: 905-577-1316
- Call any time to report critical injuries, fatalities or work refusals.
- Call 8:30 a.m. – 5:00 p.m., Monday – Friday, for general inquiries about workplace health and safety.
- [webOHS@Ontario.ca](mailto:webOHS@Ontario.ca)
- In an emergency, always call 911.

## Employment Standards Information Centre

- GTA: 416-326-7160  
Canada-wide: 1-800-531-5551  
TTY: 1-866-567-8893

### Need other languages?

- The Employment Standards Information Centre (1-800-531-5551) provides service in 23 different languages – from Arabic to Vietnamese.

# Health and Safety Associations



**Infrastructure Health & Safety Association (IHSA)**

Serves: construction, electrical and utilities, aggregates, natural gas, ready-mix concrete and transportation.

Toll-free: 1-800-263-5024

<http://www.ihsa.ca/>  
[on Twitter @IHSAnews](#)



**Workplace Safety & Prevention Services (WSPS)**

Serves: agriculture, manufacturing, and service sectors.

Toll-free: 1-877-494-9777

<http://www.wsps.ca/>



**Workplace Safety North (WSN)**

Serves (province wide): forestry, mining, smelters, refineries, paper, printing and converting.

Toll-free (Ontario): 1-888-730-7821

<http://www.workplacesafetynorth.ca/>  
[on Twitter @WSN\\_News](#)



**Public Services Health & Safety Association (PSHSA)**

Serves: hospitals, nursing and retirement homes, residential and community care, universities and colleges, school boards, libraries and museums, municipalities, provincial government and agencies, police, fire and paramedics and First Nations.

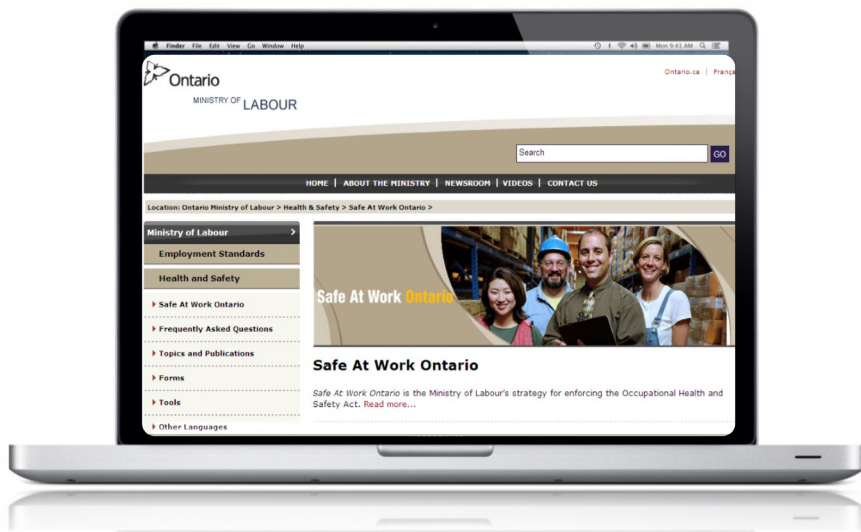
Toll-free: 1-877-250-7444 | Toronto: 416-250-2131

<http://www.pshsa.ca/>  
[on Twitter @pshsa1](#)

# Ministry of Labour, Training and Skills Development Website

The MLTSD website is the source for the latest news on:

- ✓ Sector plans
- ✓ Hazard alerts
- ✓ Compliance tools
- ✓ Prosecution activity





# Questions?



# Thank you!