

Section 1

Reporting Month Statistics – Quick Overview and Comparison

	2018 16 Feb 2018 – 15 Mar 2018	2017 16 Feb 2017 – 15 Mar 2017
Fatalities	3	1
Critical Injuries	15	23
Month Total	18	24

Provincial Coordinator's Comments

I joined the MOL in East Region as a Construction Health & Safety Inspector in 2002, after 15 years as a municipal building inspector. As a H&S Inspector I led many high profile investigations. In 2006 I became a Regional Program Coordinator (RPC) for Construction Program in East region. I am a peer trainer on a number of subjects and deliver training to new inspectors on a variety of topics. I recently received my CRSP designation.

On March 2nd, a number of administrative amendments were made to the regulations for Construction Projects and Asbestos on Construction Projects and Buildings and Repair Operations. The amending regulations were O. Reg. 64/18 and O. Reg. 62/18. These changes are available on eLaws (see section 2).

On March 20th, the ministry launched a consultation on proposed changes affecting the protection of workers from exposures to hazardous biological or chemical agents under the OHSA. More information on these proposals, as well as details regarding the consultation and how interested parties may participate, are included in the consultation notices posted on the Ministry's web site. The consultation will be open until May 4, 2018.

On April 1st amendments to several schedules set out in Regulation 950 under the *Provincial Offences Act* came into effect. These changes link directly to the expert advisory panel on occupational health and safety recommendation number 25, which captured the following: "The Panel heard from some stakeholders that the existing penalties applicable for a ticket or summons do not sufficiently deter non-compliance, particularly as the set fines have not been amended in years to account for inflation. Others have suggested that tickets should be used for a broader range of contraventions including non-compliance with administrative requirements." The various schedules list offences established under the *Occupational Health and Safety Act* (OHSA) and its regulations.

By the time this report is released the MOL will have announced and posted the blitzes and initiatives for 2018-2019. In the context of our cross program initiative, it may be worth looking back at the 2010 report from the expert advisory panel on occupational health and safety. The executive summary highlighted the "Internal Responsibility System (IRS) that Dr. James Ham described when developing Ontario's first Occupational Health and Safety Act in the 1970s. Ham emphasized that, together with government as standard setter and enforcement services provider, the workplace parties — CEOs, unions, employers, workers and supervisors — play a significant role in promoting workplace health and safety. He emphasized that the role of each of these parties is proportional to the degree of control they exercise in the workplace."

As a reminder, Working at Heights (WAH) training has a validity period of 3 years. Beginning this April some workers will require the refresher course to remain in compliance with O. Reg 297/13. Employers are encouraged to plan ahead in scheduling the required WAH refresher training.

I look forward to working with our partners and stakeholders as we continue to improve health and safety in all workplaces.

Jean (John) Justa
Provincial Coordinator (A)
Construction Health and Safety Program
Ontario Ministry of Labour

Section 2

- March 2, 2018 administrative amendments
<https://www.ontario.ca/laws/regulation/r18064>
<https://www.ontario.ca/laws/regulation/r18062>
- Proposed Changes Affecting the Protection of Workers from Exposures to Hazardous Biological or Chemical Agents under the Occupational Health and Safety Act
<https://www.labour.gov.on.ca/english/about/consultations/oels/index.php>
- The ministry of Labour has prepared a consultation paper for public review and comment, which highlights the proposed amendments to Regulation 851.
<http://www.ontariocanada.com/registry/view.do?language=en&postingId=26446>
- To get more information about the offences listed in the new and amended schedules, check Regulation 950 under the Provincial Offences Act (POA) at:
<https://www.ontario.ca/laws/regulation/900950>.

Section 3

Court Bulletin 1

Worker Crushed by Mobile Home, RV Resort Fined in London Court – March 22, 2018 4:20 P.M.

Convicted: AFTT Developments Inc., operating as Golden Pond RV Resort, 4340 Cromarty Drive, RR 2, Mossley, Ontario, a mobile home and recreational vehicle residential park and campground.

Location: The company's park and campground in Mossley, about 30 km east of London, Ontario.

Description of Offence: Workers were moving a mobile home from one site to an adjacent one when the mobile home shifted, fell off the jacks supporting it, and came down on one of the workers, who died from the injuries.

Date of Offence: September 19, 2016.

Date of Conviction: March 22, 2018.

Penalty Imposed:

- Following a guilty plea, the company was fined \$70,000 by Justice of the Peace Thomas Stinson in London court; Crown Counsel Judy L. Chan.
- The court also imposed a 25-per-cent victim fine surcharge as required by the *Provincial Offences Act*. The surcharge is credited to a special provincial government fund to assist victims of crime.

Background:

- A mobile home was being moved by workers who were using jacks to raise the structure. It was being raised high enough to allow the workers to slide steel beams under the undercarriage.
- The workers had raised the structure about nine inches when it began to shift and fell off the jacks.
- One worker was able to roll out from underneath but the structure came down on another worker, who was pinned before being able to get out of the way.
- The worker was taken to hospital and succumbed to the injuries the next day.
- The Ministry of Labour investigation determined that the soil on which the blocks supporting the jacks were placed was damp and soft, increasing the instability of the structure, and the jacks were lifted too high, which made the mobile home unstable on the jacks. The mobile home was not adequately braced to prevent movement that may affect its stability and cause it to shift and collapse.
- Section 31(1)(b) of the *Construction Projects Regulation (Regulation 213/91)* prescribes that every part of a project, including a temporary structure, shall be adequately braced to prevent any movement that may affect its stability or cause its failure or collapse.
- Golden Pond failed to ensure that the measures and procedures prescribed by the regulation were complied with, contrary to section 25(1)(c) of the *Occupational Health and Safety Act*. This is an offence pursuant to section 66(1) of the act.

Court Bulletin 2

Worker Fatality in Brampton, Company Fined \$175,000 – March 8, 2018 4:00 P.M.

Convicted: Dematic Limited, a company that provides supply chain automation, material handling, warehouse management, logistics, software & IT, and consulting services, with workplaces in Mississauga and Waterloo, Ontario.

Location: A worksite – a warehouse under construction – in Brampton, Ontario.

Description of Offence: A worker became pinned between the guardrail of a work platform and a steel structure and died from the injuries.

Date of Offence: August 9, 2016.

Date of Conviction: March 8, 2018.

Penalty Imposed:

- Following a guilty plea, the defendant was fined \$175,000 by Justice of the Peace Richard Quon in Brampton court, 5 Ray Lawson Boulevard; Crown Counsel Joe Ferraro.
- The court also imposed a 25-per-cent victim fine surcharge as required by the *Provincial Offences Act*. The surcharge is credited to a special provincial government fund to assist victims of crime.

Background:

- Dematic Limited was contracted to design and install a conveyor system at a warehouse under construction in Brampton. The conveyor system was part of an automated material handling system for the warehouse.
- During installation of the conveyor, workers were required to install decking on previously constructed structural steel frames. The work crew moved the decking by forklift, and used a mobile work platform to access the steel frame to install the decking. The mobile work platform would be moved underneath the steel frame to provide workers access to the areas of the steel frame where the decking was to be installed.
- On the day of the incident, two workers who had been performing this task for some time were part of the work crew installing decking on the east end of one of the structural steel frames. Both were working from the mobile work platform, with one operating the controls. The mobile work platform was operated from controls that were accessed while on the platform.
- In order to access various sections of the steel frame, the two workers were required to briefly position themselves below the top rail of the guardrails of the mobile work platform to pass under some of the beams of the structural steel frame.
- The worker operating the controls of the mobile work platform did not have the co-worker within sight; both were on the platform while it was being moved.

- While moving the platform, the operator heard a noise and stopped the platform, then saw the co-worker was pinned between the guardrail of the work platform and the steel structure.
- Emergency services were called but the worker was pronounced dead at the scene.
- The Ministry of Labour attended at the workplace. Investigation revealed that while the workers had received training and instruction in the operation of the mobile work platform, the platform was not being operated at the time of the event in accordance with the operator's manual. In particular, the manual warned against operating where insufficient clearance existed between the operator and potential obstructions.
- As such, Dematic failed as an employer to ensure that the measures and procedures prescribed by section 93(3) of *Ontario Regulation 213/91 - the Construction Projects Regulation* – were carried out at a project, contrary to the *Occupational Health and Safety Act*. Section 93(3) of the regulation required Dematic to ensure that all vehicles, machines, tools and equipment were used in accordance with operating manuals.

Section 4**Fatality & Critical Injury Year-to-Date Overview and Comparison**

	2018 16 Jan 2018 – 15 Mar 2018	2017 16 Jan 2017 – 15 Mar 2017
Fatalities	7	2
Critical Injuries	37	42

*NOTE: These figures represent preliminary data, and are not to be considered official statistics from the Ministry of Labour. Official statistics will be issued quarterly by the Program Analysis, Evaluation and Outcomes Unit of the Occupational Health and Safety Branch of the Ministry of Labour.

REPORTING MONTH: February 16 – March 15, 2018**Monthly Summary Report****Fatalities (3)**

By Sector	<ul style="list-style-type: none"> • COMM - 1 • RESS – 2
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Critical Injuries (15)

By Sector	<ul style="list-style-type: none"> • INDU - 1 • RESM – 3 • RESS – 7 • COMM – 3 • POWP -1
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Critical Injuries - Total 15

Period: 16 Feb – 15 Mar 2018

#	Date	Region	Sector	Occupation	Details (as reported to the MOL)
1	16 Feb 2018	East	RESS	Worker	Worker fell from a roof and sustained a broken right heel and a broken right wrist.
2	20 Feb 2018	North	COMM	Worker	Worker was clearing the flat roof of snow to get ready for today's work. He slipped and fell, which resulted in a small fracture to the left arm.
3	21 Feb 2018	C. West	RESS	Worker	Worker slipped on step sustaining tibia fracture to right ankle
4	22 Feb 2018	C. West	COMM	Worker	Worker fell approx. 12' landing on concrete floor sustaining 2 broken feet.
5	24 Feb 018	C. East	INDU	Worker	The worker was cleaning some tools when he tripped over a toolbox he did not see, which resulted in a right wrist fracture.
6	28 Feb 2018	C. East	RESS	Worker	Worker (cleaner for renovation company) experienced difficulty breathing and became unresponsive while travelling in a work vehicle. Transported to hospital.
7	2 Mar 2018	West	RESM	Worker	Subcontracted worker was delivering drywall when he experienced a seizure and lost consciousness. Worker was driving forklift at the time of the occurrence.
8	2 Mar 2018	C. West	RESS	Worker	Worker tripped and fell, sustaining a broken right wrist.
9	5 Mar 2018	West	RESS	Worker	Worker fell from the ladder at height of 10 ft or more while he was putting shingles on the roof

10	6 Mar 2018	North	COMM	Worker	<p>Worker was changing out a light fixture and backed up on the ladder (backed up too much) then fell onto his left side on the ground.</p> <p>Worker started feeling unwell later that night and a coworker had taken him to Kirkland Lake Hospital where he was informed his arm might be broken/fractured in two places. The next day he went to Timmins Hospital awaiting confirmation of the injury.</p>
11	7 Mar 2018	East	POWP	Worker	Worker was walking on a gangplank, tripped, fell from ground level, and broke his arm.
12	8 Mar 2018	C. West	RESS	Worker	Worker fell 8 feet off ladder and sustained a broken rib, right clavicle and lower left leg.
13	9 Mar 2018	West	RESM	Worker	The worker was walking from site trailer to job site when the worker had slipped on ice and fell. He had twisted his knee and that resulted in broken femur.
14	12 Mar 2018	C. East	RESM	Worker	Worker was doing welding work for a scaffolding. A piece of wood block fell from two floors high hitting him on his left side. I W briefly lost consciousness.
15	15 Mar 2018	C. West	RESS	Worker	Worker fell 23 feet off roof and sustained fractures to femur and hip.

Section 5**Fatalities – Total 7****Year-to-Date: 1 Jan – 15 Mar 2018***All new entries (current month and reconciled data) appear in **bold**.

NOTE: Some detail will inevitably be missing from the PLMHSC Report. The document is intended to provide an initial overview, not a comprehensive report. Annual data reporting approved by the Director should be used by stakeholders if they wish to see all data available to the Ministry related to an event.

#	Date of Incident	Region	Sector	Sub-sector (worker's trade)	Details (as reported to MOL)
1	11 Jan 2018	C East	INDU	Erection of a steel work platform around equip.	Worker fell from a platform and sustained critical injuries. Workers were installing a platform around a piece of equipment
2	19 Jan 2018	C West	RESS	Equip Installation	Worker fell from scaffold on new home site; sustained critical injuries, then succumbed to injuries.
3	23 Jan 2018	C West	RESM	Masonry	Worker fell four storeys through an opening at the project while working on the exterior of a building resulting in fatal injuries
4	31 Jan 2018	C East	RESS	Framing	Worker involved in the framing of the house suddenly collapsed during break
5	27 Feb 2018	C East	COMM	Electrical work	While installing a light fixture, worker received an electric shock and fell 13 feet to the ground resulting in fatal injuries.
6	13 Mar 2018	West	RESS	Equip removal/ transport	Workers' 3-quarter ton pickup truck w/ ramp trailer parked on the side of the road. Worker standing on trailer prepping sky jack scissor to be loaded on it. Oncoming vehicle hit the base of the ramp becoming airborne striking the worker.
7	15 Mar 2018	C West	RESS	Equip set up/ Gen. Labour	Worker fell 9' resulting in fatal injuries. Worker was constructing the work platform, which failed while he was on it.