

Reporting Month Statistics – Quick Overview

Reporting Month	Month Fatalities	Month Critical Injuries	Month Total
SEP 1 – 30, <u>2017</u>	3	27	30

Reporting Month	Month Fatalities	Month Critical Injuries	Month Total
SEP 1– 30, <u>2018</u>	1	21	22

Provincial Coordinator’s Comments

On October 17, 2018 the federal government made legal the use of recreational cannabis and as a result many questions have surfaced in relation to worker and workplace health and safety. I sit here in appreciation for the amount of dialogue that it has created. The number of concerns that have been voiced by many organizations show how important worker and workplace health and safety is to Ontario’s construction industry.

Although our attention is focused on recreational cannabis due to its legalization, it is only one of many items that can result in the impairment of a worker. Medicinal cannabis, alcohol, prescription drugs are only a few items that can have the same impairment impact on a worker and in some cases more of an effect. We all would be naïve to believe that the use of recreational cannabis hasn’t made its way onto construction projects before. It is my opinion that this legalization does not pose a new hazard.

What this new legalization should do is make you focus on what your organization is doing to protect against worker impairment by any narcotics or alcohol. Your workers, under the Occupational Health and Safety Act, are obligated to *“use or operate any equipment, machine, device or thing or work in a manner that may endanger himself, herself or any other worker”*. The introduction of recreational cannabis does not change that responsibility it only emphasizes it.

The use of recreational cannabis falls under the scope of The Smoke-Free Ontario Act. This Act does not allow any smoking of any kind in an enclosed workplace. We all understand that construction projects are at times fluid and may not have any enclosures to speak of and therefore this Act would not apply. Many constructors have put into effect no smoking (cannabis included) policies on their projects regardless of it being enclosed or not which goes towards ensuring compliance to the existing employer and supervisor duties under the Act to take every precaution reasonable in the circumstances for the protection of a worker.

In addition, the construction industry is aware that the Occupational Health and Safety Act and its prescribed regulations are the minimum standard and that any constructor or employer can enforce more stringent rules or policies at their workplaces. Many organizations have already developed “Fit for Duty” policies and have made the appropriate amendments to those policies to include the possible impairment from recreational cannabis. Some projects have even put in place measures to discourage even the

presence of cannabis at the project regardless if it is being consumed or not.

If your organization believes that the legalization of recreational cannabis will pose a hazard to your workers at your workplace or project, then I ask you...what do you have in place to address the hazard? It would be irresponsible to think that the MOL will be your means of assurance that your workers are not impaired. I suggest that networking amongst various associations and committees can assist with providing insight on what other organizations are doing to minimize the risk of impairment.

Please refer to: www.labour.gov.on.ca/english/hs/pubs/impairment.php for assistance.

Vince Iacolino
Provincial Coordinator (A)
Construction Health and Safety Program
Ontario Ministry of Labour

Section 2

Ontario's Government for the People, cutting red tape in order to help create and protect jobs.

Ontario is open for business: the government is acting to bring jobs and investment back to our province by lightening the burden on business and making sure that hard work is rewarded. The proposed Making Ontario Open for Business Act would remove the worst burdens that prevent Ontario businesses from creating jobs while expanding opportunities for workers. The government is proposing to repeal amendments made by the Fair Workplaces, Better Jobs Act, 2017 (Bill 148) that are causing employers the most concern and unnecessary burden.

[Read more](#)

Ontario open for business: WSIB premium rate savings to help employers boost economy

Premium rates for employers will be sharply reduced due to the elimination of the WSIB's unfunded liability. By eliminating the unfunded liability, the WSIB will be able to reduce the average premium rate for employers by almost 30 per cent, starting January 1, 2019. This will help employers save money, increase investment and create more jobs, resulting in a \$1.45 billion injection into the Ontario economy.

[Read more](#) | [Join the conversation](#)

Cannabis legalization and workplace safety

On October 17, recreational cannabis was legalized in Canada. Ontario currently has strict rules in place to make sure workplaces are safe. For more information, visit Ontario's page on cannabis legalization. The ministry has also posted guidance material to help workplaces manage occupational health and safety issues related to impairment from substance use.

[Visit Ontario's cannabis legalization page](#)

[Read the ministry's guidance on workplace impairment](#)

Small Business Toolkit

Small businesses comprise 95 per cent of all employers in Ontario, and represent a vital part of Ontario's economic growth. The ministry and Ontario's health and safety associations have partnered to develop a toolkit for small businesses, providing small business owners with step-by-step instruction on how to help ensure a healthy and safe workplace.

[Read more](#) [PDF]

Section 3

Court Bulletin 1

Bradford Company and Owner Fined Total of \$110,000 for Worker Fall

October 18, 2018 5:45 P.M. Ministry of Labour

Convicted: GMJ Electric Inc., an electrical contracting company, and supervisor, Gino Martignago, Bradford, Ontario.

Location: 27 Fasken Drive in Toronto, where a new office building was being constructed and an existing building was being renovated.

Description of Offence: A worker fell from a ladder and suffered permanent injuries while performing electrical wiring work.

Date of Offence: May 10, 2016.

Date of Conviction: Reasons for judgment released August 23, 2018; sentencing October 16, 2018.

Penalty Imposed:

- Following a trial, the company was fined \$100,000 and a supervisor was fined \$10,000 by Justice of the Peace Mark H. Conacher in Toronto court; Crown Counsel Indira Stewart.
- 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:

- GMJ Electric Inc. was contracted by Santoro Construction Ltd. to carry out all electrical installations for the project. The injured worker was employed by GMJ Electric.
- Two workers were tying and labelling electrical wiring in the ceiling of a renovated office area. One worker was working from a 10-foot stepladder and reaching into an area above the grid of a dropped ceiling. The worker fell from the ladder to the floor, suffering permanent injuries.
- GMJ Electric was convicted of failing, as an employer, to provide information, instruction and supervision to a worker to protect the health or safety of the worker, contrary to section 25(2)(a) of the *Occupational Health and Safety Act*.
- GMJ Electric was further convicted of failing to ensure the measures and procedures prescribed by section 125(1) of the *Construction Projects Regulation (Ontario Regulation 213/91)* were carried out a project, contrary to section 25(1)(c) of the *Occupational Health and Safety Act*. Specifically, this involved failing to ensure that a scaffold was provided for a worker. A supervisor was also convicted of failing to ensure that a worker works in the manner and with the protective devices, measures and procedures prescribed by section 125(1) of the *Construction Projects Regulation* contrary to section 27(1)(a) of the *Occupational Health and Safety Act*.
- Santoro Construction Inc. was previously convicted of failing, as a constructor, to ensure the measures and procedures prescribed by section 125(1) of the *Construction Projects Regulation* were carried out at a construction project. That company was fined \$90,000 in Toronto court on April 3, 2018.

Court Bulletin 2

Worker Fatality Results in \$325,000 Fine for Company

October 17, 2018 5:50 P.M. [Ministry of Labour](#)

Convicted: Coco Paving Inc., 949 Wilson Avenue, Toronto, Ontario, a heavy civil construction company.

Location: A road reconstruction project on Highway 7 near Sciberras Road in Markham, Ontario.

Description of Offence: A worker was killed when steel casing rolled while being moved by a forklift.

Date of Offence: November 2, 2015.

Date of Conviction: September 28, 2018; Sentencing: October 15, 2018.

Penalty Imposed:

- Following a trial, the company was fined \$325,000 in Newmarket court by Justice of the Peace Philip N. Solomon; Crown Counsel Daniel Kleiman.
- 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:

- Coco Paving Inc. was upgrading water mains buried under Highway 7. The work was part of a larger road-widening project.
- A worker was working alone welding two sections of steel casing on the north shoulder of Highway 7. The total length of the two sections was about 50 feet and weighed about 5,400 pounds.
- A wheel loader with forks attached (a forklift) approached the steel casing to lift and rotate the casing to complete the weld.
- The steel casing suddenly became dislodged from its wooden support and started to roll into a six-foot ditch.
- The casing rolled onto the worker, who became pinned in the ditch under the casing.
- The worker later succumbed to the injuries.

Court Bulletin 3

Fatal Fall Results in \$150,000 Fine for Windsor Company

October 16, 2018 4:30 P.M. [Ministry of Labour](#)

Convicted: Vollmer Inc., 3822 Sandwich Street, a multi-trade construction contractor located in Windsor.

Location of Workplace: A commercial/industrial building on Kew Drive in Windsor.

Description of Offence: A worker was killed after falling through a skylight in a building that was having new electrical equipment installed.

Date of Offence: November 3, 2016.

Date of Conviction: October 12, 2018.

Penalty Imposed:

- Following a guilty plea, Vollmer Inc. was fined \$150,000 by Justice of the Peace Susan Hoffman; Crown Counsel David McCaskill.
- 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:

- Vollmer Inc. was working on a project that involved installing new electrical equipment and cable for new machinery being set up in a Windsor plant.
- A worker, along with a crew, was engaged in pulling lengths of heavy electrical cable onto the roof of the plant. During a break, the worker was observed in an area of the roof; the crew heard a crash, saw a shattered skylight and the worker on the concrete floor directly below.
- The fallen worker was taken to hospital and pronounced deceased.
- Although the skylights still had all of their covers on them, there were no guardrails, protective coverings or other means of fall protection installed or implemented to protect workers from the danger of falling through the skylights on the roof of the project.
- The *Construction Projects Regulation (Ontario Regulation 213/91)* requires that workers use and be trained in the use of a fall protection system when working at heights (Section 26.2(1.1)).

Section 4**Fatality & Critical Injury Year-to-Date Overview - Construction Sector**

	2018 January 1 – Sept 30	2017 January 1– Sept 30
Fatalities	18	13
Critical Injuries	178	205

**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: Sept 1 – Sept 30, 2018

Monthly Summary Report

Fatalities (1) ROAD – Worker crushed by hydro post while it was being unloaded

Critical Injuries (21)

NOTE: Data are subject to change due to updates in the enforcement database. Only events reported to the ministry are included here. Except for fatalities, event categories in the ministry's data set are based on what was assigned at the time of the initial report to the ministry. The reported event category may not represent what actually occurred at the workplace.

Sector	INDU	4	HYDR	1
	BRID	1	NECC	1
	RESS	5	RESM	2
	INST	3	COMM	4

Critical Injuries: (Sept 1 – Sept 30, 2018):**Total: 21**

#	Date of Incident	Region	Sector	Occupation	Details (as reported to MOL)
1	09/04/2018	C.EAST	RESS	Worker	Worker was moving wall form into place. Worker's foot got pinched between the wall form and 4x4 lumber. Fractured left foot.
2	09/04/2018	C.WEST	COMM	Worker	The worker was forming the floor when they had reportedly rolled their ankle after stepping on a piece of plywood, subsequently, broken left ankle.
3	09/04/2018	WEST	COMM	Worker	Worker suffered a broken lower right leg when he fell 3' from a rebar bar he was walking upon.
4	09/05/2018	EAST	COMM	Worker	The worker of a roofing subcontractor fell on a construction site for large home. He was on a lifting device and the machine had malfunctioned and tipped over and he fall out of the machine.
5	09/05/2018	C.WEST	INDU	Worker	Worker was installing piping in ceiling area in a warehouse, became overheated and was taken to hospital.
6	09/06/2018	C.EAST	INST	Worker	The worker was assisting placing stone for a playground. The stone was being moved via bobcat and it stuck his arm causing a fracture.
7	09/07/2018	WEST	NECC	Worker	Worker was carrying a piece of equipment and going downstairs, rolled their ankle, resulting in a fracture.
8	09/07/2018	EAST	RESS	Worker	Worker had their hand crushed between a frontend loader and foundation of the house.

9	09/07/2018	C.WEST	COMM	Worker	A front end loader ran over a worker. Paramedics speculated that he may have broken both legs and his pelvis.
10	09/11/2018	WEST	INDU	Worker	Steel beam rolled off a forklift on a construction site. The beam pinned the worker's leg.
11	09/11/2018	EAST	RESS	Worker	Worker slipped on exterior steps while carrying material resulting in a broken arm.
12	09/12/2018	WEST	HYDR	Worker	Worker was cleaning their boots and lost their balance, resulting in a broken arm.
13	09/14/2018	C.WEST	INDU	Worker	Fracture to left ankle and fibula, worker was exiting a Telehandler and stepped on a rock.
14	09/20/2018	C.EAST	RESM	Worker	Worker fell 54 inches on to a concrete slab. The impact resulted in the LOC.
15	09/21/2018	C.EAST	INST	Worker	Worker got stuck in an elevator when it is stopped functioning. The temperature of elevator went up to about 40 degrees. Due to the high temperature worker LOC.
16	09/21/2018	C.WEST	INDU	Worker	Worker fell 20 feet from scaffold; sustained head trauma;
17	09/25/2018	NORTH	BRID	Worker	A mini-excavator backed up onto the back of the spotter's ankle. This resulted in a fractured tibia.
18	09/26/2018	WEST	RESS	Worker	A wall weighting approximately 800 lbs rolled over a worker's left leg resulting in possible fracture.

19	09/26/2018	EAST	INST	Worker	Worker slipped off the roof, hit his head and injured LT wrist, LT leg.
20	09/27/2018	NORTH	RESM	Worker	Base of a mast climber work platform slid due to uneven ground and hit worker's right leg. Worker sustained fracture.
21	09/29/2018	C.EAST	RESS	Worker	Worker fell from a ladder into the basement while working on a home under construction. IW suffered critical injury.

Section 5

Total Year-to-Date Fatalities (January 1 – Sept 30, 2017): 13

Total Year-to-Date Fatalities (January 1 – Sept 30, 2018): 18

*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 or trade	Details (as reported to MOL)
1	Jan. 11, 2018	Central East	INDU	Erection of a steel work platform around equipment.	Worker fell from a platform and sustained critical injuries. Workers were installing a platform around a piece of equipment
2	Jan. 19, 2018	Central West	RESS	Equipment Installation	Worker fell from scaffold on new home site; sustained critical injuries, then succumbed to injuries.
3	Jan. 23, 2018	Central 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	February 27, 2018	Central 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.
5	March 13, 2018	West	RESS	Equipment removal/ transportation	Workers' 3/4 ton pickup truck w/ ramp trailer parked on the side of the road. Worker standing on trailer prepping scissor lift to be loaded on it. Oncoming vehicle hit the base of the ramp becoming airborne striking the worker.
6	March 15, 2018	Central West	RESS	Equipment set up/ General Labour	Worker fell 9' resulting in fatal injuries. Worker was constructing the work platform which failed while he was on it.
7	March 27, 2018	Central West	COMM	Roofing work	Worker on construction site at west end of airport was up on a roof and fell approx. 25ft.
8	April 2, 2018	East	RESS	Excavation	A trench collapsed resulting in a worker's fatality.

MOL REPORT TO LABOUR-MANAGEMENT NETWORK – NOVEMBER 2018

9	May 3, 2018	East	RESM	Labourer	While doing general clean-up of debris at a renovation site where home is being gutted, worker fell through the floor from main floor to the basement. Worker succumb to her injuries.
10	May 30, 2018	West	EXCA	Excavation	Caller reports worker sustained fatal injuries when a cement post fell from a crane onto the worker crushing him.
11	June 6, 2018	Central West	RESS	Painting	Male, approx. 70 years (painter), fell off a ladder on residential construction site.
12	June 19, 2018	Central East	SEWW	Water main work	A worker in a trench was struck by a bucket that detached from an excavator.
13	June 21, 2018	West	SEWW	Sewer & Water main /tunneling	Worker sustain fatal crushing injuries with operating equipment in a tunnel
14	July 3, 2018	East	RESS	Foundation repair (underpinning)	Worker sustained fatal injuries when a basement foundation corner collapsed onto worker.
15	July 17, 2018	East	COMM	Roofing	Worker fell from roof sustaining fatal injuries.
16	July 20, 2018	C. East	RESS	Deck building	A worker building a deck fell 18-20' to the ground; there's an opening on one side of the deck without any guardrail.
17	Aug 13, 2018	C. West	RESS	Electrical work	Worker fell from 2nd floor to basement; worker succumbed to injuries
18	Sept 17, 2018	North	ROAD	Utility	Worker crushed by hydro post while it was being unloaded resulting in fatal injuries.