

## Operations

# Construction Health and Safety Program Report for the Labour-Management Network October 2019

## Reporting Month Statistics

Reporting Month	Fatalities	Critical Injuries	Total
August 1-31, 2019	2	22	24

Reporting Month	Fatalities	Critical Injuries	Total
August 1-31, 2018	1	33	34

**Disclaimer:** This information 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 information does not constitute legal advice. To determine your rights and duties under OHSA, please contact your legal counsel or refer to the legislation.

## Provincial Coordinator's Comments

As I write this, summer is officially over and we are wrapping up the suspended access equipment (SAE) focused inspection blitz. Of course, we will have to wait a while longer for the results to be compiled but, while we wait, there is no reason to rest. The *Healthy Workers in Healthy Workplaces – musculoskeletal disorders and respiratory hazards* focused inspection blitz begins on October 1<sup>st</sup> and continues for three months, until December 27<sup>th</sup>. As a reminder, construction health and safety inspectors – assisted as needed by our Specialized and Professional Services (SPS) staff – will be visiting your projects and looking for the following:

### Musculoskeletal Disorders

- employers have provided training to workers on safe manual materials handling practices
- items are being manually handled in a safe manner
- items are being stored in a manner that does not endanger a worker when manually handling those items
- work areas and routes to and from work areas are kept free of obstructions so extra demands are not placed on workers when manually handling items
- access to and egress from a work area is appropriate so that physical demands are not increased
- adequate housekeeping is taking place so that a worker can use assistive devices (for example, carts) and there are not increased demands when manually handling items
- handling items while the worker is on a ladder is being performed in a safe manner

### Respiratory Hazards

- proper controls and work practices are in place
- respirators are well maintained
- workers have been trained on how to use the respirators properly
- respirators are fitted to ensure an effective seal between the respirator and the worker's face

- worker exposure to airborne concentrations of hazardous biological or chemical agents listed in Ontario Regulation 833 are under the occupational exposure limits set out in that regulation

In keeping with the spirit of partnership within Ontario's OHS System, we encourage you to make use of the resources offered by our system partners. In particular those available from the Infrastructure Health and Safety Association can prove useful. The links provided below will take you to more information and resources.

Finally, I would like to draw your attention to a small, quiet change. Diving operation notification procedures have undergone some minor, but very useful changes. While written notification is still required, at the request of some diving stakeholders, we have put in place a change which now permits oral notifications to be provided to the ministry's Health and Safety Contact Centre (toll-free: 1-877-202-0008), instead of having to figure out which of the regional ministry offices to call based on the location of the dive.

While we were at it, we adjusted the online electronic diving notification form fields to more accurately reflect the information we need to assess the type of diving taking place for work planning purposes.

I look forward to continuing our work together for a healthy and safe construction sector in Ontario.

Sincerely,

Pierre Rouleau, CRSP  
Provincial Coordinator (A)  
Construction Health and Safety Program  
Occupational Health and Safety Branch  
Ontario Ministry of Labour

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## Section 2 – what's new Ministry of Labour

### Protecting vulnerable workers

The ministry is conducting targeted inspections focusing on repeat violators, temporary help agencies and workplaces that hire temporary foreign workers. Employment standards officers are visiting workplaces to help employers become compliant with payment of wages, vacation pay, overtime and hours-of-work requirements. The province-wide blitz runs until February 14, 2020.

[Learn more about ministry blitzes and initiatives](#)

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### Sign up for workplace safety consultations

You are invited to provide input on the ministry's enforcement strategy for workplace safety. Register now for Safe At Work Ontario stakeholder consultation sessions. A consultation paper with questions for discussion will be emailed to confirmed attendees. You can also provide written feedback if you are unable to attend the October sessions in person.

[Read more](#)

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### Changes Made to Dive Notice Submission

#### **NEW**

A) Mandatory information fields added to the notice of diving which includes;

- if mixed gas is selected, the field requires user to specify more detail on use,
- indicate if using recirculating S.C.U.B.A,
- indicate if diving in a contaminated environment.

B) Process for notifying the ministry orally: involved parties are **now to call** the ministry's Health and Safety Contact Centre (toll-free: 1-877-202-0008), **instead of** the local Ministry office.

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C) Information added: notice must be written where a breathing mixture other than air is expected to be used

#### GENERAL REMINDERS

At least 24 hours before the diving operation begins, written, or oral notice (followed up in writing) must be given to the Ministry of Labour. Use the Notice of Diving Operation form to notify the ministry. This form may be filled out and submitted electronically.

For more information on Diving Alerts, Fact Sheets and Guidelines, please visit:

<https://www.labour.gov.on.ca/english/hs/topics/diving.php>

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### **Healthy Workers in Healthy Workplaces: Musculoskeletal disorders and respiratory hazards blitz**

The ministry focus on musculoskeletal disorders and respiratory hazards continues. The second phase has now begun (as of Oct 1, 2019). Inspectors will visit workplaces in all sectors to ensure compliance. Learn more by visiting our website.

[Read more](#)

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For more what's **new** – Ministry of Labour articles, see:

<https://mailchi.mp/25710e1cba82/whats-new-summer-2019>

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## Section 3 – Court Bulletins

### Court Bulletin 1

#### **Worker's Fatal Fall Results in \$400,000 Fine for Mississauga Company with Record of Convictions**

September 20, 2019

**Convicted:** Lafarge Canada Inc., 6509 Airport Road, Mississauga, Ontario, L4V 1S7 (Eastern Canada head office).

**Location:** A decommissioned cement plant located at 683917 Road 68, Oxford 2, Zorra Township, Ontario.

**Description of Offence:** While giving a tour of the facility to contractors, a worker fell from a walkway that had corroded and could not support the worker's weight. The worker later died in hospital.

**Date of Offence:** August 23, 2017.

**Date of Conviction:** January 11, 2019.

**Date of Sentencing:** September 20, 2019.

**Penalty Imposed:**

- Following a guilty plea to one count, the company was fined \$400,000 in Woodstock court by Justice of the Peace Michael A. Cuthbertson; Crown Counsel Jai Dhar and Evan Schiller.
- 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:**

- On August 23, 2017, a worker was leading contractors on a tour of a closed plant that was decommissioned and ceased cement production and mining operations in 2008. The purpose of the tour was about the potential demolition of one of the decommissioned kiln buildings.
- The worker took the contractors to the upper level of the kiln buildings onto an exterior walkway.
- A corroded section of the walkway collapsed, and the worker fell nearly 30 feet to the ground below. The worker later died from the injuries.
- The walkway had corroded to the point where it was structurally unsound. It had not been braced or shored up to prevent collapse, and there were no adequate barriers, locks, or other safeguards to prevent access to the kilns or walkways.
- Lafarge Canada Inc. failed as an employer to ensure that the measures and procedures prescribed in section 72 of *Ontario Regulation 851* (the *Industrial Establishments Regulation*) were carried out at the workplace.
- Section 72 of the regulation provides that where a structure is damaged to the extent that the collapse of any part of the structure is likely to occur and cause injury to a worker, the structure shall be braced and shored to prevent the collapse or effective safeguards shall be provided to prevent access to the area.
- Lafarge Canada Inc. has been convicted and fined for contraventions of the *Occupational Health and Safety Act* in 2003, 2007, 2010 and 2017. Three of the four convictions were related to the deaths of workers.

## Section 4 – Critical Injuries

### Critical Injuries

#### Year-to-Date Overview - Construction Sector

Injury Type	2019 January 1 – August 31
Critical	192

*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: August 1 – 31, 2019 (26)

### Monthly Summary Report

#### Critical

*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

#### August 2019

RESS	3		ROAD	1
INDU	3			
RESM	3			
COMM	9			
INST	3			

#### Critical Injuries:

#### Totals: 1 – 31 August 2019 (22)

	Date of Incident	Region	Sector	Details (as reported to MOL)
1	Aug 1-19	East	RESS	Worker fractured leg while walking into project access point from ramp.



2	Aug 1-19	West	INST	Worker lost consciousness due to a fall from an extension ladder while egressing from roof area.
3	Aug 2-19	C. West	COMM	Worker fell from scaffolding resulting in fracture to ankle
4	Aug 6-19	East	COMM	Worker struck by materials resulted in fracture to worker's foot.
5	Aug 6-19	West	INDU	Worker suffers fracture of an ankle while moving equipment.
6	Aug 8-19	East	COMM	Worker suffers fractured foot when they fell from scaffolding.
7	Aug 9-19	C. East	COMM	Fractured right ankle to worker while stepping down from the cab of his truck onto uneven ground.
8	Aug 12-19	West	RESS	Worker fell from scaffold resulting in fracture to arm.
9	Aug 14-19	West	ROAD	Worker's hand caught between excavator bucket and trench box suffers de-gloving and fractures to hand.
10	Aug 15-19	East	INDU	Worker crushed between two portable washroom facilities.
11	Aug 15-19	East	RESM	Worker's wrist was pinched between plywood and table causing fracture to wrist.
12	Aug 19-19	North	RESS	A worker was struck by a falling tree. The worker sustained neck and back injuries.
13	Aug 19-19	West	RESM	Worker lost consciousness while working with concrete forms.
14	Aug 20-19	C. East	INDU	Worker suffered loss of consciousness when pinched

				between pipe and mobile elevating work platform that was operated by worker.
15	Aug 21-19	East	INST	Worker fell from swing stage, approximately 2 ft off the ground, fracturing wrist.
16	Aug 21-19	C. East	RESM	Worker fell 15 ft. from ground floor level to P1 level suffering fractured ribs and other injuries.
17	Aug 22-19	North	COMM	Worker struck by falling material in the leg resulting in fracture.
18	Aug 22-19	West	COMM	Worker suffered fractured right leg when cherry picker being used tipped over.
19	Aug 22-19	East	INST	Worker suffers fracture to foot when debris fell on workers foot. Worker was demolishing concrete with a pneumatic jack hammer.
20	Aug 27-19	West	COMM	Worker suffers a broken leg and head injury due when struck by materials that fell from pallet.
21	Aug 29-19	West	COMM	A worker tripped over materials and suffered fracture to elbow.
22	Aug 29-19	C. West	COMM	Worker fell from baker scaffold due to brief loss of consciousness.

## Section 5 – Fatal Injuries

### Monthly Summary Report

Fatal August 1 – 31, 2019

	Date of Incident	Region	Sector	Occupation	Age	Details (as reported to MOL)
1	Aug 14-19	North	SEWW	Sewer and Watermain	61	Worker crushed by a shifting Bailey bridge
2	Aug 23-19	C. East	RESM	Carpenter	30	Worker crushed by formwork system

### Total Year-to-Date Fatal Injuries: January 1 – August 31, 2019 (6)

Injury Type	2019 January 1 – August 31
Fatal	7

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	Occupation	Age	Details (as reported to MOL)
1	Jan 14-19	C. West	PAVE	Excavating	33	Worker struck by excavator bucket.
2	Mar 7-19	C. East	INDU	Steel decking	25	Worker fell approx. 50 ft. through an opening in a steel roof deck.
3	Mar 19-19	C. East	INST	Roofing	48	Worker fell from roof.

4	June 5-19	East	RESS	Specialty Trade	36	Worker succumb to injuries on June 13, 2019 sustained in a fall.
5	June 21-19	West	EXCA	Excavation	TBD	Worker sustained fatal injuries when a sheet pile attached to a backhoe fell on the worker.
6	<b>Aug 14-19</b>	<b>North</b>	<b>SEWW</b>	<b>Sewer and Watermain</b>	<b>61</b>	<b>Worker crushed by a shifting Bailey bridge</b>
7	<b>Aug 23-19</b>	<b>C. East</b>	<b>RESM</b>	<b>Carpenter</b>	<b>30</b>	<b>Worker crushed by formwork system</b>