

Report for the Labour-Management Network, November 2020



Reporting Month Statistics

Reporting Month	Fatalities	Critical Injuries	Total
September 1 - 30, 2020	0	23	23

Reporting Month	Fatalities	Critical Injuries	Total
September 1 - 30, 2019	4	19	23

Fatality & Critical Injury Year-to-Date Overview – Construction

Injury Type	2020 January 1 – September 31	2019 January 1 – September 31
Fatal	12	11
Critical	193	211

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 the OHSA, please contact your legal counsel or refer to the legislation.

Provincial Coordinator's Comment

This week during the Kyle Knox Coroner's Inquest the concept of operator training and equipment operation manuals was front and centre for much of the testimony. As a result of the tragic fatality of Kyle Knox in an incident involving a toppled rotary foundation drill rig, there were considerable changes to the Construction Regulations. This fatality drove the addition of a section specifically aimed at these types of drill rigs. These changes included requirements for written measures and procedures, engineered designs in some circumstances, new training requirements, and many other sections related to drill rig safety.

Although this level of clarification is important in regulating very specific requirements for these pieces of equipment, I would like to take this opportunity to remind the construction industry that in addition to training required by the regulation, regardless of the piece of equipment used on a project, manufacturer operation manuals and recommendations need to be followed. We can all agree that training workers in a task or in the operation of a machine or equipment is critically important to the health and safety of all workers, but this training must include instruction on the operation manuals and recommendations made by the manufacturer. These manuals and recommendations set out the limitations, capacities, inspection criteria and procedures for the safe operation of the equipment among other important information. These must be followed in addition to any other training requirements within the Occupational Health and Safety Act and associated regulations.

I would like to urge employers to ensure they review all training their workers receive and ensure the training includes the manufacturer's operation manuals and recommendations. This step will ensure equipment is used correctly and make our workplaces safer.

Sincerely, Brian Barron

Provincial Coordinator (A)

Construction Health and Safety Program Occupational Health and Safety Branch
Ontario Ministry of Labour, Training and Skills Development

Section 2 – What's New

[Ontario set to employ the largest number of labour inspectors in provincial history](#)

The Ontario government is launching a recruitment campaign to increase its team of frontline health and safety inspectors by 98 and help ensure workplaces across the province are doing their part to prevent the spread of COVID-19. With these new hires, there will be more labour inspectors on the ground than ever before in the province's history.

[Read more](#)

[Consultation on Working at Heights training underway](#)

The ministry is proposing to amend the Occupational Health and Safety Awareness and Training regulation to recognize fall protection training from Newfoundland and Labrador as meeting Ontario's working at heights training requirements, and to expand the existing auto sector exemption slightly by including a limited number of additional workplaces.

[Read more](#)

[Ontario helping apprentices cover living expenses during training](#)

The Ontario government is making the skilled trades more accessible by investing an additional \$75 million over the next two years to help apprentices cover living expenses during their in-class training. The government is also appointing a five-member Skilled Trades Panel to provide advice and recommendations to the Minister of Labour, Training and Skills Development on developing a new approach to training and certification.

[Read more](#)

For more what's **new** – Ministry of Labour articles, see: [What's New!](#)

Section 3 – Court Bulletins

Fatal Fall at Hamilton Construction Project Results in \$150,000 Fine for Toronto Construction Firm

Convicted: Welldone Inc., 48 Galaxy Boulevard, Suite 403, Toronto, Ontario, a company that specializes in restoration work.

Location of Workplace: A 13-storey residential building located at 57 Forest Avenue in Hamilton.

Description of Offence: A worker fell from the roof of the building and was killed by the fall. The worker was not protected by a guardrail or travel restraint system as required by law.

Date of Offence: October 15, 2018.

Date of Conviction: October 1, 2020.

Penalty Imposed:

- Following a guilty plea, Welldone Inc. was fined \$150,000 in provincial offences court in Hamilton by Justice of the Peace Patrice Valeriano; Crown Counsel Line Forestier.
- 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:

- The construction project consisted of the restoration of balconies on a 13-storey residential building. The restoration work was performed from a suspended swing stage.
- The repair work on two wings had been completed. The incident occurred during the set up for work to be performed on the third of four wings.
- Two workers were on the rooftop at the time of the incident. They were not wearing any fall protection equipment and were not otherwise protected from the hazard of falling off the edge of the building.
- The workers were marking measurements to indicate the new location for a beam to support the suspended swing stage. One worker was on hands and knees and held and watched the live end of the measuring tape. The other worker took the zero end of the measuring tape and walked away towards the end of the wing to mark the location of the beam.
- The worker on hands and knees saw the measuring device continue beyond the expected distance and yelled for the co-worker to stop. At that point, the co-worker screamed while falling off the edge of the building. The co-worker was pronounced dead at the project by a regional coroner.
- Employers must follow the **Occupational Health and Safety Act** and **Regulation 213/91**, which applies to construction projects, to protect workers on a project. One such requirement is section 26.1(2) which states a worker must be protected from falling when working at a height of more than three metres. Various fall protection methods can be used to protect a worker including, for example, a guardrail or a travel restraint system that prevents a worker from reaching the edge of a surface.
- The defendant failed to ensure a worker was protected by a means of fall protection outlined in section 26.1(2) and thereby violated section 25(1)c of the OHSA.

Worker Struck by Exploding Cap, \$70,000 Fine for City of London

Convicted: The Corporation of the City of London, London, Ontario.

Location of Workplace: Near 517 Fanshawe Park Road in London, Ontario.

Description of Offence: A worker was injured when a cap on a drain pipe shot off and struck the worker, resulting in critical injuries. The employer failed to take the reasonable precaution of ensuring that the internal pressure of the drain pipeline was released before the mechanical joint end cap was removed and/or loosened.

Date of Offences: October 16, 2018.

Date of Conviction: October 8, 2020.

Penalty Imposed:

- Following a guilty plea in provincial offences court in London by Justice of the Peace Kristine M. Diaz, the employer was fined \$70,000; Crown Counsels Marco Galluzzo and Shantanu Roy.
- 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 October 16, 2018, a crew of workers from the Water Operations Division of the City of London was instructed by their supervisor to prepare the water drain chamber located in a ravine near 517 Fanshawe Park Road. The chamber was to

receive water drained out from the main water line so that a new valve could be added to the main water line the next day.

- The preparation work entailed confirming that the valve connecting the six-inch drain pipeline to the main water line was closed and pumping out the ground water in the water drain chamber. Part of the task was removing a mechanical joint cap assembly installed at the end of a water line drain pipeline protruding into the chamber, so that the water in the main water line could be drained out through the drain pipeline and into the water drain chamber.
- One of the workers was inside the water drain chamber attempting to remove the mechanical joint cap assembly covering the end of the drain pipeline. To do so, the worker began loosening the top two bolts of the mechanical joint cap assembly.
- While doing so, the worker noticed water spraying as well as a hissing sound coming from the mechanical joint cap assembly. This indicated that pressure had built up inside the drain pipeline.
- The worker stepped back slightly from the joint cap assembly. As the worker was communicating with co-workers, the pressurized joint cap assembly shot off from the drain pipeline and struck the worker, causing critical injuries
- The investigation that followed determined that the Corporation of the City of London committed the offence of failing, as an employer, to take every precaution reasonable in the circumstances for the protection of a worker, which is an offence under the **Occupational Health and Safety Act**. Specifically, the employer failed to take the reasonable precaution of ensuring that the internal pressure of the drain pipeline was released before the mechanical joint end cap was removed and/or loosened. This was contrary to section 25(2)(h) of the act.

Section 4 – Critical Injuries

Critical Injuries

Year-to-Date Overview and Comparison - Construction Sector

Injury Type	2020 September 1 – 30	2020 January 1 – September 30
Critical	23	193

Injury Type	2019 September 1 – 30	2019 January 1 – September 30
Critical	19	211

NOTE: These figures represent preliminary data and are not to be considered official statistics from the Ministry of Labour, Training and Skills Development. 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, Training and Skills Development.

REPORTING MONTH: September 1 - 30, 2020 (23)

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.

Ministry of Labour, Training and Skills Development

Occupational Health and Safety Branch

Construction Health and Safety Program



SECTOR	REPORTED CAUSE	FALL	STRUCK BY	ELECTRICAL CONTACT	EXCAVATION COLLAPSE	OTHER	MONTH	YEAR
RESS		2	3	0	0	0	5	41
INST		1	1	0	0	0	2	17
RESM		4	3	0	0	0	7	42
INDU		1	0	0	0	0	1	13
ROAD		0	1	0	0	0	1	7
EXCA		1	0	0	0	0	1	3
COMM		2	1	0	0	1	4	33
MINP		0	0	0	0	0	0	1
NECC		0	0	0	0	0	0	3
RAIL		0	0	0	0	0	0	10
POWP		0	0	0	0	0	0	1
GRAD		0	0	0	0	0	0	1
SHIP		0	0	0	0	0	0	1
SHAF		0	0	0	0	0	0	1
CAIS		0	0	0	0	0	0	1
GAS		0	0	0	0	0	0	3
ETTL		0	0	0	0	0	0	1
HYDR		0	1	0	0	0	1	5
PAVE		0	0	0	0	0	0	3
SEWW		0	0	0	0	0	0	2
BRID	0	1	0	0	0	1	2	
TUNN	0	0	0	0	0	0	1	
WIND	0	0	0	0	0	1	1	
MONTH	11	11	0	0	1	23	193	
YEAR	121	56	5	3	8			

Critical Injuries:

Totals: September 1-30, 2020 (23)

Ministry of Labour, Training and Skills Development

Occupational Health and Safety Branch

Construction Health and Safety Program



	Date of Incident	Municipality	Sector	Occupation	Age	Details (as reported to MOL)	Reported Cause
1	1-Sep-20	Carling	RESS	Carpenter		Worker suffered fracture to heel when slipped from work area	FALL
2	1-Sep-20	Woodstock	HYDRO			Unsecured materials hit workers left foot causing fracture	STRUCK BY
3	1-Sep-20	Toronto	COMM			Worker and ladder fell over while being used. Fracture to right talus	FALL
4	2-Sept-20	Hamilton	RESM			Workers foot was fractured when a concrete form kicked out and pinned workers foot	STRUCK BY
5	3-Sep-20	Ottawa	EXCA			Worker fell from float while unloading materials	FALL

Ministry of Labour, Training and Skills Development

Occupational Health and Safety Branch

Construction Health and Safety Program



	Date of Incident	Municipality	Sector	Occupation	Age	Details (as reported to MOL)	Reported Cause
						causing fracture to arm	
6	4-sep-20	Toronto	RESS			Worker suffered loss of consciousness after fall (10-12') from scaffolding	FALL
7	8-Sep-20	Russell	RESS			Worker suffered multiple fractures to hand while attempting to retrieve tool from operating cement mixer	STRUCK BY
8	9-Sep-20	Ottawa	ROAD			Worker was pinned by moving skid steer causing critical injuries	STRUCK BY
9	10-Sep-20	Etobicoke	COMM			Worker suffered loss of consciousness when struck by steel frame,	STRUCK BY

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Occupational Health and Safety Branch

Construction Health and Safety Program



	Date of Incident	Municipality	Sector	Occupation	Age	Details (as reported to MOL)	Reported Cause
						knocking worker from ladder (~20')	
10	11-Sep-20	Burlington	INST			Worker had ankle fractured when dolly being pushed rolled backwards onto worker	STRUCK BY
11	11-Sep-20	Etobicoke	COMM			Worker suffered fracture when equipment being operated shifted abruptly	OTHER
12	14-Sep-20	London	RESM			Worker fractured ankle while descending stairway	FALL
13	17-Sep-20	Brampton	RESS			Worker suffered multiple critical injuries when struck by vehicle in underground parking lot project	STRUCK BY

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Occupational Health and Safety Branch

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (as reported to MOL)	Reported Cause
14	17-Sep-20	Sudbury	INST			Worker fell from collapsing ladder during descent causing fracture to arm	FALL
15	21-Sep-20	Bowmanville	RESS			Worker suffered multiple fractures to leg when it was struck by a forklift	STRUCK BY
16	21-Sep-20	Etobicoke	RESM			Worker suffered loss of consciousness when they were struck by moving materials	STRUCK BY
17	21-Sep-20	Prescott	INDU			Worker fractured wrist when they tripped over equipment	FALL
18	22-Sep-20	Gillies	BRID			Workers arm was fractured by falling debris in culvert	STRUCK BY

Ministry of Labour, Training and Skills Development

Occupational Health and Safety Branch

Construction Health and Safety Program



	Date of Incident	Municipality	Sector	Occupation	Age	Details (as reported to MOL)	Reported Cause
19	22-Sep-20	North York	RESM			Worker tripped over materials causing fracture to ankle	FALL
20	22-Sep-20	Stouffville	RESM			Worker suffered fractured wrist when struck by materials	STRUCK BY
21	23-sep-20	Etobicoke	COMM			Worker fractured ankle when they tripped on site	FALL
22	25-Sep-20	Toronto	RESM	Labourer		Worker lost balance while stripping form and fractured ankle	FALL
23	29-Sep-20	Mount Albert	RESM			Worker fractured leg during fall through wooden barrier installed at sliding doors	FALL

Section 5 – Fatal Injuries

Ministry of Labour, Training and Skills Development

Occupational Health and Safety Branch
Construction Health and Safety Program



Fatal Injuries

Year-to-Date Overview and Comparison - Construction Sector

Injury Type	2020 September 1 – 30	2020 January 1 – September 30
Fatal	0	12

Injury Type	2019 September 1 – 30	2019 January 1 – September 30
Fatal	4	11

Monthly Summary Report – Fatal September 1 – 30, 2020 – (0)

Total Year-to-Date Fatal Injuries: January 1 – September 30, 2020 (12)

SECTOR	REPORTED CAUSE	FALL	STRUCK BY	ELECTRICAL CONTACT	EXCAVATION COLLAPSE	OTHER	MONTH	YEAR
RESS							0	5
COMM							0	1
EXCA							0	1
INDU							0	1
RESM							0	1
HYDR							0	1
SEWW							0	1
MONTH		0	0	0	0	0	0	12
YEAR		4	4	2	1	1		

Ministry of Labour, Training and Skills Development

Occupational Health and Safety Branch

Construction Health and Safety Program



	Date of Incident	Municipality	Sector	Occupation	Age	Details (as reported to MOL)	Reported Cause
1	8-Jan-20	C.West	RESS	Private Contractor	46	Worker fell from ladder while installing security camera	FALL
2	20-Jan-20	C.West	RESS	Gas Fitter	62	Worker fell from ladder while installing gas line at residential project	FALL
3	10-Feb-20	Pickering	RESM	Carpenter	33	Worker struck by collapsing formwork	Struck By
4	28-Feb-20	Toronto	EXCA	Labourer	32	Worker struck by falling piece of equipment during repair	Struck By
5	04-Mar-20	Markham	RESS	Carpenter	55	Worker fell from ladder	FALL
6	04-Mar-20	Toronto	RESS	Roofer	25	Worker fell from roof	FALL
7	06-Mar-20	Windsor	COMM	Labourer	55	Worker struck by limb during tree removal at project	STRUCK BY

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8	13-Mar-20	Toronto	INDU	Labourer	55	Worker crushed while on elevating work platform	STRUCK BY
9	19-Jul-20	Toronto	RESS	Plumber	57	Worker was trapped in an excavation collapse	EXCV
10	10-Aug-20	Embrun	INDU	Solar Installation Technician	22	Worker succumbed to injuries after making electrical contact	ELECTR CONTACT
11	5-Aug-20	Vaughan	SEWW	Labourer	46	Worker succumbed to injuries sustained during explosion in manhole	OTHER
12	12-Aug-20	Toronto	HYDR	Electrician	24	Worker succumbed to injuries after electrical contact in hydro vault	ELECTR CONTACT

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.

Ministry of Labour, Training and Skills Development

Occupational Health and Safety Branch

Construction Health and Safety Program



SECTOR DESCRIPTION	SHORT DESC
Asbestos Removal - Type 1	ASB1
Asbestos Removal - Type 2	ASB2
Asbestos Removal - Type 3	ASB3
Bridge Construction	BRID
Cable	CABL
Caisson	CAIS
Cofferdam	COFF
Commercial Building Construction	COMM
Diving Construction	DCON
Diving Environmental	DENV
Diving Industrial	DIND
Diving Mining	DMIN
Electrical Towers & Transmission Lines	ETTL
Excavation	EXCA
Gas Service Connection	GAS
Excavation - Grading	GRAD
Hydro	HYDR
Industrial Building Construction	INDU
Institutional Building Construction	INST
Marine Construction	MARE
Mining Plant Construction	MINP
Moving of a Building/Structure	MOVE
NEC - Construction	NECC
NEC - Diving	NECD
Asphalt Paving	PAVE
Pipeline	PIPE
Hydroelectric Power Plants & Rel	POWP
Railway	RAIL
Apartment & Other Multiple Housing	RESM
Single Family Housing	RESS
Highway & Road Construction	ROAD
Sewer/Watermain Construction	SEWW
Shaft Construction	SHAF
Shipbuilding & Repair	SHIP
Subway	SUBW
Telephone	TELE
Trenching	TREN

Ministry of Labour, Training and Skills Development

Occupational Health and Safety Branch

Construction Health and Safety Program



Tunnel	TUNN
Well Drilling	WELL
Window Cleaning Services	WIND