

# THE TURNING POINT

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## The Vision of the Turning Point

This newsletter is to inform you of recent changes and trends regarding health and safety. The Turning Point is a monthly newsletter covering topics from various industries and sectors. The Turning Point will respond to your inquiries and inform you of current services and updates regarding Raising the Standard Consulting Inc. (RTSC).

### Job Hazard Analysis Meets Due Diligence Criteria for Section 4 of Workwell Audit.

Employers have a moral and legal responsibility to provide a safe and healthy work environment for their employees. The Government of Ontario has implemented strict legislation about what an employer must do to exhibit due diligence. However, some workplaces do a better job of complying with health and safety regulations than others. The existence of unsafe firms increases health and safety costs for everyone, and therefore the Workplace Safety and Insurance Board has implemented on-site core health and safety audits of workplaces that have consistently demonstrated non-compliance with the Occupational Health & Safety Act (OSHA). WSIB's goal in utilizing the core Workwell audit is to promote health and safety in Ontario workplaces. The process involves imposing assessments on employers that do not maintain safe and healthy work environments, and rewarding those who are doing a good job. The audit requires that an organization must receive a passing score of at least 75%. If however, the organization does not receive the 75%, a 6-month period is imposed so that improvements can be made to ensure compliance with the OSHA

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## ONTARIO GOVERNMENT IMPROVING WORKPLACE HEALTH AND SAFETY

### *New Ticketing Powers Part Of Plan To Cut Workplace Injuries By 20 Per Cent*

TORONTO--The Ontario government is moving forward with its plan to cut workplace injuries by 20 per cent over four years by expanding the powers of provincial health and safety inspectors to issue tickets for unsafe workplace practices to include the industrial sector, Labour Minister Chris Bentley announced today.

"Health and safety is everyone's responsibility," Bentley said. "Ticketing gives our inspectors more flexibility to deal immediately with those who violate health and safety requirements in the workplace. This initiative will also discourage anyone from trying to gain an unfair advantage over law-abiding competitors by ignoring workplace health and safety."

A ticket provides an immediate and visible penalty for health and safety violations and is one of many tools used to enforce the law. Measures such as stop-work orders, orders to comply and other prosecution processes under the [Provincial Offences Act](#), remain available as alternatives to ticketing.

Health and safety inspectors, previously able to issue tickets in construction, mining and diving, can now also issue tickets as an enforcement tool in the industrial sector. Covering a variety of different areas, including automotive, logging, restaurants and retail, the industrial sector is Ontario's largest and most diverse.

Employers, supervisors and workers can be issued tickets for certain violations of the [Occupational Health and Safety Act's](#) industrial regulations. Examples of violations include:

- Failing to wear fall protection equipment, such as a harness and lifeline
- Failing to use a machine with adequate guarding
- Failing to ensure a lifting device is operated safely.

Tickets are issued under the Provincial Offences Act and carry [set fines](#), including court costs, of \$200 or \$300, depending on the offence. If issued a ticket, the party can choose to either pay the fine or appear in a provincial court to dispute the offence.

"Tickets, along with other prosecution tools, present an effective deterrent that can be used to promote safe workplaces," said Bentley. "This is part of our plan to cut workplace injuries by 20 per cent in four years to improve the health and safety of people on the job."

### MINISTRY OF LABOUR UPDATES

regulations. At that time a second core health and safety evaluation is completed, and if an organization fails this second time, a penalty in the range of 10 to 75% of the employer's base annual premium is applied, with the cap being that of \$500,000.

Section four of the Workwell audit pertains to hazard identification, controls, standards and procedures. Its aim is to prove that the employer has identified work environment health and safety hazards, implemented controls for those hazards and where required developed safe operating procedures. An employer can demonstrate due diligence by completing a workplace job hazard assessment. Such analysis provides the tools necessary to develop safe operating procedures by identifying, analyzing and documenting potential workplace hazards. The demonstration of employer commitment will result in an environment in which employees will understand the potential for losses, and thus take the initiative to protect themselves and each other.

The fundamental principle of a health and safety program is to reduce injury and disease to employees. One of the most important aspects of a health and safety program is hazard assessment. Job hazard analysis is a proactive approach to ensuring health and safety in the workplace as it provides a way of identifying job-related hazards and determining preventative measures, hence ensuring that workplace activities are performed with maximum safety in order to provide optimum protection of people, equipment, materials and the environment.

A job hazard analysis involves five stages. The first involves working alongside employees to carefully analyze each task or segment of an overall job. It is important to ensure that the tasks are kept in the correct sequence that leads to the completion of the job. Involving and empowering employees, promotes buy-in with health and safety initiatives, which should help lead to a reduction of workplace hazards.

The second involves identifying potential health and safety hazards for each of the individual job tasks. Potential safety hazards can be biological, chemical, physical and/or ergonomic injury/illness. Identifying these potential hazards can prevent an undesired event that could result in a loss.

The third stage entails recommending controls to mitigate the hazards. This allows for the employer to implement corrective action to eliminate potential for other injuries. It also demonstrates management's cooperation in the development of a safe and healthy workplace. Strategies for mitigating hazards include introducing control measures at the source, along the path and finally at the worker.

The fourth stage requires determining practical ways of preventing or eliminating such hazards. The most common hazard control tactics include the following; (1) Elimination of the hazard, (2) Substitution of the hazard with a less or non-hazardous option, (3) Minimizing the risk due to the hazard by limiting exposure, isolating the hazard, providing PPE's and implementing administrative controls, (4) Having an emergency plan in place, and finally, (5) Adopting measures to reduce

SCARBOROUGH, ON, Jan. 25 /CNW/ - The Great Atlantic & Pacific Company of Canada Limited, which operates a number of supermarkets in Ontario, was fined \$150,000 on January 24, 2005 for a violation of the Occupational Health and Safety Act that resulted in critical injuries to an employee.

On May 12, 2003, a worker was driving a lift truck in a frozen food warehouse to check on the status of automated doors when the worker became pinned between the lift truck and the warehouse's west wall. The worker had attempted to jump off the lift truck to avoid a collision after noticing the truck would not slow down or stop. The worker suffered numerous crush injuries to the lower body and has not returned to work since the incident. A Ministry of Labour investigation found a brake/pedal on the lift truck was not functioning properly. The Great Atlantic & Pacific Company of Canada Limited pleaded guilty, as an employer, to failing to ensure the lift truck was maintained in good condition. This was contrary to Section 25(1)(b) of the act. The fine was imposed by Justice of the Peace Richard Quon of the Ontario Court of Justice in Scarborough.

TORONTO, Jan. 27 /CNW/ - The Toronto District School Board, Canada's largest school board with 560 schools under its jurisdiction, was fined \$150,000 today for a violation of the Occupational Health and Safety Act that resulted in the death of an employee at a school.

On June 24, 2002, a part-time caretaker on an evening shift complained to a co-worker of being unable to breathe. The caretaker's condition deteriorated and the caretaker died later that evening in hospital. According to a police report, the fire captain at the scene advised police that the caretaker might have mixed bleach with a toilet bowl cleaner. One of the police officers at the scene noted a very strong odour like a swimming pool chemical.

The fire captain seized two cleaners - a sanitizer/deodorizer identical in composition to household bleach that contained sodium hypochlorite and a liquid toilet bowl cleaner containing hydrochlorite. When mixed together, the two cleaners would have created a dangerous, corrosive, chlorine gas. A Ministry of Labour investigation found the caretaker had not received instruction on these products, as required by the Regulations for Workplace Hazardous Materials Information System (WHMIS). The Toronto District School Board pleaded guilty, as an employer, to failing to ensure, as required by Section 7(1) of the WHMIS Regulations, that the caretaker was instructed:

- on the contents, purpose and significance of the information on the labels for the two cleaning products;
- on the contents of the material safety data sheets and their purpose and significance;
- on procedures for the safe use and handling of these

damage following and accident or emergency. Such devices provide the workplace parties with the opportunity to constructively resolve workplace health and safety concerns.

In the fifth stage these preventative measures should then be communicated to employees and integrated into an employer's work practices and procedures for the job. Communication is key because when employees understand the need for protecting themselves they are likely to apply such protection hence reducing the likelihood of suffering a work related injury or illness

Hazard assessment ultimately results in the creation of standard operating procedures. An S.O.P is a set of instructions for a job, process or machine that when correctly followed will provide optimum safety to the worker. They instruct the people performing the activities on how to avoid exposure to hazards. Workplaces where S.O.P activities have been publicized showed that employees were less likely to suffer injury/illness when the employer developed, implemented and enforced standard methods of performing work activities.

As industries are ever evolving, periodic reviews of such practices should be conducted for continuous improvements in health and safety to be made. A process for early and continuous involvement into any change reduces the likelihood of any health and safety concerns and provides for optimal implementation and use. Gaining knowledge through this type of planning can diminish the risk(s) associated with unfamiliar work.

#### References:

Main Street Management, "Workwell Audits: Are you ready?" 2000, <http://www.mainstreetmanagement.com/workwell.htm> (Nov. 25, 2004).

Canadian Centre for Occupational Health and Safety, Human Resources Development Canada, "Job Safety Analysis Made Simple." 2001. [http://www.psc.ca/safety\\_info/safe\\_work\\_practices/pdfs/jsapub.pdf](http://www.psc.ca/safety_info/safe_work_practices/pdfs/jsapub.pdf) (Nov. 25, 2004).

Det Norske Veritas, "Modern Safety Management." Det Norske Veritas (U.S.A.) Inc. Duluth, Georgia 1996.

### **CAREER OPPORTUNITIES**

We are currently seeking junior and intermediate consultants. For junior consultants, we require a formal education in the field of occupational health and safety with a good knowledge of the Occupational Health and Safety Act and Workwell Audit Compliance. We also require skill in program development and conducting public training sessions. For intermediate consultants, we require all of the above as well as 3-5 years' experience working in the occupational health and safety field. If interested, please forward your resume.

products; and  
- on procedures in case of an emergency involving these products.

This was contrary to Section 25(1)(c) of the act. The fine was imposed by Justice Robert Bigelow of the Ontario Court of Justice at Old City Hall in Toronto.

SAULT STE. MARIE, ON, Jan. 27 /CNW/ - Village Masonry Construction Inc., a Toronto-based construction company, was fined \$55,000 and a supervisor was fined \$6,000 on January 26, 2005 for one violation each of the Occupational Health and Safety Act that resulted in injuries to an employee.

On October 6, 2003, a worker was attempting to climb down from a platform on a "scaffold outrigger" (a work platform that protrudes from main scaffolding alongside a building) when the worker slipped and fell about 4.29 metres (14 feet) to the ground below. The worker had been attempting to move from the outrigger to a second-level deck on the main scaffolding when the fall occurred. The worker received cuts and bruises to various parts of the body. A Ministry of Labour investigation found the worker was not protected by any of the prescribed equipment and methods of fall protection. The incident occurred at a construction site on Third Line East in Sault Ste. Marie.

Village Masonry Construction Inc. pleaded guilty, as an employer, to failing to ensure the worker on the scaffold outrigger platform was protected by one of the methods of fall protection prescribed by Section 26.1 of the Regulations for Construction Projects. This was contrary to Section 25(1)(c) of the act.

A company supervisor pleaded guilty to failing to ensure the worker worked in a manner and with protective devices, measures and procedures to prevent a fall, as required by Section 26.1 of the Regulations for Construction Projects. This was contrary to Section 27(1)(a) of the act.

The fines were imposed by Justice of the Peace Jean Marie Blier of the Ontario Court of Justice in Sault Ste. Marie.

**RTS Consulting Inc. can assist you in determining your responsibilities regarding the equipment in your facility and the best way to control your exposure to liability.**



## **CHARACTER AND INTEGRITY TRAINING**

Is character and integrity seen as a core value in your organization? We offer specialized training which outlines the importance of integrity among both executive and workers within: the workplace, marriage, and finances, and steps to improve in these areas and what the benefit to your company can be.

### **Past Newsletters**

Please feel free to pass our newsletter to anyone you feel may benefit from the information.

Also, if you are receiving *The Turning Point* for the first time, you may be interested in our last newsletters on Safety Groups, Workplace Injuries Prevention, Cell Phone Safety, Aggressive/Violent behaviour, Machine Guarding Safety, Legislative Changes in WSIB Policy, and Construction Safety Regulations. Please contact us for a copy.

**For assistance in “raising the standard” of environment, health and safety, character, and integrity in your organization, contact us at (905) 840-1918, visit our website at [www.rtsconsulting.com](http://www.rtsconsulting.com) or email us: [rtsc@rtsconsulting.com](mailto:rtsc@rtsconsulting.com)**



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## **Training**

The following is an example of a few of the training courses we offer. For a full list, please contact us.

### **First Aid Training**

\$95.00 +GST per person

February 10 & 17, March 9 & 10, April 6 & 7

### **WHMIS Training (1/2 day)**

\$75.00 +GST per person

February 17, March 14, April 11

### **Forklift Training (1 day)**

\$165.00 +GST per person

February 25, March 30, April 4

### **JHSC Certification Part 1 Training (2-day course)**

\$349.00 +GST - 2-day Course

February 15 & 16, March 15 & 16, April 12 & 13

### **JHSC Certification Part 2 Training (length depends on industry)**

\$275.00 +GST – 1 ½ days

\$375.00 +GST – 2 days

\$475.00 +GST – 2 ½ days

\$575.00 +GST – 3 days

February 22-24, March 22-24, April 19-21

All of our courses can be conducted on-site or at one of our public sessions.

