

PUBLIC TRAINING COURSES

The following is an example of a few of the training courses we offer. For a full list, please contact us or visit us on our web-site.

Fall Arrest Training

\$50.00 +GST per person
August 8, September 12

First Aid Training

\$95.00 +GST per person
August 10&11, September 7&8

WHMIS Training (1/2 day)

\$75.00 +GST per person
August 26, September 23

Forklift Training (1 day)

\$165.00 +GST per person
August 22, September 19

JHSC Certification Part 1 Training (2-day course)

\$349.00 +GST - 2-day Course
August 16&17, September 13&14

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
August 23-25, September 20-22

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



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While most companies currently have a generic confined space entry procedure, the new proposed regulation is much more specific. As we saw in the lockout article in this issue, the new approach is very much risk based. You must identify all of your existing and potential confined spaces, and then conduct a risk assessment before each entry.

Taking this approach is logical, and it also avoids some of the problems people have had with wording. In many cases, organizations have resorted to using the US-OHSA approach of calling a space 'confined' or 'restricted'. This approach has no real legal meaning in Canada but it has avoided some of the stigma, if not the liability, of labeling or not labeling a space as a 'confined space'.

The provisions for rescue have been strengthened. The current regulations call for 'suitable arrangements' for the rescue of workers from the confined space should the worker require assistance. This wording is a bit loose and many employers have not really looked into this area. It's often assumed that for low probability events, such as a heart attack, the fire department can arrange for rescue. However, some but not most fire departments are willing, able, or competent to do confined space rescue, and this puts both the worker and the firefighters at risk. Without the availability of suitable anchor points, rescue is made even more difficult.

In absence of release of the new regulation, it is a good idea to make sure that you have identified your confined spaces and that you have taken steps to ensure that a hazard analysis has been completed for each space. In particular, you should ensure that you have a realistic plan in place to ensure rescue. This may mean planning in your capital budget to add things like engineered anchor points for retrieval equipment. The gradual improvement of rescue capability, tailored to the needs of the site and the space, will reduce your risk exposure.

RTS Consulting can help you with your safety needs, including improving your lockout program and reviewing your confined space entry procedures.

BREAKING NEWS

The new CSA Z1000 OHSMS Management Standard has just been released in draft form for public review (July 11, 2005). This proposed standard is very similar in general approach to OHSAS 18001, as it is built on the 'Plan-Do-Check-Act' cycle approach. We will be reviewing this draft in detail and we'll have more information and commentary on this in the next newsletter.

Peter Crisp, P.Eng. CRSP
Consultant

22 NEW HEALTH AND SAFETY INSPECTORS START WORK IN PEEL REGION

Government Delivering On Plan To Protect Workers, Make Workplaces Safer

MISSISSAUGA--Twenty-two new health and safety inspectors have begun working in Peel Region to reduce on-the-job injuries and make local workplaces safer, Labour Minister Chris Bentley announced today.

“This is an important investment by this government in the health and safety of workers in Peel Region--and across Ontario,” said Bentley. “Increased enforcement, combined with appropriate education, training and legislation, will make workplaces safer and provide Ontarians with a quality of life second to none.”

Before the new inspectors arrived, there were 19 inspectors in the Peel Region. In 2003, there were 11,349 workplace injuries requiring people to miss time at work within the region.

The 22 additional inspectors in the region are part of a group of 100 new inspectors hired by the government under a plan announced by Bentley last year. The plan includes a commitment to cut lost-time injuries by 20 per cent or 60,000 a year by 2008. Another 100 inspectors will be recruited by March 2006 to fulfill the government’s commitment to hire a total of 200 new health and safety enforcement staff.

The 100 new inspectors will target the 6,000 workplaces with the highest lost-time injury rates and higher than average claims costs to the [Workplace Safety and Insurance Board](#). Inspectors will visit these sites four times a year, focusing on workplace hazards to help firms reduce on-the-job injuries. Although these workplaces represent just two per cent of all firms insured by the Workplace Safety and Insurance Board, they account for 10 per cent of all lost-time injuries and 21 percent of injury costs in Ontario.

“We are taking decisive action to make a real difference in the lives of Ontario workers,” said Bentley. “Businesses will benefit too because the average lost-time injury costs \$72,000 and studies show safe workplaces are more productive.”

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.

Z460-05 CONTROL OF HAZARDOUS ENERGY – LOCKOUT AND OTHER METHODS

The CSA Standard Z460-05 Control of Hazardous Energy – Lockout and Other Methods was released in April 2005. The release of this standard will mean that many organizations will need to review their lockout procedures. While this standard is not legally binding, it is a comprehensive set of best practices in the area. The standard is clearly written and it would be wise to ensure that your procedures conform to the standard.

There are several implications regarding this standard. First, the name “Lockout and other Methods” suggests that this standard is not just about achieving a zero energy state, as is the goal in a traditional lockout program. In many cases, particularly in the setup of machinery, achieving a zero energy state is impractical. While Reg. 851 has always allowed that “other effective precautions necessary to prevent any starting” shall be taken, how to achieve this goal has always been unclear. Following the risk analysis methodology laid out in the standard will help you to achieve this goal safely.

The standard makes it clear that a generic lockout policy is not in itself acceptable; you must do an analysis of the lockouts in your facility and take action - labeling, work instructions and other steps – to ensure that lockout can be done safely.

One method of achieving this goal is by assigning the task to Supervisors, working with workers in their Department. This approach helps to ensure that Supervisors are aware of the risks in their area, and they are aware of the control measures that are in place to control the hazard.

Overall, the introduction of Z460-05 is a constructive step towards improving the safety of workers, while helping employers to achieve Due Diligence.

Confined Space Entry Regulations – an Update

One of the slowest births on record for the MOL has to be the new confined space entry regulation. Posted back in November, 2001, any further announcements since early 2003 have been mysteriously absent. Our research shows that the standard is still very much active, and we may see signs of movement as early as September of this year. It is likely that three essentially identical regulations will be released. One will replace the existing industrial regulations. The second will replace the existing construction regulations. The third regulation will be new, and it will cover confined space entries into areas such as sewers that are not covered by any existing regulation.

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Insurance Act. Wal-Mart was fined a total of \$500,000, and ordered by operation of statute to pay a Victim Fine Surcharge of \$125,000 by the Ontario Court of Justice in Brampton. The matter proceeded by way of an Agreed Statement of Facts and a Joint Submission as to Sentence, and the fine and surcharge must be paid by February 28, 2005.

- *National Grocers fined \$145,000 for WSIB violations Toronto (June 20, 2005) – National Grocers Co. Ltd., (of 22 St. Clair Ave. E., Toronto) has pleaded guilty to five counts of knowingly making a false or misleading statement to the Workplace Safety and Insurance Board (WSIB) in relation to a worker's claim for benefits. These are violations under Section 149(1) of the Workplace Safety and Insurance Act. National Grocers Co. Ltd. also pleaded guilty to four counts of failing to notify the Workplace Safety and Insurance Board (WSIB) within three days of learning of injuries to its workers. These are violations under Section 152(3) of the Workplace Safety and Insurance Act. National Grocers Co. Ltd. was fined a total of \$145,000, as well as the Victim Fine Surcharge ordered by the Ontario Court of Justice in Brampton.*

While many employers regularly conduct Compliance Audits in areas such as Occupational Health & Safety and Environment, few undertake a thorough evaluation of their Workers' Compensation policies, procedures and practices. The result is that many Companies may not be in compliance with WSIB Legislative and Policy requirements. Such non-compliance can result in employers facing charges and penalties under current legislation. **Contact RTS Consulting for a free consultation to discuss how our WS&IB Compliance Audit can benefit your firm.**

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, Workplace Injuries Prevention, and Construction Safety Regulations. Please contact us for a copy.

Raising The Standard Consulting Inc. Safety Group - Approved Safety Group Sponsor

Raising the Standard Consulting Inc. is becoming a New Safety Group Sponsor for WSIB for the 2005 Safety Group Program. We hope that your firm will enroll in our program in order to reap all the benefits the Safety Group Program offers.

Can your company benefit from this program? Yes! Put money back into your pocket and improve the safety culture at your workplace by participating in the WSIB-Raising the Standard Consulting Inc. Safety Group. We are a multi-sector safety group focusing on industries & companies in your area.

Why join our safety group?

- **Any company who participates in a safety group program for the first time, will receive a Workwell audit deferment**
- **No risk of a Zero rebate-Minimum of 4% of annual WSIB premiums for implementing procedures**
- Network with others in your industry and beyond: Share best practices and real workplace examples of how to improve and achieve a higher standard of safety.

Facilitate your company's ability to consistently monitor

- and comply with Ontario Health & Safety (OH & S) standards.
- Reap the rewards by working in an improved workplace safety environment & striving towards earning a potential rebate and reduced premiums through the WSIB.

How does our safety group work?

Members of the safety group hold 5 meetings throughout the year to monitor and discuss the group's progress. Each company must attend at least 3 meetings to maintain their position in the safety group and qualify for the rebate from WSIB. Participants will divide into appropriate groups in order to maximize networking and address sector specific issues more effectively.

How we help?

We are your resource for all required program materials at the beginning of the year:

- Provide all required paperwork to participate in the Program
- Monthly communication between yourself and your sponsor,
- Information about the safety group will be available via website 24hrs/day.
- Work with true health and safety practitioners who have over 125 years experience in a broad range of environment, health and safety fields.

We hold Ph.D, PEng, MBA, B.Sc., A.S.A , SET, CRSP, CIH, CSP and CHSC designations.

How is progress measured?

Each company is required to conduct an initial workplace assessment to determine the strengths and weaknesses of their health & safety program. Using this assessment as a guide, each participating company will select 5 safety elements they will work on improving throughout the year. (WSIB will provide a list of elements to choose from). The WSIB requires that 1 of these 5 elements be a chosen 'universal' element that every member of the safety group will use. At the end of the year, a 2nd workplace assessment is conducted and used to measure each company's level of success.

NEER and CAD-7

The WSIB announced earlier this year that they will be making changes to both NEER and CAD-7 for the 2006-year. Details of these changes should be available sometime in August. As part of our WSIB services RTS Consulting offers all employers a free NEER and/or CAD-7 assessment. **Please call us at [905] 840-3135 to avail of this offer.**

WSIB Compliance Issues

As the following excerpts from the WSIB's website confirm, firms in Ontario are paying a big price for failure to comply with WSIB requirements, especially in how and what claims are reported.

- *Toronto (May 12, 2005) – 1457223 Ontario Ltd. operating as Impact Services (of 89Shorncliffe Rd.), a Toronto construction company, has pleaded guilty to ten charges under the Workplace Safety and Insurance Act. On January 10, 2005, Impact Services pleaded guilty to one count of failing to report a workplace accident contrary to Section 152(3) of the Act; one count of making a false or misleading statement or representation in relation to a workplace accident contrary to Section 149(1) of the Act; and eight counts of providing an inaccurate statement of payroll an offence contrary to section 152(2) of the Act. On January 20, 2005, Impact Services was sentenced by the Ontario Court of Justice (1530Markham Road, Scarborough) to a total fine of \$50,000 for the two singular counts.*
- *An Etobicoke employer, 1200522 Ontario Ltd., operating as Kalt Personnel (of 155 Rexdale Blvd.), pleaded guilty on December 7, 2004, to four charges of failing to notify the WSIB within three days of learning of an injury to one of its workers. This is a violation under section 152(3) of the Workplace Safety and Insurance Act. A related company, R&E Personnel Services Inc. (of the same address), pleaded guilty on the same date to one charge of failing to notify the WSIB within three days of learning of an injury to one of its workers. The companies were fined a total of \$12,500.*
- *Toronto (February 9, 2005) – Wal-Mart Canada Corp. (of 1940 Argentia Rd., Mississauga) has pleaded guilty to 25 charges of failing to notify the Workplace Safety and Insurance Board (WSIB) within three days of learning of injuries to its workers. These are violations under Section 152(3) of the Workplace Safety and*

LONDON, ON, June 24 /CNW/ - Sylvite Agri-Services Ltd., which handles, packages and distributes grain, feed additives, fertilizer and lime products at its facility in Putnam, Ont., was fined \$110,000 on June 23, 2005 for two violations of the Occupational Health and Safety Act that resulted in a serious eye injury to a young employee.

On January 1, 2004, a worker was putting hydrated lime (a caustic chemical used in farming) into bags when one of the bags exploded and the hydrated lime was blown into the worker's cheeks, hair and both eyes, in particular the worker's left eye. The worker was given first aid treatment at the scene by another worker before being driven to hospital in Ingersoll, Ont. Early the next morning the worker was transferred to hospital in London because of the severity of the injury to the left eye. The worker later received surgery to improve the eye's appearance and vision. The worker had been on the job for about three months when the incident occurred at Sylvite Agri-Services Ltd.'s facility at 2740 Couch Road in Putnam, which is located about 25 kilometres (16 miles) east of London.

A Ministry of Labour investigation found the worker was wearing some protective equipment at the time of the incident, but was not wearing other prescribed equipment such as appropriate eye protection. In addition, Sylvite Agri-Services Ltd. failed to notify the ministry of the incident and failed to send the ministry a required written report within 48 hours of the incident.

The ministry only learned of the incident on January 5, 2004 when the worker's father called to inform the ministry.

Sylvite Agri-Services Ltd. pleaded guilty, as an employer, to:

1. Failing to immediately notify the Ministry of Labour of the Jan. 1, 2004 incident in which the worker was injured. This was contrary to Section 51(1) of the act; and
2. Failing to provide appropriate eye protection to the worker, as required by Section 81 of the Regulations for Industrial Establishments. This was contrary to Section 25(1)(c) of the act.

Justice of the Peace Robert Gay, of the Ontario Court of Justice in London, fined the company \$50,000 on the first count and \$60,000 on the second count. In addition, the court 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.

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.

THE TURNING POINT

Volume 5, Issue 3

July 2005

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).

VALUE OF WSIB COMPLAINTS AUDIT

2006 Premium Rates

The WSIB Board of Directors is currently in the process of determining what the 2006 premium rates will be. All indications from the Board are that Ontario Employers will see a rate [perhaps significant] increase next year. It is expected that the WSIB will publish preliminary premium rates by the end of July or early August.

One of the best actions employers can take to ensure they are paying the lowest possible premiums is to confirm that they are in the lowest possible classification[s] for their business activity. Remember that even if the WSIB [through an audit] has confirmed your present classification, there may be opportunities to be re-classified and reduce your premiums. ***RTS can provide an initial free consultation and assessment of your organizations WSIB classification.***

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MINISTRY OF LABOUR UPDATES

COCHRANE, ON, June 13 /CNW/ - Columbia Forest Products Ltd., a Portland, Oregon-based manufacturer of hardwood plywood and hardwood veneer, with a lumber mill that produces plywood and particle board in Hearst, Ont., was fined \$175,000 for a violation of the Occupational Health and Safety Act that resulted in the death of an employee.

On July 11, 2004, a millwright was performing a maintenance task of adjusting belts and tray on a "loader-press-unloader" (automated equipment used to transfer pre-formed mats made of wood chips and glue onto a conveyor in a particle board production line) when the loader press cycled. The millwright became pinned between the tray and press and died as a result of injuries. Employed by the company for more than 15 years, it was the deceased worker's first shift alone as a millwright for the particle board mill since being transferred there on June 6, 2004 from the company's plywood mill.

In addition, the court imposed a 25-per-cent victim fine surcharge, as required by the Provincial Offences Act

SUDBURY, ON, June 30 /CNW/ - Wal-Mart Canada Corp., a large national corporation that operates a chain of Wal-Mart retail stores across Canada, was fined \$60,000 on June 28, 2005 for a violation of the Occupational Health and Safety Act that resulted in serious ankle injuries to an employee at a Sudbury store.

On January 9, 2004, a maintenance worker was using a mobile ladder stand (or rollaway stairway) to access a ceiling-mounted, gas-fired heater when the stand moved causing the worker to fall 2.7 metres (nine feet) onto a concrete floor. The worker suffered a broken ankle and torn tendons and ligaments.

A Ministry of Labour investigation found the stand was not maintained in good condition and should not have been used.

In addition, the court imposed a 25-per-cent victim fine surcharge, as required by the Provincial Offences Act.



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