

# THE TURNING POINT

Volume 6, Issue 2

September 2006

## 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).

## YOUR SEPTEMBER 30<sup>TH</sup> NEER STATEMENT – ARE YOU READY?

In October, companies with operations in Ontario will begin to receive their September 30, 2006 NEER statements from Ontario's WSIB, and some may be shocked by what they find. WSIB implemented changes to their method of calculating premiums, as well as surcharges, effective January 1, 2006.

- Starting with 2006 claims, your claims experience will be used for 4 years instead of 3 years in calculating your premium.
- While the maximum rebate available remains at 33% of your premium, the maximum surcharge has risen from 66% to 100% of your premium.
- These changes, along with some changes in how WSIB calculates future costs, means that they have moved a step closer to a "user pays" model.

As such, poor performers within an industry rate group stand to experience significantly higher costs, while good

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## MINISTRY OF LABOUR UPDATES

### **A DEADLY SUMMER FOR SOME BUSINESSES ARE YOU PREPARED?**

Below are some recent convictions from the Ministry of Labour that occurred over the summer months to local businesses in Ontario. The message is clear from the government; the new inspectors will be busy inspecting targeted organizations to ensure their mandate is met.

#### **The Government's Health And Safety Strategy**

In July 2004 the McGuinty government announced its plans to reduce workplace injuries by 20 per cent through a comprehensive, integrated health and safety strategy using education, training, legislation/regulation and enforcement. The strategy's goal is that, by 2008, there will be 20,000 fewer lost-time injuries per year. Lost-time injuries are claims by workers who have lost wages by missing work as a result of a temporary or permanent impairment.

The strategy is being carried out through the high-risk workplace initiative and the targeted inspection of priority firms.

#### **The High-Risk Workplace Initiative**

The high-risk workplace initiative is focusing on workplaces with the highest injury rates and costs. More than 30,000 workplaces, representing 10 per cent of the companies insured by the Workplace Safety and Insurance Board (WSIB), are responsible for some 40 per cent of all injuries and costs incurred.

By assisting and educating these workplaces with high injury rates on healthier and safer work practices--while continuing to give priority to investigating workplace fatalities, critical injuries, work refusals, work stoppages and immediate hazards to worker health and safety--lost-time injuries will be reduced by 20 per cent.

Through its high-risk workplace initiative, the Ministry of Labour is targeting its inspections on firms with the highest injury rate and highest WSIB costs--up to 6,000 annually--and inspecting them up to four times a year.

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**RAISING THE STANDARD CONSULTING INC.**

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performers will find it increasingly difficult to remain in a rebate position. The best way to reduce WSIB costs continues to be an actively managed disability claims management program.

For those looking for assistance, we are a national provider of outsourced disability claims management services. For more information please feel free to contact us at (905) 840-1918.

### **PUBLIC TRAINING COURSES**

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

#### **FREE Due Diligence Class (1/2 day)**

Oct. 4, Nov. 1, Dec. 6

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

\$349.00 +GST - 2-day Course

Oct. 17-18, Nov. 7-8, Dec. 5-6

#### **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

Oct. 24-26, Nov. 14-16, Dec. 12-14

### **WEB BASED TRAINING**

Raise the safety, health, and productivity of your employees to the top of your agenda and provide training solutions that deliver real results. We provide web-based training programs for the convenience of your organization.

- **Hand Tools and Automotive Lifts**
- **Health, Safety and The Law**
- **Joint Health and Safety Committee**
- **Machine Safety and Lockout / Tagout Procedure**
- **Manager and Supervisor Safety Orientation**
- **Material Handling**
- **Accident Investigation**
- **Health Hazards: Recognition, Assessment and Control**
- **Workplace Inspection**
- **Slips, Trips and Falls**
- **WHMIS**
- **Worker Safety Orientation**

Inspectors are visiting these sites up to four times a year, focusing on workplace hazards to help firms reduce on-the-job injuries. When the high-risk initiative was launched, these firms represented just two per cent of all firms insured by the WSIB, but accounted for 10 per cent of all lost-time injuries and 20 per cent of injury costs in Ontario.

### **Results So Far**

After over two years of implementation, results show the workplace health and safety strategy is working and the government is on track to achieve its four-year commitment to reduce injuries by 20 percent, with 20,000 fewer lost-time injuries.

Due to the overall workplace health and safety strategy, there have been over 14,000 fewer lost-time injuries by the end of 2005 than would have otherwise occurred. In 2004 there were 5,500 fewer lost-time injuries, and 9,100 fewer in 2005. Results for 2006 are not final, but initial reports show that we remain on target to meet our goals.

Given that each incident cost a business an estimated \$57,000 in 2004 and \$71,000 in 2005 according to the WSIB, more than \$960 million in costs were avoided by Ontario businesses and the WSIB over a two-year period.

Ontario's lost-time injury rate has been reduced from 2.2 per 100 workers in 2003 to 2.0 by the end of 2005. This represents half of the government's proposed 20 per cent reduction. The lost-time injury rate is measured as the number of workers suffering a lost-time injury per 100 workers.

### **Recent Convictions Over The Summer That Have A Few Things In Common**

**Accurax Manufacturing Inc. fined - \$62,500 for health and safety violation** BRAMPTON, ON, Sept. 19 /CNW/ - Accurax Manufacturing Inc., a Brampton-based manufacturer of racks and other storage system components, was fined \$62,500 on September 18, 2006 for a violation of the Occupational Health and Safety Act that resulted in serious finger injuries to a young employee.

On May 4, 2005, a worker was operating a shearing machine used to cut metal sheets when the worker's hand got caught close to the blade, which came down and amputated four fingers on the worker's right hand. The incident occurred at the company's plant - 60 Advance Blvd., Brampton.

A Ministry of Labour investigation found a guarding device that would have prevented access to the blade had been removed the previous day. The ministry also found

Accurax did not provide adequate supervision or proper instruction to the worker in how to operate the shearing machine with proper safety guards.

Accurax Manufacturing Inc. pleaded guilty, as an employer, to failing to provide information, instruction and supervision to a worker to protect the health and safety of the worker, as required by Section 25(2)(a) of the act.

**Humberline Packaging Inc. fined \$100,000 for health and safety violation SCARBOROUGH, ON, Aug. 24 /CNW/ -**

Humberline Packaging Inc., a Toronto-based manufacturer of plastic containers, was fined \$100,000 today for a violation of the Occupational Health and Safety Act that resulted in serious head injuries to an employee.

On November 8, 2004, a worker was peering inside a machine in order to view a fluid leak when the machine, which was in motion, cycled. The worker's head was struck by equipment in the machine. The worker suffered a fractured skull and brain injuries. The incident occurred at the company's manufacturing plant at 310 Humberline Drive in Etobicoke, Ont.

Humberline Packaging Inc. pleaded guilty, as an employer, to failing to ensure the machine was cleaned, oiled, adjusted, repaired and/or had maintenance work performed on it only when motion that could endanger a worker was stopped, as required by Section 75 of the Regulations for Industrial Establishments. This was contrary to Section 25(1)(c) of the act.

**Cooper-Standard Automotive Canada Limited Fined \$60,000 for Health and Safety Violation**

MILTON, ON, Aug. 18 /CNW/ - Cooper-Standard Automotive Canada Limited, a Stratford, Ont.-based manufacturer of automotive parts, with a plant in Georgetown, Ont., was fined \$60,000 on August 16, 2006 for a violation of the Occupational Health and Safety Act that resulted in serious hand injuries to an employee.

On January 4, 2005, a worker was attempting to fix a problem with a "post-form rolling mill" (a component on a production line that manufactures parts for jeep vehicles) when the worker's hand became caught between the mill's two metal rollers. One of the rollers had a sharp contour shape resulting in lacerations and crushing injuries to the worker's right hand and fingers. A Ministry of Labour investigation found there were no guarding devices on the post-form rolling mill to prevent access to the hazardous pinch points. The incident occurred at the company's manufacturing plant at 346 Guelph Street in Georgetown.

Cooper-Standard Automotive Canada Limited pleaded guilty, as an employer, to failing to ensure the post-form rolling mill was equipped with, or guarded by, a guard or other device to prevent access to the in-running nip hazard, as required by Section 25 of the Regulations for Industrial Establishments. This was contrary to Sec. 25(1)(c) of the act.

**Quality Machining & Metalworks Inc. and company President fined for health and safety violations**

BRAMPTON, ON, July 20 /CNW/ - Quality Machining & Metalworks Inc., a manufacturer of steel products based in Mississauga, Ont., was fined \$60,000 and the company president was fined \$3,500, both on July 19, 2006, for one violation each of the Occupational Health and Safety Act that resulted in a serious hand injury to an employee.

On April 25, 2005, a worker was operating a "brake press" (a machine used to flatten sheets of steel) when the press closed on the worker's left hand in the area of the "die/ram" (a metal stamping component). The worker suffered crushing injuries to the hand and was taken to hospital where the hand had to be amputated at the wrist. The incident occurred at the company's manufacturing plant at 1655 Enterprise Road in Mississauga.

A Ministry of Labour investigation found a "pinch point" was created on the press at the point where the downward-moving upper die/ram came in contact with the stationary lower die. There was no guarding device to prevent access to the pinch point. The injured worker had been assigned to operate the press by the company president/supervisor who had been operating the press but had to leave to attend to other duties.

Quality Machining & Metalworks Inc. pleaded guilty, as an employer to failing to ensure the press was equipped with, and guarded by, a guard or other device to prevent access to pinch points in the die area, as required by Section 25 of the Regulations for Industrial Establishments. This was contrary to Section 25(1)(c) of the act.

In addition, the company president pleaded guilty, as a supervisor, to failing to ensure the press was equipped with, and guarded by, a guard or other device to prevent access to pinch points in the die area, as required by Section 25 of the Regulations for Industrial Establishments. This was contrary to Section 27(1)(a) of the act.

**Fisher & Ludlow fined \$60,000 for health and safety violation**

BURLINGTON, ON, June 27 /CNW/ - Fisher & Ludlow, a Burlington-based manufacturer of steel mats, was fined \$60,000 on June 26, 2006 for a violation of the Occupational Health and Safety Act that resulted in a serious hand injury to an employee.

On September 28, 2004, a worker was working on a production line that welded together and cropped steel rods to make steel matting for flooring material and other uses when the welding side of the line stopped. The worker reached into a welding machine to pull out a rod when the worker noticed a spark and the machine began to cycle. The worker's right hand became trapped, resulting in crushing injuries to two fingers. The incident occurred at the company's plant at 750 Appleby Line in Burlington.

A Ministry of Labour investigation found the welding and

cropping sides of the production line were protected with "interlocked gates" or "light curtain guards" (electronic devices designed to shut down machines to prevent worker access to pinch points). However, it was possible for a worker to bypass the guards in one area and access the back of the welding machine without shutting down the machine.

Fisher & Ludlow pleaded guilty, as an employer, to failing to lock out a machine, as required by Section 76 of the Regulations for Industrial Establishments. This was contrary to Section 25(1)(c) of the act.

### **Preventative Measures - What Are You Doing To Protect Your Organization And Your Workers?**

It is obvious that the trend identified in the sample of recent convictions and announcements from the government outlined above are aimed towards proper guarding and enforcement of the Occupational Health and Safety Act. Currently the Ministry of Labour is still looking for more inspectors. Once they have inspected the companies with the highest costs and injury rates they will go down to the other organizations. You need to ensure they have no reason to visit your organization or if by chance they do, that your workers are protected and that your health and safety initiatives are compliant and adequately documented.

Raising the Standard Consulting Inc.

([www.rtsconsulting.com](http://www.rtsconsulting.com)) will perform a legislation audit of your organization to identify how you stand legally in regards to health and safety but specifically regarding guarding hazards which is a priority with the Ministry of Labour inspectors. All companies should:

1. Identify all areas requiring guarding.
2. Install guards and document their location and function.
3. Conduct monthly JHSC meetings, daily supervisory audits and pre-operational inspections to ensure all guards are operational and effective.
4. Include guarding in your new employee and employee transfer procedures.
5. Include a check in the maintenance procedure to ensure guards are replaced once maintenance is complete (this is often effective in lowering the number of guards not replaced or reactivated).
6. Have an expert evaluate your specific requirements to ensure you are in compliance and effectively protecting your workers.

Note: These recommendations are general and cannot be used solely to protect your workers. These recommendations are to be used in consultation with your Joint Health and Safety Committee or Safety Representative and a qualified health and safety professional.

You can contact Raising the Standard Consulting Inc. (RTSC) at [rtsc@rtsconsulting.com](mailto:rtsc@rtsconsulting.com), Phone (905) 840-1918 or Fax (905) 840-3135.

The goal of this module is to ensure you will be able to: Recognize the need for an investigation Investigate the scene of the accident, Interview victims & witnesses ,Determine root causes ,Compile data and prepare reports Make recommendations etc.

### **WSIB PROPOSED CHANGES TO SAFETY GROUP PROGRAM**

The WSIB has recently announced significant changes to the Safety Group Program. Those changes include:

- \$20 million cap is removed
- Maximum individual rebate is decreased from 8% to 6% of premium
- **New Formula**
  - **6% maximum**
    - **1% for LTI component**
    - **1% for Severity component**
    - **4% for Achievement component**
  - **Minimum performance improvement rate (target rate) before being eligible for rebates (5% for 2007) reviewed annually**
  - **25% of the max performance rebate threshold in order to receive 100% achievement rebate.**
- SG Rebate = 2% performance (measurement) = 4% achievement (workplace practices)
- Greater weight placed on achievement as leading indicator to drive performance improvements
- Performance is rewarded through other prevention plans; the 2% is added reward for **SUPERIOR** improvements
- Performance improvement must be better than a pre-set target, reviewed annually (Schedule 1 average proposed for 2007 program-year)
- The higher the improvement above the target, the greater the performance rebate - rewards "*superior performance*"

### **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.

