

THE TURNING POINT

Volume 2, Issue 1

January 2002

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).

WORKING IN CONFINED SPACES

Confined spaces

A "confined space" is a fully or partially enclosed space that is not primarily designed or intended for human occupancy. Work in confined spaces can be extremely dangerous due to the potential for a build up of hazardous gasses or dust, or for lack of oxygen, which can result in an immediate life-threatening hazard of suffocation, fire or explosion.

Examples of confined spaces include storage tanks, compartments of ships, process vessels, pits, silos, vats, boilers, sewers, underground utility vaults and pipelines.

Without a proper program, plan and procedures in place, and without proper training, workers in a confined space, and those outside who attempt a rescue in an emergency, can quickly be overcome and deaths can occur.

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UPCOMING COURSES:

Machine Guarding

February 27, 2002

\$120 +GST

Certification Part 1

March 4,5 2002

\$325 + GST

Emergency First Aid Training

March 20, 2002.

\$90+GST

MINISTRY OF LABOUR UPDATE

PAR-PAK LTD. FINED \$165,000 FOR HEALTH AND SAFETY VIOLATIONS

BRAMPTON, Ont.--Par-Pak Ltd., a Brampton manufacturer of plastic food packaging products, was fined \$165,000 today for two violations of the [Occupational Health and Safety Act](#) that resulted in serious injuries to two employees in two separate accidents at the company's Victoria Crescent plant.

On Oct. 28, 2000, a worker was reaching into a "thermoforming machine" (a type of press which molds plastic into various shapes using heat and pressure) to remove some material when the press closed on the worker's arm. At the time of the accident, a second worker -- a maintenance technician -- was checking the machine for a malfunction and pressed a button to start the hydraulic pump.

As a result of the accident, the worker's arm was amputated below the elbow. The worker's other hand was badly burnt.

A Ministry of Labour investigation found that a guarding device -- designed to prevent a worker's hands or arms from entering the press when it closed -- was in a raised position, which should have prevented the press from closing. However, an "interlock" mechanism -- designed to automatically shut off the machine when the guard was raised--was broken. It was also determined the press was not blocked to prevent the press from closing.

A year earlier, on Oct. 14, 1999, a worker was removing pieces of plastic from a jammed "edge trim chopper" (a machine which grinds up pieces of waste plastic) when the worker's hand was pulled into the chopper. The worker believed the machine had been turned off by an automatic interlock mechanism. The worker didn't realize the design of the machine and location of the interlock device had been.

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Protection for workers in confined spaces

Currently, the Ministry of Labour has confined space requirements in four sector regulations under the Occupational Health and Safety Act--Industrial, Construction, Mining and Health Care. Many sectors and workplaces are not covered by any of the sector regulations, including sewer services, firefighters, police, transportation industry, universities, and others. However, employers in these workplaces are still required to take precautions to protect their workers entering confined spaces. As well, in the existing sector regulations, an employer's responsibility for hazard assessment, worker training and control of entry into confined spaces is not defined as clearly as it could be.

The Ministry of Labour is now consulting on a proposed harmonized regulation that would set out clear, defined requirements for all workplaces with confined spaces. The new regulation would expand protection to all workers in Ontario--not just those in the industrial, construction, mining and health care sectors--working in or outside of a confined space. The new requirements would provide employers and workers with a clearer awareness of hazards and precautions by requiring:

- Training on hazards and safety precautions;
- The posting of a permit identifying hazards and precautions outside the entrance to a confined space; and
- The posting of the results of ventilation testing done inside the confined space.

Consultations

A draft of the new regulation was sent broadly for comment to industry stakeholders--employer associations and unions. It was also posted on the Ministry of Labour's web site at www.gov.on.ca/lab/main.htm.

Stakeholders were asked to provide comment to the ministry by December 16, 2001. No specific timeline has been set for the new regulation but it is expected sometime in the early part of 2002.

DRIVE TO ENFORCE USE OF PROPER SAFETY MACHINE GUARDS

TORONTO--An enforcement initiative to dramatically improve safety for workers who are involved with machinery was announced by Labour Minister Chris Stockwell.

Ministry of Labour inspectors are stepping up enforcement of safety violations involving machine guards and lockouts during all workplace inspections. They will use all enforcement tools necessary, including stop work orders, fines and prosecutions.

MINISTRY OF LABOUR UPDATE- cont

recently changed, and the machine was still running. The worker lost four fingers as a result of the accident.

Par-Pak Ltd. pleaded guilty to: 1) Failing, as an employer, to ensure the thermoforming machine had been blocked to prevent movement, as required by Section 75 of the Regulations for Industrial Establishments

This was contrary to Section 25(1) (c) of the act (in connection with the Oct. 28, 2000 accident); and 2) Failing, as an employer, to ensure that an edge trim chopper was cleaned, oiled, adjusted, repaired or had maintenance work performed on it only when motion that could endanger a worker was stopped, as required by Section 75(a) of the Regulations for Industrial Establishments. This was contrary to Section 25(1) (c) of the act (in connection with the Oct. 14, 1999 accident).

Justice Peter Wilkie, of the Ontario Court of Justice in Brampton, fined the company \$100,000 on the first count and \$65,000 on the second count.

SELKIRK CANADA INC. FINED \$70,000 FOR HEALTH AND SAFETY VIOLATION

BROCKVILLE, Ont. - Selkirk Canada Inc., a Brockville manufacturer of chimney, venting and fireplace products, has just been fined \$70,000 for a violation of the [Occupational Health and Safety Act](#) that resulted in serious hand injuries to an employee.

On July 11, 2000, a worker was reaching into a punch press to retrieve a formed metal coupling when the ram of the die (part of the press) came down on the worker's hand, crushing it and severing three fingers. A Ministry of Labour investigation found the injured worker had not received adequate instruction on using pull back devices, which were designed to automatically withdraw the worker's hands from the danger zone before the die closed. The worker had been wearing the devices, but they were not properly adjusted and would have allowed the worker's hands to be well inside the die area when the ram of the die came down. The investigation also revealed a year earlier the ministry had issued an order under the act to the supervisor, co-signed by the employer, to correct a problem involving improper adjustment of pull back devices. If the devices had been properly adjusted in July 2000, the worker would not have been injured. The accident occurred at the company's plant on California Avenue in Brockville.



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A guard is a device that prevents access to dangerous moving parts in a machine. A lockout prevents a machine from starting or moving while a worker is repairing it, or shuts off power to electrical panels or machinery to prevent electrocution.

"Encouraging the proper use of guards and lockouts will sharply reduce the rising number of fatalities and critical injuries among workers who are involved with machinery and make workplaces safer and more productive," Mr. Stockwell said. "Fatalities due to guarding and lockout violations totalled eight in 1999, including three young workers--up 100 per cent from the four recorded in 1997. Critical injuries, including a number of amputations, rose to 95 from 76 during the same period."

The drive will build on the success of other "zero tolerance" initiatives over the past three years that targeted safety violations involving fall protection and forklift trucks.

Where violations are found during the machine guards and lockout initiative, the ministry may:

- a) issue orders to comply and, if necessary, stop work orders;
- b) issue Part One Summonses with fines of up to \$500 to supervisors and/or workers who disable the protections or bypass them; and
- c) begin Part Three Prosecutions with fines of up to \$500,000 for more serious offences such as condoning the above offences or ignoring orders to comply with guard and lockout laws.

The ministry will monitor the number of fatalities and injuries that result from guarding and lockout violations to determine whether the initiative is successful.

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Selkirk Canada Inc. pleaded guilty to failing, as an employer, to provide information, instruction and supervision to a worker to protect the worker's health and safety. This was contrary to Section 25(2) (a) of the act.

The fine was imposed by Justice of the Peace Veronica Carmichael of the Ontario Court of Justice in Brockville.

FIERA FOODS COMPANY FINED \$150,000 FOR HEALTH AND SAFETY

TORONTO--Fiera Foods Company, a Toronto manufacturer of baked goods, was fined \$150,000 on January 7, 2002 for a violation of the Occupational Health and Safety Act that resulted in the death of an employee.

On September 25, 1999, a young worker was cleaning the inside drum of a dough mixing machine when the mixing process was activated and the worker became trapped inside.

VIOLATION

The machine had been activated when a co-worker pushed the wrong buttons on the dough mixer panel when the worker asked to exit the machine. The young worker was pronounced dead on arrival at hospital. A Ministry of Labour investigation found the mixer was able to be activated because the power switch on the machine's main electrical panel was not locked out (to prevent the machine from being started). The accident occurred at the company' plant on Norelco Drive in Toronto.

Fiera Foods Company pleaded guilty to failing, as an employer, to ensure the control switches or other control mechanisms were locked out and other precautions taken to prevent the starting of a machine when a worker's safety could be endangered, as required by Section 76 of the Regulations for Industrial Establishments. This was contrary to Section 25(1) (c) of the act.

The fine was imposed by Judge Harvey Salem of the Ontario Court of Justice at Old City Hall in Toronto.



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CRANES & HOISTS-Peace of Mind

“Overhead cranes & hoists have become standard material handling tools because they are an effective way to transport materials within a factory. The travel is limited to the bay which the equipment resides. However, the benefits of overhead equipment such as full area utilization with minimized aisle way or space requirements and very low maintenance by far outweigh the detractors.

“Understanding the equipment and its proper usage is essential to the safety of the operators and the effectiveness of the overall factory material flow. Crane and hoist operations is not rocket science, the equipment offered today is designed for easy use, Generally new crane and hoist operators will get the functionality straight fairly quickly. It is assumed that because an operator has many years of experience, training is not required. In reality, experience is usually limited to the circumstances within that particular operator’s area. His experience becomes a liability because he is expected to know how to deal with the unusual situation when he does not have the training or experience. This is not discrediting the experienced crane and hoist operator, it is simply that it is not their function to “figure it out” on their own with limitation in time and resources.

So why is formal training necessary? Well first we must understand, if an accident does occur it usually results in injury or extensive damage due to the fact that we are dealing with materials that have been lifted into the air and the laws of gravity dictate that what goes up must come down. If decent is uncontrolled then an accident will occur. There are articles of law as stipulated by OHSA (Occupational Health & Safety Act) concerning the use of overhead material handling equipment that every operator must know. While there is no substitute for experience a qualified instructor will set up pre operational procedures for the specific equipment that will identify the signs of impending equipment failure, this will greatly reduce the chance of an accident resulting from uncontrolled movement of the load and should allow the owner to schedule maintenance avoiding a costly breakdown that will result in lost production.

There are also questions concerning the rigging of loads and the various components used in slinging and handling of loads that every operator must know. A thorough comprehension of chain, wire rope, lifting eyes and hoist rings are a few of the essential items. If this critical information is not understood it may eventually lead to serious problems.

The consequences of an accident to the individual operator, supervisor and company management are severe. Death or injury to the worker, of course, is the most drastic result. The government will pursue negligence by all parties involved by issuing citations, fines, and/or jail time for all parties concerned, right up to the president and CEO of the company, contrary to normal criminal or civil litigation the onus falls upon the individual or party named to prove their innocence.

It seems to me that the justification for training is ample and the peace of mind acquired should make this a priority for any company moving products around inside their factory. Training Courses are available to be run in-house at convenient hours.

Contributed by Mr. Joe Harnest.

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 Workwell, Workplace Specific Hazard Training. Please contact us for a copy. We also have articles on Machine guarding, WSIB policy changes and emergency evacuation.

For assistance in ‘raising the standard’ of environment, health and safety in your organization contact us at:

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