

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).

CELL PHONE SAFETY

By Roxanne Fenwick
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People spend countless hours a week simply traveling from one location to another. We drive to and from work everyday, and sometimes many other places to eat or shop still within that same day. Let's face it, we are mobile people! Which is why the innovation of the cell phone has become a "must have" for many people. The need to reach people immediately has become mandatory in today's fast paced world. Business calls or telephone appointments can now be done on-the-go rather than in the office which means the daily commute to and from the workplace can now be a productive time rather than a waste of time. However, is there a negative side to communicating while driving? The potential impact one can have on the other is enormous. What are the dangers associated with cell phone use while driving?

The affect of cell phone use on the attention of drivers is likely a greater threat to safety than its interference with vehicle control. According to a study by McKnight, 1991, "perceptual processes play a far greater role in automobile

Continued on Page 2

INSIDE THIS ISSUE

- 1 Cell Phone Safety
- 1 Ministry of Labour Updates
- 2 Ministry of Labour Updates (Con't)
- 3 Workwell Audit Update
- 3 ISO 18001 Update
- 3 Safety Group
- 4 Ministry of Labour Updates (Cont'd)
- 4 Past Newsletters
- 4 Training

MINISTRY OF LABOUR UPDATES

Suncor Energy Products Inc. fined \$325,000.00

SARNIA, ON, Oct. 22 /04 - A North York-based oil company which operates a petrochemical refinery in Sarnia, was fined \$325,000 for a violation of the Occupational Health and Safety Act that resulted in the death of a young worker.

On August 14, 2003, a worker had just finished switching pumps in an attempt to improve the flow of a crude oil product in a vacuum unit when super-heated crude oil was released from the unit. The hot oil immediately ignited into a flash fire resulting in fatal injuries to the worker.

The fine was imposed by Justice of the Peace Helen Gale of the Ontario Court of Justice in Sarnia. 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.

Pioneer Construction Inc. fined \$100,000.

NORTH BAY, ON, Oct. 18, 2004 -Pioneer Construction Inc., a Sudbury-based construction company was fined \$100,000 on October 15, 2004 for two violations of the Occupational Health and Safety Act that resulted in critical leg injuries to a worker.

On September 21, 2001, a dump truck driver was unloading a mixture of sand and salt from a dump truck onto a low-level unloader when the driver fell onto the unloader's moving conveyor belt. The driver had been banging the dump truck's box with a sledge hammer to loosen the sand mixture when a large portion of sand fell onto the conveyor belt catching the driver's left foot and causing the worker to lose balance. The incident resulted in the driver having to have both legs amputated. The driver had been hired just 16 days earlier by a company which was contracted by Pioneer Construction Inc. to deliver the sand mixture to Pioneer's worksite.

Justice Jean-Gilles Lebel, of the Ontario Court of Justice in North Bay, fined the company \$50,000 on each count. In addition, the court imposed a 25- per-cent victim fine surcharge

Continued on Page 2

accidents than does vehicle control". Inattention and improper lookout are the two leading contributors to automobile accidents (Treat et.al.1977).

Some may argue that a conversation on a cell phone is no different than having a conversation with a passenger and that with dialing aides like speed dial and by placing and receiving calls only when driving conditions permit, the danger of dialing or receiving calls can be reduced to the same degree as tuning the car radio. However, the distraction that results from carrying on a conversation is largely mental and is highly influenced by the nature of the conversation. Casual conversation is probably no more distracting than talking to a passenger. However, an important business conversation could potentially divert a driver's attention to the point that danger cues are being overlooked. A survey of cellular phone users showed that on average, 72% of conversations are for business purposes (McKnight, 1991). Business phone calls which often require deep thought and focus have been found to be the most dangerous phone-related activity and were more likely to result in a crash (Violanti, 1996). Furthermore, unlike a caller on the other end of a telephone, a passenger in a vehicle can accommodate the conversation to a situation; seeing when the driver needs to focus on driving and can even alert the driver to hazards.

Another important consideration is the effect of age on reaction time and how that relates to cell phone use. Studies have shown that as people age their reaction time is delayed. This is especially true for people above the age of 50. On road and simulator studies find that older drivers are more susceptible to a cell phone-related crash. Since the cell phones main effect is distraction of the driver, with resulting detrimental effects on reaction time and attention to road conditions, it appears that the elderly with their already reduced reaction times, are more at risk of an accident as a result of cell phone use.

It is obvious that the use of cell phones while driving can have serious effects on a driver's ability to make appropriate and adequate decisions while driving, resulting in a higher risk of a collision. Why then do people still feel it is worth the risk to use their cell phones while driving? The answer lies in convenience. People enjoy the convenience of being able to place and receive calls while on-route to their destinations. And since there doesn't seem to be any laws against using cell phones while driving, it will continue to be an increasing problem until there are.

Realizing the hazards do exist, it is important that drivers recognize how to use their cell phones safely. The Cellular Telecommunications Industry Association (CTIA) has compiled 10 points to consider when using mobile phones while driving.

MINISTRY OF LABOUR UPDATES (CON'T)

Enwave District Energy Limited fined \$275,000 for health and safety violation

TORONTO, Sept. 29, 2004 - Four Toronto plants deliver steam and chilled water via an underground piping network to about 130 institutional and commercial buildings in downtown Toronto, was fined \$275,000 on September 28, 2004 for a violation of the Occupational Health and Safety Act that resulted in the death of two workers at one of its plants.

On October 23, 2002, two workers were applying an "epoxy coating" (a type of paint) inside a condensing tower tank located on the third floor of the plant when hot pressurized water flowing from a boiler on the ground floor to a condensate tank in the basement flashed into steam and rose up a drainage pipe leading to the condensing tower tank, where the two workers were working. The workers suffered severe burns from the steam and were taken to Sunnybrook Hospital in Toronto. One of the workers died that day and the other died the next morning. Both workers were employed by a company contracted by Enwave District Energy Limited to sandblast and re-coat the inside of the condensing tower tank.

The fine was imposed by Justice Robert Bigelow of the Ontario Court of Justice at Old City Hall in Toronto. In addition, the court imposed a 25-per-cent victim fine surcharge.

There has recently been 200 new Ministry of Labour Inspectors hired in the Greater Toronto Area.

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.



1. Get to know your phone and its features such as speed dial and redial.
2. When available, use a hands-free device.
3. Position your phone within easy reach.
4. Let the person you are speaking with know you are driving; if necessary; suspend the call in heavy traffic or hazardous weather conditions.
5. Do not take notes or look up phone numbers while driving.
6. Dial sensibly and assess the traffic situation; if possible, place calls when you are not moving or before pulling into traffic.
7. Do not engage in stressful or emotional conversations that may divert your attention from the road.
8. Use your phone to call for help.
9. Use you phone to help others in emergencies.
10. Call roadside assistance or a special non-emergency wireless number when necessary.

All of these points are good advice for any cell phone user to take into consideration when using their phones on the road. So, for those of us who insist upon using our cell phones while driving, it is wise to follow these safety tips and reduce our risk of having a collision.

CHANGES TO THE WORKWELL AUDIT PROGRAM YOU NEED TO KNOW ABOUT

Most of you are already aware of the Workplace Safety & Insurance Board's recent changes to its policies on Workwell. These changes came into effect on June 1, 2000.

- *If a company fails the first evaluation, it must now work with a health and safety provider to develop and monitor its improvement program. Failure to cooperate may result in immediate levying of the relevant surcharge.*
- *Employers now have six, as opposed to three, months to make improvements if they fail the first evaluation.*
- *The passing grade for the evaluation has been increased from 65% to 75%.*
- *The penalty is still an absolute maximum of 75% of the employer's premium (if evaluation score is zero), but the cap is now \$500,000 instead of \$100,000.*

The Workwell program is an audit tool used by the Workplace Safety and Insurance Board of Ontario to implement section 82(1) of the Workplace Safety and Insurance Act. The purpose of the auditing tool is to identify organizations that unfairly add to the assessment burden of their rate group through high claim costs or frequency and regain those costs through fines based on the organization's audit score. The maximum fines have been raised as of June 2000 from \$100,000.00 to \$500,000.00.

OHSAS 18001-(ISO 18000)

OHSAS 18001 is one of the newest and most significant international Occupational, Health & Safety/Management System standards. The standard was developed in 1999 by the British Standards Institute (BSI) as a successor to BS 8800, mainly to make the framework of the standard more parallel to ISO 14001. Although exact figures are not available, we estimate that over 2000 sites have been registered to the OHSAS 18001. Typically, sites registering to OHSAS 18001 have been previously registered to ISO 9001 and/or ISO 14001 and are looking for a health and safety management standard that is fully compatible with those international standards. Let us help you attain and maintain your OHSAS 18001 registration.

RTS Consulting Inc. can assist you in registering to OHSAS 18001 and raise the level of health and safety in your organization.

SAFETY GROUPS

Put money back in your pocket and improve the safety culture at your workplace by participating in the WSIB-Raising the Standard Consulting Safety Group. We are a multi-sector group focusing on industries and companies in your area.

Why join our safety group?

- ✓ Network with others in your industry and beyond
- ✓ Reap the rewards of working in an improved working environment and strive towards earning a potential rebate and reduced premiums from the WSIB.

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 Aggressive/Violent behaviour, Machine Guarding Safety and Legislative Changes in WSIB Policy, Construction Safety Regulations. Please contact us for a copy.



Your organization must be aware that the government's mandate is to make an example of companies that do not manage their health and safety and that personal jail terms are levied at a maximum of twelve months per offence. The Ministry of Labour's new mandate is to levy fines in a manner to ensure the leaders and decision makers of the organizations are affected the greatest and then have the responsibility/liability go down from them. In the end, the management team must realize that the only defence is ensuring due diligence.

As of August 2002

The auditing tool used by the Workplace Safety and Insurance Board has now been modified to a more comprehensive and sophisticated method which is based directly on the hazards identified at the workplace. This new audit tool is far more difficult to comply with, and requires far more **relationship** between various elements of the health and safety program.

Selection Criteria

The accepted selection criteria in the past was based on a firm having 25% higher frequency than the industry standard for a period of three years or a very high cost claim. The selection process has become far more elaborate and inclusive of many firms.

- The criteria is now based on high injury cost or frequency with no percentage minimum.
- Frequency and compliance with orders from the ministry of Labour
- Compliance with First Aid regulations. In some cases, this could mean a complaint by a worker regarding first aid supplies, and this could then generate a response from the Workplace Safety and Insurance Board of a Workwell audit.
- Complaints from workers or others. This could mean competitors or neighbors could contact the WSIB resulting in you receiving a Workwell audit.

We have a complete understanding of the expectations of the auditors and will assist you in developing and implementing a program which adheres to the requirements of the Workwell program and your corporate culture.

The WSIB is now in the process of hiring 10 new Workwell Auditors.

Training

The following is an example of a few of the training courses we offer. For a full list, please visit our web-site at www.rtsconsulting.com

First Aid Training

\$95.00 +GST per person
December 13&14, 2004, January 13&14, 2005

WHMIS Training (1/2 day)

\$75.00 +GST per person
January 13, 2005

Forklift Training (1 day)

\$165.00 +GST per person
January 28, 2004

JHSC Certification Part 1 Training (2-day course)

\$349.00 +GST - 2-day Course
Dec. 14 & 15, 2004, Jan. 18-19, 2005

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
December 20-22, 2004, January 25-27, 2005

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

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 or email us at rtsc@rtsconsulting.com



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