

health, including those in direct response to Campbell's interim reports, are :

- Passing legislation to make the Chief Medical Officer of Health (CMOH) more independent
- Increasing funding to local public health units by more than 65 per cent, from \$266 million in 2003 to \$442 million in 2006.
- Establishing the Provincial Infectious Disease Advisory Committee to advise the CMOH on the prevention, surveillance and control of infectious diseases. A Ministry of Labour representative and an additional occupational health physician sit on the committee.
- Creating the Emergency Management Unit in response to SARS and the power outage of 2003, and improving communications between the ministry and health care stakeholders, including front line staff, at the time of a health crisis.
- Passing the Emergency Management and Civil Protection Act in June 2006, which provided additional powers to support the government's ability to respond in a provincial emergency.
- Making Ontario a leader in pandemic preparedness through emergency planning, stockpiling antivirals, supplies and equipment, and distributing more than 15,000 infection control kits to front line health care providers.
- Working to supply N95 masks to front line health care workers to increase protection during an infectious disease outbreak

### **PUBLIC TRAINING COURSES**

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

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

\$349.00 +GST - 2-day Course

**Non-Construction Dates:** Mar. 7-8, Apr. 3-4, May 9-10

**Construction Dates:** Mar. 14-15, Apr. 11-12, May 2-3

#### **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

**Non-Construction Dates:** Mar. 20-22, Apr. 17-19, May 15-17

**Construction Dates:** Mar. 27-29, Apr. 24-26, May 29-31

### **Certification Training (for both Construction and Non-Construction Industries)**

The Occupational Health and Safety Act requires that most workplaces with 20 or more workers have at least one worker and one management person to serve as certified members of a workplace Joint Health and Safety Committee (JHSC). This certification involves training in health and safety law, and the identification, assessment and control of hazards.

Certification involves two mandatory parts: Basic Certification and Workplace-Specific Hazard Training: Part One - Basic Certification provides an overall knowledge of health and safety that applies to all workplaces. Part Two - Workplace-Specific Hazard Training focuses on significant hazards in your workplace. It covers how to assess those hazards and ways to control and/or eliminate them.

One worker and one management designated JHSC member must complete both Part One and Part Two of the Training.

RTS Consulting is a WSIB approved provider of JHSC Certification Training.

#### **Certification Part 1 Course Outline:**

- Internal Responsibility System
- the occupational health and safety act
- roles and responsibilities of the joint health and safety committee.
- recognition assessment and control of health hazards
- legal rights and responsibilities with regard to workplace inspections
- Air Monitoring
- Accident Investigation
- Occupational Statistics and Violations

#### **Certification Part 2 Course Outline:**

- Safety Attitudes
- Chemical Hazards
- Workplace Stress
- Hand & Power Tool Safety
- Heat Stress
- Cold Stress
- Emergency Response
- Pre-Work Inspection
- Ladder Safety

We offer our public courses monthly in the Brampton area. We also offer in-house training for groups of six or more. To register please contact RTS Consulting by phone at 905-840-1918 or by email: [rtsc@rtsconsulting.com](mailto:rtsc@rtsconsulting.com)

### **FIVE KILLED A DAY IS NOT ACCEPTABLE**

(Taken from the February 07 edition of the Canadian Occupational Safety e-letter.)

A major new study that exposed Canada's poor safety record caused quite a ripple among the safety community when it was released just before Christmas.

The report, *Five Deaths a Day: Workplace Fatalities in Canada, 1993-2005*, was published in December by the Ottawa, Ont.-based Centre for the Study of Living Standards.

The report's authors took direct aim at Canada's safety record, and found serious flaws in our safety performance, especially when compared with other developed nations.

Now defenders of Canada's safety record might want to quibble with the author's numbers and attack their methodology, and claim that because Canada keeps such good records our numbers might appear high, or that a big part of the number reflects deaths from occupational diseases — but that's all hogwash.

The key finding that can't be explained away is that our record just isn't good enough for the kind of country we now live in and for the country we expect Canada to be. Any progressive country with regulations and enforcement mechanisms should be doing much better.

If you work in health and safety, and are dismayed by the report's findings, then do something about it. Don't argue with the numbers. Instead, use them as a rallying cry to help spark more safe behaviour and more effective programs within your organization or your company

No one appreciates being reminded that they aren't doing a good enough job at promoting safety, but when you think of the final outcome of your hard work — saving lives and reducing or eliminating injuries — it's well worth it.

### **SARS UPDATE**

Since the SARS crisis, the government has made significant progress in improving the health and safety of workers in the province, including the appointment of a new, permanent health and safety advisory committee under the Occupational Health and Safety Act to provide practical advice and recommendations on the unique occupational health and safety issues of health care workers to ensure they are protected. This committee, announced in September 2006, is made up of representatives of health care employers and unions.

Other improvements the government has made to public

**OAKVILLE, ON, Feb. 13 /CNW/ - High-View Structures Inc.**, a construction company based in Woodbridge, Ont., was fined \$75,000 on February 12, 2007, and Baxter's Wharf Inc., a construction company based in Hamilton, Ont., was fined \$75,000 on February 2, 2007, for two violations each of the Occupational Health and Safety Act at a construction project in Burlington, Ont.

On March 4, 2005, a worker was helping strip "formwork" (structures into which concrete is poured) for relocation when the worker stepped on loose material and fell almost 2.75 metres (nine feet) from the third level to a concrete floor deck below. The worker suffered a fractured lower leg bone and dislocated ankle. The incident occurred at a 12-storey condominium building being built at 399 Elizabeth Street in Burlington. The project was being built by Baxter's Wharf Inc., which had contracted High-View Structures Inc. to construct and install the formwork. The injured worker was employed by High-View Structures Inc.

A Ministry of Labour investigation found the worker was wearing fall protection equipment, but it was not arranged in a manner that would prevent the worker from hitting the concrete floor deck.

On April 20, 2005, a Ministry of Labour inspector visited the construction site and issued a number of orders to Baxter's Wharf Inc. and High-View Structures Inc. The orders included requirements that a guardrail system be used around floor openings to prevent falls. On May 11, 2005 the inspector returned to the site and found a guardrail system had not been installed in various locations in the building.

High-View Structures Inc., as an employer, pleaded guilty to:

1. failing to ensure the fall arrest system was arranged so the worker could not hit the ground or an object or a level below where the worker was working, as required by Section 26.6(3) of the Regulations for Construction Projects. This was contrary to Section 25(1)(c) of the act; and
2. Contravening a Ministry of Labour order requiring guardrails around the perimeter of an open side of the floor, as required by Section 26.3(1) of the Regulations for Construction Projects. This was contrary to Section 66(1)(b) of the act.

Baxter's Wharf Inc., as a constructor, pleaded guilty to:

1. failing to ensure the fall arrest system was arranged so the worker could not hit the ground or an object or a level below where the worker was working, as required by Section 26.6(3) of the Regulations for Construction Projects. This was contrary to Section 23(1)(b) of the act; and
2. Contravening a Ministry of Labour order requiring guardrails around the perimeter of an open side of the floor, as required by Section 26.3(1) of the Regulations for Construction Projects. This was contrary to Section 66(1)(b) of the act.

Continued on Page 4

**RAISING THE STANDARD CONSULTING INC.**

62 Barr Crescent ~ Brampton ~ ON ~ L6Z 3E4 ~ 905-840-1918 ~ Fax: 905-840-3135 ~ [www.rtsconsulting.com](http://www.rtsconsulting.com) ~ [rtsc@rtsconsulting.com](mailto:rtsc@rtsconsulting.com)

**THE TURNING POINT 3**

of documentation regarding the construction safety program will ensure your companies protection in the case of an incident.

Through regular inspections we can provide you with an on-going Health & Safety maintenance and development program. On a monthly basis we can:

1) Safety program development for:

- Hazard specific procedures
- First aid provisions and emergency procedures
- Incident notification, investigation and follow-up procedures
- Inspections
- Site safety requirements (material storage, personal protective equipment, equipment and machinery, public and occupant safety, personal conduct etc.)
- Discipline procedures

2) Training requirements:

Identify worker training under the Act and Construction Reg., WHMIS, first-aid/CPR that needs to be carried out. Identify certification, trade and JHSC certification and specific training (confined space, scaffold erection, cranes, forklift, fall protection etc.) requirements.

3) On Site Activity:

Review contractor & site supervisor's responsibilities. Ensure general health and safety rules are being implemented. Identify progressive discipline where required.

Conduct project health and safety tool box meetings. Verify subcontractors' representatives to the JHSC (meeting minutes, inspections etc.).

Ensure proper documentation availability (Act and Regulations, Certificate of Clearance, MSDS, orders by the MOL, hoist/crane certificates, etc.).

We can develop these systems in conjunction with the management team to ensure that your company's standards are identified and met. We can develop a safety program and identify the systems to ensure it is implemented. Key barriers regarding discipline and reporting can be clarified to ensure a workable system is developed and implemented.

We can provide the above services for the following fee structure:

- 1) To complete the safety program and required systems, to minimize your liability and address the concerns of your individual construction sites the fee will be \$3000.00 +GST.
- 2) We can conduct training on site as required.
- 3) We can conduct site visits to monitor the effectiveness of the control systems. Our services would also be available for accident investigations, Ministry of Labour liaison and, training program development and presentations, at a flat hourly rate \$55.00 +GST as required.

1. failing to ensure fall protection was used at the house where the injured tradesman was working, as required by Section 26.1 of the Regulations for Construction Projects. This was contrary to Section 25(1)(c) of the act; and

2. failing to ensure fall protection was used at the house where the second worker was working, as required by Section 26.1 of the Regulations for Construction Projects. This was contrary to Section 25(1)(c) of the act.

**SCARBOROUGH, ON, Feb. 14 /CNW/ - Trade Services Inc.**, a Mississauga, Ont.-based company that arranges for contractors in various trades to provide services to businesses, was fined \$120,000 on February 12, 2007 for a violation of the Occupational Health and Safety Act that resulted in the death of a worker.

On December 18, 2003, a painter was painting doors and trim in a ground-floor loading dock area of an office building when the painter fell into an empty elevator shaft. The painter was found one-storey below on a metal basement floor at the bottom of the shaft and was taken to hospital with a serious head injury. The painter died the next day. The painter had been one of three independent contractors hired by Trade Services Inc. to paint doors and trim in the building. Trade Services Inc. had been contracted to do the work by Toronto-based GWL Realty Advisors Inc. which managed the property on behalf of the building's owners, Great West Life and London Life.

A Ministry of Labour investigation found the elevator shaft was no longer in use. A double set of doors to the shaft had a dead-bolt lock and normally the doors were kept locked. However, when the painter was found in the shaft, the elevator doors on the ground floor were found to have been unlocked and open. The painters did not have access to the doors' key, and the doors did not appear to have been forced. The ministry also found there was no guardrail in the doorway of the elevator shaft and no signs on or near the elevator doors warning of the decommissioned elevator.

Following a trial, Trade Services Inc. was found guilty, as an employer, of failing to take every precaution reasonable in the circumstances for the protection of a worker, including:

- failing to seek, obtain and provide information on the existence of any and all potential hazards in the workplace; and/or
- failing to train its supervisors to seek, obtain and provide information on the existence of any and all potential hazards in the workplace.

This was contrary to Section 25(2)(h) of the act.

On April 18, 2006, GWL Realty Advisors Inc. was fined \$300,000 for a violation of the act in connection with this incident.

# THE TURNING POINT

Volume 7, Issue 2

February 2007

## 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).

### CONSTRUCTION OWNER LIABILITY- WHAT'S THE COST ?

Many key legislative requirements regarding health and safety are not being followed on numerous construction sites. As you are aware, injuries in construction affect not only the injured employee but their families, co-workers on the job and the company's ability to compete in the workplace. Many construction companies are required not only to have health & safety programs but be in good standings with the Workplace Safety Insurance Board before they can bid on a contract regardless of their price. However the true problem is not having a procedure to include in a tender but having no systems in place to ensure the company is protected from liability in the event of an accident or an inspection from the Ministry of Labour.

Once you have developed systems to ensure that key components of a company's construction program are identified. Your company's due diligence can then be maintained through regular documented inspections and validation of documentation. The inspections and validation

*Continued on page 2*

## INSIDE THIS ISSUE

- 1 Construction Owner Liability
- 1 Ministry of Labour Updates
- 3 Five Killed a Day Is Not Acceptable
- 3 SARS Update
- 4 Certification Training (Construction & Non-Construction Ind.)
- 4 Public Training Courses

## MINISTRY OF LABOUR UPDATES

**BURLINGTON, ON, Feb. 13 /CNW/ - Fernbrook Homes (Upper Middle Road) Limited, a Concord, Ont.-based construction company, was fined \$60,000, and Sungate Construction Inc., an Ancaster, Ont.-based construction company, was fined \$50,000, both on February 12, 2007, for two violations each of the Occupational Health and Safety Act that resulted in serious injuries to a worker at a construction site in Burlington. On July 16, 2004, a tradesman was installing protective guardrails at the edge of the second floor of a partially-built house in preparation for framing when the tradesman noticed a tack missing on some insulation. The tradesman attempted to step onto the top of a first-floor wall to fix the missing tack, but missed and fell about 4.7 metres (15 feet, six inches) to the ground below. A Ministry of Labour investigation found there was no fall protection to prevent the worker from falling. The incident occurred at a subdivision of single-family homes that was being constructed by Fernbrook Homes (Upper Middle Road) Limited on Cachet Crescent in Burlington. Fernbrook Homes (Upper Middle Road) Limited had subcontracted the framing of the houses to Sungate Construction Inc., which, in turn, had subcontracted the work to various tradesmen, one of whom was the injured worker.**

When the Ministry of Labour investigated, a second worker subcontracted by Sungate Construction Inc. was observed working at another partially-built house on Cachet Crescent without a guardrail system or fall protection even though there was a potential hazard of falling about 5.6 metres (18 feet, six inches). No injuries were reported.

Fernbrook Homes (Upper Middle Road) Limited pleaded guilty, as a constructor, to:

1. failing to ensure fall protection was used at the house where the injured tradesman was working, as required by Section 26.1 of the Regulations for Construction Projects. This was contrary to Section 23(1)(a) of the act; and
2. failing to ensure fall protection was used at the house where the second worker was working, as required by Section 26.1 of the Regulations for Construction Projects. This was contrary to Section 23(1)(a) of the act.

Justice Lesley Baldwin, of the Ontario Court of Justice in Burlington, fined the constructor \$50,000 on the first count and \$10,000 on the second count.

Sungate Construction Inc. pleaded guilty, as an employer, to:

*Continued on page 2*

RAISING THE STANDARD CONSULTING INC.

62 Barr Crescent ~ Brampton ~ ON ~ L6Z 3E4 ~ 905-840-1918 ~ Fax: 905-840-3135 ~ [www.rtsconsulting.com](http://www.rtsconsulting.com) ~ [rts@rtsconsulting.com](mailto:rts@rtsconsulting.com)