

## Section 1

### Reporting Month Statistics – Quick Overview

Reporting Month	Month Fatalities	Month Critical Injuries	Month Total
OCT 16 <sup>TH</sup> , 2017 – NOV 15 <sup>th</sup> , 2017	2	24	26

### Provincial Coordinator's Comments

Since taking on the role of Provincial Coordinator, I have been inundated with calls and emails and even the occasional appeal, from stakeholders in opposition with how the Construction regulation applies to them. More often than not, the discussion is not because they are unable to comply, but rather are in resistance to the expense and inconvenience of compliance.

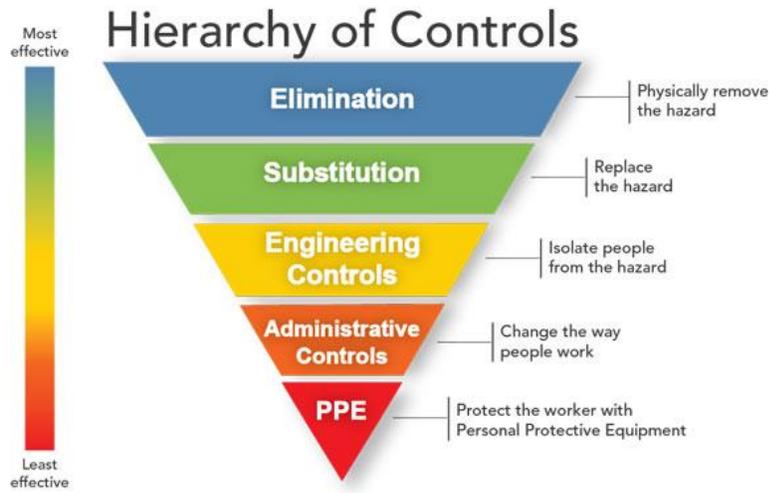
Although expense may be a consideration in some circumstances, the risk to a worker's health and safety must always outweigh the money or time it takes to perform a job. It's easy to justify savings when everything goes as planned, but when it doesn't, there is no way to justify the cost of a worker's health, safety, or even life when an incident has occurred.

Each of these discussions start with reviewing the hazards that are presented in the work being performed and the risk those hazards present to the workers. In almost all of these discussions, the stakeholder has not fully identified or appreciated the hazards associated with the work or the risk presented to the workplace parties.

In looking at risk assessment and ultimately the management of risk, it's pertinent to examine all the hazards presented during a specific task. You can identify these hazards by asking the workforce what their concerns are, relying on the experience of others and by performing an in-depth job hazard analysis. Once the hazards are identified, they are then examined in two different categories: likelihood of occurrence and consequence of the occurrence. These categories are then scored to aid you in determining the highest risks that your workers are exposed to. Not all risks are equal, some are so remote that the likelihood of them occurring is almost none. Generally, we do not plan extensively or put safeguards in place to address these risks. Other risks however require a significant proactive approach to ensure they do not occur in the workplace.

Once the top risks associated with the work have been identified you need to examine and understand what makes them risks. Conducting a root cause analysis is a critical step in understanding the contributing factors to a risk and why it exists. Once you have identified a risk and its contributing factors, you can begin to understand what is required to then reduce or eliminate the risk to workers. Often, multiple factors will need to be considered. In those cases ranking them based on impact will be beneficial to help you explore the best ways to assess the risk and develop preventative measures.

In examining all of the factors you also need to understand and apply the hierarchy of controls when considering the best way to address the risk:



Elimination, substitution and engineering controls are always the goal when considering solutions to the risk presented. Administrative controls, training and PPE should only be used as a last resort.

A good example of this would be falls from ladders in construction. Although ladders can be an effective tool when used correctly, quite often we find that because ladders have been such a staple in the construction industry workplace parties rarely stop to consider the risk of using one or if it is appropriate for the task. In many situations, a ladder shouldn't even be considered for the work that people are performing. Assuming the work is deemed to be appropriate for the use of a ladder, first ask some simple questions such as if the work can be done from the ground, before erecting a ladder. The goal of this is to plan your work differently. Can the potential fall hazard be eliminated completely? If that is not possible can an elevating work platform be used as a substitution? What about a scaffold or other work platform? If it is only possible to use a ladder, does the worker understand the risks associated with ladder use and have they been adequately trained to set it up and use it correctly? Do they have the correct ladder for the task? Is there enough room to set it up correctly? Can the worker use fall protection while working on the ladder? By considering different options on how the work can be performed you may be able to effectively eliminate the single greatest hazard impacting the work.

In taking the time to really understand the risks associated with the work, the question is not why do I have to comply but rather, what must I do to adequately protect my workers from the hazards associated with this task? The Construction regulations are a *minimum* requirement that must be complied with. They are designed to protect workers during the work being performed. A proper risk assessment will not allow you to undermine the regulations, but it will afford you the ability to increase the protection of your workers to ensure that all risks they are exposed to are adequately addressed.

Brian Barron  
Provincial Coordinator

Construction Health and Safety Program  
Ontario Ministry of Labour

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## **Section 2**

### **MOL’s “what’s new” (Selected Excerpts)**

#### **[Download free app – Your Guide to Construction Health and Safety Legislation in Ontario](#)**

Work in construction? Download a free, new app designed to provide Ontario workplaces with an understanding of the Construction Projects Regulation. The guide provides information on 50 topics, from personal fall protection systems to scaffolds and electrical hazards. The app was designed by the Infrastructure Health & Safety Association in partnership with the Canadian Centre for Occupational Health and Safety.

[Download on the Apple Store](#) | [Get it on Google Play](#) | [Access it on the Web](#)

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#### **[Ontario seeking public input to strengthen worker safety](#)**

Ontario is seeking public input to help create a voluntary accreditation program that will recognize employers who go above and beyond to promote health and safety practices on the job.

**Please submit your comments by Wednesday, December 20, 2017**, and indicate whether you are an employer, labour representative, worker or other.

[Read more](#) | [Join the conversation](#) 

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#### **["It's Your Job" student video contest now open](#)**

Ontario’s secondary school students are encouraged to submit a video of up to two minutes on any topic related to workplace health and safety. This year’s optional theme is “Impairment at work is everyone’s business.” Workplace impairment could include, for example, lack of sleep, long hours, alcohol or drugs. Winners and their respective schools will be awarded cash prizes! The top entry will also advance to the national finals for a chance to win additional prizes. **The deadline for submissions is March 2, 2018.**

[Read more](#)

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## **Introducing Compass – Guiding you to a healthy and safe workplace**

The Workplace Safety and Insurance Board has launched Compass, a new online health and safety tool. For the first time, Ontarians can find and compare health and safety statistics for businesses across the province.

[Read more](#)

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## **Section 3**

### **Court Bulletin 1**

## **Company Fined \$60,000 After Worker Falls From Peterborough Building**

November 28, 2017 5:20 P.M.

#### Ministry of Labour

**Convicted:** Pro Renovations Solutions Inc., 11-4040 Creditview Road, Suite 193, Mississauga, a company subcontracted to make repairs to an apartment building in Peterborough, Ontario.

**Location of Worksite:** Clonsilla Avenue in Peterborough.

**Description of Offence:** A worker on a 10-storey building lost balance at the roof edge and fell to the ground, sustaining critical injuries as a result. The worker was not protected by any form of fall protection while on the roof.

**Date of Offence:** November 1, 2016

**Date of Conviction:** November 27, 2017

#### **Penalty Imposed**

- The company was fined \$60,000 in Peterborough Provincial Offences Court, 70 Simcoe Street, Peterborough, by Justice of the Peace Peter J. Hiscox. Crown Counsel: Jai Dhar.
- The court also 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.

#### **Background**

- Several Pro Renovations Solutions employees were setting up a swing stage on the roof of the building. Another employee went to the roof to bring a wrench to the workers who were setting up the swing stage. That worker was not protected by any form of fall protection while on the roof.
- After giving the wrench to a co-worker, the worker went to another part of the roof to assist others, lost balance at the edge of the roof and fell 10 storeys to the ground below. The worker sustained critical injuries as a result of the fall.

- On November 1, 2016, Pro Renovations Solutions Inc. failed as an employer to ensure that the measures and procedures prescribed by section 26.1(2) of *Ontario Regulation 213/91* (the *Construction Projects Regulation*) were carried out at the workplace, contrary to section 25(1)(c) of the *Occupational Health and Safety Act*.
- Section 26.1(2) states that "if it is not practicable to install a guardrail system... a worker shall be adequately protected" by one of the following fall protection methods: a travel restraint system; a fall restricting system; a fall arrest system or a safety net.

## Court Bulletin 2

### Court Imposes \$313,000 in Fines for Worker Death at Brampton Community Centre Site

November 27, 2017 3:00 P.M.

[Ministry of Labour](#)

**Convicted:** One corporation, two individuals:

- 1428508 Ontario Limited of Concord, carrying on business as Forma-Con Construction
- Gordon Graham, a supervisor for Forma-Con
- Andry Sokhan, a worker for Forma-Con

**Location of Workplace:** Gore Meadows Community Centre and Library Complex, 10150 The Gore Road, Brampton, Ontario.

**Description of Offence:** Forma-Con had been contracted by Bondfield Construction Company Ltd. (both of 407 Basaltic Road, Concord) to provide formwork and case cement for the project. A crane was being used on the worksite that had been identified 12 days previously as being a danger. While being used to transport aluminum joists, the crane tipped over and the boom struck a worker, who was killed.

**Date of Offence:** April 21, 2015.

**Convictions and Penalties Imposed:**

All parties entered guilty pleas in Brampton court, 7755 Hurontario Street:

- Forma-Con Construction: \$285,000 on November 27, 2017 before a judge, Justice Bruce W. Duncan, for failing as an employer to take every precaution reasonable in

the circumstances for the protection of a worker contrary to section 25(2)(h) of the *Occupational Health and Safety Act (OHSA)*.

- Gordon Graham, \$15,000 on October 30, 2017 before a judge, Justice Paul T. O'Marra, for failing as a supervisor to take the reasonable precaution of immediately insisting that a crane be taken out of service after being advised by its operator that it was in a state of disrepair and was a serious danger to himself and workers, contrary to section 27(1)(c) of the *OHSA*.
- Andry Sokhan, \$13,000 on November 8, 2017 before a judge, Justice Nancy S. Kastner, for failing as a worker to work in compliance with section 93(2)(a) of the *Construction Projects Regulation (Regulation 213/91)*: "no vehicle, machine, tool or equipment shall be used while it is defective or hazardous," contrary to section 28(1)(a) of the *OHSA*.
- Crown Counsel: Joe Ferraro.
- The court also imposed 25-per-cent victim fine surcharges as required by the *Provincial Offences Act*. The surcharge is credited to a special provincial government fund to assist victims of crime.

### **Background**

- A crane was brought to the worksite - a community centre and library complex under construction - for hoisting purposes. On April 9, 2015, Forma-Con worker Andry Sokhan, a licensed crane operator, sent text messages to supervisor Gordon Graham indicating that the crane was a danger; Graham responded that if the crane posed a danger it should be shut down. The crane continued to be used.
- On April 21, 2015, the crane was being used to move aluminum joists. The crane operator hoisted the load and after receiving a signal to do so, began to lower the boom.
- The crane tipped over to the right side of the operator's cab and the boom struck another Forma-Con worker. The worker was declared deceased at the worksite.
- At no time was the crane taken out of operation by anyone at the project, despite the communications by the crane operator on April 9 that the crane was in a state of disrepair and posed a serious danger to the operator and everyone around.

## Section 4

### Fatality & Critical Injury Year-to-Date Overview - Construction Sector

	2017 January 1 – November 15 <sup>TH</sup>	2016 January 1 – November 15 Comparison with last year
Fatalities	15	13
Critical Injuries	240	112

*\*NOTE: These figures represent preliminary data, and are not to be considered official statistics from the Ministry of Labour. Official statistics will be issued quarterly by the Program Analysis, Evaluation and Outcomes Unit of the Occupational Health and Safety Branch of the Ministry of Labour.*

### REPORTING MONTH: October 16<sup>th</sup> – November 15<sup>th</sup>, 2017

#### Monthly Summary Report

#### October – November 2017 Fatalities (2)

*NOTE: Data are subject to change due to updates in the enforcement database. Only events reported to the ministry are included here. Except for fatalities, event categories in the ministry's data set are based on what was assigned at the time of the initial report to the ministry. The reported event category may not represent what actually occurred at the workplace.*

By Sector	<ul style="list-style-type: none"> <li>• RESS – 2</li> </ul>
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#### October – November 2017 Critical Injuries (24)

*NOTE: Data are subject to change due to updates in the enforcement database. Only events reported to the ministry are included here. Except for fatalities, event categories in the ministry's data set are based on what was assigned at the time of the initial report to the ministry. The reported event category may not represent what actually occurred at the workplace.*

By Sector	<ul style="list-style-type: none"> <li>• COMM – 4</li> <li>• INDU – 1</li> <li>• INST – 1</li> <li>• NECC – 2</li> <li>• PAVE – 1</li> <li>• PIPE – 1</li> <li>• RESM – 5</li> <li>• RESS – 6</li> <li>• ROAD – 1</li> <li>• SEWW – 1</li> <li>• TUNN – 1</li> </ul>
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**Critical Injuries (October 16<sup>th</sup> – November 15<sup>th</sup>, 2017):****Total 24**

#	Date of Incident	Region	Sector	Occupation	Details (as reported to MOL)
1	17/10/2017	CENTRAL EAST	COMM	Worker	Worker suffered a critical head injury when he fell from a ladder that was positioned on top of a work platform resulting in a loss of consciousness.
2	17/10/2017	WESTERN	RESS	Worker	Worker spray foaming cavity when he fell off ladder resulting in his head striking the floor and experiencing loss of consciousness.
3	17/10/2017	WESTERN	RESM	Worker	Worker was carrying 20 lbs. tool bags when he tripped and fell, suffering a broken femur.
4	18/10/2017	CENTRAL WEST	TUNN	Worker	Worker in the yard on a testing machine (just installed), slipped off device and fell losing consciousness.
5	18/10/2017	CENTRAL EAST	RESS	Worker	At a residential roofing project, a worker set a ladder up at back of house (20 foot extension ladder); went to get up to top slipped and fell backward, suffering broken back, head.
6	21/10/2017	NORTHERN	PIPE	Worker	Worker was locating underground services along a pipeline when he stepped on uneven ground causing him to roll his ankle, suffering a fractured right ankle.
7	23/10/2017	CENTRAL EAST	RESM	Worker	A worker was prying a panel from the ceiling using a pry bar; the worker lost his balance and fell. The pry bar also fell, striking and fracturing his ankle.
8	24/10/2017	CENTRAL WEST	RESS	Worker	A labourer was found unconscious lying down in the basement of a new build. There was blood coming from the back of his head.
9	25/10/2017	CENTRAL EAST	COMM	Worker	Workplace trying to expand sub-contractor cutting out a door one room to the next; cut out the bottom part of the wall first then top part of brick fell, crushing fingers.
10	25/10/2017	CENTRAL WEST	INDU	Worker	At a construction project at an industrial establishment parking lot, a rental company float driver was loading a forklift onto a trailer, when the forklift overturned. The worker suffered multiple injuries, including lacerations to the head, multiple fractures to the collar bone, a shattered shoulder, multiple broken ribs and vertebral discs out of place.

MOL REPORT TO LABOUR-MANAGEMENT NETWORK – DECEMBER 2017 MEETING

11	26/10/2017	CENTRAL WEST	RESS	Worker	Worker exiting machine fell breaking both legs.
12	26/10/2017	WESTERN	RESS	Worker	While framing a house, worker fell off the roof and sustained a broken left ankle.
13	26/10/2017	CENTRAL WEST	ROAD	Worker	Worker was struck by reversing tri-axle dump truck, resulting in two broken legs.
14	26/10/2017	WESTERN	RESM	Worker	A stack of drywall fell on the right leg/knee of a worker, fracturing the knee.
15	27/10/2017	NORTHERN	PAVE	Worker	A traffic control worker and equipment operator were struck by motorist.
16	01/11/2017	CENTRAL EAST	RESM	Worker	A worker was on a scaffold, using step ladder to come down and missed a step and fell down 6 feet and fracturing his ankle.
17	03/11/2017	EASTERN	RESS	Worker	Young worker fell from roof while receiving materials and sustained fracture to elbow.
18	04/11/2017	CENTRAL EAST	INST	Worker	A worker fell 20 ft. through a skylight and sustained a broken leg and hit his head.
19	06/11/2017	CENTRAL WEST	NECC	Worker	Worker fell from roof and sustained a broken hip.
20	07/11/2017	CENTRAL EAST	COMM	Worker	Worker was rigging a load when he rolled his right ankle resulting in a fracture.
21	07/11/2017	WESTERN	RESM	Worker	At a new build high-rise, a worker lost his balance and fell from a 3 step ladder, suffering a broken left arm.
22	08/11/2017	WESTERN	COMM	Worker	Worker fell from scaffold, approximately 1.7 m high and suffered a broken right wrist, multiple facial fractures, concussion and cerebral hematoma.
23	13/11/2017	CENTRAL EAST	SEWW	Worker	A hydro-vac operator was walking backwards and fell into a hole (estimated 3.5ft deep). He suffered a fracture femur.
24	15/11/2017	CENTRAL WEST	NECC	Worker	Worker fell from scaffold sustained broken left elbow.

**Section 5**

**Total Year-to-Date Fatalities (January 1<sup>st</sup> to November 15<sup>th</sup>, 2017):**

\*All new entries (current month and reconciled data) appear in **bold**.

NOTE: Some detail will inevitably be missing from the PLMHSC Report. The document is intended to provide an initial overview, not a comprehensive report. Annual data reporting approved by the Director should be used by stakeholders if they wish to see all data available to the Ministry related to an event.

**Total 15**

#	Date of Incident	Region	Sector	Sub-sector, i.e.	Trade worker was working in at time	Details (as reported to MOL)
1	2017-Jan-16	Central East	RESM	Condominium project	Worker	Worker was cleaning a concrete mixing machine and was pulled inside, resulting in fatal injuries.
2	2017-Mar-08	Western	COMM		Worker	A masonry block wall collapsed on a worker on the 3rd floor of townhouse project
3	2017-Mar-27	Central East	RESM	<b>NEW Construction</b>	<b>Precast installer</b>	Worker was unloading a concrete pre-cast panel from a truck when it fell on the worker.
4	2017-Mar-3	Eastern	RESS	<b>Seasonal Residential new construction</b>	<b>Rofer</b>	Worker fell off the roof approximately 9 feet to deck and approximately another 9 feet to the ground. April 22 2017 Worker succumbed to injuries
5	2017-April-6	Northern	MINP (Project at a Mine)	<b>Demolition</b>	<b>Dump truck operator</b>	Dump truck operator was pinned underneath a set of dual tires on his tri-axel dump truck
6	2017-April-10	Northern	COMM	<b>Commercial sector, bank renovation.</b>	<b>Planner/estimator</b>	The worker fell from a suspended ceiling.
7	2017-May-16	Western	NECC		Worker	A worker fell approx. 25 feet while working on the roof trusses of a barn. The worker did not regain consciousness
8	2017-Aug-01	Eastern	RESS	<b>Residential renovation</b>	<b>Landscaper</b>	A worker sustained a fatal injury while using a diamond bladed stone saw while cutting armour stone
9	2017-Aug-21	Northern	RESS	<b>Commercial development, office</b>	<b>Carpenter</b>	During the construction of a new residential garage, the truss collapsed – worker fell, suffering fatal injuries.
10	2017-Aug-31	Central West	INDU	<b>Industrial, Auto Parts Plant</b>	<b>Equipment set-up/diagnostics</b>	Worker sustained fatal injury during the installation of a new stamping machine.

MOL REPORT TO LABOUR-MANAGEMENT NETWORK – DECEMBER 2017 MEETING

11	2017-09-08	Central West	INST		Worker	Worker sustained fatal injury while attempting to install equipment.
12	2017-09-15	Central East	COMM	Interior Commercial Renovation	Structural Steel Stair Installer	<b>A structural Steel Stair Installer was fatally injured at an interior renovation to a commercial retail space.</b> Worker fell approximately 20 feet to the floor, suffering fatal injuries.
13	2017-09-30	Central East	RESS		Worker	Worker fell 5.6 metres while performing roofing activities. IW suffered fatal injuries.
14	25-Oct-17	West	RESS	Residential In-Fill	Framer	<b>Workers were lifting a support wall in the basement of a project when the wall came down on top of one of the workers, fatally injuring the worker.</b>
15	11-Nov-17	Central West	RESS	New construction	Worker performing plumbing	<b>A worker fell 5 feet down off of a ladder indoors while performing plumbing work for a residential home that is under construction. A ladder was leaning up against a stud wall which gave out, causing the worker to fall backwards and strike his head.</b>