

Section 1

Reporting Month Statistics – Quick Overview

Reporting Month	Month Fatalities	Month Critical Injuries	Month Total
NOV 16 TH , 2017 – DEC 15 th , 2017	3	26	29

Provincial Coordinator’s Comments

In my last few updates I have touched on exceeding the regulation, risk management and hierarchies of control. The intent of these updates was to encourage:

- a proactive way of thinking about health and safety planning;
- meeting the needs of workers in the best way possible; and
- integration of health and safety into production.

While all of these concepts are necessary in protecting worker health and safety on the job, there is another approach that we also need to advance that will aid in how our workers perform their daily tasks – safety by design.

Safety by Design

On the majority of our construction projects, safety often is paid little consideration when designing the plans for whatever is to be built. The final form and function is always the primary goal of the design; how it is to be built is usually secondary. This way of designing inherently puts construction workers at a disadvantage as they need to adapt safe work practices to a new design. It also introduces dangers to the worker that they may not be aware of or anticipate, if they have not properly assessed the safety aspects of the task or do not have the right equipment to perform the job safely.

Unfortunately we still have a construction culture of “making do with what we have available” versus taking the time and money to ensure we have the best and most appropriate safety equipment possible to perform the job.

Up until now the system partners and stakeholders have invested considerable resources in training workers, which is and always will be necessary, but we haven’t spent a lot of time on engineering our projects in such a way so as to ensure that workers are not exposed to hazards. This systemic problem requires a significant level of judgment on behalf of the workplace parties, which is subject to human error.

As an industry, we need to spend more time working in the early planning and design

phases of a project to ensure that the appropriate level of safety is built into all aspects of the project. We should not accept that this be solely the responsibility of workplace parties to determine what they need. For example:

- integration of anchor points on trusses before they leave the ground for erection, or
- ensuring safe access routes and plans that are designed on flat roofs from the hatch to the areas to be worked upon, or
- ensuring walls are built in such a way to accept a proper work platform as construction progresses so that workers are not walking on top of the wall.

Health and safety needs to be fully integrated into the design of a building or structure to ensure that it is easy and practical to implement. I would suggest that it is no longer good enough to simply leave this up to the workplace parties. As a system and an industry we need to work closely with those who design our projects to ensure that the health and safety of the workers who build our buildings and structures are considered before the design is completed.

Brian Barron
Provincial Coordinator
Construction Health and Safety Program
Ontario Ministry of Labour

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](#)

[Ontario passes landmark Fair Workplaces, Better Jobs legislation](#)

Ontario’s landmark Fair Workplaces, Better Jobs Act, 2017, has passed and received Royal Assent on November 27, 2017. The broad-ranging act raises the minimum wage, ensures more fairness for part-time and contract workers, and expands personal emergency leave, among other provisions. The minimum wage will increase to \$14 an hour on January 1, 2018, and to \$15 an hour on January 1, 2019. Some provisions of the act are now in effect, including expanded critical illness leave and parental leave, changes related to footwear with an elevated heel, and protection against employee misclassification. Most, but not all, provisions come into force on January 1, 2018. Learn how this important legislation affects you.

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

[Ontario enhancing workplace health and safety](#)

Ontario is enhancing protection for workers by increasing the maximum fines for individuals and businesses that don't meet workplace health and safety standards. As of December 14, 2017, the maximum fines for an offence under the

Occupational Health and Safety Act increased from \$25,000 to \$100,000 for an individual or unincorporated business, and \$500,000 to \$1,500,000 for corporations.

[Read more](#)

"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](#)

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](#)

Section 3

Court Bulletin 1

Three Companies Fined Total of \$460,000 After Worker Injured During Windsor Detention Facility Construction

November 16, 2017 3:15 P.M.

[Ministry of Labour](#)

Convicted: Three defendants:

- Bondfield Construction Company Limited, 407 Basaltic Road, Concord, Ontario, and the contractor in charge of the project.
- J.M.R. Electric Ltd., 137 Thames Road East, Exeter, Ontario, contracted by Bondfield to perform electrical installations at the project.
- Toromont Industries Ltd., 3131 Highway 7 West, Concord, Ontario, contracted with J.M.R. Electric for a portion of the electrical work and the employer of the injured worker.

Location (workplace): 4819 8th Concession Road, Windsor, Ontario, now known as the South West Detention Centre (SWDC), a provincially-operated jail facility.

Description of Offence: While the building was under construction, a worker was cleaning a circuit breaker compartment with a conductive tool. The worker made contact with live electricity and was injured in an arc flash that produced a large ball of fire. Another worker used a fire extinguisher to put out the flames. The injured worker required hospitalization.

Date of Offence: May 28, 2013.

Date of Conviction: After nine days at trial in Windsor, releasing Reasons for Judgment on May 5, 2017 and a sentencing hearing on August 17, 2017, Justice of the Peace Maureen Ryan-Brode released sentencing on October 27, 2017; Crown Counsel Dan Kleiman.

Penalty Imposed

- Bondfield Construction was convicted on two counts and fined \$175,000.

- J.M.R. Electric was convicted on two counts and fined \$75,000.
- Toromont Industries was convicted on three counts and fined \$210,000.
- 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

- The companies were convicted for violations of *Ontario Regulation 213/91*, the *Construction Projects Regulation*, contrary to the *Occupational Health and Safety Act*, Section 23(1)(a), as it applies to electrical hazards in construction projects.
- All three companies were convicted under section 190(4) of the regulation, which states that "the power supply to the electrical equipment, installation or conductor shall be disconnected, locked out of service and tagged... before the work begins, and kept disconnected, locked out of service and tagged while the work continues."
- All three companies were convicted under section 184(1) of the regulation, which states that "no person, other than a person authorized to do so by the supervisor in charge of the project, shall enter or be permitted to enter a room or other enclosure containing exposed energized electrical parts."
- Toromont was convicted under section 187 of the regulation, which states that "tools, ladders, scaffolding and other equipment or materials capable of conducting electricity shall not be stored or used so close to energized electrical equipment, installations or conductors that they can make electrical contact."

Court Bulletin 2

Company Fined \$60,000 in Eglinton Crosstown Wall Collapse

November 10, 2017 4:45 P.M.

[Ministry of Labour](#)

Convicted: Delsan - A.I.M. Environmental Services Inc., 7825 Henri-Bourassa Boulevard East, Montreal, Quebec

Location: 874-876 Eglinton Avenue West, Toronto (Eglinton Crosstown Light Rail Transit project)

Description of Offence: Workers were directing pedestrian traffic while a wall on the project site was being demolished. While a worker was escorting pedestrians underneath an overhead protection, the wall under demolition collapsed, injuring one worker and a number of pedestrians.

Date of Offence: April 18, 2016

Date of Conviction: November 9, 2017. Conviction under Section 25(2)(h) of the *Occupational Health and Safety Act*.

Penalty Imposed

- Delsan - A.I.M. Environmental Services Inc. was fined \$60,000 in Toronto court by Justice of the Peace Ruby Wong.
- 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

- Delsan - A.I.M. Environmental Services Inc. was sub-contracted to demolish the existing buildings on the future site of the Eglinton Crosstown Light Rail Transit. That day, the front façade wall of a building facing Eglinton Avenue West was being demolished.
- Two workers were assigned control of pedestrian traffic that was passing underneath an overhead protection. The workers would use a hand signal to alert the machine operator demolishing the wall to stop work, then would escort pedestrians to the other side.
- That afternoon, one worker signalled and believed that there had been a signal back indicating that demolition had stopped. However, while pedestrians were being escorted, the wall collapsed due to a latent defect in the wall and fell onto one of the signalling workers as well as pedestrians, with injuries sustained.
- The defendant failed to take the reasonable precaution of having an adequate procedure for the protection of workers and pedestrians adjacent to the wall, as required under the law.

Section 4

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

	2017 January 1 – December 15 TH	2016 January 1 – December 15 Comparison with last year
Fatalities	18	14
Critical Injuries	266	131

**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: November 16th – December 15th, 2017

Monthly Summary Report

November 16 – December 15, 2017 Fatalities (3)

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"> • RESS – 2 • PAVE - 1
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November 16 – December 15, 2017 Critical Injuries (26)

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"> • COMM – 7 • INDU – 1 • INST – 2 • NECC – 3 • RESM – 1 • RESS – 12
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Critical Injuries (November 16th – December 15th, 2017):**Total 26**

#	Date of Incident	Region	Sector	Occupation	Details (as reported to MOL)
1	20-11-2017	CENTRAL EAST	SUBW	Worker	A worker was attempting to remove a thermal blanket when they stepped into an excavated area and rolled their ankle, fracturing it.
2	21-11-2017	CENTRAL WEST	INST	Worker	A worker sustained a broken arm when they were installing wall forms and was hit by a push-pull bar.
3	21-11-2017	CENTRAL WEST	COMM	Worker	A worker sustained a critical injury when they fell to the ground along with the trusses they were installing.
4	22-11-2017	CENTRAL EAST	RESS	Worker	A worker sustained a broken arm when they fell 6ft from a ladder.
5	23-11-2017	EAST	COMM	Worker	A worker fractured their ankle when they slipped while entering trench.
6	23-11-2017	CENTRAL EAST	INDU	Worker	A worker lost consciousness when they fell from a steel beam while reaching for a load.
7	24-11-2017	CENTRAL EAST	COMM	Worker	A worker using a saw and cut off multiple fingers.
8	27-11-2017	WEST	RESS	Worker	A worker fractured their elbow when they slipped while exiting a truck.
9	27-11-2017	CENTRAL WEST	RESS	Worker	Four workers sustained critical injuries when the roof they were shingling collapsed.
10	28-11-2017	CENTRAL WEST	RESS	Worker	A worker fell from roof sustaining a broke right arm.
11	28-11-2017	CENTRAL WEST	RESS	Worker	A worker fell from roof sustaining both a broken right ankle and left heel.
12	30-11-2017	EAST	COMM	Worker	A worker sustained a broken elbow when the chain block they were using to strip a flyform disconnected and hit the worker.
13	01-12-2017	WEST	COMM	Worker	A worker lost consciousness when they fell while installing ceiling tiles
14	05-12-2017	CENTRAL EAST	TELE	Worker	A working was manually pulling cable into building when the cable snapped causing the worker to fall and roll his ankle on wet pavement resulting in a fracture to the

MOL REPORT TO LABOUR-MANAGEMENT NETWORK – JANUARY 2018 MEETING

					ankle.
15	06-12-2017	CENTRAL EAST	COMM	Worker	A worker fell from scaffold sustained head injury and loss of consciousness
16	08-12-2017	CENTRAL EAST	RESS	Worker	A worker fell off a ladder into a hole sustaining a broken femur and wrist as well as a head injury
17	08-12-2017	WEST	COMM	Worker	A worker was carrying piece roof sheet and rolled his ankle resulting in a fracture.
18	08-12-2017	CENTRAL WEST	RESS	Worker	A worker stepped in a hole and sustained a broken left ankle.
19	09-12-2017	WEST	RESS	Worker	A worker fell off a ladder at the second story level of the building, suffering a loss of consciousness.
20	11-12-2017	WEST	RESS	Worker	A worker lost their footing on a two step, step stool and broke their arm in multiple locations.
21	13-12-2017	CENTRAL WEST	INST	Worker	The worker was exiting the washroom trailer when he slipped on the stairs and fractured their right arm.
22	14-12-2017	EAST	EXCA	Worker	A worker augering a borehole got his glove caught in the auger and suffered a broken arm in two places.
23	15-12-2017	CENTRAL EAST	RESM	Worker	A worker working on formwork stepped off the embankment onto the brace and rolled his ankle, fracturing it.

Section 5

Total Year-to-Date Fatalities (January 1st to December 15th, 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 18

#	Date of Incident	Region	Sector	Sub-sector, i.e.	Trade worker was working in	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.

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2	2017-Mar-08	Western	COMM	New Construction	Worker	A masonry block wall collapsed on a worker on the 3rd floor of townhouse project
3	2017-Mar-27	Central East	RESM	NEW Construction	Precast installer	Worker was unloading a concrete pre-cast panel from a truck when it fell on the worker.
4	2017-Mar-30	Eastern	RESS	Seasonal Residential new construction	Roofer	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)	Demolition	Dump truck operator	Dump truck operator was pinned underneath a set of dual tires on his tri-axel dump truck
6	2017-April-10	Northern	COMM	Commercial sector, bank renovation.	Planner/estimator	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	Residential renovation	Landscaper	A worker sustained a fatal injury while using a diamond bladed stone saw while cutting armour stone
9	2017-Aug-21	Northern	RESS	Commercial development, office	Carpenter	During the construction of a new residential garage, the truss collapsed – worker fell, suffering fatal injuries.
10	2017-Aug-31	Central West	INDU	Industrial, Auto Parts Plant	Equipment set-up/diagnostics	Worker sustained fatal injury during the installation of a new stamping machine.
11	2017-09-08	Central West	INST	Institutional Building construction	Worker installing an elevator	Worker sustained fatal injury while attempting to install equipment.
12	2017-09-15	Central East	COMM	Interior Commercial Renovation	Structural Steel Stair Installer	A structural Steel Stair Installer was fatally injured at an interior renovation to a commercial retail space. 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.

MOL REPORT TO LABOUR-MANAGEMENT NETWORK – JANUARY 2018 MEETING

14	25-Oct-17	West	RESS	Residential In-Fill	Carpenter	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.
15	11-Nov-17	Central West	RESS	New construction	Plumber	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.
16	17-Nov-17	West	PAVE	Road	Supervisor	A worker was struck by a dump truck while it was operating in reverse.
17	24-Nov-17	West	RESS	Foundation Repair	Supervisor	A worker was fatally injured when the excavation they were performing waterproofing work in collapsed
18	5-Dec-17	Central West	RESS	Material Delivery	Equipment Operator	A worker sustained fatal injuries when the forklift they were operating tipped forward.