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## January 2021

## THE HEAVY HAND OF ENFORCEMENT IS ABOUT TO COME DOWN ON CONSTRUCTION SITES

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Be forewarned - In case you missed it in the monthly Ministry of Labour Training and Skills Development Construction Health and Safety Program Report that was emailed to you recently, I will crib from that report here.

“Starting on February 2, 2021 we (MLTSD) are embarking on a 3-month “Stay Safe All day” initiative that will focus on compliance with COVID precautions including during break times. This will be our focus for every field visit that the Construction Health and Safety Program performs. During this time, we will be holding all appropriate workplaces accountable for non-compliance with COVID precautions. To do this, we will be using the Occupational Health and Safety Act, the Construction Regulations, the Reopening Ontario Act and the Emergency Management and Civil Protection Act. We will not hesitate to issue stop work orders or initiate prosecution for violations under these Acts or Regulations if warranted. There is no excuse for non-compliance.”

## WAH TRAINING EXTENSION – Q&A

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The following question was asked recently about the extension of the valid period for Working at Heights (WAH) training:

Question:

It states that individuals trained between Feb 28 and Aug 31, 2017 have an extended one-year training validity into 2021. So, what about those whose training validity expired after August 31, 2017 for example: Sept 1, 2017 - Jan 12, 2018. Do they also have a one-year extension?

Answer:

Working at Heights validity:

The one-year extension for validity only applies to those workers who completed WAH between Feb 28, 2017 and Aug 31 2017 (i.e., extensions for validity for these workers will expire between Feb 28, 2021 and August 31, 2021). Once extensions to validity expire in the coming months, the regular WAH training validity and refresher training requirements will apply.

For all other workers, the regular WAH training validity and refresher training requirements apply.

## INTERESTING DATA FROM THE WSIB

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### Employment

- Construction represents 8% of Schedule 1 WSIB covered employment
- WSIB covered employment in construction has increased 50% in the past decade (due in part to Bill 113 -> mandatory coverage)
- In 2020, the Construction class/subclass with the most covered employment was Building Equipment Construction with 32%

### LTI Rate

- Construction accounts for 10% of all Schedule 1 allowed lost-time injuries
- Construction's LTI rate has greatly improved compared to 10 years ago, and the improvement has been stronger than for Schedule 1 as a whole
- 2020 could be the first year construction has a lower LTI rate than Schedule 1 based on data as of December 31st, 2020. (To be confirmed once data is fully mature.)

### Types of Claims

- The most common types of injuries in construction are sprains and strains (33%)
- Injuries to the upper extremities and the lower extremities are the most common for the construction sector, representing 25% of construction injuries each

### Fatalities

- Construction accounts for more Schedule 1 traumatic fatalities (32%) than other sectors over the past decade
- The leading causes of these fatalities were falls (34%)
- 25 traumatic fatalities occurred among young workers (under age 25) in the past decade

## TWO MORE CONSTRUCTION FATALITIES IN JANUARY

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In the last COCA newsletter, we reported on the eight fatalities in the construction industry in December 2020. As I write this article, there have been at least another two construction deaths in January 2021.

One occurred on Monday, January 25, 2021, at a construction site southwest of Stittsville, which is southwest of Ottawa, when it's reported that a collapsed wall struck a worker on Monday afternoon. The worker was employed by Basic Forming and Concrete Ltd, and the builder was Grizzly Homes of Ashton.

The second took place on Thursday, January 21, 2021, near the corner of Cawthra Road and Hyacinthe Boulevard in Mississauga. In that incident, it's reported that something went wrong as a crew was working in a tunnel approximately 21 metres down. A man in his 30s is dead. According to the Region of Peel website, sanitary sewers are being installed in the area as part of a plan that started in November 2019. Leadership and Pandemic Holidays

## LEADERSHIP AND PANDEMIC HOLIDAYS

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As industry leaders, we are all familiar with the principle that leaders must hold themselves to higher standard. Against that principle, in the midst of the worst global pandemic in more than a century and an accompanying precipitous drop in economic activity and employment, the behaviours of some of our public and private sector leaders has been disappointing if not disgraceful.

First was then Ontario Finance Minister Rod Phillips who after standing tall with Premier Ford in daily pressers calling on people to stay home, took a holiday to St Barts and pretended on videos and Zoom calls to be at his home in Ajax all the while. Phillips was summoned back to Canada by the Premier and he resigned as Minister shortly thereafter. I have known Rod for a long time and would have expected better.

Then there was the case of Dr. Thomas Stewart, CEO of St Joseph's Health System, CEO of Niagara Health and

a member of the province's COVID19 science table, who against public health guidance, vacationed in the Dominican Republic. On his return he was relieved of all of those positions.

And lastly, the highly regarded CEO of Linamar, Linda Hasenfratz, CEO of Linamar, who resigned her position as a member of Ontario's vaccine task force because she broke public health guidance and vacationed in Barbados. She was however allowed to retain her position as Chancellor of Western University even though she went against the directions of that institution.

These are certainly not the only examples of key leadership figures asking their followers to do one thing and then do the opposite but they are the highest profile ones. Their behaviours should be disappointing to anyone who purports to be a leader.

## ANOTHER PC MPP EJECTED FROM CAUCUS

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Roman Baber, the MPP for York Centre, has been ejected from the PC caucus because of the public statements he made against the government's lockdown measures and their effectiveness in controlling the pandemic. Baber wrote an open letter to Premier

Ford that was widely reported in the media stating his claims.

Among them were assertions that the COVID19 pandemic has been exaggerated, that the consequences of the lockdown are significantly greater than the impact of the pandemic itself and that hospital ICUs are not under stress as reported.

Ford quickly turfed Baber from the government benches. When the Legislature reconvenes in February, Baber will join former Tories Randy Hillier and Jim Wilson as an Independent, and former Tories Amanda Simard (now a Liberal) and Belinda Karahalios (now affiliated with the New Blue Party of Ontario).

Baber is a 41-year old lawyer who notably defeated

popular former federal Finance Minister Joe Oliver for the PC nomination in York Centre and went on to win long-time Liberal stronghold in the June 2018 election by almost 20,000 votes.

It is anticipated that he will not be allowed to run as a PC in the next general election. Further, we expect when the Legislature reconvenes, he will be stripped of his position as chair of the Standing Committee on Justice Policy, a role that pays an additional \$16,000 per year.

The Tories still enjoy a healthy majority in the Legislature. Current Party standings are as follows:

- PCs – 71
- NDP – 40
- Libs – 8
- Independents – 3
- Green – 1
- New Blue - 1

## ABACUS SURVEY-SUPPORT FOR PREMIER AND GOVERNMENT IN DECLINE

A survey conducted by Abacus in January 2021 shows that Ontarians are tiring of the pandemic and not unexpectedly that their opinion of Premier Ford and his government are in a modest decline. Here are some highlights:

- Premier Ford's net popularity statistic has dropped from a high of +30 in the early days of the pandemic, to a peak of +35 in August, to just +4 at the time the survey was taken
- Nonetheless, Ford remains the most popular among all the provincial political party leaders (39% approve, 35 disapprove) although his positives are down 7 and his negatives are up 7 since October
- In terms of public opinion of the government 10% strongly approve, 34% mostly approve, 24% neither approve or disapprove, 21% mostly disapprove and 10% strongly disapprove
- If the election was held today 34% would vote PC (down 2% from October and down 7% from the 2018 election), 29% would vote Liberal (no change from October and up 10% from the 2018 election), 25% would vote NDP (no change from October and down 6% from the 2018 election) and 8% would vote Green (up 1% from October and up 3% from the 2018 election)
- While opinion on the government's handling of the pandemic is split, the percentage of those supporting the government is down between 12% and 25% on the six questions posed to respondents
- When asked how Premier Ford has responded to the pandemic 14% said he has done a good job (down 6% from October), 59% said he has made some mistakes but has performed as well as could be expected (down 4% from October) and 10% said he has done a bad job (up 10% from October)

The complete survey results can be accessed at the following link

<https://abacusdata.ca/ontario-politics-poll-ford-abacus/>