

# Ministry of Labour

---

*Northern Region Enforcement Initiative Summer 2014  
Remote Camps/Resorts/Tourist Operations  
May 5<sup>th</sup>, 2014 Webinar*

**Safe At Work Ontario**  
Enforcement > Compliance > Partnership >

Ministry of Labour

## Disclaimer

---

1. The purpose of today's presentation is to assist the workplace parties in understanding their obligations under the Occupational Health and Safety Act (OHSA) and the regulations. It is not intended to replace the OHSA or the regulations, and reference should always be made to the official versions of the legislation.
2. It is the responsibility of the workplace parties to ensure compliance with the legislation and the presentation does not constitute legal advice. If you require assistance with respect to the interpretation of the legislation and its potential application in specific circumstances, please contact your legal counsel.
3. While this presentation may also be available to Ministry of Labour inspectors, they will apply and enforce the OHSA and its regulations based on the facts as they may find them in the workplace. This presentation does not affect their enforcement discretion in any way.

## Today's Objectives

---

- To provide stakeholders with an overview of the Ministry of Labour (MOL) Northern Region Initiative of Remote Camps/Resorts/Tourist Operations, Summer 2014 (June 21-September 21)
- To outline MOL expectations and the focus of MOL inspectors
- To provide information about resources to assist workplace parties

## Safe At Work Ontario – Compliance Strategy

---

*Safe At Work Ontario* (SAWO) is the MOL's compliance strategy, designed to:

- ❑ improve the health and safety culture of workplaces
- ❑ reduce workplace injuries and illness
- ❑ avoid costs for employers as a result of work related Workplace Safety and Insurance Board (WSIB) claims, and
- ❑ provide a level playing field for compliant employers.

*Safe At Work Ontario* is risk based, and focuses on sector hazards and on building and sustaining a health and safety culture in the workplace.

For additional information, see the Ministry of Labour SAWO website:

<http://www.labour.gov.on.ca/english/hs/sawo/index.php>

## How Will This Northern Regional Initiative Support SAWO?

---

- Encourage employers to identify hazards related to Workers, so that they can implement corrective action, including developing and implementing control measures and procedures, and worker training to reduce injuries that may occur to these workers, many of which are new and young workers.
- Act as a deterrent to employers who are in non-compliance with the OHSA and the applicable regulations.
- Promote sustained improvements to workplace culture regarding occupational health and safety.
- Enhance partnerships with Health and Safety Associations and other stakeholders which will help reduce injuries to Ontario workers.

## Northern Initiative Focus

---

**Ministry inspectors will proactively visit existing workplaces during the summer months in 2014. In particular, they will check workplaces that may have:**

- not previously visited by the ministry,
- where complaints have been received,
- where there is a history of non-compliance,
- workplaces that have highly hazardous processes and equipment,

## **New - Occupational Health and Safety Awareness and Training Regulation (O. Reg. 297/13)**

---

As of **July 1, 2014** basic OHS awareness training requirements makes basic OHS awareness training mandatory for all Ontario workers & supervisors

The new regulation also includes the existing provisions that were previously found in O. Reg. 780/94 (Training Programs) which is now revoked – this provision (section 5 of O. Reg. 297/13) is now in effect which includes the farming sector

## Worker Health and Safety Awareness in 4 Steps

- Workbook and Employer Guide (free for download or through [ServiceOntario](http://ServiceOntario))
- Available also in e-learning format
- [http://www.labour.gov.on.ca/english/hs/pubs/worker\\_awareness.php](http://www.labour.gov.on.ca/english/hs/pubs/worker_awareness.php)



The workbook belongs to \_\_\_\_\_



## Supervisor Health and Safety Awareness in 5 Steps

- Workbook and Employer Guide (free for download or through [ServiceOntario](http://ServiceOntario.ca))
- Available also in e-learning format
- [http://www.labour.gov.on.ca/english/hs/pubs/sup\\_awareness.php](http://www.labour.gov.on.ca/english/hs/pubs/sup_awareness.php)



This workbook belongs to:



## Duties of Directors and Officers of a Corporation

---

**Every director and every officer of a corporation shall comply with:**

- The OHSA and the regulations
- Orders and requirements of inspectors and Directors;  
and
- Orders of the Minister.

## General Duties of Employers

---

### ***Employers are required to:***

- take every precaution reasonable in the circumstances for the protection of workers, including protecting them from exposure to hazards such as noise, airborne hazards, designated substances (e.g. lead, silica, asbestos),
- ensure workers meet minimum age requirements, including being at least 16 for construction work (O. Reg. 21/91) and age 14 for non-construction work in existing, non-factory workplaces (R.R.O. 1990, Reg. 851)
- ensure required equipment, materials and protective devices are provided, used and maintained in good condition

## General Duties of Employers-continued

---

- post a copy of the OHSA in the workplace
- report injury, illness and occupational disease as per OHSA requirements
- provide training, labels and material safety data sheets for Workplace Hazardous Materials Information System (WHMIS) controlled products
- establish control programs when designated substances are used, and
- maintain an asbestos management plan when there is asbestos in the workplace in the form of insulation or part of the building materials. (O. Reg. 278/05).

## General Duties of Supervisors

---

### **Supervisors are required to:**

- ensure workers work in compliance with the OHS Act and its regulations,
- ensure any equipment, protective device or clothing required by the employer is used or worn by workers,
- advise workers of any potential or actual health or safety dangers known by the supervisor,
- where prescribed, provide workers with written instructions about measures and procedures to be taken for the workers' protection, and
- take every precaution reasonable in the circumstances for the protection of workers.

## General Duties of Workers

---

### **Workers are required to:**

- work in compliance with the OHS Act and its regulations,
- report any known workplace hazards or contraventions of the OHS Act to the supervisor or employer, and
- use or wear the equipment, protective devices or clothing required by the employer.
- Workers should also be aware of their rights under the OHS Act such as the right to refuse unsafe work and the right-to-know

## The Workplace Partnership

---

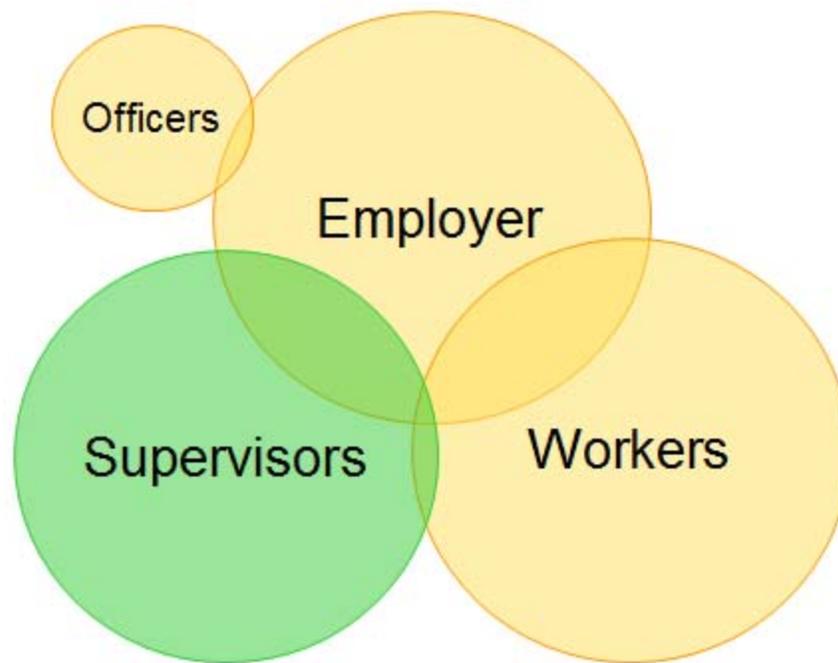
The responsibility for occupational health and safety must be shared by employers and workers

The concept of an “internal responsibility system” (IRS) is based on the principle that the workplace parties themselves are in the best position to identify workplace health and safety problems and to develop solutions

## Internal Responsibility System

---

Everyone has a role to play!



**Direct Accountability**

**Ministry of Labour**

## Powers of an Inspector

---

### **MOL health and safety inspectors have broad powers to:**

- Enter any workplace without appointment and inspect for compliance with the OHS Act and regulations
  - Handle or use any equipment/machinery; take away samples
  - Interview workplace parties
  - Look at documents, records, take photographs
  - Require expert testing of equipment, workplace environment and production of reports
  - Issue orders (e.g., immediate or time-based compliance; stop-work) and use other enforcement tools (i.e. Part I tickets, Part I summons, Part III prosecution).
- Inspectors investigate complaints, critical injuries, fatalities, reports of occupational illness and work refusals.
- Decisions of inspectors can be appealed to the Ontario Labour Relations Board.

## Types of MOL workplace visits

---

### Inspections

- ❑ Workplace inspections are proactive visits by an Inspector to review a workplaces compliance with the OHSA
- ❑ Workplaces may be identified for proactive inspection using SAWO criteria

### Investigations

- ❑ Investigations are reactive visits to a workplace in most cases because of a complaint, work refusal, injury, or fatality

### Consultations

- ❑ Consultation visits in many instances occur before an actual workplace inspection
- ❑ An Inspector discusses with the employer and/or Joint Health and Safety member the purpose of their visit and may request information for the workplace parties to prepare for their next visit

## What to Expect During an MOL Inspection

---

**Among the many factors that MOL Inspectors will examine during proactive inspections are:**

- Compliance with the Occupational Health and Safety Act and its Regulations
- Health and safety programs and policies
- Internal Responsibility System — self reliance
- Training requirements and any deficiencies
- Record of injuries, including musculoskeletal disorders (MSDs)
- Occurrence and record of workplace violence
- Young worker health and safety
- Workplace-specific sector hazards.

## Potential Hazards

---

**Workers employed at a camp/resort or tourist operation could potentially be exposed to the following hazards:**

- slips, trips or falls due to debris or uneven walking surfaces,
- working on or near water,
- machinery and guarding issues (outboard motors, ice augers, saws),
- operating machinery,
- working alone,
- use of propane heaters and fuel fired appliances (Carbon Monoxide),
- electrical hazards,

## Potential Hazards-continued

---

**Workers employed at a camp/resort or tourist operation could potentially be exposed to the following hazards:**

- working on ice,
- hypothermia,
- chain saw operation,
- operation of boats, ATV's and snowmobiles,
- fire hazards – safe storage of gas and propane,
- handling of controlled products (WHMIS training as required)

## Key Focus for Inspectors – Worker Training, Orientation and Supervision

---

**Inspectors will ensure that workers are provided information, instruction and supervision to protect the health and safety of the worker such as:**

- Have workers received appropriate training to safely operate equipment (boat & motor, ATV's, Snowmobiles ...)
- As of July 1, 2014, have workers/supervisors completed Occupational Health and Safety Awareness training
- Where controlled products are in use have workers received WHMIS training in accordance with Regulation 860 (WHMIS)

## Key Focus for Inspectors – Equipment maintenance

---

**All equipment used by workers at the workplace must be maintained according to the manufacturer recommendations to ensure it can be safely use/operate at the workplace such as:**

- Safety related features of outboard tiller motors should be maintained when used by workers such as, ensuring that kill switchers with tethers attached to the worker are maintained and used as required when in operation, steering friction

## Key Focus for Inspectors – Working environment

---

**Worker require training, supervision, policies & procedures, and PPE to ensure that;**

- workers are protected from the hazard of drowning when working on or near water,
- workers are protected from hazards associated with working alone,
- workers are protected from Bear encounters.

## Key Focus for Inspectors – Posting requirements

---

**Employer are required to have the following posted at the workplace:**

- Copy of the Act
- Awareness poster
- Health and Safety Policy (If required)
- Violence and Harassment policy (If required)

## Protecting Workers

---

It is the primarily responsibility of employers and supervisors is to ensure all workplace parties comply with the OHSA and its regulations.

For more information on legal responsibilities please visit: [E-Laws: Occupational Health and Safety Act.](#)

## MOL Contact Center

---

- Call 1–877–202–0008 any time to report critical injuries, fatalities or work refusals.
- Call 8:30 a.m. to 5 p.m. Monday to Friday for general inquiries about workplace health and safety.
- **Always call 911** in an emergency.

## Health and Safety System Partners and Resources

---

### **HSO is comprised of:**

[Workplace Safety & Prevention Services](#)

[Public Services Health & Safety Association](#)

[Workplace Safety North](#)

[Infrastructure Health & Safety Association.](#)

<http://www.healthandsafetyontario.ca/HSO/Home.aspx>

## Employment Standards Contact Information

---

- **Employment Standards Information Centre:**  
416-326-7160 or 1-800-531-5551
- Visit [www.labour.gov.on.ca](http://www.labour.gov.on.ca) for:
  - *Your Guide to the ESA, 2000.*
  - Education, Outreach and Partnership (EOP) page for the Employer Workbook and interactive tools on issues like termination, severance and public holidays.
- Ontario Government E-Laws website:  
<http://www.e-laws.gov.on.ca>

## Resources

---

- ❑ Ministry of Labour's *WorkSmartOntario* website for information on workplace health and safety and workers' employment rights and responsibilities: [www.worksmartontario.gov.on.ca](http://www.worksmartontario.gov.on.ca)
- ❑ Ministry of Labour's *WorkSmartCampus* health and safety information geared to post-secondary students: [www.worksmartcampus.ca](http://www.worksmartcampus.ca)
- ❑ Young Workers Tip Sheets – for Employers, Supervisors, Parents and Workers  
<http://www.labour.gov.on.ca/english/atwork/youngworkers.php>
- ❑ Sector Plans:  
<http://www.labour.gov.on.ca/english/hs/sawo/sectorplans/index.php>

## THANK YOU

---

Questions/comments?