



Construction Sector Plan

2014-2015



Contents

Introduction.....	3
The construction sector.....	4
Activities.....	5
Roofing.....	5
Construction enforcement statistics	6
Priorities	8
System priorities	8
Enforcement focus	9
Vulnerable workers	9
Small business.....	10
Underground economy.....	10
Enforcement initiatives	11
Traffic protection	11
<i>Enforcement focus</i>	11
Roofing.....	12
<i>Enforcement focus</i>	12
Residential housing.....	12
<i>Enforcement focus</i>	12
Infill housing	13
<i>Enforcement focus</i>	13
Industrial, commercial, institutional (ICI)	14
<i>Enforcement focus</i>	14
Regional initiatives	16
Inspection blitzes	17
Tips on how to prepare for a blitz inspection	18
<i>Before the inspector's visit</i>	18
<i>During the visit</i>	18
<i>What the inspector will verify</i>	18
Excavation blitz	19
Rationale.....	19
Campaign focus	19
<i>Injury potential</i>	19
Fall protection blitz.....	20
Rationale.....	20

Campaign focus	20
<i>Injury potential</i>	21
Resources	22
Legislation	22
Industry groups – Section 21 committees and trade labour-management health and safety committees (if applicable)	22
<i>Provincial Labour-Management Health and Safety Committee - Electrical & Utilities</i>	22
<i>Provincial Labour-Management Health and Safety Committee - Construction</i>	22
External resources	22

Introduction

Safe At Work Ontario is a Ministry of Labour (MOL) initiative to raise awareness about, and increase compliance with, the Occupational Health and Safety Act (OHSA) and its regulations. As part of *Safe At Work Ontario*, the MOL develops annual sector-specific enforcement plans that focus on hazards and outline what inspectors will be focusing on during an inspection. This Sector Plan outlines the ministry's enforcement initiatives to protect Ontario's construction workers from occupational injury and illness.

Every year the MOL holds consultations to shape and improve its occupational health and safety compliance strategy and to build closer partnerships with its stakeholders. These sessions help the ministry to improve its approach and to better meet the public's needs. It is also an opportunity to learn from the ministry's partners, obtain feedback on how the program is working, increase support for new directions, and identify areas for improvement.

The 2014-2015 Construction Sector Plan describes the MOL's enforcement focus for inspections within the construction, window cleaning and diving industries. This sector plan contains a brief description of some of the main topics that an inspector may address at a construction project. While each workplace is unique and the circumstances presented to an inspector may result in a different inspection focus, this sector plan provides a general overview of the MOL's focus within the construction sectors and the various types of construction projects. Additional detail is provided for each construction campaign blitz initiative.

You are encouraged to familiarize yourself with the plan and share copies of it with others in your workplace. Sector plans for other MOL programs may be downloaded from the MOL website.

Ontario provides a toll-free number to report workplace health and safety incidents or unsafe work practices. Call the MOL at 1-877-202-0008 to:

- Report critical injuries, fatalities, work refusals anytime
- Workplace health and safety information, weekdays 8:30am – 5:00pm
- Emergency? Always call 911 immediately

Note: This document does not constitute legal advice. To determine your rights and obligations under the [Occupational Health and Safety Act](#) and its regulations, please contact your legal counsel or refer to the legislation at www.e-laws.gov.on.ca.

The construction sector

Under the Occupational Health and Safety Act (OHSA), “construction” is defined to include erection, alteration, repair, dismantling, demolition, structural maintenance, painting, land clearing, earth moving, grading, excavating, trenching, digging, boring, drilling, blasting or concreting, the installation of any machinery or plant, and any work or undertaking in connection with a project (excluding any work or undertaking underground in a mine).

Construction inspectors enforce the OHSA and its regulations at construction projects across the province. As part of the *Safe At Work Ontario* strategy, they focus on specific construction sectors where there are high injury rates, history of non-compliance, and known workplace hazards. They will also continue to confirm/verify overall compliance with the OHSA and its regulations. Inspectors are not limited to inspecting for contraventions/non-compliance identified in this document, and will exercise their discretion in taking appropriate enforcement action at each workplace inspected.

Activities

The Ministry will collaborate with its safety partners on several occupational health and safety issues from April 1, 2014 to March 31, 2015.

Roofing

The MOL Construction Health and Safety Program (CHSP), along with the MOL Prevention Division and the Infrastructure Health and Safety Association (IHSA) will continue to collaborate to address the hazards associated with re-roofing activities.

In 2013, the Ministry of Labour conducted two enforcement blitzes to protect people working at heights, visiting over 4,527 work sites. In addition, in October 2013, the province posted a video to raise awareness of fall hazards and highlight worker safety initiatives.

Ontario is also implementing a new workplace training standard to prevent falls and improve safety for workers who work at heights. Developing mandatory fall protection training for people working at heights was a priority recommendation of the Expert Advisory Panel on Occupational Health and Safety.

The standard will initially be voluntary and will apply to workplaces in the construction sector, as well as to construction activity in other workplaces.

Construction enforcement statistics

Note: Enforcement statistics from the MOL in this sector plan are compiled by fiscal year (April 1–March 31). Lost-time injury statistics from the Workplace Safety and Insurance Board (WSIB) are compiled by calendar year.

Ministry of Labour inspectors enforce the OHSA and its regulations at workplaces across the province. As part of the *Safe At Work Ontario* strategy, they focus on specific industry sectors where there are high injury rates, history of non-compliance, and certain workplace hazards.

The ministry maintains a database where inspectors record their workplace visits, inspections, consultations, investigations and orders issued. Fatalities, critical injuries, complaints, work refusals and other incidents reported to the ministry are also recorded.

The CHSP analyzes these data when planning for enforcement initiatives and blitzes such as those outlined in this sector plan. Details of the CHSP activities and events and injuries for past three fiscal years are presented in the tables below.

Construction program activities

Program activities	2011-12	2012-13	2013-14
Proactive workplace visits ^[1]	22,028	21,542	19,973
Workplace inspections	21,241	20,923	19,450
Workplace consultations	787	619	523
Workplace investigations ^[2]	7,813	7,684	7,566
Orders issued	60,340	59,670	61,877

¹ Proactive visits are those made under the *Safe At Work Ontario* strategy, and include inspections and consultations.

² Investigations are reactive workplace visits, which include investigations of complaints, work refusals, fatalities, critical injuries and other incidents.

Construction events and injuries

Events and injuries	2011/12	2012/13	2013/14
Complaints	4,162	4,402	4,337
Work refusals	4	10	8
Fatalities ¹	19	12	19
Critical injuries ²	194	215	231
Other incidents	648	570	673

¹ Fatalities (and critical injury events) include only those that have been reported to the Ministry.

A MOL jurisdiction fatal injury includes an injury or incident resulting in the death of a worker. This excludes death from natural causes, death of a non-worker at a workplace, suicides, death under the jurisdiction of the Criminal Code, Highway Traffic Act and Canada Labour Code and death from occupational exposures that occurred many years ago.

² Critical injury events in the Ministry's data systems may include non-workers, as this is required to be reported. The critical injury numbers represent critical injuries as reported to the Ministry and may not necessarily represent critical injuries as defined by the OHSA.

Priorities

System priorities

On December 16, 2013, the MOL released its first [Healthy and Safe Ontario Workplaces Strategy](#) designed to guide the efforts of the WSIB, the Health and Safety Associations (HSAs) and MOL enforcement staff.

As explained in this document, *Safe At Work Ontario* has been refocused to align with the priorities as set out in the Healthy and Safe Ontario Workplaces Strategy as well as deliver on the overall goals.

The priorities set out in the Healthy and Safe Ontario Workplaces Strategy are:

1. Assist the most vulnerable workers
2. Support occupational health and safety improvements in small business
3. Address the highest hazards that result in occupational injuries, illnesses or diseases
4. Build collaborative partnerships
5. Integrated service delivery and system wide planning
6. Promote a culture of health and safety

In support of the Healthy and Safe Ontario Workplaces Strategy, below is a brief overview of 2014-15 priorities for inspectors visiting construction projects.

Enforcement focus

Vulnerable workers

Vulnerable workers will continue to be a priority concern for the CHSP. Worker vulnerability arises for various reasons: not knowing one's rights under the OHSA, such as the right to refuse unsafe work; lack of work experience or training that is job- or hazard-specific; and, being unable to exercise rights or raise health and safety concerns for fear of losing one's job, or in some cases, being deported.

When encountering vulnerable workers at Ontario construction projects, MOL inspectors will continue to ensure compliance with the OHSA and its regulations.

It is essential that all workplace parties, including vulnerable workers, know their rights and responsibilities under the OHSA. The new [Awareness Training Regulation](#) is one tool available to workplaces to achieve this.

Resources/compliance support

Ontario Ministry of Labour

- [New and Young Workers – Keep Them Safe](#)
- [WorkSmartOntario](#)
- [Worker Health and Safety Awareness in 4 Steps: Workbook](#)
- [An Employer Guide to Worker Health and Safety Awareness in 4 Steps](#)
- [Supervisor Health and Safety Awareness in 5 Steps: Workbook](#)
- [An Employer Guide to Supervisor Health and Safety Awareness in 5 Steps](#)
- [Worker Health and Safety Awareness in 4 Steps \(e-training\)](#)
- [Supervisor Health and Safety Awareness in 5 Steps \(e-training\)](#)
- [Ministry of Labour Awareness Training \(Information page\)](#)

Small business

A number of factors present challenges for small business owners, notably the limited human resource capacity of the owner to apply time and effort to it, and the absence of guidance and support materials that are relevant to the language, culture and business/organizational situation of small businesses. The infrequent occurrence of worker injury in small business can lead the employer to conclude that adequate measures and precautions are in place. While the focus of small business considerations is generally directed towards owners, effective support for the health and safety of workers in small businesses is needed. MOL has begun identifying the needs of small businesses and will continue to work with the stakeholders to establish additional resources.

MOL inspectors will ensure that small construction contractors and their workers operate in compliance with the OHSA and its regulations.

Resources/compliance support

Ontario Ministry of Labour

- [Constructor Guideline: Health and Safety](#)

Underground economy

A number of specific initiatives to combat the underground economy in construction have been planned to provide awareness material about the related detrimental effects when compliance is not achieved. The target audiences include consumers of underground economy services, workers employed by the underground economy service providers, and the service providers themselves.

Resources/compliance support

Ontario Ministry of Labour

- [Combating the Underground Economy](#)

Enforcement initiatives

Enforcement initiatives are part of the province's *Safe At Work Ontario* compliance strategy. They may be announced to the sector in advance although individual workplaces are not identified in advance. Results from province-wide initiatives are posted on the ministry's website. The initiatives raise awareness of workplace hazards and promote compliance with the OHSA and its safety regulations.

Inspectors' findings may influence the frequency and level of future inspections of individual workplaces. Inspectors may also refer employers to health and safety associations for compliance assistance and training.

Traffic protection

This initiative will focus on the hazards associated with site traffic control, including traffic control plans and devices, training for traffic control persons, and the use of high visibility clothing.

Enforcement focus

Inspectors will focus on:

Traffic protection/control: Inspectors will check for traffic control plans and related protective measures.

Traffic control devices: Inspectors will check for the presence of barriers, barricades, delineators, traffic control devices, warning signs, speed control devices and longitudinal buffer areas, as appropriate.

High visibility garments: Inspectors will check whether high visibility garments are worn, as required.

Training for traffic control persons/signallers: Inspectors will check for an adequate number of traffic control persons and whether those workers have received appropriate training to fulfill the duties of a traffic control person or signaller.

Equipment: Inspectors will check that written measures and procedures are in place when equipment operates around electrical hazards; that warning signage is in place as required; and, that dump trucks are equipped with a backup alarm.

Resources/compliance support

Ontario Ministry of Labour

- [Struck By Objects – Construction Traffic Hazards](#)

Roofing

Roofing operations include new sloped roof and re-roofing activities.

Enforcement focus

Inspectors will focus on:

Fall protection: Inspectors will check that adequate fall protection systems are in place. They will also check that workers are properly trained in the safe use of fall protection components and equipment.

Overexertion: Inspectors will check that workers are adequately trained in proper lifting, pushing and pulling of materials, and that adequate supervision is in place. They will also check that workers are not engaging in activities that could lead to increased physical demands and awkward postures, resulting in musculoskeletal disorders (MSDs).

Safe use of access equipment: Inspectors will check that workers are adequately trained in the use and maintenance of equipment such as ladders, scaffolds and work platforms.

Resources/compliance support

Ontario Ministry of Labour

- [Working At Heights – Training Program Standard](#)

Residential housing

The homebuilding industry continues to be a notable source of work-related injuries. More critical injuries, fatalities, and lost-time injuries occur in this sector than in any other part of the construction industry.

Enforcement focus

Inspectors will focus on:

Equipment use: Inspectors will check that work equipment is being used in a safe manner and in accordance with the OHSA and its regulations. In particular, they will check that ladders, work platforms and scaffolds are being used in accordance with the Regulation for Construction Projects.

Fall protection: Inspectors will check that workers are using the required fall protection systems when working at heights. They will also check that workers are trained on the use of fall protection equipment and that they are being properly supervised when working at heights.

Ladder use: Inspectors will check for unsafe use of ladders and lack of adequate worker training.

Scaffolds: Inspectors will check for unsafe use of scaffolds and lack of adequate equipment.

Slips, trips and falls: Inspectors will check that construction sites are being kept clear of conditions that could cause slips, trips and falls. In particular, they will check for unsafe conditions created by weather.

Toilet, clean-up facilities and sanitation: Inspectors will check that adequate toilet and clean-up facilities and disposal of waste is arranged and conducted.

Exposures to hazardous chemicals and substances: If controlled products are used at a project, inspectors will check compliance with the Workplace Hazardous Materials Information System (WHMIS) Regulation, with particular emphasis on reviewing: supplier material safety data sheets (MSDS) to verify that they are up-to-date; they will also check worker education. At projects where a worker may be exposed to designated substances, such as lead, silica, etc., and other hazardous substances, such as mould, man-made vitreous fibres and polychlorinated biphenyls, and at “brownfield” contaminated sites, inspectors will check that adequate measures and procedures are in place to control worker exposure. Inspectors will also check that adequate personal protective equipment is used and that workers are adequately trained.

Resources/compliance support

Ontario Ministry of Labour

- [Ladder Safety in Construction](#)

Infill housing

Infill housing is the use of land for construction within a built-up area, especially as part of a community redevelopment or growth management program. It focuses on the reuse and repositioning of obsolete or underutilized buildings and sites.

Enforcement focus

Inspectors will focus on:

Asbestos abatement: Inspectors will check that asbestos operations are conducted in accordance with the Regulation for Asbestos on Construction Projects and in Buildings and Repair Operations.

Concrete form-setting operations: Inspectors will check that workers are properly trained in the design, set-up, building and inspection of foundation and basement construction.

Material handling: Inspectors will check for MSD hazards such as unsafe lifting, lowering, pushing, pulling and carrying of materials.

Housekeeping: Inspectors will check for poor housekeeping and improper storage of materials, in addition to obstructions along routes of access, egress, and at work locations.

Site excavations and trenching: Inspectors will check that trenches and excavations are properly sloped and shored using engineered or hydraulic support systems or shielded with prefabricated support systems such as trench boxes.

Resources/compliance support

Ontario Ministry of Labour

- [Trench Digging and Excavation Safety \(video\)](#)
- [Construction Safety – Excavation Hazards](#)

Industrial, commercial, institutional (ICI)

ICI comprises high-rise and low-rise industrial, commercial and institutional building projects. The initiative will focus on equipment, occupational health related issues and fall protection.

Enforcement focus

Inspectors will focus on:

Man material hoists: Inspectors will check that employers maintain equipment in good working order.

Equipment: Inspectors will check on heavy and light equipment with a focus on the maintenance; availability of manufacturers' operating manuals and instructions where required by regulation; adequate written measures and procedures, where required by regulation; and adequate operator training.

Ergonomic issues: Inspectors will focus on MSDs associated with activities such as material handling; housekeeping; and access/egress that may lead to MSDs.

Carbon monoxide exposure: At a building under construction where internal combustion engines are operated indoors and where fuel-fired heaters and devices are used in an enclosed space, inspectors will check whether the work is adequately ventilated and whether employers are maintaining their equipment in good operating condition.

Fall protection: Inspectors will check for:

- Guardrails, where required by regulation
- Availability and suitability of fall protection equipment
- Adequate worker training in the use of fall protection equipment

Resources/compliance support

Ontario Ministry of Labour

- [Crane Safety](#)
- [Supervisory Engagement in Construction](#)

Regional initiatives

Each [MOL regional office](#) will conduct its own regionally focused initiative to raise awareness and help address issues that are specific to a geographic area in Ontario or where there is a higher incidence of issues than the rest of the province.

The table below outlines the region, initiative, focus and duration on initiatives from April 1, 2014 to March 31, 2015.

Region	Name of Initiative	Focus	Date
Central East Region	Man-material hoists	Installation, maintenance and inspection practices	Fall 2014
Central West Region	Amusement devices	Set up and take down of temporary amusement rides	July to September 2014
	Tower cranes, man/material hoists and concrete pump trucks	Operator training, inspection & maintenance records, and related hazard awareness for workers at a project	October 2014
Northern Region	Residential/cottage development	Promote safer work practices	June to July 2014
Western Region	Roofing	High hazard activities	April 2014 to March 2015

Inspection blitzes

MOL inspectors enforce the OHSA and its regulations at workplaces across the province. As part of the *Safe At Work Ontario* strategy, they focus on specific industry sectors where there are high injury rates, a history of non-compliance, and specific workplace hazards. They will also continue to verify overall compliance with the OHSA and its regulations. Inspectors are not limited to inspecting with respect to the issues identified in this document as *Safe At Work Ontario* areas of focus, and will take enforcement action as appropriate to the situation at each workplace inspected.

Note: Injury and illness trends: The program uses WSIB data to identify injury and illness trends. Trend analyses of the number of fatalities, critical injuries, lost-time injuries (LTIs), LTI rates and the costs associated with WSIB claims for each sector are used by the program to identify sectors for blitz initiatives. In addition to this information, inspectors also review the compliance history and known hazards inherent to the type of work to select which workplaces to visit.

Month, Year	Enforcement campaign/blitz topic	Key Points
May 2014	Excavation – Provincial	• Equipment • Shoring practices • Trenching procedures • Traffic control • Power line proximity • Soil types • Locates
July - August 2014	Fall Protection – Provincial	• Guardrails • Scaffolds • Personal protective equipment

Tips on how to prepare for a blitz inspection

Before the inspector's visit

- Check your accident experience in relation to the blitz topic
- Review the sections of the OHSA and regulations that may apply with respect to the focus of the blitz
- Determine whether you are currently meeting or exceeding the minimum legal requirements in those areas
- Consult with the IHSA for specific information and services that may help you prepare
- Review the blitz-related material prepared by the MOL
- Discuss compliance strategies with your Joint Health and Safety Committee, Health and Safety Representative and Trade Union representative

During the visit

- Ensure all required documentation is on site and available to the ministry inspector (i.e., Notice of Project, Traffic Protection Plan, maintenance logs, operator manuals)
- Ensure the construction supervisor and health and safety representative are available
- Ensure the workplace parties co-operate with the ministry inspector

What the inspector will verify

- Compliance with the [OHSA](#) and its regulations
- Whether a health and safety policy and program has been developed and implemented
- Whether the workplace has the required components of a strong Internal Responsibility System – self-reliance
- Compliance with training requirements
- Whether workplace specific hazards related to the blitz have been addressed by the employer

Note: Inspectors can legally enter a project or workplace at any time without warrant or prior notice (OHSA section 54(1)(a)). An inspector will identify himself/herself by means of ministry identification. No person shall hinder, obstruct, molest or interfere with or attempt to hinder, obstruct, molest or interfere with an inspector in the exercise of a power or the performance of a duty under this Act or the regulations or in the execution of a warrant issued under this Act or the Provincial Offences Act with respect to a matter under this Act or the regulations.

Excavation blitz

Date: May 2014

Type: Construction Provincial

Construction inspectors will be visiting construction projects where excavation activities are taking place to check that related hazards are being mitigated.

Rationale

Construction excavation and trenching are inherently hazardous. Most fatal cave-ins occur on small, short-duration jobs like gas, electrical, water and sewer connections. Inspectors have identified the need to once again focus on excavation projects.

Campaign focus

The focus of this blitz is to check:

- for improper shoring practices, improper trenching procedures and soil types
- equipment and traffic control
- power line proximity and inadequate locates

Injury potential

Injury type	Possible causes	Things to look for
"Contact with" (e.g., utility services)	Gas, electrical and other services in or near the area to be excavated are not located and marked.	Location markings for utilities
"Struck by" (e.g., excavation wall collapse)	Improper controls for soil type and strength; wall stability.	Keep heavy equipment, excavated soil or rock and construction materials away from the edges of the excavation or the trench; maintain at least one metre (3 feet) from the upper edge of each wall clear of equipment, excavated soil, rock and construction material

Note: Injury types are based on WSIB data and the possible causes were determined with input from the IHSA. The list of possible causes and things to look for is not exhaustive.

Fall protection blitz

Date: July – August 2014

Type: Construction Provincial

Falls continue to be a major source of injury and death within the construction industry. The blitz will focus on fall-related hazards at provincially regulated construction projects, diving operations and window cleaning activities where a worker may be exposed to a fall-related hazard.

Rationale

In 2010, the Ministry conducted a three-month heightened enforcement campaign to address fall-related hazards. Results of the heightened enforcement campaign indicated that 80 per cent of the summonses issued for fall-related hazards were to supervisors; this indicates a lack of adequate supervision on construction projects. More than half of the orders issued for fall-related hazards concerned missing or improper use or maintenance or non-suspended scaffolds, guardrails and fall protection systems. These results indicate that safe work measures and procedures needed to keep workers safe were not in place. They also indicate that workers and supervisors are not aware of, or adequately trained on, fall-related hazards and general safe work measures and procedures. In 2013 the Ministry again launched a number of initiatives in a three-month heightened enforcement campaign that targeted falls as well as hazards specifically involving roofing work at construction sites.

The purpose of another fall protection blitz in 2014 is to continue the focus on safe work practices related to fall protection procedures. This province-wide blitz is part of the government's continued commitment to prevent workplace injuries and illnesses through its *Safe At Work Ontario* enforcement initiative.

Campaign focus

The goal of this blitz is to check that workers:

- wear fall protection equipment, when required
- have received adequate training in the use of fall protection equipment
- are protected with the use of guardrails, where required
- use work platforms according to manufacturers' instructions

Injury potential

Injury type	Possible causes	Things to look for
Falls from heights	Lack of, or improper use of fall protection; lack of or inadequate guardrails	Availability and use of fall protection equipment; placement of guardrails, where required.
Slips & trips – same level	Housekeeping, improper access/egress	Condition of walking/working surfaces; blocked access/egress
Struck by objects	Unsecured tools; lack of toe boards, when required	Placement of guardrails and toe boards, where required; housekeeping

Note: Injury types are based on WSIB data and the possible causes were determined with input from the IHSA. The list of possible causes and things to look for is not exhaustive.

Resources

Legislation

- [Occupational Health and Safety Act](#)
 - [Regulation for Construction Projects O. Reg. 213/91](#)
-

Industry groups – Section 21 committees and trade labour-management health and safety committees (if applicable)

Provincial Labour-Management Health and Safety Committee – Electrical & Utilities

Provincial Labour-Management Health and Safety Committee – Construction

- Acoustical/Drywall
- Boilermakers
- Carpenters
- Civil Engineering
- Commercial Diving
- Electrical Contractors Association of Ontario and International Brotherhood of Electrical Workers
- Elevator/Escalator
- High-rise Forming
- Insulators
- Ironworkers
- Masonry
- Millwrights
- Occupational Disease and Research
- Operating Engineers/Hoisting
- Painters
- Pipe Trades
- Refrigeration/Air Conditioning
- Residential Sector
- Rod Workers
- Roofers
- Service Sector
- Sheet Metal
- Sprinkler Fitters

External resources

- [Infrastructure Health and Safety Association \(IHSA\)](#)