

Occupational Health and Safety Branch

Introduction to *Safe At Work Ontario* Sector Plans

2011-2012

Safe At Work Ontario
Enforcement > Compliance > Partnership >

Ministry of Labour

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Introduction to *Safe At Work Ontario* Sector Plans

As part of *Safe At Work Ontario* the Ministry of Labour develops annual sector-specific enforcement plans that focus on hazards specific to workplaces in different sectors of the economy. The plans describe the specialized and professional services office of the MOL as well as the industrial, health care, construction and mining sectors and outline what inspectors will be looking for in each sector during an inspection.

Heightened enforcement campaigns

Provincial heightened enforcement campaigns (“blitzes”) are intended to promote compliance at workplaces across the province. The campaigns focus on hazards that are inherent in the work process or contribute significantly to injuries or illness. The schedule for Ministry of Labour provincial inspection blitzes is posted on the web site at: www.labour.gov.on.ca/english/hs/sawo/blitzes/index.php. Over the course of a health and safety campaign, the MOL also seeks to raise the workplace parties’ awareness of the issues addressed by the campaign. The ministry works with its system partners to get the message out to the entire industry.

The MOL uses internal workplace injury data (i.e., fatalities and critical injuries) and lost time injury (LTI) data from the Workplace Safety and Insurance Board (WSIB) to plan focused campaigns. Information about the campaigns for 2011-2012 can be found in the program-specific portion of the sector plan.

Violence and harassment in the workplace

New in 2010 were the amendments to the Occupational Health and Safety Act (OHSA) to address workplace violence and harassment. The OHSA requires employers to develop workplace violence and workplace harassment policies and to develop programs to implement them. Employers are also required to assess the risks of workplace violence, and also to take every precaution reasonable in the circumstances to protect workers from domestic violence that may enter the workplace. The OHSA defines [workplace violence and workplace harassment](#). During their workplace visits, inspectors routinely check compliance with the new legislative requirements.

Musculoskeletal disorders

Musculoskeletal disorders (MSDs) are injuries and disorders of the muscles, tendons and nerves. They can occur suddenly or gradually, after prolonged or repeated exposure to hazards such as excessive force, awkward posture or repetitive motion. The hazards associated with MSDs may exist in any type of workplace. Because they account for 44 per cent of all lost-time injury claims in Ontario, MSDs will continue to be a focus for the ministry. MOL inspectors will broaden their MSD focus to examine prevention and control of MSD hazards during proactive inspections, heightened enforcement campaigns and reactive investigations. For more information please visit the [Musculoskeletal Disorders / Ergonomics](#) section of the MOL website.

Infection prevention and control

Workers are continually at risk from exposure to infectious diseases in the workplace. Employers are required to develop measures and procedures to protect the health and safety of workers from exposure to infectious diseases. These measures and procedures should include a hierarchy of controls, including engineering controls, work practices, hygiene practices, administrative controls,

personal protective equipment (PPE), and worker training, based on a risk assessment that identifies the hazards.

Injury rates and chronic violators

Part VII of the OHSA specifies the situations in which an employer must give the MOL notice of an injury, fatality or occupational illness. In addition, the WSIB provides the MOL and the health and safety associations (HSAs) with occupational illness and injury data and fatality information on employers throughout the province.

The MOL uses the WSIB data and internal enforcement data to identify employers that demonstrate a need for compliance assistance. Each of the programs within the MOL consider “filters” such as injury rates and repeated non-compliance as part of the selection process. During field visits to the selected employers, inspectors focus their attention on the functioning of workplaces’ Internal Responsibility System (IRS), hazards prevailing generally in the sector, and any specific hazards identified by WSIB data.

Compliance Intervention based on need

Some workplaces require targeted and focused enforcement intervention — up to and including prosecution of the workplace parties — to deter non-compliance. MOL continues to pay particular attention to employers and constructors who repeatedly violate the OHSA and regulations and who have poor health and safety records.

Other workplaces require tools, information, and education on how to comply. The role of the HSA system partners is to provide educational services to workplace parties. The HSAs also use information from other system partners, such as trends seen by inspectors, to develop material to keep workplaces current.

There are also workplaces that have best practices to share with others. The MOL’s system partners are especially interested in adoption of these “best practices” by other employers.

Partnerships: A key success factor

The ministry is one of several partners in the health and safety system in Ontario focused on preventing workplace injuries and illnesses, and improving workplace health and safety.

MOL partners in the health and safety system include the Workplace Safety and Insurance Board (WSIB) and the four Health and Safety Associations that form [Health & Safety Ontario](#):

- Infrastructure Health and Safety Association (IHSA)
- Workplace Safety North (WSN)
- Public Services Health and Safety Association (PSHSA)
- Workplace Safety & Prevention Services (WSPS)

Other partners include:

- Workers Health and Safety Centre (WHSC)
- Occupational Health Clinics for Ontario Workers (OHCOW)
- Safe Workplace Promotion Services Ontario (SWPSO)
- Ministry of Training Colleges and Universities (MTCU)
- Electrical Safety Authority (ESA)
- Technical Standards and Safety Authority (TSSA)
- Ministry of Health & Long-term Care (MOHLTC)
- Ontario Agency for Health Protection and Promotion (OAHPP)
- Regional Infection Control Networks (RICNs)
- Other Ontario government ministries, agencies, unions, employer associations, occupational health and safety and infection prevention and control professionals and consultants, educational institutions and community organizations
- The federal government on the issue of Workplace Hazardous Materials Information System (WHMIS) global harmonization
- The Canadian Standards Association (CSA) on standards such as those concerning ergonomics and work in confined space
- The Institute for Work and Health on systematic health and safety reviews
- The Ontario Veterinary Medical Association on radiation issues, and
- Several of the Minister's health and safety advisory committees, appointed under section 21 of the Occupational Health & Safety Act.

Working with these system partners, the Ministry of Labour continues to provide more information to employers and workers. Along with our system partners, the MOL is focussing the efforts of inspectors on employers in ways that minimize the overlap of system resources and puts the appropriate system partner in the appropriate workplace.

The Internal Responsibility System: Fostering a culture of safety

The MOL has a primary responsibility to ensure that workplaces comply with the OHSA and its regulations. This includes ensuring that a strong Internal Responsibility System (IRS) is in place that fosters a sustained culture of workplace health and safety.

Ontario's Occupational Health and Safety Act (OHSA) establishes legal requirements that provide a foundation for the Internal Responsibility System (IRS). The IRS is a system, within an organization, where everyone has a responsibility for workplace health and safety that is appropriate to one's role and function within the organization. One of the indicators of a sound IRS is a well-functioning Joint Health and Safety Committee (JHSC), where required.

A strong health and safety workplace culture consists of:

- **Competence** (appropriate knowledge and training, systems for responding to events, a properly functioning JHSC, and other IRS components)

- **Commitment** (demonstration by the employer of leadership on safety, appropriate policies and procedures to protect workers, low tolerance for poor health and safety practices, insistence upon full compliance), and
- **Capacity** (adequate resources for preventing injuries, a good system for obtaining assistance from HSAs and the WSIB).

A strong IRS produces a strong culture of health and safety. Strong leadership by senior executives and other managers sets the tone and establishes a corporate culture that nurtures the IRS. A health and safety culture requires all workplace parties to pay constant, appropriate attention to workplace health and safety.

A sustainable workplace health and safety culture needs a strong commitment by everyone to prevent injuries and illness and to reduce risk.

Expert Advisory Panel on Occupational Health and Safety

On January 27, 2010, the then Minister of Labour announced the appointment of a panel of industry experts to conduct a comprehensive review of Ontario's occupational health and safety system.

On December 16, 2010, the Minister received the Panel's report and accepted its recommendations. The ministry is now working to implement the Panel's recommendations, and the Minister of Labour introduced Bill 160, *The Occupational Health and Safety Statute Law Amendment Act, 2011*, on March 3, 2011, to address those recommendations requiring legislative change.

On June 1, 2011, Bill 160 received Royal Assent. Changes to the Occupational Health and Safety Act allow for the appointment of the new position of Chief Prevention Officer (CPO). The CPO will have overall responsibility to ensure Ontario's workplace injury and illness prevention policies, enforcement priorities and programs are better coordinated and integrated across the province.

Key Panel recommendations

The following are the key recommendations of the Panel's report:

- **Mandatory Basic Occupational Health and Safety Awareness Training And Education** – Require mandatory basic health and safety awareness training for all workers and supervisors and improved integration of occupational health and safety training into school and educational programs.
- **Training For High-Hazard Work** – Identify and develop mandatory training requirements for high-hazard work, particularly construction work and work at heights.
- **Internal Responsibility System** – In addition to mandatory OHS awareness training for workers and supervisors, require mandatory training for workplace health and safety representatives. In addition, the Act should be amended to allow a co-chair of the JHSC to submit a written recommendation to the employer if an issue is unresolved following repeated attempts to reach consensus.
- **Better Protection For Vulnerable Workers** – Expedite the resolution of reprisal complaints under the Occupational Health and Safety Act (OHSA) and improve protection for new workers, young workers, recent immigrants and foreign temporary workers through mandatory training, and greater availability of multilingual and web-based health and safety resource materials. Establish a committee (appointed under Section 21 of the Occupational Health and Safety Act) to advise the minister on issues related to vulnerable workers.

- Better Support For Small Business – Improve support for small business by appointing a Small Business Section 21 committee to advise the Minister.
- New Prevention Organization – The Ministry of Labour should assume responsibility for the co-ordination of prevention program delivery. This is currently the responsibility of the Workplace Safety and Insurance Board and other partners.
- New Chief Prevention Officer – Appoint a Chief Prevention Officer, reporting to the Minister of Labour, to coordinate and align prevention system strategies, priorities and programs, and oversee Ontario's Health and Safety Associations. The officer will report annually to the Minister on the state of the system and work collaboratively with all parts of the ministry as well as with the Prevention Council to redesign injury prevention systems and integrate them with the Ministry's enforcement mandate.
- Prevention Council – The new prevention system should feature an appointed multi-stakeholder Prevention Council. As work begins to implement the recommendations and the new system structure, this Council would advise the Chief Prevention Officer and the ministry with respect to setting strategic priorities and measuring the system's progress.