

RESCON Deputation to Standing Committee on Social Policy on Bill 88
March 28, 2022



Introductions

Good afternoon, Chair, Vice Chair and Members of the Standing Committee on Social Policy. My name is Amina Dibe and I am the Manager of Government and Stakeholder Relations at RESCON.

Good afternoon, my name is Andrew Pariser and I am the VP of RESCON.

Thank you for providing us time to share our feedback to Bill 88, Working for Workers Act 2. RESCON represents over 200 builders of all forms of high-rise, mid-rise and low-rise, housing in the province. We work in cooperation with government and related stakeholders to offer realistic solutions to a variety of challenges affecting residential construction, many of which have wider societal impacts. We are committed to providing leadership and fostering innovation in the industry through the following six core focuses: Health and Safety (including mental health and addictions; Training and Apprenticeship; Government Relations; Labour Relations; Building Science and Innovation; Regulatory Reform and Technical Standards.

Specific to health and safety, RESCON sits on three Infrastructure Health and Safety Association (IHSA) committees, two WSIB committees, and is an active participant in all MLTSD health and safety consultations. RESCON's health and safety committee has eyes and ears throughout the residential construction industry and comes together to share information, best practices, and implementation plans when it comes to on-site and in-office safety.

Today our comments reflect the hands-on experience of our membership with a strong focus on **implementation**. Ontario's economy is complex and has been made even more complicated by the pandemic, supply chain issues, and other shocks. We are here today to simply outline factors that will impact Bill 88 and offer some small tweaks with a focus on **implementation**. The health and safety of the residential construction workforce and the broader industry is the #1 priority for RESCON.

This has been shown throughout the pandemic as we worked with industry, government and our labour partners to keep construction operational while mitigating the spread of COVID-19 on site. As a quick recap, construction with a specific focus on residential was:

1. The first sector to have COVID-19 guidelines.
2. Was an early adopter of PPE including a mandatory mask policy in residential construction, not waiting for regulation.
3. Amended our policies as the pandemic evolved with each wave.
4. Had a very low number of COVID-19 cases. Throughout the pandemic, construction was no more than 2% of cases and residential as the largest sector of construction was a pillar.

RESCON commends Minister McNaughton's leadership throughout COVID-19, as well as the Chief Prevention Office (and officers) in working with industry to develop, implement and evolve COVID-19 safety best practices, among other non-COVID-19 related health and safety best practices.

RESCON, along with an industry coalition comprised of OGCA, OSWCA, OHBA, HCAT and PCA, has provided joint feedback on Bill 88 specifically relating to naloxone kits, monetary penalties, and limitation on prosecutions, which is detailed in schedule 4 of Bill 88. To maximize our seven minutes, we

will only address the naloxone kit proposal and leave the other aspects of schedule 4 to our industry partners.

RESCON's commitment to health and safety also spans mental health and addictions. This has been shown through our efforts to raise awareness and remove the stigma, through annual RESCON hosted Mental Health and Addictions symposiums, engaging with MLTSD and participating in mental health and addictions training.

Our Specific Ask

RESCON strongly believes that a Joint Health and Safety Committee (JHSC) would be better suited determine if there may be a risk of overdose and how it should be addressed in the workplace.

We strongly support and propose a direct connection be made between the JHSC and the requirement for naloxone kits, this ensures labour has a voice.

Specifically, we recommend that an amendment be made to schedule 4, part 25.2, regarding naloxone kits to replace the words 'employer' with 'joint health and safety committee'. Under our proposed amendment, it would now be the responsibility of the JHSC to notify the employer if there may be a risk of a worker having an overdose on site.

Rationale - Why link naloxone to the JHSC?

Role of the JHSC

JHSCs are a pillar of Ontario's health and safety system. Health and safety should be everyone's priority and when you see something unsafe (a hazard, a risk, someone impaired) you say something. The right to safe a workplace is also a pillar of health and safety in Ontario. The JHSC plays a major role in this bringing together labour and management and creating a formal system to ensure:

1. Workers have a voice
2. Safety issues including hazards and other risks are identified
3. Safety plans, systems, legislation, regulation, and best practices are implemented
4. To address site specific issues and concerns
5. To focus on how issues and risks can be eliminated before an injury occurs

Our proposal is not about reducing a constructor or employer's obligations but utilizing the best safety mechanism we have to ensure the best results.

Naloxone, issues related to substance use, and fit for duty are not straight forward, uniform across construction, or easy to solve. Solutions will require labour, management, and government to come together as well as the consideration for site specific concerns.

COVID-19, our efforts related to mental health and anti-racism are also good examples of how valuable and effective the JHSC is and can be.

When assessing hazards and improving safety, we cannot understate the importance of effectively utilizing JHSC and the critical role they play in connecting labour and management to develop solutions that will work for each sector and each workplace.

The former CPO, Ron Kelusky, often remarked that an ounce of prevention is worth a pound of cure. This is an opportunity to follow his advice.

As outlined in our opening remarks, RESCON as a leader in construction was the first industry organization to hold webinars focused on mental health and addictions. Our efforts continue with our annual conference. One major takeaway from those efforts is waiting until the issue shows up on site is too late. While data shows people associated with construction is a source of opioid use and overdose, our research from membership shows that residential construction workers are not overdosing, and overdoses are not occurring on-site.

We reiterate our support for the joint industry letter, and we are open to any questions related to naloxone, timelines and administrative penalties as well as any other questions anyone may have.



RESCON FEEDBACK TO BILL 88

Standing Committee on Social Policy

March 28, 2022

*Submitted by Amina Dibe, Manager Government Relations, RESCON
25 North Rivermede Road, Unit 13, Vaughan, ON*

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