

Section 1

Reporting Month Statistics – Quick Overview

Reporting Month	Month Fatalities	Month Critical Injuries	Month Total
February 24 th 2017	0	11	11

NOTE: Snap shot of incidents for the month of February are captured from February 1st to February 24th. Incidents that may occur from January 28th to 31st will be captured in the March PLMHC report and identified as such in bold.

Section 2

MOL Current Events

- **MOL “What’s New” February 2017 edition**
<https://www.labour.gov.on.ca/english/about/pubs/whatsnew/february2017.php>
- **Clarification on the definition of Regulation 834: Critical Injury**
https://www.labour.gov.on.ca/english/hs/critical_injury.php
- **The province will provide support to organizations creating innovative solutions to health and safety issues in today's changing workplace through its annual Occupational Health, Safety and Prevention Innovation Program (OHSPiP).**
- **News Room January 2017 -Ontario Helping Keep Workers Safe on the Job**
<https://www.labour.gov.on.ca/english/news/2017.php>
- **Blitz Results: Mobile Cranes and Material Hoisting 2016**
https://www.labour.gov.on.ca/english/hs/sawo/blitzes/blitz_report80.php
- **Spotlight New Construction Amendments Come Into Effect January 1**
<https://www.labour.gov.on.ca/english/hs/topics/construction.php>
- **Electrical Hazard Fact Sheet (Nov 2016)**
https://www.labour.gov.on.ca/english/hs/sawo/pubs/fs_electrical.php
- **Ontario Increases Minimum Wage (Oct 2016)**
<https://www.labour.gov.on.ca/english/es/pubs/guide/minwage.php>
- **Workplace Violence and Harassment – Code of Practice (effective Sept 8, 2016)**
<https://www.labour.gov.on.ca/english/hs/pubs/harassment/index.php>
- **2016-2017 Inspection Blitzes and Initiatives**
<http://www.labour.gov.on.ca/english/resources/blitzschedule.php>

- **Safe At Work Ontario Annual Report - Results for April 2014 - March 2015 (20 April 2016)**
<http://www.labour.gov.on.ca/english/hs/sawo/report/index.php>
- **Working at Heights Training (content reviewed March 2016)**
http://www.labour.gov.on.ca/english/hs/topics/heights.php?utm_source=molwebsite&utm_medium=banner&utm_content=spotlights_EN&utm_campaign=WorkingAtHeights
- **Occupational Exposure Limits**
<http://www.labour.gov.on.ca/english/about/consultations/oels/index.php>
- **Replacing Your Roof (content reviewed March 2016)**
http://www.labour.gov.on.ca/english/resources/roofing.php?utm_source=molwebsite&utm_medium=banner&utm_content=spotlights_EN&utm_campaign=RoofingPilot
- **Alert: Elevating Work Platform Crushing Hazard (April 2016)**
<http://www.labour.gov.on.ca/english/hs/pubs/alerts/a36.php>

Section 3

Case 1

Def #1: Domm Construction Ltd.

Def #2: Shawn Wultz

Def #3: Kyle Pfeffer

Domm Construction Ltd.
563 Louisa Street, Box 90
Ayton, Ontario N0G 1C0

On or about the 21st day of August 2015, in the Township of Mapleton, in the Central West Region of the Province of Ontario, did commit the offence of

Failing, as an employer, to ensure measures and procedures prescribed by section 26.1(2) of Ontario Regulation 213/91, were carried out at a workplace located at 7791 Wellington Road 8, Alma, Ontario, contrary to section 25(1)(c) of the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1, as amended.

AND FURTHER THAT, Shawn Wultz, 403166 Grey Road 4, Durham, Ontario, N0G 1R0, on or between the 21st day of August 2015 and the 21st day of September 2015, in the Township of Mapleton, in the Central West Region of the Province of Ontario, did commit the offence of knowingly furnishing an inspector with false information required by an inspector in the exercise of his powers or performance of his duties under the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1, as amended, contrary to section 62(3) of the said Act.

AND FURTHER THAT, Kyle Pfeffer, 141747 Grey County Road 9, Ayton, Ontario, N0G 1C0, on or between the 21st day of August 2015 and the 9th day of September 2015, in the Township of Mapleton, in the Central West Region of the Province of Ontario, did commit the offence of knowingly furnishing an inspector with false

information required by an inspector in the exercise of his powers or performance of his duties under the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1, as amended, contrary to section 62(3) of the said Act.

Conviction Information

Date of Disposition: February 3, 2017

Name of Judge/JP: His Worship Cuthbertson

Court Location: Ontario Court of Justice
59 Carden Street
Guelph, Ontario

Facts in Support of Guilty Plea / Conviction or Reasons for Acquittal:

1. Domm Construction Ltd. (the Corporate Defendant) is a corporation incorporated under the laws of Ontario. The Corporate Defendant's registered head office is located at 563 Louisa Street, Ayton, Ontario, NOG 1C0. The Corporate Defendant at all material times to this prosecution operated a construction business and is currently in existence. The Corporate Defendant currently employs approximately 45 workers.
2. Shawn Weltz (the Supervisor Defendant) is an individual who resides in the province of Ontario. At all material times to this prosecution, he was employed by the Corporate Defendant and fulfilled a role as supervisor for the Corporate Defendant.
3. Kyle Pfeffer (the Worker Defendant) is an individual who resides in the province of Ontario. At all material times to this prosecution, he was employed by the Corporate Defendant.
4. On August 21, 2015, a worker named Zachary Misch, the injured worker, was working at heights at a construction project located at 7791 Wellington Rd., Alma, Ontario. He was working with a crew that included Shawn Weltz and Kyle Pfeffer. They were in the process of building a dairy barn at the project and were specifically erecting trusses at the time of the incident.
5. While working at a height of 30 feet, Mr. Misch was wearing a fall protection harness but was not wearing any lanyards attached to that harness. He fell 30 feet to the ground. Mr. Misch fractured his femur, pelvis and ribs in the fall.
6. After Mr. Misch fell and was removed from the scene by emergency personnel, but before the Ministry of Labour Inspector arrived at the scene, Kyle Pfeffer, a worker for Domm Construction attached two lanyards to Mr. Misch's harness, which had been left at the scene. He informed his supervisor, Shawn Weltz, that he had done this.

7. When the Ministry of Labour Inspectors, investigated the incident, Mr. Weltz and Mr. Pfeffer both provided false information to the Inspectors. Specifically, Mr. Weltz told the inspector that Mr. Misch had two lanyards on him when he fell, and that one of the other workers had given Misch their lanyard. Mr. Pfeffer told the inspector that Mr. Misch was wearing two lanyards when he fell. Mr. Pfeffer also told the inspector that Mr. Misch had one lanyard looped around a 2x4 that broke.
8. These statements that Mr. Weltz and Mr. Pfeffer provided to the Ministry of Labour Inspectors were determined to be false after subsequent investigation, and known to be false to Mr. Weltz and Mr. Pfeffer at the time the statements were made. As such, Mr. Weltz and Mr. Pfeffer knowingly furnished false information to an Inspector.
9. Following the Ministry of Labour Investigation into the incident, it was determined that the Corporate Defendant had failed to ensure Mr. Misch was adequately protected by a fall arrest system.

Sentencing Information:

Date of Sentence: February 3, 2017

Sentence (per count):

Domm Construction Ltd. - \$60,000 + VFS

Shawn Weltz - \$4000 + VFS

Kyle Pfeffer - \$2000 + VFS

Case 2**Court Bulletin****Grimsby Builder Convicted After Construction Project Collapses**

February 13, 2017

WELLAND, ONTARIO - A construction project that collapsed due to wind load and a lack of bracing and proper anchoring has led to a \$20,000 fine against the individual in charge of the project.

A storage barn was being built on a residential farm property located at 3357 Regional Road 12, West Lincoln, Ontario. On November 24, 2014, the partially-built, wood-framed storage barn collapsed.

The property owner had hired Tom Ivezic to undertake the construction of the storage barn, which was about 120 feet long and 60 feet wide.

At the time of the collapse, the four walls and the roof of the storage barn had been erected on top of the structure's concrete foundation. However, none of the walls had been braced to prevent their movement or collapse, and the anchor bolts connecting the walls to the foundation had not been secured.

The constructor, Tom Ivezic, failed to meet a number of requirements. He failed to file a Notice of Project relating to the construction of the storage barn, and failed, as a constructor, to give notice in writing to a Ministry of Labour inspector within two days of the structural failure of the storage barn, as required under the Occupational Health and Safety Act.

Following the collapse of the barn, Ivezic failed to furnish all necessary assistance to facilitate an investigation by a Ministry of Labour inspector; over the course of several months, the Ministry of Labour inspector made multiple attempts to contact Ivezic, and left him multiple messages but received no response.

The court, with Justice of the Peace Dan La Caprara presiding, fined Ivezic a total of \$20,000 in Welland on February 9, 2017.

The court also imposed a 25-per-cent victim fine surcharge as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

Court Information at a Glance

Location: Provincial Offences Court/Ontario Court of Justice, 3 Cross Street, Welland, Ontario

Judge: Justice of the Peace Dan La Caprara

Date of Sentencing: February 9, 2017

Defendant: Tom Ivezic, Grimsby, Ontario

Matter: Occupational health and safety

Convictions:

Occupational Health and Safety Act

Section 31(1)(b) - \$8,000

Section 23(2) - \$2,500

Section 53(b) - \$2,500

Section 62(2)(a) - \$7,000

Section 4

Fatality & Critical Injury Year-to-Date Overview - Construction Sector

	2017 1st January – February 24	2016 1st January – February 28 comparison with last year
Fatalities	1	0
Critical Injuries	23	14

** NOTE: These figures represent preliminary data, and are not to be considered official statistics from the Ministry of Labour. Official statistics will be issued quarterly by the Program Analysis, Evaluation and Outcomes Unit of the Occupational Health and Safety Branch of the Ministry of Labour.*

REPORTING MONTHS: 1st – 24th February 2017, Monthly Summary Report

February 2017 Fatalities (0)

NOTE: Data are subject to change due to updates in the enforcement database. Only events reported to the ministry are included here. Except for fatalities, event categories in the ministry's data set are based on what was assigned at the time of the initial report to the ministry. The reported event category may not represent what actually occurred at the workplace.

By Sector	
Brief Summary	
NOTE: These entries are in ascending date order (i.e. 1st to 31st) not sector order. See Section 5 for additional entry details.	

February 2017 Critical Injuries (11)

NOTE: Data are subject to change due to updates in the enforcement database. Only events reported to the ministry are included here. Except for fatalities, event categories in the ministry's data set are based on what was assigned at the time of the initial report to the ministry. The reported event category may not represent what actually occurred at the workplace.

<p>By Sector</p>	<ul style="list-style-type: none"> • RESM – 3 • RESS – 2 • INDU – 2 • INST – 2 • EXCAV – 1 • COMM - 1
<p>Brief Summary</p>	<ul style="list-style-type: none"> • Worker lost balance on top step hit chest against 2x4 and sustained 3 fractured ribs, punctured lung and fractured wrist. • Worker on scaffold approximately 3-4 feet high removing tarps when worker fell onto concrete pad in parking garage. Worker sustained head injury and fractures to both wrists. • Worker alone on a construction site performing electrical work on an out building in a park. Worker fell off top of the ladder (10 feet). Worker suffered fracture to arm. • Worker slipped on ice and fell and lost consciousness at new construction residential site. • Worker was setting up a concrete form and fell off the ladder and landed on his wrist. Worker suffered a fractured wrist and rib and cut to head. • Worker doing roof renovations fell through to floor about 20 feet and sustained multiple injuries. • Worker performing electrical work on the ceiling roof level when he fell approximately 40ft and lost consciousness and significant amount of blood, suffered head trauma and injured left wrist. He was wearing a harness but was not clipped in. • Worker walking backwards while unloading steel from a truck using a crane, missed a step and fell down resulting in fractured ankle. • Worker was using pry bar on platform that was 2 feet up when the bar slipped while exerting pressure causing the worker to fall and break arm. • Worker was cutting concrete with a saw - CO2 levels emitted from machine resulted in Loss of consciousness. • Worker was exiting a trench via a ladder, he fell backwards off the ladder and into the trench, fell approximately 7-10 feet and lost consciousness.

Section 5

Fatality & Critical Injury Year-to-Date Summaries*- Construction Sector

*All new entries (current month and reconciled data) appear in **bold**.

NOTE: Some detail will inevitably be missing from the PLMHSC Report. The document is intended to provide an initial overview, not a comprehensive report. Annual data reporting approved by the Director should be used by stakeholders if they wish to see all data available to the Ministry related to an event.

Fatalities Year-to-Date Summary as of February 24:

Total Year-to-Date Fatalities:

Note 1: Ages will be included when available.

Note 2: Reconciled data appears in bold

Central West

#	Date of Incident	Region	Sector	Occupation	Details (as reported to MOL)
1	January 16 2017	Central East	RESM Condominium project	Worker	Worker was cleaning a concrete mixing machine and was pulled inside, resulting in fatal injuries.

Critical Injuries Year-to-Date Summary (January 1st to January 27th 2017): Total Year-to-Date Critical Injuries:

Note 1: Ages will be included when available.

Note 2: Reconciled data appears in bold

#	Date of Incident	Region	Sector	Occupation	Details (as reported to MOL)
1	04-Jan-17	Western	RESS	Worker	A worker cutting weather stripping off door with utility knife, cut himself in the arm and lost consciousness.
2	09-Jan-17	Central east	COMM	Worker	A worker was critically injured due to collapsed trench. The worker was fixing a leak in a pipe when the trench collapsed and a rock/frozen earth fell on the worker.
3	10-Jan-17	Central west	RESM	Worker	A worker sustained four fractures when operator of mini excavator ran over worker's foot.
4	10-Jan-2017	Eastern	RESS	Worker	A worker slipped and fell 25 ft off upper roof of a single family home build resulting in a loss of consciousness, fractured back and leg.
5	16-Jan-17	Central East	RESM	Worker	A worker assisting a crane operator in lifting a load of plywood got his hands caught between the chains holding the load up and the load, which severed the index and middle fingers on his left hand.
6	19-Jan-17	Northern	COMM	Worker	Two workers were cutting concrete and one worker lost consciousness due to confirmed exposure to carbon monoxide.
7	25-Jan-17	Central west	RESS	Worker	Worker fell off step ladder and fractured wrist.
8	24-01-2017	Central West	RESS	Worker	Worker fell from 2nd level of scaffolding & sustained head injuries

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9	25-01-2017	Central west	INDU	Worker	Worker lost consciousness falling backwards and hitting head on concrete. The worker was moving a mechanical unit into the building holding a strap and the strap broke. When the strap broke, the worker took several steps backwards, their hard hat fell off their head and the worker fell hitting their head on the concrete.
10	26-01-2017	Western	RESM	Worker	Drywaller fell from scaffolding - 10-12 feet and broke ankle.
11	27-01-2017	Central west	RESS	Worker	Worker hit by a truck on construction site and sustained multiple injuries.
13	04-02-2017	Central west	RESS	Worker	Worker lost balance on top step hit chest against 2x4 and sustained 3 fractures ribs, punctured lung and fractured wrist.
14	06-02-2017	Western	RESM	Worker	Worker on scaffold approximately 3-4 ft high removing tarps when worker fell onto concrete pad in parking garage. Worker sustained head injury and fractures to both wrists.
15	06-02-2017	Western	INST	Worker	Worker was alone on a construction site performing electrical work on an out building in a park. Worker fell off top of the ladder (10 fee) Worker suffered fracture to arm
16	08-02-2017	Central West	RESS	Worker	Worker slipped on ice and fell and lost consciousness at new construction residential site.
17	14-02-2017	Western	INST	Worker	Worker was setting up a concrete form and fell off the ladder and landed on his wrist. Worker suffered a fractured wrist, rib and cut to head.
18	15-02-2017	Central West	COMM	Worker	Worker doing roof renovations fell through to floor about 20 feet and sustained multiple injuries.
19	15-02-2017	Western	INDU	Worker	Worker performing electrical work on the ceiling roof level when he fell approximately 40ft and lost consciousness and significant amount of blood, suffered head trauma and injured left wrist. He was wearing a harness but was not clipped in.
20	16-02-2017	Central West	RESM	Worker	Worker walking backwards while unloading steel from a truck using a crane, missed a step and fell down resulting in fractured ankle.
21	20-02-2017	Western	INDU	Worker	Worker was using pry bar on platform that was 2 feet up when the bar slipped while exerting pressure causing the worker to fall and break arm.
22	21-02-2017	Central East	RESM	Worker	Worker was cutting concrete with a saw - CO2 levels emitted from machine resulted in loss of consciousness.
23	22-02-2017	Central West	EXC	Worker	Worker was exiting a trench via a ladder, he fell backwards off the ladder and into the trench, fell approximately 7-10 ft and lost consciousness.