

Report for the Labour-Management Network, October 2020



Reporting Month Statistics

Reporting Month	Fatalities	Critical Injuries	Total
August 1 - 31, 2020	2	23	25

Reporting Month	Fatalities	Critical Injuries	Total
August 1 - 31, 2019	2	22	24

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

Injury Type	2020 January 1 – August 31	2019 January 1 – August 31
Fatal	11	7
Critical	171	192

Disclaimer: This information has been prepared to assist workplace parties in understanding their rights and duties under the Occupational Health and Safety Act (OHSA) and its regulations. This information does not constitute legal advice. To determine your rights and duties under the OHSA, please contact your legal counsel or refer to the legislation.

Provincial Coordinator's Comment

As Ontario enters the second wave of COVID-19, it is critical that every precaution necessary is taken to ensure workers do not contract or spread the virus. As always, physical distancing and adequate hand hygiene are the best ways to ensure workers are protected.

With cases growing daily, The Ministry of Health (MOH) has implemented mandatory active screening for all workplaces prior to entry to the workplace each day. To be clear, there is a significant difference between "active" and "passive" screening. Passive screening refers to a self assessment where **you** determine whether **you** can enter the workplace based on screening criteria. Whereas active screening is where someone screens you prior to entering the workplace and can either allow or deny access to the workplace.

The MOH has developed a tool for the use of workplaces with the required screening questions:

http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/workplace_screening_tool_guidance.pdf.

This tool provides basic information only and contains recommendations for COVID-19 screening as per Ontario Regulation 364/20.

Workplaces are required to implement this screening to for any workers or essential visitors entering the workplace. It is important to note that this does not include patrons entering a workplace (e.g., customers entering a grocery store, restaurant, bar or other food or drink establishment). It also excludes emergency services or other first responders entering a workplace for emergency purposes.

Screening should occur before or when a worker enters the workplace at the beginning of their day or shift, or when an essential visitor arrives.

At a minimum, the questions in the tool should be used to screen individuals for COVID-19 before they are permitted entry into the workplace. This tool can be adapted based on need and the specific setting.

Instructions in the tool should be followed. Anyone who does not pass screening should be advised that they should not enter the workplace and should self-isolate,

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call their health care provider or Telehealth Ontario. Once an individual has passed the screening questions, they should be allowed to enter the workplace, but should report any symptoms immediately

Sincerely,

Brian Barron

Provincial Coordinator (A)

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Section 2 – What's New

[Tower crane inspection and maintenance initiative](#)

From August 31 to December 31, 2020, the Ministry will run an initiative focusing on tower crane inspections and maintenance on projects. Inspectors will aim to have every tower crane on construction projects throughout the province inspected.

[Read more](#)

[Ontario reopens apprenticeship and trade-related exam centres](#)

The Ontario government has gradually reopened all 24 provincial centres for apprenticeship and trade-related certifications, based on the advice of the Chief Medical Officer and provincial health authorities. Apprentices and skilled tradespeople can now book their final exams at their local apprenticeship office.

[Read more](#)

[Ontario providing in-demand skills training to over 15,000 people](#)

The Ontario government is providing \$37 million to help more than 15,000 people train for new jobs and upgrade their skills to enable them to contribute to the province's economic recovery. The funding will support 86 projects and provide training in high-demand skills like information technology, advanced manufacturing, truck driving, construction and horticulture.

[Read more](#)

For more what's **new** – Ministry of Labour articles, see: [What's New!](#)

Section 3 – Court Bulletins

Worker's Death in Oshawa Results in \$125,000 Fine for Concord Contractor

September 21, 2020

Convicted: Orin Contractors Corp., 100 Macintosh Blvd., Concord, Ontario, a contractor providing municipal construction.

Location of Workplace: Verdun Avenue in Oshawa.

Description of Offence: A worker was killed when the scoop bucket attachment on an excavator fell on the worker. A hydraulic coupler attached to the excavator was operated in a manner that was not in accordance with the bucket attachment procedure in the operating manual.

Date of Offence: June 19, 2018.

Date of Conviction: September 21, 2020.

Penalty Imposed:

- Following a guilty plea, Orin Contractors Corp. was fined \$125,000 in Ontario Court of Justice in Oshawa by Judge Susan Magotiaux; Crown Counsel Wes Wilson.
- 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.

Background:

- In June of 2018 Orin was engaged in a contract with the City of Oshawa for the replacement of sanitary sewer lines. On June 18 the company was working near Verdun Avenue in Oshawa. A worker had begun working for Orin that day.
 - A supervisor began the work day with a "toolbox" talk and assigned tasks for the day. The new worker was instructed to use the excavator to uncover a pipe that had been laid the week before, and to continue digging the excavation.
 - The excavator was equipped with a hydraulic coupler which allowed the operator to attach and detach implements to and from the boom of the machine. The scoop bucket attachment being used was capable of being attached with the teeth facing the
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operator to dig back toward the operator's cab or turned around with the teeth facing away from the operator and used as a shovel.

- The next day, on June 19, excavation started with the bucket attached to the excavator in the "dig" position, pulling material back toward the excavator. The operator was instructed by the supervisor to turn the bucket around to the "shovel" position to allow better access to the soil around a natural gas pipe in the trench.
- The worker placed the bucket on the ground, detached the bucket from the coupler, and spun the bucket around on the ground, pushing it with the coupler.
- The worker attempted to re-attach the bucket but did not follow the procedure for doing so as set out in the coupler manufacturer's user manual.
- Unknown to the operator, the bucket was not properly attached to the coupler.
- At that time, the supervisor entered the excavation to do shoveling by hand around the pipe that had been previously installed, in order to attach it to the next length of pipe. As the operator swung the bucket over the trench, the bucket fell into the trench, landing on and crushing the supervisor. The bucket weighed over 2,700 pounds and the supervisor died as a result of the injuries.
- After the fatal incident, testing was conducted by the then-Ministry of Labour and found that there were no mechanical defects. Testing further confirmed that all systems were working properly. It is believed the failure of the operator to follow the manufacturer-directed safety checks for coupler attachment was the source of the failure.
- At an interview, it was apparent that the operator was not familiar with the full safety checking procedure as set out in the coupler manufacturer's user manual. The manual was in English and the operator spoke a different language
- The company pleaded guilty to failing, as an employer, to ensure that the measures and procedures prescribed in section 93(3) of **Ontario Regulation 213/91 - the Construction Projects Regulation** - were carried out in a workplace located at or near Verdun Road, Oshawa, contrary to section 25(1)(c) of the **Occupational Health and Safety Act**, R.S.O. 1990, c. O.1.

Worker's Fall from Platform Results in \$60,000 Fine for Caledon Company

September 21, 2020

Convicted: Aurora King Masonry Ltd., 76 Wiltshire Avenue, Toronto, a company specializing in masonry work.

Location of Workplace: 12600 Kennedy Road, Caledon.

Description of Offence: A worker received critical injuries after falling from a platform. By law, a work platform over 2.4 metres (7.87 feet) must have a guardrail.

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Date of Offence: January 12, 2019.

Date of Conviction: September 10, 2020.

Penalty Imposed:

- Following a guilty plea, Aurora King Masonry Ltd. was fined \$60,000 by Justice of the Peace Valerie G. Carty; Crown Counsel Indira Stewart.
- 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.

Background:

- On January 12, 2019, Aurora King Masonry was undertaking masonry work at a project located at 12600 Kennedy Road in Caledon, Ontario. The project involved the construction of a three-story seniors' residence.
- On that date, two workers were working from the platform of a mast climber about 30 feet (9.14 metres) from the ground.
- One worker descended from the work platform to obtain fresh batteries for a tool. The worker returned and found the co-worker lying unconscious on the ground. No one witnessed the fall.
- The injured worker suffered critical injuries.
- A Ministry of Labour, Training and Skills Development inspector determined that the elevated work platform in question did not have a guardrail.
- Section 135(1)(c) of **Ontario Regulation 213/91**, the regulation for construction projects, requires that a scaffold platform or other work platform be provided with a guardrail as required by section 26.3 of the regulation.
- On January 12, 2019, Aurora King failed, as an employer, to ensure that the measures and procedures prescribed by section 135(1)(c) of **Ontario Regulation 213/91** were carried out at a construction project, contrary to section 25(1)(c) of the **Occupational Health and Safety Act**.

Section 4 – Critical Injuries

Critical Injuries

Year-to-Date Overview and Comparison - Construction Sector

Injury Type	2020 August 1 – 31	2020 January 1 – August 31
Critical	23	171

Injury Type	2019 August 1 – 31	2019 January 1 – August 31
Critical	22	192

NOTE: These figures represent preliminary data and are not to be considered official statistics from the Ministry of Labour, Training and Skills Development. 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, Training and Skills Development.

REPORTING MONTH: August 1 - 31, 2020 (23)

Monthly Summary Report: Critical

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 occurred at the workplace.

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SECTOR	REPORTED CAUSE	FALL	STRUCK BY	ELECTRICAL CONTACT	EXCAVATION COLLAPSE	OTHER	MONTH	YEAR
RESS		4	0	0	0	0	4	36
INST		4	0	0	0	0	4	15
RESM		2	1	0	0	1	4	35
INDU		0	1	1	0	0	2	13
ROAD		0	0	0	0	0	0	6
EXCA		1	0	0	0	0	1	2
COMM		2	2	0	0	0	4	29
MINP		0	0	0	0	0	0	1
NECC		0	0	0	0	0	0	3
RAIL		0	0	0	0	0	0	10
POWP		0	0	0	0	0	0	1
GRAD		0	0	0	0	0	0	1
SHIP		0	0	0	0	0	0	1
SHAF		0	0	0	0	0	0	1
CAIS		0	0	0	0	0	0	1
GAS		1	0	0	0	0	1	3
ETTL		0	0	0	0	0	0	1
HYDR		0	0	0	0	0	0	4
PAVE		0	2	0	0	0	2	3
SEWW		0	0	0	0	0	0	2
BRID		0	0	0	0	0	0	1
TUNN		0	0	0	0	0	0	1
WIND		0	0	1	0	0	1	1
MONTH		14	6	2	0	1	23	171
YEAR		110	45	6	3	7		

Critical Injuries:

Totals: August 1-31, 2020 (23)

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (as reported to MOL)	Reported Cause
1	5-Aug-20	Toronto	INST			Worker slipped on debris, fracturing foot	FALLS
2	5-Aug-20	Etobicoke	RESM			Worker fractured left leg when board shifted	FALLS
3	7-Aug-20	Hamilton	GAS			Worker fell from vehicle fracturing wrist	FALLS
4	8-Aug-20	Stouffville	RESS			Worker fell from ladder, fractured skull	FALLS
5	8-Aug-20	Waterloo	RESM			Worker suffered loss of consciousness when overcome by fumes	OTHER
6	10-Aug-20	Toronto	WIND			Worker suffered sever shock after contacting overhead power line	ELECTR CONTACT
7	10-Aug-20	Embrun	INDU			Worker suffered loss of	ELECTR CONTACT

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (as reported to MOL)	Reported Cause
						consciousness after making electrical contact	
8	12-Aug-20	Orangeville	COMM			Worker fractured left wrist after fall from ladder	FALLS
9	12-Aug-20	Toronto	INDU			Worker suffered fracture to leg after being struck by equipment	STRUCK BY
10	13-Aug-20	Scarborough	INST			Worker fell from ladder, suffering fractured arm	FALLS
11	13-Aug-20	Toronto	RESM			Worker struck by falling material suffered fractured ankle	STRUCK BY
12	14-Aug-20	Waterloo	COMM			Worker fell from ladder and fractured wrist	FALLS
13	15-Aug-20	Toronto	RESM			Worker fell from scaffold, breaking left arm	FALLS

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (as reported to MOL)	Reported Cause
14	19-Aug-20	Kanata	RESS			Worker fractured ankle during fall from ladder accessing scaffolding	FALLS
15	20-Aug-20	Georgetown	RESS			Worker fell from roof resulting in loss of consciousness	FALLS
16	21-Aug-20	Milton	COMM			Worker suffered fractures two fingers while drilling a hole	STRUCK BY
17	21-Aug-20	Hamilton	COMM			Worker struck leg while using machinery. Fractured leg	STRUCK BY
18	23-Aug-20	Grimsby	EXCA			Worker suffered spinal fracture after fall from rafters	FALLS
19	24-Aug-20	Stirling	PAVE			Worker suffered severe burns after asphalt dumped onto equipment	STRUCK BY

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (as reported to MOL)	Reported Cause
20	24-Aug-20	Toronto	INST			Worker tripped over materials and fractured wrist	FALLS
21	25-Aug-20	Toronto	RESS			Worker suffered fractures to ribs, pelvis and loss of consciousness during fall	FALLS
22	27-Aug-20	Ottawa	INST			Worker suffered fractured wrist when fell during egress from elevating work platform	FALLS
23	28-Aug-20	Ottawa	PAVE			Worker suffered multiple fractures to ribs and punctured lung when saw kicked back hitting worker	STRUCK BY

Section 5 – Fatal Injuries

Fatal Injuries

Year-to-Date Overview and Comparison - Construction Sector

Injury Type	2020 August 1 – 31	2020 January 1 – August 31
Fatal	2	11

Injury Type	2019 August 1 – 31	2019 January 1 – August 31
Fatal	2	7

Monthly Summary Report – Fatal August 1 – 31, 2020 – (2)

Total Year-to-Date Fatal Injuries: January 1 – August 31, 2020 (11)

SECTOR	REPORTED CAUSE	FALL	STRUCK BY	ELECTRICAL CONTACT	EXCAVATION COLLAPSE	OTHER	MONTH	YEAR
RESS							1	5
COMM							0	1
EXCA							0	1
INDU							0	1
RESM							0	1
HYDR				1			1	1
SEWW						1	1	1
MONTH		0	0	1	0	1	2	11
YEAR		4	4	1	1	1		

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (as reported to MOL)	Reported Cause
1	8-Jan-20	C. West	RESS	Private Contractor	46	Worker fell from ladder while installing security camera	FALL
2	20-Jan-20	C. West	RESS	Gas Fitter	62	Worker fell from ladder while installing gas line at residential project	FALL
3	10-Feb-20	Pickering	RESM	Carpenter	33	Worker struck by collapsing formwork	Struck By
4	28-Feb-20	Toronto	EXCA	Labourer	32	Worker struck by falling piece of equipment during repair	Struck By
5	04-Mar-20	Markham	RESS	Carpenter	55	Worker fell from ladder	FALL
6	04-Mar-20	Toronto	RESS	Rofer	25	Worker fell from roof	FALL
7	06-Mar-20	Windsor	COMM	Labourer	55	Worker struck by limb during tree removal at project	STRUCK BY

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8	13-Mar-20	Toronto	INDU	Labourer	55	Worker crushed while on elevating work platform	STRUCK BY
9	19-Jul-20	Toronto	RESS	Plumber	57	Worker was trapped in an excavation collapse	EXCV
10	5-Aug-20	Vaughan	SEWW	Labourer	46	Worker succumbed to injuries sustained during explosion in manhole	OTHER
11	12-Aug-20	Toronto	HYDR	Electrician	24	Worker succumbed to injuries after electrical contact in hydro vault	ELECTR CONTACT

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.

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SECTOR DESCRIPTION	SHORT DESC
Asbestos Removal - Type 1	ASB1
Asbestos Removal - Type 2	ASB2
Asbestos Removal - Type 3	ASB3
Bridge Construction	BRID
Cable	CABL
Caisson	CAIS
Cofferdam	COFF
Commercial Building Construction	COMM
Diving Construction	DCON
Diving Environmental	DENV
Diving Industrial	DIND
Diving Mining	DMIN
Electrical Towers & Transmission Lines	ETTL
Excavation	EXCA
Gas Service Connection	GAS
Excavation - Grading	GRAD
Hydro	HYDR
Industrial Building Construction	INDU
Institutional Building Construction	INST
Marine Construction	MARE
Mining Plant Construction	MINP
Moving of a Building/Structure	MOVE
NEC - Construction	NECC
NEC - Diving	NECD
Asphalt Paving	PAVE
Pipeline	PIPE
Hydroelectric Power Plants & Rel	POWP
Railway	RAIL
Apartment & Other Multiple Housing	RESM
Single Family Housing	RESS
Highway & Road Construction	ROAD
Sewer/Watermain Construction	SEWW
Shaft Construction	SHAF
Shipbuilding & Repair	SHIP
Subway	SUBW
Telephone	TELE
Trenching	TREN
Tunnel	TUNN
Well Drilling	WELL
Window Cleaning Services	WIND