

Report for the Labour-Management Network March 2023

Monthly Statistics

Reporting Month	Fatalities	Critical Injuries	Total
January 1 – 31, 2023	1	32	33
January 1 – 31, 2022	2	26	28

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

Reporting Months	Fatalities	Critical Injuries	Total
2023 Jan. 1 – Jan. 31	1	32	33
2022 Jan. 1 – Jan. 31	2	26	28

Helping you achieve compliance on construction projects and window cleaning operations

[General requirements](#)

[Access to and egress from a work area](#)

[Excavations](#)

[Fall protection and roofing](#)

[Equipment](#)

[Electrical hazards](#)

[Hygiene](#)

[Forms, formwork, falsework, and re-shoring](#)

[Housekeeping, fire protection, public way protection, traffic control, and hot tar or bitumen tankers or kettles](#)

[Asbestos on construction projects](#)

[Diving operations](#)

[Window cleaning operations](#)

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.

Section 2 – What's New

This bulletin has not been issued at the date of preparation of this report

For the latest what's **new** – MLITSD articles, see: [What's New!](#)

Section 3 – Court Bulletins

Workplace Injuries Result in \$75,000 Fine for Walkerton Company

February 08, 2023

Convicted: John Ernewein Limited, 18 Industrial Road, Walkerton, Ontario, N0G 2V0, a company involved in agricultural and commercial contracting.

Location of Workplace: 4743 Line, 52 Brunner, Ontario, N0K 1C0.

Description of Offence: A worker was critically injured, and six other workers received minor injuries as a result of the collapse of roof trusses. The employer failed to ensure the trusses were adequately braced.

Date of Offence: March 30, 2021.

Date of Conviction: January 10, 2023.

Penalty Imposed:

- Following a guilty plea in provincial offences court in Stratford, Ontario, John Ernewein Limited (the Company) was fined \$75,000 by Justice of the Peace Michele Thompson; Crown Counsel, Walter Ojok.

- 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 the day of the incident the Company was involved in the construction of an agricultural barn.
- Approximately 15 workers were installing wooden trusses.
- During this work, 27 trusses collapsed resulting in multiple injuries.
- A Ministry of Labour, Immigration, Training and Skills Development investigation revealed that the trusses were not adequately braced.
- Section 31(1)(b) of Ontario Regulation 213/91 states that every part of a project must be adequately braced to prevent any movement that may affect its stability or cause its failure or collapse.
- Section 23(1)(a) of the Occupational Health and Safety Act states that the constructor must ensure the regulations are followed on the project.
- By failing to ensure the trusses were adequately braced to prevent collapse, the defendant breached section 23(1)(a) of the Act.

Construction Company Fined \$55,000 After Worker Injured by Unsafely Stored Building Material

February 15, 2023

Convicted: Eric Lemire Enterprises Inc./Les Enterprises Eric Lemire Inc., a construction company specializing in erecting structural and miscellaneous steel, 4815 McNeely Rd., Ottawa.

Location of Workplace: Industrial and commercial building project at 11920 Sunset Dr., St. Thomas.

Description of Offence: A worker was injured by a steel truss that tipped over. Eric Lemire Enterprises Inc./Les Enterprises Eric Lemire Inc. failed, as an employer, to

ensure material or equipment at a project was stored and moved in a manner that did not endanger a worker.

Date of Offence: September 8, 2021

Date of Conviction: February 8, 2023

Penalty Imposed:

- Eric Lemire Enterprises Inc./Les Entreprises Eric Lemire Inc. was fined \$55,000 following a guilty plea at the St. Thomas Provincial Offences Court. The fine was imposed by Justice of the Peace Robert M. Seneshen. Crown Counsel was Alessandra Hollands.
- 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 September 8, 2021, Eric Lemire Enterprises Inc./Les Entreprises Eric Lemire Inc. was erecting structural steel at a large construction project in St. Thomas.
- A foreperson and two labourers were rigging open web steel joist trusses to a mobile crane so they could be hoisted. Each truss measured 50 feet long by 4 feet, 5 inches high and weighed approximately 5,700 lbs.
- The crew was trying to separate a bundle of four trusses that were jammed together. They were able to separate the two outer trusses, which were then placed upright on either side of the bundle without being braced or secured from tipping.
- One of the workers went to retrieve a crowbar at the other end of the bundle and walked back along a path between one of the separated trusses and a stack of metal decking.
- At that moment, the two jammed trusses suddenly came apart and knocked the unsecured truss, causing it to tip and injure the worker.

- At the time of the event, the trusses were not braced or secured from tipping over and there was no task-specific work procedure or training relating to the safe storage, movement or separation of jammed trusses, despite this being a common issue encountered by the company at other projects.
- Eric Lemire Enterprises Inc./Les Entreprises Eric Lemire Inc. violated [section 25\(1\)\(c\) of the Occupational Health and Safety Act](#) by failing, as an employer, to ensure material or equipment at a project was stored and moved in a manner that did not endanger a worker, as required by [section 37\(1\) of Ontario Regulation 213/91](#).

Ottawa Construction Incident Results in \$125,000 Fine for Quebec-based Company

February 21, 2023

Convicted: EBC Inc., 1095 Valet, CP158, Ancienne-Lorette, Quebec G2E 3M3, a company involved in construction, mining and civil engineering.

Location of Workplace: 929 Richmond Road, Ottawa K2A 3T7.

Description of Offence: EBC, Inc. (the Company) failed to protect a worker from falling through a work surface opening by ensuring a protective cover was securely fastened and adequately identified.

Date of Offence: June 17, 2021.

Date of Conviction: February 2, 2023.

Penalty Imposed:

- Following a guilty plea in Provincial Offences Court in Ottawa, Ontario the Company was fined \$125,000 by Justice of the Peace Sylvie Lapointe; Crown Counsel, Line Forestier.
- 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.

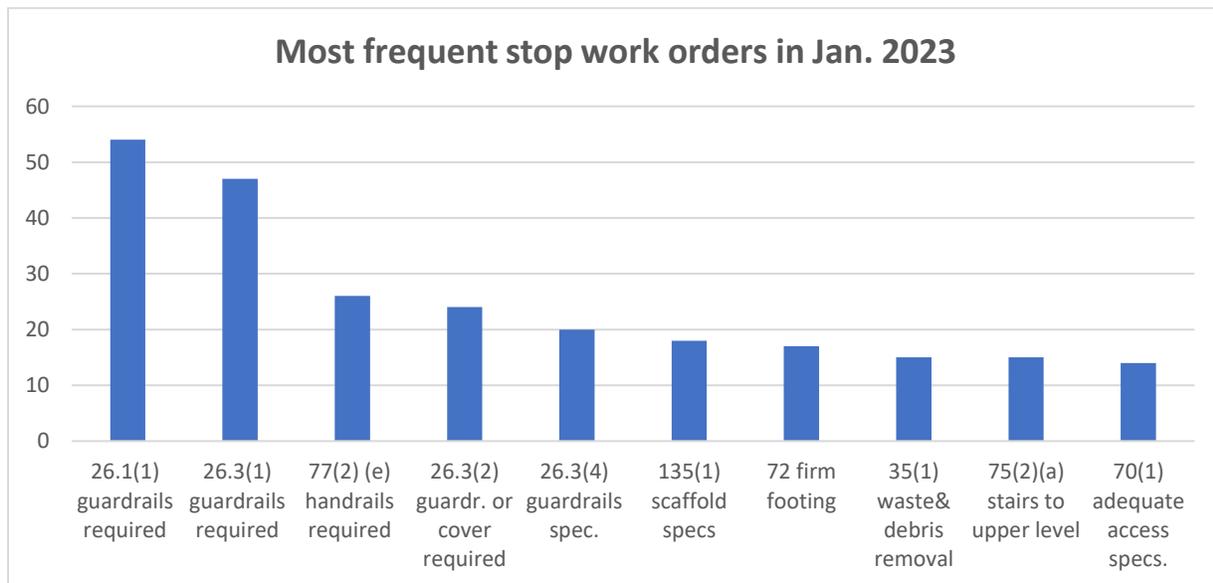
Background:

- The incident occurred at a construction site where a concrete cistern had been built. The cistern measured 30-inches in diameter and six meters deep.
- When formwork for the cistern was removed, workers were exposed to a potential fall hazard. A piece of plywood about 38 inches square was placed over the opening.
- After further work was done, a worker cleaning the area picked up the plywood cover on the ground. The plywood did not have visible markings identifying it as a cover to the cistern.
- The worker walked forward into the opening, fell to the bottom of the cistern, and sustained a critical injury.
- A coworker who saw the incident called emergency services and a confined space rope rescue was performed.
- The plywood covering the opening to the cistern was not adequately secured in place, nor was it adequately identified. The Company thereby violated section 23(1) a of the [Occupational Health and Safety Act](#).

Court Bulletins can be found here: <https://news.ontario.ca/en>

Section 4 – Enforcement Trends – December 2022

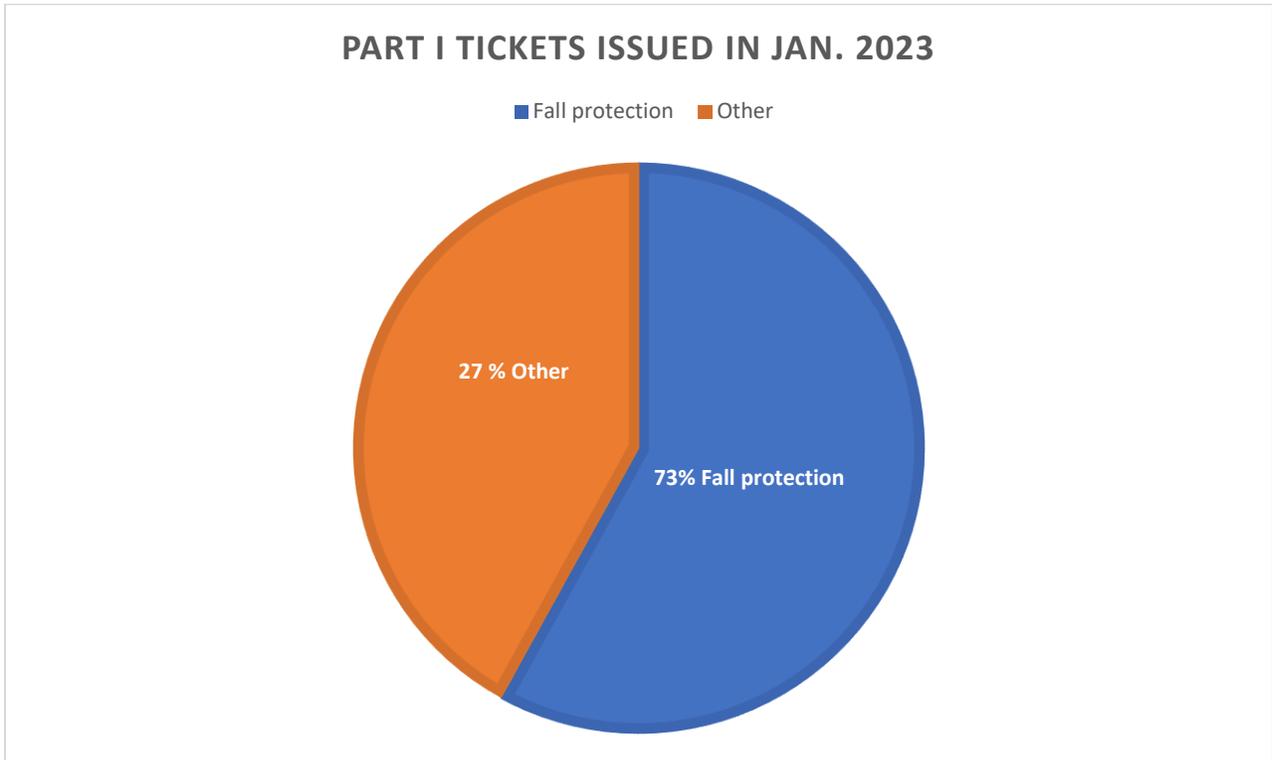
MLITSD Construction Inspectors conducted 1,514 field visits at 1,146 workplaces during the month of January 2023. They responded to 319 **events*** throughout the province during that month and issued **378 Stop Work Orders**** . Of those, 280 were issued during a pro-active inspection and 98 were issued during an investigation stemming from an event.



*Events consist of complaints, work refusals, critical injury, fatality, an occurrence, or injury as prescribed

**A stop work order is issued by an inspector where a hazardous condition to workers is presently observed

73 % of all Part 1 tickets issued by MLITSD Construction Inspectors in December 2022, were in relation to either a **lack, or inadequate use, of fall protection equipment.**



Other contraventions where Part 1 Tickets were issued include all other requirements within O. Reg 213/91

Section 5 – Critical Injuries

Year-to-Date Overview and Comparison - Construction Sector

Injury Type	2023 January	2023 January 1 – January 31
Critical	1	32

Injury Type	2022 January	2022 January 1 – January 31
Critical	26	26

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

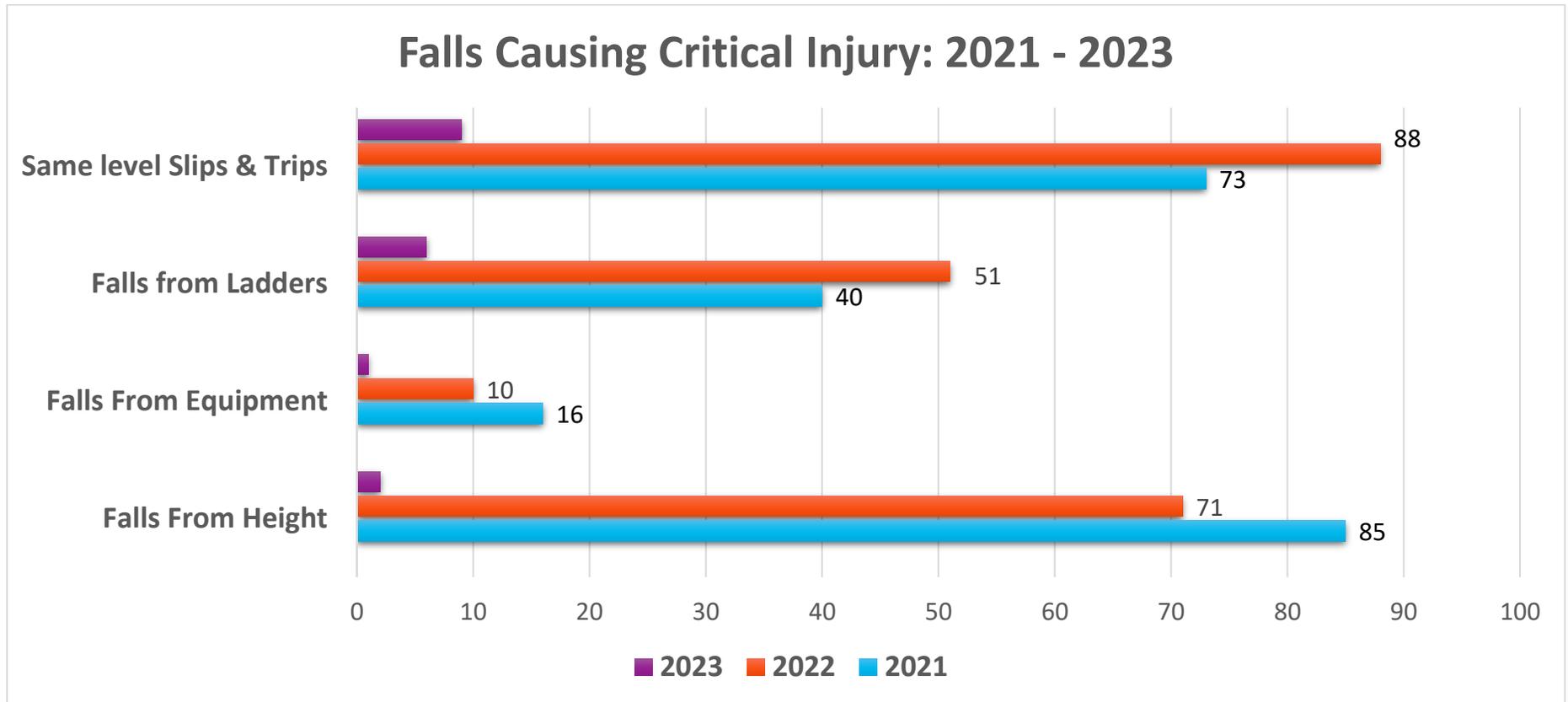
Ministry of Labour, Immigration, Training and Skills Development
Occupational Health and Safety Branch
Construction Health and Safety Program

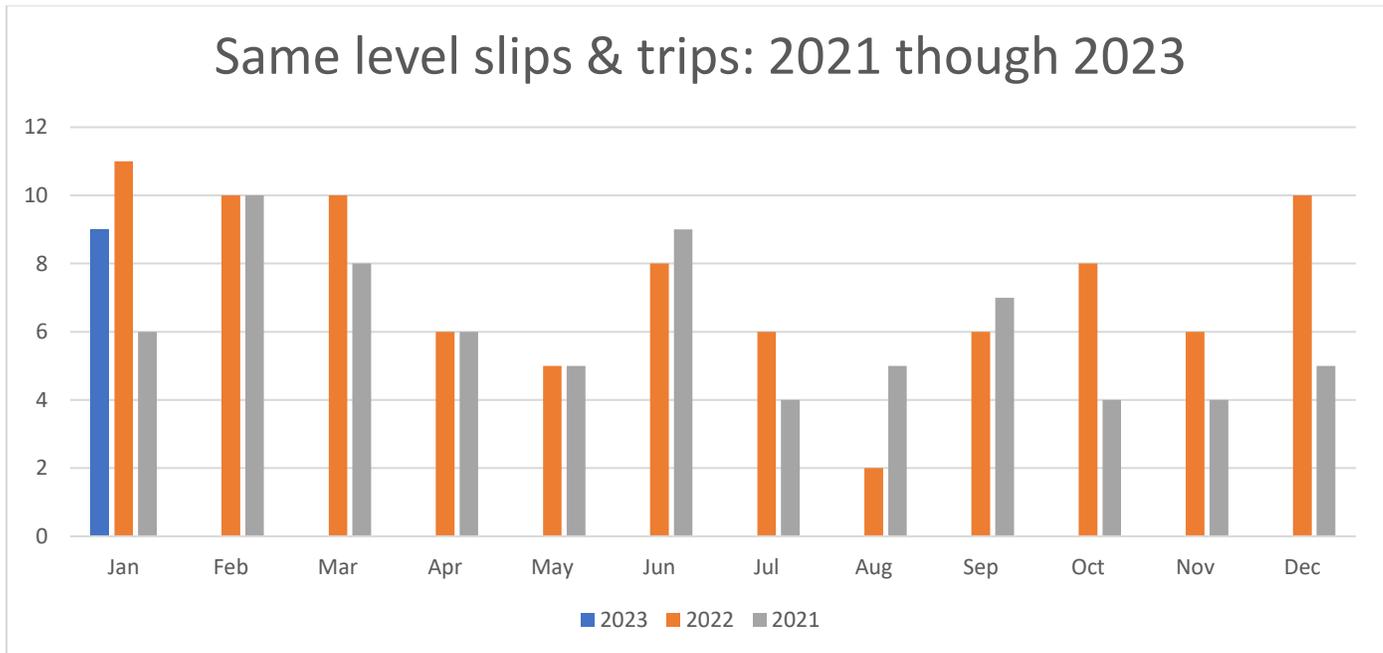


Total Year-to-Date (Jan. 31st) Critical Injuries 2023: 32

JANUARY 2023 CRITICALS	RESS	INST	RESM	INDU	ROAD	EXCA	COMM	NECC	RAIL	POWP	ETTL	HYDR	SEWW	BRID	TUNN	TELE	WIND	MARE	PAVE	GAS	MINP	PIPE	CAIS	TOTAL
Falls from Heights	1		1																					2
Falls From Equipment		1																						1
Falls from Ladders	3	1	2																					6
Same level slips and trips	1		4				2				1												1	9
Struck by equipment	2																							2
Struck by material			4				1																	5
collapse of structure	1		2																					3
Electrical Contact																								0
Excavation Collapse																								0
																								0
Other, including multiple factors, i.e., fall resulting from scaffold being struck by equipment.		1	1				2																	4
TOTAL	8	3	14	0	0	0	5	0	0	0	0	1	0	1	32									

A Focus on Falls: Emerging Trends





Critical Injuries Total for January 2023:

	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
1	3-Jan-23	Cambridge	RESM	Worker		Worker suffered a fracture in the right knee when drywall fell over it.	STRUCK BY
2	4-Jan-23	London	COMM	Worker		Worker collapsed while polishing floor using a propane powered polishing equipment in an enclosed space.	OTHE
3	9-Jan-23	Sudbury	RESS	Worker		Worker critically injured when they	FALL

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
						fell off a ladder while painting.	
4	10-Jan-23	Windsor	CAIS	Worker		Worker slipped and fell off the second uppermost rung of a ladder while entering a 5-foot-deep trench, resulting in a break at tip of fibula.	FALL
5	10-Jan-23	Etobicoke	COMM	Worker		Worker suffered a fracture in their right leg when a skid of glass fell over it, upon being unstrapped by the worker prior to starting their work.	STRUCK BY
6	10-Jan-23	Lindsay	RESM	Worker		Worker (foreman) sustained a critical injury when one of the planks fell off the 4th level of a scaffold being erected.	STRUCK BY
7	11-Jan-23	North York	RESM	Worker		Worker suffered a fractured left femur when the 6 ft high platform he was on shifted and fell,	COLLAPSE OF STRUCTURE

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Occupational Health and Safety Branch Construction Health and Safety Program



	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
						causing the worker to fall to the ground.	
8	11-Jan-23	Ottawa	INST	Worker		Worker fell from the top of equipment suffering a fracture to their hand.	FALL
9	12-Jan-23	Ottawa	RESM	Worker		Worker fell off a 3 feet ledge hitting their head on concrete and suffering a loss of consciousness.	FALL
10	12-Jan-23	Mississauga	RESS	Worker		Worker critically injured when they fell approximately 20 to 25 ft to the ground when the ladder, they were standing on slipped.	FALL
11	13-Jan-23	London	RESM	Worker		Worker fell back when they opened a tarp where a slab was being poured as their back foot was caught in the tarp, resulting in a broken ankle.	FALL

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
12	16-Jan-23	Aurora	RESM	Worker		Worker slipped on ice while removing snow and putting ice agent on floor, resulting in a fractured right wrist.	FALL
13	17-Jan-23	Paris	RESS	Worker		Worker fell off ladder and sustained a fractured left arm.	FALL
14	18-Jan-23	Richmond	RESS	Worker		Worker fell 4 ft when they stepped on basement stairs which collapsed, sustaining a left heel fracture.	COLLAPSE OF STRUCTURE
15	18-Jan-23	Kingston	COMM	Worker		Worker tripped resulting in a fracture to their left arm and a crack of their joint of elbow.	FALL
16	18-Jan-23	Ottawa	RESM	Worker		Worker critically injured when they fell 10 ft off the ladder they were using while carrying a stack of shingles; the ladder snapped and broke under the weight of its load.	FALL

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
17	18-Jan-23	Westboro	RESS	Worker		Worker fell down a set of stairs when they stepped on a piece of cardboard at the top of the stairs, resulting in the fracture of their left wrist, neck, and back injury.	FALL
18	19-Jan-23	East York	RESS	Worker		Worker had a fall of about 6 feet off the temporary stairs that he was using and sustained injury to his right knee and was in in pain.	FALL
19	20-Jan-23	Toronto	RESM	Worker		Worker sustained critical injury when they slipped off a ladder, they were using upon reaching two steps its top.	FALL
20	23-Jan-23	Toronto	COMM	Worker		Worker stepped awkwardly onto a pallet and rolled their ankle resulting in a fractured fibula.	FALL
21	23-Jan-23	Toronto	RESM	Worker		Worker critically injured while	STRUCK BY

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
						lowering a fly form when a filler piece of the form moved and struck them.	
22	23-Jan-23	Innisfil	HYDR	Worker		Worker sustained a fractured left ankle when they tripped while stepping off a front-end loader they were loading.	FALL
23	23-Jan-23	Picton	RESM	Worker		Worker slipped and sustained a broken tibia and fibula	FALL
24	23-Jan-23	Fonthill	INST	Worker		Worker fell off a 20 feet extended ladder while descending it fracturing their right leg.	FALL
25	23-Jan-23	Medonte	RESS	Worker		Worker suffered critical injuries when he was pinned by the boom truck picking up some form work from the construction site.	STRUCK BY
26	24-Jan-23	Stoney Creek	RESM	Worker		Worker sustained multiple fractures to	OTHE

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
						left foot when hit by a bundle of rebars which slipped sideways while carried by another worker who tripped.	
27	24-Jan-23	Toronto	COMM	Worker		Worker critically injured when the torch they were using for soldering fell and hit the scaffold causing the worker to fall off it a distance of 6-8 ft.	OTHE
28	26-Jan-23	Ottawa	RESM	Worker		Worker critically injured when the ramp he was using to transport drywall on a cart, collapsed.	COLLAPSE OF STRUCTURE
29	30-Jan-23	Toronto	INST	Worker		Worker critically injured when they jumped down from a garbage bin about 2 feet high and landed on uneven frozen ground.	OTHE
30	30-Jan-23	Toronto	RESM	Worker		Worker tripped and fell back sustaining a fractured ankle.	FALL

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
31	31-Jan-23	Toronto	RESM	Worker		Worker sustained critical injury while stripping a fly form, worker lost balance, slipped, and fell onto floor, sustaining a broken left ankle.	FALL
32	31-Jan-23	Toronto	RESS	Worker		Worker was stabilizing excavator and struck worker with bucket resulting in a fracture to their right foot.	STRUCK BY

Section 6 – Fatal Injuries

Year-to-Date Overview and Comparison - Construction Sector

Injury Type	2023 January	2023 January 1 – January 31
Fatal	1	1

Injury Type	2022 January	2022 January 1 – January 31
Fatal	2	2

Monthly Summary Report – Fatal January 2023: 1

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Total Year-to-Date (Jan. 31st) Fatal Injuries 2023: 1

JAN 1 st To JAN 31 st , 2023, FATAL	RESS	RESM	INDU	ROAD	COMM	NECC	RAIL	SEWW	MINP	Total
Falls from Heights					1					1
Falls From Equipment										
Falls from Ladders										
Same level slips and trips										
Struck by equipment										
Struck by material										
collapse of structure										
Electrical Contact										
Excavation Collapse										
Other, including multiple factors, i.e., fall resulting from scaffold being struck by equipment.										
TOTAL					1					1

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	Date of Incident	Municipality	Project Sector	Employer Sector (NAICS)	Occupation	Age	Details (As reported to MLITSD)
1	14-Jan-23	Belleville	COMM	Construction of Buildings (236)	Labourer	37	Worker was working on the roof (installing metal deck) of a new building when they fell and succumbed to their injuries. They were wearing a fall protection system.

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.

[MLITSD Data: Occupational health and safety field visits, workplaces visited, and orders issued](#)

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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 (NEC: not elsewhere captured)	NECC
NEC – Diving (NEC: not elsewhere captured)	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

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Ontario 

Well Drilling	WELL
Window Cleaning Services	WIND