

Report for the Labour-Management Network February 2024

Monthly Statistics

Reporting Month	Fatalities	Critical Injuries	Total
December 1 – 31, 2023	3 + 1 (where a worker passed away as a result of injuries sustained in 2016)	22	25
December 1 – 31, 2022	1	33	34

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

Reporting Months	Fatalities	Critical Injuries	Total
2023 Jan. 1 – December 31	16	316	332
2022 Jan. 1 – December 31	18	375	393

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](#)

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[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 1 – Senior Manager's Comment

Similar to the successful completion of any project, advancing health and safety in the workplace isn't the role of just one or two parties, it takes the commitment and dedication of everyone. The foundation of the Occupational Health and Safety Act is the Internal Responsibility System, and it was created to ensure that everyone, including supervisors and workers have inescapable roles in achieving health and safety. For example, The CEO of a corporation has the duty to ensure that a health and safety policy and program is reflective of the work their company performs, is developed and all measures and procedures are provided. The supervisor has the duty to implement that policy and any procedures and take any corrective action necessary to ensure that any work is carried out in a healthy and safe manner. The worker has the duty to follow and use any policies, procedures and equipment necessary to safely perform the work. But this isn't just a top-down structure, it only works when information is provided back the other way too. If something isn't working or a new hazard is presented, it is incumbent upon the worker to report back to the supervisor and/or health and safety committee so that they can work on a resolution within their authority. The employer needs to listen to and understand what is and isn't working and support the parties in the resolution of the issue.

Simply complying so you have your "due diligence" is not the intent. There needs to be a genuine commitment from all parties to making the project safe and healthy. A genuine commitment isn't something that comes

and goes with convenience, its something that with good or bad times is followed through. It is not something that gets trimmed back when time or money gets tight. A commitment to health and safety is a commitment to your workers and their families that they are more important than simply finishing a job. In return, workers feel valued and secure and hopefully that is reflected in the quality of the work they perform and in turn the successful completion of the job.

The construction industry is in the very fortunate position of having a lot of support. There are numerous trade associations and unions who actively work on solving long standing construction specific issues. We have the Infrastructure Health and Safety Association (IHSA) who provides resource material in a way that the majority of the industry can understand. We have numerous training providers, either private or through the IHSA that can meet virtually every training need. And we have a massive labour management network consisting of volunteer industry experts that tirelessly advocate for the industry to ensure we continue to advance health and safety.

We need to work collaboratively in creating healthy and safe workplaces. It is not one person or entity's responsibility; we all need to do our part and look out for our fellow workers. We all deserve to make it home to our families in the condition we left.

Sincerely,

Brian Barron
Senior Manager

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

Section 2 – What's New

[Small businesses: Reimbursement for HSR training ends March 31](#)

A Health and Safety Representative (HSR) is required in most workplaces with six to 19 workers. Their role is to support health and safety in the workplace.

Eligible small business employers can apply to be reimbursed for the HSR's training cost through the Ontario Small Business Health and Safety Training program. This program will be ending March 31, 2024.

Employers who want to claim training costs must ensure HSR employees complete training and obtain a certificate of completion by 5:00 p.m. on March 31. Employers can apply for reimbursement until 11:59 p.m. on July 15, 2024.

[About HSRs](#) | [Reimbursement for training](#)

[Winter workplace safety](#)

Now that real winter has hit across the province, driving in snow and ice, extreme cold temperatures and slips, trips and falls from ice, snow and puddles are a concern in workplaces of all types and sizes. Resources to keep everyone safe:

- [Safe winter driving](#)
- [Working in cold environments](#)
- [Cold environments: Health effects and first aid](#)
- [Preventing slips, trips, and falls in the workplace](#)
- [Winter safety: Prevent slips, trips and falls](#)

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

Section 3 – Court Bulletins

Two Oxford County Construction Companies Fined a Total of \$400,000 After Workplace Fatalities and Injuries

January 05, 2024

Convicted: iSpan Systems LP, 70 Brentwood Drive, Princeton, Ontario, N0J1V0, a manufacturer of steel joist systems for building construction.

East Elgin Concrete Forming Ltd., 10 Elm Street, Tillsonburg, Ontario, N4G 0A7, a concrete contractor specializing in foundation and flat work.

Location of Workplace: 555 Teeple Terrace, London, Ontario

Description of Offence: Two workers died, and four others were critically injured when a section of a building under construction collapsed. iSpan Systems LP (iSpan) failed to ensure that a building, structure or any part thereof, was capable of supporting any loads that may be applied to it. East Elgin Concrete Forming Ltd. (East Elgin) failed to provide proper information, instruction and supervision, specifically on the use of proper concrete measuring techniques on the project. Both offences are contrary to the [Occupational Health and Safety Act](#).

Date of Offence: December 11, 2020

Date of Conviction: December 15, 2023

Penalty Imposed:

- Following guilty pleas in the Ontario Court of Justice in London, iSpan Systems LP was fined \$260,000 and East Elgin Concrete Forming Ltd. was fined \$140,000 by Justice Michael Carnegie. Crown Counsel was David McCaskill.
- 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:

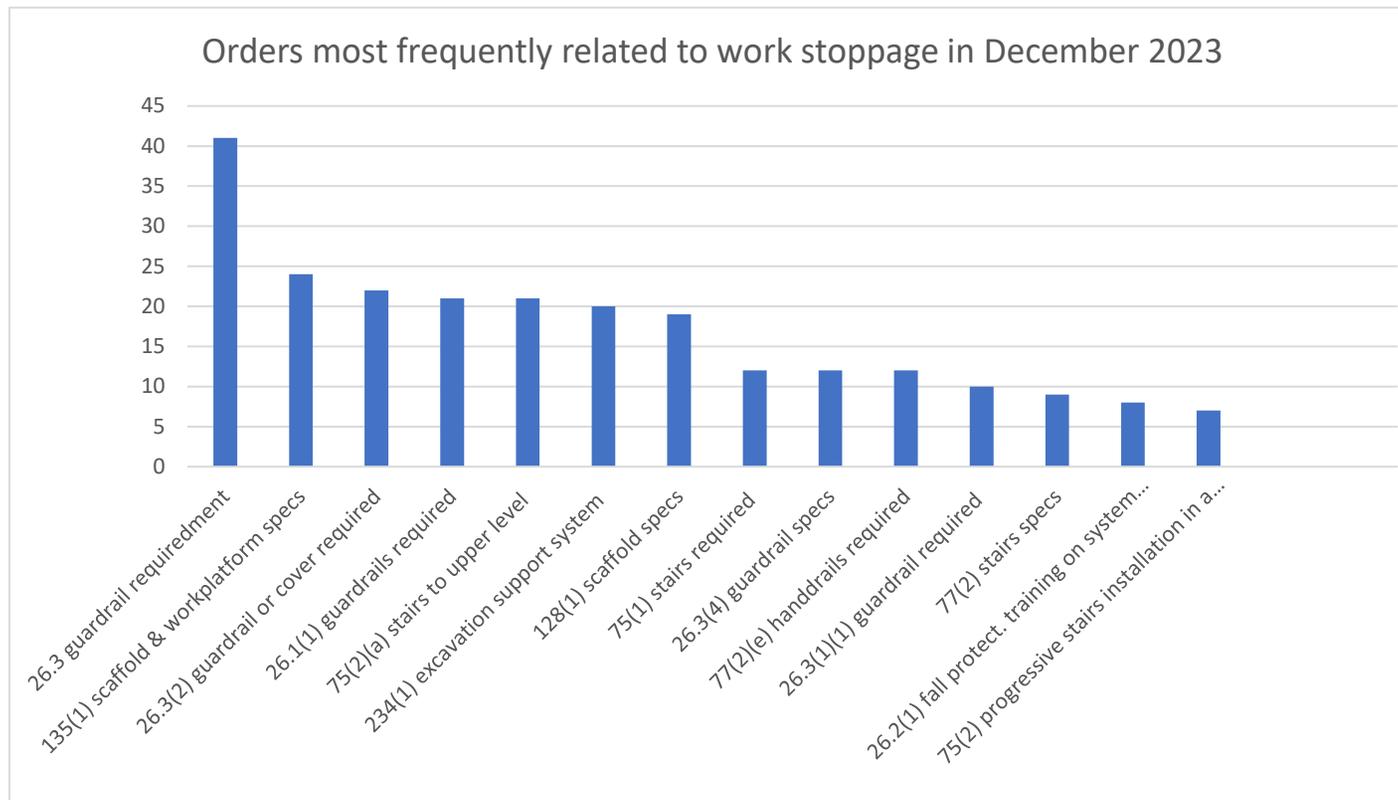
- On December 11, 2020, a section of a building under construction collapsed to the ground during a fourth-floor roof level concrete pour, resulting in fatal injuries to two workers and critical injuries to four other workers.
- iSpan Systems LP fabricated the building's structural steel frame, including the frames necessary to support the concrete forms. East Elgin Concrete Forming Ltd. was responsible for the concrete pour, retaining supervisory duties while subcontracting the roof pour to another company.
- A Ministry of Labour, Immigration, Training and Skills Development (MLITSD) investigation identified deficiencies in iSpan's fabrication and methodological errors in East Elgin's procedures that contributed to the collapse.
- East Elgin employed a laser level and directed the subcontractor to pour to the height of the laser level. The laser level on its own failed to account for the deflection of the steel frame that occurred from the weight of the concrete. The use of a dipstick would have remedied this problem by providing a true reading of concrete depth during the deflection process.
- As a result, workers were left with the incorrect assumption that the concrete depth was insufficient at certain locations in the pour. Consequently, more concrete was applied than had been specified by iSpan.
- An engineering analysis carried out by MLITSD engineers determined that the concrete placed exceeded the design values by considerable amounts. The weight of the applied concrete contributed to the collapse and/or its severity.
- Good engineering practice requires not only that a building possess sufficient capacity to support anticipated loads, but also that it possesses a margin of safety for unexpected loads.
- The MLITSD engineering analysis determined that another contributing cause of the collapse was the failure of a roof beam support, referred to as a beam pocket. The loads transferred to this beam pocket from the stud packs exceeded its ultimate load carrying capacity resulting in the failure.

- iSpan's analysis revealed that while iSpan's approved engineering drawings specified a 14-gauge deep track for the stud pack, an iSpan employee changed the deep track to a thinner and shorter 16-gauge shallow track. Additionally, the welds between the studs were placed lower than had been specified by the fabrication drawings which may again have reduced its capacity.
- iSpan's quality control department failed to detect these errors.
- If the wall had been fabricated as designed, it would have possessed a sufficient margin of safety to account for the overpouring of concrete and the collapse could have been avoided.
- iSpan failed, as an employer, to ensure that a building, structure or any part thereof, or any other part of a workplace, whether temporary or permanent, was capable of supporting any loads that may be applied to it in accordance with good engineering practice, contrary to [section 25\(1\)\(e\)\(iii\)](#) of the *Occupational Health and Safety Act*.
- East Elgin failed, as an employer, to provide proper information, instruction and supervision to a worker to protect the health and safety of a worker, contrary to [section 25\(2\)\(a\)](#) of the *Occupational Health and Safety Act*.

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

Section 4 – Enforcement Trends – December 2023

MLITSD Construction Inspectors conducted 1,040 field visits at 808 workplaces during the month of December 2023. They responded to 302 **events*** throughout the province during that month and issued **212 Stop Work Orders****. Of those, 164 were issued during a pro-active inspection and 48 were issued during an investigation stemming from an event.



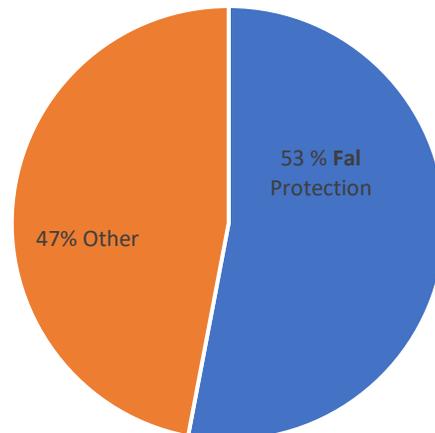
*Events consist of complaints, work refusals, critical injury, fatality, an occurrence, or injury as prescribed

**A stop work order is issued where imminent danger is observed at the time of inspection requiring the work to be stopped until the appropriate remedial action can be taken to make the situation safe for workers to work.

56 % of all Part 1 tickets issued by MLITSD Construction Inspectors in December 2023, were in relation to either a **lack, or inadequate use, of fall protection equipment.**

Since Jan. 1, 2023, and up till December 31, 2023, 53 % of all Part 1 Tickets issued by construction inspectors have been for these same fall hazard related contraventions.

Part I tickets issued since Jan. 2023 - till November 30th 2023



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 December	2023 January 1 – December 31
Critical	22	316

Injury Type	2022 December	2022 January 1 – December 31
Critical	33	393

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

	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
1	2-Dec-23	North York	Ress	Worker		Worker critically injured when material slipped off the forks onto the worker's foot	STRUCK BY
2	4-Dec-23	SS Marie	Exec	Worker		Worker suffered a fracture in their right foot when hit by mini excavator	STRUCK BY
3	4-Dec-23	Toronto	Exec	Worker		Worker rolled ankle in a trench	FALL
4	5-Dec-23	Toronto	INDU	Worker		Worker fell from scaffold while conducting masonry work.	FALL
5	6-Dec-23	Thamesford	CABL	Worker		Worker installing fiber optic cable slipped on mud and down an embankment	FALL
6	6-Dec-23	Toronto	RESM	Worker		Worker struck by concrete that fell from scaffold	STRUCK BY
7	7-Dec-23	Oshawa	RESM	Worker		Worker critically injured (fractured left tibia and right ankle) when they slipped on the roof and fell to ground.	FALL
8	7-Dec-23	South Hampton	RESS	Worker		Worker struck by nail gun, misfired and hit himself in the leg causing fracture	STRUCK BY

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



	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
9	8-Dec-23	Toronto	COMM	Worker		Worker tripped over electrical conduit	FALL
10	11-Dec-23	Wroxeter	RESS	Worker		Worker fell while installing trusses	FALL
11	11-Dec-23	Mississauga	INDU	Worker		Worker slipped while accessing mobile crane	FALL
12	11-Dec-23	Sudbury	INST	Worker		Worker slipped on asphalt and struck head	FALL
13	13-Dec-23	Mississauga	COMM	Worker		Worker stepped back on a 2-foot platform and fell	FALL
14	13-Dec-23	Ottawa	RESS	Worker		Worker working off of a ladder fell while hammering	FALL
15	14-Dec-23	Hamilton	INST	Worker		Worker descending from scaffold rolled ankle	FALL
16	15-Dec-23	Whitby	POWP	Worker		Worker was moving a pole when it pinched the worker	STRUCK BY
17	15-Dec-23	Whitby	RESS	Worker		Worker installing skylight fell	FALL
18	15-Dec-23	Ottawa	RESM	Worker		Worker critically injured on a platform when it collapsed causing them to fall 10 feet breaking their leg	Collaspe of platform
19	19-Dec-23	Collingwood	RESS	Worker		Worker leaning against railing when it broke causing a fall.	FALL

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



	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
20	19-Dec-23	Toronto	COMM	Worker		Worker operating a hammer drill was struck by the tool when it jammed	STRUCK BY
21	20-Dec-23	Bayfield	RESS	Worker		Worker was loading equipment and slipped on ice	FALL
22	20-Dec-23	Mount Forest	RESS	Worker		Worker on a roof slipped and fell 10 feet.	FALL

Section 6 – Fatal Injuries

Year-to-Date Overview and Comparison - Construction Sector

Injury Type	2023 December	2023 January 1 – December 31
Fatal	3	16

Injury Type	2022 December	2022 January 1 – December 31
Fatal	1	18

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



	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.
2	10-Feb-23	Brampton	INDU	Construction of Buildings (236)	Labourer	27	Worker sustained fatal injuries when the equipment they were working on fell on them.
3	22-Feb-23	Town of the Blue Mountains	RESS	Construction of Buildings (236)	Labourer	32	Worker sustained critical injuries from a fall from heights on February 22, 2023. They succumbed to their injuries on March 2, 2023.

Ministry of Labour, Immigration, Training and Skills Development
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	Date of Incident	Municipality	Project Sector	Employer Sector (NAICS)	Occupation	Age	Details (As reported to MLITSD)
4	21-Mar-23	Bowmanville	INDU	Construction of Buildings (236)	Labourer	20	Worker suffered fatal injuries when they were struck and pinned by a metal grate.
5	18-Jun-23	Gravenhurst	INST	Construction of Buildings (236)	Labourer	30	Worker fell a vertical distance of approximately 30 ft off a boom truck. Boom truck tipped over the neighbouring backyard.
6	4- Jul-23	Flamborough	RESM	Construction of Buildings (236)	Labourer	30	Worker was electrocuted when they contacted an overhead energized 4800 volts line, while finishing concrete.
7	15-Aug-23	Kanata	ROAD	Heavy Civil Engineering (237)	Labourer	72	Worker was fatally injured when struck by a vehicle.

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



	Date of Incident	Municipality	Project Sector	Employer Sector (NAICS)	Occupation	Age	Details (As reported to MLITSD)
8	17-Aug-23	Toronto	TUNN	Heavy Civil Engineering (237)	Labourer	56	Worker sustained fatal injuries due to a fall into a tunnel drilling area.
9	31-Aug-23	Vaughan	SEWW	Heavy Civil Engineering (237)	Labourer	49	A worker succumbed to their injuries from being pinned by a concrete slab.
10	10-Sep-23	Edwards	RESS	Specialty Trade Contractors (238)	Labourer	62	Worker was fatally injured when they fell from the top of a first-floor wall during the demolition of a house.
11	21-Sep-23	Ottawa	RESS	Specialty Trade Contractors (238)	Labourer	58	Worker sustained injuries due to a fall from heights on September 21, 2023, and succumbed to their injuries on October 5, 2023.

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



	Date of Incident	Municipality	Project Sector	Employer Sector (NAICS)	Occupation	Age	Details (As reported to MLITSD)
12	11-Oct-23	Toronto	RESS	Specialty Trade Contractors (238)	Labourer	52	Worker sustained injuries due to a fall from heights
13	14-Nov-23	Toronto	RESS	Specialty Trade Contractors (238)	Labourer	29	Worker succumbed to their injuries after falling from the second roof level of a house while installing shingles.
14	1-Dec-23	Strafford	RESS	Specialty Trade Contractors (238)	Labourer		Worker fell 10 feet from a roof installing deicing cables on the roof
15	1-Dec-23	Toronto	RESS	Specialty Trade Contractors (238)	Labourer		Worker fell 30 – 35 feet from the second storey of a house under construction
16	7-Dec-23	Zorra	NEC	Specialty Trade Contractors (238)	Labourer		Worker fell 40 feet from the roof of a barn under construction

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](#)

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
Well Drilling	WELL
Window Cleaning Services	WIND

