

Report for the Labour-Management Network April 2023

Monthly Statistics

Reporting Month	Fatalities	Critical Injuries	Total
February 1 – 28, 2023	2	19	21
February 1 – 28, 2022	1	2	28

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

Reporting Months	Fatalities	Critical Injuries	Total
2023 Jan. 1 – Feb. 28	3	51	54
2022 Jan. 1 – Feb. 28	3	50	53

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

[Ontario requiring cleaner washrooms on construction sites](#)

The Ontario government is working for workers by making washrooms on construction sites private, clean and safe. There are nearly 600,000 construction workers in Ontario, but only one in 10 are women. These changes, if approved, would make the skilled trades more accessible to women by ensuring they have access to at least one women's-only washroom on jobsites and properly fitting equipment such as uniforms, boots and safety harnesses.

[Learn more](#)

[Ontario tightening rules around mass layoffs](#)

The Ontario government is working for workers by proposing updates to employment laws that would respond to more workers being remote and a changing economy. Under the proposed changes, employees who work solely from home would be eligible for the same enhanced notice as "in-office" and other employees in mass termination situations. This would ensure that remote employees receive the same eight week minimum notice of termination or pay-in-lieu, preventing companies from taking advantage of them.

[Learn more](#)

[Ontario protecting the health and safety of paramedics](#)

The Ontario government is working for workers by establishing a Paramedic Services Committee under the *Occupational Health and Safety Act* (OHSA) to develop resources that address the unique health and safety risks these frontline heroes face.

[Learn more](#)

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

Section 3 – Court Bulletins

Workplace Injury Results in \$100,000 Fine for Stouffville-based Company

March 14, 2023

Convicted: K-Line Maintenance and Construction Limited, 12731 Highway 48, Stouffville, Ontario L4A 7X5, a high voltage service provider.

Location of Workplace: Burlington Canal Vertical Lift Bridge, Burlington, Ontario

Description of Offence: A worker was critically injured when a rope attached to a tensioner-puller machine pulling an aerial cable over the span of the bridge broke. K-Line Maintenance and Construction Limited (the Company) failed as an employer to ensure that measures and procedures prescribed by regulation were carried out at a worksite.

Date of Offence: July 6, 2016

Date of Conviction: February 9, 2023

Penalty Imposed:

- Following a guilty plea in Provincial Offences Court in Burlington, Ontario the Company was fined \$100,000 by Justice of the Peace J. Gary McMahon, Crown Counsel, Graeme Adams.

- 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 July 6, 2016, workers employed by the Company were involved in a project at the Burlington Canal Lift Bridge. A rope being used was attached to a tensioner-puller machine to pull an aerial cable over the span of the bridge.
 - When this pull rope broke, the sudden release of tension caused the cable to rush backward over the span critically injuring a worker.
 - The Company had established a standard operating procedure for the pulling operation that was successfully used on previous days at the site.
 - On the day of the incident, a site supervisor instructed workers to vary from the standard operating procedure used for the pull without seeking approval from the Company.
 - This variance resulted in a worker being required to stand in a dangerous area for longer than necessary under the standard operating procedure.
 - Contrary to the rope manufacturer's manual, the site supervisor did not instruct the workers to increase the safety factor of the rope when they were exposed to the hazard in question (for example, by using a stronger pull rope), nor did the supervisor take other steps to protect the workers in the event of an unanticipated rope failure.
 - Section 93 (3) of Ontario Regulation 213/91: Construction Projects requires that all vehicles, machines, tools and equipment shall be used in accordance with any operating manuals issued by the manufacturers.
 - Accordingly, the Company failed as an employer to ensure that the measures and procedures prescribed by section 93 (3) of Ontario Regulation 213/91 were carried out contrary to section 25 (1) (c) of the [Occupational Safety Act](#).
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Workplace Fatality Results in \$110,000 Fine for Brantford Roofing Company

March 10, 2023

Convicted: Jackson Roofing & Son Contracting Inc. 332 Johnson Road, Brantford, Ontario

Location of Workplace: 400 Pumpkin Pass Drive, Hamilton, Ontario

Description of Offence: A worker was fatally injured during the installation of a roofing membrane. The worker, who was not wearing fall protection, fell 3.26 metres onto pavement. Jackson Roofing & Son Contracting Inc., failed to ensure that the measures and procedures prescribed by section 26.1(2) of Regulation 213/91 were carried out at a workplace, contrary to [section 25\(1\)\(c\) of the Occupational Health and Safety Act](#).

Date of Offence: July 30, 2021

Date of Conviction: February 22, 2023

Penalty Imposed:

- Following a guilty plea in the Ontario Court of Justice, Hamilton, Jackson Roofing & Son Contracting Inc. was fined \$110,000 by Justice of the Peace K. Whittard; Crown Counsel, Neil Dietrich.
- 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 July 30, 2021, five workers were on the rooftop of a portable classroom at an elementary school.
- None of the workers were wearing fall protection, nor were there guardrails or barriers around the roof perimeter of the portable.
- Two of the workers began unrolling a roll of membrane along the roof.
- In doing so, one walked backwards towards the edge of the roof.
- The other worker called out “edge is coming up”; however, it was too late.
- The worker fell backwards off the roof onto the asphalt pavement, sustaining fatal injuries.
- Jackson Roofing & Son Contracting Inc. failed to ensure that the measures and procedures prescribed by section 26.1(2) of Regulation 213/91 were carried out at a workplace, contrary to [section 25\(1\)\(c\) of the *Occupational Health and Safety Act*](#).

Workplace Injury Results in \$75,000 Fine for Ottawa-area Siding Contracting Company

March 03, 2023

Convicted: 2418819 Ontario Inc., operating as Spartan Weatherguard Exteriors, 7151 Gallagher Road, North Gower, Ontario, an exterior siding contractor.

Location of Workplace: 170 Equitation (273 Meynell Road) Lot 215, Ottawa, Ontario

Description of Offences: A worker was seriously injured when they slipped on ice that had accumulated on an elevated platform and fell through a gap between the platform and a wall. Spartan Weatherguard Exteriors failed, as an employer, to ensure that the platform was free of ice and that equipment was used in accordance with the manufacturer's operating manual, as required by Ontario Regulation 213/91: Construction Projects.

Date of Offences: December 20, 2019

Date of Conviction: February 14, 2023

Penalty Imposed:

- Following an *ex parte* trial in the Provincial Offences Court in Ottawa, Spartan Weatherguard Exteriors was fined \$75,000 for three offences (\$25,000 per count) by Justice of the Peace Louise Logue. Crown Counsel was Madeleine Chin-Yee.
- 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.

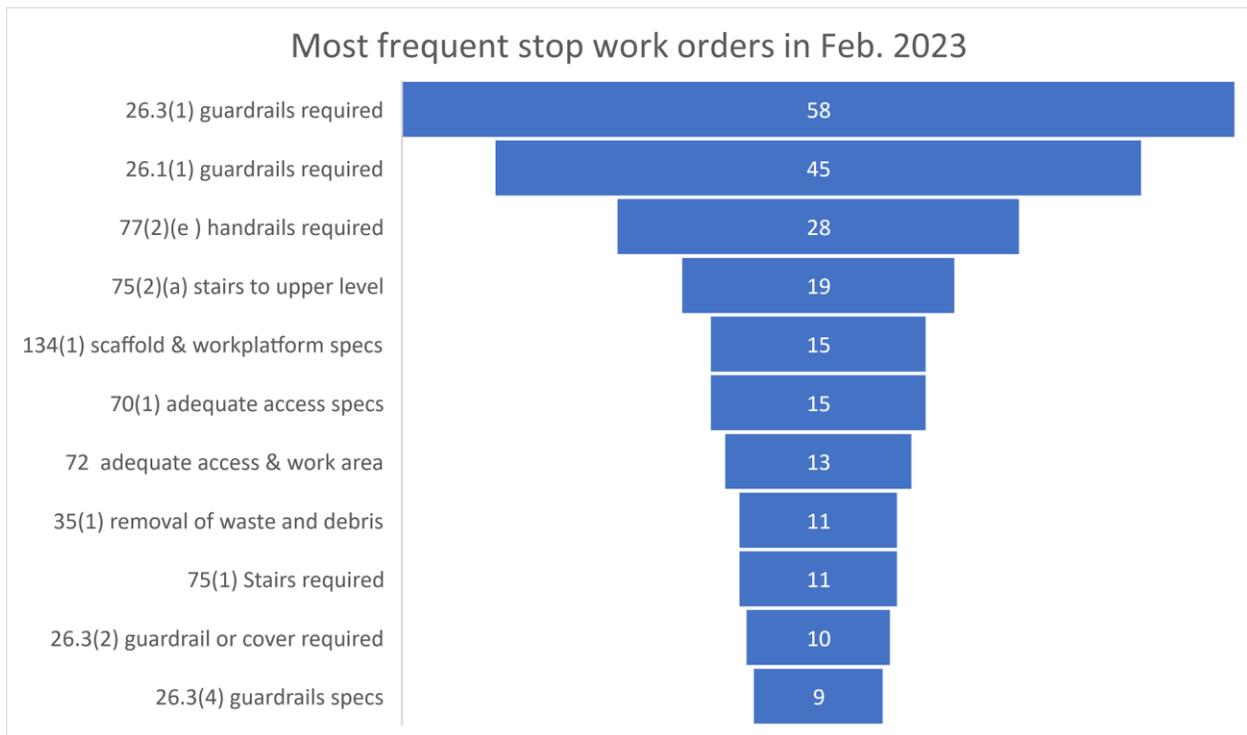
Background:

- Spartan Weatherguard Exteriors was an employer on a residential development project and subcontracted exterior wall work to another company.
- On December 20, 2019, a worker employed by the subcontracted company was working from an elevated work platform, called a pump jack, installing soffit and exterior siding to the wall of a home.
- Ice had accumulated on the platform throughout the day. The worker slipped on the ice, fell and rolled toward the wall of the home, where they fell approximately 4.9 metres through the gap between the platform and the wall, sustaining serious injuries.
- Section 72(b) of Ontario Regulation 213/91 prescribes that a scaffold platform on which work is being performed shall be maintained at all times in a condition that does not endanger workers and shall be kept clear of snow, ice or other slippery material.
- Section 93(3) of Ontario Regulation 213/91 prescribes that all equipment on a project must be used in accordance with any operating manuals issued by the manufacturers.
- The manufacturer's manual for the pump jack states that the gap between the platform and the wall shall not be more than 12 inches and that fall protection is required at all times while using the pump jack.
- Spartan Weatherguard Exteriors violated [section 25\(1\)\(c\) of the Occupational Health and Safety Act](#) by failing, as an employer, to ensure the pump jack was free of ice, that the gap between the pump jack platform and the wall was less than 12 inches and that fall protection was worn by the worker at all times while using the pump jack, as required by section 72(b) and section 93(3) of Ontario Regulation 213/91: Construction Projects.

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

Section 4 – Enforcement Trends – December 2022

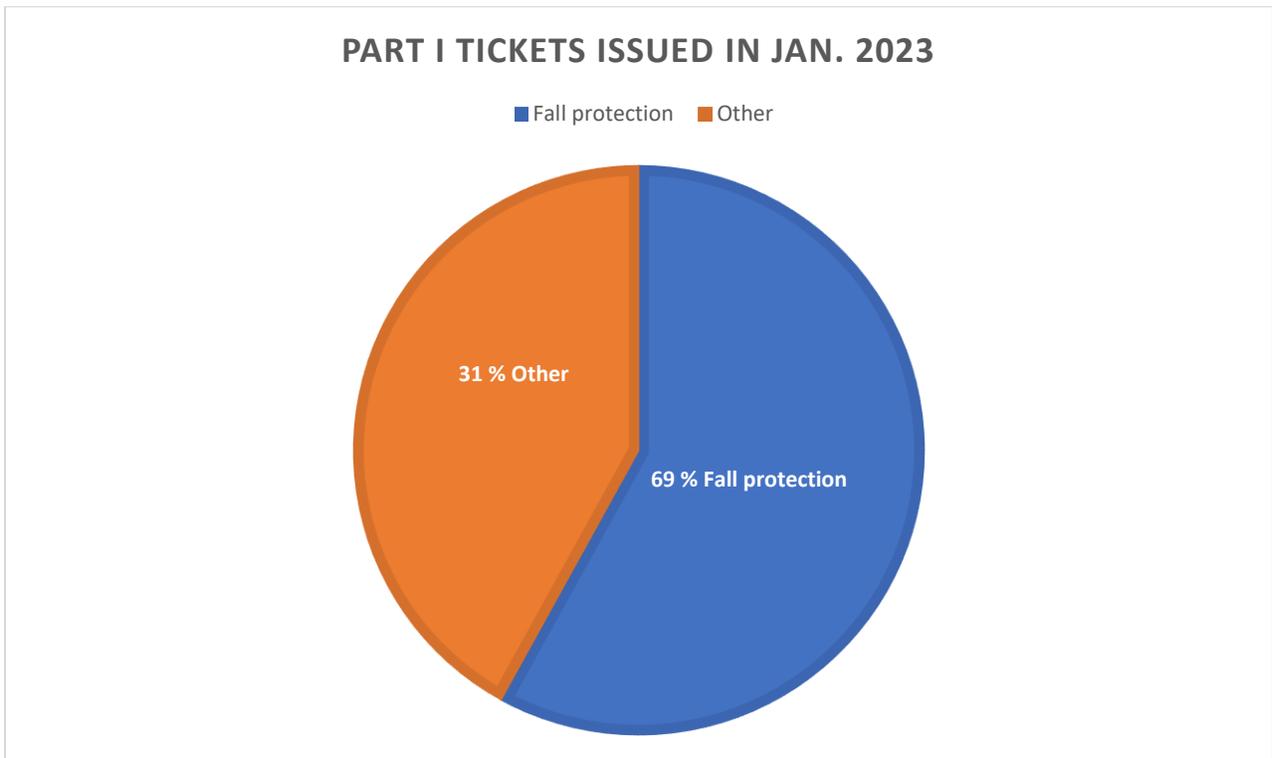
MLITSD Construction Inspectors conducted 1,283 field visits at 994 workplaces during the month of February 2023. They responded to 280 **events*** throughout the province during that month and issued **300 Stop Work Orders****. Of those, 233 were issued during a pro-active inspection and 67 were issued 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*

69 % of all Part 1 tickets issued by MLITSD Construction Inspectors in February 2023, 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 February	2023 January 1 – February 28
Critical	19	51

Injury Type	2022 February	2022 January 1 – February 28
Critical	21	50

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

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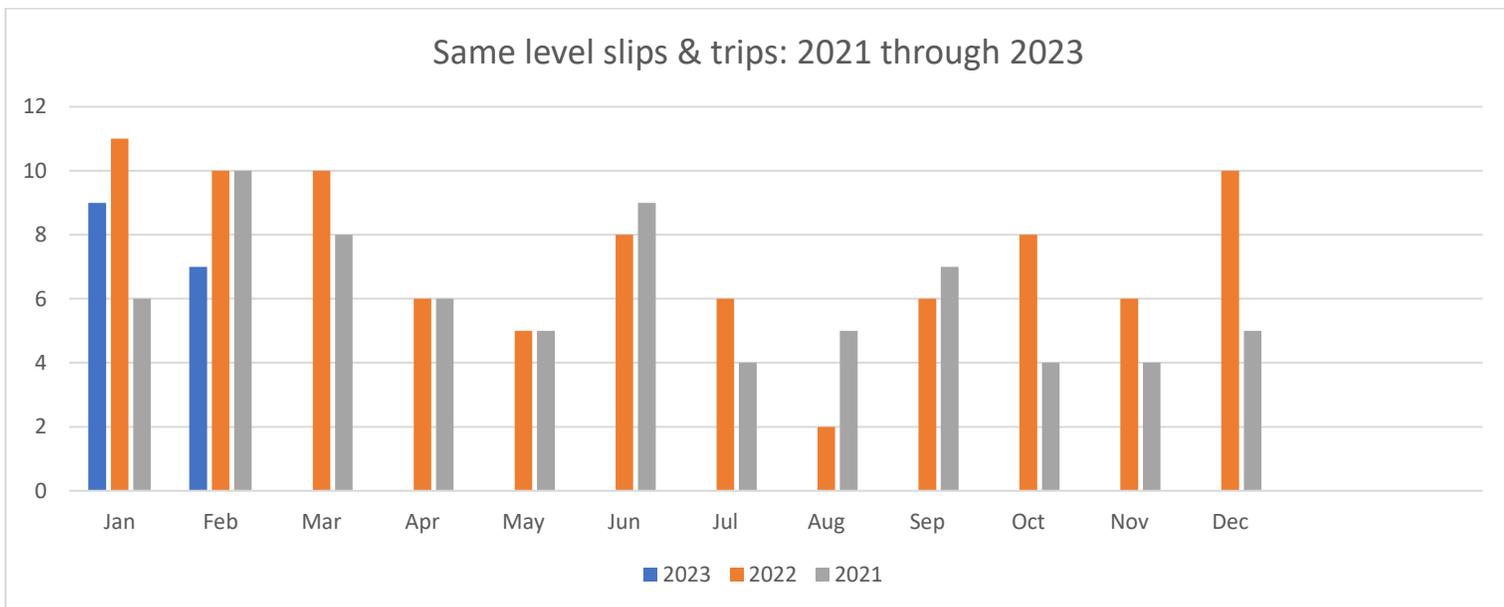
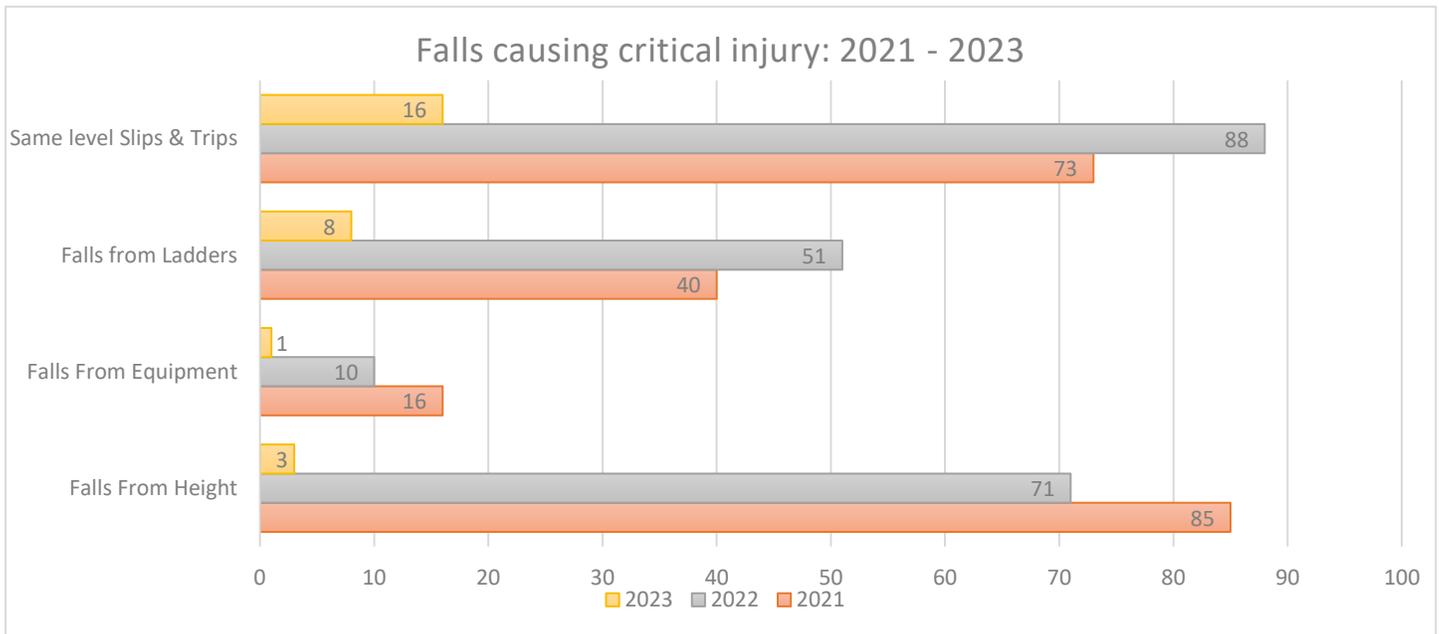
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Total Year-to-Date (Feb. 28th) Critical Injuries 2023: 51

JAN & FEB 2023 CRITICALS	RESS	INST	RESM	INDU	ROAD	EXCA	COMM	NECC	RAIL	POW	ETTL	HYDR	SEWW	BRID	TUNN	TELE	WIND	MARE	PAVE	GAS	MINP	PIPE	CAIS	TOTAL
Falls from Heights	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
Falls From Equipme	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Falls from Ladders	4	1	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8
Same level slips and trips	1	1	8	0	0	0	2	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	1	16
Struck by equipment	2	0	1	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	5
Struck by material	0	0	6	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8
collapse of structure	1	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
Electrical Contact	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Excavation Collapse	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other, including multiple factors, i.e. fall resulting from scaffold being struck by equipment.	0	2	2	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
TOTAL	9	6	24	0	0	0	6	0	1	0	1	2	0	0	1	0	1	51						

A Focus on Falls: Emerging Trends



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Critical Injuries Total for February 2023: 19

	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
1	1-Feb-23	Etobicoke	RESM	Worker		Worker tripped and fell, sustaining a fracture above their left ankle.	FALL
2	1-Feb-23	Mississauga	RESM	Worker		Worker tripped and rolled their right ankle sustaining a fracture at the bottom side of foot.	FALL
3	1-Feb-23	Mississauga	RESM	Worker		Worker fell backwards off a baker scaffold sustaining fractures in the left arm, elbow, and wrist.	FALL
4	2-Feb-23	Toronto	RESM	Worker		Worker slipped on rebar sustaining a fracture in their right knee.	FALL
5	3-Feb-23	Toronto	RAIL	Worker		Worker's left hand got trapped under shoring panel being lowered in place with an excavator, resulting in its fracture.	STRUCK BY

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
6	5-Feb-23	Thunder Bay	ETTL	Worker		Worker slipped while coming down a set of stairs, resulting in a fracture of their right leg femur.	FALL
7	6-Feb-23	Oakville	RESM	Worker		Worker sustained a leg fracture when the load placed by a crane flipped on their leg while the rigging chains were disengaging from the load.	STRUCK BY
8	7-Feb-23	Toronto	INST	Worker		Scaffold collapsed onto worker while workers were moving it.	COLLAPSE OF STRUCTURE
9	10-Feb-23	Toronto	SUBW	Worker		Worker suffered fractured pelvis after being struck by a vehicle.	STRUCK BY
10	13-Feb-23	Sarnia	INST	Worker		Worker sustained a fractured right ankle when they stepped off a baker scaffold.	FALL

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
11	13-Feb-23	Vaughan	RESM	Worker		Worker suffered an LOC for a brief moment after a heated argument with their foreman	OTHE
12	15-Feb-23	Trenton	RESM	Worker		Worker tripped resulting in a fractured right ankle.	FALL
13	16-Feb-23	Toronto	RESM	Worker		Worker sustained a foot fracture due to scissor lift rolling over their foot.	STRUCK BY
14	16-Feb-23	Sudbury	RESS	Worker		Worker suffered a fractured skull when they fell off a ladder followed by a fall down a set of stairs.	FALL
15	23-Feb-23	Ottawa	INST	Worker		Worker was in a contained area, with a full suit and respirator; they suffered loss of consciousness when they exited the contained area.	OTHE
16	23-Feb-23	Sutton	HYDR	Worker		Worker fell into a hydro vac hole, which resulted in a fracture to the right foot.	FALL

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	Date of Incident	Municipality	Sector	Occupation	Age	Details (As reported to MLITSD)	Reported Cause
17	23-Feb-23	Toronto	RESM	Worker		Worker fell from ladder while building a scaffold, they sustained a broken left arm.	FALL
18	24-Feb-23	Mississauga	RESM	Worker		Worker sustained a fractured wrist when the door of an electrical room closed hitting them on the wrist.	STRUCK BY
19	24-Feb-23	Toronto	COMM	Worker		Worker sustained a broken left arm when the drill they were using spun and hit them.	STRUCK BY

Section 6 – Fatal Injuries

Year-to-Date Overview and Comparison - Construction Sector

Injury Type	2023 February	2023 January 1 – February 28
Fatal	2	3

Injury Type	2022 February	2022 January 1 – February 28
Fatal	1	3

Monthly Summary Report – Fatal February 2023: 2

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Total Year-to-Date (Feb. 28th) Fatal Injuries 2023: 3

JAN TO FEB 28, 2023, FATAL ACCIDENTS	RESS	INST	RESM	INDU	ROAD	EXCA	COMM	NECC	SEWW	CAIS	TOTAL
Falls from Heights	1	0	0	0	0	0	1	0	0	0	2
Falls From Equipment	0	0	0	0	0	0	0	0	0	0	0
Falls from Ladders	0	0	0	0	0	0	0	0	0	0	0
Same level slips and trips	0	0	0	0	0	0	0	0	0	0	0
Struck by equipment	0	0	0	1	0	0	0	0	0	0	1
Struck by material	0	0	0	0	0	0	0	0	0	0	0
collapse of structure	0	0	0	0	0	0	0	0	0	0	0
Electrical Contact	0	0	0	0	0	0	0	0	0	0	0
Excavation Collapse	0	0	0	0	0	0	0	0	0	0	0
Other, including multiple factors, i.e., fall resulting from scaffold being struck by equipment.	0	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	0	1	0	0	1	0	0	0	3

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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.
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 and succumbed to

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							their injuries on March 2, 2023.
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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