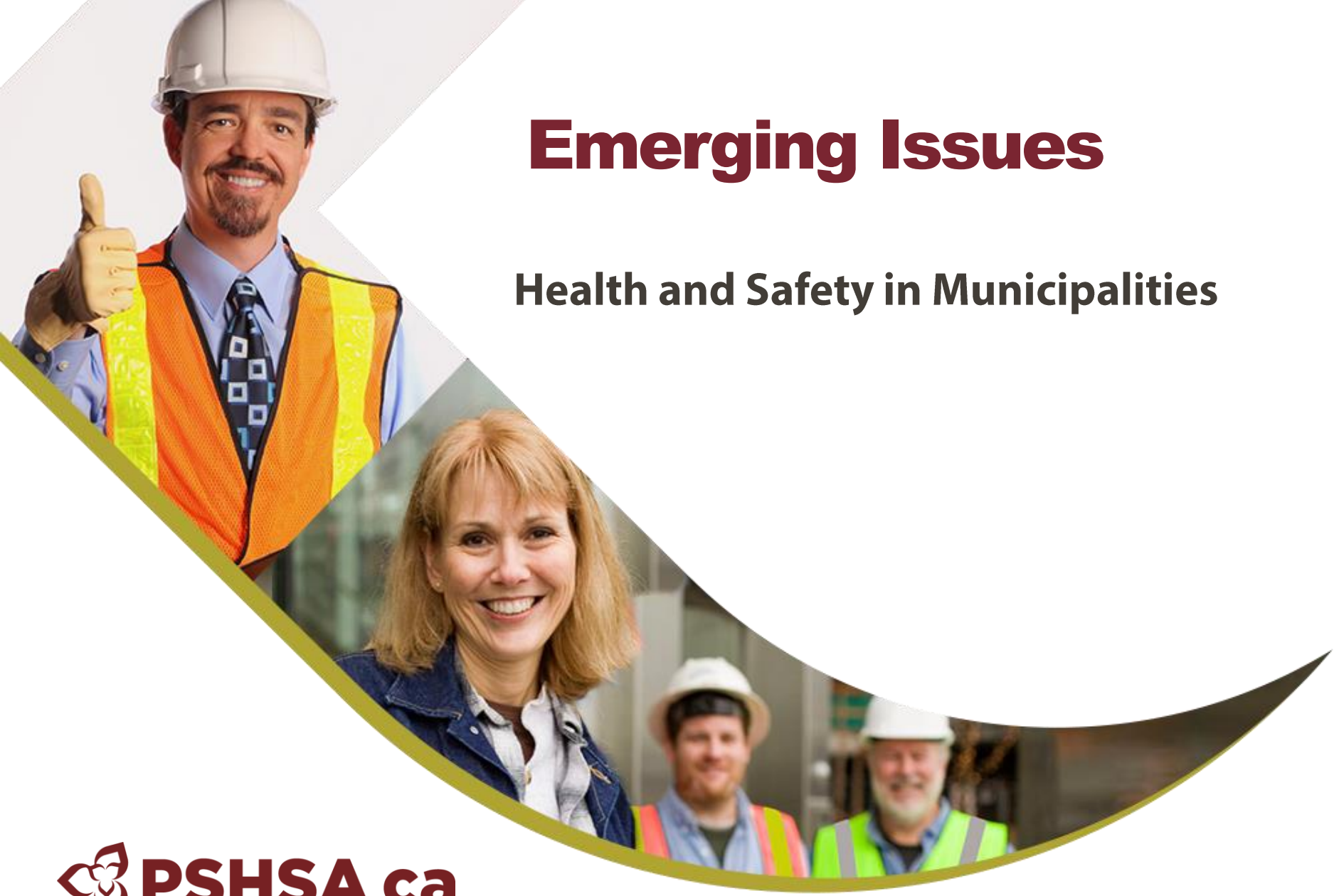


Emerging Issues

Health and Safety in Municipalities



Who We Are



ESTABLISHED IN

2009

**NON-PROFIT
ASSOCIATION**



**FUNDED
PARTNER**

**OF THE
Ministry
of Labour**

WE PROVIDE
OCCUPATIONAL
HEALTH



& SAFETY

**Training
Resources
Consulting**

WE WORK WITH

1.67+
MILLION WORKERS

10,000+
ORGANIZATIONS

**ONTARIO'S PUBLIC &
BROADER PUBLIC SECTORS:**

**Government
Emergency Services
First Nations
Education
Healthcare**

Who We Serve

PSHSA serves 1.7 million workers across 10,000 workplaces in Public sector in Ontario



Emergency Services

- Fire
- Policing
- EMS
- Security
- Corrections



Education

- School Boards
- Universities
- Colleges
- Career Colleges
- Museums
- Libraries



Healthcare

- Institutional Health
- Primary Care
- Long-term Care
- Community Care
- Diagnostic Services
- Public Health
- Mental Health
- Treatment Services



Government

- Municipal Government
- Provincial Government
- Transit
- Recreation
- Public Works
- First Nations

PSHSA Vision:

Enable a healthier and safer tomorrow for
Ontario's Public Sector Community



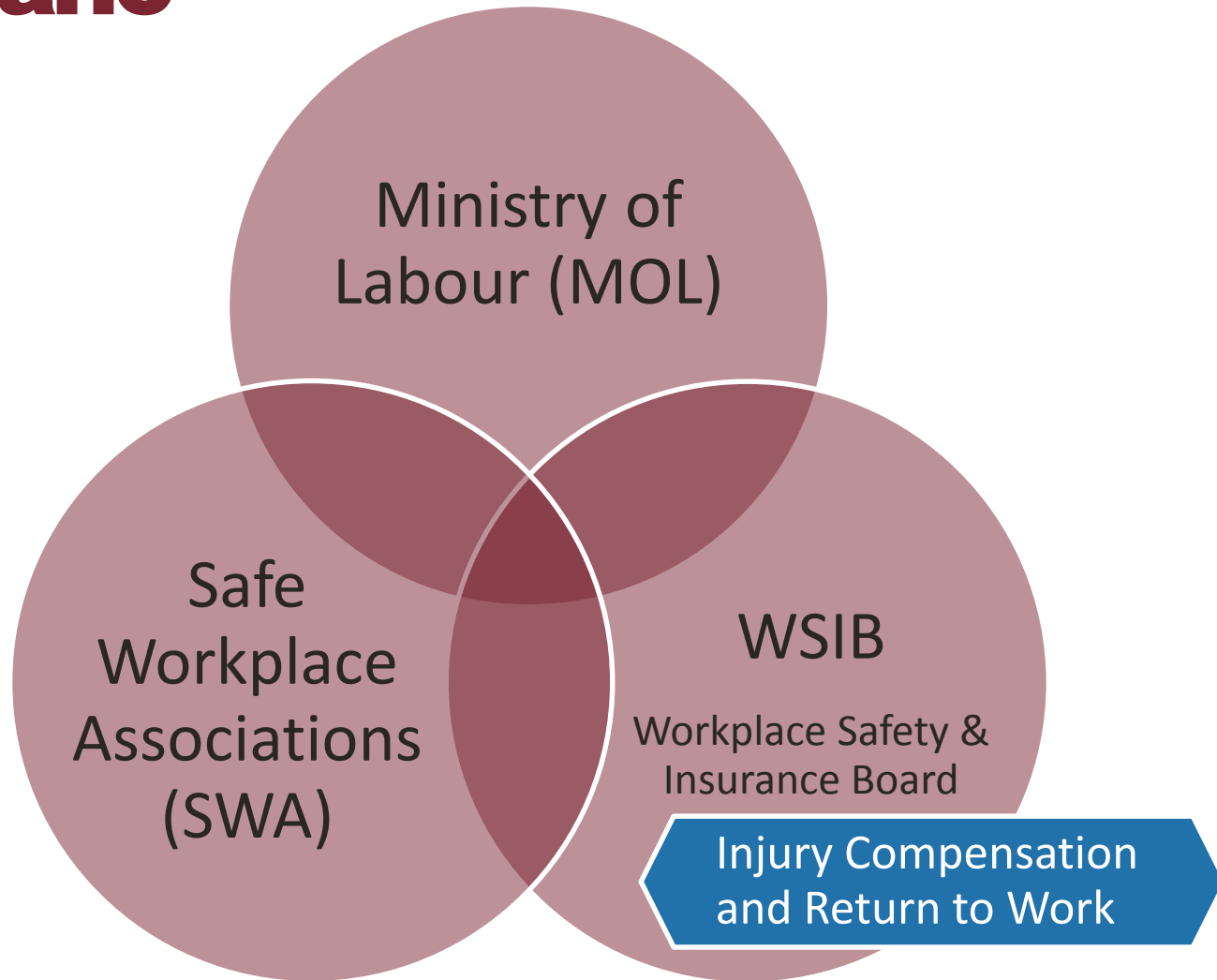
Expertise



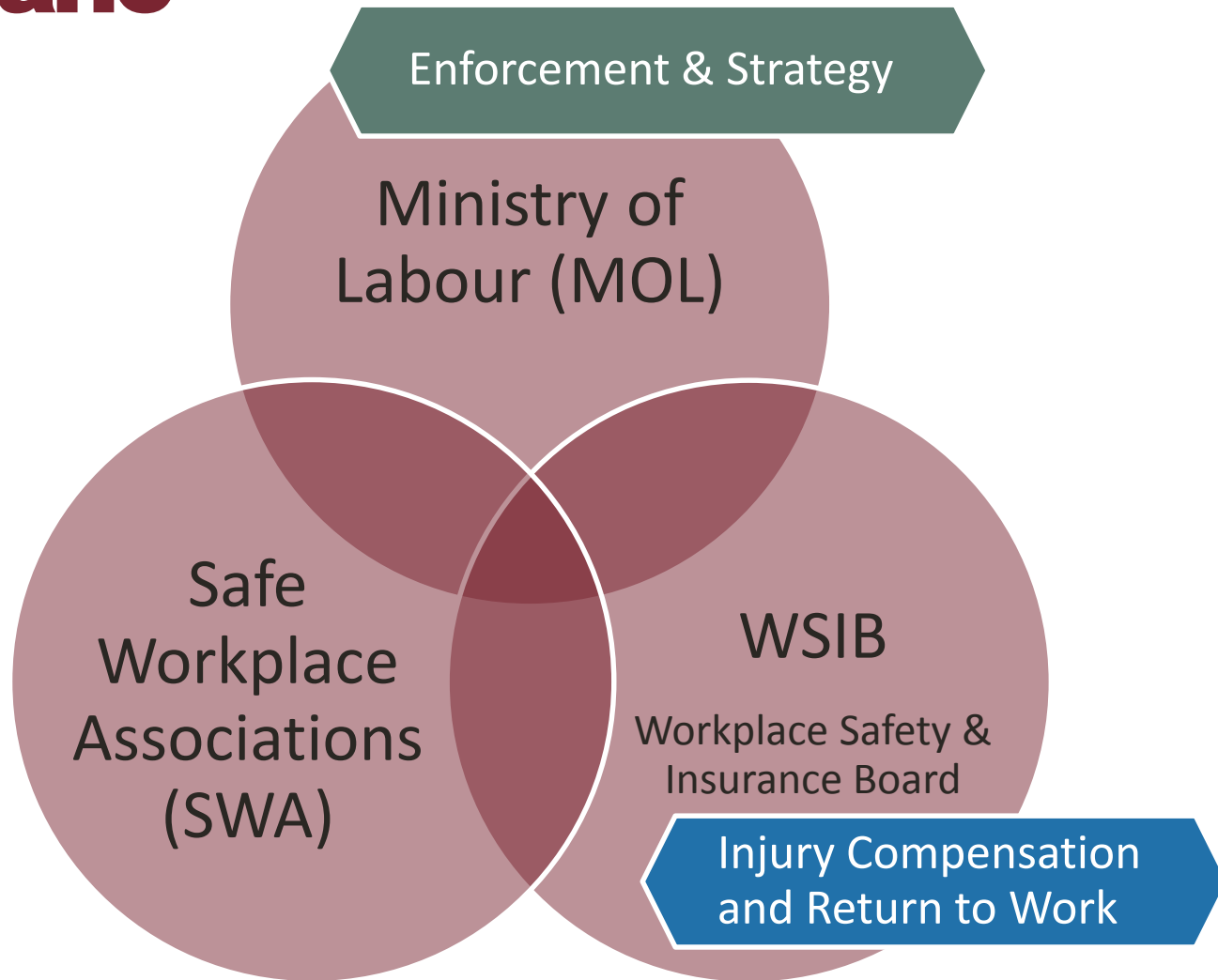
Health & Safety System of Ontario



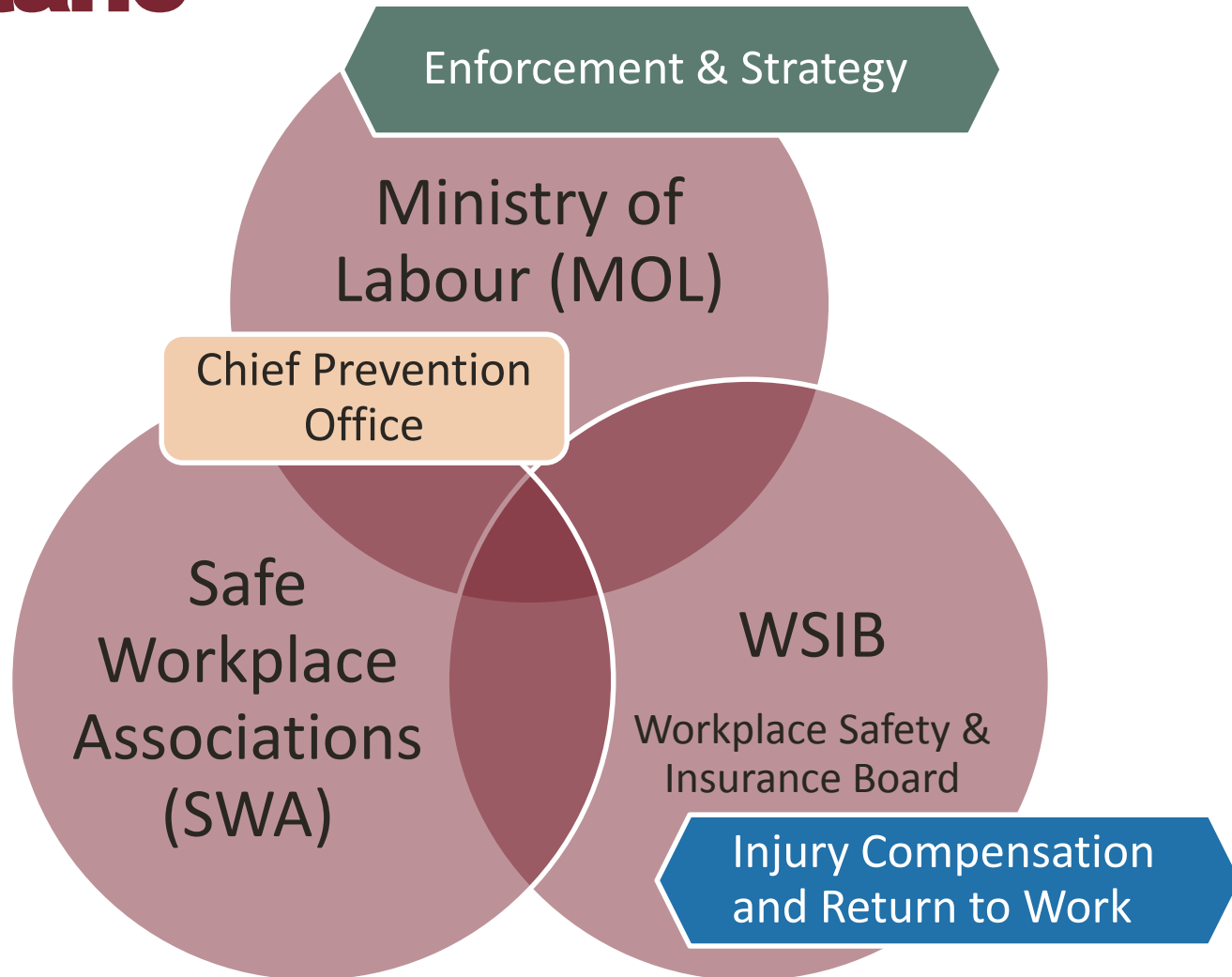
Health & Safety System of Ontario



Health & Safety System of Ontario



Health & Safety System of Ontario



Health & Safety System of Ontario



Health & Safety System of Ontario



Health & Safety System of Ontario



Health & Safety System of Ontario



Leadership and Health and Safety

Strong leaders:

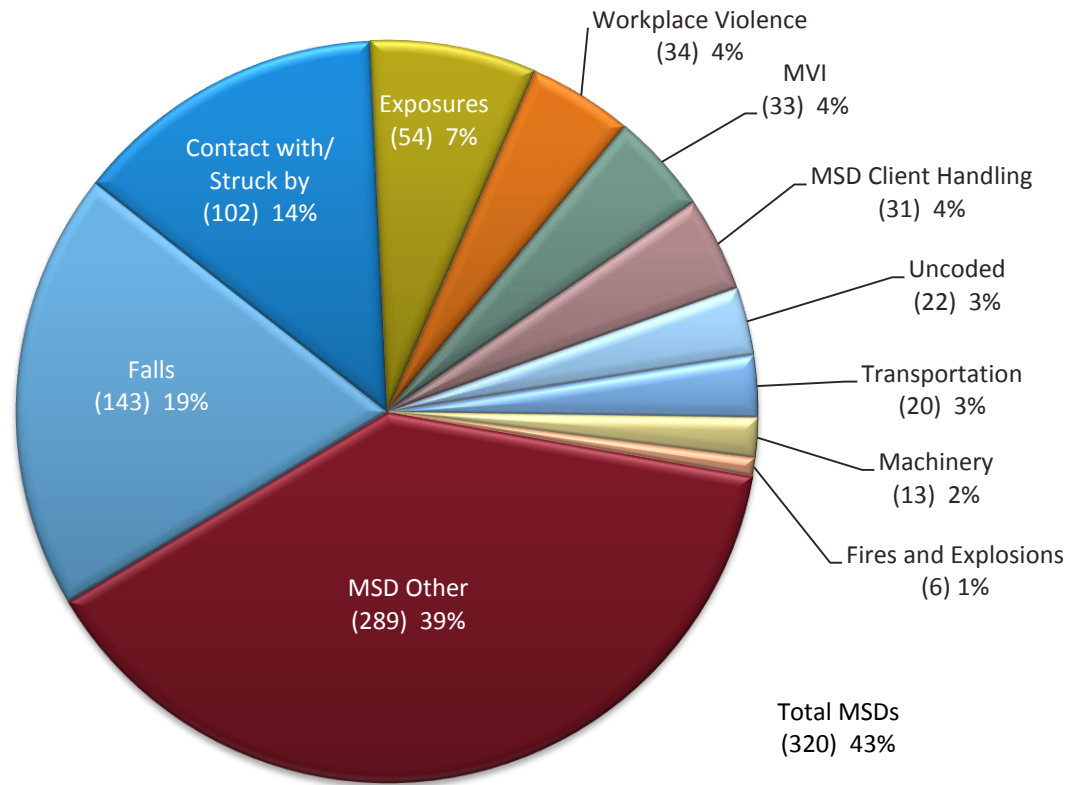
- recognize that solid health and safety performance drives business results.
- promote a culture of safety in their organizations, and integrate prevention measures into business strategies, processes and performance measures.



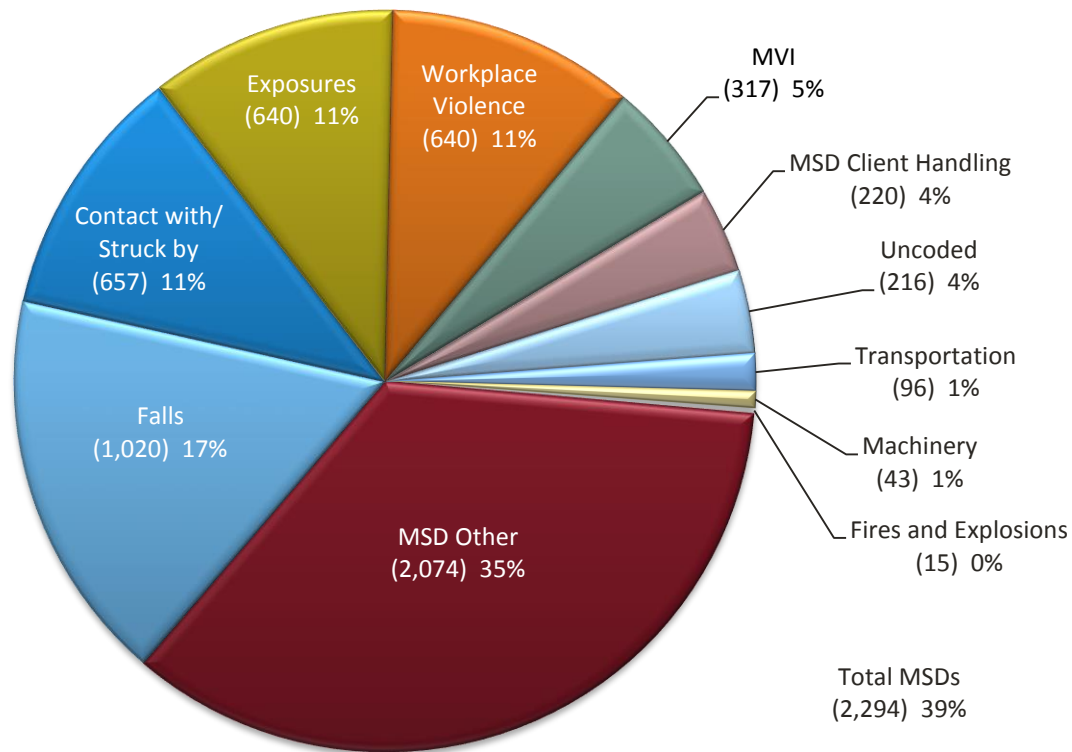


What is #1 Type of Injury in Ontario?

Municipal and Provincial Government *Schedule 1* LTI Counts by Injury Type 2013



Municipal and Provincial Government *Schedule 2* LTI Counts by Injury Type 2013



Defining the Hazard Musculoskeletal Disorders (MSD)

An injury/disorder of the musculoskeletal system:

- Bones
- Muscles
- Tendons & tendon sheaths
- Ligaments
- Blood vessels
- Nerves
- Bursa
- Cartilage
- Spinal discs

Tissue





In Municipalities what are the “High Hazard” jobs/occupations?

High Hazard Jobs/Occupations

- EMS, police, firefighters
- Public works and maintenance labourers
- Transit Operators
- Janitors/Caretakers
- Nurses and PSW
- Waste management workers

The Reality... High Costs

Human Cost:

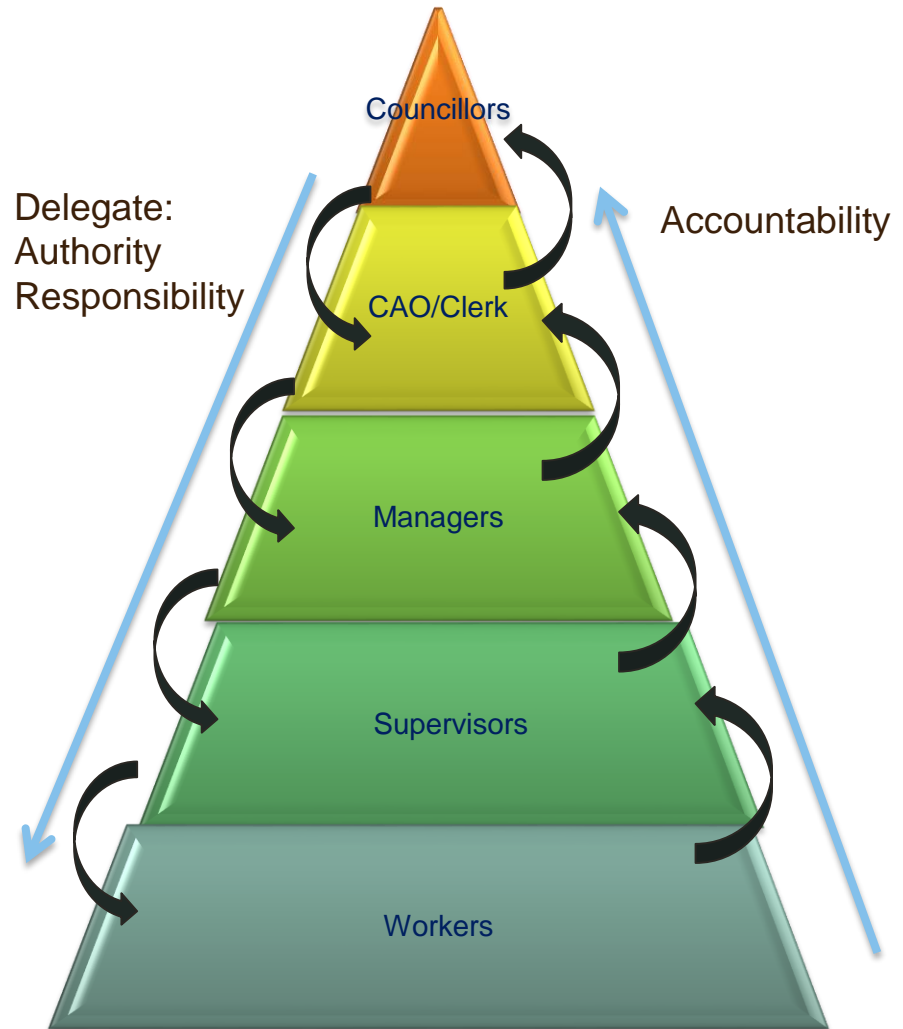
- Death, injury, illness for 1000's of workers in Ontario.
- Emotional impact

Financial Cost:

- \$20,000 average WSIB claim cost
 - Multiplied by 3-10 for Indirect costs
- = \$60,000 to \$200,000 for a single claim!

Internal Responsibility System (IRS)

- Shared responsibility for health and safety
- Encourages collaboration & cooperation to resolve H&S issues
- The Occupational Health & Safety Act sets out specific duties for workplace parties



Penalties under the Occupational Health & Safety Act

Individuals:

- \$25,000, and/or
- 12 months imprisonment

Corporations:

- \$500,000

Plus 25% victim surcharge



Legal Liability

- Offences under the OHS Act are automatic or *strict liability* offences
- You are guilty until you prove your innocence
- Must prove that you have been **duly diligent**

General Duty Clause

Workplace parties have a general duty to take “***every precaution reasonable in the circumstances for the protection of a worker.***”

- › What would a reasonable person do in the circumstances?
- › What would a group of your peers say was reasonable?
- › What would an ordinarily cautious and prudent person be expected to do?

Legal Concepts - Due Diligence



- Level of judgment, care, prudence, determination, and activity that a person would reasonably be expected to do under particular circumstances
- A legal defense
- Employer must implement a plan to identify foreseeable workplace hazards and carry out the appropriate corrective action to prevent accidents or injuries arising from these hazards.

*Due diligence is demonstrated by your actions before
an event occurs, not after!*



Court Bulletin

City Fined \$100,000

Outline: summer student was using a lawn mower when the mower got stuck in a rut, one worker pulled it from the front while a second student pushed it from the back. The moving blades of the mower were exposed which came in contact with the student's foot and resulted in severe lacerations to the foot (cut through safety shoes), damage to tendons and nerves and breaking 3 toes

The safety device known as "dead man's switch" had been tied down rendering the switch disabled. If not tied down the blade would have stopped within 3 seconds when the mower is not in use.

Charge: Employer failed to provide training to the injured worker on the mower's "dead man's switch." Lead hand was also charged as supervisor.

Court Bulletin

Fined \$176,000



Outline: worker left truck at a drop-off bay at a waste management transfer station. There was a front-end loader in the drop-off bay that pushed the waste toward the back of the bay and then reversed. There was no visual contact with the truck driver but prior to reversing the front-end loader saw the driver in the cab of the truck. After hearing call for help front-end loader stopped and saw worker face down on the ground behind the truck. Cause of death was trauma consistent with compression.

Charge: Employer pleaded guilty to failing to ensure safety measures and procedures as prescribed by “Act” were carried out. Worker pleaded guilty to failing to operate a vehicle in a manner that did not endanger another worker.



Court Bulletin

Hospital Fined \$50,000

Outline: worker tripped over a cord when leaving a patient/resident bedside. The worker's foot became entangled in the cable, fell and fractured arm. Dangling cords were a known hazards in the workplace and it was documented on JHSC inspection records. The cord had not been secured.

Charge: Employer pleaded guilty to failing to train the employee on trip hazards and was fined \$50,000 plus 25% Victim Fine Surcharge.

Emerging Issues

- Fatigue
- Occupational Disease
- Mental Health
- IPAC
- Construction/Contractor Safety



Fatigue

- Increased risk of accident
 - › 70%
- Studies indicate fatigue places people at increased risk of
 - › Obesity
 - › Diabetes
 - › Hypertension
 - › Breast Cancer
- Fatigue risk assessments
 - › due diligence
 - › Readiband technology



Occupational Disease

Exposures to

- Chemicals
- Noise
- Vibration
- Heat & Cold
- Asbestos



Mental Health

- Changing landscape
 - › Psychological health growing workplace concern
 - › High stress professions
 - › Awareness and prevention priority
- National Standard of Canada for Psychological Health & Safety in the Workplace
 - › Foundational step
 - › Integrate into existing HSMS



Infection Prevention and Control Program



Recognition

**Biological Hazards Risk
Identification**

Assessment

Determine Level of Priority

Control

Eliminate or Reduce Risk

Evaluate

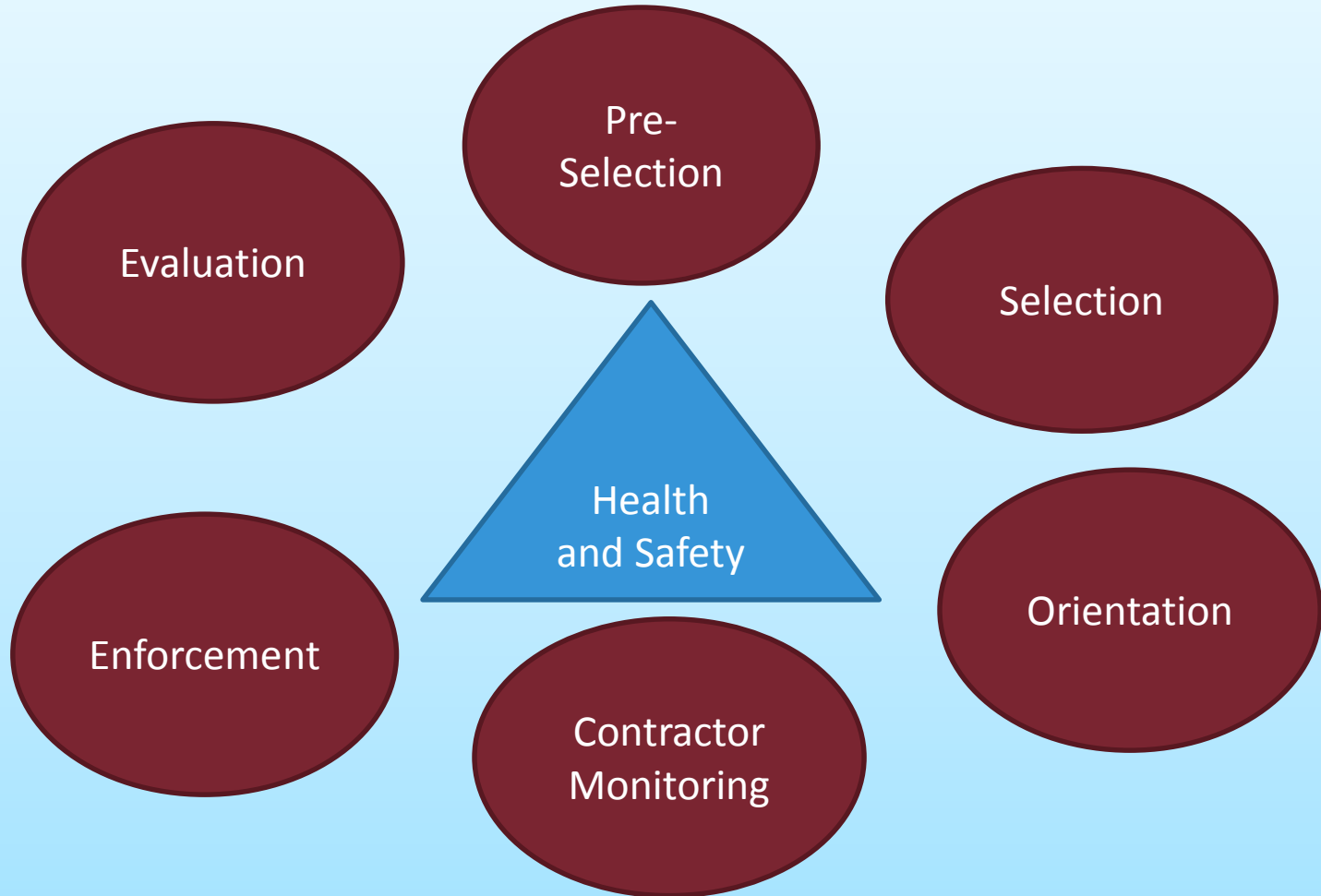
Monitor Effectiveness of Controls

Constructor/Contractor Safety

- Contractor services increasing for Municipalities
 - › External expertise
 - › Lack of internal resources
- Protect employees, public and contractors
- Ensure legal compliance
 - › Reduce liability
 - › Reduce civil action
- Contractor Safety Program
 - › Integral part of a HSMS



Contractor Safety Program



Updates



- 1) Re-org into sector teams: **Municipal/Gov.** (incl. Fire, Police, EMS), Healthcare, Education
- 2) Working at Heights Training Standard- Apr. 1/15
- 3) New "**WHMIS 2015**"- Globally Harmonized System (GHS) (Bill 85, April 2015)
- 4) Definition of "**worker**" changed to include co-op students & apprentices (Bill 18)
- 5) New JHSC Certification Standard- March 2016
- 6) Radon Regulation: Employers must measure Radon before Dec. 31, 2016 (Bill 11)

Updates



- 7) Under OHSA, Municipal Councillors are *Workers* if paid-need Awareness Training (July 2014)
- 8) Fire Code Changes- vulnerable Ontarians e.g. LTC homes
- 9) OEMC Conference Kingston- Sept. 16-18, 2015
- 10) AMCTO Zone 5- Fall meeting...?
- 11) Affiliate program: Health & Safety Resources on partner's website e.g. [Association of Municipal Clerks and Treasurers of Ontario](#)
- 12) MOL Blitzes & initiatives- Slips Trip & Falls, Motor Vehicle Incidents, Psych Health in First Responders

Updates



- 13) MOL published a doc. *"Who is a Supervisor under OHSA?"*
- 14) PSHSA is implementing CSA Standard for *"Psychological Health & Safety in the Workplace"*
- 15) WSIB Presumptive legislation for PTSD for Emergency Response workers (Bill 2)

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Thank you!



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Association on LinkedIn**



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