

# New and Young Workers Blitz - 2017

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*May 01 to August 31, 2017*  
*Ministry of Labour*  
*External presentation*

**Safe At Work Ontario**  
Enforcement > Compliance > Partnership >

**Ministry of Labour**

## Disclaimer

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1. The purpose of today's presentation is to assist the workplace parties in understanding their obligations under the Occupational Health and Safety Act (OHSA) and its regulations. It is not intended to replace the OHSA or the regulations, and reference should always be made to the official versions of the legislation.
2. It is the responsibility of the workplace parties to ensure compliance with the legislation and the presentation does not constitute legal advice. If you require assistance with respect to the interpretation of the legislation and its potential application in specific circumstances, please contact your legal counsel.
3. Ministry of Labour inspectors will apply and enforce the OHSA and its regulations based on the facts as they may find them in the workplace. This presentation does not affect their enforcement discretion in any way.

## Presentation Objectives

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- ❑ To provide stakeholders with an overview of the Ministry of Labour (MOL) New and Young Workers Blitz, May 01 to August 31, 2017
- ❑ To outline MOL expectations and the focus of MOL inspectors
- ❑ To provide information about resources to assist the workplace parties

## How will the 2017 Blitz Support SAWO?

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- ❑ Encourage employers to identify hazards related to New and Young Workers, so that they can implement corrective action, including developing and implementing control measures and procedures, and worker training to reduce injuries that may occur to these vulnerable workers.
- ❑ Act as a deterrent to employers who are in non-compliance with the OHSA and the applicable regulations.
- ❑ Promote and raise awareness about the increased risk of injury to New and Young Workers.
- ❑ Promote sustained improvements to workplace culture regarding occupational health and safety.
- ❑ Enhance partnerships with Health and Safety Associations and other stakeholders which will help reduce injuries to Ontario workers.

## Safe At Work – Compliance Strategy

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*Safe At Work Ontario* (SAWO) is the MOL's compliance strategy, designed to:

- improve the health and safety culture of workplaces
- reduce workplace injuries and illness
- avoid costs for employers as a result of work related Workplace Safety and Insurance Board (WSIB) claims, and
- provide a level playing field for compliant employers.

*Safe At Work Ontario* is risk based, and focuses on sector hazards and on building and sustaining a health and safety culture in the workplace.

For additional information, see the Ministry of Labour SAWO website:

<http://www.labour.gov.on.ca/english/hs/sawo/index.php>

## Compliance with the OHSA and its Regulations

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- During the 2017 New and Young Workers Blitz, MOL inspectors will enforce the OHSA and its regulations, including but not limited to the following:
  - ❑ [Occupational Health and Safety Act](#), Revised Statutes of Ontario, 1990
  - ❑ Regulations for Industrial Establishments, [Reg. 851](#)
  - ❑ [Occupational Health and Safety Awareness and Training \(O. Reg. 297/13\)](#) under the Occupational Health and Safety Act (OHSA)
  - ❑ Workplace Hazardous Materials Information System (WHMIS), [Reg. 860](#)
- The workplace parties are required to comply with applicable provisions of the OHSA and its regulations.

## Employer Duties under the OHSA

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- ❑ Duties of employers under subsection 25(2) of the OHSA include:
  - provide information, instruction and supervision to a worker to protect the health and safety of the worker, clause 25(2)(a);
  - when appointing a supervisor, appoint a competent person, clause 25(2)(c);
  - acquaint a worker or person in authority over a worker with any hazard in the work and in the handling, storage, use, disposal and transport of any article, device, equipment or a biological, chemical or physical agent, clause 25(2)(d);
  - afford assistance and co-operation to a committee and a health and safety representative in the carrying out by the committee and the health and safety representative of any of their functions, clause 25(2)(e);
  - only employ in or about a workplace a person over such age as may be prescribed, clause 25(2)(f); and
  - take every precaution reasonable in the circumstances for the protection of a worker, clause 25(2)(h).

## Definition of worker

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The definition of worker under the Occupational Health and Safety Act (OHSA) expands coverage of the OHSA to unpaid co-op students, certain other learners and trainees participating in a work placement in Ontario.

Specifically, the new definition of worker now includes:

- Unpaid secondary school students who are participating in a work experience program, authorized by the school board that operates the school in which the students are enrolled,
- Other unpaid learners participating in a program approved by a post-secondary institution, and,
- Any unpaid trainees who are not employees for the purposes of the Employment Standards Act, 2000 (ESA) because they meet certain conditions.

**Volunteers are not covered by this new definition of worker.**

## Occupational Health and Safety Awareness and Training Regulation (O. Reg. 297/13)

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The basic OHS awareness training requirement is mandatory for all Ontario workers and supervisors. The Ministry has produced material to assist employers, workers and supervisors in complying with this regulation.

- Workbooks and accompanying guides for download:
  - [Worker Health and Safety Awareness in 4 Steps](#)
  - [Worker Awareness Workbook](#)
  - [Employer Guide to Worker Health and Safety Awareness in 4 Steps](#)
  - [Supervisor Health and Safety Awareness in 5 Steps](#)

## New and Young Workers Blitz 2017

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### Background

- The Industrial Program will conduct a New and Young Workers Blitz in identified workplaces and sectors.
- This is the 10<sup>th</sup> time that this blitz has been conducted; the length of the blitz will be from May 01 to August 31, 2017.
- MOL inspectors will check specifically for legislated requirements in the Occupational Health and Safety Act (OHSA) and the Regulations made under the OHSA.

## 2017 Blitz Background

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Who are new and young workers?

There are two focus groups:

1. New and young workers aged 14 to 24 years, and
2. New workers 25 years of age and older who have been on the job less than six months or who have been reassigned to a new job.

Any new-hire, temporary foreign workers, permanent or temporary workers and any current workers who are assigned new jobs are at increased risk.

## Identified sectors for the 2017 Blitz

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Inspectors may visit workplaces in the following sectors:

- Retail
- Restaurants
- Food, beverage and Tobacco
- Tourism, Hospitality and Recreational Services

Inspectors may also visit other workplaces where new and young workers work.

## New and Young Worker MOL Data

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- ❑ There were 25 Fatalities for young workers aged 15 to 24 years for all programs, for the period 2011 to 2016 according to Ministry of Labour data as of January 3, 2017.

## WSIB Lost-Time Claims Data

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- ❑ According to the 2015 WSIB Statistical Report (Schedule 1) workers between the age groups of 20-24 and 50-54 represented the largest groups for all allowed lost-time claims.
- ❑ Over the past 10 years, sprains and strains has continued to be the leading nature of injury and in 2015 represented 39% of all allowed lost time claims. (2015 WSIB Statistical Report Schedule 1)

## WSIB Lost-Time Claims Data

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According to the 2015 WSIB Statistical Report, over the past 10 years (2006-2015) those aged 55 years and older have continued to represent a growing proportion of all allowed lost time claims. Those aged 25 to 54 continue to represent the majority of lost time claims in 2015 for both Schedule 1 and Schedule 2 employers.

### **Schedule 1:**

- The proportion of claims for those aged 15-24 and 25-54 have remained relatively stable.

### **Schedule 2:**

- The age group of 25 to 54 represents a decreasing percentage of these claims.
- In the past two years allowed lost time claims for those under 25 have slightly increased.

## 2016 New and Young Workers Blitz Results

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From July 18 and September 2, 2016:

- ❑ Inspectors made 1,144 visits to 905 workplaces, and
- ❑ Issued 3,113 orders under the OHSA and its regulations, including 44 stop work orders.

## 2016 Blitz Results

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### Frequently issued OHS orders involved employers' failure to:

- Post an OHS copy in the workplace [s. 25(2)(i)] – 229 orders or 7.4% of total orders
- Maintain equipment in good condition [s. 25(1)(b)] – 170 orders or 5.5%
- Take reasonable precautions to protect workers' health and safety [s. 25(2)(h)] – 138 orders or 4.4%
- Prepare and review, at least annually, a written occupational health and safety policy, and develop and maintain a program to implement that policy [s. 25(2)(j)] – 118 orders or 3.8%
- Have a workplace health and safety representative at the workplace [s. 8(1)] – 111 orders or 3.6%
- Provide information, instruction and supervision to protect workers' health and safety [s. 25(2)(a)] – 93 orders or 3%
- Post the employer's workplace violence and harassment policies in the workplace [s. 32.0.1(2)] – 82 orders or 2.6%
- Have a health and safety representative do an inspection of the workplace [s. 8(6)] – 74 orders or 2.4%

## 2016 Blitz Results

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Of the total orders issued, 14.5% (451 orders) were issued under Part III.0.1 of the OHSA provisions for workplace violence and harassment. They involved a failure of employers to comply with requirements to:

- Have workplace violence and harassment policies and programs in place
- Provide information and instruction on those policies and programs
- Assess or re-assess the risks of workplace violence arising from the nature of the workplace, the type of work or conditions of work

## 2016 Blitz Results

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As part of checking for worker training and appropriate supervision in workplaces, orders were issued under the [Occupational Health and Safety Awareness and Training Regulation](#) for violations involving:

- ❑ Basic occupational health and safety awareness training for workers [s. 1(1) to 1(3)] – 239 orders or 7.7% of total orders
- ❑ Basic occupational health and safety awareness training for supervisors [s. 2(1) to 2(3)(1)] – 207 orders or 6.7%

## 2016 Blitz Results

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Orders were issued under the following sections of the [Regulations for Industrial Establishments](#) (among others):

- ❑ Material Handling (sections 45 to 66) – 278 orders or 8.9% of total orders
- ❑ Housekeeping (sections 11 to 20) – 212 orders or 6.8%
- ❑ Machine Guarding (sections 24 to 44.2) – 98 orders or 3.2%
- ❑ Industrial Hygiene (sections 124 to 139) – 69 orders or 2.2%
- ❑ Maintenance and Repairs (sections 72 to 78) – 51 orders or 1.6%
- ❑ Personal Protective Equipment (sections 79 to 86) – 35 orders or 1.1%
- ❑ Fire Safety (sections 22 to 23) – 8 orders or 0.3%

## New and Young Workers Blitz 2016 Results by Sector

**Table 1: Top 10 industrial sectors, ranked by orders and visited**

| Sector   | Orders Issued | Stop Work Orders Issued | Workplaces Visited | Field visits |
|--|---------------|-------------------------|--------------------|--------------|
| Retail   | 807           | 15                      | 238                | 280          |
| Restaurant                                     | 648           | 4                       | 159                | 216          |
| Wood and Metal Fabrication                     | 119           | 3                       | 35                 | 42           |
| Tourism, Hospitality and Recreational Services | 405           | 6                       | 88                 | 107          |
| Food, Beverage and Tobacco                     | 174           | 1                       | 90                 | 138          |
| Vehicle Sales and Service                      | 167           | 2                       | 32                 | 35           |
| Wholesalers                                    | 103           | 1                       | 30                 | 34           |
| Industrial Services                            | 89            | 0                       | 44                 | 57           |
| Agricultural Services                          | 61            | 0                       | 14                 | 17           |
| Automotive                                     | 54            | 1                       | 15                 | 17           |

## Prevention

Worker Guide:

[Worker Health and Safety Awareness in 4 Steps](#)

[Worker Awareness Workbook](#)

Employer Guide:

[Employer Guide to Worker Health and Safety Awareness in 4 Steps](#)

[Supervisor Health and Safety Awareness in 5 Steps](#)



## MOL Contact Centre

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- Call 1–877–202–0008 any time to report critical injuries, fatalities or work refusals.
- Call 8:30 a.m. to 5 p.m. Monday to Friday for general inquiries about workplace health and safety.
- **Always call 911** in an emergency.

## Ministry of Labour Resources

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- ❑ Young worker web page on the Ministry of Labour's website:  
[www.labour.gov.on.ca/english/atwork/youngworkers.php](http://www.labour.gov.on.ca/english/atwork/youngworkers.php)
- ❑ Young Workers Tip Sheets – for Employers, Supervisors, Parents and Workers  
<http://www.labour.gov.on.ca/english/atwork/youngworkers.php>
- ❑ Provincial Blitz Schedule and Previous Blitz Results:  
<http://www.labour.gov.on.ca/english/hs/sawo/blitzes/index.php>
- ❑ Health and Safety Partners:  
<http://www.labour.gov.on.ca/english/hs/websites.php>
- ❑ Sector Plans:  
<http://www.labour.gov.on.ca/english/hs/sawo/sectorplans/index.php>
- ❑ **Small business Checklist for employers**  
This checklist is for small business owners with 1-5, 6-19 or 20+ workers  
[Health and Safety Checklist](#)

## Resources

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### Videos and Photos

- [Auto Body Repair Shops](#)
- [Commercial Kitchens: Slips, Trips, Falls and Other Hazards](#)
- [Forklift Safety](#)
- [Heat Stress](#)
- [Lab and Shop Safety in Schools](#)
- [Loading Dock Safety](#)
- [Manual Materials Handling: Industrial Workplaces](#)
- [Health and Safety in a Veterinary Clinic](#)

<http://www.labour.gov.on.ca/english/gallery/index.php>

## Ministry of Labour

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# Thank You!