

“Noise” - Provincial Enforcement Initiative, 2017-2018

Industrial Health and Safety Program – External Presentation
April 1, 2017 – March 31, 2018

Safe At Work Ontario
Enforcement > Compliance > Partnership >

Ministry of Labour

Disclaimer

- 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. 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.
- 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.

Objectives

- To provide an overview of the Ministry of Labour's 2017-2018 provincial enforcement initiative aimed at workplace noise being undertaken by the Industrial Health and Safety Program.
- To outline what MOL Inspectors will focus on during the Initiative as well as the sector focus.
- To provide information about resources to assist workplace parties.

Safe At Work Ontario – Compliance Strategy

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's SAWO website:

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

Safe At Work Ontario 2017-2018

For 2017-2018, *Safe At Work Ontario* proactive field visits by Ministry of Labour Inspectors will support:

- blitzes
 - provincial initiatives, and
 - regional initiatives.
- The Industrial Health and Safety Program will be conducting three (3) provincial blitzes and (2) provincial initiatives in 2017-2018.
 - The five Regions in the Ministry will be conducting regional initiatives that have been identified based on the local health and safety trends observed in the Regions.

Noise in Ontario Workplaces

Background – Noise in Workplaces

- Noise Induced Hearing Loss (NIHL) is a permanent loss of hearing usually in both ears.
- This type of hearing loss is a cumulative process that develops over many years. As a result, noise induced hearing loss often does not become apparent until workers are older and often retired from the workforce.
- Occupational or work-related NIHL is the result of long term exposure to hazardous noise levels in the workplace.
- NIHL is one of the most common occupational diseases, and one of the most preventable.

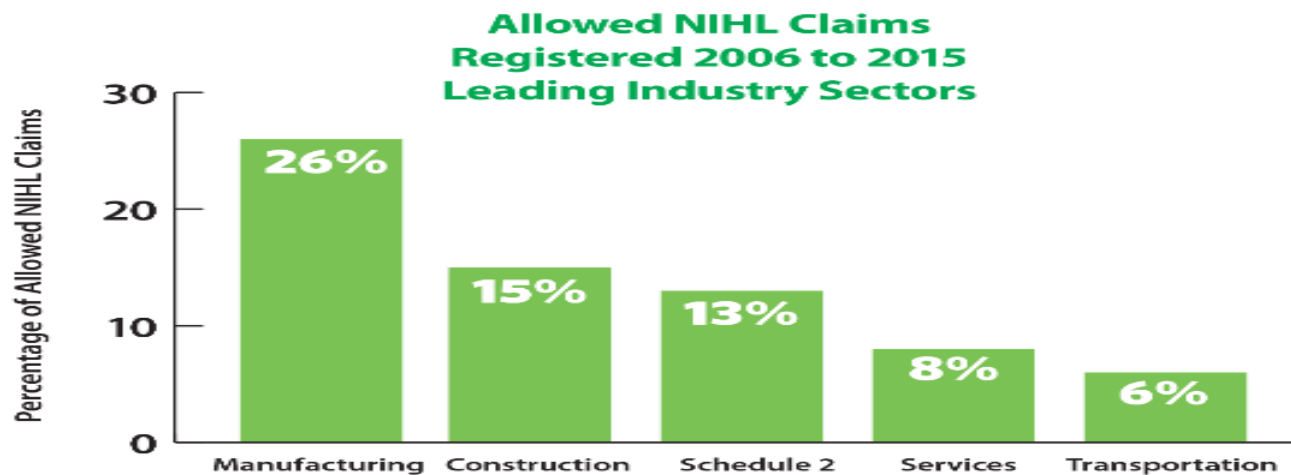
Noise in Ontario Workplaces

Background – Regulatory Change

- In 2016, the Noise Regulations (*O. Reg.381/15*) came into effect and applied to all Ontario provincially regulated workplaces.
 - This regulation covers workplaces such as construction, health care facilities, schools, farming operations, fire services, police services and amusement parks, as well as industrial establishments, mines and mining plants and offshore oil and gas facilities
- The regulation establishes an occupational exposure limit for noise of 85 dBA $L_{ex,8}$ (8 hour time-weighted average exposure).
- It also requires employers to take all measures reasonably necessary in the circumstances to protect workers from exposure.
- These measures include the provision of engineering controls, administrative controls (work practices, worker exposure) and under specific conditions, the wearing of hearing protection devices.

How will this Initiative Support *Safe At Work Ontario*?

- NIHL accounted for about 23% of all allowed occupational disease claims in Ontario during the past 10 years.
- The leading sectors for noise related WSIB allowed claims are shown in the chart below:



- According to the Workplace Safety and Insurance Board, between 2009 and 2014, the annual costs for noise-induced hearing loss claims for all sectors exceeded \$50 million per year.

How will this Initiative Support *Safe At Work Ontario*?

Some of the objectives of *Safe At Work Ontario* are to:

- Reduce workplace injuries and illness, (including occupational diseases).
- Lessen the burden on the health care system.
- Avoid costs to all workplaces and the WSIB.

By focussing on Noise related hazards the Ministry of Labour is contributing to the overall objectives of *Safe At Work Ontario*.

Sector focus of the initiative

The following sectors will be the focus of the initiative:

- **Manufacturing:** including workplaces with metal or wood fabrication
- **Automotive repair and service:**
- **Municipal operations:** including operators of powered equipment, heavy equipment, and maintenance shops.

However, workplace parties should note that all workplaces in the industrial sector where noise is present may be part of the provincial initiative.

Enforcement focus of the initiative

Inspectors will check for noise related hazards and check that employers are taking appropriate action to assess and address these hazards, as required by the:

- [Occupational Health and Safety Act](#) (OHSA)
- [Regulations for Industrial Establishments](#) (Reg. 851)
- [Noise regulations](#) (O. Reg. 381/15)
- Inspectors will check for:
 - sources of noise
 - signage
 - engineering controls
 - personal protective equipment (hearing protection devices, or HPD)
 - the condition of hearing protection devices
 - HPD worker training

Enforcement focus of the initiative

In accordance with the Noise regulations:

- Employers have a duty to take all measures reasonably necessary in the circumstances to protect workers from exposure to hazardous sound levels.
- The regulation requires that every employer shall ensure that no worker is exposed to a sound level greater than a “time-weighted average” exposure limit of 85 dBA (decibels measured on the A-weighting network of a sound-level meter) measured over an 8-hour work day.
- Employers must comply with this limit following the “hierarchy of controls”, which emphasizes the use of engineering controls and work practices to protect workers and places restrictions on the use of hearing protection devices (HPDs) by workers.
- Where it is practicable to do so, employers must post a clearly visible warning sign at every approach to an area in the workplace where the sound level regularly exceeds 85 dBA.

Enforcement focus of the initiative

- When the prescribed exposure limit would be exceeded, employers are required to put in place protective measures to proactively reduce workers' noise exposure. These measures include:
 - engineering controls to reduce noise at the source or along the path of transmission;
 - work practices such as equipment maintenance (to keep it quieter) or scheduling to limit a worker's exposure time;
 - personal protective equipment in the form of hearing protection devices (HPDs), subject to the restrictions stated in the Regulation.

Enforcement focus of the initiative

Employers who provide workers with HPDs must provide them with adequate training and instruction on their care and use.

- The training and instruction must address:
 - limitations of the device(s);
 - proper fit;
 - inspection and maintenance, and, if applicable;
 - cleaning and disinfection.

The Regulation requires HPDs to be selected with regard to the:

- sound levels to which a worker is exposed;
- attenuation or reduction in sound level provided by the HPD;
- manufacturer's information about its use and limitations.

The Regulation also requires HPDs to be used and maintained in accordance with the manufacturer's instructions.

Resources which may assist workplace parties

Workplace parties may wish to refer to the following resources available to assist them, including:

- Ontario Ministry of Labour - [MOL Noise Guideline](#)
- Workplace Safety and Insurance Board - [Noise Induced Hearing Loss](#)
- Canadian Centre for Occupational Health and Safety:
 - [Noise Control in Industry, a Basic Guide](#)
 - [Noise: Basic Information](#)
- (US) Occupational Health and Safety Administration (OSHA):
 - [Noise Control Guide](#)

Health and Safety Resources Online



The screenshot shows the Ontario Ministry of Labour website. The header includes the Ontario logo and 'MINISTRY OF LABOUR'. A search bar is present with a 'GO' button. The navigation menu includes 'HOME', 'ABOUT THE MINISTRY', 'NEWSROOM', 'VIDEOS AND PHOTOS', and 'CONTACT US'. The breadcrumb trail reads 'Location: Home > Health and Safety > Publications > Topics and Publications'. The main content area is titled 'Topics and Publications: Health and Safety' and includes a 'Print This Page' link. A sidebar on the left lists various categories: 'Ministry of Labour', 'Employment Standards', 'Health and Safety', 'Prevention', 'Safe At Work Ontario', 'Frequently Asked Questions', 'Topics and Publications', 'Forms', 'Other Languages', 'Laws', 'Report An Incident', and 'Workplace Fatalities'. The main content area contains the text: 'Content last reviewed: January 2017', 'Looking for information?', 'Check our Key Resources for the most popular publications and information. You can browse our publications by topic or check our [list of publications](#).', and a grey box with the text: 'Occupational Health and Safety Act coverage expanded to unpaid co-op students and learners in work placements, effective November 20, 2014. [Learn More](#)'. At the bottom, there are two buttons: 'Key Resources' and 'Get Publications'.

A variety of health and safety resources can be found on the Ministry of Labour website, including: Guides, Guidelines, Fact Sheets, Hazard Alerts and Reports

Public Posting of Blitz and Initiative Information

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Location: Home > Inspection Blitzes and Initiatives [Print this page](#)

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Inspection Blitzes and Initiatives

Issued: April 1, 2013
Content last reviewed: April 2016

This year, the ministry is coordinating the proactive enforcement blitz and initiative schedules for the Occupational Health and Safety Program and the Employment Standards Program. Coordinating the schedules highlights the importance the ministry places on protecting workers' rights under both the [Occupational Health and Safety Act](#) (OHSA) and the [Employment Standards Act](#) (ESA), and enhancing employers' awareness of their responsibilities.

Findings are generally reported soon after completion. The ministry tracks each sector to determine if there are long-lasting improvements in compliance and fewer injuries and fewer contraventions of employment standards.

Workplace injuries and fatalities can usually be traced to a few root causes that may vary by sector. Occupational health and safety inspectors conduct proactive blitzes and initiatives on sector-specific hazards; these are also designed to raise awareness and increase compliance with the OHSA.

Similarly, employment standards officers visit employers to verify compliance with core ESA standards, such as the Employment Standards Poster requirements, wage statements, unauthorized deductions, record keeping, hours of work, eating periods, overtime pay, minimum wage, public holidays and vacation with pay. They focus particularly on sectors where there is a history of employment standards violations, where vulnerable workers are employed and where an increasing number of Ontarians are working.

2016-2017 Blitzes and Initiatives

- [Provincial Blitzes](#)
- [Regional Blitzes](#)
- [Provincial and Regional Initiatives](#)

Resources

- [Health and Safety Inspection Blitzes](#)
- [Proactive Employment Standards Inspections](#)

The schedule is posted publicly at the beginning of each fiscal year.

It is available here:

<http://www.labour.gov.on.ca/english/resources/blitzschedule.php>

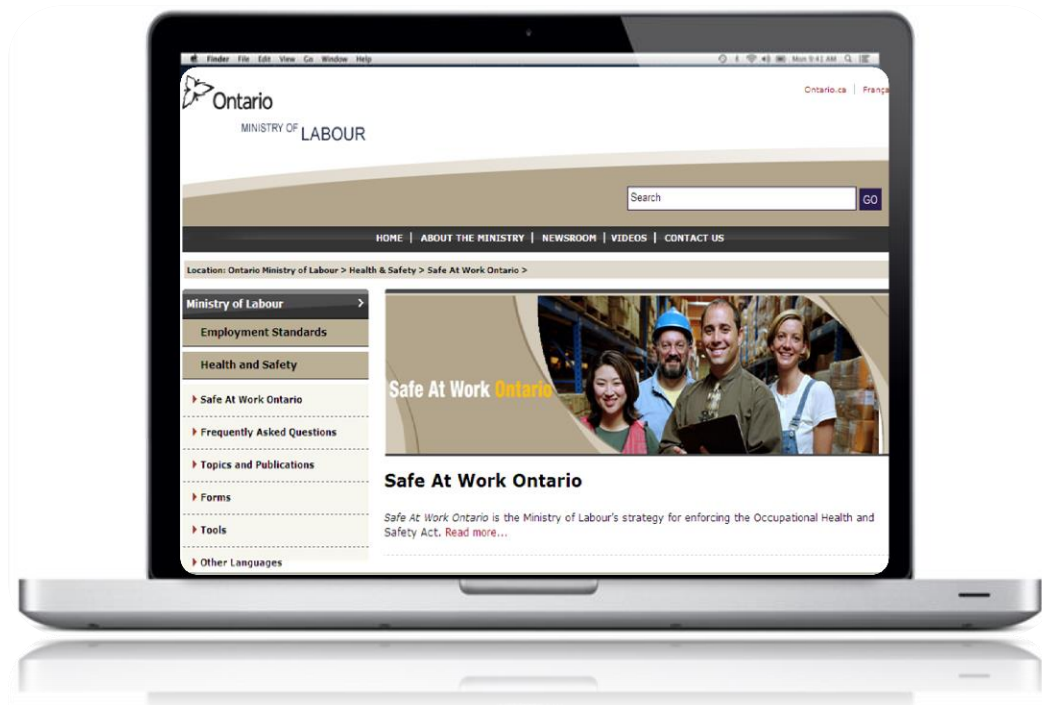
The 2017-18 schedule will identify:

- Provincial blitzes
- Regional blitzes
- Initiatives

Occupational Health and Safety System Resources

The MOL website is the source for the latest news on:

- ✓ Guidelines and awareness training suite
- ✓ Videos and Interactive Web Tools
- ✓ Our [podcasts](#) are available via iTunes, Facebook.
- ✓ Sector plans
- ✓ Blitz announcements & results report
- ✓ Prosecution Activity (court bulletin)



Occupational Health and Safety System Resources

MOL Health & Safety: <http://www.labour.gov.on.ca/english/hs/>

Prevention Information:

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

We Are Here to Help

Ministry of Labour Health & Safety Contact Centre

- Toll-free, 1-877-202-0008
Fax, 905-577-1316
- Call any time to report critical injuries, fatalities or work refusals.
- Call 8:30 a.m. – 5:00 p.m., Monday – Friday, for general inquiries about workplace health and safety.
- In an emergency, always call 911.

Employment Standards Information Centre

- GTA: 416-326-7160
Canada-wide: 1-800-531-5551
TTY: 1-866-567-8893

Need other languages?

- The Employment Standards Information Centre (1-800-531-5551) provides service in 23 different languages – from Arabic to Vietnamese.

Health and Safety Associations



Infrastructure Health & Safety Association (IHSA)

Serves: construction, electrical and utilities, aggregates, natural gas, ready-mix concrete and transportation.

Toll-free: 1-800-263-5024

<http://www.ihsa.ca/>

[on Twitter @IHSAnews](#)



Workplace Safety & Prevention Services (WSPS)

Serves: agriculture, manufacturing, and service sectors.

Toll-free: 1-877-494-9777

<http://www.wsps.ca/>



Workplace Safety North (WSN)

Serves (province wide): forestry, mining, smelters, refineries, paper, printing and converting.

Toll-free (Ontario): 1-888-730-7821

<http://www.workplacesafetynorth.ca/>

[on Twitter @WSN_News](#)



Public Services Health & Safety Association (PSHSA)

Serves: hospitals, nursing and retirement homes, residential and community care, universities and colleges, school boards, libraries and museums, municipalities, provincial government and agencies, police, fire and paramedics and First Nations.

Toll-free: 1-877-250-7444 | Toronto: 416-250-2131

<http://www.pshsa.ca/>

[on Twitter @pshsa1](#)

Health and Safety Associations



Workers Health & Safety Centre (WHSC)

As Ontario's designated health and safety training centre, the WHSC provides training for workers, their representatives and employers from every sector and region of the province.

Toll-free: 1-888-869-7950

<http://www.whsc.on.ca/>

[on Twitter @OHS_Training](#)



Clinics for Ontario Workers (OHCOW)

OHCOW provides comprehensive occupational health services - to workers concerned about work-related health conditions and to workers, unions and employers who need support to prevent these health conditions from developing. OHCOW services are free of charge.

Toll-free: 1-877-817-0336

<http://www.ohcow.on.ca/>

[on Twitter @OHCOWclinics](#)

Questions?

Comments?

Thank you for your time!

