



## *Mould in the Workplace*



The recent floods in Calgary and Toronto this past summer has reminded us about the risks associated with exposure to mould in the workplace which are real but sometimes forgotten. Mould (fungi) is present everywhere—indoors and outdoors. There are more than 100,000 species of mould and at least 1,000 of these species are common in Canada and the United States.

As we all know, mould grows on water-damaged construction materials inside buildings. Although the most common types of mould are generally not hazardous to healthy individuals, they may be hazardous to certain other individuals. People who have asthma, bronchitis, hay fever, other allergies, or have weakened immune systems are more likely to react to mould. The most common symptoms are runny nose, eye irritation, skin rash, cough, congestion and aggravation of asthma. Symptoms usually disappear after mould exposure stops. Most often, there are no known long-term consequences to workplace exposures.

The Ministry of Labour (MOL) notes that “any building may have mould, however, buildings with a history of water leaks, floods, fires and problems with indoor air quality (e.g. poor humidity control, lack of fresh air) should be considered at greater risk of mould growth. Water-damaged **drywall**, wood materials, jute, wallpaper, and cardboard are prone to fungal growth.” Most often moulds are confined to areas near the source of water. When mouldy material becomes damaged or disturbed, mould spores can be released into the air. Exposure occurs if people inhale the spores.

From the MOL’s perspective, “the sustained and/or extensive growth of any visible mould on the interior surfaces of a building is unacceptable. Mould growth on the interior building surfaces is a risk factor for health problems.” The primary reasons for mould growth are moisture problems (flooding, leaks, water intrusion, condensation, etc.) in buildings. It is these problems that should be the focus of assessment and control efforts, followed by clean-up, remediation of contaminated materials, periodic inspections, and preventive and remedial maintenance. If mould contamination is extensive, companies should seek professional assistance from consultants who specialize in mould and mould remediation. Occupants of buildings contaminated with mould should be advised of the presence of the mould and given information on the health effects of mould.

Employers should know that they are required by section 25(2)(h) of the Occupational Health and Safety Act “to take every precaution reasonable in the circumstances for the protection of workers.” The OHS Act places a responsibility on constructors under section 23, on employers under section 25 and supervisors under section 27 to ensure the health and safety of workers. This includes protecting workers from mould in workplace buildings.



## *The Mathews Dinsdale Minute*



This month we are writing about a subject that has caused some significant discussion since the end of Province-wide bargaining. It is the expedited arbitration protocol. The purpose of this article is to give all of you a sense of the purpose of this protocol and some of the pros and cons.

### **The Purpose**

Put simply, the purpose of this protocol is to ensure that the Collective Agreement terms and conditions are being followed by all contractors. To put it another way, its purpose is to make sure that contractors cutting corners are caught, thus keeping all contractors playing on a level playing field.

### **The “Pros” Of the System**

One pro is that the system is designed to be very fast. Hearings take place in an exceptionally short time frame, thereby reigning in cheating on the agreement very quickly once it comes to light. Hearings take place within days of the notice of hearing, availability of counsel is not a reason for delay, and document production can be ordered almost immediately. Another pro is that the system should be very effective because the cost of the process is not insubstantial. The contractor who was cutting corners and gets brought into this process is not rewarded for cutting those corners in any way, creating an extra financial disincentive to cheating. All in all, the greatest pro of this system is that everything in it is designed to be a fast, effective and powerful tool for encouraging contractors to follow the letter of the Collective Agreement.

### **The Cons of the System**

As the system is designed to be swift, it can cause difficulties with respect to the availability of a contractor’s counsel. You will note that this has been counted in both the pros and cons because it may be a matter of perspective. The penalties are very severe and the system includes the potential for a contractor who is found to have breached the agreement to be ordered to also pay the union’s costs. Perhaps the best way to describe the overall cons of the system is this: as the Union is the party seeking enforcement of the agreement, it becomes a very powerful tool for them. They are given a great deal of authority and, when triggering this process, sit in a very powerful position. However, in the context of enforcing the agreement, they are the only ones that can do it.

The discussion of this system is an important one. It is crucial that everyone understand what it is, its purpose, goals and process. We hope that this very brief discussion is something that will provide you with a little more information on the subject.



## *AAO’s 2013 - 2014 Executive Board*

Following are the Directors, Area Representatives and Senior Advisors acclaimed at the September 29th AGM:

### **Directors:**

Forese Bertoia	Dan Donovan
Nat Figliano	Domenico Filoso
Carmine Giamberardino	Dave Gibson
Bob Grassing	Robert Macdonald
Douglas Smith	Robert Troup

### **Area Representatives**

Rick Kok

### **Senior Advisors**

Jack Donovan                      Don Sutherland

In addition, the Directors elected the following Officers:

President	Robert Troup
Vice President	Douglas Smith
Treasurer	Nat Figliano



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