



Executive Director's Report

Workplace Safety and Insurance Board (WSIB) Update

2016 Premiums

WSIB just recently announced that 2016 premium rates will be maintained at current levels for all employers. For rate group 719, Inside Finishing Contractors, premiums will remain at \$7.19 per \$100.00 of payroll.

Significant improvements have been made to health care, recovery and return-to-work outcomes. Results show that 92 percent of workers returned to work with no wage loss. The percentage of workers still off the job after one year because of an illness or injury has fallen by 50 percent since 2009, and the number of work injuries resulting in a chronic or permanent impairment has also dropped 50 percent. Unfunded Liability (UFL) for 2014 has been further reduced by \$2.4 billion to \$8.9 billion.

WSIB Rate Framework Reform Consultation

In last month's newsletter we indicated that some stakeholders asked for information specific to their current rate group to help better understand how the proposed preliminary Rate Framework could differ from the current system. Specifically, they have asked the WSIB to provide information that explains how employers within a specific rate group could be classified, what target and actual premium rates could look like, and also highlight new target rates for these rate groups (e.g. the premium rate that the current rate groups ought to pay in the current system to better reflect their experience).

This analysis has just recently been posted on the WSIB's website. COCA's WSIB – OH&S Committee of which AAO is a member is presently reviewing the analysis and AAO will keep members informed of any developments. The deadline for submissions to the Rate Framework Reform Consultation is October 2, 2015. Should the WSIB decide to proceed, it is anticipated that implementation would be in 2018.

Ministry of Labour (MOL) Update

For the month of July, there was one (1) fatality and seventeen (17) critical injuries. In the current year to date there have been 8 fatalities and 71 critical injuries compared to 9 fatalities and 63 critical injuries in 2014. July's fatality involved two (2) workers at a residential project. One of the workers went to lay down on the ground. Later it was determined that the worker was not conscious. The coroner has since determined that the preliminary cause of death was hyperthermia (heat stroke). Please refer to the July 2015 issue of AAO's Newsletter for more information on heat stress.

Lessons Learned

Recently, a drywall company was fined \$25,000.00 for a critical injury that occurred on a commercial project. Critical injuries must be reported to the MOL. The accident happened in the fall of 2013 but only recently had final court decision.

At the time of the accident, the worker was working from a scaffold in a washroom. He was installing wire when the scaffold began moving on one side. The worker fell over the other side of the scaffold and broke his lower left leg.

The MOL investigated the incident. The scaffold involved was observed to be mounted on four (4) wheels. Each of the wheels was equipped with a braking device that was used to "lock" or prevent movement of the wheel. The investigation found the braking device of one of the wheels was not functioning correctly and allowed the scaffold to move while the worker was on it. The investigation also revealed another scaffold was being used at the same time in an adjacent room and this scaffold was also observed to have a broken braking device that could not be locked.

Section 93(2)(a) of the Regulation for Construction Projects requires that no tool or equipment be used while it is defective or hazardous. Section 25(1)(c) of the Act requires an employer to ensure that the provisions of the Regulation for Construction Projects are carried out at a project. As such, the drywall employer failed to ensure that a scaffold was not used while it was in a hazardous state by virtue of a defective wheel locking mechanism. This was contrary to section 25(1)(c) of the act.

Companies must ensure their equipment is inspected daily and if found defective it must be taken out of service. Inspection of such a scaffold only takes a minute. If it is not documented, in court, it did not happen. Consider using a daily inspection tag on your scaffolds. The minute most importantly could have prevented the accident, but also have saved the company thousands of dollars. This is risk management.

Upcoming September Events

Local 18 Drywall Contractors Meeting - September 1, 2015 (Paul Gunning attending)

IHSA Construction Legislative Review Committee Meeting - September 2, 2015 (Paul Gunning attending)

Carpenters' EBA Meeting - September 15/16, 2015 (Robert Troup/Paul Gunning/Joe Liberman attending)

Carpenters' EBA Meeting with Carpenters - September 21, 2015
(Robert Troup/Paul Gunning/Joe Liberman attending)

IHSA Annual General Meeting - September 24, 2015 (Paul Gunning attending)

Take Advantage Of These FREE ONLINE September OEA WSIB Webinars

Copy the following URL to your browser to register as enrolment is limited:

<http://www.employeradviser.ca/en/construction-employer/>

Webinars are under "Upcoming Events" on the right side.

WSIB Proposed Preliminary Framework Webinar

September 3, 2015 - 10:00 a.m. – 11:00 a.m. ET

Work Reintegration - A Practical Guide Webinar

September 17, 2015 - 10:00 a.m. – 11:00 a.m. ET

Claims Management Tips Webinar

September 24, 2015 - 10:00 a.m. – 11:00 p.m. ET

If you have any questions, please call me at 519-671-5930. Thank you.

Paul Gunning
Executive Director

AAO's AGM and Conference September 17th to September 20th, 2015
Prince of Wales Niagara-on-the-Lake



The Mathews Dinsdale Minute



This month we want to update you on the ongoing review of OCOT by Tony Dean. As with anything of this nature this is turning into a long process. Mr. Dean posted an update on the Dean Review Website in late August.

Mr. Dean advised that he is currently writing a report and that he hopes to have a draft ready by early September. One interesting point is it was not stated whether that draft report would or would not be made public. It is clear from the posting that Mr. Dean has been communicating with the Ontario College of Trades and the Ministry of Training, Colleges and Universities as part of this process the report will be entirely his own.

In the remainder of the update Mr. Dean discusses the meaning of “public interest” and the Ontario College of Trade’s role in promoting that interest. Mr. Dean references the need to balance the interests of “consumers, citizens, commercial interests and broad Canadian societal values.” Mr. Dean states that the College of Trades will not always act in the public interest, but the public interest must be considered when the College is making decisions. If you are interested, the full report can be found at “<http://www.deanreview.com/tor/update-latest.html#aug2015>”.