



Acoustical Association Ontario

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Provincial in scope ...

Provincial in outlook

HAPPY HOLIDAYS

Saying thank you is a daily requirement for all of us, but I often feel that these two simple words of gratitude fall short of expressing the true appreciation that I feel towards those who help me share the power of a wish throughout the year. However, this is the time of year that I must stop and say that it is indeed time to express my deepest thanks. Therefore, allow me this opportunity to sincerely Thank You all for your support and help during my continuance as President of AAO. May the holiday season fill you and yours with the warmest joys of the season.

Happy Holidays to all.

Robert Troup

AAO President



Executive Director's Report

Update – Prompt Payment Ontario (PPO)

PPO completed a Trade Contractor Survey this fall. Many of you participated in this survey. Over 530 trade contractors from various member organizations participated, providing a large database. Over 50 percent of AAO members also participated. This was excellent! Thank you.

PPO also met with the reviewer, Bruce Reynolds, on October 27, 2015. The point was made that it is PPO's position that without a legislated prompt payment system in Ontario any changes to the Construction Lien Act (CLA) will not be sufficient to fix the issues that are plaguing the construction industry. Getting paid promptly for work that has been certified as complete is PPO's number one priority. The meeting went very well with a positive exchange of information.

PPO will be updating members at a meeting in the coming weeks. The purpose of the meeting will be to provide an overview of the PPO Submission and Trade Contractor Survey Results as well as discuss the next steps PPO will undertake to support its position.

A delegation from COCA also met with the reviewer on November 9, 2015 reiterating PPO's position that legislated prompt payment is top priority in the review of the CLA.

We have been advised that the government appointed review team have sought and are very likely to receive an extension of their deadline from December 31, 2015 to March 31, 2016.

Update – Tony Dean Review of the Ontario College of Trades (OCOT)

On Friday November 20, 2015 the Dean Review Report was made public. As you may recall, AAO participated on the COCA Ontario College of Trades Committee, preparing a submission back in the spring. Subsequently, we met with Tony Dean to discuss our submission. **Please see the Mathews Dinsdale Minute at the end of this newsletter for key highlights.**

The province, in partnership with the Ontario College of Trades, has accepted the recommendations of Tony Dean, in his report, *Supporting a Strong and Sustainable Ontario College of Trades* <http://www.deanreview.com>.

The Ontario Government is supposed to bring forward proposed legislative changes in the spring legislative session and will work closely with the College of Trades to implement Mr. Dean's recommendations.

Executive Director's Report (continued)

Update – WSIB Rate Framework Reform Consultation

The WSIB has now received over 55 submissions.

WSIB will be hosting a session with stakeholders on December 1 in Toronto, from 9:30 a.m. to 12 p.m., to share an overview of some of the perspectives received as part of the consultation. The session will also highlight an updated Rate Framework that incorporates a number of suggestions and recommendations made by stakeholders through stakeholder working group sessions and formal submissions received.

WSIB will be publishing a video recording of the session on the WSIB website. AAO will be reviewing.

Safety Warning – Carbon Monoxide (CO)



Even though November has been a relatively mild month, colder weather is fast approaching and as buildings get tightened up to keep heat in, we all need to increase our awareness about the hazards of CO, at the jobsite and the home. Remember, it's odourless, tasteless, can't be seen and can be a killer.



CO results from the incomplete combustion of materials containing carbon (fuels), anything that will burn. It has about the same specific gravity as air, so it can disperse easily throughout the workplace. Pockets can form in areas with little air movement.

Exhaust gases produced by engines can contain large amounts of CO. These gases are cooled rapidly to the temperature of the surrounding air, which helps to disperse the CO. Just because a piece of equipment has a scrubber on the exhaust does not guarantee there is no CO.

Case 1 - Two workers painting inside a new house under construction in the London area, died as the result of CO poisoning created by a gas powered generator and a salamander operating inside the house.

Case 2 - A worker, employed as a van washer in Hamilton, was found dead by a co-worker in a van washing bay. The van was found with its engine running in the wash bay. It was determined the van washer died of CO poisoning. The wash bay had no mechanical ventilation to prevent the build-up of CO or other dangerous gases from vehicle exhaust.

Case 3 - One person dead after CO exposure at a Scarborough high rise where a worker was reportedly in the building's underground garage when he lost consciousness and died. Three others were transported to hospital with minor injuries, all due to CO exposure. The four workers were using gas power washers to clean the garage floor.

Case 4 - Cambridge factory owner was found dead and CO suspected.

The co-owner of a Cambridge contractor, a firm that specializes in concrete flooring, was found dead in the factory's building. The victim, who both co-owned and worked at the factory, was in the building preparing for the next day.

When employees arrived Monday morning they found him and determined that a gas generator was operating inside the building. The generator was turned off and the shop evacuated. Two other workers at the factory were subsequently taken to hospital.

Case 5 - There have been several recent reports of cases of worker exposure to high levels of CO associated with the use of propane-powered floor burnishers. These particular incidents occurred in retail stores, but burnishers are used in a wide variety of workplaces.

In one instance, two workers were each operating a propane-powered floor burnisher in a retail store in Ontario. One worker lost consciousness due to CO poisoning. In a separate incident, 10 workers -- including one worker who became unconscious -- were treated for CO poisoning after a propane-powered burnisher had been used in their store. The workers had been exposed to high levels of CO emitted from propane powered red floor burnishers. Ventilation in both workplaces was found to be inadequate to protect the workers' health.

Executive Director's Report (continued)

In other cases, workers have contacted the MOL complaining of headaches and dizziness after exposure to CO related to the use of propane-powered burnishers. In the United States, two employees of a pharmacy fainted within four hours of arriving for work due to CO poisoning. The floors had been burnished prior to the start of their shift.

The above cases are real.

Hazard summary

Most problems occur due to inadequate equipment maintenance, inadequate ventilation, and workers not being provided with the necessary information on hazards associated with the use of fuel-powered (gas, diesel, propane, natural gas) equipment.

Symptoms of exposure to CO may include headache, shortness of breath, nausea, vomiting and dizziness. Early symptoms of CO poisoning are often ignored or associated with minor illnesses such as the flu. Continued exposure can cause confusion, loss of consciousness and even death.

CO can accumulate quickly in enclosed work areas or poorly ventilated areas, increasing the risk of CO poisoning. CO, interferes with the ability of red blood cells to carry oxygen to the lungs, brain and other parts of the body. Exposure to this toxic gas at high concentrations (more than 1,200 parts per million, or ppm) is considered to be immediately dangerous to life and health. CO does not have a STEL (Short Term Exposure Limits) or Ceiling limit, only a TWA (Time Weighted Average) limit. The TWA limit is 25 ppm. The TWA is based on an eight-hour workday (average), or forty-hour work week.

Suggested precautions

If possible, electric powered or battery powered equipment should be used in place of fuel-powered equipment.

If fuel powered equipment has to be used:

- Ensure the equipment is operated and maintained in accordance with manufacturer's instructions and only in well-ventilated areas. Portable generators must be placed outside.
- Equipment should be regularly maintained by a qualified person.
- Engine tuning and determination of the concentration of CO in exhaust gases should be included in routine maintenance. Adjustments to the fuel system or carburetion of a fuel engine should be done by a qualified person according to the manufacturer's instructions.

It is the employer's duty to protect workers from exposure to CO. A properly functioning and calibrated monitor is a method to alert the worker of exposure. The employer must ensure workers are trained in reading the monitor and what to do when alarms are activated if a monitor is used.

Workers must be made aware of the danger of CO poisoning. They should know the warning signs of CO exposure -- headache, faintness, dizziness, confusion, nausea, and irregular heartbeat -- and should NEVER ignore them when working where fuel-burning equipment is being used or has been used.

For additional information visit:

http://www.ihsa.ca/pdfs/safety_bulletins/Central/Central_December06.pdf

http://www.ihsa.ca/pdfs/safety_talks/carbon_monoxide.pdf

http://www.ihsa.ca/pdfs/magazine/autumn_2010/Carbon_monoxide.pdf

Upcoming December Events

COCA COO/Board Meeting December 1, 2015 (Paul Gunning attending)

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

Prompt Payment Ontario Meeting December 17, 2015 (Paul Gunning attending)

Upcoming OEA WSIB Webinar

Copy the following URL to your browser to register:

<http://www.employeradviser.ca/en/construction-employer/> (see right side "Upcoming Events")

Claims Management Tips

December 10, 2015 - 10:00 a.m. – 11:00 p.m.

Executive Director's Report (continued)

Upcoming Mathews Dinsdale Seminars

Copy the following URL to your browser to register for new sessions or review archived session videos:

<http://www.mathewsdinsdale.com> (see right side)

Drill'in for Drugs...Drug and Alcohol Testing in Mining and Construction – Free Webinar

December 1, 2015 – 12:00 p.m. – 1:30 p.m.

WSIB Appeals Management December 10, 2015 - 8:30 a.m. – 4:30 p.m.

If you have any questions, please call me at 519-671-5930. In closing, I'd like to wish you, your family and your employees, a very Merry Christmas and a prosperous and safe New Year!

Paul Gunning
Executive Director

The Mathews Dinsdale Minute



Last week, Tony Dean released his report on his Review of the Ontario College of Trades. While a summary of the entire document is well beyond the scope of our little corner here (as it totals in excess of 100 pages), we would like to take a moment to review some of the highlights.

The first area for our discussion is with respect to the issues of Scope of Practice. As we are sure you are aware, the Scope of Practice listings under the legislation are supposed to be a description of the work of any particular trade. However difficulty arose with respect to the interaction of the Scopes of Practice and other issues such as conflicting/ overlapping jurisdictional claims, jurisdictional agreements between trades and OLRB jurisdictional litigation. The Review makes a number of recommendations including that Scope of Practices be standardized and updated using a common form and template, that overlaps be discussed in order that they be acknowledged and recognized for the purposes of training and apprenticeships and that where overlap exists multiple trades with overlapping claims need to be involved in reaching consensus on proposed amendments to a particular trade's Scope of Practice.

The second is with respect to the issue of Trade Classification/Reclassification Reviews relevant to determining what will be considered a "compulsory trade" and what will not be. The Dean review has recommended that a roster of experts be used to serve on review panels dealing with classification/reclassification. More importantly the Review recommends certain criteria be used for decisions on classification or reclassification of a trade as voluntary or compulsory. Dean proposes that the "key factor" should be risk of harm to workers, co-workers or the public and that secondary factors include economic impact, the impact on access to the trade and labour mobility, a demonstrated public need and implementation considerations. Dean then recommends that the onus be on the applicant to provide sufficient evidence to support the classification or reclassification of the trade and that review panels should also undertake public consultation with "extensive and active public and stakeholder notice" and should have the power to call their own evidence in the process.

Finally, with respect to the enforcement power of the College of Trades, the fact that the College's current approach to enforcing the "full scope of practice" for a compulsory trade was inconsistent with, and "in some cases, is disrupting" previous agreements between workplace parties and past decisions of the OLRB resolving jurisdiction disputes is identified in the Report. Dean therefore recommends a process and mechanism for appeal to the OLRB where the Board has dealt with the issue previously or where the work in issue is subject to an existing agreement.

These appear, if implemented, to be good first steps towards dealing with some of the issues that have arisen with the College of Trades. What remains to be seen is whether they will be implemented.