



Executive Director's Report

MINISTRY OF LABOUR (MOL) UPDATE

Bill 132 Aimed at Stopping Sexual Violence and Harassment in Effect September 8, 2016



Bill 132 received Royal Assent March 8, 2016. The new legislation adds additional obligations on employers to have a workplace violence and harassment policy in place. Employers who are subject to the OHSA, must prepare policies with respect to workplace violence and workplace harassment, and review them at least once a year. In a workplace where there are six or more regularly employed workers, the policies are required to be in writing and posted in the workplace where workers are likely to see them.

Bill 132, called the Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment), comes into effect on September 8, 2016. The act aims to make workplaces, campuses and communities safer and more responsive to the needs of survivors and to complaints about sexual violence and harassment.

The legislation includes several amendments to the Occupational Health and Safety Act (OHSA). These amendments will enhance employer responsibilities with respect to workplace harassment that occurs in the workplace, including sexual harassment, by:

- Providing a new workplace sexual harassment definition;
- Requiring new elements that will need to be included in workplace harassment programs;
- Adding new employer duties that will help to protect workers from workplace harassment.

To support compliance with the new requirements, the Ministry of Labour has created a [Code of Practice](#). The Ministry is also developing fact sheets and updating its guidance material to help workplaces comply. A dedicated enforcement team has also been established to respond to complaints and enforce the Occupational Health and Safety Act requirements.

Employers can find more information and tools to help them meet these obligations on the MOL website.

Update to Workplace Hazardous Materials Information System (WHMIS)

The Ontario government has amended the Occupational Health and Safety Act (OHSA) and the WHMIS Regulation (R.R.O. 1990, Regulation 860) made under the OHSA to adopt new, international standards that are part of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS).

The amendments to the OHSA and WHMIS Regulation affect various requirements governing labels and safety data sheets for hazardous workplace chemicals. Also affected are definitions, terminology and provisions that protect confidential business information related to hazardous workplace chemicals. The changes reflect amendments to the federal [Hazardous Products Act](#) and new Hazardous Products Regulations, which came into force February 11, 2015.

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The new requirements in the OHSA and WHMIS Regulation came into effect July 1, 2016. To give workplace parties time to adjust to the new requirements, there will be a transition period to gradually phase out the old requirements.

- Employers have until May 31, 2018 to continue to receive and use hazardous products with either the old WHMIS labels and safety data sheets or the new ones.
- Employers have from June 1, 2018 to November 30, 2018 to bring any hazardous products still in the workplace with the old WHMIS labels and safety data sheets into compliance with the new requirements.
- By December 1, 2018, the transition to the new WHMIS labels and safety data sheets must be complete.

During the transition, employers must ensure workers are trained on both the old and new labels and safety data sheets for as long as both are present in the workplace.

UPCOMING SEPTEMBER 2016 EVENTS

IHSA Construction Legislative Review Committee Meeting - September 7, 2016 (Paul Gunning attending)

Ontario Construction Secretariat AGM & Conference - September 14 & 15, 2016 (Paul Gunning attending)

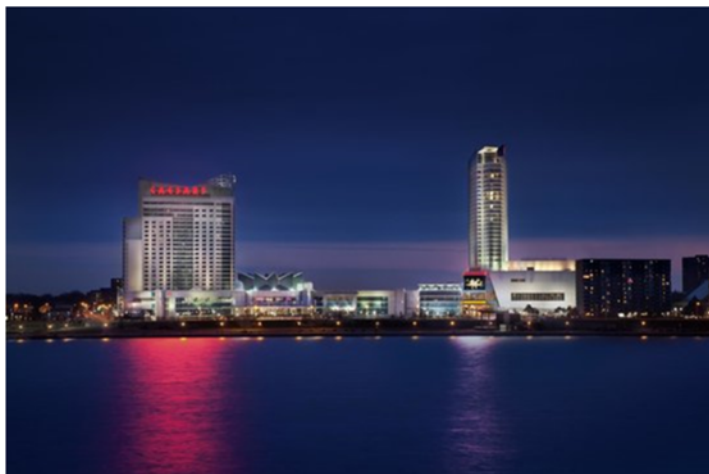
MOL Prevention Office - Task Group for Workplace Participation and Supervisors
- September 20, 2016 (Paul Gunning attending)

COCA Board Meeting - September 26, 2016 (Paul Gunning attending)

Prompt Payment Ontario (PPO) Board Meeting - September 29, 2016 (Paul Gunning attending)

**AAO's AGM and Conference
September 20 to September 22, 2016**

Caesars Windsor



Executive Director's Report (continued)

UPCOMING Mathews Dinsdale Seminars/Webinars

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

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

OHSA Bill 132 Amendments – OHS and Human Resources Implications - Tuesday, September 13, 2016

OHS Due Diligence Essentials of Taking Reasonable Care as a Manager/Supervisor - Wednesday, September 28, 2016

Medical Terminology & Disability Management for Non-Medical Professionals - Thursday, November 17, 2016

WSIB Rate Framework - Tuesday, October 25, 2016

Claims Management I & II - Thursday, November 3, 2016

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

Paul Gunning

The Mathews Dinsdale Minute



This month, we return to the crucial issue of health and safety and government management of working at heights. By notice dated June 30, 2016, the Ontario Government has advised that effective January 1, 2017, the Construction Projects Regulations will be amended to provide for the following:

- A requirement for notifying the Ministry of Labour prior to putting suspended access equipment into service for the first time at a project;
- Introducing requirements for roof plans and site-specific work plans;
- Introducing training requirements for workers who may use or inspect suspended access equipment;
- Enhancing existing design, operational, technical and engineering requirements; and
- Strengthening existing inspections, testing and maintenance requirements by setting out more prescriptive provisions for the party establishing the suspended access equipment.

None of this is particular surprising as “suspended access equipment” and the potential for their collapse, have been the focus of a lot of attention in Ontario since some high profile Toronto area fatalities a number of years ago.

These regulations will increase the legal burden associated with the use of such platforms for hard to access work. If you use equipment of this nature, it is essential that your organization make sure that you are in line with the legal requirements as they grow stricter and more complicated.