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Provincial in scope ...

Provincial in outlook

Chinese Drywall Not Smelling Rosie



A lot of people in the U.S. unknowingly bought new homes, built with drywall manufactured and imported from China. At first

blush this is not an issue, however, the problem is that the drywall emits noxious fumes and corrodes household wiring and plumbing. Renovations are extremely expensive, requiring many homeowners to gut their homes down to the bare studs.

A recent ruling in a Louisiana court however has given hope to thousands of homeowners who bought in good faith, only to find themselves living in houses that emit hydrogen sulphide, a gas that can erode metal and sicken people. The judge ruled that a Chinese firm, Taishan Gypsum Company, Ltd., must pay seven Virginia families a total of just over US\$2.6 million in remediation damages. Furthermore, another ruling is expected soon in a case brought by Florida homeowners against German-owned, but China-based Knauf Plasterboard Tianjin.

Assuming that a U.S. court can enforce its ruling on a Chinese company, there is going to be a lot of expensive remediation work. U.S. government agencies have issued some guidelines for

that remediation. They say that “fire and smoke alarm systems, carbon monoxide alarms, electrical wiring, outlets, circuit breakers, sprinklers, gas pipes, anything with copper electrical wiring and/or air conditioning evaporator coils, and all drywall needs to be removed.”

In addition to the effects on a family home, there are health factors at play for people living in these houses. Hydrogen sulphide is toxic. It makes its presence known by the awful smell, although not all people are equally sensitive to it. Still, complainants have reported such things as irritated and itchy eyes and skin, difficulty in breathing, persistent coughs, bloody noses, runny noses, recurrent headaches, sinus infections and asthma attacks.

All this should serve as notice to everyone that they should read the labels on all the household goods and building products they buy. And although there is no indication that any of the Chinese drywall made its way into Canada, contractors buying drywall should be aware of the issue.

Adapted from an Article the Daily Commercial News, April 23, 2010, “Chinese Drywall Sends Up Red Flag”.

www.dailycommercialnews.com
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Transition To The Harmonized Sales Tax

As we all know, on July 1, 2010, the retail sales tax will be replaced with the harmonized sales tax (HST). To assist in the transition to the HST, Ontario released general transitional rules in October 2009. Members should be aware that as of May 1, the HST will generally apply on pre-payments for products and services that are going to be provided or performed on or after July 1st. The HST should not be charged for any goods received or services performed before July 1st. For more information contact : Canada Revenue Agency 1 800 959-8287



The Mathews Dinsdale Minute



The Ministry of Labour website indicates that the Ministry anticipates releasing the results of its “Fall Hazards on Construction Sites” blitz this month. In that context, it is fitting to review what has happened and why.

On Christmas Eve, 2009, four workers were killed in Toronto when a swing stage they were working on collapsed. The timing and nature of the incident triggered a significant amount of publicity and a very quick response from government. In early January an enforcement blitz was announced on the subject matter of fall protection compliance, including equipment and worker training. The Ministry announced that there would be zero tolerance. Sadly, in the midst of this blitz, another fatality occurred when a worker fell from a balcony in Scarborough, Ontario, on February 18th, 2010.

In April of 2010, the Ministry of Labour announced another blitz commencing in May. This blitz is intended to be a four-month program across the Province focussing on “young and new workers” and looking for proper training, orientation, supervision, safety measures and minimum age requirements.

These blitzes utilize the recently enlarged pool of inspectors (the number of full-time occupational health and safety inspectors has doubled since 2005, to a total of 403) to inspect construction (and other work) sites throughout the Province.

Remember, even if you are in complete compliance with the target subject matter of a blitz, these inspectors, if they observe unrelated violations, have the power to issue orders that could lead to fines, penalties or the stopping of work on your sites. It is essential that employers be vigilant in their efforts to adhere to all their obligations under the Occupational Health and Safety Act and its regulations. The fact is that failure to be in line with the requirements can be exceptionally costly to an employer, including lost time on the project, money spent contesting charges (including legal fees and lost time of management) and increased Workplace Safety and Insurance premiums where injuries occur. On top of all this, serious injuries have the potential to be devastating to injured employees and, in many cases, those co-workers or supervisors that witness or are, in any way, involved in the incident. On this subject, prevention is the only realistic option.

