



Acoustical Association Ontario

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Provincial in scope ...

Provincial in outlook

Executive Director's Report

FEDERAL PROMPT PAYMENT UPDATE

A "Call to Action" was received by COCA from the Mechanical Contractors Association of Canada (MCAC). MCAC has been very active in the National Trade Contractors Coalition of Canada's (NTCCC) pursuit of prompt payment legislation for federal government construction projects. As you are aware, the federal government and its agencies are very large buyers of construction services.

Federal Bill S 224 Canada Prompt Payment Bill passed second reading in the Senate of Canada and was referred to the Standing Senate Committee on Banking, Trade and Commerce for review on November 28, 2016. Once the Standing Committee has completed its review, the Bill will be brought back to the Senate for third reading. If it passes third reading, it will then be sent over to the House of Commons for their legislative processes.

MCAC has asked COCA members for their support by going to www.promptpayment.ca to send your letter of support and let government know how important it is to solve the issue of delayed payments in Canada. **AAO supports this "Call to Action"** and asks all members to go to the website.

ONTARIO PROMPT PAYMENT UPDATE

COCA sources in the Office of the Attorney General have said that legislation pursuant to the Reynold's/Vogel Report on reform of the Construction Lien Act and the problem of delayed payments in the industry will not be introduced until late May 2017. COCA has been told that the complexity of the issue will require all this time to get the Bill right.

The legislature is now in recess until February 21st and from May 19th to May 28th and again from June 2nd to September 10th. If the Bill isn't introduced until Late May, COCA suggests it's highly unlikely it will pass second reading and be referred to Committee for review before the summer recess. That makes the passage of the Bill into law before the end of 2017 questionable. Prompt Payment Ontario (PPO) will soon be asking everyone to do another letter writing campaign. AAO supports this action as we must keep prompt payment at the top of the governments agenda.

FATALITIES AND CRITICAL INJURIES DOWN IN 2016

For the month of December there were ZERO fatalities. Overall numbers are down slightly from last year, and hopefully we can continue to reduce those numbers to eventually getting to the road to zero. With everyone's hard work, dedication, and looking out for each other, it can be achieved.



Fatality & Critical Injury Year-to-Date Overview - Construction Sector

	2016	2015
	January 1 – December 31, 2016	January 1 – December 31, 2015
Fatalities	13	16
Critical Injuries	133	140

*Executive Director's Report (continued)***NEW ACCREDITATION COMING**

On November 16, 2017, Minister of Finance Charles Sousa introduced Bill 70 Building Ontario Up for Everyone Act (Budget Measures), 2016. Bill 70 proposes amendments to 27 statutes including amendments to the Occupational Health and Safety Act (OHSA). The Bill passed in December.

With regard to the OHSA, the proposed amendments provide the Chief Prevention Officer of the MOL with the legislative authority to implement a voluntary accreditation and employer recognition program under the Act.

This includes the authority to:

- Establish standards that occupational health and safety management systems (OHSMS) would need to meet to become accredited;
- Approve existing or new OHSMS that meet the CPO's standards;
- Recognize employers that have been certified by an approved OHSMS and who meet any additional criteria established by the CPO; and
- Publish the names of accredited programs and recognized employers

This was one of Tony Dean's recommendations from the Expert Advisory Panel on Occupational Health and Safety back in 2010. We are told that the recognition aspects of accreditation (i.e. perhaps WSIB reduced rates, less MOL site visits) and details of the program are currently being drafted. However, some of you may have heard of a similar certification called COR (Certificate of Recognition), issued by IHSA. This has been promoted by the Ontario General Contractors Association (OGCA) for several years now. We are told that COR will be accepted by the MOL as accreditation.

OGCA has met with growing success in that organizations such as the **Toronto Transit Commission** (TTC), the **Greater Toronto Airports Authority** (GTAA), **Metrolinx** and the **City of Toronto**, who are major buyers of construction, are requiring COR or certain aspects of COR. COR however, can be very time consuming and expensive.

As in the past, whenever the MOL has a new program, everyone, including buyers of construction, tend to embrace the program. AAO believes this will happen and in time buyers of construction will be requiring accreditation as a minimum. Whether or not you choose the COR route is a question for you. However, if you choose not to get the MOL voluntary accreditation, this may reduce the number of projects you will be able to bid if it becomes a requirement. Details on MOL accreditation as they unfold will be brought to your attention. AAO will be providing assistance to those who wish to obtain MOL accreditation.

UPCOMING DECEMBER 2016 EVENTS

IHSA Drywall Labour-Management Committee Meeting, March 9, 2017—(Paul Gunning attending)

AWCI Annual Convention and INTEX EXPO March 26 – 30, 2017 Las Vegas

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)

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

Paul Gunning
Executive Director

The Mathews Dinsdale Minute**Reminder: mandatory 'working at heights' training requirements in effect as of April 1, 2017!**

As of April 1, 2017, you are required ensure that certain workers complete a 'working at heights' training program. Both the training program and the training provider must be approved by the Chief Prevention Officer (CPO).

Your workers must complete 'working at heights' training if they: (a) work on construction projects and (b) use fall protection methods such as a travel restraint system, a fall restricting system, a fall arrest system, a safety net, a work belt or a safety belt.

Training records: You are required to maintain a record of the worker's approved 'working at heights' training and to provide the training record to a Ministry of Labour (MOL) Inspector, if requested. The record must include the worker's name, approved training provider's name, the date on which the training was successfully completed and the name of the CPO-approved training program.

How long is this training valid? Workers must be given CPO-approved training every 3 years. Refresher training is a CPO-Approved half-day program delivered by a CPO-approved training provider.

Consequences of NOT complying? MOL Inspectors may issue an order requiring you to comply within a certain time period. More likely however, is that an Inspector will issue a stop work order prohibiting any worker without the training from working at heights until the training is completed. Non-compliant employers can be prosecuted under the Provincial Offences Act.

Takeaways:

- As of April 1, 2017, all specified workers must have completed a working at heights training program;
- the training program and training provider must be CPO-approved;
- the working at heights training requirements are in addition to the training requirements set out in section 26.2 and section 26.2(1) of the Construction Projects Regulation.
- Who is certified to provide the required training?
- The MOL lists approved providers for on their website:

https://www.labour.gov.on.ca/english/hs/wah_providers.php

Still have questions? Reach out to any member of our team at Mathews, Dinsdale.