

Seminar on Occupational Health and Safety Reviews How to Deal with Designated Substances

The B&CRAO Seminar on March 8, 2006 featured Provincial Specialist in Construction Health and Safety in the Ontario Ministry of Labour, Evelyn Stefov. She discussed the province's policies related to occupational disease and designated substances in the construction industry.

Addressing a gathering of over 50 B&CRAO members and guests, Ms. Stefov emphasized that the focus of the Ministry of Labour was on prevention. She noted that construction workers are potentially exposed to hazardous substances that may result in the development of occupational diseases that can result in injuries, some fatal.

Ms. Stefov said that there are more deaths in construction from occupation disease than from traumatic injury.

For example, of the 54 construction fatalities recorded in 2004, 34 were from Occupational Disease Claims, while 20 were from Traumatic Fatality Claims.

In the last decade, there were 264 fatality claims: Of these, 54 per cent were from Mesothelioma, 26 per cent from lung cancer, 4 per cent from asbestos, while the remainder from miscellaneous sources. The trades most affected were plumber/pipefitter (25 per cent), insulators (18 per cent), electricians (11 per cent) labourers (11 per cent), while 35 per cent were from other trades.

Among the non-fatal disease claims registered in 2003, 28 per cent were noise-induced hearing loss; 16 per cent from hearing loss; 14 per cent from chemical exposure; and 10 per cent from respiratory diseases.

In explaining what to focus on during an inspection, Ms. Stefov mentioned the need to ensure

- compliance with Regulation 278/05;
- WHMIS requirements and training are met; and
- adequate PPE is used.

She noted that orders may be issued under the applicable sections of the Act and the Regulations.

Ms. Stefov also outlined the responsibilities of inspectors to ensure that measures and procedures recommended in the guidelines related to lead, silica, MMVF and mould, are implemented and that particular attention is focused on respiratory protection requirements.

Highlights of Regulation 278/05 include

- a definition for asbestos-containing material;
- clarification of the duties of an owner to inspect for asbestos and the intent of the asbestos management program;
- updated respiratory protection requirements and reclassifying work procedures; and
- new training requirements for workers and supervisors involved in Type 3 operations.

The construction industry is exempt from designated substances regulations which apply to industrial and mining industries with the exception of what is contained in Regulation 278/05.

As well, Section 30 of the Occupational Health and Safety Act (OHSA) deals with designated substances on construction projects.

Project Owners and constructors have the following duties under Section 30 of OHSA:

- The Owner must prepare a list of all designated substances on the site;
- The Owner shall ensure that the constructor receives a copy of the list of all designated substances on the site;
- The Constructor shall ensure that all contractors and sub-contractors receive a copy of the list of all designated substances on the site;
- Owner compliance failure is liable to constructors, contractors and sub-contractors who suffer any loss or damage; and
- Constructor compliance failure is liable to constructor, contractors and sub-contractors who suffer any loss or damage.

There was an extensive question-and-answer session following Ms. Stefov's presentation which took place at the Wyndham Bristol Place.