

Construction in Ontario, August 2009 Edition

President's WSIB Update

WSIB Chair's Consultation Update

When Chair Mahoney's extended period of stakeholder consultation is complete he will have met with more than 45 groups and individuals to receive views, opinions and recommendations on the state of the WSIB. Chair Mahoney is expected to report on his findings to the WSIB's Board of Directors at its meeting in September and issue a public report not long afterward. We commend Chair Mahoney for undertaking this stakeholder consultation, for his fair and balanced approach and for his open mind with regard to new ideas and we look forward to receiving and reviewing his report.

WSIB 2010 Preliminary Rates

On July 28th Chair Steve Mahoney announced the WSIB's 2010 Preliminary Premium Rates. The high level refrain from his announcement is that rates will be frozen for rate groups with good health and safety performance while poor-performing rate groups will see rate increases. Rates will increase for the following construction rate groups: roofing will see an increase of 2.5% to \$13.30; formwork will be up by 4% to \$16.50; and siding and outside finishing will tick up by 1.2% to \$9.25. Possibly the big revenue story in all this for the WSIB is the increase in the maximum insurable earnings for 2010 of approximately 4% or \$3,000 to \$77,600. It is expected that the Preliminary Rates will be presented to the WSIB Board of Directors for approval at its September meeting. COCA members have been invited to a technical briefing on September 8th.

Experience Rating Review

It appears that WSIB staff activity on the Experience Rating Review, pursuant to the release of the WSIB commissioned Morneau Sobeco Report, has been put on hold until the completion of the Mahoney consultation. You may remember that when it was presented to the WSIB board of directors, the Report was merely "received" and not "approved." Nothing new to report on this file.

Consolidation of the Safe Workplace Associations

The merging of the 12 Safe Workplace Associations (SWAs) into four appears to be proceeding apace. One CEO is already in place and the three others will be selected shortly. The process of incorporating the new entities and developing bylaws is also well underway and the existing 12 SWAs will be wound down at the end of the year. The boards of directors of the four new safety associations will be similar but not identical. We are led to believe they will have between 10 and 20 members, carefully selected on a competency and representation basis through an application process.

The SWAs have been realigned to generate significant savings through operational efficiencies and the sharing of staff functions, such as HR, IT, event management, program development and finance and accounting, with the monies saved redirected to front end programs and services designed to make Ontario's workplaces safer.

Some of the concerns we continue to have about the new safety association that will serve the construction industry are: 1) representation on the board of directors of the new safety association that is proportionate to the size of the construction industry (number of workers, number of companies) relative to the other industries served; 2) representation for all the construction trades in the new safety association; 3) loss of the well established CSAO brand; 4) loss of sector specific training; 5) will the envisioned sharing of services take place; will it happen quickly; will it generate the savings planned.

WSIB Seeking New President & CEO

So what is the WSIB looking for in its next President and CEO? The search is being conducted by the well regarded executive search firm Ray & Berndtson and according to their online ad for the position, which characterizes the WSIB as the third largest disability insurer in North America with an investment portfolio of over \$10 billion" they are seeking someone:

- Who can set the tone and the operational agenda for the WSIB
- Who can champion transparency and open communication with stakeholder groups
- Who will improve the organization's ability to fund its ongoing obligations
- Who will advance the WSIB's commitment to efficiency while maintaining the highest standard of service
- Who passionately endorses the value of prevention and the importance of supporting workers with workplace injury or illness
- Who will work with the stakeholder community
- Who will challenge the status quo

COCA president Ian Cunningham had the opportunity to provide the search consultant with his views on what skills competencies and experience Jill Hutcheon's successor should possess prior to the publication of this job notice.

Ray and Berndtson will present to WSIB hiring committee with a short list of candidates to be interviewed and it is anticipated a selection will be made by the end of October.

Ministry of Labour Consulting on New/Revised Occupational Exposure Limits

The Ministry of Labour is currently accepting input on proposals for new or revised occupational exposure limits (OELs) or listings for 17 chemical substances.

These limits or listings set out restrictions for the amount and duration of worker exposure to hazardous workplace substances such as asbestos,

benzene and lead. The current proposed changes are based on recommendations tabled by the American Conference of Government Industrial Hygienists (ACGIH).

Highlights of the proposed changes include:

- Updated listings for 13 substances including the development of an occupational exposure limit for a specific particle size fraction for 8 of these substances
- The withdrawal of separate listings for rubber solvent and V.M. & P. Naphtha and the adoption of ACGIH's method for developing OELs for refined hydrocarbon solvents set out in Appendix H of the 2009 version of the ACGIH handbook of threshold limit values
- The withdrawal of the Ontario-specific listing for Petroleum ether that, similar to chemical agents, Rubber solvent and V.M. & P. Naphtha, would continue to be regulated by applying the OELs for refined hydrocarbon solvents set out in Appendix H of the 2009 version of the ACGIH handbook of threshold limit values

"Skin" notations assigned to the substances in Regulation 833 will also be reviewed by Ministry of Labour in order to ensure consistency with notations assigned to these substances in the 2009 version of the ACGIH handbook of threshold limit values, affecting approximately 25 listings.

Attached [here](#) is a table listing the new or revised OELs or listings proposed for 17 substances.

The Ministry of Labour is also inviting stakeholders to nominate substances that are not currently recommended and not under consideration by the ACGIH. Those interested in making submissions should indicate a proposed limit and supporting documentation used by a jurisdiction that has adopted the proposed limit.

Consultations will end September 18th, 2009. Submissions may be mailed, faxed or sent electronically to the following address:

Mail: The 2009 OEL Updated Project
 Ontario Ministry of Labour
 12th Floor, 400 University Avenue
 Toronto ON M7A 1T7

Fax: 416-326-7650

Email: oelupdateproject@ontario.ca

Source: Ministry of Labour

Ministry of Labour Safety Blitz Targets Concrete

Formwork

According to the WSIB's final data for 2008, the construction formwork and demolition sector experienced a lost-time injury rate of more than 2.5 times the construction industry standard. As a result, throughout the month of August ministry of Labour occupational health and safety inspectors will be conducting a sector specific safety blitz concentrating on the wide range of work-related hazards specific to formwork. These include, but are not limited to, conditions that could cause workers to fall, be electrocuted, sustain injuries in trenches and excavations or be struck or crushed by construction vehicles or equipment. Ergonomic issues will also be monitored.

Inspectors will be implementing a zero-tolerance approach to contraventions of regulations for fall protection, trench shoring and work in close proximity to high voltage power lines.

Source: Ministry of Labour

Building Permit Values Continue to Increase

The increase in building intentions for both non-residential and residential construction pushed the value of building permits to \$5.2 billion for June, a 1% increase over May.

Non-residential permit values increased 1.5% to \$2.5 billion continuing upon May's increase of almost 20%. The commercial sector led the way with an increase of 10.6% to \$1.3 billion, led largely by hotel and laboratory construction in Ontario. After enjoying a 55% increase in May, the value of institutional permits fell 6.2% to \$902 million led largely by the decrease in project intentions in Alberta. Industrial permits decreased 7.1% to \$332 million after enjoying three straight months of gains.

Residential permit values for June increased for their fourth straight month with intentions climbing 0.5% to a value of \$2.7 billion.

Despite the recent upswing in permit activity, the total value of permits has decreased 26.2% compared to the same period in 2008.

Source: Statistics Canada

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