



# Ontario Construction Users Council

## MINUTES OF COUNCIL MEETING – November 3, 2017

Location: 5110 Creebank Road, Mississauga, ON

### **Member:**

Eric Hopkins	Metrolinx
Michael Nieznalshi	Toronto Transit Commission
Danny Chui	Exhibition Place, City of Toronto
Harry Banikin	H Banikin & Associates
Ian Worte	Ontario Construction Secretariat
Roger Belair	Roger Belair H & S Consultant
Robin Grenger	Retiree (OPG)
Ian Cunningham	COCA – Council of Ontario Construction Associations
Kristine Lampman	The State Group
Paul Spain	PERI Formwork
Gino Squeo	E S Fox Ltd
Jennifer Ahrn	Town of Milton

### **Guest:**

Douglas Randall	Back & McDonald
John Vander Doelen	Ministry of Labour
Elizabeth Witmer	Workers Safety Insurance Board

### **1. Welcome and Introduction**

OCUC Chair Eric H started the meeting at 8:53 AM welcoming everyone to the council meeting and invited all to introduce themselves. He started with the safety moment related to RISK. Our workers and staff sometimes do not bother to think about risk in their daily work and often say to themselves that nothing is going to hurt and leave their safety precaution to the window. When thing does happen, the WSIB will have to be called. Eric H urged everyone to drive that point risk home and we have to manage it.

### **2. Approval of Agenda**

Agenda was emailed to all members over a week ago and no new item was introduced. **Motion to approve the November 3, 2017 Council agenda; Moved by Robin G and Seconded by Ian C. Motion carried.**

### **3. Approval of Council Minutes**

Minutes were sent to all members by emails over a week ago and no comment was received. **Motion to approve the September 29, 2017 Council minutes; Moved by Ian C and Seconded by Ian W. Motion carried.**

### **4. Presentation I:**

#### **Mrs. Elizabeth Witmer – Chair of Workers Safety Insurance Board**

Elizabeth Witmer was re-appointed to a 3 year term as Chair of the WSIB in May, a position she has filled with distinction since 2012. Under her strong leadership, she has put the Board on a path towards financial sustainability that ensures stable premiums for the employers who fund the system and allows for improving outcomes for injured workers. She

has been a tireless advocate for promoting healthy and safe workplaces. Elizabeth is a former Deputy Premier of Ontario, Minister of Labour, Minister of Health and Long Term Care, Minister of Environment and Minister of Education and served as MPP for Kitchener-Waterloo for 22 years. Her leadership has been acknowledged with many prestigious awards, such as the Queen's Golden and Diamond Jubilee Awards, Kitchener-Waterloo Citizen of the Year Award for outstanding public service, Asthma Society of Canada Innovation in Public Policy Award for her role in beginning Ontario's coal phase-out. Elizabeth is a graduate of the University of Western Ontario and lives in Waterloo.

Mrs. Witwer has been speaking to OCUC for a few times. She opened her remark by saying that WSIB values our input and support that many of our members provided into health and safety at the work place. WSIB's goal is to be the best work place insurance system in Canada and improving customer services. She was asked to provide update on the financial and operating results and some key initiatives as follows:

1. The unfunded liability (UFL) – the government passed the legislation asking the WSIB to reach 60% funding by 2017 and full funding (zero UFL) by 2027. WSIB reached the objective in 2017 and is now at 90% funding level, way ahead of the 2017 target and should be reached by 2020. The UFL was at \$14.2 billion at 2012. She thanked all supporters for their help and also the diverse investment also helped. Claim volume has been down; return to work program has been very successful; improve the quality of life for worker in general by providing parallel help system to eliminate wait time for treatment for injured workers through permanent room in hospital in Toronto and reduce cost. The early integrated support system means 94% eligibility decisions was reached within 2 weeks; 92% people making claims were back to work within a year without lost of earning. The transition program for people who cannot go back to their original job helps the rate of return to a different type of work is 89% - used to be 36%;
2. Premium rate reduction – in 2016, first time in 15 years, reduced by 6.2% in average; this fall rate reduction is further 3.3%. Some did get increase due to the expansion of mental stress in the work place – front line worker such as fire fighters and policemen – PTSD;
3. Rate Framework Modernization – Premium rate that better balances the individual claim experiences and collective liability to provide bigger incentive for each work place to work toward better health and safety outcome. A single rate system that reflects the predominate business in work place, which will be implemented starting January 2018 and will be a significant system change. Talking with employers next week on this still continue to ensure the new system is right;
4. Chronical Mental Stress – The government passed legislation mandating WSIB to cover chronical mental stress starting in January 2018. WSIB has finalizing its program of care to deal with this type of complex claim and it also has some expertise in judging this kind of mental stress claims in the past such as the PTSD. It also takes a look from BC and Albert where they have provided such coverage. It will deal with this the same way as the physical injury. The person who submits such claim will first go to the family doctor and if it is determined that it is a complex mental stress case; WSIB will have the proper experts to help along the way for such assessment and care. The goal is to help worker get well and return to work as soon as it can. By January 1, 2018, WSIB will expect more such claims coming in just like the work place harassments cases sine mental stress illness is new benefit to Ontario workers;
5. Health and Safety – 85% cases came from small businesses and WSIB wants to raise the awareness of health and safety among these small employers. Therefore, WSIB I introduce a new small business award for employers with few than 50 employees and invite them to apply or nominate employers for such award. The first time, it received 60 nominees and Mrs. Witmer was surprised to find that the 3 winners were from Timmins, Sault St. Marie, and Dover Centre; they were in small successful businesses with very good H & S program and in small communities;
6. H & S Index (digital tool) – introduced this spring showing how safe Ontario work places are and if they are getting better. It looks at all aspects of health and safety

including injury rate and to help people to identify area of improvement and track improvement;

7. Compass (digital tool) – launched a few weeks ago for checking health and safety statistics of any work place in Ontario; or can compare your statistics with other employers; and

8. Marijuana – WSIB is waiting for the federal to complete the legalization of the marijuana to come up with new policy and procedures to respond to the issue.

## **5. Subcommittee Report**

### **5.1 Education**

Eric H commented that the construction industry is lack behind from technology compared to other industry. It is recognized by public that it is slow in term of productivity. We should challenge ourselves how we can do things better. Profit from construction through engineered procurement construction contractors on a global scale, their profit margin was 1.5% in general last year which is almost worst than the interest from GIC.

**5.2 Health and Safety** - Michael N presented the following: The 2017 MOL report to PLMHSC for the month of July and August as follows:

Section 1: Month Fatalities was 1 in Sept 16 to Oct 15; Critical Injuries was 25 and total for the period was 26;

Section 2: MOL Current Event: There were 6 items on the list;

Section 3: MOL prosecution cases:

Court Case 1 – Toronto Crane Company Fined \$95,000 After Worker Fatality - Toronto Crane Service Inc. was found guilty when Part of a tower crane that was being taken apart tipped over and fell on a worker, who suffered fatal injuries on June 22, 2016 in Innisfil, Ontario.

Court Case 2 – Windsor Roofing Company Fined \$90,000 in Young Worker Fatality – On December 11, 2015, a young worker fell from the roof of a house that was being re-shingled. A lanyard was apparently detached from a safety line at the time. The young worker was hospitalized for over six months but did not regain consciousness and passed away.

In both cases, the court also imposed a 25-per-cent victim fine surcharge as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

Section 4: Fatality & Critical Injury Year-to-Date Overview - Construction Sector

Total accumulated Fatalities to date were 13 and Critical Injuries 216 in 2017 compared to 10 and 94 in 2016 respectively (a 30% and 130% increased respectively). Majority of the incidents were due to fall and struck by objects combined.

### **5.3 Labour Relations**

No report

### **5.4 Recruitment and Board Report**

Eric H encouraged the guests who were in the meeting to sign up as members if they feel that OCUC group has value for their companies. He also mentioned that Robin G who retired from OPG recently will remain in the board for the rest of the year and he would held looked into the constitutions change to allow retirees category in council and board. Danny C mentioned that the board needs directors on the board as well.

**The above committee verbal reports were for information only the minutes of the meeting would normally be posted in the OCUC website.**

## **6 Presentations II**

### **6.1 Caroline Winnel and Barry White – 3M – Fall Protection Equipment**

Caroline has been involved in the safety industry for over 10 years. She is the newest member of the 3M Personal Core Safety Team in Canada, and is currently responsible for supporting clients in Toronto to Kingston territory. As a Core Safety Representative with 3M, Caroline has the ability to introduce and educate her clients in the areas of Respiratory, Eye Protection, Welding Protection, Hearing Protection, Peltor Communications, Head Protection and fall protection. She is certified to provide both quantitative and qualitative respiratory fit testing, Ear-Fit Validation Fit Testing and fall protection inspections.

Barry has been involved in the Safety Industry for the past 30 years and has been focused solely on Fall Protection for the last 18 years. He has been involved in all aspects of Fall Protection including consulting on Fall Protection solutions, applications and product development. Barry is a Certified Fall Protection Trainer and is the Trainer of record for many major industrial and construction organizations including, General Motors, Dep't of National Defense and PCL Constructors. He has been invited to be a guest speaker for the Ministry of Labour, IHSA and Toronto Construction Association.

Barry demonstrate the proper use of the body harnesses equipment in the meeting as well as in the outside parking lot

### **7 New Business**

Ian W reported that Ontario Construction Secretariat has a new CEO whose name is Robert Bronk.

### **8 Adjournment – Moved by Ian W at 12:05 PM**

**NOTE: The above minutes were intended to reflect only the general discussions at the time in the meeting; however, they may not necessary had been recorded fully what were discussed. Please contact Danny Chui within 72 hours to report any discrepancy after receiving these minutes.**

**Minutes are generally posted on the OCUC website [www.theocuc.com](http://www.theocuc.com) after they were approved.**

**Minutes prepared by:**

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