

LAWS & ANNOUNCEMENTS

OHS Enforcement

May 28: If and when <u>Bill 30</u> (*Working for Workers Seven Act*) passes, Ontario MOL inspectors will be allowed to issue Administrative Monetary Penalties (AMPs) against companies and individuals that commit OHS violations in amounts to be determined by regulations. As in other provinces, those on the receiving end of an AMP will have the right to appeal.

Action Point: Find out about the current <u>Administrative Monetary Penalty rules</u>. across Canada.

OHS Enforcement

May 12: Ontario MOL inspectors may now issue compliance commitments instead of orders for low risk or administrative OHS violations to employers who make a commitment to comply with the law within a certain time period set by the inspector. Issuing compliance commitments will be left to inspectors' discretion based on the violator's history and other factors.

Heat Stress

May 29: Newly tabled <u>Bill 36</u> adds a new section to the *OHS Act* requiring the MOL to establish a Worker Heat Protection Standard. Employers must ensure all employees receive heat stress training on the Standard and pay for training time at workers' regular rate. The MOL must also provide annual reports on enforcement of the Standard.

Action Point: It will likely take over a year for the Act to pass and the MOL to develop the new Heat Stress Standard. Even so, Ontario employers should already have a <u>Heat Stress Safety and Compliance Game Plan</u> to protect their workers, especially with the summer season approaching.

First Aid

May 28: The new <u>Working for Workers Seven Act</u> would require construction projects with 20 or more workers and that are expected to last 3 months or longer have automated external defibrillators to help workers who suffer cardiac arrest at the site. The Bill would also create a new WSIB program to reimburse constructors for the costs of purchasing an AED.

Action Point: Find out how to implement an <u>AEDs Compliance Game Plan</u> to save lives at your workplace.

Workplace Violence

Jun 2: The MOL launched a new targeted inspection initiative focusing on workplace violence in the healthcare sector. From now through March 31, inspectors will be visiting high-risk health and community care workplaces to verify that they have a compliant workplace violence prevention program in place.

Action Point: Find out how to implement an effective <u>Workplace Violence and Harassment Compliance Game Plan</u> so that you'll be prepared for any MOL inspectors that show up at your site.

Ergonomics

Jun 2: From now through March 31, 2026, Ontario MOL inspectors will be carrying out ergonomics inspections at retail facilities to ensure that employers have implemented adequate measures to protect workers against risk of musculoskeletal disorders. Inspectors will pay special attention to packing, receiving and other retail manual material handling operations involving high risk of MSDs, which account for roughly 30% of all lost-time injuries in the sector.

Action Point: Find out how to implement an <u>Ergonomics and Musculoskeletal</u> <u>Disorders Prevention and Compliance Game Plan</u> so that you'll be prepared if the MOL targets your workplace for inspection.

Transportation Safety

Jun 23: That's the final day to comment on <u>proposed new regulations</u> to make installation of Ignition Interlock mandatory for all impaired driving convictions, lifetime licence suspension, reducible to 25 years, for conviction of impaired driving causing death, and remedial education mandatory for first-time alcohol/drug-related administrative occurrences. There would also be mandatory minimum licence suspensions and demerit points for stunt driving convictions.

Transportation Safety

Jun 4: Newly tabled <u>Bill 47</u> amends the *Highway Traffic Act* by making persons who commit an offence under the Act that causes or contributes to causing an accident causing death or serious bodily harm liable to a fine of between \$2,000 and \$50,000 and/or to 2 years in prison. The person's driver's licence or permit could also be suspended for up to 5 years.

Emergency Management

May 26: The Assembly tabled <u>Bill 25</u> proposing improvements to the province's disaster management program including deployment of the Ontario Corps for emergency response. If it passes, this would be the first comprehensive update to Ontario's emergency management legislation in over 15 years.

New Laws

May 28: The Ontario Assembly tabled new legislation (<u>Bill 30</u>) authorizing government immigration inspectors to require a person to attend an in-person interview separate and apart from other persons, subject to requirements to be set out in the regulations. Separate interviews will enable interviewees who might be intimidated by the presence of another interviewee to speak candidly.

Training

May 26: Ontario plans to introduce measures to accelerate the construction of Skills Development Fund (SDF) training centres to support workers impacted by U.S. tariffs, including new regulations that would exempt certain training centres from construction permit and approval requirements to the new ONIP employer portal

that's scheduled to launch this summer.

New Laws

Jun 5: The Assembly passed <u>Bill 2</u>, the <u>Protect Ontario through Free Trade within Canada Act</u>, authorizing the government to enter into reciprocal free trade and labour mobility agreements with other provinces. Under previous rules, workers from other jurisdictions must register with and get the approval of an Ontario government authority before working in the province.

Workers' Comp

May 28: Newly tabled <u>Bill 30</u> amends the *Workplace Safety and Insurance Act, 1997* to ban employers from making a false or misleading statement or representation to the WSIB in connection with any person's claim for benefits under the insurance plan punishable by administrative monetary penalties.

Workers' Comp

May 28: Newly proposed legislation makes failure to pay workers' comp premiums an offence subject to administrative penalties. <u>Bill 30</u> also lists "aggravating factors" that would increase administrative penalty amounts while creating a new maximum \$750,000 per conviction fine against persons convicted of 2 or more counts of the same *Workplace Safety and Insurance Act* offence in the same legal proceeding.

Environmental

Jun 5: With the enactment of <u>Bill 5</u>, Ontario companies no longer need government permits to undertake projects posing potential harms to endangered species and their habitats but instead just have to register the project online. The new system also eliminates provincial protections for certain aquatic species and migratory birds that are already protected under federal environmental laws.

Action Point: Find out more about the <u>new Ontario endangered species protection</u> <u>law</u> and its practical impact.

Environmental

May 28: First Reading for <u>Bill 32</u> authorizing the government to create regulations establishing a beverage container recycling deposit program and set rules for blue box materials deposits and collections.

CASES

Material Handling: Auto Plant Fined \$350,000 for Injury to Jib Crane Operator An automotive parts manufacturer was fined \$350,000 for an incident in which a worker using a jib crane equipped with clamping attachments to insert and remove broach sticks from a broaching machine got hit by a 460-pound broach stick that fell from the crane. The company pled guilty to failing to ensure that the broach stick was lifted, carried or moved in a safe manner [Linamar Corporation, c/o/b as Linamar Gear, MOL Press Release, June 10, 2025].

Action Point: Don't let this happen to you! Use the OHS Insider <u>Cranes/Hoists/Lifting</u> Device Compliance Game Plan to prevent crane violations and injuries at your

workplace.

Hot Work: Coke Oven SNAFU Results in 2 Fatalities and \$225,000 Fine

Two workers in the basket of a boom lift approximately 40 feet off the ground died as a result of coke oven mishap. The employer was fined \$225,000 after pleading guilty to failing to ensure that workers didn't perform work on the quench tower chimney while the quenching process took place [John Kenyon Limited, MOL Press Release, May 26, 2025].

Action Point: Use the <u>OHSI policy template</u> to create an effective Hot Work Safety Policy for your workers.

Powered Mobile Equipment: Steel Worker Killed by Forklift that's Driving Blind A steel plant worker operating an overhead crane to move a coil was fatally struck by an industrial forklift moving at 2 to 3 kilometers per hour driven by a worker who couldn't see the victim or the area immediately in front of the coil. The employer got fined \$200,000 for failing to ensure that the operation of the Taylor Forklift, model X650L, was directed by a signaler when its operator didn't have a full view of the intended path of travel [Janco Steel Ltd., MOL Press Release, May 29, 2025].

Action Point: Find out how to implement a <u>Powered Mobile Equipment Compliance</u> <u>Game Plan</u> to prevent these kinds of forklift incidents and injuries from happening at your workplace.

Workplace Harassment: Sexist Texts about Coworker on Private App Are Just Cause to Terminate

A government transportation agency terminated 5 employees for posting derogatory and sexist texts about coworkers on the online "WhatsApp" group, including allegations that a certain "Ms. A" performed sexual favors for career advancement. The union grieved and the Ontario arbitrator reinstated all 5 employees after finding no justification to terminate for off-duty conduct. Rather than giving the labour arbitrator the usual deference, the court found that the ruling in this case was unreasonable and reversed it, setting up a final showdown before the province's top court, the Court of Appeal. Result: The agency won. The Court ruled that there was just cause to terminate and that the arbitrator was wrong to conclude that the What'sApp texts were private communications because the employees made them using their personal cell phones and that they had no negative impact on the workplace because Ms. A didn't file a complaint with HR [Metrolinx v. Amalgamated Transit Union, Local 1587, 2025 ONCA 415 (CanLII), June 6, 2025].

Action Point: Use the OHS Insider <u>Assessment Questionnaire template</u> to uncover potential bullying problems at your workplace.

Workplace Violence: Lack of Safety Procedures Undermines Patient Abuse Termination

It's a nightmarish situation. A distraught mom brings her 7-year-old child kicking and screaming into an emergency department. The doctor prescribes medications to calm him down. Four security guards hold down the child's arms and legs while the nurse pinches his nose, shoves the pills into his mouth and holds her hand over his mouth for 5 to 10 seconds. The hospital later fires the nurse for patient abuse. The

union claims wrongful dismissal and the Ontario arbitrator agrees. The hospital would have been well within its rights to expressly prohibit staff from physically forcing a non-consenting minor to take medications. But it didn't do so. And the hospital's failure to establish written policies or guidelines addressing this situation meant that the nurse had to exercise her own best judgment in deciding how to handle this chaotic and distressing situation based on her years of experience in nursing. Accordingly, the hospital was out of line in ending her employment [Ontario Nurses' Association v Royal Victoria Hospital, 2025 CanLII 43167 (ON LA), May 12, 2025].

Action Point: The hospital in this case had a workplace violence prevention program but it contained a blind spot, namely, lack of specific work procedures for handling this situation. Are **you** doing enough to prevent violence at your workplace? Perform a Workplace Violence Compliance Audit to find out.