

LAWS & ANNOUNCEMENTS

Fall Protection

Jun 2: From now through March 31, 2026, the MOL will perform focused inspections of mines and mining plants to verify compliance with OHS requirements for preventing slips, trips, and falls. Inspectors will pay especially close attention to workplace housekeeping, environmental conditions, how workers mount and dismount mobile equipment, and how materials, equipment, and protective devices are maintained.

Action Point: Find out how to implement a legally sound <u>Fall Protection</u> <u>Compliance Game Plan</u> in case MOL inspectors show up at your site.

Industry Challenges

Jul 12: Newly effective <u>amendments</u> to *OHS Diving Operations Regs*. exempt screen industry employers from CSA Standard diving certification requirements, except if the person involved in a diving operation is a standby diver, diver's tender, diving supervisor, hyperbaric chamber operator, life support technician, or any person underwater to support the divers' health and safety.

Industry Challenges

Jun 24: Ontario launched a new <u>Action Plan</u> to promote high-quality made-in-Ontario wood building products. The strategy is to increase the manufacture and use of prefabricated and modular wood-based building materials, aka, advanced wood construction, to make home building faster and more efficient and bolster the forestry sector against the harms of U.S. tariffs.

New Laws

Jul 7: To protect jobs in the forestry sector, the Forest Biomass Program will invest over \$9.1 million in 5 research, innovation and modernization projects across Eastern Ontario.

New Laws

Jul 7: Ontario and Alberta signed an agreement to develop strategic trade corridors and energy infrastructure to connect each province's oil, gas, and critical minerals to global markets. The two provinces will also collaborate on nuclear energy development. A second agreement aims to reduce barriers to improve interprovincial trade of liquor products.

Fire Safety

Jul 28: That's the deadline to comment on <u>proposed amendments</u> authorizing Ontario municipalities to impose Administrative Monetary Penalties for violations of the *Fire Protection and Prevention Act*. Any violators would be subject to AMPs, including corporations, owners and tenants.

Action Point: Find out how to implement an effective and legally sound Fire

Prevention Compliance Game Plan to prevent fires at your workplace.

New Laws

Jun 24: Ontario began accepting applications for funding under the new <u>Rural Ontario Development (ROD) program</u> supporting projects to promote economic growth, protect jobs and improve infrastructure in small communities under 4 streams: Economic Diversification, Competitiveness and Capacity Building; Workforce Development, Attraction and Retention; Community Infrastructure Enhancements; and Business Development. Deadline <u>to apply</u>: September 24.

Drugs & Alcohol

Jul 1: New regulations took effect authorizing "pedal pubs" in Niagara-on-the-Lake, Toronto, Ottawa, and Windsor to serve alcohol, provided that they have enough space for at least 12 people. A pedal pub is a large quadricycle that carries tourists and others traveling between restaurants and bars.

Workers' Comp

Jul 1: Newly effective <u>workers' comp amendments</u> expand the presumption of work-relatedness for primary-site kidney cancer and primary-site colorectal cancer in firefighters and fire investigators. The kidney cancer presumption applies after only 10 years of employment or volunteer service before diagnosis, as opposed to 20 years under previous rules. The amendments also eliminate the requirement that primary-site colorectal cancer be diagnosed before the age of 61.

Environmental

Jul 11: From now to August 25, the MOL will take comments on a <u>proposal</u> to allow certain stormwater management and spill control works located at electricity facilities self-register on the Environmental Activity and Sector Registry instead of having to apply for an *Environmental Protection Act* permit. The idea is to cut red tape impeding electricity system infrastructure development.

CASES

Material Handling: Top Court Finds Crane Operator Not Guilty of OHS Charges

Miraculously, nobody got hurt when 8 spools of elevator cable weighing about 4,000 pounds being hoisted onto the roof of a tower broke free and crashed 300 feet to the ground near a Walmart store. The MOL charged the worker acting as the "swamper" for the operation with 4 OHS violations but the court dismissed all charges, finding that the evidence showed that the incident happened because the pallets holding the spools failed not because the worker didn't fulfill his OHS swamper duties. The case reached the Ontario Court of Appeal which rejected the Crown's appeal and upheld the directed verdict in the worker's favour [Ontario (Labour, Immigration, Training and Skills Development) v. Benevides, 2025 ONCA 426 (CanLII), June 9, 2025].

Action Point: Use the OHS Insider <u>Cranes/Hoists/Lifting Device Compliance Game Plan</u> to prevent crane violations at your workplace.

Supervisor: Court Fines Residential Facility \$225,000 for Support Worker's Drowning Death

A nonprofit agency supporting adults with developmental disabilities assigned a personal support worker to guard a very large and mentally unstable resident. The worker, who couldn't swim and was supposed to be accompanied by a second guard, was later found dead in the recreation facility's indoor swimming pool. The Ontario court convicted the agency of 3 OHS violations, including failure to ensure the victim was a competent swimmer, have a second guard in place and provide supervision. The supervisor was also convicted of 2 offences. The question: How big a fine should the defendants get? The court settled on \$225,000 for the company with 10 years to pay and \$30,000 for the supervisor with 5 years to pay [Ontario (Ministry of Labour, Training and Skills Development) v. New Leaf, 2025 ONCJ 333 (CanLII), June 16, 2025].

Material Handling: Hoisting Fatality Costs Construction Subcontractor \$600,000

A construction worker suffered fatal injuries after being hit by heavy waste concrete blocks that fell from a crane while being hoisted in an improper and dangerous manner. After a trial, the Ontario court found the victim's employer guilty of failing to ensure: i. that the waste concrete was hoisted using attachment points suitable for that use; and ii. that workers were adequately trained and supervised on the hazard of using embedded rebar for hoisting. The result was a fine of \$600,000, the highest OHS fine reported in Ontario so far this year. Two supervisors were also convicted of OHS violations resulting in fines of \$10,000 and \$15,000 [Limen Group Const. (2019) Ltd., MOL Press Release, June 25, 2025].

Lockout Tagout: GM Fined \$275,000 for Improper Lockout Procedure

An auto plant maintenance worker entered a large machine through a side panel believing the machine to be in safe mode. But because the crew didn't properly follow the Controlled Access Procedure (CAP), the machine was in automatic rather than safe mode. As a result, the machine unexpectedly moved causing serious injury to the worker inside. The company was fined \$275,000 for failing to ensure that the CAP specifically identified how workers were supposed to ensure that the machine was in safe mode [General Motors of Canada Company, MOL Press Release, June 27, 2025].

Action Point: Don't let this happen to you! You can prevent OHS fines like these by implementing a legally sound <u>Lockout and Hazardous Energy Control Compliance Game Plan</u> at your site.

Machine Safety: Not Following Operating Instructions Leads to Fatality, \$220,000 Fine

A manufacturing facility was fined \$220,000 for failing to warn workers of the dangers of not following the instructions provided in a machine's operating manual while removing a metal spacer from a press for the first time. One of the workers performing the task was killed after getting hit by the 2,750-pound diaphragm piston assembly that unexpectedly swung while being suspended in the air for the operation [Brunner Manufacturing & Sales Ltd., MOL Press Release, June 20, 2025].

Action Point: Find out how to prevent these kinds of injuries by implementing a

legally sound <u>Machine Guarding Compliance Game Plan at</u> your workplace.