



Acoustical Association Ontario

Volume 6 Issue 1 January 2011

Provincial in scope ...

Provincial in outlook

President's Annual Message

This is the first annual message that I have the honour of delivering and would first like to take this opportunity to thank all of you for the support you have given me since becoming President. I would also like to personally thank the Executive Board for their tremendous understanding and support. The commitment and time you have freely given has been much appreciated, thank you.

The past year has been quite busy. We completed what I would call one of the most successful rounds of negotiations in recent history, we established a new District Group in the London area, we joined, as a Chapter member, the Association of the Wall & Ceiling Industry (AWCI), we have engaged more members in the affairs of the organization and have improved lines of communication and dialogue, on a Provincial level, with the Carpenters Union.

However, these are challenging times. The context in which we operate our businesses is constantly changing. Two years ago most of us were in a growth mindset. Since then we have been forced to cope with a recession that has had both a direct and indirect impact on our industry. It has created uncertainty in the economy, put us in a severe cost – price squeeze and increased competition from the non-unionized sector.

Some regions of the province have been

lucky in that government infrastructure spending has blunted the full impact of the downturn, but other regions have not fared as well. As this infrastructure spending winds down in the course of the next few months, we do hope that the private sector picks up where our governments have left off. But this in of itself is uncertain.

On a going forward basis we must be vigilant in improving our ability to compete, especially against non-unionized contractors. More direct dialogue with the United Brotherhood of Carpenters and Joiners of America is imperative and issues which have been recently broached with the union such as travel, adjusted hours of work and piece work must be pursued so that we may remain competitive. Improved market share is of mutual interest to both our organizations and we must demonstrate to the union that our success is also their success.

In closing I would like to say that this has been an amazing experience so far for me to become immersed in the affairs of the Association and I look forward to more of the same. May you **ALL** enjoy a Safe, Healthy and Prosperous 2011.

Thank you,

Carmine Giamberardino

President, AAO

2011 Membership Conference

Remember to mark your calendars. AAO's Membership Conference for 2011 will be held at Niagara-on-the-Lake from July 14th to July 17th. More information will be forthcoming in the mail.

The Mathews Dinsdale Minute



In November we wrote about the “fallout” of the swing stage collapse in Toronto on Christmas Eve 2009, which killed four workers. We described the 61 charges under the OHSA, the civil suit that had been filed, and the criminal charges that had been laid under Bill C-45. What we did not describe was the response of the Government to the very high profile of this tragic incident.

On January 27, 2010, Peter Fonseca, the Minister of Labour, appointed an Expert Advisory Panel on Occupational Health and Safety to report on the OHSA system in Ontario. This Panel consisted of ten persons, including employers, workers representatives and academics, and was chaired by Tony Dean, a University of Toronto Professor and former Deputy Minister of Labour in Ontario.

In December, the Panel released its Report. The Report is 81 pages long, and if acted on, would bring forward further changes to Ontario’s Health and Safety legislation and regulations. Among its various recommendations were calls to do the following: provide recognition and incentives for high performing employers as well as methods for sharing those employer’s best practices; increase the involvement of workplace parties in making decisions about OHS system priorities; establish training requirements to increase foundational and basic knowledge among workers and supervisors about their rights and responsibilities; implement more rigorous training requirements for high risk work (including but not limited to work at heights) and tougher penalties for employers who endanger workers in this context; better approaches to reach and protect “high risk” workers (including those in the “underground” economy); ensuring better accountability for OHS system spending and achieving results.

There are three further points that may be of interest. First, the Report’s Executive Summary claims that it focussed any “regulatory” recommendations on “filling gaps and tackling demonstrated risks” as opposed to just adding further layers of law. This appears to be an acknowledgement of the fact that the OHSA and its regulations are already dense and voluminous and further regulation for the sake of further regulation is not necessarily the path to a solution. Second, the report claimed that its approach and ideas were sensitive to the concerns of small business which is an essential part of our economy (and even more so in the construction industry) and which often feels more pressure in the face of complicated legislative enactments. Thirdly, the Executive Summary described the issue of workplace reprisals for individuals who enforce their rights and cited the absence of effective preventative measures despite the existence of Section 50 under the OHSA. The Report recommends a “fast track” reprisal complaint process in response.

What is clear is that, if the government responds to and implements the changes recommended by the Report, there will be substantial systemic and legislative changes arising from this tragedy. All employers will need to keep track of this story in order to make sure they remain in compliance.

