



Acoustical Association Ontario

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Provincial in scope ...

Provincial in outlook

The Mathews Dinsdale Minute



Negotiations with the Carpenters union to put in place a "no strike no lock-out" protocol for the 2013 round of bargaining in the ICI sector took place from Thursday to Saturday April 19 - 21, 2012. An agreement in principle was reached. The final agreement requires ratification by both sides. The dates for ratification are yet to be determined but will be set for the very near future and the results of the ratification will be passed on to the EBA constituents immediately after they are known.

What this means for every area is that each should start preparing for negotiations by reviewing both the Drywall Appendix and the local schedules to determine what, if any provisions need amendment and wheth-

er or not there are matters which should be addressed which are not.

Clearly, as we have seen in past negotiations, anecdotal evidence is not particularly convincing. In order to bring about change we need empirical data, and the more of that the better. In addition, the Association and EBA will be emphasizing continuous communication as to both the initial proposals given and received and the ongoing discussions. It is important to the success of the negotiations that each area is aware of the continuing dialogue between union and employer in all areas of the province.

Should you have any questions or require further clarification, please feel free to call Joe De Caria, Joe Liberman or David Francis.

 mathews
dinsdale Workplace Law Spoken Here

Witmer To Chair WSIB



In a surprise move, Ontario Premier Dalton McGuinty nominated Elizabeth Witmer as Chair of the Workplace Safety and Insurance Board (WSIB). Witmer, the former MPP from Kitchener-Waterloo, takes over from outgoing Chair Steve Mahoney, who recently announced his retirement.

As a former Minister of Labour and Minister of Health, Witmer, who's appointment will be for a five year term, "is exceptionally qualified to Chair the WSIB", claimed the government. Under the previous Progressive Conservative government, she also served the Province as Minister of Education, Minister of the Environment and Deputy Premier.

In 2010, the Ontario government commissioned

a report by the former Dean of Osgoode Hall Law School, Harry Arthurs, to provide advice on dealing with the WSIB's unfunded liability. As the WSIB works toward the goal of reducing the Board's unfunded liability, while at the same time, protecting injured workers and ensuring that it operates in a business-friendly manner, Ms Witmer will bring stability and leadership to that process.

In announcing the appointment, Premier Dalton McGuinty stated that "Elizabeth Witmer is exceptionally qualified to be the Chair of the WSIB. Elizabeth will bring strong leadership to the WSIB board as they work to eliminate the unfunded liability while helping injured workers and reducing red tape for businesses."

Ms Witmer's nomination will be subject to review by the Standing Committee on Government Agencies.

Student Summer Safety Blitz



The Ontario government announced that it will be launching a four-month blitz to ensure students, working summer jobs, are safe and do not get injured. Beginning May 1, 2012, an enforcement blitz will target workplaces where new and young workers are employed. Health and safety inspectors from the Ministry of Labour (MOL) will check that employers comply with the *Occupational Health and Safety Act and Regulations for Construction Projects (OHSA)*.

The Ministry blitz is aimed to ensure that young workers:

- Are protected by required safety measures, equipment and procedures to prevent injuries,
- Are properly instructed, trained and supervised on jobs,
- Meet minimum age requirements.

The MOL maintains that between 2006 and 2010, 34 young workers aged 15 to 24 died in work-related incidents and that the highest number of lost-time-at-work claims for on-the-job injuries involved young workers. The Ministry stated that "protecting young people on the job is part of the McGuinty government's continued commitment to preventing workplace injuries through its 'Safe at Work Ontario' strategy."

The blitz will focus on new and young workers aged 14 to 24 years and on new workers that are 25 years and older and who are on the job for less than six months or reassigned to a new job..

Blitz inspections will focus on four key priorities:

- **Orientation, training and supervision:** Inspectors will check to ensure new and young workers are being given the required information, instruction and training when starting a job and are receiving supervision, as required. For example, new and young workers should be informed of the requirements involving the Workplace Hazardous Materials Information System (WHMIS). They should also be aware of their rights and obligations, including their right to refuse work that could endanger themselves or others.
- **Minimum age requirements:** Inspectors will check whether workers meet minimum age requirements. Workers in construction, for example, must be at least 16 years old.
- **Internal Responsibility System:** Inspectors will check that requirements for the workplace's internal responsibility system, such as Joint Health and Safety Committees or health and safety representatives, where required, are being complied with at workplaces.
- **Safety measures and procedures:** Inspectors will check that all required safety measures are in place to prevent injuries. including, Safe practices for handling any potentially dangerous materials, proper mechanical device usage and work spaces to prevent ergonomic and musculoskeletal injuries, safety measures for specific equipment such as using guarding devices on machinery, correct use of lifting devices, ladders and personal protective equipment to prevent falls.

