



ESAO

December 20th, 2005 Issue 22

Inside this Issue: Highlights for Winter 2005

- 1 Training \$\$\$ Saved by DSB Ontario North East
- 2 SBCI Writes to all School Boards on Last Chance Initiative
- 3 SBCI Considering offering Prevention Services
- 3 Updating Noise Requirements in Reg. 851
- 4 You Asked Us: Mandatory Retirement, will we be covered?
- 4 New Ontario Regulations
- 4 Professional Development May 23 – 26, 2006
- 4 ESAO Survey Now Underway
- 5 Regional ESAO Training and Meeting Calendar & and Contact Information

ESAO
4950 Yonge Street Suite 1505
Toronto, Ontario M2N 6K1
www.esao.on.ca

DSB Ontario North East – Saves Training \$\$\$

Randy Keizer is a man on a mission. He works on a contract with the District School Board Ontario North East, and he is building a health and safety system that is doing a lot of things right.

The District School Board Ontario North East sprawls along Highway 11, from Temagami up through Kirkland Lake, Timmins, Iroquois Falls and Cochrane, all the way past Hearst. At one time it was six distinct boards, but since amalgamation it's one Board with approximately 10,000 students and 1,200 staff.

Immediately after amalgamation the Board had a multisite Joint Health and Safety Committee, and often one of the main challenges was simply traveling to the meetings. There were huge distances involved, and in the winter getting to safety committee meetings was a hazard all by itself. As for conducting regular inspections in 42 schools that far apart – well, something had to change.

In August of 2004 Randy Keizer was hired by the Board to make the system better.

The Ministry of Labour, with senior Board staff and worker representation, developed a plan that had everyone's blessing. Moreover, it was a plan that would raise the level of health and safety awareness across the whole system.

The key was to establish Joint Health and Safety Committees in every school. Every principal of every school became the Management Co-chair. Basic Certification training for them was carried out in early 2005. Many Labour members of the Committees came from the old structure, where there had been a good supply of certified members.

In May of 2005 ESAO offered a Train-the-Trainer course for Phase 2 Certification training in Toronto. Randy participated in this course, and returned to Timmins with training material for all 15 modules offered by ESAO as possible Phase 2 Modules. In October of 2005 he trained 45 principals in seven of those modules, selected by his Joint Health and Safety Committee as Workplace Specific Hazards. He added local examples to the generic material, and got a lot of positive feedback from a group that had never received very much health and safety training as Principals and Vice-Principals.

And he saved some money for his Board. Training 45 participants in seven modules through the standard Phase 2 training at \$37.50 each would have cost the Board almost \$12,000. Instead, Randy purchased the workbooks at \$15 apiece, for a total cost of less than \$5,000.



Is it working? Randy thinks so. And he adds that as the experience and technical skills of the new committee members increase, the system will improve further. He, and his Board, are doing a lot of things right, and they aren't finished yet.

.....

SBCI Writes to All SBOs on Last Chance Initiative

In early December, Mr. Brian Brown, CEO of the School Boards' Cooperative, wrote, to all of the SBOs of School Boards in Ontario on the topic of the Last Chance Initiative. The letter was disturbing, not only because it contained errors in fact, but more so because of the overall tone.

Mr. Brown writes that "ESAO's approach is clearly at odds with the Minister's philosophy, which was to apply this initiative to all areas of Ontario business, not just to the highest risk areas like construction." Mr. Brown is incorrect. Having discussed our initiative in detail with both Minister Bentley and Minister Peters and their Deputy, as well as those at the WSIB who are coordinating the interface between the Ministry, the SWAs and the WSIB in this area, I can assure Mr. Brown that our initiative is completely aligned with "the Minister's philosophy".

Mr. Brown writes "It is difficult to accept why ESAO has broken with the Minister's approach of applying the initiative to all areas of Ontario employers, but instead has not only skewed the Last Chance Group to target school boards (rather than universities, colleges, private schools, museums and libraries), but has not even used accident frequency as the measure." Again, Mr. Brown is incorrect. Our list of Last Chance firms does include a very large number of school boards, but also ten libraries, eleven private schools, eighteen firms that provide various kinds of training, plus museums, art galleries, and a large number of colleges affiliated with universities.

Mr. Brown complains that we do not use, in every case, accident frequency as the measure. Most of the school boards are Schedule 2 firms - the WSIB does not collect employment or payroll information which is necessary to calculate frequencies for them. When we, and the WSIB, attempted to collect the data necessary to do accurate frequency calculations, SBCI advised the school boards not to provide us with this information. He is criticizing us for not using information that he was instrumental in keeping from us.

Mr. Brown writes "The ESAO representatives are requesting each Director of Education to sign a services agreement. Under the Minister's initiative, there is no onus on an employer to do so, nor even work with the SWA to reduce accidents." In my letter to the CEOs of each Last Chance firms I write: "We are sending you this letter as an invitation to work with us in a concerted effort to reduce the number of injuries occurring in your workplace, as part of the overall initiative to reduce the number of injuries across Ontario. At ESAO we believe that we can assist you in your efforts to make your workplaces safer." Our letter concludes with: "We hope that you will agree to work with us to improve your firm's health and safety performance, and contribute to making Ontario a safer place in which to work. We believe that together we can make a real difference in the lives of Ontario workers, and we invite your participation to help eliminate injuries and illnesses in Ontario workplaces."

All of our clients are familiar with ESAO Service Agreements. In the case of Last Chance Firm Agreements, there is no commitment for any specific program, and there is no fee

charged. It does however ensure that the senior official in the firm signs off, which is indicative of the fact that that person is now aware of the accident performance of the firm, and has committed to doing something to improve it. Ensuring that the senior official in each firm is involved with, and committed to, reducing the number of accidents in their workplace is a cornerstone of the Last Chance Initiative in every sector, and we are doing nothing different in this regard with education sector firms. It is difficult to imagine why we would, or why school boards should be treated differently than every other employer across Ontario.

ESAOs position in this matter is very clear – work with us, work with the Workers' Health and Safety Centre, work with other SWAs, work with the WSIB, work with the Ministry of Labour, work with private firms, work with SBCI. Work with anyone and everyone who can help you improve your accident record. Schools are having too many workplace accidents, and it is going to take all of us working together to improve the situation.

Mr. Brown's letter did not say that, exactly, but surely that is what he meant.

ESAO has one business, and one business only – accident prevention. Mr. Brown may not have understood the Last Chance Initiative, or the way ESAO, with the WSIB and the Ministry, is implementing it in the education sector, but he must understand that we believe that fewer accidents in education sector workplaces is a goal worth pursuing. We believe the best way to achieve that goal is to work with those firms having the accidents – and that is what we are offering to do. I'm not sure what the intent of his letter was, but if he is prepared to throw more resources into accident prevention in our schools, welcome aboard. We can use the help.

Dwight Barratt

Note: For the full text of the letter visit our web site at <http://www.esao.on.ca/> and click on the second scrolling message.

SBCI Giving Serious Consideration to Providing Accident Prevention Services

Mr. Brown in his December letter to the Boards writes: "SBCI is giving serious consideration to introducing a service of accident prevention advice and guidance to its member school boards, at no extra charge, from early in 2006." That is good news indeed.

Based on data from the WSIB 2005 Premium Rate Manual for the 2004 calendar year, ESAO received \$ 2,199,653 as the accident prevention portion of the premiums paid by our Schedule 1 firms. Our total WSIB grant for that year was \$ 2,317,962. The balance, presumably, was from our Schedule 2 firms. This concerns us because in the education sector, in 2004, there were over 7,300 approved WSIB claims, and over 6,000 of them occurred in Schedule 2 workplaces. Over 90% of our funding comes from our Schedule 1 firms, and over 80% of our claims occur in our Schedule 2 workplaces. Those Schedule 2 workplaces are primarily school boards.

This suggests two things. First, although school boards like to consider themselves as "safe" workplaces, they are not. Using Ministry of Education employment data to calculate frequencies (and let me be the first to caution that this is not the same as using WSIB data, although there are Schedule 1 boards and the comparisons between the methods show the calculations are very close) we find that the average lost time injury rate for Schedule 2 boards is 1.89. How good is this? Well, in 2004 the lost time injury rate (LTI) for the entire pulp and paper industry

in Ontario was 1.36. For the entire Ontario construction industry, the 2003 LTI rate was 2.51. Schools boards like to believe that they have very good accident records – compared to other industrial sectors this is not necessarily so. They need to improve.

The data also suggests that, since ESAO spends about 45% of our time dealing with school boards, they are getting a far higher level of attention than their funding to ESAO would warrant. Universities, who contribute the bulk of our funding, have far fewer accidents (the sixteen largest universities in Ontario have an LTI of less than 0.6 – that is why there are no major universities on our Last Chance Initiative list). The problem, in fact, is that the schools are having so many of the accidents that it is impossible for us to meet the 20% reduction target without working with schools – all of our Schedule 1 clients together do not account for 20% of the accidents in the education sector.

And that is why the news that SBCI is planning to introduce accident prevention advice and guidance is such good news. Our level of funding is such that we simply cannot provide the level of service that our schools will require. The more service that SBCI can provide in this area, the more likely we all will be to improve the accident frequencies in our schools.

Updating Noise Requirements in Reg. 851 – MOL Consultation Paper

The Ministry of Labour is consulting on proposed changes to the noise requirements in the Regulation for Industrial

Establishments (Regulation 851) under the Occupational Health and Safety Act (OHSA).

According to the Ministry of Labour the purpose of the consultation is to:

- Update the provisions in the Industrial regulation to prevent noise-induced hearing loss, in support of the government's commitment to strengthen our province by improving health and safety of Ontarians
- Adopt exposure limits for noise that address the needs of today's industrial workplaces
- Ensure that any changes are done in consultation with industry and labour stakeholders in order to encourage and support the high performance necessary to promote a vibrant and competitive economy.

The Ministry proposes to revoke the current noise provisions in Regulation 851 and replace them with the following key elements:

1. A time-weighted average exposure limit of 85 dBA (known as the Leq, or equivalent noise limit, which is based on a 3 dB exchange rate); and,
2. a 140 dBC ceiling limit.

In this proposal, if controls are not practical to implement, employers would continue to be required to take measures to reduce noise, and to provide hearing protection and post signs

Stakeholder input is an essential part of the ministry's development of updated occupational noise requirements for the Industrial Regulation. Until February 24, 2006 interested parties can make written submissions concerning the proposal for updating the noise requirements in Reg. 851 to the Ministry of Labour. For more information, visit the MOL website at www.labour.gov.on.ca

YOU ASKED US!

ESAO and its staff receive many inquiries and questions on a wide array of topics. Some questions of a general nature will be included in this section of newsletter for the information of all clients. **In all cases, ESAO attempts to obtain the most accurate and up-to-date answer possible.** We do not assume to take the regulatory responsibility for a certain situation, and the client is advised to contact the regulator responsible.

Question:

Are workers over 65 years of age eligible for WSIB benefits if they are injured at their workplace? Also do employers have to pay for special coverage or receive premium reductions for workers over 65 years of age?

Answer:

With Ontario removing mandatory retirement at age 65, this type of question has been asked a lot lately. Yes, workers 65 years of age and older are eligible for WSIB benefits. Currently, if a worker is 63 years of age or older on the date of injury, the Workplace Safety and Insurance Act (WSIA) allows WSIB to pay wage loss benefits for up to two years after the date of injury. The worker may also be entitled to a non-economic loss benefit if their injury leads to a permanent impairment. In claims where the worker has a permanent impairment, health care benefits related to the injury are paid for the life of the worker. If the worker does not have a permanent impairment, but requires additional health care for the injury, the WSIB may pay for the health care based on the particular facts of the claim.

Regarding whether employers have to pay special coverage for workers

over the age of 65, the answer is no. Special coverage or additional coverage is not required. A Schedule 1 employer pays premiums based on the total amount of payroll for their employees. Therefore, the age of their workforce is not relevant to the amount of premiums paid to the WSIB. For more information regarding WSIB coverage visit their website at www.wsib.on.ca

New Ontario Regulations 607/05 – O.E.L.’s & Confined Spaces, Regulation 629/05

Ontario has amended Reg. 833 of R.R.O. 1990 by passing Ontario Regulation 607/05 which makes changes to the Control of Exposure to Biological or chemical Agents Regulation.

Some Ontario Exposure Limits (OEL’s) have been changed and some of these changes come into effect immediately, while other provisions of the new regulation will be in effect March 1, 2006 and others on December 31, 2007.

Also in December 2005, the government passed several regulations (629/05 & 632/05) that will update and strengthen protection for workers in confined spaces.

The confined space requirements in four existing regulations – construction, health care, industrial and mining – under the OHSA have been enhanced to provide greater protection and consistency. A new stand-alone confined spaces regulation will cover most other workplaces that are not covered by the four existing regulations (the exception being farms).

Workplaces will have to meet the new requirements by **September 30th, 2006**, which is the date they legally come into force. Until then, workplaces are expected as a minimum to follow the relevant current requirements.

Employers affected by the new regulations should obtain a copy of the Regulation and the changes to the exposure limits by visiting www.e-laws.gov.on.ca under the OHSA.

ESAO Survey Now Underway

As many of you may already know, an external consulting firm is currently conducting a client survey for ESAO. This survey is your opportunity to tell us what you think about our products, our programs - anything at all. So, please don't pass up this opportunity to have your say - we can't get better unless we hear from you!

2006 Pricing Increase

Due to increased costs and zero increases in funding for the second year in a row, ESAO will be increasing client pricing for products and services in June, 2006.

We have never increased client pricing since our designation in 1998. This issue has been discussed at the board level over the past year with attention being paid to discrepancy in our funding model and how it affects the major contributors to our sector. More information on the specific increases will be appearing on the web site in the future and included in the March 2006 newsletter.

Professional Development Days - May 23 – 26, 2006

In response to the Fall 2005 newsletter, the following training sessions are planned for the professional development week planned in May 2006.

Confined Space – Entry and Emergency Procedures – 2 day course held in conjunction with Municipal Health and Safety Association utilizing their new Training vehicle. There is limited space for the session (only 14 participants) therefore it will be limited to 1 participant per organization.

Lockout / Tagout – This course will provide hands on instruction for lockout/tagout of multiple sources of energy by Electrical Utilities Safety Association.

Phase II Hazard Training – Office Hazards which include

- Ergonomics Hazards
- Slips and Falls Hazards
- and Environmental Hazards

Phase II Hazard Training Violence Package – This full day event will include:

- Workplace Violence Prevention
- Working Alone
- Dealing with Difficult and Angry Person

Special Education package (1/2 day) which provides education and information on dealing with hazards associated with working with exceptional students. It will include:

- Safety in Special Education
- Bio Hazards

Train the Trainer

- WHMIS – this popular 2 day course is always sold out so plan ahead if your organization requires a trainer.
- Phase II Trainer – This 2 day course was first offered in 2005 and has proven invaluable when trying to meet legislated requirements efficiently and cost effectively.

An additional Basic Certification Training will be planned to ensure

clients have access to an additional course if required.

We would also be interested in hosting another session of CRSP Study session if there is enough interest shown.

If there are other sessions not listed above that your organization would like to participate in, please contact us at esao@esao.on.ca

More information and registration forms will be posted on the web site in the New Year.

ESAO REGIONAL COURSES & ACTIVITIES

The following activities have been booked for September to December by the **ESAO Field Consultants**. Any client interested in attending one or more of the following sessions or courses should directly contact the Field Consultant responsible for the activity.

Should you have problems or concerns regarding a scheduled activity, or wish to attend, please contact your ESAO Field Consultant or the ESAO Toronto office at 1-877-732-3726 or via email at esao@esao.on.ca.

Niagara - Bill Urie
(905) 312-9962

Basic Certification:
March 13, 14 & 16, 2006
Grand Erie DSB, Brantford, ON

April 18 – 20, 2006
Hamilton, ON, Location: TBA

Workplace-Specific Hazard Training:
January 10, 2006
St. Catharines, ON Location: TBA

WHMIS Train-the-Trainer:

March 22 & 23, 2006, Location: TBA

Client Network Meetings:
March 31, 2006, Brantford, ON
Location: TBA

April 28, 2006, Hamilton, ON
Location: TBA

Francophone – Alain Chenard
(613) 837-2042

Basic Certification - French
20, 21 & 22 fevrier 2006
Toronto, ON, Location: TBA

WHMIS Train-the-Trainer:
Mai 2006, Toronto, ON

East – Jean-Guy Raymond
(613) 592-4491

Basic Certification:
April 24 – 26, 2006
Morrisburg, ON, St. Lawrence Parks Commission

Workplace-Specific Hazard Training:
February, 2006 – 8 modules
Kingston, ON, Limestone DSB

WHMIS Train-the-Trainer:
February 23 & 24, 2006
Ottawa-Carleton DSB, Ottawa, ON

Client Network Meeting
February 7, 2006
Kingston, ON, Limestone DSB

North East - Doug Bennett
(705) 476-7433

Basic Certification
April 18, 19 & 29, 2006
Sault Ste Marie, ON, TBA

WHMIS Train-the-Trainer:
March 15 & 16, 2006
Sudbury, ON, Location: TBA

Workplace-Specific Hazard Training:
None scheduled at this time

.

North West - Brian Smith

(807) 344-6017
Basic Certification
Feb. 28, March 2 & 7, 2006
Thunder Bay, ON

Oct. 2, 3 & 4, 2006
Dryden, ON

Nov. 7, 9 & 14, 2006
Thunder Bay, ON

WHMIS Train-the-Trainer:
May 3 & 4, 2006
Thunder Bay, ON

Workplace-Specific Hazard
Training:
March 9, 2006 Thunder Bay
October 5, 2006 Dryden
November 2006 Thunder Bay

Client Network Meeting
June 9, 2006 Thunder Bay
December 19, 2006 Thunder Bay

South West - Ed Hager
(519) 264-9738

Basic Certification:
January 24, 31 & Feb 7, 2006
Windsor & Essex, ON,

WHMIS Train-the-Trainer:
March 20 & 21, 2006
London, ON, Location: TBA

Client Network Meetings:
March 1, 2006, Location: TBA

Workshops:
Dealing with Difficult or Angry
Person
February 1, 2006
Wallaceburg Museum,

Working Alone Workshop
March 29, 2006
Municipality of Tillsonburg,

GTA East - Mike Atkinson
(416) 466-1923

Basic Certification
February 7 – 9, 2006
4950 Yonge St. 1505,Toronto, ON

April 11 – 13, 2006
4950 Yonge St. 1505,Toronto, ON

Workplace-Specific Hazard Training:
March 6, 2006, Toronto, ON
Centennial College, Toronto, ON
March 7, 2006
Centennial College, Toronto, ON
April 26, 2006
4950 Yonge St. 1505,Toronto, ON
Client Network Meetings:
January 14, 2006 - Universities
Upper Canada College, Toronto

February 7, 2006 – Private Schools
Location: TBA

March 11, 2006 - Libraries
Toronto Public Library

Workshops:
Workplace Inspection Workshop
May 17, 2006
4950 Yonge St. 1505,Toronto, ON

GTA West - Janice Gallant
(905) 566-5056

Basic Certification:
January 18 – 20, 2006
Child Development Resource Centre,
Mississauga, ON

January 26, February 7, & 8, 2006
Halton DSB, Burlington, ON

April 18, 26 & May 4, 2006
Halton DSB, Burlington, ON

Workplace-Specific Hazard Training:
January 24, 2006
Elmcrest College, North York, ON
February 9 & 10, 2006
Halton Catholic DSB, Burlington

February 22, 2006
York University, North York, ON

Client Network Meeting:
April 21, 2006
Burlington Public Library
Workshop: Dealing with an Angry or
Difficult Person

Workshops:
Supervisors Due Diligence
January 25, 2006 1:30pm
Peel DSB, 5650 Hurontario St.
Mississauga, ON

Supervisors Due Diligence
April 20, 2006 1:30pm
Peel DSB, 5650 Hurontario St.
Mississauga, ON

Central Lakes - David Roger
(705) 876-1001

January 10, 12, 17, 2006
Basic Certification Training
Oshawa, ON, Location: TBA

February 21 – 23, 2006, 2006
Basic Certification Training
Peterborough, ON, Location: TBA

Workplace-Specific Hazard Training
None scheduled at this time

Client Network Meeting:
February 27, 2006
Peterborough, ON, Location: TBA

Workshops:
Date: February 27, 2006
Location: Lakefield, ON
Dealing with Difficult and Angry People

Date: March 20, 2006
Location: Sterling, ON
Dealing with Difficult and Angry People

Georgian Bay - TBA

ESAO Offices & Staff

ESAO serves all Schedule One firms in the following WSIB rate groups **810, & 817** as well as Schedule Two firms in the education sector. Contact your ESAO Field Consultant for more information on any courses or products.

ESAO - Head Office: www.esao.on.ca
Tel: (416)250-8005 or Fax: (416)250-9190
Toll Free: 1-877-732-3726

Have a Happy Holiday and a Safe Winter – Drive Carefully!
Next Newsletter: March 2006

.