

Bill C-46 - Receives Royal Assent

A sweeping overhaul of Canada's impaired driving laws was given Royal Assent on Thursday, meaning the new rules are starting to come into effect and drivers should be prepared.

Bill C-46 made reforms to both alcohol-impaired driving and drug-impaired driving, and police now have powerful new tools to detect and charge drivers. The bill also made many technical changes to help the courts deal with impaired driving cases more quickly.

There are three big — and controversial — changes Canadians will need to know about.

1. Random roadside breath testing

Starting in December police can require a roadside breath test for any driver. The crucial change is they will no longer need reasonable suspicion the person has been drinking. Drivers who refuse this test face a criminal charge with similar penalties to an impaired driving conviction.

2. Roadside saliva testing

Officers can now use roadside screening devices that test saliva for the presence of cocaine, methamphetamine and THC, the main psychoactive ingredient in cannabis. Police will not be able to use random testing for these; they will still need reasonable suspicion before demanding the test.

3. THC blood levels

Canada will now be setting a “per se” level for THC in the blood within two hours of driving, meaning police can lay an impaired driving charge based solely on the blood test results without needing to further prove impairment.

- A THC level between 2 and 5 ng would be a lower-level offence with a fine of up to \$1000;
- A THC level above 5 ng would come with the same penalties as an alcohol-impaired driving conviction, including mandatory minimum penalties of a \$1000 fine on a first offence, 30 days imprisonment on a second offence and 120 days imprisonment on a third offence;
- A mixture of a THC level above 2.5 ng and a blood alcohol concentration above 50 mg per 100 mL would have the same penalties as above. Provinces may add additional penalties on top of this.

Consuming even small amounts of cannabis shortly before driving could put someone over these limits. The government has said that until the science improves, it is taking a “zero-tolerance” approach.



Test Yourself

Humidex is a measure of how hot we feel.

True or False?

First Correct answer wins a prize – answer to be published on the web site.

Send your answer by email to: newsletter@safetyscope.net

This Months Tip

Last months news letter detailed new offences under the Occupational Health and Safety Act and under Regulation 297.

The article did not detail the changes under the construction regulations, Industrial regulations, mining regulations or window cleaning.

Did you go look to see what the Ministry of Labour could ticket you for when then enter your establishment in the near future?

We focused on Schedule 66.1 and 67.5 as you should too but you need to look at workplace specific schedules your self.

[Click here to review Schedule 67.1 construction specific details.](#)

[Click here to review schedule 67.3 industrial specific details](#)

Think about it.

Personal Emergency Leave for Construction Employees

The OLRB made the following important findings with respect to paid personal emergency leave in the construction industry:

No need for Union Agreement – EPSCA did not require agreement from the unions to implement the payment of an additional 0.8% as personal emergency pay. It was permitted to unilaterally select one of the two methods prescribed by the legislature for complying with its new statutory obligation to provide paid personal emergency leave.

Retroactivity of Payment – The 0.8% payment was required to be retroactive to January 1, 2018 when the paid personal emergency leave provisions of the ESA, and the construction exemption in O. Reg 285/01, as amended, came into force.

No Overlapping Entitlement – Construction employees are not entitled to both 0.8% as personal emergency pay and two (2) paid personal emergency leave days. Accordingly, if a construction employee had already claimed one (1) paid personal emergency leave day in 2018, an EPSCA employer could elect to either pay the employee an additional 0.8% as emergency leave pay retroactive to January 1, 2018 OR grant the employee a second paid personal emergency leave day upon request.

Heat Stress

Heat stress occurs when our bodies are no longer able to dissipate the heat that we have either generated and/or absorb from other sources. In order to ensure we don't become victims of heat related injuries we must take certain precautions. For the majority of us this means staying properly hydrated. When we allow ourselves to become dehydrated as a result of our failure to consume enough water we inhibit our body's natural cooling process i.e. sweating. One of the easiest ways to prevent dehydration is to drink a couple large glasses of water first thing in the morning and remember to continue to drink water throughout the day.

Employers have a duty under clause 25(2)(h) of the Occupational Health and Safety Act to take every precaution reasonable in the circumstances for the protection of a worker. This includes developing policies and procedures to protect workers in environments that are hot because of hot processes and/or weather.

The employer should:

- Assess the demands of all jobs and have monitoring and control strategies in place for hot days and hot workplaces
- Increase the frequency and length of rest breaks
- Schedule strenuous jobs to cooler times of the day
- Provide cool drinking water near workers and remind them to drink a cup about every 20 minutes, or more frequently, to stay hydrated
- Caution workers to avoid direct sunlight
- Assign additional workers or slow down the pace of work
- Make sure everyone is properly acclimatized
- Train workers to recognize factors which may increase the risk of developing a heat related illness and the signs and symptoms of heat stress and start a "buddy system" since people are not likely to notice their own symptoms
- Investigate any heat-related incidents

There are many permanent or temporary conditions (e.g. age, heart or lung conditions, dehydration, fatigue, some medications, etc.) that can make a person more vulnerable to heat strain. Despite these conditions, workers may be able to cope given adequate knowledge of the signs and symptoms of heat stress and, given the latitude to make the appropriate adjustments to their pace of work. It is more often the young, fit workers who may think they are invincible who succumb to heat strain. Some workers may need medical advice about what accommodations would be right for them.

In the Courts [Click for more Information](#)



June 28, 2018 Orica Canada Fined \$65,000.

A worker was assigned the task of taping holes at the pit., a restricted zone. The procedure for working in this area was to wear a body harness for fall protection and to be tethered to a vehicle parked near the pit. If the fall protection equipment used did not involve a self-retracting line, a spotter was required to watch over the worker in the restricted zone and to keep the tethering line taut. In addition, the vehicle serving as the anchor was to be turned off and it was to be locked and the keys were to be in the possession of the worker tied off to the vehicle.

On the day of the incident, a Goldcorp worker was acting as spotter, and it was this person's truck being used as the fall protection anchor. Around 11 a.m. that worker left the area with the truck in order to take other workers to go for lunch.

The Orica supervisor arrived at the pit as the spotter left the area, parking his truck facing the pit, and engaged in a cell phone call with another supervisor. The worker performing the taping and measuring approached this truck and indicated there were further holes to tape, and wanted to be tied off to this vehicle. The supervisor on the other end of the call heard the truck owner/supervisor give permission to do so and also heard a suggestion that the worker could take a break.

The co-worker recording the measurements arrived shortly after this and pulled his truck parallel to that of the Orica supervisor's. The co-worker was aware that the fall arrest equipment was clipped to the supervisor's truck, spoke briefly with the worker performing the measuring, and clipped the fall arrest equipment to his co-worker's harness.

Returning to the pit, the worker was anchored to the supervisor's vehicle. There was no spotter, nor did the worker have the keys to the supervisor's truck. A few minutes later, the supervisor finished the conversation with the other supervisor, put his vehicle in gear, and drove away. The worker who was still tethered to the truck was pulled out of the pit and dragged behind the truck until becoming wedged under the second truck, and sustained critical injuries.

Orica Canada Inc. pleaded guilty to failing as an employer to provide information, instruction and supervision to a worker to protect the safety of the worker, contrary to section 25(2)(a) of the Occupational Health and Safety Act.

June 29, 2018 CBRE Fined \$80,000

Two mobile maintenance technicians employed by CBRE Limited were tasked with changing a ballast. After receiving the work order, the technicians went to the electrical room to lock out power to the electrical equipment in the area. Believing they had successfully locked out the power, the technicians left the electrical room and went to the cafeteria to change the ballast.

Once at the cafeteria, one of the technicians climbed up a ladder to get to the ballast, as it was located in the ceiling. The technician was attempting to change the ballast and received an electrical shock.

The incident constituted an offence under the Occupational Health and Safety Act (OHS), section 25(2)(a), which requires that an employer provide information, instruction and supervision to a worker to protect the health or safety of the worker and section 25(1)(c), which provides that an employer shall ensure that the prescribed measures and procedures are complied with. Section 42(1) of the Ontario Regulation 851 (Industrial Establishments) prescribes that the power supply to electrical installations, equipment or conductors shall be disconnected, locked out of service and tagged before any work is done, and while it is being done, on or near live exposed parts of the installations, equipment or conductors.

Ministry of Labour Training CMS.

The Ministry of Labour has now confirmed that they are modernizing the administration of training records through a Certification Management System (CMS). The vendor awarded the contract to implement the CMS is Bluedrop Learning Networks Inc.

The new Certification Management System (CMS) will, once completed, replace the current method of submitting records for WAH and JHSC training. As they map out the development and roll out the CMS, we will regularly inform you of any updates and possibly increased cost that that may be incurred by the approved providers.

MOL Blitzes

Construction: Reversing equipment on construction projects

Sept1 - Sept 30 - Phase 1: Compliance support and prevention education (MOL and IHSA)

Oct1 - Oct31 - Phase 2: Ministry of Labour enforcement campaign

Industrial

May 1 - August 31 - New and young workers' health and safety

Oct 1 – Nov 23 - Health and safety in warehouses and “big box” retail

February 1 – March 29, 2019 - Machine guarding

Mining: Conveyor guarding in mines and mining plants

June 1 – July 31 - Phase 2: Ministry of Labour enforcement campaign

Mining: Mobile equipment

Sept 17 – Oct 1 - Phase 1: compliance support and prevention education (MOL and WSN)

Oct 2 - Nov 30 - Phase 2: Ministry of Labour enforcement campaign

Safetyscope is a OWWCO Training Provider

These courses meet the criteria in subsection 29(4) of O.Reg. 128, Certification of Drinking Water System Operators and Water Quality Analysts. On Completion of training all participants will receive a certificate of completion with corresponding CEU Value.

1. Working at Heights	.7 CEU
2. WHMIS 2015	.4 CEU
3. TDG	.4 CEU
4. Working in Confined Spaces Rescue Level	2.8 CEU
5. Confined Spaces Attendant Non Entry	1.3 CEU
6. Confined Spaces Advanced Awareness	.7 CEU
7. Confined Spaces Attendant Refresher	.7 CEU
8. Confined Spaces Rescue Refresher	.7 CEU
9. Standard First Aid	1.4 CEU
10. Self Contained Breathing Apparatus	.4 CEU
11. Spill Response	.7 CEU
12. Trenching Hazards	.4 CEU



Safetyscope is a TSSA Approved Training Provider

Safetyscope is an approved training provider for CH-02 construction heaters under 4000,000 btu and tiger torch under the TSSA Authorization Number 000287944.

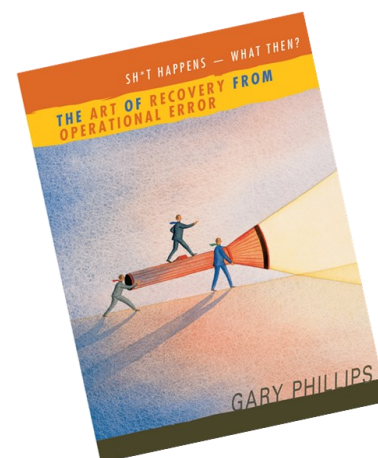
Safetyscope Upcoming Workshops

The Art of Recovery - 2 day Workshop - Sept 13-14

Learn from Gary Phillips, author of the art of Safety and the forthcoming Sh*t Happens - What Then? The Art of Recovery from Operational Error. You'll learn the latest breakthrough techniques on:

- Investigation as organization intervention
- Who should investigate
- How and why to separate data collection from analysis
- Effective interview skills and techniques
- Dealing with traumatized, aggressive or reluctant witnesses
- Causation analysis
- Recommendation analysis
- Promoting organizational recovery
- Balancing forgiveness and accountability policy

[To Register click here](#)



CSA Z462 - Arc Flash and Shock Workplace Training - Oct 10, 2018

This 1 day course provides a thorough knowledge of the recommended safe behaviors for those who work around electrical hazards. Attendees gain an understanding of the latest strategies in CSA Z462 and due diligence necessary to address OH&S legislation at the provincial and federal level.

Electrical workers and safety professionals learn key practical information: best work practices in electrical safety and how to apply them in real-world situations (120 to 13.8 kV, ac/dc as applicable).

1. Electrical Safety Facts/Risks
2. Electrical Related Government Regulations & Standards
3. Shock Hazards & Protection Strategies
4. Arc Flash Hazards & Protection Strategies
5. Arc Rated Personal Protective Equipment
6. Risk Assessment Procedure
7. Safety Related Work Practices



\$500.00/Person + HST

- * Includes Lunch
- * Includes Training Book (\$75)
- * Includes CSA Z462 Standard (\$125)

[To Register click here](#)



e-Hazard

Safetyscope Upcoming courses

July 27, Aug 10, 24
July 20, Aug 3, 17, 31
July 16 - 17, Aug 13 -14
Aug 7 - 8

Working at Heights
Working at Heights Refresher
Confined Space Training
First Aid

Contact Us with your training needs training@safetyscope.net