



**CHANGES
AHEAD**

Mandatory construction hazard awareness training coming to Ontario

Mandatory hazard awareness training for workers in the construction industry has been discussed for a long time by labour groups, employer associations, and government. While there has been some agreement that it would be beneficial for industry as a whole if everyone had a basic understanding of the hazards they may face and how to deal with them, there hasn't been much agreement on exactly what this training would look like.

The Ministry of Labour recently revived that debate when it announced plans to proceed with mandatory Construction Health and Safety Awareness Training. This training will give all workers in the construction industry a basic understanding of the common hazards and how to recognize them. It's meant to be a first step, so further health and safety training will still be necessary depending on the specific type of work being done. For example, a worker might need further training in working at heights or in confined spaces.

Draft standards

Last summer, the Ministry of Labour released two draft standards for review during a consultation period. The first was a draft **Program Standard** describing the proposed criteria for what an approved training program must include. The second was a draft **Provider Standard** that described the proposed requirements that must be met by the group or organization offering the training. This is similar to the Working at Heights Training Standard, where one

standard governs the program content and the other governs the provider's qualifications.

When you read the draft Construction Health and Safety Awareness Training Program Standard, you see program requirements such as a minimum length of 6.5 hours and a maximum of 24 students per class. You see that online programs do not meet the draft standard, but distance learning does if it includes a video link that allows for interaction in real time. The draft Program Standard also clearly defines the required learning outcomes.

The draft Provider Standard says what an organization has to do to become an approved training provider. Like the Working at Heights Training Standard, in order to be valid, the Construction Health and Safety Awareness Training must come from a provider that has been approved by the Chief Prevention Officer. This ensures that the quality and content of training are consistent all over the province.





Enforcement

Once the final standards are released, they will need to become law before they can be enforced. For this reason, the Ministry of Labour is proposing an amendment to the *Occupational Health and Safety Act* (OHSA). If passed, the amendment will apply to employers who engage in construction work as defined by OHSA and regulated by the Construction Projects Regulation (O. Reg. 213/91). It will require employers to ensure that their workers obtain the Construction Health and Safety Awareness Training, in one of two ways.

Proposed Option #1

Workers must complete a program from a provider that has been approved by the Chief Prevention Office. Since training by an approved provider is tracked by the government, it is transferable from one employer to another.

Proposed Option #2

If the workplace has 20 or more workers and a Joint Health and Safety Committee (JHSC), workers may take a program that their employer has developed and that the JHSC has approved. Under this option, a worker's training is not transferable from one employer to another.

The proposed amendment includes a two-year transition period to give employers time to ensure that their current employees receive the training.

Comments during consultation period

During the consultation period, two issues in particular kept coming up. One was why all workers, and not just new workers, will have to take the training. The other was why online training will not be allowed even though it is in some other provinces.

Another point that was mentioned often was the fact that option #2 could undermine the principle of having a training standard since everyone will not be subject to the same process. It is also unclear where unions fit in. Since they are not employers with active JHSC's, they would not fall under option #2, but some people think they should. There were questions about the transferability of the training and if it would take the place of the current general awareness training that all employees in Ontario must take. The Ministry of Labour is reviewing all the comments submitted during the consultation period and expects to release them soon.

To read the draft standards and the proposed amendments to OHSA, visit Ontario's Regulatory Registry at ontariocanada.ca/registry.

