

Report for the Labour-Management Network June 2024

Monthly Statistics

Reporting Month	Fatalities	Critical Injuries	Total
April 1 – April 30, 2024	1	29	30
April 1 – April 30, 2023	0	24	24

Fatality & Critical Injury Year-to-Date Overview – Construction

Reporting Months	Fatalities	Critical Injuries	Total
January 1 – April 30, 2024	4	112	116
January 1 – April 30, 2023	4	94	98

Helping you achieve compliance on construction projects and window cleaning operations

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[Access to and egress from a work area](#)

[Excavations](#)

[Fall protection and roofing re-shoring](#)

[Equipment](#)

[Electrical hazards](#)

[Hygiene](#)

[Forms, formwork, falsework, and](#)

[Housekeeping, fire protection, public way protection, traffic control, and hot tar or bitumen tankers or kettles](#)

[Asbestos on construction projects](#)

[Diving operations](#)

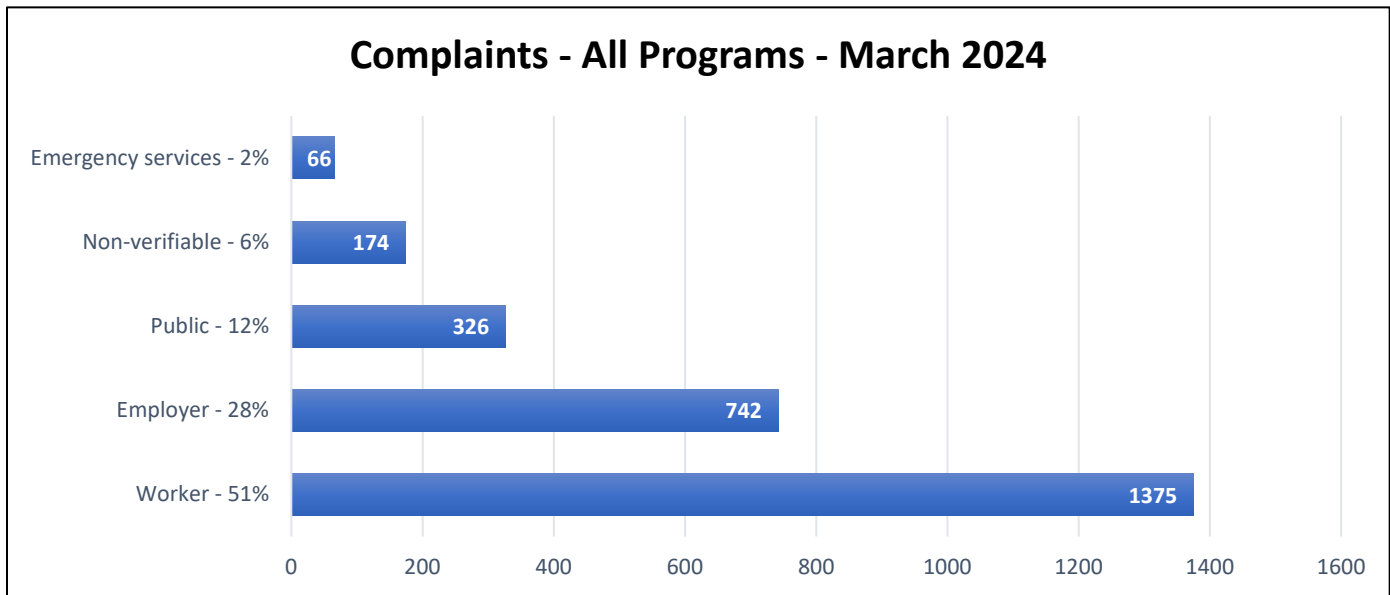
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Disclaimer: This information has been prepared to assist workplace parties in understanding their rights and duties under the Occupational Health and Safety Act (OHSA) and its regulations. This information does not constitute legal advice. To determine your rights and duties under the OHSA, please contact your legal counsel or refer to the legislation.

Section 1 – Senior Manager's Comment

Complaints – All Programs



NOTE: Complaints can be made through the OHS Contact Center (1-877-202-0008) by anyone at anytime; they do not have to be made by a workplace party. It is important to understand that a complaint is taken based on the information provided by the caller and therefore no contravention(s) of the OHSA or its respective Regulations have yet to be verified or confirmed by an MLITSD inspector at the time the complaint is registered.

In March 2024, the OHS Contact Center received 2,683 complaints with regard to health and safety (H&S) concerns within a workplace across all programs; of which, just over half (51%) were called in by workers within the workplace.

While the MLITSD appreciates those who call in when they observe an H&S related issue, and encourages people do to so, the fact that more than half of the complaints coming in are from workers identifies a concerning trend.

Concern 1 – this may suggest that the Internal Responsibility System (IRS) is not functioning within the workplace. If workers are afraid to speak to their supervisors or employers about H&S concern(s) and choose the MLITSD as his/her first point of contact, it is an indication that the IRS may be failing or not as effective as required.

Concern 2 – this may suggest that the workers have identified an H&S concern(s) to his/her supervisor or employer as required by S.28 of the OHSA, however no or insufficient action was taken to resolve the H&S concern(s), leading the worker to contact the MLITSD to have the matter resolved.

Concern 3 – this may suggest that the worker is not aware of his/her obligations under S.28 of the OHSA to identify an H&S concern(s), that may endanger themselves or another, to his/her supervisor or employer. Workers need to understand their rights, but also their responsibilities under the OHSA and how they as workers contribute to the IRS as well.

Sincerely, Brian Barron

Senior Manager
Construction Health and Safety Program
Occupational Health and Safety Branch
Ontario Ministry of Labour, Training and Skills Development

Section 2 – What's New

Ontario supporting women at work

This month, the Ontario government introduced the Working for Workers Five Act, 2024, building on its previous four Working for Workers acts. The act contains a suite of measures to support workers, including requiring that menstrual products be provided on larger construction sites and mandating that washrooms are clean and sanitary. The legislation, the first of its kind in Canada, would make the skilled trades more accessible to women and support women at work.

[Learn more](#)

The *Working for Workers Five Act, 2024* will also allow for electronic copies of the Occupational Health and Safety Act (OHSA) to meet posting requirements. It is important to remember that the posting of the OHSA is not merely for compliance; **it is meant to be readily available to any and all workers when they require it for reference.**

There are important requirements to consider if you choose the option of an electronic copy. These may include, but not limited to, ensuring:

- A copy always remains readily available to a worker – failing to do so is a contravention.
- Workers are aware of how to access the electronic copy.
- Workers are provided access to the electronic means any time it is required.
- Workers are provided any necessary information, such as a password, to access the OHSA.
- The electronic means are available where the work is taking place, including remote work.
- The electronic means to access the OHSA always remains powered.
- A plan is in place in the event the electronic means loses power or becomes inoperable.

For the latest what's **new** – MLITSD articles, see: [What's New!](#)

Section 3 – Court Bulletins

Construction Company and Director Fined \$117,500 Total After Worker Fatally Injured

Convicted: VanHeughten Contractors Inc., a small construction company, 172 Wilson Avenue, RR2, Delhi, Ontario, and the company's director, Kyle VanHeughten.

Location of Workplace: Construction project at 51235 Chalet Line, Aylmer, Ontario

Description of Offence: A worker was fatally injured after falling approximately five metres from a roof. VanHeughten Contractors Inc. failed to ensure the measures and procedures prescribed under section 26.1(2) of [Regulation 213/91](#) were carried out in the workplace, contrary to [section 25\(1\)\(c\)](#) of the *Occupational Health and Safety Act*. Kyle VanHeughten failed, as a director of VanHeughten Contractors Inc., to take all reasonable care to ensure that the corporation complied with section 26.1(2) of [Regulation 213/91](#) contrary to [section 32\(a\)](#) of the Act.

Date of Offence: March 4, 2022

Date of Conviction: March 8, 2024

Date of Sentence: April 15, 2024

Penalty Imposed:

- Following guilty pleas in provincial offences court in St. Thomas, Ontario, VanHeughten Contractors Inc. was fined \$85,000 and Kyle VanHeughten was fined \$32,500 by Justice of the Peace Susan E. Whelan. Crown Counsel were Neil Dietrich and Daniel Kleiman.
- The court also imposed a 25 per cent victim fine surcharge as required by the *Provincial Offences Act*. The surcharge is credited to a special provincial government fund to assist victims of crime.

Background:

- On March 4, 2022, four workers were installing wooden roof trusses on a construction project in Aylmer. The trusses were being installed on top of framed walls. No guardrail protection was present, nor were any of the workers wearing any other method of prescribed fall protection equipment. None of the workers were wearing any protective headwear.
- One worker was standing on a two-by-four inch wood strapping while nailing wood with a cordless framing nailer. The strapping broke and the worker fell 5.08 meters from the roof and was struck by the nailer, causing fatal injuries.
- By failing to ensure that the worker was protected by a means of fall protection, VanHeughten Contractors Inc failed, as an employer, to ensure that the measures and procedures prescribed under section 26.12) of [Regulation 213/91](#) were carried out in the workplace, contrary to [section 25\(1\)\(c\)](#) of the *Occupational Health and Safety Act*.
- Kyle VanHeughten failed, as a director of VanHeughten Contractors Inc. to take all reasonable care to ensure that the corporation complied with section 26.1(2) of [Regulation 213/91](#) contrary to [Section 32\(a\)](#) of the Act.

Court Bulletins can be found here: <https://news.ontario.ca/en>

Considerations from a Root Cause point of view:

1. *From a planning perspective, were alternate methodologies for installation of the trusses considered, such as assembling as much as possible on the ground?*
2. *Was there a coordination plan with the Constructor or other contractors considered to enable the use of alternate methodologies? For example:*
 - a. *Did the lack of coordination or site planning make it difficult to assemble on the ground and then provide a lifting area for the use of a crane?*
 - b. *Would a proper site plan well in advance of the work taking place have enabled such alternative methods?*
3. *What led the worker to believe a 2x4 is an adequate working platform?*
 - a. *Was an elevated work platform (EWP) considered?*

4. *Did additional costs for the use of a crane to hoist the trusses into place play a factor in the decision-making process?*
 - a. *Additional costs would include the cost of the crane and the operator; ensuring workers are trained in safe rigging practices.*

5. *Did the additional costs for the use of an elevating work platform play a factor in the decision-making process?*
 - a. *Additional costs would include the cost of the EWP rental; training for workers to operate the EWP.*

6. *Considering the way in which the work was organized and carried out, would the use of a fall protection harness and lanyard really have made a difference?*
 - a. *Many factors were already set in motion for a such a needless loss of life.*

Below is a copy of the IHSA 'Temporary bracing for long-span wood trusses' document for reference.

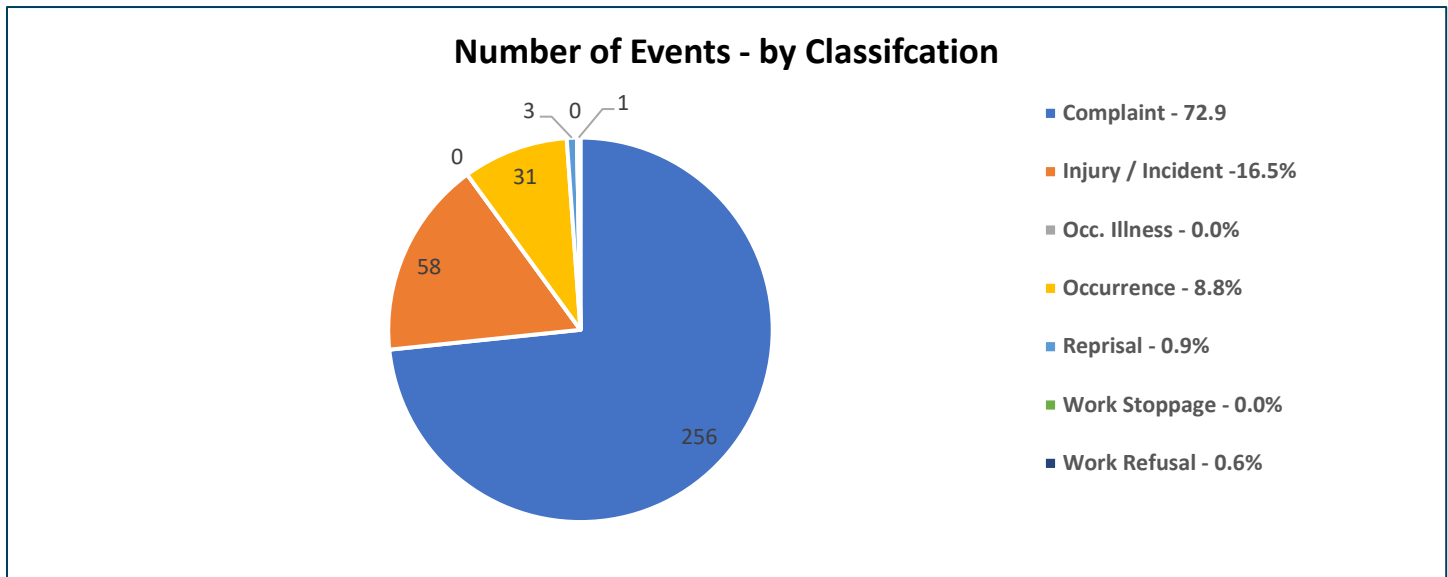


W211 Large wood
truss installation.pdf

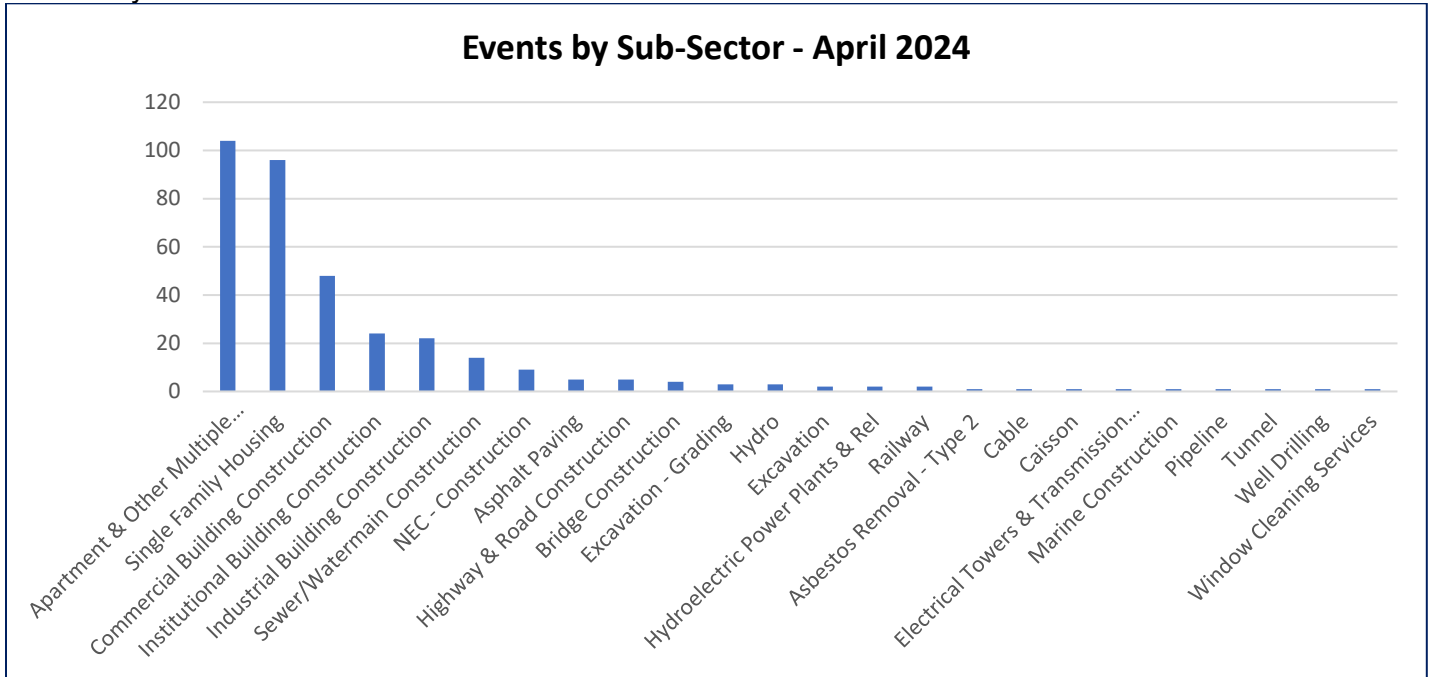
Section 4 – Enforcement Trends – April 2024

MLITSD Construction Inspectors conducted 1,358 field visits at 1,070 workplaces during the month of April 2024. They responded to 428 **events*** throughout the province during that month and issued **286 Stop Work Orders****. Of those, 213 were issued during a pro-active inspection and 73 were issued during an investigation stemming from an event.

Stop Work Orders – Top 5 under O.Reg. 213/91 - April 2024				
	Section	Requirements	# of STWs	Remarks
1	26.3	Guardrail	71	Of the 286 Stop Work Orders, the Top 5 account for a total of 225 (78.7%) . <i>**A stop work order is issued where imminent danger is observed at the time of inspection requiring the work to be stopped until the appropriate remedial action can be taken to make the situation safe for workers to work.</i>
2	135	Scaffold Platform or Other Work Platform	54	
3	128	Scaffold	35	
4	26.1	Fall Protection	35	
5	77	Stairs	30	



Events by Sub-Sector



**Events consist of complaints, work refusals, critical injury, fatality, an occurrence, or injury as prescribed*

In April 2024, events have started to be broken down by sub-sector. As demonstrated in the chart above, the Top 5 sub-sectors with with an event in the month of April 2024 accounted for 84.2% of all events in construction.

When we take into consideration the Top 5 sub-sectors with events, combined with the overwhelming number of Stop Work Orders related to a form of fall prevention, although a lot of great work has taken place, there is still a long way to go. It is important to maintain the focus and diligence toward the protection of all workers throughout the province.

Part I Tickets

67% of all Part 1 tickets issued by MLITSD Construction Inspectors in April 2024 were in relation to either a **lack of, or inadequate use of fall protection equipment.**

NOTE: Other contraventions where Part 1 Tickets were issued include all other requirements within O. Reg 213/91

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Section 5 – Critical Injuries & Fatalities

Year-to-Date Overview and Comparison - Construction Sector

Injury Type	2024 April	2024 January 1 – April 31
Critical	29	112

Injury Type	2023 April	2023 January 1 – April 31
Critical	24	98

NOTE: These figures represent preliminary data and are not to be considered official statistics from the Ministry of Labour, Immigration, Training and Skills Development. Official statistics will be issued quarterly by the Program Analysis, Evaluation and Outcomes Unit of the Occupational Health and Safety Branch of the Ministry of Labour, Immigration, Training and Skills Development. Data are subject to change due to updates in the enforcement database. Only events reported to the ministry are included here. Except for fatalities, event categories in the ministry's data set are based on what was assigned at the time of the initial report to the ministry. The reported event category may not represent what occurred at the workplace.

April 2024

April 2024 CRITICALS	RESS	INST	RESM	INDU	ROAD	EXCA	COMM	NECC	RAIL	POWP	ETTL	HYDR	SEWW	BRID	TUNN	TELE	WIND	MARE	PAVE	GAS	MINP	PIPE	CAIS	TOTAL	
Falls from Heights	2			2																				4	
Falls From Equipment	1																								1
Falls from Ladders	1		1	1																					3
Same level slips and trips			4				2																		6
Struck by equipment	1		2	1										1					1						6
Struck by material	1			2	1		1		1			1													7
collapse of structure																									0
Electrical Contact											1														0
Excavation Collapse																									0
Other, including multiple factors, i.e. fall resulting from scaffold being struck by equipment.	1																								1
TOTAL																									29

Critical Injury Summary – April 2024

Similar to March 2024, more than one quarter (27.6%) of the critical injuries sustained this month were the result of non-task related activities, such as exiting a vehicle, loss of footing, or walking through debris filled / uneven surfaces.

As a result, organizations are now potentially subject to WSIB claims, and more workers will lose time in the field, neither of which is desirable outcome from an efficiency point of view, all due to preventable injuries that are not specifically related to a task but rather more likely to a lack of concentration of a low-risk activity.

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Year to Date 2024

Year to Date 2024 CRITICA	RESS	INST	RESM	INDU	ROAD	EXCA	COMM	NECC	RAIL	POWP	ETTL	HYDR	SEWW	BRID	TUNN	TELE	WIND	MARE	PAVE	GAS	MINP	PIPE	CAIS	TOTAL
Falls From Heights	9		6	3			1																	19
Falls From Equipment	1		2																					3
Falls from Ladders	4		7	1			2		1															15
Same level slips and trips	3		12	3			3						2	1							1	1		26
Struck by equipment	4	3	1	2	1									2					1	1				15
Struck by material	2		6	5	1		1	1	2			1	1		1									21
collapse of structure	2																							2
Electrical Contact										1														1
Excavation Collapse																								0
Other, including multiple factors, i.e. fall resulting from scaffold being struck by equipment.	4		4		1	1																		10
TOTAL	29	3	38	14	3	1	7	1	3	1	0	1	3	3	1	0	0	0	1	2	1	0	0	112

	Date of Incident	Municipality	Sector	Occupation	Details (As reported to MLITSD)	Reported Cause
1	April 4, 2024	Oshawa	Single Family Housing	Worker	Worker fell approximately 30 ft to the ground while walking across an elevated beam, resulting in a broken bone in the neck and fractured ribs	Fall – From Height
2	April 4, 2024	Sarnia	Sewer/Watermain Construction	Steel Worker	Worker was torching a section of steel when it let loose, causing it to fall resulting in 2 fractures in the right foot	Struck by - Material

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	Date of Incident	Municipality	Sector	Occupation	Details (As reported to MLITSD)	Reported Cause
3	April 5, 2024	Toronto	Commercial Building Construction	Concrete (Form) Worker	Worker was cutting a section of concrete when it let loose, falling on the worker's right foot resulting in a fracture	Struck by - Material
4	April 8, 2024	Bolton	Industrial Building Construction	Material Handler	Worker sustained a broken leg when the binding on the material he was removing snapped and stuck his leg	Struck by - Material
5	April 9, 2024	Port Hope	Industrial Building Construction	Rofer	Worker fell through skylight opening after exiting the man lift at height resulting in broken arm and leg	Fall – From Height
6	April 9, 2024	Toronto	Bridge Construction	Road Worker	Worker struck by a vehicle when it drove through the work area, resulting in head trauma and a broken leg	Struck by - Vehicle
7	April 9, 2024	Sault Ste. Marie	Industrial Building Construction	Steel Worker	Worker sustained a broken foot when a steel beam dropped and fell on his foot	Struck by - Material

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Occupational Health and Safety Branch, Construction Health and Safety Program



	Date of Incident	Municipality	Sector	Occupation	Details (As reported to MLITSD)	Reported Cause
8	April 9, 2024	Ottawa	Commercial Building Construction	Worker	Worker sustained a hair line fracture in his foot after falling while exiting his vehicle	Fall – Same Level
9	April 10, 2024	Toronto	Industrial Building Construction	Pipefitter (Fireproofing)	Worker fractured his elbow after missing a step on the step ladder, falling approximately 2 ft	Fall – From Ladder
10	April 10, 2024	Ottawa	Railway	Fence Installer	Worker sustained 2 broken legs when fence material was loosened from the truck and fell on the worker	Stuck by - Material
11	April 10, 2024	Vaughan	Apartment & Other Multiple Housing	Drywaller (Taper)	Worker broke his leg while walking in the main lobby, tripping and falling to the ground	Fall – Same Level
12	April 11, 2024	Sault Ste. Marie	Industrial Building Construction	Crane Operator (Overhead)	Worker fell approximately 12 ft while operating the crane, walking backwards and beyond the caution tape	Fall – From Height

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	Date of Incident	Municipality	Sector	Occupation	Details (As reported to MLITSD)	Reported Cause
13	April 11, 2024	Thornbury	Single Family Housing	Worker	Worker was struck by a stack of plywood when it fell as he was walking by, resulting in multiple fractures in his ankle	Struck by - Material
14	April 16, 2024	Kitchener	Institutional Building Construction	Service Technician (Manlift)	Worker's both arms were crushed when the scissor lift he was repairing suddenly came down	Struck by - Equipment
15	April 16, 2024	Mississauga	Highway & Road Construction	Pipefitter	Worker sustained broken right leg when the valve he was working on burst	Struck by - Material
16	April 19, 2024	Mississauga	Apartment & Other Multiple Housing	Painter	Worker fractured his elbow after falling from a baker's scaffold	Fall – From Equipment
17	April 20, 2024	Kanata	Single Family Housing	Painter	Worker sustained a broken femur after missing a step in a ladder, causing him to fall to the ground	Fall – From Ladder

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	Date of Incident	Municipality	Sector	Occupation	Details (As reported to MLITSD)	Reported Cause
18	April 22, 2024	Sudbury	Apartment & Other Multiple Housing	Labourer	Worker fell on an uneven surface, resulting in a broken leg	Fall – Same Level
19	April 22, 2024	Toronto	Single Family Housing	Drywaller	Worker lost consciousness causing him to fall to the ground	Loss of Consciousness
20	April 22, 2024	Oakville	Apartment & Other Multiple Housing	Concrete (Form) Worker	Worker fractured his wrist after falling approximately 6 ft from a ladder while chipping concrete	Fall – From Ladder
21	April 23, 2024	Toronto	Apartment & Other Multiple Housing	Material Handler	Worker fell to the ground while trying move out of the way when another worker lost control of a load on a dolly, resulting in a broken arm and wrist	Fall – Same Level
22	April 24, 2024	Gatineau	Electrical Towers & Transmission Lines	Powerline Worker	Worker was without vital signs for a few minutes after the manlift he was in made contact with the overhead powerline	Electrical Contact – Via Manlift

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Occupational Health and Safety Branch, Construction Health and Safety Program



	Date of Incident	Municipality	Sector	Occupation	Details (As reported to MLITSD)	Reported Cause
23	April 24, 2024	Ottawa	Commercial Building Construction	Driver (Dump Truck)	Worker fell to ground after tripping over a 4x4 piece of wood, resulting in a broken right arm	Fall – Same Level
24	April 24, 2024	Toronto	Apartment & Other Multiple Housing	Labourer	Worker fell to ground while tripping over debris he was clearing, resulting in a broken ankle	Fall – Same Level
25	April 25, 2024	Carleton Place	Apartment & Other Multiple Housing	Rigger	Worker fell after climbing onto panels to reach the hook of the crane, causing the hook to swing and contact his wrist, resulting in a fracture wrist	Stuck by - Equipment
26	April 26, 2024	Cambridge	Asphalt Paving	Worker	Worker suffered a fractured pelvis when a vehicle crossed through pylons and struck the worker	Struck by – Vehicle
27	April 26, 2024	Vaughan	Single Family Housing	Mason	Two workers fell approximately 25 feet from a scaffold;	Fall – From Scaffold

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Occupational Health and Safety Branch, Construction Health and Safety Program



	Date of Incident	Municipality	Sector	Occupation	Details (As reported to MLITSD)	Reported Cause
					1 worker sustained spinal injuries	
28	April 29, 2024	Toronto	Single Family Housing	Worker	Worker lost consciousness after leaning on a guardrail that failed, causing him to fall from the second level to the first	Fall – From Height
29	April 29, 2024	Oshawa	Single Family Housing	Driver (Dump Truck)	Worker sustained multiple broken fingers when they became trapped between the box and tailgate of the truck while clearing material	Struck by - Equipment

Fatality Summary – April 2024

Injury Type	2024 April	2024 January 1 – April 31
Fatal	1	4

Injury Type	2023 April	2023 January 1 – April 31
Fatal	0	4

Ministry of Labour, Immigration, Training and Skills Development
Occupational Health and Safety Branch, Construction Health and Safety Program



Fatalities – April 2024

April 2024 FATALS	RESS	INST	RESM	INDU	ROAD	EXCA	COMM	NECC	RAIL	POWP	ETTL	HYDR	SEWW	BRID	TUNN	TELE	WIND	MARE	PAVE	GAS	MINP	PIPE	CAIS	Total	
Falls From Heights	1																								1
Falls From Equipment																									0
Falls from Ladders																									0
Same level slips and trips																									0
Struck by equipment																									0
Struck by material																									0
collapse of structure																									0
Electrical Contact																									0
Excavation Collapse																									0
Other, including multiple factors, i.e. fall resulting from scaffold being struck by equipment.																									0
TOTAL	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1

Fatalities – Year to Date 2024

Year to Date 2024 FATALS	RESS	INST	RESM	INDU	ROAD	EXCA	COMM	NECC	RAIL	POWP	ETTL	HYDR	SEWW	BRID	TUNN	TELE	WIND	MARE	PAVE	GAS	MINP	PIPE	CAIS	Total	
Falls From Heights	2			2																					4
Falls From Equipment																									0
Falls from Ladders																									0
Same level slips and trips																									0
Struck by equipment																									0
Struck by material																									0
collapse of structure																									0
Electrical Contact																									0
Excavation Collapse																									0
Other, including multiple factors, i.e. fall resulting from scaffold being struck by equipment.																									0
TOTAL	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4

	Date of Incident	Municipality	Sector	Occupation	Details (As reported to MLITSD)	Reported Cause
1	February 12, 2024	Ottawa	Industrial Building Construction	Welder	Worker succumbed to fatal injuries as a result of 5 story fall from mast climber	Fall – From Height
2	March 17, 2024	Toronto	Industrial Building Construction	Worker	Worker succumbed to fatal injuries on April 18, 2024 as	Fall – From Height

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Occupational Health and Safety Branch, Construction Health and Safety Program



	Date of Incident	Municipality	Sector	Occupation	Details (As reported to MLITSD)	Reported Cause
					a result of a fall from heights	
3	March 28, 2024	Waterloo	Single Family Housing	Worker	Worker succumbed to fatal injuries on April 4, 2024 as a result of falling from heights	Fall – From Height
4	March 27	Waterloo	Single Family Housing	Worker	Worker fell on March 27 th , succumbing to his injuries on April 4 th .	Fall – From Height

SECTOR DESCRIPTION	SHORT DESC
Asbestos Removal - Type 1	ASB1
Asbestos Removal - Type 2	ASB2
Asbestos Removal - Type 3	ASB3
Bridge Construction	BRID
Cable	CABL
Caisson	CAIS
Cofferdam	COFF
Commercial Building Construction	COMM
Diving Construction	DCON
Diving Environmental	DENV
Diving Industrial	DIND
Diving Mining	DMIN
Electrical Towers & Transmission Lines	ETTL
Excavation	EXCA
Gas Service Connection	GAS
Excavation - Grading	GRAD
Hydro	HYDR
Industrial Building Construction	INDU
Institutional Building Construction	INST
Marine Construction	MARE
Mining Plant Construction	MINP
Moving of a Building/Structure	MOVE
NEC – Construction (NEC: not elsewhere captured)	NECC
NEC – Diving (NEC: not elsewhere captured)	NECD
Asphalt Paving	PAVE
Pipeline	PIPE
Hydroelectric Power Plants & Rel	POWP
Railway	RAIL
Apartment & Other Multiple Housing	RESM
Single Family Housing	RESS
Highway & Road Construction	ROAD
Sewer/Watermain Construction	SEWW
Shaft Construction	SHAF
Shipbuilding & Repair	SHIP
Subway	SUBW
Telephone	TELE
Trenching	TREN
Tunnel	TUNN
Well Drilling	WELL
Window Cleaning Services	WIND

