



EAC, an initiative of Canadian Manufacturers & Exporters

Employers' Advocacy Council

625 Wabanaki Drive, Unit 4, Kitchener Ontario N2C 2G3 / Toll Free #: 1.888.663.4929

April 18, 2011

Mr. Trevor Day
Committee Clerk
Standing Committee on Social Policy
Room 1405, Whitney Block
Queen's Park,
Toronto ON M7A 1A2

By email to trevor_day@ontla.ola.org

**Re: EAC Submission on Bill 160, Occupational Health and Safety Statute Law
Amendment Act, 2011**

Dear Mr. Day:

On behalf of the Employers' Advocacy Council (EAC) and its 400 members, we wish to thank the Standing Committee on Social Policy for the opportunity to provide feedback on Bill 160, Occupational Health and Safety Statute Law Amendment Act, 2011.

The EAC is a member-based non-profit employer group with a presence throughout the province of Ontario and an initiative of Canadian Manufacturers & Exporters. The EAC takes great pride in being the leading source of information, training and advocacy on workplace safety insurance. For 26 years, through our advocacy, workshops and safety group program, we work with employers to reduce worker compensation costs, the number of worker claims and to prevent workplace injuries. EAC's vision is to work with employers and eliminate workplace injuries and their costs.

As Ontario's leading workplace safety insurance advocate, the EAC remains committed to working with the Ministry of Labour and all Health and Safety prevention partners to ensure an adequate and equitable health and safety system in Ontario.

Our submission is attached for your consideration. Please feel free to contact me if you have any questions.

Sincerely,

Maria Dagainis,
Director, Government Relations & Membership

EAC Submission on Bill 160,

Occupational Health and Safety Statute Law Amendment Act, 2011

April 18, 2011

The Employers' Advocacy Council (EAC) wishes to thank the Standing Committee on Social Policy for the opportunity to provide feedback on Bill 160. The EAC would also like to thank Tony Dean and the Expert Advisory Panel and Minister Sousa for their commitment and dedication to improving Ontario's occupational health and safety system and for their desire to create a best in class system that all employers and workers can be proud of.

The EAC is a member-based non-profit employer group, and an initiative of Canadian Manufacturers & Exporters. The EAC takes great pride in being the leading source of information, training and advocacy on workplace safety insurance. For 26 years, through our advocacy, workshops and safety group program, we work with employers to reduce worker compensation costs, the number of worker claims and help them to prevent workplace injuries. The EAC is a founding member of the Safety Group program. This year the EAC has over 140 companies participating in the Safety Group program. We have 3 distinct chapters: Canadian Vehicle Manufacturers' Association, Magna and a Multi-Sector group. In 2009, our Safety groups received a combined rebate of \$1.6 million. In addition, the EAC's training seminars have expanded to now include seminars in both Insurance/Compensation and Health and Safety. Some of the seminars include Return to Work and Claims Cost Management, briefings on the Workplace Safety & Insurance Act, Appeals, and preparing for Ministry of Labour Inspector Visits.

With the average cost of a lost-time injury in Ontario now well over \$100,000 in direct and indirect costs, the EAC is cognizant of the challenges facing the current occupational health and safety system. It recognizes the importance of the legislative amendments required so that all workplace parties can benefit through greater alignment and coordination of health and safety association activities, better access to resources and improved opportunities for stakeholders to become engaged.

In reviewing Bill 160, the EAC recommends that the following legislative amendments be adopted with priority:

1. **The transfer of the prevention responsibility from the Workplace Safety & Insurance Board (WSIB) to the Ministry of Labour (MOL).** This is a critical component of the health and safety alignment process. There is a definite need to minimize duplication between the prevention and enforcement pillars of the occupational health and safety system and create uniformity and consistency. With this provision, the Minister of Labour would have express powers to promote public awareness of occupational health and safety, educate employers and provide grants to support occupational health and safety activities to name a few. EAC supports this provision.
2. **Consistency of application and instruction to ministry inspectors.** The EAC supports the provision under subsection (3) allowing Directors to establish written policies respecting the interpretation, administration and consistent application and enforcement of this Act and that the inspectors follow the established policies set by a Director. Consistency of application is an important step in guiding the implementation process of prevention activities.
3. **The creation of a Chief Prevention Officer (CPO).** The EAC has made a separate submission regarding the role of the new CPO. It included the importance of communicating to small employers by focusing on their specific needs and financial resources. In addition, among the recommendations in the report of the Minister's Expert Advisory Panel in December, 2010, was one recommending that the new prevention organization develop a multi-year social awareness strategy. We continue to support this recommendation and its intentions to significantly reduce public tolerance of workplace injuries, illnesses and fatalities and shift attitudes, beliefs and behaviours around occupational health and safety. The EAC supports the creation of the CPO, a new Prevention Council and the reporting of Health and Safety Associations to the CPO and the Minister of Labour.
4. **The establishment of standards for training programs.** Establishing training program standards in workplace health and safety education and its promotion is an important initiative for achieving excellence in workplace safety. The EAC supports the proposed change to transfer the responsibility of the delivery of certification for Joint Health and Safety Committee (JHSC) members from the WSIB to the MOL. We support the provision for training providers to disclose information to the Minister on a worker's successful completion of an approved training program. Furthermore, the EAC supports the creation and development of coordinated and aligned training objectives so that all parties understand their legislative obligations.

Conclusion and Recommendation Summary:

The EAC remains committed to working with the Ministry of Labour and all Health and Safety prevention partners. EAC will continue to work diligently on behalf of Ontario employers to ensure that their concerns are addressed to ensure an adequate and equitable health and safety system in Ontario.

In summary, EAC supports the adoption of the Bill 160 legislative amendments regarding:

1. The transfer of the prevention responsibility from the WSIB to the MOL
2. Consistency of application and instruction to ministry inspectors
3. The creation of a Chief Prevention Officer (CPO)
4. The establishment of standards for training programs

In conclusion the EAC welcomes the opportunity to work with a new Prevention Organization, a new Chief Prevention Officer and a Prevention Council whose combined efforts will engage employers in more meaningful, proactive and consistent applications of the OHSA. Our members support Bill 160 (amendments to the Occupational Health & Safety Act) and we believe, as do many, that Bill 160 could be improved to provide a framework that will best serve Ontario and its workers.

The EAC thanks you for your consideration.