



75 INTERNATIONAL BLVD UNIT 401; ETOBICOKE, ONTARIO M9W 6L9 - TELEPHONE: (416) 679-8887 - FAX: (416) 679-8882

To: Ministry of Labour, Training and Skills Development

From: Provincial Building and Construction Trades Council of Ontario

Date: March 27, 2020

Re: Draft COVID-19 Document Entitled: “What you need to know about health and safety and working onsite”

The Provincial Building and Construction Trades Council of Ontario (PBCTCO) reviewed the draft COVID-19 document “What you need to know about health and safety and working onsite” which came from the Ministry of Labour, Training and Skills Development (MLTSD). This Memo contains the Council’s added suggestions, which are **underlined and in bold**.

Introduction

This document is a collection of resources, best practices and information links designed to help construction employers understand their rights and responsibilities while operating during the COVID-19 pandemic. This is not a legal document and all employers are advised to seek legal advice as part of their overall due diligence process.

While the situation is changing daily, the legislation and regulations used to govern Ontario’s workplaces has not. *Employers still have the duty to keep workers and work sites safe and free of hazards, and workers still have the right to refuse unsafe work.* Effective communication of new safety procedures and policies will help ensure positive outcomes.

The Province of Ontario has exempted construction workplaces from its mandatory closure order on the basis of assurances from the industry that it will uphold high standards of worker health and safety during the current COVID-19 emergency. General Contractors, Project Managers and/or Builders with overall responsibility for the project and who sign the “Notice of Project” will be expected to enforce and comply with these standards. Ministry Inspectors have been instructed to enforce these standards strictly. The failure of an Employer, General Contractor, Project Manager or Builder to comply with the guidance in this document will result in a “stop work” order upon inspection by the Ministry of Labour, Training and Skills Development.

Appropriate signage in the workplace in the languages of the workplace must be present to advise workers of these rules and the need to comply with them.

In order to address COVID-19 concerns, find below the following resources:

1. On-site best practices
2. Construction sector and design industry resources
3. Other Resources

1. On-site best practices

The health and safety of workers is a top concern and increased focus on health and safety is required to keep job sites open. Below are resources, tips and best practices employers **must** follow during the COVID-19 situation:

a) **Personal hygiene:** Everyone can take individual steps to prevent the spread of COVID-19. Personal hygiene tips include:

- a. washing your hands often with soap and **hot water (where possible)** or rubbing them with alcohol-based hand sanitizer
- b. sneezing and/or coughing into your sleeve, if you use a tissue, discard it immediately and wash your hands afterward
- c. avoid touching your eyes, nose or mouth
- d. avoid contact with people who are sick
- e. stay home if you are sick **and remain at home for the duration that is recommended by public health authorities**
- f. Avoid high-touch areas, including handrails, public transit poles and ensure that you clean your hands after, also avoid touching your face after touching a high-touch surface
- g. Wash your clothes as soon as you get home
- h. Notify your supervisor immediately if you are sick and contact your local public health unit

b) **Illness reporting:** The symptoms of COVID-19 are shared with many other illnesses including the cold and flu. At this time, it is recommended that any worker who is experiencing any symptoms **must notify his or her supervisor and immediately leave the site and remain off work for the duration that public health recommends.**

c) **Infection Prevention and Control:** Employers can contact local public health units for questions on workplace infection prevention and control related to COVID-19 infections. **PLEASE NOTE** additional resources, policies and procedures are being developed to provide additional support in this area.

d) **Ministry of Labour, Training and Skills Development reporting requirements:** Employers must report occupational illnesses, including COVID-19, to:

- a. the Ministry (in writing) within four days
- b. the joint health and safety representative on-site
- c. a trade union (if applicable)

d. if a worker reports COVID-19 due to occupational exposures, the employer needs to submit a Form 7 to the WSIB, similar to any other injuries/illnesses. The WSIB established an Adjudicative approach to the novel Coronavirus (COVID-19) claims.

e) **Communicate:** Clear communication and understanding of roles and responsibilities will be key. Everyone will need to ensure health and safety policies are updated and posted for all employees to see. Using industry resources, including those produced by the Infrastructure Health & Safety Association (IHSA), will improve on-site understanding.

f) **Policies:** All employers need to post and communicate COVID-19 policies to all employees and contractors/trades. They need to cover how the site will operate, including, but not limited to, the sanitization of sites, how employees and contractors report illnesses, how to ensure physical distancing and how work will be scheduled.

g) **Physical distancing:** As outlined in several government announcements, physical distancing is required to control the spread of COVID-19. In order to ensure physical distancing on-site, employers **must consider and implement** the following:

- a. Staggered start times and **different entry and exit points to and from the worksites.**
- b. Staggered breaks
- c. Staggered lunches
- d. Total number of people on-site and where they are assigned to work
- e. Site movement (potential pinch points including hoists and site trailers)
- f. **Employers must restrict the number of persons who may use elevators at one time and they must post signage that requires appropriate social distancing when using an elevator on-site.**
- g. **Adding more shifts, including staggering start and end times of individual trades, within those shifts, to reduce physical overlap, as much as possible. Jobsites should have the flexibility they need to accommodate staggering practices in a way that best suits them.**

h) **On-site sanitation:** As outlined in several government documents, on-site cleaning and disinfection is paramount. **All employers have an obligation to supply and ensure the following:**

- a. Access to soap and **hot water (where possible) – as well as hand sanitizers and clean-up facilities equipped with wash basins; hot running water where reasonably possible; and paper towels and waste receptacles must be made readily available. Under the Occupational Health and Safety Act, employers must maintain a clean worksite and make sure that facilities are available for workers to clean themselves if they have been exposed to any infectious diseases.**
- b. Washroom facilities – **water-flush toilets that are functionally connected to a sanitary sewer including separate facilities for female workers, unless the facilities are intended to be used by only one person at a time**
- c. **the cleaning of** Commonly touched surfaces or areas (hoists, site trailers, door handles, tools and equipment, residential units)

- d. **Limiting** unnecessary on-site contact between workers, and between workers and outside service providers, and encouraging physical distancing in these areas (i.e., remove coffee trucks from site)
- e. **Avoiding** sharing of hand tools and power tools between workers where possible, if sharing is necessary, then enable sanitization of shared equipment
- f. **The employer needs to provide immediate access to cleaning materials to sanitize the tools/equipment. At the same time, any person sharing equipment needs to maintain proper hygiene (washing hands with soap and hot water, where possible, or using appropriate sanitizers).**

i) **Adjust on-site and production schedules:** In order to keep sites open, production schedules will need to change as impacts of physical distancing will impact productivity. Owners and trades will need to collaborate to ensure there is a clear understanding of how production will be impacted. Schedules **must** consider:

- a. Need for physical distancing, including staggered work schedules
- b. Sanitation of sites and workspaces
- c. Assign workers on-site to locations which ensure appropriate physical distancing (2 metres) is maintained
- d. Work-site mobility and transportation, including hoist operations
- e. **Employers must reassess employees' work environment every day and keep updated on what information is being posted on the province's website <https://www.ontario.ca/page/2019-novel-coronavirus>**

j) **Track and monitor your workforce.** Due to the latency period of COVID-19, it is important to track when workers report an illness as well as where they have worked. In the case of a positive test, local public health units will ask employers to provide information on where an employee worked as well as the contact information of anyone who may have been exposed. The better employers track information, the better local public health units can respond.