



## STAFF REPORT ACTION REQUIRED

### Occupational Health and Safety Report First Quarter, 2009

<b>Date:</b>	May 20, 2009
<b>To:</b>	Employee and Labour Relations Committee
<b>From:</b>	City Manager
<b>Wards:</b>	All
<b>Reference Number:</b>	

#### SUMMARY

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This report provides information on the status of the City's health and safety system, specifically on activities, priorities and performance during the first quarter of 2009. There were no significant changes in the number of lost time injuries, recurrences or injury frequency relative to the first quarter of 2008. The number of injuries where health care only was sought decreased significantly by 27.4%. Information is provided where there have been significant changes in accident experience and costs within divisions, as well as actions, specific and general, being taken to improve health and safety performance.

On April 20<sup>th</sup>, 2009, Bill 168 (An Act to amend the *Occupational Health and Safety Act* with respect to violence and harassment in the workplace and other matters) received first reading in the provincial legislature. Information with respect to Bill 168, its background, content and impact on the City, is provided in this report.

#### RECOMMENDATIONS

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**The City Manager recommends that:**

1. the Occupational Health and Safety Report, First Quarter 2009 be forwarded to City Council.

#### Financial Impact

There are no financial impacts to this report beyond what have already been approved in the current year's budget.

## **DECISION HISTORY**

At its meeting of February 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup>, 2005, City Council approved the recommendation of the Employee and Labour Relations Committee that staff report to Council quarterly on the functioning of the City's health and safety system. This report is for the first quarter of 2009.

## **ISSUE BACKGROUND**

Improved health and safety performance, and a strong health and safety culture with a target of a zero-injuries workplace, is a key priority for the City. This report on the City's health and safety performance is intended to enable the Mayor and Councillors to monitor the City's performance.

## **COMMENTS**

### **Injury and Accident Statistics**

#### Number of lost time and medical aid injuries and recurrences

Information regarding reported work-related injury/illnesses by division, during the first quarter of 2009, is attached in Appendix A. Information is also provided for the same time period in 2006, 2007 and 2008. Information provided includes:

- number of lost time injuries (LTIs): injuries/illnesses that were approved by the WSIB or are awaiting WSIB adjudication, as the employee has lost time from work as a result of a reported workplace injury,
- number of recurrences: injuries/illnesses that were approved by the WSIB or are awaiting WSIB adjudication, as the employee has sought medical aid and/or has lost time as a result of a previously reported workplace injury/illness. No new incident has taken place, and
- number of medical aids: injuries/illnesses that were approved by the WSIB or are awaiting WSIB adjudication, as the employee has sought medical aid but not lost time from work as a result of a reported workplace injury.

The number of LTIs increased by 1.6% relative to the first quarter of 2008. There was a significant reduction in injuries resulting from slips, trips and falls as well as in musculoskeletal disorders arising from overexertion, repetition and awkward postures. These improvements were offset, however, by increases in LTIs due to exposures to infectious disease agents during outbreaks in long term care homes or child care centres, as well as by increases in LTIs related to being struck by or striking objects or equipment.

The number of recurrences remained relatively unchanged. The number of medical aids decreased by 27.4%, as a result of decreases in medical aid incidents in the categories of contacts with objects and equipment; slips, trips and falls; exertion, repetition and awkward postures, transportation accidents and assaults and violent acts.

The data indicates that the number of LTIs in most divisions is comparable to the number during the same period last year. There have been significant changes in accident experience and associated costs in a few divisions, as follows:

- Fire Services experienced a 23.1% decrease in LTIs, mostly as a result of a decrease in musculoskeletal disorders (MSDs),
- Emergency Medical Services experienced a 14.6% decrease in LTIs, mostly as a result of a decrease in MSDs, and
- despite a decrease in the number of MSDs, slips, trips and falls, Children’s Services experienced an increase in LTIs of 32.4%, largely as a result of employees experiencing symptoms consistent with those experienced during outbreaks of infectious diseases in child care centres.

#### Lost Time Injury (LTI) Frequency

LTI frequency represents the number of LTI events (lost time approved by the WSIB or awaiting WSIB adjudication decision) per 200,000 hours worked (100 employee-years). Beginning in 2007, information with respect to time lost from work due to work-related injuries and productive hours worked by City employees was collected in a manner that enables reporting on LTI frequency. Early in 2008, this information was refined to enable reporting of LTI frequency in a manner that excludes claims that were denied by the WSIB and claims that were withdrawn by employees or on which no further action was taken. Utilization of the formula for LTI frequency allows for:

- comparison of the performance of each City division relative to others,
- comparison of the performance of each City division with its own performance during previous years, and
- future benchmarking with other organizations that report on LTI frequency.

Frequency rates for divisions are reported in Appendix B. The City’s LTI frequency during the first quarter of 2009 was 8.12, as compared to 9.50 in 2007 and 8.03 in 2008. This number represents the number of LTIs that will occur per 100 employees in a year assuming injuries continue to occur at the rate experienced year to date. It should be noted that even one LTI in a division with a small number of staff can result in a very high LTI frequency.

#### Injury and Accident Costs [Overall Costs (all firm numbers) and Invoiced New Firm Costs by Division]

Overall costs incurred under all City firm numbers during the first quarter of 2009 are reported in Appendix C. Comparable information is also provided for 2006, 2007 and 2008. Total costs during the first quarter were \$7.95 million. This includes costs that continue from injuries sustained in pre-amalgamation municipalities. These costs are lower than the \$8.40 million incurred during the first quarter of 2008 as a result of reduction in costs arising from firefighter cancer claims.

The “WSIB Invoiced Costs” report identifies all WSIB invoiced costs for firm number 855935, by division. Appendix D(i) provides the information for divisions whose costs year-to-date were less than \$100,000. Appendix D(ii) provides the same information for divisions whose costs were greater than \$100,000. Information for 2006, 2007 and 2008 is also provided for comparison purposes.

### Critical Injuries

Nine work-related critical injuries were reported to the Ministry of Labour in the first quarter of 2009. Additionally, three events that involved employees temporarily losing consciousness while at work were reported, although they were later deemed not to be work-related critical injuries as they were triggered by underlying medical conditions.

Work-related critical injuries reported:

- A Toronto Water employee sustained burns to multiple body parts when a backfire occurred while the employee was checking a waste gas burner for failure to start. This incident is under investigation by the Ministry of Labour and the Technical Standards and Safety Authority. The Ministry of Labour issued an order to create a preventative maintenance program. A preventative maintenance program to be performed by the maintenance staff of the facility every three months has been established, as has a preventative maintenance program to be performed by the waste gas burner equipment manufacturer every three months.
- A Toronto Water employee lost consciousness when the backhoe he was driving was rear-ended by a vehicle driven by a drunk driver.
- An Emergency Medical Services employee lost consciousness, attributed to exposure to noxious substance while treating a patient.
- A Constituency Assistant broke her right leg as a result of slipping and falling on a sidewalk. Transportation Services was contacted to arrange clearing of the sidewalk and the supervisor indicated that deliveries would be avoided during future snow days.
- A Children's Services employee tripped and fell after removing an object from a cupboard and turning to avoid a cot. She sustained a fracture of the right wrist. The cot was relocated within the room.
- A Parks, Forestry and Recreation employee slipped and fell on ice in a parking lot, resulting in the fracture of two bones in his right ankle. The ice was salted.
- A Fire Services employee sustained a fractured right foot following a loss of balance and a resulting fall from the edge of a stepping platform in a gym room.
- A Parks, Forestry and Recreation employee chipped a bone in his left elbow when he slipped on stairs while moving a floor exercise mat.
- A Parks, Forestry and Recreation employee tripped and fracturing his right wrist, while participating in a game.

### **Ministry of Labour Orders/Visits without Orders**

There were 25 Ministry of Labour (MOL) visits to City facilities in the first quarter of 2009. These visits occurred for a number of reasons; inspections under the Safe at Work Ontario program, investigation of critical injuries, follow up on complaint calls or follow up on reported infectious disease outbreaks. Attention during these visits focussed on the functioning of joint health and safety committees, review of protective measures and procedures (generally and specific to ergonomics, workplace violence prevention, infectious disease protocols), posting of health and safety materials, training and housekeeping.

Six of these visits resulted in orders. Nineteen of the visits resulted in no orders.

The orders related to the following circumstances:

- Storage of materials: wood leaning against walls and stacked pallets of bagged product, creating tip and fall hazard (two orders).
- Reporting of Workplace Violence: the MOL ordered that an employer shall take every precaution reasonable in the circumstances for the protection of a worker by contacting Police immediately of any threat of violence to a worker.
- Shielding on a band saw: the shield appeared to be damaged or bent.
- Backfire of a waste gas burner: following an injury to a worker when a waste gas burner backfired, a MOL visit resulted in two orders, one to take the burner out of operation and one to direct the employer to ensure that equipment is maintained in good condition.
- Infection control: following an outbreak in a Child Care Centre, the MOL ordered that the measures and procedures for cleaning and disinfection of contaminated surfaces be reviewed and also ordered that workers be trained on measures and procedures for infection control.
- Footwear: following a slip and fall on ice that resulted in a broken ankle, the MOL ordered that any worker who performs ice removal duties be equipped with appropriate footwear for the condition.
- Securing of a file cabinet: order to ensure that the file cabinet was secured against tipping and falling.

All orders were complied with. Orders were distributed by occupational health and safety managers to all division heads and the unions to enable lessons learned to be broadly shared and applied.

Information related to Ministry of Labour visits that do not result in orders is also shared throughout the organization. The Occupational Health and Safety Coordinating Committee (OHSCC) reviews the issues central to the visits as well as any comments or recommendations in order to be informed of the Ministry of Labour's priorities and expected employer responses to these priority issues.

The occurrence of MOL orders reinforces the program priority of the Health and Safety Audit – Phase 2 implementation.

## **Ministry of Labour Initiatives**

### Safe at Work Ontario Blitzes

The Ministry announced three main blitzes under its Safe at Work Ontario strategy during the first quarter of 2009:

- Forklifts and lifting devices in industrial workplaces
- Hazards involving construction equipment and materials handling
- Musculoskeletal disorders across all sectors

### Bill 168

The Ministry of Labour, in April (subsequent to the first quarter), announced proposed legislative amendments to the *Occupational Health and Safety Act (OH&SA)* to protect workers from workplace violence and harassment. During the period from April 1, 2008 until September 30, 2008, Ministry inspectors had made 198 field visits to Ontario workplaces and issued 185 orders related to violence in the workplace. Bill 168 (An Act to amend the *OH&SA* with respect to violence and harassment in the workplace and other matters) received first reading in the legislature on April 20<sup>th</sup>. Proposed amendments to the *OH&SA* include:

- a requirement for workplace violence and harassment policies (including posting and annual review of same) ,
- inclusion of a definition of workplace violence and workplace harassment,
- a requirement for a program to implement the workplace violence policy, including measures to control risks, to summon immediate assistance and for workers to report incidents or threats,
- a requirement for risk assessments and to report results to joint health and safety committees/occupational health and safety representatives,
- a requirement for the employer to take every reasonable precaution to protect workers from domestic violence that is likely to expose the worker to physical injury that may occur in the workplace,
- explicit reference to employer, supervisor and worker duties in the *OH&SA* applying with respect to workplace violence,
- a requirement for a program to implement the harassment policy, including measures for workers to report incidents, how the employer will deal with incidents and complaints, provision of worker training and instruction on the policy and program,
- inclusion of workplace violence as a ground for work refusals, and
- provides for authority for the Ministry of Labour to make regulations.

Information with respect to Bill 168 was shared with the OHSCC. It has been determined that actions needed in the City to respond to legislative changes include:

- amendments to the City's Workplace Violence policy,
- review and enhancement of divisional programs,
- amendments to the Work Refusal policy, and
- review of Workplace Violence training materials.

The OHSCC has recommended that its Workplace Violence working group re-convene following second reading of Bill 168 to review the impact of proposed legislative changes on the City and to make recommendations for policy/program amendments, as needed.

## **Health and Safety Initiatives and Activities**

### Musculoskeletal Disorders (MSD) Prevention

City divisions continue their efforts to implement the City's MSD Prevention Policy. Training of supervisors, workers and joint health and safety committee members continued during the first quarter. Completion of MSD hazard assessments for jobs within divisions is now becoming the priority activity for the remainder of 2009. Although a definitive link cannot be made between the City's extensive efforts to reduce MSDs during the past year and injury statistics, it is noted that the number of reported lost time injuries as a result of MSDs decreased by 24.6% in the first quarter of 2009 relative to the same time period in 2008.

### Occupational Health and Safety Continuous Improvement : **Target Zero**

The Continuous Improvement – Target Zero initiative remains a standing item on the OHSCC agenda. Key activities during the first quarter of 2009 were as follows:

- many teams continue to meet and make progress on their initiatives,
- a Safety Leadership Target Zero Together Workshop was held in Facilities and Real Estate in March, and
- a Target Zero Together Presentation took place in Employment and Social Services in February.

### Occupational Health and Safety Audit - Phase Two

Implementation of Phase Two of the Audit was launched first quarter. Documentation review, interviews and inspections have been initiated in a number of City divisions.

## **Occupational Health and Safety Co-ordinating Committee (OHSCC)**

Initiatives during the first quarter of 2009 included:

- the OHSCC's Pandemic Influenza Exposure Risk Assessment Guidance Document and Summary Form were endorsed by the City's Pandemic Influenza Steering Committee and forwarded to divisions for completion by May 31<sup>st</sup>,
- initiation of reports on Ministry of Labour visits that do not result in orders,
- updating of a number of City health and safety policies to reflect new legislation and/or industry standards,
- completion of *Guidelines for the Development of Lock Down Procedures*,
- draft of a *Handbook for New Joint Health and safety Committee Members*, currently being reviewed by OHSCC members, and
- tracking of the status of *Workplace Violence* legislative initiatives and MOL activity

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## **SIGNATURE**

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## **ATTACHMENTS**

Appendix A  
Appendix B  
Appendix C  
Appendix D(i)  
Appendix D(ii)