



WAH Standards Review
Prevention Office
Ministry of Labour Training and Skills Development
400 University Avenue
Toronto, Ontario

PreventionFeedback@Ontario.ca

Working at Heights Standards Review Submission

The Council of Ontario Construction Associations (COCA) is a federation of 29 construction associations representing more than 10,000 general and trade contractors operating in the industrial, commercial, institutional and heavy civil segments of the construction industry, working in all regions of the province and who employ approximately 400,000 workers. COCA is committed to working with decision makers at Queen's Park to ensure that Ontario's legislative and regulatory environment supports success in the construction industry and prosperity across the province. COCA is the largest and most representative voice for the non-residential construction industry in Ontario.

We are pleased to have this opportunity to provide our advice with regard to the Working at Heights (WAH) training program standard and training provider standard as part of the legislated five-year reviews.

As already discussed with members of the WAH Standards Review Team, COCA's WSIB-OH&S Committee used the draft submission developed by a Working Group comprised of both labour and management members from both the of the Construction and the Electrical Utilities Section 21 Committees as the basis for its discussions on the questions posed in the WAH Standards Review consultation document. COCA is fully supportive of the recommendations made by that Working Group. Please find their draft submission attached for your reference.

In addition to the advice and recommendations contained in the Working Group's draft that which you would have captured during our videoconference on Wednesday, March 24, 2021, we wish to make some additional comments as follows:

- The training program standard must keep pace with new technologies such as new harnesses, and new scaffolding systems
- The training program standard must keep pace with new processes and techniques such as new tie off techniques and how to create a secure anchor point
- The training provider standard should ensure that only a qualified trainer is delivering the program
- Access to training should be increased by encouraging greater cooperation among training providers such that when two training providers both have fewer than the required minimum number of

registrants for their courses, will cooperate to combine their registrants to ensure that one training course will be run rather than having two cancelled

- What has happened with the Ministry's Construction Health and Safety Action Plan recommendations addressing residential construction and roofing that state as follows:
- **"Recommendation 11**
The Chief Prevention Officer (CPO) to work with stakeholders to improve the use and design of fall-protection equipment in the residential construction and roofing sectors by:
 - Exploring opportunities to work with the Ministry of Municipal Affairs to require fall-arrest anchor points on residential low-rise buildings including single family residences.
 - Collaborating with engineering and fall protection system experts to find innovative approaches to the use of existing equipment as well as the development of alternative approaches to preventing falls of workers from residential roofs."
- There is a need for the collection of better quality data, root cause data that can be used to evaluate the efficacy of these standards and other prevention programs and services and inform the development of new programs
- The successful completion of the WAH training program by a worker is no guarantee of learning transfer. Making sure that the worker applies his or her learnings on the job in full compliance with regulatory requirements will require proper supervision and a fully functioning IRS
- Also attached please find additional comments to your consultation document provided by our Committee member Trina Hayden and a list of the equipment that her employer, Norcat (an approved WAH Training provider) uses in its WAH training programs.

Once again, we are grateful for this opportunity to provide our views and we hope you find the information we have provided to be helpful in advancing your important work.

Sincerely



Ian Cunningham
President

Working at Heights Training Standards Five-Year Review

Consultation Submission:

- Provincial Labour Management Health and Safety Committee
Electrical & Utilities
- Provincial Labour Management Health and Safety Committee
Construction

Questions:

Section 1: Respondent information (optional)

Name: Section 21 Committees – Electrical & Utilities / Construction

Role/Occupation: There are multiple roles and occupations representing both Labour and management in the Electrical & Utilities and Construction Sectors

Name of organization that you work for or represent: Multiple Organization Submission

Industry or sector that you work in or represent: Electrical & Utilities and Construction

Section 2: Questions relating to the Working at Heights training program standard:

<https://www.ontario.ca/page/program-standard-working-heights-training>

1. When eLearning is combined with face-to-face training, the result is referred to as blended learning. What opportunities are there for greater use of eLearning in the standard? Currently, eLearning is only allowed for the theory module of the training, not the practical module.

The WG agreed that face to face learning should be the default. Please note that in times like now (Covid) other methods could be acceptable. They discussed that instructor lead virtual training could be an acceptable method in some situations where normal training could not be provided. This applies to both the practical and theory modules and Refresher.

The WG used the current lockdown situation and remote location training as examples of where instructor lead virtual training would be acceptable. If this method of training were to be permitted, criteria to verify participant identification and learning outcomes would have to be established in the standard.

2. Currently, the theory module of the training must be delivered prior to the practical module, i.e., before any practical (hands-on) learning outcomes can be introduced. How could the training requirements in the program standard be changed so that there is greater flexibility in the order that the theory and practical learning outcomes are delivered? Please explain.

The WG noted that many WAH programs have already integrated the modules. They felt that this method of teaching the program enhances learning and student attention. As long as all the learning objectives in both the theory and practical modules are met blending theory and practical is the preferred method of training. Currently Providers submit their programs for approval. There could be a requirement added that programs require some blended learning between theory and practical.

3. Working at Heights training has a minimum required training duration of 6.5 hours and the refresher training program has a minimum required training duration of 3.5 hours. Are these minimum training durations appropriate to deliver the required learning outcomes? Please explain.

The WG was clear that 6.5 hours for WAH and 3.5 hours for Refresher training must be maintained as a minimum. If these minimums were lowered there would be pressure to “speed up” training. These minimums however cannot account for variables like learning capabilities, ESL and prior experience. In these cases, it should be up to the instructor to extend these minimums to ensure that learners leave understanding the material.

4. The maximum learner to instructor ratio for theory module is 24:1 and for the practical module is 12:1. Are the current ratios appropriate? If not, please explain.

The WG felt that 24:1 is too high for the theory module. They all agreed that 12:1 should be the ratio for both the theory and practical modules. Several members noted that if they have classes that exceed 12:1 for theory they bring in a second instructor. This will be especially important when the modules are blended and both are taught congruently. It was noted that this might have an effect on cost to some providers. There was also a discussion on the ratio for refresher training and if it could be increased? They ultimately landed on 12:1 as the maximum.

5. The equipment to learner ratio is 1:3 and the damaged equipment to learner ratio is 1:12. Are the current ratios appropriate? If not, please explain.

The WG agreed that the learner to equipment ratio is fine. There was a suggestion to require varying types of components and equipment be used. This is to ensure that learners leave understanding that components and equipment may look differently when they arrive on project sites. This is not intended to increase the amount of equipment required but to ensure different types or styles are being used. It was also noted that as the providers have already secured the current equipment and any change to the ratios would cause unnecessary confusion.

6. What pieces of equipment could be added or removed from the equipment list in section 8 of the standard to reflect technological change or industry needs and best practices?

The WG agreed that an SRL-LE and an “all around harness - ADELP” with rescue connections and mention of R (Flash Arc Resistance) be required. More emphasis could be directed toward the use of self-retractable lanyards both single and double legged.

7. The Working at Heights training program standard requires that learners meet specific learning outcomes to successfully complete training. What changes should be made to the learning outcomes to ensure the program is relevant and effective? Please explain if there are any learning outcomes you believe should be:

- a. revised;
- b. added (e.g., practical ladder training, skylight safety); or
- c. removed (e.g., duplicative learning outcomes or overlapping training requirements).

The WG discussed the following:

- **Travel Restraint:** they all agreed that this needs to be strengthened. There is general understanding that for various reasons travel restraint is not being setup and used properly on project sites. This is an immanent hazard as if a fall were to occur the system could fail.
- **Ladders:** they all agreed that this needs to be strengthened. Injury statistics will back this up. Proper use and job built ladders was addressed

as well. There needs to be an emphasis that ladders be used as a last resort.

- **Supervisors:** add a requirement that supervisors must have WAH training. This is especially important for those that directly supervise workers that WAH. The WG also suggested that Supervisors should be required to have additional training and knowledge specific to the systems being used on the jobsite. This training could be increased knowledge of fall protection system and/or increased knowledge of their responsibilities.

Note: The swing stag training standard regulation puts extra onus on the supervisor. To place the same responsibility on the supervisor in WAH should improve site-specific training.

- **Other Equipment:** for example, Elevated Work Platforms and Scaffolding – the requirement to teach learners that further training is required on equipment not covered by this program should be strengthened.
- **Self Retractable Lanyards:** proper selection and use are important learning outcomes.

8. How could learner evaluation in the training program standard be enhanced (e.g., updated terminology, new technology and/or modern learning approaches)? Please explain.

The WG agreed on the following:

- The standard should mention English as a second language and ways to accommodate that.
- If possible, add wording to ensure that employers verify WAH knowledge on site. The suggestion is to recognize employer's responsibilities and to link these with Sec. 26.2. The WG would like it emphasized that WAH training is not the means to the end results of less falls however it is the combination of WAH training and Onsite training – awareness, hazard identification and specific systems use that will improve outcomes.
- The standard and the programs developed need to be clear that the instructor has the freedom to accommodate the learning abilities.

9. Workers are required to refresh their training every three years in order to maintain its validity. Do you have any suggestions for changes regarding the validity of the training and the need to complete refresher training? Please explain.

The WG had 2 thoughts on this. They include:

- Add a requirement that certification expiry be fixed to refresher training. If training has expired the worker will be required to take the full program.

Or

- Add a requirement that there be a grace period for refresher training. This as many people let the certificate expires unknowingly.

There were arguments for both however the thought is - if inter jurisdictional recognition of standards becomes the norm a hard cut off for expiry would be required.

The WG also agreed that every 3 years is an appropriate timeframe.

The WG noted that currently there are people working without WAH certification or that have let the certification laps. This is easy to determine when looking at the number of people that have the full course vs. refresher training. The gap is quite large.

10. Should workers be required to retake the full Working at Heights training program (6.5 hours) if they do not refresh within a specified amount of time since the last training was successfully completed? Please explain.

The WG had 2 thoughts on this. They include:

- Add a requirement that certification expiry be fixed to refresher training. if training has expired the worker will be required to take the full program.

Or

- Add a requirement that there be a grace period for refresher training. This as many people let the certificate expires unknowingly.

There arguments for both however the thought is for inter jurisdictional recognition of standards a hard cut off for expiry would be required.

Section 3: Questions relating to the CPO's Working at Heights training provider standard:

<https://www.ontario.ca/page/provider-standard-working-heights-training>

1. What changes should be made to clarify expectations for training providers (e.g., required course materials, equipment, etc.)?

The WG discussed a few specific items such as ensuring instructor qualification updates and the Ministry issuing emails directly to the instructors (they have a list

of all WAH training instructors) with current items – fall blitzes, changes to standards, etc.

2. What modifications, if any, should be made to the qualification criteria for instructors to enhance program delivery? Please explain.

The WG agreed that a provision of education for instructors be required. This so (as noted above) instructors at least annually upgrade their knowledge. They also noted that experience and capabilities are important components for proper instruction and my need to be looked at. Currently this is based on the number of courses taught per year. This includes facilitation techniques and WAH knowledge.

3. What, if anything, should be added to, removed from or revised in the current code of ethics?

The WG noted that the existing wording is fine.

4. Are there other reporting requirements for training providers, besides the current annual reporting requirement, that should be considered to support consistent, high quality training? Please explain.

The WG discussed adding a level of behaviour based observation into the standard if possible.

The WG also discussed the importance of Ministry inspection orders for re-training to both the worker and the employer.

Add a requirement that Providers gather further information on “Who” is taking the training. Trade, Worker, Supervisor, or those that have a low probability of ever using the fall protection equipment.

There was also a recommendation that the CPO office send existing approved / certified trainers a survey asking for feedback on course content, duration, delivery

model, learning outcomes, etc. on an annual basis. This will allow continuous improvement of the program.

5. What additional changes should be considered to strengthen the requirements to create a positive learning environment (e.g., anti-racism, anti-harassment requirements, etc.)?

The WG discussed the importance of a safe environment to foster proper learning. They noted that on occasion trainers experience problems of harassment if proper PPE and identification is not available but have not had many other issues during training.

The WG suggested the inclusion of a “Code of Conduct” which could be reviewed prior to every course.

It is important to note that this requirement should be for all H&S training – not just for WAH.

Section 4: General questions relating to the Working at Heights training program:

1. How suitable are learning outcomes contained in the training program standard for use in other workplaces or sectors outside of construction? Please explain which workplaces or sectors and why or why not.

The WG felt that as their experience comes from the Construction and Electrical Utilities background they cannot properly consult on other sectors. Currently the sectors that do provide WAH training tailor information toward their work or trade.

They all agreed that expanding WAH training to other sectors is a good idea and will reduce fall related injuries.

The WG also noted that if WAH training is required for other sectors they should be equivalent so people who work in multiple sectors would not need to take separate programs.

The WG emphasized that WAH is basic training - employers need to ensure site-specific training is taking place to cover specific hazards and the equipment being used.

2. What additional data related to training programs should be collected and shared to improve our understanding of the impact of WAH training on health and safety outcomes in Ontario (e.g., WAH training failure rates, worker occupation, etc.)?

The WG thought that this was a good approach. Using data to determine aspects of the program that can be focused on will improve outcomes. A focus based on incidents will help to reduce injuries where we are having them most.

The WG struggled on how to collect this data. Large jobsites have JHSC and larger employers keep track of incidents however this data may not be inclusive of work taking place on smaller projects. This can also be true for the organized labour vs non organized labour.

Comments issued via email to this WG:

- Determine whether a worker who had been involved in a fall has taken the WAH course.
- Need to analyze data trends. Need to look at occupation, industry and task at hand and identify failures in the organization not just the human. Is there a deeper problem in the organization that needs to be corrected?
- Deep dives are required in each critical injury, fatal or other serious injury potential incident to learn what took place so proper corrective action can be properly implemented.

3. What barriers, if any, do you face when completing or delivering training (e.g. access to information, geographic location, issues related to race, language, and culture, etc.)?

The WG noted Literacy should also be included as a barrier to learning.

The WG advised that distance to training and weather conditions can be barriers. This was addressed in Section 1, Question 1 - appropriate use of virtual learning.

Section 5: Fall protecting training across Canada, and exploring greater labour mobility:

Labour mobility has become a priority for all Canadian jurisdictions, including Ontario, under the Canadian Free Trade Agreement (CFTA). One method to facilitate labour mobility could be recognizing training or qualifications across provinces and territories.

1. If you have had experience with working at heights or fall protection training in other provinces or territories, how does that training compare to the CPO approved Working at Heights training? Please describe the training and explain how it compares to Ontario's training.

The WG agreed that the Ministry should continue the work they did to permit Newfoundland WAH training as equivalent. Other jurisdictions where more worker mobility takes place should be considered. British Columbia, Alberta and Manitoba were used as examples. There was a suggestion that if fall protection training can be verified from other jurisdictions that only refresher training be required in Ontario.

The CSA is currently working on a Fall Protection Training Program Standard. If this is referenced in various regulations it could be used as the multi jurisdictional standard.

They would also expect that the Ontario WAH Certification would be accepted in reciprocating jurisdictions.

Comment issued via email to this WG:

- The Canadian Federation of Construction Safety Associations should be able to come to a consensus on this. They are all funded by the provincial governments. Pick a one day training standard and legislate it across the country.

2. Would you support recognition of working at heights or fall protection training completed by workers from other provinces or territories? Any jurisdiction in particular? Why or why not?

WG Comment - Same as above

Comment issued via email to this WG:

- Other Associations like Energy Safety Canada have instructor accreditation process and training standards. Not the lowest standard – this is not a race to the bottom.
- Yes for government approved training standard programs. Those training packages should be vetted to ensure they are equal or better than the Ontario working at heights standards. Post on the MLTSD website the acceptable provincial training standards.

Section 6: Other comments or ideas that are outside the consultation questions included here in

1. Fall Awareness Training?

- Some trades (flooring installers) do not need Working at Heights as they will not be exposed to a fall, but Employers want them to have some kind of training. Also you can never guarantee someone will not be exposed to a hazard and it would be good to have workers trained on what to do when there is a hazard.

le: hardwood installer in residential high-rise. They enter a suite with an open balcony door and there's an inadequate railing installed / or elevator has not been installed / etc.

- This would have the added benefit of increasing training capacity as less workers would require the full WAH Course.

2. Travel Restraint

- The WG emphasized that teaching Travel Restraint properly is key to decreasing fall rates. Improper set up of a travel restraint system exposes the worker to a fall hazard when the system is not designed for that application. In this event the systems will most likely fail resulting in a critical injury or worse a death. The travel restraint learning outcomes in the standard needs to be updated and expanded on.

Notice to Consultation Participants

Submissions and comments provided to the Ministry of Labour, Training and Skills Development (the Ministry) are part of a public consultation process to solicit views on the Working at Heights training program and provider standards. This process may involve the Ministry publishing or posting to the internet your submissions, comments, or summaries of them. In addition, the Ministry may also disclose your submissions, comments, or summaries of them, to other parties during and after the consultation period.

Therefore, you should not include the names of other parties (such as the names of employers or other employees) or any other information by which other parties could be identified in your submission.

Further, if you, as an individual, do not want your identity to be made public, you should not include your name or any other information by which you could be identified in the main body of the submission. If you do provide any information which could disclose your identity in the body of the submission, this information may be released with published material or made available to the public. However, your name and contact information provided outside of the body of the submission (such as that which may be found in a cover letter, on the outside of an envelope, or in the header or signature of an email) will not be disclosed by the Ministry unless required by law. An individual who provides a submission or comments and indicates a professional affiliation with an organization will be considered a representative of that organization and his or her identity in their professional capacity as the organization's representative may be disclosed.

Personal information collected during this consultation is under the authority of sections 7.1 and 7.2 of the *Occupational Health and Safety Act* and is in compliance with subsection 38(2) of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions regarding the collection of personal information as a result of this consultation, you may contact the Ministry's Freedom of Information Office, 400 University Avenue, 10th Floor, Toronto, Ontario, M7A 1T7, or by calling 416-326-7786.

Working at Heights Training Standards Five-Year Review

Consultation Submission:

- Provincial Labour Management Health and Safety Committee
Electrical & Utilities
- Provincial Labour Management Health and Safety Committee
Construction

Questions:

Section 1: Respondent information (optional)

Name: Trina Hayden, B.Sc. (Hons), CRSP, CHRL

Role/Occupation: Director, Advisory Services (Talent and Human Capital, Compliance and Risk Management)

Name of organization that you work for or represent: Director – Board of Directors, Northeastern Ontario Construction Association (NOCA) / Director – Advisory Services, NORCAT

Industry or sector that you work in or represent: Mining, Construction, Forestry, Industrial

Section 2: Questions relating to the Working at Heights training program standard:

<https://www.ontario.ca/page/program-standard-working-heights-training>

1. When eLearning is combined with face-to-face training, the result is referred to as blended learning. What opportunities are there for greater use of eLearning in the standard? Currently, eLearning is only allowed for the theory module of the training, not the practical module.

The WG agreed that face to face learning should be the default. Please note that in times like now (Covid) other methods could be acceptable. They discussed that instructor lead virtual training could be an acceptable method in some situations where normal training could not be provided. This applies to both the practical and theory modules and Refresher.

The WG used the current lockdown situation and remote location training as examples of where instructor lead virtual training would be acceptable. If this

method of training were to be permitted, criteria to verify participant identification and learning outcomes would have to be established in the standard.

Trina Hayden - comments:

- Not impossible but presents challenges in maintaining quality of delivery for practical module
 - Leverage training technology to build virtual exercise for the following learning outcome (not possible for every training provider)
 - 9.2.2 g. Demonstrate an ability to inspect and identify deficiencies in industry-standard personal fall arrest equipment
 - Leverage supervisor assistance in verification of the following learning outcome
 - Demonstrate how to appropriately “don” and “doff” (i.e. put on and take off) industry-standard personal fall arrest equipment, including harness and lanyard
 - For those training providers, such as NORCAT, that exceeds the minimum requirements outlined in the Program Standard for Working at Heights Training, would present additional challenges (e.g. demonstrate inspection, climbing a ladder using 3 point contact)
 - Flexibility would be needed in regards to what training technologies, delivery mechanisms, approaches training providers would apply in the 2 “demonstration” learning outcomes in the Working at Heights Practical Module
2. Currently, the theory module of the training must be delivered prior to the practical module, i.e., before any practical (hands-on) learning outcomes can be introduced. How could the training requirements in the program standard be changed so that there is greater flexibility in the order that the theory and practical learning outcomes are delivered? Please explain.

The WG noted that many WAH programs have already integrated the modules. They felt that this method of teaching the program enhances learning and student attention. As long as all the learning objectives in both the theory and practical modules are met blending theory and practical is the preferred method of training. Currently Providers submit their programs for approval. There could be a requirement added that programs require some blended learning between theory and practical.

Trina Hayden - comments:

- Rephrase 4. Requirements – “Prior to any Working at Heights Practical learning objectives being delivered, it must be preceded or delivered concurrently with the applicable Working at Heights Theory learning objective.”
- The blended learning approach provides greater flexibility in presenting content, research has concluded that blended learning has the proven potential to enhance both the effectiveness and efficiency of meaningful learning experiences, and you’re taking learning styles into account / applying adult learning principles
- Difficulty with eLearning

3. Working at Heights training has a minimum required training duration of 6.5 hours and the refresher training program has a minimum required training duration of 3.5 hours. Are these minimum training durations appropriate to deliver the required learning outcomes? Please explain.

The WG was clear that 6.5 hours for WAH and 3.5 hours for Refresher training must be maintained as a minimum. If these minimums were lowered there would be pressure to “speed up” training. These minimums however cannot account for variables like learning capabilities, ESL and prior experience. In these cases, it should be up to the instructor to extend these minimums to ensure that learners leave understanding the material.

Trina Hayden - comments:

- Maintain minimum durations

4. The maximum learner to instructor ratio for theory module is 24:1 and for the practical module is 12:1. Are the current ratios appropriate? If not, please explain.

The WG felt that 24:1 is too high for the theory module. They all agreed that 12:1 should be the ratio for both the theory and practical modules. Several members noted that if they have classes that exceed 12:1 for theory they bring in a second instructor. This will be especially important when the modules are blended and both are taught congruently. It was noted that this might have an effect on cost to some providers. There was also a discussion on the ratio for refresher training and if it could be increased? They ultimately landed on 12:1 as the maximum.

Trina Hayden - comments:

- Agreed – 12:1 ratio for theory and practical

5. The equipment to learner ratio is 1:3 and the damaged equipment to learner ratio is 1:12. Are the current ratios appropriate? If not, please explain.

The WG agreed that the learner to equipment ratio is fine. There was a suggestion to require varying types of components and equipment be used. This is to ensure that learners leave understanding that components and equipment may look differently when they arrive on project sites. This is not intended to increase the amount of equipment required but to ensure different types or styles are being used. It was also noted that as the providers have already secured the current equipment and any change to the ratios would cause unnecessary confusion.

Trina Hayden - comments:

- Maintain equipment to learner ratio and damaged equipment to learner ratio

6. What pieces of equipment could be added or removed from the equipment list in section 8 of the standard to reflect technological change or industry needs and best practices?

The WG agreed that an SRL-LE and an “all around harness - ADELP” with rescue connections and mention of R (Flash Arc Resistance) be required. More emphasis could be directed toward the use of self-retractable lanyards both single and double legged.

Trina Hayden - comments:

- Addition of the following to the equipment list in Section 8: SRL-LE

- Ministry to provide update of new CSA Standards – shock absorbers, SRLs > SRDs, Categories for SRDs 3 > 4, addition of category R for harness
 - Recommend addition of double legged SRL or twin tailed lanyard for demonstration of 9.2.2 Personal Fall Protection Equipment – I. “Explain methods to maintain tie-off at all times to an anchor point when changing anchor points”
 - Remove reference to “snap and grab hooks” in 9.2.2 Personal Fall Protection Equipment g. and replace with “rope grabs” to reflect current Section 8 Equipment List
 - Addition of CSA Approved Ladder
7. The Working at Heights training program standard requires that learners meet specific learning outcomes to successfully complete training. What changes should be made to the learning outcomes to ensure the program is relevant and effective? Please explain if there are any learning outcomes you believe should be:
- a. revised;
 - b. added (e.g., practical ladder training, skylight safety); or
 - c. removed (e.g., duplicative learning outcomes or overlapping training requirements).

The WG discussed the following:

- **Travel Restraint:** they all agreed that this needs to be strengthened. There is general understanding that for various reasons travel restraint is not being setup and used properly on project sites. This is an immanent hazard as if a fall were to occur the system could fail. [Already included in learning objectives](#)
- **Ladders:** they all agreed that this needs to be strengthened. Injury statistics will back this up. Proper use and job built ladders was addressed as well. There needs to be an emphasis that ladders be used as a last resort. [Reviewed in hierarchy of controls when selecting working at heights process / equipment](#)
- **Supervisors:** add a requirement that supervisors must have WAH training. This is especially important for those that directly supervise workers that WAH. The WG also suggested that Supervisors should be required to have additional training and knowledge specific to the systems being used on the jobsite. This training could be increased knowledge of fall protection system and/or increased knowledge of their responsibilities.

Note: The swing stag training standard regulation puts extra onus on the supervisor. To place the same responsibility on the supervisor in WAH should improve site-specific training. [Reference definition of Competent](#)

Supervisor in Occupational Health and Safety Act – Supervisors should be required to be WAH Certified if they will be directing WAH activities or jobs

Onus on the Employer to appoint a competent person when appointing a supervisor:

- 25 (2)(c) when appointing a supervisor, appoint a competent person;
- Definitions 1(1) “competent person” means a person who,
 - (a) is qualified because of knowledge, training and experience to organize the work and its performance,
 - (b) is familiar with this Act and the regulations that apply to the work, and
 - (c) has knowledge of any potential or actual danger to health or safety in the workplace; (“personne compétente”)
- **Other Equipment:** for example, Elevated Work Platforms and Scaffolding – the requirement to teach learners that further training is required on equipment not covered by this program should be strengthened. Swing Stage, Elevated Work Platforms, Scaffolding, Hoisting and Rigging required additional training specific to the content.
- **Self Retractable Lanyards:** proper selection and use are important learning outcomes. Addition of learning objective around SRDs, different types (4 categories) and their selection / use (SRL, SRL-LE, SRL-R, SRL-LE-R)

Trina Hayden - comments:

- Addition of demonstration of selection, inspection, setting up, climbing a ladder using 3 point contact
 - Between January , 2006 and April 30, 2017, 13% of critical incidents reported to the Ministry were due to falls from ladders – during that same time period, 8% of fatal incidents were due to falls from ladders
 - Between March 18 and July 12, 2019, the province-wide cross-sector enforcement blitz that focused on slips, trips and falls hazards resulted in the “failure to provide a portable ladder that meets the design, performance, test and marking requirements of a Grade 1, Grade 1A or Grade 1AA ladder in the CSA Standard Z11-12, Portable Ladders [ss. 80(1)] as one of the most frequently issued orders under the Regulation for Construction Projects – 228 orders

8. How could learner evaluation in the training program standard be enhanced (e.g., updated terminology, new technology and/or modern learning approaches)? Please explain.

The WG agreed on the following:

- The standard should mention English as a second language and ways to accommodate that. [Is this necessary? Requirement to](#)
- If possible, add wording to ensure that employers verify WAH knowledge on site. The suggestion is to recognize employer's responsibilities and to link these with Sec. 26.2. The WG would like it emphasized that WAH training is not the means to the end results of less falls however it is the combination of WAH training and Onsite training – awareness, hazard identification and specific systems use that will improve outcomes. [Reference legislation](#)
- The standard and the programs developed need to be clear that the instructor has the freedom to accommodate the learning abilities. [Check training provider standard](#)

9. Workers are required to refresh their training every three years in order to maintain its validity. Do you have any suggestions for changes regarding the validity of the training and the need to complete refresher training? Please explain.

The WG had 2 thoughts on this. They include:

- Add a requirement that certification expiry be fixed to refresher training. If training has expired the worker will be required to take the full program.
Or
- Add a requirement that there be a grace period for refresher training. This as many people let the certificate expires unknowingly.

There were arguments for both however the thought is - if inter jurisdictional recognition of standards becomes the norm a hard cut off for expiry would be required.

The WG also agreed that every 3 years is an appropriate timeframe.

The WG noted that currently there are people working without WAH certification or that have let the certification laps. This is easy to determine when looking at the number of people that have the full course vs. refresher training. The gap is quite large.

[Trina Hayden - comments:](#)

- WAH statistics – significant decline after 2 years following full program – statistics should dictate refresher timeline (every 2 years instead of every 3 years)
- Recommend an application for a one-time grace period of up to 3 months for workers

10. Should workers be required to retake the full Working at Heights training program (6.5 hours) if they do not refresh within a specified amount of time since the last training was successfully completed? Please explain.

The WG had 2 thoughts on this. They include:

- Add a requirement that certification expiry be fixed to refresher training. if training has expired the worker will be required to take the full program.
- Or
- Add a requirement that there be a grace period for refresher training. This as many people let the certificate expires unknowingly.

There arguments for both however the thought is for inter jurisdictional recognition of standards a hard cut off for expiry would be required.

Repetitive

Section 3: Questions relating to the CPO's Working at Heights training provider standard:

<https://www.ontario.ca/page/provider-standard-working-heights-training>

1. What changes should be made to clarify expectations for training providers (e.g., required course materials, equipment, etc.)?

The WG discussed a few specific items such as ensuring instructor qualification updates and the Ministry issuing emails directly to the instructors (they have a list of all WAH training instructors) with current items – fall blitzes, changes to standards, etc.

Trina Hayden – comments:

- Ministry to provide annual (or as needed) updates relating to WAH legislative updates, equipment updates, etc. to Training Providers. Training Providers would then be responsible to go through a Review of their existing Training Program (Continuous Improvement Process) then a Management of Change Process for disseminating training program updates to WAH Instructors.

2. What modifications, if any, should be made to the qualification criteria for instructors to enhance program delivery? Please explain.

The WG agreed that a provision of education for instructors be required. This so (as noted above) instructors at least annually upgrade their knowledge. They also noted that experience and capabilities are important components for proper instruction and my need to be looked at. Currently this is based on the number of courses taught per year. This includes facilitation techniques and WAH knowledge.

Trina Hayden – comments:

- Ministry to provide annual (or as needed) updates relating to WAH legislative updates, equipment updates, etc. to Training Providers. Training Providers would then be responsible to go through a Review of their existing Training Program (Continuous Improvement Process) then a Management of Change Process for disseminating training program updates to WAH Instructors.
- Cross-reference with Common Core Instructor requirements – include any gaps

3. What, if anything, should be added to, removed from or revised in the current code of ethics?

The WG noted that the existing wording is fine.

Agreed

4. Are there other reporting requirements for training providers, besides the current annual reporting requirement, that should be considered to support consistent, high quality training? Please explain.

The WG discussed adding a level of behaviour based observation into the standard if possible.

The WG also discussed the importance of Ministry inspection orders for re-training to both the worker and the employer.

Add a requirement that Providers gather further information on “Who” is taking the training. Trade, Worker, Supervisor, or those that have a low probability of ever using the fall protection equipment. [For what purpose?](#)

There was also a recommendation that the CPO office send existing approved / certified trainers a survey asking for feedback on course content, duration, delivery model, learning outcomes, etc. on an annual basis. This will allow continuous improvement of the program.

[Should be a feedback / input mechanism for the involvement of WAH Instructors in the annual Training Program review with the Training Provider – provided in the Annual Report from the Training Provider to the Ministry.](#)

5. What additional changes should be considered to strengthen the requirements to create a positive learning environment (e.g., anti-racism, anti-harassment requirements, etc.)?

The WG discussed the importance of a safe environment to foster proper learning. They noted that on occasion trainers experience problems of harassment if proper PPE and identification is not available but have not had many other issues during training.

The WG suggested the inclusion of a “Code of Conduct” which could be reviewed prior to every course.

It is important to note that this requirement should be for all H&S training – not just for WAH.

[Under legislation – reinforcement by individual Training Providers, similar to how Employers reinforce harassment legislation within their workplaces, may or may not involve a policy, a code of conduct, a discussion, etc.](#)

Section 4: General questions relating to the Working at Heights training program:

1. How suitable are learning outcomes contained in the training program standard for use in other workplaces or sectors outside of construction? Please explain which workplaces or sectors and why or why not.

The WG felt that as their experience comes from the Construction and Electrical Utilities background they cannot properly consult on other sectors. Currently the sectors that do provide WAH training tailor information toward their work or trade.

They all agreed that expanding WAH training to other sectors is a good idea and will reduce fall related injuries.

The WG also noted that if WAH training is required for other sectors they should be equivalent so people who work in multiple sectors would not need to take separate programs.

The WG emphasized that WAH is basic training - employers need to ensure site-specific training is taking place to cover specific hazards and the equipment being used.

Trina Hayden – comments:

- The learning outcomes are transferable – NORCAT provides instruction with an emphasis around the Mining Regulations relating to WAH as it aligns with our client base.
2. What additional data related to training programs should be collected and shared to improve our understanding of the impact of WAH training on health and safety outcomes in Ontario (e.g., WAH training failure rates, worker occupation, etc.)?

The WG thought that this was a good approach. Using data to determine aspects of the program that can be focused on will improve outcomes. A focus based on incidents will help to reduce injuries where we are having them most.

The WG struggled on how to collect this data. Large jobsites have JHSC and larger employers keep track of incidents however this data may not be inclusive of work taking place on smaller projects. This can also be true for the organized labour vs non organized labour.

Comments issued via email to this WG:

- Determine whether a worker who had been involved in a fall has taken the WAH course.

- Need to analyze data trends. Need to look at occupation, industry and task at hand and identify failures in the organization not just the human. Is there a deeper problem in the organization that needs to be corrected?
- Deep dives are required in each critical injury, fatal or other serious injury potential incident to learn what took place so proper corrective action can be properly implemented.

3. What barriers, if any, do you face when completing or delivering training (e.g. access to information, geographic location, issues related to race, language, and culture, etc.)?

The WG noted Literacy should also be included as a barrier to learning.

The WG advised that distance to training and weather conditions can be barriers. This was addressed in Section 1, Question 1 - appropriate use of virtual learning.

Section 5: Fall protecting training across Canada, and exploring greater labour mobility:

Labour mobility has become a priority for all Canadian jurisdictions, including Ontario, under the Canadian Free Trade Agreement (CFTA). One method to facilitate labour mobility could be recognizing training or qualifications across provinces and territories.

1. If you have had experience with working at heights or fall protection training in other provinces or territories, how does that training compare to the CPO approved Working at Heights training? Please describe the training and explain how it compares to Ontario's training.

The WG agreed that the Ministry should continue the work they did to permit Newfoundland WAH training as equivalent. Other jurisdictions where more worker mobility takes place should be considered. British Columbia, Alberta and Manitoba were used as examples. There was a suggestion that if fall protection training can be verified from other jurisdictions that only refresher training be required in Ontario.

The CSA is currently working on a Fall Protection Training Program Standard. If this is referenced in various regulations it could be used as the multi jurisdictional standard.

They would also expect that the Ontario WAH Certification would be accepted in reciprocating jurisdictions.

Comment issued via email to this WG:

- The Canadian Federation of Construction Safety Associations should be able to come to a consensus on this. They are all funded by the provincial governments. Pick a one day training standard and legislate it across the country.

2. Would you support recognition of working at heights or fall protection training completed by workers from other provinces or territories? Any jurisdiction in particular? Why or why not?

WG Comment - Same as above

Comment issued via email to this WG:

- Other Associations like Energy Safety Canada have instructor accreditation process and training standards. Not the lowest standard – this is not a race to the bottom.
- Yes for government approved training standard programs. Those training packages should be vetted to ensure they are equal or better than the Ontario working at heights standards. Post on the MLTSD website the acceptable provincial training standards.

Section 6: Other comments or ideas that are outside the consultation questions included here in

1. Fall Awareness Training?

- Some trades (flooring installers) do not need Working at Heights as they will not be exposed to a fall, but Employers want them to have some kind of training. Also you can never guarantee someone will not be exposed to a hazard and it would be good to have workers trained on what to do when there is a hazard.

le: hardwood installer in residential high-rise. They enter a suite with an open balcony door and there's an inadequate railing installed / or elevator has not been installed / etc.

- This would have the added benefit of increasing training capacity as less workers would require the full WAH Course.

2. Travel Restraint

- The WG emphasized that teaching Travel Restraint properly is key to decreasing fall rates. Improper set up of a travel restraint system exposes the worker to a fall hazard when the system is not designed for that application. In this event the systems will most likely fail resulting in a critical injury or worse a death. The travel restraint learning outcomes in the standard needs to be updated and expanded on.

Notice to Consultation Participants

Submissions and comments provided to the Ministry of Labour, Training and Skills Development (the Ministry) are part of a public consultation process to solicit views on the Working at Heights training program and provider standards. This process may involve the Ministry publishing or posting to the internet your submissions, comments, or summaries of them. In addition, the Ministry may also disclose your submissions, comments, or summaries of them, to other parties during and after the consultation period.

Therefore, you should not include the names of other parties (such as the names of employers or other employees) or any other information by which other parties could be identified in your submission.

Further, if you, as an individual, do not want your identity to be made public, you should not include your name or any other information by which you could be identified in the main body of the submission. If you do provide any information which could disclose your identity in the body of the submission, this information may be released with published material or made available to the public. However, your name and contact information provided outside of the body of the submission (such as that which may be found in a cover letter, on the outside of an envelope, or in the header or signature of an email) will not be disclosed by the Ministry unless required by law. An individual who provides a submission or comments and indicates a professional affiliation with an organization will be considered a representative of that organization and his or her identity in their professional capacity as the organization's representative may be disclosed.

Personal information collected during this consultation is under the authority of sections 7.1 and 7.2 of the *Occupational Health and Safety Act* and is in compliance with subsection 38(2) of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions regarding the collection of personal information as a result of this consultation, you may contact the Ministry's Freedom of Information Office, 400 University Avenue, 10th Floor, Toronto, Ontario, M7A 1T7, or by calling 416-326-7786.

Equipment List

- Type A harnesses with tongue buckles (variety of sizes);
- Type A harnesses with mating buckles (variety of sizes);
- Single leg lanyards (with energy absorber);
- Lifelines with snap hooks adequate for learning purposes;
- Rope grabs;
- Carabiners; and
- D-bolt anchors.
- Non-Type A harnesses
- Various lanyards (such as with no energy absorbers, with various levels of energy absorbers, Y lanyard, tie-back lanyard, Type 1 self-retracting lanyard);
- Various rope grabs;
- Various lifelines (such as with carabiner and thimble);
- Leg stirrups; (Rescue Step)
- Various hooks (such as snap hook with swivel, rebar hook); and
- Various anchors (such as cross-arm anchor connector, one-time use roof anchor, disposable concrete anchor).
- 7ft Reload Webbing SRL
- 30ft Reload Seated Cable SRL
- Beam Walk Anchor
- 23 Ft Reload Single Webbing SRL
- 3M Rescue Step
- 3M Mega Swivel anchor for Concrete
- 3M Mega Swivel Anchor for Steel Structure
- Peak Mount roof Anchor Point
- 3M Safe Claw Anchor Point
- 3M R2o Self Rescuing Device
- Rope Grabbing Device with Rope
- Roof Mounted Static Line with SRL Attached
- Engineered ladder with Ladder Climbing System – Mounted in Training Room
- 3M Ladder Climbing harness
- 4 demonstration anchor points mounted to ceiling – Generic
- Guard Rail with top rail, mid rail & toe board
- Heat resistant twin tailed lanyard
- Cross Arm Strap
- Cable Anchor Choker

Damaged Equipment List

- Type A harness (with tongue and mating buckles)
- Single leg lanyards (with and without energy absorbers).

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