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NEW PPE AND TOILET REGULATION IN EFFECT JULY 1, 2023

So there can be no misunderstanding, here's the new regulation under the Occupational Health and Safety Act for Personal Protective Equipment and toilet and cleanup facilities on construction sites. Your member contractors should be made aware of these changes. It will come into force on July 1, 2023.

ONTARIO REGULATION 61/23

made under the

OCCUPATIONAL HEALTH AND SAFETY ACT

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AMENDING O. REG. 213/91 (CONSTRUCTION
PROJECTS)

1. Section 21 of Ontario Regulation 213/91 is amended by adding the following subsection:

(4) Personal protective clothing and equipment that is provided, worn or used shall be a proper fit, having regard to all relevant factors including body types.

2. (1) Subsection 29 (4) of the Regulation is revoked and the following substituted:

(4) Subject to subsections (5) and (6), the facilities shall be located not more than 90 metres, where reasonably possible, and otherwise not more than 180 metres, measured horizontally, from the project work area.

(2) Section 29 of the Regulation is amended by adding the following subsection:

(11.1) The facilities shall be kept in good repair at all times.

3. (1) Subsection 29.1 (1) of the Regulation is revoked and the following substituted:

(1) Each toilet facility shall meet the following requirements:

1. The facility shall have,

- i. a toilet with an open-front toilet seat,
- ii. a toilet paper holder and an adequate supply of toilet paper, and
- iii. a self-closing door that can be locked from the inside.

2. The facility shall,

- i. be adequately illuminated by natural or artificial light,
- ii. be adequately heated, if that is possible,
- iii. be adequately ventilated, and
- iv. afford the user privacy and protection from weather and falling objects.

3. If the facility is a single-toilet facility, it shall be completely enclosed.

(1.1) For greater certainty, the requirement that a facility be completely enclosed does not apply to a portable urinal.

(2) Section 29.1 of the Regulation is amended by adding the following subsections:

(2.1) Where the minimum number of toilets required at a project under subsection (5) or (7) is five or more, at least one facility at the project shall be for the use of female workers only, where reasonable in the circumstances.

(2.2) If the facility is intended for use by males only or females only, it shall have a sign indicating that.

(2.3) If the facility is intended for use by female workers, there shall be a disposal receptacle for sanitary napkins.

(3) Subsection 29.1 (4) of the Regulation is revoked and the following substituted:

(4) If a project is being carried out in a remote unpopulated area and it is not reasonably possible to provide toilet facilities required under subsection (3), other types of toilet facilities shall be provided.

4. (1) Subsection 29.2 (1) of the Regulation is revoked and the following substituting:

(1) Subject to subsection (1.0.1), each single-toilet facility shall be provided with its own clean-up facility.

(1.0.1) One readily accessible clean-up facility may be provided for every two single-toilet facilities if those single-toilet facilities are located together in the same area at the project.

(2) Subsection 29.2 (3) of the Regulation is revoked and the following substituted:

(3) If it is not reasonably possible to have a wash basin with running water at a clean-up facility, both of the following shall be provided:

1. A means of cleaning hands.
2. An alcohol-based hand sanitizer containing a minimum of 60 per cent alcohol.

Commencement

5. This Regulation comes into force on the later of July 1, 2023 and the day this Regulation is filed.

FORD MANDATE LETTERS TO MINISTERS

When a new government is formed, the premier will issue mandate letters to each of his/her ministers detailing to them what they are to accomplish in their roles. For most governments, the mandate letters are simply a reflection of the election platforms that brought them to office, and they are made public. However, ever since he was first elected in June 2018 and re-elected in June 2022, Premier Ford has refused to publish his mandate letters to his ministers. In July 2018, the CBC filed freedom of information requests for the mandate letters, which were denied by the government. The Province's privacy commissioner then disagreed with the government and ordered their release. The Province then appealed the decision of the privacy commissioner and lost, then to Divisional Court and lost and then to the Ontario Court of Appeal and lost again. So on April 18th the Supreme Court of Canada heard the Province's final appeal.

Certain cabinet deliberations and documents are allowed to remain private under the Privacy Act and it is the interpretation of this provision on which this appeal rests.

A decision can be expected before the end of the year.

PROCESS TO ELECT NEW ONTARIO LIBERAL PARTY LEADER

At their Annual General Meeting in early March, the members of the Ontario Liberal Party decided to switch from a delegated convention to a direct voting system to elect their next leader. The rules and the timelines for the one-member-one-vote contest were established by the Party's newly elected executive committee several weeks after the AGM. Here are the details of the process for determining the OLP's next leader:

- The candidate registration deadline is Tuesday, September 5, 2023 with an entry fee of \$100,000. Plus a refundable \$25,000 deposit.
- The final date to join the Ontario Liberal Party, as a member of a constituency association or women's club, and be eligible to vote in the leadership election, is Monday, September 11, 2023.
- The final date to join the Ontario Liberal Party, as a member of a student club, and be eligible to vote in the leadership election, is Tuesday, September 26, 2023.
- During the leadership election, the Party will also host at least five debates around the province. Dates and locations for these debates will be announced at a later date.
- Party members will cast ranked ballots on Saturday, November 25, 2023 and Sunday, November 26, 2023
- Voting will be available in-person for almost all constituency associations, student clubs, and women's clubs, with a small number voting by mail.
- Ballot counting and the announcement of round-by-round results will take place on Saturday, December 2, 2023 with the OLP's new leader announced the same day.

Individuals expected to be candidates are:

- Yasir Naqvi – MP for Ottawa Centre (Sept 2021-present), former MPP for Ottawa Centre (Oct 2007-June 2018, served as Minister of Labour, Attorney General, Minister of Community Safety and Corrections, and Government House Leader, shepherded the new Construction Act into law)
- Nathaniel Erskine-Smith – MP for Beaches-East York (Oct 2015 – present)
- Ted Tsu – MP for Kingston and the Islands (June 2022-present) and former MP for Kingston and the Islands (May 2011-Oct 2015)

FIRST NATIONS CHALLENGE PROVINCIAL AUTHORITY AND RING OF FIRE

Here's the Readers Digest version:

- First Nations from the Treaty 9 have commenced legal proceedings which, if successful, will dramatically alter the legal relationship between themselves and the Province.
- If successful, a “co-jurisdiction” model would be established within First Nations territories in which consent of both the Province and First Nations would be required before resource development projects such as the Ring of Fire could proceed
- First Nations argument is based on the interpretation of the text of Treaty 9 which states in part, “Indians do hereby cede, release, surrender and yield up to the government of the Dominion of Canada, for His Majesty the King and His successors for ever, all their rights, titles and privileges whatsoever, to the lands.”
- The commencement of the construction of a road to the Ring of Fire does not seem imminent so we are not sure that these legal proceeding will force any further delay

VOTERS FAVOUR TORIES DESPITE POOR PERFORMANCE ON TOP ISSUES – ANGUS REID POLL

Here are the highlights of an online survey of 861 Ontarians conducted by the Angus Reid Institute between March 16 to March 23, 2023:

- If an election was held at the time the survey was conducted, 38% of Ontarians would vote PC (only slightly less than the 41% they earned in the June 2022 general election), 30% would vote NDP, 20% would vote Liberal and 6% would vote Green
- According to the survey, the top issues are: cost of living (62%), healthcare (61%), housing affordability (37%), environment/climate change (21%), the economy/jobs (20%), street crime/public safety (18%), education (17%), poverty/homelessness (16%), the deficit/government spending (14%)
- Despite the results of the voter intent question, there is significant discontent/criticism/disapproval (call it what you will) with the performance of the Ford government along

almost all dimensions; while 50% of Ontarians believe the Ford government performed well addressing COVID-19, 39% on dealing with the federal government, 37% on jobs and the economy, on the issues of top concern, only 15% believe the government's performance has been good or very good on cost of living, 19% on healthcare, 13% on housing affordability, 24% on environment/climate change; even significant majorities of those who voted PC in the last election believe the Ford government is performing badly

For the full story, click on the following link:

<https://angusreid.org/ontario-doug-ford-pc-marit-stiles-ndp-government-performance/>