

Ministry of Labour, Immigration, Training and Skills Development

# The Ministry of Labour, Immigration, Training and Skills Development

A short Introduction to MLITSD Role

## IPAC Hub Community of Practice (Northern Central Region)

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## Disclaimer:

This presentation has been prepared to assist workplace parties in understanding their rights and duties under the Occupational Health and Safety Act (OHSA) and its regulations. This presentation does not constitute legal advice. To determine your rights and duties under OHSA, please refer to the legislation or contact your legal counsel.

## Ministry of Labour, Immigration, Training and Skills Development

Helping protect workers and settle workplace disputes, supporting skilled trades, apprenticeships and employment services, attracting highly-skilled newcomers and helping people get settled in Ontario.



Image credit:  
<https://www.ontario.ca/page/ministry-labour-immigration-training-skills-development>

## Ontario's OHS system partners

- The Ministry of Labour, Training Immigration and Skills Development (MLITSD),
- The Workplace Safety and Insurance Board (WSIB),
- Health and safety associations (HSAs), and a broader network of partners including:
  - The Ministry of Health
  - Public Health Ontario
  - Non-governmental organizations (e.g. unions, trade associations)
  - Employers

# Occupational Health and Safety Act (OHSA)

The purpose of the Occupational Health and Safety Act (OHSA) is to protect workers from health and safety hazards on the job by:

- Promoting self-reliance and the internal responsibility system (IRS) where all workplace parties have specific roles, duties and responsibilities with respect to health and safety.
- Establishing procedures for dealing with workplace hazards, and providing for enforcement of the law where compliance is not achieved voluntarily.

## The are several regulations under the OHSA that may be applicable in Health Care Sector:

- O. Reg. 67/93 – Health Care and Residential Facilities
- O. Reg. 474/17 Needle Safety
- O. Reg. 420/21 Notices and Reports under Section 51 to 53.1 of the Act - Fatalities, Critical Injuries, Occupational Illness and Other Incidents
- Reg. 833 Control of Exposure to Biological or Chemical Agents
- Reg. 860 Workplace Hazardous Materials Information System (WHMIS)
- O. Reg. 297/13 Occupational Health and Safety Awareness and Training
- Reg. 851 – Industrial Establishments

\*Note: see regulation for complete reference

# Internal Responsibility System (IRS)

- The internal responsibility system is the underlying philosophy of the occupational health and safety legislation in all Canadian jurisdictions.
- Every employer, worker, supervisor, workplace owner, constructor, manager, senior executive, etc. is responsible for health and safety and has a specific role in maintaining a safe and healthy workplace, solving problems and improving unsafe working conditions if necessary. Employers have the greatest responsibility.
- The Internal Responsibility System does the following:
  - ✓ Establishes responsibility sharing systems
  - ✓ Promotes a safety culture
  - ✓ Promotes best practices
  - ✓ Helps develop self-reliance
  - ✓ Promotes compliance

(Source: CCOHS, 2022)

## Enforcing the OHSA and its regulations

- MLITSD OHS inspectors conduct field visits (inspections) which may be “proactive” or “reactive”; inspectors will enforce the OHSA / regulations based on their findings at the time of the inspection.
- When an inspector arrives at a workplace, they will introduce themselves, explain the reason for the visit and ask to have a worker and management representative accompany them during the inspection.
- The inspector may conduct an administrative review and a physical inspection of the workplace; they have the right to enter and be granted access to all areas of the workplace.



# Enforcing the OHSA and its regulations

MLITSD OHS inspectors may be assisted and accompanied by other professionals within the ministry such as:

- Infection Prevention & Control Specialists
- Occupational Medicine Consultants
- Occupational Hygiene Consultants
- Engineers
- Ergonomists
- Radiation Protection Services staff

## Health care sector key issues

- Workplace safety culture:
  - Internal Responsibility System
  - Joint Health and Safety Committee/Worker Health and Safety Representative
  - Supervisor Competency
- Infection prevention and control:
  - Prevent the transmission of organisms within the workplace that may cause illness or infection in health care workers.

## Health care sector key issues (cont'd)

- Reporting of occupational illnesses (notices)
- Sharps injury prevention / Needle safety
- Musculoskeletal disorders
- Occupational exposures
- Slips / trips / falls
- Workplace harassment / violence

## Notices (Reporting) Requirements under the OHSA

### Section 52(2) - Notice of occupational illness

- If an employer is advised by a worker or on behalf of a worker that an occupational illness has occurred or if a claim to WSIB is made regarding an occupational illness the employer shall give notice in writing , within four days of being so advised, to:
  - A director (of the MLITSD),
  - The joint health and safety committee or health and safety representative and,
  - The trade union(s), if any.

Note: The requirement to submit a report does not require laboratory confirmation of the occupational illness.

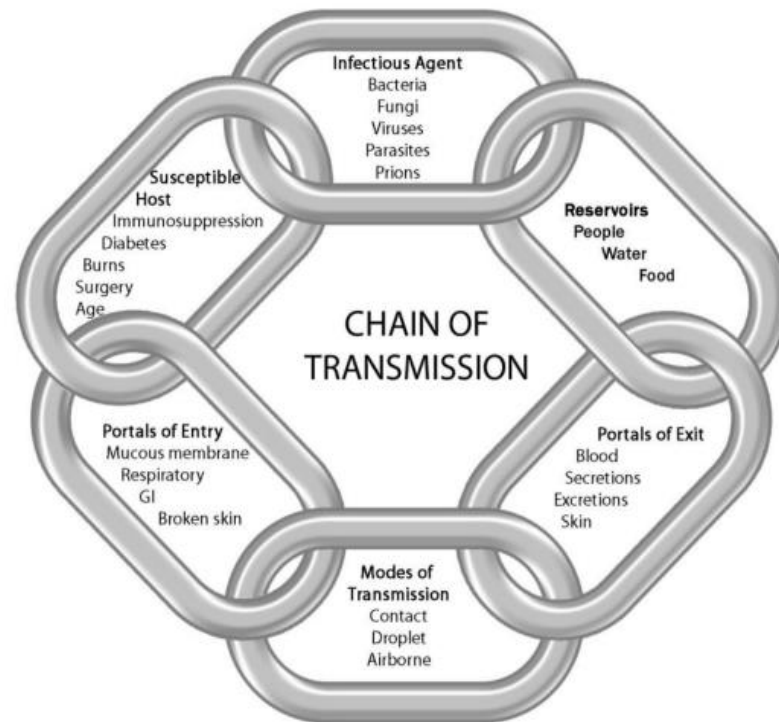
# Notices (Reporting) Requirements under the OHSA

The information required in the written report made under section 52(2) is specified in Ontario Regulation 420/21 *Notices and Reports under Sections 51 to 53.1 of the Act – Fatalities, Critical Injuries, Occupational Illnesses and Other incidents* and includes:

- The name, address and type of business of the employer
- The name of the worker
- The nature of occupational illness
- A description of the cause or suspected cause of the occupational illness
- The names and addresses or other contact information of any witnesses to the occurrence
- The steps taken to prevent a recurrence or further illness.

# Infection Prevention and Control (IPAC)

- An important occupational health issue.
- Prevention of infections is important for well being of patients, residents and clients in community care and health care workplaces.
- Prevention of infections is also important for the well being of workers.



## Standards and Guidelines

While the MLITSD does not enforce standards or guidelines related to infection prevention and control, content of recognized standards and guidelines provide employers with information that can assist them with compliance.

*Note: Mention of any organization or tool does not constitute endorsement by the MLITSD. In addition, citations to web sites external to MOL do not constitute MLITSD endorsement of the organizations or their programs or products as OHS compliant. Furthermore, MLITSD is not responsible for the content of these web sites.*

## Standards and Guidelines

Selected infection control best practices manuals from the **Provincial Infectious Diseases Advisory Committee on Infection Prevention and Control (PIDAC-IPC)**:

- *Routine Practices and Additional Precautions in All Health Care Settings, 3<sup>rd</sup> edition, November 2012*
- *Best Practices for Environmental Cleaning for Infection Prevention and Control in All Health Care Settings, 3<sup>rd</sup> edition, April 2018*
- *Best Practices for Hand Hygiene in All Health Care Settings, 4<sup>th</sup> edition, April 2014*
- *Annex A: Screening, Testing and Surveillance for Antibiotic-Resistant Organisms (AROs) in All Health Care Settings, February 2013*
- *Annex C: Testing, Surveillance and Management of Clostridium difficile in All Health Care Settings, January 2013*



# Standards and Guidelines



The **Canadian Standards Association** provide a number of CSA standards that relate to infection prevention and control such as:

- Z94.4:18 *Selection, Use and Care of Respirators*
- Z317.2:19 *Special Requirements for Heating, Ventilation and Air Conditioning (HVAC) Systems in Health Care Facilities*
- Z317.10:21 *Handling of Health Care Waste Materials*
- Z317.13:22 *Infection Control During Construction, Renovation and Maintenance of Health Care Facilities*

# New requirements for temporary help agencies (ESA)

- Starting January 1, 2024:
  - Temporary Help Agencies (THAs) and recruiters will be prohibited from operating if they do not have a licence to do so from the Director of Employment Standards.
  - Users of THAs and recruiters will be prohibited from knowingly using unlicensed THAs and recruiters.
- There is a [Licensing webpage](#) that includes a list of applicants and licensees.
- Applications for a licence can be submitted – online only – as of July 1, 2023. Application fee is \$750.
- THAs and recruiters must provide a \$25,000 electronic irrevocable letter of credit (ILOC) with their application.
- Criteria for granting and refusing a licence (and suspending and revoking) are set out in the [ESA](#) and [O. Reg. 99/23](#).
- A new Licensing Unit will deal with administering the licensing provisions which includes: reviewing the applications, issuing approvals/refusals, revoking/suspending licences.
- Licenses expire after one year.

## We Are Here to Help

### MLITSD Health & Safety Contact Centre

- Toll-free, 1-877-202-0008  
Fax, 905-577-1316
- Call any time to report critical injuries, fatalities or work refusals.
- Call 8:30 a.m. – 5:00 p.m., Monday – Friday, for general inquiries about workplace health and safety.
- In an emergency, always call 911.

### Employment Standards Information Centre

- GTA: 416-326-7160  
Canada-wide: 1-800-531-5551  
TTY: 1-866-567-8893

#### Need other languages?

- The Employment Standards Information Centre (1-800-531-5551) provides service in 23 different languages – from Arabic to Vietnamese.

**Thank you for your time!**

**Questions?**