

250 Yonge Street, Suite 3300 Toronto, Ontario, Canada M5B 2L7 Tel 416.603.0700 Fax 416.603.6035 24 Hour 416.420.0738 www.sherrardkuzz.com

# Don't Fall! New Training Requirements for Workers Working at Heights

Carissa Tanzola & Iouri Vorobiev Sherrard Kuzz LLP, Employment & Labour Lawyers March 2015

In an attempt to elevate the profile and importance of preventing falls from heights in the workplace, the *Occupational Health and Safety Awareness Training Regulation* under the *Occupational Health and Safety Act* has been amended to include new training requirements for workers working at heights ("New Standard").

On April 1, 2015, the New Standard comes into effect. Is your workplace ready?

## To Whom Does The New Standard Apply?

Every construction employer must ensure that each worker who uses one of the following methods of fall protection completes an approved training program by an approved training provider:

- travel restraint system
- fall restricting system
- fall arrest system
- safety net
- work belt
- safety belt

### What Is The Deadline For Training?

If a worker has been trained in compliance with existing training requirements before April 1, 2015, the worker will have until April 1, 2017 to complete an approved working at heights training program in accordance with the New Standard. Once completed, working at heights training remains valid for a period of three (3) years.

### What is An 'Approved Training Program'?

The program must include a basic theory module and a practical module and be provided by an approved training provider. An employer can conduct its own training. However, the program must meet the requirements under the New Standard, and be approved by the Chief Prevention Office ("CPO").

# Who Is An Approved Provider?

At present, there are four (4) approved providers:

- 1. Industrial Educational Co-Operative (IEC)
- 2. Infrastructure Health & Safety Association
- 3. ResQTech
- 4. Workers Health and Safety Centre

Contact information for each provider is available from the Ministry of Labour at http://www.labour.gov.on.ca/english/hs/wah\_providers.php.

## **Bottom line for employers...**

The New Standard requires each employer to:

- Ensure each worker completes a working at heights training program approved by the CPO
- Ensure the employer or third-party training provider has been approved by the CPO
- Ensure each worker's training is valid and not expired
- Maintain a training record for each worker (including the: name of the worker, name of the approved training provider, name of the approved training program, and date on which training was completed)
- Have training records available to a Ministry of Labour inspector upon request

#### To learn more and for assistance contact a member of Sherrard Kuzz LLP.

Carissa Tanzola is a lawyer and Iouri Vorobiev is an articling student with Sherrard Kuzz LLP, one of Canada's leading employment and labour law firm representing the interests of employers. Carissa and Iouri can be reached at 416.603.0700 (Main), 416.420.0738 (24 Hour) or by visiting www.sherrardkuzz.com

The information contained in this article is provided for general information purposes only and does not constitute legal or other professional advice. Reading this article does not create a lawyer-client relationship. Readers are advised to seek specific legal advice from Sherrard Kuzz LLP (or other legal counsel) in relation to any decision or course of action contemplated.

\*\*\*

#### **LEXPERT**RANKED

"Selection in the Canadian legal Lexpert® Directory is your validation that these lawyers are leaders in their practice areas according to our annual peer surveys." Jean Cumming Lexpert® Editor-in-Chief



