



University of Toronto

OFFICE OF THE VICE-PRESIDENT
HUMAN RESOURCES & EQUITY

TO: Business Board

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AGENDA ITEM: 8

ITEM IDENTIFICATION: Health and Safety Requirements – Quarterly Report on Compliance, 2009 Second Quarter

Professor Hildyard has undertaken to provide the Business Board with quarterly statements with respect to the University's compliance with legal requirements in the area of Health and Safety. This is the second quarterly statement for 2009.

JURISDICTIONAL INFORMATION:

The Business Board is responsible for monitoring health and safety compliance. This report is an information update since our last report.

PREVIOUS ACTION TAKEN:

Outlined above.

STATEMENT:

1. Ontario Ministry of Labour (MOL) Orders

The Ontario Ministry of Labour has visited the University of Toronto five times since the last report. Four orders were issued during this time. The first MOL visit was a follow up to an injury sustained during floor buffing (at the Mississauga campus). No orders were issued. Visits to the St. George campus were as a result of JHSC member complaints to the MOL. The first complaint concerned smells during renovations. No orders were received from this visit. Lunch room arrangements at OISE prompted the next two visits and two orders. The University was required to produce MSDS for photocopier toner as well as JHSC minutes, inspections and membership. The MOL was satisfied with our compliance to these orders. The Trades JHSC complained to the MOL

with respect to workplace inspections. The Trades JHSC members wish to co-inspect workplaces which the Utilities JHSC currently complete. During this last visit, it became apparent that the electrical rooms had not been inspected for two years. Thus the inspector issued an order to produce a schedule of electrical room inspections and a complete electrical room inspection within 215 Huron St. The inspector was satisfied with our compliance.

The EHS group plans to consolidate committees and increase surveillance over compliance items such as workplace inspection and meeting frequency. Automated forms are under development, and arrangements for committees are underway. We will ensure that every location on campus is serviced by a workplace inspection with appropriate follow up

2. Ministry of Labour Charge

The April 2009 Compliance report included reference to an asbestos exposure incident with a contractor, Bird Mechanical. The Asbestos regulations within the OHS Act call for an asbestos survey to be provided to contractors. The University's process is to take account of asbestos during the design coordination phase and to include relevant information in the contract. Although we had followed this process in this specific case, an asbestos exposure did occur in March 2009. We provided the relevant information to the MOL and had understood that they were satisfied. However, we have now been notified that we are to be charged with non-compliance to the Asbestos regulation. We have engaged external legal counsel and will be mounting a vigorous due diligence defense, noting our comprehensive asbestos program.

3. Regulatory Audits

The CNSC has audited us once since the last report. Four non-compliances were issued to the University during this audit. The first two non-compliances required relocation of two items: a lab coat, and first aid kit. The third non-compliance involved fume hood maintenance schedule. The fourth non-compliance concerned late documentation. The CNSC has accepted our responses and have verified their acceptance in writing.

4. Federal Regulatory Activity - Biosafety

Bill C-11, a Federal bill concerning the safety and security of human pathogens and toxins, has passed third reading. The EHS Office is submitting information on activities carried out at the University to the Public Health Agency of Canada. This is the first step within the new regulatory regime surrounding biological handling at the University.

Summary

In summary, based on the reports I have received through the operation of our occupational health and safety policy, and except with reference to the items described above, to the best of my knowledge the University is in compliance with its health and safety obligations.