## PROVINCIAL LAW



# **New Working at Heights Training Standards for Construction Projects**

In response to Ontario's increasingly high accounts of construction workers' injuries and fatalities resulting from falls while working at heights, the Ministry of Labour (MOL) has introduced new standards for working at heights training, effective April 1, 2015.

The new standards will address both working at heights <u>training programs</u> and <u>training providers</u> in order to provide the minimum criteria for the Chief Prevention Officer's (CPO) approval.

#### **APPLICATION**

Employers will be required under Occupational Health and Safety Awareness and Training to provide CPO-approved training programs for working at heights. Workers must complete the training if they use any of the following on a construction project:

- Travel restraint system
- Fall restricting system
- Fall arrest system
- Safety net
- Work belt
- Safety belt

Even if workers are only doing maintenance work, they must have completed the training if they will be using any of the above listed items.

Workers who use fall protection systems must meet the new requirements **in addition to existing training requirements**. Workers who have received training that meets the current requirements under the <u>Construction Projects Regulation</u> (O. Reg. 213/91) before April 1, 2015, will have up to two years to complete the new working at heights training.

#### **DOCUMENTATION**

Upon completion of the working at heights training program, it is the training provider's responsibility to give workers proof of training. Typically, proof will be in the form of a wallet-sized card, which, under the Working at Heights Training Provider Standard, must include the following information:

- Employee's name
- Name of the approved working at heights training program
- Program identification number
- Date of successful completion of the approved training program
- Statement of worker's successful completion of the program
- Name of the approved provider
- Signature of the evaluator

After an employee receives this card, his or her information will be added to the Ministry of Labour's database. Access to the proof will be granted to the worker and his or her current or potential employer (with the worker's consent). Likewise, the current employer is required to record the employee's successful completion of the working at

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heights training program. Employers who do not comply with the new requirements are subject to prosecution under the Provincial Offences Act (POA).

Construction employees who have completed an approved program will not have to train again for another three years. After three years, workers will be required to complete a half-day "refresher" program.

If a worker changes his or her employer within the three-year period, the training is still valid and does not need to be repeated for his or her new place of work. However, the new employer is responsible for training the employee on specific fall protection equipment used at the site.

#### TRAINING PROVIDERS

A list of approved providers is expected to be available mid-February 2015.

As of Jan. 5, 2015, a detailed <u>application package</u> submitted by an employer will be accepted by the CPO for training provider approval, as well as training program approval. The content and quality of the training program will be assessed based on the details provided by the employer in the application. The employer must demonstrate how the submitted training program will achieve the Working at Heights Training Program Standard's requirements of learning outcomes and technical elements.

If the application is approved, the next step involves a field assessment in order to determine whether the quality of delivery at the learning site meets the requirements of the Working at Heights Training Provider Standard.

The average amount of time for the review and approval of a training provider—if the program does not require any changes—is estimated to take six weeks to complete.

There is no fee for applying to become a training provider.

No matter who does the training, he or she must be a CPO-approved training provider. The following are acceptable training providers:

- An individual
- A sole proprietor
- A corporation
- A non-profit organization
- An employer that wants to provide "in-house" training for employees