

Understanding the Ontario Health and Safety System: Government Bodies – Paper 1

Erinn McCreath Frangakis, Joyce Guo, Catherine Brookman, Jack P. Callaghan

Occupational health and safety in Ontario is protected by the *Occupational Health and Safety Act (OHSA)*. The main purpose of the OHSA is to protect workers from health and safety hazards by establishing rights and duties for all workplace parties. The Ministry of Labour, Training and Skills Development (MLTSD)¹ works with the Workplace Safety and Insurance Board (WSIB)², six Health and Safety Associations (HSAs)³, and other partner institutions, including the Centre of Research Expertise for the Prevention of Musculoskeletal Disorders (CRE-MSD)⁴, to form the Ontario Health and Safety System.

This paper will outline the roles of the two main organizations with legislative mandates within the Ontario Health and Safety System: The Ministry of Labour, Training and Skills Development (MLTSD)¹ of the Ontario Government, and the Workplace Safety and Insurance Board (WSIB)², an arm's length agency which reports to the MLTSD.

Ministry of Labour, Training and Skills Development (MLTSD)¹

At a Glance: The MLTSD¹ is a regulatory body and one of its primary responsibilities is reducing the number of injuries and illnesses that occur at work by ensuring that workplaces comply with the OHSA so that everyone can return home safely. MLTSD's¹ role in Ontario's Health and Safety System is to enforce and regulate health and safety in the workplace. This involves ensuring that both workers and employers comply with the OHSA by providing policy, prevention and enforcement activities. These activities can help individuals understand health and safety requirements and their relevance in the workplace. The MLTSD¹ Health and Safety Inspectors are responsible for inspecting workplaces to ensure that they are meeting provincial regulations. These inspectors may visit the workplace at any time to determine if there are contraventions (i.e. violations). If there are contraventions, the inspector may issue an order so the contravention is addressed. This may result in a stop work order if the inspector feels that the hazard is imminent. If the contravener does not follow the order, regulatory prosecution against the objecting party [employer or worker] may occur. During inspections, inspectors may provide workplace parties with compliance assistance, such as referring them to their relevant Health and Safety Association³ (see [Paper 2 – Health and Safety Associations](#)) for information about specific areas of occupational health and safety. The MLTSD¹ provides guidance and direction on proactive training such as Health and Safety Awareness Training, Working at Heights Training, Workplace Violence and Harassment Training, and Joint Health and Safety Committee Certification Training.

Workplace Safety and Insurance Board (WSIB)²

At a Glance: Previously known as the Worker's Compensation Board (WCB), the WSIB² is a provincial agency established by the *Workplace Safety and Insurance Act (WSIA)* that provides insurance to Ontario businesses, which helps protect Ontario's economy. The WSIB² promotes health and safety and provides compensation, benefits, and return-to-work programs for injured workers. It also maintains a large database for all occupational injuries in Ontario. With a few exceptions, businesses are legally required to register with the WSIB² within 10 days of hiring their first employee. Businesses exempt from this requirement are outlined on the WSIB² website (see [Do you need to register with us?](#) for more details). Businesses that pay WSIB² premiums are classified as Schedule 1 employers, whereas those who do not pay premiums are considered Schedule 2. Schedule 2 businesses typically include publicly funded organizations such as

Key Messages

- The MLTSD¹ ensures that all provincially regulated workplaces meet the standards set forth by the *Occupational Health and Safety Act (OHSA)*.
- The MLTSD¹ works to eliminate workplace fatalities, injuries and illness through policy, prevention and enforcement activities.
- The WSIB² provides insurance to businesses as well as benefits and return-to-work plans to support injured workers.
- The WSIB² promotes health and safety and provides a statistical database for workplace injury claims.

governments, and federally regulated industries such as shipping companies (note that some publicly funded organizations and federally regulated industries are included in Schedule 1 as well). Schedule 2 employers are still legally required to report all accidents to WSIB², but they are responsible for the full cost of all approved claims. For Schedule 1 employers, compensation is funded by the WSIB² premiums paid by businesses in Ontario. The WSIB² provides compensation to workers who have a work-related injury on a “no fault” basis, meaning that compensation will be given no matter who is at fault for the injury. If a claimant is unhappy with the decision of the WSIB² on their injury claim, they can make an appeal. Employers in both Schedules must report workplace incidents to WSIB² within three days, and employees must file a claim within six months. Since all workplace accidents must be reported to the WSIB², the WSIB² is also a statistical hub for occupational injury data. Every year, the WSIB² releases its *By the Numbers Report*⁵ that is available to the public. This report compiles data from total injury claims throughout the year and presents highlights based on categories such as age, sector, body region, and industry. This annual data is especially helpful with finding trends in injury claims throughout the years.

Implications for the Prevention of MSD

- By following the directions of the MLTSD¹ inspector and the referring Health and Safety Associations³, many jobs that lead to musculoskeletal disorders (MSD) can be modified to protect the worker. CRE-MSD⁴ resources such as the MSD Prevention Guideline for Ontario (available at www.msdpreservation.com) can help prevent MSD.
- The WSIB² helps prevent further injury by providing benefits and return to work programs.

Conclusion

Provincially regulated workplaces in Ontario are legally required to abide by the OHSA and WSIA. The MLTSD¹ ensures that companies continue to follow these regulations so that all individuals in a workplace are safe. If an injury or illness occurs in the workplace, the WSIB² is the insurance organization which will provide workers with the help they need to return to work. All workplace incidents must also be reported to the WSIB². These two bodies work together with Research Centres (see [Paper 3 – Research Centres](#)), such as CRE-MSD⁴, and Health and Safety Associations³ (see [Paper 2 – Health and Safety Associations](#)) to prevent and reduce the number of workplace injuries and illnesses that occur. To track safety statistics and determine the trends across the years, one can visit WSIB’s *By the Numbers Report*⁵.

References

1. Ontario Ministry of Labour, Training and Skills Development: <https://www.ontario.ca/page/ministry-labour-training-skills-development>
2. Workplace Safety & Insurance Board of Ontario: <https://www.wsib.ca/en>
3. Ontario’s Health and Safety System: <https://www.ontario.ca/document/healthy-and-safe-ontario-workplaces-strategy/ontarios-occupational-health-and-safety-system>
4. CRE-MSD: <https://uwaterloo.ca/centre-of-research-expertise-for-the-prevention-of-musculoskeletal-disorders/>
5. WSIB By the Numbers Statistical Report: <http://www.wsibstatistics.ca/>

Resource papers are funded by the Centre of Research Expertise for the Prevention of Musculoskeletal Disorders, which receives funding through a grant provided by the Ontario Ministry of Labour, Training and Skills Development. The views expressed are those of the authors and do not necessarily reflect those of the Centre nor of the Province.

Resource papers are available online at:
www.cre-msd.uwaterloo.ca



Centre of Research
Expertise for the
Prevention of
Musculoskeletal Disorders