

Operations Division Occupational Health and Safety

OHS Case ID: **02892PBWQ958**

Field Visit no: **02892PBWQ959**

Visit Date: **2020-JAN-17**

Field Visit Type: **INITIAL**

Workplace Identification: **CITY OF HAMILTON, THE: CIVIC OPERATIONS CENTRE
349 JONES ROAD, STONEY CREEK, ON, CANADA L8E 5N2**

Notice ID:

Telephone:
(905) 663-7122

JHSC Status:
Active

Work Force #:
100

Completed %:

Persons Contacted: **2 REFUSING WORKERS, DUANE PARKER - UNION STEWART CUPE 5167, MICHAEL CUMBO - JHSC WORKER REP., VINCE BIANCO - HEALTH, SAFETY AND WELLNESS SPECIALIST - CITY OF HAMILTON, BRYAN CAREY - SUPERINTENDENT AND GORD HIMMRICH - SUPERVISOR.**

Visit Purpose: **RESPONSE TO A WORK REFUSAL CALLED IN TO THE MINISTRY OF LABOUR.**

Visit Location: **OFFICE AREA AND VEHICLE GARAGE.**

Visit Summary: **ORDERS ISSUED.
ACCOMPANIED BY CRYSTAL ARMSTRONG - MOL ERGONOMIST.**

Detailed Narrative:

PURPOSE OF VISIT:

The Ministry of Labour (MOL) is visiting this workplace today in response to a reported work refusal registered with the MOL Health and Safety Contact Centre.

Comments by Crystal Armstrong, MLTSD Ergonomist (crystal.armstrong@ontario.ca; 905-973-1757)

Reason for Refusal: Two workers were refusing to work stating that garbage bags are too heavy and the 1 Tonne (Stake Truck) is too high for lifting.

The potential for musculoskeletal disorders from lifting is dependent on three main factors: force applied, the worker posture when handling and the number of times for which a lift is repeated. Workers collect garbage from 45 gallon drums in the parks in District East. The concerns raised were specific to the F350 Stake Truck (1 ton) with the Haul-All not being identified as a concern.

The bed height of Truck #251714 is 37" from the ground as compared with 35" for the Haul-All. Handling waste was demonstrated and it was identified that placing the garbage bags in the Stake Truck requires some bags to be thrown across the bed of the truck in order to fill it. A review of the Physical Demands Analysis showed that this action was not included in the analysis.

The handling is mechanical on the Haul-All. Throwing on the Stake Trucks will result in higher demands on the shoulder and back. As a result, procedures need to be in place to address optimize postures, forces (bag weight) and repetition.

Management had undertaken a review of load weights and can numbers for 5 days in October. This showed a mean bag weight of 8.6 kg. It is recognized that this is an average value, and heavier bags may be encountered. Bag weight can be reduced through practices of "reducing the load". The current picking tool should be reviewed to identify a tool that is more robust and has a shorter handle length for ease of use. Under conditions where bags cannot be reduced, alternative practices need to be identified (ie. use of loader).

Recipient	Inspector Data	Worker Representative
Name <u>Bryan Carey</u>	THOMAS PROCTOR Occupational Health & Safety Inspector PROVINCIAL OFFENCES OFFICER	Name <u>Michael Cumbo</u>
Title <u>Superintendent</u>	119 King St W, 14th Flr., Hamilton, ON, L8P 4Y7 MOLHSHAMILTONEAST@ontario.ca Tel: (905) 870-7476 Fax: (905) 577-1324	Title <u>J.H.S.C</u>
Signature <u>Bryan Carey</u>	Signature <u>[Handwritten Signature]</u>	Signature <u>MCumbo</u>

You are required under the Occupational Health and Safety Act to post a copy of this report in a conspicuous place at the workplace and provide a copy to the health and safety representative or the joint health and safety committee if any. Failure to comply with an order, decision or requirement of an inspector is an offence under Section 66 of the Occupational Health and Safety Act. You have the right to appeal any order or decision within 30 days of the date of the order issued and to request suspension of the order or decision by filing your appeal and request in writing on the appropriate forms with the Ontario Labour Relations Board, 505 University Ave., 2nd Floor, Toronto, Ontario M5G 2P1. You may also contact the Board by phone at (416) 326-7500 or 1-877-339-3335 (toll free), mail or by website at <http://www.olrb.gov.on.ca/english/homepage.htm> for more information.

Do you have a comment or feedback about your inspection? Call the Ministry of Labour Contact Centre 1-877-202-0008

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In addition to weight and posture, the frequency of handling affects the risk of back injuries. Two workers are assigned to the Stake Truck and rotation of workers within the day between driving and emptying cans is beneficial from an ergonomics perspective. Due to the higher lifting demands, the number of cans services with the Stake Truck may be less than with the Haul-All.

Procedures specific to methods for safe handling garbage and garbage bags from 45 gallon drums to the Stake Truck were not available at the time of the investigation (ONE ORDER ISSUED). The employer is required to train workers in these procedures (ONE ORDER ISSUED).

GENERAL INFORMATION:

A copy of this report shall be posted in a conspicuous location in the workplace where it will come to the attention of the workers, as per section 57(10) of the Occupational Health and Safety Act 1990.

COMPLIANCE WITH ORDERS:

The employer has been advised of the appeal process with respect to orders issued in this report as per section 61 of the Occupational Health and Safety Act 1990 (OHSa).

The employer is advised to develop and implement interim measure to protect the health and safety of workers in this workplace until all orders contained in this report have been complied with.

A Notice of Compliance form has been provided and shall be returned to this Inspector within three days of the compliance due date with each order contained in this report.

The Notice of Compliance form shall be filled out by the employer stating what was done to comply with the each order. A worker health and safety representative (or worker selected by the other workers) signature is required, agreeing or disagreeing with the information provided by the employer, as per section 59 of the Occupational Health and Safety Act 1990 (OHSa). A completed Notice of Compliance form shall be faxed to the MOL at: (905) 577-1324 or emailed to the MOL at: MOLIHSHAMILTONEAST@ontario.ca

The employer shall post a copy of the completed Notice of Compliance form in the workplace for at least 14 days in a conspicuous location where it will come to the attention of the workers as per section 59(3) of the OHSa.

Should the employer require assistance with compliance with the orders or requirements issued or additional

Recipient	Inspector Data	Worker Representative
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Title _____	119 King St W, 14th Flr., Hamilton, ON, L8P 4Y7 MOLIHSHAMILTONEAST@ontario.ca Tel: (905) 870-7476 Fax: (905) 577-1324	Title _____
Signature <i>BC</i>	Signature <i>TH</i>	Signature <i>ml</i>

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information on occupational health and safety including training, advice, consultation, guidelines and publications, the employer should contact a Health and Safety Association (HSA). The HSA for your business sector is: Public Service Health & Safety Association (PSHSA): www.pshsa.ca or 1-877-250-7444

HEALTH & SAFETY RESOURCES:

Ministry of Labour: www.labour.gov.on.ca

Public Service Health & Safety Association (PSHSA): www.pshsa.ca or 1-877-250-7444

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Order(s) /Requirement(s) Issued To:

To: CITY OF HAMILTON Org/Ind Role: Primary Employer

Mailing Address: 71 MAIN ST W, HAMILTON, ON, CA L8P 4Y5

Order(s) /Requirement(s) Description:

You are required to comply with the order(s) /requirement(s) by the dates listed below.

No	Type Code	Act/Reg	Year	Sec.	Sub Sec.	Clause	Text of Order/Requirement	Comply by Date
1	Time 02892PBWS960	OHSA	1990	25	2	h	The employer shall take every precaution reasonable in the circumstances for the protection of a worker by developing and implementing procedures for safe handling of garbage from 45 gallon drums to the High Body F350 Stake Truck or similar vehicle. At the time of the visit there was no documentation provided by the employer to show that procedures exist for handling of garbage from 45 gallon drums to the High Body F350 Stake Truck or similar vehicle.	2020-JAN-24
2	Time 02892PBWS961	OHSA	1990	25	2	a	The employer shall provide information, instruction and supervision to a worker to protect the health or safety of the worker on the content of the procedure for safe handling of garbage from 45 gallon drums to the High Body F350 Stake Truck or similar vehicle. At the time of the visit the employer could not provide any documentation to show that workers have been provided training on safe handling of garbage from 45 gallon drums to the High Body F350 Stake Truck or similar vehicle.	2020-JAN-31

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