

ONTARIO COURT OF JUSTICE

PROVINCIAL OFFENCES ACT

IT IS ORDERED, pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the attached Items of Schedule 67.1 under the Provincial Statutes and Regulations thereunder is the Set Fine.

This Order comes into effect on the 1st day of April 2018

DATED AT TORONTO this 19th day of March 2018



**Lise Maisonneuve, Chief Justice
Ontario Court of Justice**

Ontario Court of Justice
Last Updated: April 1, 2018

SCHEDULE 67.1

Ontario Regulation 213/91 under the *Occupational Health and Safety Act*

| Item | Offence | Section | Set Fine |
|-------------|---|-----------------|-----------------|
| 1. | Constructor failing to notify Ministry of Labour of construction project | 6 (3)–(5) | \$550 |
| 2. | Constructor failing to notify Ministry of Labour of work on a trench | 7 | \$550 |
| 3. | Constructor failing to notify Ministry of Labour of use of suspended work platform system | 7.1 (2) and (4) | \$550 |
| 4. | Constructor failing to appoint supervisor for project with five or more workers | 14 (1) | \$550 |
| 5. | Constructor appointed supervisor failing to supervise work at all times | 14 (2) | \$550 |
| 6. | Employer failing to appoint supervisor for five or more workers on project | 15 (1) | \$550 |
| 7. | Employer appointed supervisor failing to supervise work at all times | 15 (2) | \$550 |
| 8. | Constructor failing to establish written emergency procedures | 17 (1) | \$550 |
| 9. | Constructor failing to post emergency procedures | 17 (3) | \$550 |
| 10. | Worker failing to wear protective headwear | 22 | \$250 |
| 11. | Worker failing to wear protective footwear | 23 | \$250 |
| 12. | Worker failing to wear eye protection | 24 | \$250 |
| 13. | Employer failing to ensure training on fall protection | 26.2 (1) | \$550 |
| 14. | Employer failing to ensure that written training and instruction record is prepared | 26.2 (2) | \$550 |
| 15. | Employer failing to make training and instruction record available to inspector | 26.2 (4) | \$550 |
| 16. | Constructor failing to ensure clean-up or toilet facilities available | 29 (3) (a) | \$550 |
| 17. | Constructor failing to ensure required access to facilities | 29 (4)–(7) | \$550 |
| 18. | Worker failing to use provided respiratory protective equipment | 46 (2) | \$250 |

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| 19. | Employer failing to develop written traffic protection plan for workers exposed to hazard from vehicular traffic | 67 (4) and (5) | \$650 |
| 20. | Worker directing vehicular traffic for multiple lanes in the same direction | 69 (2) | \$250 |
| 21. | Worker who may be endangered by vehicular traffic failing to wear prescribed garment | 69.1 | \$250 |
| 22. | Worker inappropriately standing or stepping on ladder | 83 (2) | \$250 |
| 23. | Operator leaving controls of the machine unattended | 102 | \$250 |
| 24. | Worker passing shovel, backhoe or similar excavating machine or its load over a worker | 103 (1) | \$250 |
| 25. | Worker passing crane or similar hoisting device's load over another worker | 103 (2) | \$250 |
| 26. | Worker doing other work while acting as signaller | 106 (1) | \$250 |
| 27. | Signaller failing to wear prescribed garment | 106 (1.1)-(1.4) | \$250 |
| 28. | Worker using as a work place an object capable of moving supported by fork-lift truck, front-end loader or similar machine | 107 | \$250 |
| 29. | Worker failing to wear adequate personal protective equipment and clothing while using chain-saw | 112 (1.2) (a) | \$250 |
| 30. | Worker failing to wear adequate eye and hearing protection while using chain-saw | 112 (1.2) (b) | \$250 |
| 31. | Worker failing to wear adequate personal protective equipment while using fastening tool | 117 (3) (a) | \$250 |
| 32. | Worker failing to wear adequate eye protection while using fastening tool | 117 (3) (b) | \$250 |
| 33. | Employer failing to ensure that worker using suspended work platform system or boatswain's chair is trained | 138 (1) and (2) | \$550 |
| 34. | Employer failing to ensure that competent worker is trained | 138.1 (2) and (3) | \$550 |
| 35. | Owner failing to ensure there is an adequate roof plan | 141.2 (1) | \$550 |
| 36. | Worker failing to wear full body harness connected to fall arrest system while on or getting on or off suspended work platform or boatswain's chair | 142.06 (1) | \$350 |
| 37. | Constructor failing to notify Ministry of Labour of multi-point suspended work platform | 142.3 (1) | \$550 |
| 38. | Worker without prescribed qualifications operating crane or similar hoisting device | 150 (1) | \$250 |
| 39. | Worker without prescribed qualifications operating a crane or similar hoisting device | 150 (2) | \$250 |

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| 40. | Employer failing to ensure that qualified worker operates a rotary foundation drill rig | 156.6 (1) | \$550 |
| 41. | Worker operating a rotary foundation drill rig without the prescribed training or qualifications | 156.7 | \$250 |
| 42. | Worker without prescribed qualifications connecting, maintaining or modifying electrical equipment or installations | 182 (1) | \$250 |
| 43. | Constructor failing to establish and implement written measures and procedures | 188 (4) (a) and 188 (5) | \$550 |
| 44. | Constructor failing to make written measures and procedures available to every employer on project | 188 (4) (b) | \$550 |
| 45. | Employer failing to provide copy of written measures and procedures to a worker | 188 (6) | \$550 |
| 46. | Employer failing to mark gas, electrical or other services before excavating | 228 (1) (a) | \$650 |
| 47. | Employer failing to ensure that services are accurately located and marked before excavating | 228 (1) (b) | \$550 |
| 48. | Worker failing to ensure that services are accurately located and marked before excavating | 228 (1) (b) | \$250 |
| 49. | Constructor failing to take precautions to prevent damage to adjacent building or structure | 229 (1)–(3) | \$550 |
| 50. | Worker operating machine so as to affect excavation wall stability | 233 (3) | \$250 |
| 51. | Worker positioning machine so as to effect excavation wall stability | 233 (3) | \$250 |
| 52. | Constructor failing to keep support system design drawings and specifications at project | 236 (7) | \$550 |
| 53. | Employer failing to notify Director before working on tunnel, shaft, caisson or cofferdam | 245 (1) | \$550 |