

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 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


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Lise Maisonneuve, Chief Justice
Ontario Court of Justice

Ontario Court of Justice
Last Updated: April 1, 2018

SCHEDULE 67

Occupational Health and Safety Act (as it relates to Ontario Regulation 213/91)

Item	Offence	Section	Set Fine
1.	Supervisor failing to ensure worker wears protective headwear that complies with section 22 of O. Reg. 213/91	27 (1) (a)	\$450
2.	Supervisor failing to ensure worker wears protective footwear that complies with section 23 of O. Reg. 213/91	27 (1) (a)	\$450
3.	Supervisor failing to ensure worker wears eye protection under section 24 of O. Reg. 213/91	27 (1) (a)	\$450
4.	Worker failing to work in compliance with subsection 26.1 (2) of O. Reg. 213/91 by not being adequately protected by fall protection	28 (1) (a)	\$350
5.	Supervisor failing to ensure worker adequately protected by fall protection under subsection 26.1 (2) of O. Reg. 213/91	27 (1) (a)	\$550
6.	Employer failing to ensure worker adequately protected by fall protection under subsection 26.1 (2) of O. Reg. 213/91	25 (1) (c)	\$650
7.	Supervisor failing to ensure that worker works with guardrail system under subsection 26.3 (1) of O. Reg. 213/91	27 (1) (a)	\$550
8.	Employer failing to ensure that guardrail system is used that complies with subsection 26.3 (1) of O. Reg. 213/91	25 (1) (c)	\$650
9.	Constructor failing to ensure that guardrail system is used that complies with subsection 26.3 (1) of O. Reg. 213/91	23 (1) (a)	\$650
10.	Worker working without precaution to prevent falling through opening under subsection 26.3(2) of O. Reg. 213/91	28 (1) (a)	\$250
11.	Supervisor failing to ensure worker works with precaution to prevent falling through opening under subsection 26.3 (2) of O. Reg. 213/91	27 (1) (a)	\$450
12.	Constructor failing to ensure precaution to prevent falling through opening complies with subsection 26.3 (2) of O. Reg. 213/91	23 (1) (a)	\$550
13.	Employer failing to ensure precaution to prevent falling through opening complies with subsection 26.3 (2) of O. Reg. 213/91	25 (1) (c)	\$550

14.	Constructor failing to ensure facilities are clean and sanitary under subsection 29 (11) of O. Reg. 213/91	23 (1) (a)	\$550
15.	Constructor failing to ensure facilities meet requirements under subsection 29.1 (1) of O. Reg. 213/91	23 (1) (a)	\$550
16.	Constructor failing to ensure material is removed or stored under subsection 35 (1) of O. Reg. 213/91	23 (1) (a)	\$550
17.	Employer failing to ensure material is removed or stored under subsection 35(1) of O. Reg. 213/91	25 (1) (c)	\$550
18.	Employer failing to provide suitable respiratory protective equipment under subsection 46 (2) of O. Reg. 213/91	25 (1) (a)	\$550
19.	Supervisor failing to ensure worker wears respiratory equipment under subsection 46 (2) of O. Reg. 213/91	27 (1) (a)	\$450
20.	Constructor failing to provide fire extinguishing equipment where required under section 52 of O. Reg. 213/91	23 (1) (a)	\$550
21.	Employer failing to provide fire extinguishing equipment training under subsection 52 (1.1) of O. Reg. 213/91	25 (1) (c)	\$550
22.	Employer failing to ensure traffic protection plan is kept on project under clause 67 (5) (b) of O. Reg. 213/91	25 (1) (c)	\$550
23.	Supervisor failing to ensure worker does not direct traffic for multiple lanes in same direction under subsection 69 (2) of O. Reg. 213/91	27 (1) (a)	\$450
24.	Supervisor failing to ensure worker who may be endangered by vehicular traffic wears garment under section 69.1 of O. Reg. 213/91	27 (1) (a)	\$450
25.	Constructor failing to provide proper access and egress under subsection 70 (1) of O. Reg. 213/91	23 (1) (a)	\$550
26.	Employer failing to provide proper access and egress under subsection 70 (1) of O. Reg. 213/91	25 (1) (c)	\$550
27.	Employer failing to ensure ladder maintained so as not to endanger workers under section 79 of O. Reg. 213/91	25 (1) (b)	\$650
28.	Employer failing to provide non-custom portable ladder that complies with subsection 80 (1) of O. Reg. 213/91	25 (1) (a)	\$550
29.	Employer failing to provide custom ladder that complies with subsections 80 (2) – (5) of O. Reg. 213/91	25 (1) (a)	\$550
30.	Employer failing to provide portable ladder that complies with subsection 82 (2) of O. Reg. 213/91	25 (1) (a)	\$650

31.	Supervisor failing to ensure worker uses portable ladder that complies with subsection 82 (2) of O. Reg. 213/91	27 (1) (a)	\$450
32.	Worker failing to use portable ladder that complies with subsection 82 (2) of O. Reg. 213/91	28 (1) (a)	\$250
33.	Worker using defective or hazardous vehicle, machine, tool or equipment contrary to clause 93 (2) (a) of O. Reg. 213/91	28 (1) (a)	\$250
34.	Supervisor failing to ensure worker does not use defective or hazardous vehicle, machine, tool or equipment contrary to clause 93 (2) (a) of O. Reg. 213/91	27 (1) (a)	\$450
35.	Supervisor failing to ensure worker uses vehicle, machine, tool or equipment per operating manual under subsection 93 (3) of O. Reg. 213/91	27 (1) (a)	\$450
36.	Employer failing to ensure worker uses vehicle, machine, tool or equipment per operating manual under subsection 93 (3) of O. Reg. 213/91	25 (1) (d)	\$550
37.	Worker failing to use vehicle, machine, tool or equipment per operating manual under subsection 93 (3) of O. Reg. 213/91	28 (1) (a)	\$250
38.	Employer failing to provide dump truck equipped with automatic audible alarm as required by section 105 of O. Reg. 213/91	25 (1) (a)	\$550
39.	Worker failing to report dump truck not equipped with automatic audible alarm to employer or supervisor as required by section 105 of O. Reg. 213/91	28 (1) (d)	\$250
40.	Supervisor failing to ensure worker does not do other work while acting as signaller under subsection 106 (1) of O. Reg. 213/91	27 (1) (a)	\$450
41.	Supervisor failing to ensure that worker does not use object capable of moving and supported by a fork-lift truck, front-end loader or similar machine as a work place contrary to section 107 of O. Reg. 213/91	27 (1) (a)	\$450
42.	Employer failing to ensure that mechanically operated part is guarded or fenced under section 109 of O. Reg. 213/91	25 (1) (a)	\$550
43.	Supervisor failing to ensure that mechanically operated part is guarded or fenced under section 109 of O. Reg. 213/91	27 (1) (a)	\$450
44.	Supervisor failing to ensure that a worker does not use a loose object as a work place or as a support for object contrary to section 115 of O. Reg. 213/91	27 (1) (a)	\$450

45.	Worker failing to work in compliance with section 115 of O. Reg. 213/91 by using loose object as work place or as support for object	28 (1) (a)	\$350
46.	Worker having or using stilts or leg extension devices contrary to section 116 of O. Reg. 213/91	28 (1) (a)	\$350
47.	Employer failing to ensure worker complying with stilts and leg extension devices requirements under section 116 of O. Reg. 213/91	25 (1) (c)	\$550
48.	Supervisor failing to ensure worker complying with stilts and leg extension devices requirements under section 116 of O. Reg. 213/91	27 (1) (a)	\$450
49.	Supervisor failing to ensure worker wears adequate personal protective equipment while using fastening tool under clause 117 (3) (a) of O. Reg. 213/91	27 (1) (a)	\$450
50.	Supervisor failing to ensure worker wears adequate eye protection while using fastening tool under clause 117 (3) (b) of O. Reg. 213/91	27 (1) (a)	\$450
51.	Constructor failing to ensure scaffold complies with subsection 128 (1) of O. Reg. 213/91	23 (1) (a)	\$550
52.	Employer failing to ensure scaffold complies with subsection 128 (1) of O. Reg. 213/91	25 (1) (c)	\$550
53.	Supervisor failing to ensure worker works on scaffold that complies with subsection 128 (1) of O. Reg. 213/91	27 (1) (a)	\$450
54.	Employer failing to ensure that scaffold complies with clause 129 (1) (a) of O. Reg. 213/91	25 (1) (c)	\$550
55.	Supervisor failing to ensure worker works on scaffold that complies with clause 129 (1) (a) of O. Reg. 213/91	27 (1) (a)	\$450
56.	Supervisor failing to ensure worker works on wheeled scaffold with brakes applied as required under clause 129 (1) (b) of O. Reg. 213/91	27 (1) (a)	\$450
57.	Worker working on wheeled scaffold without brakes applied contrary to clause 129 (1) (b) of O. Reg. 213/91	28 (1) (a)	\$250
58.	Employer failing to ensure scaffold platform or other work platform complies with subsection 135 (1) of O. Reg. 213/91	25 (1) (c)	\$550
59.	Constructor failing to ensure scaffold platform or other work platform complies with subsection 135 (1) of O. Reg. 213/91	23 (1) (a)	\$550

60.	Supervisor failing to ensure worker works on scaffold platform or other work platform that complies with subsection 135 (1) of O. Reg. 213/91	27 (1) (a)	\$450
61.	Supervisor failing to ensure worker wears connected harness while on or getting on or off suspended platform or boatswain's chair under subsection 142.06 (1) of O. Reg. 213/91	27 (1) (a)	\$450
62.	Employer failing to ensure worker given oral and written instruction on operating elevating work platform under section 147 of O. Reg. 213/91	25 (1) (c)	\$550
63.	Employer failing to ensure worker trained to operate class of elevating work platform under section 147 of O. Reg. 213/91	25 (1) (c)	\$550
64.	Supervisor failing to ensure worker attached to adequate anchorage point on specified elevating work platform contrary to clause 148 (1) (d) or (e) of O. Reg. 213/91	27 (1) (a)	\$450
65.	Worker failing to be attached to adequate anchorage point on specified elevating work platform contrary to clause 148 (1) (d) or (e) of O. Reg. 213/91	28 (1) (a)	\$350
66.	Constructor failing to ensure worker authorized under subsection 182 (1) of O. Reg. 213/91 connects, maintains or modifies electrical equipment or installations	23 (1) (a)	\$550
67.	Employer failing to ensure worker authorized under subsection 182 (1) of O. Reg. 213/91 connects, maintains or modifies electrical equipment or installations	25 (1) (c)	\$550
68.	Supervisor failing to ensure worker authorized under subsection 182 (1) of O. Reg. 213/91 connects, maintains or modifies electrical equipment or installations	27 (1) (a)	\$450
69.	Constructor failing to ensure worker does not bring object closer to overhead electrical conductor than permitted under subsection 188 (2) of O. Reg. 213/91	23 (1) (a)	\$650
70.	Employer failing to ensure worker does not bring object closer to overhead electrical conductor than permitted under subsection 188 (2) of O. Reg. 213/91	25 (1) (c)	\$650
71.	Supervisor failing to ensure worker does not bring object closer to overhead electrical conductor than permitted under subsection 188 (2) of O. Reg. 213/91	27 (1) (a)	\$550
72.	Worker bringing object closer to overhead electrical conductor than permitted under subsection 188 (2) of O. Reg. 213/91	28 (1) (a)	\$350

73.	Constructor failing to designate a competent worker as a signaller under subsection 188 (8) of O. Reg. 213/91	23 (1) (a)	\$550
74.	Employer failing to designate a competent worker as a signaller under subsection 188 (8) of O. Reg. 213/91	25 (1) (c)	\$550
75.	Worker failing to work in compliance with subsection 195.1 (1) of O. Reg. 213/91 by using inadequately grounded cord-connected electrical equipment or tools	28 (1) (a)	\$350
76.	Constructor permitting worker to enter non-compliant excavation contrary to section 224 of O. Reg. 213/91	23 (1) (a)	\$650
77.	Employer failing to ensure clear work space in excavation as required by section 231 of O. Reg. 213/91	25 (1) (c)	\$550
78.	Constructor failing to ensure area surrounding excavation kept clear as required by subsection 233 (1) of O. Reg. 213/91	23 (1) (a)	\$550
79.	Employer failing to ensure area surrounding excavation kept clear as required by subsection 233 (1) of O. Reg. 213/91	25 (1) (c)	\$550
80.	Employer failing to ensure worker does not operate machine so as to affect excavation wall stability contrary to subsection 233 (3) of O. Reg. 213/91	25 (1) (c)	\$550
81.	Employer failing to ensure worker does not position machine so as to affect excavation wall stability contrary to subsection 233 (3) of O. Reg. 213/91	25 (1) (c)	\$550
82.	Supervisor failing to ensure worker does not operate machine so as to affect excavation wall stability contrary to subsection 233 (3) of O. Reg. 213/91	27 (1) (a)	\$450
83.	Supervisor failing to ensure worker does not position machine so as to affect excavation wall stability contrary to subsection 233 (3) of O. Reg. 213/91	27 (1) (a)	\$450
84.	Constructor failing to ensure barrier provided at top of every excavation wall as required by subsection 233 (4) of O. Reg. 213/91	23 (1) (a)	\$550
85.	Employer failing to ensure barrier provided at top of every excavation wall as required by subsection 233 (4) of O. Reg. 213/91	25 (1) (c)	\$550
86.	Constructor failing to ensure support system designed by professional engineer as required by subsection 236 (1) of O. Reg. 213/91	23 (1) (a)	\$550
87.	Employer failing to ensure support system designed by professional engineer as required by subsection 236 (1) of O. Reg. 213/91	25 (1) (c)	\$550

88.	Constructor failing to ensure support system constructed in accordance with design drawings and specifications as required by subsection 236 (2) of O. Reg. 213/91	23 (1) (a)	\$550
89.	Constructor failing to ensure support system installed in accordance with design drawings and specifications as required by subsection 236 (2) of O. Reg. 213/91	23 (1) (a)	\$550
90.	Constructor failing to ensure support system used in accordance with design drawings and specifications as required by subsection 236 (2) of O. Reg. 213/91	23 (1) (a)	\$550
91.	Constructor failing to ensure support system maintained in accordance with design drawings and specifications as required by subsection 236 (2) of O. Reg. 213/91	23 (1) (a)	\$550
92.	Employer failing to ensure support system constructed in accordance with design drawings and specifications as required by subsection 236 (2) of O. Reg. 213/91	25 (1) (c)	\$550
93.	Employer failing to ensure support system installed in accordance with design drawings and specifications as required by subsection 236 (2) of O. Reg. 213/91	25 (1) (c)	\$550
94.	Employer failing to ensure support system used in accordance with design drawings and specifications as required by subsection 236 (2) of O. Reg. 213/91	25 (1) (c)	\$550
95.	Employer failing to ensure support system maintained in accordance with design drawings and specifications as required by subsection 236 (2) of O. Reg. 213/91	25 (1) (c)	\$550
96.	Supervisor failing to ensure support system used by worker in accordance with design drawings and specifications as required by subsection 236 (2) of O. Reg. 213/91	27 (1) (a)	\$450
97.	Constructor failing to ensure ladder for access to or egress from excavation placed in protected area as required by section 240 of O. Reg. 213/91	23 (1) (a)	\$550
98.	Employer failing to ensure ladder for access to or egress from excavation placed in protected area as required by section 240 of O. Reg. 213/91	25 (1) (c)	\$550
99.	Supervisor failing to ensure ladder for worker access to or egress from excavation placed in protected area as required by section 240 of O. Reg. 213/91	27 (1) (a)	\$450
100.	Constructor failing to ensure appropriate height of support system for walls under subsection 241 (1) of O. Reg. 213/91	23 (1) (a)	\$550

101.	Employer failing to ensure appropriate height of support system for walls under subsection 241 (1) of O. Reg. 213/91	25 (1) (c)	\$550
102.	Supervisor failing to ensure worker works in excavation with appropriate height of support system walls under subsection 241 (1) of O. Reg. 213/91	27 (1) (a)	\$450

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