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HEALTH and SAFETY BULLETIN

MOL Announces Ticketing for Industrial Safety Violations

The Ontario Ministry of Labour has announced that provincial health and safety inspectors are now authorized to issue "on-the-spot" offence notices, also known as "tickets," for unsafe work practices in the industrial sector. Inspectors were already authorized to issue tickets for health and safety violations in the construction, mining and diving sectors. Due to the nature of the activities undertaken at Queen's, the University is considered an industrial establishment and is subject to ticketing.

Tickets can now be issued under the Provincial Offences Act for 81 violations of the Occupational Health and Safety Act's industrial regulations. According to the Ministry of Labour, the targeted violations are those that "pose an immediate and potentially serious hazard to a worker, are immediately observable by inspectors and do not raise complex legal or factual issues." Aimed at high-risk activities or activities with a high incidence of critical injuries, violations for which tickets may be issued include: failure to wear fall protection equipment; failure to use a machine with adequate guarding; and failure to operate a lifting device in a safe manner.

Inspectors will be permitted to issue tickets during a workplace inspection, or as the result of investigating a complaint, injury, or work refusal. Tickets may be issued to employers, supervisors or workers. Set fines for ticketing in the industrial sector are \$200 and \$300, depending on the offence. A party who has been issued a ticket may choose to sign the guilty plea set out on the ticket and pay the fine. However, a party who chooses to dispute the offence may give notice of intention to appear in court and request a trial. At trial, parties may plead not guilty, or guilty with submissions respecting the fine, and provincial court justices are authorized to reduce the fine amount.

Expansion of the ticketing system to the industrial sector comes on the heels of the Ministry's announcement that it will hire 200 additional health and safety inspectors over the next two years. These initiatives are part of the government's goal to cut workplace injuries in Ontario by 20 percent by 2008.

Additional information on ticketing can be viewed at
<https://www.labour.gov.on.ca/english/hs/prevention/report/enforcement.php>

If you have any questions or concerns regarding "ticketing", call the Department of Environmental Health & Safety at 533-2999