

25 March 2020

Honourable Premier Doug Ford

Legislative office
Premier's Office
Room 281
Legislative Building, Queen's Park
Toronto, ON. M7A 1A1

Honourable Monte McNaughton

Ministry office
Ministry of Labour, Training and Skills Development
14th Floor
400 University Ave.
Toronto, ON. M7A 1T7

RE: WORKPLACE SAFETY ON CONSTRUCTION SITES IN ONTARIO

Dear Premier, Minister:

As you may know, the Ontario Pipe Trades Council of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada (the "OPTC") is a council of trade unions that represents approximately 18,000 active plumbers, pipefitters, steamfitters, welders, sprinkler fitters and HVAC technicians who are members of affiliated local unions across the Province of Ontario (the "UA"). The work performed by members of the UA plays a vital role in the economic prosperity of the Province of Ontario and the well-being of its residents.

The rapid spread of COVID-19 and its impact on Ontarians is difficult to fathom. It poses a direct and daily threat to the economic security and well-being of us all. The general consensus emerging from medical professionals is that the only realistic approach to combat the spread of COVID-19 is to consistently and without exception practice social distancing (of 6 feet or more), utilize good hand washing and hygiene practices and limit gatherings of individuals in all possible circumstances.

The situation has become so dire that, effective March 24, 2020 at 11:59pm, the Government of Ontario issued an Order under the *Emergency Management and Civil Protection Act* shutting down all non-essential services in the Province of Ontario. The vital and essential construction work performed by members of the UA was deemed to be essential and therefore is unaffected by this Order.

While some construction employers across the Province of Ontario have taken the morally necessary and legally required steps of ensuring that construction sites are safe and do not endanger workers in the face of COVID-19, many have not. Many construction sites have no protocols in place at all to mitigate the health and safety risk of COVID-19, including practices with respect to social distancing. Moreover, many construction sites suffer from squalor-like conditions that are incompatible with the fight against COVID-19, including washroom and cleanup facilities. It is inconceivable that members of the UA are required to continue to work to provide a service deemed essential by the Government of Ontario under workplace conditions that pose a heightened and unnecessary risk of contracting COVID-19.

This situation is unacceptable and cannot continue. The time has come for the Government of Ontario to take concrete and meaningful steps to protect the health and safety of the UA's membership. We are calling on the Government of Ontario to immediately issue an Order making it mandatory for construction employers to implement specific minimum standard protocols and procedures that address and mitigate the COVID-19 risk on construction sites including, without limitation:

- The practice of social distancing in accordance with medical best practices without exception;
- The provision and maintenance of hygienic washroom and cleanup facilities; and
- The ongoing assessment and monitoring of employees' health and fitness to work.

Implementing these minimum workplace standards alone is insufficient. The Government of Ontario must also commit to rigorously enforcing these standards. Without proper enforcement, the standards serve no purpose and lives continue to be at risk. Where contractors elect to ignore minimum workplace standards related to COVID-19 or knowingly fail to comply with them, the Ministry of Labour must be empowered to do things necessary to ensure the safety of workers, including the shutdown of construction sites until such time as contractors meet their obligations.

The work performed by members of the UA should not be treated as more essential than the health and safety of those performing the work. It is time for the health and safety of the UA's membership to receive priority over the economic benefit derived from their labour. The Government of Ontario must act now.

Sincerely,



James Hogarth
Business Manager
Ontario Pipe Trades Council