Month In Review – Ontario



LAWS & ANNOUNCEMENTS

Transportation Safety

Sep 14: Newly proposed *Highway Traffic Act* regulations would allow peace officers in Ontario to operate a Class F motor vehicle (inmate transportation vehicle) with a Class G driver's licence, regardless of whether persons in custody are on board. Under current rules, peace officers with a Class G licence may only operate an inmate transport vehicle, which is a Class F motor vehicle, if persons in custody are present in the vehicle. Deadline to comment: October 28.

Noise Hazards

Oct 7: The Workplace Safety and Insurance Board (WSIB) revised its policy on workers' compensation coverage of Noise-Induced Hearing Loss (NIHL) (16-01-04). The headline is what's not changing, including the 26.25 dB occupational NIHL threshold, 90 dBA five-year threshold, 500 Hz, 1000 Hz, 2000 Hz, and 3000 Hz frequencies, and two-year rule for tinnitus non-economic loss benefits.

Action Point: Use the OHS Insider Noise Control & Hearing Conservation Program template to protect your workers from hazardous noise exposure.

Emergency Response

Sep 14: Ontario announced that it's investing more than $20 million to upgrade the Vedette and Socket Lake Forward Attack Bases. Construction is underway to rebuild and modernize the bases, both of which are critical wildland fire management facilities strategically located to deploy fire crews, equipment, and aircraft in Northwestern Ontario.

New Laws

Sep 29: Ontario broadened eligibility for Protect Ontario Financing Program (POFP) loans to businesses facing tariff-related working capital challenges, including payroll, lease payments, and utility payments. The POFP is part of Ontario's broader tariff relief plan, which includes the Ontario Together Trade Fund for small and medium-sized enterprises, Trade-Impacted Communities Program, and Ontario Made Manufacturing Investment Tax Credit.

Action Point: Take 7 steps to ensure U.S. tariffs don't compromise your OHS program.

New Laws

Sep 24: In response to the new U.S. tariffs, Ontario announced that it's earmarking a record $49 million to the Ontario Small Business Advisory Centres (OSBAC) over the next three years. Formerly known as Small Business Enterprise Centres, OSBAC is a network of 51 business centres that offers support services to entrepreneurs across the province. Under the new system, each centre will use the OSBAC name, logo, and brand so that businesses recognize them as part of a coordinated province-wide network.

Training

Sep 2: The Ontario Skills Development Fund (SDF) Training

Stream awarded nearly $3.9 million to support four training projects designed to help more than 310 women, including survivors of gender-based violence and others facing barriers to employment, access training, and prepare for skilled trades careers. The recipients: Women's Crisis Services of Waterloo Region, The Redwood for Women and Children Fleeing Abuse, the Canadian Association of Women in Construction, and Metro Labour Education and Skills Training Centre.

Training

Sep 21: Ontario is developing a new standardized entry-level truck driver training curriculum for commercial drivers seeking Class A licences. All truck driver training organizations in the province will have to follow the new 103-plus hours curriculum. Additional training subjects being considered include fatigue management, northern, rural and remote driving, human trafficking awareness, and mandatory air brake training.

New Laws

Sep 25: Ontario announced that it will invest $30 million in the Vector Institute, a globally recognized non-profit AI research organization. The money will be used to advance responsible adoption of AI across the province's leading industries and create a pipeline of homegrown STEM and AI talent.

Action Point: Find out about the 11 ways you can use Artificial Intelligence to improve workplace safety and OHS compliance.

New Laws

Aug 18: Last June, Ontario enacted a new law called the *Municipal Accountability Act* empowering the government to adopt regulations holding municipal officials accountable for

misconduct. Now the government has published proposed regulations to implement the legislation by, among other things, establishing a single municipal code of conduct for all members of council and certain local boards, along with a standardized inquiry processes to be used by municipal integrity commissioners.

Industry Challenges

Sep 2: Ontario is investing $17.3 million in projects to modernize forest sector manufacturing that are expected to create six good-paying jobs, protect over 320 existing positions, and support more than 600 indirect jobs. The recipients include Interfor ($9.6 million), GreenFirst Forest Products ($5.9 million), and Atlantic Power ($180,000).

Environmental

Sep 15: The federal government awarded $4 million in funding for two clean fuels projects in the Greater Toronto Area: i. $2 million to Next Hydrogen to develop a scalable fabrication process and improve the efficiency, performance, and cost of electrolyzer modules; and ii. $2 million to CERT Systems to advance a process for converting captured carbon dioxide into ethylene for sustainable aviation fuel.

CASES

Machine Safety: Cement Hopper Fatality Results in $475,000 OHS Fine

A cement plant shutting down for the season turned off electrical power causing a gate of an overburden hopper used for moving quarry material to close while a young millwright apprentice hired by a subcontractor was doing maintenance work inside. Sadly, the worker didn’t survive the experience. The

plant pleaded guilty to failure, as a constructor, to ensure blocking was installed to prevent the movement of equipment during repair work and was hit with a $475,000 fine, the second highest OHS fine reported in Ontario this year [*St. Marys Cement Inc. (Canada*), MOL Press Release, September 28, 2026].

Action Point: Find out how to prevent these kinds of injuries and high OHS fines by implementing a legally sound Machine Guarding Compliance Game Plan at your workplace.

Material Handling: Gold Mine Operator Fined $100,000 for Falling Rock Injuries

A loose rock fell from the hanging wall of an underground gold mine and struck a worker scaling the wall from a work platform in the raise. MOL inspectors determined that the raise had inadequate ground support, with approximately five straps, 14 rock bolts, and 18 pieces of rebar missing and cited the employer for failing to ensure the ground conditions in the open raise were adequately supported and safe for the work performed. The company entered a guilty plea and received a $100,000 fine [*Wesdome Gold Mines Ltd.*, MOL Press Release, October 2, 2026].

Return To Work: Temporary Physical Disabilities Don’t Frustrate Employee’s Contract

A towing company demoted a senior employee returning from long-term disability from road boss to tow truck driver. The court ruled that the company committed constructive dismissal and awarded the employee 22 months’ notice. The company acknowledged constructive dismissal but claimed that the employee’s inability to carry out the physical demands of road boss frustrated his contract. The case reached the Ontario Court of Appeal which ruled that there was no frustration

because the company never expressly defined the essential positions of the road boss position. The evidence also showed that the employee's physical limitations were only temporary and that the company could have accommodated them. However, while upholding the ruling on liability, the Court said the lower court shouldn't have included the loss of perks like the employee's use of the company's tow truck and cellphone as damages and reduced the damage award by $125,640 [*Hill v. 1359768 Ontario Inc. (B&B Towing*), 2026 ONCA 577 (CanLII), August 10, 2026].

Action Point: The moral of the case for employers is that it's extremely difficult to claim that a disability or other condition or situation frustrates an employee's contract when there's no written job description expressly spelling out the essential duties of the job. Go to the OHS Insider's sister service, the HR Insider to find out more about the importance of job descriptions and how to write them in a legally sound way.

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