

# Ontario Considering Introducing New Heat Stress And Air Quality Requirements Under The Occupational Health And Safety Act



The Ontario government recently issued two new consultation papers, seeking comments and feedback from workers and employers regarding whether the *Occupational Health and Safety Act* (the Act) should be amended to address heat stress and poor air quality in the workplace. Currently, neither heat stress nor air quality (other than appropriate ventilation, in the industrial establishments regulation) are specifically addressed by the Act or its regulations, although both are presumptively covered by an employer's general obligation to take every reasonable precaution for the protection of workers.

With respect to heat stress, the government is proposing the introduction of a new, standalone regulation under the Act. According to the government's proposal published online, the regulation would:

- Introduce heat stress exposure limits based on the American Conference of Governmental Industrial Hygienists' method of assessing heat stress risk;
- Provide for the use of other methods to assess a worker's risk of exposure to heat stress;
- Require employers to identify and implement measures and procedures to control heat exposures based on the "hierarchy of controls"; and
- Require employers to provide worker information and instruction on recognizing the signs and symptoms of heat-related illnesses and the measures to protect themselves.

The proposal notes that increasing temperatures in Ontario may put workers at increased risk of heat stress and related illnesses.

While the government is not yet proposing the introduction of an air quality regulation, it is collecting feedback in order to determine if changes to the Act or its regulations should be made in order to address air quality. The questions the government is seeking feedback on include:

A. Does the nature of your work or workplace require workers to work outdoors

during periods of poor outdoor air quality'

**B.** If yes,

a. Does this have an impact on your workers ability to perform their duties and functions' How'

b. What control measures and procedures are you currently implementing to protect your workers'

**C.** How can the government support your workplace or workers during times of poor outdoor air quality'

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