

Ontario To Relax Notice Of Project Filing Rules



As in many provinces, in Ontario you can't start work on certain construction projects unless you submit written notification listing detailed information about the work. While the point of the rule is to enable the Ministry of Labour (MOL) flag hazardous operations for possible OHS inspection, filing Notice of Project (NOP), aka Form 0175, can be burdensome. That's why the MOL is seeking to relax the requirements.

Current NOP Rules

NOP is filed by the 'constructor,' or contractor in charge of certain 'projects' where workers of more than one employer work. Under current regulations (Sec. 6(1) of the *OHS Construction Projects Regulations*), NOP is required for projects that either: (i) Are expected to cost more than \$50,000 in materials and labour (the threshold is \$250,000 for projects at automotive manufacturer and assembler sites); or (ii) Involve high-any of the risk activities listed in the regulation.

Proposed Changes

The problem with current NOP rules is that the \$50,000 monetary threshold is both too low and not indicative of how dangerous a project actually is. So, the MOL is proposing not simply to raise but totally eliminate the money threshold and replace it with an expanded list of hazard-based triggers. The proposed amendment lists the following examples (which the MOL says is just a partial list):

- Installation of a tower crane;
- Erection of a scaffold 15 metres in height above its base support (or 10 metres for a tube and clamp system scaffold);
- Excavation work in a trench over 1.2 meters deep that a worker is required or permitted to enter including all underpinning work;
- Erection of formwork designed (in whole or part) by a professional engineer;
- Work on or near energized electrical equipment or installations, regardless of voltage;
- Work above or near water involving dredging or generation of hydro-electric

power; or

- Operations involving externally-loaded helicopter hoisting of materials.