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Bill 222

An Act to protect workers from heat stress

Co-sponsors:

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Private Members' Bill

1st Reading November 7, 2024

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Occupational Health and Safety Act* to add a new Part IV.1. Part IV.1 requires the Minister to develop and implement a Worker Heat Protection Standard and sets out requirements for that standard. Every employer is required to ensure there is heat stress training for employees.

All employees shall receive compensation at the regular rate at which the employee is employed for any period required under the Worker Heat Protection Standard, such as periods for rest, breaks, medical removal protection and training.

For the first five years after the Worker Heat Protection Standard is implemented, the Minister shall annually present a report to the Legislature detailing illness and mortality figures relating to heat stress and the Ministry's enforcement activities with respect to the Worker Heat Protection Standard.

An Act to protect workers from heat stress

Preamble

As the changing climate increases air temperatures, workers are increasingly exposed to conditions that threaten their health and even their lives. This is true for educators, mechanics, agricultural employees, workers in manufacturing and other workers throughout the workforce. Workers who were previously working in conditions at the limit of their tolerance or who were working in conditions that were relatively benign are now facing unprecedented challenges. They need protection in a way not previously necessary, they need it consistently and they need it now. This Bill sets the framework for the protection of these workers throughout our whole society.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 The *Occupational Health and Safety Act* is amended by adding the following Part:

PART IV.1 HEAT STRESS

Worker Heat Protection Standard

42.1 (1) The Minister shall develop and implement a Worker Heat Protection Standard that includes the following:

1. Requirements to eliminate hazardous levels of heat stress through engineering controls, such as isolating or shielding employees from sources of heat, exhaust ventilation, insulation of hot surfaces or climate-control technologies, as well as technology based standards that encourage the development of such control.
2. Requirements to limit exposure to hazardous levels of heat stress by using the hierarchy of controls, which may include the adjustment of work procedures, work schedules or other work practices.
3. Requirements to provide, at the employer's expense, breaks and personal protective equipment such as water-cooled garments, air-cooled garments, heat-reflective clothing and cooling vests.
4. Requirements for every employer to develop and implement, in consultation with and considering any recommendation of any health and safety representative or committee, a Heat Stress and Protection Policy and Program and to review the policy and program as often as necessary and no less than once every 12 months.
5. Requirements for every employer to conduct a heat stress assessment as often as necessary and no less often than the prescribed frequency, if any, to determine if a worker is or may be exposed to thermal conditions likely to cause heat stress.
6. Requirements for every employer to provide the health and safety representative or committee with the results of every heat stress assessment.
7. Requirements for every employer to provide workers with access to cool drinking water or an adequate alternative hydrating fluid close to every work area.

Implementation

(2) The Worker Heat Protection Standard shall be implemented no later than 12 months after the day this section comes into force.

Same

(3) In developing, implementing and updating the Worker Heat Protection Standard, the Ministry shall consult with Occupational Health Clinics for Ontario Workers and the Ontario Federation of Labour.

Updates

(4) The Worker Heat Protection Standard shall be updated as often as is necessary and no less than once every 12 months.

Publication

(5) The Worker Heat Protection Standard shall be published on a website of the Government of Ontario.

Required contents

(6) The Worker Heat Protection Standard shall include requirements for training approved by the Chief Prevention Officer for employees and supervisors in topics reasonable or necessary to protect employees from heat stress, including,

- (a) training employees in signs and symptoms of heat-related illness, emergency response procedure and their rights under this Part; and
- (b) training supervisors in monitoring and reporting heat conditions and environmental forecasts, recognizing signs of heat-related illness and protocols for responding to likely heat-related illness.

Mandatory training standard

42.2 (1) In addition to the training required under section 42.1, every employer shall ensure the health and safety representative and every committee member receives training on heat stress in accordance with subsection (2) of this section.

Contents of training

(2) The training referred to in subsection (1) shall include the following:

- 1. Occupational health and safety law related to heat stress.
- 2. Prescribed best practices for controlling exposure to heat stress.
- 3. Prescribed learning objectives.

Approval under s. 7.1 and 7.2

(3) The training referred to in subsection (1) must be approved under section 7.1 and the training must be provided by a provider approved under section 7.2.

Protection of pay

42.3 An employee shall receive compensation at the regular rate at which the employee is employed for any period required under the Worker Heat Protection Standard, such as periods for rest, breaks, medical removal protection and training.

Language access

42.4 Any training, poster, label, hazard alert or written plan required under the Worker Heat Protection Standard shall be provided in plain language in English and French as well as in another language understood by the employees, if such is not English or French, and prepared appropriately for the vocabulary, educational level and literacy of the employees.

Maintaining protection

42.5 Nothing in the Worker Heat Protection Standard may reduce the protection afforded to employees by an existing worker heat protection standard.

Report to Legislature

42.6 For the first five years after the Worker Heat Protection Standard is implemented, the Minister shall annually present a report to the Legislature detailing,

- (a) illness and mortality figures relating to heat stress; and
- (b) the Ministry's enforcement activities with respect to the Worker Heat Protection Standard.

Commencement

2 This Act comes into force 12 months after the day it receives Royal Assent.

Short title

3 The short title of this Act is the *Heat Stress Act, 2024*.