

Consultation on Extending Noise Protection Requirements to all Ontario Workers under the Occupational Health and Safety Act

Summary of Proposal

The Ministry of Labour is proposing to extend noise protection requirements to all Ontario workplaces under the Occupational Health and Safety Act (OHSA) that are not currently covered by noise requirements in the industrial, mining and oil and gas-offshore sector regulations. Examples of workplaces affected by this proposal include: health care facilities, schools, farming operations, fire services, police services and amusement parks.

The proposal builds on the ministry's concurrent proposal to introduce noise protection requirements for Ontario construction workers (please see the MOL's consultation document entitled "Consultation on Improving Occupational Health Protections for Ontario Construction Workers").

As with the construction sector proposal, the noise protection requirements to be applied would be similar to existing ones found in regulations on Industrial Establishments (Section 139 of [Regulation 851](#)), Mines and Mining Plants (Section 293.1 of [Regulation 854](#)) and Oil and Gas-Offshore (Section 41 of [Regulation 855](#)).

An outline of the ministry's regulatory proposal is provided in the "[Details of Proposal](#)" section below. The proposed regulatory amendments, if approved, would take effect six (6) months after the amending regulation is made.

The ministry would appreciate receiving feedback on this proposal and any potential cost implications by December 29, 2014. For more information on how to submit your comments please see the "[How to participate](#)" section at the end of this document.

Background

Noise is a serious hazard in many workplaces. Over time, if exposure to noise from machinery, processes, and equipment is not properly controlled or eliminated, workers may suffer permanent hearing loss. Over the last five years, the annual costs for noise induced hearing loss claims for all sectors in Ontario exceeded \$50 million per year, according to the Workplace Safety and Insurance Board (WSIB).

Details of Proposal

The proposed noise requirements are the same as those that apply to workplaces in Ontario that fall under industrial establishments ([Regulation 851](#), Section 139), mines and mining plants ([Regulation 854](#), Section 293.1), and offshore oil and gas facilities

([Regulation 855](#), Section 41). These requirements include:

1. Establishing an exposure limit for noise (i.e., 85 dBA, $L_{ex, 8}$ – based on 8-hour time-weighted average exposure).
2. Requiring employers to take all measures reasonably necessary in the circumstances to protect workers from exposure to hazardous sound levels, which would be time-weighted exposures that exceed the recommended sound exposure limit of 85 dBA, $L_{ex, 8}$. These measures would include the provision of engineering controls (e.g. installation of sound barriers) and use of work practices (e.g., reduced time spent working while exposed to noise).
3. Under specific conditions, allowing the wearing of hearing protection. Examples of conditions under which hearing protection is permitted to be worn include: emergencies, where engineering controls breakdown or do not exist, or it is not feasible to adopt such controls because of the duration or frequency of the exposures or the nature of process, operation or work.

The proposal aims to harmonize noise requirements for all industry sectors and workplaces. It will also ensure consistency in the approach taken by all employers to protect workers from noise. It will also provide workers with the same level of protection under the OHSA to a common hazard – noise.

How to participate

The consultation period ends on December 29, 2014.

Send us your comments:

Email: WebHSpolicy@ontario.ca

Fax: 416-326-7650

Write to us:

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Notice to Consultation Participants

Submissions provided to the Ministry of Labour ("ministry") in the context of this consultation are intended to facilitate the development of, and amendments to, regulations under the Occupational Health and Safety Act. This process may involve the ministry publishing your submissions or summaries of submissions (in hard copy and on

the internet). In addition, the ministry may disclose your submissions to third parties as part of the consultation process or where required by law.

If you identify yourself or other individuals in the body of the submission, this identifying information may be published or otherwise disclosed to the public. Any name and contact information provided outside of the body of the submission will not be disclosed by the ministry unless required by law. Any individual who provides a submission and indicates an affiliation with an organization will be considered a representative of that organization and his or her name and other identifying information may be published or otherwise disclosed.

Personal information collected during this consultation is under the authority of Section 70 of the Occupational Health and Safety Act and is in compliance with Section 38 (2) of the Freedom of Information and Protection of Privacy Act.

If you have any questions regarding privacy matters, you may contact the ministry's Freedom of Information and Privacy Office at 416-326-7786.