

POOR OUTDOOR AIR QUALITY AND WORKPLACE HEALTH AND SAFETY CONSULTATION

Introduction

The Ministry of Labour, Immigration, Training and Skills Development (MLITSD) is interested in receiving feedback and information on the issue of poor outdoor air quality and its impact on workplace health and safety.

Background

Outdoor air quality in Ontario can vary due to a variety of factors including pollutant emissions from major sources such as transportation and industry, weather, impacts from events such as forest fires, and the long-range transport of air pollutants from the United States and elsewhere.

Outdoor air quality is monitored by the Ministry of the Environment, Conservation and Parks (MECP). Concentrations of common air pollutants and the Air Quality Health Index are publicly reported 24 hours per day, 7 days a week through the MECP's [air quality website](#).

The *Occupational Health and Safety Act* (OHSA or the Act) and its regulations do not specifically address poor outdoor air quality. Under the Act, employers have a general duty to take every precaution reasonable in the circumstances for the protection of a worker. This includes protecting workers from the hazards associated with poor outdoor air quality that could pose a risk to workers working outdoors. The [hierarchy of controls](#) is a set of practices an employer can consult when considering how to protect workers from exposure to hazards such as poor outdoor air quality.

Discussion Questions

MLITSD is seeking your feedback on whether poor outdoor air quality is an issue for Ontario workplaces, and whether the OHSA and/or its regulations may need to be changed.

Feedback can be submitted on any or all of the discussion questions asked in this paper.

You may also take this opportunity to share any other issues, concerns, or ideas you may have about the impact of poor outdoor air quality on workplace health and safety that are not specifically mentioned in this paper.

- 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?

Notice to Consultation Participants

Submissions and comments provided to the Ministry of Labour, Immigration, Training and Skills Development (MLITSD) are part of a public consultation process to solicit views on and to facilitate MLITSD's development of proposed new regulatory requirements related to enhancing workplace protections from poor outdoor air quality. This process may involve MLITSD publishing or posting to the internet your submissions, comments, or summaries of them. In addition, MLITSD may also disclose your submissions, comments, or summaries of them, to other parties during and after the consultation period.

Therefore, you should not include the names of other parties (such as the names of employers or other employees) or any other information by which other parties could be identified in your submission.

If you, as an individual, do not want your identity to be made public, you should not include your name or any other information by which you could be identified in the main body of the submission. If you do provide any information which could disclose your identity in the body of the submission, this information may be released with published material or made available to the public.

However, your name and contact information provided outside of the body of the submission (such as that which may be found in a cover letter, on the outside of an envelope, or in the header or signature of an email) will not be disclosed by MLITSD unless required by law. An individual who provides a submission or comments and indicates a professional affiliation with an organization will be considered a representative of that organization and his or her identity in their professional capacity as the organization's representative may be disclosed.

Personal information collected during this consultation is under the authority of s. 4.1 of the *Occupational Health and Safety Act* and is in compliance with subsection 38(2) of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions regarding the collection of personal information as a result of this consultation, you may contact MLITSD's Freedom of Information Office, 400 University Avenue, 10th Floor, Toronto, Ontario, M7A 1T7, or by calling 416-326-7786.

Due Date: September 18, 2023

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