



Ken Rayner:

Did you know asbestos exposure in Canada still claims thousands of lives each year? This silent danger hides in plain sight, and without the proper training, you might not even realize it's a significant hazard to your health. According to the Occupational Cancer Research Centre and CAREX Canada, every year approximately 470 lung cancers affect workers in the Canadian construction industry alone—and it's completely preventable.

Announcer:

It's time for the *IHSA Safety Podcast*.

Ken Rayner:

Welcome to *the IHSA Safety Podcast*. I'm your host Ken Rayner. With asbestos being long recognized as a serious health hazard, we're very glad to welcome back to the podcast Michele Beckstead-Jackson from Ontario's Ministry of Labour, Immigration, Training and Skills Development [MLITSD], to help us understand how training can help ensure Ontario workplaces are well-equipped to recognize the dangers of asbestos and how to safely control and manage the hazard.

Welcome back, Michelle. Great to have you here.

Michele Beckstead-Jackson:

Thanks, Ken. I'm happy to be here. I appreciate the invite.

Ken Rayner:

Well, you know what, Michelle, it's great to have you here because, as we were talking about just before the podcast started, it's a challenge for a lot of employers to go through the green book and be able to understand exactly what's needed to be done in regards to asbestos, and you're going to provide everyone with a clear direction on what's required from training today. So I'm really excited, not only for myself to learn more about this but also for our employers and workers in Ontario who are going to get a very clear understanding of what's required when working with asbestos.

So let's get into it, and my first question for you, Michelle, is it's been approximately 40 years since we stopped using asbestos in most products in Ontario construction and renovation, so why is this still a very important topic to discuss?

Michele Beckstead-Jackson:

That's a very good question, Ken. Although it's true that asbestos in construction projects mostly halted by 1990, there are still a few products that continue to be used into the 2000s. Asbestos was not actually officially banned in Canada until April 2018, which included the manufacturing and import, sale, and use of products.

However, during those latter years, asbestos-containing cement pipes, for example, storm-water drains, and other construction materials continued to be imported and used significantly in new builds right up to 2014. So although the most dangerous materials known to be friable are no longer being used, it is still very important and relevant for workers to know that asbestos still exists, especially in older buildings, and especially in renovation and demolition work. But also, in a few specific areas in newer buildings, they're also being used. Therefore employers must understand the training requirements and ensure their workers continue to be properly trained.

Ken Rayner:

All right. So in episode 82 of the podcast, which we did earlier this year, we talked extensively about the reporting and notification responsibilities for asbestos, but now we're doing a second podcast covering training requirements. Why is that so important to discuss on its own, Michelle?

Michele Beckstead-Jackson:

Well, I'm really glad you asked that. As mentioned in the previous podcast on notification reporting, Regulation 278/05 came into effect November 1, 2005. So that's almost 20 years ago now, yet we still have many instances of non-compliance, with workers--not having required training or training proof available--who are doing Type 3 abatement work.

Secondly, asbestos is a designated substance and must be taken seriously when dealing with it, and worker training therefore is critical and needs to be emphasized.

Ken Rayner:

Let's remind our listeners, because I know, again, you covered this in the other podcast, but I think it's so important that we have to go over this one more time. Remind our listeners about the three different types of asbestos operations in Ontario, and what's expected regarding training under the asbestos regulation, and how does that training differ from Type 3 abatement training?

Michele Beckstead-Jackson:

Okay, so first, under Section 12 of Reg. 278/05, there are three types of asbestos removal operations. You have your Type 1, Type 2, and your Type 3, each with their own criteria to determine what type of removal would be necessary to apply. So I really encourage your listeners to hone in on Section 12 and go through that.

It is an employer's responsibility regarding training. That specifically is found under sections 19 and 20 of the regulation. And the type of operation workers are doing or involved in determines really, ultimately, what training they must receive. So you spoke about general awareness training, and that is to be

provided, one, by a competent person and is required regardless of whether they're doing Type 1, Type 2, or Type 3 operations.

General training differs from Type 3 because its focus is on every worker who may come in contact with asbestos. They need to receive that general training. Once you've received that general training, if you're doing Type 3, so in addition to that training, workers and supervisors must complete the *Asbestos Abatement Worker (253W)* and *Asbestos Abatement Supervisor (253S)* training that has been approved by the Ministry before they can either be involved in doing Type 3 work or supervising Type 3 work.

Ken Rayner:

Good stuff. Very clear, thank you. You mentioned an interesting term in your response there. You said competent person. Can you explain why that term is important, in terms of what we're discussing here in regards to asbestos training?

Michele Beckstead-Jackson:

Yeah, it's not only important, it's really critical to workers being properly prepared to do the job safely, ultimately. If that person providing training has no practical experience in abatement work and is not competent themselves in the measures and procedures that workers must follow, how can they possibly ensure that a worker is given all the proper information and techniques that they need to know in order to work smart and safely? So competence is absolutely key.

Ken Rayner:

Michelle, can you talk a little bit more about what should be covered in general awareness asbestos training?

Michele Beckstead-Jackson:

Yeah, absolutely. So the regulation outlines the topics right in it that are to be covered for general awareness training, which would include the hazards of exposure, personal hygiene. And that goes to say things like, "don't be eating your lunch when you're anywhere near any kind of asbestos operation, whether you're involved or not."

Ken Rayner:

Goodness, no.

Michele Beckstead-Jackson:

But people do it. And safe work practices should be covered, use and maintenance of equipment and the limitation of respirators, for example. So all those things are important to cover in general awareness.

General awareness training would include and should be given to workers such as electricians and plumbers and pipe fitters, gas fitters, painters, drywallers, demolition workers, even heating and ventilation workers, and could go as far as computer installers performing work in the area of a Type 1,

Type 2, Type 3 operation who might not even be involved in an actual asbestos removal operation. So you've got general awareness training being given to those who are doing the work in Type 1 and Type 2. And you also need to keep in mind all of these other workers that may be on the periphery within that area that are not actually doing the work. They also need that training.

It's also essential to educate your workers to understand how to recognize ACM [asbestos-containing material] and understand the materials ACM can be found in. It's important that in the training they would cover talking about hazard assessments being completed, how they're critical, and overall they contribute to reducing any potential exposures, and for workers to be aware that a ministry inspector also may request to see their record of general awareness training at any time, so they need to make sure they have their cards on them.

Ken Rayner:

Excellent, great advice. And Michelle, can you just clarify what the abbreviation ACM stands for?

Michele Beckstead-Jackson:

Asbestos-containing material.

Ken Rayner:

Asbestos-containing material, there you go. All right. I'm going to ask you a question, Michelle, that I kind of think I know the answer to because I remember us discussing this in our last podcast we did together on reporting and notifications. So general training has been organized for workers by an employer. Does anybody else need to be notified about the training?

Michele Beckstead-Jackson:

Yes, they do. The employer also has a responsibility to advise the joint health and safety committee (JHSC) or the health and safety representative (HSR) of the time and the place where the instruction and training will be taking place. So this supports their roles and responsibilities within their internal responsibility system of open communication to all workplace parties.

Ken Rayner:

Excellent. All right. I remembered part of the podcast from last time. That's great. Hey, let's get into Type 3, because I think that's really where we're talking about significant danger in dealing with asbestos. Type 3 abatement worker certificate of completion—who must complete it? Is it just the workers, or does that need to be done by anybody else?

Michele Beckstead-Jackson:

No, both workers and supervisors must complete the training. There is both the *Asbestos Abatement Worker*, which is referred to as 253W, where there's no prerequisite required for that course. And then there's the second course, which is the *Asbestos Abatement Supervisor (253S)*, where there is a prerequisite required, and that is that you must have already taken the 253W. So before becoming certified, for instance, as an asbestos abatement supervisor, you must have, one, been certified as an

asbestos abatement worker first, have taken a 16-hour training course on being a supervisor in construction, and take the *Asbestos Abatement Supervisor* program and pass the test.

Ken Rayner:

That would make me as a worker feel very good, knowing that my supervisor understands the training that I'm going through as a worker; understands the process and how to manage everything. So that's fantastic that both the worker goes through the training, but the supervisor not only goes through the supervisory training, they're also going through the worker training so it's very, very clear. That's fantastic.

Michele Beckstead-Jackson:

Well, it's a key check system, right? I mean, without that supervisor being there, you can know all your stuff, but it's always good to have someone else that's also got an eye on the operation and is knowledgeable, to make sure that nothing does get missed.

Ken Rayner:

Absolutely. Michelle, what's the process for an employer to ensure that their workers get the Type 3 training?

Michele Beckstead-Jackson:

There are several critical steps, but, for example—and I'm going to go through them literally as the step one, step two. In order to get started, being step one, the employer/joint local-union employer must first apply to MLITSD, our ministry, to the local apprenticeship office, to become what's called a signing authority by submitting a signing authority application form, and that form can be found on the ministry apprenticeship site. So that's step one.

Step two, when approved by the ministry local apprenticeship office, the signing authority must register employees in the ministry-approved asbestos abatement program and then submit the required paperwork to the local ministry office before training actually begins.

So that brings us to step three. The employer must make sure the trainer provider that they choose is addressing the training required, ensuring that is what's being delivered as per the training standard. It's also important to keep in mind as well that the ministry does not approve training providers.

Ken Rayner:

Boy, the acronym for the Ministry of Labour, Immigration, Training and Skills Development doesn't roll off the tongue the way the Ministry of Labor, MOL, used to, does it? Okay, so we're going through this stuff step by step, which is great. So then what happens, once the worker has completed their Type 3 in-class training?

Michele Beckstead-Jackson:

Once they've done that, it moves into what I call step four. So the signing authority or the worker can register with the local college testing center to take the test that they're required to take. This registration is most often done by the signing authority, i.e., the employer, but not always.

Step five, after the successful completion of the test and submission of the training document signed off by the signing authority, they then submit to the ministry local apprenticeship branch, and then that branch will in turn issue a completion certificate card to the worker or to the supervisor. But the steps are really very, very important, to say the least, and I'm trying to make it as simple as possible.

Ken Rayner:

Okay. So let's just clarify those steps, if we could then. So my question is, does a worker have to complete both the in-class portion, as well as the test they need to take, before they can do Type 3 removal work, or can they start the work right after the in-class training has been delivered?

Michele Beckstead-Jackson:

So, yes to your first piece. You must complete both the in-class training and the test. Otherwise, the worker would be seen as not being qualified to do Type 3 abatement work.

Ken Rayner:

Okay, very clear. So you need to have the in-class training, and you've got to have the test.

Michele Beckstead-Jackson:

Correct.

Ken Rayner:

Okay, so let's get into a real-life example because I think sometimes these things happen, delays happen and the likes. So what happens if a worker has just completed the in-class portion and the test a few weeks ago and a ministry inspector asks them to show their certificate of completion card, however the worker hasn't received their card from the ministry yet?

Michele Beckstead-Jackson:

So as a temporary measure, and I emphasize the word temporary, a worker could provide a copy of their in-class training certificate that they received for 253W from their "provider issued", they refer to it as. So whoever gave that training would issue acknowledgement that [the worker] had done it, so they could potentially share that certificate and their test results from the college. Again, it would need to be results that the college issued to the inspector upon request.

However, this is temporary and will not be accepted as a permanent solution. It is also at the inspector's discretion whether to accept or not, in the interim of the worker receiving their ministry certificate of completion card.

Ken Rayner:

Okay, some good advice there. So just to safeguard, a worker when they're done taking the in-class training and successfully complete it, they get, let's say, a record of training from the, as an example, the IHSA. And they've got their test, and that's something they can show in the interim, not long term, but in the interim until they receive a card from the ministry. Terrific. All right, so how about a worker, how does a worker-

Michele Beckstead-Jackson:

Sorry to interrupt, but an example, though, where that's not going to work, obviously, when I say it's the inspector's discretion—if you've got someone that shows that inspector that their in-class provider issued them a 253W eight months ago, and they finished their college and their test results, the date on that is eight months ago —well then that inspector may not allow it in that particular case because they may feel that there was adequate time that they should have received their certificate of completion.

Ken Rayner:

Okay.

Michele Beckstead-Jackson:

And if the worker hasn't followed up on their own, that could be a problem.

Ken Rayner:

Okay, okay.

Michele Beckstead-Jackson:

Right.

Ken Rayner:

Okay, so if the worker hasn't received their card from the ministry in a time frame that they would expect, then they should be contacting the ministry to follow up and to find out where their card is.

Michele Beckstead-Jackson:

Right.

Ken Rayner:

Okay. Well good, thank you. How does a worker ensure that they were officially registered in the asbestos abatement program in the ministry system and therefore they're assured to receive a completion card from the ministry?

Michele Beckstead-Jackson:

So the only way to be registered in the program is if your employer has applied to the ministry's local apprenticeship office to become a signing authority by submitting what I talked about earlier: a signing

authority application form. And only then will your employer be able to then sign the worker up for the asbestos abatement or supervisor program. And that's a critical step, as mentioned earlier.

If a worker is not registered in the program, then they will not receive a certificate of completion card. So it's important to note that if a worker does not forward their test results to their signing authority for their signing authority to pass on to the ministry, the ministry would be unaware that they had completed the program, and therefore no card would be issued.

When they finish the test, the college only sends those results to the worker. Therefore, it's a worker's responsibility to make sure they forward those on to their signing authority so that the signing authority can then in turn notify the ministry. They do not send those test results to anyone but the worker, and I think that's sometimes something that's misunderstood.

Ken Rayner:

Oh, I can appreciate that a hundred percent, Michelle, which is why we're doing this podcast, which is why we have you on to explain clearly to Ontario employers and workers exactly the process you need to follow. So I know you somewhat answered this question already, but let me just make sure this is really crystal clear. If I, as a worker, followed all the proper procedures and I still don't receive a card from the ministry in a time frame that I think makes sense, what do I do?

Michele Beckstead-Jackson:

Well, in that case, the worker really needs to phone their signing authority, who will in turn need to call the local apprenticeship office to find out why there's a delay. I mean, things do happen for sure, but ultimately the worker and the employer share this responsibility to follow up. The worker from the perspective that they need to be carrying their proof of completion card, and from the employer's perspective who needs to ensure workers have their card before they're doing any Type 3 abatement work.

Ken Rayner:

So what I've heard you say is, even if you've done everything that you believe to be right and you're not getting your card, haven't received your card in the timeframe that you think is reasonable—maybe a month, maybe six weeks—following up with the local office is extremely important, and you need to take that initiative yourself. Don't just sit there and wait and go, “It's been a year and I haven't got my card. Oh well, I'll just keep waiting”.

Michele Beckstead-Jackson:

Right.

Ken Rayner:

All right, a couple more questions for you, Michelle. So you've just covered off a whole bunch of information regarding training requirements under the asbestos regulation. Is there anywhere else in law where employers and supervisors have this responsibility to train their workers?

Michele Beckstead-Jackson:

Yes, I'm sure people know, but of course there are the overarching duties and responsibilities that fall under Section 25 of the [*Occupational Health and Safety Act*], including the requirement for every employer to take every reasonable precaution in the circumstances to keep that worker safe and ensure workers are provided with information, instruction, and supervision, which are just two of the many listed under the act. And of course, there are also the duties of the supervisor that must be adhered to under section 27 of the Act.

Ken Rayner:

All right. Everything reasonable in the circumstance is very, very important. Okay, last question, Michelle, what would you recommend for an Ontario employer or a worker that's seeking additional information on asbestos training?

Michele Beckstead-Jackson:

Well, the good news is there's actually a lot of resources out there for both the employer and workers who may be doing asbestos abatement work. So starting with health and safety associations, like IHSA, who offer general awareness training on asbestos and the 253W or 253S, which are your Type 3 certification courses. Another great source is the EACC, which is the Environmental Abatement Council of Canada website. On there they do list abatement companies, for example—Pinchin is one who does both general and Type 3 abatement certification courses.

Ken Rayner:

Michelle, it's so great to have you here, and I really do appreciate you joining us for this second episode on asbestos, because it's something that is an inherent danger, but I have a very strong feeling that in most cases employers and workers are not clear. They don't have clarity exactly what to do, and you've just spelled it out on this podcast very clearly as to what they need to do to make sure they're taking the right training at the right time to work safely around asbestos. So thank you so much for joining us.

Michele Beckstead-Jackson:

You're welcome. I really, really hope it's helpful.

Ken Rayner:

It's going to be. I'm sure about that. And thank you to the listeners for listening to the *IHSA Safety Podcast* and our episode on asbestos training requirements. Be sure to subscribe and “like” us on your podcast channel, and visit us at ihsa.ca for a wealth of health and safety resources and information.

Announcer:

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