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Ontario to Review Changes to Compulsory Coverage for Construction

The Province of Ontario's Ministry of Labour has announced a review of the terms and conditions for mandatory registration and coverage for the Construction Industry. The review could result in an expansion of mandatory coverage.

The main points of the Draft are contained to expand coverage for independent operators and sole proprietors. These are not currently required to register in Ontario. The only exemption proposed is for contractors solely engaged in home renovation work.

(In BC, the sole proprietor who does not hire any workers is not required to register but may obtain personal compensation coverage by purchasing Personal Optional Protection.)

The main points of the Draft are contained in this proposed wording:

Expanded Compulsory Coverage in Construction

The following persons are deemed to be workers to whom the insurance plan applies:

1. Every independent operator carrying on business in construction.
2. Every sole proprietor carrying on business in construction.
3. Except as otherwise provided by the regulations, every partner in a partnership carrying on business in construction.
4. Except as otherwise provided by the regulations, every executive officer of a corporation carrying on business in construction.

s. 12.2(2)

When a person is deemed to be a worker under subsection (1), the independent operator, sole proprietor, partnership or corporation, as the case

may be, is deemed to be the employer for the purposes of the insurance plan.
s. 12.2(8)

Subsections (1) to (4) do not apply in respect of, (a) independent operators and sole proprietors who perform no construction work other than exempt home renovation work; and (b) partners in partnerships and executive officers of corporations who perform no construction work other than exempt home renovation work.

The details of the nine page Draft policy from Ontario are to be found at:

[http://www.wsib.on.ca/wsib/wsibobj.nsf/LookupFiles/Bill119ConstrExpandedCvg/\\$File/ExpandedCvgConstruction.pdf](http://www.wsib.on.ca/wsib/wsibobj.nsf/LookupFiles/Bill119ConstrExpandedCvg/$File/ExpandedCvgConstruction.pdf)