

Date: March 21, 2017

Inspector Ewing:

Via email [kristine.ewing@ontario.ca](mailto:kristine.ewing@ontario.ca)

The University of Toronto Faculty Association (“UTFA”) represents faculty members at the University of Toronto, including faculty who work in the Medical Sciences Building (“MSB”). We understand from our member, Professor Maria Rozakis, that you have been assigned to investigate, on behalf of the Ministry of Labour, concerns relating to asbestos exposure and asbestos management at the MSB. Recent events at the MSB and the University administration’s response to these events have adversely affected the health and wellbeing of faculty members, students, staff and others and revealed significant gaps in the University’s asbestos management program as well as the internal responsibility system. UTFA is extremely concerned that the health and safety of workers, including faculty, research assistants, students, staff, and others in the MSB, continues to be at risk.

As you may be aware, renovations to the MSB began in the fall of 2016 and are expected to continue for at least the balance of 2017. These renovations, which include the demolition of walls, have involved asbestos abatement work. Since as early as January 2017, several UTFA members who have laboratories on the 6<sup>th</sup> and 7<sup>th</sup> floor of the MSB, in close proximity to the construction and asbestos abatement activities, have reported concerns regarding asbestos exposure in their laboratories to the University’s Environmental Health and Safety Department (“EHS”). Based upon observations by faculty of the construction and abatement activities, there were serious concerns that asbestos had contaminated the ventilation system.

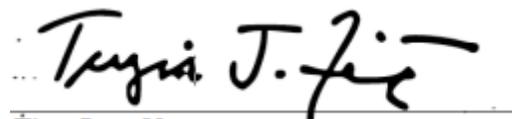
Testing conducted by EHS of the debris found in several labs confirmed the presence of asbestos fibres. At the same time, affected faculty members were advised that the air clearance testing results were below legal limits and, therefore, safe. As you are aware, Professor Rozakis’ laboratory was one of the affected laboratories and, based upon the “testing” was determined to be safe. Professor Rozakis and her students subsequently found significant dust and debris in the laboratory, which has since been confirmed to contain significant amounts of asbestos. That laboratory has been closed since the beginning of March.

To the best of UTFA’s knowledge, JHSC representatives were not advised of the testing nor given the opportunity to be present at the beginning of testing, as is required by the OHS Act. There are serious concerns that the testing methodology used does not comply

with Ontario Regulation 278/05 (e.g. it does not appear that forced air is used before or during the testing to dislodge fibres from surfaces). Moreover, to date, none of the testing results have been provided within 24 hours or posted “in a conspicuous space in the workplace or in common areas of the building” as is required under Ontario Regulation 278/05. In fact, the results are not posted at all in the workplace but are only available upon request to the University administration through a multi-step process that requires a “utorid via blackboard portal”. It is UTFA’s view that anyone who accesses the building, including academic and non-academic staff, students, construction workers, and visitors, should be made aware of the exposures and any recent test results so that they can protect their health and safety.

As indicated above, UTFA is concerned that the relevant JHSCs (there is one for the MSB and for the Faculty of Medicine) were not made aware of all of the asbestos exposures, test results and the University administration’s actions in a timely manner. It is unclear as to whether they are even aware of work refusals by students who work in the laboratories. The failure of the University administration to discharge its duties with respect to the JHSC as required by the *OHSA* is adversely affecting worker health and safety.

After much prompting the University administration has held meetings with faculty and students in some departments, sharing some information, including test results obtained using methods UTFA disputes. Moreover, the University administration has failed to inform many other affected parties (e.g., cleaners, cafeteria workers, members of the public) about the existence of an asbestos contamination and extent of the possible exposures (which could be significant if, in fact, the ventilation system was compromised), the cause of the exposures, the scope of the testing, and/or what measures are being taken to prevent exposures in the future. As construction and asbestos abatement activities continue in the MSB, UTFA and its members are extremely concerned that the health and safety of anyone who works in or uses the building continues to be at risk. In these circumstances, UTFA urges the Ministry of Labour to take action immediately to address this ongoing situation and ensure that worker health and safety is protected.

A handwritten signature in black ink, reading "Terezia J. Zoric", written over a horizontal line.

**Terezia J. Zoric**  
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