



OMH CELEBRATES END OF SUMMER

On September 10, OMH celebrated the end of summer with a BBQ and Bocce Tournament. Pictured above are the gracious tournament winners Belles of the Ball (Chantel Goldsmith and Danny Chou) and runners up Veni Vidi Bocce (Carolyn McCarney and Owen Duguid).

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CHANTEL GOLDSMITH



On November 14, 2013, the Ontario Ministry of Labour filed a new regulation to the *Occupational Health and Safety Act* that impacts Ontario workplaces, *Ontario Regulation 297/13 Occupational Health and Safety*

Awareness Training (the "Regulation"), which came into effect on July 1, 2014. Now, all employers covered under the *Occupational Health and Safety Act* must ensure that all their workers and supervisors complete a basic occupational health and safety awareness training program. The content of the training must meet the new regulatory requirements.

Subsection 1(1) of the Regulation provides the basic occupational health and safety awareness training requirement for workers, as follows:

An employer shall ensure that a worker who performs work for the employer completes a basic occupational health and safety

awareness training program that meets the requirements set out in subsection (3) as soon as practicable.

The specific instruction for what a basic occupational health and safety awareness training program for workers must include is found in subsection 1(3) of the Regulation.

Subsection 2(1) of the Regulation provides the basic occupational health and safety awareness training requirement for supervisors, as follows:

An employer shall ensure that a supervisor who performs work for the employer completes a basic occupational health and safety awareness training program that meets the requirements set out in subsection (3) within one week of performing work as a supervisor.

The specific instruction for what a basic occupational health and safety awareness training program for supervisors must include is found in subsection 2(3) of the Regulation.

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IS YOUR WORKPLACE COMPLIANT WITH THE NEW OCCUPATIONAL HEALTH AND SAFETY AWARENESS TRAINING REGULATION?

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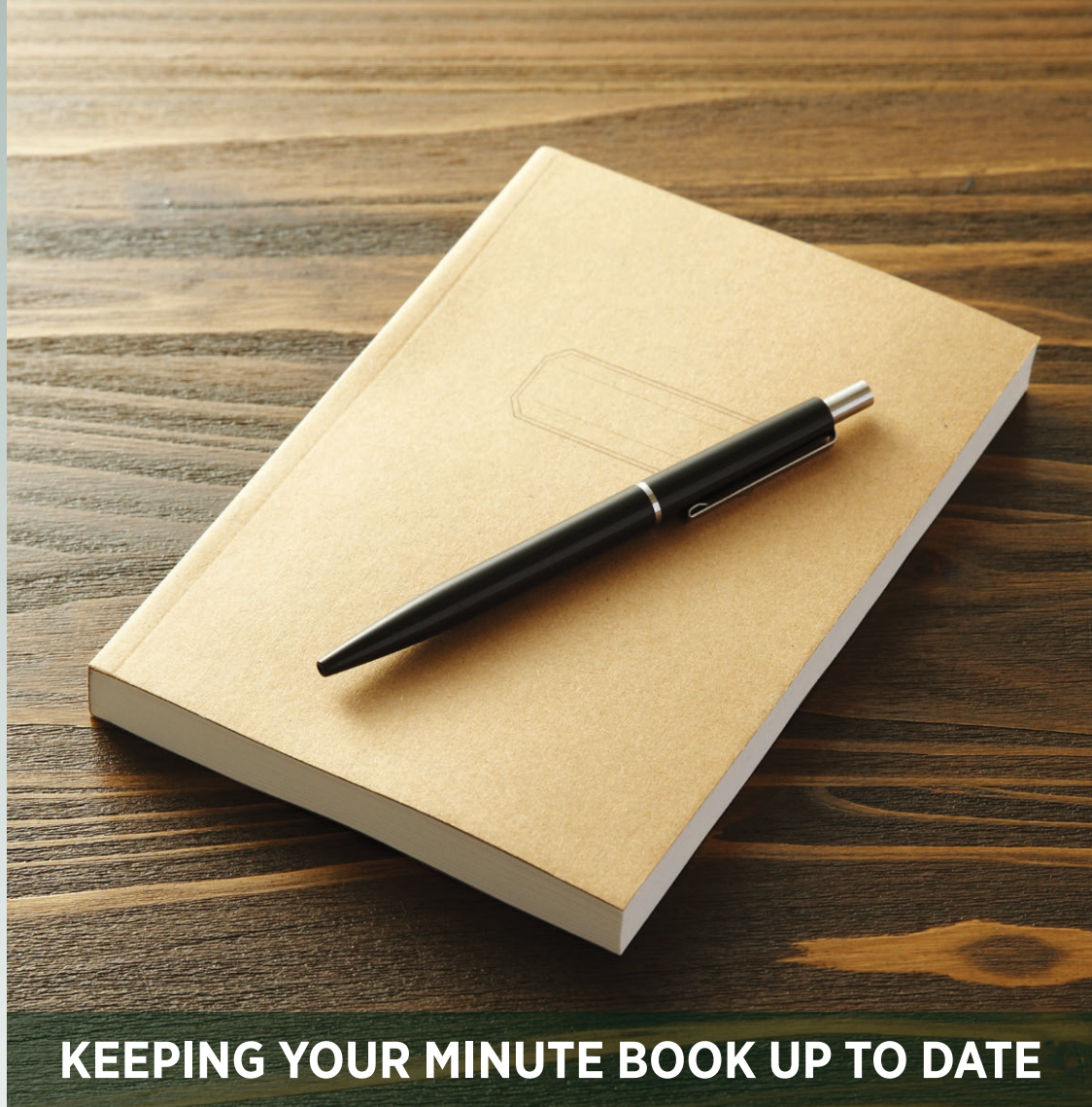
As this Regulation is now in effect, employers need to ensure workers complete the training as soon as possible. For supervisors, the Regulation provides that training will have to be completed within one (1) week of performing work as a supervisor. The requirements apply to all workplaces covered under the *Occupational Health and Safety Act*, regardless of workplace size or sector.

There is no requirement in the Regulation for employers to hire private training providers to deliver basic occupational health and safety awareness training programs. There are free training materials available from the Ontario Ministry of Labour website, such as printed workbooks and e-learning modules, which are available at no cost and can be used to comply with the new requirements.

We would suggest the following steps to ensure your organization is compliant with the new Regulation:

1. Review the Regulation and its requirements;
2. Assess the organization's existing health and safety training program for workers and supervisors against the new requirements pursuant to the Regulation;
3. If the organization's current program does not meet the requirements of the Regulation, update the program accordingly to comply;
4. Prepare an implementation schedule for training workers and supervisors, keep a record of all the training completed, and ensure compliance within the time prescribed in the Regulation.

Please contact us if you would like to discuss the new Occupational Health and Safety Awareness Training Regulation.



KEEPING YOUR MINUTE BOOK UP TO DATE

TANYA LEEDALE



In Ontario, corporate minute book records must include the following:

- » Articles and Bylaws, including amendments
- » Any unanimous shareholder agreement
- » Minutes of meetings or resolutions of Shareholders
- » Minutes of meetings or resolutions of Directors
- » Director, Officer and Shareholder Registers
- » Share Transfer Register

Typically a minute book is prepared by legal counsel at the time of incorporation to include the above information. Thereafter, it is important for the corporate minute book to be kept updated to reflect any changes and to include any shareholder and director minutes and/or resolutions. Even where there have been no changes, annual minutes or resolutions of the shareholders and directors will be required to confirm re-election of directors, re-appointment of officers and auditors, waiver of audit, if applicable, and approval of financial statements.

Diligence in keeping the records up-to-date is important for a number of reasons:

1. The Business Corporations Act (*Ontario*) specifically mandates that these records be kept and includes provisions addressing recourse and penalty for non-compliance.
2. In the event of a government audit (CRA, EHT, WSIB) the agency often requests a copy of the minute book to confirm current and past information relating to directors, officers, shareholders and other matters that would be expected to have been documented in the minutes or resolutions of directors or shareholders.
3. Where a sale of the corporation is proposed, buyer's counsel will want to conduct a review of the minute book as part of the due diligence to ensure the corporate records have been properly maintained and are complete.
4. In major transactions, including financings, the corporation's legal counsel may be required to provide a formal corporate legal opinion which would require that the corporate records be reviewed for currency and completeness.
5. If a dispute arises among directors or shareholders it may be difficult to secure subsequent co-operation or agreement regarding prior events or matters needed to properly update the records.
6. Persons whose signature or approval may be required to complete or update the records may die or become unavailable to provide the missing signatures or approvals.
7. Changes in legal or accounting firms may result in some difficulty or delay in obtaining details regarding prior matters which might be needed to properly update the records.

For these reasons, we recommend that clients have our offices manage or assist them with updates and proper maintenance of the records and that accounting advisors be instructed to report to our offices on a timely basis on the information needed to permit the necessary updates to be documented. If you would like to discuss keeping your minute book up to date, please contact us.

OMH IN THE COMMUNITY



Pictured at the cheque presentation are OMH's **James McAskill**, Chair of the United Way Milton Board, **Mayor Gordon Krantz**, **Kate Holmes**, CEO of United Way Milton, **Hal Watson**, Tournament Chair, and **Melissa Janjevich**, Campaign Chair.

MAYOR'S GOLF TOURNAMENT FOR UNITED WAY MILTON

On September 5, golfers took to the greens in support of the Mayor's Tournament for United Way Milton. This year's event raised over \$171,000 in profit, representing a significant contribution to the organization's annual fundraising campaign. OMH's Hal Watson has chaired golf tournaments for United Way Milton for the past 20 years and has spearheaded the Mayor's Golf Tournament since its inception in 2001, while James McAskill is the organization's Chair of the Board.

This year's event included the unveiling of the Mario Belvedere Legacy Fund, which was created in memory of the Town of Milton's former Chief Administrative Officer who lost a battle with cancer earlier this year. Along with Hal, Mario had co-chaired the Mayor's Tournament for many years. The fund raised an unprecedented \$15,000 on the night it was announced. To make a donation to the Fund, please contact the United Way of Milton at 905-875-2550 or office@miltonunitedway.ca.

2014 UNITED WAY CAMPAIGN

O'Connor MacLeod Hanna LLP was honoured once again to be a community benchmark in the United Way of Oakville 2014 campaign. With 98% participation, the firm exceeded its fundraising goal of \$20,000 by 46% with a total of \$29,243.44 being raised. This included 10 Leadership Donors, who individually contributed \$1,000 or more.

OMH is proud of the leadership role the firm plays in the community through its strong support of the United Way of Oakville and hopes to foster a strong tradition of community support for years to come.





THE OAKVILLE CHAMBER OF COMMERCE 60TH ANNUAL CHAIR'S DINNER

took place on September 16. The gala, which hosted 450 guests, included a keynote address by CBC News Chief Correspondent Peter Mansbridge. Pictured above are some of OMH's attendees – Alexandra Manthorpe, James McAskill and Robert Krizman.



OAKVILLE CHAMBER CHAMPION AWARD

Orla Johnston, Immediate Past Chair of the Oakville Chamber of Commerce, recently presented OMH's Jarvis Sheridan (centre) and Tanya Leedale (right) with the 2013-2014 Chamber Champion Award. The award recognizes outstanding contributions to the Oakville Chamber of Commerce.



ADDITIONAL READING

Gayle Wadden – Know Your Limitations – A Brief Overview of Limitation Periods in Ontario

[CLICK HERE](#)

Robert Krizman – Buying or Selling a Business in Ontario: Legal Considerations

[CLICK HERE](#)

Hal Watson – Midtown Oakville: An Urban Growth Centre in the Making

[CLICK HERE](#)

Danny Chou – Commercial Leasing 101

[CLICK HERE](#)