Safe At Work Ontario:
Protecting Your Best Resource: Preventing Occupational Health Infections

Leeds, Grenville and Lanark District Health Unit –
Influenza Season Kick-off day, Smiths Falls

Craig Lawrie, MSc(A), CPHI(C), CRSP, CIC
Infection Control Consultant
Ontario Ministry of Labour

October 24, 2013
This presentation has been prepared to assist workplace parties in understanding their obligations under the Occupational Health and Safety Act (OHSA) and the regulations. This presentation does not constitute legal advice. To determine your rights and responsibilities under OHSA, please contact your legal counsel or refer to the legislation.
Outline

• The role of the Ministry of Labour
• Why is the Ministry of Labour interested in infection prevention and control?
• What is an occupational illness?
  • Reporting obligations under the Occupational Health and Safety Act.
• What are some of the legislative requirements of the Act and regulations that may apply to infection prevention and control?
• Overview of guidelines that can assist organizations to achieve compliance and create safe workplaces.
• Additional resources and information for workplace parties.
Role of The Ministry of Labour

The overall Vision of the Ministry of Labour is to foster safe, fair and healthy workplaces characterized by productive relationships and high performance that drive a vibrant, competitive economy and generate widespread benefits for all.

The ministry also collaborates with its partners in Ontario’s OHS system as part of its Illness and Injury Prevention Strategy. This strategy has the twin objectives of improving the effectiveness of the OHS system while, at the same time, making workplaces more self-reliant.
Safe At Work Ontario is the Ministry of Labour’s (MOL) occupational health and safety compliance strategy designed to:

- Improve the health and safety culture of workplaces
- Reduce workplace injuries and illness
- Avoid costs for employers and the Workplace Safety and Insurance Board (WSIB)
- Lessen the burden on the health care system
- Provide a level playing field for compliant employers

Cornerstones:
- Focused inspections
- Transparent enforcement
- Intervention and system partnership
- Sustained compliance through Internal Responsibility System (IRS)
- Continuous evaluation and improvement of the strategy
Safe at Work Ontario - Principles

1. Enforcement
   The MOL has the
    Responsibility and mandate to enforce the *Occupational Health and Safety Act* (OHSA) and the regulations.

2. Compliance
    MOL facilitates stakeholder compliance with the legislation through enforcement, cooperation, partnership and education of workplace parties to create a culture of prevention.

3. Partnership
    Enhanced partnerships will lead to fewer injuries.
    The key to workplace health and safety in Ontario is the Internal Responsibility System (IRS). Employers, supervisors, workers, all have key roles to play in taking responsibility for health and safety in the workplace, leading to the elimination of workplace injuries and deaths. A strong IRS can lead to a strong culture of health and safety.
The MOL also works with other ministries, agencies and entities such as:

- Ontario Ministry of Health and Long-Term Care.
- Public Services Health and Safety Association
- Public Health Ontario.
- Regional Infection Control Networks.
- Public Health Units/Departments.
- Industry and stakeholder groups.
- The Ontario Health Care Health and Safety Advisory Committee, (under section 21 of the OHS Act).
  - A bi-partite committee of representatives from labour and management making recommendations regarding health and safety issues.
Safe At Work Ontario

Two components of Safe at Work Ontario are:

• Sector Plans
• Blitzes (heightened enforcement focus)
**Sector Plans**

As part of *Safe At Work Ontario*, the MOL develops annual sector–specific enforcement plans that focus on hazards specific to those workplaces.

The plans describe the health care, industrial, construction, and mining sectors and outline what inspectors will be looking for during an inspection.

Sector Plans are posted on the MOL website:
http://www.labour.gov.on.ca/english/hssawo/sectorplans/
“…healthy and safe work environments for workers are associated with patient safety and service quality”.

Health Care Sector Key Issues

• Workplace Safety Culture:
  ▪ Internal Responsibility System
  ▪ Joint Health and Safety Committee/Worker Health and Safety Representative
  ▪ Supervisor Competency
• Influenza Pandemic Planning.
• Infection Prevention and Control
  ▪ Prevent the transmission of organisms within the workplace that may cause illness or infection in health care workers.
• Reporting of occupational illnesses
• Needle Safety (and Sharps Safety)
• Musculoskeletal Disorders
• Workplace violence
Infection Prevention and Control

• An important occupational health issue.
• Prevention of infections is important for well being of residents and clients in community care, and health care workplaces.
• Prevention of infections is also important for the well being of workers.
It’s not just about direct care staff…

• Housekeepers
• Maintenance workers
• Laundry workers
• Food service workers

…and others, can all be exposed to the hazards of infection in a workplace.
Occupational Illness

An occupational illness is defined in the Occupational Health and Safety Act as follows…

“a condition that results from exposure in a workplace to a physical, chemical or biological agent to the extent that the normal physiological mechanisms are affected and the health of the worker is impaired thereby and includes an occupational disease for which a worker is entitled to benefits under the Workplace Safety and Insurance Act, 1997.”
Occupational Illness

An *infection* acquired as a result of exposure in a workplace meets the definition of occupational illness …

“a *condition that results from exposure in a workplace to a… biological agent to the extent that the normal physiological mechanisms are affected and the health of the worker is impaired thereby…”
Reporting Requirements: Ministry of Labour

Occupational Health and Safety Act

Section 52(2) – Occupational Illness – if an employer is advised by a worker or on behalf of a worker that an occupational illness has occurred or if a claim to WSIB is made regarding an occupational illness the employer shall give notice in writing, within four days of being so advised, to:

- Director (of the Ministry of Labour)
- Joint Health and Safety Committee or Health and Safety Representative and
- the trade union, if any.

containing “such information or particulars as are prescribed”.

Note: The requirement to submit a report does not require laboratory confirmation of an occupational illness.
Reporting Requirements: Ministry of Labour

For workplaces that are covered by the Health Care and Residential Facilities Regulation, the information required in the report made under section 52(2) is specified in section 5 (5) and includes:

- The name and address of the employer
- The nature of the occupational illness and the circumstance which gave rise to the illness
- Description of the cause or suspected cause
- Period when the worker was affected
- The name address of the affected worker
- Name and address of the physician attending / who attended the worker for the illness
- What steps are being (or were) taken to prevent further illness
Reporting Requirements: Ministry of Labour

Note that the reporting requirement to the MOL applies to individual cases of occupational illness not just to illnesses that occur as a result of, or during an outbreak.

For example:

- A worker who becomes infected with a blood-borne illness due to their work.
- An occupationally acquired TB.
- A worker that becomes ill with influenza due to exposure at work.
- Any other occupational illness.
Overview of Some of the Requirements in the Legislation
Legislation

Occupational Health and Safety Act

• Section 25 (1) and (2) – Outlines many of the general duties of employers, such as:
  • Make sure workers know about hazards and dangers by providing information, instruction and supervision on how to work safely
  • Make sure supervisors know what is required to protect workers’ health and safety on the job
  • Create workplace health and safety policies and procedures
  • Make sure everyone follows the law and the workplace health and safety policies and procedures
  • Make sure workers wear and use the right protective equipment
Legislation

Occupational Health and Safety Act

- Section 25(2) h – called the “General duty” clause:
  “…an employer shall take every reasonable precaution in the circumstances for the protection of a worker.”
Legislation

When appointing a supervisor, an employer shall appoint a competent person. A “competent person” is defined in the OHSA to mean,

Competent person means, a person who is,

• Qualified because of knowledge, training or experience to organize the work and its performance
• Familiar with the OHSA and regulations that apply to the work
• Knowledgeable of any potential or actual health and safety dangers in the workplace
Occupational Health and Safety Act

• Section 27 (1) and (2) - Duties of supervisors:
  • Tell workers about hazards and dangers, and respond to their concerns
  • Show workers how to work safely, and make sure they follow the law and workplace health and safety policies and procedures
  • Make sure workers wear and use the right protective equipment

• Section 27(2) c – “…a supervisor shall take every reasonable precaution in the circumstances for the protection of a worker,”
Legislation

Occupational Health and Safety Act

- Section 28 (1) and (2) - Duties of Workers include:
  - Follow the law and workplace health and safety policies and procedures
  - Wear and use the protective equipment required by their employer
  - Work and act in a way that won’t hurt themselves or anyone else
  - Report any hazards or injuries to their supervisor
Regulations for Health Care and Residential Facilities (HCRF) (O. Reg 67/93)

• For workplaces where the Health Care and Residential Facilities Regulation applies:
  • Sections 8 and 9 – The employer in consultation with the JHSC shall develop measures and procedures for the health and safety of workers.
    • Safe work practices
    • Safe working conditions
    • Proper hygiene practices and the use of hygiene facilities
    • The control of infections
    • Immunization against infectious diseases
    • Use of appropriate antiseptics, disinfectants and decontaminants;
    • Proper use, maintenance and operation of equipment
    • Reporting of unsafe or defective devices, equipment or work surfaces
    • Purchasing of properly designed and constructed equipment
    • Handling, cleaning and disposal of sharp objects and waste
Regulations for Health Care and Residential Facilities (O. Reg 67/93)

• With respect to measures and procedures required, sections 8 and 9 of the regulation also specify that they must be:

  • Developed in consultation with the JHSC.
  • Reduced to writing (e.g. be written down).
  • Reviewed annually or more often in light of current knowledge.
  • Supported by a training program developed by the employer in consultation with the JHSC.
Infection Prevention and Control Education

An employer shall provide information, instruction and supervision to a worker to protect the health and safety of a worker (OHSA clause 25 (2) (a)).

For workplaces where the Health Care and Residential Facilities Regulations apply:

- “The employer in consultation with and in consideration of the recommendations of the JHSC (or HSR) shall develop, establish and provide training and education programs in health and safety measures and procedures for workers that are relevant to the workers’ work.” (HCRF subsection 9(4)).

- Infection prevention and control information and instruction may include:
  - Infection Prevention and Control Measures and Procedures
  - Hand hygiene
  - Environmental cleaning
  - Signs, symptoms of infection
  - What to do in case of illness
Regulations for Health Care and Residential Facilities (O. Reg 67/93)

• **Section 10** – includes the requirement that where a worker is required to wear personal protective equipment, the employer must ensure proper training regarding:
  • Use
  • Care
  • Limitations
  and must ensure a proper fit of the equipment.
Regulations for Health Care and Residential Facilities (O. Reg 67/93)

- **Sections 19 and 20** – requirements for ventilation systems, including inspections of ventilation systems.
  - This may apply to:
    - General ventilation
    - Specialized systems such as fume hoods
    - Isolation rooms

- **Section 28 – 32** - Hygiene facilities requirements
- **Section 31** – Refrigerators used for cultures, specimens etc. must not be used for food or drink.
Regulations for Health Care and Residential Facilities (O. Reg 67/93)

- **Section 32** – Food, drink, cosmetics must not be used in areas where infectious materials are used, handled or stored.
- **Sections 103 to 110** – Material handling addressed.
  - For example:
    - Section 103 (1) – *Materials, articles or things shall be handled, stored and disposed of in a manner that will not cause a hazard.*
Regulations for Health Care and Residential Facilities (O. Reg 67/93)

• **Sections 111 to 116** – Housekeeping and waste issues (including sharps safety) addressed.
  • Examples:
    • Section 111(1) – A room used for storing laundry or janitorial materials and equipment shall be maintained in accordance with good hygiene practices.
    • Section 111(2) – Janitorial work that may cause dusty conditions shall be done in a manner that will minimize the contamination of air by dust.
    • Section 112 – Waste material must be removed from work areas in a building as often as necessary to protect the health and safety of workers.
    • Section 113 and 114 – sharps safety.
    • Section 115 – containers for hazardous waste.
    • Section 116 – waste handling, requirement for measures and procedures developed in consultation with the joint health and safety committee.
Needle Safety Regulation (O. Reg 474/07)

2. (1) This Regulation applies in each of the following circumstances:

1. A worker is to do work requiring the use of a hollow-bore needle on a person for a therapeutic, preventative, palliative, diagnostic or cosmetic purpose, in any workplace.

2. A worker is to do any work requiring the use of a hollow-bore needle, in a workplace listed in subsection (2).

Subsection (2) includes: hospitals, private hospitals, Homewood Health Centre Inc., long-term care homes, laboratories and specimen collection centres, and designated psychiatric facilities.
An Inspector may determine that requirements set out in other regulations under the OHSA may also apply in a particular workplace.

Some examples of OHSA regulations that may apply:

- Reg. 860 - Workplace Hazardous Materials Information System (WHMIS)
- Reg. 833 - Control of Exposure to Biological or Chemical Agents
- O. Reg. 490/09 – Designated Substances
Standards and Guidelines

While the Ministry of Labour does not enforce standards or guidelines related to infection control, content of recognized standards and guidelines provide employers with information that can assist them with compliance.

Note: Mention of any organization or tool does not constitute endorsement by the Ministry of Labour (MOL). In addition, citations to Web sites external to MOL do not constitute MOL endorsement of the organizations or their programs or products as OHSA compliant. Furthermore, MOL is not responsible for the content of these Web sites.
Standards and Guidelines

Infection Control Guidelines

- Public Health Ontario and the Provincial Infectious Diseases Advisory Committee (PIDAC).
  - The MOL works closely with PHO and with PIDAC, and has provided input to many of the recent PIDAC best practices manuals related to infection prevention and control.

While these guidelines were prepared for health care settings, the contents have application to many settings where the hazards of infections occur.
Standards and Guidelines

• Important Infection Control Best practices manuals from PIDAC:
  
  • *Routine Practices and Additional Precautions in All Health Care Settings*
  • *Best Practices for Environmental Cleaning for Infection Prevention and Control in All Health Care Settings*
  • *Best Practices Document for the Management of Clostridium difficile; All Health Care Settings*
  • *Best Practices for Hand Hygiene in All Health Care Settings*

Updates to the best practices guidelines occur from time to time, so the most current versions can be found at the following web site location:

http://www.publichealthontario.ca/en/BrowseByTopic/InfectiousDiseases/PIDAC/Pages/PIDAC_Documents.aspx
Standards and Guidelines

Canadian Standards Association

• Provide a number of CSA standards that relate to infection prevention and control such as:

  • Z94.4-11  - Selection, Use and Care of Respirators
  • Z317.2-10  - Special Requirements for Heating Ventilation and Air Conditioning
  • Z317.10-09  - Handling of Waste Material in Health Care and Veterinary Facilities
  • Z317.13-12  - Infection Control During Renovation
What’s New / of Interest?

• Ministry of Labour launched its Health and Safety Provincial Contact Centre on November 1, 2010: 1-877-202-0008

• Anyone, anywhere in Ontario can call the number to report a workplace health and safety incident, critical injury, fatality or work refusal. The public can also call that number if they suspect unsafe work practices or for general inquiries. The number operates 24 hours a day, seven days a week.
What’s New / of Interest?

• Ministry of Labour web pages contain information on a variety of occupational health and safety topics.
  http://www.labour.gov.on.ca

• Heightened enforcement (blitzes):
  • Information regarding MOL blitzes and the results of past blitzes can be found on the MOL web pages at: http://www.labour.gov.on.ca/english/hs/

• Upcoming blitzes:
  • November and December, 2013 – Healthcare Sector, Hazardous Drugs and Waste Management
What’s New / of Interest?

• The Ministry of Labour recently launched new prevention related products, such as posters, and guides for workers and employers. These can be found in the prevention pages at:

http://www.labour.gov.on.ca/english/h s/prevention/index.php

• Effective October 1, 2012, the poster “Health & Safety at Work: Prevention Starts Here” is required to be posted in all workplaces.

Health & Safety at Work
Prevention Starts Here

Ontario’s Occupational Health and Safety Act gives workers rights it sets out roles for employers, supervisors and workers so they can work together to make workplaces safer.

Improve Health and Safety:
• Find out about your Joint Health and Safety Committee or Health and Safety Representative.
• Talk to your employer, supervisor, workers, Joint Health and Safety Committee or Health and Safety Representative about health and safety concerns.

Call the Ministry of Labour at
1 877-202-9000
Report workplace injuries, illnesses, near-miss incidents.
Workplace health and safety information, matching of ideas - "Ask1000." Emergency? Always call 911 immediately.

Find out more: ontario.ca/whatmattersatwork

Workers have the right to:
• Know about workplace hazards and what to do about them.
• Participate in solving workplace health and safety problems.
• Tell the employer when they believe the workplace is unsafe.

Workers must:
• Follow the law and workplace health and safety policies and procedures.
• Wear and use the protective equipment required by their employer.
• Work and act in a way that won’t hurt themselves or anyone else.
• Report any hazardous injuries to their supervisor.

Employees must NOT take action against workers for following the law and raising health and safety concerns.

Employers must:
• Make sure workers know about hazards and dangers by providing information, instruction and supervision on how to work safely.
• Make sure supervisors know what is required to protect workers’ health and safety on the job.
• Create workplace health and safety policies and procedures.
• Make sure everyone follows the law and the workplace health and safety policies and procedures.
• Make sure workers wear and use the right protective equipment.
• Do everything reasonable in the circumstances to protect workers from being hurt or getting illness-related illnesses.

Supervisors must:
• Tell workers about hazards and dangers, and respond to their concerns.
• Tell workers how to work safely, and make sure they follow the law and workplace health and safety policies and procedures.
• Make sure workers wear and use the right protective equipment.
• Do everything reasonable in the circumstances to protect workers from being hurt or getting workplace-related illnesses.
Contacts, Information, Inquiries?

- Public Health Ontario (formerly Ontario Agency for Health Protection and Promotion)
  - [http://www.publichealthontario.ca/en/Pages/default.aspx](http://www.publichealthontario.ca/en/Pages/default.aspx)
- Public Health Ontario- Infectious Disease Prevention and Control
  - [http://www.publichealthontario.ca/en/BrowseByTopic/InfectiousDiseases/Pages/Infectious-Diseases.aspx](http://www.publichealthontario.ca/en/BrowseByTopic/InfectiousDiseases/Pages/Infectious-Diseases.aspx)
- Public Health Ontario – Provincial Infectious Diseases Advisory Committee (PIDAC) Knowledge Products (Best Practice Documents)
Standards and Guidelines

• Other sources of information:

  • Public Services Health and Safety Association
    http://pshsa.ca/

  • Regional Infection Control Networks
    http://www.publichealthontario.ca/en/About/Departments/Pages/Regional_Infection_Control_Networks.aspx
Contacts, Information, Inquiries?

• Health and Safety Ontario – a point of contact for Ontario’s Health and Safety Associations
  • [http://www.healthandsafetyontario.ca](http://www.healthandsafetyontario.ca)

• Worker’s Health & Safety Centre
  • [http://www.whsc.on.ca/](http://www.whsc.on.ca/)

• Occupational Health Clinic for Ontario Workers
  • [http://www.ohcow.on.ca/](http://www.ohcow.on.ca/)
Contacts, Information, Inquiries?

Ministry of Labour

• Web Site:
  • [www.labour.gov.on.ca/english/](http://www.labour.gov.on.ca/english/)

• Health Care Sector Plan:

• Infection Prevention and Control in Health Care Video

• MOL Report an Incident

• Ventilation Inspection and Report for Health Care and Residential Facilities
Contacts, Information, Inquiries?

- Ministry of Health and Long Term Care – Just Clean Your Hands
- Ministry of Health and Long Term Care – Ontario Health Plan for an Influenza Pandemic (OHPIP)
Questions?
Comments?
Thank you for your time!