



June 30, 2009

Needle Safety Regulatory Review
Ontario Ministry of Labour
400 University Avenue, 12th Floor
Toronto, ON
M7A 1T7

Dear Sir or Madam:

Re: Consultation on a proposal to extend the scope of the Needle Safety Regulation to additional workplaces and health care services

Thank you for this opportunity. As indicated in our previous correspondence, our members were pleased by the enactment in 2007 announcement of the Needle Safety Regulation and its extension in 2008 to long-term care homes, psychiatric facilities, laboratories and specimen collection centres. The government's current proposal to extend the regulation also is positive, although we have some ongoing concerns about its scope.

Our position can be described simply:

- 1. We believe the protections in the regulation ought to be available to all workers, where there is a risk of exposure to a bloodborne pathogen.**

While most such workplaces are in the health care sector, others – such as developmental services workplaces and correctional facilities, for example – are not. It is a fact that the risks addressed by the regulation are not limited to health care sector workplaces, and workers using medical sharps are not always regulated health professionals. **All** workplaces referred to in the Ministry's discussion paper should be included in the Needle Safety Regulation, as well as all other workplaces where workers risk exposure to bloodborne pathogens because they use medical sharps.

- 2. We believe the regulation should be amended so that it applies to all medical sharps and all sharps injuries, thus improving protection for workers.**

In our view, these changes are completely consistent with the intent of O. Reg 474/07. They clarify that "medical sharps" – and not just hollow bore needles – are to be replaced by safety-engineered devices and that the intent of the regulation is to eliminate or minimize the risk of parenteral injury (through the skin or mucous membrane, and including subcutaneous, intramuscular and intravascular routes of entry) and not just skin puncture injury, as currently provided. Details of these recommended changes are appended.

We urge the government of Ontario to accept these recommendations and amend O. Reg 474/07.

Our recommendations, if adopted, will enhance the protection of health care workers afforded by the regulation, and extend those protections to all Ontario workers. In so doing, it will reduce injuries and reduce the spread of communicable and potentially life-threatening diseases.

Thank you for your consideration.

Sincerely,

Sid Ryan
President
CUPE Ontario

Linda Haslam-Stroud, RN
President
ONA

Warren (Smokey) Thomas
President
OPSEU

Sharleen Stewart
President SEIU Local 1 Canada
International Canadian
Vice-President, SEIU

Recommended Changes to Ontario Regulation 474/07

Section 1 Replace with the following:

“In this Regulation,

“safety-engineered sharp” means,

- (a) a medical sharp with a built-in safety feature or mechanism that,
 - (i) eliminates or minimizes the risk of accidental parenteral contact, and
 - (ii) is licensed as a medical device by Health Canada, or
- (b) a needleless device that,
 - (i) replaces a medical sharp, and
 - (ii) is licensed as a medical device by Health Canada.”

Section 1 Add the following section:

"parenteral" means a route of entry that is through the skin or mucous membrane, and includes subcutaneous, intramuscular and intravascular routes of entry.

Section 2 Replace with the following:

This Regulation applies to all workplaces where there is a risk of exposure to a bloodborne pathogen.

Sec. 3, 4, 5 Replace “hollow bore needle” with “medical sharp” and “safety-engineered needle(s)” with “safety-engineered medical sharp(s)” and “needle” with “medical sharp”