



Step-by-Step Process for Sharps/Needle Safety Initiative

What you must do:

1. a. Place the issue of Sharps Safety on the next Joint Health and Safety Committee (JHSC) agenda, or
b. If your workplace requires a Health and Safety (H&S) Representative (workplaces with 5 to 19 workers), the H&S Representative should complete the checklist and implement this initiative by going directly to the employer with your written recommendations.
2. At the JHSC meeting, designate members of the committee, from worker and employer, to complete the attached checklist (time to complete it should be paid as part of the JHSC's work).
3. Ensure that the completed checklist is distributed to all committee members prior to the JHSC meeting where it will be discussed and prior to the worker caucus meeting.
4. Prearrange to caucus with all worker members of the JHSC at least one hour before the meeting (Section 9 (34) *Occupational Health and Safety Act [OHSA]*) to discuss the completed checklist and the adequacy of the employer's current sharps exposure control plan/program. It is important to have consensus from the other worker members to move this issue forward.

The OHSA states that all members of the committee are entitled to one hour or longer, as the committee determines is necessary, to prepare before each and every JHSC meeting. The JHSC makes this determination, not the employer. If your supervisor or employer refuses to allow workers time to caucus before a JHSC meeting, immediately call the Ministry of Labour. Your union representative or staff representative, depending on the union you belong to can assist you if you are uncertain about how to do this.

5. If the Sharps Exposure Control Plan is non-existent or deficient based on the checklist, *draft written recommendations* for presentation at your next JHSC meeting by modifying the attached sample recommendation (Appendix B). (An electronic Word version can be found on your union's website).
6. It is not the JHSC's or the H&S Representative's job to write the exposure control plan/program/training materials for the employer. The JHSC (or H&S Representative), in a written recommendation, should:
 - a. Recommend that the employer develop or revise the Sharps Exposure Control Plan/Program and training.
 - b. Refer the employer to the Ontario Safety Association for Community and Healthcare (OSACH) *Planning Guide* (found at <http://www.osach.ca/products/SEMS/SEMS.pdf>)
 - c. Refer the employer to the Vancouver Island Health Authority (VIHA) plan (available at <http://www.communicationsbridge.com/VIHA.pdf>).

Refer to the sample recommendation (found on your union's website). The JHSC (or H&S Representative) should also point out that the Public Services Health and Safety Association (PSHSA) formerly known as OSACH has representatives who can assist your employer.

7. Propose the recommendations at the JHSC meeting. If the JHSC as a whole cannot agree to make the recommendations to the employer, call the Ministry of Labour (MOL) with a formal union complaint (you must actually say it's a formal complaint). The Ministry of Labour's phone directory for regional offices can be accessed at http://www.labour.gov.on.ca/english/about/reg_offices.html. Explain that your committee cannot resolve this issue and, as a result, unsafe working conditions persist. *NB: The "employer" is usually the Chief Executive Officer (CEO) or someone the CEO has appointed to handle all JHSC recommendations.*
8. If the JHSC agrees to forward the written recommendations as per the *OHSA*, your employer has 21 days to respond to the written recommendations, including providing a timeframe for implementation of the recommendations and providing reasons for any recommendations the employer does not accept. (Section 9(20) & (21) of the *OHSA* or Section 8 (12) for workplaces with a H & S Representative).
9. If the employer's 21-day response will not resolve your concerns as identified in the recommendations in whole or in part, call the MOL.
10. When you call the MOL, inform them that your JHSC (or H&S Representative) has been unable to resolve the issue so workers continue to be at risk. Explain that you have tried to get the employer to develop an exposure control plan/program/training with adequate occupational health and safety provisions.

Also, provide the MOL with examples of any unsafe situations that you are aware of, such as:

- a. Inadequate exposure control plan/program (inadequate or no attention to worker health and safety).
- b. A plan that was developed without consulting the JHSC (or H&S Representative).
- c. Employer will not replace conventional sharp devices with safety-engineered devices.

Let the MOL know that the employer is doing little or nothing to resolve the problem. Being more specific at the time of the call will help the MOL understand the urgency.

11. If your call to the MOL does not resolve your concerns, immediately advise your union representative or staff representative, depending on the union you belong to, to determine options which may include:
 - a. Filing grievances if your collective agreement permits.
 - b. Filing an appeal of an unsatisfactory MOL decision (30-day time limit).

Post-initiative Activities

Once an appropriate exposure prevention plan is agreed upon, or ordered:

12. The JHSC (or H&S Representative) should ensure that an implementation plan is in place and adhered to. If the employer unduly delays implementation, worker members of the JHSC (or H&S Representative) should contact the MOL to request an order for a compliance plan.
13. The JHSC (or H&S Representative) should assess whether appropriate training is being delivered.
14. The JHSC (or H&S Representative) should conduct ongoing monitoring of program and ensure the employer has reviewed and/or revised the program at least yearly and whenever there is a change of current knowledge and practice, such as when new devices, technologies, or alternative methods become available.