

Operations Division Occupational Health and Safety

OHS Case ID: **02929HRLX574** Visit Date: **2014-SEP-26** Field Visit Type: **INITIAL**
Field Visit no: **02929HRMM575**

Workplace Identification: **HAMILTON HEALTH SCIENCES - MCMASTER UNIVERSITY MEDICAL CENTRE** Notice ID:
1200 MAIN STREET WEST, HAMILTON, ON, CANADA L8K 1A1

Telephone: **(905) 521-2100** JHSC Status: **Active** Work Force #: **2500** Completed %:

Persons Contacted: **SEE DETAILED NARRATIVE. ACCOMPANIED BY SHELLY SPEIR, INSPECTOR, MINISTRY OF LABOUR.**
Visit Purpose: **SEE DETAILED NARRATIVE.**
Visit Location: **WORKPLACE**
Visit Summary: **ORDERS ISSUED. SEE DETAILED NARRATIVE.**

Detailed Narrative:

This field visit was conducted in response to a complaint received by the Ministry of Labour Health.

The complainant alleges the following health and safety concerns:

1. on 1 Sept. 2014, the employer did not follow the work refusal procedure in the emergency department, re: three Environmental Aide (EAs) refusing a terminal clean of a suspected Ebola patient's room,
2. the employer did not permit JHSC Worker-Co Chair, CUPE to investigate the incident on the 1 Sept. 2014,
3. the employer misdirected staff in what personal protective equipment (PPE) to use and procedures to follow,
4. the employer has not trained the staff in their viral haemorrhagic fever policy,
5. the EAs have not received training with respect to PPE required under the viral haemorrhagic fever policy,
6. the PPE for the viral haemorrhagic fever policy is not readily available, and
7. the revised policy for viral haemorrhagic fever has not been provided to the JHSC for review.

Persons Contacted: Kathy MacKinnon, JHSC Worker Co-Chair, CUPE; Pat Gillie, Worker Representative, JHSC, ONA; Janis Caines, Safety Specialist; Don Bennett, Safety Specialist; Steve Jamison, Safety Manager; Mike Mattina, CSS Site Manager; Tom Page, CSS Leader; Erica Mollo, HR Business Partner; Simona Dalgleish, Infection Control; Connie Gittens Webber, Infection Control.

Each of the above health and safety concerns was discussed at the time of this visit, with representatives for the employer and workers.

H&S Concern #1 - The complainant alleges that on Sept. 1st, 2014, the employer did not follow the work refusal procedure in the emergency department, re: three EAs refusing a terminal clean of a suspected Ebola patient's room.

Recipient	Inspector Data	Worker Representative
Name: <u>STEVE JAMISON</u>	DONALD MCINNES OCCUPATIONAL HEALTH & SAFETY INSPECTOR PROVINCIAL OFFENCES OFFICER	Name: <u>KATHY MacKinnon</u>
Title: <u>SAFETY MANAGER</u>	119 King St., 14th Floor Hamilton, ON L8P 4Y7 Tel: 905-577-8165 Fax: 905-577-1324	Title: <u>Co-Chair Work Rep JHSC</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>

You are required under the Occupational Health and Safety Act to post a copy of this report in a conspicuous place at the workplace and provide a copy to the health and safety representative or the joint health and safety committee if any. Failure to comply with an order, decision or requirement of an inspector is an offence under Section 66 of the Occupational Health and Safety Act. You have the right to appeal any order or decision within 30 days of the date of the order issued and to request suspension of the order or decision by filing your appeal and request in writing on the appropriate forms with the Ontario Labour Relations Board, 505 University Ave., 2nd Floor, Toronto, Ontario M5G 2P1. You may also contact the Board by phone at (416) 326-7500 or 1-877-339-3335 (toll free), mail or by website at <http://www.olrb.gov.on.ca/english/homepage.htm> for more information.

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Inspectors Actions and Findings:



- the employer provided information that a work refusal did occur on the evening of the 31 August 2014 and 1 September 2014,
- information was provided that on the evening of the August 31st, two EA refused to clean a patient's room in the Emergency Department (ED), who was suspected of having Ebola,
- the EA refusal was for lack of training on the procedures required for the cleaning of the room and the personal protective equipment (PPE) required to be worn,
- the employer initiated the work refusal process,
- a committee member who represents workers was not available at the time of the refusal,
- an EA union representative who was present and on duty at the workplace was contacted to represent the refusing workers,
- it was stated that the refusal was not resolved at that time and on the 1st September, a 2nd refusal involving three EA occurred,
- the employer believed the refusal was resolved, when another EA who was familiar with the refusal, agreed to clean (terminal clean) the suspected Ebola's patient room.
- Section 43 of the Occupational Health and Safety Act (OHSA) was discussed and reviewed at the time of this visit,
- this inspector determined that Section 43(6)(c) of the OHSA was contravened for failure to notify an inspector (Ministry of Labour),
- order(s) issued

H&S Concern #2 – the employer did not permit the JHSC Worker-Co Chair, CUPE to investigate the incident on the 1 Sept. 2014,

Inspectors Actions and Findings:

- information was provided that the JHSC Worker Co-Chair, CUPE was not on duty or present in the workplace at time the refusals occurred and
- Section 43(4) was discussed and reviewed.
- the Occupational Health and Safety Act does not compel an employer to call a JHSC member into the workplace to perform the duties of a JHSC member while not at work.

H&S Concern:

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Title _____	119 King St., 14th Floor Hamilton, ON L8P 4Y7 Tel: 905-577-8165 Fax: 905-577-1324	Title _____
Signature 	Signature 	Signature _____

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- #3 - the employer misdirected staff in what personal protective equipment (PPE) to use and procedures to follow, and
- #5 - the EAs have not received training with respect to PPE required under the viral haemorrhagic fever policy

Inspectors Actions and Findings:

- the employer has recently updated the infection prevention and control procedures IC-Viral Hemorrhagic Fever – Management of a Patient with (policy number 026-MED), but had not provided information and instruction to all EA workers on the updated procedures, including additional PPE
- order(s) issued

H&S Concern #4 - the employer has not trained the staff in their viral haemorrhagic fever policy,

Inspectors Actions and Findings:

- information was provided that not all EA workers have received information and instruction on the policy,
- order(s) issued

H&S Concern #6 - the PPE for the viral haemorrhagic fever policy is not readily available

Inspectors Actions and Findings:

- the employer has prepared Ebola kits for the Emergency Department (ED), Labour and Delivery (L&D) and ICU,
- the locations for the Ebola kits was based on the employer's assessment,
- patients coming into the workplace would have first contact with the ED or with L&D,
- not all workers who were contacted during this field visit, were aware of the location(s) of the Ebola kits and replacement stock.
- order(s) issued.

H&S Concern #7 - the revised policy for viral haemorrhagic fever has not been provided to the JHSC for review

Inspectors Actions and Findings:

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Name _____	DONALD MCINNES OCCUPATIONAL HEALTH & SAFETY INSPECTOR PROVINCIAL OFFENCES OFFICER 119 King St., 14th Floor Hamilton, ON L8P 4Y7 Tel: 905-577-8165 Fax: 905-577-1324	Name _____ 
Title _____		Title _____
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Field Visit Report

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- it was stated the revised draft policy for viral haemorrhagic fever is to be provided to the JHSC today

Documents provided at the time of visit:

Hamilton Hospitals Infection Prevention & Control – IC – Viral Hemorrhagic Fever – Management of a Patient With (Policy Number: 026-MED), Version: August 22, 2014

Hamilton Hospitals Infection Prevention & Control – IC – Viral Hemorrhagic Fever – Management of a Patient With (Policy Number: 026-MED), Posting Date: 2014-05-08

The order for putting on personal protective equipment (PPE) for Ebola and other hemorrhagic viruses (Version: September 24, 2014)

The order for taking off on personal protective equipment (PPE) for Ebola and other hemorrhagic viruses (Version: September 25, 2014)

Ebola Virus Disease Fact Sheet for Health Professionals (Version: August 15, 2014)

Ebola/Viral Haemorrhagic Fever PPE Premium Stock (dated September 12, 2014)

Care Pathway for Suspected Ebola Virus Disease (EVD) (no date)

Surveillance for Patients with a Travel History to Countries with Emerging Diseases (September 3, 2014)

Notes:

- all orders contained in this report have explained to the workplace parties;
- the notice of compliance shall be returned to The Ministry of Labour stating what was done to comply with the orders, date completed and signed by representatives for the employer and workers;
- the employer shall post a copy of this report in the workplace in a conspicuous location where it will come to the attention of the workers, as per Section 57(10) of the OHSA

Ministry of Labour: www.labour.gov.on.ca

Health & Safety Associations: www.healthandsafetyontario.ca

Health & Safety Contact Centre: 1-877-202-0008

Recipient	Inspector Data	Worker Representative
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Title _____	119 King St., 14th Floor Hamilton, ON L8P 4Y7 Tel: 905-577-8165 Fax: 905-577-1324	Title _____
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Order(s) /Requirement(s) Issued To:

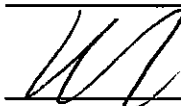

To: **HAMILTON HEALTH SCIENCES** Org/Ind Role **Primary Employer**

Mailing Address:
1200 MAIN ST EAST, HAMILTON, ON, CANADA L8K 1A1

Order(s) /Requirement(s) Description:

You are required to comply with the order(s) /requirement(s) by the dates listed below.

No	Type Code	Act/Reg	Year	Sec.	Sub Sec.	Clause	Text of Order/Requirement	Comply by Date
1	Time 02929HRMT576	OHSA	1990	25	2	a	Pursuant to section 25(2)(a) of the Occupational Health and Safety Act (OHSA), the employer shall provide information, instruction and supervision to a worker to protect the health or safety of the worker. At the time of investigation, it was reported that a work refusal had occurred on or about the 01 September 2014 in the Emergency Department of the workplace which was not resolved internally and the Ministry of Labour was not contacted to investigate. The employer shall comply with this order on or before 01 November 2014 by training supervisors, JHSC Worker Members and workers who because of knowledge, experience and training is selected by a trade union that represents the worker on the work refusal process.	2014-NOV-01
2	Time 02929HRMT577	OHSA	1990	67	1993	9 4	Pursuant to section 9(4) of the Health Care and Residential Facilities Regulation 67/93, the employer shall in consultation with and in consideration of the recommendation of the joint health and safety committee or health and safety representative, if any, shall develop, establish and	2014-OCT-06

Recipient	Inspector Data	Worker Representative
Name _____	DONALD MCINNES	Name _____
Title _____	OCCUPATIONAL HEALTH & SAFETY INSPECTOR PROVINCIAL OFFENCES OFFICER 119 King St., 14th Floor Hamilton, ON L8P 4Y7 Tel: 905-577-8165 Fax: 905-577-1324	Title 
Signature 	Signature 	Signature _____

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Order(s) /Requirement(s) Issued To:

To:	Org/Ind Role
HAMILTON HEALTH SCIENCES	Primary Employer

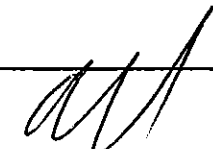


Mailing Address:

1200 MAIN ST EAST, HAMILTON, ON, CANADA L8K 1A1

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No	Type Code	Act/Reg	Year	Sec.	Sub Sec.	Clause	Text of Order/Requirement	Comply by Date
3	Time	OHS	1990				provide training and educational programs in health and safety measures and procedures for workers that are relevant to the workers' work. At the time of investigation, the employer had recently updated the Infection Prevention & Control procedure entitled 'IC - Viral Hemorrhagic Fever - Management of a Patient With (policy number: 026-MED) but not had provided information and instruction to all Environmental Aid workers on the updated procedure, including additional personal protective equipment requirements and the protocols/practices for cleaning a patient's room (terminal clean). The employer shall comply with this order on or before 06 October 2014	
02929HRMT578	67	1993	10	1			Pursuant to section 10(1) of the Health Care and Residential Facilities Regulation 67/93, the employer shall ensure that a worker who is required by his or her employer or by this Regulation to wear or use any protective clothing, equipment or device shall be instructed and trained in its care, use and limitations before wearing or using it for the first time and at regular	2014-OCT-06

Recipient	Inspector Data	Worker Representative
Name _____	DONALD MCINNES	Name 
Title _____	OCCUPATIONAL HEALTH & SAFETY INSPECTOR PROVINCIAL OFFENCES OFFICER 119 King St., 14th Floor Hamilton, ON L8P 4Y7 Tel: 905-577-8165 Fax: 905-577-1324	Title _____
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Order(s) /Requirement(s) Issued To:

To:	Org/Ind Role
HAMILTON HEALTH SCIENCES	Primary Employer

Mailing Address:
1200 MAIN ST EAST, HAMILTON, ON, CANADA L8K 1A1

Order(s) /Requirement(s) Description:

You are required to comply with the order(s) /requirement(s) by the dates listed below.

No	Type Code	ActReg	Year	Sec.	Sub Sec.	Clause	Text of Order/Requirement	Comply by Date
							intervals thereafter and the worker shall participate in such instruction and training. At the time of investigation, not all Environmental Aid workers had received instruction and training on putting on and taking off the personal protective equipment (PPE) required when cleaning a patient room suspected of Ebola or other hemorrhagic viruses. The employer shall comply with this order on or before 06 October 2014.	
4	Time 02929HRMT579	OHS A	1990	25	2	a	Pursuant to section 25(2)(a) of the OHS A/1990, the employer shall provide information, instruction and supervision to a worker to protect the health or safety of the worker. At the time of investigation, not all Environmental Aid workers knew where to find the personal protective equipment (PPE) required to be worn when cleaning a patient room suspected of Ebola or other hemorrhagic viruses. The employer shall comply with this order on or before 06 October 2014.	2014-OCT-06
5	Time 02929HRMT580	OHS A	1990	25	2	a	Pursuant to section 25(2)(a) of the OHS A/1990, the employer shall provide information, instruction and supervision to a worker to protect the health or	2014-OCT-06

Recipient Name _____ Title _____ Signature 	Inspector Data DONALD MCINNES OCCUPATIONAL HEALTH & SAFETY INSPECTOR PROVINCIAL OFFENCES OFFICER 119 King St., 14th Floor Hamilton, ON L8P 4Y7 Tel: 905-577-8165 Fax: 905-577-1324	Worker Representative Name  _____ Title _____ Signature _____
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Order(s) /Requirement(s) Issued To:

To: **HAMILTON HEALTH SCIENCES** Org/Ind Role **Primary Employer**

Mailing Address:
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							<p>safety of the worker. At the time of investigation, not all workers who may perform aerosol generating procedures with patients suspected of Ebola or other hemorrhagic viruses had been instructed on the new signage to be posted on the room when performing this procedure. The employer shall comply with this order on or before 06 October 2014.</p>	

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