Ontario
Field Visit Report
Page 1 of 9

Ministry of Labour
Safe At Work
Operations Division
Occupational Health and Safety

OHS Case ID: 02883NNRR953
Field Visit no: 02883NNRR954
Visit Date: 2019-AUG-01
Field Visit Type: INITIAL
Notice ID:

Workplace Identification:
HAMILTON HEALTH SCIENCES - JURAVINISKI HOSPITAL AND CANCER CENTRE
711 CONCESSION STREET, HAMILTON, ON, CANADA L8V 1C3

Telephone: (905) 389-4411
JHSC Status: Active
Work Force #: 3000
Completed %:

Persons Contacted: REFER TO NARRATIVE FOR PERSONS CONTACTED
Visit Purpose: INVESTIGATE COMPLAINT OF WORKPLACE VIOLENCE & HARASSMENT IN THE ICU/CICU INVOLVING FAMILY MEMBERS
Visit Location: 711 CONCESSION STREET, HAMILTON, ON - SAFETY OFFICE
Visit Summary: INVESTIGATE AN ANONYMOUS COMPLAINT ALLEGING WORKPLACE VIOLENCE AND HARASSMENT IN THE ICU/CICU INVOLVING FAMILY MEMBERS OF PATIENTS - ORDERS ISSUED

Detailed Narrative:

PURPOSE OF THE VISIT:

The Ministry of Labour (MOL) Occupational Health and Safety Contact Centre received an anonymous complaint alleging workplace violence and harassment from family members of patients being cared for in the ICU/CICU of the workplace

PERSONS CONTACTED:

Liz Feres, Clinical Manager ICU
Louise Brady, Clinical Manager CICU
Kim Alvarado, Director
Cathy Craig, Safety Specialist
Jeudie Mulligan, JHSC Worker Member

INSPECTOR’S ACTIONS/FINDINGS:

- the inspector discussed the details of the complaint with the persons contacted
- the inspector confirmed the following with respect to the ICU/CICU, including:
  - patients in this unit are in a critical situation and that family members are reacting to a sudden crisis involving their loved ones
  - there had been 3 different patients being cared for in the ICU/CICU since June 20, 2019 whose family members had violated the employer’s mutual respect policy based on their behaviours toward workers on these units

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<th>Recipient</th>
<th>Inspector Data</th>
<th>Worker Representative</th>
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<tbody>
<tr>
<td>Name</td>
<td>Shelly Speir</td>
<td>Name Mulligan</td>
</tr>
<tr>
<td>Title</td>
<td>Safety Specialist</td>
<td>JHSC worker rep ONP</td>
</tr>
</tbody>
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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 in writing on the appropriate forms with the Ontario Labour Relations Board, 935 University Ave., 2nd Floor, Toronto, Ontario M5G 2P1. You may also contact the board by phone at (416) 332-7000 or 1-877-332-3333 (toll free), mail or by website at http://www.oleo.gov.on.ca/english/homepage.htm for more information.

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as a result of these violations by family members, four workplace harassment complaints and two safety occurrence reports had been completed by workers in writing.

- the employer reported that the incident which occurred on 20 June 2019 had been investigated and the patient was no longer in the workplace.

- the incident which occurred on the 23 June 2019 had been investigated and the patient was still staying in the unit - the employer confirmed that there had been no additional reports of incidents involving this patient’s family members since the investigation into the 23 June 2019 incident. The employer had provided all emails to all workers on the unit reporting that the incident had been investigated and actions to take should another incident occur - the employer agreed to provide a written report to the two complainants who reported the workplace harassment related to this incident and the findings of the investigation and any corrective actions, to ensure compliance with 320.7(1) of the OHSA/1990

- the incident which had occurred on 27 July 2019 was still being investigated by the employer - the employer will ensure that the complainants receive a written report of the findings of the investigation as discussed above.

- ORDER ISSUED to update the employer’s ‘Prevention and Management of Workplace Violence and Harassment Protocol’ (last revised on 2019-05-06) to include that complainants and respondents, if he or she is a worker of the employer, are informed in writing of the results of the investigation and any corrective action that has been or will be taken as a result of the investigation when the complaint of workplace harassment has been investigated

- a re-assessment of the risks of workplace violence for the ICU/CICU was last completed in May of 2019 - ORDER ISSUED to reassess in light of the recent incidents.

- the employer reported that workers are expected to follow the ‘Visitor Behavioural Response Plan’ document which includes de-escalation techniques, however not all workers in ICU/CICU had current GAV Training and only a few had completed CPI NVCI training - PLAN ORDER ISSUED to train workers in the ICU/CICU on identifying escalating behaviour, de-escalation and disengagement techniques with respect to workplace violence, verbal and nonverbal techniques to defuse hostile behaviour, skills to manage aggressive behaviour in least restrictive, safest manner and how to prevent or get out of situations which may result in physical injury.
- A discussion took place with the workplace parties regarding immediate actions which can be taken to protect workers from workplace violence when an incident occurs involving a family member. The employer reported that they follow a document entitled 'ICU/ICU Patient and Staff Safety Algorithm' - this document (flowchart format) was observed by the Inspector and allowed for the Unit Leader (or Charge Nurse) to first ask the person to stop behaving in a particular manner, if they continue, they can ask them to leave, if they do not leave, security is called who has them leave. This document was dated more than one year ago (2018 June 15) - ORDERS ISSUED to review and instruct the appropriate workers on this work practice (Charge Nurses, Security, etc.). Compliance with this order must include ensuring that immediate actions are taken by the Unit Leader to ensure the workers continued safety while at the workplace after the incident - e.g. escort of worker at end of shift, 2-worker response, continued security presence, etc.

- The employer may want to consider incorporating the document entitled 'ICU/ICU Patient and Staff Safety Algorithm' into the existing workplace violence program.

6 ORDERS ISSUED. Investigation ongoing.

A COPY OF THIS REPORT SHALL BE POSTED IN THE WORKPLACE WHERE IT WILL COME TO THE ATTENTION OF THE WORKERS.

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<tr>
<td><strong>Name</strong></td>
<td><strong>SHELLY SPEIR</strong></td>
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<tr>
<td><strong>Title</strong></td>
<td><strong>OCCUPATIONAL HEALTH &amp; SAFETY INSPECTOR</strong></td>
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<td></td>
<td><strong>PROVINCIAL OFFENCES OFFICER</strong></td>
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<tr>
<td></td>
<td><strong>119 King St W, 14th Flr, Hamilton, ON, L8P 4Y7</strong></td>
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<td><strong>MOLIHS/HAMILTONEAST@ontario.ca</strong></td>
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<td></td>
<td><strong>Tel: (905) 379-4557</strong></td>
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<td><strong>Fax: (905) 577-1324</strong></td>
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**Do you have a comment or feedback about your inspection? Call the Ministry of Labour Contact Centre 1-877-202-0008**
Order(s) /Requirement(s) issued To:

To: HAMILTON HEALTH SCIENCES CORPORATION

Org/Ind Role: Primary Employer

Mailing Address:
1200 MAIN ST, HAMILTON, ON, CA L8N 3Z5

Order(s) /Requirement(s) Description:
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<td>Time OHSA</td>
<td>1990</td>
<td>32.0</td>
<td>6</td>
<td>e</td>
<td>Pursuant to section 32.0.6(2)(e) of the OHSA/1990, the employer shall ensure that the workplace harassment program shall set out how a worker who has allegedly experienced workplace harassment and the alleged harasser, if he or she is a worker of the employer, will be informed of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation. At the time of investigation, the employer's workplace harassment program did not include this information when a workplace harassment allegation is investigated by the Manager of the unit. The employer shall comply with this order on or before 03 September 2019 by revising the employer's workplace harassment program to include how a worker who has allegedly experienced workplace harassment and the alleged harasser, if he or she is a worker of the employer, will be informed of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the</td>
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</tbody>
</table>

Recipient

Name: ____________________________

Title: ____________________________

Signature: ________________________

Inspector Data

SHELLEY SPEIR

OCCUPATIONAL HEALTH & SAFETY INSPECTOR

PROVINCIAL OFFENCES OFFICER

119 King St W, 14th Flr., Hamilton, ON, L8P 4Y7

Tel: (905) 379-4557

Fax: (905) 577-1324

MOLHSHAMILTONEAST@ontario.ca

Worker Representative

Name: ____________________________

Title: ____________________________

Signature: ________________________

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Do you have a comment or feedback about your inspection? Call the Ministry of Labour Contact Centre 1-877-202-0008 66913
HAMILTON HEALTH SCIENCES CORPORATION

Mailing Address:
1200 MAIN ST, HAMILTON, ON, CA L8N 3Z5

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2 Time

| OHS A 1990 | 32.0.3 | 4 |
| 02883NNRR956 |

Pursuant to section 32.0.3(4) of the OHS Act, the employer shall reassess the risks of workplace violence as often as is necessary to ensure that the related policy under clause 32.0.1(1)(a) and the related program under subsection 32.0.2(1) continue to protect workers from workplace violence. At the time of investigation, there had been recent incidents involving aggressive behaviour towards workers from family members of patients in the ICU/CICU and a reassessment for the risks of workplace violence in this unit had not been completed. The employer shall comply with this order on or before 19 August 2019 by reassessing the risks of workplace violence to workers working in the ICU/CICU as a result of recent incidents involving aggression towards workers by family members of patients.

3 Time U

| OHS A 1990 | 67 | 9 |
| 02883NNRR957 |

Pursuant to section 9(4) of the Health Care and Residential Facilities Regulation 67/1993, the employer, in consultation with and in
Field Visit Report
Page 6 of 9

Ministry of Labour
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711 CONCESSION STREET, HAMILTON, ON, CANADA L8V 1C3

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Org/Ind Role: Primary Employer

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<tr>
<td>4</td>
<td>Plan</td>
<td>OHSA 1990</td>
<td>57</td>
<td>4</td>
<td>Pursuant to section 57(4) of the OHSA/1990, the employer shall submit to the Ministry a Compliance Plan as to how the above order will be complied with, including: - the number of workers in the ICU/CICU who require training for dealing with aggressive persons, - details regarding the training to be provided to workers working in the ICU/CICU of the workplace to ensure that they are trained on identifying consideration of the recommendation of the JHSC, shall develop, establish and 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, it was reported that not all workers in the ICU/CICU of the workplace had current training to prepare them for dealing with aggressive persons and there had been incidents of aggressive behaviour from patient's family members towards workers in this unit of the workplace.</td>
<td>2019-SEP-03</td>
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</table>

Recipient

Name ___________________________
Title ___________________________

Inspector Data

SHELLY SPEIR
OCCUPATIONAL HEALTH & SAFETY INSPECTOR
PROVINCIAL OFFENCES OFFICER
119 King St W, 14th Fl, Hamilton, ON, L8P 4Y7
MOLHSHAMILTON@ontario.ca
Tel: (905) 379-4557
Fax: (905) 377-1324

Worker Representative

Name ___________________________
Title ___________________________

Signature ___________________ Signature ___________________ Signature ___________________

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689/15
**Field Visit Report**

**Ontario Ministry of Labour**

**Operations Division**

**Occupational Health and Safety**

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

**Mailing Address:** 1200 MAIN ST, HAMILTON, ON, CA L8N 3Z5

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<tr>
<td>5</td>
<td>Time 02883NNRR959</td>
<td>OHSA 1990</td>
<td>67</td>
<td>1993 9 2</td>
<td>escalating behaviour, de-escalation and disengagement techniques with respect to workplace violence, verbal and nonverbal techniques to defuse hostile behaviour, skills to manage aggressive behaviour in least restrictive, safest manner and how to prevent or get out of situations which may result in physical injury, - the frequency in which ICU/CICU workers will be trained on the above techniques, and - when all workers in the ICU/CICU will have completed the initial training on the above techniques. The employer shall comply with this order on or before 03 September 2019 by providing the Compliance Plan to the Inspector.</td>
<td>2019-SEP-03</td>
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<td><a href="mailto:MOLHSHAMILTON@ontario.ca">MOLHSHAMILTON@ontario.ca</a></td>
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<tr>
<td>6</td>
<td></td>
<td>OHSA 1990</td>
<td>67</td>
<td>1993 9 4</td>
<td>'ICU/CICU Patient and Staff Safety Algorithm' was last reviewed on 15 June 2018 and did not include additional immediate actions to protect workers from workplace violence which need to be considered by the supervisor. The employer shall comply with this order on or before 03 September 2019 by reviewing and revising the document entitled 'ICU/CICU Patient and Staff Safety Algorithm'.</td>
<td>2019-OCT-01</td>
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Pursuant to section 9(4) of the Health Care and Residential Facilities Regulation 67/1993, the employer, in consultation with and in consideration of the recommendation of the JHSC, shall develop, establish and 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, there was no documentation to support that supervisors working in the ICU/CICU, and security, had been instructed on the document entitled 'ICU/CICU Patient and Staff Safety Algorithm', with respect to immediate

Recipient

Inspector Data
SHELLY SPEIR
OCCUPATIONAL HEALTH & SAFETY INSPECTOR
PROVINCIAL OFFENCES OFFICER
119 King St W, 14th Flr., Hamilton, ON, L8P 4Y7
MOUHS-HAMILTON@ontario.ca
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<td>actions to take should aggressive behaviour by family members towards workers occur in the unit. The employer shall comply with this order on or before 01 October 2019 by training supervisors and security on the document entitled ‘ICU/CICU Patient and Staff Safety Algorithm’.</td>
<td></td>
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Recipient

Name ____________________________
Title ____________________________

CC ____________________________

Inspector Data

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