

Operations Division Occupational Health and Safety

Field Visit Report

OHS Case ID: **04230PHSW444**
 Field Visit no: **04230PJD454** Visit Date: **2020-MAY-05** Field Visit Type: **INITIAL**

Workplace Identification: **REGIONAL MUNICIPALITY OF YORK, THE: ADMIN BLDG** Notice ID:
17250 YONGE STREET, NEWMARKET, ON, CANADA L3Y 4W5

Telephone: **(905) 830-4444** JHSC Status: **Non-compliant** Work Force #: **248** Completed %:

Persons Contacted: **SEE PERSONS CONTACTED IN THE DETAILED NARRATIVE (BELOW)**

Visit Purpose: **ENFORCE THE OCCUPATIONAL HEALTH AND SAFETY ACT**

Visit Location: **PERSONAL COMMUNICATIONS**

Visit Summary: **SEE DETAILED NARRATIVE**

Detailed Narrative:

This Inspector of the Ministry of Labour, Training and skills Development (MLTSD) contacted the workplace for the purpose of continuing investigation into multiple health and safety concerns made toward this workplace alleging that the employers response to infection prevention and control at this workplace is inadequate to protect the workers. The following information is ascertained;

Concerns raised and verified by the public complainant are recorded to be the following:

"Caller stated York Region Public Health Nurses have been redeployed to work in different areas. Caller stated there are no safety measures in place for nurses deployed to York Region Administration Building (17250 Yonge Street). Caller stated 2nd and 4th floors are major areas of concern.

- Caller stated no PPE has been supplied. Nurses are handling a variety of office supplies/documents that many hands touch but gloves have not been provided.

- Caller stated physical distancing not taking place at this workplace. No additional safety measures or PPE have been provided in the absence of physical distancing.

- Caller indicated workers are concerned because the workplace is not following the public health measures they prescribe to the public.

- Caller indicated concerns brought to employers attention but no response given.

- Caller stated workers were originally allowed to work from home. The employer has not communicated why they need to return to the office"

This Inspector contacted and verified the concerns with the complainant on April 23, 2020 whereby the below was clarified:

- Complainant reports that workers have submitted concerns via e-mail to their Union (Union unidentified) on or about yesterday or today.

- Complainant clarifies that, to the best of the complainants knowledge, the concerns (aforementioned above) have not been brought forward to the employer at the Newmarket location however, that a facility in

Recipient	Inspector Data	Worker Representative
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Title _____	102-17345 Leslie Street, Newmarket ON, L3Y 0A4 MOLComplianceFormsNewmarket@ontario.ca	Title _____
Signature _____	Tel: (905) 251-1824 Fax: (905) 715-7609 	Signature _____

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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Vaughan is where the workers initially worked prior to being re-deployed to Newmarket and, the same concerns exist in Newmarket as they were alleged in Vaughan to which the employer is aware.

"The changes provided since last Thursday, April 23 are: - Rooms are even more crowded with people (no physical distancing), no masks, shortage of wipes and don't disinfect shared equipment (staplers, hole punches, binders). Calling on behalf of [worker] who works there"

The following workplace parties were met with over the course of April 23rd, April 28th, 29th, 30th and May 1 of 2020, the employer provided an update to this Inspector via telephone on May 4 2020:

- Mora KHALID- Health and Safety Specialist,
 - Paul BEAL- CUPE Representative/Vice- Chair,
 - Kevin HALEY- Worker at 17250 CUPE union member Part 1 and 2 JHSC Certified Public Health Emergency Support Group,
 - Shelley STALKER- Planning Chief Manager
 - Debra WOOD- Co-Chair of Public Health Emergency Support Group
 - Fraser HEWITT- Lead Health and Safety
 - Mary Lou GUN- Acting Manager of Public Health and Emergency Support Group
 - Judy BARTH- ONA Union Bargaining President for York Region Public Health
 - Victoria STABLES- ONA Grievance Chair
 - Sherry ANN- Note taker
- other workers who are expected to be deployed to 17250

INSPECTOR FINDINGS:

The ONA Union indicated that no formal written letter addressing these concerns were produced on or about April 23, 2020 by the workers at this workplace and that the ONA Union Bargaining President was notified by the employer of the concerns via email on or about April 23, 2020. The same indicated that later the Union received communication from the workers of concerns about physical distancing only. It was further reported that the re-deployment of workers was for the purpose of reducing surge and increasing case management that supports the COVID-19 pandemic response.

1) Caller stated no PPE has been supplied. Nurses are handling a variety of office supplies/documents that many hands touch but gloves have not been provided, don't disinfect shared equipment (staplers, hole

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punches, binders):

It was verified with the workplace parties that the workers at the workplace are handling documents in digital format and print form that are generated and handled in the workplace by the workers. It was reported by the workplace parties that no internal lab exists at the workplace. It was reported by the workplace parties that there is no direct care of persons with suspected or confirmed COVID-19 occurring by the workers at this workplace. It was reported by the workplace parties that the documents generated and handled are not visibly soiled with biological and physical substances from COVID-19 suspect or confirmed patients. It was reported by the workplace parties that the workers have been instructed to perform hand hygiene regularly throughout the course of their working day and have been instructed to disinfect their working station prior to and after their working shift. It was reported that although workers do share some work stations, that sharing of the work stations does not occur in the same day. The work station would be disinfected by an environmental cleaning company at the end of each working day. As such, it is reported that the work station is disinfected prior to the beginning of each shift, then again through the workers expectation of cleaning before use and then once again upon disengaging the workplace where the cycle repeats.

The workplace parties agreed through the Internal Responsibility System (IRS) to provide specific instruction to workers on the employers expectation of handling documents.

It was reported by the workplace parties that workers have been provided access to hand sanitizer upon entry into each work area and sporadically throughout the work area as well as instruction on hand hygiene expectations. It was further reported that every Tuesday new shipments of hand sanitizer arrives at the workplace.

2) No masks:

No Aerosol Generating Medical Procedures (AGMP's) were reported to occur at this workplace. Despite the absence of AGMP's and direct care environment of COVID-19 patients, the employer reported that workers are encouraged to utilize respiratory coverage of their own choice for source control at the workplace should they still be personally concerned.

3) Shortage of wipes:

It was reported that the employer is not lacking a supply of disinfectant wipes however that many wipe containers have reportedly become missing at the workplace. The employer indicated that efforts to ensure

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that the disinfectant supply does not become limited have been established whereby the worker do not have access to the surplus disinfectant wipes and workers have been instructed to request re-stocking of wipes through their supervisors upon depletion. The ONA Union Local President and CUPE Union Member corroborated the assertions by the employer that supplies of disinfectant wipes are not in short supply.

On May 1, 2020, the workplace parties indicated that workers are expected to disinfect their hands upon entry to the building and that any objects, i.e., hand held devices, brought into the workplace would require disinfection at their work station which could be on the fourth floor. The employer indicated that disinfection of the workplace occurs by an external cleaning company every evening. It was raised to the attention of the workplace parties that objects that can be reasonably handled in the course of arriving to the work station may defeat the hand hygiene measures established at the entrance and enhanced environmental cleaning efforts done the previous evening. On May 4, 2020 the employer reported that signage was posted in the main entrance pertaining to the disinfection of high touch surfaces and a copy of the signage was produced. The employer verified that there is no public access to the workplace as the doors are locked. The signage reported to be posted at the main entrance reads as follows: "frequently clean and disinfect high touch surfaces and shared items using regular household cleaners".

- The employer may wish to provide the workers with a means to achieve the expectations of the signage where the signage is posted, if such high touch surfaces and shared items exist.

4) The concern related to physical distancing is addressed in Field Visits 04230PJBQ451 and 04230PJCT452 of Case ID 04230PJBQ450

- it was re-iterated with the ONA representatives present today the efforts in process by this employer and the precautions established in the interim of establishing permanent measures for physical distancing adherence.
- It was reported by the workplace parties on May 1, 2020 that all measures and procedures have been established at the workplace to achieve physical distancing of 2 metres.
- the employer is reminded to ensure that the workplace population is monitored such that physical distancing measures can be maintained.

Other observations:

The workplace parties are working through the Internal Responsibility System (IRS) to clarify the designated health and safety posting area to workers at the workplace.

The employer on May 4 2020, advised this Inspector that orientation is now being provided to the new workers

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expected to work at this workplace on the infection prevention and control measures and procedures established at this workplace.

- The employer is reminded of their duty to provide supervision to workers. Selecting a supervisor is one thing, ensuring that the supervisor is performing the duties as expected by this employer is another.

The workplace parties recognized that a Worker Representative has not been selected for the workers in accordance with Subsection 9(8) of the Act. Through the Internal Responsibility System, Judy BARTH, ONA Union Bargaining President for York Region Public Health, was selected in the interim of establishing a permanent representative for the new workers at this workplace. The employer followed up with this Inspector on May 4, 2020 to indicate that the selection is in process.

It was identified that contracted food services workers may not be meeting the same entry criterion of this employers workers upon entry into this workplace and that this employer may not have established measures and procedures to ensure that their workers are not exposed to COVID-19 by the contracted food services workers. The employer indicated that through the Internal Responsibility System (IRS) that verification of the measures and procedures will be made. The employer followed up with this Inspector on May 4, 2020 to indicate that food services measures and procedures for infection prevention and control at this workplace have been established.

The employer has chosen not to perform active screening at this workplace. It was discussed the duty of this employer to supervise workers to protect the worker health and safety at the workplace. The employer could not verify to this Inspector whether workers were actually following the entrance measures and procedures established by this employer for the protection of worker exposure to COVID-19 at this workplace- WRITTEN ORDER ISSUED.

-The employer was reminded that if paper records are kept where the active measures and procedures for infection prevention and control are carried out they should be maintained from a reasonable distance away from that area so as to ensure no potential for cross contamination.

It was discussed the employers duty to maintain a program to implement the employers written health and safety policy.

DOCUMENTS RECEIVED:

1) IMAGES FOR HALLWAYS/STAIRWAYS/ENTRYWAYS - 17250 YONGE STREET (one-way signage and floor

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demarcation(s))

- 2) WORKPLACE HEALTH & SAFETY DURING COVID-19 #10709010, dated April 2020
- 3) VOICEOVERSCRIPT FOR HEALTH & SAFETY POWERPOINT (#10709010- V.28)
- 4) Procedure for Redeployed Staff to the Administration Centre UNDERSTANDING POSTED COVID-19 WORKPLACE HEALTH & SAFETY SIGNAGE
- 5) 2nd and 4th floor One Way travel Floor Plan
- 6) Image of work station set up
- 7) Procedure for Redeployed Staff to the Administration Centre UNDERSTANDING POSTED COVID-19 WORKPLACE HEALTH & SAFETY SIGNAGE
- 8) COVID-19 Contractor Screening
- 9) Lunch Pick-up Procedure#10774639
- 10) Email Redeployment Confirmation - CHS - PH - April 2020
- 11) YORK REGION WORKPLACE INSPECTION REPORT dated 27/03/2020 and 3- APRIL-2020 and 27/03/2020 and 16/04/2020
- 12) Anonymous Complaint Investigation, Administration Building (17250 Yonge St.) dated April 24, 2020

A copy of this report shall be posted in a conspicuous area in the workplace where it can come to the attention of all workers.

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

To: **REGION OF YORK** Org/Ind Role: **Primary Employer**

Mailing Address:
17250 YONGE ST, SUITE 100, NEWMARKET, ON, CA L3Y 4W5

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
1	Time	OHSA	1990	25	2	a	The employer shall provide information, instruction and supervision to workers on the measures and procedures required upon entry to the building to ensure that COVID-19 is not transmitted within the workplace.	2020-MAY-08
	04230PJN459							

At the time of inspection, there was no evidence that workers had information, instruction and supervision regarding what was required upon entry to the workplace.

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