

# HEALTH HAZARD ALERT

## SEVERE ACUTE RESPIRATORY SYNDROME (SARS)

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### Respiratory Program Q's and A's

#### **Why should Employers have Respiratory Programs?**

If workers in a health care facility are at risk of exposure to inhalation hazards--biological or chemical--then the employer must provide appropriate equipment and comply with the legislation.

The Occupational Health and Safety Act and Regulations directs employers to provide workers with appropriate protective devices and equipment, train those workers on such equipment, and maintain the equipment in working condition.

The Health Care Regulations state:

10.1 *“A worker who is required by his or her employer to wear or use any protective clothing, equipment or device shall be instructed in its care, use and limitations before wearing it or using it for the first time, and at regular intervals thereafter and the worker shall participate in such instruction and training”.*

10.2 *“Personal protective equipment that is to be provided, worn or used shall be properly used and maintained, be a proper fit, be inspected for damage or deterioration, and be stored in a convenient, clean and sanitary location when not in use”.*

#### **Are there any legal standards set for Respiratory Programs?**

The Canadian Standard Association document, (CSA) Z94.4-02 “Selection, Care, and Use of Respirators,” outlines the standards for respirator programs. Although the CSA Standard is not a legal standard the Ministry of Labour considers it enforceable.

#### **What input do the union and the Joint H&S Committee have into the Respirator program?**

The Occupational Health and Safety Act provides workers with the right to know about hazards, the right to participate in matters respecting health and safety, and the right to refuse unsafe work. Joint H&S committees are entitled to have input into matters involving health and safety—including Respirator Policies. Section 9 (18) of the Act states that committees have the power to, *“recommend to the constructor or employer and the workers the establishment, maintenance and monitoring of programs, measures and procedures respecting the health and safety of workers”.*

Collective Agreements give workers the right to participate through Labour Management committees. Regardless of which “table” the employer introduces respirator policies at--if they don’t, THEY SHOULD--OPSEU encourages members to work together in both forums to have a say in their health and safety.

### **What components should be in a Respirator Program?**

- **Roles and responsibilities**--A program should clarify responsibilities of the program administrator, respirator users, supervisors, respirator selectors, fit-testers, maintenance personnel, and health care personnel.
- **Hazard assessment**--A program should describe the hazard assessment process used to ascertain respiratory hazards in the workplace. A qualified person should perform such as hazard assessment.
- **Selection of appropriate respirator**--A process that considers the workplace needs and relevant guidelines to select appropriate respirators for both emergency and non-emergency use.
- **Respirator fit-testing**--Should outline the type of fit-testing required—qualitative or quantitative and describe the procedures.
- **Training and use of respirators**--Should ensure that all people with roles and responsibilities under the policy receive appropriate training for their roles. Training for care and practical use means hands on training including donning, doffing, user seal checks, care, inspection identification of problems, storage, etc.
- **Cleaning, inspection, maintenance and storage of respirators**--Policy should describe procedures for all of these.
- **Health surveillance of respirator users**--Prior to being fit-tested or using a respirator, the program administrator must ensure that workers have no physiological or psychological condition that precludes them from wearing the equipment. The policy should describe this process.
- **Program evaluation**--A method of regularly assessing the program to ensure workplace safety as workplace processes evolve.
- **Record-keeping**--A process described that keeps accurate records of the entire program, including hazard assessments, respirator selection, fit-testing records, training records, inspection and maintenance records, health surveillance and program evaluations.

The JHSC should have input into every aspect of the program.

### **What should not be in a respirator program?**

- **Health surveillance forms should not contain specific medical information**  
Respiratory programs must have a health surveillance component to ensure that workers are free from physiological or psychological conditions that may preclude them from being assigned the use of selected respirators. In the CSA Standard’s sample surveillance form, all conditions that affect a worker’s ability to wear a mask are in a single section and the employee answers “yes” or “no” to the whole section, not to each condition.
- **Workplace health departments should not replace members’ right to consult personal physicians**

Occupational health departments in hospitals, or other workplace medical personnel should perform only preliminary evaluations of workers and should send workers to their own doctors if more detailed examination is required, or if the employee indicates that they have one or more of the medical conditions that might affect their ability to wear a mask.

- **Respirator policies should not be discriminatory**

Members who are unable to wear masks due to medical or religious reasons have a right to accommodation under the Human Rights Code. Respirator programs should recognize and reflect employers' duty to accommodate in these situations.

- **Respirator policies should not be disciplinary**

Mentions of discipline aren't necessary in respirator policies because Sections 25, 26, 27, and 28 of the Occupational Health and Safety Act clearly give employers, supervisors and workers the responsibility to wear protective equipment as required, to report situations that violate the Act (in this case if someone isn't wearing appropriate equipment), and to ensure that proper equipment is worn. Also, collective agreement "management rights" clauses enable employers to enforce policies in the workplace. Therefore, employers' rights to enforce the policy are implicit--it's not necessary to make a fit-testing policy sound disciplinary to get the point across.

### **If you need more information about respirator programs**

For more information on respirator programs, refer to the CSA Standard Z94.4-02, or call the OPSEU Health and Safety Unit at 1-800-268-7376 ext 774.