

Operations Division Occupational Health and Safety

Field Visit Report

OHS Case ID: 03564QCZW027

Field Visit no: 03564QCZW028

Visit Date: 2021-FEB-08

Field Visit Type: INITIAL

Workplace Identification: FAIRFIELD PARK DIV. OF LAPOINTE FISHER NURSING HOMES LTD  
1934 DUFFERIN AVENUE, WALLACEBURG, ON, CANADA N8A 4M2

Notice ID:

Telephone:  
(519) 627-1663

JHSC Status:  
Active

Work Force #:  
120

Completed %:

Persons Contacted: MS. SHONA OUTRIDGE, DIRECTOR OF OPERATIONS  
MS. ANGELA JUDAH, DIETARY AIDE, WORKER REPRESENTATIVE(NOT ON JHSC)  
MS. CANDACE LEFEBVRE, DIRECTOR OF CARE  
MR. DAN SAUNDERS, CLINICAL MANAGER, CHATHAM KENT HEALTH ALLIANCE

Visit Purpose: COMPLAINT INVESTIGATION.

Visit Location: FORMER LUNCH AREA NEAR MAIN ENTRANCE, PRIMARY FRONT DESK.

Visit Summary: COMPLAINT INVESTIGATION. ACCOMPANIED BY DENISE MADSEN, MLTSD INFECTION CONTROL CONSULTANT.  
ORDER ISSUED.

Detailed Narrative:

A field visit was conducted at this workplace to investigate an anonymous complaint received by the MLTSD as follows:

"The complainant alleges that the masks that the employer has been providing to workers (possibly as early as April and at least as far back as September of 2020) are non-medical (AIRE brand), despite the workplace being in outbreak. The complainant further alleges that the employer insisted to him that the masks are medical grade, despite the packaging clearly indicating otherwise. The complainant stated that the same masks are still in the workplace, sitting in isolation bags. The complainant stated that there's been an increase in workers testing positive for COVID 19 (12 as of today) that the complainant assumes correlates with the use of the non-medical masks. The employer has only just taken the masks out of circulation."

The employer stated that AIRE brand masks had been in use up until January 30, 2021, at which time they were removed from service over concerns that they were not medical grade. These masks were replaced with PACER MEDICAL brand face masks, which are still in use currently.

Comments by Denise Madsen, MLTSD Infection Control Consultant:

Findings

At the time of the visit, this facility remains in COVID-19 outbreak declared on January 10, 2021. The employer has liaised with the Chatham Kent Public Health unit throughout the course of the outbreak. A representative from the Chatham Kent Health Alliance is onsite for outbreak management support.

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Name _____	<b>TREVOR FISH</b> HYGIENE CONSULTANT PROVINCIAL OFFENCES OFFICER	Name _____
Title _____	4510 Rhodes Dr, Ste 610, Windsor, ON N8W 5K5 MOLOHSWINDSOR@ONTARIO.CA Tel: (519) 791-9688 Fax: (519) 258-1321	Title _____
Signature _____	Signature _____	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.

The Government of Ontario wants to hear from you. You can provide feedback on this visit at 1-888-745-8888

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### SCREENING:

At the time of the visit active screening (including questionnaire and temperature) is conducted for all staff and persons entering the workplace. Passive signage was observed posted at the entrance. Screener wore personal protective equipment (PPE) consisting of mask, face shield, gown and gloves. Hand hygiene is accessible at the screening station.

### SURVEILLANCE TESTING:

Staff are tested for COVID-19 weekly. Residents are monitored for symptoms twice daily. Residents are tested if symptomatic. Workers from the temporary agencies are also included in the weekly testing.

### HAND HYGIENE:

At the time of this visit alcohol-based hand sanitizers (ABHS) were observed throughout the facility. Alcohol content is noted to be 70%-90% which is the recommended level for healthcare settings.

### ENVIRONMENTAL CLEANING and DISINFECTION:

At the time of the visit established procedures for cleaning and disinfection are in place. Appropriate disinfecting products and RTU wipes are used for high touch areas and general environmental cleaning. A spray disinfecting system has recently been implemented for enhanced cleaning.

### COHORTING:

At the time of the visit, all positive residents are currently on the Courtyard outbreak unit, recognized as a 'red zone.' Additional color zones are being established to align with required precautions for the other units.

### PERSONAL PROTECTIVE EQUIPMENT (PPE):

At the time of this visit workplace contacts stated there are no supply issues related to PPE. The employer is aware of the Ministry of Health (MOH) guidance to acquire PPE and provides weekly PPE surveys to the MOH.

PPE observed to be available to workers includes procedure masks, N95 respirators, face shields, disposable gowns and medical grade gloves of various sizes.

### AEROSOL GENERATING MEDICAL PROCEDURES (AGMP):

The workplace contacts stated that no AGMP are performed. N95 respirators are available to workers.

### PHYSICAL DISTANCING:

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At the time of the visit the front lounge has been converted to the staff break room. Maximum number of persons in the break room is posted. Staff were observed in the break room maintaining physical distance. Visual reminders and markings for distancing were observed in the facility.

OCCUPATIONAL ILLNESS:

The employer is reminded that occupational illness must be reported to the Ministry of Labour, Training and Skills Development (MLTSD) as per the reporting requirements of section 52 of the Occupational Health and Safety Act. Information as prescribed under the Regulations for Health Care and Residential Facilities section 5(5) must also be included.

MASKS:

The workplace contacts stated that a brand of masks labelled as non-medical was brought to the employer's attention on January 30, 2021. The masks were removed from service on that day. The employer contacted the PPE supplier for verification and the supplier confirmed the masks to be Level 1.

A test report from an overseas manufacturer dated March 26, 2020, was provided to the MLTSD inspectors. The test report indicates that performance specifications for bacterial filtration effectiveness, particle filtration efficiency and pressure difference meet the standard's requirement.

Issue noted:

There are no indicators on the test report that correspond with the brand/model of masks in question.

Discrepancies noted on the test report include the brand as Alloves and the number 200047224.

The brand of masks observed at the workplace labelled as non-medical is called AIRE. The number on the mask box is 6973390520004.

Findings suggest the AIRE brand masks should be further examined to obtain validated information related to performance criteria and use of the masks in the workplace. SEE ORDER

N95 RESPIRATORS:

The workplace contacts stated that all staff have been provided information on CMOH Directive #5. Staff are provided N95 respirators based on their point of care risk assessment (PCRA). At the time of the visit, various models of N95 respirators were observed to be available to staff. N95 respirators are accessible at the nursing stations. The workplace contacts stated they are currently in the process of setting up PPE stations in each unit which consists of masks, respirators, face shields, gloves and gowns.

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Resources:

Ministry of Health  
Ministry of Long-Term Care

COVID-19 Directive #5

[http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/directives/public\\_hospitals\\_ac t.pdf](http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/directives/public_hospitals_ac t.pdf)

COVID-19 Directive #5 Questions and Answers

[http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/directives/public\\_hospitals\\_ac t\\_qa.pdf](http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/directives/public_hospitals_ac t_qa.pdf)

Government of Canada

Regulatory considerations on the classification of non-medical masks or face coverings

<https://www.canada.ca/en/health-canada/services/drugs-health-products/covid19-industry/medical-devices /personal-protective-equipment/medical-masks-respirators/face-covering-classifications-notice.html>

Public Health Ontario (PHO)

COVID-19: Electrostatic Spray Disinfection Systems

<https://www.publichealthontario.ca/>

[-/media/documents/ncov/ipac/2020/07/faq-covid-19-electrostatic-sprayers.pdf?la=en](/media/documents/ncov/ipac/2020/07/faq-covid-19-electrostatic-sprayers.pdf?la=en)

=== End of comments Denise Madsen ===

RESPIRATORY PROTECTION

Workers were observed to be using and wearing N95 respirators in common areas (non-resident or outbreak areas).

Workplace parties indicated that there are no AGMP (aerosol generating medical procedures) being performed at this facility that would initiate the use of an N95.

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However, the Ontario Ministry of Health (MOH) Directive #5 speaks to the provision of an N95 respirator to regulated healthcare professionals based on a point of care risk assessment performed by the healthcare professional. The Question and Answers section of Directive #5 goes on to state that non-regulated healthcare personnel may request an N95 during an outbreak. Such decisions should, in best practice, still be done in consideration of a point of care risk assessment.

N95 respirators, 3M brand (4 models), and Dasheng DTC3Z (NIOSH approved) were available for use at this workplace.

A list of workers that have been fit tested (either qualitatively or quantitatively) was reviewed during this field visit. Qualitative fit testing is conducted on-site by qualified Fairfield Park staff that have received the 3M train the trainer for fit testing. For workers that could not be effectively fit tested qualitatively, quantitative fit testing was provided by an outside provider (CHATHAM KENT EMS).

Respirator fit testing procedures and requirements are detailed in the CSA Standard Z94.4-18, Selection, Use and Care of Respirators. This standard may be viewed for free at the CSA website, <https://www.csagroup.org/>

Summaries of this CSA standard may be found at the Canadian Centre for Occupational Health and Safety (CCOHS),

<https://www.ccohs.ca/oshanswers/prevention/ppe/respslct.html?=&wbdisable=true>

### WORKER DUTIES AND RESPONSIBILITIES

Discussions were held with workplace parties as to the duties of workers under the OHSA and regulations.

Specifically, the appropriate use, donning and doffing of personal protective equipment and respirators.

Workers that have been fit tested and trained in the use, care and maintenance of respirators (as detailed in the CSA standard) are required to follow the training, information and instruction provided.

Workers were observed to be wearing 3M N95 respirators in common (non-resident) areas. One worker was observed entering the workplace while wearing a 3M N95 respirator before being screened.

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The function of any NIOSH approved respirator is to protect the wearer from an identified airborne hazard in specific work tasks. Face masks are primarily used for source control and in some circumstances droplet precautions.

TEMPORARY STAFFING AGENCIES

The employer stated that temporary staffing agencies are in use at this facility due to a current COVID outbreak among staff (full and part time) typically employed by Fairfield Park. A list of the temporary staffing agencies in use was requested, as well as the current number of temporary workers employed.

The employer stated that all temporary workers have received adequate and appropriate training, both from Fairfield Park and the temp agencies. Temporary workers receive the same level of training, information and instruction as regular full and part time workers employed by this workplace. Training in the context of language requirements may also be a factor, to ensure training is provided in a language understood by workers.

OCCUPATIONAL ILLNESS REPORTING

The MLTSD has received multiple occupational illness reports from Fairfield Park. To date, sixteen workers have been identified and reported as occupational illnesses by the employer.

Information provided by the Long Term Care COVID 19 daily reporting indicates a total of 35 workers affected.

The employer is required to submit occupational illness reports to the MLTSD as prescribed in Section 52 (2) of the OHSA:

If an employer is advised by or on behalf of a worker that the worker has an occupational illness or that a claim in respect of an occupational illness has been filed with the Workplace Safety and Insurance Board by or on behalf of the worker, the employer shall give notice in writing, within four days of being so advised, to a Director, to the committee or a health and safety representative and to the trade union, if any, containing such information and particulars as are prescribed.

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### Resources:

Ministry of Health  
Ministry of Long-Term Care

#### COVID-19 Directive #5

[http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/directives/public\\_hospitals\\_ac\\_t.pdf](http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/directives/public_hospitals_ac_t.pdf)

#### COVID-19 Directive #5 Questions and Answers

[http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/directives/public\\_hospitals\\_ac\\_t\\_qa.pdf](http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/directives/public_hospitals_ac_t_qa.pdf)

#### Government of Canada

Regulatory considerations on the classification of non-medical masks or face coverings

<https://www.canada.ca/en/health-canada/services/drugs-health-products/covid19-industry/medical-devices/personal-protective-equipment/medical-masks-respirators/face-covering-classifications-notice.html>

#### Public Health Ontario (PHO)

COVID-19: Electrostatic Spray Disinfection Systems

<https://www.publichealthontario.ca/-/media/documents/ncov/ipac/2020/07/faq-covid-19-electrostatic-sprayers.pdf?la=en>

A copy of this report must be posted in the workplace and a copy provided to the JHSC.

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

To: **FAIRFIELD PARK DIV. OF LAPOINTE FISHER NURSING HOMES LTD** Org/Ind Role **Primary Employer**

Mailing Address:  
**1934 DUFFERIN AVE, WALLACEBURG, ON, CA N8A 4M2**

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	Rqmt 03564QDCM029	OHSA	1990	54	1	f	An inspector may, for the purposes of carrying out his or her duties and powers under this act and the regulations, (f) require in writing an employer to cause any tests described in clause (e) to be conducted or taken, at the expense of the employer, by a person possessing such special expert or professional knowledge or qualifications as are specified by the inspector and to provide, at the expense of the employer, a report or assessment by that person. The employer shall have the AIRE brand mask, numbered 6973390520004, further examined to obtain validated information related to performance criteria and use of the masks in the workplace. This testing shall be performed by a person or laboratory with knowledge and experience and qualifications for testing such materials. At the time of the field visit there was no testing documentation available for the AIRE brand masks.	2021-MAR-10

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