

Speaker Handouts for CSI-Can your office survive a Min of Labour Inspection?

Module 1 - OHSA:

Since 1979 the Occupational Health and Safety Act (OHSA) has existed based on shared responsibility of employers and workers. There are several other Acts of equal importance that are enforceable through various regulations, guidelines, codes and standards.

Of particular concern to dentists are Regulations regarding WHMIS, Health Care Facilities and Industrial Establishments. Individual dentist office policies can be stricter than government regulations.

There are 10 parts in the OHSA:

Part 1 – Deals with who is covered and who is not covered under the law. Includes definitions of employer, supervisor, worker, Health & Safety Representative and a certified member of a H & S Committee.

Part 2 – H & S Rep requirements based on number of employees. 6 to 19 employees requires an employee chosen H & S worker representative. Duties include ensuring monthly workplace inspections are done, safety related information is gathered and recommendations to employers are made. The Rep needs to accompany a Min of Labour inspector and to sign off on any orders for compliance once completed. 20 or more workers requires a committee of employees and management who both must take a specific certification course. A committee has the same duties as a Rep but must also meet formally every 3 months and take minutes. Law now requires specific mandatory training for all employees and employers in all offices of any size. OHSA Section 25 2 h – An employer shall take every precaution reasonable in the circumstances for the protection of the worker.

Part 3 – Employer duties to ensure compliance, assess and control hazards and provide safety training and protective equipment for workers. A copy of the OHSA must be available to workers as well as government issued H & S poster. Written H & S policy must be reviewed annually and a program must be in place. Employer training includes knowledge of the Act and appropriate Regulations, offences and penalties and how to do inspections and provide hazard training.

Employer duties to the H & S Rep/Com is to assist them in their duties, pay for time spent and respond to recommendations within 21 days. Allow Rep to assist Min of L inspector, post any Ministry orders and report any workplace injuries or illnesses.

Employee training must include worker responsibilities, WHMIS, H & S reporting and inspections, equipment training, all job specific hazard training.

Employees have three basic rights – to know hazards, to participate with recommendations and to refuse dangerous work.

Employee responsibilities are compliance, personal protective equipment use, safe and proper conduct.

Part 4 – WHMIS

Part 5 – When, who and under what circumstances workers can refuse work.

Part 6 – Employer cannot take reprisal against worker.

Part 7 – Notices required in case of accident, illness, injury or death including critical injury even to patients.

Part 8 – Details the powers of the Ministry of Labour inspectors.
Part 9 – Offences and penalties.
Part 10 – Regulations allowing government to make law.

Module 2 – WHMIS:

Workplace Hazardous Material Information System regarding safe use, handling, storage and disposal. Federal legislation but also Ontario annual requirement for inventory controlled products list and training review.

Employer responsibilities on education/training, product labeling, MSDS availability and controls.

Employee responsibilities for training, safe practices, knowing MSDS location and reporting defective/missing labels.

Supplier responsibilities to classify and label products and provide 3 year MSDS.

WHMIS consists of hazard symbols, supplier & workplace & consumer labels, MSDS, worker training and education.

Symbols:

Class A – compressed gas (oxygen, nitrous oxide, fire extinguishers)

Class B – flammable and combustible material (solvents, alcohol)

Class C – oxidizing material (chlorine, hydrogen peroxide, oxygen, nitrous oxide)

Class D-1 – acute poisonous and infectious material (bleach, ammonia, mercury)

Class D-2 – long term poisonous and infectious material (lead foil, glutaraldehyde)

Class D-3 – biohazardous poisonous and infectious material (body fluids)

Class E – corrosive material (bleach, x-ray developer)

Class F – dangerously reactive material (oxygen destainer)

Supplier labels: All controlled product containers.

Under 100 ml - Product name, supplier name and address, say “Refer to MSDS”, hazard symbol, hatched border, English and French

Over 100 ml – all the above plus risk phrase, precautionary measures, first aid.

Workplace labels: When decanted into other container.

Product name, safe handling info, say “Refer to MSDS”, optional hazard symbol and hatched border. Exception is single worker use. Obtain from Stericycle, Revere Seton or W.H. Brady.

Consumer product label: Consumer product containers.

Label, text, hazard symbol, border, English and French.

MSDS: Material Safety Data Sheet

For all controlled products - all dental materials.

Handling, emergency response, clean up, disposal.

Nine areas of information on MSDS.

WHMIS 2015 – New Globally Harmonized System (GHS) with 28 hazard classifications instead of 8, new picture labels and MSDSs with 16 sections instead of 9.

Hazard control: At the source, along the path and at the worker.

Source – Eliminate or substitute.

Path – Ventilation and barriers or physical setup of office

Worker – proper storage, use, clean up, PPE

R-A-C-E: Recognize, Assess, Control, Evaluate

Module 3 – Inspections:

A – Ministry of Labour:

Due to Ministry blitz, random, office targeted, complaint, follow visits. Inspectors can enter office at any time with no notice nor warrant.

Employers and employees cannot hinder or obstruct them.

May ask for H & S Rep to accompany them. Can take photographs, examine and/or remove records. Order tests or demonstration of equipment. Private inquiry of any worker in office. Order you to have written policies, assessments, install or test or stop using equipment. Can stop work or clear workplace.

Cost of compliance is employers within a specific time frame. Decisions can be appealed.

To comply you must write them of your actions taken, signed by H & S rep and Min of L inspector must agree in writing.

Inspectors Checklist:

No standardized form. Somewhat inspector specific.

Policies and procedures reviewed annually – H & S, W.V. & H., WHMIS, MSD, SENS & Sharps, first aid and CPR, x-rays, slip/trip/fall, spills.

Training records and qualifications, H & S meetings, MSDS locale, PPEs.

Eyewash station, anaesthetic gases.

Visual walk through of office and question employees.

Signs, food/drinks, heating.

B – Public Health Ontario:

Strictly complaint based. PHO now using two checklists created in conjunction with RCDSO and CDHO. 2017 office closures due to improper cleaning prior to sterilization, improper sterilization, lack of monitoring and lack of records. Follow RCDSO guidelines for sterilization.

Module 4 – Workplace Violence and Harassment:

Areas – workplace violence and harassment, bullying, domestic violence.

Need policies for workplace violence, harassment, incident reporting, investigation process and work refusal procedure.

Employer to prepare policies and maintain programs. Assess risks then advise and train workers.

Employees to comply, work safely and report incidents.
Employees right to violence-free, bullying-free, harassment-free workplace and to refuse to work in unsafe situation.
Policy for W.V. prevention and appropriate behaviour. Assessment and controls in place.
Incidents and investigations process.
W.H. policy and program including confidential reporting by workers.
Employers to take every precaution reasonable to prevent domestic violence entering workplace.

Module 5 - X-Ray Safety:

HARP – Healing Arts Radiation Protection Act
Various regulations federal and provincial.
Enforced by XRIS – X-ray Inspection Service of Ministry of Health and Long Term Care
Fines - \$25,000 then \$50,000
Form 1 to install equipment.
RPO – Radiation Protection Officer - must be a dentist. To ensure proper testing done and records kept, proper staff training & safety precautions adhered to and Quality Assurance program in place. To advise XRIS if any overexposure.

QA program:

Daily – photo quality control
Yearly – external testing done of x-ray machines.
Need to record number of retakes for both digital and processed film.
Step wedge tests and personal dosimeters recommendations only.
Lead aprons cannot be folded, laid flat, torn creased or perforated.

Module 6 – Musculoskeletal Disorders (MSD):

No specific regulation but falls under “every precaution reasonable to protect workers”.
Employer to assess and put controls in place. Advise and train workers and have policy and program in place. Report MSDs to Min of Labour if occupational illness or injury determined by M.D.
Affected by force, posture and repetition.
Considerations – Posture, chair design, instrument size and shape, loupes, workstations

Module 7 – Safety Engineered Needles (SENS):

Regulation 474/07 for hollow bore needles.

Exceptions:

1. If determine use would pose a greater risk to worker or patient.
2. If despite reasonable efforts, unable to obtain a SEN appropriate for the work.
3. If in a declared public emergency no SENS and harm risk if treatment delayed.

Only two dental types available – Septodont Ultra Safety Plus
Sharps program in place. ODA has good forms for all of this.

Employer must have policy and program and review annually. Record incidents, train staff. Employees to comply, report incidents, accidents.

Module 8 – Eye Wash Stations:

Regulation 851. Most common dental office violation.

American National Standards Institute (ANSI) standard Z358.1-2009

15 minute eye flush at low pressure to both eyes simultaneously with temperature controlled water, 16 to 38 degrees Celsius.

Must be in open area with unobstructed path to it within 10 seconds.

Must activate in one second or less and then be hands free.

Portable bottles not compliant. Most simple faucet attachments not compliant.

Various compliant plumbed units or gravity fed units.

Main companies – Guardian, Bradley, Speakman, Haws.

Module 9 – Waste Anesthetic Gases (WAGS):

Regulation 833 and Regulation 67/93

Relate to all anesthetic gases including nitrous oxide. Cylinders must be properly secured.

Areas of concern:

-Safe work practices

-Leak prevention

-Scavenger systems

-Dilution ventilation

Terminology:

NIOSH – National Institute of Occupational Safety and Health

TWAEV – Time weighted average exposure value/level

STEV – Short term exposure value/level

CEV – Ceiling exposure value

Safe work practices deals with proper equipment use with every patient.

Leak prevention of equipment while in use with daily checks and also external testing.

Scavenger system guidelines from both the CSA and ISO.

Scavenger system leak testing required annually by the RCDSO. Regulation 67/93 requires it monthly (hospitals) but not intended to apply to dental offices. Likely requirement frequency would be every 6 months since other Regulation requires every 6 months.

Regulation 833 requires air monitoring and testing wherever anesthetic gas is present as per industry standard. Both NIOSH and OSHA (Occupational Safety and Health Administration) say every 6 months and they are the industry standard.

Air sample testing can be done direct or indirectly (passively) with spot testing or prolonged time testing.

Dilution ventilation testing can be done in conjunction with HVAC testing every 6 months.

Module 10 - First Aid:

Regulation 1101.

Employer to provide prompt first aid with size of first aid kit matched to number of employees. Kit to be checked every 3 months. A qualified first aid worker to always be present. This worker to have St. John Ambulance First Aid Certificate or equivalent. Training to include emergency scene management, shock/unconsciousness/fainting, choking, severe bleeding and CPR. Dental degree an equivalent so dentist can be the qualified worker.

Module 11 – Emergency Plan:

No specific regulation but falls under “every precaution reasonable to protect workers”. Emergency response plan to fire, violence, internal (chemical) or external (weather) disaster and include first aid, fire extinguishers, evacuation plan.