

GOOD NEWS

The employer shall take every precaution reasonable in the circumstances for the protection of a worker. [*Occupational Health and Safety Act, s. 25 (2) (h)*].

To be put in a position where you are forced to choose between patient care and personal safety is unconscionable. Over the past several days several brave nurses chose to exercise their right to refuse unsafe work when denied access to the PPE they determined was needed. We are indebted to these nurses. Because of their actions, and the work of ONA at provincial tables, a new directive was issued by the Chief Medical Officer of Ontario yesterday evening. This directive provides for the following:

1. Point of Care Risk Assessments (PCRA) (attached) to determine what level of PPE, including N95, is required for any patient encounter. **The level of PPE determined by the nurse as a result of the PCRA will not be unreasonably denied.**
2. At a minimum, contact and droplet PPE to be wore for any encounter with suspected, presumed, or confirmed COVID-19 individuals.
3. All health care workers within two (2) metres of any suspected, presumed or confirmed COVID-19 patients will have access to appropriate PPE which includes surgical/procedure masks, **fit tested NIOSH-approved N-95 respirators** or approved equivalent or better protection, gloves, face shields, impermeable or, at least, fluid resistant gowns. N95 masks will not be necessary for all patient interactions.

What is a point of care risk assessment (PCRA)?

A sample of a PCRA Tool follows. This tool enables the care provider to determine the risks associated with caring for the patient, the activity to be carried out, and the environment. The risk level determines the level of PPE to be accessed.

POC Risk Factors	Risk description for COVID-19	Decision
Patient	Is the patient unable to follow instructions? (e.g., infants/young children, patients not capable of self-care/hand hygiene, cognitively impaired, have poor-compliance with respiratory hygiene)	Consider the need to replace Surgical/procedure mask with N95* respirator
	Is patient displaying or verbalizing symptoms of increasing risk? (e.g., excretions/ secretions cannot be contained - respiratory secretions, frequent cough/sneeze)	
Activity	Will you be performing an activity that may induce significant respiratory secretions that cannot be contained? (e.g., cough inducing procedure)	Consider the need to replace Surgical/procedure mask with N95* respirator
	Will AGMPs be performed, frequent or probable? Is the patient's condition changing? (e.g. manual or high frequency oscillatory or non-invasive ventilation, open endotracheal or airway suctioning, CPR, bronchoscopy, sputum induction, tracheostomy care, nebulized therapy/aerosolized medication)	MUST replace surgical procedure mask with N95* Respirator

POC Risk Factors	Risk description for COVID-19	Decision
	administration, high flow heated oxygen therapy devices and autopsy)	
Environment	Will care be provided outside of a regular patient room and patient is not able to wear a surgical/procedure mask?(e.g., hallway, public areas, outpatient unit, non-traditional/ leased environment)	Consider the need to replace Surgical/ procedure mask with N95* respirator

Does this mean that every nurse gets a N95 mask?

No. This agreement allows nurses to conduct a point of care risk assessment (PCRA) using their professional and clinical judgement to determine the level of PPE they need to care for the patient.

We have a responsibility to ensure that we are using PPE appropriately (not excessively) to ensure that those caring for suspected, presumed or confirmed COVID-19 patients shall have access to the level of PPE they require.

What happens if my Manager disagrees with my assessment?

If you have determined that you need the PPE, including a N95 mask, ONA suggests you continue have a conversation with your supervisor.

What is the dispute resolution process?

The supervisor and employee should review whether there are additional health and safety measures that should be implemented. This discussion should not just be limited to access to a N95 respirator, are there other options that might work. If there are other options, then the employer and employee should implement these first. If after this assessment the nurse determines, based on their professional and clinical judgement, that a N95 respirator is the appropriate health and safety measure, then the employer must not unreasonably deny access to this PPE. As a last resort, you can exercise your rights under the *Occupational Health and Safety Act*. Please call the Office for assistance before you initiate this process.

