



**Workplace  
Wellbeing**

# **How to Operate Safely During COVID-19 Webinar Q&A**

# About Your Hosts

## Lauren Manna, CHRL

Lauren has been practicing HR for over a decade where she has gained unparalleled experience in shaping employee culture, full-cycle recruitment, and disability management. She is passionate about learning and incorporating best practices in all that she does. Lauren obtained her CHRL designation with the HRPAC in 2017 and has been an active volunteer and member for 7 years until recently serving on the Executive Board as the Chair of the Programs Committee.

## Jeff Thorne

A current member of the Canadian Safety Society of Engineering Course Management and Development Committee, Jeff is active in the safety community, he is an accomplished speaker and presenter; he has worked with the Canadian Association of Provincial Safety Councils and participated in numerous health and safety discussions and forums. Jeff has experience in emergency management and was also active in assisting the healthcare community to implement health and safety protocols during SARS.

# Questions & Answers

Thank you for attending OSG's How to Operate Safely During COVID-19 Webinar. Below you'll find answers to the questions asked during the webinar. If you have any questions about how OSG can help you reopen and operate your organization safely, give us a call at 1.800.815.9980 or email us at [info@osg.ca](mailto:info@osg.ca).

**Q:** If an employee has tested positive for COVID-19, what is the legal protocol for an employer i.e. evacuate, disinfect, test every staff member, close down for 48 hours etc.?

**A:** If an employee has tested positive for COVID-19, there are no "legal protocols" per se, however, employers have a responsibility to ensure that reasonable precautions are taken

for the health and safety of their workers. Here are reasonable steps that can be taken if a worker tests positive for COVID-19:

Once an employee tests positive, public health authorities will conduct contact tracing, it is recommended that you conduct your own investigation as well. Work with your employee to determine whom they have been within six feet of in the workplace at any point within the past 14 days of the positive test.

You will need to contact each of these individuals to let them know that they have been in contact with a person who is infected with COVID-19 (don't share names as this information is confidential) and that they should consult with their physician or public health authority, the latter of whom will reach out to them directly. These individuals must quarantine for 14 days unless they test negative.

The employer should work with the affected worker to make a list of all areas they have physically been in and items they have physically touched the past three days. The three-day window is based on current research showing that the virus can live for up to three days on surfaces like plastic and stainless steel. The areas and items will have to be isolated, deep cleaned and disinfected. This may require closing your facility, hence the importance of social distancing and basic hygiene.

Also note that current information indicates that to be cleared of the virus, two additional tests must be conducted at least 24 hours apart and come back negative. Receiving the all-clear from the healthcare provider is critical and should be provided to the employer before a return is approved.

**Q:** Do you know what the requirements are for employers to have First Aid Trained employees on-site, especially as we phase back the workforce to the office? While we meet regulatory requirements under normal circumstances, with only a fraction of employees going back to the office this group may not include the first aid trained individuals.

**A:** Regardless of the pandemic, employers still have to ensure they meet their obligations as outlined in the Occupational Health and Safety Act and Regulations. Regulation 1101 First Aid requires the presence of a First Aid trained individual. When prioritizing which employees

to bring back to the workplace, this is a consideration that should be made.

**Q:** I was thinking of shutting down the lunchroom and kitchen completely at the office. Any thoughts?

**A:** This would depend on the protocols you have or will be putting into place. This is a very acceptable decision for organizations trying to limit the number of high traffic and touch areas. Larger kitchens and lunchrooms, as an example, could remain open if capacity can be decrease - for example, only 3 allowed in the lunchroom/kitchen at a time. You can also remove seating, or place markers on the floors and on the tables reminding those of physical distancing. Always ensure that kitchen and lunchroom areas have sanitizer and wipes available for employees to use, as well as reminders about your protocols and practices.

**Q:** Don't we have a legal requirement to provide a rest/lunch place?

**A:** Correct, employers need to provide a rest area for their workforce when the work is arduous, or the environment is considered hostile (ex. Extremely dusty work areas). However, employees can be asked to take their lunch at their desk in an office setting as it possible to assume that a relaxing break can be taken there. For those that need to provide a rest room/area for their employees due to the nature of their work, they must ensure that social distancing is still maintained.

**Q:** What should be done with documents received from clients? What is the best practice?

**A:** Some organizations are working on going paperless as an ideal solution. However, if this is not possible, we suggest that you provide wipes or sanitizer for employees who are handling any items from clients or customers.

**Q:** Is there a set height requirement for workstation barriers?

**A:** There is no set height requirement. It is essential that the partition has been designed, installed, and maintained such that it effectively prevents the co-mingling of droplets (and aerosols) produced by both parties. The height of the partition must take into account

sitting and standing positions, and the height of the tallest user. Make the partition as wide as the surface allows.

**Q:** Can you address some of the legalities surrounding privacy? (ex. regarding medical screening & temp checks etc.).

**A:** The area of privacy can be rather tricky when it comes to COVID-19 in the workplace. As an employer, you are not authorized to share employees' personal information, including medical examinations without the employee's consent. You will need a clear plan on how you will handle the medical records obtained from a medical screening questionnaire and temperature checks (for example), where the files are stored and who will have access to them. We also recommended that you have a qualified person, or third party complete the temperature checks as an extra precaution and to ensure they are done in a consistent, safe and, accurate manner.

**Q:** Can you address meeting rooms. If physical distancing can be maintained, how do we address multiple uses each day? Cleaning is critical but how can we address the lack of confidence in adequate cleaning prior to next use? Or, is a three-day quarantine of the meeting room the next best option?

**A:** The first consideration when it comes to meetings should be asking if the meeting is essential, and if it must be completed face-to-face. If you must conduct in-person meetings and are concerned with employee confidence in adequate cleaning prior to next use, ensure your return to work plan addresses how you will be cleaning and disinfecting spaces, how often, and ensure signage is posted after it is cleaned. If cleaning and disinfecting is adequate, vacating the space for three days should not be necessary.

**Q:** What if the staff member contracts the virus at home from a family member; does it still need to be reported to WSIB?

**A:** This would not be considered a workplace illness as the illness occurred at home. If an employee believes they have contracted the virus directly from someone while at work, it would need to be reported to WSIB. The WSIB would then investigate the claim.

**Q:** Has the Ontario government or any government put out clear protocols for workplaces when there is a positive test?

**A:** Please see question 1 for protocols on dealing with a positive test result.

**Q:** What if you have staff that are refusing to wear masks or say that they are either bothered by them or can't wear them for health reasons. How do you handle this if you state that all employees must wear them while working?

**A:** We recommend having a conversation with the employee regarding the reasons behind not wearing a mask. There would have to be a specific issue as to why they cannot wear a mask, most likely related to their health. An accommodation plan will need to be developed to find an alternative means of protecting the employee and others.

**Q:** What if staff in general refuse to work because they don't feel comfortable, yet you are providing all of the PPE and resources that they need to stay safe?

**A:** This is a strong likelihood. As an employer you must take every reasonable precaution to protect your employees (i.e. cleaning and disinfecting protocols, physical distancing measures, basic hygiene practices, PPE, and training). If you have all of these protocols in place and employees are still refusing to work, you still have to follow the work refusal process as workers are still entitled to refuse.

**Q:** Can you please advise if CPR/First Aid hands-on training is acceptable during COVID-19?

**A:** CPR/First Aid training is not taking place as a result of the current restrictions in place. Once the restrictions lift, providers will slowly begin to deliver training. The speed at which this will take place will vary from provider to provider, as a best practice, we recommend doing your research to ensure they have the proper protocols in place prior to sending an employee for training.

**Q:** What if employees First aid expired and are looking for training? Can it be done fully online?

**A:** A few providers do offer blended training for first aid. It consists of a mixture of online theory training and in-person practical training. Currently, you cannot be certified for first aid solely through an online platform.

**Q:** For those employees who come in contact with someone who tests positive and now is sent home for 14 days. Does the employer have to pay the employee who is being told to isolate due to possible infection at the business?

**A:** Any employee who has to quarantine due to possible COVID-19 exposure will apply for and be placed on the Infectious Disease Emergency Leave. This leave provides job protection for the individual, however, employers are not required to pay wages. Alternatively, if possible, for that employee to complete their duties from home (and they are well enough to do so) you may explore that option as well.

**Q:** Should staff be asked to not leave the office to run errands while on lunch?

**A:** It is reasonable to encourage staff to refrain from leaving the workplace to run an errand during their lunch break. However, if employees must leave, we do recommend that your medical screening processes apply to all entries and re-entries of the premises.

**Q:** How would you approach implementing social distancing/basic hygiene/procedures in general if the company's office is in a WeWork (i.e. shared meeting rooms, kitchen space)?

**A:** We would recommend contacting the building manager/property owner to inquire about their COVID-19 protocols. If the building manager is responsible for cleaning common work areas prior to COVID-19, they should still be responsible to ensure the workplace is cleaned and disinfected. You can create additional protocols for your employees regarding the sanitation of their own workspace, including using sanitizer and proper handwashing methods prior to visiting the kitchen or common areas.

**Q:** Is there really a need to refit the washrooms to have all touchless items such as toilets, hand soap dispensers, auto faucets, hand dryer?

**A:** We understand that this may not be a reasonable solution for all employers as these items all have costs associated with them. Stress the importance of basic hand hygiene;

washing hands with soap and water for at least 20 seconds is one of the greatest defences you can implement. You may also want to consider blocking off middle sinks and stalls in order to maintain social distancing in bathrooms.

**Q:** What about the employee who says for medical reasons that they cannot come back to work.

**A:** An employee who cannot return to work due to medical reasons would require documentation from a medical professional. The individual could either apply for short term disability if available through your workplace or they can apply for benefits through Service Canada.

**Q:** Can not wearing the proper PPE or following the social distancing rules be considered as a performance issue in the workplace if they refuse to comply with the processes and procedures that have been put into place?

**A:** We would consider this to be a violation of a workplace policy or procedures that have been implemented, rather than a performance issue. Firstly, all employees must be trained on any new or updated policies or procedures to ensure they are aware of the expectations. If you continue to have issues with the individual, we recommended re-training, and if this is still an issue, we recommend you follow a progressive discipline procedure.

**Q:** How about a staff member that is suspected?

**A:** As an employer, you have the right to send an employee home if you believe that they are or could be symptomatic with COVID-19. However, the Human Rights Code has stated that negative treatment towards someone who may have COVID-19 or another infectious disease unrelated to safety or public health will be considered discrimination. Your decision to send an employee home needs to be reasonable and relevant given the most up to date information regarding COVID-19.

**Q:** On the self-assessment, it asks if you were in close contact with a person that is positive or is suspected, how would you know if you don't know who it is?

**A:** A positive case (confirmed case) is a person with laboratory confirmation of a positive COVID-19 infection using a validated test. A suspected (probable case) is an individual that has not had a test but has symptoms consistent with COVID-19 and/or has travelled to an affected area outside Canada, has had close contact with a confirmed case, or lived or worked in a facility known to have an outbreak.

The only way of knowing if you were in close contact with a positive or probable case is if that person told you directly, or a public health agency reached out to you as a result of the infected person indicating that you were in close contact.

# Get in touch

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