



MEMORANDUM

Memo No. 21-118

TO: Trustees
Student Trustees

FROM: Camille Williams-Taylor, Director of Education and Secretary of the Board
Janice McCoy, Superintendent of Human Resources

DATE: 1 October 2021

RE: **Personal Protective Equipment (PPE) for School Staff**

The purpose of this memo is to provide additional background information with respect to the District's obligations and responsibilities related to personal protective equipment (PPE).

From the outset of the pandemic, the District has been guided in its health and safety protocols by the advice and direction from public health agencies, the Ministry of Education and the Ministry of Labour. In general, the health and safety protocols have included multiple layers, including daily screening, staying home when sick or experiencing symptoms, improved ventilation and controls, hand hygiene, physical distancing and enhanced cleaning of touchpoints, limiting high risk or high contact activities, face coverings for students and personal protective equipment for staff. From a health and safety perspective, PPE is intended to be a measure of last resort in the hierarchy of controls or layers of protection for workers.

The PPE provided to employees working in OCDSB schools includes:

- American Society for Testing and Materials ("ASTM") rated (level 1 or 2) medical masks;
- Eye-protection (face shield/safety glasses/goggles depending on the task being performed and preference);
- Gowns (as needed) - for staff working with high-risk/medically fragile students; and
- Gloves (as needed);

Why ASTM Rated Medical Masks?

Health Canada considers medical masks to be class 1 medical devices, which are required to be tested against identified standards. As part of the return to school guidelines the Ministry of Education, in consultation with Public Health Ontario, advised that a ASTM Level 1 rated medical mask is required for Board staff based on assessment of the work being performed. The Ontario government, in its online document [COVID-19: Health and Safety Operation](#)

[Guidance for Schools \(2021-2022\)](#) continues to recommend the use of medical masks for school staff.

The Ministry of Government and Consumer Services is providing OCDSB and other school boards with ASTM Level 2 and sometimes ASTM Level 3 masks, exceeding the minimum standards. Ottawa Public Health (“OPH”) has consistently supported the current guidance around the use of properly fitting medical masks and eye protection (e.g., face shields, goggles) by school staff. OPH has not recommended N95 respirators for general use in schools. OPH and other public health agencies have only [recommended the use of N95 during Aerosol Generating Medical Procedures](#) (“AGMP”). AGMP include, for example:

- Intubation, extubation and related procedures e.g. manual ventilation and open deep suctioning;
- Tracheotomy/tracheostomy procedures (insertion/open suctioning/removal)
- Bronchoscopy;
- Non-invasive ventilation (NIV) e.g. Bi-level Positive Airway Pressure (BiPAP) and Continuous Positive Airway Pressure ventilation (CPAP);
- High-Frequency Oscillating Ventilation (HFOV);
- Induction of sputum with nebulized saline; and
- High flow nasal oxygen (high flow therapy via nasal cannula);

The Occupational Health & Safety Division has developed guidelines for staff on which PPE should be worn in different circumstances and conditions, based on input from the District’s Joint Health and Safety Committee and aligned with the guidance provided by the Ministry of Labour and relevant public health agencies. The guidelines were shared broadly with employees and updated to reflect evolving advice and conditions.

Under *the Occupational Health & Safety Act* (“OHSA”), section 25, the District, as an employer, has an obligation to provide appropriate equipment, materials and protective devices to employees and to ensure they are maintained in good condition, they are used as prescribed and that employees are provided with the appropriate information/instruction/training. The OHSA requires employers to identify and mitigate risk and provide appropriate PPE when necessary. The Ministry of Labour has confirmed that it is the employer’s responsibility to ensure that all PPE provided to and/or used by staff meets the standard that has been prescribed by relevant bodies as appropriate for COVID-19. The guidance from various levels of government authorities in relation to K-12 school environments serves as a risk assessment that has determined the need for medical masks to be worn as PPE.

In general, employees are required to use the personal protective equipment that has been provided to them. The District, as an employer, has a duty to ensure the PPE being used meets required standards and provides adequate protection. Wearing the PPE provided by the employer ensures that all staff have appropriate medical-grade, clean and effective PPE to complete the work required and remain safe at work.

At this time, it would be operationally challenging to provide proper oversight to ensure that PPE, such as N95 or KN95 masks, purchased by individual staff members meet the necessary health and safety standards or have been authorized for use by Health Canada. Without proper

oversight, there is a concern that staff could purchase what is perceived as enhanced PPE from unreliable sources that do not, in fact, meet the minimum requirements for COVID-19 protection. For example, there are many face masks available to consumers that are similar in appearance to approved N95 respirators, some of which use names that include the letter-number sequence N95, which may mislead purchasers into believing they are approved and certified PPE. It would also be difficult to guarantee that individual employees are properly trained in the proper use and care of that equipment, or ensure its care and cleanliness.

N95 “masks” are technically respirators as considered under *the Occupational Health and Safety (OH&S) Act*, and as defined in the Canadian Standards Association (CSA) Selection, use and care of respirators (Z94.4). OCDSB Procedure PR.689.HS, “Selection Use and Care of Respirators”, requires that any respirator used in the workplace be approved by the National Institute for Occupational Safety and Health (NIOSH). Some KN95 respirators may be approved for use by Health Canada if they meet the performance requirements of “appropriate standards”. KN95 respirators are not recognized by *the OH&S Act*, or by CSA standard Z94.4. Procedure PR.689.HS also requires that respirator users be pre-screened, fit-tested and trained in the use, care, maintenance and limitations of the equipment before using the respirator in the workplace. Currently, the District engages an external provider to conduct training and fit-testing for staff who are required to wear respirators to perform certain job tasks. Similar arrangements could be made to provide fit-testing and training to staff through the Occupational Health & Safety Division. Consideration may need to be given to the requirement for release time for staff to attend.

In summary, the employer has a legal duty to take reasonable precautions for the health and safety of employees, including with regard to PPE. The District is following the guidance of public health and the Ministry of Labour in terms of the PPE currently being provided to employees to protect them from exposure to COVID-19. Allowing employees to bring in their own PPE creates an additional operational burden and risk for the District.

Staff will be available at the Committee of the Whole to answer questions.

Should you have any questions, please contact Janice McCoy at janice.mccoy@ocdsb.ca

cc Senior Staff
 Manager, Labour Relations
 Manager, Human Resources
 Manager, Board Services
 Corporate Records