

Let's Talk About the Health Care Regulation

This OSACH Fast Fact is intended to help JHSC members, other workers, supervisors and managers and OH&S professionals in Ontario's health care facilities understand and prepare for the implementation of the Health Care and Residential Facilities Regulation.

If you work in health care and are involved in occupational health and safety (OH&S), you should know about the Health Care and Residential Facilities Regulation of the Occupational Health & Safety Act (OHSA). This Regulation took effect June 1, 1993.

What is a Regulation?

A "Regulation" is a document attached to an Act that explains how to comply with the Act. An Act is legislation that has been introduced to the legislature as a Bill, discussed by members of the legislature and eventually passed. Acts tell us what we are supposed to do. For example, one Section of the Act requires that "employers take every precaution reasonable..." , which can include many different interpretations. The Regulation for Health Care and Residential Facilities, Section 8, gives more detail, such as, " the employer develop in writing safe work procedures for; safe work practices, safe working conditions, the control of infections, etc. The Regulation offers information that is more specific.

Why Do We Need a Regulation?

The OHSA contains general principles about OH&S. To help employers implement these principles, the Ministry of Labour (MOL) has written more specific information within Regulations such as the Health Care and Residential Facilities Regulation, Regulations respecting Designated Substances, Control of Exposure to Biological or Chemical Agents and WHMIS, etc.

To Whom Does it Apply?

The Health Care and Residential Facilities Regulation applies to many types of acute, long-term and community health care organizations in Ontario, including:

- public and private hospitals
- psychiatric centres
- nursing homes, retirement homes and homes for the aged
- laboratories or specimen collection centres
- social services such as child development/treatment centres, group homes for mentally handicapped or disabled adults, child development or child treatment services
- laundries or power plants in health care facilities.

What Does it Cover?

The Regulation begins with a Section entitled "General Duty to Establish Measures and Procedures", which sets out the employer's responsibility (Section 8) to establish and implement written health and safety measures and procedures, and provide training [Section 9(4)] related to 13 broad topics listed in Section 9(1). This must be done in consultation with, and after considering the recommendations of, the JHSC or health and safety representative.

There are sections dealing specifically with:

- personal protective equipment
- premises (warning signs)
- ventilation, heating and lighting
- hygiene facilities
- work surfaces
- general "industrial" safety (restricted and confined spaces, machine guarding, electrical equipment, compressed gas cylinders, material handling equipment, ladders, scaffolds/suspended scaffolds, flammable liquids and explosives)
- anaesthetic gases
- antineoplastic drugs
- material handling
- housekeeping and waste

The Regulation allows variations in the measures and procedures, as long as the measures taken by the employer are as effective or more effective than those set out in the Regulation and the JHSC and unions are informed.

At this time, the Regulation does not specifically address a number of issues, however, there is a general duty to establish measures and procedures under Section 25 of the OHSA to protect workers. These can be addressed in other related Regulations, MOL guidelines and/or best practices. Employers should ensure that appropriate procedures and training are in place to protect the health and safety of workers, including:

- patient handling and violent clients/patients
- eyewash stations and deluge showers
- ergonomic design of workstations
- manual material handling
- task analysis of manual handling tasks that could be hazardous
- specifications for kitchen, laundry and supply carts, stretchers, wheelchairs, beds and lifting aids

How Will this Regulation Improve the Health and Safety of Health Care Workers?

The purpose of this Regulation is to draw employers' attention to some of the hazards in the workplace. It will help workers, supervisors and employers, working together with the JHSC and OH&S professionals, to make health care and residential facilities safer and healthier workplaces for everyone.



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