

October 14, 2020

Delivered by Email

Health Employers Association of BC
300 - 2889 East 12th Avenue
Vancouver, BC V5M 4T5

Attn: Michael McMillan, President and CEO

Dear Mr. McMillan:

Re: Personal Protective Equipment / Aerosol Transmission

As you know, HSA has consistently expressed concerns about aerosol transmission of SARS CoV-19, and the impact of that transmission on the health and safety of its members.

In this regard, we attach a copy of Dr. John Murphy's October 2, 2020 report, commissioned by HSA and NUPGE. Dr. Murphy has reviewed research regarding aerosol transmission of SARS CoV-19 (Covid-19) published in the period subsequent to the preparation of his earlier report of March 22, 2020.

As you will see from his report, following an extensive review of the evidence and literature current to date, Dr. Murphy goes on to conclude that:

Based on the emerging picture of the significance and potential dominance of aerosol transmission mode for COVID-19, and the substantial evidence of elevated risk among health care workers, it seems likely that near field aerosol transmission is happening in certain care setting interactions. Given the overall picture of the evidence on airborne transmission, this means that this is occurring as a result of exposure to non-visible aerosols, and not "droplets" as wrongly conceived by the world's major public health authorities. (p.12)

In his opinion, N95 respiratory infection protection for health care workers is warranted for all scenarios described in Appendix 3, which is found at p. 26 of his report.

In his report, Dr. Murphy also reviews published findings regarding aerosol transmission of the virus and of risk to health care workers which suggest that "health care workers may be at increased risk of SARS CoV-2 infection at a magnitude 4 to 12 times higher than the general population" (at p.12, emphasis added).

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In addition to this significant impact on the physical health and safety of our members, we are also concerned that failure to provide appropriate PPE impacts their mental well-being: studies have shown that health care workers without proper PPE suffer from higher levels of anxiety and depression.

Our members are on the front line of the current battle against the pandemic. Many run the risk of exposure to COVID-19 on a daily and continuous basis. The continued failure to provide them with appropriate PPE undermines their occupational health and safety and significantly increases their risk of negative health outcomes.

There is much we still do not know about the transmission of COVID-19, but in the face of this uncertainty, we need to apply the lessons learned in previous situations. The SARS Commission, for example, has cited the precautionary principle as perhaps the most important lesson to come from the SARS experience. We urge you not to ignore the valuable lessons already learned in this regard.

On the basis of the foregoing, we expect and insist that the Health Authorities immediately provide health care workers represented by the HSA and HSPBA with N95 Respiratory Infection Protection in all scenarios set out in Appendix 3. We have also provided a copy of the report to the FBA, CBA, NBA and CSSBA.

We will also continue to advise our members about their right to conduct individual point of care assessments. We have advised them of the report's recommendations and we will provide them with ongoing information about their right to refuse to perform work that they consider unsafe, in accordance with the Workers Compensation Act and regulations. Further, HSABC will challenge any policy or directive from Health Authorities, individual employers or HEABC that minimizes the safety of our members and denies them the best possible protection.

Yours truly,



M. Jeanne Meyers, Barrister & Solicitor
Chief Spokesperson, HSPBA
Executive Director, Legal Services and Labour Relations
HEALTH SCIENCES ASSOCIATION OF BC

MJM/mn
Encl. (1)

cc: Val Avery, President, HSA
Manjit Bains, Strategic Negotiations Lead, Legal Services, HEABC
Sheila Vataiki, Labour Relations Coordinator, HSA
David Durning, OH&S Officer, HSA
Mike Wisla, OH&S Representative, HSA