

WCA COVID-19 Webinar (Oct.21) – Preparing for the Worst

Q and A Session

1. **My question revolves around physical distancing. In construction there are going to be tasks that require workers to be within 6 feet (2m) of each other for a short period of time. With them wearing masks and limiting to not longer than 10 minutes exposure to each other, is this a reasonable expectation that a company is doing the best they can to protect their employees? There has been large scale panic by foremen our crews visit about safety officers showing up and handing out fines, and I attempt to put them at ease by explaining this is a reasonable mitigation measure, but this still seems to be a common stigma.**

Yes, this is a reasonable approach to minimise COVID-19 transmission. COVID-19 is transmitted through CLOSE, PROLONGED Exposure. While wearing non-medical masks will not necessarily protect an individual, the mutual wearing of masks assists. And since the close contact is not 'prolonged' this is a reasonable approach.

Where 2m physical distance is not achievable, and barriers are not practicable, public health indicates the use of face coverings is a reasonable measure for short periods of time. The employer may also consider the use of cohort work teams for workers who are required to work in proximity multiple times a day for short periods. The use of cohorts is also important to reduce the number of contacts and to limit spread.

2. **Although it seems to be getting better, we are finding that the construction industry/culture seems reluctant to take seriously things like masking and social distancing. How do you communicate the importance of "following the rules" outside your work "bubble"?**

This is a good question and yes, ultimately, we agree this requires a culture of safety. We would encourage all companies to heighten the 'communication' aspect of their safety program – this would include posting of signs, posters, protocols etc. specific to COVID 19 information and guidance. Additionally, this should be reinforced during project orientations, safety meetings and toolbox talks. As always, "example is not the main thing in influencing others, it is the only thing!" We would ask ALL workers to set a positive example and speak up if you feel others need help.

There are numerous resources to that can be used to notify all people entering a site the existing safety requirements. Below is a link to the CSAM website that has many resources you can use:

<https://www.constructionsafety.ca/resources/covid-19-and-manitobas-construction-industry/>

3. **We experienced a worker refusing to wear a mask. He was exercising his "Right to Refuse" stating masks were unsafe and ineffective. We are incredibly hopeful to learn how we could handle a situation like this should it take place again IE: A worker has severe asthma, and**

cannot wear a mask. The outcome was the worker eventually wore a mask while speaking his mind on his dislike for masks.

A "right to refuse" is intended for a situation in which a worker believes that the work they are being asked to perform is dangerous or unsafe. The stated ineffectiveness of a "mask" would likely not be a "right to refuse" situation. This said, it would be helpful to use the template below to try and alleviate their concern. Sometimes people may not have all the information to make an educated decision, and it may be beneficial to ensure you relay or provide information to clarify why it is being requested.

Lastly, regardless of anyone's opinions, if your company has implemented a mandatory mask policy on your project – it should be a mandatory requirement. Treat it as any other infraction of your rules or policies and enforce the rule.

Specific to the person who can not wear a mask due to health conditions, is a bit more challenging. As above, if it is a mandatory project requirement, you will need to ensure all persons follow. Under this example it may be helpful to see if there a doctors note verifying the individual has the condition and that a mask is not recommended? A note should be on file. If the individual is NOT able to abide by your rules, you may wish to try and accommodate alternative work on a different project. Or place them in a task where they can remain 2 meters away from other workers. This worker should abide by the 2m rule at all times.

Below is a link which details a "right to refuse" scenario.



Right to Refuse
Procedure 2019.pdf

4. How do you deal with employees calling in sick? Not knowing if it's a normal flu or COVID, do we need documentation saying they do not need to go get tested.

If workers are ill, they should stay home, contact Health Links and possibly get tested. Public Health will let them know if they are required to self-isolate and remain at home.

Employers should follow their already established practices and follow the unpaid leave provisions in Employment Standards and use sick time and vacation.

The provincial COVID self assessment should be used when determining if a test is required.

If an employer is sensing abuse due to repeated occurrences then a conversation with the employee would be appropriate to assess the situation.

NOTE: If the above is a repeated occurrence, then I agree with the answer above.

5. Are you a close contact if you are both wearing a mask?

This is a question for Public Health and will depend on the case conditions, time spent, distance, use of face coverings, etc. Public Health will investigate all confirmed cases and will notify all persons who are determined to be close contacts.

6. If employees are advised to self-isolate is this a WCB eligible claim?

<https://www.wcb.mb.ca/how-the-wcb-is-responding-to-covid-19>

No, not generally. Since COVID is widely transmitted in the community, the requirement for self-isolation is not a WCB eligible claim. The federal government has approved a 10-day sick leave program, that has not yet had all the details completed and is not in place in Manitoba yet. When it is, most likely for those staff you are not already covered by existing sick leave benefits could access those funds.

7. Just wondering why you are using 3 days for the virus to live on surfaces, when SafeMB Best Practices for a Safe Workplace is saying up to 4 days on wood and 5 days on ceramics and metals other than Stainless?

This information will always be variable, depending on the source. The implementation of appropriate control measures, such as the routine disinfection of shared tools/equipment and commonly touches surfaces and proper hand hygiene is important to reduce the risk of worker exposure. However, according the Federal Government Coronavirus disease (COVID-19) Summary of assumptions¹:

This may vary under different conditions such as surface type, relative temperature or humidity of the environment. The virus has been detectable up to four hours on copper, up to 24 hours on cardboard and up to two to three days on plastic and stainless steel.

8. What's the difference between 'self-monitoring' vs 'self-isolation'?

Self monitoring – Continue to go to work, but monitor to see if you develop symptoms

Self-isolation – Do not go to work, do not leave your house.

9. With a small team of 10 - we would ALL be considered in close contact with each other - if one of us has a positive test - would we automatically have to send everyone home and would we then have to pay everyone...does anyone have a good resource to get answers on this?

¹ <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/health-professionals/assumptions.html>

To be determined a 'close contact' will depend on your work environment. A close contact is determined by: Close, Prolonged contact with a COVID-19 positive individual. So there needs to be 3 factors:

1. Close (less than 6ft)
2. Prolonged (more than 10-15 minutes)

Public health will conduct the contact tracing and determine how many in your team may be a 'close contact'.

With that being said, if all of your team were deemed to be "close contacts" then yes, they should all go and get tested, and self-isolate until they have test results. Whether or not you pay these individuals is up to you and you should be exploring what that means in terms of sick time, vacation time, unpaid leave, or the proposed sick benefit program.* (*to be finalized.) Therefore many people are choosing to work from home.

Public Health will provide direction on testing and self-isolation requirements. Public health also recommends that employers plan for sick time, so they should have alternates and cross training practices in place to prevent work stoppages.

10. If a worker is on WCB and there is simply not enough physical space in the shop for them to carry out their limited modified duties, what would be best and safest to do in this case? (Ex: Worker can only complete online training, but computer is only set up near door with inevitable foot traffic)

This seems like the appropriate course of action would be to discuss directly with the WCB Case worker.

The employer may determine that the implementation of additional control measures, such as physical barriers may be appropriate.

11. Is an employer required to compensate employees in self isolation and/or when awaiting test results?

In the case of an hourly employee, the employer is generally not required to compensate the employee if self-isolation is required. The federal government has approved a 10-day sick leave program, that has not yet had all the details completed and is not in place in Manitoba yet.

When it is, most likely for those staff you are not already covered by existing sick leave benefits could access those funds.

WCB has a good resource page that answers many of the frequently asked questions here:

<https://www.wcb.mb.ca/how-the-wcb-is-responding-to-covid-19>

12. What have you seen as a general practice by employers regarding compensation for hourly staff for missed time due to testing (long wait times) and/or mild illness?

Please see question 11.

13. What if a worker is concerned that another worker on site has the symptoms of COVID and decides he doesn't want to work at that site. What would be the company procedure?

The employer should have health screening policies and procedures in place for workers to follow in their pandemic plan. These types of procedures raise awareness and bring attention to personal responsibility.

People should not be going to work if they are displaying COVID-19 symptoms. It is a risk to other people on the worksite and the entire project if there is on-site transmission.



Obviously, any worker can choose to not go to work, not working generally means not getting paid. We would recommend a discussion and clarification on risks and protocols you have in place to minimize the risk of transmission on site. ie: to work collaboratively with the employee to address their concerns.

14. In our office we are six feet apart - should someone in the office get COVID-19 are we all required to isolate? Or just self-monitor? We are very cautious and maintain the six feet but if we are together all day would this change.

Public Health will investigate all confirmed cases and will provide direction on testing and isolation for workers who are determined to be close contacts.

You should not assume that all of you will be deemed close contacts.

Self-Isolation is required for the positive COVID-19 person as well as individuals Public Health deem to be 'close contacts' of a person with COVID-19 self-isolate. The majority of others would be considered 'indirect contact' and advised to self-monitor. If 'symptoms' appear, to then isolate and get tested.