

**Date:** 2021-08-24

**Subject:** **Medical Grade Masks for Transit Employees**

**Secondary Title:** Review on the continued use of medical grade masks for all Transit Employees that include employees behind the bus operator shield.

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**Report Number:** Brampton Transit-2021-995

**Recommendations:**

1. That the report from Alex Milojevic, General Manager, Transit, dated August 24, 2021, to the Committee of Council meeting of September 22, 2021 titled **Medical Grade Masks for Transit Employees** be received.

**Overview:**

- Brampton Transit Operators are currently required to wear medical grade masks as PPE to help reduce the spread of COVID-19.
- This was implemented in consultation and recommendations from the city's Occupational Health and Safety team, PPH and BEMO and in response to the pandemic in Brampton.
- At the City of Brampton Council meeting on August 11, 2021, a motion was passed directing staff to report back on whether Transit Operators should be permitted to wear a mask of their choosing while operating a transit bus.
- Transit leadership has conferred with PPH and with the ATU 1573 and the results of those meetings are contained in this report, which is being presented to Council for informational purposes.

## **Background:**

Brampton Transit has been in full operation since the start of the pandemic, moving frontline and essential workers and providing critical service throughout the city. Transit employees continue to move thousands of customers daily, which poses a greater risk for potential exposure to COVID-19. As the pandemic continues, so does the ongoing risks to transit employees. Transit staff continue to seek guidance from the Occupation Health and Safety team, Brampton Emergency Management Office (BEMO), Peel Public Health (PPH) and the Ministry of Labour, Training and Skills Development (MLTSD), as well as consultation with ATU (Amalgamated Transit Union) 1573, and other stakeholders as the COVID-19 restrictions continue to be in place.

Due to the increase in positive cases at Brampton Transit during the pandemic, PPH investigated COVID-19 exposures and clustering of cases at certain routes to determine whether there was a risk of additional transmission of infections to staff and or customers.

Several inspections were conducted by PPH and MOL at various times throughout the pandemic to review the infection prevention and control practices of BT. Each inspection has resulted in additional safety measures being implemented based on orders and recommendations received by both MOL and PPH.

During all active investigations, PPH directed the mandatory use of medical grade masks when employees are unable to maintain distance at all times to further protect the health and safety of all employees, customers and the community as stipulated in the [Class Section 22 order](#). These measures are consistent with the MLTSD recommendations for the use of personal protective equipment in situations where other measures are not sufficient to protect the employees.

On March 2, 2021, the use of medical grade masks were made mandatory by Brampton Transit as Personal Protective Equipment (PPE) for Transit employees including when behind the bus operator shield. This mandatory requirement came in effect following the on-site inspection conducted by PPH to investigate a suspected outbreak on March 1, 2021. Due to the suspected outbreak, mandatory testing was required on-site for certain employee groups. After the mandatory on-site testing and the conclusion of the suspected outbreak, the use of medical grade masks was maintained based on the recommendation made by city's Occupational Health and Safety team, PPH, BEMO and Human Resources. The high-level summary of the recommendations by PPH are summarised below.

Medical grade masks worn as PPE are meant to help prevent exposure. Regular masks are for source control purposes and do not provide protection to the person who wears them. Considering the nature of the work and work environment it was deemed appropriate to provide the highest level of protection for our employees. This includes items such as establishing protocols with the intention of reducing the risk of illness and injury within the workplace.

Brampton Transit has continued to make the use of medical grade masks as PPE mandatory for all Transit Operators and employees, including when behind the bus operator shields based on the recommendation made by Peel Public Health.

Since the inception of the pandemic a total of 144 Brampton Transit employees have contracted COVID-19 at the time of writing this report.

**Motion:**

Whereas the provisions of the City's Face Masks By-law 135-2020, as amended, include a mandatory requirement for all persons entering onto and while riding in a Brampton Transit Vehicle to wear a Face Mask, as defined within the by-law;

Therefore Be It Resolved That staff be requested to report back on solutions, in consultation with Peel Public Health, Amalgamated Transit Union, and Brampton By-law Enforcement staff, with regard to concerns articulated by Brampton Transit Operators.

**ATU 1573 Consultation:**

Transit Leadership met with the ATU Local 1573 Union President regarding the issue of the on-going use of medical grade masks worn by operators while operating a transit bus. The union is proposing that operators be permitted to select the type of masks, in compliance with the City of Brampton Mask By-law, that the operators are comfortable wearing while operating a bus behind the on-board safety shield. Those comfortable wearing the medical grade masks provided by the corporation would continue to do so.

**PPH Consultation:**

In late August, City staff met with Peel Public Health, to review issues surrounding the use of masks. The following key points were brought forward by the Associate Medical Officer of Health and the Peel Public Health team:

- Bus operator shields on Transit buses are not an impermeable barrier and so allow them to share the same air as the customers onboard and cannot be taken as full protection (Reopening Ontario (A Flexible Response to COVID-19) Act, 2020 Section 2, Subsection 7 of O. Reg. 364/20).
- A Transit Operator must wear a medical mask while assisting customers as they are within 6 feet distance. Putting on various mask types throughout their shift can result in cross contamination. Wearing a non-medical mask behind the bus operator shield and switching to a medical grade mask if assisting a customer outside of the shield can pose a greater risk due to cross-contamination, improper donning and doffing of the mask and improper storage of the mask.
- There was a high refusal rate for COVID-19 testing for Brampton Transit employees while under a suspected outbreak, and there is potential risk of attending the work while infectious if the infection was developed at the later stage of the incubation period after the employees was released from isolation.

- Outside of an investigation, PPH recommends the continuous use of medical grade masks if the work environment and the nature of the work justifies the use of the highest level of protection.

**Conclusion:**

Brampton, along with the rest of the Province are in the midst of a 4<sup>th</sup> wave as more contagious variants are emerging at an alarming rate in Ontario and around the world. Continuing with the use of mandatory medical grade masks for Transit Operators as PPE while driving behind the bus operator shield provides a level of enhanced protection to Transit Operators that is consistent with recommendations from PPH.

Based on the discussions with PPH, BEMO and Occupational Health and Safety, the current measures, including wearing a medical grade mask, remain critical to ensure transmission is minimized. The current measures in place will assist in reducing the number of positive cases within the workplace and maintain the health and safety of all employees and customers.

Brampton Transit will continue to seek guidance from PPH, the MOL, BEMO and Occupational Health and Safety to review the current measures in anticipation of potential future changes as the pandemic continues.

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