

# Assessing Nurses' Use of Training to Push for Stronger Worksite Protections during the COVID-19 Pandemic

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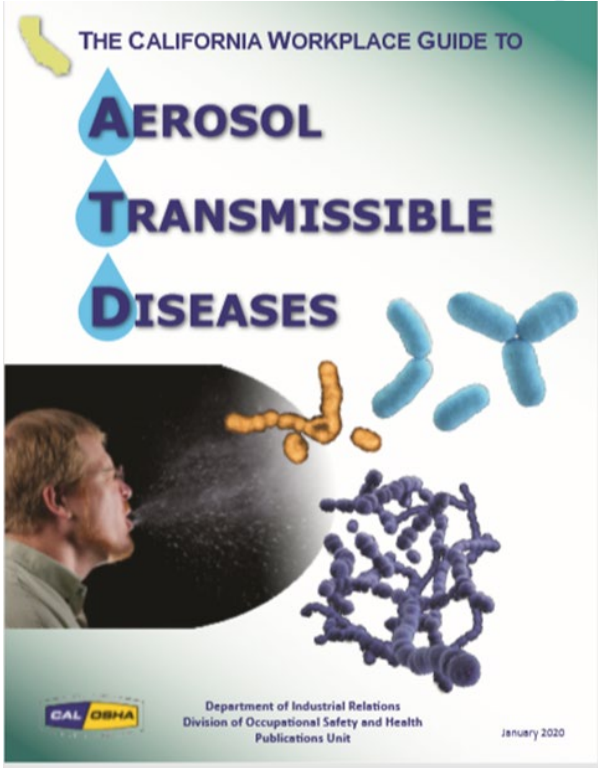
PI, Western Region Universities Consortium (WRUC)

UCLA Labor Occupational Safety and Health Program (LOSH)

May 10, 2021



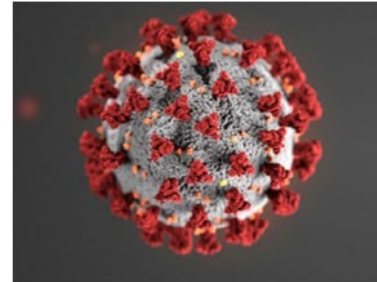
# Cal/OSHA's Aerosol Transmissible Diseases Standard



# ATD Training in the Context of COVID-19

## Course Objectives

- ▶ Describe aerosol routes of disease transmission and relate it to what we know about COVID-19
- ▶ Review the main provisions of the Cal/OSHA ATD (Aerosol Transmissible Diseases) Standard as it applies to hospitals and other acute care settings
- ▶ Identify components of the ATD Standard that are relevant to nurses who treat patients with COVID-19 and other airborne diseases



# Training Activities: March 2020 - April 2021

Training partners:

- ❖ SEIU Nurse Alliance of California
- ❖ SEIU Local 121RN

	<b>Courses</b>	<b>Trainees</b>	<b>Contact Hours</b>
Mar-Jul 2020	12	251	753
Aug 2020-Apr 2021	10	175	491
<b>TOTAL</b>	<b>22</b>	<b>426</b>	<b>1,244</b>

# Trainee Characteristics

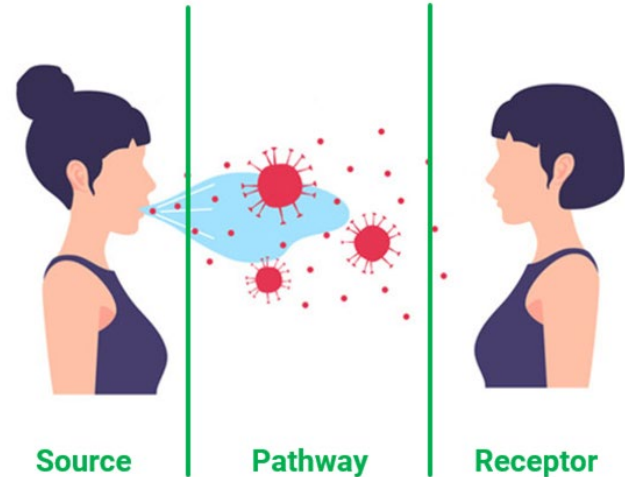
**426 total trainees from several healthcare settings:**

- ❖ Hospitals
- ❖ Acute care facilities
- ❖ Prisons and jails
- ❖ Psychiatric facilities
- ❖ Schools
- ❖ Out-of-state nurses

**~40 individuals participated in more than one course between  
Mar 2020-Apr 2021**

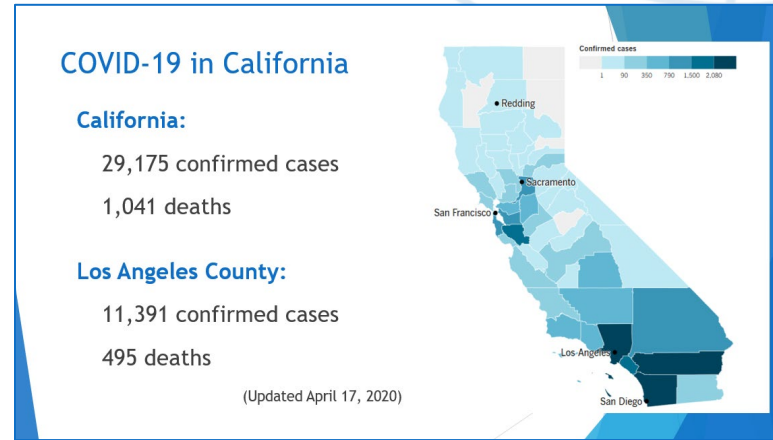
# Main Requirements of the Cal/OSHA ATD Standard

1. Written exposure control plans
2. Control measures to reduce employee exposure
3. Preventive medical services
4. Post-exposure procedures
5. Employee training and participation in review of plan/procedures
6. Recordkeeping



# Evolving Course Topics

## ❖ Changing data on case numbers and science of the COVID virus



### Current questions about SARS-CoV-2

*How far can the virus travel through the air?*

*How long does the virus remain viable in the air or on surfaces?*

*Can individuals who are asymptomatic spread the virus?*

*Can individuals become re-infected?*



# Evolving Course Topics

- ❖ Changing data on case numbers and science of the COVID virus
- ❖ **CDC guidance versus Cal/OSHA requirements re: novel pathogens**

**LAHAN**  
Los Angeles County Health Alert Network

**LAC DPH Health Advisory:**  
**Coronavirus Disease 2019 Testing and Revised Infection Prevention Guidance**  
March 11, 2020

**County of Los Angeles Public Health**

- LACDPH follows CDC, WHO guidance and recommends the following for **routine care** of suspect or confirmed COVID-19:
  - Standard precautions
  - Droplet precautions
  - Contact precautions
  - Eye protection
- Regular room w door closed

**CDC** Centers for Disease Control and Prevention  
Coronavirus Disease 2019 (COVID-19)  
Interim Infection Prevention and Control Recommendations for Patients with Suspected or Confirmed Coronavirus Disease 2019 (COVID-19) in Healthcare Settings  
Interim guidance  
25 January 2020  
World Health Organization

## Novel Pathogens => Treat as Airborne COVID 19 is novel

*Airborne infectious disease (AirID)* includes “disease process caused by a novel or unknown pathogen for which there is **no evidence to rule out...the possibility** that the pathogen is transmissible through dissemination of airborne droplet nuclei, small particle aerosols, or dust particles containing the novel or unknown pathogen.”



# Evolving Course Topics

- ❖ Changing data on case numbers and science of the COVID virus
- ❖ CDC guidance versus Cal/OSHA requirements re: novel pathogens
- ❖ **N95 shortages and use of elastomeric respirators**

*Are you seeing problems with respirator availability at your facility?*

Many creative ideas but these are not certified respirators



Stockings over surgical mask idea from H1N1, 2009



Made from parts in the OR, 2020

SEIU 721

NEWS

SEARCH NEWS

### Nurses Sound Alarm on LA County Department of Health Services' Refusal to Release Stockpile of N95 Masks Needed to Protect Medical Personnel

MARCH 24, 2020

*Nurses File Complaint with Cal/OSHA and Warn LA County's Hoarding of Masks and Failure to Provide Frontline Workers with Critical Equipment Risks Public Health and All but Guarantees Spread of COVID-19 Among Patients and Hospital Staff*

A close-up photograph of a white 3M N95 respirator mask with yellow straps.

That's my best friend, Lacey Rae! 🙏 thankful for AHN & these masks!



PITTSBURGH.CBSLOCAL.COM  
**Coronavirus In Pittsburgh: AHN To Equip Caregivers With Industrial Grade Protective Masks**

# Evolving Course Topics

- ❖ Changing data on case numbers and science of the COVID virus
- ❖ CDC guidance versus Cal/OSHA requirements re: novel pathogens
- ❖ N95 shortages and use of elastomeric respirators
- ❖ **Sick leave policies and workers' compensation presumptions**



A screenshot of the official website of the Office of Governor Gavin Newsom. The page features the state seal and the text "Office of Governor GAVIN NEWSOM". Navigation links for "Home", "About", and "Newsroom" are visible. The main headline reads "Governor Newsom Announces Workers' Compensation Benefits for Workers who Contract COVID-19 During Stay at Home Order", published on May 06, 2020. The article text includes: "Benefit will be available for diagnosed workers working outside their homes", "Presumption will be workers contracted the virus at work; employers will have chance to rebut", and "Governor also signed executive order waiving penalties on property taxes for residents and small businesses experiencing economic hardship based on COVID-19; order also extends deadline for filing property tax statements". A paragraph states: "SACRAMENTO - As California prepares to enter Stage 2 of the gradual reopening of the state this Friday, Governor Gavin Newsom today announced that workers who contract COVID-19 while on the job may be eligible to receive workers' compensation. The Governor signed an executive order that creates a time-limited rebuttable presumption for accessing workers' compensation benefits applicable to Californians who must work outside of their homes during the stay at home order." A quote at the bottom says: "We are removing a burden for workers on the front lines, who risk their own health and safety to deliver critical services to our fellow".

# Evolving Course Topics

## ❖ Citations under Cal/OSHA ATD Standard

### What is Cal/OSHA doing to enforce the ATD Standard?

- ▶ 2,307 complaints have been filed to date, many are anonymous
- ▶ 86 on-site inspections by Cal/OSHA
  - ▶ About half from complaints and the other half from fatalities/illness
- ▶ Cal/OSHA Hazard Alert around aerosol generating procedures, especially during a code blue (CPR & intubation) is expected to come out soon



### **MORE BREAKING NEWS:**

**Hollywood Presbyterian found *GUILTY*** in the needless death of our Union sister, Charge Nurse Celia Marcos. We filed multiple complaints with Cal/OSHA about the dangerous lack of PPE, resulting in fines announced yesterday:

**\$57,120.00**

[CLICK HERE TO LEARN MORE.](#)

We'll continue to use *every* avenue—legislation, official complaints, our bargaining tables, and more—to demand safety.

# Evolving Course Topics

## ❖ Citations under Cal/OSHA ATD Standard

## ❖ Vaccine rollout

### The COVID-19 vaccine is here

California started receiving shipments of the Pfizer vaccine the week of Dec. 14.

- ▶ Pfizer vaccine is 2 doses, 21 days apart and 95% effective. Side effects: sore arm, aches, fatigue or fever for a few days.
- ▶ Vaccinated individuals should keep wearing masks, washing hands and watching their distance.
- ▶ Healthcare workers are part of study. Not included in trials: elderly, children under 17, pregnant women, at risk for allergic reactions (anaphylaxis).

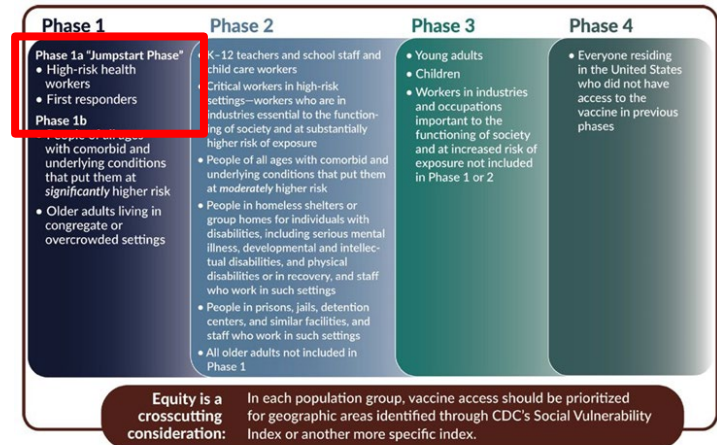


FIGURE S-2 A phased approach to vaccine allocation for COVID-19.



# Evaluation of Training Activities

# Examples of Workplace Concerns

“We are really concerned about our employer issuing us only 2 N95s and using them for 5 days and then having them decontaminated with Hydrogen Peroxide Vapors up to 20 times each.”

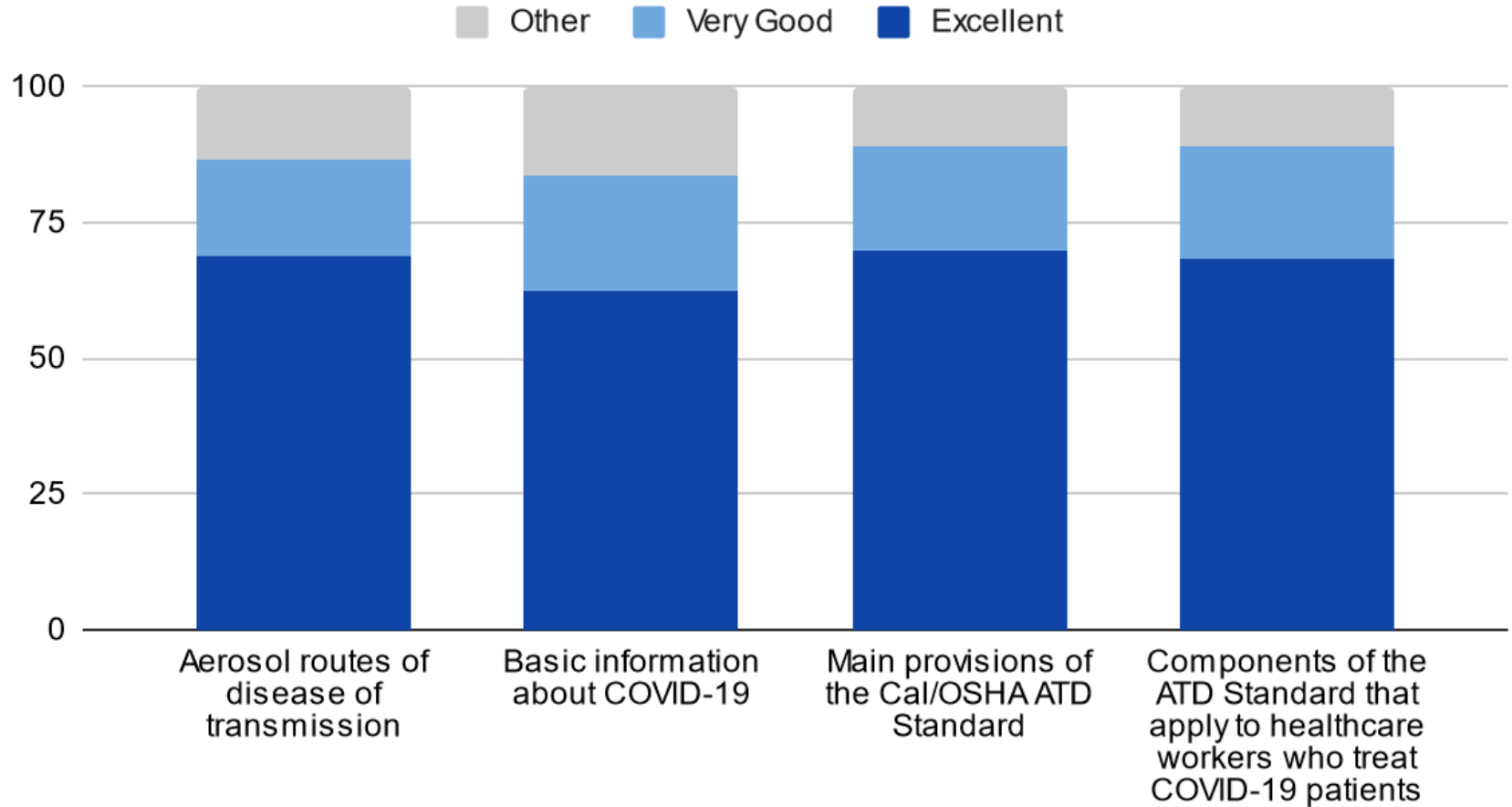
“I don’t think the Exposure Control plans are site specific in places where nurses are being sent to different sites like homeless shelters, skills nursing facilities, etc. for testing.”

“We do not have guidelines specific for Nurse Surveyors going to different facilities on daily/weekly basis issued by the CA Department of Health.”

“Resistance to using the Elastomeric Respirators in some facilities.”

“Our Washington State Psych Facility will only give us surgical masks if patients/staff test positive for COVID-19, otherwise, staff are to wear their own face coverings at all times.”

# How would you rate each of the following course topics:



# Evaluation Responses

“This class was so relevant and essential. It should be mandatory for all healthcare workers and facility administrators.”

“Excellent professional evidence-based education session.”

“Good balance between legal, practical, and medical pieces of presentation.”

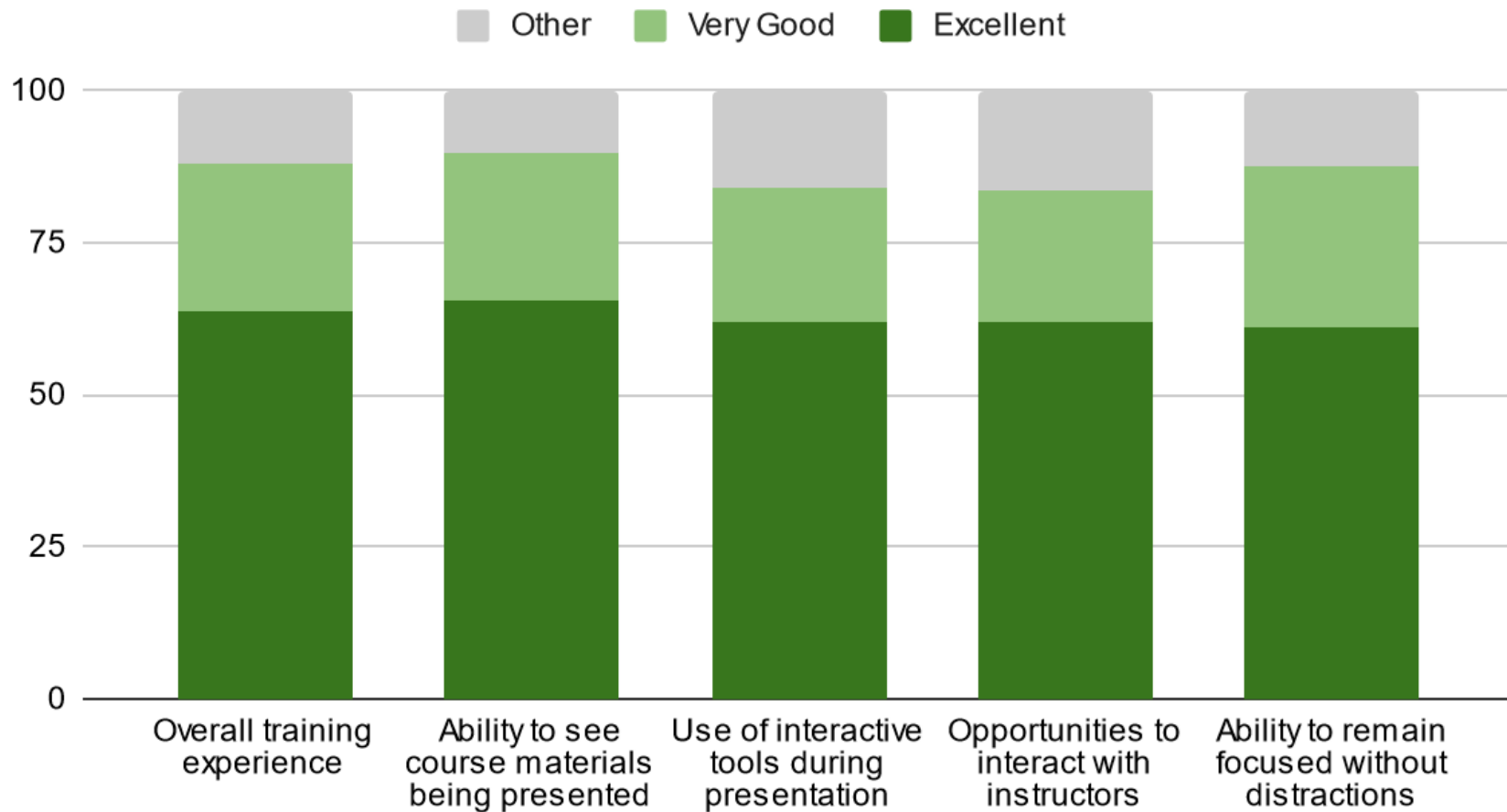
“This ATD class is a must have for all front-line workers!”

“Brilliant! Fact filled with workable solutions that will create safety for all despite pandemic and political manipulation.”

“This is my 4th time taking this class because it is absolutely essential to healthcare workers.”



# How would you rate the following aspects of online training:



# Evaluation Responses

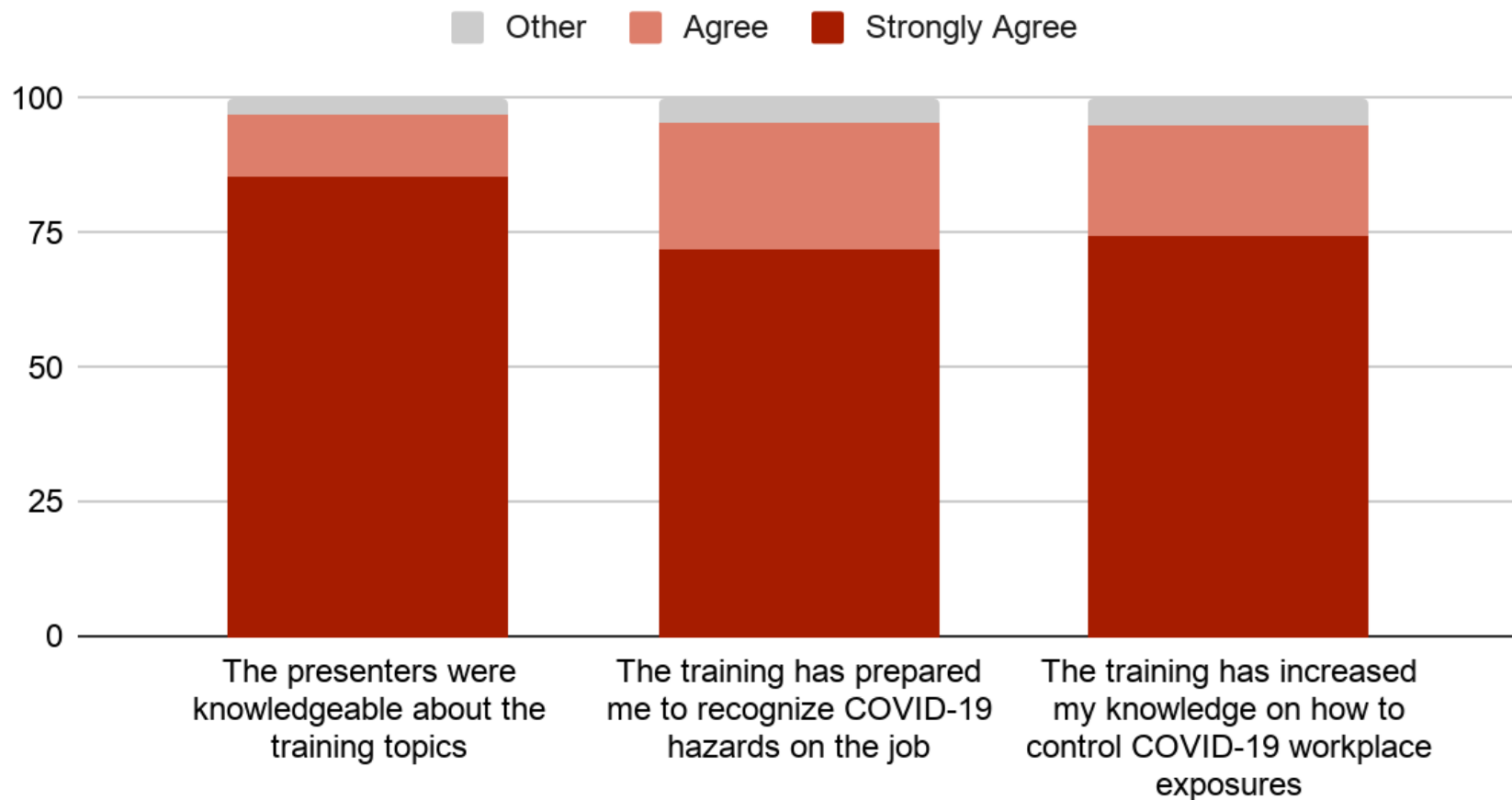
“The ability to ask questions and receive feedback immediately was exceptional.”

“This is the best online training I have ever attended, smooth pace, informative, liked the question/answer time, and stretch times.”

“Topics were presented in a clear and concise manner.”

“I've been attending many webinars on COVID and this has been by far the best. Thank you for setting a high standard of quality, research, and policy.”

## Rate your agreement with the following statements:



# Documenting Impacts

- ❖ Requesting and reviewing ATD exposure control plans
- ❖ Talking with coworkers about ATD requirements
- ❖ Tracking and documenting worksite control measures
- ❖ Demands for N95 availability
- ❖ Ensuring proper training and fit testing for respirator use
- ❖ Participating in Cal/OSHA complaints and investigations

## Documenting Impacts

*“This class has empowered us to speak up at work, to go public with our concerns that our employers are downgrading COVID-19 transmission to contact and droplet -- not aerosol.*”

“Learning about the ATD [standard] (which our employers never mention) has been a tool that has improved our current working conditions; e.g., we went from not needing a N95 mask, to being told to use the N95 for 7 days, and now we’re being provided with a N95 once per shift.

“We are very fortunate to live in California.”

# Ongoing Technical Assistance and Support

*“I still have a question about the legal ability of employees to bring in and use their own ppe if the employer is unable or unwilling to provide it* specifically as it applies to grade of ppe and high risk procedures. I work as an ED RN in a very busy public safety net trauma center....

“My coworkers and I have raised enough money to buy some PAPRs because our health system has somehow not been able/willing to provide our dept with more than 4 and we routinely see multiple simultaneous codes and traumas at a time. Now our employer is not allowing us to bring our PAPRs in to use, insisting that we give them to them, instead, so that they can divide them up and share them out to all of our health system's hospitals and departments.

*“It sounds like we should be able to bring them in and use them under surge circumstances. Any way you could advise?”*

# Ongoing Technical Assistance and Support

“I wanted to consult with you both after participating in the Nurse Alliance Protecting Nurses and other workers from COVID 19 and other Aerosol Transmissible Diseases. *My colleagues and I just received this memo from our administration dept., orders to return to the workplace.*

“Reading through the memo the contents appear very generalized. The staff referenced in the memo consist of approx 100 employees. We are all sit in computer cubicles next to each other. There is little separation between us in the office where we work. There was talk about alternating staff in the office so as to not over crowd and provide the necessary social distancing. The occupancy of our office has not been addressed. We are also concerned that alternating seating assignments may permit another person to occupy another employees work space....

*“They mention environmental safety measures but not OSHA regulation standards for the workplace. Do you have an opinion and or suggestions on how to proceed? Should specifics not be put in writing for each work area?”*

## Next Steps

- ❖ More formal impact evaluation -- survey of all course participants
- ❖ Compilation of technical assistance requests
- ❖ Future trainings planned
- ❖ Presentation at APHA and other forums



# Thank you



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