



January 2, 2025

Hon. David Piccini
Minister of Labour, Immigration, Training and Skills Development
Ontario Ministry of Labour, Immigration, Training and Skills Development
15th Floor, 400 University Avenue
Toronto, Ontario
M7A 1T7

Dear Minister Piccini,

Re: Strengthening Proposed Amendments to the *Occupational Health and Safety Act* in Bill 229, *Working for Workers Six Act, 2024*

I am writing to you on behalf of the 68,000 registered nurses (RNs) and health-care professionals, and over 18,000 nursing student affiliates represented by the Ontario Nurses' Association (ONA). Our members provide care across the province in hospitals, long-term care facilities, public health, the community, clinics and industry.

Schedule 3 of Bill 229, the *Working for Workers Six Act, 2024*, amends section 25 of Ontario's *Occupational Health and Safety Act (the Act)*, by requiring that the protective clothing and equipment (PPE) provided, worn, or used is a proper fit and is appropriate in the circumstances, having regard to all relevant factors, including such factors as may be prescribed. This proposed language creates a significant gap by allowing employers to determine what is considered "appropriate" in each situation. Furthermore, the amendment includes the consideration of "relevant factors," but does not specify who defines these factors or how they are applied. This allows employers to make subjective decisions about PPE that may prioritize cost or convenience over worker safety.

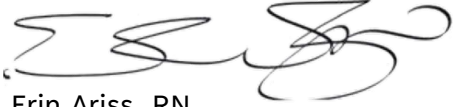
The proposed language is particularly concerning given the experiences of nurses and health-care professionals in the early part of the pandemic that led to ONA obtaining an injunction requiring employers to provide access to PPE in accordance with employees' point of care risk assessments and Directive 5. In those circumstances, statutory directives provided employees with the right to access PPE, but employers nevertheless exercised their discretion to restrict access. The language in the *Working for Workers Six Act, 2024*, provides additional latitude for employers to engage in similar conduct.

Our recommendation is that the new s. 25(1)(b.1) read as follows:

(b.1) An employer shall ensure that ... ((b.1) any personal protective clothing and equipment that is provided, worn or used is a proper fit and is appropriate in the circumstances, having regard to all relevant factors, including such factors as may be prescribed.

In conclusion, I urge you to further amend the Act so that the health and safety of Ontario's workers is prioritized.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erin Ariss', with a stylized flourish at the end.

Erin Ariss, RN

President, Ontario Nurses' Association

- c. Jamie West, Official Opposition Critic for Labour, Training and Skills Development
- Stephen Blais, Liberal Critic for Labour and Skills Training
- Aislinn Clancy, Green Party Deputy Leader