Overview

This is not a legal document and employers are advised to seek legal advice.

Employers and constructors have obligations to protect workers from hazards in the workplace as set out in the Occupational Health and Safety Act (OHSA) and its regulations and the directives coming from the Chief Medical Officer of Health.

Workers should raise any concerns to their:
• Supervisor
• Joint health and safety committee
• Health and safety representative

This will help ensure the employer has taken all reasonable precautions.

Ontario is currently in the midst of a global pandemic. While the COVID-19 situation is changing rapidly, the legislation and regulations used to govern Ontario’s workplaces are not.

Under Ontario law, employers have the duty to keep workers and work sites safe and free of hazards. Workers have the right to refuse unsafe work. If health and safety concerns are not resolved internally, a worker can seek enforcement by filing a complaint with the ministry’s Health and Safety Contact Centre at 1-877-202-0008. Failure of the employer or constructor to comply with the OHSA and its regulations could result in a stop-work order upon inspection by the Ministry of Labour, Training and Skills Development.

Recognize hazards and assess risks

Introduction: As a result of the COVID-19 global pandemic, truck drivers have been identified as an essential service for our country’s economy and business continuity. Canada introduced the Essential Freight Transportation Exemption for federally regulated carriers and drivers who are moving essential COVID-19 supplies and equipment as part of the emergency relief effort. Truck drivers moving essential goods will be exempt from hours of service requirements provided that they give advanced notice.

Note: This is not a legal document, for full details please review the following: Essential Freight Transportation Exemption.

Potential fatigue exposures resulting from the Essential Freight Transportation Exemption. With federally regulated carriers and truck drivers working additional hours, they are potentially exposed to the following fatigue risks:
• Drivers face increased work hours in an isolated environment
• Transporting essential supplies and equipment with varied hours may lead to an irregular sleep schedule (from what the driver normally has)

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- Additional stress and pressure due to the immediate need of supplies and increased workload
- Long periods of time away from friends and family during the global pandemic

Controls

1. Recognize the signs. Management, supervisors, dispatch, and operations staff should be aware of the signs of driver fatigue. These include:
   - Driver saying that they “always feel tired” and or look exhausted
   - Yawning
   - Eyes look sore, heavy, droopy or bloodshot
   - Their reflexes and reaction time are slow
   - Driver exhibits signs of impatience or irritability
   - Driver complains of aching, stiff or sore muscles or cramps
   - Lack of motivation
   - Lack of concentration, responses to questions are slow or off-topic
   - Unable to answer questions

2. Support their health and wellness.
   - Provide tools and resources to support healthy eating and lifestyle choices.
   - Communicate (check in) with the driver frequently.
   - Have healthy snacks available at your facility.
   - Provide some flexibility for drivers if they need to visit their doctor.
   - Ensure your drivers know that their health and wellness is important to you.

3. Set realistic expectations with the drivers and dispatch. Drivers may be feeling the added need or pressure to complete a delivery during the pandemic.
   - Be realistic with your expectations and provide instructions for dispatch to do the same.
   - Encourage the driver to take regular breaks.
   - Stagger start times with drivers. This will also allow for reduced staff at the facility and limited exposure of drivers interacting with each other (so that they can maintain physical distancing).

4. Encourage your drivers to get a full night’s rest. Even with exceptions being made to the hours of service rules, drivers still need to have a full night’s rest and off-duty time.
   - Where possible try to keep them on their regular or preferred schedule.
   - Ensure that drivers have everything they need to be comfortable.

5. Be aware of mental fatigue. Drivers may be experiencing mental fatigue as a result of all of the added pressure and deliveries. Be sure to:
   - Reach out to drivers regularly to see how they are doing. Check-ins do not always have to be job related. Call drivers to make sure they are “feeling ok.” Calls can be made by management, supervisors, dispatch, safety team, etc., and demonstrate how we are all in this together and supporting each other.

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- Provide tools and resources if drivers would like to speak to someone else (e.g., employee assistance programs) and remind them these calls are confidential.
- Encourage your drivers to reach out to their networks and stay connected to their family and friends.
- Remind your drivers to take regular breaks and try reading or listening to something that has nothing to do with COVID-19.
- Remind drivers that they are making a difference and helping our economy and people by providing an essential service.

Evaluate
Follow-up and evaluation are essential to ensuring the effectiveness of controls and solutions implemented. Review your process and identify any opportunities for improvement. Continuously engage with your supervisor and employees and encourage recommendations.

- Monitor your health for symptoms such as for cough, fever, or difficulty breathing. Refer to Government of Canada Guidelines.
- If you are concerned that you may have been exposed to, or are experiencing symptoms of COVID-19, please start by visiting the Ministry of Health website and taking their self-assessment. Contact your primary care provider or Telehealth Ontario at 1-866-797-0000. Do not call 911 unless it is an emergency.

Resources
Stay updated with daily government updates on COVID-19:
Government of Ontario
Government of Canada
Public Health Ontario

For additional driver and employer fatigue resources please download the following from the Infrastructure Health and Safety Association:
Fatigue – The Basics
Fatigue – Impacts and Risk Groups
Fatigue – Tools and Resources for Employees
Fatigue – Tools and Resources for Employers

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