



Heat Stress



Now that the warm weather is upon us, it is a good time to remind ourselves what effects the extremely hot weather can have on employees. Heat Stress can occur when hot, humid conditions and physical activity overcomes a body's natural cooling system. One might suffer cramps and fainting, or even serious heat exhaustion and heat stroke - **which can kill quickly**. Heat stress can happen to anybody, even the young and fit, and heat exposure may occur in all kinds of workplaces. In construction, the main source of heat is direct sunlight however employees working indoors are also at high risk especially in hot humid conditions where air circulation is at a minimum. Employers have a duty under Section 25(2)(h) of the *Occupational Health and Safety Act* to take every precaution reasonable in the circumstances for the protection of a worker. This includes developing policies and procedures to protect workers in hot environments due to hot weather.

Symptoms & Treatment

Heat stress symptoms are a set of natural signals telling an individual that something needs to be done to balance a body's heating and cooling. As the human body heats up, it tries to rid itself of excess heat through the evaporation of sweat. If it is unable to cool itself this way, the body temperature will increase. When body temperature gets above 38-39°C, the brain starts to overheat, leading to a shutdown of the body's cooling system (sweating stops). Your temperature now rises even faster, leading to heat stroke and possibly death. We have listed below the causes, symptoms, and treatment of various heat-related illnesses.

Fainting

Cause: Fluid loss and inadequate water intake.

Symptoms: Sudden fainting after at least two hours of work; cool moist skin; weak pulse.

Treatment: *Obtain Medical Attention* and assess a need for CPR; Individual should be moved to a cool area; clothing should be loosened; make person lie down; and when the person is conscious, offer sips of cool water. (Keep in mind that fainting may be due to other illnesses.)

Heat Exhaustion

Cause: Fluid loss and inadequate salt and water intake causes the body's cooling system to start to break down.

Symptoms: Heavy sweating; cool, moist skin; body temperature above 38°C; weak pulse; normal or low blood pressure; tired and weak, nausea and vomiting; very thirsty; panting or breathing rapidly; blurred vision.

Treatment: *Obtain Medical Aid*. This condition can lead to heat stroke, which can kill; move the person to a cool shaded area; loosen or remove excess clothing; provide cool water to drink; fan and spray with cool water.

Heat Stroke

Causes: If a person's body has used up all its water and salt reserves, it will stop sweating, which can cause body temperature to rise; heat stroke may develop suddenly or may follow from heat exhaustion.

Symptoms: High body temperature (above 41°C) and any of the following: the person is weak, confused, upset, or acting strangely; has hot, dry, red skin; a fast pulse; headache or dizziness; in later stages, a person may pass out and have convulsions. **This is an immediate Medical Emergency. Prompt action may save the person's life.**

Treatment *Call An Ambulance*. This condition can kill a person quickly; remove excess clothing; fan and spray the person with cool water; offer sips of cool water, if the person is conscious.

Don't Underestimate Heat Stress

When it is hot employees need to drink a lot of fluids, they should dress appropriately and recognize the signs of heat stress. If heat exposure is an issue on the job you need to develop and implement policies to prevent heat-related illnesses.

The Mathews Dinsdale Minute



This July will mark the 12 year anniversary of the Ontario Court of Appeal laying out its view of the issue of drug and alcohol testing, including random testing, in Ontario. Since then there have been many cases fighting about the meaning of that decision and probing the edges of the limitations on such testing established by the Court. These have included disputes about how to administer testing programs, what constitutes a “safety sensitive” position and evaluating new technology that purports to measure drug impairment at a point in time. Ontario case law has, generally, focused on balancing an employer’s safety interests with the privacy and dignity interest of employees.

While the case comes out of New Brunswick, the Supreme Court of Canada appears now ready to provide Canada with its view of these testing programs, having granted the union leave to appeal in a case involving an employer’s ability to implement a random alcohol testing program.

This case arises from Irving Pulp & Paper’s decision to introduce a mandatory random alcohol testing program for employees in safety-sensitive positions. The Union grieved and an arbitrator held that the employer could not implement the program as there was no evidence of an existing substance problem in the workplace and the workplace was not “ultra-dangerous”.

The employer appealed and the matter worked its way to the New Brunswick Court of Appeal. The Court of Appeal found that the random alcohol testing program could be implemented so long as (1) the workplace was “inherently dangerous” and (2) the policy only applied to persons in safety sensitive positions. The Court found that evidence of an existing alcohol problem was not necessary if the above criteria are satisfied.

The problem with this area of law is that it can be very hard for employers to grasp the distinctions decision makers have made. Is my workplace “ultra-dangerous”, “inherently dangerous” or some other level of dangerous? What qualifies as a “safety sensitive” position? How do I show an existing problem in the workplace, and what if I don’t want to wait until it is clear I have a problem? Hopefully, when the Supreme Court has had their say, they will provide employers some level of practical guidance on this issue which has been simmering for more than a



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