

MEMORANDUM

To: Regional Council

From: Bruce Macgregor, Chief Administrative Officer

Date: June 25, 2020

Re: **Thermal Temperature Screening at Regional Facilities**

This Memorandum provides Regional Council with information further to a Notice of Motion by Regional Councillor Jones dated May 14, 2020. The motion was considered and passed at Committee of the Whole on June 11, 2020.

The memorandum presents the findings of York Region Public Health, Occupational Health, Health and Safety and Legal Services staff.

Background

Councillor Jones' motion was titled, "Thermal Temperature Detection and Data Retention for the Region", and resolved:

- That staff be directed to investigate and report back on thermal temperature detection systems as a first line of action due to the COVID-19 environment and potential future health pandemics
- That, such detection systems should be non-contact, fully integrated, capable of detecting high temperatures in both York Region employees and visitors to York Region properties, and have the capacity to send immediate alerts to authorized York Region officials who are responsible for managing health and safety protocols
- That, additionally have the capacity to capture the temperature data and retain the data for future analysis to guide health workers to better address potential future pandemics threats in a timely manner
- That, furthermore, thermal temperature systems should not require individuals to use their own personal cell phones for detection and tracking purposes thereby respecting privacy considerations

- That, a system of this type should also have the capability to add other features which can offer additional and important measurements for other health and safety factors that have not yet been contemplated
- That, a proper all-encompassing system should be used to encourage York Region businesses to also adopt similar thermal temperature detection systems in order to deliver data alerts to York Region in order to ensure that health workers can take swift and responsible actions in addressing pandemic spikes in our community

In May, 2020, the York Region Health Emergency Operations Centre, Planning Section investigated whether there is sufficient evidence to support temperature testing as a response to COVID-19

Based on their review, Health Emergency Operations Centre (HEOC) staff found:

- There are three main types of non-contact thermometers:
 - Non-contact infrared thermometers, typically held 3-15 cm from forehead (mixed findings regarding efficacy)
 - Tympanic thermometers, which measure thermal radiation from tympanic membrane and ear canal (most accurate)
 - Thermal scanners which can operate from farther away (relatively accurate, but less efficacy than tympanic thermometers)

Evidence for these types of non-contact thermometers focused on hospital, clinical and airport settings, which make it difficult to extrapolate evidence into other settings.

Based on a review of relevant medical literature, the HEOC concluded that there is insufficient evidence to recommend the use of non-contact thermometers in public buildings as a means of screening for COVID-19. Among other things, multiple factors impact body temperature, including: age, gender, sweat, ambient temperature range, physical activity, emotional state and the use of antipyretic (fever reducing) drugs.

For all these reasons, there are limitations on using fever as an accurate measure of COVID-19. Accordingly, it was suggested that more effective measures such as physical distancing, proper hand hygiene, respiratory etiquette and the wearing of face coverings where physical distancing is not possible should be encouraged as a way to minimize the spread of COVID-19.

The Health Emergency Operations Centre concluded that other public health measures should be implemented rather than temperature checks

- Symptomatic and pre-symptomatic COVID-19 cases may also contribute to virus spread while still passing temperature checks

- Pre-symptomatic cases can begin transmission of the COVID-19 virus up to 48 hours prior to developing symptoms
- There are a variety of COVID-19 symptoms including, fever, new or worsening cough, shortness of breath, sore throat, difficulty swallowing, new olfactory or taste disorders, nausea/vomiting, diarrhea, abdominal pain or nasal congestion
- Some patients with COVID-19 may not experience any fever

Advice on thermal testing was also sought from the Region’s Occupational Health physician

York Region Health and Safety staff also reached out to a well-credentialed Occupational Health Physician, for another perspective on thermal testing. The doctor’s comments may be summarized as follows:

- Use of temperature screening is a “very blunt instrument” in the screening process for COVID-19
- Temperature screening is a very labour intensive and intrusive screening method which is “fraught with limitations”
- There are more effective uses of resources
- Ideally, in any sort of large group or in any situation where physical distancing cannot be maintained, the use of masks is encouraged
- Temperature screening will not address the issue of the asymptomatic carrier
- Education, physical distancing, the use of masks and shields as barriers to the emission of water droplets and barriers to the touching of mucous membranes of the eyes, nose and mouth are the cornerstones to management of COVID-19 transmission reduction
- If unable to provide the above, temperature screening may identify a few individuals who would pose a risk

It should be noted that our long-term care homes and Paramedic Services are currently using temperature-taking as a part of their screening protocols, via touchless forehead thermometer, among other active screening measures. These measures are directed by the Province for long-term care. Paramedics Services has added temperature screening checks for paramedics who treat many vulnerable persons in the community.

Privacy Law Considerations

Thermal temperature scanning in the workplace does not violate privacy laws if conducted appropriately. For instance:

- There would need to be a strong policy in place regarding the collection, use, disclosure, storage, and retention of the information
- If it were to be implemented, temperature scanning should be used only be used for health and safety purposes in the workplace, specifically, for determining who can enter the workplace
- When each person is individually scanned, the consent of the person should be obtained and if they refuse, the person can be denied entry
- Any questions asked of the person entering the building regarding health status should be conducted as privately as possible in the area they are entering
- Anonymizing collected data should be considered

Should there be a direction to pursue a temperature testing screening program, the Information and Privacy Commission (IPC) is available for consultation regarding IPC privacy standards and best practices.

Labour Relations Considerations

There are no specific impediments in the collective agreements with CUPE 905 and the Ontario Nurses Association (ONA) to imposing a requirement for temperature screening of York Region employees prior to entry into the workplace. Provided that privacy issues were appropriately addressed, such a requirement would fall under the general expectation that employees follow workplace health and safety rules.

However, there are a number of practical issues that would need to be considered in consultation with both unions and with Public Health and Occupational Health medical professionals. Protocols that would have to be developed would include:

- What if an employee refuses to be tested?
- What happens if an employee presents with an elevated temperature? For example, are they sent home?
- If an employee is sent home because of an elevated temperature, how is the absence from the workplace treated?
- If an employee is denied entry into the workplace, how long does the denial of entry remain in place—for example, would the denial continue for a set period and/or would the employee be subject to mandatory COVID-19 testing prior to re-admittance?

Other Considerations

There are a number of other issues that would have to be considered in relation to York Region's more than 60 workplace locations. These include:

- Identifying, sourcing and procuring thermal temperature scanners
- Identifying scanning locations in each Regional facility
- Who should administer the testing—staff, or third party vendors?
- Developing protocols for testing, including public health, workplace health and safety and privacy considerations, prior to implementation
- If staff are to administer the testing, training will have to be procured and provided, both with respect to testing protocols as well as operation and maintenance of temperature scanning equipment

As recovery plans evolve, staff will continue to monitor and assess appropriate measures to ensure safety in the workplace.

Respectfully submitted,

Bruce Macgregor

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