

OHS Insider Newsletter

Your easiest path to OHS Compliance in Canada

AUGUST 2026



This Month's Highlights

Stay ahead of today's workplace risks with insights on air quality, infectious illness preparedness, and the top OHS compliance cases of 2026—plus practical guidance to help strengthen your health and safety program. Visit OHSInsider.com to read the full articles and more.



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Monitoring Air Quality on All Job Sites

Protecting Worker Health Indoors and Outdoors

For OHS managers and worksite directors, monitoring air quality is an important component of a comprehensive occupational health and safety program.

Whether employees work outdoors in construction, agriculture, landscaping, utilities, transportation, and public works, or indoors in manufacturing facilities, warehouses, offices, healthcare environments, and commercial buildings, maintaining healthy air quality helps reduce exposure to both short-term irritants and long-term health hazards.

Understanding Air Quality Hazards

Air quality concerns can vary significantly depending on the work environment. Outdoor worksites are often exposed to naturally occurring and work-generated contaminants. Dust generated by excavation, grading, harvesting, vehicle traffic, demolition, and material handling can contribute to respiratory irritation and reduced visibility. Fine particulate matter may penetrate deep into the lungs, particularly when workers are exposed for extended periods.

Summer also brings increased risks from wildfire smoke, which has become a growing concern across many regions of North America. Smoke can travel hundreds of kilometres

from its source, creating hazardous air conditions even in areas far from active fires. Workers exposed to smoke may experience coughing, throat irritation, shortness of breath, headaches, and reduced physical performance.

In industrial environments, airborne contaminants may include welding fumes, silica dust, diesel exhaust, chemical vapours, solvents, and other hazardous substances generated during work processes. Without proper controls, these exposures can contribute to chronic respiratory conditions, cardiovascular issues, and occupational illnesses.

Indoor workplaces face a different but equally important set of air quality challenges. Poorly maintained HVAC systems, clogged filters, inadequate ventilation, excess humidity, mould growth, dust accumulation, and overcrowded spaces can all affect indoor air quality. During the summer, air conditioning systems work harder to maintain comfortable temperatures, and equipment failures or neglected maintenance can quickly lead to poor air circulation and increased contaminant levels.

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Indoor air quality also plays an important role in limiting the spread of infectious illnesses. Respiratory viruses can spread more easily in poorly ventilated spaces where fresh air exchange is inadequate. Maintaining healthy indoor air quality helps reduce the concentration of airborne particles that may contribute to disease transmission.

The Importance of Monitoring Heat-Related Illness

Effective air quality management begins with monitoring. OHS professionals cannot control hazards they cannot identify. Air monitoring provides valuable information about workplace conditions and allows employers to make informed decisions regarding controls, ventilation, work scheduling, and personal protective equipment.

For outdoor worksites, monitoring may include tracking local air quality indexes, weather conditions, temperature, humidity, wind direction, and particulate levels. During periods of elevated wildfire smoke or dust generation, managers can use air quality data to determine whether additional protective measures are necessary.

Indoor monitoring may focus on carbon dioxide levels, particulate concentrations, temperature, humidity, ventilation performance, and the presence of airborne contaminants associated with specific work activities. Monitoring can help identify ventilation deficiencies before workers begin reporting symptoms.

Best Practices for Managing Air Quality

A successful air quality program combines monitoring with proactive prevention measures. Regular maintenance of ventilation systems, air conditioners, and

filtration equipment is essential for indoor environments. Filters should be replaced according to manufacturer recommendations, air intakes should remain unobstructed, and ventilation systems should be inspected routinely to ensure they are functioning properly.

For outdoor operations, dust suppression methods such as water application, vegetation management, proper material storage, and traffic control can help reduce airborne particles. During periods of poor air quality, employers may need to adjust work schedules, relocate tasks, increase rest periods, or limit strenuous outdoor activities.

Employers should also ensure workers understand the signs and symptoms of air quality-related health issues. Training programs can help employees recognize respiratory distress, heat-related complications, and exposure concerns while encouraging prompt reporting of symptoms.

Personal protective equipment may also play a role when engineering and administrative controls cannot adequately reduce exposure. Respirators and other respiratory protection should be selected based on identified hazards and used within a comprehensive respiratory protection program.

Creating Healthier Work Environments

By investing in monitoring, maintaining ventilation systems, controlling airborne contaminants, and responding proactively to changing conditions, employers can create healthier work environments and better protect workers from one of the most widespread yet often invisible workplace hazards.

The Top OHS Compliance Cases of 2026

(So Far) & Their Impact on You

While written statutes and regulations provide the general rules, they're not the only source of OHS laws. Every year, courts, arbitrators and tribunals hand down crucial rulings applying the laws to actual situations on the ground. For purposes of OHS compliance, these rulings are where the rubber meets the road because they illustrate not only what the laws say but what they actually mean in real life. Here are what we believe to be the 10 most significant OHS compliance cases from the first six months of 2026 and, most importantly, an explanation of how they may affect your own OHS program and what you should do to protect your company.

1. Supreme Court Opens Door to Intimate Partner Violence Money Damages Lawsuits

The year's most important occupational health and safety (OHS) court case didn't involve an OHS law or happen in a workplace. It was a lawsuit for money damages brought by a woman against her ex-husband for physical assault, humiliation, and infliction of emotional distress during the course of their 16-year marriage. In a 6-3 ruling, the Supreme Court of Canada recognized a new tort allowing victims of intimate partner violence to bring these kinds of cases in civil court [*Ahluwalia v. Ahluwalia*, 2026 SCC 16 (CanLII), May 15, 2026].

Takeaway & Impact on You: Intimate partner, aka sexual and domestic violence, becomes an OHS compliance issue when it happens in the victim's workplace. Previously, victims of these incidents had limited legal recourse. That's because the OHS laws are enforced by the government via prosecution or imposition of administrative monetary penalties rather than by individual victims in private lawsuits. *Ahluwalia* opens a new door allowing victims

to sue for money damages. Limits apply: In addition to having to prove abusive conduct, the victim is allowed to sue only the person that abused them. Consequently, the new tort probably won't pose a significant liability threat to employers. But that's not the point. The broader significance of *Ahluwalia* is in echoing parallel trends shaping OHS laws of extending legal protections of domestic violence including in the workplace.

Bottom Line: Simply having a workplace violence prevention plan is no longer enough. You also need to incorporate protections against workplace domestic violence into the prevention plan. Find out how to implement an effective [Workplace Domestic Violence Prevention Plan](#) to protect your own workers.

2. BC Dishes Out Highest OHS Fine of the Year

A venerable retailer that's been selling plumbing supplies in British Columbia since opening its first store in Victoria in 1892 was fined \$521,694 for multiple OHS violations. WorkSafeBC inspectors issued the penalty after observing damaged and unsafe storage

rack violations in use at the company's Penticton store, a high-risk and repeat violation, as was the second violation cited of failing to ensure that storage racks were installed by a qualified person according to the manufacturer's or an engineer's instructions [*Andrew Sheret Limited*, January 8, 2026].

Takeaway & Impact on You: BC has the strictest OHS storage rack requirements in Canada. However, the same thing can happen at any site where materials are racked, stacked, piled, and stored. Use the OHS Insider [storage rack inspection checklist](#) to avoid potential violations and penalties at your workplace.

3. Lack of Privacy Controls Undermines Bus Company's AI-Based Drivers' Safety System

A cautionary tale about the dangers of relying on digital technology to resolve OHS challenges began when a bus company installed an artificial intelligence (AI) remote surveillance system in all vehicles, using cameras mounted on windshields to capture both the interior, including the driver's workstation, and front of the vehicle. The federal arbitrator ruled that the newly installed AI-based Samsara system gathered much more extensive personal data than the conventional video cameras the company had previously used and that the resulting harms to drivers' Charter privacy rights outweighed the relatively minor improvements to safety.

Moreover, the AI system's remote real-time viewing and other features allowed the company to use the system to gather and access data for purposes other than safety. Result: The company had to stop using the system within 90 days and pay \$100 in privacy damages to each affected driver. The company appealed but the court upheld the ruling [*Coach Canada Workers' Union (CSN) v. NewCAN Coach Company ULC (Coach Canada)*, 2026 CanLII 27321 (CA SA), March 5, 2026].

Takeaway & Impact on You: Many AI-based OHS systems rely on personal monitors, scanners and other technologies that gather and analyze extensive personal data to measure how workers carry out their job duties. While this output may yield significant safety improvements, it may also raise concerns under privacy laws. Things often come to a head when companies use AI-based surveillance cameras inside company vehicles to ensure safe driving. Find out about the [11 ways you can use AI to improve workplace safety and OHS compliance](#) without trampling on workers' privacy rights.

Read about the rest of the top OHS cases of 2026 so far and their impact on you on the OHS Insider site. There, we cover protecting corporate officers from liability, excavation safety, due diligence best practices when it comes to hiring contractors, and more!

What Inspectors Actually Ask For When They Arrive

Don't Miss Our
Upcoming Webinar

Save Your Spot

Wednesday,
September
16, 2026 at
9:00 a.m.
Pacific

Managing Summer Driving Risks

Summer is often associated with ideal driving conditions, but for employers and workers, the season presents a unique set of transportation safety challenges. Increased traffic volumes, road construction, vacation travel, extreme heat, and driver fatigue can all contribute to a heightened risk of motor vehicle incidents. Whether employees are commuting to a worksite, traveling between job locations, operating fleet vehicles, or driving home after a long shift, transportation safety remains a critical occupational health and safety concern.

For many organizations, motor vehicle incidents represent one of the leading causes of workplace fatalities and serious injuries. Worksite managers and OHS professionals should take proactive steps during the summer months to identify driving hazards and reinforce safe driving practices across their workforce.

Why Summer Driving Can Be More Dangerous

Many people assume winter driving presents the greatest risks, but summer introduces hazards that can be just as dangerous.

One of the most significant factors is increased traffic. Summer vacation travel places more passenger vehicles, recreational vehicles, motorcycles, cyclists, and pedestrians on roads. Congested highways and local roads increase the likelihood of collisions, particularly for workers who spend significant time driving as part of their job.

Road construction is another major concern. Across North America, warmer weather allows municipalities and contractors to undertake

infrastructure repairs and road improvement projects. Temporary lane closures, detours, reduced speed zones, and changing traffic patterns can create confusion and increase the potential for incidents.

Heat can also affect driver performance. High temperatures contribute to fatigue, dehydration, reduced concentration, and slower reaction times. In vehicles without adequate air conditioning, prolonged exposure to heat can become a serious health concern, particularly for workers making multiple stops throughout the day.

Industries Most Affected

Transportation risks extend far beyond trucking and transportation companies. Many sectors rely heavily on workers driving as part of their daily responsibilities, including construction and skilled trades, utilities and telecommunications, municipal and public works services, delivery and courier operations, transportation and logistics, oil and gas operations, agriculture and farming, landscaping and grounds maintenance, field service and maintenance organizations and healthcare and community support services.

Employees may face risks while traveling between jobsites, conducting inspections, making deliveries, transporting equipment, or commuting after physically demanding workdays.

Common Summer Driving Hazards

Several hazards deserve special attention during the summer months:

Driver Fatigue: Long daylight hours often lead workers to extend their activities both on and off the job. Combined with physically demanding work, this can contribute to fatigue and reduced alertness behind the wheel.

Distracted Driving: Mobile devices, navigation systems, work communications, and in-vehicle technology continue to be significant contributors to motor vehicle incidents. Even brief distractions can have serious consequences.

Impaired Driving: Summer social events, holidays, and recreational activities can increase the risk of impaired driving. Employers should continue to reinforce zero-tolerance policies regarding alcohol, cannabis, and other impairing substances.

Road Construction Zones: Workers driving through construction areas may encounter narrowed lanes, sudden stops, changing traffic patterns, and reduced visibility. Following posted speed limits and remaining alert are essential.

Vehicle Breakdowns: Extreme heat can place additional stress on tires, batteries, cooling systems, and engines. Poor vehicle maintenance can increase the risk of roadside breakdowns and collisions.

Summer Driving Safety Checklist

To reduce transportation-related risks, employers should encourage workers to follow these safe driving practices:

Conduct Pre-Trip Vehicle Inspections: Drivers should check tires, brakes, lights, mirrors, fluid levels, and air conditioning systems before beginning their journey.

Stay Hydrated: Dehydration can affect concentration and decision-making. Drivers

should carry water and take regular breaks during long trips.

Plan Routes in Advance: Review travel routes, construction zones, weather conditions, and expected traffic delays before leaving.

Eliminate Distractions: Mobile phones and other distractions should be avoided while driving. Hands-free does not always mean risk-free.

Manage Fatigue: Encourage workers to recognize signs of fatigue, take rest breaks when needed, and avoid driving when overly tired.

Maintain Safe Following Distances: Heavy traffic and construction zones often require additional stopping distance and increased awareness.

Keep Vehicles Well Maintained: Preventive maintenance programs help identify mechanical issues before they become safety hazards.

Promote Defensive Driving: Drivers should anticipate the actions of other road users, remain patient in traffic, and adapt to changing road conditions.

Making Transportation Safety a Year-Round Priority

Transportation safety extends beyond company vehicles and traditional driving occupations. Every worker who drives to a worksite, travels between locations, or commutes home can be affected by roadway hazards. Summer provides an excellent opportunity for organizations to review fleet safety programs, reinforce defensive driving expectations, and remind employees that safe driving is an essential component of workplace safety.

Month-In-Review

A roundup of new legislation, regulations, government announcements, court cases, and arbitration rulings. Visit OHSInsider.com for the complete Month-In-Review. Now available by jurisdiction to keep you focused on what's been happening in your area including legal alerts, law announcements, and recent cases.



Scan/Click

Federal

Infectious Illness: Effective through August 29, Canadian citizens, permanent residents, and foreign travelers seeking to enter Canada who've been in the Congo, Uganda, or South Sudan within the previous 21 days must undergo assessment for Ebola upon arrival. While in the country, they must have access to a location where they can safely stay for 21 days.

Alberta

OHS Enforcement: Alberta OHS inspectors will carry out proactive "focused initiative" inspections in these sectors through March 31, 2027: Arenas, autobody, automotive repair, auto dealers, auto wreckers, construction, exhibitions, nail salons, swimming pools, underground garage services, restaurants and catering, hotels and convention centres, daycare centres, steel and metal fabrication, machining, wholesaling, outdoor sports, and recreation.

British Columbia

Work Injuries: British Columbia's workers' compensation time-loss claims rate for 2025 increased from 2.03 to 2.04 per 100 workers due to rising claims in two sectors: health care and social services, and transportation and related services. The increase was partially offset by declines in general construction. WorkSafeBC's target rate for 2026 is 1.99 or less.

Manitoba

Incident Reporting: Under newly proposed *regulations*, failure to report a serious incident to Manitoba Workplace Safety and Health (WSH) could result in an Administrative Monetary Penalty (AMP) of \$1,000 for a first offence, \$3,000 for a second offence, and \$5,000 for a third or subsequent violation. As with AMPs for other WSH offences, issuance would be discretionary.

New Brunswick

Workers' Compensation: WorkSafeNB revised Safety Achievement Financial Incentive System (*Policy 23-610*), a voluntary retrospective experience rating program that increases accountability for higher or lower than expected claim costs. Under SAFIS, companies are subject to surcharge if their actual costs are higher than expected based on premiums paid; but they get refunds if actual costs are lower than expected.

Newfoundland and Labrador

Workplace Harassment: Effective June 1st, NL workers diagnosed by a physician, nurse practitioner, psychologist, or psychiatrist with a psychological injury due to workplace harassment will be eligible for workers' comp benefits. WorkplaceNL Policy EN-18 already covers psychological injuries due to traumatic events, including presumptive coverage for post-traumatic stress disorder (PTSD) in certain occupations.

Northwest Territories

Workers' Compensation: Under new legislation, PTSD would be presumed work-related when victims are firefighters or first responders. *Bill 29* would also add 13 cancers to the list of 14 presumptive coverage cancers for firefighters, expand presumptive coverage to include more heart-related conditions, and broaden the definition of "firefighter" to include workers involved in fire inspection and investigation.

Nova Scotia

Workplace Injuries: Construction reached an all-time low injury rate of 1.39 per 100 covered workers in 2025, WCB Nova Scotia reports. This new low occurred at a time when construction has been surging. Meanwhile, the manufacturing injury rate reached its lowest point in a decade in 2025 with a 45% decrease over the past 10 years.

Nunavut

Training: Canada-Nunavut Workforce Tariff Response will provide \$1.5 million in funding over three years to help Nunavut workers in the marine sector access training and employment supports.

Ontario

First Aid: Updates to *First Aid Regulations* took effect, including the requirement that first aid training meet CSA Z1210:24 standards. Training courses and certificates will also have new names: Emergency First Aid will be called Basic First Aid, and Standard First Aid will be called Intermediate First Aid.

Prince Edward Island

Workplace Violence: Royal Assent for *Bill 104*, the Disclosure to Protect Against Intimate Partner Violence Act, which enables persons

who are at potential risk of domestic violence to obtain personal information about their intimate partner to protect their own safety, such as whether the partner has a history of domestic violence. The Bill hasn't yet been proclaimed effective.

Québec

Workplace Violence: CNESST published new *OHS regulations* requiring employers to take measures to prevent workplace sexual violence (SCV): i. give workers written information about SCV risks at the particular workplace; ii. ensure workers receive SCV prevention training by a competent person; iii. implement SCV reporting and complaint procedures; and implement SCV investigation protocols. Effective date: May 27, 2027.

Saskatchewan

Workers' Compensation: The Saskatchewan Workers' Compensation Board (WCB) published the new rates (*PRO 07/2026*) governing reimbursement of costs incurred by workers in traveling in personal vehicles to receive treatment for work-related injuries, to wit, 55 cents per kilometer for normal travel, 59 cents per kilometer for "Premium" travel (north of the 54th parallel) and a \$7.00 per day minimum.

Yukon

OHS Enforcement: The Yukon Workers' Safety and Compensation Board's (WSCB) officially began implementing its new administrative monetary penalties (AMPs) *policy* with penalty amounts for OHS violations ranging from \$1,000 to \$20,000 depending on seriousness of the offence and whether it's a first, second, or third/subsequent violation. The agency will also publish names of companies who receive AMPs.

Case Alerts

Drugs & Alcohol: Total Ban on Workplace Drug Use by Safety-Sensitive Employees Is OK

Shortly after Canada legalized cannabis in 2018, an airline adopted a new safety policy banning flight attendants, flight directors, and other high-risk employees from consuming any drug, whether legal or illegal, at work. The union claimed the policy was unreasonable and that affected employees' privacy rights outweighed the airline's safety concerns. But based on previous cases upholding similar bans and affirming the employer's overriding need to ensure that safety-sensitive employees are fit for duty, the federal arbitrator disagreed with the union and rejected the grievance [CUPE, Local 4041 v. Air Transat, 2026 CanLII 44306 (CA SA), May 6, 2026].

Action Point: The key to the case is that the airline's no-drug policy was based not on zero tolerance or principles of laws and morals, but the universally accepted understanding that workers who perform safety-sensitive jobs must be fit for duty at all times. Find out how to create a legally sound [Substance Abuse & Fitness Duty for Policy](#) at your workplace.

Machine Safety: Lumber Company Fined \$355,000 for Machine Fatality

A timber worker was using a pike pole to clear a blocked photo eye in a Canter 4 machine. Suddenly, the pole contacted the energized rotating side heads causing the pole to hurtle toward the worker and inflict fatal injury. The victim's employer was fined \$355,000, the highest reported OHS fine in Alberta this year, for a machine safety violation with the money to go to Northwestern Polytechnic to develop a comprehensive training program for new and

inexperienced workers in forestry, oil and gas, manufacturing, mining, and agriculture. The Crown dropped 11 other charges under the plea bargain [Weyerhaeuser Company Limited, Govt. Press Release, May 26, 2026].

Action Point: Don't let this happen to you! Find out how to prevent these kinds of injuries and penalties by implementing a legally sound [Machine Guarding Compliance Game Plan](#) at your workplace.

Confined Spaces: Prime Contractor Fined \$170,000 for Confined Space Violations

A worker inside a chamber (a confined space) using pry bars to help a crane truck lift gearboxes suffered serious injury when the gearbox released and lifted forcefully upward. WorkSafeBC hit the prime contractor at the site with \$169,632 in administrative monetary penalties for multiple OHS violations, including failure to develop written confined space safety procedures and provide workers adequate training and supervision before they entered the confined space [Metro Vancouver Regional District].

Action Point: Find out how to use the [OHS Insider Confined Spaces Compliance Game Plan](#) to avoid confined space fatalities and violations.

Material Handling: Mining Companies Fined \$210,000 for Fatal Helicopter Fall

A foreperson at a mining exploration site got entangled in the fiber ropes being used to secure cargo to a helicopter. Although eventually freed from the ropes, the foreperson fell from the helicopter and

suffered fatal injuries. The company in charge of the work was fined \$110,000 for failing to conduct a risk assessment for drilling operations involving helicopter use. The drilling contractor and one of its officers were also fined \$100,000 for failing to provide effective radio communication equipment to workers [Angus Gold Inc., and G4 Drilling Ltd., *MOL Press Release*, May 21, 2026].

Action Point: Don't let this happen to you! Find out how to implement effective rigging safety practices to prevent crane, hoisting, and lift accidents.

Work Refusal: Face Mask Refusal During COVID Is Just Cause to Terminate

After a series of progressive discipline actions, a liquor store fired a cashier for repeated refusals to wear a face mask during the COVID pandemic. The union cried foul, claiming that the action violated the cashier's OHS work refusal rights. But the Québec arbitrator disagreed and dismissed the grievance. The right to refuse work applies only to work that's unduly dangerous. In the context of the pandemic, work becomes unduly dangerous when the employer doesn't follow public health guidelines. But the store in this case did follow guidelines. So, the cashier's refusal was "unreasonable" and the store had just cause to terminate for insubordination [*Société des alcools du Québec (SAQ) v Syndicat des employés de magasins et de bureaux de la Société des alcools du Québec (SEMB – SAQ – CSN)*, 2026 CanLII 32250 (QC SAT), April 2, 2026].

Action Point: Find out how to use the OHSI face mask policy template to enforce mask restrictions in your workplace.

Workplace Violence: Supreme Court Recognizes New Intimate Partner Violence Tort

In a 6-3 ruling, the Supreme Court of Canada recognized a new tort allowing victims of intimate partner violence to sue their abusive partners for money damages. The case upholds an Ontario trial court decision awarding \$100,000 to the wife who suffered physical assault, humiliation, intimidation, and conduct intending to inflict emotional distress from her husband over the course of her 16-year marriage. Unlike the Ontario high court, the Supreme Court concluded that currently existing torts aren't adequate to compensate the harms domestic violence victims suffer. To win damages under the new intimate partner violence tort, the claimant must show abusive conduct by which one intimate partner coerces and controls the other, thus depriving them of their autonomy, which may include egregious acts of physical and psychological violence, tactics of isolation, manipulation, humiliation, surveillance, economic abuse, sexual coercion, and intimidation that can control and entrap [*Ahluwalia v. Ahluwalia*, 2026 SCC 16 (CanLII), May 15, 2026].

Action Point: Intimate partner violence becomes an OHS compliance issue when it happens at the victim's workplace. **Bottom Line:** Simply having a workplace violence prevention plan isn't enough. You also need to incorporate protections against workplace domestic violence into the prevention plan. Find out how to implement an effective Workplace Domestic Violence Prevention Plan to protect your own workers.

Ask the Expert

Is Your Workplace Ready for the Next Infectious Illness Outbreak?

Summer often brings a false sense that infectious disease risks have passed.

In reality, warmer months are the ideal time for OHS leaders to review response plans, replenish supplies, and address gaps before fall and winter respiratory illness season begins.



Question

Should OHS leaders be reviewing their infectious illness preparedness plans during the summer?

Answer

Yes. Summer – especially this summer – is the best opportunity to evaluate your organization's readiness while operations are stable and before illness rates begin to rise.

Explanation

Waiting until an outbreak occurs leaves little time to address weaknesses. A thorough preparedness review should confirm that infectious disease policies are current, responsibilities are clearly assigned, and employees understand reporting and response procedures. OHS leaders should also verify that supplies of personal protective equipment (PPE), cleaning and disinfecting products, and hand hygiene resources are

adequate and readily available.

Other important questions include whether ventilation systems have been maintained, procedures exist for isolating ill workers when necessary, cleaning protocols can be intensified during an outbreak, and business continuity plans account for staffing shortages. Finally, organizations should ensure they can quickly communicate changing public health guidance and provide refresher training if new or emerging infectious diseases become a concern.

By asking these questions before they're needed, employers can respond faster, reduce workplace transmission, and better protect workers while maintaining business operations. Regular preparedness audits also demonstrate due diligence and help organizations remain adaptable as infectious disease risks continue to evolve.