



STAFF REPORT ACTION REQUIRED

Licensing of Personal Service Setting Workers

Date:	March 4, 2014
To:	Licensing and Standards Committee
From:	Executive Director, Municipal Licensing and Standards
Wards:	All
Reference Number:	P:\2014\Cluster B\MLS\LS14004

SUMMARY

This report responds to a request from City Council to report on the feasibility of a municipal licensing regime and the resources required to implement a certification program for employees in the personal services industry.

The Municipal Licensing and Standards division licenses Personal Service Setting (PSS) businesses which include tattooing and body piercing, electrolysis, acupuncture, hair dressing and barber shops, micro-pigmentation, manicure/pedicure and various aesthetic services. This allows the City to hold PSS business owners responsible for the conduct of their business and staff, thus ensuring consumer protection for patrons.

The licensing of workers in these businesses is not being recommended at this time as adequate protections are provided through the licensing of PSS businesses and through the proposed training and certification program for individual workers.

Toronto Public Health reported on training and certification for PSS workers in its report headed "Infection Control Training and Certification of Personal Service Setting Workers" to the February 10, 2014 meeting of the Board of Health.

The Board of Health adopted the Medical Officer of Health's recommendations to request the Ontario Ministry of Health and Long-Term Care to develop and implement a mandatory training and certification program. Should the Province not develop such a program, then the Medical Officer of Health will report back in 2015 with the design and implementation of a mandatory municipal training and certification program. When implemented, the mandatory training of all PSS workers in Infection Prevention and Control (IPAC) practices will improve protection of public health and safety for both workers and customers.

Municipal Licensing and Standards supports Toronto Public Health's efforts in their commitment to achieving a mandatory PSS worker training and certification program.

Legal Services was consulted in the preparation of this report.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards recommends that:

1. Licensing and Standards Committee receive this report for information.

Financial Impact

There is no financial impact expected from this report beyond what has already been approved in the current year's budget.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting of February 10, 2014, the Board of Health requested that the Ontario Ministry of Health and Long-term Care develop and implement a mandatory IPAC certification program for employees in the personal services industry.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.HL28.3>

At its meeting of February 4, 2013 the Licensing and Standards Committee requested the Executive Director, Municipal Licensing and Standards, to report on the feasibility of a municipal licensing regime and the resources required to implement a certification program for employees in the personal services industry.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.LS18.2>

At its meeting of February 21 and 22, 2013, City Council approved an amendment to the Municipal Code to license personal service settings (By-Law No. 629-2013, Municipal Code Chapter 545, Licensing and Chapter 441, Fees and Charges).

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.HL18.2>

ISSUE BACKGROUND

The regulation of PSS premises through amendments to Municipal Code, Chapter 545, Licensing, took effect on July 1, 2013. The licensing regime of PSS premises facilitates the identification of PSS operators, enhances transparency through public disclosure of inspection results, and expands the enforcement tools available to address health and safety concerns in PSS businesses.

COMMENTS

At its meeting of February 10, 2014, the Board of Health adopted the recommendations from the Medical Officer of Health's report headed "Infection Control Training and Certification of Personal Service Setting Workers". This report summarized the results of

a legislative review, literature review and environmental scan of IPAC training and certification of PSS workers. It found that although it is feasible to develop and implement a municipal training and certification program for PSS workers, a province-wide program would be more consistent, portable, and cost-efficient. However, if there is no willingness on the part of the Province to implement such a program, the Medical Officer of Health will report on the design and implementation of a municipal program for Toronto in the spring of 2015, including operating budget impacts.

The proposed mandatory IPAC training and certification program sufficiently address public health and safety concerns. This program aims to provide assurance for workers and customers of PSS businesses that the services provided are safe and free from blood-borne infections.

Licensing of PSS businesses has enabled the City to better identify and inspect all PSS businesses; work with new operators proactively to eliminate gaps in infection control; monitor ongoing compliance with IPAC practices in all PSS locations; and implement a public disclosure system for PSS inspection results for greater transparency.

Through the licensing by-law, PSS business owners are held responsible to conduct their businesses in accordance with the law, with honesty and integrity, and in a manner that does not endanger the health and safety of other members of the public. As it does with other business types under the City's licensing regime, the licensing by-law ensures consumer protection is achieved for customers of PSS businesses in Toronto.

Should the Province not act to develop and implement mandatory IPAC training and certification for PSS workers and the City develops its own program, a minor amendment would be required to the licensing by-law to require owners and operators of PSS businesses to ensure that their workers have completed the program.

Municipal Licensing and Standards supports Toronto Public Health's efforts in their commitment to achieving a mandatory PSS worker training and certification program.

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SIGNATURE

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