

Operations Division Occupational Health and Safety

Field Visit Report

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OHS Case ID: **03240QCNQ000**

Field Visit no: **03240QCVV034**

Visit Date: **2021-FEB-05**

Field Visit Type: **FOLLOW-UP**

Workplace Identification: **PFENNINGS ORGANIC AND MORE  
1760 ERBS ROAD, ST AGATHA, ON, CANADA N0B 2L0**

Notice ID:

Telephone: **(519) 725-4282** JHSC Status: **Not required** Work Force #: **3** Completed %:

Persons Contacted: **"HALEY" (EMPLOYEE-WORKER), "MICHELLE" (EMPLOYEE-WORKER), ALMUT WURZBACHER (OWNER-OPERATOR).**  
 Visit Purpose: **FOLLOW-UP ORDER AND RE-OPENING ONTARIO ACT COMPLIANCE.**  
 Visit Location: **ENTRANCE, STORE FRONT, BACKROOM ENTRY WAY.**  
 Visit Summary: **ORDER COMPLIANCE HAS NOT BEEN ACHIEVED, RE-OPENING ONTARIO ACTION VIOLATIONS FOUND. SEE DETAILED NARRATIVE.**

**Detailed Narrative:**

This inspector, accompanied by Zeljko illinici (Ministry Inspector) attended here today to review compliance with the order issued to the employer on January 30th, as well as compliance with Re-Opening Ontario Act.

Today the above listed persons were contacted inside the store. The following is a summary of the findings this visit.

RE: Field Visit Report #03240QCNQ001, Order #1 (03240QCNR002): The employer was ordered to ensure workers are adequately protected from potential COVID-19 exposure from unmasked persons. This order was to be complied by January 31, 2021. Compliance information was not received by this inspector to date.

Upon entry into the store, plastic sheet barriers were seen at the two cashier counters. The effectiveness of these barriers with respect to potential COVID-19 exposure was not considered, due to the presence of "Haley" (employee), who was unmasked and in the cashier area. The same employee, "Haley" was questioned about the existence of a COVID-19 "safety plan" and COVID-19 related worker precautions. "Haley" provided details about the "active screening" practice but did not provide further information regarding the "safety plan" or worker precautions and deferred this inspector to the owner for further information.

Shortly after arrival, at the rear section of the store, the employee named "Michelle" who was not wearing a mask was seen interacting next to a masked supplier. This interaction was in violation of the "physical distancing" requirements under section 2.(2) of Regulation 82/20, under the Reopening Ontario Act.

During store attendance, Ms. Almut Wurzbacher (owner) arrived, and was seen not wearing a mask, interacting next to "Michelle", who was also not wearing a mask. This interaction was also a violation of section of 2.(2) of Reg.82/20. Further to this, "Michelle" did not have precautions in place to protect her from the potential COVID-19 exposure from Ms.Almut Wurzbacher. This was a contravention section 25(2)(h) of the Occupational Health & Safety Act and indication that Order #1 was not complied. Note: it was confirmed that Ms.Almut Wurzbacher received the field visit #03240QCNQ001 and Notice of Compliance by email.

Recipient	Inspector Data	Worker Representative
Name _____	<b>VICTOR STEFI</b> OCCUPATIONAL HEALTH & SAFETY INSPECTOR PROVINCIAL OFFENCES OFFICER 4273 King St. E, #300, Kitchener, ON N2P 2E9	Name _____
Title _____	MOLOHSWaterloo@ontario.ca Tel: (226) 220-7672 Fax: (519) 883-5694	Title _____
Signature _____	Signature 	Signature _____

You are required under the Occupational Health and Safety Act to post a copy of this report in a conspicuous place at the workplace and provide a copy to the health and safety representative or the joint health and safety committee if any. Failure to comply with an order, decision or requirement of an inspector is an offence under Section 66 of the Occupational Health and Safety Act. You have the right to appeal any order or decision within 30 days of the date of the order issued and to request suspension of the order or decision by filing your appeal and request in writing on the appropriate forms with the Ontario Labour Relations Board, 505 University Ave., 2nd Floor, Toronto, Ontario M5G 2P1. You may also contact the Board by phone at (416) 326-7500 or 1-877-339-3335 (toll free), mail or by website at <http://www.olrb.gov.on.ca/english/homepage.htm> for more information.

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Also today, this inspector inquired about the existence of the business COVID-19 "Safety Plan", for which Ms. Almut Wurzbacher indicated that one did not exist. This was a violation of section 5 of Reg.82/20 under the Re-Opening Ontario Act.

Following the violations of section 2.(2) for "physical distancing" and violation of section 5 for a "safety plan" under Reg.82/20, Ms. Almut Wurzbacher (person responsible for the business) was asked for identifying information, including her address, for which she refused to provide. Ms. Almut Wurzbacher was cautioned that this was a violation of Reg.114/20 under Re-Opening Ontario Act. Following the caution, Ms. Almut Wurzbacher continued her refusal to provide the required information.

REPORT END.

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Name _____	<b>VICTOR STEFI</b> OCCUPATIONAL HEALTH & SAFETY INSPECTOR PROVINCIAL OFFENCES OFFICER	Name _____
Title _____	4273 King St. E, #300, Kitchener, ON N2P 2E9 MOLOHSWaterloo@ontario.ca	Title _____
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