

# Nurse's N95 OHS Work Refusal Claim Deserves a Hearing



A registered nurse refused to perform COVID-19 swab testing on patients without an N95 particulate filter respirator. The employer contended that it was following public health guidelines, noting that it provided other PPE, N95 masks are required only for aerosol generating medical procedures and swab testing isn't an AGMP. The OHS investigator found no danger and dismissed the refusal and the nurse appealed. The Alberta Labour Relations Board refused to dismiss the appeal and ordered the case to go to a full hearing [[Appeal of a Decision in a Director's Review brought by Alix Berube](#), Board File No. OHS 2020-11, January 14, 2021].