

COVID-19 Class Order for workplaces

October 14, 2021

Under what authority did Peel Public Health issue a class order related to workplaces?

The Health Protection and Promotion Act (HPPA) authorizes the Medical Officer of Health to issue a class order to address the risks presented by the potential spread of COVID-19 to residents of Peel.

Why did the Medical Officer of Health issue this class order?

This class order was issued as a result of the continued increase in the numbers of people contracting COVID-19 in Peel, and experiences in similar cities around the world. Furthermore, the emergence of new variants of concern that are more transmissible are increasing as a share of confirmed cases in Peel.

Peel Public Health has observed outbreaks involving variants of concern which are greater in number and size than previous waves of COVID-19. These outbreaks cause more workplace-related transmission and emphasize a greater need for workplace closures in order to contain the spread of COVID-19.

The class order strengthens Peel Public Health's ability to reduce the loss of life from COVID-19, and preserve and protect the capacity of our health care system to respond and to provide care for those who need it. The risk of transmission is greatest in close contact environments, including workplace premises, where COVID-19 can be spread to co-workers, patrons and families of employees.

This class order is a legal tool to help ensure that all workplaces follow the measures required to protect employees. The class order will also allow Peel Public Health to implement workplace closures as an additional measure to control workplace and subsequent community transmission.

What are workplaces required to do under this order?

1. Exclude from the workplace anyone who:
 - Is diagnosed with COVID-19.
 - Has the signs and symptoms of COVID-19, have been tested for COVID-19 and is awaiting their test results.
 - Otherwise has reasonable grounds to believe they have symptoms of COVID-19.
 - Is a close contact of a person diagnosed with COVID-19 or with symptoms of COVID-19.

Instruct individuals described above to confine themselves to their home or isolation facility and await further instructions from Peel Public Health.

2. Implement measures outlined through provincial regulation, the advice of the Chief Medical Officer of Health of Ontario, and sector-specific guidance documents:
 - Screening of symptoms and exclusion of employees and visitors with any symptoms of COVID-19;
 - Ensure occupancy of the premises is limited to only as many persons as can be accommodated such that 2m distancing between persons can be maintained, except where the sector is subject to other legally-binding direction.
 - Ensure physical distancing of 2m between persons is maintained in all work areas, lunchrooms, change rooms, washrooms;
 - Workers shall be provided with appropriate personal protective equipment including medical grade mask, if work arrangements or environment cannot be altered to allow the required 2m distancing at all times;
 - Ensure signage regarding the taking of COVID-19 safety measures available from Peel Public Health or other authorities is available throughout the workplace premises;
 - Ensure non-essential visitors are not permitted on the premises to avoid crowding;
 - Ensure masks are used correctly and consistently inside the workplace by all employees and visitors;
 - Ensure availability of adequate hand hygiene supplies;
 - Ensure appropriate cleaning and disinfection of workspaces, with focus on high touch surfaces;
 - Support self-isolation for workers with COVID-19 symptoms and workers who are close contacts of COVID-19 cases.
3. If two or more cases of COVID-19 are identified in connection with your workplace premises within a 14-day interval, immediately notify Peel Public Health at 905-799-7700, or for Caledon 905-584-2216.
4. When there are two or more cases of COVID-19 related to your workplace premises, or upon notification by Peel Public Health that there is a suspect outbreak, ensure that the following steps are taken:
 - Active screening of symptoms (list to be provided by Peel Public Health) and exclusion of workers with any symptoms of COVID-19.
 - Prepare the list of close contacts (including name, address, phone number and email, if available, so that timely contact can be made) of these persons and provide the list to Peel Public Health, within 24 hours of request;
 - Maintain a log (including name address, phone number, and/or email) of all persons who attend the workplace premises and make this log available within 24 hours of request if requested by Peel Public Health for contact tracing purposes;
 - Notify the Ontario Ministry of Labour, Training and Skills Development and Workplace Safety and Insurance Board, or other relevant governmental authorities;

- Provide contact details of the most responsible decisionmaker at the workplace premises within 24 hours of request;
- Be readily available for contact by Peel Public Health to implement any additional measures immediately as required by Peel Public Health;
- Cooperate with infection protection and control personnel from Peel Public Health including allowing entry into the workplace premises for inspection; and
- Implement other necessary interventions as directed by Peel Public Health, including closure, to address circumstances specific to your workplace premises.

Failure to comply with this Order is an offence for which an individual class member may be liable, on conviction, to a fine of not more than \$5,000.00 and a corporation may be liable, on conviction, to a fine of not more than \$25,000, each for every day or part of each day on which the offence occurs or continues.

What is a close contact?

A “close contact” means a person who:

- Has had a high-risk exposure to a person with a confirmed case of COVID-19 while they were infectious (generally this is 48 hours before the case’s symptoms started or 48 hours after their initial high risk exposure if asymptomatic and until they are cleared from isolation), AND
- Had direct contact with infectious body fluids of the case (e.g., coughed or sneezed on) OR
- Had close, prolonged and/or unprotected contact.

In addition, they are a close contact if they have been identified by Peel Public Health or another public health unit as a close contact of a probable or confirmed case of COVID-19.

What information is available for employees about self-isolation?

Employees can find information about symptoms, testing and self-isolation on the Region of Peel COVID-19 webpage at: <https://peelregion.ca/coronavirus/self-isolation/>

What is a workplace closure?

Workplaces are required to implement any necessary interventions as directed by Peel Public Health including closure. These interventions should continue until further notification in writing by Peel Public Health or during the time specified in the notice. Notice may be given verbally to implement a closure or shift of work area mass dismissal or other significant intervention in a workplace premises and follow-up

with a notice in writing when possible. A workplace closure does not prohibit a business from operating remotely, without persons attending at the premises.

During a closure, certain temporary access to a closed place of business is authorized including:

- performing work at the business in order to comply with any applicable law
- allowing for inspections, maintenance, or repairs to be carried out
- allowing for security services to be provided
- dealing with critical matters that cannot be handled remotely such as matters related to the closure or re-opening of the place of business, or accessing materials, good or supplies that are necessary for the business to operate remotely

What is a workplace and its employees required to do under a closure?

Any workers that have confirmed cases of COVID-19 or who are symptomatic must self-isolate as set-out in the [Section 22 class order related to self-isolation](#). Workers who do not have symptoms, but have been sent home due to workplace closure must follow the directions given in the written instructions provided by Peel Public Health.

The workers of a closed workplace are not to work in another workplace during their period of isolation.

Workers should get tested as directed in the written instructions provided by Peel Public Health. Any workers who test positive for COVID-19 should immediately notify their employer.

Those responsible for a workplace premises that has been closed by Peel Public Health under this Order will post the notice at the entrance in a manner that is visible to the public, in a form provided by Peel Public Health, indicating that the workplace premises is closed.

Are there any exceptions?

Some workplace premises are exempt from full workplace closures, including:

- Schools/childcare
- Pharmacies
- Healthcare facilities, including vaccination clinics
- Shelters
- First responder emergency services such as Fire, Paramedics, Police and their communication services
- Critical infrastructure such as water/wastewater treatment facilities, utilities, telecommunications and IT, transportation, energy
- Government services

- Services required to maintain the health of animals
- Other workplace premises exempted from closure by Peel Public Health

When is the order effective?

The updated class order is effective from October 14, 2021. The Order will remain in effect until such time as the Medical Officer of Health determines it is no longer required.

What should I do if I am concerned that a workplace is not following the order?

Peel Public Health is responsible for following up on concerns of non-compliance with the order. To report an issue, please call Peel Public Health at 905-799-7700 or in Caledon at 905-584-2216.

Can a workplace challenge the order?

Individuals identified in the class order may challenge the order by appealing to the Health Services Appeal and Review Board. Visit the [Health Services Appeal and Review Board](#) website for contact information.

Although businesses are entitled to submit a written notice requesting a hearing before the Health Services Appeal and Review Board according to the appeal provisions of the *Health Protection and Promotion Act*, all involved individuals or corporations are required to follow the Order and the closure Notice under the Order at the time it is conveyed to them.

Fines of up to \$5,000 per individual and \$25,000 for corporations may be payable upon conviction for failure to comply with the Order and Notice, for each day or part of a day on which an offence such as noncompliance occurs or continues.

More Information

If you have questions about the class order, please call [Peel Public Health at 905-799-7700](#) or in [Caledon at 905-584-2216](#).