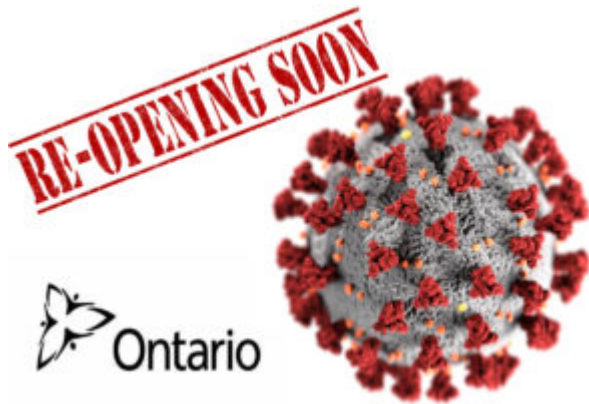


Ontario Compliance Alert: Government Unveils 3-Stage Re-Opening Plan



On April 27, 2020, roughly 6 weeks after declaring a public health emergency, Ontario published a 3-stage plan for gradually loosening restrictions and re-opening the province's economy.

Stage 1

Stage 1 would allow for:

- Re-opening of select businesses capable of meeting OHS requirements and public health guidelines, e.g., by offering curbside pickup or delivery;
- Re-opening of some outdoor spaces, like parks;
- Larger numbers of individuals to attend certain types of events, like funerals; and
- Hospitals to provide some non-urgent and elective surgeries and other health care services.

Stage 2

The government will do a 2- to 4-week assessment of the number of new COVID-19 cases and determine whether it's safe to move to Stage 2, which would allow for:

- Re-opening of more businesses, possibly including service industries, offices and retail workplaces; and
- Re-opening of more outdoor spaces; and
- Even larger public gatherings.

Stage 3

Based on the results of another 2- to 4-week assessment of COVID-19 cases, the government will decide whether to go to Stage 3, which would:

- Allow for re-opening of all workplaces; and
- Further loosening of restrictions on public gatherings'but not sporting events, concerts and other very large gatherings which will remain on hold for the foreseeable future.

What It Means to You: No Infection Control Plan, No Re-Opening

In addition to Ontario, the COVID-19 curve has also flattened in New Brunswick, Manitoba, Saskatchewan and Prince Edward Island and those provinces have or soon will announce re-opening plans of their own. While all of this is a promising development, non-essential companies that are currently closed down shouldn't be popping the champagne corks just yet. First, the re-opening will be very closely monitored and brought to an immediate halt if the number of COVID-19 cases increases. And there are no timetables for when the plan will start and how long each stage will last.

Most importantly, no business will be allowed to re-open unless and until it can demonstrate its immediate capacity to comply with OHS health and safety requirements and current COVID-19 public health restrictions. Specifically, employers will be expected to perform a COVID-19 hazard assessment to identify and evaluate infection risks and implement an infection control program to eliminate or manage those risks via measures such as:

- Social distancing, which may include medical screening and monitoring;
- Engineering controls such as physical barriers, work station design, isolation rooms and/or ventilation systems;
- Sanitation and handwashing;
- Frequent and regular washing and disinfection, especially touch points like door knobs, equipment handles and keyboards;
- Staggering work shifts or break schedules to minimize crowding; and
- Furnishing and requiring the use of respiratory masks, protective gloves and other PPE.