

# Spring Cleaning: Out With The Old COVID-19 Regulations



On April 14, 2022, the Ontario Government filed O. Reg 346/22: Revoking Various Regulations, which, effective April 27, 2022, will revoke almost all remaining COVID-19-related regulations and orders under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.

However, in an effort to manage the current wave of COVID-19, existing provincial masking requirements in specific public settings have been extended until June 11, 2022. The Chief Medical Officer of Health's directives also currently remain in effect until June 11, 2022.

With the removal of these last restrictions, the Ontario Government intends to turn to other measures in its efforts to protect Ontarians and limit hospital visits. These measures include mask requirements in high-risk settings, reliance on fourth doses of COVID-19 vaccines, and expanding access to antiviral treatments.

## Revoked Regulations

The following regulations made under *Reopening Ontario Act, 2020* will be revoked by O. Reg. 346/22 on April 27, 2022:

- O. Reg. 74/20: Work Redeployment for Certain Health Services Providers
- O. Reg. 76/20: Order Under Subsection 7.0.2(4) of the Act ' Electronic Service
- O. Reg. 77/20: Work Deployment Measures in Long-Term Care Homes
- O. Reg. 95/20: Streamlining Requirements for Long-Term Care Homes
- O. Reg. 114/20: Enforcement of Orders
- O. Reg. 116/20: Work Deployment Measures for Boards of Health
- O. Reg. 118/20: Work Deployment Measures in Retirement Homes
- O. Reg. 121/20: Service Agencies Providing Services and Supports to Adults with Developmental Disabilities
- O. Reg. 141/20: Temporary Health or Residential Facilities
- O. Reg. 145/20: Work Deployment Measures for Service Agencies Providing Violence Against Women Residential Services and Crisis Line Services
- O. Reg. 154/20: Work Deployment Measures for District Social Services Administration Boards

- O. Reg. 157/20: Work Deployment Measures for Municipalities
- O. Reg. 195/20: Treatment of Temporary COVID-19 Related Payments to Employees
- O. Reg. 345/20: Patios
- O. Reg. 363/20: Steps of Reopening
- O. Reg. 364/20: Rules for Areas at Step 3 and the Roadmap Exit Step
- O. Reg. 458/20: Extensions of Orders

Included in the revoked regulations are O. Reg. 363/20: Steps of Reopening, which identifies the stage of Ontario's reopening plan that each public health unit falls under, and O. Reg. 364/20: Rules for Areas at Step 3 and at the Roadmap Exit Step, which establishes conditions for businesses operating during the pandemic. All public health units are currently at the Roadmap Exit Step of Ontario's reopening plan. The revocation of these two regulations will see an end to Ontario's reopening plan and the related restrictions that have been imposed on Ontario businesses.

Along with the easing of restrictions, additional work deployment measures will also be lifted on April 27, 2022. These measures were initially implemented by the Ontario Government to assist designated employers in deploying workers to cover labour shortages caused by the COVID-19 pandemic and to provide temporary compensation in recognition of the workers' contributions during the pandemic. On and after April 27, 2022, an employer to whom work deployment measures applied must return to its regular pre-pandemic practices in accordance with any applicable legislation, contract, and/or collective agreement.

## **Extension of Masking Requirements and Directives**

While the majority of restrictions and orders will be lifted on April 27, 2022, the Chief Medical Officer of Health has extended the masking requirement for certain higher-risk indoor settings until June 11, 2022.

Masks will continue to be required in the following settings:

- public transit;
- health care settings (e.g., hospitals, doctors' offices, clinics that provide health care services, laboratories, specimen collection centres, and home and community care service providers);
- long-term care homes;
- retirement homes; and
- shelters and other congregate care settings that provide care and services to medically and socially vulnerable individuals.

The full list of settings where masks are required can be found in this Class Order.

Additionally, the Chief Medical Officer of Health's Directives will continue to be in effect until June 11, 2022. These include directives applicable to hospitals, long-term care homes, ambulance services and paramedics with respect to COVID-19 precautions and procedures, and infection and prevention control practices.

## **Obligation to Provide a Safe Workplace**

While Ontario is moving into its next phase of the COVID-19 pandemic and most

public health measures will be lifted, employers must continue to ensure that they are taking all reasonable steps to ensure the health and safety of their workers in accordance with the *Occupational Health and Safety Act*. Even with the prevalence of vaccines, COVID-19 continues to be highly transmissible and can easily spread in workplaces. It is, therefore, the responsibility of each employer to evaluate the risks of COVID-19 spreading in its own workplace and to continue to implement measures to reduce those risks.

## **Check the Box**

The revocation of the COVID-19 regulations signals a shift in the Ontario Government's approach to COVID-19. Instead of imposing restrictions and rules to combat waves of the virus, the Government is moving towards continued encouragement of vaccination (including fourth doses) and antiviral treatments. As we enter into this new phase of the COVID-19 pandemic, employers should continue to follow public health recommendations and guidelines in order to determine the measures that best fit their individual workplaces.

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