



INSTRUCTIONS FROM THE MEDICAL OFFICER OF HEALTH

THESE INSTRUCTIONS AMEND AND REPLACE
INSTRUCTIONS EFFECTIVE SEPTEMBER 10, 2021 AT 12:01 A.M.¹

DATE: October 25, 2021

EFFECTIVE: October 26, 2021 at 12:01 a.m.

TO: All persons responsible for a business or organization (**workplace**) in Halton Region, where **workers** (including employees, those hired under third party agencies, contractors, vendors, volunteers or students and any other such persons) are present at the workplace or the public are regularly present, with the exception of:

- Licensed child care programs that are in compliance with re-opening guidance issued by the Ministry of Education;
- Day camps for children and overnight camps for children that are in compliance with the safety guidelines for COVID-19 issued by the Office of the Chief Medical Officer of Health (**CMOH**);
- Health care providers and health care entities as defined in Section 77.7 of the [Health Protection and Promotion Act \(HPPA\)](#) who are subject to the CMOH's directives issued under the HPPA, other than the portion of premises used for the sale of goods that are neither medication nor health related supplies in pharmacies;
- Schools and school boards licensed under the *Education Act*; and
- Schools and private schools within the meaning of the *Education Act*, that are operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the CMOH.

Thank you for your ongoing efforts to comply with public health requirements, which I know many experience as increasingly onerous 18 months into this pandemic.

We are nonetheless facing a critical time in our combined efforts against COVID-19, in Halton Region and in Ontario. The rapid and continuing spread of the Delta variant of concern – with increased transmissibility and disease severity – means that we must fully engage to protect our community and our health system capacity. Workplaces can play a critical role in reducing the risk of COVID-19 transmission.

The intent of these instructions is to clarify certain requirements for workplaces in Step 3 of the province's [Roadmap to Reopen](#) (where we are now) that I expect will continue into the Exit step of the *Roadmap* (when we get there) and to consolidate all of Halton's instructions for workplaces into one document:

- Part A addresses basic public health measures, highlighting key elements and applications of existing guidance. The only "net new" requirements are for contact tracing information in some workplaces (#9 below), and for mandated (versus recommended) COVID-19 safety plans and workplace vaccination policies in all workplaces with 100 or more workers physically present at the workplace (#10 and #11, below).
- Parts B and C instruct workplaces with one or more cases of COVID-19 amongst their workers. These requirements are not new but updated to reflect current provincial guidance.

¹ New text in these Instructions from the version effective September 10, 2021 are underlined.

Ontario's *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020 (ROA)* and *Emergency Management and Civil Protection Act (EMCPA)* require all persons responsible for a business or organization that is open to operate in compliance with the instructions of public health officials. That includes these instructions issued by me, rendered mandatory by sections 2(2) and (2.1), Schedules 1 and 4 of O.Reg. 364/20 as amended, issued under the ROA.

The Office of the Chief Medical Officer of Health has been consulted before issuing these instructions.

These instructions will be enforced by public health officials and by provincial offences officers under one or more of the HPPA (sections 100, 101 and 102), ROA (sections 9, 9.1, 10 and 10.1) and/or EMCPA (sections 7.0.5 and 7.0.11). Failure to comply is an offence. Among the enforcement actions that may be taken, you may be charged and penalties imposed including significant fines, imprisonment and/or closure of premises.

A failure to comply with regulations issued under the ROA is an offence punishable by set fines of \$750 for individuals and \$1,000 for corporations under Part I of the *Provincial Offences Act*. Maximum penalties for this offence if prosecuted under Part III of the *Provincial Offences Act* include: for individuals, a fine of up to \$100,000 and imprisonment for not more than one year; for an individual who is an officer or director of a corporation, a fine of up to \$500,000 and imprisonment for not more than one year; and for a corporation, a fine of up to \$10,000,000. A person is guilty of a separate offence on each day that the offence occurs or continues.

While I cannot provide you with an "end-date" for these instructions, I assure you that I will monitor local, provincial and national developments relevant to the spread of COVID-19 in Halton, as I have to date, and adjust our course accordingly. I may amend these instructions (if and as required) and will rescind them as soon I determine they are no longer necessary.

These instructions remain in effect until amended or rescinded by me.

PLEASE FOLLOW ALL INSTRUCTIONS CLOSELY

A. PROTECT YOUR WORKERS & CUSTOMERS/PATRONS FROM COVID-19

All workplaces must:

- 1) Comply with all requirements that apply to your workplace as set out under the [ROA and applicable regulations](#), as well as the requirements set out in these instructions.

Where these instructions impose one or more additional requirements not set out in the ROA and ROA Regulations, *the requirement(s) under these instructions must be followed.*

- 2) Implement all COVID-19 prevention measures recommended for your sector in [provincial guidelines](#) and [Halton Region Public Health guidance](#) including but not limited to screening, physical distancing, wearing of masks and eye protection, wearing of other personal protective equipment (**PPE**), hand hygiene, infection prevention and control and a safety plan.
- 3) Enable remote work for workers, where reasonably possible, to reduce the number of workers exposed to the workplace.
- 4) Ensure that every person who works at the workplace is [actively screened](#) in compliance with any advice, recommendations and instructions issued by the Office of the CMOH (or by me, in the absence

of advice, recommendations and instructions issued by the Office of the CMOH) before they enter the premises of the workplace.

All records containing the information required above must be:

- Recorded and maintained for a period of at least one month to enable owners, operators and other persons responsible for an establishment to provide the information using the [Halton Region Online Portal](#) or by fax to Halton Region Public Health (**HRPH**) within two (2) hours of a request; and
- Stored and destroyed in a secure manner to preserve the privacy of those to whom the information relates.

- 5) Ensure supplies and facilities are provided for frequent hand hygiene in work and rest/eating areas within the workplace by workers and customers/patrons, including facilities/supplies for hand-washing with soap & running water or 60-90% alcohol-based hand rubs/disinfectant.
- 6) Minimize instances of more than one person per vehicle for driving associated with work. When unavoidable, ensure face coverings (preferably medical masks) are supplied to and used by each person, ensure physical distancing to the degree most possible and ensure the use of increased ventilation to the outdoors in vehicles where possible (i.e., through a partially open window).

Establish, implement and ensure compliance with workplace policies to:

- Encourage symptomatic workers to get tested at a COVID-19 assessment centre or community laboratory where diagnostic (PCR) testing is available as soon as possible from the date of onset of symptoms.
- Require workers who test positive for COVID-19 (using either a Rapid Antigen Test (RAT) test or PCR testing) to not attend work and to notify their employer immediately.
- Encourage workers' prompt reporting of COVID-19 symptoms or exposure to COVID-19 by ensuring that all workers are aware of any benefits and/or pay to which they may be entitled if they must self-isolate. Self-isolation is required by [Halton Region's class order](#) when a person: is a confirmed or probable case of COVID-19; has symptoms and is awaiting COVID-19 test results; otherwise has reasonable grounds to believe they have COVID-19 symptoms; and/or has had a high-risk exposure to a confirmed or probable COVID-19 case.

- 7) Follow all further instructions from HRPB pertaining to COVID-19 that apply to your workplace, and any directions you may receive from HRPB specific to your workplace.
- 8) Comply with all recommendations and advice including those from:
 - Halton Region Public Health
 - [COVID-19 resources for businesses](#)
 - Ministry of Health
 - [Sector-specific guidelines](#)
 - Ministry of Labour, Training and Skills Development
 - [Resources to prevent COVID-19 in the workplace](#)

Sector-specific requirements for contact tracing information:

- 9) All workplaces listed in Schedule 1 must record the name and contact information of every customer/patron who enters the workplace (unless the customer/patron enters temporarily to place, pay for and/or pick up a curbside/take-out order or the establishment (i.e., workplace) requires all dine-in patrons to order or select their food or drink at a counter, food bar or cafeteria line and pay before receiving their order) and ensure the contact tracing information includes:
- First and last name, municipality of residence, email address and telephone number; and
 - Attendance details: date; arrival time; table number or location (as relevant); and departure time (recorded on departure).

This information must be:

- Recorded and maintained for a period of at least one month to enable owners, operators and other persons responsible for an establishment to provide the information using the [Halton Region Online Portal](#) or fax to HRPH within two (2) hours of a request; and
- Stored and destroyed in a secure manner to preserve the privacy of those to whom the information relates.

NOTE: Your compliance with these requirements is critical to HRPH's ability to identify and initiate contact with persons with high-risk exposures to COVID-19 associated with your workplace without the need for public alerts or bulletins. Email addresses are an especially effective tool to notify groups of people who share a common high-risk exposure (i.e., "super-spreader events") as quickly as possible – crucial to contain further spread of the highly transmissible Delta variant.

For more resources to explain why this information is important, how it is used by HRPH and tools to help workplaces, see [COVID-19 Resources for Businesses](#).

All workplaces with 100 or more workers physically present at the workplace (including those working in the community) must, in addition:

- 10) *Safety Plan*: Establish, implement and ensure compliance with a COVID-19 safety plan. This safety plan must:
- Describe the measures and procedures which have been implemented or will be implemented in the workplace to reduce the transmission risk of COVID-19 including (but not limited to) by screening, masks and eye protection, and the wearing of other PPE;
 - Be in writing and made available to any person for review on request; and
 - Be posted in a conspicuous place where it is most likely to come to the attention of individuals working in or attending the workplace.
- 11) *COVID-19 Workplace Vaccination Policy*: Establish, implement and ensure compliance with a COVID-19 workplace vaccination policy in accordance with my [Recommendations for Establishing a Workplace Vaccination Policy](#). This policy should be in place no later than September 22, 2021, with steps to ensure full implementation and compliance to follow as soon as possible.

B. ACTIONS YOU MUST TAKE IF AWARE THAT A WORKER AT YOUR WORKPLACE HAS COVID-19, FOR ALL WORKPLACES

1. Immediately send home the worker with COVID-19 if they are at work

- 12) Immediately send home a worker if they screen positive on the daily COVID-19 screen, e.g., the active screening required for all workers. Advise them to get tested for COVID-19 at a COVID-19 assessment centre or community laboratory where diagnostic (PCR) testing is available. They must remain off work until they receive a negative COVID-19 PCR test or an alternate diagnosis from their physician or it is 10 days since their symptom onset date.
- 13) Immediately send home a worker if they test positive on a Rapid Antigen Test (RAT) for COVID-19. Advise them to get tested for COVID-19 at a COVID-19 assessment centre or community laboratory where PCR testing is available. They must remain off work until they receive a negative COVID-19 PCR test or an alternate diagnosis from their physician or it is 10 days since their symptom onset date.
- 14) Immediately send home the worker with COVID-19 symptoms if they are at work. Advise them to get tested for COVID-19 at a COVID-19 assessment centre or community laboratory where PCR testing is available. They must remain off work until they receive a negative COVID-19 PCR test or an alternate diagnosis from their physician or it is 10 days since their symptom onset date.
- 15) Clean and disinfect any surfaces the worker may have touched.
- 16) If the worker is already at home, direct them not to enter the workplace. Advise them to get tested for COVID-19 at a COVID-19 assessment centre or community laboratory where PCR testing is available. They must remain off work until they receive a negative COVID-19 PCR test or an alternate diagnosis from their physician or it is 10 days since their symptom onset date. .

2. Inform the worker with COVID-19 that they are required to self-isolate at home

- 17) Inform the worker with COVID-19 that they are required to self-isolate at home for 10 days from symptom onset.
- 18) If the worker has no symptoms, they are required to self-isolate for 10 days from the date they were tested.
- 19) I have issued a class order under Section 22 of the HPPA. Inform the worker they must read [Halton Region's class order](#) to understand its requirements. Similar class orders may be in effect in other municipalities.
- 20) Workers with a positive COVID-19 PCR test result will be contacted by Public Health and will be advised when it is safe for them to return to work.

3. Identify and notify people who were in contact with the worker with COVID-19 during the time they could have spread their infection to others

- 21) Identify all people who had contact with the worker with COVID-19 during their infectious period. This period begins 48 hours prior to the worker with COVID-19 developing symptoms (or 48 hours before they were tested if no symptoms).
- 22) Use the HRPH [Table to Determine “High-Risk” and “Low-Risk” Exposures](#) to determine the level of risk of each person who had contact with the worker with COVID-19 and what actions need to be taken based on their level of risk. If you have any questions, please call 311.
- 23) Provide the [“Letter to People with High-Risk Exposure”](#) to all people identified to have had high-risk exposure.

When notifying contacts, you **must maintain confidentiality** and not identify the name or personal health information of the worker with COVID-19. This means **not disclosing** information that identifies the worker or it is reasonably foreseeable could be used, alone or with other information, to identify the worker.

- 24) **Provide the following information to HRPH for each person identified to have had high-risk exposure** (i.e., who are sent the letter referred to in 23) above) by using the [Halton Region Online Portal](#):

Name (first and last name)	Address (Town or City at a minimum)	Phone number	Email or alternate phone number
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C. ACTIONS YOU MUST TAKE IF AWARE THAT YOUR WORKPLACE HAS OR HAS HAD TWO OR MORE WORKERS WITH COVID-19 WITHIN THE PAST 14 DAYS, FOR ALL WORKPLACES

- 25) Follow the steps in Part B above, for each worker with COVID-19.
- 26) Immediately notify HRPH by calling 905-825-6057, ext. 1 from 8:30 a.m. to 4:30 p.m. seven days a week.

Provide contact details of the most responsible decision-maker at the workplace premises and ensure that this person is readily available for contact by Halton Region Public Health.

- 27) **Comply with any further direction from HRPH.** This includes cooperating with Halton Region Public Health staff including allowing entry into the workplace premises for inspection and to support enhanced infection prevention and control and other public health measures and recommendations.
- 28) Notify the Ontario [Ministry of Labour, Training and Skills Development](#) in writing **within four days** if a worker has tested positive for COVID-19 due to an exposure at your workplace or if a claim has been filed with the [Workplace Safety and Insurance Board \(WSIB\)](#).

- 29) Advise your workplace's joint health and safety committee, health and safety representative, and (if applicable) the worker's trade union.
- 30) Should a workplace reach a threshold of greater than 5% of its on-site workforce affected by an ongoing COVID-19 outbreak then HRPH may direct implementation of additional measures up to and including partial or full closure of the workplace. If so, again, your immediate action to assist and/or implement one or more such measures will be required.
- 31) Workers of a closed workplace are considered to have had high-risk exposures. They must self-isolate and shall not work in another workplace during their period of isolation.

HRPH (or other public health staff as appropriate) monitors people with COVID-19 and who have had high-risk exposures and will advise workers when it is safe for them to return to work.

For more information, please visit halton.ca/COVID19 or call 311.



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These instructions shall be posted at: halton.ca/COVID19

SCHEDULE 1

Workplaces already subject to contact tracing requirements

These workplaces are already required to record and maintain contact tracing information for public health purposes by the Step 3 Rules. These instructions provide more detailed direction about how to comply.

1. Meeting or event spaces, conference centres & convention centres (indoor and outdoor)
2. Restaurants, bars, food trucks, concession stands and other food or drink establishments
3. Food or drink establishments where dance facilities are provided including nightclubs, restoclubs and other similar establishments
4. Personal fitness trainers
5. Businesses that engage in retail sales to the public and permit members of the public to test drive any vehicles, boats or watercraft
6. Businesses that provide in-person teaching and instruction
7. Businesses that provide driving instruction in a motor vehicle (if driving instruction is provided in an instructional space)
8. Facilities used for indoor or outdoor sports and recreational fitness activities
9. Casinos, bingo halls and other gaming establishments
10. Businesses that provide tour and guide services, including guided hunting trips, tastings and tours for wineries, breweries and distilleries, fishing charters, trail riding tours, walking tours and bicycle tours
11. Businesses that provide boat tours in which the passengers are required to embark and disembark within Ontario
12. Strip clubs
13. Bathhouses and sex clubs

Workplaces newly subject to contact tracing requirements

These workplaces have been added to the list of those which must collect and maintain contact tracing information because they are settings in which there is increased potential for COVID-19 transmission (the Delta variant, especially) due to close and prolonged contact, generally indoors and with the possibility that masks may be removed for prolonged periods to receive services and/or consume food & drink. These are also settings in which there is a reasonable opportunity for the collection of such information, e.g., because encounters typically take place by appointment, or will require proof of vaccination status.

14. Personal care services relating to the hair or body, including hair salons and barber shops, manicure and pedicure salons, aesthetician services, piercing services, tanning salons, spas and tattoo studios
15. Photography studios and services (for services provided indoors)
16. Concert venues, theatres and cinemas