
Under what authority did Durham Region Health Department 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 Durham Region.

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 Durham Region, and experiences in similar cities around the world. The class order strengthens Durham Region Health Department’s (DRHD) ability to reduce the transmission of COVID-19 in the community, and preserve and protect the capacity of our health care system.

While the majority of workplaces are compliant with the requirements from Durham Region Health Department to address cases of COVID-19, there are workplaces who do not cooperate during workplace investigations and/or outbreaks. This class order is a legal tool to help ensure that all workplaces follow DRHD requirements to protect the health of employees.

What are workplaces required to do under this order?
• Immediately exclude from the workplace persons who: are identified as having been diagnosed with COVID-19; have the signs and symptoms of COVID-19, have been tested for COVID-19 and are awaiting the results of their test; otherwise have reasonable grounds to believe they have symptoms of COVID-19; or are a close contact of a person identified in (a) or (c) and instruct them to contact DRHD at (905) 668-2020 or 1-800-841-2729.

• Implement measures as outlined in the applicable provincial regulation, advice of the Chief Medical Officer of Health of Ontario, DRHD and/or sector-specific guidance documents, focusing on the following:
  ○ Ensure on-site screening of symptoms and exclusion of employees and visitors with any symptoms of COVID-19;
  ○ Maintain a log of all persons (employees and visitors) who attend the workplace premises daily and make this log available if requested by DHRD for contact tracing purposes;

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Ensure occupancy of the premises is limited to only as many persons as can be accommodated such that 2 metres physical distancing between persons can be maintained;

Ensure physical distancing of 2 metres between persons is maintained including in all work areas and common areas such as lunchrooms, change rooms, washrooms;

If the work arrangements or environment cannot be altered to allow the required 2 metres distancing at all times, provide the workers with appropriate personal protective equipment;

Ensure signage regarding COVID-19 safety measures, available from DRHD or other authorities, is available and posted throughout the workplace premises;

Restrict non-essential visitors from entering the premises;

Ensure face coverings are used correctly and consistently inside the workplace by all visitors;

Ensure availability of adequate hand hygiene supplies;

Ensure appropriate cleaning and disinfection of workspaces with the focus on high touch surfaces; and

Support home self-isolation for workers with COVID-19 symptoms and workers who are close contacts of COVID-19 cases.

• Immediately notify DRHD of all COVID-19 cases identified in connection with your workplace premises and provide DRHD with individuals’ name, address, contact number and date of birth.

• Upon declaration of an outbreak by DRHD of COVID-19 related to your workplace premises or as directed by DRHD, ensure that the following steps are taken:
  
  Prepare a list of close contacts of these persons and provide the list to DRHD, when requested;
  
  Provide DRHD the log of all persons who attended the workplace premises during the period of communicability for contact tracing purposes;
  
  Notify the Ontario Ministry of Labour, Training and Skills Development;
  
  Provide contact details of the most responsible decision-maker at the workplace premises;
  
  Be readily available for contact by DRHD to implement any additional measures immediately as required by DRHD;
  
  Cooperate with DRHD including allowing entry into the workplace premises for inspection; and
  
  Allow DRHD to provide onsite testing for COVID-19 for all employees until such time that the DRHD is satisfied that all employees have had the opportunity for testing.

• Comply with any further instructions from DRHD pertaining to this Order as it relates to an investigation and/or an outbreak at the workplace premises.

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What is a close contact?
A close contact is a person who has had a high-risk exposure to a confirmed or probable COVID-19 case within the past 14 days or is identified as a close contact by Public Health.

What information is available for employees about self-isolation?
Employees can find information about symptoms, testing and self-isolation on the Durham Region Health Department COVID-19 webpage at durham.ca/novelcoronavirus.

When is the order effective?
The class order is effective from 12:01 a.m., November 24, 2020 and will remain in effect until such time as the Medical Officer of Health determines it is no longer required.

Are there any exceptions?
There are no exceptions.

How could the Order be enforced if a workplace fails to comply?
Individuals identified in this class may be charged and fined up to $5,000 per day while corporations may be fined up to $25,000 per day.

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 at www.hsarbo.ca/scripts/english/contact.asp.

More information
If you have questions about these instructions, please call Durham Health Connection Line at 905-668-2020 or 1-800-841-2729.