

COVID-19 (Novel Coronavirus) Class Order Fact Sheet

COVID-19 Class Order

July 8, 2020

Under what authority did Southwestern Public Health (SWPH) issue a Class Order related to the COVID-19 outbreak?

The *Health Protection and Promotion Act* authorizes the Medical Officer of Health to make a Class Order to address the risks presented by the potential spread of COVID-19 at agricultural farms to farmworkers.

Why did the Medical Officer of Health issue this Class Order?

Based on the increasing number of large COVID-19 outbreaks at agricultural farms in similar regions across Ontario, this is a targeted, proactive measure that will strengthen our ability to reduce the spread of COVID-19 and ensure the health of area farmworkers. While most farmworkers and employers have been compliant with instructions from public health authorities, some individuals do not take these measures seriously. This Class Order is a legal tool to ensure that agricultural farm owners/operators and staff comply with the directions set out in the Order.

Who is required to comply with this order?

The Order applies to all owners/operators of agricultural farm operations who employ migrant workers, workers sourced through the federal Temporary Foreign Workers ('TFWs') program, local workers, temporary help agency workers; and including, but not limited to, those who operate any model of seasonal housing accommodations in Oxford County, Elgin County and the City of St. Thomas.

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When is the Order effective? How long must people comply with the Order?

The Order is effective from **12 p.m. (noon) on July 8, 2020**. It will remain in effect until the Medical Officer of Health determines it is no longer required.

What does the Order entail?

Farm owners/operators who employ migrant workers, workers sourced through the federal Temporary Foreign Workers ('TFWs') program, local workers, temporary help agency workers; and including, but not limited to, those who operate any model of seasonal housing accommodations in Oxford County, Elgin County and the City of St. Thomas are required to comply with any direction provided to them by Southwestern Public Health. The Order includes, but is not limited to, ensuring adherence to self-isolation orders issued to employees, ensuring public health measures are followed, providing the inspection of housing accommodations before worker arrival, and maintaining accurate and updated contact information for all employees. They are also to ensure that workers under the case and contact management of SWPH; are provided access to communication devices. Share information with SWPH upon request. The Order also requires anyone working in the agricultural sector to limit their employment to only one farm operation.

How do temporary foreign workers self-isolate?

Employers are required to provide isolation accommodations for all TFWs that ensure physical distancing for the required 14-day quarantine period after arrival in Canada. Workers are housed in hotels or inspected housing accommodations. Employers are provided with resources before worker arrival, which are to be shared with all workers. Information to reduce the risk of COVID transmission and contact information of whom to call if a worker becomes symptomatic can be found on our [website](#).

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How could the Order be enforced if a person or employer fails to comply?

Individuals and employers who are working on agricultural farms are required to follow the requirements under this Order, and those who do not do so can be charged and fined up to \$5,000 per day. Corporations found in violation of the Order can be charged and fined up to \$25,000 per day.

Can a person challenge the Order?

Individuals identified in the Class Order may challenge the Order by appealing to the [Health Services Appeal and Review Board](#).

How does the Medical Officer's of Health Class Order under the *Health Protection and Promotion Act* differ from the federal Order under the *Quarantine Act*?

Effective March 25, 2020, the federal government's quarantine order is aimed at all travellers entering Canada. That Order also imposes a 14-day home quarantine on travellers, including TFWs, regardless of whether they have symptoms of COVID-19.

More Information

If you have questions about the Class Order, please call Southwestern Public Health at 1-800-922-0096 x 9 to speak to a staff person familiar with the class order.