

CLASS ORDER

**Made pursuant to section 22(5.0.1) of the
Health Protection and Promotion Act, R.S.O. 1990**

DATE: June 24, 2020

TO: All owners and operators of agricultural farms and businesses in City of Brantford and Brant County who:

- a. Employ migrant farm workers in any capacity**
- b. Participate in the federal Temporary Foreign Worker program (TFW)**
- c. Operate any model of seasonal housing accommodations.**

Under Section 22 (5.0.1) of the Health Protection and Promotion Act, a medical officer of health may make an order to a class of persons who reside or are present in the health unit served by the Medical Officer of Health to take or to refrain from taking any action that is specified in the order in respect of a communicable disease.

Based on data available to the Brant County Health Unit, I am of the opinion that there is a high risk of increasing spread of COVID-19 within agricultural farms and businesses in City of Brantford and Brant County. The measures specified in this order are necessary in order to decrease or eliminate the risks to health associated with the COVID-19.

I, Dr. Elizabeth Urbantke, Acting Medical Officer of Health, for Brant County Health Unit, **ORDER YOU TO TAKE THE FOLLOWING ACTIONS**, effective 12:01 p.m. on June 24, 2020:

All Employers of workers should take the following actions before workers begin on farm. These are in addition to requirements under the Quarantine Act:

1. Ensure that all TFWs who have arrived in Canada are isolated for 14 days from the date of arrival in Canada;
2. Keep a list of names of all TFWs scheduled to arrive in Canada, their planned date of arrival and a plan for isolation of the workers;
3. Ensure TFWs in isolation are kept at a minimum of 2 metres apart from other workers in isolation;

4. Ensure that arrangements are made for the provision of food, water, laundry, and cleaning supplies for TFWs who are placed under isolation under the terms of the class order;
5. Ensure that if any TFWs under self-isolation for 14 days develop any COVID-19 symptoms, the Brant County Health Unit is notified immediately;
6. During the 14-day isolation period, ensure that no TFW works on the farm (where they are under isolation), or any other farm;
7. Notify the PHU if the worker(s) needs to leave the farm for ANY reason, during this isolation period, such as to seek medical attention.

All Employers of farm workers including TFWs, local workers and temporary help agency workers should take the following actions:

1. Ensure that accurate and updated contact information for all employees (permanent, temporary, or contract) is available to be produced to the PHU within 24 hours of request in support of case management and contact tracing requirements;
2. Ensure that all employees current or future are exclusively working within one workplace/farm. Individuals who are employed at more than one workplace/farm must immediately limit this to one premise.
3. Ensure that any contract employees current or future are exclusively working for one workplace/farm. Individuals who have been contracted by more than one facility at a time must immediately limit this to one premise.
4. Conduct daily (as a minimum) active screening;
5. Ensure that employees that work on farms are assigned to the same team/group/work pod (cohort) and that is separated from other individuals and teams. Group all temporary foreign workers in the workplace based on their housing arrangements/residence. All such workers are to work only with the colleagues with whom they reside to the greatest extent possible.
6. Within the team/work pod, workers should maintain a two-metre physical distance from other workers as best as possible. Where physically distancing cannot be maintained, employers should make available the use of face coverings as source control (e.g., non-medical masks or cloth masks).
7. Ensure that all employees (including all temporary foreign workers) have received any fact sheets provided by Brant County Health Unit.
8. Ensure that all employees (including temporary foreign workers) understand that they are to monitor for signs and symptoms of COVID-19.

9. Report any signs and symptoms suggestive of a possible COVID-19 infection in an employee (including temporary foreign workers) working at the farm to Brant County Health Unit.
10. Provide alcohol based hand rub with a minimum concentration of 70% alcohol in multiple locations (entrances, dining areas) of each temporary foreign workers residence and in the workplace;
11. Ensure that all washrooms in all residences and workplaces are supplied with hand hygiene supplies;
12. Provide and maintain a supply of disinfectant to each temporary foreign worker's residence and workplace; and ensure cleaning and disinfecting high touch surfaces in the workplace and temporary foreign workers' residences at minimum twice daily and record/log the date, time and name of staff member completing the task.
13. Follow all legislative requirements to protect worker health and safety (Occupational Health and Safety Act), any directions and guidance provided by the PHU, Government of Ontario and Federal Government pertaining to COVID-19 and the terms of the Section 22 class Order. This may include ensuring adherence to isolation orders issued to employees, ensuring that the required public health measures such as active screening and physical distancing are always maintained within a workplace and supporting all aspects of investigations and outbreak management related to communicable diseases, including COVID-19 conducted by the PHU.
14. Ensure that all employees understand their rights and entitlements, including access to healthcare services and other supports that may be available if a worker becomes sick.
15. Ensure that all individuals that are under health unit supervision for case and contact management have ongoing access to communication devices (cellular phone or landline) and this contact information is made available to the health unit at all times. Individuals should not be sharing the device with more than 5 people and should be disinfected between uses.
16. Ensure that all known instances of non-compliance with the Emergency Management and Civil Protections Act, Quarantine Act or isolation requirements are reported immediately to the appropriate agency.
17. Comply with testing for COVID-19 for all employees as directed by Brant County Health Unit

TAKE NOTICE THAT each member of the class to whom this Order is directed is entitled to a hearing by the Health Services Appeal and Review Board if the member has delivered notice in writing to me (at the address below) and to the Health Services Appeal and Review Board (at 151 Bloor Street West, 9th Floor, Toronto, Ontario, M5S 1S4) requesting a hearing within 15 days after publication of this Order or otherwise in accordance with applicable law. In the

context of the COVID-19 outbreak: All requests for review, submissions, materials, and inquiries should be sent to the Health Services Appeal and Review Board by e-mail to hsarb@ontario.ca or faxed to the Board at 416-327-8524.

AND TAKE FURTHER NOTICE THAT although a hearing may be requested this Order takes effect when it is delivered to a member of the class or brought to the attention of a member of the class.

FAILURE TO COMPLY WITH THIS ORDER may result in further legal action being taken against you under sections 36(2), 35, 102 and other relevant provisions of the Health Protection and Promotion Act. **FAILURE TO COMPLY WITH THIS ORDER** is an offence under section 101 of the Health Protection and Promotion Act for which you may be liable, on conviction, to a fine of not more than \$5,000.00 (for a person) or not more than that \$25,000.00 (for a corporation) for every day or part of each day on which the offence occurs or continues.

If you have any questions about this Order, please contact the Brant County Health Unit by telephone at 519-753-4937, Ext. 470.



Dr. Elizabeth Urbantke, MD, CCFP(EM), FCFP
Acting Medical Officer of Health
Brant County Health Unit