



What's New in HR Law

Ontario Government Permits Limited List of Businesses to Reopen

May 1, 2020

Bottom Line

Earlier this week the Ontario Government released its “roadmap” for reopening the province, as well as sector-specific guidelines to assist employers to safely return workers to the workplace and prevent the spread of COVID-19. Today, the Government announced that certain businesses will be permitted to reopen as of Monday, May 4th, provided they adhere to strict public health measures.

A Staged Approach to Reopening the Ontario Economy

On April 27, 2020, the Government released [A Framework for Reopening our Province](#), a staged approach to the reopening of the Ontario economy.

The Framework outlines three stages for the gradual reopening of all workplaces and public spaces:

This update is for general discussion purposes and does not constitute legal advice or an opinion.

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- **Stage 1:** Open select workplaces, allow some small gatherings, open some outdoor spaces, and permit hospitals to offer limited non-urgent and scheduled surgeries and other health care services.
- **Stage 2:** Open more workplaces and outdoor spaces, and allow larger gatherings.
- **Stage 3:** Further relax the restrictions on public gatherings, and open all workplaces responsibly.

The Framework does not outline any set timelines or concrete dates. Rather, the Government has been clear that the start of any stage will be determined based on a careful and ongoing assessment of how the pandemic progresses.

Once initiated, each stage is intended to last approximately two to four weeks, during which the number of COVID-19 cases will be closely monitored. At the end of each stage, the Government may: (i) reapply or tighten public health measures in response to a surge in cases; (ii) maintain the status quo and continue monitoring; or (iii) progress to the next stage.

Sector-Specific Safety Guidelines

In addition to announcing the reopening Framework, on April 30, 2020, the Government released sector-specific safety guidelines, providing direction to employers as they prepare for the gradual reopening of the provincial economy.

The initial guidelines released by the Government are specific to employers operating in the food manufacturing and processing, restaurant and food service, and agricultural sectors. The guidelines outline recommendations for employers including means by which appropriate physical distancing can be achieved, as well as workplace modifications and sanitation practices that can be adopted to prevent the spread of COVID-19.

These guidelines and other resources (including safety posters) are available on the Government's [website](#). The Government has advised that additional guidelines and resources will be added to the website as new sectors of the economy begin to reopen.

The Government's newly released guidelines build on the more than 60 sector-specific guidelines that have been developed by Ontario's health and safety associations, which can be found [here](#), and which provide health and safety recommendations for the following sectors:

- Construction
- Transportation
- Utilities
- Health Care
- Offices
- Transit
- Police Services
- Fire Services
- Mining

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- Forestry
- Retail
- Curbside Pick Up and Delivery
- Food Retail
- Funeral Services
- Tourism and Hospitality
- Maintenance and Facilities
- Manufacturing
- Automotive
- Film/TV
- Agriculture

Select Businesses Permitted to Reopen on May 4, 2020

Following the release of the above information earlier in the week, the Government announced today that, provided they abide by strict public health measures, a limited number of businesses will be permitted to resume operations on Monday, May 4th at 12:01 a.m.

The businesses permitted to reopen in this first wave are predominantly seasonal businesses and essential construction projects:

- Garden centres and nurseries with curbside pick-up and delivery only;
- Lawn care and landscaping;
- Additional essential construction projects that include:
 - shipping and logistics;
 - broadband, telecommunications, and digital infrastructure;
 - any other project that supports the improved delivery of goods and services;
 - municipal projects;
 - colleges and universities;
 - child care centres;
 - schools; and
 - site preparation, excavation, and servicing for institutional, commercial, industrial and residential development;
- Automatic and self-serve car washes; and
- Auto dealerships, open by appointment only.

The Government also announced that while golf courses and marinas may not yet open to the public, they can begin to prepare for the upcoming recreational season. Golf courses are now permitted to prepare their courses, and marinas may now begin servicing boats and other watercraft, as well as begin placing boats in the water.

Upcoming Webinar

Filion Wakely Thorup Angeletti LLP will be hosting a webinar on May 6, 2020 from 9:30 – 11:00 a.m. that will help employers identify, and effectively manage, issues related to the anticipated reopening of the economy amidst the ongoing threat of COVID-19. To register for this upcoming session, click [here](#).

Need more information?

Contact [Jessica Fay](#) at 416-408-5566 or your regular lawyer at the firm.



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