



What's New in HR Law

Reopening Ontario – Stage 1: Select Businesses Reopen May 16 and 19

May 15, 2020

COVID-19 Update

On May 14, 2020 the Ontario Government announced that as part of Stage 1 of its reopening Ontario plan, certain retailers, seasonal businesses and health and community service providers will be permitted to open, or expand their services, on Tuesday, May 19, 2020 at 12:01 a.m. The Government also announced that additional seasonal services and activities will be permitted to open as early as Saturday May 16, 2020 at 12:01 a.m.

Businesses Permitted to Reopen May 16th

As the general trend on health indicators continues to improve, the Ontario Government is allowing certain businesses that provide seasonal services and activities to the public to reopen as early as Saturday May 16, 2020 at 12:01a.m. Businesses allowed to reopen include:

- Golf courses and driving ranges, with clubhouses open only for washrooms and restaurants open only for take-out
- Marinas, boat clubs and public boat launches may open for recreational use

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

Filion Wakely Thorup Angeletti LLP www.filion.on.ca

Toronto

Bay Adelaide Centre
333 Bay Street, Suite 2500, PO Box 44
Toronto, Ontario M5H 2R2
tel 416.408.3221 | fax 416.408.4814
toronto@filion.on.ca

London

620A Richmond Street, 2nd Floor
London, Ontario N6A 5J9
tel 519.433.7270 | fax 519.433.4453
london@filion.on.ca

Hamilton

1 King Street West, Suite 1201, Box
57030
Hamilton, Ontario L8P 4W9
tel 905.526.8904 | fax 905.577.0805
hamilton@filion.on.ca

- Private parks and campgrounds may open to enable preparation for the season and to allow access for trailers and recreational vehicles whose owners have a full season contract
- Businesses that board animals, such as stables, may allow boarders to visit, care for, or ride their animal

Businesses Permitted to Reopen May 19th

Businesses that are well-positioned to follow public health advice and maintain recommended safety measures will be allowed to reopen as of Tuesday May 19, 2020 at 12:01a.m. Businesses in the industry services and retail sectors that will be allowed to reopen include:

- All construction worksites
- Retail stores located outside of shopping malls with a separate street-front entrance, with restrictions to enable physical distancing, which can include:
 - limiting the number of customers in a store at any one time or by square metre
 - booking appointments beforehand or on the spot
 - continuing to encourage curbside pickup or deliveries
- Motor vehicle dealerships, including new and used cars and trucks, motorcycles, boats and other motor and recreational vehicles, such as ATVs
- Media operations, specifically:
 - music recording, including production, distribution, publishing and studios
 - interactive digital media, including programming and development
 - film and television post-production and animation studios
 - publishing, including newspapers, video games and books
- Non-essential professional services related to conducting research and experimental development in physical, engineering, and life sciences, such as biotechnology, agriculture and industrial research and development labs
- Emissions inspection facilities to conduct heavy vehicle emissions testing

Moreover, certain businesses that provide outdoor, recreational, and seasonal activities will be allowed to reopen, including:

- Seasonal businesses, activities and services, such as rod and gun clubs, and cycling tracks
- Sport activity for individual/single competitors, including training and competitions conducted by a recognized Provincial Sport Organization, National Sport Organization, or recognized national provincial training centres. This includes indoor and outdoor non-team sport competitions that can be played while maintaining physical distancing and without spectators, such as:
 - water sports on lakes and outdoor bodies of water (no swimming pool sports), such as rowing and sailing
 - low-contact racquet sports like tennis, badminton, pickleball and ping pong
 - athletics, such as track and field, gymnastics and figure skating
 - animal-related sports, such as horse racing

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

Further, certain businesses that provide health care, community and household services will be allowed to reopen, including:

- Health care providers such as:
 - hospitals, independent health facilities, clinics and private practices providing scheduled surgeries and procedures, based on their ability to meet specified conditions, as outlined [in A Measured Approach to Planning for Surgeries and Procedures During the COVID-19 Pandemic](#)
 - supporting services for surgeries and procedures, such as diagnostics and post-acute rehab, based on their ability to meet specified conditions, as outlined [in A Measured Approach to Planning for Surgeries and Procedures During the COVID-19 Pandemic](#)
 - in-person counselling, including psychology and addictions counselling
 - resuming in-person services, in addition to virtual services, delivered by health professionals such as Children's Treatment Centres
- Animal services such as pet care, including pet grooming, pet sitting and pet training
- Regular veterinary appointments
- Libraries for pickup or deliveries
- Indoor and outdoor household services that can follow public health guidelines to resume, including domestic services, such as housekeepers and cooks
- Maintenance, repair and property management services, such as cleaning, painting, and pool maintenance

The Ontario Government indicated that many other businesses will be allowed to reopen under Stages 2 and 3 of its reopening Ontario plan.

Employer Safety Protocols

The Ontario Government has been clear that although the above-mentioned businesses are allowed to reopen in the coming days, they should not do so if they are not adequately prepared. All businesses that choose to reopen on May 16th or 19th should familiarize themselves with, and implement, the safety precautions identified in applicable guidance documents. The Ontario Government has released close to [90 health and safety guidance documents](#) to provide advice to those working in a variety of sectors, with plans to release further guidance documentation as the reopening of Ontario progresses.

Employers should be aware that the Ontario Government will instruct inspectors from the Ministry of Labour, Training and Skills Development to visit workplaces to ensure proper safety measures are in place for workers.

Ontario Personal Protective Equipment (PPE) Suppliers

In order to help businesses reopen, the Ontario Government has launched a website to provide businesses with information on PPE suppliers. The [Workplace PPE Supplier Directory](#) has an up-

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

to-date list of Ontario companies and business associations that are ready to supply personal protective equipment to Ontario businesses.

Future Updates

Our firm continues to closely monitor the developments surrounding the novel coronavirus (COVID-19) outbreak and will continue to provide further updates as new information becomes available.

Need more information?

For more information regarding workplace management amidst the novel coronavirus (COVID-19) outbreak, contact [Derek Klatt](#) at 416-408-5506, or your regular lawyer at the firm.



management labour and employment law



Toronto

Bay Adelaide Centre
333 Bay Street, Suite 2500,
PO Box 44
Toronto, Ontario M5H 2R2
tel: 416.408.3221
fax: 416.408.4814
toronto@filion.on.ca

London

620A Richmond Street, 2nd Floor
London, Ontario N6A 5J9
tel: 519.433.7270
fax: 519.433.4453
london@filion.on.ca

Hamilton

1 King Street West, Suite 1201
Box 57030
Hamilton, Ontario L8P 4W9
tel: 905.526.8904
fax: 905.577.0805
hamilton@filion.on.ca

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