



What's New in HR Law

Extended Hours of Work and New Safety Measures for Essential Construction Projects

April 9, 2020

Extended Hours of Work and Noise Bylaw Exemption

On April 8, 2020, the [Ontario Government announced](#) extended hours of work for essential construction projects, such as critical projects in the health care sector, to 24 hours a day.

Beginning April 7, 2020, local noise bylaws will not apply to essential construction projects increasing working hours to 24 hours a day. Non-essential construction projects are still limited to operating from 6:00AM to 10:00PM. These exemptions were enacted under the *Ontario Municipal Act* (see [Ontario Regulation 131/20](#)), and in Toronto, the exemption was made under the *City of Toronto Act* (see [Ontario Regulation 130/20](#)).

These temporary enactments will expedite construction on key facilities, such as new hospital builds, expansions, temporary COVID-19 response units or structures, and COVID-19 assessment centres. In addition, the extended hours of work will provide site managers with greater flexibility to enforce [recommended physical distancing protocols](#), including the ability to stagger

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

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shifts, limit the number of people in one place, and take other reasonable precautions to keep workers safe and healthy.

Affected construction employers should bear in mind that any operational change implemented under these exemptions must comply with the *Employment Standards Act, 2000* and any applicable collective agreement, including rest between shifts and meal breaks

Additional Safety Measures for Essential Workplaces

The Ontario Government also announced additional measures which are designed to increase workplace safety for essential workplaces, including:

- Redeploying more than 30 employment standards officers to help businesses understand and comply with health and safety requirements;
- Working with health and safety associations to deploy up to 30 specialists to support employers and workers in the field;
- Doubling the capacity of Ontario's Health and Safety Call Centre from 25 to 50 phone-lines;
- Issuing a call to recently-retired inspectors who may be able and willing to return to their positions;
- Providing compliance assistance and enforcing the emergency orders issued under the *Emergency Measures and Civil Protection Act*.

The Ontario Government's announcement also stated that additional sector-specific guidelines for safety in essential workplaces would be publicly available in the near future. We continue to monitor these developments and will provide further updates to employers once this guidance is available.

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.



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