

November 23, 2021

To persons responsible for a business or organization in the municipalities of the County of Simcoe, the District of Muskoka, and the Cities of Orillia and Barrie:

Re: Simcoe Muskoka District Health Unit Instructions to persons responsible for a business or organization, in the County of Simcoe, the District of Muskoka, and the Cities of Orillia and Barrie, that are permitted to open under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, and associated Regulations, as amended, as well as any other emergency order and/or public health statute including the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 that is in force. If your business or organization is subject to a Section 22 Order under the Health Protection and Promotion Act, R.S.O. 1990, c. H.7 you must adhere to both the requirements of the Order and to this letter of instruction in addition to the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020 and associated Regulations including but not limited to Ontario Regulation 364/20.

This letter of instruction replaces the letter of instruction issued by the Simcoe Muskoka District Health Unit (SMDHU) to businesses and organizations within Simcoe and Muskoka on September 1, 2021. This letter of instruction may be amended or rescinded without notice.

The following businesses or organizations are exempt from the instructions issued herein and below due to sector specific legislation, directives and/or guidelines currently governing these organizations' COVID-19 measures:

- Health care providers and health care entities as defined in Section 77.7 of the *Health Protection and Promotion Act, 1990*, who are subject to the Chief Medical Officer of Health's Directives issued thereunder;
- Schools and school boards licensed under the *Education Act, 1990*;
- Schools and Private schools within the meaning of the *Education Act, 1990* that are operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health;
- Ontario provincial post-secondary institutions;
- Childcare settings licensed under the *Child Care and Early Years Act, 2014*; and
- Recreational and day or overnight camps for children.

Instructions for Additional Public Health Measures in the County of Simcoe, the District of Muskoka and Cities of Orillia and Barrie.

As a result of rapidly rising COVID-19 cases in the province and our local communities, and in consultation with Ontario's Chief Medical Officer of Health, it is necessary that further interventions are required in certain public settings locally in order to assist in reducing the spread of COVID-19. During the fourth wave that we are currently facing, SMDHU has reported a number of confirmed outbreaks associated with large gatherings. As a result, further restrictions are required to address current transmission rates along with the expected increased transmission that is likely to result when moving into the winter months when larger capacity gatherings and events are held indoors at businesses or organizations. One key factor contributing to transmission within businesses and organizations is the close proximity and physical contact between individuals. The transmission to people in businesses/organizations leads to the easy spread of the disease to individuals within households, particularly if individuals are not fully vaccinated. SMDHU continues to see

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705-721-7520
FAX: 705-721-1495

☐ **Collingwood:**
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Collingwood, ON
L9Y 4J5
705-445-0804
FAX: 705-445-6498

☐ **Cookstown:**
2-25 King Street S.
Cookstown, ON
L0L 1L0
705-458-1103
FAX: 705-458-0105

☐ **Gravenhurst:**
2-5 Pineridge Gate
Gravenhurst, ON
P1P 1Z3
705-684-9090
FAX: 705-684-9887

☐ **Huntsville:**
34 Chaffey St.
Huntsville, ON
P1H 1K1
705-789-8813
FAX: 705-789-7245

☐ **Midland:**
A-925 Hugel Ave.
Midland, ON
L4R 1X8
705-526-9324
FAX: 705-526-1513

☐ **Orillia:**
120-169 Front St. S.
Orillia, ON
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business and organization transmission, often resulting in outbreaks. This is due, in part, to a failure of some organizations and businesses to meet the requirements of the provincial health and safety legislation and the relevant public health preventive measures.

These instructions are issued pursuant to Section 2(2) of Schedule 1 to Ontario Regulation 364/20 under the ***Reopening Ontario (A Flexible Response to COVID-19) Act, 2020***. These instructions are to be implemented by every owner, operator, or person responsible for businesses and organizations in the municipalities of the County of Simcoe, the District of Muskoka, and the Cities of Orillia and Barrie, unless specifically exempt by these instructions. These instructions are to be implemented in addition to any provincial COVID-19 regulatory requirements which are set out in the ***Reopening Ontario (A Flexible Response to COVID-19) Act, 2020***, and its regulations, particularly O. Reg. 364/20, local bylaws or health unit orders that are or may come into force or effect.

Instructions to persons responsible for businesses and organizations:

Effective **November 26, 2021, at 12:01 a.m.**, I am instructing all persons responsible for a business or organization in the County of Simcoe, District of Muskoka, City of Barrie, and City of Orillia to implement the following measures:

1. Prepare and make available a COVID-19 safety plan (as described in Section 3.3 of O. Reg 364/20) for the business or organization which shall describe how the requirements of the ***Reopening Ontario (A Flexible Response to COVID-19) Act, 2020***, the regulations made under it and the requirements of this letter of instruction have been or will be implemented by the business or organization to reduce the transmission risk of COVID-19 including by screening/physical distancing (where required under O. Reg 364/20), wearing masks or face coverings, cleaning and disinfecting of surfaces and objects, and the wearing of personal protective equipment (PPE) and preventing and controlling crowding. The safety plan shall be posted in a conspicuous place where it is most likely to come to the attention of individuals working in or attending the business or organization.
2. Enable **remote work** for workers, where reasonably possible, to reduce the number of workers exposed to the risk of transmission at the organization. Further, whenever feasible, it is required that the business or organization implement remote operations by providing goods by mail or other forms of delivery, by making goods available for pre-ordering and curbside pick-up and/or providing services virtually online, by telephone or other remote means.
3. Regardless of the worker's vaccination status, the person responsible for the business or organization must ensure [active screening](#)¹ is conducted daily for all workers attending the organization. Screening of workers is to occur immediately before or at the time of entry to the organization at the beginning of the workday or shift. Workers with COVID-19 symptoms, or workers who are not fully immunized and have been identified as a close contact² of a person

¹ Screening questions can be asked in-person or can be answered remotely and must be reviewed by the business/organization before workers arrive onsite.

If screening is to occur in-person:

- Limit points of entry into the setting to help facilitate screening.
- Space and layout the entrance so that physical distancing can be maintained during screenings.
- Encourage all staff to use alcohol-based hand rub (ABHR)/hand sanitizer with 60-90% alcohol content before entering.
- If physical distancing cannot be maintained during screening the following is required:
 - Placing a physical barrier (e.g., plexiglass) that staff can be behind in order to conduct screening at entrances to protect from droplets; OR
 - The need for medical (surgical/procedure) masks and eye protection, ABHR, tissue, and lined no-touch waste basket or bin to screen staff in situations where a physical barrier is not available and close contact with an individual is likely to occur.

² Close contact" means a person who has:

diagnosed with COVID-19, or workers who do not pass the [provincial COVID-19 self-assessment tool](#), are to be immediately excluded from the organization and be encouraged by the employer to self-isolate in accordance with the [Section 22 Order](#) of the SMDHU in effect at the time and to seek testing. Active screening may take place remotely or in-person onsite. If completed onsite, screening shall take place in a manner where physical distancing and masks/face coverings are used by both the screener and the person being screened.

4. The person responsible for the business or organization must actively screen members of the public as identified in O. Reg. 364/20 under the ***Reopening Ontario (A Flexible Response to COVID-19) Act, 2020***. Active screening of individuals and/or patrons shall occur in accordance with the relevant advice, recommendations and instructions of the Office of the Chief Medical Officer of Health for screening in restaurants, bars, food or drink establishments with or without dance facilities, meeting or event spaces, conference centres, convention centres, personal care services, personal physical fitness trainers, businesses which permit members of the public to test drive any vehicles, boats or watercraft, businesses that provide teaching and instruction including driving instruction, facilities used for indoor or outdoor sports and recreational fitness activities, casinos, bingo halls and gaming establishments, tour and guide services including boat tours, photography studios and services, strip clubs, bathhouses and sex clubs. In addition to facilities required to actively screen under O. Reg 364/20, the Medical Officer of Health requires active screening take place in indoor playground facilities, any organization or facility that provides indoor programming for children under 12 when indoor programming is occurring and locations where religious services, rites or ceremonies take place. Individuals with COVID-19 symptoms, or who have been identified as a close contact of a person diagnosed with COVID-19, or answer “yes” to any of the screening questions in the provincial screening tool are to be immediately excluded from the premises and are to be encouraged to self-isolate and seek testing in accordance with the [Section 22 Order](#) of the SMDHU. Active screening shall take place either remotely or if completed onsite, shall take place in a manner where physical distancing and masks/face coverings are used by both the screener and the person being screened.
5. For businesses and organizations that are identified in O. Reg. 364/20 under the ***Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*** the person responsible for the business or organization must record the name and contact information of every patron who enters any area of the establishment and must maintain the record for a period of at least 30 days. This applies to the following settings, where contact information is required to be retrieved prior to entering the business or organization: meeting or event spaces, conference centres, convention centres, restaurants and bars, food or drink establishments with dance facilities, personal fitness trainers, businesses that provide in-person or driving instruction, tour and guide services including boat tours, sports and fitness facilities, organized public events, photography studios, casinos or gaming establishments, locations where religious services, rites or ceremonies take place, bingo halls, strip clubs, bathhouses, and sex clubs. In addition to facilities required to record the name and contact information of every person who enters any area of the establishment and must maintain the record for a period of at least 30 days under O. Reg 364/20, the Medical Officer of Health requires indoor playground facilities, any organization or facility that provides indoor programming for children under 12 when indoor programming is occurring and locations where religious services,

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- Lived with or in the same household with a person infectious with COVID-19 while the infectious person was not self-isolating;
 - Been within 2 metres of a person infectious with COVID-19 for 15 minutes or longer while both were wearing a mask;
 - Been within 2 metres of a person infectious with COVID-19 for less than 15 minutes but the contact was not wearing a mask and was not wearing eye protection (even if the infectious person was wearing a mask and/or eye protection);
 - Been in close and physical contact such as hugging or kissing with a person infectious with COVID-19 for any duration of time (regardless of whether you were both wearing a mask and/or eye protection); or
 - Otherwise been deemed by the SMDHU as a close contact

rites or ceremonies take place to record the name and contact information (full name, telephone number and/or email address) of every person who enters any area of the establishment and must maintain the record for a period of at least 30 days.

6. Ensure that any person in the indoor area of the business or organization, or in a vehicle that is operating as part of the business or organization (including members of the public), wears a mask or face covering in a manner that covers their mouth, nose and chin during any period when they are in the indoor area of the premises unless exempt under the ***Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*** and associated Regulations. Further, **eye protection** (e.g., safety goggles, face shields) shall be provided by the business/organization and used by the worker in the event that a worker is unable to maintain a physical distance of at least 2 metres from another individual who is not wearing a mask or face covering. A face shield alone without a mask or face covering is not considered adequate covering of the face.
7. Ensure, where reasonably possible, that **physical distancing**, between workers, takes place by at least 2 metres throughout the premises of the business or organization, and during eating and rest periods (e.g., lunchrooms, change rooms). One-way walkways and workflows shall be provided where applicable (e.g., in walkways less than 2 metres in width) to reduce the potential for and occurrence of close physical interaction between individuals, including between workers. Where reasonably possible, businesses and organizations shall stagger shifts and breaks and/or adjust production schedules to reduce capacity and gatherings to the number of persons who can maintain 2 metres of physical distancing indoors or outdoors at the business or organization. Where reasonably possible, business and organizations shall create work cohorts to effectively reduce the number of physical interactions between individuals. Further, every business and organization shall ensure that every member of the public in an indoor place of the facility that is open to the public, and every person in attendance at an indoor organized public event permitted by O. Reg. 364/20, shall maintain a physical distance of at least two metres from every other person, except from their caregiver or from members of the person's household, subject to the exceptions to these requirements provided to such persons by subsection 3.1(5)(a) to (f) of Schedule 1, O. Reg. 364/20. Note, In accordance with Schedule 1 and Schedule 3 of O. Reg 364/20 in facilities and settings where proof of vaccination is required, or where a facility may wish to opt-in to proof of vaccination requirements, physical distancing and capacity limits are not required.
8. If a worker is providing direct care to a suspect or confirmed case of COVID-19, regardless of where in the premises this occurs, ensure the worker wears **appropriate PPE**. A point-of-care risk assessment must occur and at a minimum, PPE must include a medical mask and eye protection (safety goggles, face shields). A face shield is not a replacement for a medical mask or face covering. Further, a person shall wear appropriate PPE that provides protection of the person's eyes, nose and mouth if, in the course of providing services, the person is required to come within 2 metres of another person who is not wearing a mask or face covering in a manner that covers that person's mouth, nose and chin during any period when that person is in an indoor area; and is not separated by plexiglass or some other impermeable barrier from a person.
9. Subject to requirements listed under Section 3. (1)(7) of Schedule 1, O. Reg. 364/20, the person responsible for the establishment must post a sign in a conspicuous location visible to the public that states the capacity limits under which the establishment is permitted to operate. Note, in accordance with Schedule 1 and Schedule 3 of O. Reg 364/20 in facilities and settings where proof of vaccination is required, or where a facility may wish to opt-in to proof of vaccination requirements, physical distancing and capacity limits are not required.

10. Ensure supplies and facilities are provided for adequate hand hygiene to take place in work and rest/eating areas within the organization including the supply of 60-90% alcohol-based hand rub for members of the public entering the business or organization, workers, and clients.
11. Take appropriate infection prevention and control measures including reminders on respiratory etiquette, frequent environmental cleaning in all areas accessible to the public, including washrooms, check-out counters, concession stands, and other high-touch surfaces (e.g., doorknobs, accessible/elevator buttons, pay machines, etc.) using disinfectants with a drug identification number (D.I.N.) while ensuring manufacturer instructions for use are followed.
12. Minimize instances of more than one individual per vehicle for driving associated with work, and when unavoidable, ensure masks or face coverings (preferably medical masks) are supplied to and used by each individual (unless otherwise exempt from the mask requirement under O. Reg. 364/20), ensure distancing to the degree most possible, and ensure the use of increased ventilation to the outdoors (i.e., through a partially open window) in vehicles, where possible.
13. Conduct, or have the property owner or landlord of the premises of the business or organization conduct a regular review of heating, ventilation, and air conditioning (HVAC) systems in the organization to ensure that HVAC and supplemental ventilation/filtration systems are regularly maintained and in proper working order with the goal of HVAC system and unit optimization.
14. Ensure that upon request from SMDHU, the information requested is provided to SMDHU to permit the SMDHU to conduct case and contact management as well as for outbreak management. This may include but is not limited to, accurate and updated contact information for all workers (and for any other individuals as prescribed in the ***Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*** and its Regulations or as required under this letter of instruction), site plans and staff schedules. In addition to legislated requirements under the *Occupational Health and Safety Act, 1990*, ensure any further instructions, directions and guidance provided by SMDHU, the Office of the Chief Medical Officer of Health, the Government of Ontario and/or the Government of Canada pertaining to COVID-19 are followed. This includes, but is not limited to, ensuring adherence to isolation orders issued to employees, ensuring the required public health measures such as active screening and physical distancing are always maintained within an organization and supporting all aspects of investigations and outbreak management related to communicable diseases, including COVID-19, that may be conducted by SMDHU.

You are required to comply with the above instructions as provided by the ***Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*** and any Regulations made under it, as they are advice, recommendations and/or instructions of a public health official in the local health unit servicing your business or organization. Failure to comply can result in legal liability and/or a guilty conviction of a regulatory offence. The instructions set out above shall be in full force and effect until further notice despite any changes to the SMDHU's step of reopening under the ***Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*** as may be amended from time to time.

For the purpose of these instructions:

- "Worker" means any employee, independent contractor (including 'temporary' agencies, manager, director, officer, owner, partner, shareholder, volunteer, student, or any other person engaged in the business or organization activity at the organization.)
- Enforcement associated with these instructions may be conducted by police officers as well as provincial offences officers (which includes but is not limited to municipal bylaw enforcement officers and public health enforcement personnel).

- Any reference to mask or face covering in this letter is as per the Province of Ontario's COVID-19 regulatory framework requirement, under the ***Reopening Ontario (A Flexible Response to COVID-19) Act, 2020***, which require a mask or face covering to be worn "in a manner that covers their mouth, nose and chin."
- "Person Responsible" includes but is not limited to the owner/operator of the business/organization, the holder of a permit/rental agreement providing for use of the property or facility, a coach, instructor, coordinator, trainer, organizer, faith-based leader and/or any other person responsible for the compliance with public health measures related to COVID-19 and the facility.

These measures are intended to reduce the transmission of COVID-19 where the collective efforts of various sectors, including organizations are required to protect our communities.

Sincerely,

ORIGINAL Signed By:

Charles Gardner, MD, CCFP, MHSc, FRCPC
Medical Officer of Health

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