

Province Issues Police Enforceable Stay-At-Home Order And Mask Order As State Of Emergency Declared For A Second Time

By Pamela Vanmeer - January 12, 2021



KAWARTHA LAKES-The province declared a second state of emergency today amid rising cases of Coronavirus. Included in the new measures is an enforceable stay at home order and an enforceable mask order.

Details were provided today by Premier Doug Ford, Christine Elliott, Deputy Premier and Minister of Health, Solicitor General Sylvia Jones, Dr. David Williams, Chief Medical Officer of Health, and Dr. Adalsteinn (Steini) Brown, Co-Chair of the Ontario COVID-19 Science Advisory Table.

"The latest modelling data shows that Ontario is in a crisis and, with the current trends, our hospital ICUs will be overwhelmed in a few short weeks with unthinkable consequences," said Premier Ford. "That's why we are taking urgent and decisive action, which includes declaring a provincial emergency and imposing a stay-at-home-order. We need people to only go out only for essential trips to pick up groceries or go to medical appointments. By doing the right thing and staying home, you can stay safe and save lives."

Effective Thursday, January 14, 2021 at 12:01 a.m., the government is issuing a stay-at-home order requiring everyone to remain at home with exceptions for essential purposes, such as going to the grocery store or pharmacy, accessing health care services, for exercise or for essential work. Officials say this order and other new and existing public health restrictions are aimed at limiting people's mobility and reducing the number of daily contacts with those outside an immediate household. In addition to limiting outings to essential trips, all businesses must ensure that any employee who can work from home, does work from home

Since the implementation of the Provincewide Shutdown over two weeks ago, the **latest modelling trends** in key public health indicators have continued to worsen, forecasting an overwhelming of the health system unless drastic action is taken according to the Province.

Provincial modelling shows growth in COVID-19 cases has accelerated, leading to increased hospitalization rates and ICU occupancy. ICU occupancy by COVID-19 patients is now over 400 beds and is projected to be as high as 1,000 beds by early February which has the potential to overwhelm Ontario's hospitals. The number of COVID-19-related deaths continues to rise and is expected to double from 50 to 100 deaths per day between now and the end of February.

Notably, data shows that mobility and contacts between people have not decreased with the current restrictions. A new variant of COVID-19 emerged in November. Officials say if community transmission of this variant occurs, Ontario could experience much higher case counts, ICU occupancy and mortality.

The government has also enacted the following additional public health measures:

- Outdoor organized public gatherings and social gatherings are further restricted to a limit of five people with limited exceptions. This is consistent with the rules during the lockdown during the first wave of COVID-19 in spring 2020.
- Individuals are required to wear a mask or face covering in the indoor areas of businesses or organizations that are open. Wearing a mask or face covering is now recommended outdoors when you can't physically distance more than two metres.
- All non-essential retail stores, including hardware stores, alcohol retailers, and those offering curbside pickup or delivery, must open no earlier than 7 a.m. and close no later than 8 p.m. The restricted hours of operation do not apply to stores that primarily sell food, pharmacies, gas stations, convenience stores, and restaurants for takeout or delivery.
- Non-essential construction is further restricted, including below-grade construction, exempting survey.

These measures will come into effect between Tuesday January 12, 2021 and Thursday, January 14, 2021, including the provincial declaration of emergency under the EMCPA, orders under that Act, and amendments to regulations under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.

"Despite our best efforts, COVID-19 is continuing to spread in our communities, our hospitals, our long-term care homes, and our workplaces. We are continuing to see concerning trends across the province, including a tragic number of deaths," said Christine Elliott, Deputy Premier and Minister of Health. "We have made great strides in vaccinating tens of thousands of Ontarians, and we can't let these efforts go to waste. Urgent action is required to break this deadly trend of transmission, ensure people stay home, and save lives."

To help quickly identify and isolate cases of COVID-19 in workplaces and service providers permitted to remain open such as long-term care homes and schools, the province will provide up to 300,000 COVID-19 tests per week to support key sectors such as manufacturing, warehousing, supply chain and food processing, as well as additional tests for schools and long-term care homes. This volume of rapid tests would support antigen screening for up to 150,000 workers per week over the next 4-5 months in Ontario's most critical workplaces. The province is expecting to receive 12 million Panbio tests from the federal government over the next several months and continues to pursue opportunities to purchase additional rapid tests.

"The trends in key public health indicators are continuing to deteriorate, and further action is urgently required to save lives," said Dr. David Williams, Chief Medical Officer of Health. "By strictly adhering to all public health and workplace safety measures, we can reduce the transmission of COVID-19 and keep our loved ones and our communities safe. It will take the collective efforts of us all to defeat this virus."

Ontario says it is exploring all options available to put a temporary residential evictions moratorium in place, and will have more to say in the coming days.

The additional public health restrictions introduced expand on the existing measures put in place

to keep Ontarians safe and healthy.

New Enforcement Measures

Under the declaration of a provincial emergency, the province will provide authority to all enforcement and provincial offences officers, including the Ontario Provincial Police, local police forces, bylaw officers, and provincial workplace inspectors to issue tickets to individuals who do not comply with the stay-at-home-order, or those not wearing a mask or face covering indoors as well as retail operators and companies who do not enforce. Those who decide not to abide by orders will be subject to set fines and/or prosecution under both the *Reopening Ontario (A Flexible Response to COVID-19) Act*, (ROA) and EMCPA.

In addition, all enforcement personnel will have the authority to temporarily close a premise and disperse individuals who are in contravention of an order and will be able to disperse people who are gathering, regardless whether a premise has been closed or remains open such as a park or house.

"Extraordinary action is needed to protect the health and safety of Ontarians as we deal with this growing crisis," said Solicitor General Sylvia Jones. "Our government is providing police and bylaw officers with the tools, and the authority, they need to enforce these critical restrictions and protect public health."

Schools and Child Care Centres

Based on the advice of the Chief Medical Officer of Health, schools in the following public health units (PHUs) will not return to in-person instruction until February 10, 2021:

- Windsor-Essex
- Peel Region
- Toronto
- York
- Hamilton

By January 20, 2021, the Chief Medical Officer of Health will advise the Ministry of Education on which public health units (PHUs) will be permitted to resume in-person instruction, based on the most up-to-date data and modelling. Before- and after-school programs can be offered when in-person instruction resumes. Schools in northern PHUs will continue to remain open.

To continue to keep students, staff and communities safe, the following new health and safety measures will be put in place for in-person learning:

- Masking for Grade 1-3 and requirements for mask wearing outdoors;
- Enhanced screening protocols; and
- Expanded targeted testing.

The government says it will also implement new health and safety measures in Ontario child care settings, such as enhanced screening to align with school requirements, voluntary participation in targeted testing and additional infection prevention and control measures to align with schools. These enhancements are in addition to the existing health and safety measures already being implemented in child care settings across the province.

Child care centres for non-school aged children will remain open, and emergency child care for school-aged children will end in approved PHU regions on January 22, 2021 as these elementary schools return to in-person learning. During this extended period of online learning, in areas where in-person elementary learning is suspended, emergency child care will continue for eligible families in regions subject to school closures, as identified by the Chief Medical Officer of Health.

"At the heart of our continued efforts to protect against the spread of COVID-19 in our communities is a firm commitment to return kids to school safely," said Education Minister Stephen Lecce. "Protecting our students, staff and their families is our top priority, and these additional measures build on our comprehensive plan to reopen schools and keep young children in child care safe."

Workplace Safety

The Ministry of Labour, Training and Skills Development is taking additional steps to protect workers with the launch of the "Stay Safe All Day" campaign, focusing workplace inspections in areas of high transmission, including break rooms, and providing new educational materials to employers to

promote safe behaviour before, during and after work.

Evidence gathered from COVID-19 related workplace inspections to date shows the vast majority of employers and workers are following COVID-19 safety requirements when working. However, when in a break room, a vehicle or not on the clock, there is a tendency to forget about the importance of wearing masks, maintaining physical distance and hand hygiene.

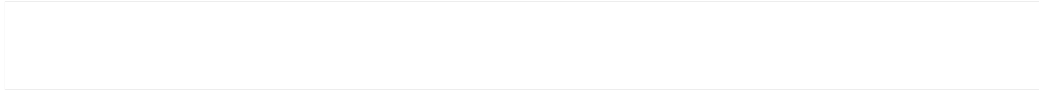
As part of the "Stay Safe All Day" campaign, inspectors will use a data-driven approach to focus on workplaces with reported COVID-19 outbreaks, manufacturing businesses, warehouses, distribution centres, food processing operations, construction projects and publicly accessible workplaces deemed essential, such as grocery stores. The Ministry is also using a new data-sharing program, in conjunction with the Ministry of Long-Term Care and the Retirement Regulatory Authority, to focus onsite inspections of long-term-care homes and retirement homes.

"We know the majority of businesses are operating safely and responsibly to protect their workers and customers. But as COVID-19 cases continue to rise, we all need to step up and take additional measures to stop the spread," said Monte McNaughton, Minister of Labour, Training and Skills Development. "This includes increasing our inspections to look at everything workers do both while on the job and throughout the workday."

If an employee becomes infected with COVID-19, they may be entitled to federally funded paid sick leave of up to \$500 a week for two weeks. Workers can also access Canada's Recovery Caregiver Benefit of up to \$500 per week for up to 26 weeks if they are unable to work because they must care for their child under 12 years old or a family member who needs supervised care. The Ontario Government offered no additional support.

Over the summer, the government enacted a new regulatory amendment that put non-unionized employees on Infectious Disease Emergency Leave during the COVID-19 outbreak any time their hours of work are temporarily reduced by their employer due to COVID-19, ensuring businesses aren't forced to terminate employees after their ESA temporary layoff periods have expired. As part of the Safe Restart Agreement, the federal government is funding a temporary income support program that allows workers to take up to 10 days of leave related to COVID-19, preventing the risk of further spread in the workplace and allowing workers to focus on their

health.



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Pamela VanMeer is a two time winner of the prestigious Radio Television Digital News Association (RTDNA) Award. Her investigative reports on abuse in Long Term Care Homes garnered international attention for the issue and won the Ron Laidlaw Award. She is a former reporter and anchor at CHEX News, now Global Peterborough and helped launch the New CHEX Daily, a daily half hour talk show. While at CHCH News in Hamilton she covered some of the biggest news stories of the day.