

**CLASS ORDER**

**Made pursuant to Section 22 (5.0.1) of the *Health Protection and Promotion Act*,  
R.S.O. 1990, c.H.7, as amended**

**DATE: June 24, 2020**

**ISSUED TO: All owners and/or operators of agricultural operations in Chatham-Kent that employ temporary foreign workers on a casual, permanent, temporary, contract, temporary-help, or other basis.**

**I, DR. DAVID COLBY, MEDICAL OFFICER OF HEALTH FOR THE MUNICIPALITY OF CHATHAM-KENT, ORDER YOU TO TAKE THE FOLLOWING ACTIONS, THIS ORDER BEING EFFECTIVE AS OF TODAY'S DATE:**

1. In addition to requirements under the *Emergency Management and Civil Protection Act* and *Quarantine Act* as amended, including regulations and orders thereto, in respect of all temporary foreign workers:
  - a. Ensure that all temporary foreign workers who have arrived in Canada are isolated for 14 days from the date of arrival in Canada;
  - b. Keep a list of names of all temporary foreign workers scheduled to arrive in Canada, their planned date of arrival, actual date of arrival, and a plan for isolation of all temporary foreign workers;
  - c. Ensure all temporary foreign workers in isolation are kept at a minimum of 2 metres apart from all other workers;
  - d. Ensure that reasonable arrangements are made for the provision of food, water, laundry, and cleaning supplies for all temporary foreign workers who are placed under isolation;
  - e. Ensure all temporary foreign workers under isolation notify the Chatham-Kent Public Health Unit if they have any COVID-19 symptoms;
  - f. During the 14-day isolation period, ensure that no temporary foreign worker works on any agricultural operation;

- g. Notify the Chatham-Kent Public Health Unit if any temporary foreign worker needs to leave self-isolation for any reason during the 14-day isolation period, such as to seek medical attention.
2. In addition to requirements under the *Emergency Management and Civil Protection Act* and *Quarantine Act* as amended, including regulations and orders thereto, in respect of all workers (including permanent and temporary employees and workers, temporary foreign workers, contract workers, local workers, temporary help agency workers and casual workers):
    - a. Ensure that accurate and updated contact information for all workers is available to be produced to the Chatham-Kent Public Health Unit within 24 hours of request in support of case management and contact tracing requirements;
    - b. Ensure that all workers arriving to work from any area where there is community transmission have tested negative for COVID-19 within 48 hours prior to entering or beginning work;
    - c. Conduct screening once per shift, including asking if workers are experiencing symptoms of fever, cough, difficulty breathing, alterations in smell or taste, if they have travelled outside Canada and if they have been in close contact with any persons infected with COVID-19;
    - d. Ensure that workers are assigned to the same team/group/work pod (cohort) that is separated from other individuals and teams/groups/work pods. Within the team/group/work pod, workers should maintain a two-metre physical distance from other workers. The need for PPE should be based on a risk assessment that may take into consideration factors such as local epidemiology and input from the Chatham-Kent Public Health Unit;
    - e. Follow all legislative requirements to protect worker health and safety, including the *Occupational Health and Safety Act* and the terms of this Order; and
    - f. Ensure that all workers understand their rights and entitlements, including how to access to healthcare services and other supports that may be available if a worker becomes sick.

**THE REASONS FOR THIS ORDER ARE:**

Under Section 22 (5.0.1) of the *Health Protection and Promotion Act*, a medical officer of health may make an order to a class of persons who reside or are present in the

health unit served by the Medical Officer of Health to take or to refrain from taking any action that is specified in the order in respect of a communicable disease.

Based on data available to the Chatham-Kent Public Health Unit, I, Dr. David Colby, Medical Officer of Health for the Municipality of Chatham-Kent, am of the opinion that there is a high risk of increasing the spread of COVID-19 within agricultural operations in Chatham-Kent. The measures specified in this Order are necessary in order to decrease or eliminate the risks to health associated with the COVID-19.

### **NOTICE**

**TAKE NOTICE THAT** each member of the class to whom this Order is directed is entitled to a hearing by the Health Services Appeal and Review Board if the member has delivered notice in writing to me (at the address below) and to the Health Services Appeal and Review Board (at 151 Bloor Street West, 9th Floor, Toronto, Ontario, M5S 1S4) requesting a hearing within 15 days after publication of this Order or otherwise in accordance with applicable law.

**AND TAKE FURTHER NOTICE THAT** although a hearing may be requested this Order takes effect when it is delivered to a member of the class or brought to the attention of a member of the class.

**FAILURE TO COMPLY WITH THIS ORDER is an offence under the *Health Protection and Promotion Act* for which you may be liable, on conviction, to a fine of not more than \$5,000.00 (for a person) or not more than that \$25,000.00 (for a corporation) for every day or part of each day on which the offence occurs or continues.**

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W. David Colby, MSc, MD, FRCPC  
Medical Officer of Health  
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