



St. Thomas Site
1230 Talbot Street
St. Thomas N5P 1G9
519-631-9900

Woodstock Site
410 Buller Street
Woodstock N4S 4N2
519-421-9901

1-800-922-0096 | www.swpublichealth.ca

**CLASS ORDER
MADE PURSUANT TO SECTION 22 OF THE
HEALTH PROTECTION AND PROMOTION ACT, R.S.O. 1990, c.H.7**

**Date: July 8, 2020
Amended April 6, 2021**

To: All owners and operators of agricultural farms operating or present in the health unit served by the Medical Officer of Health, in Elgin County, Oxford County and City of St. Thomas who employ farm workers, including:

- a. Temporary foreign workers (TFWs) in any capacity
- b. Workers sourced through the federal Temporary Foreign Workers (“TFWs”) program;
- c. Local workers;
- d. Temporary help agency (THA) workers; and

including, but not limited to, those who operate any model of seasonal housing accommodations.

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 Southwestern Public Health (SWPH), I am of the opinion that there is a high risk of the increasing spread of COVID-19 within agricultural farms in Elgin County, Oxford County, and the City of St. Thomas. The measures specified in this Order are necessary to decrease or eliminate the risks to health associated with COVID-19.

I, Dr. Joyce Lock, Medical Officer of Health of the Oxford Elgin St. Thomas Health Unit (operating as Southwestern Public Health), order you to take the following actions, effective from 12 p.m. (noon) on April 6, 2021.

All Employers of migrant farm workers and/or workers sourced through the federal Temporary Foreign Workers program (hereinafter referred to as the “TFWs”) should take the following actions before TFWs begin working on any of the Employer’s farm properties. These requirements are in addition to the requirements that apply under the *Quarantine Act*.

1. Ensure that all TFWs who have arrived in Canada are in quarantine for 14 days from the date of arrival in Canada;
2. Keep a list of names of all TFWs scheduled to arrive in Canada, their planned date of arrival and a plan to quarantine the workers;
3. Submit a quarantine plan to SWPH for a public health inspector’s review and approval at least two weeks prior to worker arrival, where possible.

4. Ensure quarantining workers remain 2 metres apart from each other at all times. Separate rooms and alternative accommodation may be required. Quarantining workers must remain completely separated from anyone not in quarantine and anyone who began quarantine on a different arrival date.
5. Ensure that arrangements are made for the provision of food, water, laundry, and cleaning supplies for TFWs who are placed under quarantine under the terms of the Class Order;
6. Ensure that workers are actively screened daily. Ensure that if any TFWs under quarantine for 14 days develop any COVID-19 symptoms, SWPH is notified immediately;
7. During the 14-day quarantine period, TFWs are not permitted to work; and
8. Notify SWPH if the worker(s) needs to leave the farm for any reason during this quarantine period, such as to seek medical attention.

All Employers of farm workers, including TFWs (following their quarantine), local workers, and temporary help agency workers are to take the following actions:

1. Ensure that accurate and updated contact information for all employees (TFWs, permanent, temporary, or contract) is available to be given to SWPH within 24 hours of request in support of case management and contact tracing requirements;
2. Ensure that all employees (current or future) are exclusively working for one farm operation. Individuals who are employed by or work at more than one farm operation must immediately limit their work to one farm operation;
3. In the case of local workers (e.g., trades, contract workers), where it is not possible for an employee to work exclusively for one farm operation, to ensure that any such local worker is assigned to a single person cohort comprised only of that individual worker;
4. Conduct daily (as a minimum) active screening, as defined by the Government of Ontario and set out below;
5. Submit a cohorting plan to SWPH for public health inspector review and approval at least two weeks prior to worker arrival. Ensure that employees are assigned to the same team/group/work pod ("cohort") that is separated from other individuals and cohorts. Cohort all TFWs in the workplace based on their housing arrangements/residence. All such TFWs are to work only with the colleagues with whom they reside, unless otherwise directed by SWPH;
6. Workers should maintain a two-metre physical distance from other workers. Where physical distancing cannot be maintained, employers must make available appropriate face coverings that employees shall wear;
7. Ensure that all employees have received the COVID-19 factsheets provided by SWPH;
8. Ensure that all employees understand that they are to monitor for signs and symptoms of COVID-19. The list of symptoms, and SWPH contact information, can be found in the enclosed factsheet;
9. Immediately isolate any worker showing any symptoms suggestive of a possible COVID-19 infection and report it to SWPH;
10. Provide alcohol-based hand rub with a minimum concentration of 70% alcohol in multiple locations (entrances, dining areas) of each TFWs' residence and the workplace;
11. Ensure that all washrooms in all residences and workplaces are supplied with hand hygiene supplies;
12. Provide and maintain a supply of disinfectant to each TFWs' residence and workplace. Ensure cleaning and disinfecting high touch surfaces in the workplace and TFWs' residences at minimum twice daily and record the date, time and name of the employee completing the task;

13. Ensure that all individuals under health unit supervision for case and contact management have ongoing access to communication devices (cellular phone or landline). This contact information is to be made available to the health unit at all times;
14. Comply with testing for COVID-19 for all employees as directed by SWPH; and
15. Support all aspects of COVID-19 investigations conducted by SWPH.

The REASONS for this ORDER are that:

1. COVID-19 has been designated as communicable under Ontario Regulation 135/18, as amended. COVID-19 has been declared a pandemic by the World Health Organization. The Province of Ontario has declared an emergency under the Emergency Management and Civil Protection Act as a result of the pandemic.
2. COVID-19 is present in the region served by Southwestern Public Health and therefore poses a risk to the health of the employees within the workplace and to the residents of the region through community transmission. The COVID-19 virus is spread from an infected person close to a close contact by direct contact or when respiratory secretions from the infected person enter the eyes, nose, or mouth of another person.
3. To contain the spread of COVID-19, employees experiencing symptoms consistent with COVID-19 or who are infected with COVID-19, and their close contacts, are required to isolate themselves from other people until they are no longer infectious or potentially infectious. Isolation ensures that these people will not spread their infection to others.

I am of the opinion, on reasonable and probable grounds that:

- a. A communicable disease exists, or there is an immediate risk of an outbreak of a communicable disease in the health served by me;
- b. The communicable disease presents a risk to the health of persons in the health unit served by me; and
- c. The requirements specified in this Order are necessary in order to decrease or eliminate the risk to health presented by the communicable disease.

I am also of the opinion that the delivery of notice of this Order to each and every member of the class is likely to cause a delay that could significantly increase the risk to the health of any person residing in the health unit, so notice shall be provided through the public media and internet via posting on the Southwestern Public Health website: www.swpublichealth.ca

The following definitions apply to this Order.

Active Screening (as defined by the Government of Ontario which may be amended): the results of the screening assessment are reviewed to determine whether a person may enter the workplace.

Close Contact: means you are caring for or living in the same household with someone who has COVID-19 or has otherwise been identified as a close contact by Southwestern Public Health.

Cohort: A small group of individuals who live and work exclusively together.

Isolate/ Isolation: The complete separation of an individual from a household once they have become symptomatic with possible COVID-19. The worker will not be able to reside in the same house as other workers.

NOTICE

Take Notice that each member of the class is entitled to a hearing by the Health Services Appeal and Review Board if the member has delivered to me, at the address below and to the Health Services Appeal and Review Board, by email to hsarb@ontario.ca or faxed to the HSARB at 416-327-8524, notice in writing, requesting a hearing within fifteen (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 for which you may be liable, on conviction, to a fine of not more than \$5,000.00 for every day or part of each day on which the offence occurs or continues.



Dr. Joyce Lock
Medical Officer of Health
Southwestern Public Health
1230 Talbot Street
St. Thomas, Ontario, N5P 1G9

This Order shall be posted on the Southwestern Public Health website:
www.swpublichealth.ca

Inquiries about this Order should be directed to: Southwestern Public Health at 1-800-922-0096 x 9