

## COVID-19 update as of January 14, 2021

The province has released the specific [regulations](#) following Tuesday's stay-at-home order. They are a bit confusing as they need to be read in conjunction with [O. Reg. 82/20](#).

Below are some of the more important sections, including information on the stay-at-home order and residential construction rules.

For clarity, the government is asking all workers to work from home unless it is necessary for them to attend a workplace. This is straight-forward for on-site workers, but less clear for other staff (including office staff). Please note the following:

1. The government will not determine who can or can't work from home. This is up to the employer.
2. The government is urging as many people as possible to work from home.
3. The government will respond to complaints and may involve either the Ministry of Labour or Public Health organization if and when they receive a complaint.

We expect more information on the stay at home guidance as we get closer to Thursday at midnight (as Thursday becomes Friday) and once it goes into affect. We will share all guidance as we receive it.

### **Excerpts from the Regulations:**

#### **Work from home except where necessary**

**2.1 (1)** Each person responsible for a business or organization that is open shall ensure that any person who performs work for the business or organization conducts their work remotely, unless the nature of their work requires them to be on-site at the workplace.

#### **Construction**

**43.** Construction activities or projects and related services, including land surveying and demolition services, that,

- (a) are associated with the health care sector or long-term care, including new facilities, expansions, renovations and conversion of spaces that could be repurposed for health care space;
- (b) ensure safe and reliable operations of, or provide new capacity in, provincial infrastructure, including the transit, transportation, resource, energy and justice sectors beyond day-to-day maintenance;
- (c) support the operations of, or provide new capacity in, electricity generation, transmission, distribution and storage, natural gas distribution, transmission and storage or in the supply of resources;
- (d) support the operations of, or provide new capacity in, schools, colleges, universities, municipal infrastructure or child care centres within the meaning of the *Child Care and Early Years Act, 2014*;
- (e) are required for,

- (i) the maintenance and operations of petrochemical plants and refineries,
  - (ii) significant industrial petrochemical projects where preliminary work commenced before January 12, 2021, or
  - (iii) industrial construction and modifications to existing industrial structures limited solely to work necessary for the production, maintenance or enhancement of personal protective equipment, medical devices such as ventilators and other identified products directly related to combatting the COVID-19 pandemic;
- (f) would provide additional capacity in the production, processing, manufacturing or distribution of food, beverages or agricultural products;
- (g) were commenced before January 12, 2021 and that would,
- (i) provide additional capacity for businesses that provide logistical support, distribution services, warehousing, storage or shipping and delivery services, or
  - (ii) provide additional capacity in the operation and delivery of Information Technology (IT) services or telecommunications services;
- (h) support the operations of broadband internet and cellular technologies and services;
- (i) are related to residential construction projects where,
- (i) a building permit has been granted for a single family, semi-detached and townhomes,
  - (ii) the project is a condominium, mixed-use or other residential building, or
  - (iii) the project involves renovations to residential properties and construction work that was started before January 12, 2021;
- (j) prepare a site for an institutional, commercial, industrial or residential development, including any necessary excavation, grading, roads or utilities infrastructure;
- (k) are necessary to temporarily close construction sites that have paused, or that are not active, to ensure ongoing public safety;
- (l) are funded in whole or in part by the Investing in Canada Infrastructure Program;
- (m) are,
- (a) intended to provide shelter or supports for vulnerable persons or affordable housing; and
  - (b) being funded in whole or in part by, or are being undertaken by,
    - (A) the Crown in right of Canada or in right of Ontario,
    - (B) an agency of the Crown in right of Canada or in right of Ontario,
    - (C) a municipality,
    - (D) a service manager as defined the *Housing Services Act, 2011*, or
    - (E) a registered charity within the meaning of the *Income Tax Act* (Canada), or
    - (F) a not-for-profit corporation.