

Issue Date: October 4th, 2021

To: All Employers, Business Owners and Operators and Person(s) Responsible for organized gatherings in the region of Windsor-Essex, served by the Windsor-Essex County Health Unit.

Issued by: Dr. Shanker Nesathurai, Acting Medical Officer of Health, Windsor-Essex County Health Unit

Given the disproportionate burden of COVID-19 on the region of Windsor-Essex served by the Windsor-Essex County Health Unit, I am issuing these instructions to control the spread of COVID-19 in our community. As Acting Medical Officer of Health for the Windsor-Essex County Health Unit, **I am issuing these instructions pursuant to Ontario Regulations 364/20, Rules for Areas at Step 3.** In doing so, I am instructing all Windsor-Essex residents or persons responsible for a business or organization that is permitted to open under the *Reopening Ontario (A Flexible Response to COVID-19) Act 2020 [Regulation 364/20](#)* to adopt the following additional requirements above and beyond the provincial regulations effective immediately and until further notice.

COVID-19 is spread from person to person through respiratory droplets containing the virus. Close contact between individuals is a key factor related to the spread of COVID-19. In Windsor-Essex, the majority of persons positive for COVID-19 are positive with the Delta variant. Variants of concern are more transmissible and result in more potential for risk of transmission in settings where close contact is likely. While we continue to support vaccination efforts and increase vaccination rates within Windsor-Essex it is critical that all public health guidance and measures are followed by all residents, businesses and organizations.

Instructions to persons responsible for businesses and organizations:

1. Take any and all measures to comply with all requirements in the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020 and associated regulations and all local [Section 22 Orders](#).
2. Review workplace safety plans with workers regularly, at least once per month and make adjustments as needed.
3. Ensure active screening of all employees and patrons and prohibit any person that fails the screening from entrance/attending.
4. Ensure all employees wear both a mask and eye protection (i.e. safety goggles, face shield) at all times when working both indoors and outdoors when physical distancing, of at least 2 metres, cannot be maintained or when a barrier is not in place.
5. Workplaces/businesses currently required under the Reopening Ontario Act 2020 (A Flexible Response to COVID-19) to keep a list of attendees (visitors, patrons, clients) to the workplace (i.e. salons, restaurants, bars) including name and contact information **must** provide the list to public health within 24 hours of a request from a public health official.
 - i. This includes third party vendors for music, event planners, photographers, etc.
6. Ensure a process for proof of vaccination is in place where applicable, as per instructions under the [Reopening Ontario Act](#).
7. For businesses that serve food and drink, ensure patron(s) wear a mask(s) at all times while indoors, with the exception of consuming food or drink in a designated and seated area.
8. Ensure that masks are worn at the workplace at all times by employees, patrons or attendees of an event as per the [Reopening Ontario Act](#).

For the purpose of this Letter of Instruction:

“active screening” means the process of answering a set of screening questions to identify any COVID-19 risk factors. Screening questions can be answered using a paper or electronic tool or questions may be asked directly by a designated screener. At a minimum, this process must include the question found in the Ontario COVID-19 Worker and Employee Screening Tool found here: <https://covid-19.ontario.ca/screening/worker/>

“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 of organization activity at the workplace).

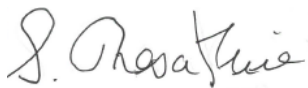
“workplace” means any land, premises, work vehicle, location or thing at, upon, in or near which a worker works.

“patron” means any member of the public that is not an employee or worker at the workplace.

Any reference to “mask” or “face covering” in this Letter of Instruction 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 work “in a manner that covers their mouth, nose and chin”.

Failure to comply with the requirements under Ontario Regulation (O.Reg. 364/20) and those identified under this letter of instruction pursuant to [O.Reg. 364/20](#) is an offence under the Reopening Ontario Act for which an individual and/or the business or organization may be liable.

Sincerely,



Dr. Shanker Nesathurai
Acting Medical Officer of Health