

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: Updated June 12, 2020 Additional ACTIONS (5-10)

TO: All owners and operators of agricultural farms in Windsor and Essex County who:

- a. Employ migrant farm workers in any capacity.
- b. Participate in the federal Temporary Foreign Worker program (TFW).
- c. 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 the Windsor-Essex County Health Unit, I am of the opinion that there is a high risk of increasing spread of COVID-19 within agricultural farms in Windsor and Essex County. The measures specified in this order are necessary in order to decrease or eliminate the risks to health associated with the COVID-19.

I, Dr. Wajid Ahmed, Medical Officer of Health, for Windsor and Essex County, ORDER YOU TO TAKE THE FOLLOWING ACTIONS, effective 12:01 a.m. on June 13, 2020:

1. Ensure that all employees current or future are exclusively working within one workplace. Individuals who are employed at more than one facility must immediately limit this to one premise.
2. Ensure that any contracted employees current or future are exclusively working for one workplace. Individuals who have been contracted by more than one facility at a time must immediately limit this to one premise.
3. Ensure that accurate and updated contact information for all employees (permanent, temporary, or contract) is available to be produced to the Windsor-Essex County Health Unit within 24 hours of request in support of case management and contact tracing requirements.
4. Follow any directions provided to you by the Windsor-Essex County Health Unit pertaining to COVID-19 and the terms of this Order. This may include ensuring adherence to self-isolation orders issued to employees, ensuring that required public health measures such as active screening and physical distancing are maintained at all times within your workplace, and supporting all aspects of investigations related to communicable diseases, including COVID-19 conducted by the Windsor-Essex County Health Unit.
5. Ensure that meals are provided to Temporary Foreign Workers completing isolation requirements. Meals must be nutritious and well balanced. Employers must accommodate dietary restrictions for workers under isolation. Workers under isolation must also be able to store food in a safe manner.
6. Ensure that potable water is available at all times to migrant employees under isolation.
7. No Temporary Foreign Workers can be moved into a non-inspected living accommodation.
8. Ensure that the health unit is contacted for approval if renovations within pre-existing and approved living accommodations that impact floor space, number of faucets, toilets, showers, and/or bathtubs.
9. Ensure that all individuals that are under health unit supervision for case and contact management have ongoing access to communication devices (cellular phone or landline) and this contact information is made

available to the health unit at all times. Individuals should not be sharing the device with more than 5 people and should be disinfected between uses.

10. Ensure that all known instances of non-compliance with the Emergency Management and Civil Protections Act, Quarantine Act or isolation requirements are reported immediately to the appropriate agency.

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. In the context of the COVID-19 outbreak:

All requests for review, submissions, materials, and inquiries should be sent to the Health Services Appeal and Review Board by e-mail to hsarb@ontario.ca or faxed to the Board at 416-327-8524.

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 may result in further legal action being taken against you under sections 36(2), 35, 102 and other relevant provisions of the Health Protection and Promotion Act.

FAILURE TO COMPLY WITH THIS ORDER is an offence under section 101 of 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.

If you have any questions about this Order, please contact the Windsor-Essex County Health Unit by telephone at 519-258-2146 ext 1421.



S. Wajid Ahmed, MBBS, MAS, MSc, FRCPC
Medical Officer of Health
The Windsor-Essex County Health Unit
1005 Ouellette Avenue
Windsor, Ontario N9A 4J8