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# *COVID-19 and Construction Businesses*

## *Essential Businesses and Health and Safety Update*

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Keith Burkhardt

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250 Yonge Street Suite 3300  
Toronto, Ontario M5B 2L7  
Tel 416.603.0700  
Fax 416.603.6035  
24 Hour 416.420.0738  
[www.sherrardkuzz.com](http://www.sherrardkuzz.com)

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# *Agenda*

- Overview of updated “essential business” order
  - What is open?
  - What is closed?
- Occupational health and safety
  - Legal requirements vs. best practices
  - Resources

# *Essential Businesses - Background*

- *Emergency Management and Civil Protection Act*
  - *Government may make orders “closing any place, whether public or private, including any business, office, school, hospital or other establishment or institution”*
- *Ontario Regulation 82/20 - Order Under Subsection 7.0.2 (4) - Closure Of Places Of Non-essential Businesses*
  - *March 24, 2020 - Issued*
  - *April 3, 2020 – Revised (narrower) list released*
  - *May 1, 2020 – List of businesses that can reopen*

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# *Essential Businesses - Updated*

*NEW – May 1, 2020*

*28.1 Construction projects and services that support the operations of, and provide new capacity in, schools, colleges, universities, municipal infrastructure and child care centres within the meaning of the Child Care and Early Years Act, 2014*

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# *Essential Businesses - Updated*

*NEW – April 10, 2020*

*29.1 Construction projects that are due to be completed before October 4, 2020 and that would provide additional capacity in the production, processing, manufacturing or distribution of food, beverages or agricultural products*

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# *Essential Businesses - Updated*

*NEW – May 1, 2020*

*29.2 Construction projects that were commenced before April 4, 2020, 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.*

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# *Essential Businesses - Updated*

*NEW – May 1, 2020*

*30.1 Construction to prepare a site for an institutional, commercial, industrial or residential development, including any necessary excavation, grading, roads or utilities infrastructure*

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# *What Construction is Closed?*

- Commercial

- Except 29.1 and 30.1

- Industrial

- Except 29, 29.1 and 29.2

- Residential?



# *Essential Businesses – The Decision*

- Compare all three lists
  - Qualifiers – “necessary”, “required”, “critical”
  - Stated intent of government
- Position of owners/general contractors
- Consider the downside
  - Risks to employees
  - Financial penalties

# *Occupational Health and Safety Act*

## ■ Duties in *Act* and Regulations

- Owner, constructor, employer, supervisor, etc.

- *Construction Projects, O Reg 213/91*

## ■ Obligation to provide “facilities”

- Toilets and hand washing stations

- Running water when possible

- Focus on opportunities for hand washing

## ■ Obligation to provide potable drinking water

# *Health and Safety – COVID-19*

- Importance of standard policies and procedures
  - ❑ Jobsite signage and checklists
  - ❑ Communications to workers
  - ❑ Pre-access questions and temperature check
  - ❑ Sanitation of tools, equipment and work locations
  - ❑ Ability to “contact trace”
    - Technology?
  - ❑ Response to a positive COVID-19 case

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# *Health and Safety – COVID-19*

- Remind workers of actions to minimize transmission of COVID-19
- Minimize groups of workers
  - Stagger start and end times, breaks and lunch
  - Changes to toolbox and safety talks
  - Limits on workers in a hoist or on site
  - Remove coffee truck, stagger deliveries

# *Health and Safety – COVID-19*

## ■ What about PPE?

- Nothing in *OHSA* – but consider general duty to ensure safety of workers

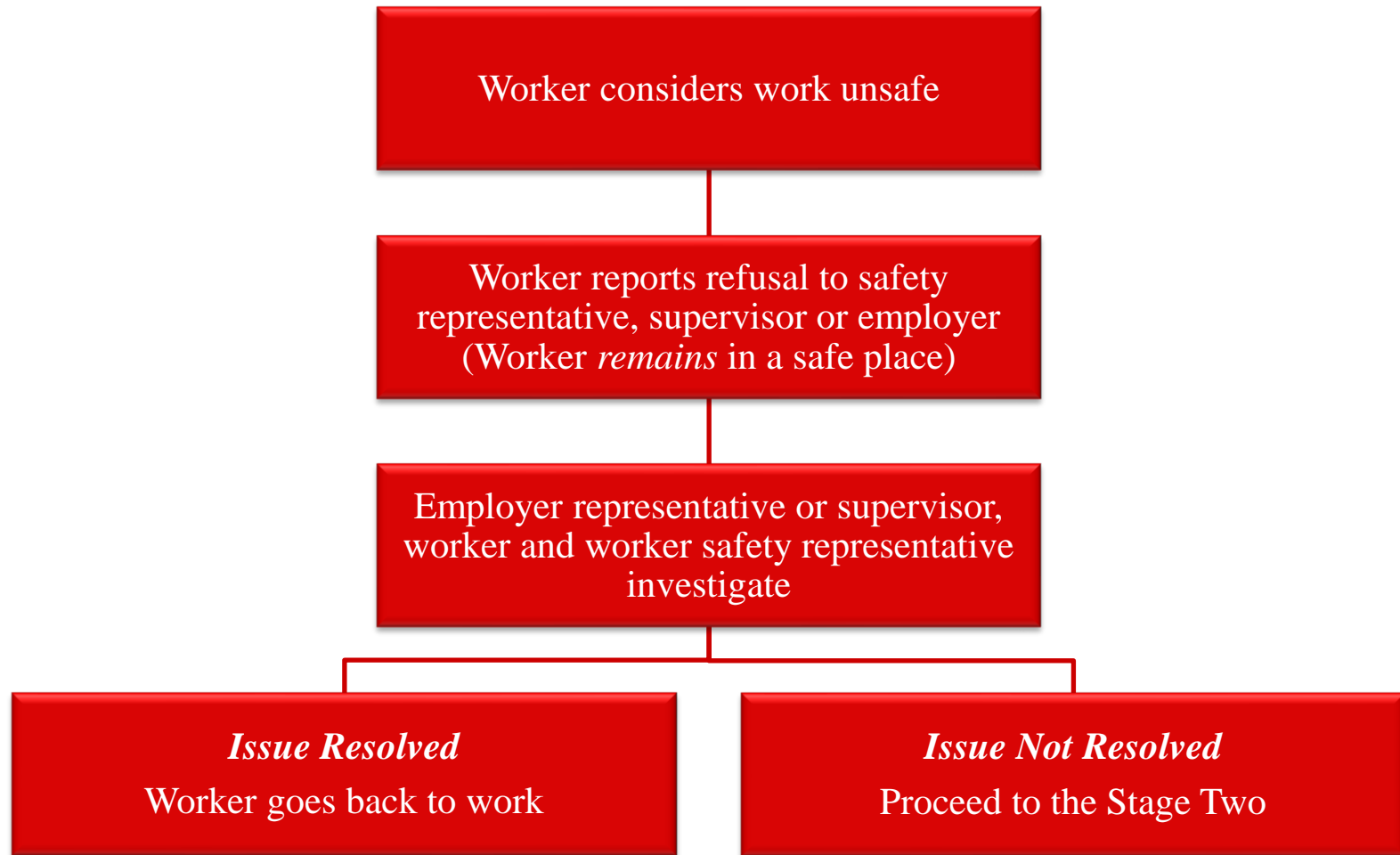
## ■ What about working 6 feet apart?

- Nothing in *OHSA* – but consider general duty to ensure safety of workers

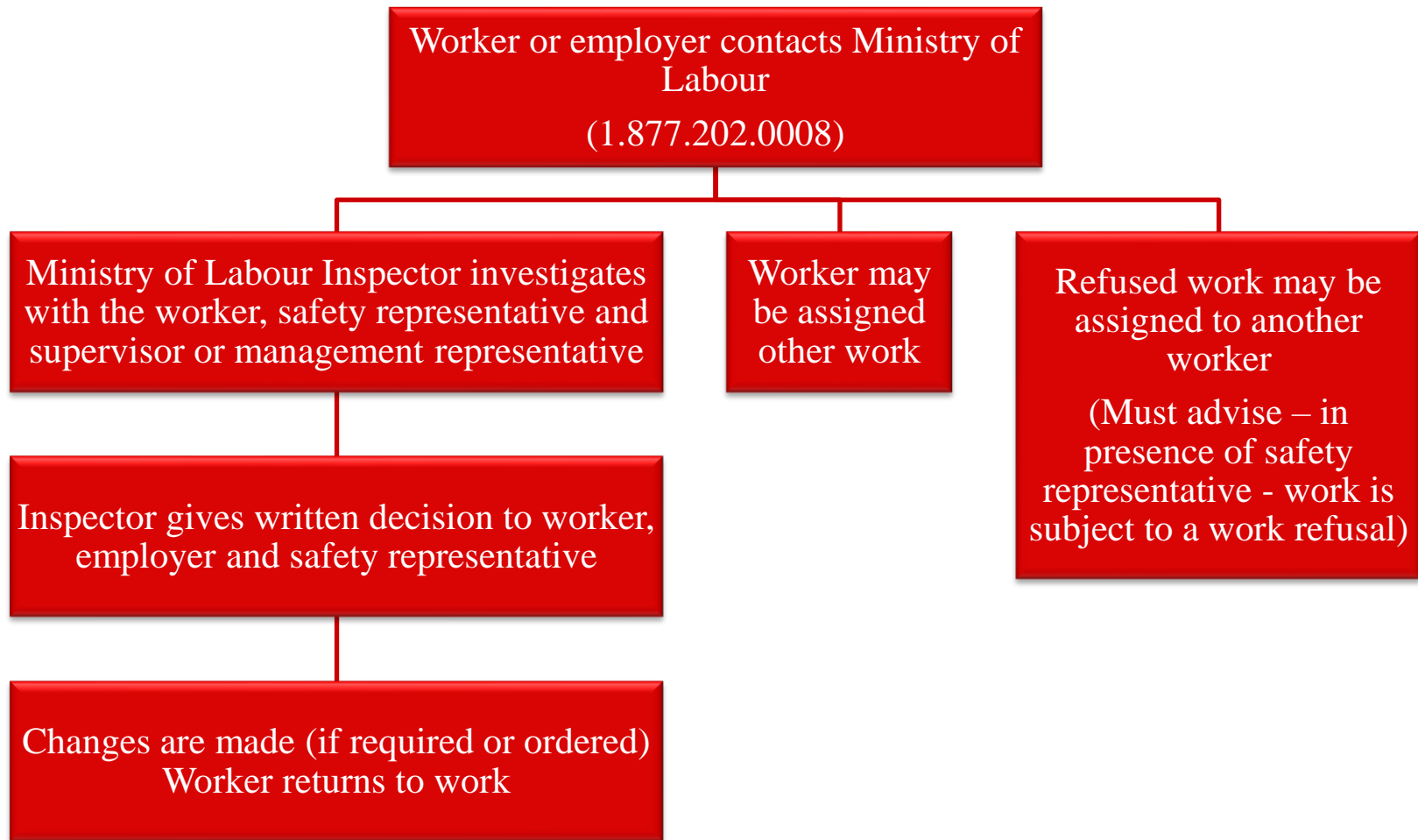
## ■ What about work vehicles?

- Nothing in *OHSA* – but consider general duty to ensure safety of workers

# *Work Refusals – Stage One*



# *Work Refusals – Stage Two*



# *Health and Safety Resources*

- Infrastructure Health and Safety Association
  - COVID-19 Links and Resources
- Ministry of Labour guidelines (March 29)
  - Construction site health and safety during COVID-19

**Protect against  
COVID-19**



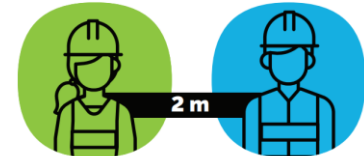
Clean work surfaces often

**Protect against  
COVID-19**



Clean tools before  
and after use

**Protect against  
COVID-19**



Practice physical distancing and  
stay 2 metres from other people.



# Questions?



- Sherrard Kuzz LLP
  - Office - 416.603.0700
  - [www.sherrardkuzz.com](http://www.sherrardkuzz.com)
- Keith Burkhardt
  - [kburkhardt@sherrardkuzz.com](mailto:kburkhardt@sherrardkuzz.com)
  - Office - 416.603.6252
  - Cell - 416.788.4893
- Frequently Asked Questions
  - [General FAQs re: COVID-19](#)
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250 Yonge Street, Suite 3300  
Toronto, Ontario, Canada M5B 2L7

416.603.0700 Phone  
416.420.0738 24 Hour  
416.603.6035 Fax  
[www.sherrardkuzz.com](http://www.sherrardkuzz.com)



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