

Ontario Issues a New COVID-19 Screening Tool for Workplaces

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On September 25, 2020, the Ontario Ministry of Health issued Version 1 of the [COVID-19 Screening Tool for Workplaces \(Business and Organizations\)](#) (the “Screening Tool”).

On September 26, 2020, O Reg 530/20 “Rules for Areas in Stage 3” came into force. Among other things, this regulation amended the “General Compliance” provisions of O Reg 364/20 “Rules for Areas in Stage 3”. As a result of this amendment, O Reg 364/20 now requires businesses and organizations that are open to operate “in compliance with the advice, recommendations and instructions issued by the Office of the Chief Medical Officer of Health on screening individuals.”

The Screening Tool contains recommendations for businesses and organizations for COVID-19 screening as per O Reg 364/20. It also includes a list of required screening questions, and states that, “[a]t a minimum, the [...] questions should be used to screen individuals for COVID-19 before they are permitted entry into the workplace (business or organization). This tool may be adapted based on need and the specific setting.”

The Screening Tool requires workers and essential visitors to confirm the following prior to entering the work environment:

1. Whether they have any new or worsening symptoms or signs that are set out in the Screening Tool;
2. Whether they have travelled outside of Canada in the past 14 days; and
3. Whether they have had close contact with a confirmed or probable case of COVID-19.

The Screening Tool sets out specific rules related to the “Results of Screening Questions”. If an individual answers “yes” to any of the questions, they should not enter the workplace (including any outdoor, or partially outdoor, workplaces), should go home to self-isolate immediately, and should contact their healthcare provider or Telehealth Ontario.

We note that the Screening Tool does not apply to: (a) “patrons entering a workplace (e.g. customers entering a grocery store ...); and (b) “emergency services or other first responders entering into a workplace for emergency purposes”.

In addition to screening workers and essential workers entering the work environment, workplaces must continue to ensure that they operate in accordance with the *Occupational Health and Safety Act* and the current advice and recommendations of public health officials, including any advice or recommendations on physical distancing, cleaning or disinfecting.

WeirFoulds’ employment law group is monitoring these developments and will be providing updates as the COVID-19 situation progresses. For more information on how to respond to COVID-19 in your workplace or organization, please contact John, Daniel or Megan.

The information and comments herein are for the general information of the reader and are not intended as advice or opinion to be relied upon in relation to any particular circumstances. For particular application of the law to specific situations, the reader should seek professional advice.

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