

CLASS ORDER

Made pursuant to section 22(5.0.1) of the *Health Protection and Promotion Act (HPPA)*, R.S.O. 1990, c.H.7, as amended

DATE: July 9, 2020

TO: All owners and operators of agricultural farms in the Haliburton and Northumberland counties and the City of Kawartha Lakes who:

- a. Employ migrant farm workers in any capacity,
- b. Participate in the federal Temporary Foreign Worker (TFW) program, OR
- c. Operate any model of seasonal housing accommodations.

WHEREAS under Section 22 (5.0.1) of the HPPA, 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 to a communicable disease;

AND HAVING REGARD TO data available to the Haliburton, Kawartha, Pine Ridge District Health Unit (HKPRDHU), indicating that there is a high risk of increasing spread of COVID-19 within agricultural farms in the counties of Northumberland and Haliburton and the City of Kawartha Lakes.

I AM THEREFORE OF THE OPINION that there exists or may exist a risk to the health of persons residing in the counties of Northumberland and Haliburton and the City of Kawartha Lakes arising from the arrival of migrant farm workers and that the measures specified in this Order are necessary to decrease or eliminate the risks to health associated with the arrival of migrant farm workers and COVID-19.

THEREFORE I, Dr. Lynn Noseworthy, Medical Officer of Health, for the Haliburton, Kawartha, Pine Ridge District Health Unit, ORDER YOU TO TAKE THE FOLLOWING ACTIONS, effective 12:00 p.m. (noon) on July 9, 2020:

1. Notify the Haliburton, Kawartha, Pine Ridge District Health Unit when you come aware that migrant and/or TFWs will be arriving to your agricultural farm and provide said date to the health unit in advance of the workers arrival.
2. Ensure that all employees current or future are exclusively working within one workplace. Employees who are employed at more than one agricultural farm operation must immediately limit this to one agricultural farm.
3. Ensure that any contracted employees current or future are exclusively working for one agricultural farm operation. Individuals who have been contracted by more than one farm operation at a time must immediately limit this to one premise.
4. Ensure that all TFWs who have arrived in Canada are isolated for 14 days from the date of arrival in Canada as per the *Quarantine Act*.

/...2

PROTECTION · PROMOTION · PREVENTION

HEAD OFFICE
200 Rose Glen Road
Port Hope, Ontario L1A 3V6
Phone · 1-866-888-4577
Fax · 905-885-9551

HALIBURTON OFFICE
Box 570
191 Highland Street, Unit 301
Haliburton, Ontario K0M 1S0
Phone · 1-866-888-4577
Fax · 705-457-1336

LINDSAY OFFICE
108 Angeline Street South
Lindsay, Ontario K9V 3L5
Phone · 1-866-888-4577
Fax · 705-324-0455

5. Keep a list of names of all TFWs scheduled to arrive in Canada, their planned date of arrival and a plan for isolation of the TFWs.
6. Ensure TFWs in quarantine are kept at a minimum of 2 metres apart from other employees or provide a separate room or alternative accommodation for the TFWs in isolation.
7. Ensure that no TFW works on any farm until after the completion of their 14-day quarantine period.
8. Ensure that grocery supplies and/or meals are provided to TFWs completing quarantine requirements.
9. Ensure that TFWs in quarantine have adequate provisions in place for laundry and cleaning.
10. Ensure that accurate and updated contact information for all employees (permanent, temporary, or contract) is available to be produced to HKPRDHU within 24 hours of request in support of case management and contact tracing requirements.
11. Follow any directions provided to you by HKPRDHU 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 HKPRDHU.
12. No TFW can be moved into a non-inspected living accommodation without notification and approval from the HKPRDHU.
13. Ensure that HKPRDHU is contacted for approval if renovations occur within pre-existing and approved living accommodations that impact floor space, number of faucets, toilets, showers, and/or bathtubs.
14. Ensure HKPRDHU is notified should owners, operators and/or any employees become symptomatic with COVID-19-like symptoms.
15. Ensure that all individuals are available to be contacted promptly by HKPRDHU for case and contact management as required and that any individuals under HKPRDHU supervision for case and contact management have ongoing access to communication devices (cellular phone or landline) and this contact information is made available to HKPRDHU at all times.
16. Ensure cooperation and compliance with HKPRDHU with regards to prevention of COVID-19 outbreaks on your premises and ensure prompt communication and compliance with all HKPRDHU imposed outbreak measures as required.
17. Notify HKPRDHU if any TFW needs to leave the farm/isolation location for ANY reason during the 14-day isolation period, such as to seek medical attention.
18. Ensure that all known instances of non-compliance with the *Emergency Management and Civil Protection 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.

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 HPPA.

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

A handwritten signature in blue ink, appearing to read "Lynn Noseworthy". The signature is fluid and cursive, with a large, sweeping flourish at the end.

A. Lynn Noseworthy, MD, MHSc, FRCPC
Medical Officer of Health, Haliburton, Kawartha, Pine Ridge District Health Unit
200 Rose Glen Road,
Port Hope, Ontario L1A 3V6

This Order shall be posted on the HKPR District Health Unit website: hkpr.on.ca

Inquiries about this Order should be directed to the HKPR District Health Unit at 1-866-888-4577 ext. 5020