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ROBERT BROOKER

PRESIDENT
MIKE ROMANO

SECRETARY-TREASURER
JOE DI MASO

January 12, 2021

Second Provincial Emergency Order to Address COVID-19 Crisis

CONSTRUCTION

Updated list of construction projects deemed essential:

- Construction projects and services associated with the healthcare sector and long-term care, including new facilities, expansions, renovations, and conversion of spaces that could be repurposed for health care space.
- Construction projects and services required to ensure safe and reliable operations of, or to provide new capacity in, provincial and municipal infrastructure, including transit, transportation, energy, mining, and justice sectors beyond the day-to-day maintenance.
- Construction projects and services that support the operations of, and provide new capacity in schools, colleges, universities, municipal infrastructure and childcare centres within the meaning of the Child Care and Early Years Act, 2014.
- Construction projects under Investing in Canada Infrastructure Program
- Construction projects and services that support the operations of Broadband internet and cellular technologies and services.

Critical Industrial construction activities required for;

- The maintenance and operations of petrochemical plants and refineries,
- Significant industrial petrochemical projects where preliminary work has already commenced,
- Industrial construction and modifications to existing industrial structures limited solely to work necessary for the production, maintenance, and/or enhancement of PPE, medical devices (such as ventilators), and other identified products directly related to combatting the COVID-19 pandemic.
- Construction projects that are due to be completed before **July 2021**, and that would provide additional capacity in the production, processing, manufacturing or distribution of food, beverages, or agricultural products.

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- Construction projects that were commenced before **January 12, 2021**, and that would,
 - Provide additional capacity for businesses that provide logistical support, distribution services, warehousing, storage or shipping and delivery services, or
 - Provide additional capacity

Residential construction projects where;

- A footing permit has been granted for single family, semi-detached and townhomes
 - The project is condominium, mixed use or other residential building, or
 - The project involves renovations to residential properties and construction work was started before January 12, 2021
- Construction to prepare a site for an institutional, commercial, industrial or residential development, including and necessary excavation, grading, roads or utilities infrastructure.
 - Construction and maintenance activities necessary to temporarily close construction sites that have paused or are not active and to ensure ongoing public safety.
 - Below-grade multi-unit residential construction projects, such as apartments and condominiums. The Ontario government also provided that businesses must follow public health measures and should review the workplaces safety guidelines.

Construction on any project intended to provide either

- Affordable housing, or
- Shelter or supports for vulnerable persons

If the project is being funded in whole or in part by, or is being undertaken by, any of the following:

- The Crowns in right of Canada or in right of Ontario,
 - An agency of the Crown in right of Canada or in right of Ontario,
 - A municipality,
 - A service manager as defined in the *Housing Services Act, 2011*, or
 - A registered charity and not for profit within the meaning of the *Income Tax Act* (Canada).
- Workplace outbreaks account for a relatively small part of infection spread in the second wave compared to social gatherings and community transmission.

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- A recent study by the Institute for Work & Health (IWH) found that during the second wave outbreaks among essential service workplaces constituted only about 5% of all cases among working aged adults. [Note: this study excludes cases of transmission to workers in healthcare settings, congregate living, and educational facilities].
- IWH's analysis corresponds with the ministry's inspection findings that show employers are generally complying with best practices in infection control.
- Low incidences of workplace related transmission are further validated by low COVID-19 WSIB claims. To date there have been under 10,000 reported claims despite being over 3 million essential services workers.
- However, some cases of workplace transmission have been tracked back to workers not distancing during lunch/smoke breaks or in off-work activities such as carpooling to the workplace or socializing after a shift. There are also instances of the employer requirements not being followed by workers and patrons, e.g. improper use of protective face coverings.
- To date, Provincial Offences Officers have focused enforcement on ensuring business owners are meeting their obligations. The proposed new measures would enable police and other Provincial Offences Officers to:
 - Ticket individuals (patrons and employees) who are not following restrictions in essential retail settings.
 - Ticket corporate entities, not just individuals (e.g., store managers).
 - The EMPCA order would also impose indoor mask requirements on individuals that mirror the requirements already imposed on businesses to mandate masking. This would facilitate ticketing of employees and patrons for non-compliance.

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