

Important information from Public Health Sudbury & Districts

Dear personal service setting owner or manager:

Everyone is aware of the second wave of COVID-19 that is presently occurring across Canada. Additionally, you are aware of the restrictions that have been put in place in areas with high case rates, in an effort to control the spread. Everyone needs to work together to keep the local number of cases low and to avoid additional restrictions being required in the Public Health Sudbury & Districts service area.

Provincial legislation requires that businesses and organization have policies and practices in place to reduce the risk of the spread of COVID-19 within establishments. These measures are for the protection of yourself, your staff, and your clients.

Under the provincial *COVID-19 Response Framework: Keeping Ontario Safe and Open* <https://www.ontario.ca/page/covid-19-response-framework-keeping-ontario-safe-and-open>, at the present time, requirements for businesses and organizations within the Public Health Sudbury & Districts service area are outlined within [Ontario Regulation 364/20](#) under the [Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020](#). Local owners and operators are expected to be familiar with and ensure that their business or organization is operating in compliance with the provincial legislation.

The points below highlight some sections from *Ontario Regulation 364/20* that apply to personal service settings, as well as information to help you interpret the Regulation – note that this is not a comprehensive list:

- Mask/face covering use and personal protective equipment
 - Mask use is required inside the premises. Some exemptions are outlined within the regulation. All customers are required to wear a mask, as are staff when they are in the areas of the premises to which the customers have access. Staff must also wear a mask when in areas of the premises to which the public does not have access if they are within 2 metres of a co-worker or any other person.
 - In the event that a staff member is providing a service to an individual who is not wearing a mask or face covering (due to one of the listed exemptions or as the nature of the service requires temporary removal of the mask), the staff member is required to wear appropriate personal protective equipment (PPE) which includes a procedure mask and eye protection such as a face shield or close fitting safety glasses.
 - As an added measure of protection for your staff, Public Health Sudbury & Districts recommends the use of eye protection at all times.
 - It should be noted that in the Green and Yellow Zones of the provincial framework, the client's mask may be temporarily removed to receive a service to an area of the face that would be covered by a mask or face covering. However, this is not permitted in the Orange Zone of the provincial framework.

- Physical distancing
 - Staff and clients are expected to maintain a 2 metre distance from other staff or clients. Though physical distancing is not possible while directly providing a service to a client, staff should limit the close contact within 2 meters to clients while providing a service. Furthermore, the general area of the premises must be set up so that physical distancing is in place between the client and worker and other clients and workers.
- Records
 - Ontario Regulation 136/18: PERSONAL SERVICE SETTINGS under Health Protection and Promotion Act, R.S.O. 1990, c. H. 7 requires personal service settings performing high risk procedures such as tattooing or piercing to maintain a record of all clients. Under the Yellow Zone of the provincial framework and higher, all personal care services must record the name and contact information of all clients. Public Health Sudbury & Districts strongly recommends that personal service settings record their client's names and contact information also when in the Green Zone, as an added precaution.
- Safety Plan
 - In the Yellow Zone and above a Safety Plan is required and must be available to your clients and the public while on site. Information on how to develop a safety plan can be found at <https://www.ontario.ca/page/develop-your-covid-19-workplace-safety-plan>
 - Though a Safety Plan is not required under the Green Zone of the provincial framework, Public Health Sudbury & Districts strongly recommends that owners/operators have this in place at all times as a protective measure for all who attend your premises.
- Screening
 - Based on the guidance document, *COVID-19 Screening Tool for Workplaces (Businesses and Organizations)* http://health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/workplace_screening_tool_guidance.pdf, daily screening is required for all staff and essential visitors before they enter the workplace. The document outlines the requirements for screening and supplies a basic screening tool. Another screening tool can be found at <https://covid-19.ontario.ca/self-assessment/>. Although active screening is not required for patrons entering a workplace (e.g., customers entering a store, restaurant, bar or other food or drink establishment) given the close proximity of staff and clients in a personal service setting, Public Health Sudbury & Districts recommends that active screening of clients be conducted.

If you have any questions please contact Public Health Sudbury & Districts at 705.522.9200, ext. 464 (toll-free 1.866.522.9200).

Best regards,

Public Health Sudbury & Districts

The following lists above noted sections of **Ontario Regulation 364/20: RULES FOR AREAS IN STAGE 3 under Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, S.O. 2020, c. 17** <https://www.ontario.ca/laws/regulation/200364>. Owners and operators are strongly encouraged to review the complete regulation.

Safety plan

5. (1) A person who is required under this Order to prepare and make available a safety plan in accordance with this section, or to ensure that one is prepared and made available, shall comply with the requirement no later than seven days after the requirement first applies to the person. O. Reg. 642/20, s. 3.
 - (2) The safety plan shall describe the measures and procedures which have been implemented or will be implemented in the business, place, facility or establishment to reduce the transmission risk of COVID-19. O. Reg. 642/20, s. 3.
 - (3) Without limiting the generality of subsection (2), the safety plan shall describe how the requirements of this Order will be implemented in the location including by screening, physical distancing, masks or face coverings, cleaning and disinfecting of surfaces and objects, and the wearing of personal protective equipment. O. Reg. 642/20, s. 3.
 - (4) The safety plan shall be in writing and shall be made available to any person for review on request. O. Reg. 642/20, s. 3.
 - (5) The person responsible for the business, place, facility or establishment shall ensure that a copy of the safety plan is posted in a conspicuous place where it is most likely to come to the attention of individuals working in or attending the location. O. Reg. 642/20, s. 3.

Schedule 1

General compliance

2. (1) The person responsible for a business or organization that is open shall ensure that the business or organization operates in accordance with all applicable laws, including the Occupational Health and Safety Act and the regulations made under it.
 - (2) The person responsible for a business or organization that is open shall operate the business or organization in compliance with the advice, recommendations and instructions of public health officials, including any advice, recommendations or instructions on physical distancing, cleaning or disinfecting.
 - (3) The person responsible for a business or organization that is open shall operate the business or organization in compliance with the advice, recommendations and instructions issued by the Office of the Chief Medical Officer of Health on screening individuals.

(4) The person responsible for a business or organization that is open shall ensure that any person in the indoor area of the premises of the business or organization, or in a vehicle that is operating as part of the business or organization, wears a mask or face covering in a manner that covers their mouth, nose and chin during any period when they are in the indoor area unless the person in the indoor area,

(a) is a child who is younger than two years of age;

(b) is attending a school or private school within the meaning of the Education Act that is operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health;

(c) is attending a child care program at a place that is in compliance with the child care re-opening guidance issued by the Ministry of Education;

(d) is receiving residential services and supports in a residence listed in the definition of “residential services and supports” in subsection 4 (2) of the Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008;

(e) is in a correctional institution or in a custody and detention program for young persons in conflict with the law;

(f) is performing or rehearsing in a film or television production or in a concert, artistic event, theatrical performance or other performance;

(g) has a medical condition that inhibits their ability to wear a mask or face covering;

(h) is unable to put on or remove their mask or face covering without the assistance of another person;

(i) needs to temporarily remove their mask or face covering while in the indoor area,

(i) to receive services that require the removal of their mask or face covering,

(ii) to engage in an athletic or fitness activity,

(iii) to consume food or drink, or

(iv) as may be necessary for the purposes of health and safety;

(j) is being accommodated in accordance with the Accessibility for Ontarians with Disabilities Act, 2005;

(k) is being reasonably accommodated in accordance with the Human Rights Code; or

(l) performs work for the business or organization, is in an area that is not accessible to members of the public and is able to maintain a physical distance of at least two metres from every other person while in the indoor area.

(5) Subsection (4) does not apply with respect to premises that are used as a dwelling if the person responsible for the business or organization

ensures that persons in the premises who are not entitled to an exception set out in subsection (4) wear a mask or face covering in a manner that covers their mouth, nose and chin in any common areas of the premises in which persons are unable to maintain a physical distance of at least two metres from other persons.

(6) For greater certainty, it is not necessary for a person to present evidence to the person responsible for a business or place that they are entitled to any of the exceptions set out in subsection (4).

(7) A person shall wear appropriate personal protective equipment that provides protection of the person's eyes, nose and mouth if, in the course of providing services, the person,

(a) is required to come within 2 metres of another person who is not wearing a mask or face covering in a manner that covers that person's mouth, nose and chin during any period when that person is in an indoor area; and

(b) is not separated by plexiglass or some other impermeable barrier from a person described in clause (a).

Capacity limits for businesses or facilities open to the public

3. (1) The person responsible for a place of business or facility that is open to the public shall limit the number of persons in the place of business or facility so that every member of the public is able to maintain a physical distance of at least two metres from every other person in the business or facility, except where Schedule 2 allows persons to be closer together.
- (2) For greater certainty, subsection (1) does not require persons who are in compliance with public health guidance on households to maintain a physical distance of at least two metres from each other while in a place of business or facility.

Cleaning requirements

6. (1) The person responsible for a business or place that is open shall ensure that,
- (a) any washrooms, locker rooms, change rooms, showers or similar amenities made available to the public are cleaned and disinfected as frequently as is necessary to maintain a sanitary condition; and
- (b) any equipment that is rented to, provided to or provided for the use of members of the public must be cleaned and disinfected as frequently as is necessary to maintain a sanitary condition.
- (2) For greater certainty, clause (1) (b) applies to computers, electronics and other machines or devices that members of the public are permitted to operate.

Schedule 2

Personal care services

4. Personal care services relating to the hair or body, including hair salons and barbershops, manicure and pedicure salons, aesthetician services, piercing services, tanning salons, spas and tattoo studios, may open if they comply with the following conditions:

1. Persons who provide personal care services in the business must wear appropriate personal protective equipment.
 - 1.1 In the Orange Zone, no personal care services that require the removal of a mask or face covering may be provided.
2. In Stage 3 areas outside of the Orange Zone, patrons must wear masks or face covering at all times while receiving personal care services, except while receiving services that tend to an area of their face that would be covered by a mask or face covering.
3. Oxygen bars, steam rooms and saunas must be closed.
4. In the Yellow Zone and the Orange Zone, the person responsible for the establishment must ensure that a safety plan is prepared and made available in accordance with section 5 of this Order.
5. In the Yellow Zone and the Orange Zone, the person responsible for the establishment must,
 - i. record the name and contact information of every patron,
 - ii. maintain the records for a period of at least one month, and
 - iii. only disclose the records to a medical officer of health or an inspector under the Health Protection and Promotion Act on request for a purpose specified in section 2 of that Act or as otherwise required by law.
6. In the Orange Zone, the person responsible for the establishment must ensure that sensory deprivation pods are closed, unless they are used for a therapeutic purpose prescribed by, or administered by, a regulated health professional.