

## Human Resources Legislative Update

### Ontario Order Eases Restrictions and Expands List of Essential Businesses to Include Professional Sports League Training Facilities

**Date:** May 8, 2020

On May 7, 2020, the Ontario government filed [Ontario Regulation \(O. Reg.\) 200/20](#) (Order) made under the *Emergency Management and Civil Protection Act* which amends [O. Reg. 82/20 – Closure of Places of Non-Essential Businesses](#). The Order confirms the easing of restrictions that will allow retail and certain essential construction to resume activity effective at specified dates, as we described in our *Human Resources Legislative Update* of May 6, 2020 [Ontario to Ease Restrictions for Retail and Essential Construction](#).

Garden centres and plant nurseries (including greenhouses that engage in retail sales to the public), hardware and safety supply stores have been added to the list of essential businesses in Schedule 2 of O. Reg. 82/20. Below-grade residential constructions projects (condominium, mixed use or other residential buildings) have also been added to Schedule 2.

For retail businesses not listed as an essential business in Schedule 2, they are permitted to open to engage in retail sales subject to the following restrictions: sales are exclusively made using alternative methods of sale (e.g. curbside pick up or delivery), there is a public entrance that opens onto a street or exterior sidewalk and, barring exceptional circumstances, no member of the public is permitted to access the place of business.

The Order states that temporary access to a closed place of business is now authorized for the purpose of preparing the place of business to be reopened.

In addition, training facilities operated by a sports team in the following professional sports leagues have been added to the list of essential businesses, but only for use by players on the team and such staff as are strictly necessary to operate the facility and support the training or conditioning of the players:

- A. Canadian Football League
- B. Major League Baseball
- C. Major League Soccer
- D. National Basketball Association
- E. National Hockey League

These training facilities must also establish, and follow, health and safety protocols for the use of such facilities.