

Human Resources Legislative Update

COVID-19 Update: More Businesses Permitted to Reopen

Date: June 19, 2020

The last week saw numerous announcements and regulatory changes as the Ontario government continues to ease restrictions and permit more businesses to resume their operations.

Stage 1

All businesses other than the specified essential businesses must remain closed during Stage 1. The Order made under the *Emergency Management and Civil Protection Act* giving effect to these changes has been amended on many occasions during the pandemic. For the full list of businesses which are deemed to be essential, please consult the Order ([Ontario Regulation \(O. Reg.\) 82/20](#) (formerly “Closure of Non-Essential Businesses” now renamed “Stage 1 Closures” as amended by [O. Reg. 262/20](#))).

Peel Region, Toronto and Windsor-Essex remain in Stage 1 with no date for Stage 2 announced.

Stage 2

On June 12, 2020, most of the regions outside the “Golden Horseshoe” were permitted to move to Stage 2, as set out in an Order made under the EMCPA ([O. Reg. 263/20](#) “Stage 2 Closures”). That Order generally permits businesses to open, subject to the specified restrictions and health and safety obligations. Note that some places of business remain closed even in Stage 2, and the regulation must be consulted to ensure what limits are engaged.

Effective June 19, 2020, Durham, Haldimand-Norfolk, Halton, Hamilton, Lambton, Niagara and York have been moved to Stage 2.

For a more detailed summary, please see our Human Resources Legislative Update article [Ontario Announces Stage 2 Regional Reopening](#).

Organized Public Events, Certain Gatherings

Effective June 12, 2020, social gatherings, organized public events or a gathering for a wedding, a funeral or a religious service, rite or ceremony may have up to ten people in attendance ([O. Reg. 52/20](#), as amended).

Indoor weddings, funerals and religious ceremonies are limited to 30% capacity of the room, if certain conditions are met. Outdoor weddings, funerals and religious ceremonies are limited to 50 persons, if certain conditions are met.

Child Care Centres

Child care centres were permitted to reopen effective June 12, 2020 (the Order which had prohibited their opening [has been revoked](#)).

The government added new COVID-19 rules governing the operation of child care centres by passing [O. Reg. 261/20](#), which amends the [General Regulation](#) made under the *Child Care and Early Years Act, 2014*.

[Child care centres must develop a COVID-19 plan](#) and make it available to every parent of a child enrolled at the centre or considering enrolling at the centre and every employee.

The maximum number of children and employees in a group is ten. Every person entering the child care centre must be screened for symptoms of COVID-19. Records of the screening must be kept for 12 months. Volunteers are not permitted on site.

Child care centres must not charge a fee to prioritize a child's admission or readmission, nor can they charge a fee if a child attended the child care centre before the pandemic declines a placement offered to the child.

Note that in geographic areas still in Stage 1 and still under O. Reg. 82/20, home child care services remain limited to 6 children. Also, EarlyON child and family centres remain closed to the public.

As the province permits more business to reopen in Stage 2, and more businesses resume their operations, they will likely face additional return to work questions. We identify some common employment, human rights, health and safety and privacy issues which may arise as businesses reopen in our *FTR Now* [Ensuring a Successful Return to Work in a COVID-19 World](#).

If your business faces any return to work questions, please contact your regular Hicks Morley lawyer.