

FTR Now

Ontario Releases New Framework for COVID-19 Public Health Restrictions

Date: November 5, 2020

On November 3, 2020, the Ontario [government released](#) its [COVID-19 Response Framework: Keeping Ontario Safe and Open \(Framework\)](#) which the government states “will serve as an early warning system allowing [it] to scale up and scale back public health restrictions on a regional or community basis in response to surges and waves of COVID-19.” The Framework will apply to businesses and organizations that operate within the applicable Public Health Units, and it also contains sector-specific health and safety measures.

Public Health Units will be assigned to one of five levels under the Framework based on epidemiology statistics, health system capacities and public health system capacities in those areas. These local indicators will be generally assessed on the information from the prior two weeks.

The levels are colour-coded and range from standard measures to maximum measures for controlling the pandemic:

- Green-Prevent (Standard Measures)
- Yellow-Protect (Strengthened Measures)
- Orange-Restrict (Intermediate Measures)
- Red-Control (Stringent Measures)
- Gray-Lockdown (Maximum Measures)

Further to a [news release issued on Friday, November 6](#), the government confirmed the levels into which all Public Health Units are to be placed.

The following Units are to be placed in Level Green:

- Algoma Public Health
- Chatham-Kent Public Health
- Grey Bruce Health Unit
- Kingston, Frontenac and Lennox & Addington Public Health
- Haliburton, Kawartha, Pine Ridge District Health Unit
- Hastings Prince Edward Public Health
- Huron Perth Public Health
- Lambton Public Health
- Leeds, Grenville & Lanark District Health Unit
- Middlesex-London Health Unit
- North Bay Parry Sound District
- Northwestern Health Unit
- Peterborough Public Health
- Porcupine Health Unit
- Public Health Sudbury & Districts
- Renfrew County and District Health Unit
- Southwestern Public Health
- Thunder Bay District Health Unit
- Timiskaming Health Unit
- Windsor-Essex County Health Unit.

The following Units are to be placed in Level Yellow:

- Brant County Health Unit
- City of Hamilton Public Health Services
- Durham Region Health Department
- Eastern Ontario Health Unit
- Haldimand-Norfolk Health Unit
- Halton Region Public Health
- Niagara Region Public Health
- Region of Waterloo Public Health and Emergency Services
- Simcoe Muskoka District Health Unit
- Wellington-Dufferin-Guelph Public Health.

The following Units are to be placed in Level Orange:

- Ottawa Public Health
- York Region Public Health.

The following Unit will be placed in Level Red:

- Peel Region

The Toronto Public Health Unit will remain in modified Stage 2 until November 14, 2020.

The Framework applies to businesses and organizations, and includes general public health safety measures, along with sector-specific public health and workplace safety measures including in respect of:

- restaurants, bars and food or drink establishments
- sports and recreational fitness
- meetings and event spaces
- retail
- personal care services
- casinos, bingo halls and gaming establishments
- cinemas
- performing arts facilities.

The proposed measures are similar to the measures currently in effect under the Rules of Stage 3 Areas (for Levels Green, Yellow and Orange), and the modified Rules for Stage 2 Areas (for Level Red). Level Grey would result in a more total lockdown akin to the Rules for Stage 1.

Notwithstanding this general similarity between the current rules and the proposed measures, *there are differences depending on the specific level to which an area is assigned*. Moreover, the measures for each level and sector are very detailed and employers should carefully review the specific proposed changes that are outlined in the Framework that are applicable to their operations based on the level that will apply to their area of the province.

The government has stated that the transition of the Public Health Units will be effective as of 12:01 a.m. November 7, 2020. As noted above, one exception is Toronto.

Decisions relating to movement of the Public Health Units within the Framework will then be made on a weekly basis. The government states it will continuously review the impact of the public health measures on the Public Health Units over a 28-day period.

At this time, it is not known whether the government will be issuing new regulations to give effect to the Framework, or whether the measures that are implemented will be exactly as described in the Framework as released on November 3. We will continue monitoring developments related to the new Framework as it is rolled out.

Editor's Note: On November 6, 2020, the post was updated from its earlier version with the announcement of the placement of the Public Health Units.

Please call your regular [Hicks Morley lawyer](#) should you have questions about the Framework.