

**Date:** April 27, 2020

**Memo to:** MCCSS-Funded Residential Service Providers  
Developmental Services, Violence Against Women, and Intervenor  
Services Sectors

**From:** Karen Singh  
Director, Central Region

**Re:** Emergency Order for Residential Providers in the Developmental  
Services, Violence Against Women, and Intervenor Services Sectors

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I am writing to let you know about a new emergency order made on April 24, 2020 under the *Emergency Management and Civil Protection Act*, and to advise you of additional steps you should take as part of the government's COVID-19 Action Plan for Vulnerable People announced April 23, 2020.

The new emergency order will place limits on staff mobility in congregate residential settings in the adult developmental services, violence against women, anti-human trafficking and intervenor services sectors. This order is an important prevention and infection control measure to help contain the spread of COVID-19.

As global research continues to develop on COVID-19, experts are now aware that some people can acquire and transmit the virus without obvious symptoms or impacts of the illness. This is called "asymptomatic transmission." In the sectors noted above, the movement of staff can result in a significant risk of asymptomatic transmission of COVID-19. It is critical the lessons and evidence of other sectors, jurisdictions and scientific research be used to prevent widespread outbreak, illness and death in our group homes and congregate residential settings, wherever possible. That is why the government has issued this order, which limits the mobility of staff while respecting the unique operational and service delivery landscape of many of the agencies who deliver residential services – and the critical supports to residents -- in these sectors.

The emergency order requires:

1. Agencies providing residential services in the developmental services, intervenor services, violence against women, and anti-human trafficking sectors to follow COVID-19 guidance, recommendations and advice of the Ministry of Health and the Chief Medical Officer of Health. As part of this guidance, MOH has issued

“COVID-19 Guidance: Group Homes and Co-Living Settings”, dated April 1, 2020. This guide can be found at the following link:

[http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/2019\\_guidance.aspx](http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/2019_guidance.aspx)

2. Agency staff, as defined in the order, who work for multiple employers, subject to the order, in the same sector, must declare a choice to work for one employer in their respective sector, in accordance with the notice periods outlined in the order. Agency staff would not be restricted from working for other employers outside their sector. The order applies to regular and fixed term employees as well as persons hired through an employment agency or other third party to perform work directly at a residence operated by the agency. The order does not apply to agency staff who are able to work entirely remotely, independent contractors (such as cleaning or laundry services) or external for-profit providers sub-contracted by service agencies; and
3. In situations where a COVID-19 outbreak at a congregate care setting occurs, employers may schedule those employees who are determined to have been exposed to the virus only at that site until the recommendations and instructions of public health authorities.

As a result of this Order, when an employee is restricted to a single employer in their sector, or a single residential setting if there is a COVID-19 outbreak, the employee will be unable to be scheduled to work at another residential setting in the same sector, as defined in the Order.

It is important to note that:

- An employee of a congregate care setting service agency who is subject to the Congregate Care Setting Order and is limited from working at a residence operated by a different congregate care setting service agency in the same sector, may be able to access an unpaid, job-protected leave of absence under section 50.1 of the *Employment Standards Act, 2000*
- Section 50.1 of the *Employment Standards Act, 2000* provides an employee to a job-protected leave of absence without pay if the employee is not performing the duties of their position because of the declared emergency and certain specific circumstances or the employee is not performing the duties of their position because of certain specific reasons related to COVID-19.
- While, employees' entitlements under s. 50.1 of the ESA are determined on a case by case basis, depending on the individual circumstances, it is the government's intent that employees will not lose their jobs at these other locations Employees can contact Ministry of Labour and Training and Skill Development for more information.

The ministry acknowledges that the emergency measures outlined in this order may have an impact on employees' normal work location(s) and hours of work and on the

employers' staffing and scheduling models. It is the ministry's expectation that agency employers continue to engage in good faith dialogue with their bargaining agents in implementing this order. To that end, we suggest agency employers, provide advance notice and continue to consult with bargaining agents whenever feasible.

We further suggest that employers seek the input and feedback of bargaining agents as the circumstance of the situation permit. Employers should consult with the joint health and safety committee or health and safety representative, if any, and consider their recommendations before developing, establishing and putting into effect measures and procedures related to COVID-19 and applicable emergency orders.

While this order does not apply to independent contractors, the ministry encourages you to take all steps to reduce the number/frequency of external service providers entering the residence and ensure appropriate infection control measures are in place when they must.

A copy of the emergency order will be available on the e-Laws website at <https://www.ontario.ca/laws> and is also posted on the Emergency Management Ontario website at <https://www.ontario.ca/page/emergency-information>. I would encourage you to review it and consult with your agency's legal council for advice and understanding of the Order's application to your organisation.

#### *Incident Reporting*

As a reminder, you have an obligation to immediately isolate any residents who are showing symptoms of COVID-19 and staff showing symptoms should go home and report to public health, or who have been exposed to someone who has COVID-19. Further, you must report to your local public health unit if a resident or staff has COVID-19 symptoms or tests positive for COVID-19.

The requirement to report suspected or confirmed cases of COVID-19 through a Serious Occurrence Report and communication with your MCCSS program supervisor continues.

As we know, this is an unprecedented time. My colleagues and I at the Ministry of Children, Community and Social Services understand that there are many challenges for you and your staff who are on the front lines providing supports to vulnerable people and their families – some of whom may be well, and some of whom may have become ill with COVID-19.

Thank you again for your cooperation, flexibility, support, and collaboration during this time. It is so important that we all work together to reduce exposure and limit the spread of COVID-19 to keep everyone – especially our frontline workers and the vulnerable people they support – as safe and as healthy as possible.

If you have any questions regarding the emergency order, please contact your MCCSS program supervisor.

Stay well,

A handwritten signature in blue ink, appearing to read 'K.S.', with a small dot at the end.

Karen Singh

*Please see attached Appendix A for Other Actions in the COVID-19 Action Plan for Vulnerable People*

## Appendix A

### Other Actions in the COVID-19 Action Plan for Vulnerable People

In addition to the emergency order for congregate residential settings in the developmental services, intervenor services, violence against women and anti-human trafficking sectors, the COVID-19 Action Plan for Vulnerable Persons outlines several other measures that will:

1. Enhance screening to reduce exposure and prevent spread;
2. Manage outbreaks and limit spread through infection control; and
3. Help to sustain staff and manage staff shortages.

The Ministry of Children, Community and Social Services (MCCSS) will continue to communicate new measures under the plan, including any changes to Emergency Orders, ministry directives or guidance and requirements from the Ministry of Health.

At this time, we would like to review several important things for you to know, and for you to do, under the Action Plan to help protect the people you support and the people who support them from COVID-19.

#### COVID-19 Reporting

##### *To Know:*

Cases of COVID-19 among staff or among residents – whether presumptive or tested positive are serious occurrences under MCCSS policy, and are required to be reported both to the Ministry and your local public health unit.

##### *To Do:*

Where you become aware of a presumptive or positive case of COVID-19 among staff or residents you must:

- Contact your local public health unit and follow their direction;
- Advise your MCCSS program supervisor; and
- Complete a Serious Occurrence Report.

You also have an obligation to immediately isolate any residents or staff who are showing symptoms of COVID-19, or who have been exposed to someone who has COVID-19.

Guidance on isolation procedures is found in the Ministry of Health's "[COVID-19 Guidance: Group Homes and Co-Living Settings](#)" and in Fact Sheets prepared by [Public Health Ontario](#).

## COVID-19 Testing

### *To Know:*

Current testing protocols prioritize testing for vulnerable people living in congregate care settings and for staff working in those settings. In addition, many public health units will now screen all residents and staff in a congregate care setting when COVID-19 has been identified in one resident or staff. Further, many communities are now taking mobile approaches to testing for vulnerable people through collaboration between public health and paramedic services or using community agencies' own capacity (e.g. staff nurses).

The "Testing Resources" section of the Ministry of Health's [COVID-19 website](#) includes documents that highlight prioritization of vulnerable populations and staff for testing. In particular, see the documents "COVID-19 Provincial Testing Guidance Update" and "Coronavirus Disease 2019 (COVID-19) Testing - PHO"

### *To Do:*

- Bring a copy of the guidance document to a testing centre if you attend one, and advise the staff you are from a priority group.
- When speaking to your public health unit advise them of your status as a priority population and request they consider screening all residents and staff.
- When speaking to your public health unit advise them of your status as a priority population and ask if there are mobile testing options available to bring screening to your residents where this may be beneficial.

## COVID 19 Hygiene and Screening

### *To Know:*

Restricting entry of non-essential persons to congregate care settings is a key way to stop the spread. Rigorous and regular practice of hand hygiene among people in congregate care settings is also essential prevention. Regular symptom monitoring allows rapid action to limit exposure and to identify and address presumptive cases rapidly.

Guidance on these matters is found in [“COVID-19 Guidance: Group Homes and Co-Living Settings”](#). In particular, see the “Prevention” section of the document for details on Hand Hygiene and the “Screening” sections for guidance on screening practices.

The Ministry of Health’s documents for the health sector providing information on symptoms ([“COVID-19 Reference Document for Symptoms”](#)) and on patient screening ([“COVID-19 Patient Screening Guidance Document”](#)) are also a valuable resource.

*To Do:*

- Eliminate all non-essential entry to congregate care settings.
- Screen every person on entry for symptoms and deny entry to persons who do not pass the screen.
- Require rigorous hand hygiene on entry and at regular intervals throughout the day per guidance.
- Screen residents and staff twice per day for symptoms, including fever. Track and monitor screening results.

## Personal Protective Equipment (PPE)

*To Know:*

Appropriate use of the right equipment at the right time reduces the spread of active infection, including the risk of asymptomatic transmission. More extensive PPE use is required to address active symptomatic infection. More basic measures are needed to address asymptomatic transmission risk.

We have partnered with Ontario Association of Children’s Aid Societies (OACAS) to develop a more streamlined process to procure and distribute PPE to all MCCSS-funded residential service providers. We have efforts in place to meet demand where supplies of masks and gloves are being distributed to support basic preventative level use across the province.

Additionally, if your agency is experiencing an acute outbreak and requires additional supplies, please work with your ministry contact to access PPE in a timely manner.

*To Do:*

We have developed a Critical Supplies and Equipment (CSE) [survey](#) (password: PPEsurvey2020) to confirm current inventory and anticipated weekly demand for PPE across multiple sectors within the province to help inform ongoing provincial planning. Your participation in this survey helps us get the right equipment to you. Please

continue to provide your information through the survey process to enable estimates of demand for PPE and make linkages with suppliers where possible as the situation continues to evolve.

Additionally, please begin requiring staff to wear masks at all congregate care sites regardless of infection status. Limit this preventative masking to 1 mask per person, per shift to ensure conservation.

In the case of outbreak, please connect with your ministry-contact to obtain information on how to place required order and receive PPE in an expedited manner.

Please work with your public health unit regarding training information about appropriate usage of PPE including doffing, donning and disposal. The global supply shortage continues which will require careful conservation of existing supplies.