

April 3, 2020

RHRA Guidance on Ontario Regulation 118/20 under the Emergency Management and Civil Protection Act

Order	RHRA Guidance
<p>Section 1 - Application This order applies to every retirement home and licensee within the meaning of the <i>Retirement Homes Act, 2010</i></p>	No guidance necessary.
<p>Section 2 – Work redeployment and staffing For the duration of the emergency, a licensee shall and is authorized to take, with respect to work deployment and staffing, any reasonably necessary measure to respond to, prevent and alleviate the outbreak of the coronavirus (COVID-19) (the “Virus”) in a retirement home</p>	No guidance necessary.
<p>Section 3 Measures</p> <ol style="list-style-type: none"> 1. Identify staffing priorities and develop, modify and implement redeployment plans, including the following: <ol style="list-style-type: none"> i. Changing the assignment of work, including assigning non-bargaining unit employees or contractors to perform bargaining work. ii. Change the scheduling of work or shift assignments iii. Deferring or cancelling vacations, absences or other leaves, regardless of whether such vacations, absences or leaves are established by statute, regulation, agreement or otherwise iv. Employing extra part-time or temporary staff or contractors including for the purposes of performing bargaining unit work 	To the extent that licensees are concerned with their legal obligation with respect to employees, licensees are encouraged to seek labour and employment advice.
<ol style="list-style-type: none"> v. Using volunteers to perform work including to perform bargaining unit work 	Relates to work normally performed by staff. Screening measures for COVID-19 apply as per staff.
<ol style="list-style-type: none"> vi. Suspending for the duration of the emergency, the requirement to conduct screening measures required by Section 64 of the Retirement Homes Act, 2010, including the requirement to conduct a police record check, if other screening measures that ensure the care and safety of 	Police record checks are not required for the duration of the emergency order; self-declaration is acceptable.

<p>residents are conducted before hiring staff and accepting volunteers to work in the retirement home. All screening measures related to the Virus shall continue to be conducted.</p>	
<p>vii. Providing appropriate training or education as needed to staff and volunteer to achieve the purposes of a redeployment plan and to ensure the care and safety of residents.</p>	<p>Staff, volunteers and contractors shall be given sufficient information in order for them to properly perform their duties and respond to crisis. In addition, adequate oversight is to be in place in order to ensure care is completed in a manner as not to put residents at risk of serious harm. This general provision will not permit individuals who are not part of an appropriate regulated health college to perform tasks that is limited/contemplated for those designated individuals. The licensee shall ensure that staff performing tasks as part of a regulated health college are in good standing. This replaces previous RHRA guidance on training issued on March 22.</p>
<p>Section 3 2. Conduct any skills and experience inventories of staff to identify possible alternative roles in priority areas</p>	<p>No guidance necessary.</p>
<p>Section 3 3. Require and collect information from staff, contractors or volunteers about their availability to provide services for the licensee.</p>	<p>Licensees are authorized and required to collect from their staff, volunteers and contractors their availability to work in that home to facilitate contingency planning for staffing shortages. Staff, volunteers and contractors are required to provide this information to licensees.</p>
<p>Section 3 4. Require and collect information from staff, contractors or volunteers about their likely or actual exposure to the Virus, or about any other health conditions that may affect their ability to provide services</p>	<p>Licensees are authorized and required to develop an inventory of workers' potential exposure to COVID-19 or other health conditions that may not allow them to work. This includes other locations where any staff, volunteers and contractors have worked for the last 14 days.</p>
<p>Section 3 5. Report an outbreak of the Virus to the Authority, within the meaning of the Retirement Homes Act, 2010 on the same day that the outbreak is reported to the local medical officer of health or designate under subsection 27 (5) of Ontario Regulation 166/11 (General) made under the Retirement Homes Act 2010</p>	<p>Licensees must report any COVID-19 outbreak to RHRA. The report must include the name of the home, licence number, number of positive resident cases, number of positive staff cases and identification of public health contact. Licensees must send to info@rhra.ca. Homes must consider one laboratory confirmed case of COVID-19 as an outbreak.</p>
<p>Section 3 6. Cancel or postpone interdisciplinary care conference that are not related to responding to, preventing or alleviating the outbreak of the Virus.</p>	<p>No guidance necessary.</p>
<p>Section 3 7. Suspend, for the duration of the emergency, any grievance process with respect to any matter referred to in this order.</p>	<p>No guidance necessary</p>

<p>Section 3</p> <p>8. Suspend, for the duration of the emergency, any requirement to document or post new information, except for requirement to document an incident of a significant nature or where documentation is required to ensure the proper care and safety of a resident.</p>	<p>Licensees must post COVID-19 related materials directed by Ontario’s Chief Medical Officer of Health, Ministry of Health or the local public health unit. Signage in the home must clear about COVID-19 including signs and symptoms of COVID 19 and steps that must be taken if COVID-19 is suspected or confirmed in staff or a resident. Examples of an incident of significant nature where documentation is required include (but not limited to) a material change in a plan of care or a medication error. For further clarification, please contact RHRA.</p>
<p>Section 4 Redeployment plans</p> <p>For greater certainty, a licensee may implement redeployment plans without complying with provision of a collective agreement, including seniority/service or bumping provisions</p>	<p>No guidance necessary</p>
<p>Section 5 Licensees shall comply with the <i>Health Protection and Promotion Act</i></p> <p>Despite anything in this Order, a licensee shall comply with any applicable directive issued under the <i>Health Protection and Promotion Act</i>.</p>	<p>Licensees must comply with directives and guidance from the CMOH as applicable and with respect to any other directives issued regarding the HPPA. In the event there is a conflict, the directives from the CMOH and the HPPA supersedes this order.</p>
<p>Section 6</p> <p>For greater certainty, nothing in this Order derogates from the responsibility of a licensee to ensure a safe and secure environment for residents.</p>	<p>No guidance necessary</p>