

**Ministry of Municipal
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January 7, 2022

MEMORANDUM TO: Municipal Chief Administrative Officers and Clerks

SUBJECT: Omicron Variant of COVID-19, Testing and Isolation Guidelines, and Emergency Work Deployment Order O.Reg.157/20

I am writing today to provide updated information related to the ongoing pandemic and Ontario's response to protect against the Omicron variant. I will start by acknowledging that Ontario is very grateful for the continued partnership with Ontario's municipalities. Local leaders and public servants have been at the forefront of the response to COVID for going on two years now and your leadership and resiliency have been remarkable.

Ontario Temporarily Moving to Modified Step Two of the Roadmap to Reopen

On January 3, 2022, Ontario announced that in response to recent trends that show an alarming increase in COVID-19 hospitalizations, the province will return to a modified version of Step Two of the Roadmap to Reopen effective Wednesday, January 5, 2022 at 12:01 a.m. for at least 21 days (until January 26, 2022).

Among a range of measures this includes reduced limits for social gatherings and indoor organized public events, closures and restrictions for businesses and organizations, and a requirement for remote work unless the nature of the work requires employees to be onsite.

I encourage you to review, with your legal counsel, the rules for areas in Step Two which are set out in O Reg 263/20: Rules for Areas in Step 2. Subsection 1 (7) of Schedule 1 of the regulation provides that nothing in the order precludes operations or delivery of services by any governments (which includes municipalities).

The measures also include a return to remote learning for Ontario students until January 17, 2022. During this period free emergency childcare will be provided for school aged children of eligible frontline workers. The list of eligible workers is set out in Schedule 4 of O. Reg. 263/20 which can be found at: <https://www.ontario.ca/laws/regulation/200263#BK8>

Municipalities have the flexibility to determine what local procedures work best for them to maintain continuity of operations and decision-making while complying with all applicable laws and public health measures. In addition, local Medical Officers of Health may issue Section 22 orders under the *Health Protection and Promotion Act* or instructions under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* to apply public health and workplace safety measures.

New Testing and Isolation Guidelines

On December 30, 2021, in consultation with the Chief Medical Officer of Health, Ontario updated its COVID-19 testing and isolation guidelines. These updates, based on emerging evidence from Canada and other jurisdictions, are focused on ensuring resources are available for the highest-risk settings and the most vulnerable and help keep critical services running.

For further information, I encourage CAOs and Clerks to review the detailed information on the updates to testing and isolation guidelines found [here](#) and [here](#).

Work Deployment Order

I would like to take this opportunity to remind you that the municipal work deployment order ([O. Reg. 157/20](#)) under the *Reopening Ontario Act, 2020*, remains in place at this time to provide municipalities with the flexibility to deploy certain of their staff to where they are needed most. As you know, this is a temporary measure that is reviewed regularly and, if determined to be necessary can be renewed after each 30-day period.

Moreover, as you and others in your organization consider whether and how you will exercise the authority under this emergency order, I would ask that you consider the following:

- In making staffing decisions, first provide opportunity for full-time work to existing part-time staff before seeking out and employing extra full-time staff from outside your organization.
- In redeploying staff, should there be a difference in the terms and conditions of work, in the different departments of the organization, the expectation is that staff will not receive a lower wage than their home position.
- The *Occupational Health and Safety Act* and existing rights under the *Employment Standards Act* will continue to apply.
- Municipalities, as employers, are required to comply with all provincial orders, as well as any guidance and safety standards prescribed by the province for COVID-19. They are also responsible for ensuring that any staff being reassigned to new duties have the required training and skills.

For municipalities who are relying on the order to deploy staff, it is important to work collaboratively and engage in good faith with bargaining agents when using the order's authority, and to develop longer-term staffing plans and identify related resource needs for when the order is no longer in effect.

Municipalities are encouraged to review this and other applicable orders (available on the Government's Emergency Information webpage at: [Ontario.ca/alert](https://ontario.ca/alert) and work with their legal counsel for advice and understanding of the flexibility and obligations this and other orders provides municipalities, as employers.

Vaccine Boosters and Proof of Vaccination Updates

To protect Ontario's progress in the fight against COVID-19 and slow the spread of the Omicron variant, the government is taking actions, including [rapidly accelerating its booster dose rollout](#), and enhancing proof of vaccination requirements, which will impact businesses and organizations. Your continued support in the delivery of vaccinations remains critical to our shared success.

As of Monday, December 20, 2021, individuals aged 18 and over are eligible to schedule their booster dose appointment. At this time, this does not change the definition of fully vaccinated.

Please reference the full set of guidance which is found [here](#). Please continue to check regularly for updates on this site as situation change.

Proof of vaccination requirements at select [businesses and organizations](#) will remain in effect beyond January 17, 2022.

Starting January 4, 2022, it will be mandatory for individuals to use the enhanced vaccine certificate with QR code and for businesses to use the Verify Ontario app in settings where proof of vaccination is required, except for nine First Nations communities who can still show their vaccine receipt. Individuals will continue to need to show a piece of identification that matches their name and date of birth to their enhanced COVID-19 vaccine certificate when required.

Thank you for your continued support in protecting the health and well-being of Ontarians while delivering the services they depend upon.

Sincerely,



Kate Manson-Smith
Deputy Minister