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Provincial Reopening Plans - Information for Restaurants, Cafés and Other Food Service Establishments (Second Update)

May 15, 2020

On May 5, 2020, we published an article regarding the provincial and territorial reopening plans for restaurants, cafés and other food service establishments. This article provides an update, including new information released by certain provinces for the reopening of restaurants, cafés and other food service establishments, as well as a list of considerations for the owners and operators of those business to consider as they develop and implement their plans.

Preparing for the Reopening

Preparing for reopening in the current environment will require restaurant and other food service business owners to consider novel issues regarding ensuring supply of essential supplies, implementing appropriate health and safety measures, and ensuring that appropriate insurance coverage is in place before opening their doors to dine-in customers. Some of the issues that owners should consider before starting to offer dine-in services include:

- Contacting suppliers to ensure that they can provide key supplies in sufficient quantities to support customer demand
- Consider using multiple suppliers to ensure continuity of supply in the event that a supplier has insufficient stock or has an interruption of delivery services
- Arranging delivery schedules that support social distancing measures
- Ensuring sufficient supplies of items such as personal protective equipment, hand sanitizer, appropriate cleaning supplies, etc., needed to protect the health and safety of employees and customers
- Purchasing and installing appropriate physical barriers to manage traffic flow and support social distancing requirements, as well items such as plexiglass barriers for cashiers and other employees who work in areas open to customers
- Implementing staff schedules that minimize potential for staff infection (for example, dedicated shift teams) and social distancing
- Reviewing insurance coverages with insurance providers to determine whether they provide adequate coverage for potential liability in the event of a COVID-19 incident
- Ensuring compliance with all relevant operating guidelines, as well as a system to proactively

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monitor for any changes in operating guidelines

In short, reopening in the current environment is not business as usual – restaurant and other food service business owners will need to consider a novel range of COVID-19-related issues that will impact virtually all aspects of their business before opening their doors to dine-in customers.

Provincial Updates Since May 5

British Columbia

On May 6, 2020, British Columbia announced a four-stage reopening plan. Phase 2, which will be implemented in mid-May or afterwards, will allow restaurants, cafés and pubs to reopen under enhanced protocols and with distancing measures in place. These protocols and measures must include policies to enable and ensure individuals exhibiting symptoms do not come into the workplace, increased cleaning of "high touch" areas in workplaces, and increasing the use of temporary physical barriers, such as plexiglass at service counters and checkouts, where appropriate. Though a mid-May reopen date has been announced for restaurants and other food service businesses in the province, no firm date has yet been released.

For more information on British Columbia's reopening plan, please click here.

For more information on action that must be taken by businesses reopening, please click here.

For more information on British Columbia's response to COVID-19, please click here.

New Brunswick

On May 8, 2020, New Brunswick transitioned to Phase 2, or the "Orange Level," of its reopening plan, allowing restaurants and other similar venues to open if they can respect physical distancing measures except for brief exchanges that cannot be avoided. During Phase 2, businesses allowed to reopen must maintain physical distancing measures, follow the general guidance from the province's public health department, and follow guidelines for workplaces issued by WorkSafe NB.

Businesses permitted to reopen under this phase do not need to be inspected prior to reopening, but must prepare an operational plan that can be provided to officials if requested.

For more information on New Brunswick's reopening plan, please click here.

For the general guidelines released by the province's public health department, which businesses must follow when reopening, please click here.

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For guidelines released by WorkSafe NB, which businesses must follow when reopening, please click here.

For more information on how to plan for and create your own unique COVID-19 operational plan, please click here.

For more information on New Brunswick's response to COVID-19, please click here.

Newfoundland and Labrador

The province's COVID-19 Alert Level System is now at level four, down from level five last week. Restaurants (excluding buffets, bars and lounges) will be allowed to reopen with reduced occupancy when the province is at alert level three. Bars and lounges will be permitted to reopen at reduced occupancy when the province is at alert level two. It will take at least 28 days to determine whether it is safe to move to alert level three.

For more information on Newfoundland and Labrador's reopening plan, please click here.

For more information on Newfoundland and Labrador's response to COVID-19, please click here.

Prince Edward Island

Prince Edward Island's Chief Public Health Officer announced that she has been in discussion with the province's Restaurant Association about reopening restaurants earlier than June 12, 2020, though no firm date has yet been released.

For more information on Prince Edward Island's reopening plan, please click here.

For more information on Prince Edward Island's response to COVID-19, please click here.

The author of this article gratefully acknowledges the contributions of articling student Reza Sarsangi.

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