

COVID-19 Screening Tool Prescribed for Ontario Workplaces

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On September 25, 2020, Ontario's Ministry of Health released a COVID-19 screening tool for workplaces. The screening tool sets out the minimum questions employers should ask of workers (i.e., employees, contractors and volunteers) and visitors before they are permitted to enter the workplace. For workers, the questions are to be asked at the beginning of each shift and, for visitors, upon arrival.

The required questions are:

1. Do you have any of the following new or worsening symptoms or signs? *(Symptoms should not be chronic or related to other known causes or conditions.)*

- a. Fever or chills
- b. Difficulty breathing or shortness of breath
- c. Cough
- d. Sore throat, trouble swallowing
- e. Runny nose/stuffy nose or nasal congestion
- f. Decrease or loss of smell or taste
- g. Nausea, vomiting, diarrhea, abdominal pain
- h. Not feeling well, extreme tiredness, sore muscles

2. Have you travelled outside of Canada in the past 14 days?

3. Have you had close contact with a confirmed or probable case of COVID-19?

A positive answer to any of these questions or symptoms will be a bar to entry to the workplace.

Use of the screening tool became mandatory by virtue of Ontario Regulation 364/20 under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*; specifically section 2 of Schedule 1 that mandates

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that operation of a business or organization must be in compliance with the advice, recommendations and instructions issued by the Office of the Chief Medical Officer of Health on screening individuals.

While no guidance has been issued regarding the collection and storage of the personal health information necessarily disclosed in every completion of the screening tool, these forms should be properly safeguarded and kept confidential with disclosure limited to those with a need-to-know.

This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.