

Common questions and answers regarding COVID-19

1. Is the heavy construction industry permitted to work during the new critical (red) COVID-19 restrictions?

Yes, work undertaken by the heavy construction industry is considered an essential service and as such, our industry is permitted to work during the current critical (red) COVID-19 restrictions.

Companies must continue to follow existing COVID-19 prevention protocols in place for the industry.

2. Under the critical (red) COVID-19 restrictions, is travel into the north for construction purposes permitted without requiring special exemptions or the need to self-isolate?

Yes. Travel to the north for essential work is permitted under the Northern Travel Order. There is no change.

3. Under the critical (red) COVID-19 restrictions, is travel into Manitoba from out of province permitted for work on construction projects?

Yes. Travel into Manitoba for heavy construction purposes is exempt from travel restriction for workers arriving from western Canada or Ontario, east of Terrace Bay. Restrictions remain in place for eastern Canada and exemptions are considered on a case-by-case basis.

4. If I am supplier and my retail business is considered critical; do I have to limit the number of people allowed in my place business?

Retail businesses that are permitted to operate must implement measures to ensure that people attending the business are reasonably able to maintain a separation of at least two metres from each other and limit the number of members of the public at the place of business to 25 per cent of the usual capacity.

5. I have workers returning from a job in another province or I have a worker or sub-contractor coming into Manitoba from another province. What are their self-isolation requirements and when can they return to or start work in Manitoba?

During the pandemic, individual construction workers or companies may work inter-provincially in several situations: on a one-time basis, for several months, or where the person, crew or company are moving back and forth between provinces.

Workers coming from Western Canada and Northwestern Ontario do not need to self-isolate for 14 days when entering Manitoba.

Anyone entering Manitoba from designated western Canadian jurisdictions (British Columbia, Alberta, Saskatchewan, and the Yukon, Northwest and Nunavut territories) or Northwestern Ontario (defined as west of Terrace Bay) is not required to self-isolate for 14 days if they are asymptomatic and have no known exposure to COVID-19.

Workers from elsewhere in Ontario and all other Canadian jurisdictions will need to continue to follow Manitoba Public Health's COVID-19 prevention guideline for priority construction workers travelling to Manitoba from other provinces after arriving in Manitoba.

The guideline includes:

- Procedures prior to entering the province
- Procedures for screening workers coming into the Province
- Daily screening of workers, health assessments, and implementation of COVID-19 prevention procedures which include but not limited to: physical distancing, hand hygiene and washing facilities and the maintaining of records
- Requirement for the wearing of non-surgical masks at work and when in the community for a period of 14 days after arriving in the Province
- Requirement to self-isolate in local or temporary accommodation when not at work for a period of 14 days after arriving in the Province.
- Ensure that all workers are educated about company COVID-19 prevention protocols during their work orientation and regularly during jobsite toolbox talks. Should a worker request an accommodation due to a health condition that puts them at higher risk from COVID-19, a risk assessment would be undertaken. If existing COVID-19 prevention protocols do not address the risk, the worker will be accommodated so far as reasonably practicable.

For more information on the Manitoba Public Health Guideline for Priority Construction Workers Traveling from Other Provinces please visit:

https://mcusercontent.com/7666c053b49f2babd0105ef8b/files/f163ace2-22ad-4d25-8abd-eeb916c3bbff/business_constructionworkers.pdf

6. I have employees returning from international recreational travel. What are their self-isolation requirements and when can they return to work?

An order issued under the federal Quarantine Act requires any person entering Canada by air, sea or land to self-isolate for 14 days whether or not they have symptoms of COVID-19.

The risk of contracting COVID-19 is higher for persons who have recently traveled. It may be difficult to determine whether an individual has contracted the virus because symptoms may not present themselves for up to 14 days.

7. I have a sub-contractor coming into Manitoba from outside of Canada. What are their self-isolation requirements and when can they return to work?

An order issued under the federal Quarantine Act requires any person entering Canada by air, sea or land to self-isolate for 14 days whether or not they have symptoms of COVID-19. This means that the employees of a sub-contractor from outside of Canada must self-isolate for 14 days and be screened for the COVID-19 symptoms or risk before beginning work on a construction site in Manitoba.

The federal government may exempt employees of sub-contractors coming into Manitoba from outside Canada on a case-by-case basis.

However, exempted workers are still required to:

- Wear a non-medical mask or face covering while in public settings if physical distancing cannot be maintained.
- Continually monitor their health for signs and symptoms of COVID-19, including for 14 days each time you re-enter Canada.
- Respect the public health guidance and instructions of the area where they are travelling and prevention measures from the workplace.

8. When working on out-of-town jobs a contractor may house their employees in temporary accommodations such as a hotel or motel. Can an employer house 2 or more persons to a room in such situations during the COVID-19 pandemic?

Manitoba Public Health indicates that housing more than 1 worker per room in temporary accommodations significantly increases the risk of the spread of the COVID-19 virus and, therefore, recommends limiting to 1 worker per room.

9. What if I have employees who refuse work because of COVID-19?

Employers should be prepared for potential work refusals from employees concerned about the risk of exposure to COVID-19 at work.

Should a worker exercise their right to refuse dangerous work, an employer must investigate the request (in the presence of a worker rep or committee member) and remedy any unsafe condition, or confirm that such action has or is being taken. This should fulfill the employer's responsibility and demonstrate that appropriate steps are being taken to protect workers.

If the situation cannot be resolved internally, Manitoba Workplace Safety and Health (WSH) can be contacted to determine the appropriateness of the work refusal. During the refusal process, the worker must continue to be paid. If a WSH safety and health officer determines the worker can return to work and the worker continues to refuse, the employer is no longer required to pay the worker. Workers can be assigned alternate duties during the refusal process.

WSH has indicated it will address COVID-related work refusal questions as quickly as possible, usually the same day. WSH can be contacted 24 hours per day, 7 days per week at 204-957-7233, or toll free at 1-855-957-7233.

The key factors considered by WSH include: whether someone at work is confirmed to have the virus; whether the workplace is high-risk; is the worker likely to be exposed to the virus while at work; does the workplace have reasonable controls in place to minimize the risk of COVID-19 infection.

In the context of the COVID-19 pandemic, it is especially important for employers to be proactive in implementing public health guidance and taking reasonable controls to reduce or eliminate the risk. This means employers should ensure the following prevention measures, consistent with direction from public health agencies, are undertaken:

- Verify workers or visitors are not sick prior to entering worksites
- Appropriate hand-washing, hygiene practices and sanitary facilities
- Social distancing
- Prime contractor responsibilities

- Training and education
- Document actions taken

For information on additional prevention measures please visit:

<http://mhcaworksafely.ca/covid-19/>

For information from Manitoba Workplace Safety and Health on work refusals and its guideline related to COVID-19 visit:

https://www.gov.mb.ca/asset_library/en/coronavirus/workplaces-right-to-refuse-dangerous-work.pdf

10. Should an employer ask for a doctor's note?

During the COVID-19 pandemic, employers should not request a doctor's verification note. This allows health system resources to be allocated to COVID-19 priorities.

11. Can we send employees home who we think may have been exposed to or show symptoms of COVID-19?

Employees who exhibit symptoms of COVID-19, been exposed to someone who has tested positive for COVID-19 or have been exposed to COVID-19 in a work or public setting can be sent home by their employer to prevent the illness from spreading to others.

Employers have the responsibility to protect the safety and health of their employees.

If an employer concludes there is a risk that the employee has been exposed to the COVID-19 it is reasonable to require the employee not to be in the workplace.

The Shared Health Manitoba Screening Tool may help employers assess the health of workers or anyone entering the site. Please visit

<https://sharedhealthmb.ca/covid19/screening-tool/> for more information.

12. If a worker develops COVID-19 symptoms, are other workers from the same jobsite or workplace required to self-isolate?

Public Health has advised that co-workers who were in prolonged, close contact with the symptomatic individual, during the two days prior to that person developing symptoms, should self-isolate and contact Health Links-Info Sante at 204-788-8200 or 1-800-315-9257.

If you are found to have been a close contact of a confirmed case of COVID-19, you will be recommended to self-isolate and referred to a public health office, which will be in contact with you to provide more information.

13. If a worker who is asymptomatic (shows no symptoms of COVID-19) is being tested for COVID-19, are other workers from the same jobsite or workplace required to self-isolate?

Public Health has advised that co-workers who were in prolonged, close contact with the person being tested, during the two days prior to the test, should self-isolate and contact Health Links-Info Sante at 204-788-8200 or 1-800-315-9257.

If you are found to have been a close contact of a confirmed case of COVID-19, you will be recommended to self-isolate and will be referred to a public health office, which will be in contact with you to provide more information.

14. What if you or someone with whom you have had close contact has tested positive for COVID-19?

Individuals identified as having COVID-19 or a close contact of someone with COVID-19 must self-isolate until public health officials advise they can end self-isolation.

Household members or close contacts of a person or persons with COVID-19 must self-isolate for 14 days from the last date of exposure and must call Health Links--Info Santé (204-788-8200 or 1-888-315-9257) if they develop symptoms.

15. What do I do if an employee is ill and requires time off due to COVID-19?

The same rules apply to sick leave due to COVID-19 as any other sick leave. In Manitoba the Employment Standards Code currently provides that employees who have been employed for at least 30 days with the employer are entitled to 3 days of unpaid leave for personal illness or family responsibility, and up to 17 weeks of unpaid job-protected leave for long-term illness. Employers should follow the practices set out in their sick leave policy.

In the absence of company paid sick-leave benefits, employees may be entitled to sickness benefits under the Employment Insurance Act (Canada), commonly referred to as "EI benefits".

The federal government recently announced changes to EI in response to the COVID-19 situation. For more information please visit <https://www.canada.ca/en/employment-social-development/corporate/notices/coronavirus.html>.

Note: This information is intended as best practice guidance, not as medical or legal advice. Information about COVID-19 changes rapidly. Always refer to a public health authority for medical advice, and consult legal counsel regarding legislative concerns.