



Ontario

Executive Council  
Conseil exécutif

### Order in Council Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

Sur la recommandation de la personne soussignée, la lieutenant-gouverneure, sur l'avis et avec le consentement du Conseil exécutif, décrète ce qui suit :

the appended Regulation be made under the *Emergency Management and Civil Protection Act*.

Le règlement ci-annexé est pris en vertu de la *Loi sur la protection civile et la gestion des situations d'urgence*.

Recommandé par :

Appuyé par : Le président du Conseil des ministres,

Recommended

Concurred

Chair of Cabinet

Approuvé et décrété le

La lieutenant-gouverneure,

Approved and Ordered

APR 24 2020, 5:45 pm

Date and Time

Lieutenant Governor

CONFIDENTIAL  
Until made

REG2020.0338.e  
4

**ONTARIO REGULATION**

made under the

**EMERGENCY MANAGEMENT AND CIVIL PROTECTION ACT**

Amending O. Reg. 74/20

(ORDER MADE UNDER SUBSECTION 7.0.2 (4) OF THE ACT)

**1. The first paragraph of Ontario Regulation 74/20 is amended by adding “and has been extended pursuant to section 7.0.7 of the Act” at the end.**

**2. The Regulation is amended by adding the following paragraph before Schedule A:**

And Further, this Order shall be in effect for the duration of the declared emergency, subject to section 7.0.8 of the Act.

**3. Schedule A to the Regulation is amended by adding the following paragraphs:**

1.1 In this Order, “licensee” and “long-term care home” have the same meaning as in the *Long-Term Care Homes Act, 2007*.

. . . . .

2.1 Despite any other statute, regulation, order, policy, arrangement or agreement, including a collective agreement, health service providers are authorized to assist long-term care homes including, without limitation, by providing assessments in relation to a long-term care home’s infection prevention and control program, by providing clinical supervision within a long-term care home and by providing nursing and personal support services, including assistance with feeding, to residents of a long-term care home.

2.2 In the circumstances described in paragraph 2.1, the following rules apply for the duration of this Order:

- i. Staff of a health service provider who provide assistance within a long-term care home remain staff of the health service provider.
- ii. The provision of assistance shall not impact whether the health service provider and the licensee of the long-term care home are treated as constituting one employer for the purposes of subsection 1 (4) of the *Labour Relations Act, 1995*.
- iii. The health service provider shall not, by virtue of providing the assistance, be considered to have sold a part of its business to the licensee of the long-term care home for the purposes of section 69 of the *Labour Relations Act, 1995*.

**4. Subparagraph 3 i of Schedule A to the Regulation is amended by adding the following sub-subparagraph:**

- A.1 Redeploying staff to provide assistance described in paragraph 2.1 within a long-term care home.