



January 7, 2021

Associate Minister Hon. Prabmeet Sarkaria
Ministry of Small Business & Red Tape Reduction
56 Wellesley Street West, 7th Floor
Toronto Ontario, M5S 2S3

Further to my email of December 4th, 2020, with the pandemic now in its 10th month, it is clear that the pandemic will continue to have economic impacts for most of 2021. Because COVID-19 is now recognized as a longer-term health hazard, provincial operating restrictions must adapt. Specifically, Ontario businesses require reform in such a way to allow workplace health and safety without arbitrary operating restrictions or closures that could unnecessarily damage our economy.

New System of Operating Restrictions Required

Ontario has seen a number of changes to operating restriction systems and protocols. Most recently, Ontario changed to a regional colour-code system with workplace operating restrictions determined dependent upon the number of cases in that region and whether the business provides essential products or not. This system also provides operating restrictions, and parameters for allowable conditions under which certain activities can occur, within workplaces.

This current system has proven to be a top-down, broad-stroke burden for business, which has put the viability of many businesses at risk. It is difficult for businesses to understand and difficult to administer fairly. It also seems to have had little impact on reducing COVID caseloads. As such, it is time for the provincial operating restrictions to evolve again, in order to allow safe workplaces to continue to operate safely.

The Responsible-Business Protocol

In all workplaces, there are common workplace health and safety risks. COVID should be treated no differently. As is common practice in workplaces, safety standards are set by province's Labour Ministry/WSIB, and by regional Public Health departments in the case of restaurants, for example. The onus is on each individual business to comply to these health and safety standards. The key ideological change we are making is a move away from the Government of Ontario picking and choosing what regions, sectors and business-types close. Our recommended approach would be less of a top-down order to close, and more of a business-responsible approach – requiring business owners to demonstrate, that their business

can stay open safely, if visited by an inspector. This approach would allow businesses – those that follow safety protocols – to remain open.

Treat COVID-19 Like Other Workplace Health Hazards

As rationale for a new approach we ask, ‘Why should the current pandemic health and safety risk be any different from other risks?’

The similarities are significant. Protocols requiring the wearing of a mask to reduce COVID spread, is similar to the mask-wearing obligations for employees when handling hazardous materials at job sites. Sanitizing surfaces for COVID is similar to surface-cleaning and food-handling rules at a restaurant or food processing plant; and maintaining a six-foot distance from co-workers is similar to distance requirements for placement of scaffolding and ladders at a construction site.

The intent of a reform of operating restrictions is that the onus would be on the business owner to demonstrate “RSOP – reasonable standard of protection” to a WSIB, Labour Ministry or Public Health inspection officer. The RSOP would be the threshold to determine if that business remained open or not. And if a business meets that RSOP-threshold, they should be allowed to open. If not, they should be fined or forced to close.

The benefit of implementing this recommended Responsible Business Protocol, is that individual businesses would be motivated by their own economic-sustainability to operate safely, and more businesses would be able to remain safely open, so that the significant negative impacts to our economy are mitigated.

Thank you for giving consideration to these recommendations. I am happy to discuss further, if more clarity is required.

Sincerely,



Todd Letts, MBA, CCE
Chief Executive Officer