

Workplace Safety & Prevention Services

Guidance on Health and Safety for Agricultural Employers Using Temporary Help During COVID-19

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OVERVIEW

During the COVID-19 (coronavirus) outbreak, we all need to do our part to keep workers, customers and the public safe and healthy so we can stop the spread and prepare to reopen the province, when we are ready.

Below is a set of resources, tips and best practices to help employers, supervisors and workers prevent the spread of COVID-19 on farms using temporary help in conjunction with other workers. It is important that agriculture employers consider the controls that are needed in situations where there may be a mix of workers from day to day including permanent workers, seasonal workers, part-time workers, temporary foreign workers and/or temporary help agency workers.

Employers, supervisors and workers in Ontario have certain duties and rights under the Occupational Health and Safety Act (OHSA) and its regulations. Employers should also review and follow any applicable directives and guidance coming from the Chief Medical Officer of Health and Ministry of Health and their local public health unit.

Learn more about:

- [worker's rights](#)
- [employers' responsibilities](#)
- [duties of employers and other persons](#)
- [employer duties under the OHSA for temporary help workers](#)
- [Guidance on Health and Safety for Agricultural Supervisors During COVID-19](#)
- [Guidance on Health and Safety for Agricultural Workers During COVID-19](#)

BEST PRACTICES

We know that every workplace is unique which makes it so important that every workplace assess functions carried out by their workforce to ensure they take action to protect against the hazards presented by exposure to COVID-19.

Practicing physical distancing (staying 2 metres away from others), minimizing contact with droplets of mucous or saliva, keeping hands, surfaces and objects clean, and preventing contact with potentially infected people are all critically important measures. Other information on how you can protect yourself is available on ontario.ca/coronavirus.

We have provided some recommendations below for your consideration. Please keep in mind that introducing any new protective measures should be done as part of a full review of other workplace hazards – not just COVID-19. Employers should consult with the Joint Health and Safety Committees/Health and Safety Representatives on measures to protect workers in the workplace.

Some workplaces may already have some existing controls in place that may help reduce the risk of exposure to workers. Regular 'check-ins' on the effectiveness of controls is highly recommended.

Who has employer duties under the OHSA for temporary help workers?

Where a worker is employed by a temporary help agency to perform temporary work assignments for agency clients (i.e., the client employer) in the client's workplace, the agency employer and the client employer are jointly responsible (as employers) for taking every precaution reasonable in the circumstances to protect the health and safety of the worker. The client employer normally has the day-to-day control over the work and working conditions of the workplace to which the workers are assigned. However, an agency employer is not relieved of its legal duties under the OHSA for the worker's health and safety during an assignment. Employer duties in the OHSA apply to both the client employer and the temporary help agency employer.

Agency and client employers: your duties under the law

[Section 25 of the OHSA](#) sets out some of your general and specific duties as an employer.

Employers' obligations under the law include the duty to:

- Know the hazards in the workplace and acquaint a worker or a person in authority over a worker with any hazard in the work.
- Make sure your supervisors are “competent persons” as defined by OHSA when you appoint them.
- Develop and implement a health and safety policy and program.
- Provide ongoing information, instruction and supervision to protect worker health and safety.
- Ensure that equipment, materials and protective devices are provided as required by law, maintained in good condition, and are always used as required by law.
- Assist, respond to, and cooperate with health and safety committees or representatives as required by law.
- Take every precaution reasonable in the circumstances to protect all workers, including temporary help agency workers on assignment.

In addition to the above duties, before placing the worker on a temporary work assignment with a client, the agency employer must ensure that the worker:

- Is qualified to do the work on an assignment for a client employer.
- Will be provided with information, instruction and supervision to protect their health and safety at the workplace to which they are being assigned.

Temporary Help Agencies and Workplace Safety and Insurance (WSIB) Coverage

Temporary Help Agencies (also known as Temporary Employment Agencies (TEAs)) may need to pay WSIB premiums for the workers they provide to agricultural operations. The WSIB applies special classification rules to TEAs.

TEAs are assigned a separate premium rate for the business activity of supplying workers and for each premium rate setting class to which they supply workers. TEAs that are also engaged in a business activity that is not related to the supply of workers are assigned a separate premium rate for that business activity.

For more information see the [WSIB Temporary Employment Agencies Policy](#).

Temporary Foreign Workers and Workplace Laws

There are four streams for bringing temporary foreign workers into Canada to legally work on agricultural operations when Canadians and permanent residents are not available. The Agricultural, High Wage, and Low Wage Streams allow employers to hire Temporary Foreign Workers (TFWs) between 1 – 2 years. The Seasonal Agricultural Worker Program (SAWP) allows employers to hire temporary foreign workers (TFW). These employers can hire TFWs from participating countries for a maximum period of 8 months, between January 1 and December 15, provided they are able to offer the workers a minimum of 240 hours of work within a period of 6 weeks or less.

These workers are in the country legally and are fully eligible to work and are generally protected by workplace laws.

In general, Ontario's workplace laws apply to all workers under the province's jurisdiction. This generally includes temporary foreign workers. Examples of these workplace laws include the:

- Employment Standards Act;
- Occupational Health and Safety Act; and
- Workplace Safety and Insurance Act.

The worker safety requirements that apply to farming operations apply regardless of workers' immigration status. A worker's immigration status also does not affect whether they qualify for workplace insurance benefits. Temporary foreign workers are entitled to the same benefits as any other person whose workplace has coverage.

RECOGNIZE HAZARDS AND ASSESS RISK

. Hazards and risks apply to all agriculture workers – local workers, temporary foreign workers and temporary help workers.

Agriculture workers may have contact with other workers and the public and contact with commonly touched surfaces or things such as animals, produce, products, and material handling and transportation equipment as they go about their work. Workers could potentially come in contact with droplets from these interactions and contacts. COVID-19 can travel in respiratory droplets that are released into the environment by talking, laughing, coughing or sneezing.

Look at where the risks may be within your workplace. Consult public health information to learn more about the symptoms of COVID -19 infection. Recognize hazards and use appropriate controls. Ensure that your workers stay home if they have symptoms. Employers may also wish to reach out to their local public health unit to assist with planning.

It's important to take action where you can to minimize those risks within your workplace. Look at the controls below to see how they may assist you.

CONTROLS

Already existing controls may help to reduce the risk of exposure to workers (e.g. following safe food handling practices as required by the local public health unit/Ministry of Health and food safety practices enforced by the Canadian Food Inspection Agency).

To protect your workers from some of the risk of exposure to COVID-19, consider the following options:

Keep Informed and Communicate

- All non-essential on-farm visits should be postponed.
- Communicate that it is not permitted for anyone to enter the farm if they have symptoms of COVID-19. For example, install clear signage throughout the workplace, including the front desk and regular entry points.
- Farm entry should be limited to personnel performing essential activities (e.g. those required for the care and wellbeing of your farm and farm animals, workers and facilities).
- Pre-authorized visitors to your farm (e.g. feed delivery, seed delivery, milk truck, veterinarian, farrier, etc.) should call ahead and schedule a meeting or drop-off time. Limit the number of visitors at any one time to reduce interactions. Designate and provide signage for a specified area where the interaction will take place.
- Ensure that illness reporting requirements are well communicated in the workplace through training and signage.
 - Employers should provide reassurance that supports are available when workers self-report their symptoms or illness and to reiterate the message that the workers' health, safety and well-being remains a priority.
- Your local public health unit may require that workers who were exposed are notified and sent home to self-isolate, self-monitor and report any possible COVID-19 symptoms
- If you are advised that one of your workers has an occupational illness or that a claim in respect of an occupational illness has been filed with the Workplace Safety and Insurance Board (WSIB), you must give notice in writing within four days to:
 - A Director appointed under the OHSA of the Ministry of Labour, Training and Skills Development
 - the workplace's joint health and safety committee or a health and safety representative
 - the worker's trade union (if applicable)
- Additionally, you must report an occupational disease to the WSIB within 3 days of receiving notification
- People who are sick or have signs of illness (e.g. fever, coughing, runny nose, tiredness, shortness of breath) must self-isolate, notify their employer and call a doctor or healthcare provider*.
- Ensure that the THA report to the farm any time one of the THA workers who has been on the farm tests positive for COVID-19.
- Update the business voicemail, email, social media, website and other external communications, and create visible signage to inform customers of changes to the business operations.
- Employers need to train all workers on possible COVID-19 transmission in the workplace, review what steps are being taken to protect them, and how they can protect themselves, including frequent hand washing, sanitizing items and surfaces more frequently, following tool disinfection procedures, and not touching their face.

- Ensure that measures you decide on are well communicated to THAs and all workers.
- Follow all municipal and local public health warnings, directions and recommendations related to COVID-19.

Eliminate or Minimize Exposure

Cohorting Workers

- Consider grouping together workers in cohorts, groups, teams or work pods to avoid interactions between workgroups to limit the potential spread of COVID-19. This will also help with contact tracing if a positive case appears on the farm.
- Designating groups can be set according to work activity or specific areas on the farm dependent on the commodity and specifics of the operation.
- When using a cohorting approach, it is important that workers continue to maintain physical distance from other members of their group. Wherever possible, once a worker has been assigned to a cohort they should not be reassigned to a different cohort.
- Farms should have a plan for and use, to the extent possible, worker cohorting as part of their approach to preparedness as well as to prevent the spread of COVID-19 once identified in the farm. Where possible, it is recommended that workers who live on-site are cohorted with others sharing the same living space and kept separate from workers that do not live on-site.
- Whether or not cohorting is applied, workers should be managed as if they are potentially infected, and appropriate precautions are taken with controls as suggested throughout this document.

Other applications of cohorting include:

- Decentralizing accommodations where possible and accommodating work cohorts together. For example, all workers living in the same bunkhouse should also work together as part of the same work team.
- Scheduling work teams to start work and take breaks at the same time each day.
- Keeping the number of workers using common areas as small as possible.
- Arranging bus schedules or shuttles to carry the same groups of workers together.

Physical Distancing

- Limit face-to-face contact wherever possible. Wherever possible ensure a minimum distance of 2 metres between workers. Limit interactions by avoiding non-essential travel and multi-passenger transportation.
- Limit the number of workers using farm equipment. If possible, assign each worker to their own piece of equipment (e.g. tractor, truck, tool, etc.).
- Limit the interaction and support physical distancing between all workers and supervisors by assigning them to separate cohorts/groups/teams/work pods (see the *Cohorting Workers* section above for more information).
- Install physical distancing signage in all languages spoken on the farm throughout the operation including the entrance area outside the premises if appropriate.
- Limit the number of workers working in one space so that they can maintain physical distance from each other.
- Stagger shifts and break times so workers do not congregate in common spaces and can practice physical distancing during breaks.
- Where possible, have workstations and equipment positioned to maintain the physical distance.
- Remove the potential for workers to congregate in a space where it would be difficult to maintain physical distancing.
- Limit number of face-to-face indoor meetings. Consider alternatives such as outdoor meetings, conference calls or email.

Hand Hygiene

- Ensure hand-washing facilities are available and in good working order.
- Proper handwashing is key. Workers should be trained in the proper hand washing technique and avoid touching their face. Extra handwashing is a good idea for everyone – and when that's not possible, a hand sanitizer with minimum alcohol content of 60% should be used frequently.
- Encourage workers and visitors to wash their hands before entering the workplace, after contact with others, or with surfaces others have touched. Be sure to include handwashing before breaks, after making or receiving deliveries etc. Be sure to keep an adequate supply of soap, paper towels, etc.

Disinfection and Sanitizing

- Limit signature requirements and utilize online and/or phone transactions wherever possible.
- Disinfect incoming materials using cleaning and sanitization protocols.
- While the risk of contracting COVID-19 from handling packages is believed to be low, materials received on the farm should be left untouched for as long as possible to lessen the viability of any virus that may be present on surfaces. This does not replace taking adequate safety precautions and practicing frequent hand hygiene by washing hands with soap or using an alcohol-based hand sanitizer
- Visitors should avoid using the same washroom facilities as farm workers whenever possible.
- Make every reasonable effort to provide portable washroom facilities with handwashing and sanitation supplies for farm visitors.
- Increase the frequency of cleaning the workplace. Pay particular attention to frequently touched surfaces and common areas, such as farm equipment, tools, machinery, entrances, workstations, fridge/freezer doors, light switches, door knobs/handles (both sides), other equipment, counters, tables, chairs, washrooms, change-rooms, lockers and showers. Visibly dirty surfaces should be cleaned with soap and water before disinfection. One-step cleaner-disinfection products could also be considered. Be sure to use appropriate cleaner and disinfectants for the job and follow safe use practices as indicated on the Safety Data Sheets. Public Health Ontario offers more information on [cleaning and disinfection](#) protocols.
- Ensure regular cleaning and disinfecting of washroom facilities, after each use if possible.
- If portable washrooms that include water for handwashing are not available for rent, running water could be provided by way of a large water jug which includes a spout or a pump, a soap dispenser and paper towels, in addition to the portable washroom.
- Make every reasonable effort to obtain a supply of hand sanitizer for the farm business. The Ontario government has created a [directory](#) to assist with this.

Active Screening of All Workers and Visitors, including Temporary Agency Workers.

- Farms should immediately implement active screening for COVID-19 of all workers, visitors and anyone else entering the farm. Active screening should include twice daily (at the beginning and end of the day or shift) symptom screening and temperature checks. Anyone showing symptoms of COVID-19 should not be allowed to enter the farm and should be advised to go home immediately to self-isolate and be encouraged to be tested. Staff should contact their immediate supervisor/manager or occupational health and safety representative in the farm and/or temporary agency.
- Staff responsible for occupational health at the farm should follow up with all staff who have been advised to self-isolate based on exposure risk or symptoms.

Limiting Work Locations

- Wherever possible, employers should work with THA to limit the number of locations that their workers are working at, to minimize the risk of exposure to COVID-19 to regular farm workers including TFAW.

Other Control Measures

- Document all workers including names in each of the cohorts/groups/teams/work pods and work locations to support public health contact tracing, if needed.
- Where appropriate, work/meet safely in outdoor spaces.
- Where appropriate, ventilate spaces safely by opening doors, etc.
- Connect with the local public health unit and see if there are any opportunities for covid-19 testing for asymptomatic workers.
- Ensure risk management and operational plans include pandemic plans. These plans should include identification of decision makers, roles and responsibilities, access to medical care, plans for quarantine and/or transportation to medical facilities. They should also include communications planning, such as: who is the point of contact, medical contacts, internal and external communication plans, staff contact information, suppliers, and community services.
- The pandemic management plan should also identify what to do if not enough staff are available to conduct time-sensitive work (e.g. milking, strawberry picking) because of illness.

- For any soiled uniforms, laundry etc., minimize shaking and disturbance; If possible, arrange to ensure the laundering of items using the warmest appropriate water setting for the items and dry items completely and clean and disinfect hampers or other carts for transporting laundry and sanitation equipment.
- Install barriers or partitions between yourself and others, where close contact is necessary. For example, putting up barriers like “sneeze guards” around workstations or desks.

In addition to the above recommendations, your workplace should consider personal protective equipment as part of a complete hazard control plan. Equipment is only effective if people understand its limitations and wear it correctly. Workers need to be trained in the fit, use, storage, cleaning, maintenance and limitations of the protective equipment that they wear. Workers must use protective equipment as required by their employer.

If physical distance and separation cannot be maintained, workers should have personal protective equipment consisting of surgical/procedure mask and eye protection (goggles or face shield).

EVALUATE

COVID-19 has presented challenges workplaces have never encountered before. Keep in mind that any adjustments made today may need readjusting tomorrow. Look at preventative measures on an ongoing basis and adjust them if they are not working well enough or causing other issues. For example, are people doing what they’ve been asked to do? If not, what is preventing them from doing so? Can you make adjustments and improve?

For anyone who thinks they may have been exposed to or are experiencing symptoms of COVID-19, please start by taking a [self-assessment](#). Do not call 911 unless it is an emergency.

For additional information, refer to [Health Canada’s website on COVID-19](#).

RESOURCES

Stay updated with daily government updates:

- [Government of Ontario](#)
- [Government of Canada](#)
- [Public Health Ontario](#)

Ontario government and agency-issued resources about COVID-19

The [Ontario Ministry of Health](#) is providing consistent updates on the provincial government’s response to the outbreak, including:

- status of cases in Ontario
- current affected areas
- symptoms and treatments
- how to protect yourself and self-isolate
- updated Ontario news on the virus

[Public Health Ontario](#) is providing up-to-date resources on COVID-19, including:

- links to evolving public health guidelines, position statements and situational updates
- synopsis of key articles updating on the latest findings related to the virus
- recommendations for use of personal protective equipment
- information on infection prevention and control
- testing information
- other public resources

The [Ontario Ministry of Labour, Training and Skills Development](#) in partnership with its Health and Safety Associations has created sector-specific guidelines and posters to help protect workers, customers and the general public from coronavirus (COVID-19) in Ontario.

The Ontario government is supporting employers by setting up a portal to assist them in finding supplies and equipment through the [Workplace PPE Supplier Directory](#).

OTHER COVID-19 RESOURCES

[Health Canada](#) outlines the actions being taken by the Government of Canada to limit spread of the virus, as well as what is happening in provinces and communities across the country. It also maintains a live update of the number of cases by province.

The [World Health Organization](#) is updating the latest guidance and information related to the global outbreak and spread beyond Canadian borders.

It also provides the most up-to-date information on:

- current research and development around the virus
- a COVID-19 situation “dashboard”
- emergency preparedness measures
- live media updates on the spread of the virus

This resource does not replace the *Occupational Health and Safety Act* (OHSA) and its regulations and should not be used as or considered legal advice. Health and safety inspectors apply the law based on the facts in the workplace.

For more information visit www.wsps.ca/COVID19

NOTE: This document is intended for informational purposes only to provide an overview of the potential hazards posed in the workplace due to COVID-19. It is not intended as medical advice, to provide a comprehensive risk assessment for all workplaces, or to replace any legislated workplace safety obligations. Due to the ongoing evolution of the situation in Ontario and around the world, this document may be used as a guide for Employers in addition to guidance delivered by public health authorities such as the [World Health Organization \(WHO\)](#), [Ontario Ministry of Health](#), [Public Health Ontario](#) and the [Centers for Disease Control and Prevention \(CDC\)](#).” Any use which is made of this document by any Employer, or any reliance on or decisions to be made based on it, are the responsibility of the Employer. WSPS and its partners, officers, directors, employees, agents, representatives, suppliers and service providers accept no responsibility for any errors or omissions in content or for damages of any kind or nature suffered by any Employer or any third party as a result of use of or reliance on this communication.