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## COVID-19: Commonly Asked Questions at Small Business Webinars

**Q1. Can I make my customers wear a mask or face covering to protect my workers against COVID-19?**

**A1.** Some municipalities and public health units have introduced or are considering using a bylaw or a communicable disease order under section 22 of the Health Protection and Promotion Act (HPPA) to require the use of masks or face coverings in indoor public spaces. There are 34 health units in the province and more than 400 municipalities

Workplace parties are reminded that the provisions of the Occupational Health and Safety Act (OHSA) continue to apply in all workplaces, including those subject to a local mask or face covering rule. In the event of a conflict, the requirements of the OHSA would prevail over a municipal bylaw or public health order.

Employers should acquaint themselves with the:

- The requirements of any local public health unit order – available at [Public Health Ontario](#)  
Specific requirements of any bylaw – available at the website in municipality which they are located.
- As an example, here is a link to the City of Toronto information: [Mandatory Face Coverings](#)

Note: a person shall be exempt from wearing a Face Covering on the premises if: the person is a child under the age of two years; wearing a face covering would inhibit the person's ability to breathe in any way; or for any other medical reason the person cannot safely wear a face covering

Learn more about face coverings, including a list of their limitations by reviewing the **Government of Canada's Considerations in the use of homemade masks to protect against COVID-19**. For further guidance on the use of homemade face coverings – you can consult the Centers for Disease Control and Prevention (CDC) **Use of Cloth Face Coverings to Help Slow the Spread of COVID-19 document**.

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### Q2. Can I make my workers wear masks or face coverings?

A2. Workers MUST use the personal protective equipment (PPE) as required by their employer.

Your workplace should assess if Personal Protective Equipment (PPE)\* needs to be part of your hazard control plan. PPE should only be considered after other feasible control measures have been implemented. To learn more about PPE and face coverings, please visit [WSPS Pandemic Playbook](#)

\*NOTE: Please be reminded that face coverings (non-medical masks) do not constitute PPE, as they do not protect the wearer from exposure. While these kinds of masks can be part of a program to reduce COVID-19 transmission if worn uniformly in a workplace, they are not a substitute for physical distancing. Check out WSPS FAQ: PPE Considerations

[PPE Supplier Directory](#) (find PPE suppliers)

### Q3. Should I wear gloves to protect myself against COVID-19? Should I make my workers wear gloves?

A3. Impervious gloves should be worn when appropriate for chemical exposures and are not a primary control to prevent exposure to COVID-19. In fact, gloves for chemical and biological agents may put workers at a higher risk when not taken off properly and may provide a false sense of security. When wearing gloves, people may be less inclined to wash their hands. This is counterproductive and puts others at a higher risk of infection.

Proper use of gloves and their limitations requires training, including reinforcement that handwashing is still required even when wearing gloves. Gloves may also pose other health risks, such as dermatitis and an entanglement hazard with certain equipment.

If gloves are being worn in the workplace, ensure a risk assessment is completed to implement the right gloves for the task (e.g. cleaning with disinfectants). Safety data sheets can be used to further evaluate the appropriate control in this instance. All gloves must be disposed of in garbage bags/bins. (Note: WSPS FAQ: PPE Considerations – free download).

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### Q4. Is it an employer's right to take the temperature of an employee? Or Customer?

- A4. Depending on the nature of your business, it may be reasonable to conduct health screening measures, including temperature checks; however, human rights, occupational health and safety and privacy considerations should be investigated before imposing these measures.

Understanding the “normal” temperature range and what constitutes a fever is important to understand before implementing this assessment, as is understanding its limitations as an effective screening tool. For example, asymptomatic carriers of COVID-19 may not show elevated temperatures.

Seeking legal counsel before implementing this with your workforce is recommended.  
(Source WSPS COVID-19 Customer Inquiries FAQ)

### Q5. An employee is invoking their “right to refuse” unsafe work. What do I do?

- A5. Employers have duties to protect workers under the Occupational Health and Safety Act (OHSA). They must take every precaution reasonable in the circumstances to protect the health and safety of workers from hazards, including hazards posed by infectious diseases. Employers should conduct an assessment of their workplace to determine the measures and procedures they need to put in place to protect the health and safety of their workers and avoid hazards.

If a worker has concerns about their safety, the OHSA provides them the right to refuse work that they believe will endanger their health and safety. In this situation the worker must promptly report the circumstance of the work refusal to their employer or supervisor and employers are required to conduct an investigation and try to resolve the issue internally. The Ministry encourages the internal resolutions of complaints. The joint health and safety committee or health and safety representative and the employer have a role in identifying which hazards exist in the workplace and what measures are needed to protect workers. If there is no resolution, the workers or employer must notify the Ministry of Labour Training and Skills Development and an inspector will follow-up in consultation with the employer and the worker. (Note: Certain occupations that have a responsibility to protect public safety have a limited right to refuse work if the danger in question is a normal part of the job or if the refusal would endanger the life, health or safety of another person.

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This could include persons employed in certain health care workplaces, first responders and correctional services workers. These workers cannot refuse work when either:

- The circumstance is inherent in their work or a normal condition of their employment
- Their refusal to work would directly endanger the life, health or safety of another person
- In these circumstances the employer and supervisor still have a duty to take every precaution reasonable to protect the health and safety of all workers.
- For details related to the “right to refuse” visit the Ontario government’s Guide to the Occupational Health and Safety Act or the Safety Say What website.

For more information visit [www.wsps.ca/COVID19](http://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. WSPS has not endorsed and does not endorse any particular product or company as a solution to the risk presented by COVID-19. 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 individual, or any reliance on or decisions to be made based on it, are the responsibility of the Employer or individual. 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.

Revised: JULY 2020