

Ontario Labour Relations Board

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Commission des relations de travail de l'Ontario

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**ONTARIO LABOUR RELATIONS BOARD****COVID-19: Protocol for Reopening OLRB Facilities**

Site assessments of the Board's facilities and hearing rooms have been completed, including a risk assessment by the Public Services Health and Safety Association ("PSHSA"). The recommendations of the PSHSA have been implemented for the protection of participants in proceedings before the Board, Board staff and members of the public.

The presumption will continue to be that matters will proceed by video hearing, unless an in-person hearing is specifically directed by the Board. Likewise, mediations will continue to be held by alternate means (video or teleconference), unless an in-person mediation is specifically directed by the Board. Proceeding by alternate means, not in-person, is the only available means of eliminating the risk of transmission of COVID-19.

The parties may consult with each other about any request for an in-person hearing/ mediation and, where possible, will make the request on consent of all parties. While the Board will consider requests made on consent, not all such requests will be granted. There are other factors to be considered including but not limited to the health and safety of the Board's staff and the availability of hearing/ mediation rooms. Parties may make submissions to the Board where they believe that an in-person proceeding is required, whether or not on consent. Generally, the holding of an in-person hearing or mediation will be determined by the Registrar's Office and communicated by way of Notice of Hearing or Notice of Mediation, and reasons will not be provided.

COVID-19 Screening: Participation in OLRB Hearings and Mediations at OLRB Facilities

A COVID-19 screening questionnaire must be completed and produced on the day of your hearing or mediation. A consent to contact tracing will also be provided. Copies of the **screening questionnaire** and the **consent to contact tracing** are on the Board's website.

Parties and representatives will receive the COVID-19 screening questionnaire in advance of the in-person hearing or mediation and are asked to produce the completed questionnaire when they check-in on the 2nd floor for their hearing or mediation.

If you answer “YES” to any of the screening questions, or if you fail or refuse to complete the screening, you will not be permitted to enter the Board’s facilities.

It is important that any person who is sick, who has symptoms associated with COVID-19 stays home or has have been to self-isolate does not attend the Board’s offices at 505 University Avenue. It is important that any person who is sick or who has symptoms associated with COVID-19 or has been told to self-isolate stays home and does not attend at the Board's offices at 505 University Avenue.

If you answer “NO” to all of the screening questions, you will be directed to your hearing or mediation room.

If the Board concludes that any participant poses a risk for the transmission of COVID-19, the Board will adjourn, or reschedule for hearing or mediation by alternate means, any in-person hearing or mediation.

The Board will continue to monitor and update its processes based on available public health information.

Collection of Contact Tracing Information

In order to facilitate contact tracing by public health agencies in the event of a possible exposure or outbreak of COVID-19, the Board will temporarily collect the contact information of persons attending the Board.

Contact information will be collected when you check-in for your hearing or mediation, and will be stored in a safe and secure location for 30 days at which time it will be permanently destroyed.

Protecting your health

Measures are in place to protect everyone who attends at the Board, including: enhanced cleaning, hand sanitizer stations, barriers, physical distancing and masks/ face coverings.

(A) Enhanced cleaning

The Board will continue regular and enhanced cleaning. High-touch areas will be cleaned with Health Canada-approved disinfectant cleaners several times every day. These areas include: light switches and power outlets, handrails, paper towel and toilet paper dispensers, door knobs, handles and plates, sinks and faucets, and tables and chairs.

In hearing and mediation rooms, the Board will also be providing disinfectant wipes or other cleaners so that you can disinfect areas that you have touched or may touch. You should avoid touching surfaces with your hands such as elevator buttons or door handles wherever possible.

(B) Hand sanitizer stations

Hand sanitizer dispensers are located in many places throughout the building. Persons attending the building are encouraged to use them if they cannot wash their hands, or as a second way to disinfect.

(C) Barriers

Plexiglass barriers have been installed in those hearing rooms which will be used during the initial re-opening, including in each of the spaces where the Vice-Chair, the witness, and the litigants sit.

(D) Physical distancing

The following measures have been taken to encourage physical distancing:

- signs to remind you to physical distance by staying two metres apart;
- stickers on the floors to tell you where to stand when using various areas of the Board's facilities;
- signs to show you where to sit, and extra seating removed;
- tables have been added and spaces have been reconfigured, where possible, in order to allow further distancing.

(E) Masks/ Face Coverings

The City of Toronto has passed a by-law which makes it mandatory to wear masks or face-coverings while in enclosed public spaces. "Mask or Face Covering" is defined in the by-law as "a mask, balaclava, bandana, scarf, cloth or other similar item that covers the nose, mouth and chin without gapping."

All visitors to the Board's offices will be required to wear a mask or face covering to cover their mouth, nose and chin, when entering the building, lobby and elevators, and when inside the Board's offices. In mediations, masks or face coverings must be worn at all times. In hearings, masks or face coverings must be worn at all times except when testifying or making submissions.

Individuals will be required to bring and use their own mask or face covering, as they will need a mask or face covering to enter the building. The Board will have some additional masks available.

Some individuals are exempt under the by-law from the wearing of masks or other face coverings:

(1) children under two years of age;

(2) persons with an underlying medical condition which inhibits their ability to wear a mask or face covering;

(3) persons who are unable to place or remove a mask or face covering without assistance;

(4) persons who are reasonably accommodated by not wearing a Mask or Face Covering in accordance with Ontario's *Human Rights Code*.

Visitors who cannot wear a mask or face covering while at the Board's offices are asked to bring this to the Board's attention in advance of attending at the Board. Alternate arrangements to in-person attendance may then be made.

If a visitor who cannot wear a mask or face covering attends at the Board without previously bringing this to the Board's attention, the visitor will be required to identify the exception that prevents them from wearing a face covering.

Elevators

You will be required to wear a face covering while in an elevator at the Board. Whenever possible, you should be the only person in the elevator. When there are two or more people in the elevator, try to: stay two metres apart, face the other way, and use a pen, key or something else to press buttons.

Public washrooms

Public washrooms will be cleaned more often. To support physical distancing: signs have been posted to remind you to practice physical distancing and wash your hands, signs have been posted to show the number of people allowed in a public washroom at one time, and urinal and stall spaces have been marked off as closed in order to limit the number of occupants.

Maximum Capacity

Hearing and mediation rooms have been marked with signs showing the maximum number of people allowed in each room. Hearing and mediation scheduling are being done with a view to monitoring occupancy levels at the facility as a whole.

Note that public access to hearings may be restricted because of health and safety concerns. If public or media interest is known in advance, measures will be arranged when possible.

Other Notes:

Water will not be provided during the hearing or mediation. All participants are responsible for bringing their own water bottles and water.

Pay close attention to the start time on your Notice of Hearing or Notice of Mediation. Start times may vary in order to allow for staggered entry into the building and its various rooms.

Until further notice, the Board is not open for outside, third party bookings of its hearing and mediation rooms.