

# FAQ's- What Businesses Need to Know

## What are we being asked to do?

As of July 13, 2020 all owners and operators of businesses, organizations and public transit services currently operating under the Emergency Management and Civil Protection Act (EMCPA) are required to have a policy in place to restrict people from entering indoor publically accessible areas of the business/ organization or public/private transit vehicle if they are not wearing a face covering.

These [instructions](#) reinforce the requirements that all persons responsible for a business or organization permitted to open per the EMCPA (or current) shall operate the business or organization in compliance with the advice, recommendations and instructions of public health officials.

## Under what authority are these instructions being issued?

These instructions are being issued by Medical Officer of Health of Simcoe Muskoka District Health Unit (SMDHU) under the authority of the provincial Emergency Management and Civil Protection Act (EMCPA).

## What evidence supports the instructions?

There is a growing body of scientific evidence indicates the widespread use of face coverings by all persons decreases the spread of respiratory droplets. Public health experts also support the widespread use of face coverings to decrease transmission of COVID-19.

At this [link](#) you will find a collection of expert opinions and studies on face coverings. This list is for informational purposes only and is not representative of all articles and studies available on the subject, nor does this list cover all articles and studies that are reviewed by our staff and our Medical Officer of Health.

## When are these instructions in effect? How long must people comply with these instructions?

Instructions for mandatory face covering use in all indoor public spaces are in effect as of 12:01 a.m. Monday, July 13, 2020. Face coverings will be required indoors in all businesses, organizations and public transit services in Simcoe County and the District of Muskoka currently operating under the EMCPA while the provincial Emergency Orders remain in force.

## What type of business or organizations are included?

All businesses, organizations and public transit are included that have indoor spaces that are openly accessible to members of the public and are used for the purposes of offering goods or services to members of the public and currently include, but not limited to, the following:

- Malls, shopping plazas and retail stores (e.g. convenience stores, grocery stores and bakeries)
- Farmers' markets (operating indoors)
- Food premises
- Personal service settings (e.g. salons, spas, tattoo parlours, etc.)
- Churches or faith settings
- Areas of mechanics' shops and garages, and repair shops open to the public
- Libraries
- Community centres
- Public (e.g. bus or train) and private (e.g. bus, taxi, or limo) transportation service

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- Organization, government and business offices (publicly accessible areas) including spaces where training is being provided to the public
- Professional offices where clients receive purchased services (e.g. lawyer's or accountant's offices) that are not open to members of the public

## What indoor public spaces are NOT included?

- Schools (elementary, secondary and post-secondary), licensed child care centers and indoor/outdoor day camps
- Indoor areas of a building accessible to only employees
- Areas that are outside, whether or not the areas are covered (e.g. restaurant patios)

## Who is responsible for enforcing this requirement and is there a penalty for non-compliance?

Under the EMCPA enforcement of these requirements may be conducted by police officers as well as provincial offences officers (which includes municipal bylaw officers and public health enforcement personnel).

SMDHU's focus is on raising public awareness and educating people on the use of non-medical masks or face coverings in premises where physical distancing may be difficult. However, individuals, businesses or organizations who do not comply with the requirements may be fined as per the EMCPA. It is important to know that while we will commence with an educational and supportive approach, as per the EMCPA, those who do not comply with the above noted requirements may be fined. Individuals may be liable for a fine of \$750 - \$1,000 up to a maximum of \$100,000, while corporations may be liable for a fine of up to \$10,000,000 for each day or part of each day on which the offence occurs or continues.

## What are some examples of how businesses, organizations and public transit services can enact the instructions?

- Post appropriate visible signage indicating that face coverings are required inside the establishment. Public signage is available on our [website](#) to download and print.
- Where a person not wearing a face covering enters the premise, a verbal reminder should be given to the customer to wear a face covering. Note: the customer entering the premises may have an exemption and is unable to wear a mask. Instead of turning away the customer please remind the customer of the policy. All exemptions should be enacted and enforced in "good faith" and should be used as a means to educate people on the use of face coverings. The business, organization or public transit service should continue to follow the physical distancing and hand hygiene protocols.
- For customers in the store seen removing their face covering for extended periods of time, a verbal reminder should be given to the customer of the requirement to keep on their face covering.
- There may be situations where someone may require an employee to remove their face covering to speak to them (e.g. for a specific communication need like lip reading). We remind anyone removing their face covering to follow safe handling procedures and to keep a distance of 2 metres (6 feet) away from others.
- Training: Ensure that all employees are aware of the policy and are trained on your establishment's expectations.

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## Do employees of the business, organization or public transit service need to wear a face covering?

Yes, employees need to wear a face covering when working in the public areas of the indoor public space unless the employee is within or behind a physical barrier (e.g. Plexiglass barrier) or is in an area of the premises that is not designated for public access.

## What kind of face covering can customers or employees wear?

A face covering means a non-medical mask, or other face coverings such as a bandana, scarf, or cloth mask that has been purchased or made, that covers the mouth, nose and chin ensuring a barrier that limits the spread of respiratory droplets when you cough, sneeze or talk.

## Can my employees or customers wear a face shield instead of a face covering?

No. Face shields do not replace face coverings or masks. The nose, mouth, and chin must be covered. Face shields protect the wearer from respiratory droplets but do not protect those around them, and must be worn with a mask.

## Who is exempt from wearing a face covering?

The following individuals do not have to wear a face covering in indoor public spaces:

- Children under two years of age, or children under the age of five years either chronologically or developmentally who refuse to wear a mask and cannot be persuaded to do so by their caregiver.
- Individuals with medical conditions rendering them unable to safely wear a mask, including breathing difficulties or cognitive difficulties or difficulties in hearing or processing information.
- Anyone who has trouble breathing.
- Anyone who is unable to remove the mask without help.
- Anyone who is unconscious or incapacitated.
- Anyone wearing a face covering that would inhibit the ability to breathe in any way such as, but not limited to, during moderate to intense physical activity (such as running) or activity that would preclude its use (such as swimming).
- For any religious reasons.

## Can businesses require proof of exemption?

No, you cannot ask for proof of exemption.

## Can a customer be refused entry if they are not wearing a face covering?

Although a business, organization or public transit service has the right to deny entry to their premise, the policy regarding the use of face coverings indoors should be enacted and enforced in “good faith” and used as a means to educate people on face covering use. Under “good faith”, there is no need for a business to turn away the customer to achieve the best effort standard—this is the decision of the business, understanding that COVID-19 resurgence will impact the health of individuals and our economy.

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## Is my business required to provide face coverings for customers who may not have one?

No, it is not required that you provide free face coverings for your customers. A face covering can be made at home or by using a bandana, or scarf and therefore most people would have access to a face covering.

## Do I need to use the signs you have provided on your website, I don't have a printer in my business?

We only ask that you post appropriate visible signage indicating that face coverings are required inside the business or organization. Sample signage can be found on the COVID-19 workplace section of the SMDHU website [here](#).

## Does a person still need to stay 2 metres away from others if they are wearing a face covering?

Yes. All public health measure must still be maintained and promoted including [washing your hands](#) often with soap and water or using alcohol-based hand sanitizer, sneezing and coughing into your sleeve, staying home if you are ill and practising physical distancing to reduce exposure to other people — this means staying at least 2 metres (6 feet) away from anyone outside your household or social circle.

## Can a customer or employee remove their face covering if physical distancing is not a concern in the establishment or enclosed public space?

A customer is allowed to temporarily remove their face covering where necessary for the purpose of:

- receiving services (including eating or drinking when dine-in services are allowed) or
- while actively engaging in an athletic or fitness activity including water-based activities.

An employee can remove their face covering when in a staff-only area where the public does not have access or when they are behind a physical barrier (e.g. Plexiglas barrier).

## Does my business/organization need to enforce this policy if we offer courses for the public (e.g. first aid, ESL)?

Yes, if the courses are offered in person and indoors then wearing a face covering is required.

## Are religious officiants exempt from wearing a mask when leading a ceremony?

The officiant of a religious ceremony can choose to not wear a mask if standing in an area of the religious space that is separate from the public attending the ceremony. The officiant should use a microphone to project their voice to reduce the risk of respiratory droplets being spread; and not engage in any singing or chanting. The officiant should stand at least 5 metres from the people attending and if there is more than one officiant, they should be spaced at least 2 metres apart from each other and not be facing each other.

For more information or if you have questions about wearing face coverings or masks in any indoor public space, please call SMDHU Health Connection at 1-877-721-7520.