

Impact of Ontario's COVID-19 Shut Down on the Construction Industry

Summary:

In response to the ongoing COVID-19 pandemic, the Government of Ontario has declared a state of emergency under s 7.0.1 (1) the *Emergency Management and Civil Protection Act*. As the outbreak continues, and the number of cases increases, Premier Doug Ford announced a province-wide shutdown of non-essential businesses and issued a list of exempted workplaces that includes some construction sites.

The OGCA continues to work with government and industry partners to ensure work continues where safe and that Members are kept informed of this developing situation.

Overview:

Last Friday, the Ontario General Contractors Association, the Provincial Building and Construction Trades Council of Ontario, the Construction Employers Coordinating Council of Ontario, the Council of Ontario Construction Associations and the Construction and Design Alliance of Ontario issued a joint statement calling for sites to be kept open.

On Monday, March 23, 2020, the Province of Ontario announced it would shut down all non-essential services for two weeks starting Wednesday to help curb the spread of COVID-19. During his announcement, Premier Ford responded to a public outcry regarding sanitary conditions on some job sites and issued a warning that any construction site found in violation of the health and safety protocols would be shut down.

The Ontario government followed up the announcement Monday evening with a full, [74-point list outlining the businesses it considers essential](#). The list of exempted construction workplaces includes the following:

26. Construction projects and services associated with the healthcare sector, including new facilities, expansions, renovations and conversion of spaces that could be repurposed for health care space
27. Construction projects and services required to ensure safe and reliable operations of critical provincial infrastructure, including transit, transportation, energy and justice sectors beyond the day-to-day maintenance
28. Construction work and services, including demolition services, in the industrial, commercial, institutional and residential sectors
29. Construction work and services that supports health and safety environmental rehabilitation projects

On Tuesday, Premier Doug Ford announced that the Ministry of Labour Building Inspectors would be visiting sites across Ontario, checking to make sure that all health and safety requirements are met. Those sites that fail to meet these requirements would be shut down until they are safe.

The Government of Ontario expects construction to try and continue to work where it is safe and to encourage employees and trades to come to work. This pandemic situation is fluid, and the OGCA understands that trades and others may decide not to return to work, either by declaring that they feel the workplace is unsafe or just not returning to work. In these cases, OGCA Members should consult with their legal advisors regarding breach of contract.

More information

The OGCA is committed to providing up to date information regarding COVID-19. Please visit www.ogca.ca for managing the virus at worksites and www.Ontario.ca/coronavirus for updates on the virus itself.

You can also follow us on twitter at [@OGCAinfo](https://twitter.com/OGCAinfo) for real-time news and developments.