

## B.C. Ministry of Agriculture

### Questions and Answers

#### **COVID-19 pandemic PHO Order Industrial Camps: What does it mean for B.C.'s agriculture and seafood industry?**

Link to Industrial Camp Order:

<https://www2.gov.bc.ca/assets/gov/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/covid-19/covid-19-pho-order-industrial-camps.pdf>

Link to Delegation: Industrial Camps:

<https://www2.gov.bc.ca/assets/gov/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/covid-19/covid-19-pho-delegation-industrial-camps.pdf>

## Section 1: General Q and A

### **Who does the Order for Industrial Camps (Order) apply to?**

**Answer:** The Order for Industrial Camps (Order) applies to:

- All employers in the agriculture, aquaculture, forestry and resource sectors, who provide accommodations for employees,
- Individuals contracted by an employer to provide accommodation to employees in the agriculture, aquaculture, forestry and resource sector,
- All people appointed as infection prevention and control coordinators by employers, and,
- All workers in the agriculture, aquaculture, forestry and resource sectors.

The Order applies to all agriculture and aquaculture operations that provide accommodation for employees regardless of the size of the operation, the number of employees/workers, and includes all types of domestic and international workers: local, students, family, out-of-province, temporary foreign workers, contractors and so on.

### What types of accommodations does the Order apply to?

**Answer:** The Industrial Camps Order applies to a wide range of worker accommodation, including congregate settings such as a motel, hotel or tents. The accommodation may be located on the same premises as the worksite or off-site. The accommodation in question may be provided directly by an employer, facilitated by an employer, or be an accommodation that an employee is required to utilise as part of the condition of employment. The employer may be directly or indirectly associated with the accommodation. For example, some camps are owned and operated by third parties that have a contract with an employer.

### How does this Order impact the guidance documents already available on the Provincial Health Officer's (PHO) website?

**Answer:** All guidance documents are intended to support, and not conflict with the orders of the Provincial Health Officer (PHO). The orders provide the expectations and the guidance documents can be used to help implement the expectations.

### When does the PHO Order start? When does it end?

**Answer:** The Order became enforceable as of April 23, 2020 and will cease when it is revoked by the PHO.

### Does this Order change the existing requirements for farmers who will be receiving Temporary Foreign Workers (TFW) and who may already have applied for authorization from the BC Provincial Health Officer?

**Answer:** For existing operations that already have workers, you only need to create a Protocol, based on the guidance, implement the Protocol and have it available upon request. Employers accepting new TFWs must have all sites, accommodations and vehicles inspected prior to bringing new workers on site. If all sites, accommodations and vehicles have been previously inspected and the total number of workers at the farm or expected to arrive does not exceed the number of workers for which the farm has been approved, there is no need for another inspection.

The TFW IPCP form for farms will continue to be available for use.

### What if I already have employees in accommodation and/or working?

**Answer:** If your employees are already in accommodation and/or the worksite is in operation, you must implement the order as soon as possible. The purpose of this document is to provide information to assist you in implementing the Order.

As an employer, you must:

- Create an infection prevention and control protocol (Protocol)
- Appoint an infection prevention and control coordinator (coordinator)
- Contact a Provincial infection prevention and control officer (IPC Officer) to inspect the accommodation, worksite, vehicles used to transport workers and so on.

### My employees have not arrived yet. Do I need to have the order implemented before workers arrive?

**Answer:** Yes, as an employer, prior to workers arriving, you must:

- Create a Protocol,
- Appoint a coordinator, and
- Contact an IPC Officer to arrange for inspection of the accommodation, worksite, vehicles that will be used to transport workers, etc. NOTE: The province is creating an online form that will provide the ability to schedule an inspection. When this information is available it will be communicated to employers.

### What is the consequence of not following the Order?

**Answer:** Compliance with every PHO order, including oral orders, is mandatory. Non-compliance is an offence under the *Public Health Act* (PHA). The Province has adopted and implemented a graduated compliance and enforcement approach that generally starts with providing information, education and advice that can help address issues as the first step, with escalating measured compliance responses like warnings and referral to a health officer only as required and appropriate to ensure compliance.

## Section 2: Duties of the Employer

### What is the Order asking the employer to do?

**Answer:** The Order outlines responsibilities for the employer as follows:

- 1) a) Develop a COVID-19 infection and prevention protocol  
b) post the protocol in a prominent place at all accommodations and worksites, and provide it to an inspector upon request
- 2) Maintain a high level of hygiene in accommodations, worksites and among workers
- 3) Provide a rapid response for an employee that develops symptoms of COVID-19
- 4) Not permit a worker with COVID-19 symptoms to work
- 5) Ensure any workers with COVID-19 symptoms self-isolate and provide necessary supports
- 6) Appoint an infection prevention and control coordinator, which can be any person, including the employer
- 7) a) In the case of an accommodation already in use or a worksite which is in operation, complete the above (1-6) responsibilities and arrange for a Provincial Infection Prevention and Control Officer to inspect accommodations, worksite and vehicles as soon as possible. NOTE: The province is creating an online form that will provide the ability to schedule an inspection. When this information is available it will be communicated to employers.  
b) If workers have not arrived, complete the above responsibilities and arrange for inspection prior to placing workers in accommodation or operating a worksite (see note above).

## Section 3: COVID-19 Infection Prevention and Control Protocol (Protocol)

### What is the purpose of a Protocol?

**Answer:** The Protocol is a written document that outlines how the employer will protect workers from the risk of COVID-19 transmission and infection at their worksite, place of accommodation and/or while being transported between the accommodation and the worksite.



### What are the steps for creating a Protocol?

**Answer:**

**STEP 1:** Before creating a Protocol, it is recommended that employers complete a workplace risk assessment for the COVID-19 pandemic. The Federal Government has prepared risk-informed decision-making guidelines for workplaces and businesses during the COVID-19 pandemic. A link to conducting a workplace risk assessment for COVID-19 can be found here: <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/guidance-documents/risk-informed-decision-making-workplaces-businesses-covid-19-pandemic.html>

**STEP 2:** After completing a risk assessment, you must create a Protocol. The Protocol will demonstrate how you will address the risks that were identified in your workplace risk assessment. AgSafe has created a protocol template that may be found [here](#).

**STEP 3:** Once a Protocol is created it must be posted in a prominent place at all accommodations and worksites. The Protocol must be readily available to all employees and to an IPC Officer during on-site inspection. The Protocol must be implemented at all times.

### Where can I find more guidance and support for creating a Protocol?

**Answer:** A good place to start when creating a Protocol is to review all guidance documents that are relevant to your industry. Here is a link to the guidance documents created by the PHO: <https://www2.gov.bc.ca/gov/content/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/current-health-topics/covid-19-novel-coronavirus>

AgSafe has created a protocol template that may be found [here](#). If you are still having difficulty creating a Protocol for your worksite please contact the Ministry of Agriculture for support at 1-888-221-7141 or [AgriServiceBC@gov.bc.ca](mailto:AgriServiceBC@gov.bc.ca).

### What are the consequences for not creating a Protocol?

**Answer:** Developing a Protocol is a requirement under the Order. Compliance with every PHO order, including oral orders, is mandatory. Non-compliance is an offence under the *Public Health Act* (PHA). The Province has adopted and implemented a graduated compliance and enforcement approach that generally starts with providing information, education and advice that can help address issues as the first step, with escalating measured compliance responses

like warnings and referral to a health officer only as required and appropriate to ensure compliance.

## **Section 4: Appointing an Infection Prevention and Control Coordinator (coordinator)**

**Who do I appoint as an infection prevention and control coordinator (coordinator)? Can the owner also be the coordinator?**

**Answer:** Anyone can be the on-site coordinator including the owner operator. However, where possible the employer should appoint another person so that the coordinator role is independent from the employer.

**How do I appoint a coordinator? Do the coordinators require any specific training, certification or qualifications?**

**Answer:** Once you have decided on a coordinator, the Protocol must indicate who the coordinator is. The coordinator should be familiar with their duties as outlined in the Order. There is no specific training, certification or qualifications required for the coordinator, but they must be capable of conducting the duties as outlined in the Order. If available, the employer should select a coordinator with some training in first aid and they must be able to communicate with all employees to fulfill their responsibilities.

**What are the duties of the coordinator?**

**Answer:** The duties of the coordinator are outlined in the Order and are as follows:

- 1) Act as a liaison between the employer and the health officer or Provincial Infection Prevention and Control Officer;
- 2) Oversee the implementation of the Protocol;
- 3) Monitor the health of workers daily for symptoms of COVID-19 (i.e. fever, sore throat, coughing, sneezing, or difficulty breathing), keep a daily record of monitoring activities and inform the health officer or Provincial Infection Prevention and Control Officer if

any worker exhibits symptoms of COVID-19 (i.e. fever, sore throat, coughing, sneezing, or difficulty breathing).

- 4) Oversee the manner in which workers are transported between their accommodation and worksite to ensure that workers are transported in such a way that it limits the risk of transmission of SARS-CoV-2 between the workers and to the driver to the extent practical;
- 5) Monitor the compliance of workers with the requirements imposed upon them by this Order;
- 6) Inform the health officer or the Provincial Infection Prevention and Control Officer of any failure to implement the Protocol on the part of the employer, or if a worker fails to comply with the requirements imposed upon the worker by this Order.

#### **Are there any resources or tools for coordinators to use?**

**Answer:** Resources and tools are being developed to assist operations to implement the Order. Once available this document will be updated.

## **Section 5: Contacting Provincial Infection Prevention and Control Officers (IPC Officers)**

#### **Who are the Provincial Infection Prevention and Control Officers (IPC Officers)?**

**Answer:** The PHO has delegated certain individuals who will act as IPC officers. A list of positions delegated as IPC Officers can be found here:

<https://www2.gov.bc.ca/assets/gov/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/covid-19/covid-19-pho-delegation-industrial-camps.pdf>

#### **How do I contact an IPC Officer to conduct an onsite inspection? Can I phone someone I know who has been delegated as an IPC Officer?**

**Answer:** NOTE: The province is creating an online form that will provide the ability to schedule an inspection. When this information is available it will be communicated to employers.

#### **Do IPC Officers have the jurisdiction to enforce the Order on commercial fishing vessels that are solely federally regulated (Transport Canada and Fisheries and Oceans Canada)?**

**Answer:** No, the Industrial Camps Order does not apply to commercial fishing vessels.

### **What is the role of the IPC Officer and what will they do when they come to my worksite?**

**Answer:** The IPC Officer has a number of powers delegated by the PHO. The role of the IPC officer is to inspect, inform and educate employers, coordinators, and workers about their duties as set out in the Order. Expect the IPC officer to review your Protocol and other relevant records, tour and inspect your operation including accommodations, worksites and vehicles, and ask questions of the employer, coordinator, and workers related to the implementation of your Protocol. When deemed necessary the IPC officer may provide education, resources and recommendations to assist your operation to comply with the Order. A full list of authorities delegated to the IPC Officers is outlined in the Delegation: Industrial Camps which is found here: <https://www2.gov.bc.ca/assets/gov/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/covid-19/covid-19-pho-delegation-industrial-camps.pdf>

### **What if the IPC Officer determines that my Protocol is not sufficient, or that I am not implementing the Protocol correctly?**

**Answer:** IPC Officers will be focussing on compliance and education, not enforcement. If a pattern of non-compliance by an employer is established the matter could be escalated to a health officer, who would have the authority to take enforcement action. The potential consequences of not following the Order will vary depending on the seriousness of the contravention.

The expectation is that people will acknowledge COVID-19 as a pandemic and a public health risk. The Order reinforces that agriculture and aquaculture operators, coordinators, and workers have a role to play in decreasing the risk to themselves and the public.



## Section 6: Worker Requirements

### What are the requirements for all workers?

**Answer:** The Order outlines the responsibilities that all agriculture, aquaculture, forestry and natural resource workers must follow. All types of workers are captured in the Order including: local, students, family, out-of-province, temporary foreign workers, contractors etc.

All workers must meet the requirements as outlined in the Order:

1. Follow the Protocol of your employer to prevent the transmission of SARS-CoV-2 infection;
2. Follow infection prevention and control practices including diligent hand hygiene;
3. To the extent practical, reduce close contact with other persons by maintaining a two metre (2m) separation and avoiding shared spaces;
4. To the extent practical, limit the risk of transmission of SARS-CoV-2 between one another, and to the driver when travelling to and from work and between shifts;
5. Remain in your accommodation on days when you are not required at the worksite;
6. Avoid any unnecessary visits to public establishments and only leave your accommodation if approved by the Coordinator or in the case of a medical emergency or if there is a need to attend a critical appointment and it cannot be postponed or held electronically.
7. If you leave your accommodation in the case of a medical emergency or to attend a critical appointment you must:
  - a. Maintain a distance of two metres from anyone with whom you are meeting, unless you are meeting with a health care provider.
  - b. Carry a mask or tissues at all times.
8. If you develop symptoms of COVID-19 (i.e. fever, sore throat, coughing, sneezing, or difficulty breathing) while away from your accommodation, you must put on the mask or cover your nose and mouth with tissues and return immediately to your accommodation while avoiding contact with other people to the greatest extent possible, and phone a health professional for advice.
9. Self-monitor daily for signs and symptoms of illness and,
10. If you exhibit COVID-19 symptoms (i.e. fever, sore throat, coughing, sneezing, or difficulty breathing), inform the Coordinator and self-isolate for 10 days, unless instructed otherwise by a health professional.

### **What are the requirements for workers who live off-site?**

**Answer:** Workers who live off-site must meet worker responsibilities as outlined in the Order. The worker and the employer will have to consider how to mitigate the risk of worker movement between worksite and accommodation.

### **What are the requirements for workers who live on-site?**

**Answer:** Workers who live on-site will have additional measures outlined in the Protocol developed by their employer. Activities that increase risk of transmission such as leaving the worksite to purchase food and personal items or attend critical appointments, will need to be addressed in the Protocol. Efforts that will be taken to mitigate risk need to be clearly indicated. The employer and the worker have responsibilities outlined in the Order to minimize risk of virus transmission.

### **Do worker requirements apply to workers that move between worksites e.g. Woofers, TFWs, Farm labour contractors (those that operate transportation between worksites)?**

**Answer:** Employers must notify workers that move between sites as these workers must comply with the Order.

Unlike TFWs who are required to self isolate for 14 days after arriving in Canada, domestic or out-of-province workers who travel inter-provincially for work are not at this time required to self-isolate prior to beginning work. Employers should check the PHO website regularly as PHO orders and guidance may be updated frequently. All PHO orders and guidance documents can be found here:

<https://www2.gov.bc.ca/gov/content/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/current-health-topics/covid-19-novel-coronavirus>