


POLICY

	Policy:	Mandatory Face Covering During a Pandemic		
	Department:	Corporate Services		
	Division:	Human Resources	By-Law No.:	2020-046
	Administered By:	Manager of Human Resources	Approval Date:	Oct. 12, 2021
	Replaces:	N/A		
	Attachment(s):	N/A		

1. POLICY STATEMENT

The Corporation of the Town of Amherstburg is committed to the health, safety and well-being of all persons. During the course of a pandemic, such as COVID-19, the Town acknowledges that the wearing of face coverings may act as one component of an overall COVID-19 mitigation strategy, of which frequent hand-washing and maintaining a safe physical distance are also important components.

2. PURPOSE

- 2.1. This policy defines the requirements for members of the public for wearing face coverings when attending a Municipal Building, as well as the exemptions to the policy for the health, safety and well-being of all persons within Municipal Buildings.
- 2.2. This policy provides requirements and exemptions that exist regarding mandatory face masks in Municipal Workplaces for employees.

3. SCOPE

- 3.1. This policy applies to employees and members of the public within any Municipal Workplace or Municipal Buildings in the Town of Amherstburg.
- 3.2. This policy shall remain in force and effect until such time the municipality is advised by the Medical Officer of Health that the use of Face Coverings is no longer required.

4. DEFINITIONS

- 4.1. **Face Covering** means a face covering or mask, including a bandana or scarf, construction of cloth, linen or other similar fabric that fits securely to the head and is large enough to completely and comfortably cover the mouth, nose and chin without gapping. A Face Covering may include, but is not required to be, a medical mask such as surgical masks, N95 or other similar masks worn by healthcare workers.
- 4.2. **Face Mask** means a mask that is constructed of at least two layers of cloth or similar fabric, with a third middle layer of filter-type material that is well fitting and is large enough to completely and comfortably cover the mouth, nose and chin without gapping. For clarity, a Face Mask may include but is not required to be, a medical mask such as surgical masks, N95 or other masks required by healthcare workers. A Face Mask does not include a bandana or scarf, neck gaiter, neck warmer, or masks with exhalation valves.
- 4.3. **Medical Officer of Health** means the Medical Officer of Health for the Windsor-Essex County Health Unit.

- 4.4. **Municipal Buildings** means any enclosed building or structure owned or leased and occupied by the Town for the purpose of providing municipal services.
- 4.5. **Municipal Workplace** means any enclosed building or structure or vehicle or outdoor space owned or leased and occupied by the Town for the purpose of providing municipal services.

Common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

5. INTERPRETATIONS

- 5.1. Any reference in this policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a by-law or Town policy shall be deemed to be a reference to the most recent passed policy or by-law and any replacements thereto.
- 5.2. When any requirement of this policy is at variance with any other By-law in effect in the Town or with any applicable provincial or federal statute, order or regulation, the more restrictive requirement shall apply unless otherwise stated in such legislation.

6. GENERAL CONDITIONS

6.1. Public Notice

- 6.1.1. The Town of Amherstburg shall post this policy on the Town website.
- 6.1.2. The Town shall conspicuously post at all entrances of municipal buildings clearly visible signage that members of the public are required to wear a Face Covering in accordance with the Town's Face Covering By-law.
 - 6.1.2.1. Exemptions shall be publicly noted, as indicated in this policy.

6.2. Face Covering Requirements

- 6.2.1. Employees are required to wear a face mask in accordance with this policy.
- 6.2.2. All members of the public are required to wear a face covering in accordance with this policy, unless exempted in accordance provincial legislation or the Town's Face Covering By-law.

6.3. Prohibition

- 6.3.1. The Town of Amherstburg shall prohibit members of the public to enter, or otherwise remain within, a Municipal Building unless the person is wearing a Face Covering, subject to the exemptions outlined in provincial legislation or the Town's Face Covering By-law.

6.3.1.1. A member of the public who is not or refuses to wear a Face Covering shall when asked by a Town employee identify if they are a person who is exempt from wearing a Face Covering but shall not be required to identify which exemption prevents them from wearing a Face Covering or provide proof in order to meet any of the exemptions set out in section provincial legislation or the Town's Face Covering By-law.

6.4. **Enforcement**

- 6.4.1. Where an exemption is not applicable and a member of the public wishes to enter a Municipal Building, the Town employee shall refuse entry in accordance with this policy.
- 6.4.2. Non-compliance with this policy by Town employees will be addressed by the Human Resources Division in accordance with other applicable Town policies.

7. **RESPONSIBILITIES**

- 7.1. **Council** has the authority and responsibility to:
 - 7.1.1. Approve the *Mandatory Face Covering During a Pandemic Policy*.
- 7.2. The **CAO** has the authority and responsibility to:
 - 7.2.1. Ensure compliance with the *Mandatory Face Covering During a Pandemic Policy*.
- 7.3. The **Manager of Facilities** has the authority and responsibility to:
 - 7.3.1. Ensure public notice of the policy is provided at all municipal buildings.
- 7.4. The **Manager of Human Resources** has the authority and responsibility to:
 - 7.4.1. Disseminate and train staff on the requirements of this policy.
- 7.5. **Supervisors and Managers** have the authority and responsibility to:
 - 7.5.1. Enforce and adhere to the *Mandatory Face Covering During a Pandemic Policy*.
- 7.6. **Staff** have the responsibility to:
 - 7.6.1. Read, understand and adhere to this policy.

8. **REFERENCES AND RELATED DOCUMENTS**

- 8.1. By-law 2020-046 – *A By-law to Impose Temporary Regulations Requiring the Use of Face Coverings or Masks within Enclosed Public Spaces in the Town of Amherstburg*
- 8.2. *Discipline Policy*
- 8.3. *Mandatory Face Covering During a Pandemic Procedure*