

# COVID-19 Health Safety Plan for the Tourism Industry

## Common Industry Measures

### July 17, 2020 Version

VAILLANCOURT  
RIOU   
& ASSOCIÉS  
avocats · lawyers

  
COMITÉ SECTORIEL  
DE MAIN-D'ŒUVRE  
EN TOURISME

En collaboration avec

Québec 

In partnership with regional tourism associations, sectorial tourism associations, the Institut de tourisme et d'hôtellerie du Québec and the Alliance de l'industrie touristique du Québec.

## Common Measures

This document sets forth all the basic rules applicable to tourism businesses in Québec, regardless of their specific area of activity. It is imperative that the document be used as a complement to the information sheets for each sector, which specify the particular characteristics of each industry sector.

## Preface

**Owing to the coronavirus pandemic, some industry sectors are closed by government order, and businesses are prohibited from accessing these sectors until further notice.**

When the opening of the sector is confirmed, businesses must be prepared to apply preventive measures to fight the coronavirus and must have trained their staff accordingly before they receive their first customers. This process may require a few days of preparation.

The recommendations issued in this document are based on the government guidelines in force as of May 26, 2020. These recommendations are likely to be amended or adjusted in accordance with developments in the situation and new guidelines that will be issued by government authorities. Project partners will keep their members informed of developments in the situation and will update the documentation regularly.

While we have tried to concentrate as much information as possible in the following pages, government sources will of course remain a priority at all times.

## Acknowledgments

We would like to thank all the persons and organizations that participated in developing and validating the content of this document in one way or another. We particularly want to emphasize the support for the project provided by sectorial tourism associations (STAs). Their representatives produced the contents for measures common to the entire industry and the information sheets for each sector with enthusiasm, expertise and consultation within very tight time constraints.

We would like to extend thanks to regional tourism associations (RTAs), which will ensure that tourism businesses establish appropriate measures to protect customers, visitors, travellers, workers and suppliers on their respective territories. We appreciate the beautiful spirit of cooperation that prevailed between the STAs and RTAs in this matter.

More specifically, the common measures section was prepared under the direction of a steering committee and a task force, both representative of the tourism industry.

## Steering Committee

- Quebec Ski Area Association (ASSQ): Yves Juneau, Chair of the Committee



En collaboration avec



In partnership with regional tourism associations, sectorial tourism associations, the Institut de tourisme et d'hôtellerie du Québec and the Alliance de l'industrie touristique du Québec.

- ARF Québec: Marilyn Désy
- Association Hôtellerie Québec (AHQ): Xavier Gret
- Aventure Écotourisme Québec (AEQ): Pierre Gaudreault
- Événements Attractions Québec (EAQ): François G. Chevrier
- Fédération des pourvoiries du Québec (FPQ): Marc Plourde
- Tourisme Bas-Saint-Laurent: Pierre Lévesque
- Tourisme Montréal: Manuela Goya
- Alliance de l'industrie touristique du Québec: Éric Paquet
- CQRHT: Isabelle Girard
- ITHQ: Martine Lizotte
- Ministère du Tourisme: Guylaine Bouchard, associate deputy minister and Amélie Turcotte

## Task Force

- Hotel industry: Thierry Hamtiaux, AHQ
- Restaurant services: Martin Vézina, ARQ
- Recreation, Entertainment and Nature-Centred Accommodation:
  - Magalie Bernard, AEQ
  - Yannick Charette, ASSQ
  - Dominic Dugré, FPQ
- Travel services: Marc-André Plouffe, ARF Québec
- Union Unifor: Nicole Jacques
- Transportation: Loïc Hamel, Croisières AML
- Experts:
  - Pierre Bellerose, MTLab
  - Kate Germain, Chair of Tourisme Transat

Finally, we would like to thank:

- The Institut de tourisme et d'hôtellerie du Québec, which graciously offered the services of its tourism professors and the hotel and restaurant industries to support various sectors in preparing information sheets for each sector.
- The Ministère du Tourisme for its significant cooperation in all aspects of the project.

## **Project Team**

### **Project Management**

Isabelle Girard, Conseil québécois des ressources humaines en tourisme (CQRHT)

### **Coordination of Task Force and External Experts (Common Measures)**

Danielle Ouellet, advisor

### **Coordination, COVID-19 Health Safety Plan Implementation**

Carolle Larose, advisor

### **Communication**

Alliance de l'industrie touristique du Québec - Anne-Hélène Couturier, Kim Martel and Marily Charpentier

### **French Copy Editing**

René Kirouac

### **Translation and Concordance Editing**

Services d'édition Guy Connolly

### **Alliance de l'industrie touristique du Québec Website & Layout**

Jean-François Charest and Julien-Pierre Martel

## **Vaillancourt Riou & associés, avocats**

### **Project Manager/Director**

Marc Vaillancourt, lawyer

### **Research Professionals**

Marie-Sophie Demers, lawyer

Fanny Mondou, lawyer

Marie-Claude Riou, lawyer

### **Support**

Karl Bourassa, administrative assistant, archivist

Alain Larouche, special advisor



En collaboration avec



In partnership with regional tourism associations, sectorial tourism associations, the Institut de tourisme et d'hôtellerie du Québec and the Alliance de l'industrie touristique du Québec.

## Lexicon

**Asymptomatic.** Afflicted with the COVID-19 virus, but not exhibiting one or more of its associated symptoms.

**COVID-19.** A virus with several common names, including COVID-19, 2019-nCoV, SARS-CoV-2. In fact, the virus known as SARS-CoV-2 and the disease it causes is called “2019 coronavirus disease (COVID-19).” This virus appeared in China in December 2019.

**Coronavirus.** Family of viruses to which COVID-19 or SARS-CoV-2 belong.

**Face covering.** Home-made cloth mask.

**Distancing.** The phrase “social distancing” was abandoned in favour of “physical distancing” or “distancing.” This is a measure people follow to prevent the spread of the airborne virus by keeping a minimum distance of two metres away from those around them.

**Mask.** Protective mask, procedural mask, surgical mask, N95 mask. See also *face covering*.

**Pandemic.** According to the World Health Organization (WHO), the word “pandemic” is used “in the event of global spread of a new disease.”

**Health Safety Plan (COVID-19) for the tourism industry.** Also called “the Plan.” Includes a prevention plan (proactive) and response plans (reactive).

**Tourism industry sectors.** There are five major tourism industry sectors: accommodation, food and beverage services, recreation and entertainment, transportation, and travel services. Each of these major sectors is divided into several distinct areas of economic activity.

**Sanitary safety.** Set of measures aimed at preventing or controlling individuals’ risks of exposure that are likely to affect the health of a population in the scientific, technical and material conditions of the time by prioritizing issues in terms of a cost-benefit scale.

**Symptomatic.** Showing one or more of the symptoms associated with COVID-19.

**Isolation zone.** Space that is enclosed or at least separated, in which a symptomatic person is placed pending the intervention of public health authorities to avoid all contact with other people.

## **Acronyms and Abbreviations**

**CNESST.** Commission des normes, de l'équité, de la santé et de la sécurité du travail (Québec)

**INSPQ.** Institut national de santé publique du Québec

**MAPAQ.** Ministère de l'Agriculture, des Pêcheries et de l'Alimentation du Québec

**HR.** Human resources

## Table of Contents

<b>0. Reminder of the General Public Health Recommendations to be Complied with at All Times and in All Places .....</b>	<b>0</b>
<b>1. Compliance Agreement.....</b>	<b>1-1</b>
<b>2. Useful Information About COVID-19.....</b>	<b>2-1</b>
2.1. Transmission.....	2-1
2.2. Contaminated Surfaces .....	2-1
2.3. Symptoms.....	2-1
<b>3. Logistics Planning .....</b>	<b>3-1</b>
3.1. Emergency Management Team .....	3-1
3.2. Contact Information of Resource Persons to Contact in Case of an Emergency .....	3-1
<b>4. Developing Strategies for Dealing with the Pandemic .....</b>	<b>4-1</b>
4.1. Infection Risk Analysis Grid .....	4-1
4.2. Determining Essential Business Activities .....	4-2
4.3. Preparing Various Staff Management Scenarios.....	4-2
4.4. Reviewing Contractual Obligations .....	4-3
<b>5. Developing a Plan for Preventing and Controlling Infection Risks in Customers .....</b>	<b>5-1</b>
5.1. Procedures to Follow at First Contact with a Customer.....	5-1
a) Protocol for Information to Be Provided to Customers .....	5-1
b) Cancellation Policy Adapted to COVID-19.....	5-2
5.2. Preparation Before the Arrival of the Customer .....	5-3
a) Establishing a Continuous Information Updating Process .....	5-3
b) Establishing Contactless Customer Interactions .....	5-3
c) Equipment to be Provided to Customers (for example, access cards, vehicles, equipment).....	5-3
5.3. Procedures for Receiving Customers .....	5-4
a) Procedure at the Points of Entry .....	5-4
b) Information Protocol for Customers .....	5-4
c) Registration Procedure.....	5-5
d) Payment Procedure .....	5-6

5.4.	Procedures to be Applied During Customers' Visits and Activities .....	5-6
a)	Procedure for Waiting Lines .....	5-6
b)	Implementing Health and Distancing Measures .....	5-6
5.5.	Protocol for the Layout and Maintenance of Buildings, Outdoor Areas, and Equipment .....	5-7
a)	Layout of Shared Spaces.....	5-7
b)	Layout of Outdoor Areas .....	5-8
c)	Procedure for Cleaning and Disinfecting Buildings .....	5-8
d)	Procedure for Cleaning and Disinfecting Outdoor Areas .....	5-9
e)	Procedure for Cleaning and Disinfecting Equipment and Vehicles.....	5-9
5.6.	Integrating Universal Accessibility Measures into the Business's Operational Plan..	5-10
a)	Temporary Layout of Shared Spaces .....	5-10
b)	Temporary Layout of Outdoor Spaces .....	5-10
c)	Access to Specialized Equipment .....	5-11
d)	Customer Service.....	5-11
e)	Support for Persons with Disabilities .....	5-12
f)	Communications.....	5-13
g)	Safety of Employees with Disabilities.....	5-13
5.7.	Procedures for the Establishment's Suppliers/Subcontractors and Partners.....	5-13
a)	Suppliers/Subcontractors and Internal Partners.....	5-13
b)	Suppliers/Subcontractors and External Partners .....	5-14
5.8.	Procedure for Food Services .....	5-14
5.9.	Procedure for Ensuring Compliance with Control Measures by Customers .....	5-15
5.10.	Procedure for Managing Complaints and Denunciations .....	5-15
<b>6.</b>	<b>Developing a Health and Safety Prevention Plan(COVID-19) in the Workplace.....</b>	<b>6-1</b>
6.1.	Employee Training.....	6-3
6.2.	Information on COVID-19 and Recommendations Issued by the Public Health Authorities and the CNESST .....	6-4
6.3.	Applying Basic Personal Hygiene Measures.....	6-4
6.4.	Purchasing Equipment Necessary for Hygiene Measures.....	6-4
6.5.	Workplace Layout.....	6-6
a)	Receiving and Shipping Goods .....	6-6



b)	Lunch and Break Periods .....	6-7
c)	Employee Transportation .....	6-7
d)	Outdoor Workers: .....	6-8
e)	Facilities for Employees with Limited Physical Mobility.....	6-8
6.6.	Applying Work Method and Work Time Adjustment Measures .....	6-9
6.7.	Applying a Guideline on the Presence in the Workplace of Employees at Risk of Contamination.....	6-10
6.8.	Establishing a Plan Aimed at Detecting COVID-19 Symptoms .....	6-11
6.9.	Applying Strict Workplace Access Measures.....	6-11
6.10.	Applying Restrictive Measures Concerning Trips Outside the Workplace .....	6-12
6.11.	Prevention Measures for Employees’ Psychological Health .....	6-12
<b>7.</b>	<b>Developing an Emergency Plan to Follow if COVID-19 Symptoms Are Observed or a COVID-19 Case Is Declared .....</b>	<b>7-1</b>
7.1.	In an Employee .....	7-1
7.2.	In a Customer .....	7-1
<b>8.</b>	<b>Human Resources Management.....</b>	<b>8-1</b>
8.1.	Establishing Procedures Applicable to Refusals to Perform Work.....	8-1
8.2.	Absence Management.....	8-4
8.3.	Vacation and Leave Management.....	8-4
a)	Sick Leaves.....	8-4
b)	Leave to Take Care of a Family Member Afflicted with COVID-19 or to Look After a Child Because of School and Daycare Centre Closure.....	8-5
c)	Imposed Leaves or Vacations .....	8-5
d)	Employee in Mandatory Isolation .....	8-6
e)	Government Programs .....	8-6
f)	Part-time and Seasonal Jobs .....	8-6
8.4.	Applying Disciplinary Measures.....	8-6
8.5.	Establishing Psychological Assistance and Support Measures for Employees.....	8-7
8.6.	Layoff Management .....	8-8
a)	Standard Principles.....	8-8
b)	Employer’s Obligations: Layoff for a Period of Less than Six Months .....	8-8
c)	Employer’s Obligations: Layoff for a Period of More than Six Months.....	8-8

d) A Few Tips.....	8-10
<b>9. Communications Management .....</b>	<b>9-1</b>
9.1. Designating a Spokesperson.....	9-1
9.2. Key Messages .....	9-1
9.3. Establishing Various Communication Plans.....	9-2
a) For Employees and the Union .....	9-2
b) For Customers .....	9-2
c) For Partners and Suppliers .....	9-3
d) For the Public (Promotion and Marketing) .....	9-3
e) For the Media .....	9-3
<b>10. Preparation for the Post-Pandemic Period.....</b>	<b>10-1</b>

## 0. Reminder of the General Public Health Recommendations to be Complied with at All Times and in All Places

### 0. Reminder of the General Public Health Recommendations to be Complied with at All Times and in All Places

- Prohibit access to any person (for example, worker, customer, guest) who has received an isolation order from public health authorities or their doctor or exhibits one or more [symptoms](#) compatible with COVID-19. These include:
  - fever
  - appearance or aggravation of a cough
  - breathing difficulties
  - sudden loss of sense of smell without nasal congestion, with or without loss of sense of taste
  
- Posters reminding customers of this prohibition or a simple questionnaire provided at the entrance can help implement this recommendation.
- Establish a clear protocol concerning the care of a person who develops [symptoms](#) compatible with COVID-19 on the premises, and ensure that it is known by all persons who would be likely to respond in such situations. The necessary protective equipment must also be available.
  - If someone develops COVID-19 [symptoms](#) on the premises, they must leave the premises and return home as soon as possible. While waiting for the person to leave the premises, they must be immediately isolated in a closed room and wear a procedural mask. Call 1-877-644-4545. Avoid coming closer than two metres with other persons. Ensure that the person is under surveillance if their condition requires it.
  
- Organize the premises and manage the circulation of people (for example, employees, customers) to ensure that they maintain two-metre physical distancing at all times and in all places, except for people who belong to the same household (i.e., live at the same address).
  - Particular vigilance must be exercised to ensure fluid, organized circulation in areas where bottlenecks and waiting lines will form, such as entrances.
  - If it is not possible to maintain the two-metre distance in all places, install, if possible, physical barriers (for example, transparent panels) that protect people in the area from close contact—for example, a transparent panel separating customers from the employee at checkout. If there is no physical barrier, limit the duration of close contacts as much as possible, and aim not to exceed 15 minutes of cumulative time.

## 0. Reminder of the General Public Health Recommendations to be Complied with at All Times and in All Places

- When customers cannot maintain a two-metre distance in a place where no physical barrier is present to protect them at all times, it is ideal to wear a procedural mask or strongly recommended to wear a face covering.
- For employees working at a workstation where it is not possible to maintain a minimal two-metre distance for more than 15 minutes of cumulative time during the same shift, adjustments must be made.
  - o Install an adequate physical barrier to separate the employee from other employees and customers when the two-metre distance cannot be maintained.
  - o If it proves impossible to put distancing measures in place or set up a physical barrier, it is recommended that the employee wear an FDA-certified medical procedure mask (surgical mask or procedural mask) and have eye protection (goggles with protection on the side or visor).
- Comply with the current guidelines on gatherings for the number of people present in the same place.
- The sharing of equipment and the handling by several people of objects that were not disinfected (by a recognized, effective product or by a sufficient quarantine) are to be avoided. For example, it is recommended that you promote card payment, avoid paper document distribution and eliminate shared objects in waiting areas (for example, newspapers, magazines). If objects are to be distributed or collected, a single person must be assigned to this task, and this person must wash their hands before and after handling objects and after touching their face.
- The facilities required for washing hands must be easily accessible, operational and available in sufficient quantity based on the number of people on the premises.
- Ideally, employees, users and customers must be encouraged to wash their hands for 20 seconds with soap and water or a hydroalcoholic solution containing at least 60% alcohol when they arrive and frequently thereafter. All employees should at the very least be able to wash their hands when they arrive at and leave work, after touching frequently touched surfaces (for example, counters, tables, chairs, door handles, power switches, handles and surfaces of electrical appliances, telephones, menus, computer accessories), before and after breaks and meals, when they go to the washrooms, and at elevator entrances and exits.

## 1. Compliance Agreement

With respect to resuming economic activities, the Institut national de santé publique du Québec (INSPQ) specifies:

“Any resumption of non-essential services must be carried out in such a way as to control the transmission of COVID-19. In fact, it is of paramount importance to avoid an important increase in the number of persons infected, hospitalized or in intensive care, and of deaths.

“A number of conditions must be respected to ensure the control of COVID-19 in Québec. Failure to respect these conditions could lead to a significant increase in the number of cases and thus potentially to reconsideration of the strategy for reopening workplaces (number and type of workplaces, required distancing and protection measures) in order to restore balance and limit the impact of COVID-19 on the healthcare system. This strategy may vary from region to region depending on regional epidemiology.”

The list of *Conditions necessary for the maintenance of essential services and the gradual opening of other work environments* is available at

<https://www.inspq.qc.ca/en/publications/2977-maintenance-essential-services-gradual-opening-COVID19>

For work environments, the main condition is:

“Comply with public health, as indicated for the specific workplace context.”

This INSPQ declaration stresses the need for businesses that want to maintain or resume their activities to prepare an adapted response plan that will enable them to reduce and control COVID-19 infection risks.

This plan must not only be prepared but also be complied with by the business, by employees, by partners/suppliers and by customers. **You will need to have them sign compliance agreements; different models of these are found in the following appendices:**

- 1.1. Employer Compliance Agreement
- 1.2. Employee Compliance agreement
- 1.3. Agreement of Partners and Suppliers
- 1.4. Customer Compliance Agreement

Signing such agreements will show that you have taken the necessary steps to ensure that all the people concerned implement your response plan. Business commitment is especially important in this respect.

## 2. Useful Information About COVID-19

The virus is called SARS-CoV-2 and the disease it causes is called “coronavirus 2019 disease (COVID-19).” The SARS-CoV-2 virus is a virus in the coronavirus family. It appeared in China in December 2019.

### 2.1. Transmission

COVID-19 is easily transmitted between humans through direct contact (for example, door handles, hugs), through respiratory droplets and indirectly through contact with contaminated surfaces.

### 2.2. Contaminated Surfaces

The virus can survive on surfaces, depending on their type, from a few hours to a few days. The surfaces most likely to transmit the virus are those that are frequently touched, such as door handles, handrails, power switches, elevator buttons, handles of all kinds, tables and counters as well as electronic devices of all kinds (for example, telephones, payment terminals).

### 2.3. Symptoms

The main symptoms of COVID-19 are as follows:

- fever:
  - o in a child, 38°C (100.4°F) and over (rectal temperature)
  - o in an adult, 38°C (100.4°F) and over (oral temperature)
  - o in an elderly person, 37.8°C (100°F) and over (oral temperature)
  - o or 1.1°C higher than a person’s normal temperature
- appearance or aggravation of a cough
- breathing difficulties; or
- sudden loss of sense of smell without nasal congestion, with or without loss of sense of taste.

Other symptoms can also appear, such as a sore throat, headache, muscle pain, intense fatigue, significant loss of appetite and diarrhea. Symptoms can be mild or more severe, such as those associated with pneumonia. In serious cases, COVID-19 can cause death.

Symptoms can take up to 14 days to appear following exposure. Some infected people will remain without symptoms (asymptomatic), but this does not make them less contagious; they can transmit the virus to others. In fact, anyone who carries the virus can transmit it.

**THIS IS A HIGHLY CONTAGIOUS VIRUS.**

For further information, see [General information on the coronavirus](#).

## 3. Logistics Planning

### 3.1. Emergency Management Team

To effectively manage the challenges created by the pandemic, you must set up a management team for the measures established in your business.

You must first designate the person or persons who will assume the various responsibilities. It is important that these persons be known to everyone and that they can be reached easily in case of need. We recommend that you prepare a list of the people in the emergency management team and put it at your employees' disposal.

The business must train a team that reflects its reality. For a very small business, the team can be kept down to one or two key persons. If the business is able to rely on a greater number of people, **a list like the one produced in Appendix 3.1 could be used:**

#### 3.1. Emergency Management Team

### 3.2. Contact Information of Resource Persons to Contact in Case of an Emergency

Maintaining good communications will be essential to the effective operation of your business during the crisis period. Make sure you have at hand the contact information of all resource persons, not only for your business but also for your suppliers, subcontractors, partners, customers and any person who works closely with you.

We recommend that you draw up a list showing the contact information of all the resource people with links to your business. This list must also be adapted to your business and be easily accessible to staff who may be called upon to manage emergencies. **In Appendix 3.2 you will find an example of a list that could be used:**

#### 3.2. Contact information of emergency resource persons

## 4. Developing Strategies for Dealing with the Pandemic

### 4.1. Infection Risk Analysis Grid

You must first conduct an analysis of the risks of transmission present within your business.

As part of this analysis, you must identify:

- Shared spaces with a greater risk of transmission, especially high-traffic areas that act as “bottlenecks”
- Workspaces where people are stationed less than two metres apart
- Tools, equipment or devices used by several customers or employees
- Busy periods
- Frequently touched surfaces

To help you conduct your analysis, we refer you to guidelines for decision-making prepared by the Government of Canada. The guidelines are at:

<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>

In Appendix 4.1, we have attached a simplified model of a grid you can use to analyze the infection risks in your business:

### 4.1. Model of Infection Risk Analysis Grid



## 4. Developing Strategies for Dealing with the Pandemic

### 4.2. Determining Essential Business Activities

Because of the measures established by governments and the uncertainty created by the pandemic, you could be called on to make decisions about the maintenance of your business activities. Here are a few actions that can help you get a clearer picture.

- Determine the most important departments in your business to maximize your operations around these activities.
- Set a minimum level of acceptable service for each department identified as essential.
- Determine how long you can continue to operate without these business activities before serious effects are felt (your tolerance to interruption).
- Establish the human resources, infrastructures, information systems, and suppliers necessary for maintaining and re-establishing business activities designated as essential.
- Maximize the use of your resources for maintaining your essential business activities.
- Review your sales forecasts downward and adjust your resources accordingly.

### 4.3. Preparing Various Staff Management Scenarios

It is highly probable that the pandemic will have major impacts on your employees' absenteeism rate. To be properly prepared for this eventuality, you must:

- Review your employees' availability.
- Appoint and train replacement staff for essential services, or even for all services.
- Provide for scenarios for redeploying your employees.
- Provide for the possibility of imposing overtime to available employees. For businesses governed by a collective agreement, be sure to review the provisions before considering this possibility.

## 4. Developing Strategies for Dealing with the Pandemic

### 4.4. Reviewing Contractual Obligations

To plan the maintenance of your activities during this period of uncertainty, you must conduct a review of your contractual obligations. Such a review can help you spot potential lawsuits and make decisions based on these risks.

Here are the steps that we recommend you follow to conduct such a review.

- Develop a list of contracts and contractual obligations that present a potential lawsuit.  
Examples: lease, service contract, contract with suppliers, contract with customers.
- Review each of the contracts and contractual obligations entered on the list:
  - Do contracts or contractual obligations contain clauses dealing with force majeure?  
Note: In Québec civil law, force majeure is defined as an unforeseeable, unavoidable or irresistible event arising from an external cause that is not attributable to the debtor, and which can, in some cases, release the debtor from its obligations. COVID-19 may possibly be considered a case of force majeure, but nothing confirms this for the time being. For example, the 1998 ice storm was recognized as a case of force majeure.
  - Do contracts or contractual obligations contain clauses dealing with their cancellation or termination?
  - Do contracts or contractual obligations contain penalty clauses in the case of non-fulfilment of an obligation?  
Note: A penalty clause is a clause by which one party agrees, in the event of non-fulfilment or a delay in the fulfilment of its obligation, to pay the other party damages in an amount fixed in advance.
- Make decisions by considering the terms of each contract. For example, try to make arrangements with the other party, apply a penalty clause, or consult a legal advisor.

## 5. Developing a Plan for Preventing and Controlling Infection Risks in Customers

### 5.1. Procedures to Follow at First Contact with a Customer

The efficiency of measures you establish will depend partly on the quality of the communication that you have with your customers. You will need to establish and maintain high-quality contact with them to make sure that they properly understand what these measures are and, above all, the importance of complying with them.

To promote this relationship with customers, you must be proactive and establish certain mechanisms for ensuring that they are provided with all the information available right from the start.

#### a) Protocol for Information to Be Provided to Customers

Customers who contact you must be able to access COVID-19-related information easily. The information you provide them with must demonstrate that you take to heart the health, safety and comfort of customers, employees, and all professionals, and it must help reassure them that you are establishing all the necessary measures to ensure that they and their families are protected.

To avoid surprises or frustrations when customers arrive, we recommend that you inform them of the risk mitigation measures established, including the list of non-essential services that are shut down, if such is the case.

##### ➤ How to inform and reassure customers

We recommend that you prepare a standardized message that can be used by all staff members who are in contact with customers.

You could prepare a list of Frequently Asked Questions (FAQ) consisting of the questions and/or comments most frequently raised by customers, along with the business's answers. This list should be accessible to all employees who are in contact with them. It could also be accessible to your customers via your website. In Appendix 5.1.A, we have attached a model of a form you could use:

#### 5.1.A. Frequently Asked Questions (FAQ)

##### ➤ Procedures established by the business

In Appendix 5.1.B, you will find a form showing information that should be conveyed to customers, whether by telling them in person or through your Web platforms:

#### 5.1.B. Information to Pass on to Customers

## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

Similarly, you must make sure that employees are familiar with all the measures established and know how to respond when a customer does not comply with them. They are likely to be asked questions in this area.

By adopting clear procedures and communicating them to the entire staff, you will help ensure that the measures established are applied consistently. In the many sections of this guide, we provide you with contents for the main procedures required.

### b) Cancellation Policy Adapted to COVID-19

In view of the uncertainty created by this pandemic period, we recommend you ensure that your policy or your force majeure clause covers pandemics. If not, you should review the possibility of including a clause related to the COVID-19 pandemic.

Several options are possible. In the interest of customer service, here are various possibilities you could review based on the specific circumstances of each business:

- Offer to postpone the customer's reservation to a later date.
- Offer to provide customers with "credit" so they can make a reservation at a later date within a specified time.
- Offer a full or partial refund.

Before suggesting various solutions to the customer, find out if the customer has other available options. For example:

- Travel insurance
- A refund by the company that issued the credit card
- If customers do business with a travel agent who holds a Québec licence, they could obtain a refund from the Compensation Fund for Customers of Travel Agents (CFCTA), under certain conditions (see the Office de la protection du consommateur: <https://www.opc.gouv.qc.ca/en/ficav/>).

## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

### 5.2. Preparation Before the Arrival of the Customer

When the customer arrives, everything must be in place. The goal here is mainly to avoid crowding and waiting lines and to ensure compliance with hygiene measures. When customers are not present, it is essential that you be prepared for them in advance.

#### a) Establishing a Continuous Information Updating Process

Lockdown-lifting procedures have only just begun. As the situation changes, you must adjust the measures established at your business to new public health requirements. Your services must be adjusted accordingly.

Customers who have made reservations must be notified of any significant update of information that was relayed to them at the time of first contact. For example, if you find yourself under the obligation of shutting down some services or utilities for a certain period of time as a result of a COVID-19 infection, it would be preferable to notify customers before they arrive.

Customers must be notified of what means of communication must be used to contact the business in advance (for example, email, Web platforms). Customized customer communication remains the option of choice.

#### b) Establishing Contactless Customer Interactions

When you welcome customers, it is important that you minimize document exchanges. We recommend that you scan and automate customer transactions as much as possible. If possible, you should always promote the use of a mobile application or a website link. If this is not possible, the papers to be given to customers should be arranged in such a way that they can take what they need themselves.

#### c) Equipment to be Provided to Customers (for example, access cards, vehicles, equipment)

To avoid delays and waiting lines, you must make sure that equipment that is to be provided to customers is ready when they arrive, whenever possible. Once the equipment is prepared, you can designate a self-serve location, wherever possible, so customers can collect it.

## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

### 5.3. Procedures for Receiving Customers

#### a) Procedure at the Points of Entry

To control infection risks effectively, you must establish a procedure to follow at the points of entry to your business (for example, parking, ticket box, entrance). This procedure ensures that customers at risk of infection do not enter the establishment or are handled correctly if you decide to allow them in.

In Appendix 5.3.A, you will find procedures that we recommend you follow or apply at various points of entry:

#### 5.3.A. Procedure at Point of Entry

#### b) Information Protocol for Customers

The information you relay to customers when they arrive will be crucial, which is why we recommend that you develop a standardized protocol to be used when you receive them.

##### ➤ Posting procedure

To increase the extent to which basic hygiene measures, distancing measures and respiratory etiquette are applied, you must put up posters as reminders of these measures.

The posters made available by the governments of Québec and Canada may be used as is. They may be accessed at:

- <https://www.cnesst.gouv.qc.ca/Publications/900/Pages/DC-900-1076.aspx> (in French only)
- <https://publications.msss.gouv.qc.ca/msss/en/document-000438/>
- <https://publications.msss.gouv.qc.ca/msss/en/document-000441/>
- <https://publications.msss.gouv.qc.ca/msss/en/document-000451/>
- <https://publications.msss.gouv.qc.ca/msss/en/document-002542/>
- <https://www.canada.ca/content/dam/phac-aspc/documents/services/publications/diseases-conditions/coronavirus/social-distancing/social-distancing-eng.pdf>

If you prepare your own posters, be sure they are easy to read. Use clear pictograms and simple language.

In addition, to guarantee that your posters have the desired effect, you must put them up at strategic places and make sure they are visible. In Appendix 5.3.B you will find a form that can help you put together a list of places where you can put up your posters:

#### 5.3.B. Posting Procedure



En collaboration avec



In partnership with regional tourism associations, sectorial tourism associations, the Institut de tourisme et d'hôtellerie du Québec and the Alliance de l'industrie touristique du Québec.

## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

### ➤ Message in the reception area

When receiving customers, the employee must draw their attention to the content of posters put up at the business and repeat to them the importance of complying with the measures in place.

### c) Registration Procedure

The electronic transmission of documents and their electronic signing should **always** be promoted when these options are possible. You must **avoid exchanging paper**, which is known to be a probable source of contamination. However, if you cannot avoid signing and exchanging documents:

- Place the documents on a clean surface to provide them and collect them while maintaining the two-metre distance between people.
- Do not share pens with customers. They must use their own pens, if possible.
- For customers who did not bring their own pens, make at least one pen available to them, ensure that it remains on the customer's side, and disinfect it after each use. Clean the pen with a damp cloth and mild soap, then wash your hands.
- When you collect documents, place them in an envelope and carry them in a portfolio.

Setting up an **online registration service** is encouraged. Setting up said service has several advantages: the customer does not have to go to the reception area (unless they must pick up a key or a magnetic card); customers' experience is improved because of greatly reduced waiting time; and the staff required in the reception area can be reduced, all while providing additional safety to your visitors and employees. We encourage you to find out about this type of service.

## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

### d) Payment Procedure

With respect to payment, we recommend:

- Promoting **(contactless) card** transactions by smartphone or Internet (virtual wallets such as Paylib, Apple Pay, Google Pay and Samsung Pay). If necessary, look into the possibility of increasing the maximum contactless payments.
- Limit hand-to-hand exchanges of items such as banknotes, coins, cheques, credit cards, loyalty coins, discount coupons; give preference to contactless payment;
- Avoiding the handling of cash.
- Securing payment terminals to minimize their handling.
- Avoiding the handling of customers' cards and cell phones. Otherwise, disinfect your hands with a hydroalcoholic solution, ideally between each customer transaction if there has been contact with money, cards or the terminal handled by the customer (as an alternative, use a damp, soapy cloth available at the workstation, placed in an open airtight container, and changed regularly);
- Disinfecting the terminal using the product recommended by the manufacturer after each transaction, especially when there has been contact with the terminal.
- Cash transactions can be done by limiting the time and distance from customers when interacting with them and staying vigilant about washing hands after transactions.

### 5.4. Procedures to be Applied During Customers' Visits and Activities

#### a) Procedure for Waiting Lines

To control infection risks, you must manage waiting lines effectively. The procedure described in Appendix 5.4.A applies:

##### 5.4.A. Procedure for Waiting Lines

#### b) Implementing Health and Distancing Measures

Implementing health and distancing measures involves the proper training of employees, who will then be able to identify instances of non-compliance and act accordingly. You must make them aware of the importance of ensuring compliance with the measures in place.

In Appendix 5.4.B, we outline various procedures you can follow in the specific cases of washrooms and elevators:



## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

### 5.4.B. Procedures for Promoting Compliance With Health and Distancing Measures

#### Compensatory Measures

When it is not possible to maintain a two-metre distance, you must apply compensatory measures such as **the installation of physical barriers** or **require the wearing of protective equipment** such as a **mask**.

### 5.5. Protocol for the Layout and Maintenance of Buildings, Outdoor Areas, and Equipment

The maintenance and layout of your buildings, outdoor areas, and equipment have major impacts on infection risks. To control and minimize contamination risks within your business, you must:

- Analyze and review the layout of various areas, if necessary.
- Adopt maintenance procedures.

#### Distinctions Regarding Distancing Measures

When you apply or implement your procedures to promote compliance with distancing measures, remember that you can make certain **distinctions for people living in the same private residence** or its equivalent, since distancing is not required between them.

You can also take these distinctions into account when you organize the shared spaces or outdoor areas of your business.

#### a) Layout of Shared Spaces

To enable compliance with distancing measures, here are a few general steps to take with respect to the layout of shared spaces.

- Whenever possible, use a single entrance door and a single exit door to limit cross-traffic.
- Put up posters to promote basic hygiene and distancing.
- Put arrows on the ground or on the walls to direct customers and prevent them from crossing paths.
- Put physical markers on the ground (lines, stickers or other) to enable distancing.
- Install a Plexiglass panel to comply with distancing rules, if necessary.

## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

- Remove useless or non-essential objects (for example, trinkets, decorations, magazines, children’s toys), especially those that might be difficult to clean.
- Organize spaces to encourage distancing (for example, rearrange chairs and armchairs). You can also provide spaces reserved for occupants of the same residence or the equivalent, making sure that these spaces are well identified.
- If it is not possible to maintain two-metre distancing in a shared space, compensatory measures must be applied. Clear instructions must be posted (for example, allow one person at a time in the space; require that a mask be worn; mark the spot where the person who the wants to enter the shared space must wait; encourage limited use of the shared space to avoid idle loitering).

### b) Layout of Outdoor Areas

Our suggestions for the layout of outdoor areas are as follows:

- Wherever possible, use a single entrance and a single exit to limit cross-traffic.
- Put up posters to promote basic hygiene and distancing.
- Put arrows on the ground or on the outside walls of buildings to direct customers and prevent customers from crossing paths.
- Put physical markers on the ground (lines, stickers or other) to enable distancing.
- If possible, provide handwashing stations or distributors of **alcohol**-based disinfectant with a concentration of at least **60%** in the form of liquid, foam or gel (for example, Purell, Bacti Control).
- Rearrange rest and lunch areas to promote the maintenance of two-metre distancing. You can also provide spaces reserved for occupants of the same residence or the equivalent, making sure that these spaces are well identified.

### c) Procedure for Cleaning and Disinfecting Buildings

Since the virus responsible for COVID-19 can survive for a certain time on various surfaces (from three hours to six days)<sup>1</sup>, it is necessary to carry out effective building maintenance. You must make sure that all surfaces are cleaned and disinfected frequently.

To help you supervise this task, we recommend that you develop procedures known and understood by all your employees, especially in the following cases.

---

<sup>1</sup>According to the Government of Québec, coronaviruses do not stay on objects for a long time. They will stay on inert objects with dry surfaces for **three hours** and on inert objects with damp surfaces for **approximately six days**. For more information: <https://www.quebec.ca/en/health/health-issues/a-z/general-information-about-coronavirus/>.

## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

### ➤ Sanitary maintenance of workstations

All employees working at a computer must make sure to clean and disinfect their workstations at least once every shift. A workstation must be disinfected before any use by another employee during a subsequent shift or use.

The form in Appendix 5.5.A shows the procedure to follow for the sanitary maintenance of workstations:

#### 5.5.A. Procedure for Cleaning and Disinfecting Employees' Workstations

### ➤ Sanitary maintenance of shared spaces

Since surfaces most frequently touched by hands are the most likely to be contaminated, it is crucial to do frequent, proper maintenance of the most frequently visited spaces.

To help you manage the maintenance of shared spaces, forms summarizing the general procedure to follow and the procedure to follow for public washrooms are presented in Appendix 5.5.B:

### ➤ Sanitary maintenance of surfaces in case of contamination

#### 5.5.B. Procedure for Cleaning and Disinfecting Shared Spaces

Were a COVID-19 case to be declared among an employee, customer or any other person who has visited the place of work, the cleaning procedure is a little different.

You must assume that the virus is present on surfaces and take greater precaution. Appendix 5.5.C outlines the procedures to follow for the maintenance of a space that a person who was infected or symptomatic has visited:

#### 5.5.C. Cleaning and Disinfection Procedure in Case of Infection

### d) Procedure for Cleaning and Disinfecting Outdoor Areas

Make sure that your outdoor areas are clean and are cleaned and disinfected regularly. A form is provided for you in Appendix 5.5.D to help you with this task:

#### 5.5.D. Procedure for Cleaning and Disinfecting Outdoor Areas

### e) Procedure for Cleaning and Disinfecting Equipment and Vehicles

To control infections, you must make sure that your equipment and your vehicles are cleaned and disinfected regularly, and whenever possible, between each use.

### ➤ Sanitary maintenance of equipment

For the maintenance of your equipment, we suggest that you follow the procedure described on the form in Appendix 5.5.E:

#### 5.5.E. Procedure for Cleaning and Disinfecting Equipment

## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

### ➤ Sanitary maintenance of vehicles

For vehicle maintenance, we recommend that you use products approved by public health authorities and are appropriate for vehicles. Do not use bleach, as it could damage several vehicle parts. The form in Appendix 5.5.F presents the procedure to follow for the sanitary maintenance of vehicles:

#### 5.5.F. Procedure for Cleaning and Disinfecting Vehicles

### 5.6. Integrating Universal Accessibility Measures into the Business's Operational Plan

To guarantee that all your customers and employees can take advantage of your facilities, you must make sure that your temporary health measures take accessibility into account. Respecting the rights of persons with disabilities is essential, regardless of the circumstances.

These recommendations issued by [Kéroul](#), the preferred contact organization of the Ministère du Tourisme in the area of accessibility, give you a perspective on potential obstacles. If you have specific questions with respect to your establishment or if you find some situations confusing, contact Kéroul. This organization can help you find customized solutions.

#### a) Temporary Layout of Shared Spaces

Under the *Canadian Charter of Rights and Freedoms*, you cannot refuse access to a person under the pretext that your temporary arrangements do not allow it.

- Make sure that your indoor sanitary corridors are accessible to everyone from the beginning to the end of the customer path. They should have a minimum width of 92 cm, but preferably 1.5 metres. They must also be free of obstacles. All this will prevent persons with reduced mobility from having to make detours.
- Set up only hydroalcoholic gel distribution stations or water stations with clearance underneath and controls that are easy to use with one hand and located at a height of no more than 1.1 metres. Several stations observed up to now do not have clearance and are activated only with the feet.
- When you install Plexiglass barriers, avoid blocking access to the payment terminal.
- If you have secured your payment terminal, as recommended by public health authorities, make sure you are able to release it or have a wireless mobile terminal nearby for people who have difficulty reaching it. These visitors can maintain their autonomy during the transaction.

#### b) Temporary Layout of Outdoor Spaces

## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

Some establishments will have to arrange their temporary outdoor spaces temporarily to comply with health measures. Make sure that your level of accessibility is not adversely affected by these measures.

- Avoid prohibiting reserved parking spots or moving them further away.
- If you set up a temporary waiting line outside your establishment, make sure it does not encroach on the municipality's obstacle-free traffic corridor. This waiting line must have a minimum width of 1.5 metres. When a sidewalk is kept clear this way, people with visual impairments are able to move safely in a straight line along the stores.
- Ensure that your temporary waiting line has a minimum width of 92 cm, but preferably a width of 1.5 metre so that your visitors can circulate easily if they use a mobility aid.
- Make sure that your main entrances and exits remain accessible, i.e., without a door threshold, with an unobstructed minimum width of 92 cm, and are easy to open.
- Do not add steps or rises and falls, even if this is the simplest option.
- If your street becomes a pedestrian walkway as a result of urban planning measures established by your municipality, set up your patios while keeping a 1.5-metre wide traffic corridor free of obstacles on the sidewalk. Avoid setting up tables along the store's wall. In addition, tables must be set up at least 1.5 metres apart from each other to allow people to move between them.
- If you set up temporary sanitary facilities, think of providing at least one accessible washroom and a water station that can easily be used by these customers, with clearance underneath and controls that are easy to use with one hand and located at a height of no more than 1.1 m.

### c) Access to Specialized Equipment

Specialized equipment, such as hearing aids, a wheelchair or Hippocampe, and handheld devices, is often essential for a person with a disability to benefit from your tourism establishment. It is not considered equipment for collective use since it helps alleviate the disability.

- Clean specialized equipment before and after use.

### d) Customer Service

The newly established measures and the current context can be very bewildering for some customers.

- If you close your sanitary facilities, think about keeping the washroom accessible based on demand by customers with reduced mobility. Otherwise, make sure you know where the closest accessible washrooms are located.

## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

- Some people read lips to properly understand speech. The mask becomes an obstacle. While some of these people emphasize their need, others do not. Good judgment should be exercised. Masks with a transparent window for the mouth or visors are ideal. A do-it-yourself [model with a window](https://www.quebec.ca/en/health/health-issues/a-z/2019-coronavirus/) is now available at <https://www.quebec.ca/en/health/health-issues/a-z/2019-coronavirus/>.
- On-duty employees can also repeat themselves or use gestures to improve communication. They can also remove their masks while speaking, making sure that they comply with the recommended two-metre distancing.

### e) Support for Persons with Disabilities

Many persons with disabilities need to be supported to attend to their everyday activities. These attendants do not always live at the same address. According to the *Canadian Charter of Rights and Freedoms*, it is your duty to welcome the attendants together since support is essential and helps alleviate the disability.

To properly protect oneself, everyone must comply with the [health recommendations](#). When two-metre physical distancing is not possible, wearing a mask is strongly recommended.

## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

### f) Communications

All your communications and technological tools must be accessible.

- Make sure that your guidelines are posted clearly and simply, produced in a large, contrasting, easy-to-read font.
- Publish clear, simple information on your website. Be sure it is also accessible to people using screen readers.
- Use registration software that is user friendly and accessible to people using screen readers.

### g) Safety of Employees with Disabilities

You cannot refuse to allow disabled employees to return to work on the grounds that they are too fragile—the decision is up to them. Have a discussion with them to determine whether additional steps must be taken to promote their safety. Your employees will still be the people in the best position to determine their needs.

## 5.7. Procedures for the Establishment’s Suppliers/Subcontractors and Partners

To protect the health and safety of customers whom you refer to suppliers and partners, here are a few recommendations.

### a) Suppliers/Subcontractors and Internal Partners

Make sure that suppliers/subcontractors and partners providing services within your business (for example, spa in a hotel, shop at a ski resort) have COVID-19 policies or response plans and their employees apply them. To help your joint establishments operate as efficiently as possible and make your customers’ lives easier, mutually align your policies and response plans.

- Make sure that these suppliers/subcontractors and partners are aware of your COVID-19 policies and response plans:
  - Give them access to your policy and response plan content.
  - Take the time to answer their questions.

## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

- Find out about their plans or policies:
  - Make sure they comply with government guidelines.
  - Offer to align your policies and response plans with theirs.

If they show openness, you can offer to review current agreements you have with them, and consider amendments aimed at adopting common COVID-19 policies.

### b) Suppliers/Subcontractors and External Partners

Make sure that the representatives of your suppliers/subcontractors and external partners are aware of and comply with your COVID-19 policies and response plans when they are at the business.

- Tell them about the content of your policies and response plans.
- Take the time to answer their questions.

If the representatives of your suppliers/subcontractors or partners do not comply with the recommendations in effect, you could ask them to sign a compliance agreement based on the model provided in Section 1 of this guide before resorting to stricter measures.

### 5.8. Procedure for Food Services

If your business has a food service, we refer you to the standards and recommendations issued by the MAPAQ and by the INSPQ, some of which are found at the following links:

- [https://www.mapaq.gouv.qc.ca/SiteCollectionDocuments/Avis\\_publicite/COVID-19-Questions-reponsesMAPAQ\\_Eng.pdf](https://www.mapaq.gouv.qc.ca/SiteCollectionDocuments/Avis_publicite/COVID-19-Questions-reponsesMAPAQ_Eng.pdf)
- <https://www.mapaq.gouv.qc.ca/fr/Publications/Guidemanipulateur5.pdf> (in French only)
- <https://www.quebec.ca/en/businesses-and-self-employed-workers/biofood-sector/direct-sales-covid-19/>
- <https://www.inspq.qc.ca/sites/default/files/COVID/2930-workers-hotellerie-COVID19.pdf> (section 10 D; in French only)
- <https://www.inspq.qc.ca/sites/default/files/COVID/2911-measures-prevention-de-milieu-travail-COVID19.pdf> (in French only)



## 5. Developing a Plan for Preventing and Controlling COVID-19 Infection Risks

### 5.9. Procedure for Ensuring Compliance with Control Measures by Customers

To accomplish your response plan objectives successfully, customers must comply with these measures. We therefore recommend the following:

- Remind customers of the control measures in effect and act when they do not comply with them.
- Remember the importance of compliance with these measures: the health and safety of customers and employees must take precedence.
- Remember that compliance with the measures by *everyone* is vitally important in order for the resumption of tourism activities to work properly.
- Remain calm and polite, but firm during situations.
- In the case of uncooperative customers, ask them to sign a compliance agreement based on the model provided in Section 1 of this guide before resorting to stricter measures.
- If the situation persists despite the signed agreement, urge the customer to leave the premises.
- If the situation becomes dangerous, contact the police authorities.

### 5.10. Procedure for Managing Complaints and Denunciations

The current pandemic is generating a great deal of fear in the public and bringing about a certain number of denunciations. It is highly probable that you will receive various complaints and denunciations from some customers. To manage them well, we recommend that you develop a procedure that your employees must comply with when they receive complaints or denunciations.

Your procedure must include three major steps:

- Take the complaint or denunciation seriously.
- Go over the facts and the merit of the complaint or denunciation.
- Implement the emergency plan described in Chapter 7 if necessary.

## 6. Developing a Health and Safety Prevention Plan (COVID-19) in the Workplace

To properly undertake the preparation of your response plans, we consider it essential to remind you of some of the employees' and employers' obligations under the *Act respecting occupational health and safety*<sup>2</sup>. The passages in these sections that we have put in boldface in the text below are applicable to COVID-19 infection risks and the measures that you must establish.

### Worker's Obligations

#### Section 49

The worker **must**:

1° become familiar with the prevention program applicable to him;

**2° take the necessary measures to protect his health, safety or physical well-being;**

**3° see that he does not endanger the health, safety or physical well-being of other persons at or near his workplace;**

(...)

5° **participate in the identification and elimination of risks** of work accidents and occupational diseases at his workplace;

6° **cooperate with** the health and safety committee and, where such is the case, with the job-site committee and with any person responsible for the application of this Act and the regulations.

#### Section 49.1

A worker **must not perform his work if his condition represents a risk** to his health, safety or physical well-being or that of other persons at or near the workplace by reason, in particular, of his being impaired by alcohol, drugs, including cannabis, or any similar substance. (...)

---

<sup>2</sup> Chapter S-2.1

## Employer's Obligations

### Section 51

Every employer **must take the necessary measures to protect the health and ensure the safety and physical well-being of his worker. He must, in particular:**

1° see that the establishments under his authority are so equipped and **laid out as to ensure the protection of the worker;**

2° **designate members** of his staff to be responsible for health and safety matters and **post their names** in a conspicuous place easily accessible to the worker;

3° ensure that the organization of the work and the working procedures and techniques **do not adversely affect the safety or health of the worker;**

4° **supervise the maintenance of the workplace**, provide sanitary installations, drinking water, adequate lighting, ventilation and heating and see that meals are eaten in sanitary quarters at the workplace;

5° use methods and techniques intended for the **identification, control and elimination of risks** to the safety or health of the worker;

(...)

7° **supply safety equipment** and see that it is kept in good condition;

(...)

9° **give the worker adequate information** as to the risks connected with his work and provide him with the appropriate training, assistance or supervision to ensure that he possesses the skill and knowledge required to safely perform the work assigned to him;

10° **post up** in a conspicuous place easily accessible to the worker all **information** transmitted by the Commission, the agency and the physician in charge, and put that information at the disposal of the workers, the health and safety committee and of the certified association;

11° **provide** the worker, free of charge, with all the individual **protective health and safety devices or equipment** selected by the health and safety committee in accordance with paragraph 4 of section 78 or, as the case may be, the individual or common protective devices or equipment determined by regulation, and require that the worker use these devices and equipment in the course of work;

[...]

In the pandemic context, response plan preparation should enable you to prevent and control COVID-19 infection risks within your business more effectively. In the following subchapters we

will provide you with various tips for developing such a plan. You can also read about the kit prepared by the CNESST at <https://www.cnesst.gouv.qc.ca/salle-de-presse/covid-19-info-en/Pages/toolkit.aspx>.

### 6.1. Employee Training

To act and ensure the health and safety of everyone, your employees must have the necessary tools. As of their first day of work, employees must have adequate training for measures established in your business in response to the COVID-19 pandemic.

To prepare them properly for their return to work, we recommend that you take the following steps:

- a) Notify employees of the business reopening, if necessary.
- b) Schedule a mandatory meeting with them to explain to them the various measures established. If possible, plan this meeting so that it can be held at least in part through videoconferencing (some employees may be reached through videoconferencing and others in person, **while maintaining the two-metre distancing**). This meeting will also give you an opportunity to answer their questions.
- c) During this meeting, make sure you remember your commitment to protect your employees' and customers' health and safety and establish distancing and hygiene measures.
- d) Let employees know about their roles, their responsibilities, and their rights in occupational health and safety.
- e) Inform them of the risks related to their work, paying particular attention to COVID-19-related risks, as well as the preventive measures established to reduce and control them. If some employees are more at risk than others because of their particular tasks or duties, make sure they are well aware of this.
- f) Ask them to remain vigilant and to notify their supervisors if they experience COVID-19-like symptoms.
- g) Inform them of the different procedures to follow, such as the procedure to follow when an employee begins to experience COVID-19 symptoms in the workplace, cleaning procedures and procedures related to their workstations.
- h) Encourage them to report any dangerous situation.
- i) Make sure that they have access to the procedures to follow within the scope of their work at all times (for example, provide them with a digital copy of the different procedures to follow).
- j) Encourage them to pass on to their supervisor any comments that can help improve work procedures.

- k) Whenever possible, let them know that they can do their work in telework mode.
- l) Inform them of the resources at their disposal.

## 6.2. Information on COVID-19 and Recommendations Issued by the Public Health Authorities and the CNESST

The COVID-19 pandemic is an exceptional situation, to say the least, and raises a large number of uncertainties and concerns. It is normal for employees to have questions about what they have the right to do or what they do not have the right to do at their place of work.

As an employer, it is important that you stay informed of the recommendations issued by public health authorities and the CNESST, since the situation changes quickly, and new information is issued frequently. The same goes for your employees.

To ensure that information is updated properly, we recommend that you designate someone within your team to be in charge of information. This person will be tasked with regularly consulting public authorities' various websites and forwarding the information to colleagues.

Here are the main sources of relevant information:

- <https://www.inspq.qc.ca/en/covid-19/occupational-health>
- <https://www.quebec.ca/en/health/health-issues/a-z/2019-coronavirus/>
- <https://publications.msss.gouv.qc.ca/msss/en/document-002542/>
- <https://www.cnesst.gouv.qc.ca/salle-de-presse/covid-19-info-en/Pages/toolkit.aspx>

## 6.3. Applying Basic Personal Hygiene Measures

To reduce infection risks, you must promote the basic personal hygiene and distancing measures recommended by the public health authorities to your employees.

We have already discussed the procedure for putting up posters intended for customers. Additionally, make sure you put up appropriate posters in spaces reserved for employees (for example, cloakroom, lunchroom, breakroom). If some of your employees work outdoors, it will be important that they too have access to the content of these posters. You may email them the posters or send them via social media.

We recommend that you adopt a clear policy for applying basic hygiene measures. This policy must not only be known to and understood by employees but also be rigorously applied.

In Appendix 6.3 you will find a model of a policy/guideline that could be used by your business:

### 6.3. Policy/Guideline on the Application of Basic Hygiene Measures

## 6.4. Purchasing Equipment Necessary for Hygiene Measures

To promote individual basic hygiene measures adequately, you must place all the equipment employees need to apply them at their disposal.

To assist you in this task, in Appendix 6.4 you will find a model of a form that can help you prepare your orders:

#### 6.4. Order Preparation Form

##### Use of Gloves

Gloves must be worn with caution and only when necessary and permitted (for example, housework—because contact with disinfectant can damage hands). We do not recommend wearing gloves other than for the transportation of goods or other tasks, because they alone can be a source of contamination.

As a matter of fact, wearing gloves is likely to give a false sense of security. It is important to know that there is a significant risk of contamination when gloves have come into contact with many surfaces without being changed.

Wearing gloves does not eliminate the need for washing hands. Hands must always be washed after gloves are removed. Wearing gloves for a prolonged period also puts employees at risk of touching their faces and becoming contaminated.

### 6.5. Workplace Layout

While continuing to limit infection risks and protect your employees' health and safety, you must review the workplace layout to comply with distancing rules.

You must:

- Issue clear instructions to your employees.
- Ask them to comply with all the implemented measures.
- Ask them to comply with the messages posted.

You must also:

- Avoid holding meetings in the presence of several people or gatherings and promote the use of videoconference platforms.
- Evaluate the possibility of:
  - Reducing the number of employees and customers present at the same time in the same room.
  - Reorganizing workstations.
  - Altering work methods.
- Prefer the smallest, most stable teams possible.
- If possible, slightly move shift and break times forward or backward.
- Recommend that all employees wear a mask/face covering in the workplace.

If it is not possible to implement the two-metre distancing measures between employees or install a physical barrier (for example, Plexiglass), or pending the implementation of these measures, wearing an FDA-certified medical procedure mask (surgical mask) and protecting the eyes (goggles with protection on the side or visor) are recommended (INSPQ, occupational health, business sector, May 29, 2020).

To guide you in the selection of measures to establish, here are the procedures we recommend that you follow in certain specific instances:

#### a) Receiving and Shipping Goods

- Post this procedure at the workplace, ideally in the location where goods are received and shipped. If some employees work outdoors, make sure they are informed of the procedure.
- Identify the person or persons who will be in contact with delivery persons, suppliers, and any other people from outside the business, as well as with staff working outdoors.
- Inform delivery persons and suppliers specifically that they must place goods at the entrance to the business to minimize comings and goings in buildings.
- Provide a clean surface on which to place goods in a location protected from bad weather, enabling people to stay two metres apart; avoid all physical contact.
- Wash your hands after handling goods. You can also disinfect the goods.
- Do the handling in a location away from the business operations, if possible.

- If delivery persons or suppliers need to enter a building, make sure they answer the questionnaire intended for visitors.
- If the persons answered yes to one of the questions on the form, do not grant them access and ask them to contact their employer. Report the situation immediately to your supervisor.
- If the persons answered no to all questions, follow the established hygiene measures when they enter the business and ask them to wash their hands, while allowing them only restricted access to the buildings;
- Avoid exchanging paper, which is known to be a probable source of contamination. Promote the use of electronic documents. Place all documents, including delivery slips, in a location provided for this purpose.

#### b) Lunch and Break Periods

- Post this procedure at the entrance to the area where meals and/or breaks are taken. If some employees work outdoors, make sure they know about the procedure.
- If possible, schedule lunch and break periods for several groups.
- Place tables or chairs in such a way that the people sitting at these tables are at least two metres apart at all times.
- Remove non-essential objects (for example, decorations, magazines) from shared areas and prevent employees from eating in common areas (except for reserved spaces).
- If possible, install a handwashing station at the entrance to the area where meals are eaten and at the entrances to washrooms. If there are several entrances, give preference to only one entrance access or install a handwashing station at each entrance.
- Ensure that hands are washed rigorously before and after meals.
- Place disposable tissues at employees' disposal so that they can use them when they cough or sneeze inside buildings. Ensure access to garbage cans to facilitate the disposal of tissues.
- Avoid sharing dishes. Wash dishes with soap and hot water.
- Avoid sharing objects (for example, cigarettes, pens).
- If a problematic situation occurs for which no solution was anticipated, contact the supervisor immediately so that corrective action can be taken immediately.

#### c) Employee Transportation

- Give preference to individual transportation.
- Always assign employees to the same locations for each trip.
- Organize the space to avoid any physical contact among employees and try to ensure that they keep two metres away from each other (for example, use only one bench out of two, increase the transport frequency).
- If the minimum distance cannot be maintained, install physical barriers separating employees. If it is not possible to install physical barriers, require that the procedural mask and protective goggles be worn (a visor can replace the mask and goggles).



- Clean the vehicle before and after use.

#### d) Outdoor Workers:

- Avoid gatherings.
- Prefer small, stable teams. Avoid a large number of interactions.
- Stay in the same position as much as possible while performing tasks.
- Avoid sharing tools or equipment. If this cannot be avoided, ensure that sharing is limited to the strict minimum, and always clean and disinfect tools and equipment before they are shared.
- Clean and disinfect tools and equipment during every shift.
- This situation should be avoided whenever possible: if tasks absolutely require that three to five workers work less than two metres apart for a period of at least 15 minutes without a physical barrier:

Provide personal protective equipment adapted to the risk: procedural mask and eye protection (protective goggles or visor covering the face down to the chin) for employees who perform a task requiring that they be less than two metres from another person with no physical barriers present. This recommendation is valid only if wearing goggles or visors does not pose a safety risk to employees (for example, light diffraction problem).

<https://www.cnesst.gouv.qc.ca/salle-de-presse/covid-19-info-en/Pages/toolkit-sports-outdoor.aspx>

- Before leaving the work area:
  - Remove the protective goggles and the procedural mask safely, and place them in the garbage can or in reserved resealable containers or bags reserved; throw them away.
  - Disinfect reusable equipment with a suitable product.
  - Wash your hands after removing equipment<sup>3</sup>.

#### e) Facilities for Employees with Limited Physical Mobility

For all your employees to take advantage of your facilities, you must make sure that your temporary health measures take accessibility into account. Respecting the rights of persons with disabilities is essential, regardless of the circumstances.

These recommendations issued by [Kéroul](#), the preferred contact organization of the Ministère du Tourisme in the area of accessibility, give you a perspective on potential obstacles. If you have

---

<sup>3</sup> INSPQ. *Interim recommendations with respect to road works, road maintenance, public works, maintenance, and repair in the municipal and construction sectors*

specific questions about your establishment or if you encounter situations you find confusing, contact Kéroul. This organization can help you find customized solutions.

For specific instructions on temporary layouts of shared indoor and outdoor spaces, access to specialized equipment and the safety of employees who are disabled, refer to heading 5.6.

## 6.6. Applying Work Method and Work Time Adjustment Measures

### ➤ Teleworking

With distancing measures, teleworking presents itself as a safe, effective solution. We recommend it to your employees when tasks encourage you to turn to this solution.

Here are a few tips to help you implement or improve teleworking within your business.

- Obtain information on teleworking. Be aware of the advantages and disadvantages (for example, employee isolation, various supervision methods) and risks (for example, information security). Several guides<sup>4</sup> and articles that provide a wide range of tips about the effective implementation of teleworking are easily available online. We urge you to consult them.
- Evaluate the context of your business. Which positions could function with teleworking, and which could not? What are the costs associated with setting up teleworking? What hardware must be provided (for example, laptop, cell phone, printer)?
- Develop a policy/teleworking guideline; see an example in Appendix 6.6.
- Stay in touch with your employees; do regular follow-ups with them. You could, for example, schedule one meeting per day, at a predetermined time, with each of them, during which you could discuss the progress of their work.
- Feel free to improve and alter certain work methods and encourage your employees to share their observations and suggestions for improving their productivity.

### ➤ Flexible work schedules (when possible)

While some of your employees can probably do teleworking, others may not have the choice of travelling to the premises of your business (for example, the type of work they do does not permit it).

For these employees, we encourage you to consider flexible and staggered work schedules when this is possible. This measure will help promote distancing among employees by limiting the

---

<sup>4</sup> For example, see the guide produced by [the Canadian Centre for Occupational Health and Safety](https://www.ccohs.ca/oshanswers/hsprograms/telework.html) at <https://www.ccohs.ca/oshanswers/hsprograms/telework.html> and [https://www.technocompetences.qc.ca/wp-content/uploads/2018/11/2016\\_Guide\\_teletravail\\_TECHNOComp%C3%A9tences.pdf](https://www.technocompetences.qc.ca/wp-content/uploads/2018/11/2016_Guide_teletravail_TECHNOComp%C3%A9tences.pdf)

number of people at the workplace at the same time. It will also enable your employees who use public transit to avoid peak periods.

If your business is governed by a collective agreement, remember to ensure that the measures established comply with its provisions.

In Appendix 6.6, you will find a model of a policy/guideline that could be used by your business:

#### **6.6. Telework Policy / Guideline**

### **6.7. Applying a Guideline on the Presence in the Workplace of Employees at Risk of Contamination**

As an employer, you must ensure that employees at risk of infection do not have access to the workplace.

We recommend that you prepare a policy/guideline. A model is provided for you in Appendix 6.7:

#### **6.7. Policy/Guideline on The Presence in the Workplace of Employees with Contamination Risks**

## 6.8. Establishing a Plan Aimed at Detecting COVID-19 Symptoms

It is imperative that you establish a plan to detect COVID-19 symptoms in your employees when you resume operations or when each of them takes up their duties. Here are some steps that should be provided in your plan:

On the first day of the employees' return to work, upon their arrival:

- Make sure that employees become familiar with and understand all the business's prevention policies. You should provide a policy/guideline regarding the control of infection risks. An example is given in Appendix 6.8.
- Ask employees to fill out a questionnaire about the control of infection risks.
- Ask employees to wash their hands.
- Apply the public health guidelines and the measures you have implemented.

In the following days:

- Ask all employees to notify their supervisors if their situation has changed since they filled out the questionnaire (presence of symptoms and contacts). You must ask your supervisors to pay attention to the appearance of symptoms.
- Ask all employees to wash their hands.
- Apply the public health guidelines at all times.

The public health authorities request the keeping of a detailed record of all employees (whether hired through an employment agency or not): date of birth, dates of days worked, workstations used during every shift, cell phone number and email address where they can be reached. This information will be used for investigations in case of an outbreak.

It will also be important to properly inform your employees about COVID-19 symptoms. You can refer them to the following link: <https://www.quebec.ca/en/health/health-issues/a-z/general-information-about-coronavirus/#c46469>.

We recommend that you prepare a policy/guideline. A model is provided for you in Appendix 6.8:

### 6.8. Policy/Guideline for Reducing and Controlling Infection Risks

## 6.9. Applying Strict Workplace Access Measures

To control infection risks in the workplace more effectively, it will be necessary to limit its access to people who show no signs of infection. You must ensure that the procedures at points of entry are applied (Appendix 5.3 A) to all visitors, whether they are customers or not:

### 5.3.A. Emergency Procedure at Points of Entry

### 6.10. Applying Restrictive Measures Concerning Trips Outside the Workplace

To reduce infection risks, we encourage you to prohibit all business trips unless they are absolutely necessary. You must encourage your staff to conduct all business meetings, whether with customers, suppliers or others, or to participate in employee training, by using telecommunications: telephone or videoconference.

You must also cancel or postpone all activities and outings organized within the scope of work.

### 6.11. Prevention Measures for Employees' Psychological Health

Whether employees are currently teleworking, have returned to the business to prepare to reopen or at home wondering whether they will be recalled by their employer for the season, the new, exceptional context created by COVID-19 raises a large number of concerns among tourism industry employees. Here are a few examples of questions they are likely to be asking:

- What are the risks to my health if I come into contact with customers from all over Québec, including areas that are more affected by the virus? What are the risks for my family?
- Will my employer take the necessary steps to protect me?
- What protective equipment will be provided? Will there be enough of it?
- What will the new work methods be? Will there be employee training?
- Once measures are in place, who will make sure that they are complied with? Will I have to blow the whistle on my colleagues, my employer?
- What is to be done if customers do not want to comply with these measures? Who will act? Will it be me?
- If there is a COVID-19 case in the business, will I be informed?
- If I contract COVID-19, what will happen? Will the CNESST pay?
- Will my employer's financial situation have an impact on my job? Do I risk losing my job?
- If the business is in a bad financial situation, isn't there a risk that the employer will prioritize profitability (and therefore accept more customers) rather than safety?

These many uncertainties affect workers' psychological health. In fact, in a survey of 1,259 Québec residents conducted in early May by the Centre d'expertise en gestion de la santé et de la sécurité au travail, 56% of women and 41% of men said they had experienced a high level of psychological distress since the pandemic began.<sup>5</sup>

What are the employers' responsibilities in this area? They must take the necessary steps to support the psychological health and safety of its employees.

To guide them, the **Canadian Mental Health Association (CMHA)** recommends that employers consider the following six tips:<sup>6</sup>

1. **Have a plan.** Let employees know that you are thinking and acting proactively, that you remain well informed and that you can answer their questions, such as: what happens if I get sick? How can I take time off work? What do I do if a member of my family contracts the virus? You could think about compiling a list of frequently asked questions and referring your employees to it regularly.

2. **Communicate, share and show openness.** Fear and anxiety take hold in the absence of up-to-date information. Tell your employees that they can expect regular updates from you. Communicate with them, even if the situation remains unchanged.

3. **Sympathize.** Say that you know this situation is stressful. Emphasize that it is normal to feel anxious. Take the time to listen to them.

4. **Reassure** as best you can. You can refer to reports indicating that most people infected with the virus recover from it.

5. **Understand.** When employees' individual stress becomes unmanageable, admit it. Stress can lead to anxiety, even panic. It is possible that some employees will need days of rest or professional support to deal with this situation. Encourage employees to pursue relaxing activities and take care of themselves at work. Reassure them that it is acceptable and beneficial to take such steps to manage this stress, such as doing relaxation exercises, listening to relaxing music or taking regular breaks.

6. **State that these are exceptional measures.** Be aware that the situation will probably have an impact on the work; for example, it may slow activities down. Inform staff that expectations will change accordingly, and that this is normal.

In this field, as in others, cooperation between employer and employees is a guarantee of success. For example, you could:

<sup>5</sup>[https://www.lapresse.ca/covid-19/2020-06-05/un-worker-sur-deux-ne-va-pas-bien?mc\\_cid=5488d2b193&mc\\_eid=fe12c7a87c](https://www.lapresse.ca/covid-19/2020-06-05/un-worker-sur-deux-ne-va-pas-bien?mc_cid=5488d2b193&mc_eid=fe12c7a87c) (in French only)

<sup>6</sup> <https://cmha.ca/news/6-tips-to-respond-to-employee-anxiety-about-covid-19>

- In *non-unionized workplaces*: designate employees in charge, train them specifically on the measures that must be complied with, hold regular meetings with them to check and follow up on the measures in place.
- In *unionized workplaces*, work together with occupational health and safety representatives already in place, and enlist the union’s cooperation.

Above all, it is important to remain vigilant and not to ignore the appearance of symptoms. The most common symptoms are as follows:<sup>7</sup>

- Acute stress and fatigue; irritability.
- Unusual mood swings.
- Omissions or frequent mistakes.
- Exacerbation or appearance of physical health problems (muscle pains, skin problems, digestive problems).
- Increases in addictions (alcohol, cannabis, overtraining)
- Disturbances in sleep, concentration, and appetite.
- Concerns, anxiety, depression.
- Hypervigilance, working relentlessly.

The presence of several of these symptoms in businesspeople, managers or employees can show that their personal resources do not allow them to manage their everyday concerns more effectively. In such a case it might be beneficial to seek assistance. Contact the service [Info-Social 811](#). Professionals in the psychosocial field will provide you with support, information and advice according to their needs.

Prevention will always be your best ally!

---

<sup>7</sup> Source: IRSST, Prévenir la détresse psychologique chez le personnel du réseau de la santé et des services sociaux, April 28, 2020. (in French only)

**Other available resources**

[Université Laval](#) has a series of three webinars entitled « Anticorps–Guide de survie et de vie organisationnelle et individuelle au temps du coronavirus » (in French only)

[Bonnes pratiques CORONAVIRUS COVID 19](#), VIA CONSEIL (in French only)

[How a global pandemic can affect your teams and what to do about it](#), Altman

[Stress, anxiété et déprime associés à la maladie à coronavirus COVID-19](#), Government of Québec (in French only)

Pandémie de COVID-19 – Information et recommandations, Ordre des CRHA (in French only)

[Bulletin spécial du CDEAF sur le COVID-19](#), a wealth of information and resources for supporting organizations (in French only)

[Business continuity plan and templates for](#) entrepreneurs and businesses by the Business Development Bank of Canada (BDC)

[Fiche de références sur la santé mentale en temps de crise](#), CSMO-ÉSAC, within the scope of a partnership with L'Esplanade (in French only)

<https://www.irsst.qc.ca/covid-19/avis-irsst/id/2701/planification-de-la-reprise-des-activites-comment-promote-la-sante-psychologique-apres-la-periode-de-confinement>, Institut de recherche Robert-Sauvé en santé et en sécurité du travail (in French only)



## 7. Developing an Emergency Plan if COVID-19 Symptoms Are Observed or a COVID-19 Case Is Declared

### 7. Developing an Emergency Plan to Follow if COVID-19 Symptoms Are Observed or a COVID-19 Case Is Declared

The risks of COVID-19 infection are real, which is why it is vital that you be prepared to deal with them. To achieve this, you must prepare an emergency plan that must be followed. This emergency plan could vary according to the category of infected person (employee or customer) and, especially, depending on whether this person is present or not at your business.

#### 7.1. In an Employee

If an employee is infected, the procedure to follow is described on the form attached to Appendix 7.1, which can be used as a checklist as is.

If employees travel to their place of work despite your guidelines regarding presence at work, you must immediately isolate them, ask them to leave the premises and return home. You must give them a mask before escorting them to the exit. When you escort them, you must maintain two-metre distancing at all times and make sure they do not come into contact with anyone. Before the employees leave, make sure they are capable of driving their vehicle or are taken care of. **Once the infected employees have left the premises, the procedure presented in Appendix 7.1 will apply.**

#### 7.1. Emergency Procedure to Follow if a COVID-19 Case Is Declared in an Employee

#### 7.2. In a Customer

The general procedure to be included in your emergency plan is reproduced in the diagram shown in Appendix 7.2. This diagram could be posted at the workplace to guide your employees in case of need. The procedure is also covered in a form attached to Appendix 7.3, which could be used as a checklist as is:

#### 7.2. Emergency Procedure to Follow if a Symptom Is Declared—diagram

#### 7.3. Emergency Procedure to Follow if COVID-19 Symptoms Are Observed or a COVID-19 Case Is Declared in a Customer

If the customer is housed at your business (for example, hotel, inn, cottage, shelter), specific steps are added to the basic procedure, mainly in connection with room maintenance. The form presented in Appendix 7.4 applies:

#### 7.4. Emergency Procedure to Follow if COVID-19 Symptoms Are Observed or a COVID-19 Case Is Declared in a Customer Housed at the Business

## 8. Human Resources Management

The uncertainty created by measures implemented because of the pandemic will no doubt have impacts on your human resources management. To help you manage these changes, you will find information and various recommendations in the following subchapters.

**Important:** The information and recommendations provided in this chapter are based on existing laws and might be different **if your business is governed by a collective agreement**. Therefore, **if you have a collective agreement**, you must make sure that the measures put in place do not violate its provisions. We recommend that you also **get the union involved** in developing your measures, because it can be a good ally when the time comes to apply them.

### 8.1. Establishing Procedures Applicable to Refusals to Perform Work

Under the *Act respecting occupational health and safety*, a worker has the right to refuse to perform particular work if he has reasonable grounds to believe that performing it exposes him to a danger to his health, safety or physical well-being, or can result in the exposure of a similar danger to another person<sup>8</sup>.

Various decisions rendered by courts establish the criteria for exercising this right, such as:

- Being a worker within the meaning of the law;
- Being required to perform particular work at the employer's request;
- Fear, for oneself or for others, a danger resulting from the performance of this work;
- Base this apprehension on reasonable grounds;
- Being in the presence of abnormal conditions or circumstances for performance of the work, leading to the exercise of the right of refusal;
- Refusing to perform the work requested does not pose an immediate danger to the safety of others;
- Reporting as promptly as possible to a representative of the employer that an employee wants to exercise his right of refusal.<sup>9</sup>

<sup>8</sup> Section 12, *Act respecting occupational health and safety*

<sup>9</sup>Trudel and FTQ CLP, n° 208836-62-0305, December 4, 2003, AZ-50209808, Suzanne Mathieu, par. 65.

**8. Human Resources Management**

In order for a fear of danger to qualify as reasonable, a normal person placed in the same situation must see in it the probable existence of a threat (danger) and not just the possibility of a threat (risk)<sup>10</sup>. Therefore, in the current circumstances, an employee could exercise a right to refuse to work, but only if he has reasonable grounds to believe he may be contaminated by COVID-19 at his workplace. For example, an employee may refuse to work alongside a colleague with an infection risk, according to the criteria established by public health authorities.

Considering the fears caused by the current pandemic, it is highly probable that some employees will be tempted to exercise their right of refusal. Consequently, you must be prepared for this eventuality. We recommend that you establish a clear policy regarding the procedures to follow.

Appendix 8.1 gives an example of a policy as well as two models of forms that could be used by your business:

**8.1. Right of Refusal to Work****Employees aged 70 and over**

People aged 70 and over are not prohibited from continuing to work.

However, since these people are identified as *at risk* and, in view of the employer's obligations under the Act, it is up to the employer to assess whether their presence in the workplace is necessary. If the employer thinks that their presence is necessary, they must ensure that the hygiene and distancing measures required to protect them are in place.

As for the employees, if they have reasonable grounds to believe that the performance of their work poses a danger to their health, safety or physical well-being or can result in the exposure of another person to a similar danger, they can exercise a right of refusal as described above.

<sup>10</sup>SAPSCQ and Québec (Ministère de la Santé publique) (Detention), 2007 QCCLP 4912 (CanLII), par. 137.

<sup>11</sup><https://www.cnesst.gouv.qc.ca/salle-de-presse/covid-19-info-en/Pages/covid-19.aspx>

**Employees at risk of COVID-19 complications****(for example, people who are immunosuppressed)**

The INSPQ has drawn up a list of diseases considered for the protection of workers. The workers targeted are those:

- Who have one or more of the following chronic diseases:
  - heart conditions or chronic lung diseases that are “uncontrolled” or “complicated” and are serious enough to require regular medical follow-up or hospital care;
  - diabetes that is “uncontrolled” or “complicated” and is serious enough to require regular medical follow-up or hospital care;
  - hepatic disorders, including cirrhosis, and chronic kidney diseases that are “complicated” and serious enough to require regular medical follow-up or hospital care;
  - high blood pressure that is “uncontrolled” or “complicated” and is serious enough to require regular medical follow-up or hospital care.
- Who suffer from major obesity.
- Who have a medical condition leading to a decrease in the evacuation of respiratory secretions or risks of inhaling (for example, a cognitive disorder, a spinal cord injury, a convulsive disorder, neuromuscular disorders)<sup>9</sup>.

**Additional protective measures** may be necessary for these employees, such as the promotion of teleworking or, if that is not possible, rigorous application of the recommended preventive measures. You must also urge these employees to comply with these measures.

Employees with one of the above conditions could also exercise a right of refusal if they meet the conditions listed above.

12

<sup>12</sup>[https://www.inspq.qc.ca/sites/default/files/publications/2967\\_protection\\_workers\\_sante\\_maladies\\_chroniques.pdf](https://www.inspq.qc.ca/sites/default/files/publications/2967_protection_workers_sante_maladies_chroniques.pdf) (in French only)

## 8.2. Absence Management

To manage your labour needs and control infection risks effectively, you must remind employees that they must notify you promptly of an absence and specify the reasons for it. You must monitor absences effectively, especially those that are not justified. If employees fail to justify their absence, we recommend that you discover the reason for it. More specifically, we recommend that you check whether the absence is justified by the presence of one or more COVID-19-related symptoms or by any other reason related to an infection risk (for example, an employee who is the caregiver for a person exhibiting symptoms).

In the case of repeated unjustified absences, you can consider the application of appropriate disciplinary measures.

## 8.3. Vacation and Leave Management

### a) Sick Leaves

Salaried persons can be absent from work

- **Up to 26 weeks on a 12-month period due to a disease, accident, organ or tissue donation, or conjugal or sexual violence of which they were a victim.**<sup>13</sup>

These absences are not paid, but if employees have three months of continuous service, they can benefit from two paid sick leave days a year. Of course, you can decide to grant more paid sick leave days.

If there is a collective agreement, it is important to check whether it provides for paid leave days and comply with its provisions.

In all such cases of prolonged absence, salaried persons must notify their employer as promptly as possible of their absence and the grounds for it. The employer can ask them to produce a certificate to justify the duration of the absence or the frequency of absences.

Upon their return to work, the employer must reintegrate these persons into their regular position and pay them the salary and benefits to which they would be entitled if they had remained at work.

If their position had been abolished, salaried persons would keep the same rights and privileges as they would have had if they had remained at work.

---

<sup>13</sup>The absence can last up to 104 weeks if the salaried person has suffered serious bodily harm during the commission or as a direct result of a criminal act that renders them incapable of holding their usual position, unless they have suffered a work injury within the meaning of the *Act respecting industrial accidents and occupational diseases*.

**8. Human Resources Management**

However, these provisions must not give the salaried person a benefit they would not have had if they had remained at work.

If the salaried person continues, during their leave, to contribute to the various group insurance plans and pension plans, the employer must also do this. Otherwise, they are exposed to lawsuits under [section 122](#) of the *Act respecting labour standards*.

Note that the salaried person cannot benefit from these leaves if their absence is the result of a work injury within the meaning of the *Act respecting industrial accidents and occupational diseases*.<sup>14</sup>

**b) Leave to Take Care of a Family Member Afflicted with COVID-19 or to Look After a Child Because of School and Daycare Centre Closure**

Employees may be absent for up to ten days a year to fulfil obligations related to the care, health or education of their child, the child of their spouse, or because of the health status of a relative. Out of these ten days of absence, only the first two can be paid, unless a provision of the collective agreement provides otherwise. These ten days do not need to be consecutive; they can be divided into half-days if you agree to this.

The following are considered relatives: the spouse, the child, the father, the mother, the brother, the sister and the grandparents of the employees or their spouses, as well as the spouses of these people, their children and the spouses of their children.

Employees can also be absent from work because of the health status of a person for whom they act as a family caregiver.

If circumstances justify, in view of the duration of the particular absence, you can ask an employee to provide you with a document attesting to the reasons for this absence.

Employee must notify you of their absence as promptly as possible and use reasonable means at their disposal to limit the taking and the duration of the leave.

**Important:** Employees can refuse to work overtime to fulfil obligations related to the care, health or education of their child, or the child of their spouse, or because of the health status of a relative or person for whom they act as a family caregiver. They must, however, have taken reasonable means at their disposal to fulfil their family obligations otherwise.

**c) Imposed Leaves or Vacations**

You can force employees to take their annual vacation, but you must inform them at least four weeks in advance.

<sup>14</sup><https://www.cnt.gouv.qc.ca/en/leaves-and-absences/sickness-or-accident/index.html>.

**8. Human Resources Management**

With respect to sick leave or leave for family obligations, you cannot force an employee to take these leaves, since that would run counter to the objective of the *Act respecting labour standards*.

**d) Employee in Mandatory Isolation**

Since the employer is not required to pay a person who does not perform work, you are not required to pay employees who are in mandatory isolation. However, you should know that you cannot dismiss an employee who is in mandatory isolation.

In view of the current situation, the CNESST urges employers to show understanding and to enter into agreements with their employees. For example, you could pay employees during their isolation period in return for work that they will perform for you later. We will also refer you to various government programs to help you find your way around.

**e) Government Programs**

The governments of Canada and Québec have put various programs at the disposal of businesses and workers to help them get through this pandemic period. We recommend that you take note of them so that you can refer to them if necessary, or even refer your employees to them. Here is a list of some of the government programs offered.

- The Canada Emergency Wage Subsidy (CEWS): <https://www.canada.ca/en/revenue-agency/services/subsidy/emergency-wage-subsidy.html>
- 10% Temporary Wage Subsidy for Employers: <https://www.canada.ca/en/revenue-agency/campaigns/covid-19-update/frequently-asked-questions-wage-subsidy-small-businesses.html>
- The Canada Emergency Response Benefit (CERB): <https://www.canada.ca/en/services/benefits/ei/cerb-application.html>
- The Business Credit Availability Program (BCAP): <https://www.bdc.ca/en/pages/special-support.aspx?special-initiative=covid19> and <https://www.edc.ca/en/covid-19-business-resources.html>
- The Canadian Emergency Business Account (CEBA): <https://www.nbc.ca/business/important-notice/emergency-account.html>

**f) Part-time and Seasonal Jobs**

Despite the temporary or part-time nature of their work, seasonal or part-time employees are covered by the *Act respecting labour standards*. These workers have the same rights, including leaves for family or parental matters.

**8.4. Applying Disciplinary Measures**

A COVID-19 contamination in the workplace has serious consequences for a business, its employees and its partners. That is why it is **necessary** to ensure that employees comply with all the implemented measures, procedures and policies. Employees must be informed of the serious disciplinary measures to which they expose themselves if they fail to comply with the

**8. Human Resources Management**

implemented recommendations and policies. You must ensure that the established rules are complied with and act when they are not.

While it is preferable to train and inform your employees rather than clamp down on them, it will be important to apply disciplinary measures for uncooperative employees. Laxity or carelessness could create a dangerous precedent.

As you apply disciplinary measures, we remind you that you must adhere to the principle of the gradation of penalties, particularly with respect to the circumstances of the event and the employee's record. Of course, if there is a collective agreement, consult it to make sure it complies with all the terms and conditions involved in applying disciplinary measures.

### **8.5. Establishing Psychological Assistance and Support Measures for Employees**

In the pandemic context, your employees' mental health needs to be a major concern. Be attentive to signs of stress, depression or anxiety. Here are some of them.

#### Physical:

- Headaches, neck tension
- Gastrointestinal problems
- Sleep disorder
- Reduced appetite

#### Psychological:

- Worries and insecurities
- Feeling of being overwhelmed by events
- Negative view of things or daily events
- Feeling of discouragement, sadness and anger

#### Behavioural:

- Difficulty concentrating
- Irritability, aggressiveness
- Isolation, withdrawal
- Increased use of alcohol, drugs and medications

Since you are probably not a mental health professional and do not have the necessary expertise to advise your employees in similar circumstances, they should be informed of the resources at their disposal.

To provide detailed information, you can put up a poster at the workplace or send them a background document. Appendix 8.5.A gives an example of a document that could be posted or sent to your employees.

#### **8.5.A. Background Document on Psychological Support and Assistance Measures**



In Appendix 8.5.B, you will also find a memory aid of implemented measures to minimize the impacts of reactions of stress or anxiety:

### 8.5.B. Measures Used to Minimize the Impacts of Reactions of Stress or Anxiety

## 8.6. Layoff Management

Because of the pandemic and the resulting economic situation, many businesses are experiencing uncertainty and must reduce their workforce. If you need to lay off employees, here is some information that can help you.

### a) Standard Principles

A layoff temporarily suspends the work contract, but the employment relationship and the contractual relationship between the employer and the employee still exist. When they return to work, employees will return to the position they held before their departure. Your obligations will be different, depending on whether the layoff is provided for a period of less than six months or more than six months.<sup>15</sup>

### b) Employer's Obligations: Layoff for a Period of Less than Six Months

- You have no obligation to give a written notice. A verbal notice is sufficient.
- You have no obligation to pay amounts owed to the employee you want to lay off (for example, salary, overtime, vacation pay (4% or 6%)).

### c) Employer's Obligations: Layoff for a Period of More than Six Months

You must give an employee written notice before laying them off for six months or more. The deadline for submitting this written notice varies according to the person's period of continuous service.

Period of Continuous Service	Notice Period
Between 3 months and 1 year	1 week
Between 1 and 5 years	2 weeks
Between 5 and 10 years	4 weeks
10 years or more	8 weeks

If the notice is not served within the prescribed time, employees must receive compensation (a compensatory allowance) equivalent to their usual salary, without taking overtime into account,

<sup>15</sup>In the event that, over a period of two consecutive months, ten or more employees at the same establishment are laid off for a period of more than six months, we urge you to consult the CNESST website at <https://www.cnt.gouv.qc.ca/en/end-of-employment/notice-of-collective-dismissal/index.html>.

**8. Human Resources Management**

for a period equal to that of the period or remaining period covered by the notice to which they were entitled. This allowance must be paid<sup>16</sup>:

- at the time of the layoff prescribed for more than six months; or
- at the expiry of a six-month layoff period for an indefinite period; or
- when a layoff prescribed for a period of less than six months is extended beyond this period.

In addition, you must produce an employment record no later than five days after the end of the pay period during which employees stopped getting paid.

Furthermore, the notice of termination of employment given to employees when they have already been in a layoff period is null and void, **except in the case of seasonal employees** who normally work less than six months by year.

Salaried employees who normally work less than six months a year because of weather conditions related to each season does not have the same benefits. The notice of termination of employment that is given to them when they are in a layoff period **will be valid**.

The notice of termination of employment given during the layoff period of a seasonal worker who normally works more than six months per year is null and void and the employer must then pay the prescribed allowance.

---

<sup>16</sup>A distinction applies for seasonal employees who normally work less than six months a year. See the following paragraphs.

### Important Distinctions to Be Applied During This Pandemic Period

The written notice that an employer must give to a salaried person before laying them off for more than six months (or the payment of the notice's compensatory allowance) **does not apply to a salaried person whose layoff results from a case of force majeure.**

The state of health emergency that Québec is currently experiencing could be considered a case of force majeure, particularly in cases where businesses have had to suspend their activities because of the March 13 Order in Council and lay off employees without notice.

If a salaried person had already been laid off before March 13 and their layoff period were extended beyond six months because measures enacted by the government prevented them from returning to work, the employer would not be required to pay the compensatory allowance. **The concept of force majeure would apply.**

If other factors could have led to layoffs, checks might be necessary to determine whether the cause of the layoff was the health emergency.

#### **d) A Few Tips**

While it is not mandatory, a written notice is always a good practice. A written notice enables you to document the situation and keep a written record, while explaining to your employees why you must lay them off.

Stay in touch with your employees throughout the layoff period, preferably by telephone. It will be good to make them feel they are appreciated.

## 9. Communications Management

### 9.1. Designating a Spokesperson

It will be important to designate a person you can trust and whom your employees also trust. This person must be able to communicate well, i.e., the person must be able to relay messages clearly and concisely.

### 9.2. Key Messages

You must prepare the message you will be communicating to employees, suppliers, the public and the media in advance. Here are various examples of messages you could use.

- The COVID-19 pandemic is a historic event that calls work methods we have used for decades into question. This virus has forced our businesses to shut down, and forced our customers, employees and partners into lockdown. To welcome them back to our business and offer them a safe environment, we have created, in collaboration with our employees and partners, a response plan that includes a set of measures aimed at preventing and controlling COVID-19 infection risks. These implemented measures are consistent with public health recommendations and will be rigorously applied by our business.
- The health and safety of our employees, our customers and those close to them are our priority. To protect them during this pandemic period, our business has implemented a comprehensive response plan that includes several measures for preventing and controlling COVID-19 infection risks, all in accordance with public health recommendations. Each day, we will make sure that these measures are understood and applied by our employees and customers to create a safe environment for everyone.

When sharing your message, you should be cautious and make sure that it is not defamatory.

### **9.3. Establishing Various Communication Plans**

#### **a) For Employees and the Union**

- Set up a method for communicating and distributing background documents (posters, emails, telephones, text messages)
- Set up an emergency communication method
- Always inform your employees first
- Adopt a reassuring tone
- Reinforce the relationship of trust by communicating often with them
- Transmit relevant, up-to-date information
- Be as transparent as possible
- Offer the necessary resources
- Ensure there is close collaboration among the various departments
- Post the information clearly and visibly
- Always provide leadership clear to minimize employees' feeling of uncertainty
- Make sure you stay in touch with all employees who keep their employment relationship. Make sure you communicate all the information, even to employees who are at home.

#### **b) For Customers**

- Show empathy and solidarity
- Make sure that communications with customers reflect empathy, are not overly aggressive and do not give the impression that you want to make sales at all costs
- Use your website and social media to reach customers more easily
- Be predictable. Keep customers informed of changes made to your business that could have an impact on them (for example, changes in work schedules, business hours, procedures and delivery times).

**c) For Partners and Suppliers**

- Keep communication lines open with suppliers to avoid surprises in your procurement
- Find out about opportunities offered by suppliers
- Conversely, keep suppliers informed of changes made to your business that could have an impact on them (for example, changes in work schedules, business hours, delivery procedures)
- It will be important to maintain good post-pandemic relations.

**d) For the Public (Promotion and Marketing)**

- Prepare promotions and advertising, considering the collective climate to avoid controversy.
- Consider government guidelines, if applicable
- Show empathy and solidarity
- Make sure that advertising is not overly aggressive and does not give the impression that you want to sell at all costs.

**e) For the Media**

- Communicate a clear message
- If messages are to be disseminated publicly, take into consideration the lack of availability of journalists to cover the news and opt for another course of action
- Be familiar with what is being said about the industry and business so that you can quickly answer questions that might arise
- Prepare the business's position on the virus and how the business reacted for the well-being of everyone. Provide the necessary resources and additional information
- Use eye-catching titles, evocative subtitles and coherent, clear, concise messages that address people's concerns or needs. The messages must attract attention if you want them to be communicated.

## 10. Preparation for the Post-Pandemic Period

Since it is difficult to know when and how this crisis will end, it is important to plan for the future transition, stay informed about the state of affairs, and keep your sanitary safety plan and all your policies up to date. Your plan must be adapted as changes occur.

To adapt more quickly to changes in the situation, you must promptly undertake various reflections, such as:

- Should we adopt additional measures when the borders are reopened?
- How will we proceed to recall employees?
- How can we become prepared for the cessation of government assistance programs?
- What measures will we eliminate and what measures will we keep when two-metre distancing is no longer required?

It will be important to plan your operations in accordance with changes in the situation and to ensure that your response plan remains up to date.