

**Special Measures Order (Self-Isolation Exemption Order)
(Rotational Workers)**

**Made pursuant to Section 28 of the
Public Health Protection and Promotion Act**

September 3, 2020

TO: All individuals and businesses operating in Newfoundland and Labrador

WHEREAS:

- A.** While a declaration of a public health emergency is in effect, the Chief Medical Officer of Health may do one or more of the special measures authorized under section 28 of the **Public Health Protection and Promotion Act** for the purpose of protecting the health of the population and preventing, remedying or mitigating the effects of the public health emergency;
- B.** On March 18, 2020, the minister of Health and Community Services, on the advice of the Chief Medical Officer of Health, declared:
 - (i) a public health emergency as a result of the COVID-19 pandemic;
 - (ii) the public health emergency is in effect for the entire province of Newfoundland and Labrador; and
 - (iii) the public health emergency is in effect for a period of 14 days effective immediately;
- C.** The public health emergency has been extended for 14-day intervals and is currently still in effect;
- D.** The Chief Medical Officer of Health made a Special Measures Order effective March 20, 2020 whereby all individuals arriving in Newfoundland and Labrador from outside the province, including those arriving from other provinces and territories in Canada, must self-isolate for 14 days;
- E.** In accordance with section 13 of the **Public Health Protection and Promotion Act**, restrictions to an individual's rights and freedoms must be no greater than is reasonably required in the circumstances to respond to the public health emergency;
- F.** The Chief Medical Officer of Health believes it is appropriate for certain rotational workers to be exempted from the requirement to self-isolate for 14 days when arriving in Newfoundland and Labrador from another province or territory in

Canada during the public health emergency while still maintaining measures to protect the health of the population;

Pursuant to section 28 of the **Public Health Protection and Promotion Act**, I, **Dr. Janice Fitzgerald, Chief Medical Officer of Health**, **HEREBY MAKE THE FOLLOWING EXEMPTION TO THE REQUIREMENT TO SELF-ISOLATE FOR 14 DAYS:**

1. Asymptomatic rotational workers who reside in the province but who work in another province or territory in Canada, including Alberta, are exempted from the requirement to self-isolate for 14 days only while these workers are travelling to and from their home and place of work. When in the province, these workers must otherwise self-isolate.
2. Notwithstanding the self-isolation requirements set out in Order No. 10 of the Special Measures Order (General – Alert Level 2) dated June 25, 2020, provided the worker is not returning to the province from an area where there is an active outbreak investigation of COVID-19 and is not returning to the province from a point of origin outside of Canada, these rotational workers may, during the period of self-isolation, leave their property, go for a drive and receive medical attention. They may attend medical and dental appointments where they comply with the following:
 - a. Rotational workers must disclose to the health care practitioner, prior to attending the appointment, that they are a rotational worker;
 - b. Rotational workers may attend non-urgent appointments only when they are asymptomatic; and
 - c. Rotational workers may attend urgent or emergent appointments even where symptomatic provided that they follow public health protocols and any direction from the medical or dental clinic.
3. Subject to Order No. 2 above, rotational workers, during the period of self-isolation, are not permitted to:
 - a. enter public places, including grocery stores, shopping malls or banks;
 - b. visit family members outside of their household;
 - c. allow members of the family's extended bubble to enter the household; and
 - d. frequent common spaces, where they live in a condominium or an apartment.
4. Notwithstanding the foregoing, effective September 9, 2020, asymptomatic rotational workers who receive a negative COVID-19 test through public health

between five and seven days after their return to the Atlantic bubble are exempt from the requirement to self-isolate for 14 days and are only required to self-isolate for seven days. A rotational worker that is permitted to leave self-isolation after seven days in accordance with this Order No. 4 must:

- a. not leave self-isolation until they receive a negative COVID-19 test result, regardless of when the result is received;
 - b. immediately self-isolate if the rotational worker develops COVID-19 symptoms;
 - c. wear a mask when coming into contact with individuals outside of their household bubble;
 - d. avoid mass gatherings for the remaining seven days of their isolation period.
5. If an asymptomatic rotational worker does not get tested for COVID-19 as contemplated by Order No. 4 above, that rotational worker is required to self-isolate for 14 days in accordance with Order Nos. 1-3 above.
6. All workers subject to this Exemption Order are to practice appropriate social distancing, closely self-monitor for symptoms of COVID-19 and self-isolate should symptoms develop. Please see: gov.nl.ca/covid-19 for more detailed information.

IT IS FURTHER ORDERED THAT:

1. This Updated Rotational Worker Self-Isolation Exemption Order is effective as of September 4, 2020, with the exception of Order No. 4, which is effective September 9, 2020.
2. All other Special Measures Orders and Exemption Orders remain in full force and effect.

TAKE NOTICE THAT:

1. Failure to comply with this order may result in an application to the Supreme Court, in accordance with section 42 of the **Public Health Protection and Promotion Act** to enforce the relevant provisions of this Order.
2. A person who is subject to an order made by the Chief Medical Officer of Health may request that the Chief Medical Officer of Health reconsider the order by filing a written request for reconsideration within 7 days after the day on which the order is served on a person. A written request for review or reconsideration of this order shall include:
 - (i) the reasons for the request;

- (ii) a summary of the facts relevant to the request;
- (iii) whether the order should be revoked or how it should be varied; and
- (iv) the contact information of the person making the request and shall be sent to the following address:

The Chief Medical Officer of Health
Department of Health and Community Services
PO Box 8700
St. John's, NL A1B 4J6

- 3. The Chief Medical Officer of Health shall review this Order no less than once every 5 days while the Order is in effect.
- 4. This Order remains in effect during any review or reconsideration.
- 5. Failure to comply with this Order is an offence for which you may be liable on summary conviction in accordance with section 56 of the **Public Health Protection and Promotion Act**.
- 6. For greater certainty, compliance with this Order is required in addition to and not in substitution for any requirement imposed by or under any applicable law.

Signed at St. John's, Newfoundland and Labrador, this 4th day of September, 2020.



Dr. Janice Fitzgerald
Chief Medical Officer of Health