



## Update: Closure of Non-Essential Workplaces

March 24, 2020 – 3:12 pm.

Dear Registrant,

We are writing to provide you with additional information regarding the COVID-19 pandemic and how it impacts you as a regulated health professional.

### Government Directives

Yesterday, the Ontario Government [announced](#) that all non-essential businesses will be required to close as of 11:59 p.m. today, Tuesday March 24, 2020. The Government has now released a [list](#) of businesses that are exempt from mandatory closure. Your employer/facility operator may interpret that they fall under one or more of the exempted categories. The College cannot advise businesses on their interpretation of this list nor force businesses to cease operations. Enforcement actions are under the jurisdiction of the provincial government.

As opticians, it is imperative to consider that the [directive](#) to Health Care Providers issued by the Chief Medical Officer on Friday, March 20 is still in effect. The directive requires that health care professionals provide **only essential services** during this period. While some dispensary operators may decide to remain open, as a health care professional, you must determine what is essential. Please see the College [FAQs](#) for practice guidance regarding essential services. To practice in contravention of the Ministry of Health directive constitutes a **provincial offence**, and could be deemed as **professional misconduct**.

The College has reached out to the Ministry of Health to provide further guidance on how these two directives are to work in conjunction with one another and will provide more information as it becomes available. As well the College is in regular communication with registrants, optical operators and the professional association as we navigate these difficult times.

### Safety Considerations for Essential Services

It is important to consider the principle of physical distancing to stem the spread of this virus. As a health practitioner, if you cannot ensure the health and safety of your patients, you are obliged to refrain from providing service.

If you do choose to provide what you deem to be essential service, it is strongly recommended to use the remote delivery options afforded to you under the [Standards of Practice and Practice Guidelines](#), and to take steps to maximize patient safety in all other circumstances. Please visit the [FAQ](#) page for more information.

### What if My Employer is Still Telling Me to Report for Work?

If you work for someone else and are concerned that your workplace is not following the Government's directives, it is imperative that you let your employer know that you are required to comply. You may have to make important decisions if you have been asked to perform duties that you do not believe comply with the directives. As opticians, your obligations as a health professional must come first.

### **Can I Refuse to Work?**

We understand that many opticians are feeling a lot of tension between their responsibilities as health professionals and their responsibilities as employees. While we understand that this puts many opticians in a difficult position, the College can only provide guidance on your duties and responsibilities as health professionals. We encourage opticians who may be unsure how to meet their responsibilities as employees to seek out appropriate employment law advice.

### **Recommendations to Dispensary Operators**

If you are a dispensary owner, it is important that you take steps to implement the government's directives immediately. We recognize that there are professional, legal and economic consequences to these actions, and recommend that all dispensary owners inform themselves of their legal obligations as employers.

If your dispensary has ceased operations temporarily during this period, we recommend that you take steps to notify patients about how they can access their practitioner for urgent matters. Please visit the [FAQs](#) for more information.

We continue to monitor the situation and will provide updates regularly.

Kind regards,

Fazal and the COO Team