Dear Chief Administrative Officer, as a follow-up to Minister Steve Clark’s letter dated April 16th, 2020, attached to this email for reference, I am writing regarding the emergency order on work deployment measures for municipalities (O. Reg. 157/20). The order provides municipalities with the flexibility to deploy certain of their staff to where they are needed most as they respond to COVID-19.

As communicated by the Ministry of the Solicitor General to municipal CAOs (attached memorandum sent on July 24, 2020), the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020 (“ROA”) received Royal Assent on July 21, 2020. The ROA was subsequently proclaimed into force on July 24, 2020, to coincide with the ending of the declared provincial emergency. The ROA gives the Ontario government the necessary flexibility to address the ongoing risks and effects of the COVID-19 outbreak by continuing certain emergency orders following the end of the declared provincial emergency, and enabling certain continued orders that meet specified criteria in the Act to be amended.

The ROA continues O. Reg. 157/20: Work Deployment Measures for Municipalities for an initial 30 days from the date of proclamation of the ROA (i.e., until August 23, 2020). The ROA also enables orders that have been continued under the Act, including O. Reg. 157/20, to be further extended for periods of up to 30 days at a time if approved by the Lieutenant Governor in Council. The ability to extend and amend orders under the ROA is limited to one year, unless extended by the legislature.

For municipalities who have relied on this and other orders to temporarily redeploy staff, it is important to have a plan to address potential staffing needs once the orders are no longer in effect. As part of these efforts, our Minister has encouraged municipalities to continue to work collaboratively and engage in good faith with their bargaining agents. Municipalities may also wish to seek advice from their local medical officers of health and legal counsel in developing their future plans. We want to acknowledge the many municipalities that have already made proactive efforts to do so.

As a reminder, in order to exercise the authority in this order, the municipality is required to have declared an emergency under section 4 of the Emergency Management and Civil Protection Act. If you have relied upon the work deployment order, please let us know at MMAH.EO@ontario.ca. If your municipality has further questions, please do not hesitate to contact me.

Thank you for your continued support and collaboration in these challenging times.

Sincerely,
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