

COVID-19 Update: Public Health Order Changes

ISSUE

The emergence of the SARS CoV-2 Novel Coronavirus (COVID-19) resulted in several adjustments to operating protocols at City facilities, and the City of Saskatoon (City) Occupational Health and Safety and Business Continuity Plans. These adjustments followed the public health directions from the Government of Canada, the Government of Saskatchewan, and Saskatchewan Health Authority local medical health officers to mitigate the transmission of COVID-19 in the workplace and community. With the Government of Saskatchewan's message that the Public Health Orders will soon be lifted, the City must determine what steps to take to ensure the safety of its staff and the public who are accessing City services. The lifting of the Public Health Orders does not mean there is no longer a risk of COVID-19 in Saskatoon, but it shifts the responsibility for management of this risk from the Provincial Government to individuals, businesses, organizations, and municipalities.

RECOMMENDATIONS

1. That City Council remove the Proof of COVID-19 Vaccination or Negative Test Requirements for City of Saskatoon facilities, as approved at its October 8, 2021, Special Meeting, when the Government of Saskatchewan rescinds the "Public Health Order Proof of COVID-19 Vaccination or Negative Test." and
2. That, upon the rescission of the existing "Public Health Order Mandatory Isolation and Face Covering" by the Government of Saskatchewan, City Council continue the requirement, as approved at its August 30, 2021, Regular Business Meeting, that all persons accessing all City facilities, not including Saskatoon Transit, wear a face mask in the manner and form as directed under the rescinded public health order.
3. That the Administration report back monthly to GPC starting in March 2022, with a written COVID update that includes a recommendation on whether or not to continue the requirement of face masking for all persons accessing all City facilities.

BACKGROUND

Since March 2020, when the first reported case of COVID-19 emerged in Saskatoon, the City has implemented various measures to prioritize the health and safety of residents and employees while continuing to provide civic services. In doing so, the City has had to adapt quickly to find innovative ways to deliver core services during the COVID-19 pandemic.

At its September 27, 2021, Regular Business meeting, Saskatoon City Council approved the "Framework for Measures to Mitigate the Transmission of COVID-19 in Saskatoon." The intent of the framework was to assist City Council and Administration in making data-driven decisions on potential measures to mitigate the transmission of COVID-19 in Saskatoon, at a time when the Province was messaging that municipalities

should consider implementing measures over and above provincial measures. Many circumstances have fundamentally changed since development and adoption of the framework. City Council, at its Regular Business meeting held on January 31, 2022, approved the “Framework for Measures to Mitigate the Risk of COVID-19 Transmission in Saskatoon” be suspended. In addition, that the Administration be directed to continue to comply with all Government of Saskatchewan Public Health Measures and regularly consult with the Saskatchewan Health Authority local Medical Health Officers on COVID-19 transmission mitigation measures.

With the signalling by the Government of Saskatchewan that the Provincial Public Health Orders will soon be lifted, the City will return to following Occupational Health and Safety (OH&S) and business continuity processes in managing the response to COVID-19 in our community. The City will also continue to consult with the Saskatchewan Health Authority local Medical Health Officers.

DISCUSSION/ANALYSIS

Public Health Order – *Proof of COVID-19 Vaccination or Negative Test*

Saskatchewan’s Chief Medical Health Officer issued a [Public Health Order *Proof of COVID-19 Vaccination or Negative Test*](#) that came into effect on October 1, 2021 (the “October 1 Public Health Order”) and has been amended from time to time. Primarily, the order required individuals over the age of 12 to show proof of COVID-19 vaccination or a negative test result for public access to a range of businesses and event venues.

The City of Saskatoon implemented the October 1 Public Health Order within City of Saskatoon facilities. This included: fitness and weight rooms, gymnasiums, sports courts and tracks, land fitness classes, and meeting and multi-purpose rooms. The Public Health Order did not apply to aquatic areas and programs, private gatherings held at public venues (e.g., private rentals of meeting and multi-purpose rooms), and indoor arenas. On [October 8, 2021, City Council](#) approved the broadening of the scope of the October 1 Public Health Order to include all City-owned Leisure Centres and indoor arenas. As outlined at the time this was done to provide continuity in our multi-use facilities and reduce confusion for staff and patrons.

More recently, the Premier of Saskatchewan has indicated the current Public Health Order *Proof of COVID-19 Vaccination or Negative Test* will be rescinded, on or before the end of February 2022. In preparation for the removal of this Public Health Order, City Administration is recommending that City Council repeal the October 8, 2021, Council resolution: *Proof of COVID-19 Vaccination or Negative Test Requirements for City of Saskatoon Facilities*. The City had implemented the additional requirements in alignment with the Public Health Order, so this recommendation aligns with provincial direction.

The *Proof of COVID-19 Vaccination or Negative Test Requirements* obligated residents accessing City services and facilities to disclose personal health information. The City can employ many measures to manage the COVID-19 transmission risk in City-owned facilities and City-provided services. Appendix 2 summarizes these measures that do

not require disclosure of personal health information. Measures that may remain in place include enhanced cleaning, physical distancing, the requirement not to enter City owned facilities if an individual has symptoms of COVID-19 and, potentially, masking.

Implications:

The Proof of COVID-19 Vaccination or Negative Test Requirements for City of Saskatoon facilities was checked by Commissionaires. With the removal of the requirements, there will no longer be a cost for this service. This service cost \$13,000/week for Leisure Centres and \$10,000/week for indoor arenas.

Face Covering Requirement:

Since March 2020, there have been several changes to face covering requirements in indoor public locations. As noted in Appendix 2, this requirement was implemented by Saskatchewan Public Health Orders and/or in the specific case of City-owned facilities and delivered services by resolution of City Council. Throughout the pandemic, these requirements have been adjusted over the different waves of the pandemic.

If the Government of Saskatchewan rescinds the Mandatory Isolation and Face Covering Public Health Order, the Government of Saskatchewan's requirement to wear a face mask in all indoor public locations will be rescinded. In the absence of face covering orders, City Council has chosen in the past to implement mandatory masking in City facilities and when accessing City services when COVID-19 transmission is high. (Appendix 2).

The Government of Saskatchewan has indicated in its February 3, 2022 news release "[Living with COVID: Transition of Public Health Management](#)" that COVID-19 PCR testing will only be available for priority populations and that COVID-19 surveillance will now align with reporting for other communicable diseases. In addition, according to the release:

Starting the week of February 7, public health will begin reporting COVID-19 epidemiological information weekly on Thursdays. This weekly integrated epi report will provide the new laboratory-confirmed cases, deaths, tests, and vaccination information overall and by zone. The provincial COVID-19 dashboard will be discontinued, and its information archived.

These changes mean that publicly reported COVID-19 data will no longer be available to help Administration monitor the spread and impact of the virus in Saskatoon (and the province). In the absence of that data, City Administration will continue to seek guidance from the Saskatchewan Health Authority local Medical Health Officers and to monitor the Saskatchewan Health Authority assessed risk of epidemic transmission. As noted in Appendix 3, the assessed risk of epidemic transmission is currently indicating there is a "high likelihood that COVID transmission is not controlled" in the Saskatoon region. This is the highest level of risk of transmission and indicates COVID-19 transmission in Saskatoon is uncontrolled.

Considering all factors, when the face covering requirements of the Public Health Order are rescinded, City Administration recommends that City Council continue the requirement, as approved at its August 30, 2021, Regular Business Meeting, that all persons accessing all City facilities wear a face mask. For ease of transition and certainty, Administration recommends the masking requirement follow the requirements prescribed in Public Health Order Mandatory Isolation and Face Coverings (Appendix 1).

Implications

City Council has required masking in City operated facilities and services without a Public Health Order twice before during this pandemic (Appendix 2). With the removal of the Proof of COVID-19 Vaccination or Negative Test Requirements for City of Saskatoon Facilities, a layer of protection for both staff and residents will be removed. Layers of protection for COVID are understood through the Hierarchy of Controls (Appendix 4). Continuing with masking will retain a layer of existing protection for City staff and residents accessing City owned facilities and services. Residents accessing these facilities and services are accustomed to wearing masks and this continuation will not change that.

Section 3-8 of *The Saskatchewan Employment Act* requires employers to take every precaution reasonable in the circumstances for the protection of a worker. This is known as the general duty clause. It's a way of protecting workers in a situation where no specific regulation or standard applies. Employers apply the same risk management strategies to the hazard of COVID-19 as they would to any other hazard. Establishing and maintaining a healthy and safe workplace requires the City to systematically identify hazards and ensure the follow through and implementation of appropriate controls. This risk management process provides the City with the opportunity to recognize health and safety problems before they result in injury or illness.

Continuing this layer of protection in civic facilities will reassure some residents who have concerns about the transmission of COVID-19 in our community. For Saskatoon Transit, masks would be recommended but not required. There are residents who access Leisure Centres and services, notably the Saskatchewan Health Authority Programs at the Shaw Centre and Saskatoon Field House, who have recently expressed concern about accessing these services with the existing exceptions to the masking requirements (e.g., masks not required during physical activities); it is anticipated their concerns would increase if masking was not required at all.

The City will continue focusing on educating and informing rather than enforcing the use of face masks within City owned facilities and services. There is an increased risk to our staff to provide enforcement. This risk is more likely to occur in Saskatoon Transit where drivers are alone and not able to be immediately supported by other staff as can occur in other City owned facilities. In the current situation, there is the potential for increased non-compliance, conflict and altercations regarding masking between residents using City services. The City should also be prepared for opposition to the continuation of masking in City owned facilities and services.

The Administration believes that continued mask requirements in civic facilities can continue with little conflict. Mask requirements on Saskatoon Transit however are expected to be more challenging, especially in the absence of provincial health orders. Although there are strong advantages and disadvantages for each path with respect to masking requirements on Transit, and opinions either way, the Administration is recommending discontinuing the mask mandate on Transit at such time as the province lifts its Public Health Order. There are staff and customer safety implications on both sides of this decision. Continuing a mask mandate would provide more protection from COVID-19 but could increase on-bus conflicts should customers decide to attempt to enforce a mask requirement on others. Tensions are expected to increase should the province lift their PHO and the City continue with a mask requirement. Regardless of Council's decision on this matter, the Administration will include in its monthly updates to GPC status reports that include detailed updates on ridership and both Transit and COVID-19 trends, giving Council the ability to adjust its direction monthly.

The Saskatchewan Health Authority local Medical Health Officer has recommended that masks be required on Saskatoon Transit as this is a higher risk location for transmission. The Local MHO also recommends the promotion of masking in all locations and encouraging individuals to stay home if they are ill with symptoms of COVID-19.

Triggers for Removal of Mask Requirements

The continuation of masking in civic facilities is intended to be a temporary measure while the community settles into the "new normal". When any measure is implemented, there should be an indication of what would trigger the removal of the measure. City Administration will continue to consult with the Saskatchewan Health Authority local Medical Health Officers and monitor the assessed risk of COVID transmission in Saskatoon. When this risk level is at the "new normal" level for one month, Administration will report back to City Council regarding the requirement for face masks at Civic facilities. Other considerations may include the [Waste Water Data](#) and reported hospitalization rates. Administration will also monitor any emerging COVID-19 trends or new variants.

If the approach outlined in this report is approved with respect to masking in civic facilities and on Saskatoon Transit, the Administration is recommending that it report monthly to GPC in such a way that each month going forward, GPC will either decide to continue the masking requirement or to lift it. Effectively the Administration is proposing that the masking requirement for civic facilities be kept in place on a month-to-month basis.

NEXT STEPS

City Administration will continue to monitor the COVID-19 situation and its impacts. A comprehensive communication plan will be developed and implemented to inform residents and staff.

APPENDICES

1. Mandatory Masking Implementation
2. Mandatory Masking Timeline
3. Assessed Risk of Epidemic Transmission
4. Hierarchy of Controls

Report Approval

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