

**Proposed Correspondence from the Mayor's Task Force on Economic Recovery  
Respecting  
Liability's Role in the Economic Recovery**

**To**

Hamilton's Economic Recovery Task Force comprises multi-sectoral leadership across our community's diverse economy. The Task Force is responsible for guiding Hamilton's economic recovery in the immediate aftermath of the COVID-19 pandemic by formulating an aggressive, action-driven plan to ensure a long-term, sustainable and equitable economic recovery.

**We are writing to express our concerns and recommendations surrounding liability protection for Ontario employers that demonstrate their due diligence in preventing the spread of COVID-19, among employees and customers alike.**

We believe the duty to provide a safe and clean environment for workers and patrons is critical. In fact, under Ontario's current labour laws, employers must take every reasonable precaution to protect the health and safety of workers, including the protection of workers from hazards posed by infectious diseases. Businesses are also required by municipal by-law to ensure employees working within the establishment wear a face covering and to post a notice to customers at the front of their stores that masks are required indoors.

Businesses that have entered Phase 3 of reopening are doing their best to create and maintain safety protocols that meet their obligations, but many have expressed concern over the uncertainty surrounding their legal liability and exposure, should an employee or customer contract COVID-19 at their establishment.

To provide employers assurance that they are safe from legal action, we recommend protecting employers from legal liability, contingent on the demonstration of due diligence in maintaining a safe and clean environment that meets public health standards.

With this clarification in place, the Province of Ontario will better pave the way to economic recovery in Hamilton and beyond.

Thank you for your consideration.

Sincerely,

