

COVID-19 B.C. BULLETIN - MARCH 26, 2020

Details on Essential Services Designation in British Columbia

By Sarah Blanco and Gabrielle Scorer

This morning, Premier John Horgan and Mike Farnworth, the Minister of Public Safety and Solicitor General, announced the provincial government would use extraordinary powers available pursuant to the *Emergency Program Act* to ensure a coordinated response to COVID-19 across all levels of government. Ministerial orders issued pursuant to the *Emergency Program Act* will remain in place for the duration of the provincial state of emergency declared by Minister Farnworth on March 18, 2020. The measures described today include the introduction of a list of essential services that should and are encouraged to remain open; and the suspension of municipal states of emergency except with respect to the City of Vancouver. This memorandum addresses this major development in the COVID-19 crisis which will be of significance to employers operating in B.C.

For further information relating to the COVID-19 pandemic and how it may impact your workplace, [please look to our previous bulletins.](#)

This memorandum is **current to the morning of March 26, 2020**, but the pandemic and the responses of federal and provincial governments continue to evolve, and this may impact the accuracy of the information in this bulletin. If in doubt about whether anything in this document is still current, please do not hesitate to [contact us](#).

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The Province has announced several significant steps to support B.C.'s COVID-19 response. These initiatives have been invoked for the first time under a provincial state of emergency and are based on the recommendations of B.C.'s health and emergency management officials.

In coordination with B.C.'s provincial health officer (PHO) Dr. Bonnie Henry, the Province has defined essential services which "British Columbians rely on in their daily lives in the context of COVID-19 response and recovery." Essential service designation in this context is distinct from essential service designations under the B.C. *Labour Relations Code*.

The Province has defined essential services which should and are encouraged to remain open. The list includes health service providers; public safety personnel; vulnerable population service providers; critical infrastructure service providers; food and agriculture service providers; transportation, infrastructure, and manufacturing services; sanitation services; communications and information technology services.; and non-health essential service providers. The essential services must comply with the orders and guidelines provided by the PHO to ensure safe operation and reduce the risk of transmission of COVID-19. The full list of essential services can be found at the bottom of the press release which is hyperlinked at the end of this bulletin.



In addition, any business or service that has not been ordered to close, and is not identified on the essential service list, *may* stay open if it is able to adapt its services and workplace to the orders and recommendations of the PHO to ensure safe operations and to reduce the risk of transmission of COVID-19.

The Province has also suspended all states of emergency declared by municipalities except for that of the City of Vancouver. The province will co-ordinate with municipalities regarding the potential use of local publicly owned facilities, like community centres, for self-isolation, testing, medical care, warehousing and distribution.

In addition, the Province is undertaking the following measures:

1. establishing a new Provincial Supply Chain Coordination Unit to co-ordinate goods and services distribution and suspending any bylaws that restrict goods delivery at any time of day;
2. banning the secondary resale of food, medical supplies, personal protective equipment, cleaning and other essential supplies; and
3. enabling municipal bylaw officers to support enforcement of the provincial health officer's orders for business closures and gatherings, in line with offences under the Public Health Act.

A link to today's press release, which includes the full list of essential services, can be found here: <https://news.gov.bc.ca/releases/2020PSSG0020-000568>

Navigating COVID-19 in the Workplace

As with all of our previous COVID-19 updates, we caution that the pandemic and the responses of federal and provincial governments continue to evolve by the day and by the hour. We recognize that the guidance being provided by government authorities (and law firms) can be overwhelming. If you have any questions about any of these programs, or any questions at all about how your workplace should be addressing the COVID-19 pandemic, please do not hesitate to [contact us](#).

[Gabrielle Scorer](#) and [Sarah Blanco](#) are labour and employment lawyers at Roper Greyell LLP and practice in all areas of labour, employment and human rights law. To obtain contact information of any other lawyer at our firm, please visit: <https://ropergreyell.com/our-people/>

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