

Ministry of the Attorney General
Crown Attorney's Office
Regional Municipality of Durham

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MEMORANDUM

TO: Justice Participants of the Lt. Col. Samuel S. Sharpe D.S.O. MP Courthouse

(Note: Please share this memo with relevant staff, justice participants and stakeholders)

FROM: Greg O'Driscoll, Crown Attorney

DATE: December 11, 2021

RE: 12102021-004 - Health Information Update – Lt. Col. Samuel S. Sharpe D.S.O. MP Courthouse

I am writing to provide health information affecting the Lt. Col. Samuel S. Sharpe D.S.O. MP Courthouse, 150 Bond St. East.

This week I learned that a person who attended a management-sanctioned social event outside of the workplace has since tested positive for COVID-19.

The person:

- has not been present at the Durham courthouse for six weeks.
- attended a management-sanctioned social event outside of the workplace on Friday, December 3rd, 2021;
- also attended sporting events on Saturday, December 4th, where other positive COVID-19 cases were later identified;
- developed symptoms on the evening of Sunday, December 5th;
- underwent a COVID-19 test on Monday, December 6th, 2021; and
- received a confirmed positive test result on Tuesday, December 7th.

The person was tested because they experienced symptoms compatible with COVID-19 while outside of the courthouse, and because they had been notified of confirmed positive cases associated with the sporting events they attended on Saturday, December 4th.

The person was not physically present in the courthouse during their period of communicability, regarded by the Ministry of Health as the 48 hours preceding either the day of:

- a. The onset of symptoms compatible with COVID-19
- b. In the case of a non-symptomatic person, the day the COVID-19 test sample was collected.

At the time that the person tested positive, Durham Region Health Department advised that all attendees at the social event on December 3rd should monitor for symptoms. The person who tested positive began self-isolating as per standard public health procedure and followed the direction of medical professionals.

On Friday, December 10th, Durham Region Health Department notified the person that their case may be the COVID-19 Variant of Concern (VOC) "Omicron" (B.1.1.529).

Omicron was identified by WHO on November 24, 2021. While it is believed that Omicron is more transmissible than prior variants, scientific surveillance continues in an effort to learn more about Omicron. The mode of transmission of Omicron remains the same as other forms of this coronavirus. This suggests that the strict adherence to the existing precautionary measures, coupled with vaccination is highly effective in mitigating the risk of transmission of Omicron.

As a result of the identification of Omicron, and its potential increased transmissibility, the Durham Region Health Department has determined, out of an abundance of caution, that all persons who attended the social event on December 3rd must self-isolate for ten days, ending on the evening of Monday, December 13th, 2021. This approach was taken despite the potential exposure taking place at the sporting event on December 4th, 2021 where other confirmed cases were experienced.

As a result, no in-person matters will be heard at Durham courthouse on Monday, December 13th, 2021. Alternate arrangements are currently being made for all scheduled matters.

At this time, the Ministry has completed a Preliminary Workplace Exposure Risk Assessment (PWERA) to identify any other persons/individuals associated with the event that potentially experienced a high-risk exposure to the positive case.

A High-Risk Exposure occurs when a Person/Individual:

- lives in the same household with a probable/confirmed positive case while the case was infectious.
- has direct contact with infectious body fluids of a probable/confirmed positive case (e.g., coughed on or sneezed on)
- has direct physical contact with the probable/confirmed positive case (e.g. hugging, kissing, hand-shaking) that is more than a transient interaction (i.e. brushing by someone, handing paper etc.)

- has close (less than 6ft or 2m), prolonged and/or unprotected interaction* with a probable/confirmed positive case while both the Person/Individual were not consistently/properly wearing masks.

*N.B. Interaction means more than a brief, transient encounter (i.e. does not include passing someone in a hallway).

While there have been no changes in the above criteria for identifying a High-Risk Exposure to date, in cases of Omicron, interim Public Health Ontario Guidance to local Public Health Units has been to:

- Have a low threshold for assessing an exposure as high risk.
- Require isolation for all high-risk contacts regardless of vaccination status or previously positive status.¹

The [Ministry of Health Guidance](#) informs us that Persons/Individuals experiencing a High-Risk Exposure to a probable/confirmed positive case are to self-isolate for 10 days and be tested for COVID-19.

For clarity, all those who attended the social event on December 3rd have already been notified and asked to self-isolate for 10 days, be tested for COVID-19, and seek further advice from their health care provider or the Durham Region Health Department.

In responding to this case, as in all cases of COVID-19, the ministry is relying upon the expertise and guidance of public health officials.

Management has been in contact with the Durham Region Health Department about the specific circumstances of this case. Management sought advice from the Durham Region Health Department about any additional precautions that are required by the ministry. They have advised that no further actions need to be taken.

The Durham Region Health Department will take necessary steps to reduce transmission of COVID-19 and will proceed based on the specific circumstances of each individual case. They will conduct any further contact tracing they deem appropriate. The Ministry will provide all necessary assistance to Public Health in this regard if required.

Enhanced cleaning of the building has been in effect since March 2020.

Management will continue to monitor this situation and will provide updates should further information that may impact the health and safety of building occupants become available.

¹ COVID-19 Variant of Concern Omicron (B.1.1.529): Case, Contact and Outbreak Management Interim Guidance Version 1.0 – November 30, 2021, Pg. 3.

As you know, MAG's policies, including physical distancing, hand hygiene, PPE and source control face coverings, are in place to reduce the possibility of virus transmission in the workplace. I urge you to continue to be proactive at all times in following the precautions in place in the building. Given the rise in concern surrounding the Variants of Concern (VOC), it is imperative to remember that when followed, the suite of overlapping preventative measures within our workplaces continues to be robust and effective at mitigating the risk of COVID-19 transmission and associated VOCs.

Vaccinations play a vital role in mitigating the transmission of COVID-19. Vaccines are safe, effective, and the best way to protect you and those around you from COVID-19 and its variants. A mandatory vaccination policy is currently in place requiring all Ontario Public Servants to be fully vaccinated against COVID-19 or to undergo regular testing. This serves as an additional measure to ensure that your health, safety and wellbeing continues to be protected in our workplaces.

[Learn about our COVID-19 vaccination program](#)

I understand that this situation may cause you concern. Your health and safety is of the highest priority for us. We are in ongoing discussions with Public Health and will continue to follow their guidance around best practices to ensure your safety.

I would also like to remind you that the Employee Family Assistance Program is always available to support an employee's well-being. You can learn more [here](#).

As a reminder, coronaviruses are spread mainly from person to person through close contact. There are everyday actions that can help prevent the spread of germs that cause respiratory illnesses. These include:

- stay at least 2 metres (6 feet) from others,
- wear face coverings or PPE, as indicated,
- wash your hands often with soap and water,
- use hand sanitizer as needed,
- sneeze and cough into your sleeve,
- avoid touching your eyes, nose or mouth,
- avoid contact with people who are sick, and
- stay home if you are sick.

If you are in an at-risk group as identified by the Ministry of Health², it is recommended that you talk with a doctor about your situation, reduce your time outside your home, wear a source

² Ministry of Health considers people in the following groups as "at risk" because there is a risk of severe illness if they get COVID-19:

- people older than 70
- people with an existing health condition
- people with a compromised immune system

control face covering or surgical/procedure mask, and keep a distance from others as much as possible and to discuss any concerns with your manager.

If you have other questions or concerns, please speak with your manager. You can also find more general information on Ontario's COVID-19 website: <https://www.ontario.ca/page/2019-novel-coronavirus-2019-ncov#section-6>

Thank you for your understanding.

Greg O'Driscoll,
Crown Attorney