

Mandatory Quarantine or Isolation upon Entry to Canada during COVID-19

This fact sheet explains the law in general. It is not intended as legal advice for your particular problem. Because each person's situation is different, you may need to seek legal advice. The information in this fact sheet was reviewed by a lawyer, and was last updated on 26 February 2021.

In response to the ongoing COVID-19 pandemic, the Canadian government has imposed mandatory quarantine or isolation to limit the introduction and spread of the disease. This fact sheet explains what mandatory quarantine is, what you should do during mandatory quarantine or isolation, how mandatory quarantine may affect migrant workers and who might be exempt from the mandatory quarantine or isolation requirement.

What is mandatory quarantine or isolation?

If you are arriving in Canada from another country, you are required by law to quarantine or isolate for 14 days upon your arrival. This 14-day period is referred to as mandatory quarantine or isolation.

In Canada, individuals who may have been exposed to or infected by COVID-19 will be required to quarantine or isolate. In this context, you may often hear or see the terms “quarantine,” “isolation” and “mandatory quarantine or isolation.” Here are how these terms are often used:

- **quarantine** applies to people with no COVID-19 related symptoms;
- **isolation** applies to people who are infected or have developed symptoms;
- **mandatory quarantine or isolation** is often used to refer to the initial 14-day period upon an individual's entry to Canada from another country.

What should I do during mandatory quarantine or isolation?

During mandatory quarantine or isolation, you should do the following:

- stay at home;
- avoid contact with other people;
- practice physical distancing in your home;
- monitor yourself for symptoms, even just one mild symptom, such as:
 - new or worsening cough
 - shortness of breath or difficulty breathing
 - temperature equal to or over 38°C
 - feeling feverish
 - chills
 - fatigue or weakness
 - muscle or body aches
 - new loss of smell or taste
 - headache
 - gastrointestinal symptoms (abdominal pain, diarrhea, vomiting)
 - feeling very unwell;
- take and record your temperature daily (or as directed by your public health authority);
- avoid using fever-reducing medications (e.g., acetaminophen, ibuprofen) as much as possible, as these medications could mask an early symptom of COVID-19.

I am a migrant worker arriving in Canada. How does the mandatory quarantine or isolation requirement affect me?

Anyone entering Canada from another country is required to quarantine or isolate for 14 days upon their arrival, unless exempt. This includes migrant workers.

Before arriving in Canada, you should make sure that you have a quarantine plan. If you are arriving by air, you are required to submit your quarantine plan electronically through ArriveCAN before you board your flight. ArriveCAN is an app that allows a traveller to submit mandatory information electronically before they arrive in Canada. For more information, see our fact sheet on *Who Can Enter Canada during COVID-19*.

Your quarantine plan should provide details on how you will get to our quarantine location, how you will obtain food and basic supplies during the quarantine period, and assurance that you are not quarantining with anyone over the age of 65 or in a high-risk category, such as people with chronic medical conditions. You are encouraged to get in touch with your employer before your departure to finalize your quarantine plan details, as you may be asked about the details by an officer at the border.

Upon arrival in Canada, you will be screened for COVID-19 symptoms. The requirements that you will have to follow vary based on whether you have symptoms or not.

1) If you have symptoms upon arrival

If you **have symptoms** upon arrival, you will **not** be allowed to enter Canada **unless** you are a Canadian citizen, permanent resident, person registered under the Indian Act, or protected person (refugee status). Foreign nationals with symptoms upon arrival will not be allowed to enter Canada. If you are allowed to enter Canada with symptoms, you will be required to isolate. If you do not have private transportation to an adequate place to isolate, you may be required to isolate for 14 days in a designated place. Once you have recovered, you will be re-assessed for entry to Canada.

2) If you don't have symptoms upon arrival

If you are deemed to **have no symptoms** and meet entry requirements, as of 22 February 2021, you will be required to:

- take a COVID-19 molecular test on arrival in Canada;
- stay in a hotel for 3 nights while they await the results of the COVID-19 molecular test they received on arrival;
- pay for their hotel, as well as all associated costs for food, cleaning and security.

You will still be required to complete a mandatory 14-day quarantine in addition to the above requirements. However, **essential workers** may be exempted from the mandatory quarantine requirement and the three-day hotel stopover requirement. For more information, see our fact sheet on *Who Can Enter Canada during COVID-19*.

If you are a migrant worker arriving in BC for seasonal farm work, you are required to complete your quarantine in government-managed accommodations. The province of BC will fund hotel and food service costs during the 14-day period. The accommodation will be near the airport and will **not** be at your workplace.

What are the consequences if a migrant worker does not follow the mandatory quarantine or isolation requirements?

Violating any quarantine or isolation instructions provided to you when you entered Canada could lead to up to:

- 6 months in prison, **and/or**
- \$750,000 in fines

If you break your mandatory quarantine or isolation requirements and you cause the death or serious bodily harm to another person, you could face:

- a fine of up to \$1,000,000 or
- imprisonment of up to 3 years or
- both

What is my employer's role when it comes to my mandatory quarantine or isolation?

The law also requires that your employer must **not** prevent you from meeting the mandatory quarantine or isolation requirements. This applies to all migrant workers.

There are certain criteria that your employer should meet in ensuring your mandatory quarantine or isolation. It is worth noting that because the mandatory quarantine of migrant workers arriving in BC for seasonal farm work will be arranged and funded by the province, the criteria explained below may not apply to those workers.

1) Food, medicine and basic supplies

To ensure that you comply with the mandatory quarantine or isolation requirements, your employer is expected to assist you to access food and medicine if needed. Your employer cannot deny to help you if their denial will lead to you having to leave quarantine or isolation.

For example, you are required to go directly to your place of quarantine or isolation upon arriving in Canada; therefore, you are not allowed to stop on the way to purchase food or any supplies. You are also not allowed to go to stores during the quarantine or isolation period. This means that you will require assistance in arranging for food, medicine, and/or basic supplies after you arrive in Canada. Your employer is expected to help you in such cases.

Your employer does **not** have to pay for your food, medicine and basic supplies. It is your responsibility to pay for these items.

2) Accommodation

For employers who provide their employees with accommodation, they are required to make sure that the accommodation meets certain criteria. The criteria are different in circumstances where the employee has no symptoms versus circumstances where the employee is diagnosed with COVID-19 or has developed symptoms.

a) If you have no symptoms and are required to quarantine

Your accommodation must be separate from those provided to persons who are not in quarantine. Your accommodation must also allow you to remain at least two meters away from any other person. During your quarantine period, your employer must also provide you with cleaning products for the purposes of cleaning and disinfecting the accommodations regularly.

Moreover, if a new person is housed in the same accommodation where other workers have already begun the mandatory quarantine period, all of the workers in the same accommodation will be required to re-start their mandatory quarantine period.

b) If you are diagnosed with COVID-19 or have developed symptoms

In this case, your employer must immediately arrange for you to be fully isolated from others, and contact local public health officials. Your employer must provide you with accommodation that has a separate bedroom and a bathroom. The bedroom and bathroom must be solely for your use while you isolate yourself.

What can I do if I get sick during mandatory quarantine?

If you develop symptoms while you are in quarantine, you should get tested for COVID-19 and continue to quarantine while you wait for the test results.

You should try isolating yourself from others as soon as you notice your first symptom. You can call 811 to discuss your symptoms and travel history with local public health authority, and follow their instructions carefully. If you have urgent symptoms, call 911 or your local emergency helpline. Inform them on the phone that you may have COVID-19 and that you are at high risk for complications.

Should my employer pay me while I am in mandatory quarantine?

Yes. Your employer must pay you during your initial mandatory quarantine period. Your employer must pay you for a minimum of 30 hours per week at the rate specified on your Labour Market Impact Assessment (LMIA) and/or your offer of employment. This is still true even if your mandatory quarantine period is extended beyond the initial period of 14 days. For example, if you must be in quarantine longer than the initial mandatory 14-day period because you became symptomatic or were exposed to another person who exhibits symptoms, you are to be paid by the employer for the extended quarantine period.

Who is exempt from the mandatory quarantine requirement?

While most migrant workers will be required to quarantine for 14 days upon their arrival in Canada, certain groups are exempt, provided they have no COVID-19 symptoms.

The exempt groups include people who are deemed by the Chief Public Health Officer of Canada to provide an essential service, for example:

- making necessary medical deliveries as required for patient care;
- working in the trade and transportation sector that are important for the movement of goods and people. This may include truck drivers or crew on an airplane;
- crossing the border regularly to go to work, such as healthcare workers; or
- having to cross the border to provide or receive essential services, including emergency responders.

Individuals exempt from quarantine requirements must follow the latest public health requirements. These include wearing a mask and carrying out physical distancing.