



Nova Scotia/Nunavut Command
The Royal Canadian Legion

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All Branch Mail Out #24

Date: April 7, 2021

TO: NS/NU Branches
NS/NU Executive Council
NS/NU Zone Commanders
NS/NU Past Presidents
NS/NU Command Staff

From: Comrade Valerie Mitchell-Veinotte
Executive Director
NS/NU Command, RCL

Subject: Questions – Meeting with Dr. R. Strang

Message: Comrades: Please find attached/enclosed a copy of answers to submitted questions addressed in a recent meeting between representatives of NS/NU Command and Chief Medical Officer of Health, Dr. Robert Strang.

Please be reminded that as Public Health Orders change frequently, Branches are responsible to closely monitor those directives in order to remain current and compliant. NS Public Health Orders can be found at the following link:

<https://novascotia.ca/coronavirus/docs/health-protection-act-order-by-the-medical-officer-of-health.pdf>

1. Why is the legion restricted to playing recreational pool at two tables rather than using three or four tables?

We would need further information about the specific Legion Branch. From our experience at other places that have pool tables it is likely that the pool tables are too close together. The tables would have to sufficiently separated so that when players are playing they are at least 6' away from the player at the adjoining table. If you provide information about which specific Legion it is we can provide an answer. Pool tables must be situated in a way that ensures physical distance (6 feet, 3 meters) can be maintained by patrons between tables.

2. We are now allowed to hold Bingos and Friday Suppers. How many people can attend a Branch Meeting with Social distancing and Members are wearing masks for the entire meeting? If we are limited to just 10 persons at a Branch Meeting, we are unable to have the majority of our executive in attendance, let alone the general membership.

With regards to bingos and special events such as Friday Suppers it depends on where the Legion is located in the province and whether or not the bingo area is liquor licensed. Please refer to the Order. With regards to bingos and suppers, masks are required to be worn at all times except while seated and eating or drinking.

Here is a link to the Health Protection Act: <https://novascotia.ca/coronavirus/docs/health-protection-act-order-by-the-medical-officer-of-health.pdf>

3. Table service for Members, you must be seated and place your order. The bar steward will serve you and then you have to approach the bar to pay. Why are we encouraged to have our Members run bar tabs?

The Order requires table service only. If members want to pay for drinks and food individually, without running a bar tab, they can do so when the drinks or food is brought to the table.

Here is a link to the Health Protection Act: <https://novascotia.ca/coronavirus/docs/health-protection-act-order-by-the-medical-officer-of-health.pdf>

4. VLT players are permitted to come to the Bar to redeem their winnings. Why can't they get a beverage at the same time?

The Order requires food and beverage service to be table service only. Here is a link to the Health Protection Act: <https://novascotia.ca/coronavirus/docs/health-protection-act-order-by-the-medical-officer-of-health.pdf>

5. Why are NS Government Enforcement Officers making recommendations, giving verbal orders and notices in lieu of a written explanation of Safety Protocols and Guidelines?

The continuum of enforcement is verbal explanation/education/warning, then written warning, then infraction with disciplinary action. We are trying to gain compliance through education which is verbal. Removing verbal interaction will result in a shorter path to disciplinary action and we feel that is not in the best interests of licensees and is likely to lead to quick compliance.

6. Why are NS Government Enforcement Officers not adhering to our Rules and Regulations by not signing our Legion COVID-19 Entry Log?

Every inspection that we complete by an AGFT compliance officer is logged electronically in our licensing/inspection system at the time of the inspection. Every time that there is an exposure warning we cross reference our inspection logs to see if an inspector was exposed. For this reason, entering our attendance would be redundant as we already have a record of our compliance officer being in attendance.

7. Investigations or Inspections may reveal a condition that is alleged to be in violation of the Amended Restated Order of The Chief Medical Officer of Health, Section 32 Health Protection Act 2004. Why are we not being informed of current changes and amendments to avoid being in violation and or given a written Citation?

COVID-19 updates are held consistently, licensees should be visiting the COVID-19 website after each of these updates to see what has changed. There is also a press release issued which outlines the changes. Here is a link to the Health Protection Act:

<https://novascotia.ca/coronavirus/docs/health-protection-act-order-by-the-medical-officer-of-health.pdf>

8. Veteran Members who suffer from illnesses, disabilities or PTSD and have difficulty breathing can't wear a mask. How do they verify mask exemption?

Exemptions to wearing a mask include:

- children under the age of 2
- children 2 to 4 when their caregiver can't get them to wear a mask
- anyone with a valid medical reason for not wearing a mask

- anyone who is reasonably accommodated by not wearing a mask under the Human Rights Act (PDF)
- anyone who is unable to remove the mask without assistance
- people in a courtroom, jury room or secured area in a courthouse, or room where a legislative administrative tribunal is meeting
- performer or officiant who is performing activities that require vocalization (like talking or singing) at a faith gathering, wedding, funeral, social event, or arts and culture event
- people in a room for events (like a hotel, convention or conference meeting room) attending a private business meeting with no more than 10 people

Medical reasons for not wearing a mask

Wearing a mask helps to prevent the spread of COVID-19 and helps protect people who are around you. There are very few medical reasons not to wear a mask. Wearing a mask doesn't worsen chronic lung conditions like asthma or chronic obstructive pulmonary disease (COPD). You should wear a non-medical mask unless you have a medical reason for not wearing a mask (like people with cognitive or developmental disabilities who can't wear a mask). Children under the age of 2 shouldn't wear a mask.

If you have chronic breathing problems or a mental health condition that creates anxiety, you may be able to work on ways to overcome the anxiety (like wearing a mask for short periods of time at home). You can try different types of masks and choose one you're comfortable with. You can also talk to a doctor or pharmacist about it.

More information on masking can be found at: <https://novascotia.ca/coronavirus/masks/>

A Legion Member that has a chronic lung condition like asthma, or chronic obstructive pulmonary disease (COPD) a valid reason for not wearing a mask - and if so, can they be allowed entry to our Legion Branches?

All businesses, organizations and workplaces need to follow the Health Protection Act Order and their sector-specific plans, including any additional mask requirements for areas that are not accessed by the public. They can choose to refuse entry or service to people who are not wearing a non-medical mask when required in indoor public places, unless they have an exemption identified in the Health Protection Act Order (PDF).

More information on masks can be found at: <https://novascotia.ca/coronavirus/masks/>

9. A Branch Member who has chronic breathing problems and a mental health condition which creates anxiety and refuses to wear a mask coming into our Legion Branch - and refers to the Human Rights Act. Do we refuse entrance to our Branch?

All businesses, organizations and workplaces need to follow the Health Protection Act Order and their sector-specific plans, including any additional mask requirements for areas that are not accessed by the public. They can choose to refuse entry or service to people who are not wearing a non-medical mask when required in indoor public places, unless they have an exemption identified in the Health Protection Act Order (PDF).

More information on masks can be found at: <https://novascotia.ca/coronavirus/masks/>

10. When Legion Bingos were cancelled, reopened and cancelled again and reopened. We were told verbally and not in writing, take down your Bingo Signs, and or cover them up. Is that in the approved opening Guide for Bingo Operations and is that enforceable?

Here is the guidance document for Bingo Operations:

<https://novascotia.ca/coronavirus/docs/COVID-19-Games-and-activities-licensed-establishments.pdf>

11. Branches of the Royal Canadian Legion do not have valid signed COVID-19 rules in print to read, which cover all events - why not?

The Health Protection Order is online at the government web site. Legions may print it off.

The Health Protection Order is found online at <https://novascotia.ca/coronavirus/docs/health-protection-act-order-by-the-medical-officer-of-health.pdf>. We also encourage Legions to utilize our COVID-19 posters, factsheets and resources page at: <https://novascotia.ca/coronavirus/resources/>

12. Why hasn't The NS Department of Health and Safety, in close cooperation with Alcohol and Gaming; establish a COVID-19 Memorandum of Understanding with The Legion Branches, that have a Club Room and Bingo License identifying stringent COVID-19 Protocols, Guidelines, relative to Legion requirements specified in the Chief Medical Officer of Health Order, so that they can continue to operate Safely and decrease the risk to public health?

AGFT does not set policy with regards to what is required from a health protection perspective, we do not have that expertise. AGFT and other inspectorates are there purely to assist with providing compliance with the Order which is determined by the Department of Health & Wellness, DHW are the subject matter experts with regards to health protection. The current requirements in the Health Protection Order apply to all liquor licensees, including

Legions.

These government departments follow PH guidance which may change COVID-19 protocols depending on the most current scientific information available. The way this is managed is NSLAE and A&G meet weekly to discuss compliance activities to ensure inspection activity is coordinated and new information is shared with stakeholders.

13. Why is the Alcohol and Gaming Department reluctant to talk to District or Zone Commanders, to discuss valid Complaints they receive from Branch Presidents, concerning questionable rules, misleading instructions, interpretation of the Health Protection Order, confusing messages and the poor attitude of on-site Enforcement Officers?

It is not the place of AGFT to speak to rules which Legions may believe are questionable. AGFT has no say in setting the rules our compliance staff are simply assisting DHW with ensuring compliance. If Legions feel that rules are questionable they should direct those concerns directly to DHW. With regards to interpretations of the Health Protection Order, when AGFT feels there is a need for interpretation, AFGT will contact DHW so that they can give guidance. We are unaware of any instances of poor attitude of on-site compliance staff. If you have any specific instances those should be brought directly to AGFT's head office to be addressed.

14. Why can't the Alcohol and Gaming Officers confirm proposed or established criteria for a building occupancy load, with a defined way to be compliant with NS Government Departments?

AGFT has no authority under the Building Code to determine occupancy limits. They would be operating outside of their authority. This is the responsibility of the Fire Marshall or Municipal Building Inspectors.

15. Why are the Gaming Officers directions being contradicted by their Head Office, when it comes to wearing Masks while drinking and eating in Legion Branches or established licensed restaurants?

More details of a specific example would be needed. Instructions to compliance staff have been consistent. We are not aware of any contradictions. The only instance that we are aware of is that a Legion had contacted AGFT head office to ask about wearing masks while eating and drinking and we advised them that patrons did not have to wear masks while seated and eating or drinking. After head office spoke with the compliance officer, the issue was that.

16. In the past at our Legion, we have a few volunteers who in the past 20

years during March, April and May have been doing around 500 to 700 Income Tax Returns each year for Seniors and low income people. Do you have any suggestions as to how we might continue doing those Income Tax Returns this year and in the future?

This service can continue to be offered, so long as the Public Health measures are followed. Here is a link to the Health Protection Act: <https://novascotia.ca/coronavirus/docs/health-protection-act-order-by-the-medical-officer-of-health.pdf>

17. Are there any plans to change the closing times for bars and restaurants? Some of the branches are asking because of the dart leagues that they have organized in their branches. They are following the guidelines, but are finding it difficult to have the games completed by 11:00.

The Health Protection Act Order Section 11.1(b) states the times at which liquor licensed establishments must close. Here is a link to the Health Protection Act: <https://novascotia.ca/coronavirus/docs/health-protection-act-order-by-the-medical-officer-of-health.pdf>

18. We have had many requests from our Seniors club as to if they are allowed card socials again as well their pot lucks suppers they do once a month.

Any Legion that holds a Food Establishment permit is not permitted to hold pot luck suppers. Legions should contact their local Nova Scotia Environment office and speak to a Public Health Officer.

19. Also, crib tournaments which we used to put on once a month. Normally 2 from each table would move after each game.

The Health Protection Order requires that patrons remain with the bubble of 10 persons that enter the licensed establishment. Patrons are not allowed to move from table to table. Here is a link to the Health Protection Act: <https://novascotia.ca/coronavirus/docs/health-protection-act-order-by-the-medical-officer-of-health.pdf>

20. Why can a husband and wife sit together for a meal or drink but are not allowed to sit together at a VLT because only one person is permitted at a VLT at any time.

The Sector Reopening Plan for VLTs falls under the Nova Scotia Gaming Corporation who is responsible for the management and operation of VLTs. Page 18 of their plan limits one person per VLT.

21. One branch reported having sent an email to the Health Department three times and never receiving an answer. Requests for specific information or direction are replied to with a link to the Public Health Order or an information sheet – we read these documents carefully before asking the questions and that is why specifics are asked – answers that refer us back to documents and web pages is useless. A request for consideration by the Medical Health Officer for an exemption, was replied to immediately with a reference and apparently without any effort to have the request considered. Replies from covid19info@novascotia.ca, do not typically have a name of the person who dealt with the query nor a telephone number. Thus, it is not possible to identify whether the email has been replied to be a competent individual. The COVID Restrictions Updates webpage <https://novascotia.ca/coronavirus/restrictionupdates/> lists all changes that have been made since the beginning. While it may be useful for pure research, the entries create confusion as it is not possible to determine which instructions are still current. It is easy to misunderstand conditions if one uses the Public Health Order to determine conditions and restrictions.

Is it possible to have one designated contact person that all legion branches can contact for their inquiries? This would ensure that we all receive the same information.

It is suggested that superseded directions in the COVID Restrictions Updates webpage be formatted to highlight what is no longer current.

The most up to date information is found at <https://novascotia.ca/coronavirus/>

22. Karaoke is a major entertainment activity for Legions. But, existing conditions to host Karaoke are beyond the building design of Legion branches and fails to address the shared value of Karaoke. There are

disposable microphone head covers available to use for each new singer. If these are available and all social distancing and health restrictions are adhered to, are there thoughts to allowing karaoke in the near future?

The actual activity of singing is considered a high risk activity for the spread of COVID-19. The issue is not cleaning of equipment but the actual activity of singing. Something like karaoke will likely be one of the last things reinstated.

23. Is it possible to remove facial masks when people are seated in accordance with social distancing and movement is not happening? Situations that fall into this category are bingos, presentations, and the like.

The Health Protection Order requires that patrons remain seated and only remove their masks while actively eating or drinking. Here is a link to the Health Protection Act:
<https://novascotia.ca/coronavirus/docs/health-protection-act-order-by-the-medical-officer-of-health.pdf>

24. Is it still necessary to have mandatory table service where shields are in place at the bar and there are few patrons? The majority of our branches actually only have a small number (25 or less) of their members dropping into the branch during the day. The difficulty lies in the fact that many of the bartenders have many more duties than just tending the bar. They are answering the phone, filling out forms and collecting membership dues, attending VLT's, cleaning the contact touch sites in the room etc.

Table service is required for all liquor licensed premises.

25. RANS has arranged a Contact app for businesses that allow electronic registering of patrons; as opposed to maintaining paper records for people using their business. Can this app be used at events that are not related to food and beverage, such as bingo?

Yes, it would be encouraged but the legions will have to reach out directly to RANS to inquire use.

26. Just what are our responsibilities and liability if someone does

contact Covid-19 on our premises.

All facilities should have a COVID protection plan in place that would mitigate the chances of COVID spread in a facility. This includes masking, social distancing, cleaning and disinfecting practices etc.

28. Responsibilities in regards to contract tracing?

All full-service restaurants and licensed establishments (including Legions) in Nova Scotia must collect names, contact information, and date and time of visit for each household or person that dines in/is seated at the establishment. This requirement applies to full-service restaurants and licensed establishments where patrons sit at tables to be served.

27. What is the number or percentage of people allowed on our premises and this would also include numbers for meetings? Does this depend on occupancy numbers?

The guidance changes frequently. Here is where you will find the most up to date gathering limits: <https://novascotia.ca/coronavirus/restrictions-and-guidance/#gatherings>

30. Are we allowed live entertainment? If so, where exactly can we find that information?

It is permitted, but there is guidance in how it can occur. Section 5.4 of the Health Protection Order. Here is a link to the Health Protection Act: <https://novascotia.ca/coronavirus/docs/health-protection-act-order-by-the-medical-officer-of-health.pdf>

31. Are we allowed to sell an in-house even split (50-50s)?

Yes, if it is a licensed lottery and all other COVID-19 protocols are adhered to, 50/50 draws are permitted.

32. Clarification of wearing of masks while in building and also while playing the lotto machines?

Mask must be worn at all times unless you are seated and eating/drinking. Masks must be worn at VLTs unless you are actively eating or drinking. A patron cannot order a drink and

place it in front of them just to avoid having to wear a mask. If they are just infrequently sipping they have to wear the mask between sips.

33. Clarification on food being served on the premises or from the premises.

Here is the link to the sector plan for restaurants: <http://rans.ca/files/shares/Re-Opening%20GuideNSFullJan21.pdf>

34. Clarification of singing the National Anthem or God save the Queen during our General Meetings.

Recommend that a recording is played so that people can stand to attention. Signing is discouraged.

35. Clarification of Sports such as darts, (tournaments) pool, etc.

Must follow guidelines: <https://novascotia.ca/coronavirus/docs/COVID-19-Games-and-activities-licensed-establishments.pdf>. Cannot be eating or drinking during such activities.

36. If we have meals as a fundraiser, how many can we have in the upstairs and exactly what is required by our Volunteers as far as PPE and procedures? This is relating to both cooks, servers and the people who will be delivering the food?

For all facilities serving food, all cooks, servers and people delivering the food to tables must wear a mask. If person delivering the food to a home, recommend contactless delivery or wearing a mask if within 6ft/2m of customer.

37. One member says that a vial of vaccine is supposed to hold enough vaccine for 5 shots, but they say one can get 6 shots out of the vial. Does that mean instead of getting 20% of the contents with 5 shots, do you only get 16.6 % of the contents with 6 shots? Would that not reduce the effectiveness of each shot of the vaccine?

Every Nova Scotian wanting a vaccine will receive a full dosage.

38. How will people, especially those over age 80 be advised that it is their turn for a vaccine?

Please visit: <https://novascotia.ca/coronavirus/vaccine/>

39. The Nova Scotia Health Regulations stated we (Legions) had to submit our opening assessment plan to an email address. This email address was the Department of Labour and Advance Education. Our Zone had a Safety Consultant write a detailed OH&S hazard assessment plan with protocols for the hazards associated with COVID 19. Our Agent, a Safety Consultant, had an extensive conversation with the Labour authority after they received our Zone 13 protocol document for reopening. They stated they do not approve or disapprove a written plan. However, Inspectors come in on an inspection and ask for the protocol document and ensure it Covers all hazards and that we had the appropriate protocols in place. The inspectors on visits to the branches are asking who approved the plan. As far as we are concerned, our Zone approved our plan. Inspectors are saying this is not an approved plan. I would disagree with that statement, it follows the OH&S Act and the Nova Scotia Health guidelines for COVID 19. The question is: "Who approves the Plan?"

The RANS guidance is the approved plan for lounges and legions. Legions must follow the guidelines outlines within this plan.

40. The RANS (Restaurant Association of Nova Scotia) has a document that appears to have had everyone, organizations and government, jump to it as an approved document. It is felt that Legions do not fall into a restaurant category , unless they are serving meals, for the most part and we are perfectly in our legal rights and authority to follow the assessment that was written and distributed to all Branches in our Zone. Our protocols allow members, while wearing a mask, to walk to the bar to get a beer or drink. Is that not correct?

No that is not correct. The Health Protection Order treats all liquor licensees the same. Section 11.1 requires all liquor licensees to offer in-seat service only. Protocols and guidelines cannot contradict the Order. All Legions that have an Eating Establishment permit are required to follow the RANS document in the operation of their facility or prepare their own COVID-19 safety prevention plan and that approved. Here is a link to the Health Protection Act: <https://novascotia.ca/coronavirus/docs/health-protection-act-order-by-the-medical-officer-of-health.pdf>

41. Another Branch wants to know the exact rules for serving meals and eating while running a fundraising Breakfast, Brunch or Dinner.

Legions should contact their local Nova Scotia Environment office and speak to a Public Health Officer. For events with meals and no alcohol is being served or take out service is provided consult this document <https://novascotia.ca/coronavirus/docs/Events-theatres-and-venues-COVID-19-prevention-guidelines.pdf>

42. Further, another Branch had an incident wherein a person entered the Legion at approximately 9:45 PM, just before closing at 10:00PM, said he was an Inspector by the name of Trenton Simmons but never produced any ID. There were only two persons in the Legion at the time and they were playing the VLT's. This person never asked about our Protocol Plan but stated that the bartender should be serving drinks at the tables. The present policy at our Branch is to serve members, who are wearing masks, at the bar where the bartender is protected by protective shields. We only have roughly 22 patrons on a regular basis. We are closed to the public and rarely, if ever, have outside visitors in the club room. Thus, the written procedure protects our employee. The patrons who are bubbled are exposed to each other in the club room. Having our bartender walk into this environment exposes them to an unneeded risk. It's no more than 10 ft from the table to the bar. Having people sitting in a bubble group drinking with no masks makes little or no sense in asking them to wear a mask when playing pool. Which was a statement made by this individual. Our club is 90% these individuals which play pool. We have a list behind the bar bubbling them. Are we doing the proper thing? Was the person who entered the Legion a real Inspector?

Bartenders do have to provide table service as per section 11.1 of the Health Protection Order. Patrons cannot go to the bar to order a drink and then return to their table. This is a requirement of all liquor licensees, including Legions. A Branch policy cannot be contrary to the Order. All of our inspectors produce ID if asked, usually it is not required as a compliance officer is assigned a territory and frequently visits a licensed establishment so staff know who they are. We do have a few territories where there is currently no permanent assigned officer so an officer from another territory attends to inspect until it is permanently filled. In those instances, they should be providing ID if they are unknown to staff.