




Harris & Company ^{LLP}
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**Workplace Law
& Advocacy**

Human Resources in a COVID-19 World

SCOTT MCCANN

APRIL 22, 2020

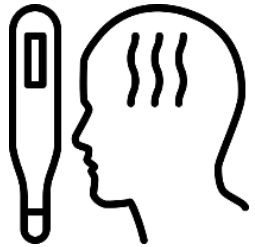


Amendments to *Canada Labour Code* in relation to COVID-19

New COVID-19 leave

- Up to 16 weeks
- In place until Oct 1, 2020

BC ESA's COVID-19 Leave is narrower



Diagnosed with
COVID-19



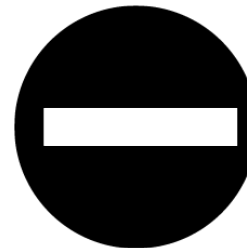
In quarantine or
self-isolation



Directed not to
work



Need to provide
care to minor child
or dependent
adult



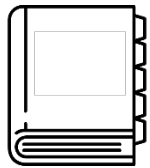
Unable to return
due to travel or
border restrictions



**Medical certificates
not required**

Until September 30, 2020 employees do not need to substantiate compassionate care leave, critical illness leave or medical leave with a medical certificate

Can employees choose to be on a leave of absence?



Canada Labour Code
“reasons related to
COVID-19”

May be entitled to
unpaid leave (and
receive CERB)





Work from home policy

Problems with remote work:

- Loss of control
- Data security / exposure risks
- Privacy breach



**If employees are
at work site, have
an exposure
control plan**

Risks related to layoffs

Unionized workplaces

Conditions / required notice depends on CA language

Non-unionized workplaces

Employment contract must provide for possibility of temporary layoff, or employee agrees to layoff. Otherwise, may trigger constructive dismissal.



Options other than layoff

- Work-sharing
- EI top up
- Range of government programs available



Government Programs



Harris & Company LLP
COVID-19 Resources
http://harrisco.com/covid_19_updates/covid_19/

CANADA EMERGENCY WAGE SUBSIDY	TEMPORARY PAYROLL SUBSIDY	WORK-SHARING	CANADA EMERGENCY RESPONSE BENEFIT ("CERB")	EI SICKNESS – COVID-19	EI REGULAR	SUPPLEMENTARY UNEMPLOYMENT BENEFITS ("SUB")
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**Contact for
questions**

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