

Employers: Dealing with Quarantine and COVID-19

These are challenging and uncertain times for all Canadians. In order to help our employers navigate their new responsibilities, please find some helpful information below: (This information is being offered as a guideline only. Ultimately each business is responsible for its own employees, but the following suggestions have been gathered from government and other reputable sources.)

Employer responsibilities under Part II of the Labour Code

Labour Law varies by province, so we have provided the provincial links below:

NL: https://www.gov.nl.ca/aesl/files/labour_relations_work.pdf

PEI: <https://www.princeedwardisland.ca/en/topic/employment-standards-0>

NS: <https://nslegislature.ca/sites/default/files/legc/statutes/labour%20standards%20code.pdf>

NB: https://www2.gnb.ca/content/gnb/en/departments/post-secondary_education_training_and_labour/People/content/EmploymentStandards.html

ON: <https://www.labour.gov.on.ca/english/es/>

MB: <https://www.gov.mb.ca/labour/standards/index.html>

SK: <https://www.saskatchewan.ca/business/employment-standards>

AB: <https://www.alberta.ca/alberta-employment-standards-rules.aspx>

BC: <https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards>

Employers are responsible for protecting the health and safety of employees at work. They are required to implement preventative measures to ensure employees are not exposed to conditions that could be harmful to their health or safety while working.

If there is a risk of exposure to COVID-19 for employees while working, employers must:

- identify the risk
- assess the risk, and
- implement proper controls through their Hazard Prevention Program

There are standard protocols that have been implemented by the World Health Organization (WHO) and the Government of Canada.

- Anyone returning from travel outside of Canada has been asked to self-Quarantine for 14 days whether showing symptoms or not. Symptoms do not show immediately.
- Resources and supports for business dealing with COVID-19 can be found at Trade Commissioner of Canada – Advice for businesses
<https://www.tradecommissioner.gc.ca/campaign-campagne/ressources-entreprises-COVID-19-business-resources.aspx?lang=eng>

Please find below links to information that was recently released by ESDC regarding EI and COVID-19. (They are waiving the one week waiting period). There is also information in

regard to work sharing and a dedicated enquiry line to assist during the next few weeks or until we start to see things getting back to normal.

English

<https://www.canada.ca/en/employment-social-development/corporate/notices/coronavirus.html>

French

<https://www.canada.ca/fr/emploi-developpement-social/ministere/avis/coronavirus.html>

The following information was taken from the website of Canadian Law Firm McCarthy Tetrault:

https://www.mccarthy.ca/en/insights/articles/covid-19-response-planning-your-business-prepared?utm_source=vulture&utm_medium=email&utm_campaign=legal%20update%20and%20webinar:%20covid-19%20response%20planning:%20is%20your%20business%20prep

- **Reporting Requirements.** Require employees returning from a high risk jurisdiction or living with someone who has done so, or who believes that they may have been exposed to COVID-19, to immediately report to the employer (even if they are asymptomatic), to work remotely for 14 days and to return to work only if they are asymptomatic at the conclusion of that 14 day period and cleared by a medical professional to return to work.
- **Leave of Absence and Vacation Policies.** Review policies to determine whether your organization can cancel scheduled vacations/leaves of absence due to staff shortages caused by COVID-19, or require employees to take vacation or paid/unpaid leaves of absence if staffing needs are reduced due to COVID-19. Consider also whether employees can be laid-off temporarily.
- **Cross-Training and Remote Work Arrangements.** Consider whether employees can be cross-trained to ensure sufficient staffing to cover COVID-19 related absences or whether work can be temporarily outsourced. Ensure that your organization's computer network can support staff working remotely.
- **Promote Everyday Preventative Measures.** Advise employees that if they have symptoms of a respiratory illness of any kind (e.g. fever, coughing, shortness of breath, etc.) they should stay home and seek medical treatment. Encourage employees to wash hands often with soap and water for at least 20 seconds; avoid touching their eyes, nose and mouth with unwashed hands, and to cover a cough or sneeze with a tissue, or cough/sneeze into their sleeve if a tissue is not available. Ensure that alcohol-based hand sanitizers with at least 60% alcohol are readily available. Consider retaining a medical expert to advise your response team on additional safeguards to minimize spread of COVID-19.

- **Investigate Work Refusals.** Employees have a statutory right to refuse to work or perform a task where it is likely to endanger their health or put them at risk. If an employer receives a COVID-19 related work refusal, it is generally required to investigate. Employees who exercise a legitimate health and safety work refusal cannot be disciplined, threatened or dismissed.
- **Discrimination, Harassment, Accommodation.** Do not make assumptions about employees based on stereotypes. Employees must not be subject to discrimination or harassment based on their connection to a high risk jurisdiction (e.g. race, ethnicity, or place of origin). Accommodate COVID-19 related medical conditions/absences to the point of undue hardship.
- **Maintain Communication.** Provide accurate and up to date information regarding COVID-19 and measures the organization is taking to respond. Consider establishing a telephone “hotline” and/or web portal for employees to facilitate communication if employees cannot attend at the workplace.

How should I properly wash my hands?

To properly wash your hands, or your child’s hands, follow the steps below:

1. Remove rings or other jewelry on the hands and wrists
2. Wet your hands with warm water
3. Wash all parts of your hands with plain soap and water for at least 20 seconds, and rub hands together to create lather (to help children wash their hands long enough, sing the ABC song)
4. Rinse hands well under warm running water
5. Dry hands with a clean cloth or paper towel
6. Use the towel to turn off the tap and open the door when you leave if you are in a public restroom

If soap and water are not available, use an alcohol-based hand sanitizer. After applying the gel or foam, rub your hands together until they are dry. This is an easy way to clean your hands as long as they are not visibly dirty.

A PDF Poster can be found at: https://www.ifallsjournal.com/essentia-health/pdf_7ca6b7be-aa78-5de5-b60b-02f7d03adaaa.html

Links to Health Resources

- Business continuity planning - <https://www.ccohs.ca/publications/PDF/businesscontinuity.pdf>
- Health Canada Risk Prevention - <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/prevention-risks.html>

- Health Canada OHS Guidelines - <https://www.canada.ca/en/employment-social-development/corporate/notices/coronavirus-occupational-health-safety.html>
- Health Canada Travel Guide - <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/latest-travel-health-advice.html>
- World Health Organization Info - <https://www.who.int/news-room/q-a-detail/q-a-coronaviruses>

We want to also remind you that this is a very strange and stressful time where information is changing hour by hour it seems. It is normal to feel anxious and overwhelmed. Please remember to look after your **Mental Health** as well. Check in with yourself, your co-workers, friends and family to make sure they are doing ok. If you need additional resources please go to <https://www.canada.ca/en/public-health/services/mental-health-services/mental-health-get-help.html>