

COVID-19 Period has Been Extended to January 2nd, 2021Released September 8th, 2020**Employers are no longer required to recall their employees on or before September 4th.**

At the 11th hour, the Ontario government made a significant change to *O. Reg. 228/20: Infectious Disease Emergency Leave*. Earlier last month we brought your attention to changes to the regulation affecting temporary layoffs. Employers who had temporarily reduced their employee's hours or wages due to COVID-19 were told that they must recall their employees on or before September 4th, 2020. On Friday, it was announced that **this regulation has now been amended, extending the COVID-19 period to January 2nd, 2021.**

During the COVID-19 period (March 1st, 2020 to January 2nd, 2021)

- Employees whose employer has temporarily reduced or eliminated their hours of work for reasons related to COVID-19 are deemed to be on job-protected *Infectious Disease Emergency Leave (IDEL)*.
- Employees are not considered to be laid off if their employer temporarily reduces or eliminates their hours of work or wages for reasons related to COVID-19.
- Employees are not considered to be constructively dismissed under the *ESA* if their employer temporarily reduces or eliminates their hours of work or wages for reasons related to COVID-19.

Beginning on January 3rd, 2021

- Employees will no longer be deemed to be on *Infectious Disease Emergency Leave (IDEL)*.
- Employers who had temporarily reduced their employee's hours or wages due to COVID-19 must recall their employees on or before January 3rd, 2021.

If an employer cannot recall employees back to work or restore their wages by January 3rd, 2021, they have the following three options:

1. **Terminate the employee on or before January 3rd, 2021**
 - *ESA* provisions governing termination and severance of employment will apply.
2. **Continue the employee on a temporary layoff beyond January 3rd, 2021**
 - *ESA* provisions governing temporary layoffs, as well as those pertaining to termination and severance of employment, will apply (i.e. 13 weeks in a 20-week period, which can be extended up to 35 weeks in a 52-week period).
 - An employee's temporary layoff clock re-sets on **January 3rd, 2021**.
3. **Continue the employee on the unpaid, job-protected *Infectious Disease Emergency Leave (IDEL)***
 - As long as COVID-19 is designated as an infectious disease under the *ESA*, employees are entitled to take *Infectious Disease Emergency Leave* for reasons listed [here](#).

Contact a member of our team before you make a decision to discuss your options and minimize your legal exposure.

*Register Today*Source: www.ontario.ca**HRPAR & Barrie Chamber of Commerce presents...****1-hour Free Zoom Webinar on:****Workplace Scheduling & Required Accommodations****Date:** Thursday, September 10th, 2020**Time:** 3:00 p.m. – 4:00 p.m.**Register:** <http://barriechamber.chambermaster.com/events/details/free-workshop-hr-workplace-scheduling-required-accommodations-4972>**RESOURCES****Sector-specific Health & Safety Guidelines, Posters and Tip Sheets**<https://www.ontario.ca/page/resources-prevent-covid-19-workplace>**Canada Emergency Wage Subsidy (CEWS)**<https://www.canada.ca/en/revenue-agency/services/subsidy/emergency-wage-subsidy.html>**COVID-19 Self-Assessment**<https://covid-19.ontario.ca/self-assessment/>**When and How to Properly Wear a Mask**<https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public/when-and-how-to-use-masks>**How to Properly Wash Your Hands**https://www.who.int/gpsc/clean_hands_protection/en/


JOIN US FOR
HR
IN THE PARK

The Landscape of Work - Fall 2020

Learn from employer pandemic stories and get expert tips from our professional panel including:

Geneviève Lagacé-Gore
McBride Robillard Financial Solutions Inc.

Janice Leroux
HR Performance & Results

Josh Vallier
Barriston Law

Friday September 18
11:30 am to 1:30 pm
Doran Park Pavilion
41 Spence Avenue Midhurst

To keep this a safe, meaningful and effective time together please bring your own chair, lunch and mask. There is no charge for this event - we're asking for a donation with proceeds going to Big Brothers Big Sisters Barrie & District and Gilda's Club Simcoe Muskoka

TO REGISTER:
<https://hrinthepark2020.eventbrite.com>