

COVID-19: What we know and what you, as an employer, can do

HR Performance and Results will be providing regular updates over the next two weeks regarding employers' responsibilities and obligations and strategies on how to address workplace issues as they arise as a result of COVID-19.

COVID-19 and CYBER SECURITY

The ongoing coronavirus outbreak has provided the opportunity for cybercriminals to capitalize on people's fears surrounding the virus. Back in January, hackers used the coronavirus to launch email campaigns that infected users with malware and now they've begun to use coronavirus maps to do so as well. Unlike legitimate coronavirus dashboards, these fake websites prompt users to download an application to help them stay updated on the situation. This application doesn't even need to be installed to infect a user's computer with malware.

To ensure the security of your data, we would recommend that you remind all of your employees not to open emails from people they do not know and to use only credible online sources that do not require you to download information regarding COVID-19.

COVID-19 Update for your WORKPLACE

The following are a summary of procedures that we will address in subsequent bulletins next week

- Where feasible, adjust policies to reduce social contact and practice social distancing (ideally **2 metres**) including: flexible hours, staggering start times, teleworking arrangements, using email and teleconferencing
- Postpone all non-essential visits to your workplace by vendors and other business contacts
- Ensure that employees who have disclosed that they have underlying health conditions or other factors that would lead them to be considered as vulnerable to COVID-19 are self-isolating. This includes individuals who have come in contact with anyone who has the virus
- All non-essential travel outside of Canada has been suspended. Check the Government of Canada Travel Advice and Advisories page prior to all business travel. Employees returning from international travel should self-monitor symptoms and contact their local public health authority
- Prepare for increases in absenteeism due to illness among employees and their families and school closures. Consider the need for cross-training employees to function in key positions and access your business continuity plan for how to maintain key business functions if faced with high absenteeism

Employment Insurance (EI) Benefits

The Federal government has introduced a change in Canada's sick-leave benefits under the Employment Insurance (EI) program due to COVID-19. You can now get EI benefits for an entire 14-day quarantine.

If an employee is unable to work due to quarantine or self-isolation, they may apply for sickness benefits.

- The one-week waiting period for EI sickness benefits has been waived for new claimants who are quarantined so they can be paid for the first week of their claim
- Employees in quarantine and seeking to waive the one-week EI sickness benefits waiting period so that they can be paid for the first week of their claim should contact the new dedicated toll-free phone number:
 - Telephone: 1-833-381-2725 (toll-free)
 - Teletypewriter (TTY): 1-800-529-3742

Who qualifies for EI-Sick Leave benefits?

- Employed Canadians who pay EI premiums, and self-employed people who register to participate in the EI program
- If an employee is unable to work because of a medical condition (quarantine or self-isolation in this case), has lost at least 40% of their usual weekly pay, and has worked a minimum of 600 hours in the year before the claim or since their last EI claim.

Do your employees need a medical note?

- The government is waiving the medical note for patients required to quarantine by law or by a public-health official (prescribed quarantine)
- Employers requesting employees to self-isolate when recommended by public-health officials will also qualify for the sickness benefits

If an employee is put into quarantine as a pre-caution and does not have the coronavirus but then later tests positive for COVID-19, a signed medical certificate confirming the diagnosis is required in order to receive the sick-leave benefits beyond that initial quarantine period.

What if your employees do not qualify for EI sick-leave benefits?

At the moment there is no program but the government is "exploring additional measures" to provide some kind of income support for Canadians not eligible for EI sickness benefits.

Resource Corner

Government of Canada - Travel Advice and Advisories

<https://travel.gc.ca/travelling/advisories>

Public Health Ontario

<https://www.publichealthontario.ca/>

Government of Canada – COVID-19 Being prepared

<https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/being-prepared.html#a5>

We recommend that employers post the following information in a conspicuous place:

- Telehealth **1-866-797-0000**
- Phone number for your local Public Health Department
- Phone number for your local hospitals

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It is important to note that information on the coronavirus (COVID-19) is being updated hourly, therefore continuous monitoring and using best judgement in all cases is necessary. To address some of the questions that you have, please use the following as guidelines.

1. We have employees returning from the United States and other countries. Are we legally required to quarantine these employees for 14 days? What is the “legal” aspect of that?

Canada’s Chief Public Health Officer (2pm EST, Friday, March 13th) is advising against all non-essential international travel and all travelers are being asked to self-isolate for 14 days after returning to Canada.

2. Can we post a memo stating if anyone travels (air travel) etc., that there is an automatic 14-day quarantine?

Yes. The government of Canada is recommending self-isolation for anyone returning from travelling.

3. Moving forward, can we post a memo stating if anyone travels, there is an automatic 14-day quarantine?

Yes. Canada’s Chief Public Health Officer (2pm EST, Friday, March 13th) is advising against all non-essential international travel and all travelers are being asked to self-isolate for 14 days after returning to Canada. As this situation is evolving rapidly, travel within Canada may become restricted as well.

4. Are we as employers allowed to mandate quarantine?

If employees are displaying symptoms or have been travelling, we recommend implementing the precautions that the Federal government is recommending.

5. If employees do not feel comfortable working, do we lay them off? Or allow them just to take a few weeks off?

Gain a better understanding of what they mean by “feeling uncomfortable”. For example, if they are in a vulnerable health state or they are caring for somebody who is in a vulnerable health state (i.e. elderly, compromised immune system, etc.) based on the information that you are provided. Self-quarantine of the employee may be recommended. If this is the case, allow the employee to do so and apply for EI benefits (See Fast Facts for more information).

If employees still “do not feel comfortable”, and do not have symptoms or are vulnerable and would not qualify for EI benefits, you can allow them to take time off by using their vacation or taking an unpaid leave as your business permits.

Ensure that they are aware of the practices that you have put in place to protect their health and safety while working.

6. Is there Employment Insurance (EI) Benefits?

The federal government is providing EI sickness benefits for those who are quarantined or self-isolating. You will need to issue a ROE (See Fast Facts for more information).

7. Are we allowed to lay people off due to lack of business?

Give us a call to discuss further because there are legal implications to consider.

8. Schools are now closed for two weeks after the March Break. How can I handle that with my employees if they cannot attend work?

Because this is an evolving situation, we currently recommend allowing employees to use their vacation, personal days, sick days, etc. and if possible, allow them to work from home.

9. Can we ask employees not to bring their kids to the office?

Yes, and for health and safety reasons, we strongly advise against it.