

# COVID-19 AND CANADIAN WORKPLACE LAW

What's happened so far and what to do now

On March 11, 2020, the World Health Organization declared that the coronavirus outbreak is now a pandemic. Since that time the virus has spread at an exponential rate, creating an unprecedented challenge for all aspects of our society.

To help Canada's employers navigate these uncertain times, we are providing a central resource that will help you understand some of the most important developments that have occurred since March 11, 2020, and how they may impact your business.

**This document is current as of March 30, 2020.**

## Key contacts



**Christian Letourneau**

Leader of National Labour & Employment Practice, Leader of Montréal Labour & Employment Practice, Montréal  
D +1 514 878 8860  
christian.letourneau@dentons.com



**Andy Pushalik**

Deputy Leader of National Labour & Employment Practice, Leader of Toronto Labour & Employment Practice, Toronto  
D +1 416 862 3468  
andy.pushalik@dentons.com



**Catherine Coulter**

Leader of Ottawa Labour & Employment Practice, Ottawa  
D +1 613 783 9660  
catherine.coulter@dentons.com



**Adrian Elmslie**

Leader of Edmonton Labour & Employment Practice, Edmonton  
D +1 780 423 7364  
adrian.elmslie@dentons.com



**Barbara Johnston**

Leader of Calgary Labour & Employment Practice, Calgary  
D +1 403 268 3030  
barbara.johnston@dentons.com



**Eleni Kassaris**

Leader of Vancouver Labour & Employment Practice, Vancouver  
D +1 604 629 4982  
eleni.kassaris@dentons.com

# States of emergency

To date, the following provinces and territories have declared a state of emergency:

Ontario	March 17, 2020
British Columbia	March 18, 2020
Saskatchewan	March 18, 2020
New Brunswick	March 19, 2020
Manitoba	March 20, 2020
Nova Scotia	March 22, 2020
Northwest Territories	March 24, 2020
Yukon Territory	March 27, 2020

In addition, Nunavut, Newfoundland and Labrador, Prince Edward Island, Québec and Alberta have declared public health emergencies.

A government will declare a state of emergency when it needs to take immediate, temporary and extraordinary measures to protect the safety and security of its citizens because of a major crisis. In the context of the current pandemic, governments have used these powers to limit the size of gatherings and close places of non-essential businesses.

For more information on the use of extraordinary government powers to protect public health, please click [here](#).



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# Closure of non-essential businesses

To date, Alberta, Saskatchewan, Ontario, Québec, New Brunswick, Manitoba, and Prince Edward Island have ordered the physical workplaces of non-essential businesses to close. While it has not yet made a formal order closing the physical workplaces of non-essential workplaces, British Columbia has released a list setting out those workplaces that it considers essential.

For more information on the closure of non-essential businesses, please click [here](#).



# Amendments to employment standards legislation

To help employees and employers alike, the provincial and federal governments have made a number of amendments to their employment standards legislation which are aimed at protecting jobs and giving employers greater flexibility in managing their workforces. A summary of these changes is below:

British Columbia	Creation of two job-protected leaves of absence: <ul style="list-style-type: none"><li>• 3-day illness or injury leave; and</li><li>• COVID-19 related leave</li></ul>
Alberta	Creation of a 14-day job-protected COVID-19 - related leave
Saskatchewan	Creation of the Public Health Emergency Leave Extended layoff period during a public emergency period
Manitoba	Greater flexibility for temporary layoffs
Ontario	Creation of a job-protected Emergency Leave
Nova Scotia	Employers cannot require a doctor's note for a statutory leave
Federal	Creation of a 16-week job-protected COVID-19 related leave

For a more detailed discussion regarding the provincial amendments please click [here](#).

For a more detailed discussion regarding the federal amendments please click [here](#).

# New and enhanced social support programs

In addition to the amendments set out above, the provincial and federal governments have announced a number of new and enhanced social support programs that are designed to help employees and employers manage through this crisis. These programs and benefits include:

British Columbia	Creation of the BC Emergency Benefit for Workers
Alberta	Implementation of the Emergency Isolation Support Fund
Saskatchewan	Introduction of the Self-Isolation Support Program
Ontario	Establishment of a \$17 billion support package
Québec	Introduction of the Temporary Aid for Workers Program and the Concerted Temporary Action Program for businesses
Nova Scotia	Establishment of a financial support package
New Brunswick	Bridging benefits for employers who have applied for federal benefits but are waiting to receive them
Prince Edward Island	Establishment of a \$25 million emergency relief program
Federal	Creation of the Canada Emergency Response Benefit Wage subsidies for small and medium sized businesses

For a more detailed discussion regarding these and other social support programs, please click [here](#).

# Managing through these uncertain times

As this pandemic continues and employers are forced to make difficult decisions regarding their workforces, we want to provide our clients with comprehensive and practical advice about their options. Such options include the Canada Emergency Response Benefit, Leaves of Absence, Workplace Restructurings, Temporary Layoffs, Employment Insurance Top-Ups, Work Sharing, Short-term Disability Plans, and Working on Claim.

For a detailed discussion regarding each of these options, please click [here](#).

We will continue to monitor all workplace law developments as this situation continues to evolve.



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