

## Covid-19 Memo#3 Human Resources

As we continue to support the efforts to help contain the covid-19 virus several situations and questions are raised about employment issues.

We are amid something unprecedented, so circumstances are not normal. Things change weekly so we shall aim to provide you with the best practices and guidelines.



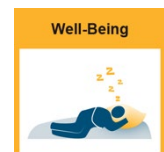
There are many needs to fill as there is increased absenteeism. Many communities are asking the assistants and employees from programs that are closed to help in the homes and with whatever needs to be done. This "all hands-on deck" approach and coming together to get through a crisis one of the core values we know to be true in in order to ensure the wellness of all its members.



Extraordinary times call for guidelines to help us find our way through new and unfamiliar territory. It is paramount when creating new guidelines that we call to mind the core values of our mission. Luckily, today we are seeing that even the government expects that employers take into consideration these emergency circumstances and treat employees fairly.

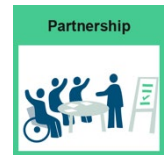
### Information to keep in mind today:

- Communities are doing their best to try to accommodate day program people into homes. Do your best to try to find alternative work for people, however you may not have something for everyone. Commit to bring people back when the program resumes.
- It is **important to not have people moving from location to location.** Try to keep people supporting the same people and homes.
- Working from home is an expectation at this point for many. Be clear that now it is exceptional circumstance and is not the new precedent if the community will not be able to sustain the arrangement long-term.
- Childcare needs pose a real concern for many people. Where possible try to accommodate a person's work around that of their spouse. If someone is a single parent, try to keep their schedule as you would normally, or attempt to work around when they have someone available to help them with childcare.
- **Under the Employment Standards Act, employers can determine when employees take holidays.** Under normal circumstances we are so used to granting holidays when people ask. We need to keep in mind that these are not ordinary circumstances. People need to use holidays and sick days for childcare needs and other leaves. **Communities are asked to utilize their sick days and holidays to help with absenteeism.**
- According the Occupational Health and Safety Act people cannot refuse to work and must be in eminent peril and have a reasonable cause to believe they are in danger in order to refuse. Some people may be afraid to work due to Covid-19, even refuse to work. People may be eligible for EI due to covid-19 medical reasons. There may be some leniency with a person's refusal to work due to fear.



## Employment Insurance

Communities have varying degrees of resources available to them. Normally you try to accommodate what you can to the point of undue hardship and this benchmark will be made easier for employers during this time, as the Government of Canada has made Employment Insurance benefits easier for people to access for those who absolutely cannot work at this time:



- The Federal Government has taken steps to change the Employment Insurance (“EI”) rules for those employees who are required to self-quarantine on account of COVID-19.
- Employees covered by EI can make a claim for benefits when they are unable to work due to medical reasons.
- While there is normally a one week waiting period for the receipt of EI sickness benefits, Prime Minister Justin Trudeau announced changes to this rule effective March 11, 2020.
- **Employees who are required to self-quarantine or self-isolate on account of COVID-19 by law, by a public health official or by their employer, can now make a claim for sickness benefits.**

### New Government Supports

- For those that don't qualify for EI or don't have paid sick leave an **Emergency Care Benefit** fund has been created and will provide payments to workers that have to stay home for up to 14 weeks.
- To help parents, the **Canada Child Benefit** will be boosted temporarily in the coming months, up to \$300 extra per child.
- The Minister of Foreign Affairs are helping Canadians abroad return home, the Government of Canada is creating a special financial assistance program, the **COVID-19 Emergency Loan Program for Canadians Abroad**. You will have the option of applying for an emergency loan of up to \$5,000 to help secure your timely return to Canada and to temporarily cover their life-sustaining needs.

For a detailed list of all notes from the Prime Minister's press conference, please visit [Canada's COVID-19 Economic Response Plan: Support for Canadians and Businesses](#).

### Fulfill your role in community



Communities may have a strong desire to continue to pay those who are away for various reasons. **This is not an advisable practice on advice from an employment lawyer**, However, many communities will not be able to sustain this practice over the long run. If you are considering this, it must be fair and equal for all.

- Instead communities may wish to register for a supplemental unemployment benefit plan (subp) that allows an employer to “top up” a person’s salary on leave up to 95%.

<https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/supplemental-unemployment-benefit.html>

Again, there is caution around this as you may not know how many people away, how many people will have may or may not become sick, or for how long people will need to be away.

One way to be helpful is to keep people’s benefits in place while they need to be away.

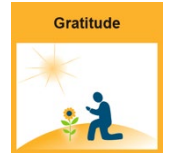
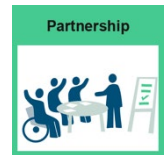
It may be possible when this is over there may be some relief and compensation available to help with the over extension of resources. But that is not a guarantee and it will fall short of what actual costs will be.

**Please be in touch with your public health regarding your reporting responsibilities** if someone contracts the virus or is suspected of having the virus.

**If you have not started screening visitors, you need to.** You can also be asking if people have been diagnosed, you can also be requesting temperature checks if you need to. This is in line with Public Health directives.

### Reaching Out

- It is important that we reach out to others in the sector to see their practices to some of the questions.
- This is an opportunity to be a witness to our community culture.
- Many stories are emerging of creative ways people are finding to help each other through this time. Please continue to share photos on Facebook and your other social media sites.
- Express gratitude for and appreciations to the people who are working hard each day.
- Everyone is giving such a tremendous effort to be in front of questions we have never had before.



We will continue to endeavour to try to find the best solutions and practices to many unique situations.

Tammy Bartel

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