

COVID-19 Update

Date: March 24, 2020

To: All Staff at HHS

From: Michele Leroux, VP, Human Resources

Subject: **Declared Emergencies and Infectious Disease
Emergencies leave - Absence for care or assistance to a
specified individual**

HHS is continuing to strengthen its processes to respond to the ongoing COVID-19 pandemic. Part of this work is providing updated information on how to address issues related to the needs of employees who may have to care for family members at home.

On March 19, 2020 the Ontario Legislature passed legislation to amend the leaves of absence provisions of the *Employment Standards Act, 2000 (ESA)* in light of COVID-19. This legislation provides employees entitlement to a job-protected unpaid leave of absence where an employee is unable to work for one of the prescribed reasons, including providing care or assistance to a specified individual.

In addition, on March 21, 2020, a temporary order under the *Emergency Management and Civil Protection Act* was made which enables the Hospital to take any reasonably necessary measures to respond to, prevent and alleviate the outbreak of the coronavirus for patients. This includes deferring or cancelling vacations, absences, or other leaves, including the new emergency leave regardless of whether they are established by statute, regulation, agreement or otherwise.

While this temporary order may override the new emergency leave under the ESA, the Hospital recognizes that our staff will be faced with care needs during this period of time.

The following guidelines outline steps for leaders and staff in exploring options in light of the legislative changes. These guidelines are subject to the appropriate Collective Agreement provisions and HHS policies, and any future changes in legislation.

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1. Staff should speak with their leader as soon as possible if there are any issues with care needs to allow for alternate staffing arrangements to be made.
 2. All staff who have had care needs suspended or interrupted, are encouraged to explore alternate care arrangements or switching shifts.
 - On March 22, 2020, the Ontario government announced it plans to exempt certain child care centres from the order to close all licensed child care centres. Once emergency child care centres open, a list of locations will be made available on www.ontario.ca/coronavirus.
 3. If a staff member is unable to secure alternate care arrangements, other voluntary options can be explored if the nature of their role or situation allows:
 - a. Remote work - in cases where staff can continue to commit to fully working during scheduled work hours (which may, for example, be the case where children only require the presence of an adult), or;
 - b. Flexible work arrangements – Modification to schedule (i.e. start/end times).
 4. If a staff member is unable to secure alternate care arrangements, a staff may commence a Declared Emergencies and Infectious Disease Emergencies leave. Staff and Leaders are to have ongoing discussions, and staff are encouraged to continue to explore alternate care requirements.

While a Declared Emergencies and Infectious Disease Emergencies leave may be approved, staff should be aware that under the temporary order, we may be required to cancel the leave should it be necessary to respond to, prevent and alleviate the outbreak of the coronavirus for patients.

I want to thank all staff for their support in ensuring the wellbeing of patients during these challenging times.

Michele
