

Worker Rights and COVID - 19

Considering the COVID-19 pandemic, we want workers to be informed about their rights regarding work. We understand that the news of businesses and establishments closing their doors to slow the outbreak or that schools are on extended closures can spark fears that many will lose their jobs.

The Ontario government has enacted the *Employment Standards Amendment Act (Infectious Disease Emergencies) 2020* which includes the following measures that will protect your job if:

- You are under medical investigation, supervision or treatment
- You are acting in accordance with an order under the Health Protection and Promotion Act
- You are in isolation or quarantine
- You are acting in accordance with public health information and direction
- Your employer directed you NOT to work
- You are providing care to a person for a reason relating to COVID-19; includes spouse, children/stepchildren, siblings, extended family
- The employee is prevented from returning to Ontario because of travel restrictions

THESE MEASURES ARE RETROACTIVE FROM JANUARY 25, 2020.

The act also makes it clear that an employee will not be required to provide a medical note if they need to take leave. However, the employer may require the employee to provide other evidence that is reasonable in the circumstances.

The measures under this act remain in effect until COVID-19 is defeated.

You MAY be eligible for Employment Insurance (EI) sick benefits if you have contracted the virus or are in quarantine. Changes have been made surrounding COVID-19 such as the waiting period has been waived and COVID-19 cases are priority. For more information, please visit canada.ca/en/employment-social-development/corporate/notices/coronavirus

Discrimination and COVID-19: discrimination including harassment against any persons or communities related to COVID-19 is prohibited under the Ontario Human Rights Code. The OHRC's policy position is that the *Code* ground of disability is engaged in relation to COVID-19 as it covers medical conditions or perceived medical conditions that carry significant social stigma. Employers have a duty to accommodate employees in relation to COVID-19 up to undue hardship.

If you have any other questions or concerns, please do not hesitate to contact us.



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