

New Measure	Description	Reference
Canada Targeted Support Measures for Specific Businesses	<p>April 17, 2020: Canada announced new actions to protect Canadian jobs and provide more support to businesses and organizations dealing with the economic impacts of COVID-19. The Government of Canada will provide over \$1.7 billion for targeted measures, including:</p> <ul style="list-style-type: none"> <li>- \$675 million to give financing support to small and medium-sized businesses that are unable to access the government’s existing COVID-19 support measures, through Canada’s Regional Development Agencies.</li> <li>- \$287 million to support rural businesses and communities, including by providing them with much-needed access to capital through the Community Futures Network.</li> <li>- \$500 million to establish a COVID-19 Emergency Support Fund for Cultural, Heritage and Sport Organizations to help address the financial needs of affected organizations within these sectors so they can continue to support artists and athletes. This measure is consistent with the government’s other existing COVID-19 support measures for wages and fixed costs for organizations.</li> <li>- \$250 million to assist innovative, early-stage companies that are unable to access existing COVID-19 business support, through the National Research Council of Canada’s Industrial Research Assistance Program.</li> <li>- \$20.1 million in support for Futurpreneur Canada to continue to support young entrepreneurs across Canada who are facing challenges due to COVID-19. The funding will allow Futurpreneur Canada to provide payment relief for its clients for up to 12 months.</li> </ul>	<p>April 17, 2020 Canada Press Release:  <a href="https://pm.gc.ca/en/news/news-releases/2020/04/17/prime-minister-announces-new-support-protect-canadian-jobs">https://pm.gc.ca/en/news/news-releases/2020/04/17/prime-minister-announces-new-support-protect-canadian-jobs</a></p>
Canada Energy Sector Relief	<p>Canada has announced measures that it expects will “create approximately 10,000 well-paying jobs in the energy sector.” The Government of Canada will:</p> <ul style="list-style-type: none"> <li>- provide up to \$1.72 billion, including funding to the governments of Alberta, Saskatchewan, and British Columbia, and the Alberta Orphan Well Association, to clean up orphan and/or inactive oil and gas wells – creating thousands of jobs and having lasting environmental benefits.</li> <li>- provide up to \$750 million to create a new proposed Emissions Reduction Fund to reduce emissions in Canada’s oil and gas sector, with a focus on</li> </ul>	<p>April 17, 2020 Canada Press Release:  <a href="https://pm.gc.ca/en/news/news-releases/2020/04/17/prime-minister-announces-new-support-protect-canadian-jobs">https://pm.gc.ca/en/news/news-releases/2020/04/17/prime-minister-announces-new-support-protect-canadian-jobs</a></p>

	<p>methane. This fund will provide primarily repayable contributions to conventional and offshore oil and gas firms to support their investments to reduce greenhouse gas emissions. Of this amount, \$75 million will be allocated to the offshore sector.</p> <ul style="list-style-type: none"> <li>- expand eligibility for the new Business Credit Availability Program announced on March 13, 2020, to help Canadian businesses get the financing they need during this period of uncertainty. The support will be available to medium-sized businesses with larger financing needs, beginning with companies in Canada’s energy sector, to help them maintain operations and keep their employees on the job.</li> </ul>	
Canada Emergency Commercial Rent Assistance (CECRA)	<p>April 16, 2020: Canada announced its intent to introduce the Canada Emergency Commercial Rent Assistance (CECRA) for small businesses. The program will seek to provide loans, including forgivable loans, to commercial property owners who in turn will lower or forgo the rent of small businesses for the months of April (retroactive), May, and June. Implementation of the program will require a partnership between the federal government and provincial and territorial governments, which are responsible for property owner-tenant relationships.</p>	<p>Federal Government April 16, 2020 Press Release: <a href="https://pm.gc.ca/en/news/news-releases/2020/04/16/prime-minister-announces-additional-support-small-businesses">https://pm.gc.ca/en/news/news-releases/2020/04/16/prime-minister-announces-additional-support-small-businesses</a></p>
Interest-free Loans to Businesses (“CEBA”)	<p>March 27, 2020: Canada is making funds available to eligible financial institutions for interest-free loans to business by launching “the new Canada Emergency Business Account. This program will provide up to \$25 billion to eligible financial institutions so they can provide interest-free loans to small businesses. These loans – guaranteed and funded by the Government of Canada – will ensure that small businesses have access to the capital they need, at a zero per cent interest rate, so they can pay for rent and other important costs over the next number of months.”</p> <p>“The new Canada Emergency Business Account will provide funding to eligible financial institutions so that they can provide interest-free loans in the form of lines of credit of up to \$40,000 to businesses with payrolls of less than \$1 million. A quarter of this loan (up to \$10,000) is eligible for complete forgiveness.”</p> <p>April 16, 2020: Canada announced it intends to expand the Canada Emergency Business Account (CEBA) to include more small businesses. These loans are available through financial institutions, now for businesses with payrolls between \$20,000 and \$1.5 million in total payroll in 2019 (replacing the old range of between \$50,000 and \$1 million).</p>	<p>Federal Government March 27, 2020 Press Release: <a href="https://pm.gc.ca/en/news/news-releases/2020/03/27/prime-minister-announces-support-small-businesses-facing-impacts">https://pm.gc.ca/en/news/news-releases/2020/03/27/prime-minister-announces-support-small-businesses-facing-impacts</a></p> <p>Federal Government April 16, 2020 Press Release: <a href="https://pm.gc.ca/en/news/news-releases/2020/04/16/prime-minister-announces-additional-support-small-businesses">https://pm.gc.ca/en/news/news-releases/2020/04/16/prime-minister-announces-additional-support-small-businesses</a></p>

<p>Wage Top-Up for Certain Essential Workers</p>	<p>Canada has announced that the salaries of certain essential workers may be topped-up by the government:</p> <p>“In recognition that these essential workers’ salaries are often less or similar than what they would receive from the CERB, the government will work with provinces and territories through a new transfer to cost-share a temporary top-up to the salaries of workers deemed essential in the fight against COVID-19, who make less than \$2,500 a month. Details as to the application and delivery of this measure will be released shortly following further work with provinces and territories. This measure could help several million workers currently involved in the COVID-19 response. The government will continue to look for ways to better help all Canadians during this difficult time.”</p>	<p>April 15, 2020 Canada News Release: <a href="https://pm.gc.ca/en/news/news-releases/2020/04/15/prime-minister-announces-expanded-access-canada-emergency-response">https://pm.gc.ca/en/news/news-releases/2020/04/15/prime-minister-announces-expanded-access-canada-emergency-response</a></p>
<p>Canada Emergency Response Benefit (“CERB”)</p>	<p>March 25, 2020: The Federal Government has enacted the Canada Emergency Response Benefit (which collapses the previously announced Emergency Care Benefit and Emergency Support Benefit).</p> <p>This provides incomes support payments to workers who suffer a loss of income for reasons related to COVID-19.</p> <ul style="list-style-type: none"> <li>▪ The benefit covers “any four-week period” falling within March 15, 2020 to October 3, 2020.</li> <li>▪ A worker (including a self-employed worker) is eligible for income support if they have at least 14 consecutive days in the four-week period where they have ceased working and are without income.</li> <li>▪ The maximum number of weeks a worker can receive income support is 16 (or another number if fixed by regulation);</li> <li>▪ The amount of the income support for a given week is determined by regulation filed by the Minister of Employment and Social Development. The Government of Canada’s website suggests “\$2000 a month for up to four months”</li> </ul> <p>April 7, 2020: News reports quote Prime Minister Trudeau in a press conference providing details of anticipated changes to expand the CERB. The eligibility requirements will be modified to include not just workers whose income suddenly goes to zero but also workers whose hours are reduced down to ten or less per week.</p>	<p><i>Bill C-13:</i> <a href="https://www.parl.ca/DocumentViewer/en/43-1/bill/C-13/royal-assent#ID0E01C0AA">https://www.parl.ca/DocumentViewer/en/43-1/bill/C-13/royal-assent#ID0E01C0AA</a></p> <p>Government of Canada Website: <a href="https://www.canada.ca/en/departement-finance/economic-response-plan/covid19-individuals.html#new_canada_emergency_response_benefit">https://www.canada.ca/en/departement-finance/economic-response-plan/covid19-individuals.html#new_canada_emergency_response_benefit</a></p> <p><a href="https://www.canada.ca/en/services/benefits/ei/cerb-application.html/">https://www.canada.ca/en/services/benefits/ei/cerb-application.html/</a></p> <p><a href="https://www.canada.ca/en/services/benefits/ei/cerb-application/questions.html">https://www.canada.ca/en/services/benefits/ei/cerb-application/questions.html</a></p> <p>April 7, 2020 Press Conference Reports: <a href="https://www.theglobeandmail.com/politics/article-emergency-benefit-to-be-expanded-to-cover-more-part-time-workers/">https://www.theglobeandmail.com/politics/article-emergency-benefit-to-be-expanded-to-cover-more-part-time-workers/</a></p> <p>April 15, 2020 Canada News Release: <a href="https://pm.gc.ca/en/news/news-releases/2020/04/15/prime-minister-announces-expanded-access-canada-emergency-response">https://pm.gc.ca/en/news/news-releases/2020/04/15/prime-minister-announces-expanded-access-canada-emergency-response</a></p>

	<p>April 15, 2020: Canada has announced expanded eligibility for the CERB.</p> <ul style="list-style-type: none"> <li>- People will be permitted to earn up to \$1,000 per month while also collecting the CERB;</li> <li>- Seasonal workers who have exhausted their EI regular benefits and cannot undertake their usual season work as a result of COVID-19 can qualify for the CERB;</li> <li>- Workers who recently exhausted their EI regular benefits and are unable to return to find a job or return to work because of COVID-19 can qualify for the CERB</li> </ul>	<p>April 15, 2020 Canada Gazette Part II, Vol. 154, No. 8, pg. 623 and 631, SOR/2020-61 and SOR /2020-62 (dated April 1, 2020) – Regulations amending the EI Act to implement aspects of the CERB.  <a href="http://www.gazette.gc.ca/rp-pr/p2/2020/2020-04-15/pdf/g2-15408.pdf">http://www.gazette.gc.ca/rp-pr/p2/2020/2020-04-15/pdf/g2-15408.pdf</a></p>
<p>Long-Term Care Workers and Retirement Home Workers Must Work at One Location Only</p>	<p>Ontario long-term care workers and retirement home workers cannot work at the same time for another long-term care home, for another health service provider, for a retirement home. They must stop doing so effective Apr 22, 2020. They must inform their employers by April 17, 2020 if this order applies to them. Employers can “redeploy” workers to prevent them from working at more than one long-term care facility.</p>	<p>Ontario Regulation 146/20:  <a href="https://www.ontario.ca/laws/regulation/r20146">https://www.ontario.ca/laws/regulation/r20146</a></p> <p>Ontario Regulation 147/20:  <a href="https://www.ontario.ca/laws/regulation/r20147">https://www.ontario.ca/laws/regulation/r20147</a></p> <p>Ontario Regulation 158/20:  <a href="https://www.ontario.ca/laws/regulation/r20158">https://www.ontario.ca/laws/regulation/r20158</a></p>
<p>Canada Emergency Wage Subsidy</p>	<p>March 26, 2020: The federal government has announced details of a business wage subsidy. (This is a different wage subsidy than the one previously announced and passed into law on March 25, 2020.):</p> <ul style="list-style-type: none"> <li>- The government announces “a 75 per cent wage subsidy for qualifying businesses, for up to 3 months, retroactive to March 15, 2020. This will help businesses to keep and return workers to the payroll. More details on eligibility criteria will start with the impact of COVID-19 on sales, and will be shared before the end of the month.”</li> </ul> <p>March 30, 2020: In a daily media briefing, Prime Minister Trudeau hinted at further details regarding the new wage subsidy:</p> <ul style="list-style-type: none"> <li>- Businesses of varying sizes, charities, and non-profit organizations seeing a drop of at least 30 per cent in revenue due to COVID-19 will qualify for the government’s 75 per cent wage subsidy program, “covering up to 75 per cent of</li> </ul>	<p>Federal Government March 27, 2020 Press Release: <a href="https://pm.gc.ca/en/news/news-releases/2020/03/27/prime-minister-announces-support-small-businesses-facing-impacts">https://pm.gc.ca/en/news/news-releases/2020/03/27/prime-minister-announces-support-small-businesses-facing-impacts</a></p> <p>CBC News Report of Trudeau March 30, 2020 Media Briefing: <a href="https://www.cbc.ca/news/politics/trudeau-covid19-business-supports-1.5514558">https://www.cbc.ca/news/politics/trudeau-covid19-business-supports-1.5514558</a></p> <p>Government of Canada Webpage: <a href="https://www.canada.ca/en/department-finance/economic-response-plan/wage-subsidy.html">https://www.canada.ca/en/department-finance/economic-response-plan/wage-subsidy.html</a></p>

	<p>a salary on the first \$58,700, which could mean payments of up to \$847 a week.”</p> <ul style="list-style-type: none"><li>- Concrete details have not yet been released.</li></ul> <p>April 1, 2020: Additional details regarding the Canada Emergency Wage Subsidy have been released by Canada (this wages subsidy coexists with the previously announced 10% wage subsidy for small businesses):</p> <ul style="list-style-type: none"><li>- <b>30% Decline in Revenue:</b> Eligible employers will be required to attest to a 30% decline in revenue compared to the same month last year, and must keep records demonstrating their reduction in arm’s-length revenues and remuneration paid to employees.</li><li>- <b>75% Subsidy Mar 15 to June 6:</b> The program covers wages paid between March 15 to June 6, 2020. For a given employee, the program will subsidize 75% of the employee’s remuneration (or their pre-crisis weekly remuneration, if greater) up to a maximum of \$847 per week.</li></ul> <p>“There would be no overall limit on the subsidy amount that an eligible employer may claim. Employers must make their best effort to top-up employees’ salaries to bring them to pre-crisis levels.”</p> <ul style="list-style-type: none"><li>- <b>Where to Apply:</b> Employers apply through the Canada My Business Account portal.</li><li>- <b>Offences for Abuse:</b> “The government is considering proposing to create new offences that will apply to individuals, employers or business administrators who provide false or misleading information to obtain access to this benefit or who misuse any funds obtained under the program. The penalties may include fines or even imprisonment.”</li><li>- <b>Qualifying for Both Wage Subsidies:</b> Employers who qualify for the 10% wage subsidy and the new Canada Emergency Wage Subsidy will have a corresponding reduction in the Canada Emergency Wage Subsidy: “any benefit from the 10 per cent wage subsidy for remuneration paid in a specific period would generally reduce the amount available to be claimed under the Canada Emergency Wage Subsidy in that same period.”</li></ul>	<p>Minister of Finance Press Release: <a href="https://www.canada.ca/en/department-finance/news/2020/04/government-announces-details-of-the-canada-emergency-wage-subsidy-to-help-businesses-keep-canadians-in-their-jobs.html">https://www.canada.ca/en/department-finance/news/2020/04/government-announces-details-of-the-canada-emergency-wage-subsidy-to-help-businesses-keep-canadians-in-their-jobs.html</a></p>
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April 7, 2020: Prime Minister Trudeau has suggested in a press conference that it may be another six weeks before the Canada Emergency Wage Subsidy is open to applications. Trudeau said Parliament will soon be recalled to approve legislation enacting the wage subsidy, but did not announce a date.

April 8, 2020: Some additional details regarding the CEWS were announced by Canada.

- The government is proposing that employers eligible for the CEWS be entitled to receive a 100% refund for certain employer-paid contributions (i.e. EI and CPP). The refund would apply to the entire amount of employer-paid contributions in respect of remuneration paid to furloughed employees in a period where the employer is eligible for the CEWS.
- Employers would have the flexibility to compare their revenue of March, April and May 2020 to that of the same month of 2019, or to an average of their revenue earned in January and February 2020.
- The government is also proposing to make the CEWS more accessible for March, by reducing the 30% benchmark to 15%, in recognition of the fact that many businesses did not begin to be affected by the crisis until partway through the month.
- Employers would be allowed to measure revenues either on the basis of accrual accounting (as they are earned) or cash accounting (as they are received). This is in recognition that the time between when revenue is earned and when it is paid could be highly variable in certain sectors of the economy.

April 11, 2020: The CEWS has been passed into law. Applications are through a CRA My Business page. Further details to be announced soon thereafter.

April 7, 2020 News Reports re: Trudeau Statements on CEWS:  
<https://www.theglobeandmail.com/politics/article-emergency-benefit-to-be-expanded-to-cover-more-part-time-workers/>

April 8, 2020 Canada Press Release:  
<https://www.canada.ca/en/department-finance/news/2020/04/government-provides-further-flexibility-for-employers-to-access-the-canada-emergency-wage-subsidy.html>

Bill C-14 Enacting the CEWS:  
<https://www.parl.ca/DocumentViewer/en/43-1/bill/C-14/royal-assent>

Further details on Canada webpage:  
<https://www.canada.ca/en/department-finance/economic-response-plan/wage-subsidy.html>

<p>Summer Jobs Program</p>	<p>April 8, 2020: Canada is modifying its existing Canada Summer Jobs program in response to COVID-19, including by:</p> <ul style="list-style-type: none"> <li>- an increase to the wage subsidy, so that private and public sector employers can also receive up to 100 per cent of the provincial or territorial minimum hourly wage for each employee;</li> <li>- an extension to the end date for employment to February 28, 2021;</li> <li>- allowing employers to adapt their projects and job activities to support essential services;</li> <li>- allowing employers to hire staff on a part-time basis.</li> </ul>	<p>Press Release:  <a href="https://pm.gc.ca/en/news/news-releases/2020/04/08/changes-canada-summer-jobs-program-help-businesses-and-young">https://pm.gc.ca/en/news/news-releases/2020/04/08/changes-canada-summer-jobs-program-help-businesses-and-young</a></p> <p>Canada Summer Jobs program:  <a href="https://www.canada.ca/en/employment-social-development/services/funding/canada-summer-jobs.html">https://www.canada.ca/en/employment-social-development/services/funding/canada-summer-jobs.html</a></p>
<p>Ontario Web-Portal for Jobs in Healthcare</p>	<p>Ontario has launched a new web portal for connecting health care employers with health care workers to meet increased needs during the COVID-19 outbreak.</p>	<p>Ontario News Release:  <a href="https://news.ontario.ca/opo/en/2020/04/ontario-calls-on-all-health-care-workers-to-help-fight-covid-19.html">https://news.ontario.ca/opo/en/2020/04/ontario-calls-on-all-health-care-workers-to-help-fight-covid-19.html</a></p> <p>Web Portal: <a href="https://healthcloudtrialmaster-15a4d-17117fe91a8.force.com/matchingportal/s/">https://healthcloudtrialmaster-15a4d-17117fe91a8.force.com/matchingportal/s/</a></p>
<p>Ontario Web-Portal for Jobs in Agri-Food Sector</p>	<p>Ontario has launched a new web portal, connecting workers with employers looking to fill positions in the agri-food sector. This new online tool will make it easier to match people to essential jobs and training resources throughout the provincial food supply chain.</p>	<p>Ontario News Release:  <a href="https://news.ontario.ca/omafra/en/2020/04/ontario-takes-steps-to-keep-food-on-the-table-during-covid-19.html">https://news.ontario.ca/omafra/en/2020/04/ontario-takes-steps-to-keep-food-on-the-table-during-covid-19.html</a></p> <p>Web Portal:  <a href="https://www.ontario.ca/page/agriculture-and-food-jobs-ontario">https://www.ontario.ca/page/agriculture-and-food-jobs-ontario</a></p>
<p>Non-Essential Workplaces Closed</p>	<p>Premier Doug Ford announced that Ontario is ordering the closure of all non-essential workplaces in Ontario amid the COVID-19 pandemic. Ford said the order is to take effect Tuesday, March 24, 2020, at 11:59 p.m. and will be in effect for at least 14 days.</p> <p>Ontario has released a list of essential services which may remain open.</p>	<p>Ontario News Release:  <a href="https://news.ontario.ca/opo/en/2020/03/ontario-closing-at-risk-workplaces-to-protect-health-and-safety.html">https://news.ontario.ca/opo/en/2020/03/ontario-closing-at-risk-workplaces-to-protect-health-and-safety.html</a></p>

	<p>Non-essential businesses affected by the order may still temporarily access the workplace to deal with certain critical matters as needed and as further detailed in the language of the order.</p> <p>A dedicated line is available for businesses affected by the order to ask questions. The line is available from Monday to Sunday, from 8:30 a.m.—5:00 p.m. 1-888-444-3659</p> <p>The government is expected to release a “financial plan” on Wednesday which may address some of the economic consequences of the mandated closure.</p> <p>April 3, 2020: Ontario has revised the list of essential services to close further businesses.</p> <p>April 11, 2020: Ontario has added Construction projects that would provide additional capacity in the production, processing, manufacturing or distribution of food, beverages or agricultural products to the list of essential businesses.</p>	<p>O. Reg. 82/20 Order Under Subsection 7.02. (4) – Closure of Places of Non-Essential Businesses:  <a href="https://www.ontario.ca/laws/regulation/r20082">https://www.ontario.ca/laws/regulation/r20082</a></p> <p>List of Essential Services:  <a href="https://news.ontario.ca/opo/en/2020/03/list-of-essential-workplaces.html">https://news.ontario.ca/opo/en/2020/03/list-of-essential-workplaces.html</a></p> <p>Dedicated Support Line:  <a href="https://news.ontario.ca/opo/en/2020/03/stop-the-spread-business-information-line-now-open-at-1-888-444-3659.html">https://news.ontario.ca/opo/en/2020/03/stop-the-spread-business-information-line-now-open-at-1-888-444-3659.html</a></p> <p>Regulation Amending the List of Essential Services:  <a href="https://www.ontario.ca/laws/regulation/r20119">https://www.ontario.ca/laws/regulation/r20119</a></p> <p>Essential Construction Projects added to essential services list:  <a href="https://www.ontario.ca/laws/regulation/r20136">https://www.ontario.ca/laws/regulation/r20136</a></p>
<p>Court Remote Operations</p>	<p>April 2, 2020: The Ontario Superior Court has issued a practice direction expanding its remote operations beginning April 6, 2020. The court will hear a handful of non-urgent, civil hearings by teleconference or ZOOM videoconference.</p> <p>April 6, 2020: The Ontario Court of Appeal has released a practice direction for electronic hearings during the COVID emergency. All motions and appeals are to be heard electronically. Materials are to be filed by .pdf. Hearings are to be conducted by CourtCall software.</p>	<p>Superior Court of Justice Province-wide Practice direction:  <a href="https://www.ontariocourts.ca/scj/notice-to-the-profession-the-public-and-the-media-regarding-civil-and-family-proceedings-update/">https://www.ontariocourts.ca/scj/notice-to-the-profession-the-public-and-the-media-regarding-civil-and-family-proceedings-update/</a></p> <p>Divisional Court practice direction:  <a href="https://www.ontariocourts.ca/scj/notice-to-the-profession-div/">https://www.ontariocourts.ca/scj/notice-to-the-profession-div/</a></p> <p>Superior Court of Justice COVID page:  <a href="https://www.ontariocourts.ca/scj/notices-and-orders-covid-19/">https://www.ontariocourts.ca/scj/notices-and-orders-covid-19/</a></p>



		<p>Ontario Court of Appeal COVID Emergency Electronic Hearings Practice Directions:  <a href="https://www.ontariocourts.ca/coa/en/notices/covid-19/practice-direction-electronic-conduct.pdf">https://www.ontariocourts.ca/coa/en/notices/covid-19/practice-direction-electronic-conduct.pdf</a></p> <p>Ontario Court of Appeal Courtcall software:  <a href="https://www.ontariocourts.ca/coa/en/notices/tele-video.htm">https://www.ontariocourts.ca/coa/en/notices/tele-video.htm</a></p> <p>Ontario Court of Appeal Practice Directions Page:  <a href="https://www.ontariocourts.ca/coa/en/notices/covid-19/ochome.htm">https://www.ontariocourts.ca/coa/en/notices/covid-19/ochome.htm</a></p>
<p>Wage Subsidy for Small Businesses</p>	<p>On March 18, 2020, the federal government announced it would provide eligible small businesses with a 10 per cent wage subsidy for the next 90 days, up to a maximum of \$1,375 per employee and \$25,000 per employer (the Temporary Wage Subsidy for Employers). Employers benefiting from this measure would include corporations eligible for the small business deduction, as well as not-for-profit organisations and charities. The stated goal for this subsidy is to help employers keep people on their payroll and help Canadians keep their jobs.</p> <p>UPDATE March 21, 2020 – Additional details of the wage subsidy are available on the federal government’s FAQ page.</p> <ul style="list-style-type: none"> <li>- Eligible small businesses must manually calculate the wage subsidy.</li> <li>- The wage subsidy is equal to 10% of the remuneration paid to employees between March 18, 2020, and June 20, 2020, up to \$1,375 per employee and to a maximum of \$25,000 total per employer. Employers should keep records to support their calculation of the subsidy.</li> <li>- After calculating the subsidy, businesses obtain the subsidy by reducing their federal, provincial, or territorial income tax remittances due to the CRA. Business may begin deducting as soon as the first remittance period which includes remuneration paid between March 18, 2020 and June 20, 2020.</li> </ul>	<p>Federal Government News Release March 18, 2020:  <a href="https://pm.gc.ca/en/news/news-releases/2020/03/18/prime-minister-announces-more-support-workers-and-businesses-through">https://pm.gc.ca/en/news/news-releases/2020/03/18/prime-minister-announces-more-support-workers-and-businesses-through</a></p> <p>Some additional details of the wage subsidy program are on the federal government’s FAQ page:  <a href="https://www.canada.ca/en/revenue-agency/campaigns/covid-19-update/frequently-asked-questions-wage-subsidy-small-businesses.html">https://www.canada.ca/en/revenue-agency/campaigns/covid-19-update/frequently-asked-questions-wage-subsidy-small-businesses.html</a></p> <p><i>Bill C-13 enacting small business wage subsidy re: COVID-19:</i>  <a href="https://www.parl.ca/DocumentViewer/en/43-1/bill/C-13/royal-assent#ID0E01C0AA">https://www.parl.ca/DocumentViewer/en/43-1/bill/C-13/royal-assent#ID0E01C0AA</a></p> <p>Federal Government Wage Subsidy Press Release:</p>

	<ul style="list-style-type: none"> <li>- The subsidy is considered taxable income and must reported as income in the year the subsidy is received.</li> </ul> <p>March 25, 2020: The Wage subsidy has been formally enacted by the federal government.</p> <p>April 1, 2020: This wage subsidy coexists with the Canada Emergency Wage Subsidy (see above).</p>	<a href="https://pm.gc.ca/en/news/news-releases/2020/03/27/prime-minister-announces-support-small-businesses-facing-impacts">https://pm.gc.ca/en/news/news-releases/2020/03/27/prime-minister-announces-support-small-businesses-facing-impacts</a>
Ontario Corporate Meetings May Be Conducted Electronically	Ontario has made an order pursuant to its powers during a declared emergency to permit meetings of corporations to take place electronically or by telephone notwithstanding any contrary provisions elsewhere.	Ontario Regulation 107/20 permitting corporate meetings electronically: <a href="https://www.ontario.ca/laws/regulation/r20107">https://www.ontario.ca/laws/regulation/r20107</a>
Ontario Declaration of Emergency Extended 14 days	Ontario has extended its declaration of an emergency for 14 days to April 14, 2020.  Previously made orders have been extended as well.  April 11, 2020: Ontario has announced it will extend these emergency orders further to April 23, 2020.	Ontario Regulation 105/20 extending declared emergency: <a href="https://www.ontario.ca/laws/regulation/r20105">https://www.ontario.ca/laws/regulation/r20105</a>  Ontario Regulation 106/20 extending orders: <a href="https://www.ontario.ca/laws/regulation/r20106">https://www.ontario.ca/laws/regulation/r20106</a>  Ontario Regulation 138/20 extending orders: <a href="https://www.ontario.ca/laws/regulation/r20138">https://www.ontario.ca/laws/regulation/r20138</a>
Ontario Guidance re: Construction Site COVID safety	Ontario has provided a statement with guidance for safety steps which may be implemented at construction sites to address COVID-19, reminding construction employers of their obligations under the <i>Occupational Health and Safety Act</i> .	Ontario Government Statement re: Construction Site Safety: <a href="https://news.ontario.ca/mol/en/2020/03/ontario-stepping-up-measures-to-limit-the-spread-of-covid-19-on-construction-sites.html">https://news.ontario.ca/mol/en/2020/03/ontario-stepping-up-measures-to-limit-the-spread-of-covid-19-on-construction-sites.html</a>

<p>Orders Modified: Closures indefinite, Gatherings no more than 5</p>	<p>March 30, 2020: Ontario has amended its early orders:</p> <ul style="list-style-type: none"> <li>- The prohibition against public events of fifty or more people is now expanded to prohibit 5 or more people from attending “organized public events,” “social gatherings” (including in a private dwelling), and gatherings for “conducting religious services, rites or ceremonies.”</li> <li>- The earlier closure of certain establishments is extended indefinitely beyond the original March 31, 2020 date.</li> </ul>	<p>Ontario Regulation 99/20 prohibiting gatherings of 5 or more: <a href="https://www.ontario.ca/laws/regulation/r20099">https://www.ontario.ca/laws/regulation/r20099</a></p> <p>Ontario Regulation 100/20 removing end date for previously ordered closures: <a href="https://www.ontario.ca/laws/regulation/r20100">https://www.ontario.ca/laws/regulation/r20100</a></p>
<p>Court to Increase Remote Operations</p>	<p>March 27, 2020: Chief Justice of the Superior Court of Justice Morawetz has written an open letter to the legal community to signal that the courts will soon expand the types of matters it can hear remotely. Further details will be released on April 2, 2020, to be implemented April 6, 2020, according to regional capacity for virtual court expansion.</p>	<p>Open Letter of Chief Justice Morawetz: <a href="https://cdn.ymaws.com/www.ccla-abcc.ca/resource/resmgr/news/march27chiefjustice.pdf">https://cdn.ymaws.com/www.ccla-abcc.ca/resource/resmgr/news/march27chiefjustice.pdf</a></p>
<p>Loans Guaranteed by Canada</p>	<p>Canada is guaranteeing new bank loans of small and medium-sized businesses obtained as part of the “Small and Medium-sized Enterprise Loan and Guarantee program.” It has launched “the new Small and Medium-sized Enterprise Loan and Guarantee program that will enable up to \$40 billion in lending, supported through Export Development Canada and Business Development Bank, for guaranteed loans when small businesses go to their financial institutions to help weather the impacts of COVID-19. This is intended for small and medium-sized companies that require greater help to meet their operational cash flow requirements.” Canada either,</p> <ul style="list-style-type: none"> <li>- Guarantees bank operating credit and cash flow loans, up to 80% guaranteed, to be repaid within one year; or</li> <li>- Co-lends with a financial institution to a business “risk-shared at 80 per cent” between Business Development Canada and the financial institution.</li> </ul> <p>It appears businesses access these measures through a financial institution.</p>	<p>Federal Government March 27, 2020 Press Release: <a href="https://pm.gc.ca/en/news/news-releases/2020/03/27/prime-minister-announces-support-small-businesses-facing-impacts">https://pm.gc.ca/en/news/news-releases/2020/03/27/prime-minister-announces-support-small-businesses-facing-impacts</a></p>
<p>GST/HST tax deferral for businesses</p>	<p>March 27, 2020: The federal government announced that it will “allow businesses, including self-employed individuals, to defer all Goods and Services Tax/Harmonized Sales Tax (GST/HST) payments until June, as well as customs duties owed for imports. This measure is the equivalent of providing up to \$30 billion in interest-free loans to Canadian businesses. It will help businesses so they can continue to pay their employees and their bills, and help ease cash-flow challenges across the country.”</p> <p>This measure is said to “take effect immediately, through existing authorities.”</p>	<p>Federal Government March 27, 2020 Press Release: <a href="https://pm.gc.ca/en/news/news-releases/2020/03/27/prime-minister-announces-support-small-businesses-facing-impacts">https://pm.gc.ca/en/news/news-releases/2020/03/27/prime-minister-announces-support-small-businesses-facing-impacts</a></p>

WSIB Employer Premiums Deferral	The Ontario government has announced that business who pay WSIB premiums may defer reporting and payments, interest free, until August 31, 2020, with no negative consequences. Employers are not required to opt in to receive this benefit.	Ontario Newsroom Press Release: <a href="https://news.ontario.ca/mol/en/2020/03/ontario-enabling-financial-relief-for-businesses-1.html">https://news.ontario.ca/mol/en/2020/03/ontario-enabling-financial-relief-for-businesses-1.html</a>
Fines or Imprisonment for Violating 14-day Isolation Order for Travellers Returning from Abroad	March 26, 2020: The federal government announced that travelers returning from abroad may face fines or imprisonment for violating a mandatory two-week isolation order made under the Quarantine Act.	Federal News Release: <a href="https://www.canada.ca/en/public-health/news/2020/03/new-order-makes-self-isolation-mandatory-for-individuals-entering-canada.html">https://www.canada.ca/en/public-health/news/2020/03/new-order-makes-self-isolation-mandatory-for-individuals-entering-canada.html</a>  <i>The Quarantine Act:</i> <a href="https://laws-lois.justice.gc.ca/eng/acts/q-1.1/page-1.html">https://laws-lois.justice.gc.ca/eng/acts/q-1.1/page-1.html</a>
Tribunal Hearings in Person, Electronically, in Writing, or a combination	March 26, 2020: Ontario has passed legislation empowering statutory tribunals to determine how hearings before them may be held. They may be held in person, electronically, in writing, or a combination as the tribunal considers appropriate. This is a temporary measure which will be repealed on proclamation of the Lieutenant Governor.	Bill 188, Schedule 3, the <i>Hearings in Tribunal Proceedings (Temporary Measures) Act, 2020</i> : <a href="https://www.ontario.ca/laws/statute/s20005">https://www.ontario.ca/laws/statute/s20005</a>
Federal Employees COVID-related leave	March 25, 2020: the Canada Labour Code, which applies to the employment of federally regulated employees, was amended to create a regime which provides for a leave related to COVID-19 of up to 16 weeks.	Bill C-13: <a href="https://www.parl.ca/DocumentViewer/en/43-1/bill/C-13/royal-assent#ID0E01C0AA">https://www.parl.ca/DocumentViewer/en/43-1/bill/C-13/royal-assent#ID0E01C0AA</a>
Minister of Employment and Social Development Empowered to Make Interim Orders	March 25, 2020: The federal Minister of Employment and Social Development the power to make interim orders for the purpose of mitigating the economic effects of COVID-19.	Bill C-13: <a href="https://www.parl.ca/DocumentViewer/en/43-1/bill/C-13/royal-assent#ID0E01C0AA">https://www.parl.ca/DocumentViewer/en/43-1/bill/C-13/royal-assent#ID0E01C0AA</a>
Municipal Declarations of Emergency	The head of council of a municipality is empowered by law to declare an emergency in the municipality. This enables the head of the municipality to “take such action and make such orders as he or she considers necessary and are not contrary to law to	<i>Emergency Management and Civil Protection Act</i> , R.S.O. 1990, c. E.9 <a href="https://www.ontario.ca/laws/statute/90e09#BK5">https://www.ontario.ca/laws/statute/90e09#BK5</a>

	<p>implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area.”</p> <p>The Mayor of the City of Toronto declared such an emergency on March 23, 2020. The City of Toronto’s emergency plan delegates the authority of City Council to the Mayor.</p>	<p>Mayor of Toronto declaration of emergency: <a href="https://www.toronto.ca/wp-content/uploads/2020/03/95d7-covid-19-order-mayor-chapter-59-2020-03-23.pdf">https://www.toronto.ca/wp-content/uploads/2020/03/95d7-covid-19-order-mayor-chapter-59-2020-03-23.pdf</a></p> <p>City of Toronto Emergency Plan: <a href="https://www.toronto.ca/community-people/public-safety-alerts/emergency-preparedness/torontos-emergency-plan/">https://www.toronto.ca/community-people/public-safety-alerts/emergency-preparedness/torontos-emergency-plan/</a></p>
<p>Health Service Providers (and others) Authorized and Required to Take “Any Reasonably Necessary Measure” re: Work Deployment and Staffing</p>	<p>March 21, 2019 – Further to the state of emergency declared by the Ontario government, Ontario has made an Order that “health service providers shall and are authorized to take, with respect to work deployment and staffing, any reasonably necessary measure to respond to, prevent and alleviate the outbreak of the coronavirus (COVID-19) (the “Virus”) for patients.”</p> <p>The order gives health service providers the obligation and ability to disregard employment-related rules applicable to its workforce. Without limiting the generality of the order, it goes on to set out some specific deployment and staffing considerations that are suspended, including rights to leave, vacation, work location, lay-off, hours of work, work assignment, and bargaining unit rights among others.</p>	<p>The order is filed as Ontario Regulation 74/20 <a href="https://www.ontario.ca/laws/regulation/r20074">https://www.ontario.ca/laws/regulation/r20074</a></p> <p>The order applies to Health Service Providers within the meaning of paragraphs 1, 2 and 3 of subsection 1 (2) of the Connecting Care Act, 2019. (essentially, Hospitals, psychiatric facilities, and the University of Ottawa Heart Institute). <a href="https://www.ontario.ca/laws/statute/19c05#BK2">https://www.ontario.ca/laws/statute/19c05#BK2</a></p> <p>A further order extends similar obligations and authorization to long-term care workers: <a href="https://www.ontario.ca/laws/regulation/r20077">https://www.ontario.ca/laws/regulation/r20077</a></p> <p>A further order extends similar obligations and authorizations to health boards: <a href="https://www.ontario.ca/laws/regulation/r20116">https://www.ontario.ca/laws/regulation/r20116</a></p> <p>A further order extends similar obligations and authorizations to retirement homes: <a href="https://www.ontario.ca/laws/regulation/r20118">https://www.ontario.ca/laws/regulation/r20118</a></p>

		<p>A further order extends similar obligations and authorizations to services agencies providing services and supports to adults with developmental disabilities:  <a href="https://www.ontario.ca/laws/regulation/r20121">https://www.ontario.ca/laws/regulation/r20121</a></p> <p>A further order extends similar authorization to municipalities:  <a href="https://www.ontario.ca/laws/regulation/r20157">https://www.ontario.ca/laws/regulation/r20157</a></p>
All Limitation Periods and Procedural Deadlines Suspended	<p>March 20, 2020 -- Ontario has issued an Order in Council suspending all limitation periods and procedural deadlines for the duration of the emergency declared on March 17, 2020. The order is retroactive to March 16, 2020 and broadly applies to “any step” which “must be taken in any proceeding in Ontario, including any intended proceeding.”</p> <p>This measure effectively pauses the clock on all court, tribunal, or related deadlines.</p>	<p>Ontario Order in Council</p> <p><a href="https://www.oba.org/getmedia/31b388c7-2b5b-4193-b338-52d573c0c2aa/EMCPA-Order-eng-fr">https://www.oba.org/getmedia/31b388c7-2b5b-4193-b338-52d573c0c2aa/EMCPA-Order-eng-fr</a></p>
EI Sickness Benefits Waiting Period Waived	<p>Employment Insurance Benefits are typically subject to a one-week “waiting period” which functions like an insurance deductible.</p> <p>In response to the COVID-19 outbreak, the federal government has announced that the one-week waiting period will be waived for Employment Insurance Sickness Benefits, and claimants can receive benefits from the start of their qualifying period.</p> <p>The usual waiting period still applies for regular Employment Insurance Benefits.</p> <p>April 1, 2020: The Employment Insurance regulations have been formally amended to reflect the waiver of the 1-week waiting period and to clarify the requirements to “prove” a quarantine. A claimant must provide a declaration that the period of quarantine was imposed upon them by law (new), by a public health official, or recommended by health officials and an employer, medical doctor, nurse, or person in authority has asked the claimant to place themselves under quarantine.</p>	<p>Government of Canada Website:  <a href="https://www.canada.ca/en/employment-social-development/corporate/notices/coronavirus.html">https://www.canada.ca/en/employment-social-development/corporate/notices/coronavirus.html</a></p> <p>Federal Government News Release March 18, 2020:  <a href="https://pm.gc.ca/en/news/news-releases/2020/03/18/prime-minister-announces-more-support-workers-and-businesses-through">https://pm.gc.ca/en/news/news-releases/2020/03/18/prime-minister-announces-more-support-workers-and-businesses-through</a></p> <p>The authority to waive the waiting period was an existing power under the EI regulations, <a href="http://canlii.ca/t/53kfv#sec40">s. 40(1)(b) of SOR/96-332</a>.  <a href="http://canlii.ca/t/53kfv#sec40">http://canlii.ca/t/53kfv#sec40</a></p> <p>Canada Gazette Part II, Vol. 154, No. 7, pg 405, SOR/2020-44:</p>

		<a href="http://www.gazette.gc.ca/rp-pr/p2/2020/2020-04-01/pdf/g2-15407.pdf">http://www.gazette.gc.ca/rp-pr/p2/2020/2020-04-01/pdf/g2-15407.pdf</a>
EI Sickness Benefits Requirement for Doctor's Note Removed	<p>Employment Insurance Sickness Benefits are available to employees who are unable to work because of “illness, injury, or quarantine.”</p> <p>A medical certificate is usually required for an employee to prove their claim for Sickness Benefits.</p> <p>But, a medical certificate is not required where a quarantine is imposed by public health officials for the health and safety of the public at large or where it is recommended for those reasons and “the claimant was asked by their employer, a medical doctor, a nurse or another similar person in authority to place themselves under quarantine.”</p> <p>The federal government has announced that it will not require medical certificates in relation to COVID-19 EI Sickness Benefits claims.</p> <p>Employees who are sent away from work or in self-isolation following recommendations of public health officials can expect to make an EI Sickness Benefits claim without needing a medical certificate.</p>	<p>Federal Government News Release March 18, 2020: <a href="https://pm.gc.ca/en/news/news-releases/2020/03/18/prime-minister-announces-more-support-workers-and-businesses-through">https://pm.gc.ca/en/news/news-releases/2020/03/18/prime-minister-announces-more-support-workers-and-businesses-through</a></p> <p>The authority to forego the requirement for a medical certificate was an existing power under the EI regulations, <a href="http://www.sor-lor.ca/sor/sor96332">s. 40(1.1) of SOR/96-332</a>. <a href="http://canlii.ca/t/53kjv#sec40">http://canlii.ca/t/53kjv#sec40</a></p> <p>March 25, 2020, Bill C-13 officially enacts that all references in the EI Act to medical certificates are of “no effect”: <a href="https://www.parl.ca/DocumentViewer/en/43-1/bill/C-13/royal-assent#ID0E01C0AA">https://www.parl.ca/DocumentViewer/en/43-1/bill/C-13/royal-assent#ID0E01C0AA</a></p>
Pay for Unemployed Workers Who Don't Qualify for EI	<p>The federal government has announced that it will introduce an Emergency Support Benefit delivered through the Canada Revenue Agency to provide up to \$5 billion in support to workers who are not eligible for EI and who are facing unemployment. The Benefit is expected to be comparable to EI benefits.</p> <p>The government has not yet provided details on how to apply for the benefit. But early indications suggest this will be administered through an individual's online CRA account. Individuals who have not yet created an online CRA account should consider doing so in anticipation of the rollout of this measure.</p> <p>Update Tuesday, March 23, 2020: The House of Commons will be recalled March 24, 2020 where it is expected the details regarding the Emergency Support Benefit will become clear as it is passed into law.</p> <p>Update March 24, 2020: The House of Commons was suspended as opposition parties debated the details of the government's proposed legislation which they say provides the government with overly sweeping powers. CBC News reports that, “there is a deep</p>	<p>Federal Government News Release March 18, 2020: <a href="https://pm.gc.ca/en/news/news-releases/2020/03/18/prime-minister-announces-more-support-workers-and-businesses-through">https://pm.gc.ca/en/news/news-releases/2020/03/18/prime-minister-announces-more-support-workers-and-businesses-through</a></p> <p>House of Commons to be recalled March 24, 2020 to pass emergency economic measures into law: <a href="https://pm.gc.ca/en/news/news-releases/2020/03/22/government-requests-recall-house-commons-help-workers-and-businesses">https://pm.gc.ca/en/news/news-releases/2020/03/22/government-requests-recall-house-commons-help-workers-and-businesses</a></p> <p>House of Commons Suspended March 24, 2020:</p>

	<p>divide over whether to grant the government the fiscal capacity to spend during this crisis without convening Parliament.”</p> <p>Update March 25, 2020: This entitlement has been replaced by the Emergency Response Benefit (described above).</p>	<p><a href="https://www.cbc.ca/news/politics/parliament-covid19-emergency-funds-legislation-1.5507797">https://www.cbc.ca/news/politics/parliament-covid19-emergency-funds-legislation-1.5507797</a></p> <p>Bill C-13 (Emergency Response Benefit under Part 2):  <a href="https://www.parl.ca/DocumentViewer/en/43-1/bill/C-13/royal-assent#ID0E01C0AA">https://www.parl.ca/DocumentViewer/en/43-1/bill/C-13/royal-assent#ID0E01C0AA</a></p>
<p>EI Work-Sharing Program Extensions</p>	<p>The Employment Insurance Work-Sharing program is designed to help employers and employees avoid full layoffs and provide a wage subsidy when there is a temporary reduction in business beyond the control of the employer. The Work-Sharing Program represents an agreement between the employer, the employees (the “Work Sharing Unit”), and Service Canada. Employees work reduced hours to equally share the available work. Service Canada provides a wage subsidy.</p> <p>Currently, the application for a Work-Sharing Agreement must be made 30 days before the requested start date. However, on March 11, 2020, the federal government announced unspecified plans to “streamline” the application process and “ease eligibility requirements” in response to the COVID-19 outbreak.</p> <p>Work-Sharing temporary special measures to support employers and workers affected by COVID-19:</p> <ul style="list-style-type: none"> <li>- Effective March 15, 2020 to March 14, 2021, and not limited to one specific sector or industry, the Government of Canada is introducing temporary special measures.</li> <li>- Extension of the maximum possible duration of an agreement from 38 weeks to 76 weeks</li> <li>- Mandatory cooling off period has been waived for employers who have already used the Work-Sharing program so that eligible employers may immediately enter into a new agreement</li> <li>- Reduce the requirement and expand eligibility to employers affected by accepting business who have been in business for only 1 year rather than 2, and eliminate the burden of having to provide sales/production figures at the same time</li> </ul>	<p>Federal Government News Release March 11, 2020 -- <a href="https://pm.gc.ca/en/news/news-releases/2020/03/11/prime-minister-outlines-canadas-covid-19-response">https://pm.gc.ca/en/news/news-releases/2020/03/11/prime-minister-outlines-canadas-covid-19-response</a></p> <p>Department of Finance Canada – Canada’s COVID-19 Economic Response Plan -- <a href="https://www.canada.ca/en/department-finance/news/2020/03/canadas-covid-19-economic-response-plan-support-for-canadians-and-businesses.html">https://www.canada.ca/en/department-finance/news/2020/03/canadas-covid-19-economic-response-plan-support-for-canadians-and-businesses.html</a></p> <p>1.Application for Work-Sharing - <a href="https://catalogue.servicecanada.gc.ca/content/EForms/en/Detail.html?Form=EMP5100">https://catalogue.servicecanada.gc.ca/content/EForms/en/Detail.html?Form=EMP5100</a></p> <p>2.Work-Sharing Employee Guide - <a href="https://www.canada.ca/en/employment-social-development/services/work-sharing/guide-employee.html">https://www.canada.ca/en/employment-social-development/services/work-sharing/guide-employee.html</a></p> <p>3.Work-Sharing Employer Responsibilities Guide - <a href="https://www.canada.ca/en/employment-social-development/services/work-sharing/guide-employer-responsibilities.html">https://www.canada.ca/en/employment-social-development/services/work-sharing/guide-employer-responsibilities.html</a></p> <p>COVID modifications to the Work-Sharing program, Canada Website:</p>



		<a href="https://www.canada.ca/en/employment-social-development/corporate/notices/coronavirus.html#h4.02">https://www.canada.ca/en/employment-social-development/corporate/notices/coronavirus.html#h4.02</a>
Provincial Job Protection Legislation	<p>On March 16, 2020, the Ontario provincial government announced it will pass job-protection legislation in response to the COVID-19 outbreak.</p> <p>The proposed legislation would provide job protection for employees unable to work for the following reasons:</p> <ul style="list-style-type: none"> <li>· The employee is under medical investigation, supervision or treatment for COVID-19.</li> <li>· The employee is acting in accordance with an order under the Health Protection and Promotion Act.</li> <li>· The employee is in isolation or quarantine.</li> <li>· The employee is acting in accordance with public health information or direction.</li> <li>· The employer directs the employee not to work.</li> <li>· The employee needs to provide care to a person for a reason related to COVID-19 such as a school or day-care closure.</li> </ul> <p>The proposed legislation would also make it clear that an employee will not be required to provide a medical note if they take the leave. The measures would be retroactive to January 25, 2020, the date that the first presumptive COVID-19 case was confirmed in Ontario.</p> <p>UPDATE MARCH 19, 2020: Bill 186, Employment Standards Amendment Act (Infectious Disease Emergencies), 2020 received Royal Assent on the afternoon of March 19, 2020. The legislation amends the Employment Standards Act principally by expanding the scope of the Declared Emergency leave provisions to include “infectious disease emergencies.” These provisions provide a right to an unpaid leave away from work. Key amendments include:</p> <ul style="list-style-type: none"> <li>- Removing the requirement for employees to provide a medical note to the employer.</li> </ul>	<p>Ontario Newsroom Press Release:  <a href="https://news.ontario.ca/opo/en/2020/03/premier-ford-announces-job-protection-for-workers-during-the-covid-19-situation.html">https://news.ontario.ca/opo/en/2020/03/premier-ford-announces-job-protection-for-workers-during-the-covid-19-situation.html</a></p> <p>March 19, 2020, Copy of <a href="#">Bill 186, Employment Standards Amendment Act (Infectious Disease Emergencies), 2020</a></p> <p><a href="https://www.ontario.ca/laws/statute/s20003">https://www.ontario.ca/laws/statute/s20003</a></p> <p>Regulation making leave re: COVID-19 retroactive to January 25, 2020,  <a href="https://www.ontario.ca/laws/regulation/r20066">https://www.ontario.ca/laws/regulation/r20066</a></p> <p>s. 50.1 of the Employment Standards Act,  <a href="https://www.ontario.ca/laws/statute/00e41#BK105">https://www.ontario.ca/laws/statute/00e41#BK105</a></p>

	<ul style="list-style-type: none"> <li>- Expanding job protection to include even employees who choose to self-isolate as a “control measure” implemented in response to information or directions disseminated by a variety of health officials “whether through print, electronic, broadcast or other means.”</li> <li>- Adding the job protection to employees away from work because they are affected by relevant travel restrictions.</li> <li>- Expanding the list of individuals who qualify as close relations justifying an employee leave where they must be away from work to care for such a person. The list now also includes additional relatives and “a person who considers the employee like a family member...”.</li> <li>- The availability of this leave in connection with COVID-19 is made retroactive to January 25, 2020.</li> </ul>	
<p>Ontario State of Emergency Declaration</p>	<p>On March 17, 2020, the Ontario government declared a state of emergency in Ontario in connection with COVID-19. During a state of emergency, the Lieutenant Governor in Council may make a variety of orders to “promote the public good by protecting the health, safety and welfare of the people of Ontario.” Ontario has implemented orders requiring the following establishments to close immediately:</p> <ul style="list-style-type: none"> <li>- All facilities providing indoor recreational programs;</li> <li>- All public libraries;</li> <li>- All private schools as defined in the Education Act;</li> <li>- All licensed child care centres;</li> <li>- All bars and restaurants, except to the extent that such facilities provide takeout food and delivery;</li> <li>- All theatres including those offering live performances of music, dance, and other art forms, as well as cinemas that show movies; and</li> <li>- Concert venues.</li> </ul> <p>Further, all organized public events of over fifty people are also prohibited, including parades and events and communal services within places of worship. These orders were approved by the Lieutenant Governor in Council and will remain in place until March 31, 2020, at which point they will be reassessed and considered for extension, unless the order is terminated earlier.</p> <p>March 30, 2020: Ontario has amended its early orders:</p>	<p>Ontario Newsroom Press Release:  <a href="https://news.ontario.ca/opo/en/2020/03/ontario-enacts-declaration-of-emergency-to-protect-the-public.html">https://news.ontario.ca/opo/en/2020/03/ontario-enacts-declaration-of-emergency-to-protect-the-public.html</a></p> <p>The authority to declare an emergency and issue orders arises from the <i>Emergency Management and Civil Protection Act</i>  <a href="https://www.ontario.ca/laws/statute/90e09#BK12">https://www.ontario.ca/laws/statute/90e09#BK12</a></p> <p>Ontario Order in Council 518/2020 declaring an emergency:  <a href="https://www.ontario.ca/orders-in-council/oc-5182020">https://www.ontario.ca/orders-in-council/oc-5182020</a></p> <p>Ontario Order in Council 519/2020 closing certain facilities:  <a href="https://www.ontario.ca/orders-in-council/oc-5192020">https://www.ontario.ca/orders-in-council/oc-5192020</a></p> <p>Ontario Order in Council 520/2020 restricting gatherings of 50 or more people:</p>

	<ul style="list-style-type: none"> <li>- The prohibition against public events of fifty or more people is now expanded to prohibit 5 or more people from attending “organized public events,” “social gatherings” (including in a private dwelling), and gatherings for “conducting religious services, rites or ceremonies.”</li> <li>- The earlier closure of certain establishments is extended indefinitely beyond the original March 31, 2020 date.</li> </ul>	<p><a href="https://www.ontario.ca/orders-in-council/oc-5202020">https://www.ontario.ca/orders-in-council/oc-5202020</a></p> <p>Ontario Regulation prohibiting gatherings of 5 or more: <a href="https://www.ontario.ca/laws/regulation/r20099">https://www.ontario.ca/laws/regulation/r20099</a></p> <p>Ontario Regulation 100/20 removing end date for previously ordered closures: <a href="https://www.ontario.ca/laws/regulation/r20100">https://www.ontario.ca/laws/regulation/r20100</a></p>
<p>ESA Emergency Leaves, declared emergencies</p>	<p>Employees are entitled to a leave of absence from work without pay, where an order made during a declared emergency applies to them. Emergency leave is described under s. 50.1 of the Employment Standards Act. Employees are also entitled to this leave where, during a declared emergency, they have to care for certain close relatives or more distant relatives who are nevertheless dependant upon the employee.</p> <p>This provides job protection for employees during states of emergency, preventing an employer from treating them as having resigned or abandoned their position for being away from work. The intention to take the leave must be communicated to the employer.</p> <p>UPDATE MARCH 19, 2020: Bill 186, Employment Standards Amendment Act (Infectious Disease Emergencies), 2020 received Royal Assent on the afternoon of March 19, 2020. The legislation amends the Employment Standards Act principally by expanding the scope of the Declared Emergency leave provisions to include “infectious disease emergencies.” Key amendments include:</p> <ul style="list-style-type: none"> <li>- Removing the requirement for employees to provide a medical note to the employer.</li> <li>- Expanding the availability of unpaid leave to include even employees who choose to self-isolate as a “control measure” implemented in response to information or directions disseminated by a variety of health officials “whether through print, electronic, broadcast or other means.”</li> <li>- Expanding the availability of unpaid leave to employees away from work because they are affected by relevant travel restrictions.</li> </ul>	<p>s. 50.1 of the Employment Standards Act, <a href="https://www.ontario.ca/laws/statute/00e41#BK105">https://www.ontario.ca/laws/statute/00e41#BK105</a></p> <p>March 19, 2020, Copy of <a href="#">Bill 186, Employment Standards Amendment Act (Infectious Disease Emergencies), 2020</a> <a href="https://www.ontario.ca/laws/statute/s20003">https://www.ontario.ca/laws/statute/s20003</a></p> <p>Regulation making leave re: COVID-19 retroactive to January 25, 2020, <a href="https://www.ontario.ca/laws/regulation/r20066">https://www.ontario.ca/laws/regulation/r20066</a></p>

	<ul style="list-style-type: none"> <li>- Expanding the list of individuals who qualify as close relations justifying an employee’s unpaid leave where the employee is away from work to care for a listed individual. The list now also includes additional relatives and “a person who considers the employee like a family member...”.</li> <li>- The availability of this leave in connection with COVID-19 is made retroactive to January 25, 2020.</li> </ul>	
Human Rights Implications of COVID-19	<p>The Ontario Human Rights Commission has confirmed in a policy statement that the Human Rights 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.</p> <p>Human rights legislation recognizes the importance of balancing people’s right to non-discrimination and civil liberties with public health and safety, including the need to address evidence-based risks associated with COVID-19.</p> <p>Workplace actions which are founded upon reasonable health and safety concerns consistent with the recommendations of public health authorities will be permissible. Workplace actions which are founded upon misguided fears and stereotypes may be inappropriate and amount to discrimination.</p>	<p>Ontario Human Rights Commission Policy Statement on the COVID-19 pandemic  <a href="http://www.ohrc.on.ca/en/news_centre/ohrc-policy-statement-covid-19-pandemic">http://www.ohrc.on.ca/en/news_centre/ohrc-policy-statement-covid-19-pandemic</a></p>

### How Whitten & Lublin Employment & Labour Lawyers can help you?

We have the expertise to guide employees through the practical impacts that COVID-19 may have on your job. For example, we can:

- identify your legal rights in the workplace, including health and safety, constructive dismissal, wrongful dismissal, human rights or discrimination;
- guide you through the statutory benefits that may be available;
- assist with employment insurance questions;
- assist with communicating with your employer to ensure your important rights are protected; and
- assist with any other form of workplace based dispute.

