

COVID-19 FAQ for Employers

What are the changes to Alberta's Employment Standards re: COVID-19?

- Alberta has implemented employment rules changes to provide paid, job-protected leave for COVID-19
 - Changes to the Employment Standards Code will allow employees to take 14 days of paid, job-protected leave if they are:
 - required to self-isolate
 - sick or caring for a loved one with COVID-19
 - To be eligible, employees:
 - will not be required to have a medical note
 - do not need to have worked for an employer for 90 days
 - This leave covers the self-isolation period recommended by Alberta's chief medical officer

Can employers prevent employees from coming to work?

- Employers may ask employees about the countries they have recently traveled to and if they may have had any exposure to COVID-19.
- Employers can also ask if employees have had close contact with others who have traveled to at-risk countries and/or otherwise have been exposed to the virus.
- If an employer reasonably concludes that an employee may pose a health threat to other employees, the employer can request that the employee stay home for the COVID-19's incubation period (which is currently identified as a 14-day incubation period).
- Be aware of any potential human rights violations
 - Ensure any specific restrictions are supported by public and valid information
 - Make sure employees are not creating poison work environments for other employees i.e. discriminating against race and ethnicity

Do employers have to pay employees who are reasonably deemed a potential health threat and requested to stay home for the 14-day incubation period?

- As per the Employment rules changes outlined above, yes. Be sure to review the employees' contract, employer's policies i.e. sick leave, paid time off and past practices as well.
- Consider that if the employer is not going to pay the employee, there may be a risk that the employee may improperly attend work, in order to avoid going without income, and infect others in the workplace.
- If additional sick time is required, and additional sick pay is not available through the company policy or group health benefit plan, offer the use of accrued vacation pay, consider an advance on vacation pay or working wages.
- Employment insurance is becoming more readily available; federal government is now waiving the one-week waiting period.
- Note: layoffs because of lack of work should be considered separately.

What should employers do if employees are reluctant to come to work?

- Employers should consider proactive measures:
 - employers can regularly update employees on the relative risk of outbreak in the employer’s area, provide hand-sanitizers and other cleaning materials to encourage positive hygienic behavior, and encourage sick employees to stay home and seek medical care.
 - providing employees with information on what symptoms to look for, links to the World Health Organization (“WHO”), and CDC updates will likely inspire confidence that the employer is actively monitoring the situation.
- Employers may conduct a workplace investigation to ensure there is a real risk to the health and safety of the employees. While undertaking this investigation, an employee may be able to work remotely with pay.

Can employers restrict employee travel? Can employers force employees to travel?

- Employers can mandate that employees report on their recent travels to assess exposure risks but cannot limit personal travel.
- Employers can encourage employees not to travel during this time and cancel business travel to high risk destinations.
- Employers should be sensitive to employee requests to avoid travel, particularly to high risk countries.

Should employers update their employment policies?

- All employers should review their leave policies to ensure sick leave, paid time off and other policies are flexible and consistent with legislation.

What other precautions should employers take?

- Employers should create or update emergency contingency plans and implement heightened hygienic practices.
- Employers should review any disease plans/protocols in their companies’ Injury and Illness Prevention Programs or Health and Safety Programs.
- The [CDC's list of considerations](#) in preparing a flexible response plan includes identifying work-related exposure to your employees, planning to use social distancing techniques (such as working remotely), and planning for business interruptions in supply chains.

What are some other resources for information/updates regarding COVID-19?

Government of Canada website	https://www.canada.ca/en/public-health/services/diseases/coronavirus-disease-covid-19.html
Government of Alberta website	https://www.alberta.ca/coronavirus-info-for-albertans.aspx#top