

## COVID-19 BULLETIN - APRIL 7, 2020

By Danny Bernstein and Carrie Koperski

### **Canada Emergency Response Benefit**

As highlighted in [yesterday's bulletin](#), applications for the federal Canada Emergency Response Benefit (CERB) opened yesterday. This morning, Employment Minister Carla Qualtrough's office indicated that 996,000 new claims were filed for the CERB on Monday alone. Applications opened today for individuals born in April, May, and June, and will open to individuals for the remainder of the week as follows:

- Wednesday: individuals born in July, August, or September
- Thursday: individuals born in October, November, or December
- Friday through Sunday: individuals born in any month may apply.

We continue to wait for further details respecting the government's plans to adjust the existing eligibility criteria for the CERB to ensure that part-time and essential workers aren't disadvantaged.

### **Provincial Legislative Responses to COVID-19**

In our [March 19, 2020 COVID-19 information bulletin](#), we provided an overview of legislative amendments that various provincial governments have made to employment standards legislation in response to COVID-19. Since that time, some provinces have continued to amend and adapt their responses to the pandemic regarding employers and employees.

#### ***Alberta***

In a [press release issued yesterday afternoon](#), Alberta's Minister of Labour Jason Copping announced temporary rules to provide job protection for workers and flexibility for employers during the pandemic. The following changes to the Alberta *Employment Standards Code* took effect immediately and will be in place "as long as government determines it is needed and the public health emergency order remains":

- The unpaid, COVID-19-related job-protected leave is extended, and is now available to employees caring for children affected by school and daycare closures, or ill or self-isolated family members. The length of this leave is "flexible" and there is no requirement that the employee have been employed for at least 90 days in order to be eligible for the leave. (Note that this leave was introduced by the provincial government on March 17<sup>th</sup> and was initially only available to employees that were under quarantine or directed to self-isolate, or were caring for a family member that was self-isolating);

- The maximum time for a temporary layoff permitted under the *Code* has been increased from 60 days to 120 days. Moreover, this extension is retroactive to any COVID-19-related layoffs that occurred on or after March 17<sup>th</sup>;
- The requirement to provide 24-hours' notice to employees of shift changes has been removed. Similarly, the requirement to provide two weeks' notice to workers for changes to work schedules for employees working under an averaging agreement has been removed;
- The requirement to provide group termination notice for terminations of 50 or more employees has been removed; and
- The government will be introducing a streamlined process for approving applications for variances to standards under the *Code* in order to permit quicker responses to changing conditions at the workplace due to the public health emergency.

### ***Manitoba***

On March 27, 2020, Manitoba Finance Minister Scott Fielding [announced](#) a temporary exception to employment standards layoff rules during the COVID-19 pandemic. Typically, the maximum length for a temporary layoff under Manitoba's *The Employment Standards Code* is a period of 8 weeks in a 16-week period. However, the government announced that until the COVID-19 crisis subsides and the province begins to recover economically, any period of layoff occurring after March 1, 2020 will not be counted toward the period after which a temporary layoff would become a permanent termination.

### **Navigating COVID-19 in the Workplace**

For further information relating to the COVID-19 pandemic and how it may impact your workplace, please look to our previous bulletins, which can be found on [Roper Greyell's COVID-19 resource page](#).

This memorandum is current to the morning of April 7, 2020, but the pandemic and the responses of federal and provincial governments continue to evolve, and this may impact the accuracy of the information in this bulletin. If in doubt about whether anything in this document is still current, please do not hesitate to [contact us](#).

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*While every effort has been made to ensure accuracy in this update, you are urged to seek specific advice on matters of concern and not to rely solely on what is contained herein. The document is for general information purposes only and does not constitute legal advice.*