On March 16, 2020, Ontario's provincial government announced that it will draft legislation that will protect workers and their families during the global COVID-19 outbreak. The proposed legislation would provide job protection for employees unable to work for a number of reasons. These reasons are as follows:

- The employee is under medical investigation, supervision or treatment for COVID-19;
- The employee is acting in accordance with an order under the Health Protection and Promotion Act;
- The employee is in isolation or quarantine;
- The employee is acting in accordance with public health information or direction;
- The employer directs the employee not to work;
- The employee needs to provide care to a person for a reason related to COVID-19 such as a school or day-care closure.

Further, the provincial legislation would make it clear that an employee will not be required to provide a medical note if they take the leave. The measures would also be retroactive to January 25, 2020, the date that the first presumptive COVID-19 case was confirmed in Ontario.

Ontario's provincial government intends to continue implementing comprehensive measures to prevent the spread of COVID-19 and protect the health of all Ontarians, which may include additional supports for workers and employers. These job protective measures are part of a
COVID-19 is creating unique issues and triggering many responsibilities for employers a daily basis. The situation remains in flux and we continue to monitor developments closely. To learn more about workplace policies on communicable illnesses and handling COVID-19 in your workplace, please contact a member of Gowling WLG’s Employment, Labour & Equalities Group.

Related  Employment, Labour & Equalities, COVID-19: How will coronavirus impact your business?

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