

## COVID-19 BULLETIN #3: Manager FAQ

### British Columbia

#### RELEASE DATE MARCH 23, 2020

The purpose of this information bulletin is to provide additional COVID-19 information to employers and address some of the most common questions we have received.

This bulletin is current to the morning of **March 23, 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.

#### **AS OF MARCH 23, 2020:**

*Please note that while we continue to monitor the situation, the circumstances remain very fluid as legislative and government rules and policies are ever changing. This information is subject to revision with the introduction of new or additional government guidelines.*

#### Key Points for Managers to Consider

Communicate with your employees the following messages:

- **Practice Social Distancing.** This means making changes in your everyday routines in order to minimize close contact with others, including:
  - avoiding crowded places and non-essential gatherings
  - avoiding common greetings, such as handshakes
  - limiting contact with people at higher risk (e.g. older adults and those in poor health)
  - keeping a distance of at least 2 arms lengths (approximately 2 metres) from others, as much as possible
- **Promote good hygiene habits.** Ensure employees are aware of, and practicing, good hygiene habits. Refer to guidelines from health authorities on best practice regarding hand washing: [http://www.bccdc.ca/Health-Professionals-Site/Documents/COVID19\\_Handwashing%20Poster\\_MD%20offices.pdf](http://www.bccdc.ca/Health-Professionals-Site/Documents/COVID19_Handwashing%20Poster_MD%20offices.pdf)

Remember to:

- wash your hands often for at least 20 seconds and avoid touching your face
- cough or sneeze into the bend of your arm
- avoid touching surfaces people touch often

- **Convey the importance of staying home if ill.** If an employee is feeling ill, they should remain at home.
- **Employees have the right to education about safe work.** If an employee expresses concern about workplace safety, please contact your HR Advisor or Manager for guidance.

## FAQ for Managers and Supervisors

### Managing employees who may have COVID-19

#### **What should I do if an employee is unsure as to whether they have COVID-19?**

All employees should be self-monitoring their health for symptoms. If an employee needs advice on whether they have COVID-19, they should be advised to visit <https://www.healthlinkbc.ca/> or contact their medical health care provider.

Information on the prevention, transmission, symptoms, and treatment of COVID-19 can be found at the Government of Canada website [Coronavirus disease \(COVID-19\): Frequently Asked Questions \(FAQ\)](#).

#### **My employee is home sick with fever, sniffles, and chills. Should I or can I ask them if they have been tested? Can I ask that they not return to work until they have been tested?**

Information provided by an employee to you regarding their health is generally considered to be personal information under provincial privacy legislation and this information should not be shared with co-workers or your employee's co-workers.

However, it is appropriate for managers to inquire with their employees about the nature of their illness (not diagnosis). The only purpose to enquire about the nature of your employee's illness is to encourage your employee who may have COVID-19-like symptoms to visit <https://www.healthlinkbc.ca/> or contact their medical health care provider.

#### **My employee showed up to work and was clearly exhibiting signs of flu-like and potentially COVID-19-like symptoms. Can I send them home? Should I have all other staff who came into contact with this employee self-isolate?**

You can request that your employee go home in these circumstances. We are encouraging all employees to stay home if they are sick.

There is no requirement for individuals to self-isolate if they are not symptomatic. Employees should monitor their health and if they feel sick, they should not come to work.

**My employee has called in sick and says that because they have influenza-like symptoms, they won't be coming in to work for up to two weeks. Should I be requesting a medical note?**

Typically, a signed medical certificate is required to access EI benefits. However, as of March 15, 2020, a medical certificate is no longer necessary for individuals required to go into quarantine by a public-health official or by law. These workers only need to declare that they have been placed in quarantine to access sickness benefits.

On March 18, 2020, the Government of Canada announced that the requirement to provide a medical note for all claimants who apply for sickness benefits will be waived. This measure is not in place.

Most organizations are NOT requiring medical documentation in these situations. This is because health authorities are asking individuals to stay home if they are exhibiting symptoms related to COVID-19 and not attend a doctor's office or an emergency room unless necessary. There is also no requirement for a medical note to support an employee's return to the workplace.

**When should an employee return to work and what is the procedure?**

Employees should be asked to keep their manager/supervisor advised of the situation and their anticipated return date. Following the direction given by the [BC Centre for Disease Control \(BCCDC\)](#), workplaces will not require employees to bring medical notification clearing them to return to work in these cases. If employees or managers have questions about an employee returning to work, they should be advised to contact their manager or HR department.

**What if an employee has an underlying health condition that may make them more susceptible to COVID-19?**

The Public Health Agency of Canada continues to assess the public health risk associated with the virus. However, should this change, your employee may require an accommodation. Accommodation requirements will vary depending on the nature of the work performed and the work location(s). If a request for accommodation is made by an employee, please contact your HR department or Manager.

**What should I do when an employee advises they must self-isolate because they are concerned they have been exposed to someone with COVID-19?**

If your employee is well and not experiencing any symptoms, you may encourage them to work remotely wherever possible. If your employee cannot work remotely, the time off can be considered time off for medical reasons.

**Are all affected employees entitled to EI benefits?**

If an employee is directly affected by COVID-19 (that is, they are sick or in quarantine) and is requesting EI sickness benefits, they can contact the Employment Insurance special campaign line at 1-833-381-2725. This campaign is exclusively dedicated to enquiries from clients who are directly affected by the COVID-19. The Commission will determine the EI benefit entitlement.

## **If the business is closing due to COVID-19, do we have to pay employees a notice period and do they have to follow required layoff notice before termination?**

There is no requirement to pay notice pay when there is a temporary layoff. Each jurisdiction has legislation that limits the length of time a layoff can be in place before it is considered a permanent ending of employment by the employer. The labour and employment standards of most jurisdictions distinguish between layoff and termination of employment.

## **Payroll Coding**

**I'm not clear about how to code the pay of my employees who are self-isolating. What do you advise?**

*BLOCK 16 – Reason for issuing the Record of Employment (ROE): REMINDER: When issuing an ROE, do not complete the Block 18 – Comments section. Any comments will remove the ROE from the automation process and will slow down the claims process*

The context of an employee's self-isolation determines how to code the pay.

- If your employee is self-isolating because they are symptomatic, their pay should be coded as medical leave (paid or unpaid depending on whether they have medical leave available).
- If your employee is self-isolating because they have returned to Canada after travelling they are required to self-isolate. For an employee who is under quarantine or self-quarantine due to COVID-19, an ROE must be issued with the reason code "D" for illness or injury (there is no specific ROE code for quarantine).
- If your employee has come in contact with a person who has been diagnosed with COVID-19, and they are self-isolating but are asymptomatic, they should work remotely if possible. If they cannot work remotely, their pay should be coded as sick leave. If they are symptomatic it is also sick leave.
- If your employee has come into contact with someone who is symptomatic, there is no requirement for them to self-isolate at this time. Rather they should be monitoring their health and if they become symptomatic, they should stay home and be paid sick leave.
- If your employee is self-isolating because they have a family member who has returned from travel and they are required to self-isolate, they should work remotely if possible. If they cannot work remotely, we ask you to consult with HR or your manager.
- If employees are sent home because the company is temporarily closing, the reason code on the ROE would be "A" – Shortage of work / End of contract or Season.
- For employees who refuse to report to work due to risk of exposure to COVID-19? are recommended to use Code N (Leave of absence).

## **Reporting COVID-19**

**Who should I contact if an employee advises they have COVID-19?**

Please contact your Manager or HR Department.

**What are the privacy concerns?**

Information provided by an employee to you regarding their health is generally considered to be personal information under provincial privacy legislation (PIPA), and this information should not be shared with co-workers or your employee's co-workers.

**What should I do if an employee has concerns about another employee who they believe is displaying COVID-19 symptoms?**

If an employee is displaying symptoms associated with COVID-19, discuss with them the need for them to stay home if they exhibit the symptoms associated with COVID-19.

As a reminder, it is appropriate for employees to raise such concerns with their manager, however, it is not appropriate to engage in any further discussion regarding another employee's medical circumstances.

**Right to refuse work****Does an employee have the right to refuse unsafe work?**

Yes, all employees have a right to refuse to perform unsafe work as long as it is based on a reasonable belief. This is not specific to potential exposure to COVID-19. However, should an employee advise you that they feel their working conditions are unsafe, please contact their manager or HR Department prior to granting any accommodations or making adjustments to the employee's work situation.

**Telecommuting Guidelines – Temporary Work from Home Arrangements****What should I consider when determining whether to allow a temporary work from home arrangement?**

Factors to consider, include but are not limited to whether there is enough productive work that can be performed remotely; the impact to customer and client services; and the impact on co-workers and direct reports.

**What are the key safety factors I should consider when approving my employees' remote work arrangements?**

Obligations as an employer under the Occupational Health & Safety Regulation and the *Workers' Compensation Act* extend to the workplace of an employee, including when they are working remotely.

**How do we ensure the confidentiality of work is preserved in off-site offices of employees temporarily working from home?**

Prior to approving a temporary work from home arrangement for an employee, review your policies on privacy and confidentiality. Also, ensure your organization creates a checklist of all

computer security requirements necessary. Review all policies and checklists with the employee prior to the employee commencing the temporary work from home arrangement.

*Please note that this information bulletin is current to March 23, 2020. As this situation is evolving rapidly, we urge you to remain informed to the greatest extent you can. To understand how the information contained in this bulletin might apply in the context of your particular business or operation, please do not hesitate to contact us.*



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