



NAVIGATING THE COMPLEXITIES OF RETURN TO WORK IN THE PANDEMIC

Women's Financial Executive Network

November 4, 2020

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This information is current as of November 4, 2020 and is provided as an information service and summary of workplace legal issues.

This information is not intended as legal advice.



Laura Williams
Founder and Principal

AGENDA



WILLIAMS HR LAW
LEGAL EXPERTISE AT WORK

 WILLIAMS HR
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PROFESSIONALS

Session Roadmap

- Current “normal”
- The hotspots
- The opportunities

THE CURRENT NORMAL



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Helping Executives at Work

 WILLIAMS HR
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General Snapshot

- Most of Ontario in Stage 3
 - “Hotspots” (Toronto, Peel, Ottawa, York) in modified Stage 2
- End of Declaration of Emergency
- Ontario introducing a new set of specific criteria for imposing anti-COVID-19 measures (the colour-coded system)
- Schools have reopened

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THE CURRENT NORMAL



Govt Assistance Measures Extended

- CEBA to December 31, 2020
- CEWS to June 2021 (proposed)

THE CURRENT NORMAL



Employment Insurance Changes

- Hours credits to allow workers to reach the insurable hours threshold to qualify for EI benefits
- A higher minimum unemployment rate for a one-year period
- A minimum benefit rate
- A premium rate freeze

THE CURRENT NORMAL



New Recovery Benefits

- Canada Recovery Benefit
- Canada Recovery Sickness Benefit
- Canada Recovery Caregiving Benefit

New Rent Subsidy (Proposed)

- Canada Emergency Rent Subsidy

THE CURRENT NORMAL



Layoffs

- May 29, 2020, *Infectious Disease Emergency Leave Regulation*
- Deemed IDEL was set to end on September 4, 2020
- September 3, 2020 the Regulation was amended to continue until January 2, 2021

THE CURRENT NORMAL



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Leaves

- Employees still entitled to IDEL
 - COVID-19 is a designated infectious disease under the ESA

THE HOTSPOTS



Health and Safety

- Maintaining and monitoring safe practices
- Contingency planning
 - Second wave or outbreak
- Enforcing safety protocols

THE HOTSPOTS



Accommodation

- Disability
 - Mental health
- Family status
- Understanding when leaves apply
 - Reprisal exposures
- Balance between accommodating and placing on leave
- Flexibility and WFH expectations

THE HOTSPOTS



Hours of Work and Work from Home

- Flexible working hours
 - Productivity and client service
- Vacation entitlements and policies
- Overtime and recordkeeping
- Managing WFH employees
- Employee technology use and data security

THE HOTSPOTS



Layoff and Termination Entitlements

Layoffs

- Familiarity with layoff rules changes
- Constructive dismissal exposures

Terminations

- Termination cost increases
- Structuring termination packages

THE HOTSPOTS



EDI and Discrimination/Harassment

- Conduct issues
- Emotionally charged environment
- Increased complaints/investigations
- Condonation exposures
- Policies and training

THE OPPORTUNITIES



Leveraging Change

- Rethink work
 - Modernize how work performed
 - Improve client service
- Recalibrate roles
- Realign culture
- Reinforce EDI
- Redefine HR

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