



ANGLICAN DIOCESE MONTREAL

COVID-19

Last update: March 27, 2020

1. HEALTH AND SAFETY

Generally speaking, as an employer, each church/parish has an obligation to protect the health and safety of their employees in the workplace (section 51 of the Act Respecting Occupational Health and Safety). This applies to the spread of a virus such as COVID-19.

If employees must be present in the premises, you must ensure that adequate hygiene measures are in place and well known from all employees.

You are also responsible for enquiring as to the state of your employees' health in the current context. They must not be present if they present COVID-19 symptoms and follow the recommendations of the public health authorities.

If an employee shows up at work infected, you have a duty to communicate with public health authorities to learn the proper measures to decontaminate the premises and manage the situation. For further informations about managing biological risks in your church/parish, please consult this guide produced by the *Commission des normes, de l'équité, de la santé et de la sécurité du travail* (inFrench).

For further information, see the "Volet Santé et sécurité du travail" section of the COVID-19 FAQs on the CNESST website.

2. INFORMATION ON EMPLOYMENT INSURANCE AND LAYOFFS AS A DIRECT RESULT OF COVID-19

If an employee is sick, quarantined or self-isolated he/she/they may qualify for Employment Insurance (EI) under new eligibility criteria implemented by the Federal Government for COVID-19 situations or (see below for more details).

If an employee does not provide a work service because of the church/parish temporary closure (note that teleworking is considered as working), the parish is not obliged to compensate the employee. We are encouraged, however, to be understanding and flexible in the current circumstances. If financially possible, the parish may continue to compensate the employee for a certain period and proceed with a temporary layoff after, if necessary.

If a parish decides that it is necessary to lay-off an employee for a temporary period, a few details are to be considered:

- A. What is a temporary layoff?** Generally, a layoff is a period when an employer ceases to provide work and (in most cases) compensation to an employee temporarily. The employment relationship remains, despite this interruption of work and/or compensation, with the understanding that work and compensation may resume in the future.
- B. How long can a temporary layoff last?** Temporary layoffs are just that – temporary. These are unprecedented times but based on current projections, related layoffs should be temporary. If an employee is laid off for a period longer than 6 months, you may be considered to have terminated the employee’s employment and termination obligations, including full severance obligations, will apply. – If we reach that point, I will be there to guide you.
- C. Is advanced notice required before a temporary layoff?** There are no advance statutory notice requirements before an employee can be placed on a temporary layoff.
- D. Do you pay employees while on temporary layoff?**
- Layoff periods are generally unpaid. However,
 - employees may qualify for **Employment Insurance (EI)** or **Canadian Emergency Response Benefit (CERB)**
 - employees may also, on a voluntary basis, use their vacation time during a period of a temporary layoff to continue to receive pay, if not eligible for EI.
- E. Do benefits continue during layoff or leave (due to COVID-19)?**
- **Health Benefits (Blue Cross)**
For temporary layoffs, Health Care Benefits may continue for up to 6 months if the employee is willing to pay the cost of the premium. The insurance may not be continued beyond six months from the starting date of such absence.

- **Dental Benefits and Life Insurance (Manulife), Pension, LTD (Pension Office)**
For temporary layoffs, life/dental benefits, Pension and LTD may continue for up to 6 months if the employee is willing to pay its share of the contributions/premiums, which means the employer share would be required from the church/parish.
- **Continuing Education Plan (CEP) (Pension Office):**
When an employee ceases paid employment with the Diocese (for any reason), the employee's account will be frozen for a period of 12 months. If the employee resumes paid employment with the Diocese within 12 months his/her/their account will be reinstated at the level it was at when the employee ceased paid employment.

Once the church/parish informs the Synod Office of such a layoff, information will be transmitted to the employee.

3. **EMPLOYMENT INSURANCE (EI)**

Maximum of \$573/week for 15 weeks (see details below)

In response to the outbreak of COVID-19, the Federal Government of Canada has announced several measures to assist eligible employers and employees. In particular, the Government has announced changes to the Employment Insurance Sickness Benefits.

A. What does EI sickness benefits provide?

- Financial support for eligible workers who:
 - are unable to work for a medical reason (which now includes being subject to quarantine or self-isolation) – Please note that this doesn't include social distancing;
 - have experienced a decrease in regular weekly earnings of more than 40% for one week; and
 - have accumulated 600 insured hours of work in the 52 weeks before the start of the claim.

B. How much can an employee claim and for how long?

- EI Sickness Benefits pay 55% of an employee's insurable earnings, up to a maximum of \$573 per week, less applicable taxes.

- Employees can claim these benefits for a maximum of 15 weeks.

C. What is a waiting period and how has it changed?

- A waiting period is a period of time in which an employee does not receive EI Sickness Benefits.
- Normally, there is a one (1) week waiting period for EI Sickness Benefits, in which an employee would not receive payment. For example, if an employee were under quarantine or self-isolated for two (2) weeks, they would only receive one (1) week of EI Sickness Benefits.
- The Government has now waived the one (1) week waiting period. This means employees will now be able to access benefits for their period of absence, up to a maximum of 15 weeks.

D. Is a doctor's note required to access EI Sickness Benefits?

- Normally, a medical certificate (signed by a qualified medical professional) is required to access the benefits.
- As of March 11, 2020, the Government has stated that they are waiving the medical note for individuals required to go into quarantine by law or by a public-health official.
- Should the quarantine period or self-isolation period be extended, a signed medical certificate may still be necessary.

E. Will the Employer's top up an employee's EI Sickness Benefits?

- A Supplementary Unemployment Benefit Plan (SUBP) is established by the diocese and coverage is extended to *all paid active clergy in the Diocese holding a license and to all Synod Office employees*. It doesn't apply to college or parish employees.
- The SUBP tops up employees' EI benefits during a period of unemployment due to a temporary layoff for, among other things, sickness.

- The combined Employment Insurance (EI) and SUBP benefits payments, together with any other earnings, will amount to, but not exceed, 95% of the employee's regular weekly earnings, up to the maximum earnings insurable for EI purposes.
- **The SUBP is paid by the church/parish where the priest is appointed. For Synod Staff employees, the SUBP is paid by the Synod Office.**

4. **CANADIAN EMERGENCY RESPONSE BENEFIT (CERB)** **\$500/week (\$2,000 every 4 weeks) for 16 weeks**

The Federal Government introduced the new Canadian Emergency Response Benefit (CERB) – *replacing the Emergency Care Benefits*

All workers who suffer a loss of income related to the COVID-19 pandemic (due to lack of work, because they have to isolate themselves or look after loved ones) will be eligible, regardless of whether or not they are eligible for Employment Insurance.

CERB coverage can be up to 16 weeks, from March 15, 2020 to October 3, 2020. Eligible workers will receive a payment of \$2,000 every four weeks. *Applications will be submitted online, on a portal that will be implemented "as soon as possible" by the Federal Government. This web portal is expected to be up and running by early April.*

Workers already receiving EI benefits do not have to apply for CERB as long as they are receiving benefits under this program, but they will be able to apply for CERB when their EI runs out. Conversely, workers receiving CERB who are still looking for employment at the end of this program's 16 weeks of coverage will be able to receive EI benefits, if they're eligible.

5. **KEEP UP TO DATE!**

Keeping up with the latest developments on the COVID-19 pandemic is a determining factor in limiting the spread of the virus.

Rumours and fake news are also spreading quickly. Here are three sources of official, reliable information.

- **Quebec.ca/coronavirus**
In addition to Premier Legault's daily press conferences, the government of Quebec has created this resource which covers health measures being taken by the province.
- **Canada.ca/coronavirus**
Information on COVID-19 from the government of Canada, including information on international travel and Canadians currently abroad.
- **World health organization (WHO)**
WHO provides information on the spread of COVID-19 around the world, as well as health advice, on this site. Updated daily.

6. WHAT ELSE SHOULD YOU KNOW?

- You are encouraged to provide timely, transparent and ongoing communications to your employees in respect of any temporary layoffs, including with respect to any anticipated recall dates or extensions to the layoff period. To that end, you will want to ensure that you have up to date contact information for each employee so that communications are effective.
- **A Record of Employment (ROE) must be issued for each of the employees that are sick or on a temporary layoff.** Please let Sophie Bertrand (Human Resources) and Stephen Tam (Finance) know of any layoff period for an employee so we can issue the ROE and guide you through each case.

Please contact Sophie Bertrand (Human Resources) prior to any layoff as much as possible. She will be able to guide you in order to ease the process.

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