

# Workforce Updates

## Provincial Resources

### Employment Standards

New paid protected leave amidst COVID-19: Changes to the Employment Standards Code will allow full and part-time employees to take 14 days of job-protected leave if they are:

- Required to self-isolate
- Caring for a child or dependent adult that is required to self-isolate

To be eligible, employees:

- Will not be required to have a medical note
- Do not need to have worked for an employer for 90 days

This leave covers the self-isolation period recommended by Alberta's chief medical officer. This leave may be extended if the advice of the chief medical officer changes. The leave does not apply to self-employed individuals or contractors.

It is currently unclear where the financial responsibility for this paid leave will fall—the Alberta government, the federal government, by way of employment insurance or employers. The Alberta government has recognized that this amendment could unfairly burden employers and stated, "It is working towards a solution to address these challenges."

There have been no formal changes to the Code or its regulations to date, however, Albertans can expect to see changes in the coming days.

### Lay-offs During the COVID-19 Outbreak

COVID-19 continues to have an immense impact on Canadian workplaces resulting in uncertain consequences for the workplace. Given the economic challenges that continue to grow, either as a result of voluntary or forced operational shutdowns, many employers are implementing, or at least considering, temporary layoffs.

### Notice of Lay-offs

Usually employers must provide employees with notice prior to implementing a lay-off. Notice must be provided unless there is a collective agreement that states otherwise, or there are unforeseeable circumstances. Coronavirus would fall under unforeseeable circumstances. Therefore, no notice would be required due to this virus.

### Lay-off Timeline

Employers should be cognizant of the allowable timeline to temporarily lay-off employees. In Alberta, the maximum duration of a temporary layoff is 60 total days within a 120-day period.

On the 61st day of a temporary layoff, the employee's employment is considered to be ended, and the employer must pay termination pay and any remaining vacation or overtime pay.

### Lay-off Timeline Continued

The period of temporary layoff can be extended beyond 60 days if the employer makes regular payment to or on behalf of the employee, such as continuing to pay wages, employee pensions or benefits and the employee agrees to these payments in lieu of a firm limit of the length of the layoff. Termination pay is payable when payments in lieu cease.

## Federal Resources

### Canadian Employment Insurance

According to the government, those who are unable to work because they have been directed to self-isolate or quarantine will not have to wait the usual one week to receive EI sickness benefits.

Additionally, the sickness benefits can be accessed without the usual requirement of a doctor's note or other medical certificate. For more information or to apply:<https://www.canada.ca/en/services/benefits/ei/ei-sickness/apply.html>.

### Emergency Care Benefit

The emergency care benefit will provide up to \$900 every two weeks, for up to 15 weeks, to help Canadian workers who cannot go to work, do not have paid sick leave and do not qualify for EI sickness benefits. This includes those who are sick themselves, as well as those who are staying home to look after others who are sick or children who are not in school. This would apply to self-employed persons as well.

### Emergency Support Benefit

The Government of Canada will offer payments of undisclosed amounts to unemployed workers who are not eligible for EI. Applications for both benefits will open in April, at a date to be determined. When that happens, Canadians will be able to apply for them through CRA MyAccount or My Service Canada Account or by calling a toll-free number that has not yet been made public. For more information: <https://www.canada.ca/en/revenue-agency/services/e-services/e-services-individuals/account-individuals.html>.

### Income Support for Individuals Who Need it Most

For over 12 million low- and modest-income families, who may require additional help with their finances, the Canadian Government is proposing to provide a one-time special payment by early May 2020 through the Goods and Services Tax credit (GSTC). This will double the maximum annual GSTC payment amounts for the 2019-20 benefit year. The average boost to income for those benefiting from this measure will be close to \$400 for single individuals and close to \$600 for couples. This measure will inject \$5.5 billion into the economy.

For over 3.5 million families with children, who may also require additional support, the Government is proposing to increase the maximum annual Canada Child Benefit (CCB) payment amounts, only for the 2019-20 benefit year, by \$300 per child. The overall increase for families receiving CCB will be approximately \$550 on average; these families will receive an extra \$300 per child as part of their May payment. In total, this measure will deliver almost \$2 billion in extra support.

### Canadian Revenue Agency Deferring Tax Filing

In order to provide greater flexibility to Canadians who may be experiencing hardships during the COVID-19 outbreak, the Canada Revenue Agency will defer the filing due date for the 2019 tax returns of individuals, including certain trusts.

- For individuals (other than trusts), the return filing due date will be deferred until June 1, 2020. However, the Agency encourages individuals who expect to receive benefits under the GSTC or the Canada Child Benefit not to delay the filing of their return to ensure their entitlements for the 2020-21 benefit year are properly determined.
- For trusts having a taxation year ending on December 31, 2019, the return filing due date will be deferred until May 1, 2020.

The Canada Revenue Agency will allow all taxpayers to defer, until after August 31, 2020, the payment of any income tax amounts that become owing on or after March 19 and before September 2020. This relief would apply to tax balances due, as well as installments, under Part I of the Income Tax Act. No interest or penalties will accumulate on these amounts during this period.

### Support for Businesses – Government of Canada

On March 18, 2020 the Government of Canada and its partners announced further measures to support businesses. These actions are part of Canada's whole-of-government response to COVID-19, and the significant stimulus program developed to stabilize Canada's economy, support businesses and to protect Canadians.

**Help businesses keep workers** - This measure will support businesses facing revenue losses and to help prevent lay-offs, the government is proposing to provide eligible small employers a temporary wage subsidy for a period of three months. The subsidy will be equal to 10% of remuneration paid during that period, up to a maximum subsidy of \$1,375 per employee and \$25,000 per employer. Businesses will be able to benefit immediately from this support by reducing their remittances of income tax withheld on their employees' remuneration. Employers benefiting from this measure will include corporations eligible for the small business deduction, as well as non-profit organizations and charities.

**Flexibility on filing taxes** - Allow businesses to defer until after August 31, 2020, the payment of any income tax amounts that become owing on or after today and before September 2020. This relief would apply to tax balances due, as well as installments. No interest or penalties will accumulate on these amounts during this period. Employer audits will be suspended during this time.

**Business credit availability program** - Business Development Bank of Canada (BDC) and Export Development Canada (EDC) will provide more than \$10 billion of additional supports, targeting small and medium-sized businesses. This will help Canadian businesses remain resilient during these very uncertain times. BDC and EDC are cooperating with private sector lenders to coordinate on credit solutions for individual businesses, including in sectors such as oil and gas, air transportation and tourism. The credit available to farmers and the agri-food sector will also be increased through Farm Credit Canada.