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Coronavirus - Advice for Employers Preparing for the Worst

[Blog](#) Employer Advisor

Canada | January 27 2020

Introduction

Over the past week, the 24-hour news cycle has been dominated by developing reports about the spread of the Wuhan Novel Coronavirus (the “coronavirus”), which at the time of writing has killed over 80 people in China and infected close to 3,000 individuals world-wide. To contain the outbreak, China has taken the extraordinary step of placing entire cities under quarantine, thereby impacting tens of millions of people.

While officials stress that the risks posed to Canadians by the coronavirus remains low, the second presumptive case of coronavirus has recently been confirmed in Ontario. With lessons learned from previous health scares such as SARS and H1N1, employers should consider what steps, if any, they may need to take if the current situation escalates.

Symptoms and Transmission

Symptoms of the coronavirus range from common to severe respiratory illnesses and include:

- fever;
- cough;
- difficulty breathing; and
- pneumonia, kidney failure and death in severe cases.

While it is currently unclear how contagious the coronavirus is, health officials are advising Canadians to take the commonly advised precautionary measures including washing hands with soap and water, avoiding touching face with unwashed hands and staying home if feeling ill.

Legal Considerations

The same legal considerations that apply to employees who are unable to work due to illness apply to employees who fall ill or who self-quarantine as a result of potential exposure to the coronavirus. These legal considerations include obligations under employment standards, human rights, occupational health and safety, workers

compensation and privacy legislation. While the spread of the coronavirus in Canada is far from a pandemic, it is important for employers to consider their policies, benefit plans, employment contracts, collective agreements and applicable legislation to ensure that they are aware of the potential legal consequences if a pandemic does arise.

Tips for Employers

Below are some tips for employers to prepare for a possible coronavirus pandemic:

1. Prevention

- Alert employees as to the symptoms and risks associated with the coronavirus, as well as prevention measures. This information is readily available from official health sources, including [Toronto Public Health](#), the [Public Health Agency of Canada](#) and the [Ontario Ministry of Health](#).
- Encourage employees to wash their hands prior to commencing work, after sneezing and coughing, and after they touch objects that may have been in contact with people exhibiting flu-like symptoms.
- Encourage employees not to touch surfaces that may be contaminated with the flu virus and to avoid close contact with people who are sick.
- Provide hand sanitizers (and even respiratory masks), if and when appropriate.
- Review cleaning procedures in place to regularly disinfect equipment, work stations and the workplace generally.
- Consider introducing a policy requiring disclosure of employee personal travel to a coronavirus hotspot, including the province of Hubei in China and other largely affected areas. A return to work guideline that outlines whether employees returning from an at-risk-area will be required to absent themselves from the workplace and whether they will be eligible to apply for sick pay or be otherwise paid for time away from work.

2. Containment

- Require sick employees to stay home.
- Consider accommodating at-risk employees by use of alternative work arrangements.

3. Prepare for potential work refusals

- Ensure that supervisors and managers are familiar with work refusal obligations and steps as required under applicable health and safety legislation.

4. Establish (or re-activate) a pandemic preparation and response team

- Identify a team responsible to plan for a pandemic, including representatives with expertise in human resources, operations, health and safety and communications.

5. Prepare a plan

- If the employer is part of a global corporate pandemic plan, consider how the plan can be implemented locally and how it may need to be adjusted on local leave.
- Establish a process to obtain and implement local public health directives.

6. Consider whether to operate or not

- Determine to what extent the business can operate in the event of an actual pandemic.
- Assess staffing needs, including alternative work locations, overtime agreements, and alternative means of getting work done without direct human-to-human contact (e.g., remote work and telecommuting).
- Assess the effect of a pandemic on suppliers, service providers and customers.
- Consider how much time is needed for an orderly shutdown, if necessary.
- Review insurance coverage and relevant agreements to determine how the employer can meet contract terms if it decides not to operate.

7. Security Considerations

- Consider whether the employer's facility is secure, in anticipation of possible service (e.g., hydro, water) reductions, reduced staffing levels and the possible need to shut down, without much, if any, warning.

8. Determine sickness/disability coverage

- Contact insurers to determine sickness/disability coverage, including for employees who have been asked (or ordered) to self-quarantine but who are not sick.

9. Determine obligation to permit employee to be absent from work to care for sick family members

- Review applicable legislation, policies and obligations to determine if employees are entitled to family responsibility and/or other legislated leaves to care for sick family members.

10. Communication

- Determine who will be responsible for issuing communications.
- Provide information to employees about the coronavirus and associated symptoms and risks.
- Carefully and clearly communicate information, policies and procedures to all employees.
- Ensure employees get regular, updated training and information on hazards and hazard identification.
- Establish a system for employees to report their status during a pandemic, including what information they are required to communicate (and how) to the employer and when they are expected to NOT report to work.
- Ensure employee and employee emergency contact information is up to date.
- Inform employees of how the employer will communicate with them in the event of an emergency.

11. Visitors

- Where applicable, consider asking visitors to complete questionnaires in advance of attending the workplace to identify visitors who have flu-like symptoms or who may have had contact with a person infected with the coronavirus.
- Ask visitors to provide information as to where and how they may be contacted after their visit, in the event that the coronavirus develops in the workplace and they need to be notified.

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