



COVID-19

A GUIDE FOR MANAGERS OF CANADIAN FORCES MORALE AND WELFARE SERVICES

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Version 1.0

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Due to the evolving nature of COVID-19, information found within this guide is subject to change. We will distribute updated versions as they are developed.

INTRODUCTION

As COVID-19 continues to spread it presents unique challenges to employers. While the virus appears to generally cause mild to moderate illness it remains a concern given its reported ability to spread easily from person to person and its potential to cause high absenteeism rates. At all times, CFMWS is committed to employee well-being and to promoting a healthy and safe work environment.

As a key member of the leadership team for CFMWS, your employees will look to you, their immediate supervisors and managers, for information on their work environment and well-being. The COVID-19 Guide for Managers of CFMWS Personnel was developed to help ensure you are properly equipped to fulfill this role and to provide consistency in COVID-19 related communications and employee management across the organization.

The Guide has been developed specifically to assist CFMWS managers with issues likely to be raised during daily operations and covers a broad range of topics such as labour relations, workplace health and safety, employee assistance, and prevention measures. It is important to follow the Guide to ensure consistency in communicating with employees.

As part of the Business Continuity Planning (BCP) process, we are identifying services critical to supporting the continuity of our operations and the required measures needed to sustain these critical services.

It is important to note that the Guide may be updated as the situation evolves. It is critical that you keep the guide up-to-date to be prepared to respond to employee concerns in an appropriate and timely manner. To help keep your COVID-19-related information organized and up-to-date, it is recommended that you follow the steps outlined below:

1. Prepare two separate binders, one for home and one for office use.
2. Insert the Guide into the binder. Include an up-to-date contact list of your employees and HR Office, and other related material.

Contact your HR office should you have additional questions or concerns not addressed in the Guide. Be proactive. Encourage your staff to become informed and educated on COVID-19.

1. GUIDING PRINCIPLES

There are five guiding principles to assist managers in responding to COVID-19.

- Promote a healthy and safe work environment, with emphasis on preventive measures and providing support to employees
- Make informed decisions based on factual and scientifically sound information
- Ensure that plans are in place to sustain services during a period of high absenteeism
- Coordinate responses at all levels
- Communicate openly across all levels

2. YOUR ROLE

Immediate managers and supervisors are considered by employees to be the most credible and reliable source of information and guidance due to their intimate knowledge of the work environment and their interest in team and individual well-being. Our success in minimizing and mitigating the impact of COVID-19 hinges on the leadership of managers and supervisors to:

- ensure employees are kept well-informed
- promote effective measures, including proactive hygiene practices, to prevent and/or curtail the spread of the virus
- ensure that decisions at all levels are based on factual and scientifically sound information

To this end, managers must:

- encourage employees to abide with preventive health measures recommended by the Public Health Agency of Canada (or local public health authority), with increased vigilance in regions impacted by the virus. This may be reinforced by the use of posters in common areas and washrooms reminding everyone of the need for thorough and frequent hand washing;
- ensure employees understand their responsibility to self-protect including recognizing the early symptoms of COVID-19 and staying home if sick;
- encourage open and ongoing communications, increase awareness and education by ensuring all employees are provided with internal communication material, including hard copy where employees do not have readily access to computers, as well as conduct regular briefings to keep employees informed of the latest developments;
- support employees experiencing stress in the workplace; and

- develop and implement human resources strategies to ensure the continued availability of critical services

3. DEALING WITH SICK EMPLOYEES AND/OR THOSE WHO HAVE POTENTIALLY BEEN EXPOSED TO COVID-19

As a manager you must exercise all reasonable precautionary measures to ensure the health and safety at work of every employee during a COVID-19. If an employee shows signs of COVID-19 such as **fever, respiratory symptoms, cough, shortness of breath and breathing difficulties**, and may be contagious, you must act to ensure other employees are protected from the contagious individual.

Employees affected by COVID-19 (directly or indirectly) are to remain at home and take time (to quarantine or isolate themselves), to care for themselves or a family member. They must advise their manager. Managers are required to review individual circumstances and reasons preventing an employee from reporting for work and approve leave as appropriate.

Requests for leave related to COVID-19 should be reviewed and approved in accordance with the usual eligibility criteria outlined in HRPOL or the applicable collective agreement. Depending on the circumstances and the status of the employee, types of leave may include: sick leave, family related leave, vacation, or leave without pay.

Q1. What should be done if an employee comes to work or is at work and is demonstrating symptoms of COVID-19?

If the employee is in the workplace and exhibiting symptoms of COVID-19, you should direct the employee to go home and to seek medical attention. COVID-19 symptoms include **fever, respiratory symptoms, cough, shortness of breath and breathing difficulties**. In these situations, employees should use sick leave (either paid or unpaid, depending on the circumstance).

Employees must not return to work until they receive medical clearance from a physician.

In cases where an employee is unable to obtain appropriate medical documentation because of COVID-19, you should consult with your HR Office for guidance on options for dealing with that specific situation.

After sending the employee home, the manager should immediately contact their supervisor and HRM to advise that an employee has shown symptoms of COVID-19 so that the Employer may take an informed decision about next steps.

Q2. What should I do if an employee calls to advise that they have become ill with COVID-19 or have symptoms such as fever, respiratory symptoms, cough, shortness of breath and breathing difficulties?

Advise the employee to stay home and ask them when they first developed symptoms. If the employee was at work shortly before developing symptoms, advise your manager and HRM immediately as additional steps may need to be taken.

Upon the employee's return to work, they will be required to submit a request for sick leave (either with or without pay, depending on the circumstance) for the absence in accordance with HRPOL and the applicable collective agreement. You should follow up with the employee to enquire on his/her recovery and confirm a scheduled return to work date; however, **employees must not return to work until they receive medical clearance by a physician.**

Q3. What type of leave should an employee use to take time off to provide care for a family member who is ill?

Employees may request family related leave, vacation leave, or leave without pay. If the employee has been advised by a physician that they are required to self-quarantine due to potential exposure, they may submit a request for sick leave with appropriate medical documentation.

All leave requests must be considered by the manager in accordance with the provisions of HRPOL and the applicable collective agreement.

Q4. What do I do if the employee who is exhibiting symptoms of COVID-19 refuses to leave the office?

In this unlikely event, remind the employee that the responsibility to ensure the health and safety of all employees is a **shared responsibility** and does not rest solely on the manager. Employees also have a responsibility to take reasonable and necessary precautions to safeguard other employees. In such a situation, you should explain your obligation and that of the employee to protect all employees and that leaving the workplace is the best approach given the possible risk of spreading the virus. If the employee insists on remaining in the workplace, indicate their action may be considered insubordinate and disciplinary action may result.

Q5. What do I do if an employee is at work and is not exhibiting signs of COVID-19, and expresses concern for his/her health and safety?

Employees who are not exhibiting signs (**fever, respiratory symptoms, cough, shortness of breath and breathing difficulties**) are expected to report to work. Reiterate that the Employer is keeping informed of measures to ensure that the workplace is healthy and safe and that the following simple steps to prevent the spread of the virus are recommended by PHAC:

- Wash your hands frequently (for 20 to 30 seconds).
- Cough or sneeze into your sleeve, not your hands
- Avoid touching your eyes, nose or mouth, especially with unwashed hands
- Keep common surfaces clean and disinfected
- Keep a minimum of 1 meter distance when in conversations
- If you get sick, stay home!
- Seek immediate medical care if you have COVID-19 like symptoms

You should refer the employee to 1-833-784-4397, canada.ca/coronavirus or phac.info.aspc@canada.ca for more information.

4. MANAGING OPERATIONS AND EMPLOYEES DURING COVID-19

With regards to COVID-19, managers can expect similar concerns as those observed in the general public to manifest themselves in the workplace. The most effective means of addressing these concerns is to ensure employees are well-informed by continually providing up-to-date and factual information. As a manager, you may have to respond to various requests and while you need to exercise your discretion with compassion, you must keep in mind your organization's need as well as your obligation in accordance with the provisions of HRPOL and the applicable collective agreements. The following guidelines will assist you in making informed decisions in this regard.

4.1 Mobility of Staff / Change of Workplace

Employees can be required to work from home and/or at a location other than their usual workplace in the event of an emergency (including a public health emergency). A change of workplace may be required for reasons such as, but not limited to, workplace health and safety or the requirement to sustain the continuity of critical services provided at other locations.

Q1. Can I ask employees to perform their duties in a different work location?

Yes, managers have the authority to request that an employee work from an alternative location. If you are considering this, please consult with your HR office on what steps need to be taken.

Q2. If an employee is asked to temporarily report to another work location within his/her normal geographical area, will CFMWS pay for parking or transportation?

No, CFMWS employees are responsible for the cost of transportation to and from work when working within their normal geographical area.

Q3. If an employee is asked to temporarily report to another geographical area (for e.g. another Base/Wing/Unit), will CFMWS provide the transportation or pay for his/her travel to the new location?

Yes, if an employee is required to temporarily work from another geographical location, he/she will be considered on travel duty (TD) and will be entitled to reimbursement of travel expenses in accordance with the NPP Travel Directive.

4.2 Additional and/or related duties

The majority of job descriptions allow for varying amounts of work to be performed under "other related duties." During an emergency, employees may be tasked to perform additional related duties. As a manager, you have the right to assign duties at your discretion. However, you are encouraged to discuss classification issues with your employees and seek advice from your HR office. Every effort should be taken to ensure that employees are:

- properly trained to perform newly assigned/additional duties
- given appropriate delegated authority
- provided with appropriate safety and personal protective equipment (if applicable)
- not placed at undue risk

4.3 Pay

In the event an employee is asked to perform duties of a higher level position, they will be remunerated in accordance with the provisions of HRPOL or the applicable collective agreement. Employees required to perform duties of a lower level position will continue to be remunerated at the rate of pay of their substantive position for the duration of their temporary duties.

4.4 Hours of Work

As a manager you have the right to assign hours of work in accordance with the provisions of HRPOL and the applicable collective agreement. However, you must ensure that employees are not put at any additional risk as a result of a change to their work schedule.

4.5 Overtime

As a manager you have the authority to require employees to work additional hours or overtime in order to meet operational requirements, up to established limits. Overtime should be assigned in accordance with HRPOL and any applicable collective agreement.

4.6 Office Closure

Pending further direction provided by the Employer, in the event that the Employer temporarily closes an outlet or office due to COVID-19, and the employees are told not to report to work, the affected unionized and non-unionized full-time and part-time NPF employees (including students who work full-time or part-time) will continue to be paid for the hours they had already been scheduled to work during the time the office/outlet is closed. Casual employees will only be paid for the hours they have worked.

The authority to close offices or outlets rests with the CEO, Division Head or Base Commander, as applicable, who will base their decision on demonstrable health and safety or operational concerns.

In the event of a temporary office or outlet closure, the Employer may require some employees to continue working, either from an alternate on-site or off-site work location or from home. Further, in this event the Employer may require employees to perform other duties not normally part of their job. Employees who perform essential or critical services may also be required to continue to perform these duties while the office or outlet is closed.

Employees will be required to provide up-to-date contact information to their managers and the HR Office and will also be required to stay in regular contact with their managers regarding the situation.

4.7 Alternative Work Arrangements / Telework

Managers with the appropriate delegated authority can approve alternative work arrangements for employees, such as telework; however, consideration must be given to the circumstances leading to the request.

Q1. If an employee wants to work from home to avoid getting sick, can I approve this?

The approval of such requests is at the discretion of the managers with the delegated authority. These requests will have to be carefully reviewed and must take into consideration the specific reasons for the request, the feasibility of performing the duties and responsibilities of the job from home and operational needs. Normal business practices should be followed unless local/regional

health authorities recommend that work from home arrangements should be approved as a public health measure.

4.8 Vacation Leave

Q1. I approved vacation leave for an employee and the office was subsequently closed (or operations were suspended), does the employee still have to use up vacation days?

Yes. If an employee's annual leave was previously approved before the building closed down, the employee had already planned on not reporting to work during that time. Therefore, the employee would not be affected by the office closure. This also applies to any pre-approved leave.

4.9 Cancellation of Leave

Q1. If vacation leave has already been approved for an employee, can the Employer withdraw the leave and require the employee to report to work?

Management has the authority to cancel leave due to operational requirements. Your decision to cancel annual leave is to be taken after all other options have been considered. Any portion of vacation leave not taken is returned to the employee's leave bank. It is recommended that you consult with your HR Office on a case-by-case basis.

5. TRAVEL

Effective immediately, NPF managers with travel approval authority will assess all work-related travel requests on a case by case basis. Travel to countries/regions experiencing an outbreak of COVID-19 will only be authorized when deemed operationally essential. Further, when assessing travel requests, managers should consider the operational risks related to the possibility of unexpected and rapidly developing restrictions on freedom to maneuver. These could include the establishment of cordons, refusal of entry to foreign nationals based on travel history, and/or new quarantine or isolation requirements.

For NPF employees currently in an OUTCAN position, they should be prepared to implement host nation and allied directives as applicable.

For NPF employees currently on deployment, they should be prepared to implement host nation or Task Force Commander directives as applicable, whichever is the most restrictive.

Directors and Managers must also assess all planned activities that involve large gatherings and be prepared to cancel or postpone involvement in international events if necessary. This may extend to domestic events should Canada declare COVID-19 a pandemic.

Managers are also encouraged to leverage technological solutions to reduce the need for large face to face meetings.

6. OCCUPATIONAL HEALTH AND SAFETY (OHS)

As a manager, you have the responsibility for ensuring the health and safety of your employees. Under the *Canada Labour Code, Part II*, you must comply with a list of specific duties. In the context of COVID-19, you are responsible for:

- ensuring that employees are **aware of** known or foreseeable hazards and what measures are in place to reduce or eliminate the hazard
- familiarizing yourself with your responsibilities in dealing with an employee's right to refuse dangerous work, and/or occupational health and safety complaint
- ensuring your employees are aware of their right to refuse dangerous work and/or make an occupational health and safety complaint

You can obtain advice from your local HR Office, Health & Safety Mgr –HQ, and The Public Health Agency of Canada regarding health and safety processes and procedures, including the right to refuse to work and health and safety complaints. These processes are set out in:

- Canada Labour Code, Part II
- HRPOL section 13 Annex C - Refusal to Work
- HRPOL section 13 Annex B - Internal Complaint Resolution

6.1 Refusal to Work/Health and Safety Complaints

As a manager, you and the employee who refuses to work or makes an OHS complaint must attempt to resolve the matter at the lowest level possible, which may require the assistance of a health and safety committee member or the HR Office. Contact your local HR Office for advice on how to manage such a situation.

If a refusal to work or OHS complaint cannot be resolved by the parties, Employment and Social Development Canada (ESDC) (Labour Program) must be informed. In these situations, a ESDC Health and Safety Officer will investigate and issue a decision.

Q1. Do employees have the right to refuse to work for health and safety reasons?

Under the *Canada Labour Code Part II*, employees have the right to refuse to do a job if there is reasonable cause to believe that something presents or constitutes a danger/hazard to himself/herself or a co-worker; for example:

- a condition exists at work
- the use or operation of a machine or thing
- the performance of an activity

Employees **who** refuse to work must follow the proper procedures as follows:

- Notify you without delay of the refusal to work and explain the circumstances. The refusal to work cannot be exercised if it puts another person directly at risk or if it is a normal condition of employment.
- If **after** consulting with you, an employee still indicates that his/her health and safety is at risk, the employee may continue the refusal and concurrently inform you and the workplace health and safety committee or your HR office without delay. The workplace parties will investigate the refusal to work.

- Afterwards, if you dispute the matter or have taken steps to protect employees and the employee has reasonable cause to believe that the danger or risk still exists, you must contact ESDC at 1-800-641-4049 to investigate the continued refusal to work. Your HR office will assist you with this.

Q2. Can an employee refuse to do work that is outside their job description?

In the event of an emergency, you may require employees to perform other related duties or a mix of tasks other than normal day-to-day duties they have not been previously called upon to perform, or to perform duties in another geographical location – see the paragraph on Mobility of Staff for further information. Employees cannot refuse to perform these duties simply because they fall outside their job description. At the same time the employee must have the knowledge and competency to assume such duties in a safe manner. Refusal to work under this section has to be based on demonstrable health and safety concerns. Refusals to work are to be treated on a case-by-case basis and the same steps are to be followed as per previous question.

Q3. Can an employee refuse to serve a client whom they believe is sick?

Normally, we do not refuse service to clients. In the case of COVID-19, however, you must provide your employees with direction on appropriate measures to protect their health and to prevent the spread of disease in accordance with PHAC advice. Under these circumstances, decisions may be made to direct sick clients to other channels (internet, telephone, mail) as appropriate. In the event these decisions are made, you must keep your staff informed of the procedures to do this. You must communicate to your employees that they should inform you when they consider their health and safety are at risk.

Q4. What do I do if I receive an OHS Complaint related to COVID-19?

An employee who believes that there has been a contravention of the *Canada Labour Code*, Part II or that there is likely to be an incident or injury to their health arising out of, linked with or occurring in the course of employment, has the right to make a complaint. You should attempt to resolve the matter through discussion with the employee. If you and the employee are not able to resolve the matter, an investigation involving a health and safety committee member or HR Office is required.

If the parties are unable to resolve the complaint, a ESDC Labour Program Health and Safety Officer may need to be contacted. The ESDC Health and Safety Officer will then investigate the complaint. You should advise your local HR office who will report the case to the Environment, Health and Safety Manager.

Q5. Will employees be expected to complete an injury compensation form as a result of becoming ill with COVID-19?

Generally, employees will not be required to complete an accident report. However, if an otherwise healthy employee is sent home by NPF as a result of potential exposure to the virus from an infected co-worker, please contact your HRM who will assist you in assessing the specific situation.

7.2 Prevention Measures and Personal Protective Equipment (PPE)

Management strongly encourages the promotion and observance of the preventive measures recommended by PHAC to help curtail the spread of COVID-19. As a manager, you should encourage employees to consult Canada.ca/coronavirus to obtain current, factual and scientifically sound information on COVID-19. PHAC, World Health Organization (WHO) and Health Canada

remain the foremost authorities for advice on issues pertaining to preventive practices, including the issuance of personal protective equipment.

Q1. Will CFMWS employees be receiving masks and gloves?

At this time, CFMWS will not be providing personal protective equipment (masks, gloves, or goggles) as a rule to employees given that PHAC does not consider them necessary for individuals not experiencing symptoms of the virus.

You should encourage and remind employees of the preventive measures recommended by PHAC:

- Wash hands thoroughly with soap and warm water, or use hand sanitizer (i.e. an alcohol-based hand-rub- minimum of 60% alcohol)
- Cough and sneeze in your arm or sleeve, not your hand
- Keep common surfaces and items clean
- Keep doing what you normally do, but stay home if sick
- Seek medical care if you have COVID-19 symptoms (**fever, respiratory symptoms, cough, shortness of breath and breathing difficulties**)
- Check the Canada.ca/coronavirus website for more information

7.5 Duty to Accommodate / Higher Risk Employees

As a manager you should be proactive in encouraging an employee to self-identify if they are at a higher risk than normal to infection by COVID-19 – due to a high-risk medical condition or an identified condition, such as pregnancy, respiratory condition, diabetes, immune deficiency condition. Proactive efforts should be made to obtain this information in advance to prepare for COVID-19. To qualify under duty to accommodate, employees will be required to provide a medical certificate to attest to the higher than normal risk. Measures to accommodate the employee must be considered during the ongoing COVID-19 situation.

When assessing a duty to accommodate, you should follow the 5-step process for identifying the employee's limitations and possible solutions described below:

1. Assess the employee's risk and accommodate when necessary

- Request that the employee consult their family doctor or a qualified health professional if they do not know the extent of their risk or ways to reduce risk.
- Discuss with the employee the preventive practices set out in this guide.

2. Gather relevant information and assess solutions

- Request, if necessary, additional information such as a medical note

Note: Before any decisions are made, relevant information must be obtained to ensure that the most appropriate accommodations under the circumstances are provided.

3. Make an informed decision

Now that the situation has been defined and assessed, a decision must be made. Steps 1 and 2 will help determine the criteria and boundaries for the decision.

- Respond immediately by implementing ways to reduce the risk, such as alternative work arrangements; for example, reducing the amount of contact the employee may have with other employees.

4. Communicate the decision

- Identify any implications or issues that may affect the employee's team or work area.
- Discuss with the employee the most appropriate mechanism to communicate, for example, the employee's alternative work arrangement.

5. Follow-up and keep records

- Follow-up on a regular basis to ensure the accommodation meets the needs and modify, if necessary.
- Document accommodations and provide pertinent information only to those involved in the accommodation process in order to respect privacy and confidentiality.
- Keep accommodation documents including recommendations from physicians, confidential and separate from personnel files.

You should consult with your HR Office for any circumstances not covered in the following information.

8. ASSISTANCE TO EMPLOYEES AND FAMILIES

Employee and Family Assistance Program (EFAP)

The effects of situations such as COVID-19 may cause employees additional stress. This stress may manifest itself immediately or be delayed. Physical and/or psychological symptoms may appear and normal coping capabilities may be affected until the problem is recognized and resolved. To support your employees who may experience psychological distress at the workplace due to COVID-19, you should familiarize yourself with signs and symptoms related to stress and stress management techniques. EFAP services are available to staff by contacting the EFAP at <https://www.morneaushepell.com/ca-en> (please remind employees to indicate they work for CFMWS).