

Goodmans^{LLP} Update

Proposed Amendment to *Employment Standards Act, 2000* (Ontario): Job Protection to Workers Affected by COVID-19

Summary

The Ontario Provincial Government announced on March 16, 2020 details of its proposal to amend the *Employment Standards Act, 2000* (Ontario) (“ESA”) to provide job protected leave for workers unable to work as a result of COVID-19 and to ban employers from asking workers to provide sick notes if they are unable to work as a result of a COVID-19.

Amendment to ESA

The proposed amendment to the ESA would apply to Ontario workers unable to work as a result of COVID-19, including to workers who are unable to work because they are subject to an investigation, supervision, treatment, isolation, or quarantine as a result of COVID-19. The amendments would also apply to workers caring for family members and dependents for a purpose relating to COVID-19, including as a result of a school or daycare closures.

The proposed amendments (if passed) would have retroactive effect as of January 25, 2020 and would continue for an indefinite period of time.

Waiver of EI Waiting Period

The announcement of the proposed amendments follows the Federal Government’s recently announced changes to employment insurance, which will waive the one-week waiting period for people who are in quarantine or have been directed to self-isolate and are claiming for Employment Insurance sickness benefits.

We will continue to update you as more details of the amendments are released.

For further information, please contact any member of the [Employment and Labour Group](#).

Authors



Luke Bell
lbell@goodmans.ca
416.849.6011



Lauren Butti
lbutti@goodmans.ca
416.597.6259



Joe Conforti
jconforti@goodmans.ca
416.597.4177



Susan Garvie
sgarvie@goodmans.ca
416.597.4141

All Updates are available at www.goodmans.ca. This Update is intended to provide general comment only and should not be relied upon as legal advice.

© Goodmans LLP, 2020.