



CLEO

Community Legal Education Ontario
Éducation juridique communautaire Ontario

Workers' Rights during COVID-19

Hosted by CLEO in partnership with:

John No, Parkdale Community Legal Services

Joanna Mullen, Mississauga Community Legal Services

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Disclaimer

This webinar is for general information purposes only and is not legal advice. The legal information and answers provided live by our legal experts and by our staff in the Q+A are not intended to be used as legal advice for a specific legal problem. This webinar was recorded on June 3rd 2021 and reflects developments in the law before that date.



Land Acknowledgement

We acknowledge that since time immemorial the land on which we live and work has been the home and traditional territory of Indigenous Peoples, including the Mississaugas of the Credit, Haudenosaunee and Wyandot, and is now home to many diverse First Nations, Inuit, and Métis relatives. CLEO's work is also carried out across the many traditional territories of this land that is also known as Ontario. We acknowledge our privilege as well as our role in the systems of colonization.

CLEO staff are learning to be better allies by participating in training about the systemic nature of anti-Indigenous racism in Canada. We are strengthening ties to Indigenous-serving organizations in order to produce information and resources that reflect the experience of Indigenous Peoples and develop training that is more relevant for and accessible to Indigenous Peoples.



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Outline

- 1) Overview of the impact of COVID-19 on workers and their jobs
- 2) Poll for participants
- 3) Questions and Case Scenarios (Part 1)
 - Your questions from the Q+A
- 4) Questions and Case Scenarios (Part 2)
 - Your questions from the Q+A
- 5) Resources



Impact of COVID-19

- Canada - 5.5 million workers lost their jobs or had more than half of their hours cut – not including undocumented workers
- low wage workers hit hardest in job loss – majority are racialized women, Indigenous & Black workers
- Ontario – 7,900 COVID 19 infections attributed to workplace transmissions
- many temporary layoffs have become permanent



POLL

Which best describes the community or clients you work with?

(multiple choice)



Questions:

Can employers require workers to get vaccinated?

Can employers ask for proof of vaccination?



Question:

Can a worker refuse to work if they feel the workplace is at risk for COVID-19?



Question:

When workers have a disability that causes them to be immunocompromised, are they required to return to work?



Question:

What should employers be doing to facilitate a safe return to work?



Case scenario

Matt works as a welder in a business run by a local family.

He has read on social media that the vaccine isn't safe and has chosen not to be vaccinated.

Every week, the business owner's son asks him if he's registered for the vaccine. Matt always responds saying he isn't getting the vaccine.

The owner's son becomes increasingly more aggressive, pressuring Matt to get vaccinated. Matt makes a complaint with the owner of the business about his son's harassing behaviour and the next day he is terminated.

What are Matt's rights?



Case scenario

Fatima works as an administrative assistant for a large corporation. She earns \$630 per week based on a 35-hour work week.

Prior to the pandemic, she worked in the office and almost always left around 5 p.m.

Since the pandemic, the employer has required her to work from home. But she has noticed that all her tasks seem to take longer to complete and she often works until 7 p.m.

She has never raised this as an issue with her employer, but the employer should have seen that she is sending work emails well after 5 p.m. Fatima still earns \$630 per week.

Is this a problem? And if so, what can Fatima do?



Questions?

Please ask your questions using the Q&A feature not the chat.



Questions:

What rights do I have to take sick time for myself or to care for my children during COVID-19?

If workers need to take a day off to get vaccinated, can they do that?



Question:

When workers have been **laid off** due to a COVID-19 shutdown, what are their rights?



Question:

When workers are **terminated** due to downsizing or lack of work due to COVID-19, what are their rights?



Question:

When can a worker sue for **constructive dismissal** due to reduced wages or hours due to COVID-19?



Case scenario

Ivan works at a health food store that mostly depends on foot traffic – customers coming into the store to purchase items.

Like other full-time employees at the store, Ivan used to work 40 hours per week and earn \$20.00 per hour.

But recently, his employer reduced the full-time employees' hours to 30 hours per week and reduced their pay to \$18.00 per hour due to reduced sales. Ivan can barely pay his bills at these reduced rates.

What can Ivan do?



Case scenario

Priya works in a drug store as a pharmacy technician.

She is a single mother without family support nearby. When her daughter's school closes due to a COVID-19 shutdown, she tells her employer that she needs to take an Infectious Disease Emergency Leave.

A few months later, after the schools have reopened, she tells her employer she is ready to return to work.

Her employer says her position has been filled and terminates her employment.

What can Priya do?



Questions?

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COVID:19 Updates on the law and legal services

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Announcements

- Welcome to the new look for Steps to Justice
- New Family Law Guided Pathways to change your final family law court order or support agreement
- New information on Elder Abuse
- New Family Law Guided Pathway for preparing for your trial management conference: Form 17E or TSEF

Legal Topics

- COVID-19**
Employment and Work Income Assistance
Housing Law See all
- Family Law**
Decision-making and time with children
Separation and divorce Child support
See all
- Employment and Work**
Employment Insurance
Getting fired or laid off Time off work
See all





Steps to Justice information:

- Questions related to Employment and Work
- Questions related to COVID-19 and Employment and Work



Where to get help?

- Your local legal clinic: <https://www.legalaid.on.ca/legal-clinics/>
- Workers' Action Centre: **1-855-531-0778** or <https://workersactioncentre.org/>
- Ministry of Labour's Employment Standards Information Centre: **1-800-531-5551** or <https://www.labour.gov.on.ca/english/feedback/>
- Sudbury Workers Education and Advocacy Centre (serves Northeastern Ontario) **1-866-470-2173** or www.sudburyworkerscentre.ca
- Human Rights Legal Support Centre: **1-866-625-5179**: [HRLSC](#)



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