

## COVID-19: The new normal in the workplace.

Our economies are slowly opening up across the country and restrictions are being lifted as we all look forward to getting back to 'normal'. But, our prior sense of 'normal' is no more. Before employers can think of reopening their workplaces and having employees back to the office, employers need to implement a roadmap to recovery to ensure that employees' health and safety continue to be the first priority. This may well become the new 'normal'.

Physical distancing in the workplace will be required. Employers will need to review the layout of their workplaces to determine what changes need to be made to ensure employees are always six feet apart. This and other measures are outlined below.

- Workstations may need to be moved and rearranged.
- Protocols will need to be implemented for the use of boardrooms, lunch areas, and shared bathrooms, among other locations and spaces.
- Staggered working hours, including arrivals and departures will need to be coordinated including lunch times, etc.
- For some positions and employees it may be better overall to have them working from home. Health and safety is still relevant even where workers are working outside of the office. Employees can still make claims if they sustain a workplace injury while in their "home office."
- Federal and provincial public health instructions will need to continue to be followed. These instructions include requiring employees to disclose if they are either experiencing any COVID-19 symptoms or if they have been exposed to a known case of COVID-19. Until guidelines change, any such employees must stay home and follow the directives of public health. Employers will still have to provide job-protected leaves of absence for employees who need to self-isolate or recover.
- Hygiene and cleaning measures of the workplace will need to be ramped up when employees are back in the office. Employers have a legal duty to implement reasonable measures to prevent people from contracting COVID-19 or any other diseases at the workplace.
- Personal protective measures such as gloves and masks may be required and need to be provided by employers.
- Employers may have to continue travel bans on all non-essential business travel. However, an employer cannot generally prohibit its employees from leisure travel. Employers can however require employees to report if they have travelled or will be travelling outside of Canada and adopt a policy that requires employees to "self-quarantine" and work remotely

for 14 days after returning to Canada.

- If an employee contracted COVID-19, proof of fitness to return to duty may be required. Occupational health and safety legislation requires employers to take every "reasonable precaution" necessary to protect their workers.

We continue to monitor the best practices that employers need to consider in their plan to recovery and will keep you updated. It should be noted, that these health and safety actions are enhanced because of the pandemic, but guidelines and policies to protect workers and provide for flexible work arrangements, personal protective equipment and statutory leaves have always been there.