**Returning to Work during and/or post COVID-19**

As restrictions start to ease regarding Covid-19, employers need to carefully plan the return to work of employees with the expectation that a “new normal” will define the workplace, at least for the foreseeable future until Covid-19 is no longer a widespread issue. Health and safety of employees, and other stakeholders, will continue to be front and centre in any return to work plan.

Following are some questions for NSOs to consider as they chart their respective return to work plans.

1. Can your organization return employees to work, even gradually?

* To answer this question you will want to chart your operational needs: “must have as soon as possible” versus “can hold off a little longer”. This should indicate who needs to come back and when.

1. What changes are needed to make your workplace “Coronavirus safe”?
   * Does your workplace’s physical layout allow for appropriate social distancing? Do any changes need to be made to the physical work areas?
   * How will your workspace be regularly cleaned and sanitized?
   * Can you provide your employees with masks and gloves if they desire these?
   * Will you have sanitizers available (for hands and work surfaces)?
   * Do you have a policy regarding not coming to work ill, specifically if an employee experiences symptoms of Covid-19?
   * Make communal areas inaccessible, ie no kitchen area where coffee, water, fridges, microwaves are shared.
   * Have a policy on social distancing.
   * Ensure meetings respect social distancing and can be held via alternate means, ex video calls.
   * Have a policy regarding visitors to the workplace?
   * If you share space with other organizations, check the measures that they are implementing to ensure there is alignment and no added risk to your staff.
   * Are there other ways to help employees be safe at work? Ask employees about their concerns so that these can be addressed in advance and as part of the planning.
2. Do you have contingency plans for work that must be done by somebody who is/becomes unavailable to do the work? Are employees cross-trained? Can the work be parsed amongst available and qualified employees? Can it be outsourced? Can it be completed remotely?
3. Can work hours be staggered, especially for anyone who has to use public transit to avoid the busy times or who has personal circumstances to address?
4. If you have temporarily laid off employees, keep an eye on the duration (every province has its own duration parameters) so that you don’t inadvertently exceed the maximum and possibly trigger a termination

* If you haven’t already done so, look into the federal wage subsidy program to help you return your employees to work while defraying payroll costs.

1. If you have employees working from home, can this continue? If yes, for how long?

* If you haven’t already done so, look into the federal wage subsidy program to help defray your payroll costs.
* If the wage subsidy program is not an option, and you run out of work and/or cannot sustain the payroll for some or all of the employees, consider work-sharing or a temporary layoff (see previous article: “Workforce Planning Questions and Considerations during COVID-19”).

1. If the return to work does not equate to regular hours, ie hours of work are less than what the employee would normally work, then consider:
2. Discussing with employee(s) a temporary voluntary reduction in hours for a defined period
   * any voluntary agreement must be clearly set out in writing
3. work-sharing or a temporary layoff (see previous article: “Workforce Planning Questions and Considerations during COVID-19”).

**Be careful when making changes to employment terms and conditions, ex. wages and/or hours of work, even if temporary, so as to not trigger a constructive dismissal. Remember to put all decisions that impact the employee relationship in writing and get consent / acknowledgement where appropriate and required. If in doubt, consult with an employment lawyer first.**

1. If the organization will not be able to support the approval of vacation requests upon return to work:
   * let employees know that asap so that you can both better plan mutually acceptable vacation time.
   * review your current polices and consider exceptions to carryover and requests for shorter vacation use. Put such exceptions in writing with clear timeframes.
2. If your benefits program has an Employee Assistance Program component, remind employees of this resource. This pandemic period has been difficult for everybody and such a resource is invaluable to individuals experiencing issues that they would not feel comfortable discussing at work and/or with others.

***Happy to discuss any questions that you may have. Stay safe!***