March 24, 2020

**RE: CLOSURE OF NON-ESSENTIAL WORKPLACES**

As many of you may now be aware, on March 23rd, the Government of Ontario ordered the closure of all non-essential workplaces, effective at 11:59PM on March 24th.

Construction has been deemed an **ESSENTIAL SERVICE**, which means that most work will be continuing.

LiUNA Ontario Provincial District Council (OPDC) sent a letter to the Hon. Monte McNaughton, Minister of Labour, Training and Skills Development, outlining LiUNA’s ongoing and serious concerns for the safety of our members and their ability to stay healthy on the job site during the COVID-19 pandemic. LiUNA has asked the Minister for on-site support from Ministry inspectors to ensure best practices are being followed on every job site. The full text of that letter can be viewed at the end of this notice.

**TO OUR EMPLOYERS:**

1. To those who have already implemented and are following the best practices and safety protocols laid out by the Chief Prevention Officer and our public health officials in relation to the COVID-19 pandemic, thank you for being proactive and for putting the safety of your employees first. To those who are not adhering to these protocols and best practices or who are not actively enforcing them on the job site, please be advised that we will be utilizing the Ministry of Labour inspectors and our Business Representatives to ensure all employers are in compliance. If an employer refuses to cooperate with these protocols, their sites may be shut down.

2. Thank you to those employers who have voluntarily shut down their projects, either because it became impossible to adhere to the protocols due to the nature of the project, or out of an abundance of caution for the current public health situation and the safety of their employees.

**TO OUR MEMBERS:**

1. Under the *Occupational Health and Safety Act (OHSA)*, every worker in Ontario has the right to refuse work that is not safe. This right has not been extinguished by the declaration of "essential workplaces".
Section 43 of OHSA states, among other conditions, that a worker may refuse to work or do particular work where he or she has reason to believe that (b) the "physical condition of the workplace" or the part thereof in which he or she works or is to work is likely to endanger himself or herself. Upon notice of a work refusal, an Employer is obligated to investigate the work refusal, properly document the work refusal and investigation, and take all necessary measures to fix the situation.

The Employer has a duty to take all reasonable precautions for the safety of all employees, so if you see something, say something.

If you have concerns about your health and safety, you should refuse and immediately report the situation to your employer, your union representative and the Ministry of Labour who can be reached at: 1-877-202-0008.

2. Government-imposed social distancing measures have now escalated drastically to help reduce the spread of COVID-19. It is strongly recommended by public health professionals at all levels of government that everyone should be practicing proper hygiene and regularly disinfecting common surfaces, mobile phones, and touch points in their homes (handles, light switches, etc.). In addition, everyone should practice extensive social distancing when outside the home, and self-isolate entirely for 14 days if at any point you or anyone in your home develops symptoms consistent with COVID-19. We fully support these recommendations and would urge all Local 1059 members to comply with these evidence-based preventative measures for the good of everyone in our community.

For information on how to effectively socially distance, as well as a list of symptoms to watch for, visit the Middlesex London Health Unit website.

3. Our administrative offices are closed to the public, but staff are working remotely (Monday - Friday, 8AM-5PM) and services remain fully functional.

Benefits Claims/Information
For assistance/information on benefits, call 519-455-8083 x228. Members can fax or email claims along with a medical claim form to 416-631-3064 (fax) or switchboard@globalben.com (email). The Global Benefits app can also be used for benefits claims.

4. The Local 1059 Training Centre is closed until further notice. Some courses may be available online. For more information, call 519-455-5299.

Our Business Representatives will be available by phone, text, and email to answer any questions you may have and ensure you understand your rights during this time. They are also available for job site visits.
The COVID-19 pandemic has impacted families around the world in a variety of ways, and the short-term and long-term implications of this outbreak are considerable. We are facing unprecedented uncertainty when it comes to our economy, health, lifestyle, and interpersonal relationships. Many of our usual habits and standards have been temporarily suspended, and this is an unnerving situation for most. With this in mind, I want you to know that Local 1059 is dedicated to supporting you and your family through this difficult time. To that end, please see below for information on resources that you can access for financial and healthcare support.

**Resources:**

**Addiction Services of Thames Valley** (addictions and mental health support)

Call Josh Keene at 226-376-2629. Visit [www.adstv.on.ca](http://www.adstv.on.ca) for more information.

**MembersHealth 24/7 Telemedicine Service**

This service is provided to you and your family free of charge as part of your comprehensive benefits package through the Local 1059 Benefit Trust. If you have not already done so, you can register for MembersHealth by visiting [www.members-health.com](http://www.members-health.com), calling 1-800-484-0152 or emailing 1059team@members-health.com.

**EI & Other Relief Supports**

Scroll to the end of this notice to view the document: *Government Supports During the COVID-19 Crisis*.

**Note:** Members of Parliament (MP)’s offices are available to assist if you run into any difficulty with the EI application process, Canada Child Benefit, or other federally administered programs. This service is free of charge. If you do not know who your MP is, you can search using your postal code on the Elections Canada website at [this link](http://www.election.ca).

As always, your health and safety are our top priority, and I wish you and your families good health in the weeks ahead. Unions are based on the premise that there is power in numbers, and that many people working together can accomplish great things for the whole. I encourage you to keep your spirits up, find joy whenever possible, and do what you can to support your neighbours and fellow union members through this challenging period in our lives.
All my best,

Brandon MacKinnon  
Business Manager  
LiUNA Local 1059
VIA EMAIL

March 24, 2020

Honourable Minister Monte McNaughton
Ministry of Labour, Training and Skills Development
14th Floor, 400 University Ave
Toronto, Ontario M7A 1T7

Dear Minister McNaughton:

Re: COVID-19 and LiUNA, OPDC

On behalf of the over 100,000 hard working men and women represented by the affiliated local unions of LiUNA’s Ontario Provincial Council ("OPDC"), thank-you for what you are doing, and your staff are doing, at the Ministry of Labour Training and Skills Development ("MLTSD") during the COVID-19 outbreak.

As you know many of our job sites and work locations have been designated essential services, as of yesterday, by Premier Ford.

My purpose in writing to you now on behalf of the great membership of LiUNA’s Ontario local unions is to bring certain issues to your attention, so that hopefully your office can provide much needed guidance and assistance.

i. MLTSD Inspectors

We understand that MLTSD inspectors are only operating from their homes/offices via phone and only go to job sites for fatalities or critical accidents. All other concerns, including monitoring for compliance and follow up after compliance orders are issued and work refusals are all dealt with over the phone.

Now is the time for active, in person, enforcement.

Our members who continue to work are scared and rightly so. This is why, more than ever, MLTSD inspectors need to be in the field and protecting workers from unscrupulous contractors and employers. Our own Union Representatives across the Province report daily that working conditions are deplorable and far short of OHSA requirements.
(ii) COVID-19 Directions and Guidelines Must Be Issued

We also implore upon you and your staff to set out written guidelines and requirements for contractors and employers to follow when dealing with COVID-19. The general requirement provisions of OHSA in, for example, section 25(2) and section 29 are wholly inadequate given the crisis conditions that we are now operating. Employers need to know, in writing, what they can and cannot do and, more importantly, what they must do to protect workers.

We were shocked to learn that the MLTSD has no directions or notices to the constructors, owners and employers about what their COVID-19 requirements are and what must be followed on construction job sites and workplaces. There is nothing about COVID-19 and worker rights on any MLTSD website.

The MLTSD should, at the very least, be implementing all Health Canada and Public Health directions for safe practices into the employment arena. Right now, most contractors and employers are doing nothing about social distancing of workers but rather are directing that they work in close proximity, which is inconsistent with health directions. Further, many contractors and employers aren’t providing warm soap and water and vital sanitary conditions.

(iii) PPE and Sanitizing Communal Equipment and Transmission Points

Our members are being forced to work without any or proper personal protective equipment (PPE), which is critical now, more than ever. In one case, our members were told to buy their own PPE after the employer gathered up masks and locked them away.

Little is being done in the area of sanitizing communal equipment and key transmission points, where the virus can easily come in contact and spread-including door handles, table-tops and other hard surfaces.

(iv) Generally

Our concern and the concern of our entire membership is that being deemed an essential service will be construed to mean that health and safety requirements don’t apply. That is just wrong.

The present situation that workers are required to work in mandates nothing short of clear and unequivocal direction by the MLTSD to contractors and employers about their obligations to workers in dealing with COVID-19.
If one worker gets infected on a job site or workplace it will be one too many. If a worker dies from doing their job and needlessly being infected by COVID-19, that would be catastrophic.

There is no time to waste.

We all must zealously safeguard and protect all workers and the countless men and women of LIUNA who have already been put in harm’s way by having to work during the shutdown or during the COVID-19 outbreak.

We need your help and the help of MLTSD staff now.

On behalf of all members of LiUNA’ OPDC’s affiliated local unions

Yours truly,

Jack Oliveira
Business Manager

cc: The Honourable Premier Doug Ford
Government Supports During the COVID-19 Crisis

The Government of Canada announced new plans to assist individuals in navigating the financial difficulties they may face due to COVID-19. Please see below for an overview of these plans.

1) Supports for individuals who are sick, quarantined, or in self-isolation; and qualify for Employment Insurance

**EI Sickness Benefits:**

- Employment Insurance (EI) sickness benefits provide up to 15 weeks of income replacement for Canadians without paid sick leave.
- EI sickness benefits could cover 55% of earnings **up to a maximum of $573/week**.
- If earnings vary from week-to-week, your EI sickness benefits are calculated **based on claimant’s best 14-22 weeks** (depending on location).
- EI sickness benefits are available to eligible claimants who cannot work due to illness, injury, or quarantine.
- **Canadians who are in quarantine may be eligible for EI Sickness Benefits.**
- The government has **waived the one week waiting period to receive EI sickness benefits** and prioritized applications for those under quarantine.

The government has a toll-free number for those in quarantine seeking to waive the one week waiting period.

**Call 1-833-381-2725 AFTER you apply online to Employment Insurance due to COVID-19 sickness or quarantine.**

The online application can be found at [https://www.canada.ca/en/services/benefits/ei/ei-sickness.html](https://www.canada.ca/en/services/benefits/ei/ei-sickness.html)

**EI Work Sharing Program:**

- The EI Work Sharing Program allows employers to avoid laying off employees caused by temporary reduction in hours for reasons related to COVID-19.
- The federal government announced they are extending support to Canadians who reduce their normal working hours due to the COVID-19 crisis.
- The government is extending the eligibility of this program to 76 weeks, broadening the eligibility requirements and streamlining the application process.
2) Support for individuals who have lost their job due to COVID-19 but do not qualify for EI

On March 18, the federal government proposed two new programs to support those who are experiencing income loss due to the COVID-19 crisis and do not qualify for EI. The Emergency Care Benefit and Emergency Support Benefit are outlined below.

i. **The Emergency Care Benefit:**

- The Emergency Care Benefit supports those who do not qualify for EI and cannot work due to illness or childcare at this time.
- This program will provide up to $900 bi-weekly for up to 15 weeks.
- This will cover workers who do not qualify for EI sickness benefits and are:
  - Quarantined or sick with COVID-19;
  - Taking care of a family member who is sick with COVID-19; and
  - Parents or caregivers who are supervising children due to school closures regardless of whether they qualify for EI or not.
- Canadians can apply through their Canada Revenue Agency (CRA) MyAccount secure portal, their My Service Canada Account, or a toll-free number the government will be providing with an automated application process.
- The application for these benefits will be available in April, 2020.

ii. **The Emergency Support Benefit:**

- The Emergency Support Benefit will cover those who do not qualify for EI and have lost their job due to the COVID-19 crisis, including those who are self-employed.
- This program will provide up to $900 bi-weekly for up to 15 weeks.
- This program will be delivered through the Canada Revenue Agency.
- The application for these benefits will be available in April, 2020.

3) Additional Supports

**Child Care Benefits for Parents:**

- The federal government has announced a temporary boost of the Canada Child Care benefit to help parents during this difficult time.
- For the 2019-2020 benefit year only, the government is increasing the payment amounts by $300/child.
- Families will see this increase as part of their May payment.

**Tax Relief:**
• The personal income tax deadline is now extended to June 1, 2020. For those receiving benefits under programs such as the Canada Childcare Benefit program, delaying filing until June may affect your payments.