

Ontario Government Makes Emergency Order for Staffing and Redeployment for Boards of Health Due to COVID-19

Date : April 6, 2020

The Ontario government issued an emergency order on April 1, 2020 providing boards of health with broad authority to address staffing and work deployment needs relating to COVID-19. The [Work Deployment Measures for Boards of Health](#) Order filed under the *Emergency Management and Civil Protection Act* applies to every board of health within the meaning of the *Health Protection and Promotion Act*, and allows boards to take any reasonably necessary work deployment or staffing measure to respond to, prevent and alleviate the COVID-19 outbreak.

The Order lasts for 14 days, unless extended under the *Act*.

Staffing and Redeployment Measures

Boards of health are authorized to take the actions outlined below despite any other statute, regulation, order, policy, arrangement, or agreement, including a collective agreement. The Order also provides that a board of health may implement redeployment plans without complying with provisions of a collective agreement, including lay-off, seniority/service or bumping provisions.

1. Identify staffing priorities and develop, modify and implement redeployment plans, including the following:

- Redeploying staff within different locations in (or between) facilities of the board of health.
- Changing the assignment of work, including assigning non-bargaining unit employees or contractors to perform bargaining unit work.
- Changing the scheduling of work or shift assignments.
- Deferring or cancelling vacations, absences or other leaves, regardless of whether such vacations, absences or leaves are established by statute, regulation, agreement or otherwise.
- Employing extra part-time or temporary staff or contractors, including for the purposes of performing bargaining unit work.
- Using volunteers to perform work, including to perform bargaining unit work.
- Providing appropriate training or education as needed to staff and volunteers to achieve the purposes of a redeployment plan.

2. Conduct any skills and experience inventories of staff to identify possible alternative roles in priority areas.

3. Require and collect information from staff, contractors or volunteers about their availability to provide services for the board of health.
4. Require and collect information from staff, contractors or volunteers about their likely or actual exposure to the Virus, or about any other health conditions that may affect their ability to provide services.
5. Cancel or postpone services that are not related to responding to, preventing or alleviating the outbreak of the Virus or services that are not deemed to be critical by a board of health's business continuity or pandemic plans.
6. Suspend, for the duration of the Order, any grievance process with respect to any matter referred to in the Order.

In Our View

The Order is similar in nature to those issued previously for health service providers and long term care homes under the *Emergency Management and Civil Protection Act*. The broad staffing and redeployment authority outlined in the Order grants boards of health with the flexibility to allocate and prioritize staffing resources as needed during the outbreak.

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