



COVID-19 UPDATE



March 24, 2020

Urgent memo to Unifor long-term care members regarding Ford Government's temporary order

On Monday evening, Unifor was notified by Ontario Minister of Long-Term Care Merrilee Fullerton, that the Ontario Government was going to issue a temporary order in the fight against COVID-19 that would affect all long-term care workers, including Unifor members.

This new order comes out just a few days after the government released a similar order for hospital workers. After the order for hospitals was released, Unifor issued a press release in response to the order and put together a memo to update locals on the issue.

The temporary order allows long-term care homes the ability to identify staffing priorities, and develop, modify and implement redeployment plans for the next 14 days.

This temporary order prevails over certain provisions of the collective agreement, but be assured your rights under the Occupational Health and Safety Act remain intact.

The order will allow long-term care homes, if needed to respond to, prevent and alleviate an outbreak of COVID-19 by carrying out measures such as:

- Redeploying staff within different locations in (or between) facilities of the health services provider;
- 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 purpose of performing bargaining unit work;
- Using volunteers to perform work, including bargaining unit work; and
- Providing appropriate training or education as needed to staff and volunteers to achieve the purposes of a redeployment plan.

The union raised several issues pertaining to the temporary order to Minister Fullerton. First, that long-term care homes should only enact these directives in response to a demonstrated need, that it should not be “open season” on the terms and conditions of our collective agreements and that changes in hours of work as it relates to child care needs be considered for workers.

Safety issues were also raised around the employers' ability to use volunteers to perform work in long-term care homes. Most long-term care homes have not allowed volunteers into their facilities as they pose the same risk as visitors. This is an issue that will need to be continuously monitored.

We also brought to Minister Fullerton's attention the shortage of personal protective equipment (PPE) facing health care workers, including N95 masks, gowns, etc. Minister Fullerton advised that government is looking to source additional PPEs from many other industries and sectors across the province, and are working with various manufacturers to produce PPEs in an expedited way.

This issue is at the forefront of the calls we have been having with the Province and Ontario Health. We have been abundantly clear to every level of government that protecting front-line workers must be a priority. You can read [our public response to this order on our website](#).

While this order does override some provisions of your collective agreement, it is our position that it should only be enforced if absolutely necessary and there are no alternative solutions. Your grievance procedure, while temporarily suspended, is not eliminated and grievances should still be brought to the attention of your committee. The majority of the articles in the collective are still in effect and being utilized by the union. None more important than health and safety obligations to hold employers accountable in keeping workers safe.

If you are concerned about the availability of or access to PPE in your workplace, please bring this to the attention of your joint occupational health and safety committee. If you have questions about whether your employer is implementing the powers of this order appropriately, please notify your union committee.

Unifor will continue to provide updates as information becomes available at unifor.org/COVID19. Please sign up for the union's weekly newsletter at unifor.org/subscribe and download the Unifor mobile app on the Google Play store or the Apple App Store on your smartphone.