



FTR Now

Staffing Options Given to Boards of Health in Light of COVID-19

Date: April 2, 2020

On April 1, 2020, the Ontario government issued an emergency order giving provincial boards of health the authority to take all reasonable steps necessary with respect to work deployment and staffing in light of COVID-19.

O. Reg. 116/20, [Work Deployment Measures for Boards of Health](#), made under the [Emergency Management and Civil Protection Act](#), allows boards of health to identify staffing priorities, which includes but is not limited to redeploying staff within different locations in, or between, facilities of the board, changing the schedules of work or shift assignments, cancelling or deferring vacations, absences or other leaves and more.

This authority is given to the boards despite “any other statute, regulation, order, policy, arrangement or agreement, including a collective agreement” and specifically states 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.”

The boards are also authorized to assess the skills and experience of staff to determine if they can be placed in priority areas, to collect certain information from staff and others, and to cancel or postpone services not related to the COVID-19 pandemic.

Finally, grievance processes with respect to any matter in this order are suspended for the duration of the order.

For more information about this order and how it may impact your operations, please contact [Mark Mason](#) at 416.864.7280, or [your regular Hicks Morley lawyer](#).