

Staff & COVID-19

Background

On June 9, 2020, the Government of Saskatchewan announced that in-classroom learning will resume for the 2020-21 school year. To help school divisions prepare for the return of students and staff, provincial guidelines have been developed to inform local planning. This procedure has been created to ensure a safe return to the workplace for all staff. These protocols will continue to be adjusted as necessary following the direction of the Chief Medical Health Officer of Saskatchewan.

Procedures

1. General Guidelines

- 1.1 Employees should, when practical, maintain appropriate physical distancing from others. If this is not possible, other measures should be implemented, such as the use of appropriate personal protective equipment and the self-monitoring of personal health.
- 1.2 Employees must maintain proper hand hygiene. Practices include using soap and water when hands are soiled and hand sanitizer when visibly clean. Employees are directed to cough and sneeze into their elbow and avoid touching their face, mouth, nose and eyes.
- 1.3 Employees are encouraged to bring their own hand sanitizer for personal use to supplement what the school division will be providing.
- 1.4 Employees are encouraged to act in accordance to school division protocols in regards to mask usage.
- 1.5 Employees shall avoid physical contact throughout the school day and avoid close greetings such as handshakes.
- 1.6 Employees are expected to keep their personal workspace(s) clean and free from clutter.
- 1.7 Employees are expected to keep their own desk space clean and sanitized. Disinfectants will be provided by the school division.
- 1.8 Employees are to avoid sharing food, drinks or other personal items.
- 1.9 Employees shall not enter private residences or provide personal transportation to students.
- 1.10 Employees shall avoid unnecessary work-related travel.

2. Guidelines for Illness

- 2.1 All employees are expected to self-monitor for COVID-19 symptoms. Common symptoms include:

- Fever
- Cough
- Headache
- Muscle and/or joint aches and pains
- Sore throat
- Chills
- Runny nose
- Nasal congestion
- Conjunctivitis
- Dizziness
- Fatigue
- Nausea/vomiting
- Diarrhea
- Loss of appetite
- Loss of sense of taste or smell
- Shortness of breath
- Difficulty breathing

2.2 If an employee has symptoms of COVID-19 illness they are to stay home and call Healthline 811. The employee shall follow the recommendations and directions provided.

2.2.1 The employee must request their absence using the normal process established at the school level and division level.

2.2.2 If the Healthline 811 consultant directs the employee to remain at home, then the employee is eligible for quarantine leave as outlined in section 3. The employee needs to contact human resources to request quarantine leave and provide the required documentation in a format outlined in section 3.2 below. Upon verification, human resources will change the leave selection to quarantine leave.

2.2.3 If an employee feels well enough to work and the supervisor confirms the employee can continue to perform meaningful work while at home then no absence entry is required.

2.3 If an employee has an existing or underlying medical condition, or the employee is the primary caregiver for a family member that has an existing or underlying medical condition, and feels they are unable to perform their duties without an accommodation, the employee is to contact their principal/supervisor and the Superintendent of Human Resources. Additional information regarding the duty to accommodate process can be found in the [STF Duty to Accommodate Guidelines](#). Employees may also contact their STF or union representative for guidance in the accommodation process.

3. Public Health Order

3.1 All employees will follow the directives outlined in the most recent Public Health Order available at www.saskatchewan.ca/coronavirus. A medical health officer refers to a public health officer designated as such under *The Public Health Act, 1994*. Family doctors and other medical personnel are not medical health officers and do not have the authority and cannot order mandatory self-isolation.

3.2 Any documentation required to be provided to the division by the employee may be provided by:

3.2.1 paper copy;

3.2.2 electronic copy;

3.2.3 screen shot of information or message;

- 3.2.4 copy of an email;
- 3.2.5 written details of phone call including date, time, Public Health official spoken to, and details of information provided.

If the documentation provided by the employee is not clear or if the division has reasonable doubts or concerns about any of the documentation provided by the employee, the division may require further details or confirmation of the documentation.

3.3 The following employees will be eligible to access quarantine leave:

3.3.1 Employees who have a diagnosis of COVID-19 from Public Health.

3.3.1.1 The employee must not return to work until such time as a Medical Health Officer determines that the employee no longer poses a public health threat.

3.3.1.2 The employee must provide the division with the following documentation:

- i. request for quarantine leave;
- ii. evidence of diagnosis; and
- iii. evidence of a decision that the employee no longer poses a public health threat.

3.3.2 Employees who are identified by Public Health as a close contact of a person with COVID-19.

3.3.2.1 The employee must not return to work for 14 days from the date of last having been exposed to COVID-19.

3.3.2.2 The employee must provide the division with the following documentation:

- i. request for quarantine leave;
- ii. evidence of direction from Public Health identifying the employee as a close contact with a person from COVID-19; and
- iii. date of last contact with the person who has COVID-19.

3.3.3 Employees who are household members or contacts of a person with COVID-19 and who become symptomatic.

3.3.3.1 The employee must not return to work for 14 days after becoming symptomatic.

3.3.3.2 The employee must provide the division with the following documentation:

- i. request for quarantine leave;
- ii. date of becoming symptomatic; and
- iii. evidence that the employee has contacted HealthLine 811.

3.4 Until further notice, staff who have out-of-Canada travel scheduled should cancel travel plans. In the event that the staff member considers travel to be essential,

contact with the Superintendent of Human Resources is required prior to travel. Employees who have traveled internationally and are subject to the mandatory 14 days self-isolation period upon their return to Canada will not have access to quarantine leave during that self-isolation period.

- 3.4.1 Employees may apply in advance for any other leaves for which they may be eligible in order to cover the 14 days self-isolation period. If an employee does not make arrangements, in advance of travel, for leave to cover the 14 days self-isolation period, the employee may be considered on an unauthorized absence.
- 3.4.2 The employee must not return to work during the 14 day mandatory self-isolation period.
- 3.4.3 The employee must provide the division with the following documentation:
 - i. request for leave in advance of travel; and
 - ii. the date of return to Canada.

4. Additional Health Supports

- 4.1 HealthLine 811 (All Staff)
- 4.2 Member and Family Assistance Program (STF members) 1-833-485-4245
- 4.3 Employee Family Assistance Program (CUPE Members and Out of Scope Staff) 1-833-515-0766

5. Guidelines for Work Refusal Due to COVID-19

- 5.1 Section 3-31 of *The Saskatchewan Employment Act* states that an employee may refuse to perform any particular act or series of acts at a place of employment if the employee has reasonable grounds to believe that the act or series of acts is unusually dangerous to the employee's health or safety or the health or safety of any other person at the placement of employment until:
 - 5.1.1 Sufficient steps have been taken to satisfy the employee otherwise; or
 - 5.1.2 The occupational health committee has investigated the matter and advised the employee otherwise.
- 5.2 An employee's right to refuse to perform work as a result of COVID-19 will be contingent upon factors including (but not limited to) the following:
 - 5.2.1 the state of the COVID-19 situation in the employee's particular community and workplace at the time the refusal to work is being exercised;
 - 5.2.2 the age and health of the specific employee;
 - 5.2.3 the type of workplace where the employee usually performs their functions;
 - 5.2.4 the specific field of work and their normal duties or tasks;

- 5.2.5 the measures adopted by the school division to prevent the transmission of COVID-19, including workplace hygiene and personal protective equipment (PPE), where applicable;
 - 5.2.6 whether or not there has been a diagnosed case of COVID-19 within the school community;
 - 5.2.7 whether the employee or the circumstances fall in one of the legislative exceptions to the right to refuse unsafe work; and
 - 5.2.8 any other factually relevant considerations in assessing whether there is a hazard, a risk or a danger.
- 5.3 If an employee has reasonable grounds to believe they have been asked to perform an unusually dangerous act, the employee shall notify their principal/supervisor, the applicable Superintendent of School Operations and the Superintendent of Human Resources.
- 5.4 If an employee has refused to perform an act or series of acts pursuant to section 3-31, the employer shall not request or assign another employee to perform that act or series of acts unless that other employee has been advised by the principal/supervisor, in writing, of:
- 5.4.1 the refusal and the reasons for the refusal;
 - 5.4.2 the reason or reasons the employee being assigned or requested to perform the act or series of acts may, in the employer's opinion, carry out the act or series of acts in a healthy and safe manner; and
 - 5.4.3 the right of the employee to refuse to perform the act or series of acts pursuant to section 3-31.
- 5.5 Following notification, the school OHS committee will investigate the concern and communicate the decision to the above noted central office staff. The OHS committee should consider the following questions:
- 5.5.1 Does the employee have an underlying health concern that puts them at greater risk if infected?
 - 5.5.2 Are the job duties being assigned outside of the normal duties or tasks of the position?
 - 5.5.3 Has the workplace implemented strategies in alignment with the most recent Re-Open Saskatchewan guidelines for educational institutions and the current Public Health Order for that type of workplace?
 - 5.5.4 Is the workplace unsafe even with increased hygiene and personal protective equipment?
 - 5.5.5 Does the workplace have an employee or student who has been diagnosed with COVID-19?
 - 5.5.6 Are there any other factually relevant considerations in assessing whether there is a hazard, a risk or a danger?
- 5.6 Upon the conclusion of the investigation of the refusal, the school OHS committee will report their findings to the applicable Superintendent of School Operations and the Superintendent of Human Resources.

5.7 If the concern cannot be resolved within the school or workplace (the vote by the school OHS committee must be unanimous for or against the refusal), the Superintendent will contact an occupational health officer at the Occupational Health and Safety Division. The officer will investigate the refusal and rule on the matter.

As per Section 3-32(b) of *The Saskatchewan Employment Act*, the employee is entitled to refuse to perform the act or series of acts until the occupational health officer has investigated the matter and advised the employee otherwise.

Reference:

Re-Open Saskatchewan: A plan to re-open the provincial economy
Primary and Secondary Educational Institution Guidelines June 18, 2020
The Saskatchewan Employment Act

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