March18, 2020

Hon. Monte McNaughton
Minister of Labour, Training and Skills Development
14th Floor, 400 University Ave.
Toronto, ON M7A 1T7

RE: Temporary amendments to the ESA and OHSA during the COVID-19 pandemic

Dear Minister McNaughton,

Thank you for your continued leadership to support both employers and employees as they experience economic disruption related to COVID-19. As the situation continues to evolve, the Ontario Chamber of Commerce is taking concerns from the business community and communicating them to all levels of government.

I am writing to you to request that the Ontario government consider two amendments to existing labour legislation to support workers and small businesses as they experience revenue losses.

1. Trigger section 50.1 of the *Employment Standards Act* (ESA) to allow a firm to lay off employees without topping up their Employment Insurance (EI), thus helping small businesses preserve their vital cash flow during this difficult time. We expect that the changes being made to EI by the federal government will meet the needs of laid-off employees, as will subsequent funds released by both the Canadian and Ontario governments to ensure no worker is made vulnerable by the economic impacts of COVID-19.

2. Amend the *Occupational Health and Safety Act* (OHSA) to increase its relevancy in a pandemic. Given that this legislation is drafted on the assumption that all hazards are physical, it should be amended to allow Ministry of Labour adjudicators to make a decision on a COVID-19 workplace hazard without visiting the site, and even if the employee complainant is not present at the site. This would streamline decision-making and safeguard public health.

Public health and safety are priorities for all Ontario businesses. We will continue to monitor and assess new developments pertaining to COVID-19 closely and work with our members, partners, and all levels of government to provide support to Ontario business.

Sincerely,

Rocco Rossi
President and CEO
Ontario Chamber of Commerce