Cunningham Swan

Revenues are down. Contemplating cuts to the work force.

First, consider whether you are eligible for the Temporary Wage Subsidy for Employers

Drop in revenue of at least 30% for March, April, or May compared to 2019 due to Covid-19 (and not publicly funded)?

Canada Emergency Wage Subsidy (CEWS)

Has your business been ordered closed by the Ontario Government? (Non-essential business with no remote working possibilities)

Any employees entitled to Infectious Disease Emergency Leave? ("IDEL"; ESA job protected leave; benefit continuation req’d)

Employees are entitled to Declared Emergency Leave ("DEL"; ESA job protected leave; benefit continuation req’d)

Employee agrees to take DEL or IDEL?

Employee can apply for:
- Employment Insurance
- AND/OR Canada Emergency Response Benefit (CERB)

Work Sharing Agreements
- OR Reduced Wages/Hours
- OR Layoffs

Do your contracts/policies contemplate layoffs and/or reduced wages/hours?

Proceed with layoffs or reduced wages/hours

Opting for Layoffs?

Maintaining benefits through layoff or topping up EI through Supplementary Unemployment Benefits Plan?

Layoffs can last up to (but not equal to) 35 weeks after which the layoff is a deemed termination under the ESA

Layoff can last 13 weeks or fewer (after which the layoff is a deemed termination under the ESA)

This infographic is provided as a courtesy for general information and does not constitute legal advice.
The Labour & Employment Group with Cunningham Swan LLP boasts four skilled practitioners with, combined, over 70 years of experience advising employers and management on legal issues related to their workforce. They have appeared before all levels of our country’s Courts system, including the Supreme Court of Canada, and regularly litigate matters at the Human Rights Tribunal, the Labour Relations Board, and other administrative tribunals.

The Labour & Employment Group supports employers from across Ontario, both unionized and non-unionized, in the public and private sector. They provide strategic and proactive advice in the areas of human rights, terminations, labour arbitrations, workplace restructuring, collective bargaining, disciplinary matters, workplace safety, and regulatory charges.

To contact the Labour & Employment Group, please call or email law clerk, Jodi Tarle at jtarle@cswan.com or 613-544-0211.

Click any or all of the following photos for more information on our team.