IAMAW/AIMTA



Bargaining Priorities-2020

Canada

**COVID – 19 Bargaining Considerations *(Canada)***

The global pandemic related to COVID-19 continues to have an enormous effect on IAM members, the U.S., Canadian and global economies, IAM employers, public policy, and the broader public health. Here are some topics that IAM representatives may want to consider in negotiations with employers over COVID-19 related issues.

Note: The provisions listed below are considerations for bargaining; they may or may not be required by Federal or Provincial law.

**Health and Safety**

Employers should maintain daily (or more frequent) cleaning of the workplace. All surfaces should be sanitized frequently, especially:

* Before and after breaks,
* Pieces of equipment that are hand-held (steering wheels, controls, etc.), and
* Equipment that is touched by multiple employees or customers.

Employer should pay for, and provide to employees, protective equipment and cleaning materials, such as:

* Masks (N95 if available)
* Tissues
* Latex gloves
* Receptacles to dispose of used personal protective equipment
* Hand sanitizer comprised of 60% or greater alcohol
* Posters demonstrating proper hand washing
* Hand-free water, soap, and towel dispensers

Employers should allow more hand-washing breaks, where applicable, to comply with guidance from the U.S. Center for Disease Control (CDC) and the Public Health Agency of Canada, and provincial health agencies, or sector specific agencies.

Where feasible, employers should install more “no touch” equipment, such as automatic faucets and towel dispensers, automatic door openers, turnstiles, etc.

Employers and the union should utilize the existing, or create a new, health and safety committee to ensure commitment to and follow through on all health and safety processes and protocols.

* The safety committees may consider evaluating each job site and/or perform a job hazard analysis to see what modifications can be made to protect workers, and make appropriate recommendations to the employer.
* The committee should conduct a risk assessment to assess the level of risk and necessary PPE
* Review and update new or existing pandemic plans or infectious disease protocols. Employers who do not have such a plan in place, must develop one in line with public health guidelines, the Canadian Centre for Occupational Health and Safety, and sector specific guidelines

Where feasible, the employer should implement social distancing measures such as:

* Changes to work schedules to keep people further apart (see section on “work schedules” below)
* Move seating in break rooms to keep people at least six feet apart
* Spread out meal and other breaks, so there are smaller crowds in break areas
* Regarding meetings: Wherever feasible, use teleconferencing or other means of communication rather than in-person meetings. If in-person meetings must be held, hold multiple meetings to minimize number of people gathered. Meetings should in no event exceed number of participants allowed by provincial or federal guidance
* Change method to clock in and out to protect members from touching same surface or gathering
* Install Plexiglass or similar types of barriers, where appropriate
* Move work areas to currently unused portions of your facility (ies)

**Workplace Screening**

For those who are sent home due to COVID-19, employer should:

* Have clear policies, communicated to the union, regarding how employees will be monitored (if at all) and when they will be able to return to work.
* Have a communication plan to alert those who have into contact with an infected worker(s)
* Continue to pay these employees their regular wages for the entirety of their absence
* Continue to cover these employees through the same group health plan, at the same contribution rates, through the entirety of their absence.

**Work Schedules**

Wherever feasible, the employer should change work schedules to comply with social distancing, including:

* Moving workers to shifts that currently have less people, consistent with seniority
* Rotating those who are working with those who stay home (with pay)
* Shorter shifts with full day’s pay
* Weekend shifts

Wherever feasible, the employer should allow telework, and communicate with the union its policies on:

* How employees will check in,
* Tracking work hours, and
* How it will accommodate employees who require ergonomic equipment or other accommodations

**Retention Pay**

The employer should pay additional compensation for those employees who risk their own exposure by continuing to work (ie essential service pay, retention pay)

This can be for everyone working or based on location work, type of work involved and/or risk of exposure

Type of retention pay can include:

* Extra pay per hour
* One-time bonuses
* Extra paid time off (PTO) earned for working

**Public Health and Job Protections**

As recommended by the CDC, and the Canadian Federal Government the employer should provide paid leave for employees who are either:

* Ill and/or experiencing any symptoms,
* Treating ill family,
* Exposed to COVID-19,
* Ordered to shelter in place, and/or
* Caring for children due to closed school/child care beyond that required by Provincial or Federal government

Employers should update and expand its sick, personal, and/or other paid time off (PTO) policies to allow more employees to stay home as needed, for their own health and/or that of the workplace

Employers should not have COVID-19 related leave to count against “no fault” or point-based attendance programs

Employer should not require doctor’s notes upon return to work- I think this is waived in Canada for the time being

Employees should continue to have health care coverage while out on leave

Employees should have job protection upon return from sick leave

If COVID-19 has been found in the workplace, the employer should not push back if others who test positive file for workers’ compensation insurance

Minimizing the Need for Furloughs and Workplace Closure

Before implementing a workplace furlough or closure due to economic conditions, the employer should consider the following (where appropriate and feasible):

Utilizing all government-supported financial relief, including:

* Applying for municipal, provincial or Federal government grand and loan programs that the employer may be eligible for (especially new programs from the COVID-19 laws)
* CEWS- Canadian Emergency Wage Subsidy, etc
* Job Sharing and EI

Limiting the number of days that come in (which would both reduce total hours and also help compliance with physical distancing protocols)

Providing an early retirement buyout to reduce the size of the workforce on a voluntary basis

Converting existing manufacturing operations to produce a personal protective equipment, medical supplies, or other products that are in short supply due to COVID19

**Furloughs and Workplace Closure**

In the event that the company furloughs or lays off workers, or the workplace shutters entirely due to COVID-19:

The employer should consider providing an early retirement buyout to reduce the number of involuntary layoffs/furloughs

The employers should consider limiting the number of days that people come in, which would both reduce the total hours and also help compliance with social distancing protocols.

Nonworking employees should continue to be compensated

Nonworking employees should continue to have health insurance coverage throughout the closure

Those who have been furloughed should have recall rights when the workplace reopens.

**Travel**

The employer should eliminate all non-essential travel

The employer should comply with all government-issued travel bans

The employer should have a clear policy, communicated with the union, for employees who get quarantined while on work travel.

**Communications**

Employer should adopt a communication plan to keep union and employees informed of policies and changes as they develop.