



COVID FAQs from May COVID Q and A Info Sessions

June 18, 2020

Unless otherwise indicated, answers are related to the **University of Toronto staff-appointed bargaining unit**

Layoffs, staffing	
Question	Answer
<p>Could you please give an update of personnel on furlough or laid off to date?</p>	<p>As of June 14, 2020, these are the updates for our various units:</p> <p>U of T Schools: no layoffs</p> <p>Casual Unit: Our casual unit has been hard hit, but it is difficult to know exact numbers. Many casuals are hired on contracts that end in April and are rehired in May for the summer term. If they are not rehired, these don't technically count as layoffs. We can see that there are 719 fewer members on the May 2020 casual membership list compared to May 2019, so that is a strong indication of job loss in this unit. We are aware of 77 casuals who were originally hired for the summer, but their contracts have since been cancelled.</p> <p>U of T staff-appointed: As of June 14 we have had 6 departments issue a total of 92 temporary layoffs of thirteen weeks: Ancillary Services (11), Kinesiology (57), Early Years Centre (2), School of Continuing Studies (3), Hart House (9), UTM Recreation Centre (10). We have also had some employees given an option of reducing to 50% FTE or receiving temporary layoff.</p> <p>Victoria University: Members at Victoria in Housekeeping and Food Services recently voted to implement a Work-Sharing program agreed on between the Union and the University to reduce the number of layoffs in those areas. In Phase 1 (4 weeks), 33 members will work reduced hours and use vacation time for the other days to receive full pay. In Phase 2 (10 weeks), employees will participate in the government's official Work-Sharing program which will see them work reduced hours and qualify for EI for the days not worked. Victoria will pay the employee's share of medical benefit premiums for members participating in the work-sharing program. On Friday, May 29, 2 full-time and 23 part-time members received temporary layoff of 16 weeks starting on June 15. Twelve full-</p>

	<p>time members received letters that included the option of moving into one of 7 temporary reduced hours Housekeeping positions that were created because of the implementation of Work-Sharing. The assignment of those 7 new Housekeeping positions will be based on seniority among the members who choose the Work-Sharing option. The implementation of Work-Sharing has reduced the total number of involuntary layoffs. Laid-off employees will be eligible to receive a top up to their Canada Emergency Response Benefit (CERB), up to 80% of the employee's normal wages or \$250 per week, whichever is less, up to a maximum of \$1,000 each 4 week and Victoria will pay the employees' share of medical benefits during layoff. To make it more likely that a part-time employee will qualify for the top up to CERB, the University agreed to use an average of hours worked per week over the 52 weeks immediately preceding June 15</p> <p>St. Mikes - In late May, St. Mike's HR informed USW that there was a need to reduce the number of staff members within the Facilities and Services Department and Physical Plant Department. They are offering a <i>"Self-Identified Work Furlough"</i>, a.k.a. volunteer temporary work furlough for a maximum of 16 weeks. Similarly to U of T, employees will have their benefits covered and will receive a top up of wages. This volunteer furlough will be available on a first come, first serve basis. If the employer needs to take the next step of selecting employees for furlough they will do so in accordance with our contract and be in discussion with USW. Both USW and St. Mike's expects the furloughed employees to return to work at the end of the 16 week, if not sooner. Any extension of this will require a new agreement between the two parties.</p>
<p>After the layoff of 13 weeks, what could happen if I am still not asked to return to work?</p>	<p>It is possible for a temporary layoff to get extended for another 13 weeks after this initial period, but the University must provide you with another 2-week paid notice.</p>
<p>Can I be called back to work before the 13 weeks are up?</p> <p>How much notice would I get?</p>	<p>Yes, you could be recalled to work early. Our contract does not have language on how much notice you would receive. We think a week would be reasonable. If timing of notice of recall is an issue for members, they should raise this with their managers and the Union can assist if necessary.</p>

<p>Where can I get information on how temporary layoff works?</p>	<p>For U of T staff-appointed, click here: https://www.usw1998.ca/home-slider/covid-19-updates-and-resources-11980/</p> <p>For Victoria, click here: https://www.usw1998.ca/latest-news/victoria-University-update-on-covid-19-11138/</p> <p>For other units, or if you have further questions not covered on the website, please contact your Unit President or info@usw1998.ca</p>
<p>Where can I get information on CERB and EI?</p>	<p>https://www.usw1998.ca/home-slider/covid-19-updates-and-resources-11980/ or https://www.canada.ca/en/services/benefits/ei/cerb-application.html</p>
<p>Do you get a step increase while on layoff?</p>	<p>Our understanding is that, if your anniversary for step increase happens while you are on layoff, you would move to the higher step when you return to work.</p>
<p>What is the University staff load state of mind? Are they seeing a need to let casuals and appointed go? If so, what is the number in mind?</p>	<p>All decisions on staffing, budgets, operations, etc. happen at the department level not University wide. As far as we're aware, the University is not looking at some kind of across the board staff cut. The departmental budgets are all decentralized and funding comes from operating budgets, tuition, research grants, ancillary fees, sales, etc. So each department will be making decisions based on their budget and their operations.</p>
<p>Do you expect more layoffs? Will we see more layoffs when enrollment numbers come in?</p>	<p>It is very hard to say, as we do not have access to the University's financial information. We do know that there are departments which have been hard hit financially due to cancelled events and programs. We also know that the University is watching very carefully to see what enrollment will be in the fall.</p> <p>If it drops substantially from what was projected in the 2020 – 2021 budget, we could very well see more layoffs in the fall. We also don't know what financial impact a hybrid return-to-campus with reduced numbers of students in residence and large classes being held online will have on departments reliant on ancillary fees and sales.</p>

<p>Will the University offer an incentive package to encourage resignation?</p> <p>Will the University offer an incentive package to encourage early retirement?</p>	<p>The University has not raised this with us. We believe that both of these options are extremely unlikely. The whole reason for temporary layoffs is to save money. Packaging people off costs a lot of money, so it doesn't save them anything. Also, it's permanently eliminating a position due to a temporary situation.</p>
<p>Will the University bring in unpaid days off like universities in Manitoba are doing?</p>	<p>There is no provision for that in our contract. If the province imposes something like that through legislation, it could happen.</p>
<p>Working from home - General</p>	
<p>One of the challenges to working from home has been the inability to disconnect from email/work at odd hours. Sometimes people only reply at night or with the end of term things have been due at the last minute.</p> <p>Does the Union plan to address the overtime and how should we be reporting these odd hours every day?</p>	<p>One of the downsides of working from home could be the expectation that you're plugged in 24/7. You don't have to be. You still have a contract that says 36.25 hours a week. You still have regular hours of work. If someone gets back to you late at night, you can respond to that email the next day when you start work. There should be no expectation that you're working more than your regular hours. If you are, it should be logged as overtime as it would be if you were working in the office.</p> <p>You can set your notifications in your email, so you don't hear work notifications emails after work hours.</p> <p>Schedule your lunch break and coffee breaks into your work calendar and don't respond to emails during your breaks.</p> <p>People who are working from home with kids are in a very difficult situation and have to work odd hours. They are in a really tricky situation of trying to work, care for their kids and be involved in their children's schoolwork. In those cases, a 9 – 5 day may be impossible, and parents may be doing their 36.25 hours, but in the early morning, evening, and over the weekends. We do realize that there needs to be some flexibility in terms of hours of work due to the situation, however, if they're going over their 36.25 it should be counted as overtime.</p> <p>If you're in a situation where a manager expects you to be available in off hours and is not counting this as overtime, please contact the Union for assistance.</p>

<p>What if we can't use four personal days before the end of June?</p>	<p>Personal days are there if you need them. If someone has a legitimate reason to ask for a personal day, they should ask for one as usual. Even though you are working from home, you can still use personal days. If you don't use them all, they do not carry over year to year.</p>
<p>Will I be reimbursed for costs related to working from home?</p>	<p>The University has been pretty clear that work from home costs will be dealt with at the department level, not centrally. As with everything at the University, it is very uneven. In most cases, people are on their own for work from home costs, but there are some departments covering additional cell phone costs, etc. Unless someone has a sympathetic boss willing to cover costs, the only way to deal with this may be through taxes. Please see next question.</p>
<p>What are the tax implications of working from home?</p>	<p>The Union can't formally advise members on tax issues, but we can point you to some key resources:</p> <p>https://www.theglobeandmail.com/investing/personal-finance/taxes/article-working-from-home-during-this-pandemic-could-provide-tax-savings/</p> <p>https://www.theglobeandmail.com/investing/personal-finance/taxes/article-claiming-home-office-expenses-could-help-save-tax-during-the/</p> <p>https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/line-229-other-employment-expenses/salaried-employees/work-space-home-expenses.html</p> <p>We will ensure that the University provides the appropriate T-2200 form for members who wish it, but members will need to do their own research and due diligence to see what they can and cannot claim on their taxes related to working from home.</p>
<p>With most members working from home, what is the University's obligation to provide ergonomically designed equipment for us at our home?</p>	<p>The University does not have a legal obligation to provide ergonomic equipment to a member unless they have a medical accommodation. People with a medical accommodation have had ergonomic equipment purchased for them or delivered from their offices. Best practice would be to make it available to our members, but we can understand the issues with the cost of either purchasing ergonomic equipment or delivering existing equipment to thousands of employees. Each department has its own budget and uses it how they see fit. There is no uniformity in the way that departments disperse their funds, which leads some departments making arrangements for members to have their office equipment delivered to their home and/or reimbursement for expenses incurred to buy equipment, while other departments do not.</p>

	<p>The University has been open to members retrieving their ergonomic equipment from the office and members can contact their managers to see if this is possible.</p> <p>It is not unreasonable to anticipate a great deal of repetitive strain and other office-related injuries due to poor ergonomic set-ups in the home environment, and the Union will deal with these on a case-by-case basis within the limitations of the collective agreement and other laws that govern the University and the Union.</p> <p>Occupational Health Clinics for Ontario Workers is offering individual ergonomic assessments for people working from home. There are a lot of improvements you can make with things you already have in your home. Contact ergo@ohcow.on.ca to get started.</p>
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Working from home with kids

<p>My kids will be out of school for the rest of the school year. Will the University provide flexible work options (working from home) for employees with kids?</p>	<p>As long as there's no school, daycare or summer camps, they will have to continue to offer flexible work options for people with no day care options. These options might look different for different people, but they do have a duty to consider accommodation requests for people based on family status.</p>
<p>I'm working from home with kids and really struggling. It's not realistic for me to work 36.25 hours and care for my kids. What are my options?</p>	<p>There was centrally funded "pandemic pay" for people working from home with kids until April 30th. After that date, the University has instructed managers to be "flexible." Unfortunately, this varies across departments and some members have more reasonable managers than others.</p> <p>Members working from home with kids have the following options:</p> <ul style="list-style-type: none"> • flex your hours to work around the times you need to care for your kids • use vacation or personal days to arrange for time off during the week and reduce your working hours • request a reduction in hours, which would include a reduction in pay • ask for an unpaid leave and receive the \$2000 per month from the government through CERB.

	<p>None of these are attractive options and people working at home with kids are really in a challenging situation. The University does have a duty to accommodate family status issues and work with people to come up with a solution. This solution may not be the same for everyone. If you need assistance working on an accommodation, please contact the Union.</p>
Bargaining issues	
<p>What are some considerations you're thinking of in terms of bargaining strategy and flexible work arrangements?</p>	<p>The big irony is that in early March, ability to work from home was a big bargaining ask for a lot of members. It's still early days with bargaining, but we'd be looking at trying to strengthen the language so members have more ability to work from home and it's handled more fairly across the University, or within departments. We hope to have Bargaining Town Halls for the U of T staff-appointed unit very soon with updates.</p>
<p>I heard faculty members are requesting pay overloads for the fall for what they assume will be an increase in workload (even though they are teaching the same course load but in online/in-person formats). There hasn't been much discussion about the increased workload for some staff since the COVID-19 measures started. Will the Union be discussing the increased workload with the University as UTFa is doing?</p>	<p>We have a very different kind of contract than faculty. They don't really get overtime, so instead they negotiate workload language and extra pay for extra workload. In our contract, the workload issue is dealt with in overtime. Members should be credited time and a half for hours worked over 36.25 a week. So that is your extra pay for a heavier workload.</p> <p>The challenge we have is not in the contract language, but in the enforcement. We don't feel that members should work for free. If someone is having workload issues and their boss is refusing overtime and has unreasonable expectations, you should connect with the Union to talk through your options.</p>
Covid-related	
<p>How will the University inform employees if there are confirmed positive COVID-19 cases, specifically within individual units?</p>	<p>If someone tests positive, they will be referred to the Occupational Health Nurse and she will do contact tracing with help of EHS. They will send a communication to the people who may have been affected and take necessary steps. There will be confidentiality issues. You would not be told the name of the person who has tested positive.</p>

<p>What's the discussion around forcing people to go home they're sick?</p>	<p>We will expect our members and the University to follow all Public Health guidelines regarding staying home when sick or exhibiting COVID-like symptoms. We expect that the University will issue guidelines on this before staff return to campus. This is a delicate situation and our members will need to be respectful of each other if they have concerns about this and raise them in supportive way. We also remind members that they have sick leave provisions and should not hesitate to call in sick if they are unable to work. If they have COVID-like symptoms, but are able to work, they should work from home.</p>
<p>Returning to campus – immunocompromised</p>	
<p>If a staff member has a pre-existing condition and are immunocompromised, what measures might be in place to protect them onsite?</p> <p>Would they be given an opportunity to work from home if they are able to?</p> <p>Will they need medical documentation?</p>	<p>Unfortunately, we don't have a lot of information on the University's re-opening plans, but it will be quite gradual. They have announced that most people who can work from home will be doing so until September. We'll be seeing people working from home or doing a combination of working from home and coming in part time for some time to come.</p> <p>As long as public health is advising immunocompromised people to stay at home, the University will need to accommodate this up to undue hardship. There is a new requirement of documentation with Health and Wellbeing if you are declaring that you have a medical reason why you cannot come to campus. Consult with Health and Wellbeing to find out what's required from your doctor.</p> <p>The reality is that we will be dealing with COVID for some time before there is a vaccine. The primary concern should be following the directives from Toronto Public Health. If at some point they announce that it is safe for immunocompromised people to be taking transit and returning to work, you may be asked to come in.</p>
<p>Returning to campus – immunocompromised family members</p>	
<p>Does the right also apply for parents with immunocompromised children? It may not be ideal to send them back to daycare as soon as they open?</p>	<p>Public Health guidelines haven't put the same restrictions on people who live with immunocompromised family members. The University does not have a policy on this and has been dealing with situations on a case by case basis. Daycares will be opening very gradually and parents will only bring their children back when they feel it is safe to do so. If someone's child is not yet in day care, this can be dealt with as an accommodation based on family status.</p>

Returning to campus - general

What measures will the University have in place for safe work spaces to protect its staff appointed employees?

How will UofT create safe spaces for employees who meet with students in small office environments? How is the University addressing shared common spaces within units like a communal kitchen, where plates, cups and cutlery are shared?

Will the University be addressing the fact that even if we are back in the fall for some smaller in-person classes, staff cannot distance in the office spaces as they are right now. Could we get more clarity on whether there is a plan on how we are to return even if the "when" is uncertain.

The University is putting some of its plans regarding return to campus on their website <https://www.provost.utoronto.ca/planning-policy/utogether2020-a-roadmap-for-the-University-of-toronto/#roadmap>

It seems that the University is not rushing to bring people back, but the province has declared non-COVID research to be essential, so we will see increased staff on campus there. We were also surprised when we recently did mask distribution to USW member on campus, by how many of our members have been coming in who were not on the list of "critical onsite" people provided to us by management.

From what we understand from Labour Relations, if a department was already cleared for essential on-site work by provincial regulations, they may be expanding the number of people they have coming to campus.

We are, however, concerned with managers who make up their own rules. If you are in an area which had not previously been on the essential list and are being asked to start coming in, you should be asking if this return to campus plan has been properly vetted and approved centrally by the University before you come back to campus.

Each workplace needs to be assessed on an individual basis, as they're all different. Our members work in labs, offices, kitchens, classrooms, public areas, libraries, open offices with lots of staff and small offices where they meet with students. There will have to be arrangements in place in each of these types of spaces to ensure safety.

Unfortunately, while we do have regular communication with Labour Relations, we feel that Unions, faculty associations and the Joint Health and Safety Committees are not being kept in the loop on this process or having an opportunity for input. In some cases, we have only found out about important developments on return to campus when they appear on the U of T website. We are working with other unions on campus to address this situation, which is not acceptable.

We are working on a plan and material to empower members to participate in the return to campus. You need to have information on what Public Health is recommending and to know what questions to ask to ensure that there is a plan for your safety before you come back to campus.

Under the Occupational Health and Safety Act, you have the right to know about hazards in the workplace. We also have training planned for

	<p>all of our Joint Health and Safety workers members so that they can be a pro-active resource on a safe return to campus for members in the workplace.</p>
<p>For those employees that can work effectively from home, will they be required to return? If so, why, given the unnecessary increased risk of exposure?</p> <p>Will there be any flexibility to work remotely if, upon return, others are not respectful of social distancing? The position has been successfully adapted to an online format. How can the Union advocate for people who feel safer working from home?</p>	<p>The University is following directives from Toronto Public Health. At some point, there will be an all-clear that it is safe for people to come back to work. While many people have been showing that they can do their jobs quite well from home, there may be operational reasons why a department wants to bring staff back onsite.</p> <p>We do have language in our contract regarding flex time and work from home however, there is nothing in our contract which gives a member the <u>right</u> to work from home if your manager does not approve it. We need to strengthen this language in bargaining.</p> <p>Managers can approve work from home arrangements, and we expect that we will see more work from home than we've seen in the past. Managers do have an obligation to behave reasonably, so we would expect them to open to these requests, especially with evidence that staff can get the work done.</p> <p>The Union can assist by talking to HR to advocate for you to work from home. We can also file a grievance under Management's Rights or the Hours of Work clause.</p>
<p>Returning to campus – personal protective equipment</p>	
<p>Will the University be supplying protective gear, such as, face masks and face shields to all employees?</p>	<p>The employer has a duty to ensure safe workplaces. What that looks like will vary depending on the circumstances. People in Health and Wellness will have different PPE from people in a private office with no one coming in from the public. The view on masks is changing and the City of Toronto is buying thousands of masks for their staff, so we'll see what develops at U of T.</p> <p>At the moment, they are providing non-medical masks in areas where they can't have social distancing. As staff come back, they have the right to know what protections will be in the workplace and can work with their Joint Health and Safety Committee and the Union to ensure that they have the appropriate PPE and/or appropriate distancing for the space and the job.</p>
<p>Returning to campus – public transit</p>	
<p>I am concerned about the second wave of COVID and public transit</p>	<p>Public transit is a big concern for a lot of members. There is no easy answer here. An employer has a legal responsibility to ensure a safe workplace. There is no obligation related to someone's commute. We will definitely be sharing up to date information with members about</p>

<p>What if commuting on the TTC is a part of your job, during the day?</p>	<p>best practices to make your commute as safe as possible. We can advocate for shifted hours and a hybrid work week so people are coming in part time as a way to minimize rush hour transit.</p> <p>If taking TTC is part of your job during the day, you can check with your manager to see if there are alternatives. If you are required to take transit, follow all safety protocols.</p>
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Returning to campus – role of the Union

<p>How will you advocate for worker health and safety; managers may ask people to come into work once the University begins transitioning to in-person, but if we are able to effectively do our jobs remotely we should not be asked to put our health at risk, e.g. if we support students and we cannot meet with students for one-on-one's, what is the benefit of coming in just to call students via videoconference?</p> <p>How will you the Union work with U of T to help ensure safety protocols are established/followed for student facing positions (ex.one-on-one meetings), when return to work is possible?</p>	<p>The Union wants to make sure that UT is following all Toronto Public Health guidelines and provincial orders about when to bring people back and how to protect their health and safety when they come back. We also want to ensure that this is being managed through Environmental Health and Safety and the Joint Health and Safety Committees so that it's not some individual manager making things up as they go along and bringing people back without a plan.</p> <p>We can do this by:</p> <ul style="list-style-type: none"> • educating members and providing them with information on what questions to ask, information on what kind of social distancing or Personal Protective Equipment they need for their job, making sure they know who their Joint Health and Safety representatives are • working with the Joint Health and Safety Committees to make sure that they're playing a key role in monitoring what's happening in their buildings and escalating issues as needed • we can escalate things directly through Environmental Health and Safety and Labour Relations to raise issues as they arise and work to have them resolved.
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