

ONTARIO'S DECLARED STATE OF EMERGENCY

CUPE

On March 17, Ontario declared a State of Emergency for the COVID-19 pandemic. This gives the province certain powers under the *Emergency Management and Civil Protection Act*, and many public services and businesses have been ordered closed as a result. Note that there are also municipalities that have declared local states of emergency, and the federal government can declare a state of emergency too. This factsheet only deals with the provincial declaration. It is expected that the province and other levels of government will change as the situation evolves, so contact your local and/or CUPE National Staff Representative for updated information.

HOW LONG DOES THE STATE OF EMERGENCY LAST?

A provincial state of emergency lasts up to 14 days and can be extended by Cabinet for another 14 days. Extensions beyond that must be authorized by the Legislature.

DOES IT AFFECT MY COLLECTIVE AGREEMENT?

The state of emergency does not automatically produce changes in terms and conditions of employment. However, some collective agreements have provisions that may be triggered by the declaration. Your local should review any such provisions with your CUPE National Staff Representative.

The province may also bring in regulations will affect your workplace or collective agreement rights. For example, a new regulation relating to water and wastewater systems allows employers to disregard certain CA provisions to allow them to re-deploy staff within locations or change schedules.

What should my local do?

Stay in regular contact with your CUPE National Staff Representative, as the government can issue new orders at any time, some of which may affect your workplace.

If the employer violates or overrides your CA or the ESA during a state of emergency, your local should:

- Keep detailed accounts of how the employer is using any powers given to them by an emergency declaration if it results in violations to the collective agreement. This evidence will be vital in any future legal proceedings or in negotiations.
- Demand a written account of why the employer feels it necessary to override the collective agreement.
- Continue to file grievances as normal.
- Inform your CUPE National Staff Representative.