

April 4, 2020

Memo to: Executive Directors

From: Karen Singh
Director, Central Region

Re: Emergency Order

I am writing to let you know about an emergency order that was made on April 3, 2020 under the *Emergency Management and Civil Protection Act* as part of the government's measures to help protect the health, safety, and well-being of Ontarians from COVID-19 and to support agencies that support adults with a developmental disability to work together in a safe and healthier workplace.

I, and everyone at the Ministry of Children, Community and Social Services, know that it is an extremely challenging time – for the people your organization supports, for their families, for your staff, and for you – particularly as the environment around us changes so very quickly. It is our hope that the emergency order will help you and your staff to meet the immediate support needs of the people who rely on your organization for support and care.

This emergency order is a temporary measure to provide flexibility to developmental services agencies to redirect their staffing and efforts to essential tasks. The authorities provided by the order will support our shared objective of:

- Slowing the spread of the coronavirus and keep people from needing hospitalization.
- Supporting critical services and use existing resources flexibly, as enabled in the March 24, 2020 memo that communicated key financial supports and flexibilities
- Focusing on maintaining the health and safety of people and the staff who support them
- Working collaboratively with employees and their bargaining representatives to achieve these objectives.

A copy of the emergency order will be available on the e-Laws website at [ontario.ca](https://www.ontario.ca) and will be posted on the Emergency Management Ontario website at files.ontario.ca/solgen-oicwork-deployment.pdf. I would encourage you to review it and consult with your agency's legal counsel for advice and understanding of the flexibility it provides to you in managing your organizations.

Consultations with the bargaining agents is an important component of agencies utilizing the flexibility provided for in the emergency order.

I also want to acknowledge and thank you for the proactive efforts that many agencies have taken in working with their bargaining agent to identify flexible opportunities to address important staffing needs that you are facing or planning for. This collaborative relationship is critical at all times, and never more so than during this emergency.

As the emergency measures in the order may involve temporarily suspending terms set out in your collective agreements, we strongly recommend that you continue to engage in good faith with your bargaining agents in conjunction with the measures and to provide advance notice and consult with bargaining agents where feasible.

Where this is not possible in your circumstances, please make efforts to provide bargaining agents with notice when the measures are adopted and continue to build on your pre-existing relationships and structures with your bargaining agent partners such as the joint health and safety committees.

Moreover, as you and others in your organization consider whether and how you will exercise the authority provided to service agencies through the emergency order related to staffing, I would ask that you maintain the following important objectives:

- In making staffing decisions, first provide opportunity for full-time work to existing part-time staff before seeking out and employing extra full-time staff from outside your organization.
- In redeploying staff, should there be a difference in terms and conditions of work in the different premises of the agency, the expectation is that staff will not receive a lower wage than their home position.

Routine compliance inspections will resume after the COVID crisis period. The ministry understands that our collective primary focus is on the health, safety, and well-being of the individuals you support, your staff and on addressing urgent issues during the pandemic.

Thank you to all staff who are working on the frontlines of the developmental services sector for all that you are doing to protect and support not only people with developmental disabilities, but also your colleagues during this unprecedented time. The work you are doing is important to helping us get through the COVID-19 outbreak.

If you have any questions regarding the emergency order, please contact your MCCSS program supervisor.

Stay well,

A handwritten signature in blue ink, appearing to read 'K.S.', with a small dot at the end.

Karen Singh
Director, Central Region

c. Michelina Longo, Program Manager