

COVID-19 UPDATE

Community Social Service members: Essential services order and multiple worksites

On March 26, 2020, the BC Government used their extraordinary powers under the Emergency Program Act, to issue ministerial orders to ensure a coordinated response to the COVID-19 pandemic across all levels of government. **These orders have direct implications for workers in the Community Social Services Sector.**

1. All Community Social Service Workers are Essential Service Workers under the Emergency Program Act

We have always known that the critical services and supports you provide to our most vulnerable members of British Columbia are "essential," and of course, under the Government's orders, you have now been legally defined as essential to the functioning of our society in this pandemic.

The Government press release stated the following:

Essential services are those daily services essential to preserving life, health, public safety and basic societal functioning. They are the services British Columbians rely on in their daily lives.

Developed by Emergency Management BC in consultation with other government ministries and the provincial health officer (PHO), this definition is intended to clarify what qualifies as an essential service in the context of the Province's response to COVID-19. In consultation with the PHO, these services should and are encouraged to remain open. They must, however, follow the orders and guidance provided by the PHO to ensure safe operations and reduce the risk of transmission of COVID-19.

The PHO has ordered some types of businesses to close. Any business or service that has not been ordered to close, and is also not identified on the essential service list, may stay open if it can adapt its services and workplace to the orders and recommendations of the PHO.

Child care providers and schools providing care and/or in-class instruction for children are to prioritize placements for those children whose parents are employed as front-line workers in direct to public health and health services, social services, law enforcement, first responders and emergency response.

Specifically, essential services under the Emergency Program Act **include all of the workers providing the services you provide in community social services.** The full list of workers that the Government has defined as essential to the maintenance of our Province can be found www2.gov.bc.ca. *...continued on page 2*

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What does it mean to be declared an essential service worker?

The work you do has been determined to be critical to the functioning of the Province and the Government has ordered that the agencies that deliver these services and supports must remain open, wherever possible. Employers must still comply with all orders of the BC Public Health Officer (the "PHO") and with the Occupational Health and Safety Regulations. Please watch for our reminder bulletin on your health and safety rights and obligations, which will be posted soon.

Please note that the term "essential" in the PHO's directive should not be confused with "essential services" under the Labour Relations Code.

2. Community Social Service Workers Can Work at Multiple CSS Worksites and for Multiple Employers

We know that the PHO, some Health Authorities and Community Care licensing have provided conflicting information to employers in the community social services sector. Now we have clear direction.

If you work another site that is a hospital/acute care, long-term care and assisted living, or a provincial mental health facility anywhere in BC, you cannot work at another one of those facilities anywhere else in the province. This order was made by the PHO to avoid the transmission of COVID-19 to vulnerable populations. There are very few of these types of facilities in the community social services sector.

However, if you work at one of these facilities, you are permitted to work at any other worksite in the community social services sector or elsewhere. Other than the limitations described above workers in the community social services sector are free to work for multiple employers and to work at multiple sites.

We know that some employers have been asking you for information about other employers that you work for or have been trying to compel you to select one employer. They cannot do this and they must cease and desist in trying to limit your employment in any way, other than mentioned above. If an employer persists in asking you for this type of information, please contact your steward or union representative for assistance immediately.

If you have specific questions about COVID-19, please visit www.heu.org or call the HEU COVID-19 hotline at 1-800-909-4994.