

Justified situations outside the worker’s control

Reason	Directives and Remuneration
<ul style="list-style-type: none"> • Has one or more health conditions making him/her vulnerable to COVID-19 • Is 70 years of age or over 	<ul style="list-style-type: none"> • Consider the possibility of allowing the worker to work remotely. • See the question concerning exemptions for school staff members* • If remote work is not possible, all workers with vulnerabilities must return to work and, if they consider it appropriate, may exercise their right of refusal. • Workers who have reasonable grounds to believe that the fact of performing their work would expose them to a danger to their health, safety or physical well-being are entitled to refuse to perform that work, as provided for in section 12 of the <i>Act respecting occupational health and safety</i>. • The danger must be real and objective, and must not be fear-based. Apprehension or worry is not sufficient to conclude that a danger exists. • To do this, the worker must call the CNESST’s general number and ask to talk to an on-duty inspector at 1 844 838-0808. • The CNESST, as quickly as possible, will decide whether or not a danger exists, using the procedure set out in the <i>Act respecting occupational health and safety</i>, i.e. the worker notifies his or her immediate superior, the employer or the employer’s representative and, where applicable, notifies the representative of the union or prevention representative.
<ul style="list-style-type: none"> • Fit for work and lives with a child or relative who has one or more health conditions rendering him or her vulnerable to COVID-19. • Fit for work but must be present at home to assist a child or family member for reasons relating to health, safety or education. 	<ul style="list-style-type: none"> • The health of a relative living under the same roof is not recognized by the public health authorities as a valid criterion for exemption. • The employee must provide a written document attesting to the person’s vulnerability. • The employee must show that he or she has taken all reasonable steps to ensure that someone else can be present to assist the vulnerable person and limit the duration of the leave. • Consider the possibility of allowing the employee to work remotely. • Where the employee is unable to perform his or her full workload, he or she must first, for the time not worked, use up his or her leave for parental

	<p>and family responsibilities, and must then use up all other leave provided for in the contract of employment (e.g. vacation, unpaid leave). However, sick leave cannot be used and must be kept for sickness.</p> <ul style="list-style-type: none"> • Salary is maintained for time worked, if any.
<ul style="list-style-type: none"> • Self-isolating by order of the public health authorities, with or without symptoms. • Self-isolating after being identified by the public health authorities as being in contact with a confirmed case. • Self-isolating at the employer’s request after exhibiting symptoms. 	<ul style="list-style-type: none"> • <u>If the employee is fit for work:</u> Where possible, allow the employee to work remotely. • Salary is maintained according to the known schedule and as agreed in the contract of employment, for the duration recommended by the public health authorities, whether or not the employee actually works.
<ul style="list-style-type: none"> • Awaiting the results of a COVID-19 screening test, with or without symptoms. 	<ul style="list-style-type: none"> • <u>If the employee is fit for work:</u> Where possible, allow the employee to work remotely. • Salary is maintained according to the known schedule and as agreed in the contract of employment, for the duration recommended by the public health authorities, whether or not the employee actually works. • If the test is positive, the employee may be compensated under the <i>Act respecting industrial accidents and occupational diseases</i> or the salary insurance plan, depending whether he or she contracted COVID-19 after being exposed to it in the workplace or in other circumstances. • In the case of disability, the employee is presumed to have begun the waiting period, if any, while awaiting the results and while in self-isolation.
<ul style="list-style-type: none"> • Contracted COVID-19 outside the workplace. 	<ul style="list-style-type: none"> • The employee must obtain a medical certificate confirming the diagnosis. • The employee may be compensated under the salary insurance plan provided for in his or her conditions of employment.
<ul style="list-style-type: none"> • Contracted COVID-19 at work. 	<ul style="list-style-type: none"> • The employee must obtain a medical certificate confirming the diagnosis. • Subject to meeting the eligibility conditions, the employee may be compensated under the <i>Act respecting industrial accidents and occupational diseases</i>.

Other Situations

Reason	Directives and Remuneration
<ul style="list-style-type: none"> Employee in self-isolation after returning from a personal trip, with or without symptoms 	<ul style="list-style-type: none"> Consider the possibility of allowing the employee to work remotely. Where the employee is unable to perform his or her full workload, he or she must first, for the time not worked, use up his or her leave for parental and family responsibilities, and must then use up all other leave provided for in the contract of employment (e.g. vacation, unpaid leave). However, sick leave cannot be used and must be kept for sickness. Salary is maintained for the time worked, if any.
<ul style="list-style-type: none"> Employee refuses to work for no valid reason. 	<ul style="list-style-type: none"> Each situation must be examined on a case-by-case basis by the employer. Administrative or disciplinary measures may apply.