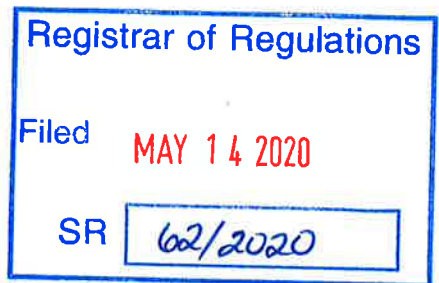




Province of Saskatchewan

Order in Council 225/2020



Approved and Ordered: 13 May 2020

  
Lieutenant Governor

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, makes *The Employment Standards (Public Emergencies) Amendment Regulations, 2020 (No. 2)* in accordance with the attached Schedule.

  
President of the Executive Council

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(For administrative purposes only.)

Recommended by: Minister of Labour Relations and Workplace Safety

Authority: *The Saskatchewan Employment Act, Section 2-99*  
JAG DM - 12-05-20

SCHEDULE to OC 225/2020

Title

1 These regulations may be cited as *The Employment Standards (Public Emergencies) Amendment Regulations, 2020 (No. 2)*.

RRS c S-15.1 Reg 5, new Part IX.1

2 Part IX.1 of *The Employment Standards Regulations* is repealed and the following substituted:

“PART IX.1  
Public Emergencies

“**Definition for Part**

44.2 In this Part, ‘**public emergency period**’ means the period during which an order of the chief medical health officer issued pursuant to subsection 2-59.1(2) of the Act, or an emergency declaration ordered pursuant to *The Emergency Planning Act*, is in force.

“**Certain provisions do not apply during public emergency period**

44.3(1) During a public emergency period, employers and employees are exempt from the provisions of, and employees are not entitled to the protections provided by, sections 2-60 and 2-61 of the Act respecting layoffs.

(2) After the date on which the public emergency period is no longer in force, an employer continues to be exempt from the provisions of sections 2-60 and 2-61 of the Act respecting layoffs for a further period of two weeks.

(3) After the expiry of the two-week period mentioned in subsection (2):

(a) the employer must schedule any laid off employees to work with the employer;

(b) if any employees have not been scheduled to work with the employer, the employees:

(i) are deemed to be terminated; and

(ii) are entitled to pay instead of notice in accordance with sections 2-60 and 2-61 of the Act to be calculated from the original date on which the employer laid off the employees; and

(c) if any employees have been scheduled to work with the employer but do not return to work, the employees are deemed to have resigned.

“**Group termination notices during public emergency period**

44.4 During a public emergency period, in the circumstances mentioned in section 2-62 of the Act employers:

(a) are exempt from providing the required notice to the employees whose employment will be terminated and to the union that is the bargaining agent of any employees whose employment will be terminated; but

(b) must provide the required notice to the minister as soon as reasonably possible after the termination.

**“Matters re public emergency leave**

**44.5** For the purposes of section 2-59.1 of the Act:

(a) that section is deemed to apply to an employee who is required to provide care and support to the employee’s adult family member who is affected by a direction or order of the Government of Saskatchewan or an order of the chief medical health officer;

(b) the opinion of a duly qualified medical practitioner, the Government of Saskatchewan or the chief medical health officer prevails if there is a conflict of opinion between:

(i) the employer of the employee; and

(ii) the duly qualified medical practitioner as expressed in an opinion, the Government of Saskatchewan as expressed in an order or direction or the chief medical health officer as expressed in an order; and

(c) that section does not apply to employees who have been informed, in writing, by their employer that they are necessary to provide critical public health and safety services”.

**Coming into force**

**3** These regulations come into force on the day on which they are filed with the Registrar of Regulations.

