

Table of Contents

Please find attached the English version of an information message that was sent to all Employment and Social Development Canada's employees	1
2023-02-21-Communiqué-Severe weather, losing system or Internet access and other adverse conditions	2
ESDC Table of Human Resources Authorities	3
Guidelines on Reporting to Work during Severe Weather	4

Hello,

Please find attached the English version of an information message that was sent to all Employment and Social Development Canada's employees.

The French version will be sent separately.

Thank you,

National Union-Management Relations – Centre of Expertise team

2023-02-21-Communiqué-Severe weather, losing system or Internet access and other adverse conditions

This message aims to clarify employees' responsibilities when faced with the following situations:

- **Severe weather and/or office closures**
- **Community or personal power outages / Internet outages preventing telework**
- **System issues preventing telework**

Severe weather and/or office closures

Severe weather can have an impact on Employment and Social Development Canada's (ESDC) operations, including office closures. Decisions to delay, cease, interrupt, or resume operations in Service Canada Centres and ESDC/Service Canada/Labour Program offices can happen due to severe weather, as well as power outages, building related issues or community emergencies. The health and safety of employees are a top priority and guide these decisions.

As a best practice during the winter months, management and employees should monitor daily weather reports to identify any potential issues that may affect operations or worksite closures. When severe weather is forecasted, management and employees are encouraged to meet and plan for work or workplace alternatives. This could include making sure employees who are equipped to work from home have access to their devices.

Onsite employees and employees working under a hybrid work arrangement (scheduled to work from the office on that day)

Employees working at physical worksites in person, either some or all of the time, are expected to make reasonable and safe efforts to report to the office unless workplace operations have ceased (in other words, office closures) or have been delayed. If employees are unable to report to their worksites due to severe weather:

- Employees are asked to make every effort to contact their team leader or manager for instructions.
- Employees who normally work onsite but can work remotely will be expected to work from home.
- Employees who are unable to work from home or report to their worksite due to unsafe road conditions may be eligible for Leave with Pay for Other Reasons (699). Such situations will be reviewed on a case-by-case basis.

Predominantly offsite or employees working under a hybrid work arrangement (not scheduled to work from the office on that day)

Employees who are set up to work offsite (in other words, employees who telework under a hybrid or offsite work arrangement) are still expected to work even if operations in Service Canada Centres and ESDC/Service Canada/Labour Program offices have been impacted by severe weather, for example, office closures.

Community or personal power outages / Internet outages preventing telework / System issues preventing telework

Employees under a hybrid or offsite work arrangement who are scheduled to telework and experience a power or internet outage (or issues with VPN access or AppGate) are expected to make every effort to contact their team leader or manager for working instructions. Depending on the circumstances (length of the disruption, time of day, etc.), management may instruct employees if possible to report to their worksite on short notice.

Depending on the circumstances (widespread network outage, remote access system outage, length of the disruption, time of day, etc.) employees may be required to complete tasks that do not require access to some systems, such as training through [Saba](#) and/or [GC Campus](#). Management may also instruct employees if possible to report to their worksite on short notice.

All travel time and transportation costs between the telework location and the worksite are the responsibility of the employee. In the event that an employee experiences repeated connectivity issues (in other words, power outage, internet outage, systems issue), management may temporarily modify or terminate an employee's hybrid or offsite work arrangement, therefore requiring the employee to report full-time to their designated worksite, to ensure continued and effective delivery of programs and/services.

In all circumstances, employees who are unable to work from home or report to an office, must contact their team leader or manager as soon as possible. Employees and management should work together to identify viable alternative work options that will be assessed on a case-by-case basis.

Leave with Pay for Other Reasons (699) should only be used as a last resort once all appropriate options to work have been considered. Approval for Leave with Pay for Other Reasons (699) must be reviewed on a discretionary, case-by-case basis and in accordance with the applicable collective agreement. As per the [ESDC Table of Human Resources Authorities](#), the delegation to approve such leave is at Level 5 (Non-Executives with managerial and financial responsibilities holding a valid Manager financial delegation for their allocated cost centres).

The [Guidelines on Reporting to Work during Severe Weather](#) provide a consistent approach to the management of weather-related absences including the use of Leave with Pay for Other Reasons (699) and contains informative scenarios and frequently asked questions. For further assistance on the use of Leave with Pay for Other Reasons or work issues related to severe weather or access to ESDC systems, management may contact Labour Relations by submitting a request through the [Human Resources Service Centre](#).

HRSB will be reviewing and updating the departmental Guidelines on Reporting to Work during severe weather following the common approach to hybrid work [December 15, 2022, announcement from the Treasury Board Secretariat](#). Further details will be shared in the coming weeks, specific to the updated Guidelines.

Date modified:
2023-02-21

À partir de l'adresse <<https://esdc.prv/en/news/corporate/2023/02/21.shtml>>

ESDC Table of Human Resources Authorities

The Table of Human Resources Authorities establishes a detailed listing of human resources authorities and identifies the level to which they are delegated.

- [ESDC's Table of Human Resources Authorities \(DOCX, 158 KB\), Word](#)

Staffing Sub-Delegation

- [List of Sub-Delegated Managers](#)

How to Obtain Staffing Sub-Delegation?

Authorities under the Public Service Employment Act (PSEA) can only be exercised by persons who have received staffing sub-delegation, in writing, by the Deputy Minister.

- [Process for Obtaining a Staffing Sub-Delegation](#)
(Conditions to obtain staffing sub-delegation, Steps to follow, Approval cycle)
- [Branch / Regional Coordinators](#)
(Branch / regional coordinators can assist managers in obtaining their staffing sub-delegation)
- [ESDC Staffing Sub-Delegation](#)
This training provides managers with an overview of the Public Service Commission's Appointment Framework and ESDC's staffing direction.
- [Request for Staffing Sub-Delegation Form \(DOCX, 335 KB\), Word](#)

Frequently Asked Questions

- [Questions and Answers](#)

Other Useful Links

- [Delegation \(PSC\), external](#)
- [Appointment Delegation and Accountability Instrument \(ADAI\), external](#)
- [Public Service Employment Act, external](#)
- [ESDC Staffing Direction](#)

Contact Us

You have consulted the information above and did not find exactly what you were looking for? Please contact us at na-hrdelegation-delegationrh-gd@hrsdc-rhdcc.gc.ca, e-mail

Date modified:
2023-02-09

À partir de l'adresse <https://iservice.pr/eng/hr/staffing/managers_corner/delegation_and_accountability.shtml>

Guidelines on Reporting to Work during Severe Weather

Guidelines on Reporting to Work during Inclement Weather

Context

Severe weather is a fact of life in Canada. At times, weather conditions interrupt normal travel patterns and employees are late or absent from work as a result of circumstances beyond their control. In the event of severe conditions, senior management may also cease or interrupt operations to ensure the safety of employees or to respond to a community emergency. These guidelines should be read in conjunction with the relevant Business Continuity Plan and, with the [Practical Guide on Use of Leave With Pay for Other Reasons \(699\)](#), in the context of Covid-19.

Objective

These guidelines have been developed to assist managers in situations where weather conditions prevent employees from reporting to work, including office closures. They will also ensure a consistent approach to the management of weather-related absences from the workplace.

Definitions

Please refer to [Appendix A - Definitions](#).

Application

These guidelines apply to all Employment and Social Development Canada employees, including casual, students, part-time workers and terms of less than three months (including the Labour Program and Service Canada).

Requirements

Reasonable measures must be taken by the manager to ensure the safety of employees, while considering the operational impact that any disruption may have on our services to the public.

Depending on the nature of the operation and the anticipated duration of any interruption to the normal work schedule, alternate working arrangements may, at the discretion of management, be appropriate. These include the reassignment of work or workplace [Footnote1](#), a change to normal working hours within the core hours (e.g. 7am to 6pm for the PA collective agreement), or working remotely.

Employees who are able to work remotely, including those who do so on an ad-hoc basis, are expected to work from home, even if the office is closed as a result of inclement weather, unless other leave provisions apply (e.g. Leave with Pay for Family-Related Responsibilities, Vacation).

Each situation must be assessed on a case-by-case basis.

Managers should contact Labour Relations ([HRSC](#), [external](#)) for guidance when they are uncertain whether Other Leave with Pay applies.

Footnote 1

It is important to note that when reassigning an employee to a different work location the [NJC Travel Directive, external](#) may apply.
[Return to footnote1referrer](#)

Leave Application

When employees request leave because inclement weather has prevented them from reporting to work and they cannot work remotely, the manager must review the individual circumstances associated with the

request, and base their decision on its merits.

Other Leave with Pay could be granted when employees are/have:

- Unable to report to work due to inclement weather;
- Made reasonable efforts to come to the workplace;
- Regularly communicated their circumstances to their supervisor;
- Unable to implement alternate work arrangements;
- Unable to work due to circumstances not directly attributable to them; and,
- Otherwise available for work.

Employees would not normally be eligible for Other Leave with Pay under the following circumstances:

- They ought to be able to come in to the office but choose not to because of personal choice [Footnote2](#);
- Alternate work arrangements would be appropriate but the employees choose not to work for personal reasons;
- They would not otherwise be available to work (e.g. because of family related responsibilities);
- They did not make reasonable efforts to arrive at work in a timely fashion (e.g. the employee left home at the same time as usual, despite knowing that the road conditions were difficult and could impact their commute); and,
- Advisories or warnings on road conditions issued by local authorities do not indicate there are safety risks.

Each situation should be assessed on a case-by-case basis. Managers should consider individual circumstances and exercise reasonable discretion. Please refer to [Appendix B – Scenarios](#) for some examples.

Footnote 2

In these circumstances, other paid leave such as annual leave or compensatory leave may apply.

[Return to footnote2referrer](#)

Considerations

In all cases of office closure due to inclement weather, employees who are adequately set up to work remotely are required to do so to minimize the impact on the operations.

Employees who would otherwise be at work that day but are unable to work remotely (no VPN or AppGate access) should discuss alternate work arrangements with their supervisor. This could include assignment of duties that do not require access to the network (e.g. training on Saba, reading).

If no such arrangements are possible, employees may be entitled to Other Leave with Pay. Under these circumstances, they must remain available and their supervisor must be able to reach them in the event the situation changes and normal operations resume.

When determining if employees were prevented from working for reasons not directly attributable to them, factors for consideration may include:

- The nature of the weather conditions at that time, including amount and type of precipitation;
- Anticipated road conditions, including road maintenance and clearing;
- Advisories or warnings on road conditions issued by local authorities;
- Impacts on public transportation, schools or other employers;
- Accessibility challenges that employees with disabilities may face;
- Reasonable precautions taken by the employees to ensure they would be able to report to work at the scheduled time, including leaving earlier, considering alternate transportation, or addressing family circumstances in advance; and,
- Whether the employees made reasonable efforts to get to work throughout their scheduled shift and kept their supervisor apprised of their situation.

Employees who previously had been approved for sick leave, annual leave, variable hours of work (i.e. compressed workweek), or otherwise would not have reported for work that day, are not entitled to change their leave arrangements and will not have leave credits reimbursed.

For all of the above examples, further clarification is provided in the [Frequently Asked Questions listed in Appendix C](#).

Roles and Responsibilities

[Delegated managers](#) will:

- Administer the collective agreement and employer policies. This includes provisions to allow for Other Leave with Pay when employees are unable to report for work due to circumstances beyond their control; and,
- Consider each situation independently, to determine when Other Leave with Pay is reasonable and appropriate.

Employees will:

- Work their scheduled hours, when/where feasible;
- Stay informed of weather conditions and anticipate when reasonable precautions are necessary to ensure they are able to report to work in a timely and safe manner;
- Maintain communication with their supervisor and inform them of their personal circumstances if inclement weather conditions prevent or delay them from reporting to work; and,
- Continue to make safe attempts to come to the office or discuss alternate work arrangements with their supervisor.

Labour Relations will:

- Provide advice and guidance to managers on the consistent application of leave policies, including what type of leave is most appropriate for a given situation.

Enquiries

Managers should contact Labour Relations through the HRSC Web Application for advice and guidance on these policies and guidelines.

For advice and guidance: [HRSC Web Application – General HR Enquiry Form, external](#)

Legislation, Polices and Other

- [Relevant collective agreements, external](#)
- [Directive on Leave and Special Working Arrangements, external](#)
- [Directive on Terms and Conditions of Employment, external](#)
- [National Joint Council \(NJC\) - Travel Directive, external](#)
- [Policy on Terms and Conditions of Employment, external](#)
- [Directive on Terms and Conditions of Employment for Students, external](#)

Appendix

• **Appendix A - Definitions**

Adverse environmental conditions at the workplace:

These include, but are not limited to, loss of building environmental systems such as heat or electricity.

Alternate work arrangements:

For the purpose of these guidelines, these may include a change in work schedule or workplace ([NJC Travel Directive, external](#) may apply), change to the hours of work within core hours as defined by the relevant collective agreement or condition of employment, or working remotely.

Inclement weather:

Adverse climatic conditions, which may include severe snowstorms or floods.

Managers:

An employee who is accountable for exercising delegated human resources authority (i.e. staffing and/or financial delegation). In addition to ensuring business results are delivered and overall management functions are carried out, a manager leads people, recognizes and rewards achievement, manages performance, develops people, manages change and promotes corporate values, ethics, and culture of the organization.

Other Leave with Pay:

For the purpose of these guidelines, an authorized paid absence from work, for a short duration, due to inclement weather or adverse environmental conditions (Other Paid – Other – Other: Non-COVID

related). This includes Leave with Pay for Other Reasons, in accordance with the relevant collective agreement, and Time Off with Pay, as defined in the Appendix A of the [Directive on Leave and Special Working Arrangements, external](#).

- **Appendix B - Scenarios**

Scenario 1

Bob lives in the rural countryside, and has a long gravel driveway. After a heavy snow storm, the company that plows his driveway did not show up for three days. Bob claimed that he was not able to report to work for three days.

Considerations

- Did Bob have other options for clearing his driveway?

- Did he consider other means of transportation?

Employees must undertake reasonable measures based on anticipated weather and find alternatives to their normal practices when necessary. Ultimately, Bob must demonstrate that he made reasonable efforts to report to work and that it was not possible for him to do so. In addition, Bob should have discussed the option of alternate work arrangements with his manager.

Scenario 2

Mary, José, Albert and Matt all work in the same office. They were all several hours late after a night of sleet and freezing rain. Gian, another employee in the same office, was unable to report for work at all, as his car was stuck and there are no buses in his part of town. Other employees who arrived reported slow driving and difficult conditions.

Considerations

- Did the employees consider alternate transportation?

- Did they make repeated attempts to come to work throughout their workday?

- Did they communicate regularly with their supervisor throughout their workday?

- Did they discuss the option of alternate work arrangements with their supervisor?

When several employees have the same experience, it is often reasonable to assume that the disruption was widespread. At the same time, always consider that individual circumstances may be unique.

Scenario 3

It is -45° C in Winnipeg, and neither of Cheryl's cars would start. She tried to catch the bus, but returned home after half an hour because it was too cold to wait outside. When she called a taxi, she was told that she would have to wait two hours.

Considerations

Cheryl has made repeated attempts and considered alternate methods of transportation. She must communicate with her supervisor regarding her circumstances and discuss alternate work arrangements (e.g. working from home). If such arrangements are not feasible, Cheryl should continue to attempt to report for work and inform her supervisor throughout the day.

Scenario 4

The morning after a heavy storm, schools are closed and the streets are impassible. Ray spends an hour shoveling the driveway, but the street hasn't been plowed, the kids are at home, and he does not have alternate childcare arrangements. Ray calls his supervisor and tells her he cannot make it to work that day.

Considerations

Employees are expected to make reasonable attempts to report for work as the situation evolves during the day. In this case, Ray should contact his supervisor and discuss alternate work arrangements (e.g. working from home or staggering hours of work). If such arrangements are not feasible, Ray should continue to attempt to report to work during the course of the day.

To be granted Other Leave with Pay, the employee should be otherwise available to work, despite the inclement weather. If family circumstances are the reason that the employee cannot work, Leave with Pay for Family-Related Responsibilities should be requested.

Scenario 5

François spent the weekend at Mont Tremblant. After a great weekend on the ski hill, he finds himself unable to drive back to Montréal as the highway is closed due to a blizzard. He calls his supervisor to say he is stuck until the weather conditions improve.

Considerations

Other Leave with Pay may be appropriate even when employees find themselves stranded away from home. The manager should consider whether or not François could have reasonably anticipated the storm and returned home safely before the roads became inaccessible. In the circumstances described above, François must also keep his supervisor apprised of the situation and report to work as soon as it is safe to do so.

Scenario 6

After a night of heavy snow and freezing rain, the roads are impassible in the community and there are widespread power outages. The forecast is calling for more snow and high winds. The

police are advising against any non-essential travel on local roads. After consulting with the Executive Head of Service Management, the Area Director announces the local office will be closed for the day. Many employees call their supervisors about reporting to the office.

Considerations

In all cases of office closure due to inclement weather, employees who are adequately set up to work remotely are required to do so.

Employees who would otherwise be at work that day and are unable to work remotely (no access to VPN or AppGate) should discuss the possibility to do alternate work that does not require a network access (readings, training on Saba, etc.) with their supervisor.

If no alternate work is available, managers may grant Other Leave with Pay. Under these circumstances, employees must remain available and their supervisor must be able to reach them in the event the situation changes and normal operations resume.

Employees who previously had been approved for sick leave, annual leave, variable hours of work schedule (i.e. compressed workweek), or otherwise would not have reported for work that day, are not entitled to change their arrangements and will not have leave credits reimbursed.

Scenario 7

Charmaine was working from home when around 10:00am, she experienced a power outage. Shortly after she found out that a large part of her neighborhood and the surrounding areas lost power due to high winds downing power lines. Charmaine called her supervisor to advise she did not know when her power would be restored and when she will be able to resume working. The office she reports to (i.e. workplace) is open and is not affected by the power outage.

Considerations

If weather conditions are safe and it would be reasonable for her to attend the workplace (i.e. no capacity limits in the office, she has several hours left in her work day), Charmaine should discuss the option of commuting to work with her manager.

If this is not possible, Charmaine and her manager may consider other options such as adjusting her work schedule in order for her to complete the rest of her work hours once the power has been restored and/or having her perform work that does not require access to a computer (e.g. reading).

Depending on the nature of the operations and the anticipated duration of any interruption to the normal work schedule, alternate working arrangements may, at the discretion of management, be appropriate. These include a change to normal working hours, or the reassignment of work or workplace. If these options are not feasible, managers should assess individual circumstances and may grant Other Leave with Pay. Under these circumstances, Charmaine must remain available and keep her supervisor apprised of the situation throughout the day.

For all of the above examples, further clarification is provided in the [Frequently Asked Questions listed in Appendix C](#).

• **Appendix C - Frequently Asked Questions**

1. Are employees currently working remotely full-time or on an ad hoc basis (in most cases, working from home) required to do so if there is an office closure due to inclement weather?

Employees who are able to work remotely (have remote access to AppGate or VPN) are expected to work their scheduled hours unless other leave provisions apply (e.g. Leave with Pay Family-Related Responsibilities, Personal Needs Leave, Vacation Leave).

2. Are employees currently working from the office, but who are adequately set up to work remotely, required to do so if there is an office closure due to inclement weather?

Employees who are able to work remotely are expected to do so even if the office is closed as a result of inclement weather unless other leave provisions apply (e.g. Leave with Pay for Family-Related Responsibilities, Vacation Leave). Managers should ensure remote work environments are in conformity with Occupational Health and Safety (OHS) and security requirements and address duty to accommodate requirements, where applicable.

3. If the office is open, can an employee refuse to come to work because of inclement weather (e.g. employee indicates concern for safety, distance, weather conditions where they live, time left in the day) or for personal reasons such as a loss of power?

If the office is open, employees must make reasonable efforts to come in to work. Managers must consider **individual circumstances** and exercise reasonable discretion, by granting Other Leave with Pay when the absence is not directly attributable to the employee. Each situation should be assessed on a case-by-case basis. If the employee ought to be able to come in to the office but chooses not to because of personal choice and they are unable to work from home, the employee can request to take annual or compensatory leave. Managers will review the leave request and make a determination in light of the information provided to them. They are

encouraged to discuss such situations with Labour Relations.

4. Are employees entitled to be paid for overtime opportunities lost as a result of inclement weather or office closure?

Overtime that was previously scheduled but not worked as a result of inclement weather or an office closure cannot be paid. According to the collective agreement, employees must actually work the overtime in order to be compensated.

5. How are leave with pay provisions applied in these circumstances, for terms under three months, casuals, part-time workers and students?

According to the Treasury Board Directive, in situations of inclement weather or office closure, it may be appropriate to exercise discretion in granting Time off with Pay^{Footnote3} for terms under three months, casuals, part-time workers and students. All viable alternate work arrangements including remote work should be considered prior to making a determination.

6. Can managers direct employees to work from another location?

Depending on the circumstances, it may be appropriate to direct employees to work from another location. The [NJC Travel Directive, external](#) may apply.

7. Are employees entitled to leave work early when severe weather can reasonably be anticipated to result in poor road conditions, or early closures of daycare centres and schools?

Employees who wish to leave early based on their own assessment of safety or delays commuting, or as a result of their family situation, may request flexible hours, utilize Vacation Leave, Compensatory Leave, or Leave with Pay for Family-Related Responsibilities, subject to their manager's approval.

Other Leave with Pay is appropriate when senior management makes a determination to close the office or cease operations and other leave options are not applicable, or alternative work arrangements (such as remote work) are not feasible. Managers must consider **individual circumstances** and exercise reasonable discretion, by granting Other Leave with Pay if they believe that the weather and road conditions would become poor and may put the employees at risk (this is done on a case-by-case basis).

8. What leave should be considered for employees who only work from the office and do not have the possibility to work remotely? For example, if they are precluded from working remotely due to functional limitations, the nature of their job, or other considerations.

When management makes a determination to close the office or cease operations, and remote work or other alternate work arrangements are not feasible, persons with delegated authority may grant Other Leave with Pay, as the employee is prevented from working for reasons outside of their control.

9. What steps should a manager take when denying a request for leave with pay related to inclement weather?

When a manager feels Other Leave with Pay is not appropriate, it is important to document the reasons that support this decision. Weather reports, media advisories related to road conditions, information on public transit and other relevant details may be relevant in the event that the decision is reviewed by a third party. All viable alternate work arrangements including remote work should be considered prior to making a decision on the leave request.

Footnote 3

See [Appendix A](#) for definition of Other Leave with Pay, which includes Time Off with Pay.
[Return to footnote3referrer](#)

Date modified:
2023-01-06

À partir de l'adresse <https://iservice.prv/eng/hr/labour_relations/managers_corner/guidelines_inclement_weather.shtml>