

Ministry of Long-Term Care

Pandemic Pay Implementation Guidelines

Stakeholder Information Session

June 12, 2020

Agenda

Purpose: To provide an overview of how temporary pandemic payments will be implemented across the long-term care sector.

1. Welcome and Introductions
2. Eligibility
3. Funding Approach
4. Redeployment and Third Party Agencies
5. Reporting Timelines
6. Reconciliation
7. Implementation
8. Questions and Answers

Introduction

- On April 25th, 2020, the government announced temporary Pandemic Pay measures in response to the ongoing COVID-19 outbreak.
- The goals of this temporary pay is to provide additional support and relief to frontline workers, encourage staff to continue working, attract prospective employees and help maintain safe staffing levels and the operation of critical frontline services.
- The temporary pay measures consist of:
 1. **Hourly pay** of an additional \$4 per hour for all hours worked; and
 2. **Lump sum payments** of \$250, conditional on 100 hours or more worked during a designated 4-week period, for a total of up to \$1,000 over 16 weeks.

Eligibility

Who is eligible for temporary Pandemic Pay?

- ✓ All non-management staff who are working on-site in an long-term care (LTC) home, including clinical care staff and support staff (full-time, part-time and casual workers).
 - *Individuals employed in a management capacity are **not** eligible for temporary pay. This includes individuals employed in a management capacity and redeployed to an otherwise eligible position.*
- ✓ Third-party agency staff or other contracted staff who are hired by or otherwise work for a LTC home and are working on-site in a LTC home, but who are not a direct employee of the home
- ✓ Staff who are paid through provincial funding.
 - However, temporary pandemic pay is not payable for any hours worked to provide care services that were privately purchased.

Funding Approach

All eligible staff will retroactively receive:

- **Hourly increase** of \$4 per hour worked from April 24, 2020 up to and including August 13, 2020. This pay is provided in addition to their existing hourly wages, regardless of how much that person is paid; and
- **Lump sum payments** of \$250 for 100 hours or more worked during each of the following designated 4-week periods:

Lump Sum Payment Period	Funding Amount	Cumulative Funding	Total number of weeks
April 24, 2020 to May 21, 2020	\$250	\$250	4
May 22, 2020 to June 18, 2020	\$250	\$500	8
June 19, 2020 to July 16, 2020	\$250	\$750	12
July 17, 2020 to August 13, 2020	\$250	\$1,000	16

Funding Approach: Lump Sum Payments

Who pays for lump sum payments if a staff member works for multiple employers?

- Eligible staff may work their 100 hours or more with a single eligible employer or cumulatively with multiple eligible employers.
- Where an individual works for multiple eligible employers for a combined total of 100 hours or more during a designated 4-week period, the individual must complete the **Temporary Pandemic Pay Attestation: Multiple Employers** form, which will be made available in the policy document.
- The individual should submit the form to the employer where they have worked the **most** hours during the designated 4-week period.
- An employee may be eligible to receive a lump sum payment for one designated 4-week period if having worked 100 hours, while they may not be eligible for the subsequent 4-week period if having worked less than 100 hours.

Funding Approach Continued

Statutory Entitlements and Benefits

- The Ministry of Long-Term Care will fund the LTC home licensee's share of statutory entitlements and contributions. They apply as follows:
- **Pandemic Hourly Pay and Lump Sum Payments:**
 - Statutory entitlements such as: vacation pay; public holiday pay; overtime
 - Employer contributions such as: Canada Pension Plan (CPP); Employment Insurance (EI); Employer Health Tax (EHT)
 - Increases in an employer's WSIB insurable earnings due to temporary pay
- Salary-related benefits – such as life insurance coverage and long-term income protection – will not be impacted by the temporary pandemic pay.
- The temporary pay does not impact pension (with the exception of CPP), benefits, or base salaries.
- The temporary pay will not be provided for the time employees were not in the workplace for any reason, including:
 - Vacation
 - Any authorized paid leave, including sick leave
 - Time and benefits awarded under the *Workplace Safety and Insurance Act, 1997*

Funding Approach Continued

How will long-term care home licensees receive the funds?

- Each LTC home licensee will receive an estimated allocation of up to **\$996.29 per bed** for each 4-week period to support the temporary pay for eligible staff. This includes pandemic hourly pay, pandemic lump sum payment and statutory entitlements and contributions.
- For each LTC home with **96 beds or fewer**, LTC home licensees will receive an additional allocation of up to **\$10,000** for each 4-week period.
- Payments to LTC home licensees will be provided in two installments:
 - June 2020: The first estimated installment will equal **75%** of the LTC home's total 16-week allocation and will be provided as an unscheduled payment.
 - July 2020: The second estimated installment will be provided in the scheduled monthly payment and will equal the remaining balance (or **25%** of the LTC home's total 16-week allocation).

Funding Allocation Scenarios:

Each LTC home licensee will receive an estimated allocation of up to **\$996.29 per bed** for each 4-week period to support the temporary pay for eligible staff. This includes pandemic hourly pay, pandemic lump sum payment and applicable employer statutory entitlements and contributions.

Long-Term Care Home Size	Funding Allocation per 4 weeks	Total funding Allocation (16 weeks)
Small (96 beds)	$\$996.29 \times 96 + \$10,000$ small home top up = \$ 105,644	$\$ 105,644 \times 4 = \$ 422,576$
Medium (135 beds)	$\$996.29 \times 135 = \$ 134,499$	$\$134,499 \times 4 = \$ 537,997$
Large (210 beds)	$\$996.29 \times 210 = \$ 209,221$	$\$ 209,221 \times 4 = \$ 836,884$

Third Party Agencies

- Where LTC home licensees engage a third-party service provider that employs eligible staff to work for the LTC home:
 - The province will provide temporary pandemic pay funds to the LTC home licensee.
 - The LTC licensees will then disburse the funds to the third-party service provider under an agreement that requires the third-party service provider to:
 - Pay temporary pandemic pay to eligible staff according to the pay calculations;
 - Use temporary pandemic pay funds only for the purposes of paying eligible staff;
 - **Not** use temporary pay funds for administrative costs, etc.; and
 - Commit in writing that the contracted staff is receiving the appropriate temporary pay amounts.

Redeployed Staff

How will redeployed staff be paid?

- **Redeployed from an eligible workplace (e.g. hospitals or other Broader Public Sector organization) to work on-site in an LTC home:**
 - Eligible for temporary pandemic pay.
 - Temporary pay paid by **their home employer**.
- **Redeployed from an ineligible workplace to work on-site in an LTC home:**
 - Eligible for temporary pandemic pay.
 - Temporary pay paid by **their home employer** through **an arrangement with the LTC home**.
- In both scenarios, management staff are ineligible.

Redeployment Scenarios

Staff redeployed from one eligible workplace to an LTC home:

- E.g., A personal support worker (PSW) is redeployed from a hospital to work in an LTC home
- E.g., A physiotherapist is redeployed from a hospital to work in an LTC home
- The hospital (the home employer) will pay the staff pandemic pay
- The hospital (the home employer) will charge the ministry for pandemic pay through its existing transfer payment agreement (TPA)

Staff redeployed from school board/university/other BPS sector to an LTC home:

- E.g., A janitor is redeployed from the school board to work in an LTC home.
- The school board/university/BPS (the home employer) will pay the staff pandemic pay
- The school board/university/BPS (the home employer) will be reimbursed from by the Ministry of Education for pandemic pay

Staff redeployed from an ineligible employer to an LTC home:

- E.g., A dietician redeployed from a Family Health Organization (FHO) – primary care setting to an LTC home.
- The FHO (i.e., the home employer) will pay the staff pandemic pay (and their regular wages)
- The FHO will be reimbursed by the LTC home through an agreement between the FHO and LTC home with the pandemic pay funds provided from MLTC
- This is similar to the agreement with an external third party agency

Reporting Timelines

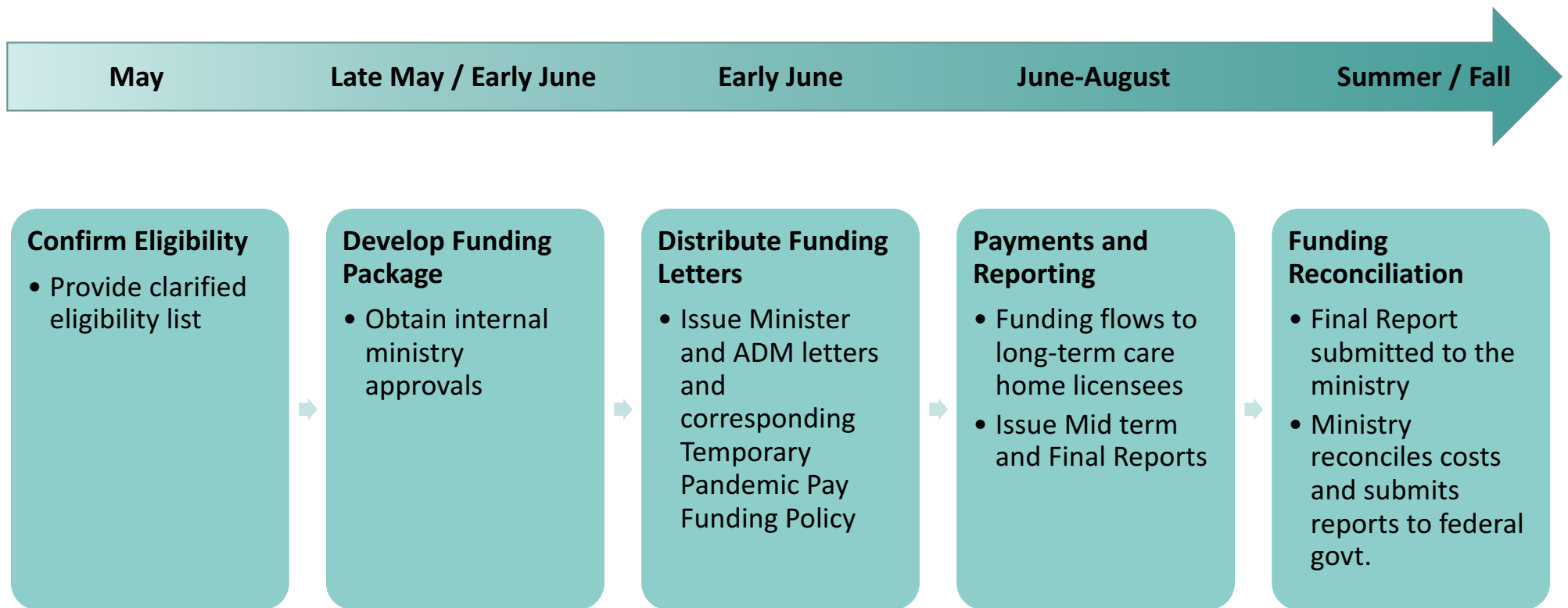
What information is expected from LTC home licensees?

- LTC home licensees shall submit **two reports** (Mid-Term and Final Report) to the Ministry of Long-Term Care.
 - The **Mid-Term Report**: Two 4-week periods from April 24, 2020 up to and including June 18, 2020. LTC homes will be asked to submit the report in **July 2020**.
 - The **Final report**: Two 4-week periods from June 19, 2020 up to and including August 13, 2020. LTC homes will be asked to submit the report in **September 2020**.
- Details of the reporting process and dates will be communicated to LTC homes at a later date. Licensees will submit reports and attestations through the ministry's HSIMI portal.
- LTC home licensees shall create and maintain records that document:
 - Number of worker hours eligible for hourly temporary pay, tracked per mid-term and final reporting periods;
 - Gross amount of hourly temporary pay paid out to eligible workers;
 - Gross amount of temporary pay lump sum paid out to eligible workers;
 - Amount of statutory contributions paid by employers due to pandemic pay to eligible workers;
 - Amount paid by the licensee to address statutory or collective agreement entitlements as a result of providing pandemic pay; and
 - Completed attestations for lump sum payments.

Reconciliation

- If necessary, the ministry will reconcile, adjust and/or recover the estimated allocation payments (including statutory entitlements and deductions), based on the LTC home's Mid-term and Final Reports.
- The ministry will adjust the payments after the Final Report has been submitted and reviewed.
- All funding provided to LTC home licensees for temporary pandemic pay will be reconciled through a separate line in Section I Part A of the LTCH Annual Reconciliation Report (ARR) at the end of the applicable year.

Implementing Pandemic Pay: Critical Path



Qs and As

1. Is temporary pandemic pay applicable to overtime hours?

This will depend on the collective agreement. Hourly pandemic pay will be calculated in accordance with the Employment Standards Act and/or the applicable collective agreement. Each overtime hour worked may have an extra cost on top of the \$4 per hour depending on the collective agreement.

In general, overtime is not calculated on a lump sum amount, however local collective agreement entitlements may vary.

All hours worked by eligible workers in an eligible workplace count towards the calculation of the 100 hours. For determining eligibility in terms of hours worked for the pandemic lump sum payment, all hours (including overtime hours) are calculated as straight time.

Qs and As Continued

2. Will pandemic pay impact any existing benefits?

Salary related benefits such as life insurance coverage and long-term income protection will not be impacted by the temporary pay.

The temporary pay does not impact pension (with the exception of CPP contributions), benefit plans paid by employers, or base salaries.

3. Does pandemic pay apply to vacation time and other paid leave?

The temporary pay does not apply to time when eligible staff are not in the workplace for any reason. This includes vacation, any authorized paid leave (including sick leave), and time and benefits awarded under the Workplace Safety and Insurance Act, 1997.

4. Are there plans to expand eligibility for pandemic pay?

There is a limit to the amount of funding provided by the federal government through our shared agreement and after careful consideration, the government will not be expanding the pandemic pay program beyond those already deemed eligible.

Qs and As Continued

5. Why has this taken so long since pandemic pay was announced?

Pandemic pay is a significant, complex initiative that will reach over 375,000 employees across 2,000 employers. This program is the largest of its kind in Canada and it is unprecedented in our province's history.

6. Does this compensation increase apply to non-unionized employees?

Eligible workers will receive temporary pandemic pay regardless of whether the staff are members of a union or of their income.

7. Some employers have already begun offering additional compensation in order to address recruitment and retention and to maintain service delivery. Would employees receive pandemic pay on top of this?

Eligible employees will receive temporary pandemic pay regardless of their income. As a province, we have listened and are instituting a common, temporary hourly pandemic pay for eligible frontline workers, as well as monthly lump sum payments for those working at least 100 hours in a designated 4-week period.