



# What's New in HR Law

## Parents who Choose to Keep their Children Home from School may be Entitled to IDEL

September 4, 2020

Last week we issued an [update](#) in which we discussed what this year's back-to-school season may have in store for employers. In this earlier update we highlighted the uncertainty surrounding situations where working parents were voluntarily choosing to keep their children home from school.

Yesterday, the Ontario Government issued a [media release](#) which included the following statement:

*Employees at businesses that have fully reopened continue to have job protection through the Infectious Disease Emergency Leave if they need to stay home to isolate or quarantine or take care of a loved one due to COVID-19. This includes parents who decide not to send their children back to school due to concerns about COVID-19.*

This update is for general discussion purposes and does not constitute legal advice or an opinion.

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This is the first time the Government has explicitly addressed this particular situation. In addition to the media release issued yesterday, the Government's [website](#) has been updated today to suggest that the information contained in the Infectious Disease Emergency Leave (IDEL) chapter is currently being updated.

We expect that additional guidance on this particular issue, and possible regulatory amendments, will be forthcoming. However, this recent announcement from the Government suggests that working parents who opt to keep their kids home from school may indeed be entitled to a job-protected IDEL.

This development reinforces the practical guidance set out in our earlier update that employers are well-advised to approach childcare-related accommodation requests with tolerance and flexibility.

We will continue to provide updates on this issue as additional information becomes available.

### **Need more information?**

For more information regarding workplace management and accommodation amidst the COVID-19 pandemic, contact [Ashley Brown](#) at 416-408-5563, [Lucas Mapplebeck](#) at 905-972-6875, or your regular lawyer at the firm.



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