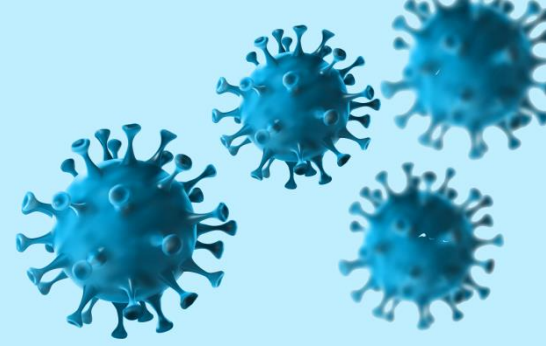


# COVID-19 FACT SHEET

## Advice for Physicians as Employers



### Balancing Duties as Physician and Employer

You became a physician to heal. For many of you to do this, however, you must also run a business. Wearing these two hats – doctor and employer – is no easy feat at the best of times, let alone during a public health emergency the likes of which hasn't been seen in over one hundred years.

It is a balancing act, and Doctors Manitoba has prepared some guidance for you as we all navigate these uncharted waters together.

#### ❖ Professional Obligations as a Physician

The College of Physicians and Surgeons of Manitoba (CPSM) has sent messages to physicians reminding you of your obligation during a public health emergency, encouraging you to use their [Code of Ethics and Professionalism](#) to guide you through the pandemic:



*"You have an ethical obligation to be available to provide medical services during pandemics. In general, it is unacceptable to close your practice. Patients still need regular medical care for routine non-COVID-19 related health concerns and for chronic disease management."* ([CPSM FAQ - March 18, 2020](#))

However, the CPSM has also recognized the challenges in accessing Personal Protective Equipment (PPE) and has issued a clarification regarding care provision in the absence of access to the appropriate PPE.



*"If you are no longer legitimately able to practice safely according to the Shared Health requirements, it will be important to protect your health as much as possible to ensure the sustainability of our member workforce to provide medical care during this COVID-19 pandemic."* ([CPSM Message from the Registrar regarding PPE - April 6, 2020](#))

Stay up to date regarding current PPE requirements by regularly reviewing Doctors Manitoba's [PPE resource page](#).



If you haven't already, use Doctors Manitoba's [checklist](#) to help you keep your practice open during the pandemic. Find ways to use virtual care to continue providing care to patients.

#### ❖ Considerations as an Employer:

We know your goal is to continue caring for your patients and keep your practice operational during a pandemic. But what if you become ill or have to self-isolate? What if your colleagues or staff are exposed and have to self-isolate? Or what if patients stop seeking care and you're forced to consider reducing hours or closing completely?

We know these are worst case scenarios, but they are also the scenarios likely keeping you up at night.

There is no easy answer as an employer, but we have assembled the following considerations and guidance, should you need it. Employer obligations are not generally relaxed because a state of emergency has been declared.

## Advice for Physicians as Employers

### ➤ **Are your employees unionized? Do they have contracts?**

If so, you need to review their collective agreement or contract of employment before making any decisions about reducing hours or considering layoffs. Unless the agreement says otherwise, you have the right to consider either reduced hours or layoffs subject to the general legal considerations below.

### ➤ **Is there any help to keep employees on the payroll?**

There are a number of federal and provincial pandemic benefits geared towards businesses and employers. You can use the [MD Financial pandemic assistance guide](#) to help find the benefits for which you may qualify.

The federal government has introduced a [temporary wage subsidy](#) equal to 75% of an employee's wages of up to \$847/week, retroactive to March 15. The goal is to keep or return workers to the payroll. More details on eligibility criteria and how to apply for the Canada Emergency Wage Subsidy (CEWS) can be [found on online](#).

Should your practice not qualify for the CEWS, it may qualify for the Temporary Wage Subsidy for Employers (TWS). This wage subsidy is for 10 percent of remuneration paid from March 18 to before June 20, 2020, up to \$1,375 for each eligible employee and to a maximum of \$25,000 total per eligible employer. [Learn more about the TWS](#).

The federal government also offers interest-free loans of up to \$40,000, with 25% (\$10,000) considered forgiven if the loan is repaid before December, 2022. See [Canada Emergency Business Account](#).

Small and medium businesses can access loans of up to \$6,000 through the [Manitoba Gap Protection Program](#). The loan will be forgiven on December 31, 2020 if you haven't received any federal benefits such as the wage subsidy or emergency business account loan.

The provincial government also offers a [Back to Work wage subsidy program](#) to help businesses rehire existing or hire new employees. The program covers 50% of wage costs (up to \$5,000 per employee) from July to December. You can qualify for subsidies for up to 20 employees.

### ➤ **How do I know which support programs are suitable for my employment structure, my employees, and myself?**

Consult with your financial advisor or tax specialist. To prepare, review the information in this section.

The Canadian Medical Association commissioned MNP, a national accounting and tax firm, to provide and regularly update a detailed analysis of current federal assistance programs and how they can be leveraged by physicians. Scroll to their ['Website Dashboard'](#) for more information.

MD Financial maintains an up-to-date [roundup of federal and provincial support measures relevant to physicians](#).

Check your insurance coverage. Doctors Manitoba has clarified how our insurance benefits can provide some coverage due to COVID-19. If you participate in our Disability or Office Overhead Insurance programs and become ill and suffer loss of income due to coronavirus, contact our office to initiate the claims process. Also, if you implement a symptomatic or asymptomatic self-quarantine, you can also make a disability claim. These claims will be evaluated on a case-by-case basis and will be subject to all the terms and conditions of your policy including the waiting period. Please contact Mark Venton at [mventon@doctorsmanitoba.ca](mailto:mventon@doctorsmanitoba.ca) or [204-985-5846](tel:204-985-5846) for more information.

## Advice for Physicians as Employers

Information can also be accessed directly from the source regarding [federal government supports](#) and [provincial government supports](#). If you require additional assistance, Manitoba has launched the Manitoba Economic Support Centre. Businesses facing challenges due to COVID-19 can call 1-888-805-7554 to receive information and guidance about the supports available.

### ➤ **Can we reduce hours?**

Unless an agreement or contract says otherwise, you can reduce hours. However, you should consider the risks and impact on your employees. Outside of a work-sharing agreement, an employee could claim that a reduction in hours is “constructive dismissal” which would allow them to make a legal claim against you and you may risk further payment to them.

As part of its economic response plan, the federal government has expanded an Employment Insurance Work Share program. This supports employees who have hours temporarily reduced while their employer recovers from reduced business activity. The [EI Work Sharing program](#) was expanded from 38 to 76 weeks in duration.

### ➤ **What if we are forced to consider layoffs? What should we know?**

We recommend that you contact a lawyer to discuss how to best manage your obligations to your employees. [Doctors Manitoba](#) can offer referrals if needed.

Employers now have the option to lay off employees indefinitely without issuing a Record of Employment and risking an employee claim to Employment Standards. This is intended to allow employees who do not have work to claim the new [Canadian Emergency Response Benefit \(CERB\)](#) of \$2,000 per month for up to four months commencing March 15, 2020. This new policy applies to any employee laid off indefinitely after March 1, 2020.

### ➤ **How do I help my employees?**

Reassure them this is temporary, if your intent is to resume normal operations and recall them to work. While this doesn't alleviate any legal or financial risks, it will likely feel like the right thing to do as an employer and it will reduce your employees' anxiety. It may decrease the likelihood of employees taking legal action.

Additional supports may be applicable as part of [Canada's COVID-19 Economic Response Plan](#) and/or [Manitoba's Protection Plan](#).

### ➤ **What else can be done about the impact on my income as a physician?**

Depending on their area of practice and their own arrangements, COVID-19 has impacted physicians in many different ways. Doctors Manitoba has and will continue to advocate for you so you have the supports you need to serve your patients and sustain your practice during and after the pandemic. This is an issue for physicians across Canada.

While we work on a resolution with government, you can also consider working in other areas – including outside of your scope of practice – during the pandemic. We have worked with CPSM and Shared Health who have indicated they will work on scope of practice questions. [Apply today](#) and we will share your information with employers who will contact if and when you are needed.