

CANADA COVID-19 RELATED  
LEAVES OF ABSENCES AND  
INCOME REPLACEMENT BENEFITS  
AS OF APRIL 3, 2020

THE LARKIN COMPANY

2350 Mission College Blvd., Ste 390, Santa Clara, CA 95054

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## **Leaves of Absence**

**Leaves of Absence** (Enacted)

Alberta

• *COVID-19 Leave*

- Full and part-time employees to take 14 days of job-protected leave if they are:
  - required to self-isolate
  - caring for a child or dependent adult that is required to self-isolate
- To be eligible, employees:
  - Employees self-isolating due to COVID-19 will not be required to have a medical note
  - do not need to have worked for an employer for 90 days
  - there is no minimum duration during which an employee has to be employed by an employer to take advantage of the new COVID-19 leave
  - an employee under quarantine is not required to give any written notice or any notice to the employer of the date the employee intends to return to work;
- Additional Notes:
  - Retroactive to March 5, 2020
  - The leave does not apply to self-employed individuals or contractors.
  - Employees cannot be terminated or laid off during the leave.
  - Employees will still continue to be entitled to sixteen (16) weeks unpaid leave in a calendar year for long term illness or injury in accordance with the requirements of that leave

## **Leaves of Absence** (Enacted)

### British Columbia

- *COVID-19 leave*

- An employee may take unpaid, job-protected leave related to COVID-19 if they're unable to work for any of the following reasons:
  - They have been diagnosed with COVID-19 and are following the instructions of a medical health officer or the advice of a doctor or nurse
  - They are in quarantine or self-isolation and are acting in accordance with an [order of the provincial health officer](#), an order made under the Quarantine Act (Canada), guidelines from the BC Centre for Disease Control or guidelines from the Public Health Agency of Canada
  - Their employer has directed them not to work due to concern about their exposure to others
  - They need to provide care to their minor child or a dependent adult who is their child or former foster child for a reason related to COVID-19, including a school, daycare or similar facility closure
  - They are outside of BC and unable to return to work due to [travel or border restrictions](#)
- The COVID-19 leave is retroactive to January 27, 2020, the date that the first presumptive COVID-19 case was confirmed in British Columbia.
- During this public health emergency, employees can take this job-protected leave for the reasons above as long as they need it, without putting their job at risk.
- As with other job leaves, workers may need to give reasonable evidence of eligibility if their employer requests it, but a doctor's note will not be required.
- Once it is no longer needed, this leave will be removed from the Employment Standards Act.
- Employees who have been terminated as a result of a COVID-19 Related leave circumstances (except for additional circumstances that may be introduced by regulation, in the future), must be offered re-employment by the employer in the same or comparable position. Any period of time between the termination and re-employment is deemed to be an unpaid COVID-19 Related Leave of Absence.

- *Personal Illness or Injury Leave*

- Up to three days of unpaid, job-protected leave each year for employees covered by the Employment Standards Act who can't work due to personal illness or injury.
- This permanent change provides British Columbians with job-protection for personal illness or injury similar to other jurisdictions in Canada.
- This leave applies to employees who have worked for their employer for at least 90 days.
- If requested, employees need to provide enough information to satisfy their employer that they are ill or injured and therefore entitled to the leave.

**Leaves of Absence**

Manitoba

- No changes to Leaves of Absence

**Leaves of Absence** (Pending)

New Brunswick

• *Job protection for workers*

- Legislative and regulatory amendments will be introduced to provide job protection for workers who must take a leave of absence due to COVID-19.
- It will allow an unpaid leave of up to 15 weeks to New Brunswickers who have COVID-19 or are caring for someone with the virus.

## **Leaves of Absence (Enacted)**

### Newfoundland and Labrador

- *Communicable Disease Emergency Leave*

- (1) An employee is entitled to a leave of absence from employment without pay where the employee will not be performing the duties of his or her position because of one or more of the following reasons related to a designated communicable disease:
  - (a) the employee is under individual medical investigation, supervision or treatment related to a designated communicable disease;
  - (b) the employee is acting in accordance with an order under the Public Health Protection and Promotion Act related to a designated communicable disease;
  - (c) the employee is in isolation or quarantine or is subject to a control measure, including self-isolation, and the quarantine, isolation or control measure was implemented as a result of information or directions related to a designated communicable disease issued to the public, in whole or in part, or to one or more individuals, by the Chief Medical Officer of Health or the Government of the province whether through print, electronic, broadcast or other means;
  - (d) the employee is under a direction given by his or her employer in response to a concern of the employer that the employee may expose other individuals in the workplace to a designated communicable disease;
  - (e) the employee is providing care or support to an individual referred to in subsection (4) for a reason related to a designated communicable disease that concerns that individual including a school or childcare service closure;
  - (f) the employee is directly affected by travel restrictions related to a designated communicable disease and, under the circumstances cannot reasonably be expected to travel back to the province; and
  - (g) other reasons prescribed in the regulations.
- (2) An employer may require an employee who takes leave under subsection (1) to provide evidence reasonable in the circumstances, at a time that is reasonable in the circumstances, that the employee is entitled to the leave, but shall not require an employee to provide a certificate from a medical practitioner or nurse practitioner as evidence.
- (3) An employee is entitled to take leave under subsection (1) starting on the date prescribed in the regulations and for as long as
  - (a) he or she is not performing the duties of his or her position because of a reason referred to in paragraphs (1)(a) to (g); and
  - (b) the communicable disease is designated by the regulations for the purpose of this Part.
- (4) Paragraph (1)(e) applies with respect to the following individuals:
  - (a) the employee's spouse;
  - (b) a parent, step-parent or foster parent of the employee or the employee's spouse;
  - (c) a child, step-child or foster child of the employee or the employee's spouse;
  - (d) a child who is under legal guardianship of the employee or the employee's spouse;
  - (e) a brother, step-brother, sister or step-sister of the employee;
  - (f) a grandparent, step-grandparent, grandchild or step-grandchild of the employee or the employee's spouse;
  - (g) a brother-in-law, step-brother-in-law, sister-in-law or step-sister-in-law of the employee;
  - (h) a son-in-law or daughter-in-law of the employee or the employee's spouse; and
  - (i) any individual prescribed in the regulations as a family member for the purposes of this section.
- (5) This section or a provision of it does not apply to a class of employees exempted from the application of this section by the regulations.

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**Leaves of Absence** (Enacted)

Newfoundland and Labrador (continued)

- *Communicable Disease Emergency Leave (continued)*
  - Employee protection
    - An employer shall not dismiss an employee or give notice of dismissal to an employee because an employee intends to take, applies for or takes leave under this Part.
    - Where an employee is dismissed by his or her employer contrary to subsection (1), the onus of proving that the reason for dismissal is unrelated to the leave rests with the employer.
    - An employer shall reinstate an employee at the end of his or her leave under this Part on terms and conditions that are not less beneficial than those that existed before the leave began.
    - Unless the employer and the employee otherwise agree, a period of leave under this Part does not count towards the application of the rights, benefits and privileges conferred by this Act upon an employee, but the period worked upon resumption of employment after leave shall be considered, for the purpose of this Act, to be continuous with the period worked before the leave.
  - Additional Information:
    - A regulation made under this section may provide that
      - it has effect as of the date specified in the regulation; or
      - that an employee who does not perform the duties of his or her position because of a prescribed reason related to a designated communicable disease is considered to have taken leave beginning on the first day the employee does not perform the duties of his or her position on or after the date specified in the regulation.
    - Regulations made under this section may be made with retroactive effect.

**Leaves of Absence**

Northwest Territories

- No changes to Leaves of Absence

**Leaves of Absence**

Nova Scotia

- The province has asked employers not to ask employees for doctors' notes if they get sick or need to self-isolate.

**Leaves of Absence**

Nunavut

- No changes to Leaves of Absence

## **Leaves of Absence** (Enacted)

### Ontario

- Employers are required to report all occupational illnesses, including COVID-19, to the Ministry of Labour, Training and Skills Development in writing within four days.
  - Employers are also required to notify their joint health and safety committee or a health and safety representative and a trade union, if they exist.
- *Declared Emergency Leave*
  - In respect of a Declared Emergency Leave, the leave lasts so long as it is required by an employee, or so long as the declared emergency under section 7.0.1 of the Emergency Management and Civil Protection Act remains in place, whichever ends earlier.
    - A state of emergency was declared under section 7.0.2 of the *Emergency Management and Civil Protection Act*, employees may now qualify for a Declared Emergency Leave.
  - Provides employees with the right to an unpaid leave of absence if they will not be performing their duties:
    - because of an order that applies to him or her made under section 7.0.2 of the *Emergency Management and Civil Protection Act*,
    - because of an order that applies to him or her made under the *Health Protection and Promotion Act*,
    - because he or she is needed to provide care or assistance to a “Specified Individual” listed below, or
      - The employee’s spouse.
      - A parent, step-parent or foster parent of the employee or the employee’s spouse.
      - A child, step-child or foster child of the employee or the employee’s spouse.
      - A child who is under legal guardianship of the employee or the employee’s spouse.
      - A brother, step-brother, sister or step-sister of the employee.
      - A grandparent, step-grandparent, grandchild or step-grandchild of the employee or the employee’s spouse.
      - A brother-in-law, step-brother-in-law, sister-in-law or step-sister-in-law of the employee.
      - A son-in-law or daughter-in-law of the employee or the employee’s spouse.
      - An uncle or aunt of the employee or the employee’s spouse.
      - A nephew or niece of the employee or the employee’s spouse.
      - The spouse of the employee’s grandchild, uncle, aunt, nephew or niece.
      - A person who considers the employee to be like a family member, provided the prescribed conditions, if any, are met.
      - Any individual prescribed in the future by the government to be a Specified Individual.
  - because of such other reasons as the government might later prescribe

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## **Leaves of Absence** (Enacted)

### Ontario (continued)

- *Infectious Disease Leave*
  - The government released a new infectious disease emergency leave [regulation](#) identifying COVID-19, among others, as a designated infectious disease as of January 25, 2020. As a result, employees in Ontario are now retroactively entitled to an Infectious Disease Leave absence under the *Employment Standards Act, 2000*, as listed below:
  - Provides employees with the right to an unpaid leave of absence if they will not be performing their duties:
    - the employee is under individual medical investigation, supervision or treatment related to the designated infectious disease,
    - the employee is acting in accordance with an order under section 22 or 35 of the *Health Protection and Promotion Act* that relates to the designated infectious disease,
    - the employee is in quarantine or isolation or is subject to a control measure (which may include, but is not limited to, self-isolation), and the quarantine, isolation or control measure was implemented as a result of information or directions related to the designated infectious disease issued to the public, in whole or in part, or to one or more individuals, by a public health official, a qualified health practitioner, Telehealth Ontario, the Government of Ontario, the Government of Canada, a municipal council or a board of health, whether through print, electronic, broadcast or other means,
    - the employee is under a direction given by his or her employer in response to a concern of the employer that the employee may expose other individuals in the workplace to the designated infectious disease,
    - the employee is providing care or support to a Specified Individual listed below because of a matter related to the designated infectious disease that concerns that individual, including, but not limited to, school or day care closures,
    - the employee is directly affected by travel restrictions related to the designated infectious disease and, under the circumstances, cannot reasonably be expected to travel back to Ontario,
    - or such other reasons as the government might later prescribe.
- *Additional Notes:*
  - The leave lasts so long as it is required by the employee, or so long is prescribed by the government, whichever ends sooner.
  - Medical Note(s)
    - Employers are permitted to ask for reasonable proof of an employee's entitlement to the new leaves but are not permitted to require a medical note.
  - Eligibility
    - Most employees and employers in Ontario are covered by the provisions in this legislation, whether they work full-time, part-time, are students, temporary help agency assignment employees, or casual workers.
    - It does not apply to people in sectors that fall under federal jurisdiction, including employees working for banks, airports, inter-provincial and international rail, and federal crown corporations.

**Leaves of Absence**

Prince Edward Island

- No changes to Leaves of Absence

**Leaves of Absence**

Québec

- No changes to Leaves of Absence

## **Leaves of Absence (Enacted)**

### Saskatchewan

- *Public Health Emergency Leave*

- The Public Health Emergency Leave is intended for employees to assist in protecting their jobs during leaves as ordered by:
  - their employer;
  - the government;
  - their doctor; or
  - the chief medical health officer of the province.
- Employees who are required to isolate themselves or care for their child or family member are eligible.
- Employees will be entitled to leave for the length of time they are ordered by their employer, government, their doctor or the chief medical health officer to remain away from work.
- The Public Health Emergency Leave is an unpaid leave. However, employees are entitled to be paid their regular wages if their employer authorizes them to work from home during the period of time as set out by the order of the chief medical health officer or government.
- Under the Public Health Emergency Act, employees do not have to have worked for an employer for any set time in order to take Public Health Emergency Leave.
- While notice to the employer is not required to take Public Health Emergency Leave, employees are encouraged to be in regular contact with their employer regarding their leave.
- The length of time for a Public Health Emergency Leave will depend on the order and may be different in each individual circumstance. The protected leave is for as long as the public health order is in place.
- Additional Info:
  - Retroactive to March 6, 2020
  - to remove the requirement of 13 consecutive weeks of employment with the employer prior to accessing sick leave;
  - to remove the provision requiring a doctor's note or certificate for sick leave; and
  - to include a new unpaid public health emergency leave that can be accessed
  - Refer to section [Bill 207 - The Saskatchewan Employment Act](#) to learn more about the Public Health Emergency Act.

**Leaves of Absence**

Yukon

- No changes to Leaves of Absence

## **Income Replacement Benefits**

## **Income Replacement Benefits** (Enacted)

### Federal

- *Employment Insurance*
  - Employment Insurance (EI) sickness benefits provide up to 15 weeks of income replacement and is available to eligible claimants who are unable to work because of illness, injury or quarantine, to allow them time to restore their health and return to work. Canadians quarantined can apply for Employment Insurance (EI) sickness benefits.
  - If you are eligible, visit the [EI sickness benefits](#) page to apply.
  - Service Canada is ready to support Canadians affected by COVID-19 and placed in quarantine, with the following support actions:
    - The one-week waiting period for [EI sickness benefits](#) will be waived for new claimants who are quarantined so they can be paid for the first week of their claim
    - Establishing a new dedicated toll-free phone number to support enquiries related to waiving the [EI sickness benefits](#) waiting period
    - People claiming EI sickness benefits due to quarantine will not have to provide a medical certificate
    - People who cannot complete their claim for EI sickness benefits due to quarantine may apply later and have their EI claim backdated to cover the period of delay
- *Employer Top-up of Employees' EI Sickness Benefits*
  - An employer can establish a [Supplementary Unemployment Benefit Plan \(SUBP\)](#) to top up employees' EI benefits during a period of unemployment due to a temporary layoff for, among other things, sickness. Unless a SUBP is registered with Service Canada and meets specific requirements, it will be treated as income and EI benefits received by the employee may be reduced. For more information about SUBPs, see s. 37(1) of the [Employment Insurance Regulations](#) (SOR/96-332).

## **Income Replacement Benefits** (Enacted)

### Alberta

- *Emergency isolation support*
  - Overview
    - Eligible working Albertans can receive a one-time emergency isolation support payment of \$1,146 if they are required to self-isolate or are the sole caregiver of someone in self-isolation and they have no other source of pay or compensation.
  - Eligibility
    - You are eligible for the emergency isolation support program if you:
      - Have experienced total or significant loss of income and are not receiving compensation from any other source because you:
        - have been diagnosed with COVID-19
        - have been directed by health authorities to self-isolate
        - are the sole caregiver of a dependent who is in self-isolation
    - You are not eligible for this program if you:
      - were not working immediately before you were advised to self-isolate
      - can work from home
      - are not experiencing a significant loss of income as a result of self-isolation
      - are currently collecting other forms of income support or employer benefits while self-isolated, such as:
        - workplace sick leave benefits
        - [federal employment insurance \(EI\) benefits](#)
      - are staying home to care for a dependent who is home for a reason other than self-isolation
      - reside outside of Alberta
  - How to apply
    - Sign into the MyAlberta Emergency Isolation Support system using your verified MyAlberta Digital ID (MADI) account to complete the application.
      - If you don't have a verified MADI account, you can sign up during the application process using your Alberta driver's license or ID card number to confirm your identity.
      - You do not need to wait 10 days for the mailed verification code to complete your application.
    - If you need help completing your application, call Alberta Connects at 310-4455, open 7 days a week from 8 am to 8 pm. Please be patient as call volumes may be high.
  - After you apply
    - After submitting an application, you will receive an email confirmation with a reference number for future interactions.
    - If your application is approved, you will receive a one-time payment of \$1,146 through Interac e-Transfer within 24 to 48 hours.

**Income Replacement Benefits** (Enacted)

British Columbia

- The BC Emergency Benefit for Workers will provide a one-time \$1,000 payment to people who lost income because of COVID-19.
  - B.C. residents who receive [federal Employment Insurance](#), or the new [federal Emergency Care Benefit](#), or the new [federal Emergency Support Benefit](#) are eligible
  - Applications will open in April 2020
  - The one-time payment will be paid in May 2020

**Income Replacement Benefits**

Manitoba

- No changes to Income Replacement benefits

**Income Replacement Benefits**

New Brunswick

- No changes to Income Replacement benefits

**Income Replacement Benefits**

Newfoundland and Labrador

- No changes to Income Replacement benefits

**Income Replacement Benefits**

Northwest Territories

- No changes to Income Replacement benefits

**Income Replacement Benefits**

Nova Scotia

- No changes to Income Replacement benefits

**Income Replacement Benefits**

Nunavut

- No changes to Income Replacement benefits

**Income Replacement Benefits**

Ontario

- No changes to Income Replacement benefits

## **Income Replacement Benefits (Enacted)**

### Prince Edward Island

- *Emergency Relief - Worker Assistance Program*
  - The Emergency Relief - Worker Assistance Program is a temporary program to provide financial support to employers to assist their employed workers who have been impacted by reduced hours at work as a result of COVID-19.
  - Who is Eligible to Participate?
    - Eligible employers include:
      - Registered private sector businesses in Prince Edward Island where employed with workers who have experienced a reduction of at least 8 hours per week during the two week period March 16-29, 2020.
    - Note: Workers laid off during this period are not eligible for support under this program.
  - How does the Program Work?
    - Once you submit your completed application package, you will receive an email confirmation with your online reference number.
    - A program officer will contact you to review and discuss your application.
    - Employers who meet the program criteria are eligible to receive the following:
      - A maximum of \$250 per week for each employed worker that experienced a reduction of at least 8 hours per week during the two week period March 16-29, 2020 (An example, an employed worker that typically works 40 hours/week was reduced to a minimum 32 hours/week).
    - Note: Employers are encouraged to complete one application for the two week period. Employers will receive a 50% advance upon approval of application and the final reimbursement will be provided upon receipt of payroll verification. Employers will be required to complete a payment claim form prior to final reimbursement.
- *Employee Gift Card Program*
  - Level of Assistance
    - A maximum of \$100, provided in the form of a letter with a unique gift card number.
  - Eligible Applicants
    - To be eligible, the employer must:
      - have issued lay-off notice(s) to 1 or more employee(s) as a result of COVID-19, between the dates of March 13th-March 31st, 2020.
      - have affected employees with a salary of \$25/hour or less
  - How does the program work?
    - The program will be open for applications on Wednesday morning, March 25, 2020
    - Once you submit your completed online application form, you will receive an email confirmation with a reference number.
    - Please allow time for processing.
    - Once approved, an email will be sent to you (the employer) with individual letters for your employees. These letters will contain a "gift card number." The affected employee can redeem their gift card number at any Sobeys, Foodland, Co-op or Lawton's store on Prince Edward Island. Note that the employee must present their letter and a photo ID (or two valid pieces of personal identification) in order to redeem. It is important not to lose their letter, as the gift card number included is required for the cashier to process the transaction(s).

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## **Income Replacement Benefits** (Enacted)

### Prince Edward Island (continued)

- *COVID-19 Income Support Fund*
  - *Program Guidelines*
    - Provides financial support to residents of Prince Edward Island to bridge the gap between the loss of their job/lay-off, loss of their primary source of income, Employment Insurance benefits have expired or loss of all revenues through self-employment as a result of COVID-19.
    - This emergency income fund is a one-time lump sum payment of \$750 from the Government of Prince Edward Island.
    - This emergency income is taxable.
  - *Who is Eligible to Participate?*
    - *Minimum Eligibility Criteria*
      - an individual who has lost their job/laid off on or after March 13, 2020 due to the public health state of emergency in Prince Edward Island; or
      - an individual whose Employment Insurance (EI) benefits have expired and they have no job to return to due to the public health state of emergency in Prince Edward Island; or
      - a self-employed individual who has lost all revenues through self-employment on or after March 13, 2020 due to the public health state of emergency in Prince Edward Island and has not already accessed the [Emergency Income Relief for the Self-Employed](#); and
      - have applied (or plan to apply) for support through the Federal government (either Employment Insurance Benefits or the Canada Emergency Response Benefit)
    - *Additional Required Eligibility Criteria*
      - earned a minimum of \$5,000 (gross) earnings in the last 12 months or in the last calendar year;
      - lost their primary source of income;
      - is 18 years of age or older;
      - is a resident of Prince Edward Island for tax purposes as of December 31, 2019.
  - *How does the Program Work?*
    - Eligible individuals who meet the program criteria will receive the following:
      - A one-time lump sum payment of \$750 effective March 13 – April 30, 2020 (Taxable Income)
      - Only one application per eligible individual
    - Eligible individuals must keep supporting documents proving their eligibility for the program for a period of three (3) years following approval to the program for audit and compliance purposes.
  - *How do I Apply?*
    - Eligible individuals must complete the online application form.
    - To assess your application, we will need:
      - Completed PEI COVID-19 Income Support Fund online application form with
        - Social Insurance Number (SIN)
        - Banking Information
        - Employment information
    - Please be advised, approved applications may take up to 5 business days before receipt of payment.
  - *When is the deadline for Applications?*
    - Online applications can be submitted until April 30, 2020.

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**Income Replacement Benefits** (Enacted)

Prince Edward Island (continued)

- *COVID-19 Special Situations Fund*
  - Provides up to \$1,000 to Islanders who have experienced urgent income loss as a result of COVID-19 and are not eligible for other federal and provincial funding support.
  - Islanders are to review the various programs available and if they do not qualify, they may be eligible for support.
  - Islanders can call 1-833-533-9333 to apply for support under the fund, which will be available until June 16, 2020.

## **Income Replacement Benefits**

### Québec

- *Temporary Aid for Workers Program (PATT COVID-19)*
  - Financial assistance
    - The lump-sum amount granted to an eligible person is \$573 per week, for a period of 14 days of isolation.
    - If justified by your state of health, the coverage period for an eligible person could be extended to a maximum of 28 days.
  - Eligibility
    - This program is for workers who reside in Québec and are in isolation for one of the following reasons:
      - they have contracted the virus or present symptoms
      - they have been in contact with an infected person
      - they have returned from abroad
    - In addition, workers who are in isolation or likely to be under the above criteria are eligible for the PATT COVID-19 if
      - you are not receiving compensation from your employer
      - you do not have private insurance
      - you are not covered by another government program, such as [employment insurance](#) from the federal government
    - The program only applies to adult workers aged 18 or over.
    - The order to self-isolate must have been given by the Government of Canada, the Gouvernement du Québec or another responsible authority.
- Applying
  - Start by filling out the [registration form](#) starting March 19, 2020

**Income Replacement Benefits**

Saskatchewan

- No changes to Income Replacement benefits

**Income Replacement Benefits** (Enacted)

Yukon

- *Paid Sick Leave Program*
  - Allows Yukon workers or those self-employed who are without sick leave to stay at home if they are sick and required to self-isolate for 14 days and still meet their basic financial needs.
  - This rebate, paid to employers and self-employed individuals, will cover a maximum of 10 days of wages per employee or 10 days of average daily earnings per self-employed individual to allow for a 14-day self-isolation period.
  - All eligible Yukon employers and self-employed individuals may apply.
  - This program is part of the stimulus package announced by the Government of Yukon on March 16 to support businesses and workers, including the Business Advisory Council announced on March 25.