

# From Languishing To Flourishing During Covid-19

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# Presentation Roadmap

1. Stress leaves vs low productivity and morale
2. The latest on sick leave benefits
3. Mandatory vaccine requirements



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# 1) Stress Leaves vs Low Productivity and Morale

# Getting to Flourishing

“Languishing is the neglected middle child of mental health. It’s the void between depression and flourishing — the absence of well-being. You don’t have symptoms of mental illness, but you’re not the picture of mental health either. You’re not functioning at full capacity. Languishing dulls your motivation, disrupts your ability to focus, and triples the odds that you’ll cut back on work. It appears to be more common than major depression — and in some ways it may be a bigger risk factor for mental illness.”

<https://www.nytimes.com/2021/04/19/well/mind/covid-mental-health-languishing.html>

# Impact on the Workplace

- Uptick in harassment complaints
- Decreased productivity and overall morale
- Complaints/investigations that are very disruptive and costly to the workplace

# The Law on Harassment and Accommodations

- Occupational Health and Safety Act (OHSA) outlines legal entitlements around harassment
  - Employers have a duty to provide a safe workplace free from harassment
- Ontario Human Rights Code provides employees with the right to be free from discrimination
  - E.g., accommodations for disability



# Options

1. **Muscle through it all and hope for the best**
2. **Proactively invest in moving from languishing to flourishing - don't wait for the stress leaves and harassment complaints**

## 2) The Latest on Sick Leave Benefits



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# Latest on Sick Leave Benefits - Overview

- **Ontario COVID-19 Worker Income Protection Benefit (paid IDEL)**
- **Vacation time**
- **Issues**

# Ontario COVID-19 Worker Income Protection Benefit (paid IDEL)

- What is it?
- Who is eligible and how does this affect employers?
- When is this applicable?

# Vacation Time

- **Employer rights around scheduling vacation**

# Issues

- **What if an existing contract already entitles the employee to take a paid leave for reasons related to COVID-19?**
- **If an employee has used up all their leave days, do they still get more?**



## 3) Vaccines and the Workplace

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# Mandatory Vaccine Requirements?

- Vaccine refusals and work prohibition
- Caselaw
- Industry/facts



# Other Notes re: Vaccines

- **Rapid Antigen Testing**
- **Record Keeping**



# Takeaways

- Don't wait for Covid to be over or for everything to “get back to normal”
- IDEL and paid sick leave continue to sync up with existing employee entitlements
- There is hope!
  - The numbers are really coming down, vaccines are rolling out, summer is on the way

# Questions?

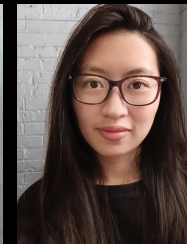
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