

Name of Organization and Logo

****This letter is only needed for those individuals that were initially on a 60-day layoff and it's being extended to 120 days (and also they would have had no continuation of benefits, pension, wages at the start of their layoff period)**

[Date], 2020

Personal & Confidential

[Name]

[Address]

[City, AB] [Postal Code]

Sent via email: [email address]

Dear [first name],

RE: Extension of Temporary Layoff

We regret to inform you that due to the ongoing economic decline and industry forces beyond our control, it has become necessary to extend your temporary layoff timeframe beyond 120 days.

Temporary workplace rules were put into effect as of March 17, 2020 to help employers and employees manage rapidly changing conditions. In accordance with Ministerial Order 18.2020, these changes will be in place until August 14, 2020 or until the Government of Alberta determines they are no longer needed. As a result of these changes, the maximum time for temporary layoffs increased from "60 days in a 120-day period" to 120 consecutive days. This change is retroactive to temporary layoffs related to COVID-19 that occurred on or after March 17, 2020.

The revised effective dates of your temporary layoff are [beginning date] through [ending date], which classifies this as temporary layoff as defined by Sections 62-64 of the *Alberta Employment Standards*.

If your contact information changes during this time period, please inform [contact name] at [contact information], as we may need to contact you regarding changes to your layoff status.

Thank you for your understanding. Should you have any questions relating to the foregoing, please do not hesitate to contact me.

Sincerely,

[Name]

[Title]

Name of Organization and Logo

**Notice: Article 63 (1) has been updated by Ministerial Order 18.2020 (point 9) to reflect an extension of temporary layoffs to 120 consecutive days.*

Temporary layoff

62(1) An employer who wishes to maintain an employment relationship without terminating the employment of an employee may temporarily lay off the employee only by giving the employee a written layoff notice.

- (2) Unless a collective agreement provides otherwise, a layoff notice must be given to the employee
 - (a) at least one week prior to the date that the layoff is to commence, if the employee has been employed by the employer for less than 2 years,
 - (b) at least 2 weeks prior to the date that the layoff is to commence, if the employee has been employed by the employer for 2 years or more, or
 - (c) if unforeseeable circumstances prevent an employer from providing the notice in accordance with clause (a) or (b), as soon as is practicable in the circumstances.
- (3) The layoff notice must
 - (a) state that it is a temporary layoff notice,
 - (b) state the date that the layoff is to commence,
 - (c) include a copy of this section and sections 63 and 64, and
 - (d) include any other information provided for in the regulations.

RSA 2000 cE-9 s62;2017 c9 s43

Termination pay after temporary layoff

*63(1) The employment of an employee who is laid off for one or more periods exceeding, in total, 60 days within a 120-day period is deemed to have been terminated unless

- (a) during the layoff the employer, by agreement with the employee,
 - (i) pays the employee wages or an amount instead of wages, or
 - (ii) makes payments for the benefit of the laid-off employee in accordance with a pension or employee insurance plan or similar plan,
- or
- (b) there is a collective agreement binding the employer and employee containing recall rights for employees following layoff.

(2) When payments under subsection (1)(a) cease or recall rights under subsection (1)(b) expire, the employment of the employee terminates, and termination pay is payable.

RSA 2000 cE-9 s63;2017 c9 s43

Recall

64(1) An employer may request an employee to return to work by providing the employee with a recall notice.

- (2) A recall notice must
 - (a) be in writing,
 - (b) be served on the employee, and
 - (c) state that the employee must return to work within 7 days of the date the recall notice is served on the employee.
- (3) If an employee fails to return to work within 7 days of being served with the recall notice, the employee is not entitled to termination notice or termination pay if the employer decides to terminate the employee's employment as a result of the employee's failure to return to work in accordance with the notice.
- (4) Subsection (3) does not apply to an employee bound by a collective agreement containing recall rights for employees following a layoff.

RSA 2000 cE-9 s64;2017 c9 s43