

## **Temporary Layoff (COVID-19) – sample letter**

### ***INSTRUCTIONS:***

This is a sample only and any language/references in your letter should be customized to your province or jurisdiction and reviewed by legal counsel prior to use.

It is not intended to address all circumstances related to the decision to temporarily layoff an employee. Additional language, terms and conditions may need to be added in your letter.

Provincial and jurisdictional employment legislation and/or laws, or references to such legislation and/or laws vary from region to region. Please consult these prior to arriving at any decision to layoff an employee and to help determine duration of allowable layoff periods and any payments or benefits that may need to be provided.

In most cases, temporary layoffs that exceed a specified period or duration move from layoff status to termination of employment and are to be treated as such. Please review your local legislation.

An employee may have a written agreement or contract with an employer. Any such agreement or contracts should be reviewed prior to determining the conditions applicable to a layoff. In some situations, you may not have the right to layoff an employee.

Benefits, if offered by the employer, are typically to be extended for the duration of any layoff period. This may vary from province to province or jurisdiction. A reference is made to this in the sample below. If applicable, please include a reference to benefits in your letter.

In some cases, an employee may wish to use accrued vacation or other accrued paid time off prior to, or in place of being on layoff. While this is at the discretion of the employer, you may wish to offer this during the current situation. If applicable, please include a reference to vacation and/or accrued paid time off in your letter.

While most provinces do not require an employer to provide temporary layoff notice in writing to the employee, it may be wise to provide and have the employee signoff and agree to the layoff to avoid any possible future constructive dismissal claims. Please review your local legislation.

*Please see instruction notes accompanying this sample letter. This is a sample only and any language/references in your letter should be customized to your province/jurisdiction and reviewed by legal counsel prior to use.*

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INSERT Logo

<date>

<recipient's name>  
<recipient's address>

**Re: Notice of Temporary Layoff**

Dear <name>:

We regret to inform you that due to the current level of work available as a result of COVID-19, we have opted to place you on a temporary layoff for a period expected to be <number> weeks. You are not permitted to perform work for <insert company name> during this layoff period without advance written authorization from <insert name or position>.

The temporary layoff will begin on <date>. We are hopeful that we will be able to restore you to your prior position with <insert company name> on <date>. However, it is important to note that we reserve the right to change this date based on our business requirements.

During this period:

- You will retain your length of service with <insert company name>.
- **{Remove if not applicable}** <insert company name> will continue its contributions to your health benefits for both the employee and employers' portion. **{If applicable}** You may be required to pay back the employee portion of your benefits premium upon your return to work.
- You may be eligible for unemployment insurance or other types of benefits during this period of time. We recommend contacting Service Canada online or by phone to determine eligibility.
- **{Remove if not applicable}** If you have available vacation time/accrued paid time off that you would like to use during this period of time, you are welcome to use such time, but are not required to do so. If you would like to use some or all of your available vacation/accrued time off during this time, contact <insert name> to discuss this option.

If you have any questions related to this notice, please contact <insert name>.

We very much appreciate all of your contributions to the organization. We wish you all the best during this unprecedented time and are looking forward to your return to work following this temporary layoff period.

Yours truly,

<Insert name>

INSERT COMPANY ADDRESS AND PHONE NUMBER

<Position>  
<Company>

I understand the need and accept the temporary layoff.

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Employee Name

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Date

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Employee Signature