**On company letterhead**

Date

Employee Name

Employee Address

Dear Employee Name:

**Re: Temporary Layoff**

This letter is to confirm that you will be temporarily laid off from your employment with Insert company name effective Insert date, in accordance with employment standards legislation.

This temporary layoff is due to the Coronavirus disease (COVID-19).

During your temporary layoff, your company benefits will continue.

Sections 62-64 of the *Employment Standards Code*, which govern temporary layoffs, are set out in the attached Appendix for your reference.

We will file your Record of Employment (ROE) with Service Canada.

Please note that a temporary layoff is not considered a termination of your employment.

You will receive a written recall notice when you are recalled to work. It is your responsibility to immediately notify me (in writing) if your address changes during your temporary layoff.

If you have any questions, please do not hesitate to contact me.

Sincerely,

**COMPANY NAME**

**Company Representative**

**Title**

# **Appendix**

# **Layoff and Recall**

**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](https://www.canlii.org/en/ab/laws/stat/rsa-2000-c-e-9/latest/rsa-2000-c-e-9.html#sec63_smooth) and[64](https://www.canlii.org/en/ab/laws/stat/rsa-2000-c-e-9/latest/rsa-2000-c-e-9.html#sec64_smooth), 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