

LEAVE AND DISABILITY REGULATORY COMPLIANCE

Summary of legislative and regulatory changes

Canada | September 2024

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Nova Scotia (provincial)

Bill 464 – Stronger Workplaces for Nova Scotia Act

Received first reading on Sept. 5, 2024.

Received royal assent on Sept. 20, 2024.

[Bill 464](#) amends Nova Scotia’s Labour Standards Code (the “Code”) by adding a new unpaid 27-week leave of absence for employees who have been diagnosed with a serious illness, as well as adding a new five-day unpaid leave of absence for employees who are sick or injured.

Serious illness leave

The proposed serious illness leave will have the following requirements:

- Employees who have been employed for three months are eligible;
- Leave must be taken in periods of not less than one week, which may be taken consecutively or non-consecutively;
- An employee may be required by their employer to provide information in support of their entitlement to leave under this section; and
- Employees must give notice to their employer as soon as possible of any intention to take a leave under this section.

The Bill makes related amendments to include references to serious illness leave throughout the Code and grants the Governor in Council with regulation-making authority to define “serious illness” and to specify the nature, content and timing of information an employee may be required to provide to an employer in support of serious illness leave if requested.

Sick leave – Sedgwick does not administer

Bill 464 amends section 60G of the Code by adding a new five-day unpaid leave of absence for employees who are sick or injured. Employees intending to take sick leave under this section must advise their employer as soon as possible.

The above amendments are effective on and after Jan. 1, 2025.

Nova Scotia (provincial)

Bill 483 – Labour Standards Code (amended)

Received first reading on Sept. 12, 2024.

[Bill 483](#) seeks to amend the emergency leave section of Nova Scotia’s Labour Standards Code (the “Code”).

Under the proposed amendments, an employee is entitled to take up to 10 days of leave because of an emergency. An emergency includes an emergency related to an event of domestic violence. The first five days of emergency leave are paid, and the remainder are unpaid. When an employee takes a paid day of emergency leave, the employer must pay the employee. The proposed amendments detail how an employer shall pay the employee when dealing with wages, performance-related wages or some other manner of calculation.

An employee who wishes to take emergency leave shall advise their employer before beginning their leave, or where unable to advise their employer in advance, as soon as possible after it begins. An employee may be required to provide evidence to their employer of their entitlement to this leave.

Employers must ensure that mechanisms are in place to protect the confidentiality of records given to or produced by the employer related to an employee taking emergency leave. However, employers may be permitted to disclose records in certain scenarios.

A day of leave taken under this section must not be used to an employee’s detriment with respect to any benefit or privilege arising from seniority or length of service.

Bill 483 also seeks to amend the Code by granting the Governor in Council with regulation-making authority to prescribe the permitted disclosure for the purposes of the new subsection 60I(13).

The Information contained within this document is intended to provide summary level information on proposed or enacted laws related to family and medical leave. It is not intended to provide guidance on the application of these legal requirements or as an update to your Company’s attendance and/or leave policies. We recommend you consult with Legal Counsel to determine what changes, if any, should be applied to Company Policy.

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