

LEAVE AND DISABILITY REGULATORY COMPLIANCE

# Summary of legislative and regulatory changes

*Canada | December 2023*

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# Prince Edward Island (Provincial)

## *Bill 106 – An Act to Amend the Employment Standards Act*

Received Royal Assent on Nov. 29, 2023

Informational only — Sedgwick does not administer.

[Bill 106](#) was amended by the committee from its original form, and the final version amends section 22.2 of the ESA to establish that:

- An employee earns, as of the first day on which this subsection applies to the employee:
  - After 12 months of continuous employment with the same employer, one day of paid leave;
  - After 24 months of continuous employment with the same employer, one additional day of paid sick leave; and
  - After 36 months of continuous employment with the same employer, one additional day of paid sick leave.
- Each day of paid sick leave that an employee does not take in a calendar year is not to be carried forward to the following calendar year.
- Where an employee requests a leave of absence that is three consecutive calendar days in length under this section, the employer may require the employee to provide the employer with a certificate signed by a medical practitioner certifying that the employee is or was unable to work due to illness or injury.
- An employee is entitled to take any paid days of leave available to the employee before any of the unpaid days of leave that the employee is entitled to under subsection (1).
- This act comes into force upon the proclamation of the lieutenant governor in council.

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# Manitoba (Provincial)

## *Bill 4 – The Employment Standards Code Amendment and Interpretation Amendment Act (Orange Shirt Day)*

Received Royal Assent on Dec. 7, 2023

Informational only — Sedgwick does not administer.

[Bill 4](#) seeks to amend the *Employment Standards Code* to add Orange Shirt Day (National Day for Truth and Reconciliation) as a public holiday. The amendments also specify that employers and employees may not substitute a different date for observing Orange Shirt Day.

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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