

LEAVE AND DISABILITY REGULATORY COMPLIANCE

Summary of legislative and regulatory changes

Canada | April 2022

TABLE OF CONTENTS

Alberta 3
 Bill 17, Labour Statutes Amendment Act, 2022 3

Canada 4
 Bill C-19, Budget Implementation Act, 2022, No. 1..... 4

Northwest Territories 5
 Bill 47, An Act to Amend the Employment Standards Act, No. 2 5

Nova Scotia 6
 Bill 152, Labour Standards Code (Private Member’s Bill)..... 6
 Bill 153, Labour Standards Code 7

Ontario..... 8
 Bill 88, Working for Workers Act, 2022 8

Alberta

Bill 17, Labour Statutes Amendment Act, 2022

First Reading, April 21, 2022

[Bill 17](#) amends chapter E-9 of the Revised Statutes of Alberta 2000.

(2) Section 53.2(1)(c) presently reads:

- 53.2(1) Subject to the regulations, an employee who has completed at least 12 consecutive weeks of employment with an employer and is a reservist is entitled to reservist leave without pay to take part in the following operations or activities:
 - (c) Subject to the regulations, annual training, including related travel time, for an amount of up to 20 days in a calendar year.

(5) Section 53.983 is repealed and the following is substituted:

Unpaid bereavement leave

- 53.983(1) In this section,
 - “Common-law partner” has the same meaning as in section 53.9(1)(a).
 - “Parent” has the same meaning as in section 53.95(1)(d).
- An employee who has been employed by the same employer for at least 90 days is entitled to unpaid bereavement leave on the occurrence of any of the following:
 - The death of a family member.
 - The employee has a miscarriage or stillbirth.
 - The employee’s spouse or common-law partner has a miscarriage or stillbirth.
 - A person has a miscarriage or stillbirth and the employee would have been a parent of a child born as a result of the pregnancy.
- The amount of leave under this section must not exceed three days in a calendar year.
- Before taking a leave under this section, the employee must give the employer as much notice as is reasonable and practicable in the circumstances.

Canada

Bill C-19, Budget Implementation Act, 2022, No. 1

First Reading, April 28, 2022

On April 28, 2022, [Bill C-19, Budget Implementation Act, 2022](#), No.1 was introduced. Division 29 of Part 5 amends An Act to amend the Criminal Code and the Canada Labour Code to, among other things,

- Shorten the period before which an employee begins to earn one day of medical leave of absence with pay per month.
- Standardize the conditions related to the requirement to provide a medical certificate following a medical leave of absence, regardless of whether the leave is paid or unpaid.
- Authorize the Governor in Council to make regulations in certain circumstances, including to modify certain provisions respecting medical leave of absence with pay.
- Ensure that, for the purposes of medical leave of absence, an employee who changes employers due to the lease or transfer of a work, undertaking or business or due to a contract being awarded through a retendering process is deemed to be continuously employed with one employer.
- Provide that the provisions relating to medical leave of absence come into force no later than Dec. 1, 2022.

As a reminder, federal leaves are only available to federally regulated employers.

Northwest Territories

Bill 47, An Act to Amend the Employment Standards Act, No. 2

Date of Assent, March 14, 2022

Informational only – Sedgwick does not administer

Bill 47 amends the [Employment Standards Act](#) to create a new statutory holiday which will fall on Sept. 30 each year, to be known as the National Day for Truth and Reconciliation.

Nova Scotia

Bill 152, Labour Standards Code (Private Member's Bill)

First Reading, April 8, 2022

Bill 152 is a Private Member's Bill that amends the [Labour Standards Code](#).

2 Section 60I Chapter 246, as enacted by Chapter 18 of the Acts of 2009 and amended by Chapter 13 of the Acts of 2018, is further amended by striking out subsections (3) to (7) and substituting the following subsections:

3. An employee is entitled to take up to ten days of leave under this Section in each calendar year because of an emergency, including an emergency relating to an event of domestic violence.
4. Where an employee takes a leave under this Section, the employee is entitled to take the first five such days as paid days of leave in each calendar year and the balance of the employee's entitlement under this Section as unpaid leave.

Nova Scotia

Bill 153, Labour Standards Code

First Reading, April 8, 2022

Bill 153 amends the [Labour Standards Code](#), Respecting Organ and Tissue Donation Leave:

- 60ZC (1) Subject to subsection (7), an employee is entitled to a leave of absence of up to 13 weeks to donate from the employee's own body organs or tissues in accordance with the Human Organ and Tissue Donation Act.
- (2) Where an employee takes a leave of absence under this Section, the employee is entitled to take the first week as paid days of leave and the balance of the employee's entitlement as unpaid leave.

Ontario

Bill 88, Working for Workers Act, 2022

Received Royal Assent, April 11, 2022

Schedule 2 [Employment Standards Act, 2000](#) is amended as follows:

- Section 50.2 of the Act, which governs reservist leaves of absence, is amended to provide that an employee is entitled to leave under that section if the employee is participating in Canadian Armed Forces military skills training. The section is also amended to provide that an employee is entitled to leave after being employed by the employer for three consecutive months.

Sedgwick's policy for this leave will be updated to reflect the shorter eligibility timeframe provided by this Act.

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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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