

LEAVE AND DISABILITY REGULATORY COMPLIANCE

Summary of legislative and regulatory changes

Canada | October 2021

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Manitoba

Bill 240, The Recognition of National Day for Truth and Reconciliation Act

First Reading on Oct. 7, 2021; Bill died when House adjourned on Oct. 14, 2021

Informational only — Sedgwick does not administer

On Oct. 7, 2021, Manitoba introduced [Bill 240, The Recognition of National Day of Truth and Reconciliation Act](#) to recognize Sept. 30 as a statutory holiday in Manitoba for the purposes of The Employment Standards Code and The Interpretation Act. However, Bill 240 has died as the House adjourned on Oct. 14, 2021. In order for it to be considered again, it will need to be re-introduced.

Ontario

Bill 7, 10 Paid Sick Days for Ontario Workers Act, 2021 (Private Member's Bill)

First Reading on Oct. 5, 2021

Informational only — Sedgwick does not administer

On Oct. 5, 2021, Ontario introduced [Bill 7, 10 Paid Sick Days for Ontario Workers Act, 2021](#), which if passed, will make the following amendments to the Ontario Employment Standards Act, 2000 (the “Act”):

- Sections 50, 50.0.1 and 50.0.2 of the Act, which provide for sick leave, family responsibility leave and bereavement leave, respectively, will be repealed. Section 50 will be re-enacted to provide for up to 10 paid days of personal emergency leave in the case of a personal illness, injury or medical emergency; the illness, injury or medical emergency of a specified family member; or an urgent matter concerning a specified family member.
- The Act will be amended to require that the minister implement an employer support program to provide resources and supports to assist employers in providing personal emergency leave as required by the new section 50.
- Section 50.1 of the Act, which currently provides for three days of paid infectious disease emergency leave, will be amended to increase the number to 10 days of paid leave.

Ontario

Bill 8, Stay Home If You Are Sick Act, 2021 (Private Member's Bill)

First Reading on Oct. 6, 2021

On Oct. 6, 2021, Ontario introduced [Bill 8, Stay Home If You Are Sick Act, 2021](#), which if passed, will make the following amendments to the Ontario Employment Standards Act, 2000:

- Sections 50, 50.0.1 and 50.0.2, which deal with sick leave, family responsibility leave and bereavement leave, respectively, will be replaced with a new section 50 that provides for personal emergency leave due to a personal illness, injury or medical emergency; the death, illness, injury or medical emergency of a listed family member; or certain urgent matters. Under the new section 50, an employee will be entitled to 10 days of paid leave in a calendar year.
- Currently, section 50.1 of the Act provides for unpaid leave in situations related to declared emergencies and infectious disease emergencies. That section will be amended to provide that employees are entitled to take the first 14 days of any such leave in a calendar year as paid leave.
- The Act will also be amended to require the minister to implement a financial support program to help employers adapt to any increased costs associated with paid personal emergency leave under section 50, as those provisions will be amended by the Bill. Payment may only be made if the Legislature has appropriated money for the purpose of the program.

Prince Edward Island

Bill 34, An Act to Amend the Employment Standards Act (No.3)

First Reading and Second Reading on Oct. 19, 2021

On Oct. 19, 2021, Prince Edward Island introduced [Bill 34, An Act to Amend the Employment Standards Act \(No. 3\)](#) to add new entitlements to bereavement leave. Specifically, Bill 34 if passed, will make the following amendments to the Prince Edward Island Employment Standards Act:

- Section 2 will amend subsection 22(3) of the Act to correct a reference to a “fifty-two-week period”, which should be a “78-week period”, for consistency with the period specified in subsection 22(2.1) of the Act.
- Section 3 will amend section 23 of the Act by adding a new subsection (1.01) that provides that the entitlement to bereavement leave for an employee includes the end of a pregnancy by way of prenatal pregnancy loss or stillbirth in the specified circumstances as if it were the death of a member of the immediate family of the employee. This section will also amend subsection 23(2) to clarify when the bereavement leave must be taken.

Prince Edward Island

Bill 22, An Act to Amend the Employment Standards Act (No. 2)

First Reading on Oct. 19, 2021; Second Reading on Oct. 26, 2021

Informational only — Sedgwick does not administer

On Oct. 19, 2021, Prince Edward Island introduced [Bill 22, An Act to Amend the Employment Standards Act \(No. 2\)](#), which if passed, will add the National Day for Truth and Reconciliation (observed on Sept. 30) to the list of paid public holidays in PEI.

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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800.625.6588
Sedgwick@sedgwick.com
SEDGWICK.COM
