



COVID-19 Amendments: Leaves of Absence

May 7th, 2020

Report Contents

Employment Standards	3
Leaves of Absence	3
Compassionate Care Leave	3
Critical Illness Leave	4
Emergency & Public Health Leave	5
Family Responsibility Leave	13
General - Employee Rights	14
General - Interruptions & Postponements	16
Organ Donor Leave	17
Pregnancy & Parental Leave	18
Sick Leave	21

Employment Standards

Leaves of Absence

Compassionate Care Leave

Manitoba

Updated: Apr 16, 2020

[The Employment Standards Code \(MB\) - s. 59.2](#)

Note: During the COVID-19 public health emergency, medical certificate requirements are temporarily suspended.

28 weeks of unpaid leave to provide care or support to a seriously ill family member that has a serious medical condition with a significant risk of death within 26 weeks.

Family member in relation to an employee means:

- a spouse or common-law partner of the employee;
- a child of the employee or a child of the employee's spouse or common-law partner; and
- a parent of the employee or a spouse or common-law partner of the parent

Employees are **eligible** after continuous employment of at least 90 days.

No period of leave may be less than one week. An employee may take a **maximum of two periods** of leave totaling no more than 28 weeks in a 52-week period.

Employee must provide **notice** of at least one pay period and a physician's certificate as soon as possible.

Physician's certificate must state: family member has a serious medical condition with a significant risk of death within 26 weeks and requires employee's care or support.

Employee returning from leave earlier than expected must provide employer with at least 48 hours notice of the expected return date.

This provision is affected by the following amendment:

[Bill 55, The Employment Standards Code Amendment Act](#)

Introduction/Announcement: April 15, 2020

Royal Assent: April 15, 2020

In Force: On Royal Assent

Critical Illness Leave

Manitoba

Updated: Apr 16, 2020

[The Employment Standards Code \(MB\) - s. 59.8](#)

To care for a critically ill:

- child (under age 18) - **37 weeks of unpaid leave** (or such shorter period in the medical certificate); or
- adult - **17 weeks of unpaid leave** (or such shorter period in the medical certificate).

Note: During the COVID-19 public health emergency, medical certificate requirements are temporarily suspended.

Family member in relation to an employee means:

- a spouse or common-law partner of the employee;
- a child of the employee or a child of the employee's spouse or common-law partner; and
- a parent of the employee or a spouse or common-law partner of the parent

Employees are **eligible** for critically ill child leave after 30 days of employment and for critically ill adult leave after 90 days of employment.

Leave may be taken in **1 or more periods**. Must be at least 1 week in length.

Employee intending to take leave to provide employer with **notice** of at least one pay period (or shorter if not practical).

Leave must **end** no later than 52 weeks after the day the first period of leave commenced. Employee intending to end leave early must give notice of at least one pay period before end date.

Employee must have a **physician certificate** indicating the family member is critically ill, requires employee support/care and timeline for support/care. The certificate must be provided to the employer as soon as practicable.

After the 52 week period, if the family member remains critically ill, employee is entitled to take another leave and the requirements outlined above apply to the new leave.

This provision is affected by the following amendment:

[Bill 55, The Employment Standards Code Amendment Act](#)

Introduction/Announcement: April 15, 2020

Royal Assent: April 15, 2020

In Force: On Royal Assent

Emergency & Public Health Leave

Alberta

Updated: Mar 21, 2020

[Employment Standards Code \(AB\)](#)

[Employment Standards \(COVID-19 Leave\) Regulation - s. 1, 2, 3, 4](#)

Entitlement

14 consecutive days of unpaid leave if employees are in self-isolation or self-quarantine as a result of COVID-19. This leave may be extended if the Chief Medical Officer recommends that it is necessary to:

- suppress COVID-19 in those already infected;
- protect those not already exposed;
- break the chain of transmission and prevent spread of COVID-19.

This leave is effective as of March 5, 2020.

Exemptions from Requirements

Employees taking this leave are **exempt from the following requirements** (which apply to Sick Leave):

- being employed by the same employer for at least 90 days;
- providing a medical certificate;
- providing written notice, including estimated return to work.

In addition, employees continue to be entitled to 16 weeks' unpaid leave per calendar year for illness or injury. (See Sick Leave.)

British Columbia

Updated: Mar 29, 2020

[Employment Standards Act \(BC\) - s. 52.12](#)

Entitlement

Employees are entitled to an **unpaid COVID-19 leave of absence**, if any of the following apply:

- they are diagnosed with COVID-19 and are acting in accordance with:
 - instructions/order of a medical health officer; or
 - advice of a medical practitioner, nurse practitioner or registered nurse;
- they are in quarantine or self-isolation in accordance with:
 - an order of the provincial health officer, or under the *Quarantine Act* (Canada); or
 - guidelines of the British Columbia Centre for Disease Control, or the Public Health Agency of Canada;
- their employer, due to concern about exposure to others, has directed the employee not to work;
- they are providing care to an eligible person, including due to school/daycare closure; or
- the employee is outside B.C. and cannot return because of travel or border

restrictions

as long as the above circumstances apply.

The COVID-19 leave is **retroactive to Jan. 27, 2020**. If an employee's employment was terminated due to a COVID-19 related circumstance (as described above) on or after January 27, 2020, but before March 23, 2020, the employer must offer re-employment and the absence is deemed to be a COVID-19 leave.

Eligible Person

Eligible Person means:

- a child under day-to-day care and control of the employee because the employee is their parent or per an agreement/court order; or
- a person who is 19+ years old, under day-to-day care and control of the employee and is unable to care for themselves due to illness or disability.

Evidence

Employers may ask employees to provide reasonably sufficient proof as soon as practicable, but not a medical note.

This provision is affected by the following amendment:

[Bill 16, Employment Standards Amendment Act \(No. 2\)](#)

Introduction/Announcement: March 23, 2020

Royal Assent: March 23, 2020

In Force: On Royal Assent

Federal

Updated: Mar 29, 2020

[Canada Labour Code \(Part III\) - s. 239.01](#)

Entitlement

16 weeks leave of absence (which may be extended by regulation) if the employee is unable or unavailable to work for reasons related to COVID-19.

Evidence

Employees must provide written notice of such leave as soon as possible, including reasons for and length of the leave. Employers may require employees to provide a written declaration in support of the reasons for the leave of absence and of any change in the length of that leave.

***Note: Rights related to COVID-19 leave expire on October 1, 2020.**

This provision is affected by the following amendments:

[Bill C-13, An Act respecting certain measures in response to COVID-19](#)

Introduction/Announcement: March 25, 2020

Royal Assent: March 25, 2020

In Force: On Royal Assent

[Bill C-13, An Act respecting certain measures in response to COVID-19](#)

Introduction/Announcement: March 25, 2020

Royal Assent: March 25, 2020

In Force: Effective as of October 1, 2020

Manitoba

Updated: Apr 16, 2020

[The Employment Standards Code \(MB\) - s. 59.12, 59.2](#)

Entitlement

Employees are entitled to an **unpaid leave of absence** if they are not performing their work duties because the employee:

- is in quarantine, isolation or self-isolation per guidance or directives issued by public health authorities for reasons related to COVID-19;
- is under medical examination, supervision or treatment related to COVID-19;
- must comply with or is subject to an order made under The Emergency Measures Act or The Public Health Act as a result of COVID-19;
- is providing care, support or assistance to a family member as a result of COVID-19, including due to school and daycare closures;
- is directed not to work because the employer is concerned about the employee's exposure to others; or
- is directly affected by travel restrictions and cannot reasonably be expected to travel to their workplace.

This entitlement is deemed in force as of **March 1, 2020**. Employees are **entitled to the leave as long as any of the above conditions apply**.

Family Member

Family member means:

- a spouse or common-law partner of the employee;
- a child of the employee or a child of the employee's spouse or common-law partner; and
- a parent of the employee or a spouse or common-law partner of the parent

Evidence

Employees must give their employer as much notice as is reasonable in the circumstances. Employers may request reasonable verification, but employees do not have to provide a medical certificate.

This provision is affected by the following amendment:

[Bill 55, The Employment Standards Code Amendment Act](#)

Introduction/Announcement: April 15, 2020

Royal Assent: April 15, 2020

In Force: On Royal Assent

New Brunswick

Updated: Apr 30, 2020

[Employment Standards Act \(NB\) - s. 44.028](#)

[COVID-19 Emergency Leave Regulation - s. 1, 2, 3, 4, 5, 6, 7, 8, 10](#)

Entitlement

Generally, employees are entitled to an **emergency leave of absence** in the following circumstances:

- when the New Brunswick government declares a state of emergency under the *Emergency Measures Act* in respect to all or any area of New Brunswick;
- when the federal government declares a public welfare emergency, a public order emergency, an international emergency or a war emergency under the *Emergencies Act* (Canada) or makes an order under the *Quarantine Act* (Canada); or
- "Public Health Events" relating to:
 - a notifiable disease per the *Public Health Act* or an order of the Minister of Health or the chief medical officer of health;
 - a notifiable event under the *Public Health Act*; or
 - any other threat to public health.

Where there is a Public Health Event, employees are entitled to an **unpaid COVID-19 leave of absence** if they are subject to any of the following circumstances:

- under medical investigation, supervision or treatment related to COVID-19;
- acting in accordance with an order made under the Public Health Act related to COVID-19;
- in isolation, quarantine or subject to a control measure, including self-isolation, based on information/directions related to COVID-19 from a medical officer of health, medical practitioner, nurse practitioner, nurse, Tele-Care, local government or the Government of New Brunswick or Government of Canada (or one of their departments or agencies);
- directed not to work because the employer is concerned about the employee's exposure to others; or
- providing care, support or assistance to an individual with whom the employee shares a close family relationship as a result of COVID-19, including due to school and daycare closures;
- directly affected by travel restrictions and cannot reasonably be expected to travel back to New-Brunswick.

Employees are deemed to have been eligible for the COVID-19 leave **effective March 12, 2020**.

Employees's entitlement to the COVID-19 leave **ends** on the earliest date:

- the employer and employee agree;
- the purpose for taking the emergency leave no longer exists; or
- the COVID-19 Regulation is repealed.

Evidence

Employees must provide written notice of COVID-19 leaves as soon as possible, including purpose of the leave and anticipated commencement date (if they haven't started already) and duration. Employees do not have to provide a medical certificate.

All documentation received in relation to a COVID-19 leave is confidential and may only be disclosed with employee consent, as required by an officer, employee or agent of the employer to do their job, or authorized by law.

This provision is affected by the following amendments:

[Bill 40, An Act to Amend the Employment Standards Act](#)

Introduction/Announcement: April 17, 2020

Royal Assent: April 17, 2020

In Force: On Royal Assent

[Regulation 2020-29](#)

Introduction/Announcement: April 28, 2020

Royal Assent: April 28, 2020

In Force: Deemed retroactive to March 12, 2020

Newfoundland and Labrador

Updated: Mar 29, 2020

[Labour Standards Act \(NF\) - s. 43.39](#)

[Labour Standards Regulations \(NF\) - s. 11.3](#)

Entitlement

Employees are entitled to an **unpaid leave of absence** if they are not performing their work duties because they are subject to one or more of the following:

- under individual medical investigation, supervision or treatment related to a designated communicable disease;
- acting in accordance with an order under the *Public Health Protection and Promotion Act* related to a designated communicable disease;
- in isolation, quarantine or subject to a control measure, including self-isolation, based on information/directions related to a designated communicable disease from the Chief Medical Officer or the Government;
- under a direction from their employer in response to a concern that the employee may expose other individuals in the workplace to the designated communicable disease;
- providing care to a family member for a reason related to a designated communicable disease, including a school or child care service closure;
- directly affected by travel restrictions related to a designated communicable disease and, under the circumstances cannot reasonably be expected to travel back to the province.

COVID-19 has been designated as a communicable disease.

Employees are entitled to the leave as long as they are not performing their work duties due to the above reason(s) and the communicable disease is designated for purposes of this provision.

This entitlement is deemed in force as of March 14, 2020.

Family Member

Family member means:

- employee's spouse, a brother, step-brother, sister or step-sister, a brother-in-law, step-brother-in-law, sister-in-law or step-sister-in-law;
- employee's or their spouse's parent, step-parent or foster parent, child, step-child, foster child or child under legal guardianship, grandparent, step-grandparent, grandchild or step-grandchild, son/daughter-in-law.

Evidence

Employers may require an employee to provide evidence of entitlement to the leave that is reasonable in the circumstances, at a reasonable time, but not a medical certificate.

This provision is affected by the following amendment:

[Bill 33, COVID-19 Pandemic Response Act](#)

Introduction/Announcement: March 26, 2020

Royal Assent: March 26, 2020

In Force: On Royal Assent

Ontario

Updated: Mar 29, 2020

[Employment Standards Act, 2000 \(ON\) - s. 50.1](#)

[Infectious Disease Emergency Leave - s. 1, 2](#)

Entitlement - Infectious Disease Leave

An employee is entitled to an **unpaid leave of absence** if they are not performing their duties because they are subject to one or more of the following:

- under individual medical investigation, supervision or treatment related to the designated infectious disease;
- complying with an order under the *Health Protection and Promotion Act* that relates to the designated infectious disease;
- in quarantine or isolation or subject to a control measure (including self-isolation) as a result of information or directions issued by a public health official, a qualified health practitioner, Telehealth Ontario, the Government of Ontario, the Government of Canada, a municipal council or a board of health;
- under a direction from their employer in response to a concern that the employee may expose other individuals in the workplace to the designated infectious disease;
- providing care or support to a family member, including due to school or day care closures; or
- directly affected by travel restrictions related to the designated infectious disease and, under the circumstances, cannot reasonably be expected to travel back to Ontario.

COVID-19 is a designated infectious disease. Employees are entitled to the leave as long as they are not performing their work duties due to the above reason(s) and the infectious disease is designated for purposes of this provision.

Entitlement to this leave is retroactive to January 25, 2020.

Family Member

Family member means:

- the employee's spouse, sibling or step-sibling, brother/sister-in-law, step-brother/sister-in-law;
- the employee's or their spouse's parent, step-parent or foster parent, child, step-child or foster child, a child who is under legal guardianship, a grandparent, step-

- grandparent, grandchild or step-grandchild, son/daughter-in-law, uncle, aunt, a nephew, niece;
- the spouse of the employee's grandchild, uncle, aunt, nephew or niece; and
- a person who considers the employee to be like a family member.

Evidence

Employers **may require** an employee to provide evidence of entitlement to the leave that is reasonable in the circumstances, at a reasonable time, **but not** a medical certificate. Employees must advise the employer that they will be taking the leave as soon as possible.

Entitlement - Emergency Leave

An employee is entitled to an unpaid leave of absence if they are not performing their duties because of:

- an emergency is declared under the *Emergency Management and Civil Protection Act*, employees not performing emergency duties are entitled to an unpaid leave to care for a family member, as defined above under Infections Disease Emergency Leave.

The leave ends on the day the emergency is terminated.

Evidence

Employers may require an employee to provide evidence of entitlement to the leave that is reasonable in the circumstances, at a reasonable time.

This provision is affected by the following amendment:

[Bill 186, Employment Standards Amendment Act \(Infectious Disease Emergencies\), 2020](#)

Introduction/Announcement: March 19, 2020

Royal Assent: March 19, 2020

In Force: On Royal Assent

[The Saskatchewan Employment Act \(Part II\) - s. 2-1, 2-40, 2-46, 2-57, 2-59.1](#)
[The Employment Standards Regulations \(SK\) - s. 44.2, 44.3](#)

Entitlement

Employees are entitled to a **public health emergency leave for as long as an order is in force per:**

- a public health emergency has been determined by the World Health Organization and the chief medical officer of Saskatchewan (CMO) has declared a public health emergency requiring measures to prevent/reduce spread, including self isolation; or
- the CMO issues an order declaring a disease present requiring measures to prevent/reduce spread, including self isolation;

if they are:

- directed to isolate themselves by: their employer, a medical practitioner, the government of Saskatchewan, or the CMO; or
- they have to care for a child or adult family member affected by the order.

Where there is a **conflict** between the opinion of an employer and a medical practitioner opinion, government of Saskatchewan order/direction, or CMO order, the latter all prevail over the employer opinion.

However, where an **employer advises an employee in writing** that they are required to provide “critical public health and safety services”, the public health emergency leave does not apply to them.

Employees are **entitled to be paid their regular wages and benefits** if they:

- are authorized by their employer to work at home during that period; and
- comply with the measures set out in the chief medical officer’s order and any additional requirements specified by the government.

In response to COVID-19, entitlement to this leave is **retroactive to March 6, 2020**.

Exemptions from Requirements

Public health emergency leaves are exempt from requirements to:

- have been employed by the employer for 13 consecutive weeks prior to the leave;
- provide a medical certificate;
- provide four weeks’ written notice if the dates cannot reasonably be known or the leave will be for 60 days or less.

Leaves of Absence

Family Responsibility Leave

Alberta

Updated: Apr 09, 2020

[Employment Standards Code \(AB\) - s. 53.982](#)

[Employment Standards Regulation \(AB\) - s. 54.1\(3\)](#)

Note: During the COVID-19 public health emergency, as of March 17, 2020, employees are entitled to an unpaid leave of absence to care for children due to school/daycare closures or self-isolated family members, which:

- *continues for the period of time recommended/directed by the Chief Medical Officer;*
- *is exempt from the 90-day employment requirement;*
- *does not require a medical note (though employers may request documentation reasonable in the circumstances at a reasonable time).*

5 days of unpaid personal leave per calendar year to address employee's health or to meet family responsibilities in relation to:

- employee's spouse, common-law partner, child, parent, grandparent, grandchild, current/former foster parent/child, current/former ward/guardian or adult interdependent partner;
- child of employee's spouse/common-law partner, adult interdependent partner, or parent; or
- any other person living with the employee as a member of the employee's family.

Employees are **eligible** after 90 days' employment.

Employees must give the employer as much **notice** as is reasonable in the circumstances.

This provision is affected by the following amendment:

[Ministerial Order 18.2020 \[Labour & Immigration\]](#)

Introduction/Announcement: April 6, 2020

Royal Assent: April 6, 2020

In Force: Effective as of April 6, 2020

General - Employee Rights

Federal

Updated: Mar 25, 2020

[Canada Labour Code \(Part III\) - s. 209, 209.2, 239, 239.1, 247.91, 209.1, 247.93, 247.94, 247.95, 247.96, 239.01](#)

[Canada Labour Standards Regulations - s. 29, 34](#)

Reinstatement

Employees are entitled to reinstatement to the **same position** they had when the leave of absence commenced, or a **comparable position with the same wages, benefits and location**. If wages and benefits changed due to a reorganization, employees on leave are entitled to the same wages had they been at work during the reorganization. The employer must must notify employees of the change in writing as soon as possible.

Note: Employer's obligation to reinstate an employee after a **work-related illness injury** ends 18 months after medical certificate indicates fitness to return to work. Where an employer lays off an employee within 9 months of their return from work-related illness/injury, the employer must demonstrate to an inspector that the layoff was not due to the absence.

Continuous Service

Except for reservist leave, employees continue to accumulate **pension and benefits** during a leave provided that contributions continue to be paid. Employers must continue to make pension and benefit contributions unless the employee does not pay contributions that they are required to pay (if any).

Employees continue to accumulate **seniority** during a leave.

Employees' employment is deemed to be **continuous** with employment before the absence.

No Discrimination

Employers **cannot dismiss, suspend, lay off, demote or discipline** an employee who:

- is pregnant; or
- has applied for or taken pregnancy, parental, child death/disappearance, compassionate care, critical illness, work-related illness/injury, sick (medical) or COVID-19* leave;
- or
- take such leave into account when making decisions regarding promotions or training.

Employees on leave are also entitled to be **informed** in writing of promotion and training opportunities. Also see: Enforcement - Reprisals.

An employer may, however, assign a different position, with different terms and

conditions of employment, to an employee who after a sick, COVID-19, work-related illness/injury or reservist leave is unable to perform the same work on return.

***Note: Rights related to COVID-19 leave expire on October 1, 2020.**

This provision is affected by the following amendments:

[Bill C-13, An Act respecting certain measures in response to COVID-19](#)

Introduction/Announcement: March 25, 2020

Royal Assent: March 25, 2020

In Force: On Royal Assent

[Bill C-13, An Act respecting certain measures in response to COVID-19](#)

Introduction/Announcement: March 25, 2020

Royal Assent: March 25, 2020

In Force: Effective as of October 1, 2020

Leaves of Absence

General - Interruptions & Postponements

Federal

Updated: Mar 25, 2020

[Canada Labour Code \(Part III\) - s. 187.1, 187.2, 206.1\(2.4\), 207.02, 207.1](#)

Employees may interrupt or postpone a **vacation** to take a leave of absence.

Employees may interrupt a parental, child death/disappearance, compassionate care or critical illness leave to take a **sick (medical) leave or COVID-19 leave**.^{*} The interrupted leave resumes immediately after the interruption ends.

Employees must advise the employer in writing as soon as possible of the beginning and end of the interruption. Employees must, as soon as possible, provide prior written notice of any postponement.

Also see: Pregnancy & Parental Leave for additional rights regarding interruptions.

***Note: Rights related to COVID-19 leave expire on October 1, 2020.**

This provision is affected by the following amendments:

[Bill C-13, An Act respecting certain measures in response to COVID-19](#)

Introduction/Announcement: March 25, 2020

Royal Assent: March 25, 2020

In Force: On Royal Assent

[Bill C-13, An Act respecting certain measures in response to COVID-19](#)

Introduction/Announcement: March 25, 2020

Royal Assent: March 25, 2020

In Force: Effective as of October 1, 2020

New Brunswick

Updated: Apr 30, 2020

[Employment Standards Act \(NB\)](#)
[COVID-19 Emergency Leave Regulation - s. 9](#)

An employee may interrupt or delay an annual vacation in order to take a COVID-19 emergency leave.

This provision is affected by the following amendment:

[Regulation 2020-29](#)

Introduction/Announcement: April 28, 2020

Royal Assent: April 28, 2020

In Force: Deemed retroactive to March 12, 2020

Leaves of Absence

Organ Donor Leave

Manitoba

Updated: Apr 16, 2020

[The Employment Standards Code \(MB\) - s. 59.6](#)

Note: During the COVID-19 public health emergency, medical certificate requirements are temporarily suspended.

13 weeks of unpaid leave for organ donation.

Employees are **eligible after a minimum of 30 days** of employment

Employers may deem a partial day to be a full day of leave.

Employees must provide written **notice** as is reasonable and practicable in the circumstances and a **medical certificate** providing details of start date and recovery time required. If ending leave early, employees must provide notice at least one pay period before the day they intend to end the leave.

Leave may be **extended** with an additional certificate that specifies additional recovery time is required up to a maximum of an extra 13 weeks. Request for an extension must be made at least one pay period in advance of the extension where reasonable and practical based on the circumstances.

This provision is affected by the following amendment:

[Bill 55, The Employment Standards Code Amendment Act](#)

Introduction/Announcement: April 15, 2020

Royal Assent: April 15, 2020

In Force: On Royal Assent

Pregnancy & Parental Leave

Federal

Updated: Mar 21, 2020

[Canada Labour Code \(Part III\) - s. 204, 205, 205.1, 205.2, 206, 206.1, 206.2, 207, 207.1, 207.2, 208](#)

17 weeks of pregnancy leave starting no earlier than 13 weeks before the due date and ending no later than 17 weeks after the birth date.

Employees are entitled to **63 weeks of parental leave** to be taken within 78 weeks of the child's birth/adoption. The aggregate amount of pregnancy and parental leave of 1 employee shall not exceed 78 weeks.

If the child is hospitalized, the pregnancy and parental leaves will be **extended** by the number of weeks of hospitalization - up to 52 weeks and 104 weeks, respectively. Parental leave may be interrupted or extended by number of weeks that the employee is on leave due to child death/disappearance, compassionate care, critical illness, or reservist leave or absent due to COVID-19*, sickness or workplace injury.

No employee **eligibility period** for pregnancy or parental leave.

Employees must **advise the employer** in writing (including the length of the leave) at least 4 weeks before starting a pregnancy/parental leave, or, where there is a valid reason, as soon as possible. Employees may change the length of their leave or interrupt it by providing written notice. Employees must provide a medical certificate certifying the pregnancy.

Additional Rules

- Pregnant employees may request modified job duties or reassignment during the pregnancy until the end of the 24th week following birth, where current job poses a risk to the mother or child's health. A medical certificate must be provided. Where modification/reassignment is not reasonably practicable, the employee is entitled to a leave of absence for the duration of the risk.
- No employer may require an employee to take a leave of absence because the employee is pregnant. However, where the employer is able to prove that the employee is unable to perform an essential job function and no alternative job is available, the employee may be required to take a leave while she is unable to perform the essential function.

***Note: Rights related to COVID-19 leave expire on October 1, 2020.**

This provision is affected by the following amendments:

[Bill C-13, An Act respecting certain measures in response to COVID-19](#)

Introduction/Announcement: March 25, 2020

Royal Assent: March 25, 2020

In Force: On Royal Assent

[Bill C-13, An Act respecting certain measures in response to COVID-19](#)

Introduction/Announcement: March 25, 2020

Royal Assent: March 25, 2020
In Force: Effective as of October 1, 2020

Manitoba
Updated: Apr 16, 2020

[The Employment Standards Code \(MB\) - s. 51, 52, 53, 54, 55, 56, 57, 57.1, 58, 59.4, 59, 59.1](#)

Note: During the COVID-19 public health emergency, medical certificate requirements are temporarily suspended.

Pregnancy Leave

17 weeks of unpaid maternity (pregnancy) leave. If the date of delivery is after the estimated date, employee is entitled to 17 weeks **plus** the additional time between the estimated date and actual date of delivery.

Maternity leave may begin no earlier than 17 weeks before the due date, and must not end later than 17 weeks after the delivery.

Employees are **eligible** for maternity leave if they have been employed for a period of 7 consecutive months.

An employee must give the employer:

- at least 4 weeks **written notice** of the date the leave is to begin; and
- a **medical certificate** that provides the estimated due date.

Or, the employee can start maternity leave within 2 weeks of providing notice and medical certificate to employer. The certificate must provide (estimated) date of delivery and any period of time within the 17 weeks prior to due date that normal duties could not be performed because of a pregnancy-related medical condition.

Maternity leave may **end** earlier, if the employee gives the employer at least 2 weeks written notice or one pay period, whichever is longer of her intent to end the leave early.

Parental Leave

63 weeks of unpaid parental leave for an employee who adopts or becomes the parent of a child. Parental leave must start no later than 18 months after the child's birth/adoption. Parental leave ends 63 weeks after it began.

Employee is **eligible** if employed for at least 7 consecutive months before the child's birth/adoption, and in the case of adoption, the adoption occurs pursuant to Manitoba laws.

Employees must provide 4 weeks' **written notice**. Where less than the required notice is given, parental leave will be shortened by the number of days by which the notice was short.

Parental leave of an employee who takes maternity leave **begins when the maternity leave ends** unless employee and employer agree otherwise or a collective

agreement provides otherwise.

Parental leave may **end** early if the employee provides employer with written notice of at least 2 weeks or one pay period, whichever is longer.

This provision is affected by the following amendment:

[Bill 55, The Employment Standards Code Amendment Act](#)

Introduction/Announcement: April 15, 2020

Royal Assent: April 15, 2020

In Force: On Royal Assent

Leaves of Absence

Sick Leave

Manitoba

Updated: Apr 16, 2020

[The Employment Standards Code \(MB\) - s. 59.10](#)

Note: During the COVID-19 public health emergency, medical certificate requirements are temporarily suspended.

17 weeks sick leave in a 52 week period.

Employees are **eligible** after 90 days employment

Leave to be taken in **1 continuous period** unless the parties agree otherwise or a collective agreement provides otherwise.

Employee must provide a **physician's certificate** and as much **notice** as reasonable to the employer of the intent to take the leave. Certificate must provide evidence and indicate employee not able to work for a period of at least 2 weeks because of serious injury or illness.

If ending leave before the expiry date, employee provides at least 2 weeks written notice of intention. Before employee's return, employer may request a **certificate** from a physician verifying employee is fit to return to work.

This provision is affected by the following amendment:[Bill 55, The Employment Standards Code Amendment Act](#)

Introduction/Announcement: April 15, 2020

Royal Assent: April 15, 2020

In Force: On Royal Assent