

# EMPLOYMENT MATTERS

July 2014

## NEW LEAVES OF ABSENCE ADDED TO THE EMPLOYMENT STANDARDS ACT (BILL 21)

### What is the issue?

Bill 21 is an act to amend the *Employment Standards Act* (“**ESA**”), which introduces new leaves of absence under the *ESA*. These amendments come into force on October 29, 2014 and provide for additional leaves of absence under the *ESA*. Below is a summary of the new leaves.

### Family Caregiver Leave

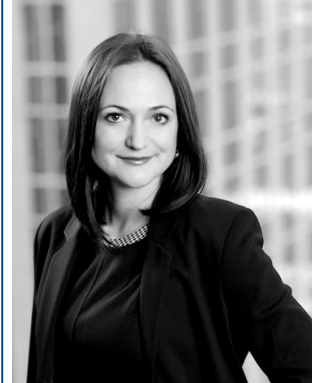
- Available to provide care or support to a family member who has a serious medical condition
- Up to 8 weeks per calendar year with respect to each family member
- Without pay
- Entitled to leave if a qualified medical practitioner issues a certificate stating that the individual has a serious medical condition (may include a condition that is chronic or episodic)

### Critically Ill Child Care Leave

- Available to provide care or support to a critically ill child (a child whose baseline state of health has significantly changed and whose life is at risk as a result of an illness or injury)
- Available to employees employed for at least 6 consecutive months
- Up to 37 weeks
- Without pay
- Available where a qualified medical practitioner issues a certificate that states that the child is critically ill and requires the care or support of the parent and sets out the required period of time

### Crime-Related Child Death or Disappearance

- Available if a child dies or disappears and it is probable, considering the circumstances, that the child died or disappeared as a result of a crime
- Does not apply if the employee is charged with the crime or if it is probable, considering the circumstances, that the child was a party to the crime
- Available to employees employed for at least 6 consecutive months
- Up to 104 weeks with respect to a death and up to 52 weeks with respect to a disappearance
- Without pay



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