

Another Province Gets Hit With Minimum Standards Changes

On June 12, 2018, Quebec's National Assembly adopted *Bill 176: An Act to amend the Act respecting labour standards and other legislative provisions mainly to facilitate family-work balance*. The amendments to the Labour Standards Act include changes pertaining to equal pay for equal work, vacation, bereavement leave, personnel agencies and sick leave.

Particularly noteworthy are the changes made concerning sickness and family leave.

The Act now states that an employee who has worked for a minimum of three months uninterrupted is now entitled to be paid for two days of absence owing to sickness OR two days owing to family leave.

In particular, upon reviewing the rejected and adopted amendments, the following is now the law under the Labour Standards Act:

1. An employee is entitled to be absent from work owing to sickness, an organ or tissue donation, an accident, domestic violence or sexual violence of which an employee has been a victim (26 weeks over a 12-month period) without being required to have worked for three consecutive months. However, an employee who has worked for three consecutive months uninterrupted is now entitled to be paid for the first two days of such absence (in accordance with the amendments made to s.79.16 of the Act), which is calculated the same way as vacation pay.
2. An employee who has worked for at least three months uninterrupted is also entitled to be paid for the first two days of family leave (leave to fulfil obligations as a caregiver towards a child or a relative relating to care, health or education), which is calculated the same way as vacation pay.

It is important to note if an employee is both absent owing to sickness and takes family leave in the same year, the employer is not required to pay more than two days total for both the absence and leave.

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The changes in regards to sickness leave and family leave do not come into effect until January 1, 2019 and only effect provincially regulated employees in Quebec.

As always, we encourage you to contact e2r® should you have any questions regarding this legislation and how it may impact your workplace.

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