
e2r Alert!

Sick Notes

In October 2024 the Canadian Medical Association (CMA) released a statement calling for the elimination of sick notes for short-term minor illnesses. In parallel, we have seen the various jurisdictions review, and at times update, their legislation around the collection of sick notes to substantiate short-term illness. The current legislative restrictions are as follows:

- **Ontario:** Employers are restricted from requiring doctor's notes for the first three days of sick leave annually. Effective June 19, 2025, Ontario's long-term illness leave will come into effect and will have its own rules around medical notes.
- **Quebec:** Employers are restricted from requesting medical documentation for an employee's first three periods of absence due to illness, each not exceeding three consecutive days, within a twelve-month period. In addition, employers can not require a medical certificate if an employee is absent to provide care to a child, a relative or a person for whom the employee acts as a caregiver.
- **New Brunswick:** Employers are prohibited from requesting sick notes for absences of five days or less, unless an employee has had two such absences in the previous twelve months.
- **Newfoundland and Labrador:** Employers are restricted from requiring sick notes until after three consecutive days of sick leave.
- **Nova Scotia:** Employers can no longer request a sick note unless an employee is absent for more than five working days or has already had two absences of five or fewer working days in the previous twelve-month period.
- **Prince Edward Island:** Employers are restricted from requiring sick notes until after three consecutive days of sick leave. Employers are not permitted to request medical certificates for a single day of absence.

- **Saskatchewan:** Employers can no longer request a sick note unless an employee is absent for more than five consecutive working days or has or has been absent twice for two or more days in the preceding twelve months.
- **Federal:** Employers can no longer request a sick note unless an employee is absent for more than five consecutive working days.
- **British Columbia:** Employers can request “reasonably sufficient proof” that an employee is sick. Bill 11 has been introduced and would eliminate the need for employees to get sick notes for short-term absence.

Manitoba and Alberta do not yet have legislation preventing the collection of sick notes

If you have additional questions about an employee's sick leave or your ability to request supporting documentation, please do not hesitate to contact ClientCare.