



**AFOA CANADA**

*Building a Community of Professionals*

# JOB- PROTECTED LEAVES OF ABSENCE

*Detail Sheet*

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## DISCLAIMER

Each province or territory has its own guidelines and regulations in its respective employment standards legislation. This tool offers an overview of the general guidelines for common leave provisions, and you can check the specific regulations for your jurisdiction (province/territory/federal). Each jurisdiction has additional job-protected leave entitlements in addition to this unexhaustive list.

LEAVE TITLE	DURATION	ELIGIBILITY	NOTICE REQUIRED	DESCRIPTION/NOTES
<b>Sick Leave</b>	In those provinces/territories that have sick leave provisions, duration varies between 2 and 12 days.	Most provinces require that you have been an employee for at least two consecutive weeks, while others require up to 90 days before you are eligible for protected sick leave.	In advance to taking the leave.	Most provinces offer leave provisions as unpaid, job-protected leave due to a personal illness, injury, or medical emergency. Some provinces do legislate sick leave to be paid, but that is the exception.
<b>Family Responsibility Leave</b>	3 days per calendar year (generally)	Employees who have worked for an employer for at least two consecutive weeks.	In advance to taking the leave.	Unpaid, job-protected leave due to an illness, injury, medical emergency, or urgent matter relating to certain relatives.  <i>*Where this leave is included in the legislation, there may be exceptions to certain occupations.</i>
<b>Bereavement Leave</b>	2-5 days per calendar year (generally)  <i>*NWT and Yukon each offer up to 7 days</i>  <i>*Nunavut does not legislate bereavement leave</i>	Employees who have worked for an employer for at least two consecutive weeks.  <i>*SK requires 13 weeks of employment before an employee would be eligible for this leave</i>	In advance to taking the leave.	Generally unpaid, job-protected leave because of the death of immediate family members. Quebec does offer up to 2 paid days with specific parameters.
<b>Pregnancy Leave</b>	17 weeks	Employees who have been with the organization 13-weeks or longer	2-weeks written (employers can ask for a medical note)	Can begin the leave 17 weeks prior to the due date OR begin on the baby's due date.  <i>Excludes still-births and miscarriages</i>
<b>Parental Leave</b>	Generally 61-63 weeks  <i>*Nunavut 37 weeks</i>  <i>*QC 65 weeks</i>	Employees who have been employed as little as 90 days (Alberta) but up to as much as 12 months (Nunavut), varying significantly from province to province.  <i>*Some provinces do not have this requirement.</i>	2-6 weeks written notice (varying by province/territory)	Most provinces/territories will also include provisions around maximum combined leave of pregnancy and parental leave, where applicable, typically ranging from 1-1.5 years total.
<b>Family Caregiver Leave</b>	8 weeks  <i>*most provinces provide up to 8 weeks of compassionate care leave for the same purposes</i>	No criteria	No minimum notice but should be in writing (employers can ask for a medical note)	Provide support/care to an immediate family member who has a serious medical condition.
<b>Critical Illness Leave</b>	16-37 weeks, usually within a 52-week period  <i>*some jurisdictions as low as 3 days</i>	Employees who have been with the organization 6-months or longer in Ontario. In BC, there are no criteria. Each jurisdiction is unique.	No minimum notice but should be in writing (employers can ask for a medical note)	Provide support/care to an immediate family member in relation to a critically ill minor family member. The timeline for return must be provided by the employee.