



COMPASSIONATE CARE LEAVE – SUPPORT STAFF

Definitions

59.2(1) The following definitions apply in this section.

"**common-law partner**" of a person means a person who, not being married to the other person, is cohabiting with him or her in a conjugal relationship of some permanence. (« conjoint de fait »)

"**family member**", in relation to an employee, means

- (a) a spouse or common-law partner of the employee;
- (b) a child of the employee or a child of the employee's spouse or common-law partner;
- (c) a parent of the employee or a spouse or common-law partner of the parent; and
- (d) any other person who is a member of a class of persons prescribed in the regulations for the purpose of this definition. (« membre de la famille »)

"**physician**" means a physician who provides care to a family member and who is entitled to practise medicine under the laws of the jurisdiction in which the care is provided. (« médecin »)

Entitlement to leave

59.2(2) Subject to subsections (3) to (8), an employee who has been employed by the same employer for at least 30 days is entitled to compassionate care leave of up to eight weeks to provide care or support to a seriously ill family member.

Physician's certificate

59.2(3) For an employee to be eligible for leave, a physician must issue a certificate stating that:

- (a) a family member of the employee has a serious medical condition with a significant risk of death within 26 weeks from
 - (i) the day the certificate is issued, or
 - (ii) if the leave was begun before the certificate was issued, the day the leave began; and
- (b) the family member requires the care or support of one or more family members.

Employee to give notice to employer

59.2(4) An employee who wishes to take a leave under this section must give the employer notice of at least one pay period, unless circumstances necessitate a shorter period.

Employee to provide physician's certificate

59.2(5) The employee must give the employer a copy of the physician's certificate as soon as possible.

When leave may be taken

59.2(6) An employee may take no more than two periods of leave totalling no more than eight weeks, which must end no later than 26 weeks after the day the first period of leave began.

Minimum period of leave

59.2(7) No period of leave may be less than one week's duration.

Ending leave early

59.2(8) Unless the employee and employer agree otherwise, an employee may end a leave earlier than the expiry of eight weeks by giving the employer at least 48 hours' notice of his or her expected date of return.

**EMPLOYMENT STANDARDS REGULATIONS
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"Family member" — expanded definition

22 For the purpose of the definition "family member" in subsection 59.2(1) of the Code, a person is a family member of an employee if the person is

- (a) a brother, sister, step-brother, step-sister, uncle, aunt, nephew, niece, grandchild or grandparent of the employee or of the employee's spouse or common-law partner;
- (b) a parent of the employee's spouse or common-law partner;
- (c) a current or former foster parent of the employee or of the employee's spouse or common-law partner;
- (d) a current or former foster child, ward or guardian of the employee or of the employee's spouse or common-law partner;
- (e) the spouse or common-law partner of a person mentioned in any of clauses (a) to (d); or
- (f) any other person whom the employee considers to be like a close relative, whether or not they are related by blood, adoption, marriage or common-law relationship.

Adopted September 1, 2009		
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