

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 42ND LEGISLATURE, ONTARIO
69 ELIZABETH II, 2020

Bill 200

An Act to amend the Employment Standards Act, 2000 in respect of sick notes

Mr. M. Schreiner

Private Member's Bill

1st Reading September 14, 2020

2nd Reading

3rd Reading

Royal Assent



An Act to amend the Employment Standards Act, 2000 in respect of sick notes

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 Subsection 50 (6) of the *Employment Standards Act, 2000* is repealed and the following substituted:

Evidence

(6) An employer may require an employee who takes leave under this section to provide evidence reasonable in the circumstances that the employee is entitled to the leave, but shall not require an employee to provide a certificate from a qualified health practitioner as evidence.

Same

(6.1) In subsection (6),

“qualified health practitioner” means,

- (a) a person who is qualified to practise as a physician or nurse under the laws of the jurisdiction in which care or treatment is provided to the employee, or
- (b) in the prescribed circumstances, a member of a prescribed class of health practitioners.

Commencement

2 This Act comes into force one month after the day it receives Royal Assent.

Short title

3 The short title of this Act is the *Employment Standards Amendment Act (Sick Notes), 2020*.

EXPLANATORY NOTE

The Bill amends the *Employment Standards Act, 2000*. It is about what evidence an employer can make an employee provide to show that they are entitled to sick leave. Employers retain the right to make an employee show evidence that they are entitled to sick leave, but are not permitted to require a certificate from a qualified health practitioner.