Blaney McMurtry LLP

PUBLICATION

Temporary Paid Sick Leave on the Horizon in Ontario

Date: April 29, 2021

On April 28, 2021, the Ontario Government announced it will introduce legislation titled the *COVID-19 Putting Workers First Act*, which if passed will require employers to provide employees with up to three (3) days of paid leave for certain reasons related to COVID-19, including:

- going for a COVID-19 test
- staying home awaiting the results of a COVID-19 test
- being sick with COVID-19
- going to get vaccinated
- experiencing a side effect from a COVID-19 vaccination
- taking care of a dependent who is:
- sick with COVID-19 or has symptoms of COVID-19, and
- self-isolating due to COVID-19.

To be eligible, an employee must be governed under the *Employment Standards Act, 2000* and not already have paid sick leave provided by their employer. Employees will not be required to provide their employer with a certificate from a doctor or nurse as evidence to claim this benefit. In addition, there is no requirement to take the three (3) paid sick days consecutively.

Unlike the Canada Recovery Sickness Benefit ("CRSB"), there will be no requirement for employees to apply. Rather, the Ontario Government will provide 100% reimbursement to employers directly for the three (3) paid sick days, to a maximum of $200 per day. This program will be administered under the Workplace Safety and Insurance Board. To claim the benefit, employers are required to make their claims within one hundred and twenty (120) days of the paid sick leave being taken by the employee.

The Ontario Government has indicated that this program with be retroactive to April 19, 2021 and will end September 25, 2021.

In addition to paid sick leave, the Ontario Government also announced a proposal to augment the benefit provided under the Federal CRSB, by $500 per week. This would raise the total

benefit under the program to $1,000 per week, before taxes. However, this proposal has not been approved by the Federal Government of Canada.

We will keep you updated on the progress of this legislation.

The information contained in this article is intended to provide information and comment, in a general fashion, about recent cases and related practice points of interest. The information and views expressed are not intended to provide legal advice. For specific legal advice, please contact us.