

Statutory Leaves of Absence
Employment Standards Act, S.O. 2000, c. 41

	General	Length	Start and End Dates	Notice
Pregnancy	<p>46(1) Entitled to leave unless the due date falls fewer than 13 weeks after commencing employment</p> <p>46(4)(b) Employer may request a certificate stating the due date</p>	Max 17 weeks	<p>46(2) Begins no earlier than the earlier of (a) 17 weeks before her due date (b) the day she gives birth</p> <p>46(3).1 Begins no later than the earlier of (a) due date (b) the day she gives birth</p> <p>47.1 Ends 17 weeks after the pregnancy leave began or 6 weeks after the birth, still-birth or miscarriage</p>	<p>46(4)(a) At least 2 weeks written notice to start the leave, or 46(5) to change the start date</p> <p>47(3) At least 4 weeks written notice to change end date, or 47(4) for employee to terminate her employment before the leave expires or when it expires (does not apply for constructive dismissal)</p>
Parental	48(1) Employed at least 13 weeks and the parent of a child is entitled to leave without pay following the birth of the child or the coming of the child into the employee's custody, care and control for the first time	49(1) Max 35 weeks if pregnancy leave taken, otherwise max 37 weeks	<p>48(2) May begin no later than 52 weeks after the day the child is born or comes into the employee's custody, care and control for the first time</p> <p>48(3) Must begin at the end of pregnancy leave unless the child has not come into the custody, care and control for the first time</p> <p>48(6) If child is early, leave begins on the day s/he stops working and written notice must be given within 2 weeks of stopping work</p>	<p>48(4) At least 2 weeks written notice to start the leave, or 48(5) to change the start date</p> <p>49(3) At least 4 weeks written notice to change end date, or for employee to terminate her employment before the leave expires or when it expires (does not apply for constructive dismissal)</p>
Family Medical	<p>49.1(2) Entitled to a leave without pay to provide care or support to an individual* if the individual has a serious medical condition with a significant risk of death occurring within a period of 26 weeks or such shorter period as may be prescribed</p> <p>49.1(3) *spouse, parent, step-parent, foster parent, child, step-child, foster child, any individual prescribed</p> <p>49.1(7) Must be taken in periods of entire weeks (Sunday to Saturday)</p> <p>49.1(10) Employer may request certificate</p>	<p>49.1(2) Up to 8 weeks</p> <p>49.1(6) If 2 or more employees take a leave under this section in respect of a particular individual, 8 weeks is shared between them</p> <p>49.1(11) Extensions if individual does not die in prescribed period and new certificate issued</p>	<p>49.1(4) May begin no earlier than the first day of the week in which the period referred to begins</p> <p>49.1(5) Must end on the earlier of 1. the last day of the week in which the individual dies 2. the last day of the week in which the period referred to ends</p>	<p>49.1(8) Shall advise employer; no specific notice period</p> <p>49.1(9) If leave begins before advising employer, notice as soon as possible after</p>

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Organ Donor	<p>49.2(3) Employed for at least 13 weeks, entitled to a leave without pay</p> <p>49.2(4) Employer may require a certificate</p>	<p>49.2(5) For the prescribed period, or where if no period is prescribed, up to 13 weeks</p> <p>49.2(6) Extensions with certificate</p> <p>49.2(7) May be extended more than once but the total extension shall be no longer than 13 weeks (max 26 weeks)</p>	<p>49.2(8) Starts on the day of the surgery or on an earlier day specified in a certificate</p> <p>49.2(9) 13 weeks after the leave began</p> <p>49.2(10) If extended, the earlier of (a) the date specified in the most recent certificate (b)(i) if no period prescribed, 26 weeks after the leave began (b)(ii) if prescribed, 13 weeks after the end of the prescribed period</p>	<p>49.2(11) At least 2 weeks written notice before returning early from leave</p> <p>49.2(12) At least 2 weeks written notice before beginning or extending the leave if possible</p>
Personal Emergency	<p>50(1) An employee whose employer regularly employs 50 or more employees is entitled to a leave without pay for</p> <ol style="list-style-type: none"> 1. A personal illness, injury or medical emergency 2. The death, illness or medical emergency of an individual* 3. An urgent matter that concerns an individual* <p>50(2) *spouse, parent, step-parent, foster parent, child, step-child or foster child, grandparent, step-grandparent, grandchild or step-grandchild, spouse of a child, brother or sister, a relative who is dependent on the employee for care or assistance</p> <p>50(7) Employer may require reasonable evidence of entitlement</p>	<p>50(5) Max 10 days each calendar year</p> <p>50(6) Leave deemed to be taken in entire days</p>	n/a	<p>50(3) Shall advise employer; no specific notice period</p> <p>50(4) If leave begins before advising employer, notice as soon as possible after</p>

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Emergency Declared Emergencies	<p>50.1(1) Entitled to leave without pay if an emergency is declared under section 7.0.1 of the <i>Emergency Management and Civil Protection Act</i>, and</p> <p>(a) an order applies under section 7.0.2 of the <i>EMCPA</i></p> <p>(b) an order applies under the <i>Health Protection and Promotion Act</i></p> <p>(c) needed to provide care or assistance to an individual*</p> <p>(d) other such reasons as prescribed</p> <p>50.1(4) Employer may require reasonable evidence of entitlement</p> <p>50.1(8) *spouse, parent, step-parent or foster parent, child, step-child or foster child, grandparent, step-grandparent, grandchild or step-grandchild, spouse of a child, brother or sister, a relative of the employee who is dependent on the employee for care or assistance</p>	<p>50.1(5) For as long as s/he is not performing duties because of an emergency declared and a reason referred to in (1)(a), (b), (c) or (d). Entitlement ends on the day the emergency is terminated or disallowed</p>	n/a	<p>50.1(2) Shall advise employer; no specific notice period</p> <p>50.1(3) If leave begins before advising employer, notice as soon as possible after</p>
Reservist	<p>50.2(1) Entitled to a leave without pay because</p> <p>(a) deployed to a CF operation outside Canada</p> <p>(b) deployed to a CF operation inside Canada that is or will be providing assistance in dealing with an emergency or with its aftermath</p> <p>(c) the prescribed circumstances apply</p> <p>50.2(3) Not entitled unless employed for at least the prescribed period, or if no period is prescribed, for at least 6 consecutive months</p> <p>50.2(7) Employer may require evidence of entitlement</p>	<p>50.2(4) For the prescribed period, or if no period is prescribed, for as long as clause (1)(a) or (b) or the circumstances set out in a regulation under clause (1)(c) apply to him/her</p>	n/a	<p>50.2(5) Will give the employer the prescribed period of notice or reasonable notice of start of leave</p> <p>50.2(6) If leave begins before advising employer, notice as soon as possible after</p> <p>50.2(9) Will give the employer the prescribed period of notice or reasonable notice of end of leave</p> <p>50.2(10) Shall be written notice</p>