

## TJ Solutions – Human Resource Updates for Your Child Care Organization

We hope this newsletter finds everyone doing well. We do have a few HR updates and new postings to our website. Please check out our new feature under Resources, HR Tips on Probationary Periods.

### **EMPLOYMENT STANDARDS ACT**

If you are researching information related to the ESA please make sure if you are viewing the Guide to the Employment Standards Act Ontario dated January 4, 2019. <https://www.ontario.ca/document/your-guide-employment-standards-act-0>

### **SICK/MEDICAL NOTES**

We have had a few questions regarding the changes related to asking for sick/medical notes.

Under Bill 47 employers once again are allowed to ask for sick/medical notes. The legislation stipulated that “an employer may require an employee to provide evidence reasonable in the circumstances that they are eligible for sick leave.”

“What will be reasonable in the circumstances will depend on all of the facts of the situation, such as the duration of the leave, whether there is a pattern of absences, whether any evidence is available and the cost of the evidence.”

You can find additional information including what information can be requested in a sick note at <https://www.ontario.ca/document/your-guide-employment-standards-act-0/sick-leave>

Please keep in mind although the legislation allows for employers to request sick notes, there is a directive from the Ontario Medical Association for physicians not to provide sick notes.

### **EXTENDED PARENTAL LEAVE – March 17, 2019.**

The Federal Government has introduced a new job protected shared parental leave to include non-birthing parents after the birth or adoption of a child. The new parental leave policy will provide an additional five (5) week of Employment Insurance benefits as of March 17, 2019.

**The new shared parental leave and EI benefits will only be provided when both parents agree to share the leave to take time off work, up to 5 weeks for the standard parental leave and up to 8 weeks for the extended parental leave.**

Once the Federal Government announces the new leave on March 17<sup>th</sup> organizations should amend their parental leave policy to reflect the new shared leave.

The standard parental leave of 35 weeks will be increased to 40 weeks as long as the second parent claims at least 5 weeks of that time.

The extended parental leave of 61 weeks will be increased to 69 weeks as long as the second parent claims at least 8 weeks of that time.

Please see news release on the Government of Canada website.

<https://www.canada.ca/en/employment-social-development/news/2018/09/new-five-week-parental-sharing-to-start-in-march-2019.html>

## **TEMPLATE EMPLOYEE HANDBOOK & CHILD CARE ADMINISTRATOR'S HUMAN RESOURCE MANUAL**

The one-time 2019 updates to the manuals were emailed out between December 3<sup>rd</sup> and December 12<sup>th</sup> to everyone who purchased the manuals. Changes included updated policies to reflect Bill 47, recreational marijuana, and Vulnerable Sector Screening.

If you did not receive the email update including the new template policies, please let us know.

### **WEBSITE**

We have posted our 2019 Human Resources and Board of Directors checklists under the Resources section of our website. If you missed one or our recent newsletters you can also find them on the website.

We look forward to hearing from you. Please feel free to contact us with any questions.

Have a wonderful and safe family day weekend,

Joy & Terri

The information contained in this handout is intended as a general guide only and organizations must create their own policies. It is not intended to replace professional legal advice. If legal advice is required for a specific issue or situation, organizations should contact a lawyer. Please be advised that TJ Solutions does not give legal advice.