

Absenteeism – 2023 Year in Review



NOVA SCOTIA

LAWS & ANNOUNCEMENTS

Jul 1: Newly effective LSC regulations ban employers from asking employees for doctor's notes unless they've: i. been absent for over 5 working days; or ii. already had 2 absences of 5 or fewer working days in the past 12 months. Absent employees may also furnish sick notes from any healthcare provider, including nurses, dentists, pharmacists, or physiotherapists.

Action Point: Go to the HRI [Attendance & Absenteeism centre](#) for help cracking down on absenteeism at your workplace.

CASES

Attendance & Absenteeism: OK to Fire Worker for Abusing His Sick Leave

Just 2 days into his return to work under a last chance agreement for alleged sexist remarks, a 65-year-old maintenance worker with a history of attendance problems told his supervisor he was planning to use up his remaining sick leave by going on leave for 4 months before retiring in October. Did I hear you right, asked the incredulous supervisor; you understand that I have to report this to management, he added. The worker's response: yes and yes. At least that was the employer's version of events that led to the worker's termination. After hearing all of the witnesses, the Nova Scotia arbitrator found the story credible and dismissed the union's grievance [[Unifor Local 4606 v Northwoodcare Incorporated](#), 2022 CanLII 117403 (NS LA), December 7, 2022].

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