

# Critical Illness Leave Policy



## PURPOSE

[Company Name] (“the Company”) is committed to supporting employees during times when they must care for a family member suffering from a critical illness. The purpose of this Policy is to outline employees’ eligibility for critical illness leave, the procedure for requesting leave, and the protections provided to employees while they are on this leave.

## SCOPE

This Policy applies to all full-time, part-time, and contract employees of the Company who are covered by the relevant employment standards legislation in their province/territory of work or the Canada Labour Code if they are federally regulated. Where differences arise between this Policy and local legislation, the more generous provision or the applicable law will prevail.

## DEFINITIONS

- **“Critical Illness”:** A life-threatening illness or injury that poses a significant risk of death or prolonged incapacitation, requiring the care or support of a family member. The specific definition of “family member” and “critical illness” may vary by jurisdiction; refer to the **Table of Jurisdictional Differences** at the end of this document.
- **“Eligible Family Member”:** Typically includes a child (including step-child or foster child) under the age of 18 who is critically ill, or an adult family member (e.g., spouse, common-law partner, parent, or other family members specified by law), depending on the legislation in each jurisdiction.

## ELIGIBILITY

Employees may be eligible to take critical illness leave if they:

1. Have been employed by the Company for the minimum length of service required by the applicable jurisdiction’s legislation (if any).

2. Need to provide care or support for an eligible family member who is critically ill.
3. Comply with any notice and documentation requirements set out in this Policy and by law.

## LENGTH OF LEAVE

The total duration of critical illness leave available to an eligible employee depends on:

- The nature of the family member's illness (child vs. adult).
- Provincial/territorial legislation or the Canada Labour Code (for federally regulated workplaces).

Refer to the **Table of Jurisdictional Differences** for specific entitlements. Leaves range from a few weeks to over 36 weeks, depending on the jurisdiction and whether the ill person is a child or an adult family member.

## APPLICATION & NOTICE REQUIREMENTS

1. **Notice:** Employees must notify [HR Department or Supervisor] in writing as soon as they become aware of the need for critical illness leave. Wherever possible, employees should provide at least two weeks' advance notice; if not feasible, notice should be provided as soon as practicable.
2. **Documentation:**
  - A medical certificate or documentation confirming the family member's critical illness may be required. The documentation should include:
    - The name and relationship of the family member.
    - A statement that the family member has a serious medical condition with a significant risk of death or severe impairment.
    - The estimated period of care required (where possible).
  - Additional or updated medical documentation may be requested based on the legislation in your jurisdiction.

## JOB PROTECTION

Employees who take critical illness leave are entitled to:

- Reinstatement to the same or a comparable position upon returning to work.
- The same wage rate or salary earned before going on leave, subject to any wage or salary adjustments that would have occurred had they not been on leave.
- Continuation of service-related benefits, such as seniority, while on leave, in accordance with provincial/territorial or federal legislation.

## CONTINUATION OF BENEFITS

- Health, dental, disability, and other insured benefits will continue during the leave, **if** the employee continues to pay their portion of any required premiums, as permitted or required by law.
- Pension contributions (if applicable) may continue as per the terms of the pension plan and applicable legislation.

# RETURN TO WORK

- Notification:** Employees must provide at least [X days/weeks, based on jurisdiction] notice in writing of their intention to return to work.
- Reinstatement:** The Company will reinstate the returning employee to the same or comparable position, with wages and benefits at a rate equal to what they would have received if they had remained at work.
- Accommodation:** If the employee requires modified duties or accommodation upon return due to ongoing medical issues (e.g., psychological stress, caregiving responsibilities), the Company will work with the employee to determine reasonable accommodations, to the extent required by human rights legislation.

## CONFIDENTIALITY

All medical information and personal details related to the critical illness leave will be kept confidential and maintained in a secure manner in compliance with privacy laws and the Company's privacy policies.

## NON-RETALIATION

The Company strictly prohibits retaliation against any employee who requests or takes critical illness leave in accordance with this Policy and the applicable employment standards legislation.

## POLICY ADMINISTRATION

The [HR Department/Designated Manager] is responsible for administering this Policy. Questions regarding eligibility, documentation requirements, or other aspects of the Policy should be directed to [contact person/department].

[Company Name]

**Effective Date:** [Insert Date]

Authorized by: [Name, Title]

Date: [Signature Date]