

Supporting Caregivers: Leave and Flexible Work Arrangements



Caregiving responsibilities look different to everyone. An employee may be supporting an aging parent after a fall, coordinating a child's complex medical appointments, or managing end-of-life care for a spouse. For HR directors and OHS managers, the goal is the same: keep people safe, keep operations running, and comply with legal duties that protect employees who need time and flexibility to care for family.

What "Caregiving" Can Mean at Work

Caregiving is more than occasional errands. It can include:

- **Hands-on personal care** (mobility help, feeding, hygiene).
- **Medical care coordination** (appointments, treatment schedules, medication management).
- **Monitoring and supervision** (dementia safety, post-surgery supervision).
- **Transportation and advocacy** (driving, communicating with providers, navigating benefits).
- **Crisis response** (hospitalizations, palliative/end-of-life care).

Because these duties are often unpredictable, caregivers are at higher risk of fatigue, distraction, and stress.

Leave Options Available to Caregivers

In Canada, caregiver support comes from employment standards leaves (job-protected in many cases) and, for federally regulated workplaces, Canada Labour Code (CLC) leaves. Provinces vary, but common caregiver-related leaves include:

1) Compassionate Care/End-of-Life Leave

For federally regulated employees, compassionate care leave can apply when a family member has a serious medical condition with a significant risk of death within a defined period, supported by medical certification.

2) Leave Related to Critical Illness of a Child or Adult

The CLC includes job-protected leaves for employees caring for critically ill children or adults, with specific maximum durations set in the legislation.

3) Family Caregiver/Family Medical/Family Responsibility Leave

- Ontario provides Family Caregiver Leave (unpaid, job-protected) for specified family members with serious medical conditions.
- British Columbia lists multiple job-protected leaves relevant to caregiving, including family responsibility leave, compassionate care leave, and critical illness or injury leave.

4) Related Leave

Depending on jurisdiction and circumstances, employees may also use:

- **Personal illness/injury (sick) leave** (when the caregiver becomes ill due to stress/strain).
- **Bereavement leave** (often triggered after end-of-life caregiving).
- **Domestic/sexual violence leave** (when safety planning involves dependent care).

Flexible Work Arrangements that Help Caregivers Stay Employed

Employment standards leaves are essential, but many caregivers need ongoing flexibility rather than a full absence. Common arrangements include:

- Flexible start/end times or "core hours".
- Compressed workweeks.
- Remote/hybrid work (where job duties allow).
- Reduced hours/temporary part-time.
- Job sharing.
- Shift swaps / self-scheduling (with guardrails for coverage).
- Intermittent time off for appointments (using paid time off, unpaid time, or split shifts).
- Temporary reassignment away from safety-sensitive tasks if fatigue/stress is elevated.

Legal Protections: Family Status and The Duty to Accommodate

Beyond minimum employment standards, human rights law can protect caregivers through the ground of family status. The Canadian Human Rights Commission notes that family status protections can extend to family caregiving responsibilities and that employers may have a legal obligation to accommodate, often through flexible work arrangements.

In Ontario, the OHRC explains that accommodation frequently arises in family status cases tied to caregiving needs, and employers must assess accommodation requests to the point of undue hardship.

Starting to Look Like Job Abandonment?

If an employee disappears or repeatedly misses shifts for caregiving duties, jumping straight to termination can be risky. Before treating it as abandonment:

1. **Pause and assess:** Is this potentially a leave request or a family-status

accommodation issue?

2. **Make real contact attempts:** phone/email/text; document dates/times.
3. **Invite a conversation:** ask if they need a job-protected leave or an accommodation.
4. **Set clear expectations:** how to report absences, deadlines for updates, and required documentation where lawful.
5. **Escalate progressively** if there's no cooperation and no protected basis for the absences.

Supporting caregivers in the workplace means recognizing that employees may be managing complex and unpredictable responsibilities, from coordinating medical care to providing end-of-life support. By applying clear processes, limiting documentation requests to what is necessary, and assessing safety risks related to fatigue and stress, employers can support caregivers effectively while reducing legal and operational risk.

Best Practices

[Create a caregiver support pathway.](#)

A short intake form and a single HR contact reduces confusion and improves consistency.

[Use a “yes, if…” mindset.](#)

Start by identifying what can be flexed: hours, location, workload, deadlines, temporary coverage.

[Ask only for what you need.](#)

Confirm eligibility for a leave (as permitted) or the functional need for accommodation, without demanding unnecessary diagnoses.

[Document agreements clearly.](#)

Put the arrangement in writing: schedule, duration, performance expectations, communication norms, review dates.

[Apply an OHS filter.](#)

If fatigue/stress affects safety, consider temporary modifications, supervision supports, or alternate duties.