

What Are Your Options If You Are Experiencing Burnout At Work?



Burnout at work is more than just a temporary feeling of stress or fatigue, it is a serious mental health condition that can impact your well-being, productivity, and quality of life.

In Ontario, employees experiencing burnout are entitled to certain rights and protections under both employment law and human rights law. Understanding your legal options can help ensure you are supported, and can also help you make informed decisions about how to handle the situation.

What should I do if I am burned out at work?

If you believe you are suffering from [burnout](#) at work,

1. **Talk to Your Doctor:** Focusing on your health is the first priority. A doctor or mental health professional can provide you with information about necessary support and treatment. They may also provide medical documentation to support your case for sick leave or accommodation.
2. **Document Your Experience:** Keep track of your symptoms, your work environment, and any interactions with your employer related to your burnout. This documentation can be important if you need to follow through with legal action.
3. **Talk to Your Employer:** Speak with your employer about options for leave and/or accommodation. Examples of accommodation include:
 - Modified work hours.
 - A reduced workload.
 - Additional breaks.
 - [A temporary leave of absence.](#)

Am I entitled to leave?

Depending on the severity of your burnout, you may need to take medical leave.

Under the Ontario *Employment Standards Act* (ESA), employees are entitled to up to 3 days of unpaid sick leave per year if they are unable to work due to illness. Depending on your employer, you may have access to additional sick leave, short-term disability, or long-term disability.

If your employer does not provide any additional leave, you may qualify for

additional unpaid leave under the ESA. Depending on your condition and how much you worked in the year, you may also be entitled to Employment Insurance (EI) Sickness Benefits, which provide a short-term income replacement.

Do I have legal protections?

The short answer is yes. In Ontario, employees who are experiencing burnout at work have legal protections and options under various legislation including the ESA, the Ontario *Human Rights Code*, and the *Workplace Safety and Insurance Act*. Additionally, depending on the circumstances related to your burnout, you may have a claim for [constructive dismissal](#). We recommend obtaining legal advice before taking steps to enforce these rights.

Conclusion

Burnout is a serious issue that affects many workers in Ontario. Although burnout can feel incredibly isolating, you do have legal options.

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

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