

PERSONAL EMERGENCY LEAVE

All workers now have the right to take up to 10 days of job-protected Personal Emergency Leave (PEL) each calendar year. The first 2 days of this leave must be paid by your employer.

WHAT CAN I TAKE PERSONAL EMERGENCY LEAVE FOR?

You can take emergency leave for your own **illness, injury or medical emergency**.

An “illness, injury or medical emergency” includes:

- Injuries caused by the employee or by factors beyond their control
- Pre-planned surgery if it is for an illness or injury, even if the surgery is scheduled in advance and not an “emergency”. This does not include cosmetic surgery that is not medically necessary.
- A doctor’s appointment related to an injury or illness (which can include chronic illness or a flare-up of a condition). PEL cannot be taken for doctor’s appointments that are for annual health check ups.

YOU CAN ALSO TAKE PEL FOR THE DEATH, ILLNESS, INJURY, MEDICAL EMERGENCY OR URGENT MATTER OF THE FOLLOWING FAMILY MEMBERS:

- Spouse (includes both married and unmarried couples, of the same or opposite genders)
- Parent, step-parent, foster parent, child, step-child, foster child, grandparent, step-grandparent, grandchild or step-grandchild of the employee or the employee’s spouse
- Spouse of the employee’s child
- Brother or sister of the employee
- Relative of the employee who is dependent on the employee for care or assistance

WHAT IS AN URGENT MATTER?

An “urgent matter” is an event that is unplanned or out of the employee’s control, and can cause serious negative consequences, including emotional harm, if not responded to. Examples include:

- Your child’s babysitter cancels due to sickness
- You are called in to an appointment at your child’s school
- Your elderly parent has an emergency

You can only take PEL for an urgent matter of a family member, not yourself.

WHEN DO I QUALIFY FOR PEL?

You may take Personal Emergency Leave as soon as you start your job. You must have worked 1 week at your job before you can take the 2 paid days of leave.

DO I HAVE TO PROVIDE NOTICE OR EVIDENCE?

You should inform your boss as soon as possible that you need to take leave. Notice does not have to be given in writing, it can be given by phone.

Employers can require you to provide evidence that is “reasonable in the circumstances”. However, if you take a leave day because you or a family member is sick, your employer **cannot** require you to provide a medical note from a physician, registered nurse or psychologist.

WHAT COUNTS AS A ‘DAY’ OF PEL?

A day should be based on your regular work schedule. However, employers have discretion to decide what they consider a full day of leave. If you take a half day or a few hours, your employer may consider this a full day of Personal Emergency Leave.

If you work part of a day and then take PEL time, you must be paid for the hours you work. Your employer should keep track of how many PEL days you use, but they are not required to record this on your pay slip. Keep your own record of how many PEL days you have taken. Your employer must treat the usage of PEL days the same for all workers.

WHAT ARE MY RIGHTS WHEN TAKING THIS LEAVE?

Your boss cannot deny your request to take Personal Emergency Leave and cannot threaten, fire or penalize you for taking or planning to take this leave. Special rules apply to some occupations. If you are having trouble taking Personal Emergency Leave or have any questions, contact us. All calls are free and confidential.