

# CLC (CANADA LABOUR CODE)

## CLC 206.6 Personal Leave (aka Family Responsibility Day)

(1) Every employee is entitled to and shall be granted a leave of absence from employment **\*\*48 hours (full-time) or 24 hours (part-time)** of up to five days in every calendar year for;

(a) ~~[Repealed, 2021, c. 27, s. 6]~~

(b) carrying out responsibilities related to the health or care of any of their family members;

\*For the purpose of Sections 174.1 & 206.6 (1) b), carrying out **responsibilities related to the health or care of any of their family members** would include activities such as but not limited to:

- Accompanying the family member to an appointment with a health care practitioner
- Accompanying the family member to a surgery
- Accompanying the family member to the hospital or other medical institutions (i.e. labs, clinics) to undergo scheduled medical tests
- Picking up the family member from school due to an illness, injury or medical emergency
- Taking care of a young child for a day following an unexpected school or day care closure
- Taking care of a sick or injured family member at home
- Making arrangements for a family member's long-term care
- Helping move an elderly family member into a more suitable residence
- \*\*\*Purchasing medications or medical equipment for the family member

(c) carrying out responsibilities related to the education of any of their family members who are under 18 years of age;

\*For the purpose of section 174.1 and paragraph 206.6 (1) (c), carrying out **responsibilities related to the education of any of their family members who are under 18 years of age** would include activities such as but not limited to:

- Attending parent-teacher interviews and meetings
- Meeting with education specialists to optimize the child's development
- Meeting with a school counsellor or principal to discuss behavioural challenges at school
- Accompanying a student with special needs to ensure he or she can participate in an educational activity
- Attending a school orientation or registration meeting

(d) addressing any urgent matter concerning themselves or their family members;

\*\*\*The situation must require the employee's immediate action or attention in order to avoid significant negative consequences, such as dealing with;

- Flooding or a fire at home
- Dealing with the aftermath of a serious car accident
- Providing assistance to the police as a witness to a crime
- Waiting at home for a technician to perform urgent furnace work (during winter)
- Helping locate a family member who had just been reported as having disappeared.

(e) attending their citizenship ceremony under the *Citizenship Act*; and

(f) any other reason prescribed by regulation.

### **Leave with pay**

~~(2) If the employee has completed three consecutive months of continuous employment with the employer, the employee is entitled to the first three days of the leave with pay at their regular rate of wages for their normal hours of work, and such pay shall for all purposes be considered to be wages.~~

\*\* The Union's MOA posting on March 10 2023, supersede this part of the CLC.

### **Family Responsibility Leave**

13. Full-time employees will have access to forty-eight (48) hours of Family Responsibility Leave with pay in each calendar year, beginning on January 1, 2023. Part-time employees will have access to twenty-four (24) hours of Family Responsibility Leave with pay in each calendar year, beginning on January 1, 2023. Such hours will be used by the employee to offset loss of pay due to absence caused by any of the grounds for which the Code may entitle an employee to take Family Responsibility Leave with pay.

14. Should an employee have picked up an additional shift on a day where Family Responsibility Leave is being used, the corresponding hours of that shift will also be deducted from Family Responsibility Leave hours.

### **Division of leave**

(3) The leave of absence may be taken in one or more periods. The employer may require that each period of leave be of not less than one day's duration.

## Documentation Documents

(4) The employer may, in writing and no later than 15 days after an employee's return to work, request that the employee provide documentation to support the reasons for the leave. The employee shall provide that documentation only if it is reasonably practicable for them to obtain and provide it.

## Regulations

(5) The Governor in Council may make regulations for the purposes of this section, including regulations

- (a) setting out the other reasons for taking leave under paragraph (1)(f);
- (b) defining the expressions "regular rate of wages" and "normal hours of work"; and
- (c) specifying the persons who are the employee's family members.

2017, c. 33, s. 206; 2018, c. 27, s. 514; 2021, c. 27, s. 6.

## **RESOURCES:**

### **CANADA LABOUR CODE:**

<https://laws-lois.justice.gc.ca/PDF/L-2.pdf>

### **GOVERNMENT INTERPRETATIONS OF FR DAY POLICIES:**

[\\*https://www.canada.ca/en/employment-social-development/programs/laws-regulations/labour/interpretations-policies/family-responsibilities.html](https://www.canada.ca/en/employment-social-development/programs/laws-regulations/labour/interpretations-policies/family-responsibilities.html)

### **MARCH 10 2023 MOA (MEMORANDIUM OF AGREEMENT:**

[\*\*\\*\\*MAR 10 2023 NEW AIR CANADA 10 SICK DAYS AND FR DAYS\*\*](#)

### **SEPTEMBER 01 2019 - LEAVE-FAQ-CANADA-LABOUR-CODE-CHANGES:**

[\*\*\\*\\*\\*SEP 01 2019 – AIR CANADA EXAMPLES OF FAMILY RESPONSIBILITY\*\*](#)