

Prince Edward Island

LAWS & ANNOUNCEMENTS

Leaves of Absence

Jun 30: Prince Edward Island's newly revised *Employment Standards Act* ([ESA 2.0](#)) includes unpaid medical leave of up to 27 consecutive weeks for employees with at least 90 days' continuous service. Employees must provide written confirmation of need for leave from a medical practitioner or nurse practitioner.

Action Point: PEI is just one of the many provinces that have changed their sick and long-term illness leave laws since the pandemic. Find out how to implement a legally sound [Sick Leave Compliance Game Plan](#) at your own workplace along with a [summary of the sick leave rules](#) in each part of Canada.

Leaves of Absence

Jun 30: [ESA 2.0](#) increases unpaid sick days from three to four for employees with at least 30 days' service. Employers can't require doctor's notes unless employees are absent at least five consecutive days. Employees also get paid sick leave of one day after one year, two days after two years, and three days after three years.

Action Point: Find out about the [rules determining whether you can ask sick employees for a doctor's note](#) and what you can do to verify health-related absences, in both PEI and all other Canadian jurisdictions.

Leaves of Absence

Jun 30: [ESA 2.0](#) creates a new Citizenship Ceremony Leave of one unpaid day for employees with at least 90 days of employment to attend a citizenship ceremony to receive a certificate of citizenship, as provided for under the *Citizenship Act* (Canada).

Action Point: Find out about the [citizenship ceremony leave rights of employees](#) in each part of Canada.

Hours of Work

Jun 30: Newly effective [ESA 2.0](#) reduces the maximum work week from 48 to 44 hours. Employees are entitled to at least eight hours of rest between shifts, except in limited circumstances. Employees must also provide employees a written work schedule at least one week in advance specifying the time when work begins and where "reasonably practicable," the time when a rest or meal break begins and ends, and the number and time of overtime hours.

Action Point: Look up the [maximum work hours and rest requirements](#) in each part of Canada.

Overtime

Jun 30: [ESA 2.0](#) allows employers and employees to enter into written agreements to average hours over a two- to four-week period for purposes of determining employee eligibility for overtime pay. Averaging agreements must specify the: i. number of weeks covered; ii. start and expiry date; iii. work schedule for each day of the agreement period; and iv. number of times the agreement may be renewed.

Action Point: Be sure your own overtime [averaging agreements](#) comply with employment standards rules.

Vacation Pay

Jun 30: Under newly effective [ESA 2.0](#), employees get two weeks of paid vacation after years one to four of employment and three weeks after five years. Previously, employees had to work eight years for the same employer to earn three weeks of vacation.

Action Point: Find out how to implement a legally sound [Vacation Pay Compliance Game Plan](#) at your workplace.

Payroll

Jun 30: Effective today, employers must list paid holiday pay and pay for any paid leave on an employee's written pay statement. Employers must also post their tip pooling policy in the workplace in a conspicuous place where employees can see it.

Termination

Jun 30: Effective today, employees now qualify for termination notice after only 90 days of employment, rather than six months under previous law. [ESA 2.0](#) also requires employers to provide at least six weeks' notice when laying off a large group of staff if: i. at least 10 employees are affected; ii. the affected employees constitute 25% or more of the workforce; and iii. all the layoffs happen within a two-month period. Notice must be provided to all affected employees, the union, and the PEI Employment Standards Branch.

Action Point: Find out how to implement a legally sound [termination notice compliance game plan](#) at your company.

Employment Standards

Jun 30: Under newly effective [ESA 2.0](#), employees have two years to file an employment standards complaint, as opposed to one year under previous law. The government of PEI. Employment Standards inspectors can also issue administrative monetary penalties of \$500 to \$1,500 to employers who commit violations.

Privacy

Jun 10: As part of its new cyberviolence prevention strategy, PEI is offering [Cyberviolence Prevention Grants](#) of up to \$20,000 to community organizations for projects to protect youth from online and digital harms. Deadline to apply: July 31.

Workplace Violence

May 29: Royal Assent for [Bill 104](#), the *Disclosure to Protect Against Intimate Partner Violence Act*, which enables persons who are at potential risk of domestic violence to

obtain personal information about their intimate partner to protect their own safety, such as whether the partner has a history of domestic violence. The Bill hasn't yet been proclaimed effective.

Action Point: Domestic and sexual violence becomes an OHS issue and liability risk for employers when it happens at the victim's workplace. Find out how to protect your employees from the risk of workplace domestic violence.