

# New Brunswick Leave Laws

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*This material is for general informational purposes only and does not constitute legal advice. For current and accurate guidance, please consult legal counsel in your jurisdiction.*

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# Paid Time Off (PTO) in New Brunswick

Every employer is obliged to provide an annual vacation leave to all of their employees, and the amount of vacation pay given to each employee will depend on how long they have worked for the company.

## Vacation Leave Quota

2 to 3 weeks of vacation.

An employee who has been with the company for less than 8 years is entitled to the lesser of the following two options for vacation leave:

- at least 1 day per month worked, or
- at least 2 weeks of vacation per vacation year.

An employee who has been with the company for more than 8 years is entitled to the lesser of the following two options for vacation leave:

- at least 1.25 days for each month worked, or
- at least 3 weeks of vacation per vacation year.

Employees are entitled to take a vacation once they have completed 1 year of service with the same employer. The employer must allow employees to take their vacation no later than 4 months after they have earned the vacation time.

## Vacation Pay

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

4% – 6% of the gross wages.

An employee who has worked for the employer for less than 8 years is entitled to receive vacation pay that is equal to 4% of their gross wages (before deductions).

An employee who has worked for the employer for 8 or more years is entitled to receive vacation pay that is equal to 6% of their gross wages (before deductions).

In both cases, employees are entitled to receive all of their accumulated vacation pay within 1 day before the beginning of their vacation.

## PTO Accruals

PTO accruals aren't mandatory in New Brunswick, but are widely used by companies.

Employers are generally free to design their own vacation accrual system, although it is usually based on the pay period (payroll cycle).

## Roll Over

The “use-it-or-lose-it” policy is illegal in New Brunswick.

The “use-it-or-lose-it” refers to a policy or benefit that requires employees to use a certain amount of vacation time within a certain timeframe, or risk losing it.

## Statutory Provisions Addressing Vacation Pay

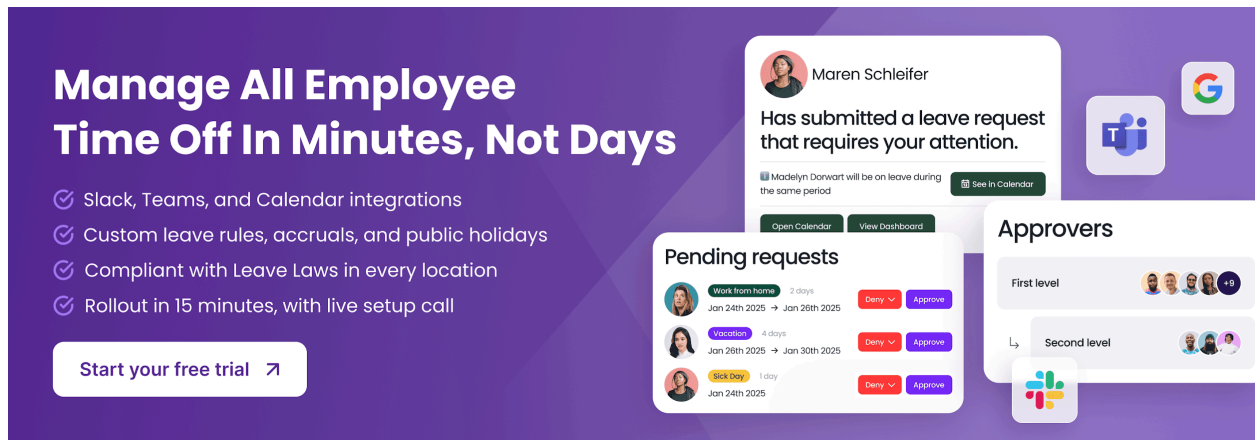
Vacation is considered earned wages.

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

## Payment of Accrued, Unused Vacation on Termination

The employee's earnings must be paid upon termination of employment.

If an employee is fired or quits before taking their vacation time, they are entitled to receive their entire vacation pay when their employment ends. The payment must be included in the employee's final paycheck.



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**Notification:** Maren Schleifer has submitted a leave request that requires your attention. Madelyn Dorwart will be on leave during the same period. [See in Calendar](#)

**Pending requests:**

Request Type	Duration	Start Date	End Date	Actions
Work from home	2 days	Jan 24th 2025	Jan 26th 2025	Deny Approve
Vacation	4 days	Jan 26th 2025	Jan 30th 2025	Deny Approve
Sick Day	1 day	Jan 24th 2025		Deny Approve

**Approvers:**

- First level: [User 1] [User 2] [User 3] [User 4]
- Second level: [User 5] [User 6]

## Sick Leave in New Brunswick

### Sick Leave

Up to 5 unpaid sick days.

An employee is allowed to take up to 5 unpaid sick days within a 12-month period. An employee who has worked for the same company for more than 90 days is entitled to take sick leave. If an employee is unable to work because of illness or injury and requests a leave of 4 or more consecutive calendar days, an employer may require the employee to provide a medical certificate to confirm the illness or injury.

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

## Family Responsibility Leave

Up to 3 unpaid days per year.

Family responsibility leave allows employees time off to handle the health, care, or educational needs of a family member. An employer is required to give employees, upon their request, unpaid leave of absence for up to 3 days per year.

## Compassionate Care Leave

Up to 28 weeks of unpaid leave.

Employees are entitled to up to 28 weeks of unpaid leave to care for a close family member who is critically ill and has a significant risk of dying. The leave of absence may be taken in parts over the 28-week period, but must be taken in blocks of at least one week. Leave can be shared by two or more employees, but not to exceed 28 weeks. If the family member dies, the employee is entitled to take bereavement leave. No length of service is required for employees to be eligible for leave. A medical certificate is required.

## Maternity, Paternity, and Parental Leave in New Brunswick

The maternity leave could last a maximum of 78 weeks (the maternity leave itself lasts for 17 weeks, and after that, mothers can take an additional 61 weeks of parental leave).

### Maternity Leave

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

### 17 weeks of unpaid leave.

Employers are required to provide pregnant employees with up to 17 weeks of job-protected unpaid leave. Leave must begin no earlier than 13 weeks before the probable delivery date.

Employers may require employees to begin taking leave when they are no longer able to perform work due to pregnancy. An employer-imposed leave of absence would be in addition to any maternity leave an employee is legally entitled to under the Employment Standards Act. Hence, maternity leave is not affected by the employer's imposed leave.

Employees must provide a medical certificate and written notice.

#### Payout

An employer does not have to pay for maternity leave.

## Parental Leave (Child Care Leave)

### Up to 62 consecutive weeks of unpaid leave.

Employers are required to provide biological and adoptive parents up to 62 consecutive weeks of job-protected unpaid leave. Leave may be shared by parents, but may not exceed a total of 62 weeks.

Child care leave can begin no sooner than on the day a newborn or adopted child comes into the care and custody of the employee.

Mothers can combine maternity and child care leave for a total duration of 78 weeks.

Both natural and adoptive parents must provide a medical certificate and written notice.

#### Payout

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

An employer does not have to pay for child care leave.

## Bereavement Leave in New Brunswick

Up to 5 consecutive days.

If a person in a close family relationship dies, an employer is required to give the employee a leave of absence without pay for a maximum of 5 consecutive days. This bereavement leave should start on the day of the funeral at the latest.

Payout

Bereavement leave in New Brunswick is unpaid.

## Jury Duty Leave in New Brunswick

### Court Leave

A leave without pay.

If an employee is summoned or chosen to serve on a jury or to appear as a witness in a court case, the employer must give the employee a leave without pay for the time they are absent from work for this reason.

Payout

Jury duty leave in New Brunswick is unpaid.

# Reservists' Leave in New Brunswick

## A leave without pay.

Reserve members of the Canadian Forces in all classes (A, B, and C) are entitled to a leave without pay to perform military service.

Leave may be taken for the following military services:

- Deployment to a Canadian Forces operation either inside or outside Canada
- Required pre-deployment or post-deployment activities, including training and travel time, within and outside of Canada
- A period of treatment, recovery or rehabilitation for a physical and/or mental health problem resulting from these activities
- Annual training.

Employers are required to provide employees with:

- up to 30 continuous calendar days for annual training
- up to 18 months for purposes other than annual training.

One of the following conditions will apply:

- for an employee's first leave, the employee must have been working for the company for at least 6 months.
- for a second or subsequent leave, an employee must have returned to work for at least 12 months since their most recent leave.

Employees must inform their employer in writing at least 4 weeks before the start of their leave.

Payout

For more information, please visit [vacationtracker.io](https://vacationtracker.io)



Reservists' leave is unpaid.

## Voting Leave in New Brunswick

Up to 3 consecutive hours of paid time off to vote.

All employees must have 3 consecutive hours off work while the polling stations are open (between 10:00 a.m. and 8:00 p.m. on election day).

If an employee's work shift begins after 10:00 a.m. but before 1:00 p.m., or ends after 5:00 p.m. but before 8:00 p.m., their employer only needs to give them enough time off to ensure they have 3 clear hours while the polls are open.

Employees who are scheduled to work must be paid for the time they take off to vote.

Payout

Voting time is reimbursed by the employer.