

# Newfoundland and Labrador 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 Newfoundland and Labrador

## Vacation Leave Quota

2 or 3 weeks of vacation per year.

Employees receive vacation time based on their years of continuous service with their employer.

Employees with less than 15 years of service are entitled to 2 weeks of vacation per year.

Employees with 15 or more years of service are entitled to 3 weeks of vacation per year.

To be eligible for an annual vacation, employees must have completed 12 months of continuous employment with the employer, and have worked at least 90% of the normal working hours during that period.

## Vacation Pay

4% or 6% of gross wages.

Employees are entitled to vacation pay of:

- 4% of gross wages for the first 15 years of employment, and
- 6 % of gross wages after 15 years of employment.

Vacation pay must be paid at least 1 day before beginning a vacation. As an alternative, employers are also allowed to provide vacation pay to employees on a regular pay period basis, provided that the employees are informed and the amount of vacation pay is included in the employer's payroll records.

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

Employees are eligible to receive vacation pay if they have worked for the employer for at least 5 days.

## PTO Accruals

PTO accruals aren't mandatory in Newfoundland and Labrador, 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 (Carry Over, Brought Forward)

The "use-it-or-lose-it" policy is illegal in Newfoundland and Labrador.

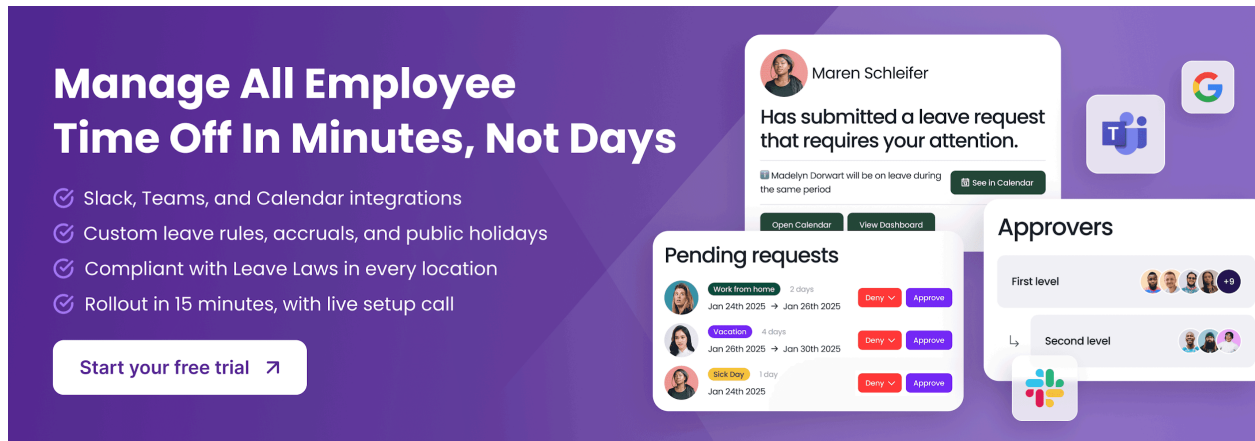
The "use-it-or-lose-it" refers to a policy or benefit that requires employees to use a certain amount of vacation time within a certain timeframe, or risk losing it.

## Statutory Provisions Addressing Vacation Pay

Vacation is considered earned wages.

## Payment of Accrued, Unused Vacation on Termination

The employee's earnings must be paid upon termination of employment. Vacation pay must be paid within 1 week of the employee's termination.



# Sick Leave in Newfoundland and Labrador

## Sick and Family Responsibility Leave

7 days of unpaid sick leave.

Employers are required to provide employees with up to 7 days of unpaid sick and family responsibility leave per year.

Employees are eligible for leave if they have worked for the same employer for at least 30 continuous days.

For leaves that are 3 or more consecutive days long, employees must present a certificate from a qualified medical professional for sick leave or a written explanation regarding family responsibility leave.

Any unused portion of sick and family responsibility leave expires at the end of the year, so there is no rollover option.

### Payout

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

Sick and family responsibility leave is unpaid.

## Compassionate Care Leave

Up to 28 weeks of unpaid leave.

Eligible employees are entitled to up to 28 weeks of job-protected unpaid leave within a 52-week period to provide care and support for a family member. Employees must provide a medical certificate that confirms that a family member is critically ill and at risk of dying.

An employee who has been employed by their current employer for a minimum of 30 days is eligible for this type of leave.

Two weeks' notice is required.

## Critical Illness Leave

Up to 17 or 37 weeks of unpaid leave.

Eligible employees are entitled to:

- Up to 37 weeks of unpaid leave to provide care or support for a critically ill child, and
- Up to 17 weeks of unpaid leave to provide care or support for a critically ill adult.

Employees must provide a medical certificate confirming a critical illness and a written notice at least 2 weeks before they intend to take the leave.

An employee is qualified for this kind of leave if they have worked for their current employer for at least 30 days.

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

## Family Violence Leave

3 days off with pay and 7 days without pay per year.

Family violence leave allows an employee to take time off from work to address issues related to family violence, which can include but is not limited to: physical assault, restraint, denial of basic needs such as food and shelter, and sexual abuse.

Eligible employees are entitled to 3 days off with pay and 7 days without pay per year.

The employees are eligible for leave if they or their children have been directly or indirectly subjected to, victims of, impacted by or seriously affected by family violence, or have witnessed family violence by:

- a person who is or has been a family member
- a person who is or has been in an intimate relationship or who is living or has lived with the employee
- a person who is the parent of a child with the employee
- a person who is or has been a caregiver to the employee or
- any other person who is a member of a class of persons prescribed in the regulations

This kind of leave is only available to employees who have worked for their current employer for at least 30 days.

## Maternity, Paternity, and Parental Leave in Newfoundland and Labrador

The maternity leave could last a maximum of 78 weeks (the pregnancy leave lasts for 17 weeks, and after that, mothers can take an additional 61 weeks of parental leave), in which case the father would get no paternity leave.

## Pregnancy Leave

17 weeks of unpaid leave.

Employees who have worked at least 20 consecutive weeks for the same employer are entitled to up to 17 weeks of pregnancy leave or adoption leave. This leave is job-protected but unpaid. Leave cannot start earlier than 17 weeks before the expected birth date.

Employees must provide their employers with 2 weeks' written notice and a medical certificate. The employee must provide a four-week notice if the employee intends to return to work prior to the end of 17 weeks.

Pregnancy leave is usually followed immediately by parental leave.

## Parental Leave

61 weeks of unpaid leave.

Parental leave can be taken by either the mother or father.

Employees who have worked at least 20 consecutive weeks for the same employer are entitled to up to 61 weeks of job-protected unpaid leave. In the case of adoption, it lasts the same amount of time. Parental leave has to be taken within 35 weeks of the birth or the child coming into custody for the first time. Parental leave may be taken immediately after the pregnancy leave.

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

Employees must provide at least 4 weeks' written notice if they want to come back to work prior to the end of 35 weeks.

Payout

Maternity, paternity, and parental leave in Newfoundland and Labrador are unpaid.

## Bereavement Leave in Newfoundland and Labrador

2 or 3 days.

Employees who have been employed for at least 30 days with the same employer may take 1 day off with pay and 2 days without pay in the case of the death of close family members.

Employees who have been employed for less than 30 days with the same employer are entitled to 2 days without pay in the case of the death of close family members.

## Jury Duty Leave in Newfoundland and Labrador

All workers have the right to take paid time off for serving on a jury or appearing in court for work-related matters.

Employees will be given paid time off if they are summoned by the court to appear as a possible juror or to serve as an actual juror.

Payout

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



The employer pays.

While serving as a juror, employees do not receive compensation from the government.

However, employers are required to pay employees' full wages and benefits while they are on jury duty.

## Reservists' Leave in Newfoundland and Labrador

### Leave without pay.

An employee who is a member of the Canadian Forces Reserves and who has worked at least 6 consecutive months for the same employer is entitled to job-protected unpaid leave for the required period of Canadian Forces service.

Employees must provide 60 days' written notice.

A second or additional unpaid service leave may be permitted, if a period of at least 1 year has elapsed since the date the employee returned to work from the most recent service leave.

### Payout

Reservists' leave is unpaid.

## Voting Leave in Newfoundland and Labrador

3 consecutive hours to vote in Federal Election, 4 consecutive hours to vote Municipal and Provincial Elections.

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



Employees who are eligible will be given paid leave as needed to cast their vote in Municipal, Provincial, or Federal Elections. Employees must inform their managers before 1 day before the election that they will need time off to vote.

#### Payout

The employer pays. Employees will not have their pay reduced for up to 3 or 4 hours of time taken off to vote.