

Nova Scotia Leave Laws

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 Nova Scotia

Vacation Leave Quota

2 or 3 weeks of vacation.

Earning Vacation Time

Employees who have been working for the same employer for a minimum of 12 months can take 2 consecutive weeks of vacation.

Employees are entitled to 2 consecutive weeks of vacation leave for the first eight years of employment, and 3 consecutive weeks of leave after eight years of employment.

Taking Vacation Time

Employers have the authority to determine the schedule of their employees' vacation time. They are required to inform the employees of their vacation start date at least seven days in advance. While some employers may give their employees the option to decide when to take their vacation time, the employer ultimately has the final decision.

An employer and an employee may come to an agreement that allows for more than one vacation period, as long as the total vacation time taken does not exceed the allotted amount and includes at least one week of continuous time off.

Vacation Pay

4% or 6% of gross wages.

Vacation pay is calculated as a percentage of the gross wages an employee earns during the “year of employment”.

An employee accumulates vacation pay during the first 12 months of their employment with an employer and continues to earn it every 12 months thereafter. The employee’s status (seasonal, part-time, full-time, etc.) does not have any impact on the vacation pay they receive.

Employees are entitled to vacation pay of 4% of gross wages for the first 7 years of employment and 6 % of gross wages after completing 7 years of employment (at the start of an employee’s eighth year of service).

Statutory Provisions Addressing Vacation Pay

Wages do not include vacation pay.

An employer can pay vacation by:

- accumulating the vacation pay over the 12-month earning period and paying it out to employees at least 1 day before they take their vacation time
- adding the vacation pay to each cheque
- including the vacation pay in the employee’s hourly rate

When employees take vacation time, they don’t earn any wages. Vacation pay is meant to act as the employee’s pay during the vacation period, even if the employee receives vacation pay on each pay.

Wages includes salaries, commissions, and most other forms of compensation except vacation pay.

Payment of Accrued, Unused Vacation on Termination

For more information, please visit vacationtracker.io



Payment must be made within 10 days of termination.

If an employee's job ends and the employee has accumulated vacation pay, the employee's earnings must be paid. Employers must pay it within 10 days after the employment ends.

PTO Accruals

PTO accrual system is not mandatory in Nova Scotia, but is 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 Nova Scotia.

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.

A screenshot of the Vacation Tracker app interface. The background is purple. On the left, white text reads 'Manage All Employee Time Off In Minutes, Not Days'. Below this are four checkmarks: 'Slack, Teams, and Calendar integrations', 'Custom leave rules, accruals, and public holidays', 'Compliant with Leave Laws in every location', and 'Rollout in 15 minutes, with live setup call'. A white button with a right arrow says 'Start your free trial'. On the right, there are three overlapping white cards. The top card shows a user profile for 'Maren Schleifer' with a red status 'Has submitted a leave request that requires your attention.' and a note 'Madelyn Dorwart will be on leave during the same period'. Below this are 'Open Calendar' and 'View Dashboard' buttons. The middle card is titled 'Pending requests' and lists three requests: 'Work from home' (2 days, Jan 24th 2025 - Jan 26th 2025), 'Vacation' (4 days, Jan 26th 2025 - Jan 30th 2025), and 'Sick Day' (1 day, Jan 24th 2025). Each request has 'Deny' and 'Approve' buttons. The bottom card is titled 'Approvers' and shows a hierarchy with 'First level' and 'Second level' approvers, each with a group of user avatars and a '+9' indicator. Logos for Slack, Teams, and Google are visible in the top right corner.

For more information, please visit vacationtracker.io

Sick Leave in Nova Scotia

Sick Leave

Up to 3 days of unpaid leave.

Employees are entitled to up to 3 days of unpaid leave per year due to the sickness of a child, parent, or family member, or for medical, dental, or other similar appointments during working hours.

Compassionate Care Leave

Up to 28 weeks of unpaid leave.

Employees who have worked for at least 3 months are entitled to up to 28 weeks of unpaid leave within a 52-week period to provide care and support for a seriously ill family member with a significant risk of dying within 26 weeks. A medical certificate is required.

Leave Related to Critical Illness

Up to 37 weeks of unpaid leave to care for critically ill children, and up to 16 weeks of unpaid leave to care for a critically ill adult.

Critically Ill Child Care Leave

Eligible employees are entitled to up to 37 weeks of unpaid leave within a 52-week period to care for and support critically ill children. This does not apply to a step-child or foster child. An

employee must provide a medical certificate. Leave can be taken for periods no shorter than a week. In the case of 2 or more critically ill children, leave must not exceed 52 weeks.

Critically Ill Adult Care Leave

Eligible employees are entitled to up to 16 weeks of unpaid leave within a 52-week period to provide care and support for a critically ill adult. An employee must provide a medical certificate. Leave can be taken for periods no shorter than a week. In the case of 2 or more critically ill adults, leave must not exceed 52 weeks.

Domestic Violence Leave

Up to 10 days, but also up to 16 consecutive weeks (the first three days must be paid by the employer).

An employee who has been employed by an employer for a period of at least three months is entitled to an unpaid leave of absence if the employee or a child of the employee experiences domestic violence.

Employees are entitled to take up to 10 days (intermittent or consecutive) of unpaid leave per year. Eligible employees are also allowed to take a maximum of 16 weeks off in a row during a calendar year, with the employer being required to pay for the first three days of this leave.

The leave may be taken by employees for the following reasons:

- to seek medical attention for themselves or their child;
- obtain services for themselves or their child from a victim services organization, psychological or other professional counseling (or certain culturally-specific services);
- relocate temporarily or permanently; or
- seek legal or law enforcement assistance.

For more information, please visit vacationtracker.io

Maternity, Paternity, and Parental Leave in Nova Scotia

The maternity leave could last a maximum of 77 weeks (the pregnancy leave lasts for 16 weeks, and after that, mothers can take an additional 61 weeks of parental leave), in which case the father would get no paternity leave.

Employees are eligible for pregnancy leave, leave for the end of pregnancy, or parental leave regardless of how long they have been employed and can take these leaves soon after starting their job.

Pregnancy Leave

16 weeks of unpaid leave.

An eligible employee who has been employed for at least one year is entitled to up to 16 weeks of job-protected unpaid leave. Leave may not begin sooner than the sixteen weeks preceding the expected date of delivery and not later than the date of delivery.

Employees are required to provide employers with (at least four weeks') written notice and, if requested, a medical certificate.

Parental Leave

77 weeks of unpaid leave.

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

Employees are entitled to up to 77 weeks of unpaid leave. The rule applies to both biological and adoptive parents.

Employees can take parental leave immediately following maternity leave without having to return to work. Combined maternity and parental leave must not exceed 77 weeks. (Parental leave actually lasts 61 weeks for the employee who already took pregnancy leave; 77 weeks for other parents.)

Employees must provide (at least four weeks') written notice to their employers, detailing when they will begin their leave and when they will return to work.

Leave for End of Pregnancy

A new leave that came into effect on January 1, 2023.

Leave for end of pregnancy is an unpaid leave of absence that will be available for workers who experience a pregnancy that does not result in a live birth.

The reason for the end of pregnancy does not affect an employee's eligibility for this leave, and employers do not have the right to know why a pregnancy ended.

This is a new leave that came into effect on January 1, 2023.

Payout

Pregnancy and parental leave in Nova Scotia are unpaid.

Bereavement Leave in Nova Scotia

Up to 5 days of unpaid leave.

For more information, please visit vacationtracker.io

Employers are required to provide employees with up to 5 consecutive working days of unpaid leave upon the death of a close family member.

Employees should inform their boss with as much advance warning as they can when they plan to take this time off.

Payout

Bereavement leave in Nova Scotia is unpaid.

Jury Duty Leave in Nova Scotia

All employers must provide unpaid leave for employees to attend court as jurors or witnesses.

Employees are allowed to take unpaid time off if they are selected for jury duty or required to appear as a witness in court. They should inform their boss with as much advance warning as they can when they plan to take court-related leave.

Payout

Employers are not required to pay employees who miss work to attend court. However, jurors can claim an allowance or compensation for time spent in court. In Nova Scotia, jurors receive \$40 per day.

Reservists' Leave in Nova Scotia

Up to 24 months within any 60-month period.

An employee who has been employed for at least 3 months and is a member of the Canadian Forces is entitled to unpaid leave in order to participate in active duty or training. Eligible workers are able to take up to 24 months of leave for military reserve duties within a 60-month span.

Written notice is required, along with a certificate from an official with the Reserves, if requested by the employer.

Payout

Reservists' leave is unpaid.

Voting Leave in Nova Scotia

Up to 3 consecutive hours of paid time off.

All employees who are eligible to vote are entitled to take 3 consecutive hours during voting hours on polling day to cast their vote. If their work schedule does not allow for those three consecutive hours, their employer must allow the necessary time for voting to ensure they are able to take those three consecutive hours.

Payout

An employer is not allowed to deduct pay or impose a penalty from an employee's salary for the time the employer grants for voting.