

# ONTARIO'S EMPLOYMENT STANDARDS ACT, 2000

## Medical Certificate to Support Entitlement to Family Caregiver Leave, Family Medical Leave, and/or Critical Illness Leave

### Medical Certificate – Introduction

Ontario's Employment Standards Act, 2000 ("the ESA") provides eligible employees the right to take unpaid leaves of absence from their job for certain reasons. These leaves include:

- **Family Caregiver Leave:** available as of October 29, 2014 to employees to provide care or support to certain individuals who have a serious medical condition.
- **Family Medical Leave:** available to employees to provide care or support to certain individuals who have a serious medical condition with a significant risk of death within a period of 26 weeks.
- **Critical Illness Leave:** available as of October 29, 2014 to employees to provide care or support to a critically ill child, and as of December 3<sup>rd</sup>, 2017, available to employees to provide care or support to a critically ill adult.

In some cases, the illness of a single individual may entitle an employee to more than one of these leaves.

In order for an employee to be eligible for these leaves, a qualified health practitioner must issue a certificate verifying that certain conditions have been met. The conditions that must be met are different for each leave.

This form of certificate has been designed by the Ontario Ministry of Labour to provide a convenient way for the health practitioner to indicate whether the necessary conditions have been met. Note, however, that nothing in the ESA requires that a health practitioner use this particular form of certificate; any form of certificate that indicates that the necessary conditions have been met can be used.

**Note:** A certificate for entitlement to family medical leave can be issued only by a person qualified to practice medicine or a registered nurse who holds an extended certificate of registration under the Nursing Act, 1991 (a "nurse practitioner").

A certificate for entitlement to family caregiver leave or critical illness leave can be issued by a person qualified to practice medicine or a person qualified to practice as a registered nurse or a psychologist.

### Employees:

- The eligibility criteria, the individuals for whom a leave may be taken, the length and timing of a leave, the types of health care professionals who may complete the medical certificate, and other requirements for each type of leave are different. Please visit the Ontario Ministry of Labour's website at [Ontario.ca/employmentstandards](http://Ontario.ca/employmentstandards), or call the Employment Standards Information Centre at 416-326-7160, toll-free at 1-800-531-5551 or TTY at 1-866-567-8893 for information.

- An employer is entitled to ask you for a copy of the certificate of the qualified health practitioner to provide proof that you are eligible for a leave or leaves. You are required to provide the copy as soon as possible after the employer requests it.
- If you want to access Employment Insurance benefits for caregivers of critically ill minor children or adults who are family members or compassionate care benefits for family medical leave, you should visit Service Canada's website at: <http://www.servicecanada.gc.ca>, or contact Service Canada's Employment Insurance Automated Telephone Information Service at 1-800-206-7218. Service Canada has its own medical certificates that you must complete in order to be eligible to receive benefits.

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Patient's Name \_\_\_\_\_

I examined the patient on (YYYY/MM/DD) \_\_\_\_\_ and certify that the following conditions existed (check all that apply).

### A. Family Caregiver Leave

A1. Does the patient have a serious medical condition? (This may include a condition that is chronic or episodic.) Yes  No

A2. In some situations, the employee will have taken leave before this certificate is issued. Did the patient have a serious medical condition before today? Yes  No

If yes, please provide the earlier date (YYYY/MM/DD) \_\_\_\_\_

A3. The patient is expected to have the serious medical condition until (YYYY/MM/DD) \_\_\_\_\_

### B. Family Medical Leave

B1. Does the patient have a serious medical condition with a significant risk of death occurring within 26 weeks? Yes  No

B2. In some situations, the employee will have taken leave before this certificate is issued. Did the patient have a serious medical condition with a significant risk of death occurring within a period of 26 weeks before today? Yes  No

If yes, please provide the earlier date (YYYY/MM/DD) \_\_\_\_\_

### C. Critical Illness Leave

C1. Patient's Date of Birth (YYYY/MM/DD) \_\_\_\_\_

C2. Has the patient's baseline state of health significantly changed? Yes  No

C3. Is the patient's life at risk as a result of an illness or injury? Yes  No

C4. Does the patient require the care or support of a family member? Yes  No

C5. The patient is expected to require the care or support\* of a family member until (YYYY/MM/DD) \_\_\_\_\_

\* Care or support includes directly providing or participating in the care of the patient; providing psychological or emotional support for the patient; and arranging for the care of the patient by a third party care provider.

C6. In some situations, the employee will have taken leave before this certificate is issued. Did all of the conditions in C2 through C5 exist before today? Yes  No

If yes, please provide the earlier date (YYYY/MM/DD) \_\_\_\_\_

Signature of health practitioner \_\_\_\_\_

Date (YYYY/MM/DD) \_\_\_\_\_

**Information of Health Practitioner Who Issues this Form:**

Name \_\_\_\_\_

Address (street number and name) \_\_\_\_\_

City or Town \_\_\_\_\_

Province / Territory \_\_\_\_\_

Area Code and Telephone Number \_\_\_\_\_

Country \_\_\_\_\_

Postal Code / Zip Code (if in Canada or U.S.) \_\_\_\_\_

- I am qualified to practise medicine
- I am qualified to practice as a nurse practitioner
- I am qualified to practise as a registered nurse\*
- I am qualified to practise as a psychologist\*

License Number \_\_\_\_\_

\*Note: Registered nurses who do not hold an extended certificate of registration under the Nursing Act, 1991 and psychologists are not eligible to issue certificates in support of Family Medical Leave for purposes of the Ontario Employment Standards Act, 2000.