



Frequently Asked Questions (FAQ) on COVID-19 Paid Sick Leave in Manitoba

May 25, 2021

Due to the rapidly changing circumstances surrounding COVID-19 and its impact on workers, program support criteria are subject to change. Be sure to visit www.unifor.org/covid19 to download updated versions of this fact sheet.

Note: On February 19, 2021, the federal government announced proposed legislative and regulatory changes that would increase the number of weeks of benefits available for the Canada Recovery Benefit (CRB), the Canada Recovery Sickness Benefit (CRSB), and Employment Insurance (EI) regular benefits:

<https://www.canada.ca/en/employment-social-development/news/2021/02/crb-extension.html>

Manitoba's Pandemic Sick Leave is a voluntary program that reimburses employers for up to [five days of paid sick leave](#) at up to \$600 in total wages per employee, if a particular employee needs to stay home because of COVID-19. Eligible employers include those in the private, non-profit or charitable sectors. Employees who are residents of Manitoba, actively working and receiving wages/salaries, and who are not currently working from home are eligible if they are:

- getting tested for COVID-19;
- receiving a vaccination against COVID-19;
- experiencing side-effects from a COVID-19 vaccine;
- self-isolating due to COVID-19 symptoms; or
- caring for a loved one in any of these circumstances.

This temporary program will be in place from May 7 until September 25, 2021.

Please note that the voluntary pandemic sick leave program does not cover federally regulated workers in sectors such as telecommunications, rail, and airlines, etc. who have access to three days of paid sick leave under the Canada Labour Code.

Also note that workers who are self-employed or who are currently working from home are not eligible for the program.

This FAQ document aims to provide Unifor members with the most up to date answers we have on frequently asked questions about Manitoba's temporary paid sick leave measures.

What does voluntary mean in this context?

Your employer may elect to provide up to five days of paid sick leave for COVID-19 related reasons and seek reimbursement from MB's Economic Development and Jobs for up to \$600 in total. However, there is no legal requirement that they do so and they may withdraw their participation in the program at any time. Employers are also not obligated to provide the maximum five days of sick leave that they can claim under the program.

If I already have paid sick leave as part of my current employment contract or collective agreement, will I get an additional five days of paid sick days if my employer opts to participate in this voluntary sick leave program?

No, if your employer offers you five or more days of sick leave, you will not be eligible for the program. However, if your employer has a sick leave program in place but offers fewer than five days of paid sick leave, you may be eligible for additional paid sick days if your employer opts for the program and decides to claim the difference. For example, if you only have access to five days of paid sick leave, your employer would be able to claim two additional days of paid sick leave under the program.

Do I have to take the five days of paid sick leave all at the same time?

No, the 5 days of paid sick leave do not have to be taken consecutively.

What if I have to take more than five days of sick leave or my employer decides not to provide paid sick leave under the voluntary program? Can I take sick leave for as long as I am ill with COVID-19 or for other reasons related to COVID-19?

Yes, workers are currently entitled to take unpaid [public health emergency leave](#), which allows employees covered by the Employment Standards Code to take unpaid sick leave for reasons related to COVID-19 without fear of reprisal or dismissal by their employers.

If I take unpaid sick leave after my five days of paid sick leave, can I apply for compensation through the [Canada Recovery Sickness Benefit \(CRSB\)](#)?

Only if the unpaid sick days fall within a one-week period during which you received no paid sick days. Unfortunately, the current CRSB rules do not allow you to apply for the CRSB for days that fall within a week when you received paid leave from your employer.

For example, if you were ill from Thursday to the following Wednesday, you would not be eligible to be compensated through the CRSB for any unpaid leave taken on the following Thursday and Friday. Any days of unpaid sick leave taken the week after would be eligible for the CRSB.

Will I need a sick note to prove to my employer that I was absent for reasons related to

COVID-19 in order to be eligible for the voluntary sick leave program?

No, employers cannot ask you for a sick note or medical certificate from a nurse or doctor to prove that you had to take a COVID-19 sick day (whether paid or unpaid), however they may ask you for reasonable evidence that is determined on a case by case basis.

Can I use my paid sick days for the purposes of getting vaccinated?

Manitoban workers are already entitled to take up to three hours of paid vaccine leave for the purposes of getting vaccinated against COVID-19. [Paid vaccine leave](#) cannot be deducted from any existing paid sick leave benefits that the employee has access to.

I earn part of my pay from tips and/or commissions. Will the paid sick leave measures cover what I usually earn from these sources?

No, the paid sick leave program will only cover your base wages. Note that the original announcement about the program stated that commission-paid employees would be paid their average wages, but this rule has since been revised.

What if my earnings over five work days are usually more than the \$600 maximum that my employer will be reimbursed under the voluntary program? Will I be paid more than that amount?

Your employer may elect to pay you more than \$600 for the five days you are absent, however, they are under no legal obligation to do so.

My employer is reluctant to participate in this program because they claim there are added payroll costs. Will the pandemic sick leave program reimburse them for these costs if they choose to participate in the program?

No, the pandemic sick leave program only covers eligible wages and salaries paid to eligible employees and does not reimburse payroll taxes such as EI and CPP premiums or the Manitoba payroll tax.

I work as a freelancer and/or independent contractor. Am I covered by this new voluntary program?

No, independent contractors or freelancers are not eligible for the pandemic sick leave program. However, as a freelancer or independent contractor, you are eligible to apply for the [Canada Recovery Sickness Benefit \(CRSB\)](#).

How much notice am I required to give my employer who opts to participate in the program in order to take paid sick leave? For example, am I eligible for paid sick leave if I elect to attend a pop-up vaccination clinic that is announced at the last minute?



The only requirement is that you provide as much notice as is reasonable under the circumstances.

Who can I contact for more information?

Call: 204-945-3744 or 1-866-626-4862 (Toll-Free)

Email: mgi@gov.mb.ca