



# What's New in HR Law

## Paid Infectious Disease Emergency Leave Extended to March 31, 2023

July 22, 2022 | By [Cassandra Ma](#)

### Bottom Line

On July 21, 2022, the Ontario Government [announced](#) that the COVID-19 Worker Income Protection Benefit would be extended to March 31, 2023. The benefit program reimburses employers for providing paid days of infectious disease emergency leave ("IDEL") in accordance with section 50.1(1.2) of the *Employment Standards Act, 2000* ("ESA").

The Ontario Government has now filed [O. Reg. 464/22](#) to effect the extension to paid IDEL. O. Reg. 464/22 amends the Infectious Disease Emergency Leave Regulation ([O. Reg. 288/20](#)) under the *ESA*.

Prior to these developments, paid IDEL was set to expire on July 31, 2022.

### Paid Infectious Disease Emergency Leave

Paid IDEL is a job-protected leave available to Ontario employees under the *ESA*. Employees are eligible to take up to three days of paid IDEL if they are unable to work for reasons relating to COVID-19. Examples of circumstances that may attract entitlement to paid IDEL include where the employee is:

- going for a COVID-19 test;
- staying home and awaiting the results of a COVID-19 test;
- sick with COVID-19;
- getting individual medical treatment related to COVID-19;

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- going to get vaccinated against COVID-19;
- experiencing a side effect from a COVID-19 vaccine;
- self-isolating due to COVID-19, as instructed by an employer, medical practitioner, or other specified authority; or
- providing care or support to prescribed relatives for COVID-19-related reasons.

## The COVID-19 Worker Income Protection Benefit

Under the COVID-19 Worker Income Protection Benefit program, employers may be entitled to reimbursement of the statutory IDEL pay that they provide to their employees. The maximum reimbursement amount is \$200 per each day of IDEL taken per employee. Claims for reimbursement must be [submitted to the Workplace Safety and Insurance Board](#) within 120 days of when the employer paid the employee's IDEL pay or by July 29, 2023, whichever is earlier.

## Check the Box

Between now and March 31, 2023, Ontario employers should continue to carefully review when their employees are absent from work and ensure they are properly compensated for any paid IDEL taken. Employers should also keep up-to-date records of any IDEL pay that they disburse in order to facilitate their timely receipt of the COVID-19 Worker Income Protection Benefit.

## Need More Information?

For more information or assistance with workforce management amidst the COVID-19 pandemic, contact your regular lawyer at the firm.



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