

**POLICY
BRIEF**

Care/Work Policies for Managing Routine and Unpredictable Caregiving

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This policy brief provides an overview of policies and supports available in Canada to help families manage care/work responsibilities and obligations.

ABSTRACT

Employed parents of young children must manage a variety of routine day-to-day caregiving responsibilities. These can be predictable, such as school or child care pickups, or unpredictable, such as caring for a sick child or coping with child care disruptions. Care/work policies, including flexible work arrangements, family responsibility leave, and sick leave, can play a critical role in enabling parents and other caregivers to meet these demands. This policy brief reviews the current regulations for key employment rights in relation to routine caregiving responsibilities under the *Canada Labour Code* and provincial/territorial employment standards. It also uses data from the 2023 Canadian Survey on Early Learning and Child Care to shed light on parents' access to provisions that support caregiving.

The analysis shows that access to provisions for time off work and flexible work options are limited, uneven, and inequitable. Providing more comprehensive and equitable access to flexible work and leave options is essential to enable parents in Canada to effectively manage employment and caregiving responsibilities.

KEY POINTS

- Workers in the federally regulated private sector are the sole group with a legislated right to request flexible work arrangements, and they represent only 6% to 7% of the workforce.
- Federal and all provincial jurisdictions (excluding the territories) provide family responsibility leave, but it is typically unpaid and of short duration. This leaves many families struggling financially during times of high caregiving demands.
- Canada has no national paid sick leave program for short-term illnesses. Only five provinces offer some paid leave, and eligibility criteria further restrict access.
- In practice, access to flexible work schedules, opportunities to work remotely, and formal leave options remain limited and unequal, with the greatest barriers experienced by households with lower levels of education and income, and those with recent immigrant members.
- The current approach is fragmented and fails to adequately support employed parents. A more inclusive model is needed to ensure wider coverage and equitable access to care/work policies for all families in Canada.

Beyond parental leave: Navigating routine caregiving challenges

Care/work policies are crucial for helping parents manage employment and caregiving responsibilities. Paid maternity and parental leave—offered through the federal Employment Insurance (EI) program across most of Canada, and the Quebec Parental Insurance Plan (QPIP) in Quebec—provides essential support for parents who need extended time away from work to care for a baby or newly adopted child.¹ In cases where children are critically ill or injured, provisions are also available for paid leave through EI. Still, little policy attention has been paid to addressing more routine day-to-day caregiving demands, as well as unpredictable caregiving situations that can conflict with employment, like handling daily school drop-offs or caring for a sick child.

What policies can help employed parents manage these routine and unpredictable care demands? Flexibility in work hours or location can allow parents to respond to a child's needs without having to take time off work. In addition, access to family responsibility leave or sick leave that can be used for caregiving is important for parents who may need a few days away from work or even part of a day to handle situations that cannot be predicted in advance.

Legislation establishes baseline rights for eligible workers with respect to these policy tools. But actually accessing these benefits depends on several other key factors. These can include union agreements, employer policies, and the attitudes and actions of supervisors and coworkers. We first review existing provisions under the *Canada Labour Code* and provincial/territorial employment standards legislation that can assist parents in managing day-to-day caregiving. Although we focus on employed parents, these tools also apply to others with caregiving responsibilities.² Supplementing our

policy review, we provide snapshots using data from the 2023 Canadian Survey on Early Learning and Child Care (CSELCC). The survey is representative of children age five years or younger living in Canada's 10 provinces. We focus on children with employed parents and distinguish between dual-earner and single-parent families. These snapshots illustrate the extent to which parents with particularly high care demands have access to these benefits in practice.

Flexible work arrangements

Since the COVID-19 pandemic

Flexible work arrangements are a critical first line of support for managing routine family caregiving needs. They allow employees to adjust their work schedule or location without resorting to formal leave options. This approach not only reduces disruptions to work that can result from predictable or unpredictable caregiving demands, but also preserves leave entitlements for situations where flexibility alone is insufficient. Since the onset of the COVID-19 pandemic, flexible work options, including work-from-home and hybrid arrangements, have received considerable attention in popular, scholarly, and public discussion, which highlights its role in reshaping patterns of unpaid care and navigating unexpected, ongoing circumstances.^{3, 4} Even so, as the pandemic has evolved over the past five years, the availability of flexible work options has lessened. According to the most recent statistics available from Statistics Canada, only three in 10 (30.3%) of those in the labour force in April 2022 reported having the option to set their own workday start and end times.⁵ The share of employees working exclusively from home decreased from 24.3% in January 2022 to 12.6% in November 2023, although parents of children under six years old are more likely than workers without children to work exclusively from home or have a hybrid arrangement (30.1% vs. 23.5%).⁶

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The right to request

Overall, employees' right to request flexible work remains limited in Canada. Only workers in the federally regulated private sector have a legal right to formally request flexible work arrangements pertaining to work hours, schedules, and location.^{a, 7}

Federally regulated private sector industries comprise approximately just 6% of the Canadian workforce, including those working for federal Crown corporations, and in industries such as transportation, banking, and telecommunication.⁸ After six months of continuous

employment with the same employer, these employees can submit a written request for flexible arrangements. Employers must respond within 30 days and must justify any denial, citing reasons such as undue costs or negative impacts on workplace performance. Importantly, employees are protected against reprisals for making such requests.

Table 1 provides a comparative overview of the conditions governing the right to request flexible work arrangements in Canada and several other countries where this right has been more firmly established.

Table 1. The legal right to request flexible work arrangements across select countries

	Eligibility	Arrangements covered	Employer response	Effective year
Canada ¹¹	Federally regulated employees in the private sector after six months of continuous employment	Work hours, schedules, and location	Within 30 days	2019
United Kingdom ¹²	Employees with children under six or children with disabilities under 18	Work hours, schedules, and location	Meet within 28 days (unless agreeing to the initial request); inform within 14 days after meeting	2003
	Extending to carers of adults			2007
	Extending to all employees after 26 weeks of continuous employment		Within three months	2014
	All employees regardless of length of employment		Within two months	2024
New Zealand ^{13, 14}	Employees who are carers after six months of continuous employment	Work hours, schedules, and location	Within three months	2008
	All employees regardless of length of employment		Within one month	2015

^a The right to request flexible work does not extend to the federally regulated public sector, where the *Canada Labour Code* regulates only workplace safety and monetary penalties but not work arrangements such as hours, wages, vacations, and leave provisions. See <https://laws-lois.justice.gc.ca/eng/acts/l-2/>.

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	Eligibility	Arrangements covered	Employer response	Effective year
Australia¹⁵	Employees after 12 months of continuous employment; or employees who are pregnant, parents of children under school age, carers, living with disabilities, aged 55 or older, experiencing domestic violence, or supporting a household member experiencing domestic violence	Work hours, patterns (e.g., schedules and job-sharing arrangements), and location	Within 21 days	2010
The Netherlands¹⁶	Employees after 26 weeks of continuous employment (in organizations with 10 or more employees); employees with children under eight	Work hours, schedules, and location	One month before the requested date of adjustment	2016

While many countries require a certain length of continuous employment to be able to request flexible work arrangements, as of 2024, the United Kingdom and New Zealand have extended the right to all employees from the start of their employment. Unlike Canada, where this right is limited to workers in federally regulated private sector industries, other countries generally offer this right to all workers, regardless of industry. In some cases, provisions specifically tailored for caregivers are included.

Yet, even in countries with more extensive rights, there remains a gap between policy and practice. Employees often lack knowledge and face difficulties meeting requirements for a valid request. Further, the process and outcomes of these requests frequently depend on the personal commitment of managers.^{9, 10} Although the right to request can be useful for ongoing or foreseeable situations, the time it takes to process requests means they are less useful for the more common unpredictable circumstances parents face.

Access to flexible work options

Within the federally regulated public service, although employees do not have the legal right to request flexible work arrangements, options to work from home (i.e., telework) are available for all workers. Still, the scope of telework has become increasingly restricted. In the spring of 2023, a common hybrid work model was introduced, allowing federal public servants to telework two or three days per week.¹⁷ This marked the first baseline since the pre-pandemic standard of full-time, on-site work. But, by September

2024, the common hybrid model was updated by the Treasury Board to require public servants in the core public administration to work on-site at least three days per week, with executives expected to be on-site at least four days per week.¹⁸

At the provincial/territorial level, some public and private sector employers offer flexibility at work as a policy-based benefit, rather than a legal entitlement. For example, public servants in British Columbia,¹⁹

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Newfoundland and Labrador,²⁰ and Manitoba²¹ may negotiate flexible work arrangements with their supervisors, such as adjusted schedules, remote work, or a compressed work week. These arrangements may be supported in principle, but they often depend on ministerial and supervisor approval. Decisions may also vary based on the nature of the work and the employee-supervisor relationship. Although this individualized approach can accommodate personal needs, it may lead to perceptions of unfairness and strain relationships among co-workers.

Also, according to the federal and most provincial/territorial human rights codes, employers have a duty to accommodate workers to ensure they do not experience discrimination based on family status. Access to flexible work may be claimed as a necessary accommodation in some circumstances. Yet the enforcement and interpretation of this duty varies across different jurisdictions and employees who are refused accommodation have to engage in a lengthy complaints-based dispute to gain access.^{22, 23}

Despite the options reviewed above, as the CSELCC snapshot illustrates, overall availability and practical access to flexible work arrangements remain limited. Most young children do not have a parent with access to flexible hours or the ability to work from home to help manage routine and unpredictable care demands. The lack of flexible work can present major challenges, especially for parents in more socio-economically disadvantaged groups. It can potentially cause considerable stress and loss of pay.

Family responsibility leave

With limited availability of flexible work arrangements, how can employed parents navigate ongoing routine caregiving obligations or unexpected ones as they arise? In critical situations where parents must step away from work, formal leave options can provide

A CSELCC* SNAPSHOT ON ACCESS TO FLEXIBLE WORK SCHEDULES AND LOCATION

- Among children under six years old living in dual-earner two-parent families:
 - 57% have neither parent with flexible work schedules, 22% have one parent with a flexible schedule, and 21% have both parents with flexible schedules.
 - 55% have neither parent with the option to work from home, 24% have one parent with this option, and the rest have both parents who can work from home.
- Among children under six years old of employed single parents:
 - Almost two-thirds (65%) do not have a parent with a flexible schedule.
 - For about three-quarters (76%), having that parent work from home is not an option.
- Access to work from home is greater for children when both parents have a bachelor's degree or higher (40%) and when household income reaches \$150,000 or above (36%). Those whose single parent does not have higher education and who earns less than \$60,000 have far more limited access (19% and 16%, respectively).

*Canadian Survey on Early Learning and Child Care (2023)

valuable support. Under the *Canada Labour Code* and provincial/territorial employment standards legislation, employees in the federally regulated private sector and all provinces (but not the territories) are entitled to family responsibility leave. Although the structure and length of this leave vary by jurisdiction, it generally allows workers to take a few days off per year to care for a sick child, attend to a family member who is ill, or address other family

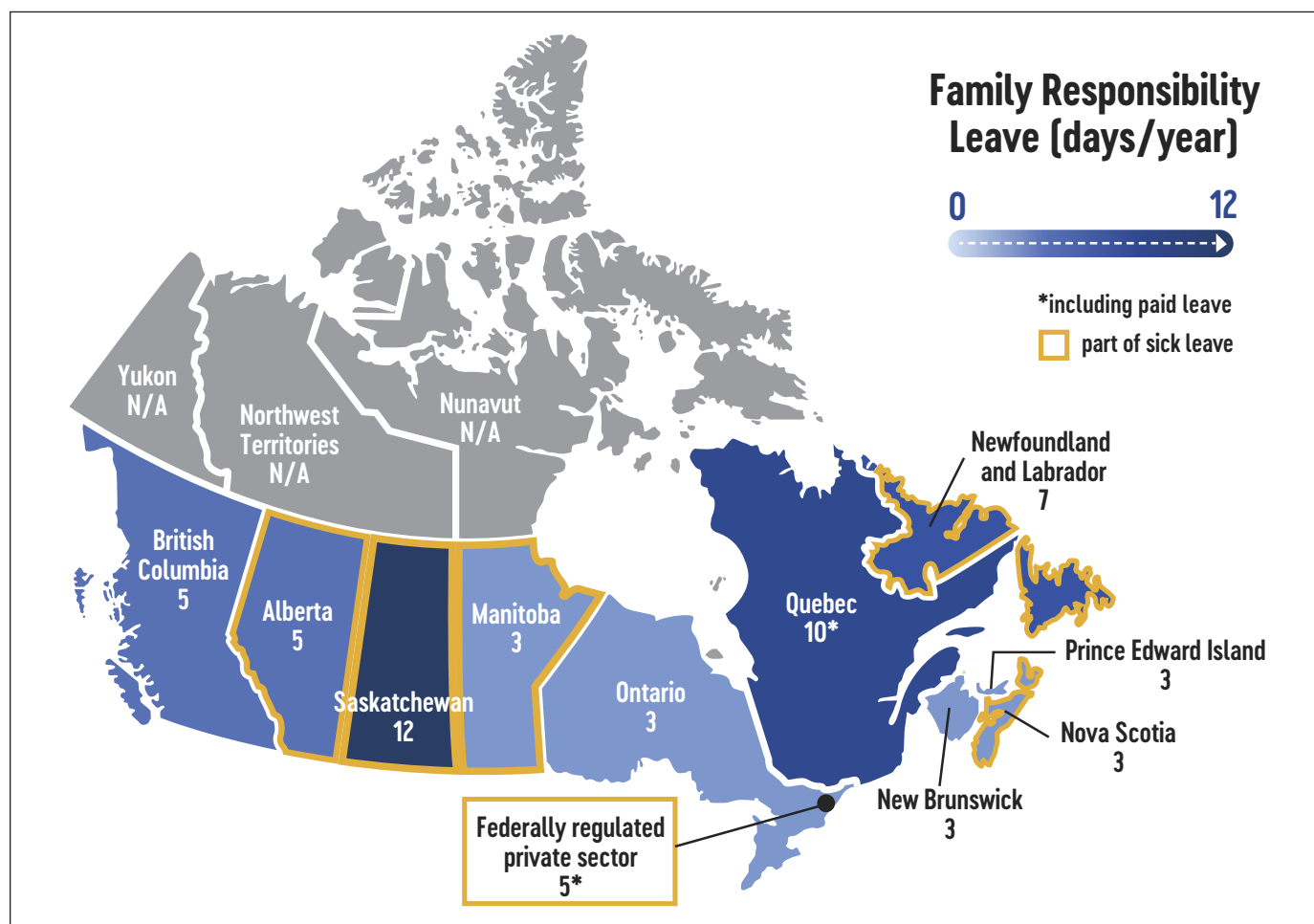
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responsibilities that temporarily prevent them from working.

Figure 1 shows that the federal jurisdiction and five provinces (AB, SK, MB, NS, NL) include family responsibility leave within personal leave or sick leave in their Employment Standards legislation, while the other five provinces (BC, ON, QC, NB, PE) have separate provisions. Family responsibility leave is

typically unpaid, except the first three days under the federal jurisdiction and the first two days in Quebec. The total length of family responsibility leave, including paid and unpaid, also varies across jurisdictions and ranges from three to 12 days. In the territories (NT, NU, YT), Employment Standards legislation does not explicitly provide for short-term leave to fulfill family responsibilities.

Figure 1. Total duration of family responsibility leave across federal and provincial/territorial jurisdictions in Canada



Sources: Canada Labour Code, R.S.C., 1985, c. L-2. (2024).¹¹ Employment Standards Act, RSBC 1996, c. 113. (2025).²⁴ Employment Standards Code, C.C.S.M. c. E110. (2024).²⁵ Employment Standards Act, SNu 2003, c. 13. (2014).²⁶ Labour Standards Act, SNL 1990, c. L-2. (2024).²⁷ Employment Standards Act, 2000, S.O. 2000, c. 41. (2024).²⁸ Employment Standards Act, RSPEI 1988, c. E-6.2. (2024).²⁹ Act respecting labour standards, CQLR c. N-1.1. (2025).³⁰ Saskatchewan Employment Act, S.S. 2013, c. S-15.1. (2024).³¹ Employment Standards Act, SNWT 2007, c. 13. (2024).³² Employment Standards Act, RSY 2002, c. 72. (2023).³³ Employment Standards Act, SNB 1982, c. E-7.2. (2024).³⁴ Labour Standards Code, RSNS 1989, c. 246. (2024).³⁵ Employment Standards Code, RSA 2000, c. E-9. (2024).³⁶ Government of Yukon. (2025, April 28). Paid Sick Leave Rebate for employers and self-employed.⁴³

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Family responsibility leave provides some support for workers encountering routine and unpredictable caregiving demands. Even so, its limited scope and typically unpaid nature leave many families without adequate financial or practical security. The disparities in provisions across jurisdictions also highlight the need for more complete policies to address challenges in managing care/work responsibilities.

Sick leave

Access to family responsibility leave, in part, reflects the evolution of sick leave provisions, which have been redesigned in legislation in some jurisdictions to encompass both personal health and family-related situations. In this respect, sick leave has emerged as a key tool for parents to manage (un)predictable caregiving responsibilities. Yet, not all sick leave can be officially used for such purposes. In practice, many workers discreetly rely on their personal sick leave to manage caregiving demands when other options are unavailable.^{37, 38} Despite this workaround, the limited scope of sick leave provisions often fails to adequately support day-to-day caregiving responsibilities, even

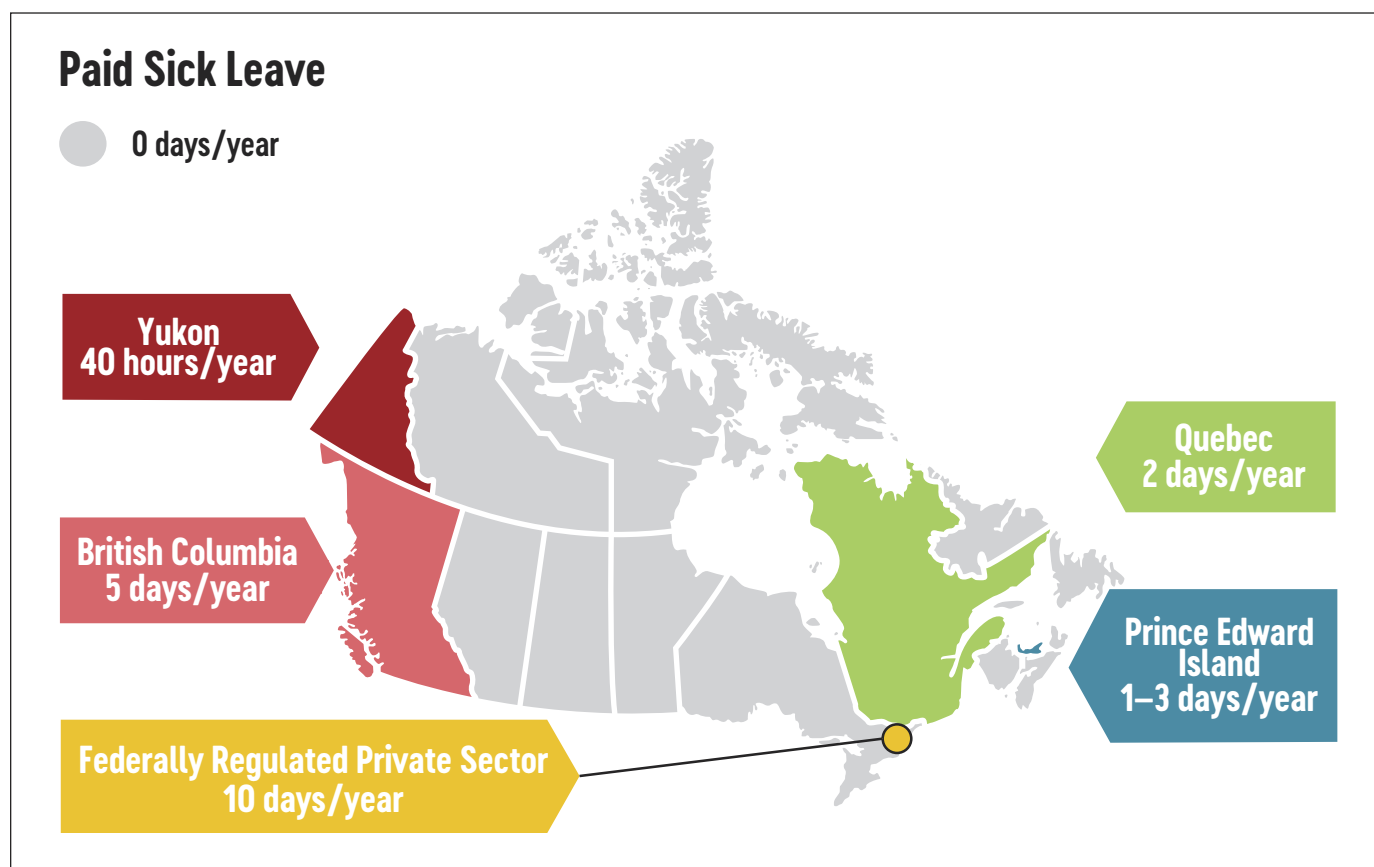
for minor situations like staying home to care for a child with the flu. While there are provisions through EI for longer-term leave if a worker or family member is gravely ill,^{b, 39} provisions for shorter-term leave to address more routine illnesses vary across jurisdictions and are often limited.

All jurisdictions, except Nunavut, in Canada provide some unpaid sick leave, but Canada has no national paid sick leave program for short-term illnesses.⁴⁰ Among 57 high-income countries, Canada is one of only three without a national policy mandating paid sick leave for all workers.⁴¹

The COVID-19 pandemic showed the importance of paid sick leave as both a public health measure and a form of financial protection for workers. But the provision has been far from extensive. Since December 2022, the federal government has implemented a 10-day paid sick leave for employees in all federally regulated private sector workplaces.⁴² As Figure 2 shows, at the provincial/territorial level, only five jurisdictions provide paid sick leave, ranging from one to 10 days annually.

^b The Employment Insurance program offers caregiving benefits to eligible family caregivers of critically ill children or adults, as well as for compassionate care.

Figure 2. Paid sick leave across jurisdictions in Canada



Sources: Canada Labour Code, R.S.C., 1985, c. L-2. (2024).¹¹ Employment Standards Act, RSBC 1996, c. 113. (2025).²⁴ Employment Standards Code, C.C.S.M. c. E110. (2024).²⁵ Employment Standards Act, SNu 2003, c. 13. (2014).²⁶ Labour Standards Act, SNL 1990, c. L-2. (2024).²⁷ Employment Standards Act, 2000, S.O. 2000, c. 41. (2024).²⁸ Employment Standards Act, RSPEI 1988, c. E-6.2. (2024).²⁹ Act respecting labour standards, CQLR c. N-1.1. (2025).³⁰ Saskatchewan Employment Act, S.S. 2013, c. S-15.1. (2024).³¹ Employment Standards Act, SNWT 2007, c. 13. (2024).³² Employment Standards Act, RSY 2002, c. 72. (2023).³³ Employment Standards Act, SNB 1982, c. E-7.2. (2024).³⁴ Labour Standards Code, RSNS 1989, c. 246. (2024).³⁵ Employment Standards Code, RSA 2000, c. E-9. (2024).³⁶ Government of Yukon. (2025, April 28). Paid Sick Leave Rebate for employers and self-employed.⁴³

Table 2 presents details that apply to paid sick leave provisions. Eligibility criteria further limit access. For example, workers must meet continuous employment

requirements than can range from 30 days to 12 months. In Yukon's Paid Sick Leave Rebate, eligibility is further restricted according to work type and wage range.

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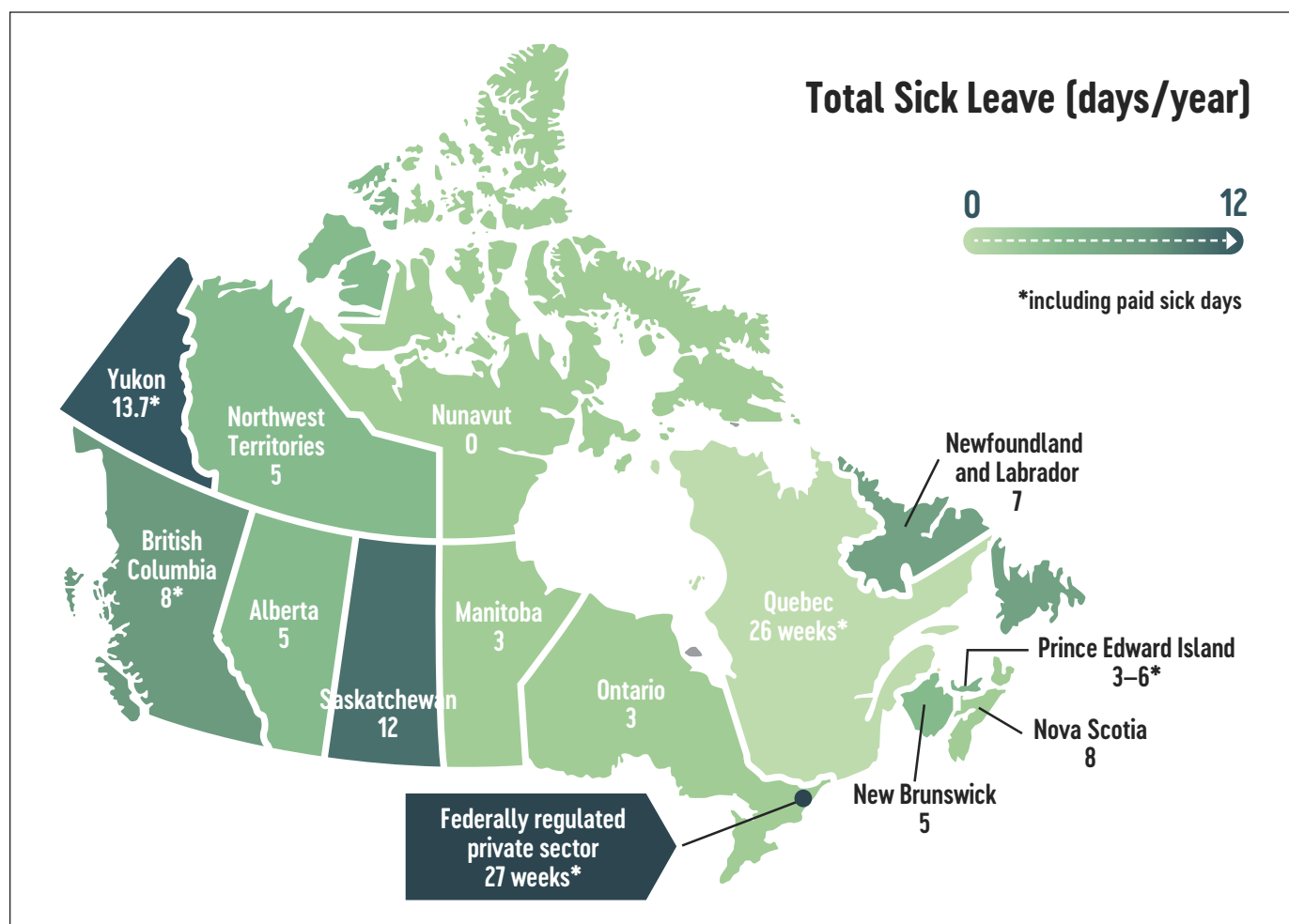
Table 2. Conditions of available paid sick leave across jurisdictions in Canada

	Length (per year)	Eligibility	Payer	Implementation dates
Federally regulated private sector ¹¹	10 days	30 days of continuous employment	Employers	December 1, 2022
British Columbia ²⁴	5 days	90 days of continuous employment	Employers	January 1, 2022
Quebec ³⁰	2 days	3 months of continuous employment	Employers	January 1, 2019
Prince Edward Island ²⁹	1–3 days	1 day for 12-month continuous employment, 2 days for 24 months, 3 days for 36 months	Employers	October 1, 2024
Yukon ⁴³	40 hours	Employees and self-employees with 90 days of continuous employment, earning \$33.94/hour or less, who are not commission-based and do not receive wages during sick leave for other reasons	The Government of Yukon	April 1, 2023 to March 31, 2026

Figure 3 presents the total sick leave available for more routine situations (i.e., not critically ill), including paid and unpaid days, for each jurisdiction. The length is typically several days, but it can extend to over 26 weeks for workers in Quebec and the federally regulated private sector. For many workers, the sick leave provisions are insufficient to manage more than one illness or a single bout of COVID-19 or the flu for themselves and/or their children. Even workers with

some paid sick days often face difficult choices: either work while ill—potentially spreading illness while also compromising their productivity—or lose essential income, a burden made heavier by the rising costs of housing, food, and other necessities.⁴⁴ A nationally representative survey in 2021 found that before the pandemic, 51% of Canadian employees would go to work while feeling sick, with 43% among them citing lack of paid leave as a reason.⁴⁴

Figure 3. Total sick leave, paid and unpaid, across jurisdictions in Canada



Sources: Canada Labour Code, R.S.C., 1985, c. L-2. (2024).¹¹ Employment Standards Act, RSBC 1996, c. 113. (2025).²⁴ Employment Standards Code, C.C.S.M. c. E110. (2024).²⁵ Employment Standards Act, SNU 2003, c. 13. (2014).²⁶ Labour Standards Act, SNL 1990, c. L-2. (2024).²⁷ Employment Standards Act, 2000, S.O. 2000, c. 41. (2024).²⁸ Employment Standards Act, RSPEI 1988, c. E-6.2. (2024).²⁹ Act respecting labour standards, CQLR c. N-1.1. (2025).³⁰ Saskatchewan Employment Act, S.S. 2013, c. S-15.1. (2024).³¹ Employment Standards Act, SNWT 2007, c. 13. (2024).³² Employment Standards Act, RSY 2002, c. 72. (2023).³³ Employment Standards Act, SNB 1982, c. E-7.2. (2024).³⁴ Labour Standards Code, RSNS 1989, c. 246. (2024).³⁵ Employment Standards Code, RSA 2000, c. E-9. (2024).³⁶ Government of Yukon. (2025, April 28). Paid Sick Leave Rebate for employers and self-employed.⁴³

In addition to legislation, workers may also access paid sick leave through collective agreement provisions and/or employer policies. This can result in a patchwork of access across the country that depends on a worker's location, union status, collective agreements, and their

employer's policies and practices. Over time, self-reported paid sick leave coverage has increased modestly, from 56% among Canadian employees in 1995 to 64% in 2022.⁴⁰ However, the availability of such provisions remains fragmented and often inadequate in practice.

A CSELCC* SNAPSHOT ON ACCESS TO PAID SICK LEAVE

- Among children under six years old living in dual-earner two-parent families:
 - 22% have neither parent with access to paid sick leave, 23% have one parent with access, and over half have both parents with paid sick leave.
- Among children under six years old living with employed single parents:
 - 47% do not have a parent with paid sick leave.
- Access generally increases with parents' level of education and household income, and it is more prevalent for children in households without recent immigrants.

*Canadian Survey on Early Learning and Child Care (2023)

RECOMMENDATIONS

- **Expand the right to request flexible work:** The legal right to request flexible work arrangements could be extended to all workers across jurisdictions in Canada. This helps establish the right to request flexible work as a standard practice rather than an exception.
- **Ensure 10 days of paid sick leave nationwide:** The current 10-day employer-paid sick leave could be expanded beyond the federally regulated private sector to all provinces and territories for universal coverage.
- **Recognize family care needs:** Sick leave provisions could account for both personal illnesses and caregiving responsibilities. This can be achieved by either extending sick leave entitlements to cover family care or introducing separate adequate family responsibility leave. Such measures help prevent disease transmission and reduce employment disruptions.
- **Broaden access to care/work policy tools:** Policies that provide flexibility and leave options could be broadly accessible, without restrictive eligibility criteria such as requirements of lengthy continuous employment. Removing these barriers will ensure more workers, including those in precarious jobs, can benefit.

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Care/Work Policies for Managing Routine and Unpredictable Caregiving

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