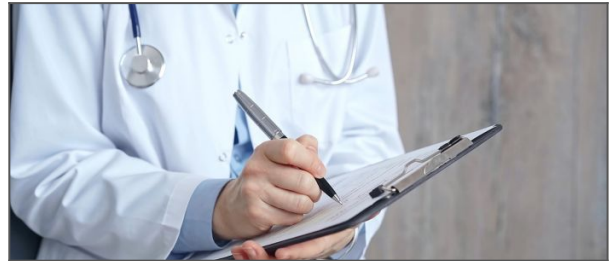


Manitoba Employers Will Soon Face New Limits on Requesting Sick Notes

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Manitoba Employers Will Soon Face New Limits on Requesting Sick Notes



Beginning **October 1, 2026**, Manitoba employers will no longer be able to request a sick note each time an employee misses work due to illness or injury. Amendments to **The Employment Standards Code** will place new restrictions on when employers can require medical documentation and introduce new obligations if they do.

For many employers, requesting a doctor's note has long been a standard attendance management practice. The new rules are intended to reduce visits to health care providers while maintaining an employer's ability to verify long or frequent absences.

1. When can an employer require a sick note?

Under the amended legislation, employers may request a sick note only if:

- the employee's absence continues for a period of more than seven consecutive days; or
- the employee has been absent due to illness or injury for more than ten scheduled workdays in the same calendar year. Partial days of absence may count toward this total.

This means that, in most cases, employers will not be permitted to require a sick note for a short-term illness lasting a few days.

2. Sick notes are no longer limited to physicians

The amendments also broaden who can provide acceptable medical documentation. Employers must accept sick notes issued by a range of health professionals who treated the employee in respect of the illness or injury, including physicians, physician assistants, nurses,

nurse practitioners, licensed practical nurses, psychologists and midwives.

Equivalent health professionals outside Manitoba may also provide valid documentation. This change recognizes that employees increasingly receive care from a variety of regulated health professionals – not just physicians.

3. Employers must reimburse the cost

One of the most significant changes is that employers that require a sick note must reimburse employees for any reasonable amount charged by the health professional for providing the note.

Employees must provide proof of the expense within 30 days, and employers must reimburse the employee within 30 days after receiving that proof. If reimbursement is not made on time, the unpaid amount is treated as wages owed under *The Employment Standards Code*, meaning an employee may file a complaint to recover the amount.

4. What hasn't changed?

These amendments do not affect an employer's ability to require an employee to provide:

- medical certificates required for certain statutory leaves under *The Employment Standards Code* (such as maternity leaves); and
- medical documentation confirming that an employee is fit to return to work following an absence.

5. What should employers do now?

With the **October 1, 2026** implementation date approaching, now is a good time for Manitoba employers to review their attendance management practices and workplace policies to ensure they comply with the new sick note requirements.

In particular, employers should consider:

- updating policies that require sick notes for every illness-related absence;
- training managers and supervisors on the new restrictions;
- establishing a process for tracking illness-related absences throughout the calendar year; and
- creating a process for reimbursing employees when a sick note is properly requested.

If you have questions about how these changes affect your organization or would like assistance updating your policies, our **Labour & Employment Law** team would be happy to help.

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For more information about Eli and Kali and their respective practices, visit their website bios at **Eli Milner | Lawyer at TDS Law** and **Kali Faingold | TDS Law**.

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