Sick Notes for Employee Absences

Sick note rules limit when an employer can ask an employee to provide a doctor's note for short-term illness or injury. These rules help reduce pressure on the health care system while allowing employers to verify longer absences.

Bill 11 – The Employment Standards Code Amendment Act gained Royal Assent on June 1, 2026, and will come into effect on October 1, 2026.

What is a sick note?

A sick note is a note from a doctor or other health professional. It states an employee cannot work for a short time because of a minor illness or injury – such as a cold or flu.

Sick notes are different from other medical documents that are used for longer-term leaves, return-to-work planning, workplace accommodations, or documents that better support employers' ability to plan for long-term absences.

When can an employer not ask for a sick note?

Under the Employment Standards Code, an employer cannot ask for a sick note when:

- An employee is sick and misses a week or less,
- An employee is sick and misses 10 days or less in the same calendar year, even if those days are spread out.

When an employee is away for up to a week, each day counts towards the annual 10-day limit.

Can an employer request other medical documentation?

An employer may request medical documentation where it is necessary for long-term leaves such as maternity leave, organ donation leave, long-term injury or illness leave, or compassionate care leave. It is the employee's

responsibility to provide these documents to qualify.

Also, there are no restrictions around requiring documentation for other purposes, such as:

- Supporting accommodations,
- Safe return-to-work, and
- Insurance.

Does the employer have to provide reimbursement for the sick note?

If an employer requires a sick note, they must reimburse the employee for any reasonable amount charged by the health professional that provided the note.

To receive the reimbursement, the employee must provide the employer with proof of the cost within 30 days of obtaining the sick note, and the employer must reimburse the employee within 30 days of receipt of this evidence.

Reimbursement does not include other medical documents, such as return to work documentation or other medical notes for long term leaves.

Which leaves are affected by sick note restrictions?

Sick note restrictions may apply to short-term absences taken under protected leaves such as:

- Family Leave
- Interpersonal Violence Leave

Do sick note restrictions apply to both paid and unpaid sick leave?

Yes, these restrictions apply to both unpaid and paid sick leave if provided by the employer.

Who can provide a sick note if one is required?

When a sick note is required, employers must accept notes provided by a variety of health professionals who have provided care to the employee in respect to the injury or illness that caused the absence. These professionals are:

- Physician, physician assistant or clinical assistant,
- Nurse, nurse practitioner, psychiatric nurse, or practical nurse,

- Psychologist, and
- Midwife.

Note: Health professionals listed above who have provided healthcare to the employee via telehealth services are able to provide sick notes.

Why are maternity leave verification requirements being expanded to include midwives?

Individuals can receive all care throughout pregnancy and delivery exclusively from midwives, particularly in areas where midwives are the only available providers. Though all individuals are equally entitled to protected maternity leave, this expansion to include midwives provides clarity to who provides pregnancy related medical documentation.

Doctors Manitoba has teamed up with HR professionals and created a tool kit and webinars to support employers as they transition away from sick notes.

For more information contact Employment Standards:

Phone: 204-945-3352 or toll free in Canada 1-800-821-4307

Fax: 204-948-3046

Website: www.manitoba.ca/labour/standards

This is a general overview and the information used is subject to change. For detailed information, please refer to current legislation including The Employment Standards Code, The Construction Industry Wages Act , The Worker Recruitment and Protection Act, or contact Employment Standards.

Available in alternate formats
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Date Published: July 29, 2026
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