

2016

CHAPTER 17

An Act to amend *The Saskatchewan Employment Act*

(Assented to November 30, 2016)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Extension of Compassionate Care Act, 2016*.

S.S. 2013, c.S-15.1 amended

2 *The Saskatchewan Employment Act* is amended in the manner set forth in this Act.

New section 2-56

3 Section 2-56 is repealed and the following substituted:

“Compassionate care leave

2-56(1) In this section, **‘member of the employee’s family’** means a member of a class of persons prescribed pursuant to the regulations made pursuant to the *Employment Insurance Act* (Canada).

(2) An employee is entitled to a compassionate care leave of up to 28 weeks to provide care or support to a member of the employee’s family who has a serious medical condition with a significant risk of death within 26 weeks from the date the leave commences.

(3) In a period of 52 weeks, an employee is not entitled to take more than one compassionate care leave pursuant to subsection (2).

(4) An employee’s compassionate care leave pursuant to subsection (2) ends:

(a) if the employee is no longer providing care or support to the family member;

(b) on the termination of the 28-week period mentioned in subsection (2);
or

(c) on the death of the employee’s family member”.

Section 2-74 amended

4 Subsection 2-74(1) is amended by striking out “subsection 4-3(2)” and substituting “subsection 4-3(3)”.

New section 4-3

5 Section 4-3 is repealed and the following substituted:

“Selection of adjudicator

4-3(1) In this section and section 4-4, **‘registrar’** means the registrar of the Labour Relations Board provided pursuant to section 6-99.

(2) The director of employment standards and the director of occupational health and safety shall inform the board of an appeal or hearing to be heard by an adjudicator.

(3) On being informed of an appeal or hearing pursuant to subsection (2) and in accordance with any regulations made pursuant to this Part, the registrar shall select an adjudicator”.

Section 4-4 amended

6(1) Subsection 4-4(1) is amended in the portion preceding clause (a) by striking out “, the board” and substituting “and in accordance with any regulations made pursuant to this Part, the registrar”.

(2) Subsection 4-4(2) is amended by striking out “An adjudicator” and substituting “Subject to the regulations, an adjudicator”.

Section 4-7 amended

7 Subsection 4-7(1) is amended in the portion preceding clause (a) by striking out “An adjudicator” and substituting “Subject to the regulations, an adjudicator”.

New section 4-12

8 The following section is added after section 4-11:

“Regulations for Part

4-12(1) The Lieutenant Governor in Council may make regulations:

- (a) prescribing the duties of an adjudicator pursuant to clause 4-2(c);
- (b) for the purposes of section 4-4, prescribing procedures for an appeal or hearing;
- (c) for the purposes of section 4-7:
 - (i) respecting the decision of the adjudicator; and
 - (ii) prescribing procedures for service of the adjudicator’s decision;
- (d) prescribing any other matter or thing that is required or authorized by this Part to be prescribed in the regulations; and
- (e) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Part.

(2) If there is any conflict between the regulations made pursuant to this Part and any other provision of this Act or any other Act, regulations or law, the regulations made pursuant to this Part prevail”.

Coming into force

9 This Act comes into force on assent.