

Legal Corner

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Off the Bench: Navigating Medical Leave and Accommodation for Coaching Staff in Ontario

Sports teams and organizations, like any employer, sometimes face uncertainty when a coach, trainer, or staff member takes sick leave or requests workplace adjustments due to health conditions. Recent legal changes in Ontario and other provinces aim to simplify these situations, especially around short-term absences.

Ontario's New Rules on Sick Notes

As of October 28, 2024, employers in Ontario can no longer request a doctor's note for the first three days of unpaid, job-protected sick leave under the *Employment Standards Act*, 2000 S.O. 2000, c. 41. This leave applies to personal illness, injury, or medical emergencies.

This update reflects a broader shift across provinces like Québec, Saskatchewan, and British Columbia to protect employee privacy and streamline leave processes while still allowing employers to manage team operations effectively.

What Medical Info Can Be Requested?

Team management still has a duty to accommodate employees with physical or mental health conditions up to the point of undue hardship. When an employee requests time off due to a health condition or an adjustment of their workplace duties to accommodate a disability, an employer may still request limited medical details but not full diagnoses or personal health histories.

Information an employer is generally allowed to request includes: (a) How long the person is expected to be away; (b) Whether accommodations are needed (e.g., fewer hours, changes to physical tasks); (c) Functional limitations related to the role; and (d) Whether the condition is short- or long-term.

For short-term sick leave, asking for too much medical detail is offside. Any information collected must be tied to the person's job duties and proportionate to their absence.

Cooperating With the Process

The employer and the employee are expected to cooperate during the accommodation process, especially if the employee's condition affects their job performance or requires longer leave. Still, organizations must handle any medical details with care and avoid unnecessary barriers that discourage open communication.

If you oversee staff or volunteer management in Ontario, now is the time to update your internal policies to reflect the new limits on sick note requests and clarify what medical information is appropriate to request during accommodation discussions. Staying informed and flexible helps support team performance - on and off the field.

Catherine Willson and Ryan Scott are counsel in the law firm, True Law, a law firm in Toronto, Ontario (www.truelawlegal.ca). This information deals with complex matters and may not apply to particular facts and circumstances. The information reflects laws and practices that are subject to change. For these reasons, this information should not be relied on as a substitute for professional advice in connection with any particular matter. Readers may contact Catherine Willson at catherine@truelaw.legal or 416- 601-6802 x 298 with any questions.