



## Sick Note Request – Physician Response (NS)

Date: \_\_\_\_\_  
(dd/mm/yyyy)

Patient Name: \_\_\_\_\_  
(Last, First, Middle Initial)

Greetings,

I recently received a request for a medical note from one of your employees for the purposes of confirming their recent absence from work.

As you may be aware, in Spring 2023, the Provincial Government introduced a new Act, the *Medical Certificates for Employee Absence Act* to limit the circumstances in which employers can require employees to provide medical notes from a qualified health professional, including a physician. Employers with a sick note policy for missed time put an added burden on the health-care system. When employees seek sick notes, they reduce access for those patients who really need to see me and increase the hours I have to spend on paperwork. Both have a direct impact on patient care. This legislative change was done primarily to limit the unnecessary use of the healthcare system. These changes came into effect on July 1<sup>st</sup> and they are summarized below.

### **When is a medical note allowed?**

Provincially regulated employers are only allowed to request a medical note from employees who:  
are absent for **more than five** consecutive working days, or;  
who have already had **two non-consecutive** absences of **five days or less** due to illness or injury in the previous **12 months**.

### **Who does the Act apply to?**

The new Act applies to provincially regulated employees and employers. These include:

- employers whose business is regulated by the provincial government (this applies to approximately 90% of employers in Nova Scotia)
- employees of provincially regulated employers regardless of the employee’s status, e.g., probationary, permanent, full time, part time, casual, seasonal

### **Who does the Act not apply to?**

The new Act does not apply to federally regulated employers or employees. These include (but are not limited to):

- financial institutions, airlines, federal Crown Corporations and federal civil servants, and radio telecommunications companies.

### **What can happen if an employer requests a medical note in violation of the Act?**

Complaints regarding a potential contravention of the Act can be filed with the Labour Standards Division. If it is determined that an employer violated the Act, this can result in an order directing the employer to comply with the Act and to pay a financial remedy to the employee. Employers can also be subject to penalties for violating the Act.

Employers and employees can contact the Labour Standards Division at 1-888-315-0110 or [labourstandards@novascotia.ca](mailto:labourstandards@novascotia.ca) with questions about the Act.

I would encourage you to ensure your absenteeism policy complies with the new rules to help reduce the unnecessary burden on our health-care system and improve access for all Nova Scotians.

Thank you,

\_\_\_\_\_  
Provider Name

\_\_\_\_\_  
Clinic Name