

Ontario Further Extends COVID-19 Paid Sick Days and Infectious Disease Emergency Leave Period Into July 2022

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On December 7, 2021, the Government of Ontario extended the [COVID-19 Worker Income Protection Benefit](#) and the temporary amendments to the *Employment Standards Act, 2000*, which provided for the infectious disease emergency leave (IDEL) provisions. These initiatives were set to expire at the end of December 2021. The COVID-19 Worker Income Protection Benefit program and the IDEL will now extend until July 31, 2022, and July 30, 2022, respectively.

With the increased number of COVID-19 cases, the province is providing these extensions to respond to the needs of both workers and employers.

COVID-19 Worker Income Protection Benefit Program

The [Ontario COVID-19 Worker Income Protection Benefit](#) program took effect on April 29, 2021. This program entitles eligible employees to as many as three days of *paid* IDEL. As we have previously [reported](#), employees can use this leave for reasons related to COVID-19, including:

- COVID-19 testing;
- vaccination;
- self-isolation; and
- caring for a family member.

With the expansion of booster shot eligibility, the province [stated](#) that the paid leave days would “help more workers take time off to get their booster shots” and provide parents with the time to vaccinate their children.

Once eligible employees have been paid for their sick days, eligible employers must submit an [application](#) to the COVID-19 Worker Income Protection Benefit program within 120 days to receive

reimbursement. Employers will be reimbursed for up to \$200 paid to their employees, for each day of leave.

Infectious Disease Emergency Leave

The IDEL was [introduced](#) in June 2020 to address the impacts of COVID-19 outbreaks in nonunionized workplaces. The IDEL was applied retroactively to March 1, 2020.

The IDEL allows employers to place employees on leave when their hours of work are reduced for a reason related to COVID-19, [including](#):

- “that the employee is under medical investigation, supervision or treatment;
- that the employee is in quarantine or isolation;
- that the employee is providing care or support to another individual; or
- that the employee is affected by travel restrictions.”

With the IDEL, Ontario employers may [place employees on leave](#) rather than initiate temporary layoffs due to COVID-19–related conditions. Without this leave, such employers could be subject to constructive dismissal claims from employees laid off for periods longer than those permitted under the Employment Standards Act, 2000.”

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