c 120 The Employment Standards Amendment Act, 1972

Ontario
CHAPTER 120

An Act to amend
The Employment Standards Act

Assented to June 30th, 1972
Session Prorogued December 15th, 1972

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

1. The Employment Standards Act, being chapter 147 of the
Revised Statutes of Ontario, 1970, is amended by adding
thereto the following Part:

PART II-A

PREGNANCY LEAVE

13a.—(1) An employer shall not terminate the employ-
ment of an employee because of her pregnancy, but
the employer, before or after the commencement
of the period referred to in subsection 2, may require
the employee to commence a leave of absence at such
time as the duties of her position cannot reasonably
be performed by a pregnant woman or the per-
formance of the employee’s work is materially
affected by the pregnancy.

(2) Every employer shall, upon the request of an em-
ployee and receipt of a certificate by a legally qualified
medical practitioner stating that the employee named
therein is pregnant and specifying the date upon
which delivery will occur in his opinion, grant or
cause to be granted to the employee a leave of
absence at any time during a period of six weeks
immediately preceding the specified date and until
the date of actual delivery.

(3) The employee shall not work and the employer shall
not cause or permit her to work for at least six weeks
after the date of delivery or for such shorter period as,
in the written opinion of a legally qualified medical
practitioner, is sufficient.
(4) Where the employee reports for work upon the expiration of the period referred to in subsection 3, the employer shall permit her to resume work with no loss of seniority or benefits accrued to the commencement of the maternity leave.

(5) For the purposes of subsection 1, an employee shall produce, when so requested by the employer, the certificate referred to in subsection 2.

(6) This section does not apply in respect of an employer unless he employs twenty-five or more employees.

(7) This section does not apply in respect of an employer unless the employee has worked continuously for her employer for at least one year prior to the commencement of the period of six weeks referred to in subsection 2.

13b. This Part binds the Crown.

2. This Act comes into force on the day it receives Royal Assent.

3. This Act may be cited as The Employment Standards Amendment Act, 1972.