

Memo to Employers: Changes to Saskatchewan Employment Legislation

From: Laurie C Ballantyne, Human Resources Consultant

Date: May 2025

Dear Colleagues and Clients,

The Government of Saskatchewan proposed amendments to The Saskatchewan Employment Act and The Workers' Compensation Act in December 2024, and on May 13, 2025, they passed and approved the amendments. According to the Government of Saskatchewan, these changes aim to reduce administrative burdens for employers while strengthening employee rights.

Please note: **These amendments are currently approved, but have not yet come into effect. There is no confirmed timeframe for when they will be enacted, and the current information indicates later this government fiscal year (April 1- March 31).** Until the government announces an effective date, existing employment legislation remains in effect.

Additionally, the team at Employment Standards does not have further details, clarification, or insights beyond what has been publicly announced and approved. They are unable to provide additional interpretation or guidance on the proposed changes at this time, but are working to have more information and insights for employers and employees prior to their effective date.

Below is a summary of the approved, but not yet in effect, changes, focusing on what they mean for your business processes and policies:

Proposed Changes Impacting Employer Processes and Policies

Overtime Rules

- Employers may define a workday for overtime as either a calendar day or 24 consecutive hours.
- **What This Means:** Employers will need to decide on and document how the workday for overtime is defined and communicate this to employees.

Group Termination Notice Threshold

- Employers must provide Group Termination notice when terminating or laying off 25 or more employees (up from the current threshold of 10).
- **What This Means:** Workforce reductions of 25 or more people must contemplate both Group Termination and Individual Termination notice periods, this change eases administrative requirements for smaller layoffs of less than 25 people and limits the requirements to individual termination notice periods.

Regulation of Tips

- Employers will be prohibited from deducting or withholding employee tips.
- **What This Means:** Businesses in industries where tipping is common will need to ensure policies comply with this regulation, requiring changes to payroll processes if tips are currently deducted.

Employee Protections for Discriminatory Actions

- The Director of Employment Standards will have the authority to reinstate employees or award compensation for lost wages in cases of discriminatory actions, replacing the current court-order process.

- **What This Means:** Employers may face quicker resolutions in such cases, highlighting the need for fair employment practices and accurate documentation.

Sick Note Requests

- Sick notes can only be requested if an employee is absent for more than five consecutive working days or absent twice for two or more days in a 12-month period.
- **What This Means:** Employers should adjust policies around sick leave documentation (medical note) requests to align with these limits.

Bereavement Leave

- Employees may access bereavement leave within six months of a death, including for pregnancy loss or the death of someone considered "like family."
- **What This Means:** Employers should update bereavement leave policies to reflect the extended timeframe and broadened eligibility criteria.

Maternity Leave for Pregnancy Loss

- Employees experiencing a pregnancy loss up to 20 weeks before their due date (previously 13 weeks) will qualify for maternity leave. Additionally, the terminology in maternity leave provisions will be changed from "miscarriage or stillbirth" to "loss of pregnancy".
- **What This Means:** Employers will need to update maternity leave policies to ensure employees are aware of their rights and that HR teams are prepared to handle leave requests in these circumstances with sensitivity and compliance.

Interpersonal Violence Leave

- A new 16-week unpaid leave will be added alongside the current 10-day leave (5 of which are paid by the employer) for employees affected by interpersonal violence.
- **What This Means:** Employers should prepare to accommodate longer leave periods for affected employees and ensure appropriate communication about their leave rights.

Illness or Injury Leave

- Leave will be extended from 12 to 27 weeks to align with federal Employment Insurance benefits.
- **What This Means:** Employers should anticipate longer sick leave durations and consider the potential operational impact of extended absences.

Retail Worker Days Off

- Retail workers will have at least one guaranteed day off per week.
- **What This Means:** Employers in retail must ensure scheduling practices comply with this requirement, providing all retail employees with a guaranteed weekly day off.

Vacation Pay Clarification

- Employers will not owe vacation pay for periods covered by pay-in-lieu of notice.
- **What This Means:** Employers can clarify payroll practices to avoid duplicating payments for vacation and pay-in-lieu of notice periods.

Meal Break Variances

- Non-unionized employers can seek written consent from employees for changes to meal breaks or scheduling. Unionized workplaces can negotiate changes without prior approval from the Director of Employment Standards.

- **What This Means:** Review and update scheduling and break policies to include provisions for employee consent in non-union settings if meal breaks are going to be different than the legislated breaks.

Appeals Process

- Appellants can withdraw appeals at any time.
- **What This Means:** Employers involved in appeal processes may see faster resolutions if appellants choose to withdraw.

Next Steps for Employers

1. **Stay Informed:** Monitor updates to confirm when these amendments come into effect.
2. **Policy Review:** Begin reviewing existing policies and processes to identify areas requiring updates.
3. **Documentation & Communication:** Once changes are in effect, update employee handbooks and communicate clearly with employees about new policies.
4. **Seek Guidance:** If you need assistance in preparing for these changes, please contact us for tailored support.

I will keep you updated on the status of these amendments and help ensure your organization remains compliant when the changes take effect.

Kind regards,



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