

May 6, 2024

Employment, Labour, and Corporate Policy Branch  
Ministry of Labour, Training and Skills Development  
400 University Avenue, 15th Floor  
Toronto, ON  
M7A 1T7

Submitted via: [ESA-Leave-Consultation@ontario.ca](mailto:ESA-Leave-Consultation@ontario.ca) and the Ontario Regulatory Registry Portal

**Re: 24-MLITSD004 - Consultation on Personal Long-Term Illness Leave under the Employment Standards Act, 2000**

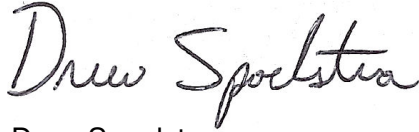
The Ontario Federation of Agriculture (OFA) is pleased to provide comments to the Ministry of Labour, Training and Skills Development (MLITSD) regarding proposed Personal Long-Term Illness Leave under the Employment Standards Act (ESA). OFA is the largest general farm organization in Ontario, proudly representing more than 38,000 farm family members. OFA has a strong voice for our members and the agri-food industry on issues, legislation and regulations administered by all levels of government. We are passionate and dedicated to ensuring that the agri-food sector and rural communities are considered and consulted with for any new or changing legislation that would impact the sustainability and growth of our farm businesses.

OFA represents the interests of Ontario's farm businesses – the employers of farm labour. In that role, we take our obligations to farm workers seriously and believe that all farm workers, from both Canada and abroad, should be treated with dignity and respect, and be provided with a safe, fair and rewarding work environment. We appreciate that a comprehensive range of job protected leaves of absence is necessary in modern, progressive workplace legislation. However, we also recognize there is a critical need to strike the right balance between providing for the needs of workers and the needs of employers to ensure business continuity in what is already a very challenging agricultural labour environment.

Rather than creating a new long-term leave for a 'serious medical condition', OFA recommends expanding the existing 'critical illness leave' to employees and align it with the Federal government's Employment Insurance (EI) sickness benefits. In the interests of reducing ambiguity, it is important that the eligibility criteria for leaves of absence are well-defined, and not open to broad interpretation or abuse. Providing clarity around which medical practitioner is considered qualified to provide a medical certificate to satisfy an evidence requirement will only help small and medium sized employers navigate complex labour legislation.

OFA appreciates the opportunity to provide comments on this consultation. We further appreciate that MLITSD is consulting with stakeholders early in the policy development process. We look forward to providing further comments should MLITSD decide to pursue expanding the scope of leaves of absence.

Sincerely,



Drew Spoelstra  
President