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The Foundations of Decent Work

An Evaluation of Nova Scotia Labour Standards

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Summary of Findings and Recommendations

This report finds that Nova Scotia continues to lag behind other jurisdictions regarding standard and minimal protections for workers in the province. There have only been small improvements in the last six years since we released our previous report examining labour standards in Nova Scotia. These standards are increasingly important as work becomes more precarious, and with new forms of work organizations, more workers are falling through the cracks. The *Labour Standards Code*, the core of the framework for employment standards, was passed into legislation in 1989, with limited reforms since then.

Findings

1. **The current complaint-based system for enforcement of Nova Scotia's labour code is inadequate** because it relies on vulnerable workers speaking out against their employers.
2. **Many workers are not covered by Nova Scotia's labour code** and others are misclassified which leaves them without minimal protections. Several jurisdictions have amended the coverage for gig workers who are often misclassified as independent contractors. However, gig workers in Nova Scotia continue to be misclassified and not covered by the *Labour Standards Code*.
3. **Just cause for termination** currently only protects Nova Scotia workers with at least 10 years experience with the same employer, which **leaves many workers without any protection** from dismissal.
4. When comparing the minimum wage to the living wage, the gap between these wages has been shown to grow despite increases to the minimum wage, underlining the **inadequacy of the minimum wage to ensure workers have enough to make ends meet**. Even given its inadequacy, the minimum wage exempts many workers and classifications of workers from not going below that wage floor.

5. Some of the lowest-paid employees in Nova Scotia work in sectors where tipping is common. While tipping can serve as a critical supplement for low waged workers, **the Nova Scotia labour code provides no protection for workers to keep the tips and gratuities intended for them.** Six other Canadian jurisdictions have these protections in place.
6. **At 48 hours, Nova Scotia continues to have one of the longest workweeks in the country.** Only PEI workers are like those in Nova Scotia, eligible for overtime pay once they have worked more than 48 hours a week.
7. **When it comes to overtime pay, there are exceptions or loopholes in the legislative framework** both for ensuring workers are paid regular wages all their hours worked, and that they are guaranteed minimum hours.
8. **Workers in Nova Scotia only have access to six statutory holidays.** Newfoundland and Labrador also only has six, while three other jurisdictions have 11 and three others have ten. The requirements for Nova Scotia workers to even qualify for pay for these six days leaves many without even access to that many (only if they were entitled to receive pay for at least 15 of the 30 calendar days before the holiday and have to work on their last scheduled shift the day before the holiday and the day after the holiday.)
9. Access to annual vacation time and pay is critical for work-life balance and to reward workers for their productivity. Current provisions, which have not been amended in Nova Scotia since 2007, mean **workers have to wait for more than a year and only have access to two weeks of vacation or four per cent of their wages in lieu of time off.** In Nova Scotia vacation only increases to three weeks after eight years. Many jurisdictions in Canada have increased leave provisions.
10. Nova Scotians have access to some unpaid leave for different reasons. **The only leave provision that is a combination of paid and unpaid leave provisions is for intimate partner violence, where we find Nova Scotia leads the country.** Nova Scotia did improve unpaid sick leave, where workers now access eight unpaid sick days/family responsibility days once they have worked for the same employer for three months (with still some requirements for doctors' notes). **The lack of provision for any paid sick leave remains a significant gap in minimal standards in Nova Scotia** when 39.2 per cent of workers have no access to paid sick days, something the pandemic should have taught us is essential.

Summary of Recommendations:

We call on government to:

- Immediately **strike a Fair Wages and Decent Jobs Commission**, meaningfully involving union representatives, industry representatives, scholars, labour law experts, advocates, and others. Such a Commission would recommend the adoption of targets and measures to assess progress towards achieving principles of decent work.

While work needs to be done to ensure that labour standards respond to issues and trends beyond the basics outlined in this report, there are many immediate changes that could be made. Our recommendations are a call for legislative changes to be enacted by the provincial government to create decent working conditions for Nova Scotians, as follows:

Inclusive, Fair and Proactive Labour Protections:

- Set-up and fully fund a unit for proactive enforcement of labour standards, moving away from the complaint-based system, while better protecting workers who stand up for their rights. Increase the time period for filing complaints to two years.
- The Labour Standards Division should provide annual reports on the number of complaints and the outcomes.
- Establish a wage protection fund to compensate workers whose employers do not comply with an Order to Pay. Strengthen the mechanisms for collecting unpaid wages from employers.
- A labour standards ruling that calls into question fundamental gaps in the protections of workers should immediately trigger a review.
- Expand Nova Scotia Labour Standards to include all workers, closing loopholes and ending all exemptions to minimum standards.
- Preserve the employment, wage rate, benefits, and union rights of existing or subcontracted workers whenever a contract is put out to tender or when a business is sold.

Address Misclassification of Gig Worker:

- Gig or platform workers should be presumed to be employees, forcing misclassification to be enforced using the “ABC test” as the means of establishing whether a worker is, in fact, an independent contractor, where:
 - A.** The worker is free from control and direction of the hiring entity in connection, both under the contract and in fact, for the performance of the work;
 - B.** The worker performs work that is outside the usual course of the hiring entity’s business; and,
 - C.** The worker is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed.
- Ensure that gig workers are paid for their engaged time and the time they spend waiting between gigs.
- Ensure that as employees they are fully covered by the *Labour Standards Code*.

Protection against unjust dismissal:

- All employees employed by the same employer for 12 consecutive months and not covered by a collective agreement cannot be dismissed or suspended without just cause.
- Employers must provide two weeks’ notice or pay for employees after three months.

Decent wages:

- Significantly raise the minimum wage with a plan to reach \$20 an hour and continue decreasing the living wage gap.
- Continue to ensure the minimum wage is adjusted annually for inflation plus one per cent to protect the floor from erosion. The adjustment should consider provincial inflationary costs and in particular, for rental and food inflation.
- Remove exemptions and ensure no worker can be paid less than the minimum wage.

Protection against tip theft:

- Any tips received are the property of the employee to whom they were directed and must be paid to the employee within a reasonable time frame.
- The employer is prohibited from receiving any of the tips, withholding them, or using them as wages or partial wages.
- Employers should not be allowed to deduct any administrative charges from tips.
- If tip-pooling is practiced, a clear policy must be developed with meaningful input from the employees, and must include clear records about the total amount of tips polled. Employers must inform all new employees about tip-pooling policies when hiring.

Decent Hours:

- Employees who work more than eight hours a day are entitled to overtime pay, and are also entitled to overtime pay when they work more than 40 hours a week.
- Employees receive 1.5 times their hourly rate for the next four hours worked beyond eight and double time for all hours worked more than 12 hours a day.
- The maximum number of hours that can be worked weekly is 48.
- Employers provide a guaranteed minimum number of hours of work each week to part-time employees and that they are paid regular wages for the entire time they are working.
- Employees are given one unpaid hour break after five consecutive hours of work. If the organization asks you to be available during your break, they must pay you for the complete hour.
- Employees must receive at least 32 consecutive rest hours each week. If you work during your rest period, your employer must pay you 1.5 times your regular hourly wage for every hour worked. They must also provide a minimum of eight hours of rest between each work shift.
- Employees will be given their work schedules two weeks in advance.
- Employers offer additional hours to current employees before hiring new staff.

Paid Statutory Days Off:

- Employees can access at least 10 statutory/public holidays, matching the ones available in the Canada Labour Code (New Year's Day, Good Friday, Victoria Day, Canada Day, Labour Day, National Day for Truth and Reconciliation, Thanksgiving, Remembrance Day, Christmas Day, Boxing Day).
- Employees are paid time-and-a-half for hours worked on a statutory holiday and double-time for hours worked over 12 hours.
- Employees who have the day off are paid a regular day of average wages.
- Language around who qualifies for the statutory holiday must be removed so that there is not a requirement about being entitled to receive pay for at least 15 of the 30 calendar days before the holiday and that employees no longer have to work on their last scheduled shift the day before the holiday and the day after the holiday.

Paid Vacation:

- Employees accrue vacation time or pay for each month they are employed in their first year.
- Employees who work for more than one year have access to three weeks of paid vacation (or six per cent pay in lieu) and four weeks after 10 years (or eight per cent pay in lieu).

Paid Sick Leave:

- All employees should be entitled to 10 employer-paid sick leave days that can also be used for taking care of family members, plus 14 paid days off during public health outbreaks.
- Allow employees to carry forward unused sick days/family responsibility days.
- Prevent the employer from requiring doctor's notes to access paid leave.

Introduction: What is decent work?

In 2019, the Nova Scotia office of the Canadian Centre for Policy Alternatives published a comprehensive report comparing labour standards in Nova Scotia to those of the other provinces and territories and federal regulations.¹ The world has changed remarkably since then, with workers affected in different ways by the changing dynamics and value of paid work brought by the COVID-19 pandemic, the climate crisis, and the rise in inflation. With an increase in precarious work comes significant gaps in protection by minimal standards, let alone how to protect workers from the unknown effects of artificial intelligence and other new technologies.

This report re-examines Nova Scotia's *Labour Standards Code*² to understand what has changed over the last six years compared to other jurisdictions. This report focuses on minimum wage rates, working time provisions, public holidays and public holiday pay, annual vacation and vacation pay entitlement, termination and severance, paid and unpaid leaves, and protection against tip theft. It also underlines that there is a need for protections that cover more workers, including but not limited to gig-economy workers.

This report's key question is how effective minimal labour standards are at providing a foundation for decent working conditions in Nova Scotia. To set the stage for this discussion what would decent working conditions look like?

¹R. Casey. (2019). *A Rising Tide to Lift All Boats Recommendations for Advances to Nova Scotia's Labour Standards Code*. Halifax: CCPA-NS.
<https://www.policyalternatives.ca/wp-content/uploads/attachments/Rising%20tide%20lifts%20all%20boats.pdf>

² Province of Nova Scotia. *Labour Standards Code, CHAPTER 246 OF THE REVISED STATUTES*, 1989. Government of Nova Scotia.
<https://www.nslegislature.ca/sites/default/files/legc/statutes/labour%20standards%20code.pdf>

According to the International Labour Organization (ILO), decent work is “productive work for women and men in conditions of freedom, equity, security and human dignity.”³ The agenda for decent work was developed in response to the forces of globalization beginning in the 1980s that saw work become reorganized with downsizing, outsourcing, offshoring and working contracts became fragmented (precarious work, zero-hour contracts, long and deviating working hours, agency work).⁴ Decent work is a focus on the quality of the job. This is also one of the UN 2030 Social Development goals, defining decent work as “opportunities for everyone to get work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration.”⁵

As this report is the first in our series on advancing decent work in Nova Scotia, we adopt the key elements of decent work as:

- “pays a fair income
- guarantees secure employment and safe working conditions
- ensures equal opportunities and treatment for all
- includes social protection for workers and their families
- offers prospects for personal development and encourages social integration
- allows workers to express their concerns freely and to organize”⁶

Ensuring decent working conditions goes beyond just considering what minimal protections are in place to stop exploitation. Working conditions are tied to broader social and economic policy as well, including issues such as paid parental and maternity leave, access to affordable (or free) public post-secondary education, access to child care, as some examples. Our series will focus on some of the critical foundations for decent work, including this one on labour standards and minimum wage, as well as a forthcoming report on unionization, and on pay equity. CCPA-NS’ broader slate of publications including the forthcoming alternative budget addresses these broader social and economic conditions.

³ International Labour Organization. (1999). Decent Work. Report of the Director-General, 87th Session, International Labour Conference.

[https://webapps.ilo.org/public/libdoc/ilo/P/09605/09605\(1999-87\).pdf](https://webapps.ilo.org/public/libdoc/ilo/P/09605/09605(1999-87).pdf)

⁴ R Rantanen, J., Muchiri, F., & Lehtinen, S. (2020). Decent Work, ILO’s Response to the Globalization of Working Life: Basic Concepts and Global Implementation with Special Reference to Occupational Health. *International Journal of Environmental Research and Public Health*, 17(10), 3351. <https://doi.org/10.3390/ijerph17103351>

⁵ <https://www.un.org/sustainabledevelopment/economic-growth/>

⁶ Arora, K. & Spiteri, S. (2023). What is “decent work”. <https://lmic-cimt.ca/what-is-decent-work/>

Inclusive and Fair Job Protections

We have outlined critical and immediate changes that should be made for minimal protections for workers. However, strengthening the legislative framework must be made while also shifting toward effective proactive enforcement with inspectors, and meaningful fines. Reforms for enforcing labour standards and setting up a new enforcement unit could mirror the way health and safety inspections, joint committees, and reporting, as well as fines for violations. We also must ensure that all workers are equally protected under the law (see Appendix A for excluded workers in Nova Scotia).

It is important to underline that these labour protections are for non-unionized workers and that is not an insignificant portion of the labour force. The percentage of workers covered by collective bargaining in Nova Scotia has remained at around 30 per cent for decades (30.3 per cent in 1997 and 29.2 per cent in 2023).⁷ Nationally, union coverage rates are higher for workers aged 25 and older, women, as well as public sector workers, and the lowest coverage in accommodation and food services.

The primary way that these minimal standards are enforced is by investigating a worker's complaint. However, the workers for whom the minimal protections are critical are often low-waged, precarious workers, least able to risk filing a complaint against their employers. Studies analyzing this complaint-system have shown that few workers will risk doing so, and many only risk it once they are no longer working there.⁸ Additionally, workers have six months after the violation occurs to file the complaint. This short time period creates additional barriers for employees. Some jurisdictions, such as Newfoundland and Labrador, Ontario, and Nunavut allow for two years to file a complaint.

⁷ Statistics Canada. Collective bargaining coverage rate, 2023.

<https://www150.statcan.gc.ca/n1/pub/14-28-0001/2024001/article/00010-eng.htm>

⁸ Leah F. Vosko, John Grundy, Eric Tucker, Andrea M. Noack, Mary Gellatly, Rebecca Casey, Mark P. Thomas, Guliz Akkaymak, and Parvinder Hira-Friesen. *Closing the Employment Standards Enforcement Gap, An Agenda for Change*. Osgoode Law School, Digital Commons. <https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=1222&context=reports>

Recommendations:

- Set-up and fully fund a unit for proactive enforcement of labour standards, moving away from the complaint-based system, while better protecting workers who stand up for their rights. Increase the time period for filing complaints to two years.
- The Labour Standards Division should provide annual reports on the number of complaints, and the outcomes.
- Establish a wage protection fund to compensate employees whose employers do not comply with an Order to Pay. Strengthen the mechanisms for collecting unpaid wages from employers.
- Stronger penalties for employers who violate the *Labour Standards Code*.
- A labour standards ruling that calls into question fundamental gap in the protections of workers should immediately trigger a review.
- Expand Nova Scotia labour standards to include all workers, closing loopholes and ending all exemptions to minimum standards.
- Preserve the employment, wage rate, benefits, and union rights of existing or subcontracted workers whenever a contract is put out to tender or when a business is sold.

Gig-Economy Workers

One type of worker often excluded in labour standards legislation is gig workers. Gig work includes “paid activities that involve very short-term tasks or jobs with no guarantee of future work”.⁹ Although there is a long history of gig work, such as in the music world and freelance workers, most of this current work is often done through a digital platform, and the most common types of gig work include Uber, Uber Eats, DoorDash, TaskRabbit, and many others. A recent report from Statistics Canada uses a definition from the United Nations Economic Commission for Europe (UNECE). It defines gig workers as “people who accept short-term tasks, projects, or jobs”, “are paid per unit of work delivered”, and “have no assurance of steady employment and must make specific efforts on their own to obtain each task, project, or job”¹⁰. Digital platforms can include ones that provide a service to individual users (could include crowdfunding platforms), or that facilitate exchanges (such as a retail platform), or mediate work (such as a food delivery app), or a hybrid of these types.

Statistics Canada reports that 871,000 Canadians reported that gig work was their main job in the fourth quarter of 2022. This statistic grew in 2023, when nearly half a million people worked gig jobs¹¹. A significant concern for the gig economy is whether it falls under self-employment or employee status. Many gig workers are misclassified as independent contractors, meaning they are not covered by labour standards legislation.

Furthermore, gig workers tend to be low-paying with unpredictable schedules. They are at high risk of late or non-payment and unsafe working conditions, making them highly vulnerable.¹² The federal government recently addressed some of these challenges by modifying Part III of the *Canada Labour Code*. Other modifications were made in British Columbia and Ontario.

⁹ Hardy, V. (2024). *Defining and measuring the gig economy using survey data*. Labour Statistics: Research Papers, Catalogue no. 75-004-M – 2024001. Statistics Canada.

https://www150.statcan.gc.ca/n1/en/pub/75-004-m/75-004-m2024001-eng.pdf?st=RX_q-h_S

¹⁰ United Nations. (2022). *Handbook of forms of employment*. p. 62

https://unece.org/sites/default/files/2022-08/2210309E_ECE_CES_STAT_2022_4_WEB.pdf

¹¹ Statistics Canada. (March 4, 2024). *Defining and measuring the gig economy using survey data: Gig work, digital platforms, and dependent self-employment*. *The Daily*.

<https://www150.statcan.gc.ca/n1/daily-quotidien/240304/dq240304b-eng.htm>

¹² Government of Canada. (2023). *What we heard: Developing greater labour protections for gig workers*. Final Report. Employment and Social Development Canada.

<https://www.canada.ca/content/dam/esdc-esdc/documents/corporate/portfolio/labour/program/s/labour-standards/reports/gig-workers-what-we-heard/WWHR-Developing-greater-labour-protections-for-gig-workers.pdf>

The federal legislation is for gig workers in federally regulated industries and addresses misclassification. This legislation now classifies gig workers as employees unless proven otherwise. The burden of proof is placed on employers.¹³ British Columbia's changes were made to recognize the growing reliance on the gig economy. Their new protections came into effect on September 3rd, 2024, and also addressed the misclassification of gig workers as independent contractors, whom the Employment Standards Act does not protect. The changes mean that gig workers will be considered employees, and as such, covered by the Employment Standards Act.¹⁴ Additionally, there are now specific employment standard legislations for ride-hailing and food-delivery workers. The new legislation includes establishing a minimum earnings standard of 120% of British Columbia's general minimum wage, which would be earned when the gig worker is engaged in the work. This engagement process starts when the gig-worker accepts the assignment and continues until the assignment is completed. However, this does not address the issue of unpaid time while the gig worker waits for assignments. The new legislation recognizes the cost of driving a personal vehicle, protects the tips earned by the gig worker, and ensures that pay is transparent. Gig workers also have better protection around suspensions and termination. Despite the improvements for gig workers, gig workers are not fully covered under the *Employment Standards Act*.¹⁵

¹³ Government of Canada. (2024). *Legislative changes to support federally regulated employees*. Employment and Social Development Canada. <https://www.canada.ca/en/employment-social-development/news/2024/06/legislative-changes-to-support-federally-regulated-employees.html>

¹⁴ Government of British Columbia. *Gig workers*. Employment Standards and Safety, updated September 2, 2024. <https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/gig-worker-engagement>

¹⁵ Government of British Columbia. (November 16, 2023). *Fairness coming for gig workers*. BC Gov News, <https://news.gov.bc.ca/releases/2023LBR0030-001799> and, Iglika Ivanova & Véronique Sioufi. (September 29, 2023). *Raising the bar for app-based work: CCPA-BC response to the BC Ministry of Labour discussion paper Proposing Employment Standards and Other Protections for App-Based Ride-Hail and Food-Delivery Workers in British Columbia*. CCPA-BC. https://policyalternatives.ca/sites/default/files/uploads/publications/BC%20Office/2023/09/ccpa-bc_app-based-workers-submission_Sep2023_%281%29.pdf

Ontario's changes for better protections for gig-workers came into effect on July 1, 2025 and fall under the *Digital Platform Workers' Rights Act, 2022*. This new act does not address the misclassification problem that is included in the changes at the federal level and in British Columbia. However, the changes address the right to information, such as information about how tips are collected, how pay is calculated, when the regular pay period and pay day are, and information about performance ratings and evaluations. Gig-workers have the right to know the estimated pay for the work performed and how it was calculated, the factors used to assign work to that worker, and whether there are consequences based on performance rating for the assignment or failure to perform it. Within 24 hours of completing a task, the gig worker has the right to know the actual amount they will be paid for the work, about the tips, how the pay was calculated, when they will be paid, a description of amounts paid to them for expenses, information about premium pay if relevant, and the start and end times of the assignment. Gig-workers removed from the digital platform must have a written explanation for why and be given two weeks' notice of any removal lasting more than 24 hours unless it was due to public safety concerns or required by law.

Most importantly, gig-workers have the right to be paid the general minimum wage, which cannot include tips or gratuities. The gig-worker also has the right to be informed when they receive a top-up to ensure they are paid minimum wage. However, the new changes for minimum wage payment are not enough as they only apply to the gig-workers' time engaged in the work and do not account for the time they spend waiting for another job.¹⁶ Although still not perfect, the 120% of the minimum wage rate included in British Columbia's changes for gig workers does attempt to address the fact that the waiting time between gigs is not included. However, their legislation includes engaged time from when the gig-worker accepts the task and continues until it is completed.

Nova Scotia needs protections for gig workers. It should follow some of the legislation changes in British Columbia and the federal legislation. The most important change is recognizing gig workers as employees, not independent contractors. Additionally, legislation is needed to ensure that gig workers are earning at least minimum wage. This is a vulnerable group of employees, and they need more protection.

¹⁶ Muriel Draaisma & Naama Weingarten. (July 1, 2025). *New law that aims to protect Ontario gig workers falls short, critics say*. CBC News. <https://www.cbc.ca/news/canada/toronto/new-rules-gig-workers-criticisms-1.7574411>

Recommendations:

- Gig or platform employees should be presumed to be employees, forcing misclassification to be enforced using the “ABC test” as the means of establishing whether a worker is, in fact, an independent contractor, where:
 - A. The worker is free from control and direction of the hiring entity in connection, both under the contract and in fact, for the performance of the work;
 - B. The worker performs work that is outside the usual course of the hiring entity’s business; and,
 - C. The worker is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed.¹⁷
- Ensure that gig workers are paid for their engaged time and the time they spend waiting between gigs
- Ensure that as employees they are fully covered by the *Labour Standards Code*.

Just Cause Dismissal Protection

Under the Nova Scotia labour code, employers can dismiss non-unionized workers at any time for any reason, unless they have been with the employer for ten years or more. Nova Scotia remains the only jurisdiction that provides extra protection for employees with 10 years or more of service. These employees cannot be fired or suspended without good reason or just cause. The federal labour code provides protections for federal employees against unjust dismissal. This protection is available for employees employed by the same employer for 12 consecutive months and not covered by a collective agreement.

¹⁷ Goldblatt Partners. (April 30, 2021). “Submission to the Public Consultation on Gig Work in Canada,”<https://goldblattpartners.com/wp-content/uploads/Submissions-on-gig-work-in-Canada-April-30-2021.pdf>

As the Workers Action Centre in Ontario states clearly, “Without protection from unjust dismissal, workers have less power in the workplace to speak out about employment violations and unsafe working conditions. Just-cause protections require employers to provide good reasons before terminating workers. Employers would have to give workers advance notice of performance issues and a good chance to address them.”¹⁸ This is especially concerning for workers who face discrimination and whose only recourse is the human rights process.

As recommended in the 2019 report, the extra protection for employees with 10 years or more should be continued, but expanded to employees with three or more years of experience. Additionally, the unjust dismissal protection for federal employees should be implemented in Nova Scotia.

Recommendation:

- All employees employed by the same employer for 12 consecutive months and not covered by a collective agreement cannot be dismissed or suspended without just cause.

Individual Termination Notice (or pay in lieu)

For employees with less than 10 years with the same employer, the only provision under the Code is to ensure the employee has received the notice of termination and/or severance pay to which they are entitled. The time required for Nova Scotia employers to either notify or pay their employees due to individual non-disciplinary terminations is one week’s notice or pay after three months of employment. Other jurisdictions, such as New Brunswick, Prince Edward Island, and the Yukon, require six months of employment before eligibility. However, employees in Nova Scotia are only eligible for two weeks’ notice or pay after two years of service, while other jurisdictions provide two weeks’ notice or pay for employees after three months. Nova Scotia is one of the 12 jurisdictions that provide eight weeks’ notice or pay for employees with ten years or more with the same employer. Eight weeks’ notice or pay is available for employees in the federal jurisdiction, Prince Edward Island, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia, the Northwest Territories, Nunavut, and Yukon.

¹⁸ Workers’ Action Centre. (2022) *From the Frontlines: An urgent agenda for decent work..*
<https://workersactioncentre.org/wp-content/uploads/2022/05/WAC-From-the-Frontlines-web.pdf>

Recommendation:

- Employers must provide two weeks' notice or pay for employees after three months.

Decent Wages: Lifting the Floor

Minimum wage rates in Nova Scotia had perennially been among the lowest in the country. However, the current minimum wage increase on October 1st, 2025 to \$16.50 sees Nova Scotia rank in the middle and is tied with Prince Edward Island which also had an increase on October 1st (see Figure 1 below). Since 2021, there is now a rate for all federal employees and is used unless the provincial or territorial minimum wage is higher. In those cases, the employee would receive the higher wage rate. The minimum wage rate for federal employees is now \$17.75 per hour.

Figure 1 / Minimum wages in Canada, October 1st, 2025



The most significant change since 2019 in Nova Scotia was the removal of the lower minimum wage rate for new or inexperienced employees as of April 1st, 2020.¹⁹ This inexperienced rate was the lowest minimum wage rate in Canada. To appease employers, when the Nova Scotia government removed the inexperienced wage it also removed the requirement that employers pay the partial hour round-up, which saw many workers lose pay. While employers claimed it was easier for payroll, paying for employees' exact work time to the minute they work past their regular hours must not be simpler.

There have been increases to the minimum wage rate in Nova Scotia, sometimes surpassing the annual inflation rate, as is outlined in the Minimum Wage Order. The order says "Effective on and after every April 1 beginning in 2025, the current hourly minimum wage rate for employees is adjusted by the percentage change in the projected annual Consumer Price Index for the calendar year immediately preceding the year in which the adjustment occurs, plus an additional 1%, and rounded to the nearest \$0.05."²⁰ There is a Minimum Wage Review Committee that was tasked with conducting an annual review and providing non-binding advice to the government.

Despite these increases, Nova Scotia's minimum wage rate falls short of the provincial living wage rate (the provincial weighted average is \$27.60 per hour).²¹ This difference is more pronounced for workers in Halifax, where the living wage is \$29.40 per hour. Although there have been improvements with the minimum wage rate since 2019, the amount is still not enough to ensure that employees can afford to live in the province.

The increases in the minimum wage in recent years were made after a long period of neglect in which rates fell behind the cost-of-living increases. As the living wage analysis reveals, the gap between what people need to earn and the minimum wage has almost doubled since 2018. In Nova Scotia, approximately 50 per cent of workers earn less than a living wage, with more women than men below that threshold.²² We also know that over 30% of Nova Scotia workers earn less than \$20 an hour.²³

¹⁹Government of Nova Scotia. (2020). Press Release: Government announces largest increase to minimum wage in decades. <https://news.novascotia.ca/en/2020/01/30/government-announces-largest-increase-minimum-wage-decade>

²⁰ Minimum Wage Order (General): <https://novascotia.ca/just/regulations/regs/lscmwgen.htm>

²¹ Cerdas Sandi, D., Saulnier, C., & Williams, R. (2025). 2025 Living Wages for Newfoundland and Labrador, Nova Scotia and Prince Edward Island. Too many workers struggle to make ends meet. CCPA-NS. <https://www.policyalternatives.ca/wp-content/uploads/2025/08/2025-Living-Wages-for-NL-NS-and-PEI-Too-many-workers-struggle-to-make-ends-meet-1.pdf>

²² Statistics Canada (2025), *Employee wages by industry, monthly, unadjusted for seasonality* (Table 14-10-0063-01), <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1410006301>

²³ Saulnier, C. and Thompson, K. (2024). *Atlantic Canadians need a raise: One-third of Workers Earn Less than \$20 an hour*. CCPA NS Office.

Raising the minimum wage should help by lifting all those at the bottom of the wage ladder. However, while many assume that the minimum wage is the lowest wage that any employee can be paid in Nova Scotia, there are many sectors where all or certain members of the sector are exempted from paying this rate. Indeed, many jurisdictions have special rules for certain types of employees. Nova Scotia has a special rate for logging and forestry employees and construction and property maintenance employees (the complete list for Nova Scotia is in Appendix A).²⁴

Recommendations:

Nova Scotia's economy is systemically and structurally based on a low-waged labour market, which is unsustainable. By lifting minimum wage earners, we begin to address these challenges benefiting these workers primarily and also level the playing field for all employers.

- Significantly raise the minimum wage with a plan to reach \$20 an hour and continue decreasing the living wage gap.
- Continue to ensure the minimum wage is adjusted annually for inflation plus 1 per cent to protect the floor from erosion. This adjustment should consider provincial inflationary costs and in particular, for rental and food inflation.
- Remove exemptions and ensure no worker can be paid less than the minimum wage.

<https://www.policyalternatives.ca/wp-content/uploads/2024/08/Atlantic-Low-Wage-Workers-2024-CCPANS-July-25.pdf>

²⁴ Government of Nova Scotia. *Minimum wage*. Labour, Skills and Immigration. <https://novascotia.ca/lae/employmentrights/minimumwage.asp>

Protections Against Tip Theft

Some of the lowest-paid employees in Nova Scotia work in sectors where tipping is common; however, another gap in labour legislation is around protection for employees who receive tips and gratuities. A primary concern for employees who receive tips and gratuities is a practice commonly called ‘tip theft’. Tip theft occurs when the employer takes tips or gratuities left for the employee. While many jurisdictions protect employees against tip theft, it is missing from the Nova Scotia *Labour Standards Code*. In fact, Nova Scotia is the only province in Atlantic Canada without legislation to protect employees against tip theft. The Halifax Workers’ Action Centre has been advocating for legislation changes.²⁵ The Nova Scotia New Democratic Party also introduced a Private Member’s Bill in 2023, but it did not move beyond that stage.²⁶

Tip theft protection is available for employees in other jurisdictions across Canada, such as Newfoundland and Labrador, Prince Edward Island, New Brunswick, Quebec, Ontario, and British Columbia. Saskatchewan’s legislation will come into force later this year. The main protections include ensuring that tips and gratuities belong to the employee who received them, including in the following jurisdictions: Prince Edward Island, New Brunswick, Quebec, Newfoundland and Labrador, Ontario, and Quebec. Prince Edward Island and New Brunswick include legislation that protects employees from being required to share their tips with employers and Newfoundland and Labrador extends this to include not being required to share with employers, managers, and supervisors. Employers in British Columbia are permitted to receive pooled tips if they do work similar to that of the employees and employers and managers in Ontario can participate in the tip pool, but only if they are the sole proprietor, partner, director, or shareholder in the business and perform similar work to the employees.

²⁵ Aalders, C. (2023). *Halifax advocacy group urges Nova Scotia to ban ‘tip theft’*. CBC News. <https://www.cbc.ca/news/canada/nova-scotia/tip-theft-halifax-worker-s-action-centre-1.6890276>

²⁶ Nova Scotia Legislature. (2024). *Bill 366: Tip and Gratuity Theft Prevention Act: An Act to Amend Chapter 475 of the Revised Statutes, 1989, the Labour Standards Code*. 64th General Assembly, 1st Session. https://nslegislature.ca/legc/bills/64th_1st/1st_read/b366.htm

Tip pooling is permitted in many jurisdictions, but there is legislation around how pooling occurs. Tip pooling must benefit the employees, and a majority of employees must agree upon the policy. The policies must be created freely and voluntarily. All new employees must be aware of the tip pooling policy when hired. Additionally, the employer in Ontario must post the tip pooling policy in an area where all employees can view it²⁷. Another protection for employees who receive tips is ensuring that employers do not make any deductions from the tips or treat them as wages. These deductions could include credit card surcharges or for spillage, breakage or other losses. The only time when employers can withhold tips is when required by law.

Nova Scotia employees who earn tips and gratuities need to have protection. Legislation that addresses tip theft is necessary. Most employees who earn tips and gratuities are low-wage workers who rely heavily on their tips for survival. Ensuring that their employer or supervisor does not have access to their tips unless they did similar work and participate in a tip pooling practice is essential for these employees.

Recommendations:

- Any tips received are the property of the employee to whom they were directed and must be paid to the employee within a reasonable time frame.
- The employer is prohibited from receiving any of the tips, withholding them, or using them as wages or partial wages.
- Employers should not be allowed to deduct any administrative charges from tips.
- If tip-pooling is practiced, a clear policy must be developed with meaningful input from the employees, and must include clear records about the total amount of tips pooled. Employers must inform all new employees about tip-pooling policies when hiring.

²⁷ Government of Ontario. Tips or other gratuities. Your guide to the Employment Standards Act. <https://www.ontario.ca/document/your-guide-employment-standards-act-0/tips-or-other-gratuities>

Decent Hours and Work-life Balance

Living only to work at jobs that provide very little rest and down time leads to burn-out. There is increasing evidence that current working conditions are unhealthy for workers, and especially precarious workers who need stronger minimal standards. As one scientist said of their findings, “The findings challenge the notion that having any job is enough to safeguard health, instead pointing to job quality as a critical, and often overlooked, determinant of life expectancy.”²⁸ Fair compensation is a critical foundation of decent work, which can guard against not having to work multiple jobs to make ends meet. Workers deserve leisure time and time to spend with their family and to be engaged in the community. Having access to this time makes for a healthy democracy.

Working Time Provisions

Nova Scotia continues to have the dubious distinction of one of the longest workweeks in the country. A regular work week in Nova Scotia is 48 hours. Therefore, employees in Nova Scotia are not eligible for overtime pay until they have worked more than 48 hours a week. This is the same for employees in Prince Edward Island. A regular work week for New Brunswick, Ontario, and Alberta employees is 44 hours, and all other jurisdictions are 40 hours. The extra eight hours of work for Nova Scotia and Prince Edward Island employees can negatively affect their health and well-being as well as their financial situation as they are not eligible for overtime pay until they have worked 48 hours in a week.

²⁸Mercer, S. (2025). Canadian study links job quality to 'deaths of despair'. <https://www.thesafetymag.com/ca/topics/psychological-safety/canadian-study-links-job-quality-to-deaths-of-despair/533097>; see the study here: Andreacchi, A. T., Fuller, A. E., Smith, P. M., Blair, A., Harris, A., Carnide, N., Pabayo, R., Smith, B. T., Siddiqi, A., & Shahidi, F. V. (2025). Employment quality and suicide, drug poisoning, and alcohol-attributable mortality. *American Journal of Epidemiology*, 194(8), 2164–2173.. doi:10.1093/aje/kwaf018

Overtime pay occurs when employees work longer than the regular workday or week. Therefore, employees in Nova Scotia and Prince Edward Island must work an additional four or eight hours before they are eligible for overtime pay compared to the other jurisdictions. In addition to a weekly overtime rate, several jurisdictions, such as Manitoba, Saskatchewan, Alberta, British Columbia, the Northwest Territories, Yukon, and Nunavut, have daily and weekly overtime rates. In these jurisdictions, employees who work more than eight hours a day are entitled to overtime pay, and are also entitled to overtime pay when they work more than 40 hours a week. Employees in British Columbia receive 1.5 times their hourly rate for the next four hours worked beyond eight and double time for all hours worked more than 12 hours a day. This is a model that other jurisdictions should follow. In contrast, New Brunswick, Newfoundland, and Labrador employees receive overtime pay of 1.5 times the minimum wage rate. All other jurisdictions pay an overtime rate of 1.5 times the employee's regular rate. The practice of paying overtime pay at the minimum wage rate should be eliminated.

Another benefit for employees in certain jurisdictions, such as federally regulated businesses, Newfoundland and Labrador, Ontario, Saskatchewan, Alberta, Northwest Territories, and Nunavut, is a daily or weekly limit (or both) on the number of hours an employee can work. However, there is no maximum work hour for employees in Nova Scotia.

Employees in Nova Scotia would benefit from a reduced work week from 48 to 40 hours. This change would allow them to earn overtime pay after they have worked 40 hours in one week. Additionally, Nova Scotia should implement the daily and weekly overtime pay models seen in other jurisdictions. The maximum number of hours that can be worked in a week should be 48.

In addition to ensuring that workers are paid fairly for overtime, workers also deserve paid breaks during their work day and sufficient rest time between shifts.

The flip side of ensuring workers are not working too much are those workers who are precariously employed without a guarantee of a minimum number of hours per week, paid for the entire time they are working and ensuring workers have a predictable work schedule.

Recommendations:

- Employees who work more than eight hours a day are entitled to overtime pay, and are also entitled to overtime pay when they work more than 40 hours a week.
- Employees receive 1.5 times their hourly rate for the next four hours worked beyond eight and double time for all hours worked more than 12 hours a day.
- The maximum number of hours that can be worked weekly is 48.
- Employers provide a guaranteed minimum number of hours of work each week to part-time employees and are paid regular wages for the entire time they are working.
- Employees are given one unpaid hour after five consecutive hours of work. If the organization asks you to be available during your break, they must pay you for the complete hour.
- Employees must receive at least 32 consecutive rest hours each week. If you work during your rest period, your employer must pay you 1.5 times your regular hourly wage for every hour worked. They must also provide a minimum of eight hours of rest between each work shift.
- Employees will be given their work schedules two weeks in advance.
- Employers offer additional hours to current employees before hiring new staff.

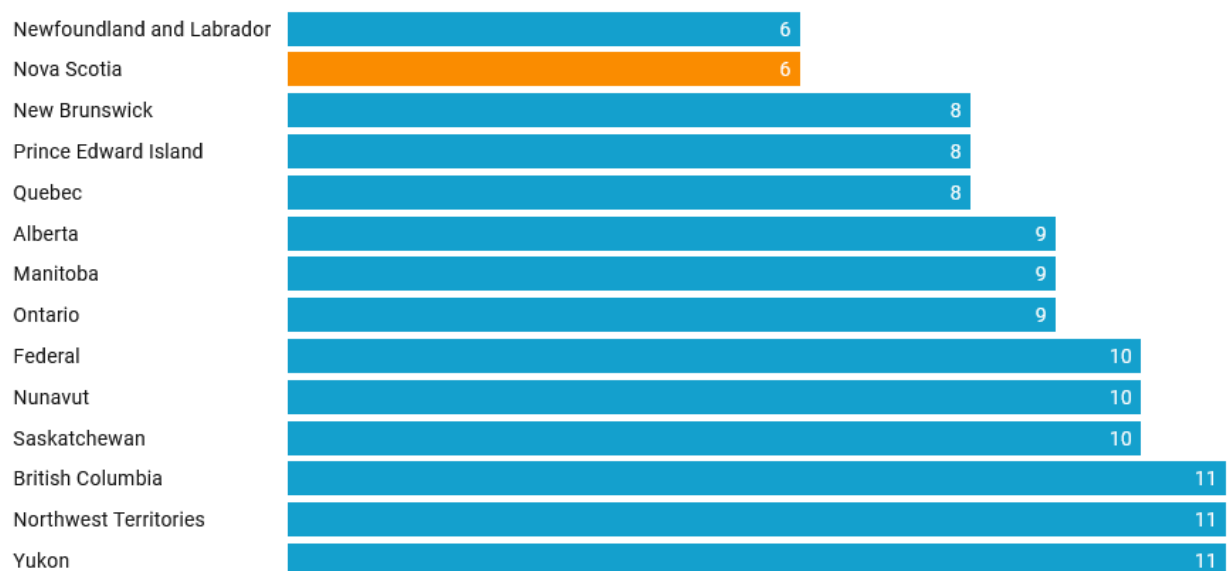
Statutory Holidays

The number of statutory/public holidays available to employees varies nationwide. Nova Scotia is tied for having the lowest number of statutory holidays. These six dates include New Year's Day, Heritage Day, Good Friday, Canada Day, Labour Day, Remembrance Day, and Christmas Day. Special legislation exists for Remembrance Day and special days for retail and clothing industry employees. Newfoundland and Labrador also have six statutory holidays available to employees.

In contrast, British Columbia, the Northwest Territories, and Nunavut have 11 statutory holidays. Since the 2019 report, several jurisdictions added an extra statutory holiday with the creation of the National Day for Truth and Reconciliation. However, this is not considered a statutory holiday in Nova Scotia.

There also needs to be a change to who qualifies to receive pay for statutory holidays. Currently, only those employees who received pay for at least 15 of the 30 calendar days before the holiday have worked on their last scheduled shift or day before the holiday and on the first scheduled shift or day after the holiday.

Figure 2 / Number of statutory holidays, 2025, provinces and territories



Recommendations:

- Employees can access at least 10 statutory/public holidays, matching the ones available in the Canada Labour Code (New Year's Day, Good Friday, Victoria Day, Canada Day, Labour Day, National Day for Truth and Reconciliation, Thanksgiving, Remembrance Day, Christmas Day, Boxing Day).
- Employees are paid time-and-a-half for hours worked on a statutory holiday and double-time for hours worked over 12 hours.
- Employees who have the day off are paid a regular day of average wages.
- Language around who qualifies for the statutory holiday must be removed so that there is not a requirement about being entitled to receive pay for at least 15 of the 30 calendar days before the holiday and that employees no longer have to work on their last scheduled shift the day before the holiday and the day after the holiday.

Annual Vacation and Vacation Pay Entitlement

Access to annual vacation time and pay is based on seniority accrued after the first year of employment. Generally, all employees who have worked the same job for more than a year have access to two weeks of vacation or four per cent of their wages in lieu of time off. The jurisdictions with the best access to vacation time and pay in lieu of time off are the federal jurisdiction and Saskatchewan, where employees who have been there for 10 years or more are entitled to four weeks of vacation or 8% pay in lieu. Saskatchewan is the only province where employees start with three weeks of vacation. The Federal Labour Code updated its coverage for annual vacation time in 2019, providing an additional week of vacation for those who had worked more than 10 years.

Nova Scotia employees with one to seven years of work experience with the same employer are eligible for two weeks of vacation, increasing to three weeks after eight years. This is similar to the following jurisdictions: New Brunswick and Prince Edward Island. Employees in Quebec receive three weeks after three years and start accumulating time off before one year of continuous employment. Employees who have worked for five years with the same employer get three weeks of vacation in the following jurisdictions: Ontario, Manitoba, Alberta, and British Columbia. Jurisdictions with the worst coverage include Newfoundland and Labrador, where employees only get three paid weeks off after 15 years, and the Yukon Territories, where no one gets more than two weeks of paid vacation. Access to vacation time and pay has not changed in Nova Scotia since the 2019 report was released.

Nova Scotia should match its vacation time and pay with Saskatchewan. In Saskatchewan, all employees who have worked for more than one year have access to three weeks of vacation, which would increase to four weeks after 10 years. Quebec employees accrue vacation time or pay for each month they are employed in their first year. This model should be replicated in Nova Scotia and other jurisdictions.

Recommendations:

Legislate to ensure the following minimum paid holidays:

- Employees accrue vacation time or pay for each month they are employed in their first year.
- Employees who work for more than one year have access to three weeks of paid vacation (or six per cent pay in lieu) and four weeks after 10 years (or eight per cent pay in lieu).

Paid and Unpaid Leaves

Nova Scotians have access to some accommodations for different reasons to allow them to take leave without losing their job or facing other reprisals. The protected leaves of absence include those for pregnancy and parental, end of pregnancy, reservist, compassionate care, critically ill child care, critically ill adult care, intimate partner violence, crime-related death or disappearance, emergency, sick, bereavement, court, and citizenship ceremony. All these leaves are unpaid except for leaves for intimate partner violence, where employees can receive pay for part of the leave. Employment insurance (EI) may be available for those eligible for extended illness or pregnancy and parental leave, with some limited paid caregiving benefits available for critically ill children or adults, while others may qualify for disability benefits under the Canada Pension Plan.

Sick Leave

Since August 2019, there have been a few improvements to the leaves provided to employees in Nova Scotia, however gaps remain even for the basic paid sick leave. Starting January 2025, employees can access 27 weeks of unpaid leave for serious illnesses. This new legislation is included in the “Stronger Workplaces for Nova Scotia Act”, Bill 464²⁹. Employees can access this leave once they have worked for the same employer for three months. This leave aligns with the EI sickness benefits provided by the Federal government. Employees are required to provide medical documentation for eligibility.³⁰

²⁹ Nova Scotia Legislature. (2024). *Bill 464: Stronger Workplaces for Nova Scotia Act*. 64th General Assembly, 1st Session, 3 Charles III.

https://nslegislature.ca/legc/bills/64th_1st/3rd_read/b464.htm

³⁰ Government of Nova Scotia. (2024). *Sick and serious illness or injury leaves: Legislation changes for workplaces*. Labour, Skills and Immigration.

<https://novascotia.ca/lae/employmentrights/workplaces-legislation-changes.asp>

Another improvement from the “Stronger Workplaces for Nova Scotia Act” includes two additional unpaid sick days which means that employees in Nova Scotia now have access to five unpaid sick days for personal illness or injury and three additional unpaid days for medical appointments for themselves or family members and family illness or to care for them. Therefore, employees in Nova Scotia can now access eight unpaid sick days/family responsibility days once they have worked for the same employer for three months. Additionally, to reduce the burden on health care professionals, the government has waived the requirement of a medical note unless the employee has missed more than five consecutive working days due to sickness or injury, or the employee has already used two non-consecutive absences of five days or fewer in the past 12-month period³¹.

Employees have access to some paid sick leave in British Columbia, Prince Edward Island, and Quebec. As of December 1, 2022, employees under federal jurisdiction have been eligible for 10 days of paid sick leave. This leave is available to employees after they have worked for the same employer for 30 days. New employees start to accrue sick days with each additional month of work. This accrual process starts over each year. Employees can carry over up to 10 days of sick leave each year. However, the maximum number of paid sick days remains at 10 annually. A benefit of this carryover is that employees would have access to paid sick days in the first month of the following year of employment, rather than waiting a month to accrue three days. The employer may request a medical note after five consecutive days off and no later than 15 days after the employee returns to work.³² Eligible reasons for paid sick leave include illness or injury, organ or tissue donation, attending medical appointments, or quarantine. Federal employees are also eligible for three paid and two unpaid personal leave days. These can include attending to personal or family obligations such as health appointments, urgent situations, or their own citizenship ceremony. The employer may request supporting documentation for this leave. Employees are eligible for paid leave after three months of continuous employment.

³¹ Government of Nova Scotia. (2024). *Leaves from work*. Labour, Skills and Immigration. <https://novascotia.ca/lae/employmentrights/leaves.asp#sick>

³² Government of Canada. (2023, December 19). *Medical leave with pay – IPG-118*. Employment and Social Development Canada. <https://www.canada.ca/en/employment-social-development/programs/laws-regulations/labour/interpretations-policies/medical-leave-pay.html>

The federal Labour Code legislation was also updated to provide 27 weeks of unpaid medical leave for the following reasons: illness or injury, organ or tissue donation, attending medical appointments, or quarantine. Ontario also created a new policy for long-term unpaid leave for critical illnesses or injury. This leave started on January 1, 2025 and also aligns with the EI sickness benefits provided by the Federal government. Manitoba updated its leave to include 27 weeks compared to the 17 weeks provided in 2019.

The COVID-19 pandemic brought a few other changes to several jurisdictions in Canada. Although Nova Scotia and Ontario already had a policy for government-declared emergencies in their legislation, seven jurisdictions included new legislation to address government-declared emergencies or the COVID-19 pandemic. These jurisdictions include Prince Edward Island, Newfoundland and Labrador, Manitoba, Saskatchewan, British Columbia, the Northwest Territories, and Nunavut. British Columbia's legislation³³ is focused on unpaid leave related to COVID-19 and also includes a paid three-hour leave for vaccinations related to COVID-19. These leaves are included in the COVID-19 Related Leave – Act Part 6 Section 52.12 and are temporary measures. The three days of paid leave due to COVID-19 for employees in British Columbia ended on December 31, 2021. Manitoba³⁴ also has a temporary Public Health Emergency Leave related to the COVID-19 pandemic, and provides three hours of paid leave for the COVID-19 vaccination. The other legislations are more generic and focus on government-declared emergencies, not specifically COVID-19.

The Nova Scotia government should follow the changes at the federal level, where employees are entitled to 10 paid days off for sick leave. The need for paid sick leave received much attention during the early stages of the COVID-19 pandemic. Although there were temporary changes in the legislation to provide employees with four paid sick days, which the provincial government funded, the employers should have financed them. In 2021, a report by the CCPA NS recommended 10 paid sick days for Nova Scotian employees.³⁵

³³ Government of British Columbia. (2025, May 14). *Leaves of absence*. Employment Standards. <https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/time-off/leaves-of-absence#types>

³⁴ Government of Manitoba. (September 2021). Vaccination Leave Fact Sheet. https://www.gov.mb.ca/labour/standards/asset_library/pdf/Vaccination_Leave_Fact_Sheet.pdf

³⁵ Casey, R., Brickner, R. K., Carlson, J., Rudrum, S., & Munroe, J. (2021). *No Nova Scotian should have to work sick: The urgent need for universal and permanent paid sick leave legislation*. CCPA-NS <https://www.policyalternatives.ca/wp-content/uploads/attachments/NoNovaScotiansshouldhavetowork sick.pdf>

A significant portion of workers in Nova Scotia do not have access to paid sick leave with 60.8 per cent who do (see Figure 2 below), though the overall percentage of workers has improved slightly since 2021 when only 57.7 per cent had access.³⁶ While we do not have provincial data, national data from 2023 show that those who have the lowest access to paid sick leave are employees in accommodation and food services (21.9 per cent). Also of those who work part-time, only 23.3 per cent had paid sick leave compared (compared to 72.2 per cent of full-time employees). For non-unionized private sector employees the coverage rate (55.3 per cent) versus 81.2 per cent of unionized public sector employees.³⁷

Figure 3 / Percentage of employees who report having access to paid sick leave in their job, 2023



Source: [Statistics Canada, Labour Force Survey \(LFS\)](#) • [Get the data](#) • Created with [Datawrapper](#)

Other Leaves

Overall, there have been very few changes to paid and unpaid leaves in labour standards legislation across the country. This is especially the case in Nova Scotia, where the only improvements were made in unpaid leave for serious illnesses, two additional unpaid sick days, three unpaid medical appointment days for themselves or family members, and two extra paid days for employees experiencing intimate partner violence or having children exposed to intimate partner violence. The changes in the unpaid leave for serious illness now align with employment insurance. The other changes are beneficial for employees, but are not enough.

³⁶ Statistics Canada. (2024, October 15). *Sick leave entitlement, 2023*. Quality of Employment in Canada. <https://www150.statcan.gc.ca/n1/pub/14-28-0001/2024001/article/00008-eng.htm>

³⁷ Statistics Canada (2024, October 15), Op.Cit.

Intimate Partner Violence Leave

The one notable change is related to family violence. Nova Scotia revised its legislation, which came into effect on April 1st, 2025. Two additional days of paid leave were added to the previous three paid days off, providing employees with five paid days off if they experience intimate partner violence or have a child under 18 who has experienced intimate partner violence. Additional entitlements, such as 16 continuous weeks of unpaid leave and five unpaid days, are still available for employees. Since 2023, there is now a provision in the labour code for unpaid leave after pregnancy loss.³⁸

Paid family violence leave was legislated after intense lobbying from unions and those who work in the sector providing services and emergency shelter to those fleeing violence. Nova Scotia is a leader in this legislation and has the best employee protections. Since 2019, British Columbia, the Northwest Territories, Yukon, and Nunavut provide five paid days and five unpaid days for employees experiencing intimate partner family violence and 15 weeks of unpaid leave. Employees are eligible for the unpaid leave after one month of employment and are entitled to the five paid days after three months of continuous employment. Nova Scotia is one that other jurisdictions should replicate.

Recommendations:

- All employees should be entitled to 10 employer-paid sick leave days that can also be used for taking care of family members, plus 14 paid days off during public health outbreaks.
- Allow employees to carry forward unused sick days/family responsibility days.
- Prevent the employer from requiring doctor's notes to access paid leave.

³⁸ Government of Nova Scotia. (2024). *Leaves from work. Op. cit.*

Conclusion

We have raised many critical issues that leave too many workers in Nova Scotia with insecurity, having to go to work sick, working multiple part-time jobs and gigs, and struggling to make ends meet. Nova Scotia continues to lag other jurisdictions regarding protections for employees working in the province. While other jurisdictions have seen improvements to working conditions since 2019 when we last did a comprehensive evaluation, there have been minimal improvements in Nova Scotia.

This is not an exhaustive report that covers all the challenges facing workers in Nova Scotia. Some of the other critical issues include pay inequity, harassment, and antiracism. Future CCPA-NS reports will consider some of these issues. There are many reasons why the current legislative framework for minimum protections for workers in Nova Scotia should be carefully examined and should also include related legislative frameworks to ensure health and safety protections for workers.

A forward-looking decent work agenda must focus on creating an inclusive labour market that offers decent work for those facing barriers that are not being addressed. What are the current issues that need to be addressed including the effect of climate change that our laws need to cover? Nova Scotia has an ageing workforce. How are we addressing age discrimination and ensuring protections that value their experience, competence, and skills, along with provisions for retirement? Similarly, for the other end of the age spectrum, how are we providing youth with training and education opportunities that do not burden them with debt, ensuring they are fairly paid and protected, including young migrant workers? Such a Commission as we have recommended should be established would also examine the feminization of the workforce and the importance of balancing work and family life, gender equality, pay equity, and preventing sexual harassment. Certain groups of workers—such as racialized workers, migrants, and people with disabilities—are especially vulnerable to discrimination and require additional protections.

We also know that making it easier to unionize and expanding the percentage of workers who are unionized also means fewer workers are covered only by minimal standards; the issue of unionization will be addressed in a separate report. As a recent report has found, “when unionization rates are higher in Canadian provinces, the environment is cleaner, inequality is lower, and health is better.”³⁹

The foundations of decent work are the foundations of a thriving economy and society.

³⁹ Ian Hudson, Mark Hudson, Fond Udoh & Anupam Das. *The Case for Pro-Union Public Policy: Unionization and Well-being in Canadian Provinces*. (2025) Canadian Centre for Policy Alternatives – Manitoba Office & Manitoba Research Alliance.
<https://www.policyalternatives.ca/news-research/the-case-for-pro-union-public-policy-unionization-and-well-being-in-canadian-provinces/>

Appendix A: Exempted Employees in Nova Scotia

Nova Scotia's Minimum wage rules do not apply to the following:

- certain farm employees
- apprentices employed under the terms of an apprenticeship agreement under the *Apprenticeship and Trades Qualifications Act* (see NS Apprenticeship Agency)
- anyone receiving training under government sponsored and government approved plans
- anyone employed at a non-profit playground or summer camp
- real estate and car salespeople
- commissioned salespeople who work outside the employer's premises, but not those on established routes
- insurance agents licensed under the Insurance Act
- employees who work on a fishing boat
- employees who fall under the minimum wage orders concerning Logging and Forest Operations and Construction and Property Maintenance
- employees who do domestic service for or give personal care to an immediate family member in a private home and are working for the householder
- employees who do domestic service for or give personal care in a private home and are working for the householder for 24 hours or less per week
- athletes while engaged in activities related to their athletic endeavour

Employees not covered by the Nova Scotia Labour Standards Code⁴⁰:

- employers whose business is regulated by the federal government
- people who are self-employed or an independent contractor
- employees who do domestic service for or give personal care to an immediate family member in a private home and are working for the householder (foreign worker protections do apply to this group)
- employees who do domestic service for or give personal care in a private home and are working for the householder for 24 hours or less per week (foreign worker protections do apply to this group)

⁴⁰ Government of Nova Scotia. *Guide to the Nova Scotia Labour Standards Code*. Department of Labour, Skills and Immigration.
<https://novascotia.ca/lae/employmentrights/docs/LabourStandardsCodeGuide.pdf>

About the Authors

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www.policyalternatives.ca/regions/nova-scotia/.

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The CCPA-NS office is located in Kijipuktuk in Mi'kma'ki, the unceded, unsurrendered ancestral land of the Mi'kmaq people.