

Division 322 information regarding Reimbursement of Work-related Expenses

Entitlement

238.1 (1) Subject to subsection (2), an employee is entitled to and the employer **shall** provide reimbursement of reasonable work-related expenses.

Exception

(2) An employee is not entitled to be reimbursed for

- (a)** an expense that is ineligible under any regulation made under this Division;
- (b)** in the case of an employee who is subject to a collective agreement, an expense that the employee is required to pay in accordance with the collective agreement or any other written agreement between the trade union and the employer; or
- (c)** in the case of an employee who is not subject to a collective agreement, an expense that the employee is required to pay in accordance with any written agreement between themselves and the employer.

Payment

(3) The employer shall pay the employee any amount that is payable under this section

- (a)** in the case of an employee who is subject to a collective agreement, within the time limit set out under the collective agreement or any other written agreement between the trade union and the employer;
- (b)** in the case of an employee who is not subject to a collective agreement, within the time limit set out under a written agreement between themselves and the employer; and
- (c)** in any other case, within the time limit prescribed by regulation.

Canada Labour Code 238.1

- **Definition of Shall - an imperative command, usually indicating that certain actions are mandatory, and not permissive.**

- **Collective Agreement is silent on work related expenses.**

Interpretations, Policies and Guidelines (IPGs)

Reimbursement of work-related expenses - IPG-120

Eligibility criteria

To be eligible for reimbursement, an expense must meet the following 4 eligibility criteria:

- The employee does **not** have to pay the expense as per a written agreement or collective agreement.
- The employee must have paid the expense out-of-pocket.
- It must be work-related, and
- It must be reasonable.

Time limits for reimbursement

Employers must reimburse reasonable work-related expenses within specific time limits.

For unionized employees, the time limit is:

- specified in a collective agreement or written agreement, **or**
- if there is no agreement, within 30 days after the employee submits their expense claim to the employer.

Strongly recommended to read all links (in blue)

When submitting expense, provided legislation in comments/remarks.