B.C. announces five paid sick days per year

November 30, 2021

Effective Jan. 1, 2022, eligible employees in British Columbia will be entitled to five paid sick days per year for any personal illness or injury (Paid Sick Leave). The five days of Paid Sick Leave is in addition to three days unpaid personal illness or injury leave currently provided under the *British Columbia Employment Standards Act* (ESA). Employers are reminded that the current COVID-19-Related Leave will end on Dec. 31, 2021, in conjunction with the enactment of the new Paid Sick Leave provisions.

Paid Sick Leave will apply to all employees covered by the ESA, including part-time, temporary or casual employees. Note that the ESA does not apply to federally regulated employees, self-employed workers or independent contractors, and certain excluded professions and occupations. In order to be eligible for Paid Sick Leave, an employee must have worked for their employer for at least 90 days.

Paid sick days do not need to be taken consecutively. Moreover, advance notice of the leave will not be required though an employee should advise their employer as soon as they can that they are ill or injured and, as a result, unable to work. If requested, employees will be required to provide enough information to satisfy their employer that they are ill or injured and therefore entitled to the leave. In most cases, this would entitle an employer to request a medical certificate confirming that the employee is or was ill or injured on the days taken as Paid Sick Leave.

Prior to Jan. 1, 2022, we recommend that employers review their current sick leave policies and collective agreements to ensure that they meet the minimum requirements of the new Paid Sick Leave provisions. We anticipate that more guidance will be available in the coming weeks as employers prepare to comply with the new leave requirements.

By

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