

# BRITISH COLUMBIA ANNOUNCES PAID SICK LEAVE EFFECTIVE JANUARY 1, 2022

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British Columbia has become the first Canadian province to introduce paid sick leave for employees to whom the British Columbia *Employment Standards Act*, R.S.B.C. 1996, c.113 (the “**Act**”) applies. BC’s Labour Minister, Harry Bains, announced earlier today that employees to whom the Act applies will be entitled to 5 paid sick leave days per year effective from January 1, 2022 (the “**Announcement**”).

In the Announcement, the BC government commented that the Covid-19 pandemic highlighted the need for paid sick leave. The BC government indicated that during a two month period at the height of the pandemic, nearly 200 businesses were shut down in the Fraser Health Region alone. Workplaces that had pre-existing sick leave programs for employees saw fewer workplace transmissions and, as a result, were not as severely impacted. This highlighted the fact that a lack of paid sick leave forced employees to choose between staying home to recover from an illness and being paid, with the impact being greater on lower income employees. The BC government stated that paid sick leave will enable employees to stay home when ill and will help prevent the transmission of diseases.

In May 2021, the BC government first announced their plans to introduce paid sick leave with the introduction of Bill 13. Bill 13 proposed to amend the Act to introduce permanent paid sick leave effective from January 1, 2022. The number of sick leave days were not specified at that time and was to be determined after consultations with stakeholders.

After the introduction of Bill 13, the BC government engaged in a consultation process and solicited feedback from employers and employees in BC. More than 60 000 people engaged in the consultation process. The aim of the consultation process was to gather information about existing paid sick leave programs in BC workplaces. The BC government also solicited feedback regarding the three options it was considering in terms of paid sick leave days – i.e. 3, 5 or 10 paid sick leave days. The feedback solicited during the consultation process confirmed that employees typically take between 0 and 5 paid sick leave days per year in workplaces where paid sick leave is already available to employees.

The BC government also considered other jurisdictions where paid sick leave is legally mandated, including the

United States, Australia, New Zealand and several European countries. A review of these jurisdictions showed that paid sick leave has many benefits for the workplace, including increased productivity and retention of trained staff, reduced risks of injury, improved morale and increased labour-force participation.

The introduction of paid sick leave in BC is a significant development and the first of its kind in Canada. As indicated above, paid sick leave will come into effect on January 1, 2022 and will be available to employees covered by the Act. We encourage employers to review their sick leave policies before the new year!

by [Dianne Rideout](#) and [Michelle McKinnon](#)

### **A Cautionary Note**

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

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