

HOW DO THE NEW TRAVEL RESTRICTIONS IN BRITISH COLUMBIA IMPACT EMPLOYERS WHO REQUIRE EMPLOYEES TO TRAVEL FOR WORK PURPOSES?

Posted on April 23, 2021

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We have received queries from clients wanting to know how the new travel restrictions in British Columbia might impact their employees who are required to travel within the Province for work purposes. The good news is that work related travel has been classified as essential (discussed below). That means the new restrictions should not have any impact on businesses that require their employees to travel for work outside of their immediate environment or between Health Authorities.

A new Ministerial Order was made public today that restricts non-essential travel between three Regions in the Province. These restrictions will remain in effect until May 25, 2021.

For purposes of restricting non-essential travel within the Province, the Ministerial Order combines the five Health Authorities into three Regions, as follows:

- The Fraser-Vancouver Coastal Health Authority Region (which combines the Fraser Health Authority and the Vancouver Coastal Health Authority).
- The Northern-Interior Health Authority Region (which combines the Northern Health Authority, the Interior Health Authority and the local health areas of Bella Coola Valley, Central Coast and Hope).
- The Vancouver Island Health Authority Region (which includes only the Vancouver Island Health Authority).

Residents are therefore restricted from undertaking non-essential travel between the three Regions, but can still travel without restriction within each Region.

The Ministerial Order lists the following as essential travel:

- Returning to your principal residence, moving or helping someone move.
- Work, both paid and unpaid (volunteer).
- Commercial transportation of goods.
- Getting health care or social services or helping someone get those services.

- Court appearance, complying with a court order or parole check-in.
- Exercising parental responsibilities.
- Child care services.
- Attending classes at a post-secondary institution or school.
- Responding to a critical incident, like search and rescue operations.
- Providing care to a person because of a psychological, behavioural or health condition, or a physical, cognitive or mental impairment.
- Visiting a resident (as an essential visitor) at long-term care or assisted living facility.
- Attending a funeral.
- Travelling under a PHO variance.

As mentioned above, work related travel has been classified as essential and therefore not impacted by the new restrictions.

Based on information that is publicly available at this stage, it does not appear that police will be conducting random spot checks for enforcement purposes. Instead, periodic road checks may be set up at certain key locations that are typically associated with holiday travel. Police can issue fines for non-compliance.

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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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