



BC COVID - 19 PAID SICK LEAVE



BC recently amended the Provincial Employment Standards Act to add paid sick leave for employees who cannot work for reasons related to COVID-19. The new legislation applies to BC provincially-regulated employers that do not have an existing paid sick leave plan in place.

Effective May 20, 2021 and until December 31, 2021, employers must offer 3 days of paid sick leave to full-time and part-time employees who cannot work for any of the specified reasons. Employees do not need to meet a minimum length of service requirement to be eligible and do not need to provide a doctor's note to the employer. Employees can take COVID-19 paid sick leave for any of the following reasons:

- Employee has been diagnosed with COVID-19 and is following the instructions of a medical health officer or the advice of a doctor or nurse
- Employee is in isolation or quarantine and is acting in accordance with an order of the provincial health officer, an order made under the Quarantine Act (Canada), guidelines from the BC Centre for Disease Control or guidelines from the Public Health Agency of Canada
- Employer has directed the employee not to work due to concern about the employee's exposure to others

[Visit the BC Employment Standards Act website here.](#)

BC COVID-19 PAID SICK LEAVE

Employees who take COVID-19 paid sick leave must be paid at least their average day's pay for each day of paid leave. The average day's pay is calculated using the following formula:

$$\text{Amount Paid} \div \text{Days Worked}$$

"Amount Paid" is the amount paid or payable to the employee for work that is done during and wages that are earned within the 30 calendar day period preceding the leave, including vacation pay that is paid or payable for any days of vacation taken within that period, minus any amounts paid or payable for overtime.

"Days Worked" is the number of days the employee worked or earned wages within that 30 calendar day period.

For employers with union employees, the paid leave provisions in a collective agreement will apply if they meet or exceed the entitlements under the Province's COVID-19 paid sick leave.



Employers that do not have an existing paid sick leave plan can be reimbursed by the Province for COVID-19 sick leave benefits paid to employees, up to \$200 a day for each employee. The reimbursement program will be administered by WorkSafeBC, although the program is not part of the workers' compensation system and will not impact employers' WorkSafeBC premiums.

BC's new legislation will also permanently provide for paid leave for any illness or injury, effective January 1, 2022. Details about the permanent paid sick leave program will be determined following government consultations with stakeholders.

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