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## 5 Paid Sick Days per Year for B.C. Employees

Effective January 1, 2022, all employees covered by the British Columbia *Employment Standards Act* (Act) will be entitled to 5 paid sick days per year. The entitlement is in addition to the 3 unpaid sick days employees are currently entitled to under the Act.

The paid sick leave entitlement will apply to all full time and part time employees covered under the Act. Employees will be entitled to their regular wages when taking a day off on account of illness or injury. It will not apply to federally regulated workers, self-employed workers, independent contractors, and employees in professions and occupations excluded by the Act.

Employees must be employed for 90 days in order to qualify for paid leave. Employers will be allowed to ask employees to provide sufficient proof of illness or injury to justify the paid leave. Sufficient proof, illness, or injury are not defined under the Act.

Some more important things to note:

- a) The paid sick days do not need to be taken consecutively. However employees will not be permitted, unless their employer agrees, to split up the paid sick days into smaller increments (half-days, hours, etc.). In other words, any time taken off on any day (even one hour) qualifies as one day for purposes of sick leave, unless the employer and employee agree otherwise.
- b) An employee will be permitted to access the paid sick days either before or after exhausting their unpaid sick days – it will be at the employee's election.
- c) Employees will not be entitled to be paid out unused paid sick days at the end of the year or upon the cessation of employment.
- d) Paid sick days cannot be used by an employee to take care of a sick or injured family member.

Currently, the government of B.C. is not planning to provide financial help in the form of reimbursement, or otherwise, to employers to offset the costs, similar to the paid COVID-19 Sick Day program which is set to expire on December 31, 2021.

Once the 5 paid sick days entitlement starts in the New Year, it will be the greatest amount of paid sick leave employees are entitled to in Canada.

We will be sure to keep you apprised of any further updates or if other provinces adopt similar paid sick leave in the future. If you have any questions, please do not hesitate to reach out to speak with an e2r™ Advisor.