

THIS ISSUE

- To All Team Members
- ESA 5 Paid Sick Days per Calendar Year

Changes to Employment Standards Act (ESA) – 5 Paid Sick Days

The BC government has amended the Employment Standards Act (ESA) to expand the availability of paid personal illness or injury leave to cover all employees, including casual employees, after 90 consecutive days of employment. The amendments became effective March 31, 2022.

The ESA allows all employees (casual and regular) up to five (5) days of paid sick leave starting January 1 each year. Regular full-time employees meet the ESA obligations as they accrue 1.5 sick days a month = 18 days a year.

For casual employees, the entitlement is five (5) days of leave for scheduled shifts.

In the event that a regular employee does not have a sufficient sick leave bank, they will be granted the paid sick leave and their bank may be reduced accordingly, as an advance, and the balance will accrue to a positive balance over time.

Example A: Regular employee has a sick bank of 60 days on January 1st. They are sick from January 10 – 15. They are paid sick leave from their sick bank for 5 days from Jan 10-15. This meets the ESA obligation.

Example B: Regular employee has a sick bank of 2 days on January 1st. They are sick from Jan 10 – 15. They are paid sick leave from their sick bank accrual for 2 days from Jan 10-11. They are paid sick leave for 3 days from Jan 12-15 under ESA. This is an advance to further sick accruals and their sick bank is set at -3 days.

Example C: Regular employee has a sick bank of 0 days on January 1st. They are paid sick leave for 5 days from Jan 10-15 under ESA obligation. Sick bank is set to -5 days. This meets the ESA obligation.

Jeanette Lee
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