

# BC EMPLOYMENT STANDARDS COALITION

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## Open Letter to BC Minister of Labour Harry Bains Re COVID-19 Action Plan

April 3, 2020

Hon. Harry Bains  
Minister of Labour  
Government of British Columbia

Dear Minister Bains:

The COVID-19 pandemic is having the greatest social and economic impact on workers who rely on wages from employment for their survival, this is particularly so for workers who are engaged in precarious employment and without the benefit of a union.

The BC government's March 23<sup>rd</sup> COVID-19 Action Plan announcements of economic support to workers (a \$1,000 payment to workers affected by the COVID-19 outbreak, and changes to the Leave of Absence provisions of the *Employment Standards Act* providing for unpaid sick leave) while a welcome first step, are not adequate to meet the needs of workers in BC in this emergency situation, especially workers in precarious employment and without a union.

On March 30th, the federal government announced a 75 percent wage subsidy to employers that have experienced a 30 per cent decline in revenue, with a view to preventing the layoff of workers due to the impact of the COVID-19 virus. This announcement completely neglects the need for provincially legislated paid sick leave.

We join with the call of workers advocacy groups across Canada for employment standards legislation that will provide for 21 days of paid emergency leave for all workers for the balance of 2020.

Our Coalition has long advocated for modernization of the *Employment Standards Act* to provide all workers, regardless of their employment status (full-time, part-time, casual) or length of service, with the right to paid sick leave. Had such a provision been in place many workers already affected by the COVID-19 pandemic either through confinement, layoff or termination due to mandated closure or reduced operations, would have continued to receive full wages. However, in response to the COVID-19 emergency, the *Employment Standards Act* should immediately provide for paid sick leave for at least 21 days for all workers for the duration of the

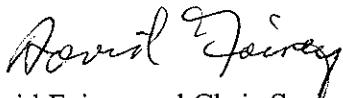
emergency, without a minimum employment requirement and without a requirement for proof of sickness.

Our current health emergency has brought attention to a significant gap in the province's employment standards. All workers now need to have access to paid sick days. At the end of the COVID-19 public health emergency the *Employment Standards Act* should contain on a permanent basis a paid sick leave provision as follows, as recommended in our September 2018 submission to your Ministry:

- All employees shall accrue a minimum of one hour of paid sick time for every 35 hours worked. Employees will not accrue more than 52 hours of paid sick time in a calendar year, unless the employer selects a higher limit. For a full-time 35-hour per week employee, this works out to approximately seven paid sick days per year. Up to 52 hours of unused paid sick leave may be carried over for use in the year following the year of accrual.
- In addition, employers shall be prohibited from requiring evidence of such absences. And, employers shall be prohibited from terminating or changing any conditions of employment because of an employee's sick leave, without the employee's written consent.

It is now abundantly evident, as never before, that the universal right of workers to paid sick leave is an essential element of a comprehensive public health protection program.

Respectfully yours,



David Fairey and Chris Sorfo  
Co-Chairs, BC Employment Standards Coalition

Copy: BC Premier, John Horgan  
BC Minister of Health, Adrian Dix  
BC Minister of Jobs, Economic Development and Competitiveness, Michelle Mungal  
BC Minister of Mental Health and Addictions, Judy Darcy  
BC Minister of Social Development and Poverty Reduction, Shane Simpson

To date the following organizations have endorsed this letter:

Vancouver and District Labour Council  
Retail Action Network  
First Call: BC Child and Youth Advocacy Coalition  
Living Wage for Families Campaign  
Dignidad Migrante  
Canadian Centre for Policy Alternatives – BC Office  
Together Against Poverty Society  
BC Government and Service Employees Union  
Service Employees International Union, Local 2

Victory Square Law Office  
Alliance for People's Health  
Damayan BC  
Dr. Kendra Strauss, Director, The Labour Studies Program SFU  
Prof. Gerardo Otero, School of International Studies SFU  
BC Poverty Reduction Coalition

*April 3, 2020*