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April 23, 2021

**BULLETIN**

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**BC INTRODUCES EMPLOYER PAID LEAVE FOR COVID VACCINE**

The BC government has introduced a bill (Bill 3) to amend the Employment Standards Act. It has not been passed, but once passed, its effect will be retroactive to the date of its first reading – April 19, 2021.

The Bill adds a new section to the Act: section 52.13, called “Leave for COVID-19 Vaccination”. Section 52.13 will require employers to grant paid leave to receive a COVID-19 vaccination. Employees are eligible for up to three hours of paid leave.

Subsection (3) sets out the formula for calculating the hourly rate of pay for the leave period. It is based on the average hourly rate of pay over the past 30 days, excluding overtime.

Subsections (5) and (6) state that an employer can request, and the employee must provide, “reasonably sufficient proof” that the employee is entitled to the leave, but says the employer cannot request a medical note.

Employees can receive up to three hours of paid leave for each dose of vaccine.

Unlike the unpaid vaccine leave introduced recently (see our April 15, 2021 blog post), paid leave is only for employees to receive their own vaccine. It is not required for employees who are taking family members to receive their vaccines.

***Pam Costanzo***