Monthly Compliance Briefing for HR Directors of British Columbia Companies



The British Columbia Assembly was back in session with some important employment legislation on the table. But the compliance headline this month was the coming into effect of new employment standards regulations banning employers from asking for a sick note for a worker's first 2 health-related, short-term absences of 5 consecutive days or fewer in a calendar year. Doctor's notes are still in play to verify long-term medical absences. Here's a quick briefing of the other important regulatory developments that HR directors in British Columbia need to be aware of.

Free Trade & Labour Mobility

All 14 of Canada's governments, including British Columbia, signed a new Canadian Mutual Recognition Agreement (CMRA) that comes into force in December, harmonizing compliance requirements for thousands of goods across the country—excluding food—and reducing barriers to interprovincial business.

Like most provinces, British Columbia has enacted new free trade legislation allowing for the free movement of intra-provincial goods and services and recognition of out-of-province professional certifications and accreditations of workers from jurisdictions with reciprocal legislation, making it easier for them to ply their trade in British Columbia.

New British Columbia Employment Legislation

The most important piece of British Columbia employment legislation in the pipeline right now is Bill 30, which would amend the *Employment Standards Act* to provide up to 27 weeks of unpaid leave for employees unable to work for at least a week because of a serious illness or injury. Leave must be taken within a 52-week period, and employees will need a medical certificate verifying both the need for leave and the dates it is required. BC has lagged behind the many other provinces that adopted or broadened long-term illness leave in the wake of the COVID pandemic.

Meanwhile, Bill 18 received Royal Assent, requiring post-secondary institutions to implement sexual-violence policies that include reporting processes and disciplinary mechanisms. This framework will likely influence broader provincial expectations regarding workplace violence prevention, particularly in education, healthcare, and public-sector environments.

Another item on the legislative agenda with employment implications is cyber privacy protection. This month, the Assembly passed Bill 17, increasing the minimum compensation payable to victims of *Intimate Images Protection Act* violations to as high as $75,000. Although the Act focuses on individuals, its implications extend to employers—especially regarding workplace cyberbullying, misuse of personal devices, and monitoring of employee digital conduct.

New Employment Regulations & Policies

At the strategic level, the BC government launched Look West, a 10-year economic plan focused on expanding skills training and accelerating major projects permitting and growing industrial and technological sectors including marine, aerospace, life sciences, AI, agriculture, and critical minerals. In parallel, the province announced a $241 million skilled-trades fund aimed at doubling trades-training capacity by 2029. With more than 50,000 apprentices already registered, HR departments in construction, manufacturing, energy, and related sectors should expect tighter labour competition—and more policy infrastructure to support movement between trades.

Pay equity also remains a priority. The BC Financial Services Authority published the province's first *Pay Equity Act* pay-transparency report. Punchline: Women and female-presenting individuals earn, on average, 15% less than their male counterparts. The gap is even larger for newcomers, Indigenous women, women of colour, people with disabilities, and 2SLGBTQIA+ workers. These findings will guide future regulatory enforcement and intensify pressure on employers to audit pay practices, address inequities, and justify compensation decisions.

Safety regulators continue to spotlight high-risk industries. WorkSafeBC reported that the serious-injury rate in manufacturing has been 44% higher than the provincial average over the past five years, with more than 26,000 time-loss injuries. Last year alone, WorkSafeBC conducted over 7,700 inspections in the sector.

The province's ongoing drug-toxicity crisis also remains a major safety concern. In September 2025, preliminary Coroners Service data recorded 158 deaths, most concentrated in the Fraser and Vancouver Coastal health regions.

Important Employment Law Cases

Perhaps the most notable HR case ruling this month was *Pereira v. British Columbia (Workers' Compensation Board)*, in which BC's highest court upheld WorkSafeBC's finding that an employer violated its bullying and harassment obligations—but also upheld the decision not to impose a penalty. The Court ruled it was reasonable to find a violation without concluding it warranted sanction, particularly where the conduct posed limited risk of harm.

In a separate high-profile enforcement action, WorkSafeBC fined the provincial government $759,368 for wildfire-response safety failures. That's the fourth biggest OHS fine reported in Canada in 2025 so far.

Action Points for BC HR Directors

- Build or update a Sick Leave Compliance Game Plan, including a cross-Canada comparison for national employers.
- Be aware of the rules governing whether you can ask sick employees for a doctor's note and update attendance-management policies to reflect BC's new restrictions on doctor's notes for short-term absences.

- Find new ways to verify sick days and other short medical absences without a doctor's note, including via use of self-certification.
- Recognize that digital privacy is a potential liability risk and take steps to protect your company from revenge porn and cyberbullying liability.
- Review your workplace violence prevention program and ensure it accounts for risks of domestic and sexual violence in the workplace.
- Implement an effective fitness for duty policy to control substance abuse at your workplace.