

New Sick Leave Rules Coming Soon: What BC Employers Need To Know



On April 15, 2025, the BC Government introduced Bill 11, proposing amendments to the *Employment Standards Act* in an attempt to reduce the burden on health practitioners in BC. The proposed amendments specifically address requirements for sick notes in the workplace. Employers should stay up to date with the amendments in order to understand their obligations and remain compliant.

Proposed Changes to Sick Notes

All employees in BC are entitled to both paid and unpaid short-term illness and injury leave, commonly referred to as "sick days". Employees receive five paid and three unpaid days off for illness and injury leave under section 49.1(1) of the *Employment Standards Act*.

Currently, employers are permitted to require that the employee provide them with sufficient proof to receive leave of this type, which typically comes in the form of a note from a health practitioner.

In Bill 11, the BC Government proposes introducing a new provision to the *Employment Standards Act*. If implemented, employers will not be permitted to request, and employees will not be required to provide, a health practitioner's note for short-term health-related leave, provided the absence falls within specific circumstances to be outlined in the *Employment Standards Regulation*.

The proposed changes exclude leaves including maternity leave, parental leave, compassionate care leave, and critical illness or injury leave. For leaves such as these, employers will continue to be able to request documentation.

Takeaway

Employers should examine and prepare to update their policies and practices around requesting sick notes ensure compliance with the *Employment Standards Act*. While not yet in force, the BC Government has announced that these changes should be in force in the fall of 2025, in time for the cold and flu season.

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

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