

A person wearing a face mask and apron is working at a counter, possibly in a food service or retail environment. The image is overlaid with a teal gradient.

# Making Work Safe

## Panel Recommendations for Permanent Paid Sick Leave and Amendments to the Yukon Employment Standards Act

Prepared for the Yukon Legislative Assembly  
January 2022

# Table of Contents

Overview	03
Key Themes & Guiding Principles	04
Panel Recommendations	05
Additional Recommendations	09
Conclusion	10
Appendix A: What We Heard Report	A1
Appendix B: Environmental Scan	B1



PAID SICK  
LEAVE

## Overview

The Making Work Safe Panel is a collection of individuals brought together under the 2021 Confidence and Supply Agreement between the Yukon Liberal Government and the Yukon NDP. The panel is co-chaired by Minister Richard Mostyn and MLA Emily Tredger. The panel also includes members of the public who represent the voices of workers and employers in Yukon.

The Panel has been mandated with providing recommendations to the Yukon Legislative Assembly by January 31, 2022. These recommendations will guide the implementation of permanent paid sick leave for Yukoners. Additional changes to the Employment Standards Act and other areas of recommendation may be included to ensure that work remains safe and that workers' rights are protected.

The Panel considered the information and feedback received throughout their research and engagement in developing its recommendations. The engagement was broken into three separate phases:

**Phase 1: Environmental Scan** – Delivery of an informative report based on public jurisdictional data, academic and professional reports, and international research.

**Phase 2: Public Engagement** – Execution of a digital-first citizen engagement campaign enabling public and stakeholder participation and feedback from all corners of the territory.

**Phase 3: Reporting** – Development of the final report, including Panel recommendations gained through facilitated workshops.

The Panel achieved its mandate and has brought forward twenty-two recommendations of amendments to the Employment Standards Act for the Legislative Assembly to establish permanent sick days in the Yukon. In their efforts, they have also identified five areas of recommended exploration outside of the Employment Standards Act that support the Panels' mandate of Making Work Safe.

These recommendations are presented in this report and are supported by the robust evidence gathered by the Panel in the attached What We Heard report, and Environmental Scan reports.

\* The What We Heard report can be found in Appendix A1 of this document.

\*\* The Environmental Scan can be found in Appendix B1 of this document.

## Key themes to consider when implementing paid sick leave



During the research and analysis conducted for the jurisdictional scan and international trends, many of the reports published by recognized organizations and associations featured common requirements for successful paid sick leave legislation development. These themes are vital to ensuring that paid sick leave options are designed to be effective and implemented in a beneficial way to all stakeholders.

## Guiding Principles

With the key themes in mind, the Panel developed some guiding principles for the base of their recommendations.

- 1 Employees staying home when sick is good for public health and safety as well as for the health of employees.
- 2 A sick leave program needs to support workers to take time away from work when they are not well without losing wages.
- 3 The program should be accessible to all workers.
- 4 The program should not harm employers.



# Making Work Safe: Panel Recommendations

After conducting informative research, analysis and public consultation, the Making Work Safe Panel concluded that **twenty-two recommendations** were necessary to make meaningful improvements to protecting the health and wellbeing of workers, employers and the public in Yukon Territory. These recommendations have been broken out into **ten essential parts**.

## Part 1: Defining a Sick Day

### The Making Work Safe Panel recommends:

- 1) The definition of “Sick Day” include individual illness or injury and may also include a sick child or family member. In addition, it should include mental health and other medical conditions such as substance abuse, fatigue, and medical appointments relating to health and well-being.
- 2) Household emergencies are not included as a reason for paid sick leave.
- 3) Providing the worker with the option to take partial sick days. The option to take a partial sick day would allow for a leave that does not require a full paid sick day.

## Part 2: Eligible Employment Types

### The Making Work Safe Panel recommends:

- 1) All employment types be included in the employment standards act and outlined in clear language.
  - a. The Panel recommends that the Yukon Government conduct additional analysis on how to provide clear options for self-employed workers.
  - b. The Panel recommends that the Yukon Government update the act to include employment that falls outside the traditional employment classification. Update the act to clearly include employment classification including “gig worker”.
- 2) Yukon Government explore how to meet the minimum sick day standards of this section of the act for all Yukon Government employees, including those designated casual or Auxiliary on Call (AOC).



# Making Work Safe: Panel Recommendations

## Part 3: Number of Sick Days

### The Making Work Safe Panel recommends:

- 1) Ten paid sick days per employment year be implemented for eligible workers. This allocation of paid sick days does not have to be taken consecutively and will allow for “partial” paid sick days.
- 2) Part-time workers will receive a proportion of 10 sick days equal to the proportion of full-time that they work. If they have multiple jobs, they are entitled to sick leave at each of them.
- 3) Yukon Government explore additional job protection be available for a worker who is receiving federal Employment Insurance sickness benefits. This job protection should mirror what is currently available for workers who are taking Compassionate Care Leave, Leave Related to Critical Illness of a Child or Leave Related to Critical Illness of an Adult. The Panel recommends an additional amount of job-protected unpaid leave be determined by the Yukon Government for workers who have exhausted their paid sick leave allocation.

## Part 4: Payment of Paid Sick Leave

### The Making Work Safe Panel recommends:

- 1) Paid sick leave be paid by the same process in which the worker receives their normal pay from their employer.
- 2) No additional application process be implemented that could delay the delivery of the paid sick leave payment to an eligible worker. A worker should not experience a disruption of regular income from an employer or payroll service provider.
- 3) Eligible workers receive the equivalent of an average day's pay for each full sick day taken. If a worker has taken a portion of a sick day not equal to a full day, the worker will receive a payment equivalent to the partial day taken.
  - a. The Panel recommends that the Yukon government conduct additional analysis to determine how a full or partial day's pay equivalent is calculated. In addition, a calculation/formula would be required to determine payment for workers who do not work regular hours or follow a “non-standard” pay rate. (i.e., Workers that are: Self-employed, casual, seasonal, gig workers, on-call, commission).
- 4) If a co-funded payment model is implemented between employers and the Yukon government, the Panel recommends that the employer be responsible for the payment to the worker. The Panel also recommends that the employer be responsible for seeking reimbursement from the Yukon government.



# Making Work Safe: Panel Recommendations

## Part 5: Qualification and Accrual

### The Making Work Safe Panel recommends:

- 1) All eligible workers have access to paid sick leave without a minimal specified qualifying period. Adhering to the principle of universality and ensuring all workers can take paid sick leave to care for themselves and others and protect public health outweighs the requirements for a qualification period.
- 2) Mandating a minimum number of days available upfront at the start of employment, with the balance of days made available later.

## Part 6: Funding Model

### The Making Work Safe Panel recommends:

- 1) Additional options for a “co-funded” financial support model be explored to help support businesses with the additional responsibilities of paid sick leave.

## Part 7: Worker Rights

### The Making Work Safe Panel recommends:

- 1) All workers are protected from termination or reprisal due to sick leave. Special consideration should be given to workers who are currently exempted from other parts of the act to make sure they are included in this point where appropriate.
- 2) Workers have the right to refuse an alternative working option (work from home) in situations where the worker is unable to work due to illness. If a worker chooses to work from home while sick, this is not considered a sick day.
- 3) Medical notes not be required for short-term paid sick leave.



# Making Work Safe: Panel Recommendations

## Part 8: Worker Responsibilities

### The Making Work Safe Panel recommends:

- 1) A worker has a responsibility, within reason, to notify their employer that they are taking sick leave.
- 2) A worker has a responsibility to use their sick leave appropriately.

## Part 9: Employer Rights

### The Making Work Safe Panel recommends:

- 1) The employer have the right to mandate a worker use a paid sick day if there is a risk of harm.

## Part 10: Employer Responsibilities

### The Making Work Safe Panel recommends:

- 1) Employers ensure that a worker does not lose any wages or other benefits from the employer as a result of taking paid sick leave. Example: Annual vacation pay allocation.

# Additional Recommendations

The Panel recognizes that several areas will require additional analysis before implementing permanent paid sick leave for Yukoners. These items have been identified through the learnings provided by the pandemic and the understanding that all citizens hold a part in keeping workplaces and each other safe in our communities.

**These are areas that fall outside the Employment Standards Act but should be considered when implementing a paid sick leave program:**



**Education and awareness of the impacts of communicable diseases in the workplace and how they relate to a workers' responsibility in providing a safe work environment for co-workers and customers.**



**Education and awareness of a workers' responsibility to follow policies designed to maintain a safe workplace for co-workers and customers.**



**Education and awareness of the impacts of communicable diseases in the workplace and how they relate to the employer's responsibility in providing a safe work environment for workers and customers.**



**Education and awareness of the employer's responsibility to inform workers of their right to a safe workplace for workers and customers.**



**Reference that additional paid sick leave measures could be introduced during a public health emergency and/or state of emergency.**



PAID SICK  
LEAVE

## Conclusion

The Making Work Safe Panel wishes to acknowledge all Yukoners who shared their insights into the current paid sick leave landscape across the territory. Additional thanks go to those who provided valuable information regarding the challenges and opportunities considered during the development of these recommendations.

The Panel is confident that if adopted, the recommended changes to the Employment Standards Act will increase the protection in place for workers, employers and citizens across our communities. These recommended changes will complement the work identified in the Putting People First report.

Respectfully,

### **The Making Work Safe Panel**

Hon. Richard Mostyn, Co-chair  
Emily Tredger, Co-chair  
Staci McIntosh, Panel member  
Justin Lemphers, Panel member  
Sheila Vanderbyl, Panel member  
Kai Miller, Panel member




PAID SICK  
LEAVE

## Making Work Safe Panel Recommendations for Permanent Paid Sick Leave and Amendments to the Yukon Employment Standards Act

### **Appendix A**

Making Work Safe: A Summary on the Engagement on Paid Sick Leave  
January 13, 2022

A person wearing a face mask and apron is working at a counter, possibly in a food service or retail environment. The image is overlaid with a teal gradient.

# Making Work Safe

## A SUMMARY ON THE ENGAGEMENT ON PAID SICK LEAVE

PREPARED FOR:

THE MAKING WORK SAFE PANEL  
YUKON TERRITORY  
JANUARY 13, 2022

PREPARED BY:

 **Narrative**  
Consulting Inc.

# Table of Contents

Overview	03
Engagement Process	04
Results	05
Worker Survey	06
Employer Survey	15
General Survey	29
Quick Polls	36
Your Ideas	37
Conclusion	39



let's talk  
**Yukon!**  
PAID SICK LEAVE  
YUKON PUBLIC ENGAGEMENT

## Overview

On December 31, 2019, Chinese authorities alerted the World Health Organization of a mystery disease known today as COVID-19. On January 25, 2020, Canada reported its first presumptive case of COVID-19.

At home, the COVID-19 pandemic placed a spotlight on Canada's income support programs and the legislation protecting workers' employment for personal sickness and caregiving leave. Federal, provincial, and territorial governments took immediate action to implement emergency measures to address the impact faced by workers and employers. Many of these temporary programs are set to expire. Without adequate sick leave, many workers have limited options when making a choice to go to work sick or stay home.

The Making Work Safe Panel is a collection of individuals brought together under the 2021 Confidence and Supply Agreement between the Yukon Liberal Government and the Yukon NDP. The panel is co-chaired by Minister Richard Mostyn and MLA Emily Tredger. The panel also includes members of the public who represent the voices of workers and employers in Yukon. Together, they have been tasked with providing recommendations by January 31, 2022, on how to implement permanent paid sick days in the Yukon and other relevant changes required to the Employment Standards Act that may be required to ensure that work remains safe and that the rights of workers are protected. These recommendations will be based on the information collected in the public engagement, and the research gathered in the jurisdictional report conducted on paid sick leave.

Narrative Consulting Inc. is honoured to have had the opportunity to facilitate public consultation on behalf of the panel. We gathered your valuable feedback, ideas, and diverse perspectives through our digital engagement space, LetsTalkYukon.ca.

# Engagement Process

## Approach

Taking into consideration the challenges of COVID-19 and the window to complete the research and engagement activities required for a quality outcome, the Making Work Safe panel opted for a digital-first approach. Narrative Consulting's public engagement platform, LetsTalkYukon.ca enabled safe, online community engagement and allowed conversations to happen between community members from across the territory who may otherwise never have a chance to connect.

Throughout the digital engagement campaign, we looked to understand what paid sick leave means to Yukoners. More specifically, we looked to:

- Discover how workers feel about how paid sick leave should be implemented in Yukon;
- Discover how employers feel about the introduction of paid sick leave for their employees and their thoughts about what the leave looks like;
- Listen to the stories shared from the community to understand the true impact to the people who live, work and play in Yukon;
- Gather data to support analysis on the current landscape of paid sick leave for workers; and
- Hear the ideas and voices from citizens on what they recommended for possible options to explore regarding paid sick leave for Yukoners.

## Public Awareness

The Government of Yukon promoted the engagement and online surveys via a press release and through its corporate Facebook account.

Narrative Consulting promoted the engagement, which ran from November 9 to December 10, 2021, by leveraging social media advertising on Facebook, LinkedIn and Instagram, and digital and print advertising through traditional media. An email campaign saw letters distributed to First Nation governments, chambers of commerce, unions, municipalities and other key stakeholder groups identified by the Making Work Safe panel. These stakeholders were encouraged to share the information regarding the public engagement with their communities to help raise awareness.

Additionally, registered Let'sTalkYukon.ca participants received email notifications when additional engagement opportunities were launched throughout the public engagement.

# let's talk Yukon!

## PAID SICK LEAVE

YUKON PUBLIC ENGAGEMENT

## Participation Results on LetsTalkYukon.ca



1.5k Site visits  
1.2k Engaged participants  
399 Quick Poll participants  
311 Survey responses  
111 Document downloads

## Engagement Tools

LetsTalkYukon.ca participants were invited to engage in different methods including:



A general survey



An employer survey



A worker survey



Quick Polls



Q & A



Sharing personal stories



Sharing ideas



Reviewing educational materials

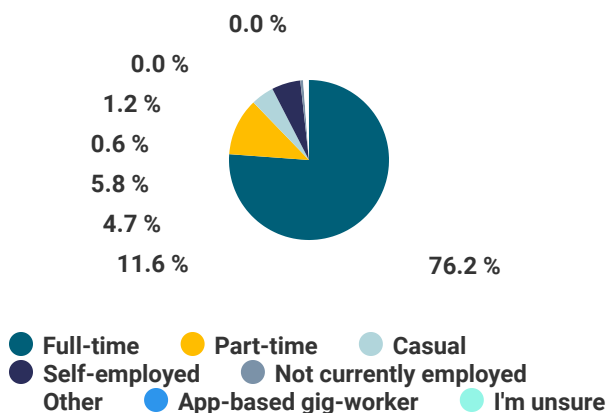
Paper copies and fillable PDF versions of the survey were also made available, and all documents received were manually entered by Narrative Consulting on the respondent's behalf.

# Worker Survey Results

The Worker survey was intended for individuals identifying as being a working Yukoner, or someone who may be currently unemployed but looking to re-enter the workforce. There were **172 responses** from individuals across the territory, with **88%** of respondents residing in Whitehorse.

When asked, **23%** of respondents indicated that they worked for more than one employer, with some indicating that they worked several part-time jobs equating to more than full-time hours.

Respondents by Worker Type



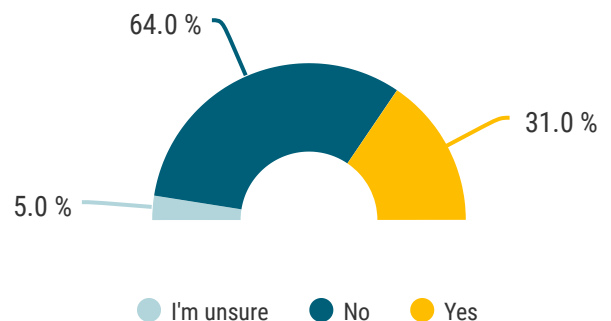
Respondents were asked a series of questions to learn more about the number of workers who currently receive paid sick leave from their employers and to better identify which types of industries are offering these benefits to their workers.

## Workers with paid sick leave:

**Fifty-one percent** of workers surveyed indicated that they currently receive paid sick leave\* with **93%** of those workers receiving full pay for each paid sick day.

Of those workers with access to paid sick leave, **70%** of respondents report that they are able to take at least six paid days, with **52%** eligible for **more than 10** paid sick days.

## Do you typically use all the paid sick days you have each year?\*



\* Based on respondents who indicated that they currently have access to paid sick leave.

As depicted in the chart above, **64%** of workers who reported that they had paid sick leave did not take all of the leave that was available to them during the year. When asked how many days per year they typically miss work because they are sick, **36%** of those workers reported missing **3 - 5 days** due to illness, with another **27%** missing **2 days or less**.

**Fifty-four percent** of workers with paid sick leave reported that they are able to carry over unused days from one year to the next, and **22%** reported that they are entitled to a payout of unused days when their employment or work contract ends.

Overall, workers who report having access to paid sick leave are pleased with the leave that is currently available to them, with **61%** of applicable respondents indicating that they are either happy or very happy with their current paid sick leave.

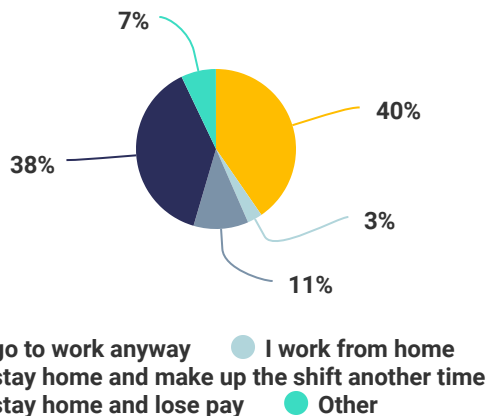
\* Sixty-five percent of those workers who identified they have paid sick leave available to them have also identified as workers working under a collective agreement. This is important to consider as workers who are part of a collective agreement are only covered under the Employment Standards Act if the collective agreement they are covered under does not meet the minimum requirements set out under the Act. Additionally, any worker that works for the Yukon Government is not covered under the Employment Standards Act.

# Worker Survey Results

## Workers without paid sick leave:

When asked if paid sick leave was available if they were required to miss work, **47%** of respondents indicated that they do not have any paid sick leave options, with nearly **46%** of those without sick leave earning an income of **less than \$42,801** in 2020. Many of these workers report that without any access to paid sick leave, they must choose to go to work even though they are unwell.

### What do you do if you get sick and do not have any paid sick days available?\*

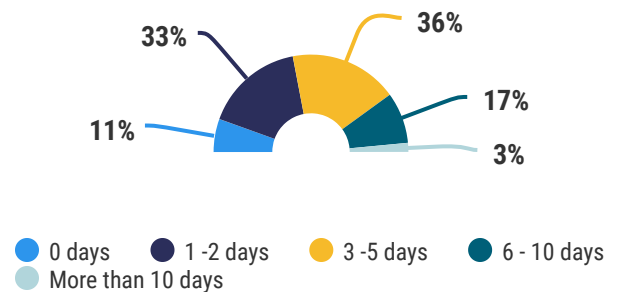


\* Based on respondents who indicated that they do not currently have access to paid sick leave.

**Sixty-one percent** of respondents without paid sick leave reported that they work full time, while **31%** of workers without paid sick leave reported that they work for more than one employer, with responses ranging from **2 - 6 employers** including part-time, casual and self-employment.

As depicted in the chart below, when asked how many days per year they typically miss work because they are sick, **27%** of workers reported **2 days or less**, **36%** of those workers reported missing **3 - 5 days** due to illness, and **17%** of workers missing **6-10 days** per year.

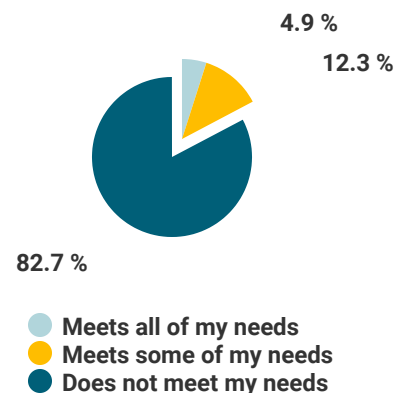
### Before COVID-19, how many days per year did you typically miss work because you were sick\*



\* Based on respondents who indicated that they do not currently have access to paid sick leave.

Workers without paid sick leave were clear to express that their current sick leave options do not meet their needs.

### Sick leave satisfaction of those workers without paid sick days\*



\* Based on respondents who indicated that they do not currently have access to paid sick leave.

# Worker Survey Results

## General sentiments from all worker respondents

We asked all worker respondents to provide insight into what life looks like for them when they are sick. We explored what options, if any, were available to work from home, and dug deeper to understand the circumstances and behavioural patterns that may increase a workers' likelihood of coming to work when they are sick. Even workers who have access to paid sick leave report that they go to work when they are sick.

**"Before COVID-19, how many days per year did you typically go to work even though you felt sick?"**

Reported # of days a worker attended work while sick (unrelated to COVID-19)	Workers WITH Paid Sick Leave	Workers WITHOUT Paid Sick Leave
0 days	14%	7%
1 -2 days	18%	17%
3 - 5 days	27%	31%
6 - 10 days	23%	20%
More than 10 days	18%	25%

**"If you have ever gone to work while you are sick, please tell us why? Select all that apply."**

Reason for Going to Work Sick	Workers WITH Paid Sick Leave	Workers WITHOUT Paid Sick Leave
I needed the pay	44%	83%
I had to meet demands or deadlines at work	82%	51%
My boss insisted	20%	19%
I was afraid I would lose my job is I didn't go to work	20%	29%
I wasn't too sick to work	51%	34%
Other	5%	5%

## Other reasons why workers came to work sick:

"I work in mental health care and demands are high. Taking off only overloads me in the next week."

"Pressure of not wanting to miss too many days of work."

"My main issue is that I am the only person in my workplace who does my specific job, so I worry that if I am not there and something goes wrong, there might be issues for my colleagues."

"We were already short staffed."

"The effort of covering my shift was greater than doing it while sick."

# Worker Survey Results

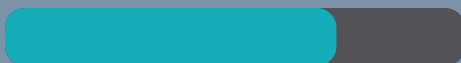
"Did you suffer any consequences from going to work when you were sick? Select all that apply."

Consequences experienced:	Workers WITH paid sick leave	Workers WITHOUT paid sick leave
It took me longer to recover	84%	85%
I had additional health complications	39%	27%
Some of my co-workers got sick	65%	58%
Some of the customers I served got sick	29%	18%
I did not experience any consequences	6%	6%
Other	10%	9%



## 72%

of all worker respondents are concerned to very concerned about their co-workers coming to work sick



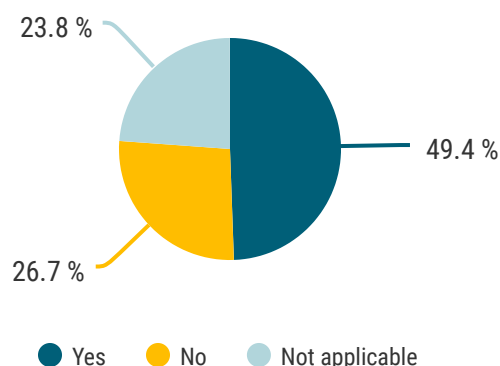
## 66%

of all worker respondents feel they have previously gotten sick from being exposed to a co-worker who came to work when they were sick



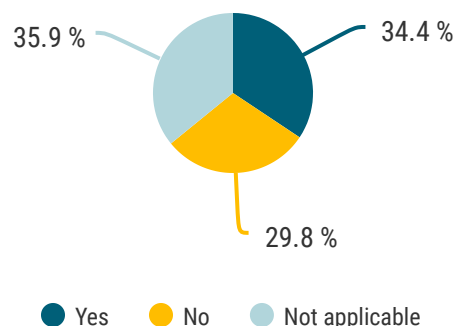
# Worker Survey Results

**Have you ever had to use a sick day to care for a sick child or family member?\***



\* based on all worker survey respondents

**Have you ever had to send your child to school when they were sick because you could not take a sick day?\***



\* based on all worker survey respondents

All worker survey respondents were asked how many paid sick days they think that workers should have available to them each year. While the results varied by respondent type, it was clear across both groups that workers felt that more than 5 days per year were needed to provide the coverage they need to stay home when they are sick.

Recommended # of Paid Sick Days	Workers WITH Paid Sick Leave	Workers WITHOUT Paid Sick Leave
1 - 2 days	2%	2%
3 - 5 days	9%	16%
6 - 10 days	23%	41%
More than 10 days	60%	27%
Other	6%	14%

# Worker Survey Results

## How would you improve your sick leave options?

*"Our special leave is really limited and with the pandemic so many families are running out of leave and struggling. My partner doesn't have paid sick leave or any equivalent to special leave so I have to stay home when our son is ill. This means I've used up all my special leave and it's not even December. I've heard this from so many families. YG is going to see a lot more people using sick because they are running out of special. I hope this engagement looks at leave provisions beyond sick for an individual employee and also the leave they need to care for their family."*

*"Have at least 1 paid sick day a month which can be carried over."*

*"Extra leave for care related to a child or family member. Mental Health Days"*

*"Offer sick days to all employees no matter if they are temporary, casual, auxiliary on-call or other. This is why people burn out or get really really sick!"*

*"I need coverage so I can pay my bills so I can stay home if I'm sick!"*

*"Work from home allowed without complication, more paid sick days"*

*"Guaranteed Basic Income for all Yukoners over 18 would remove the needed for paid sick leave or other leaves - Guaranteed Basic Income of 20 to 25 thousand per year would make the need to paid leave benefits"*

*"More sick days available per year"*

*"More sick days !!! I'm a single mother. It's difficult!"*

*"I don't have any sick leave. Paid sick leave would be great."*

*"Full pay, no limit on days"*

*"Private sector .. construction seasonal workers working for companies don't have to give sick leave to employees... so when sick lose pay."*

*"Sick leave should be expanded to reflect parental obligations related to caring for sick children."*

*"There should be short-term disability to bridge to extended disability. As well more flexibility around a sick day, mental health days are just as required"*

*"Shorter notice More paid leave No pressure from boss to return"*

*"I would like 5 days sick leave per year"*

*"I would like to receive a small number of paid sick days however I'm torn because I understand already how expensive labour is for small, non-government, business owners and I don't see this being feasible if it was on the employer to cover the costs. I believe employees in private sector should receive a small number of paid sick days but that this should not be at the expense of the employer."*

*"Employer asking for a sick note when you are too sick to get one is not right. Once you are well enough to travel to the health centre should be what they do."*

*"I would love a chronic illness financial support program that allows me to work as much as I am able (around 20hrs) and supplements the remainder of the wages I lose out on due to fibromyalgia/CFS."*

*"Have at least 5 days paid sick leave in a year (for parents 10 days), right now I have only unpaid sick leave"*

*"Full Pay for sick leave, More sick leave days, coverage for employees when sick to cover high demand and continue workflow."*

# Worker Survey Results

## How would you improve your sick leave options?

*"Give me paid sick days! As a YG employee who doesn't get paid sick leave I didn't have access to the paid sick leave rebate put out by the government. I've been working as an On Call employee, however I work every single day. Please don't leave out YG employees who don't have access to paid sick leave this time. Perhaps giving On Call employees 1 paid sick day for every 20-30 days they work, or something like that. I've seen this done in other provinces with success."*

*"We could create a sick leave bank for anyone to access if they run out sick leave credits. Anyone could donate their unused sick days. The health and safety committee could administer it so that there would be no favoritism."*

*"Each person needs to be able to access sick leave at least 5 days per month"*

*"Paid sick leave for caring for a sick child"*

*"The culture of not coming to the workplace when sick needs to be more established and encouraged. Associated stigma should be actively addressed."*

*"I think sick leave shouldn't count as benefits. Humans get sick and all employees are humans. Every job should offer a certain number of sick days per year proportionate to the number of hours on the contract. I think 5 sick days a year for a full-time worker is extremely reasonable. It makes no sense to punish people for being sick - you end up not only putting that person through the ringer but also putting their coworkers and coworkers' families at risk."*

*"I'm self Employed and therefore have no sick leave. Having any would be an improvement."*

*"As a parent, I need to keep my children home from daycare or school when they are sick, and that would require increasing the number of days available, either because I am sick or am caring for a sick family member."*

*"Less pressure to come in, a culture more accepting of sick leave"*

*"Parents need sick leave (or 'special leave' or 'caregiver leave') to stay home with kids! This is critical. Kids get sick. Parent stays home, kid bounces back and recovers quickly. Parent gets slightly sick. Parent goes to work anyways because they have already missed a number of days. Having caregiver days would be fantastic. Maybe we shouldn't call them sick days. Maybe we should call them "keep your community safe and rest days"."*

*"Paid sick leave for self-employed"*

*"I would love a chronic illness financial support program that allows me to work as much as I am able (around 20hrs) and supplements the remainder of the wages I lose out on due to fibromyalgia/CFS."*

*"Make it law that we get a min 5 paid sick days a year"*

*"Have it so I don't lose pay when sick after using up my banked time. I get 3 hours accrued and that's what I get paid when sick. I try to stay healthy to bank sick hours but it doesn't work."*

*"Include mental health days too - not just physical illnesses"*



# Worker Survey Results

## How would you improve your sick leave options?

*"More sick days that's can be carried over to us in next following years"*

*"Give a chance to have paid sick leave but only if proven from family doctor or hospital that recovery by staying home is needed."*

*"Including mental health wellbeing as a part of sick leave"*

*"Have paid sick leave for all workers."*

*"Get a paid sick leave but show proof from my family doctor or hospital"*

*"I am fortunate but I would like to advocate for others to have the option to work from home and to be able to stay home when sick"*

*"Option to work from home if not too ill"*

*"Zero expectation to work from home while sick, so I could actually focus on getting better."*

*"YG/Governments could stop allowing people to bank and carry over paid sick leave so maybe there was \$ to fund a few days of private business sick leave. YG employees currently use paid sick leave for holidays. It's a waste of tax payers \$."*

*"If we could borrow sick leave days in advance and pay later during the year. At the year end, the unpaid sick leave could be accumulated and carried forward to the next year, just like unused sick leave."*

*"Provide some sick leave pro-rated as well as monthly accrual (monthly accrual could be smaller)"*

*"10 paid sick leave per year, no deduction in income, protect my job so that I don't get fired."*

*"I would give employees 12 sick days per year"*

*"Get some paid sick days More understanding and even being specifically asked to not come into work when we are sick - make it the norm."*

*"I would now. I have fully paid sick days. It means I don't have to feel shame or guilt because of my chronic illness. I do not lose income because of something out of my control like feeling sick."*

*"That I get paid so that it is safe for everyone"*

*"Have clearer guidance available on my company's internal site and/or in the employee handbook about process for different levels of sick leave: i.e. when "sick leave" moves into "short term disability" etc."*

*"At least give employees a chance for sick leave specially the weather condition in yukon. People get stress due to work and become sick. You need to consider also health considering working 8 hours or more."*

*"It would be good to have a modest bank of sick days to draw on."*

*"We need better resources at work so my work load doesn't pile up when I'm away."*

*"A few more needed for doctor appointments and medical related necessities"*

*"Work from home if able to. I do not think the private sector should pay sick leave for workers, especially in construction"*

# Worker Survey Results

## How would you improve your sick leave options?

*"I would have some. I know you're just trying to get the basics here but, like, not even YTG auxiliary employees have any sick leave. The Yukon sucks for this, no wonder we are a Covid hotspot. It's elitist af that only government and union jobs have sick pay, and it's super racist when you consider how few YTG jobs there are outside of Whitehorse."*

*"Discuss with employer how to make up time or receive pay or other time off."*

*"More sick days."*

*"More sick days available per hours worked."*

*"I would have more sick leave days. I would have paid sick days for when children are unwell. I would have personal days for mental health."*

*"More subsidized sick leave."*

*"Adding more paid days"*

*"I would make it mandatory for a medical note and eliminate any time limits on days off. I would introduce criminal prosecution for abuse of the system and make it a dismissible offense lying about illness just to stay home. Long term illness is another matter. 'Pulling a sickie' is theft from employer and should be made illegal."*

*"More options to work from home, more time available to be sick"*

*"Having sick leave policies mandatory for all businesses in the Yukon, including private ones would relieve a great amount of stress from myself and coworkers to prevent the spread of illnesses of all sorts. Especially if they are related to ongoing medical conditions or chronic illnesses that cannot be helped if someone needs to take a day off. This also includes mental illnesses, not just physical."*

*"More paid days per year, beyond the three days. Option to work from home."*

*"Sick leave with pay, people to cover shifts at the restaurant"*

*"Paid sick leave, not be the only employee"*

*"I need to get paid sick leave"*

*"Hard to take sick days if workload is high."*

*"Paid sick leave for all sick days."*

*"To get paid leave when I'm sick and unable to work"*

*"Access to paid leave when sick."*

*"Sick pay for all employees in all industries"*

*"For my employer to provide some paid time off when we are sick."*

*"Paid sick time off without consequences"*

# Employer Survey Results

The Employer survey was intended for individuals identifying as an employer within Yukon. There were **77 responses** from employers across the territory, from a variety of sectors. Respondents were asked a series of questions to learn more about whether or not paid sick leave was available within their organizations. Employers were also asked questions regarding what typical sick leave usage looks like over the course of a year.

The survey also looked to build an understanding of:

- How worker illness impacts their operations;
- How many sick days they would offer in an ideal world vs. how many sick days they can feasibly offer in their current state; and
- The barriers the employer may face when implementing a paid sick leave program.

When asked about paid sick leave offerings within their organization, the majority of employers surveyed stated they did not offer paid sick leave.

**If your workers miss work due to an illness or injury unrelated to COVID-19, do you provide them with any paid sick leave?\***



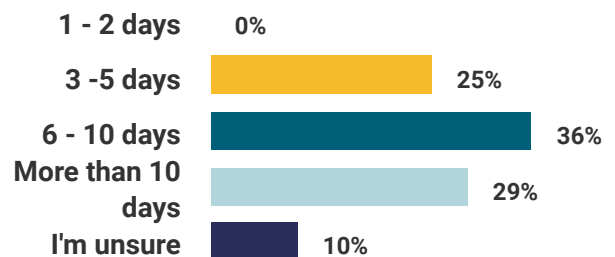
- No workers receive paid sick leave
- Some workers receive paid sick leave
- All workers receive paid sick leave
- I'm unsure

\* Based on all employer respondents

## Employers Offering Paid Sick Leave

Employers providing paid sick leave were asked if workers were provided different amounts of paid sick days based on their employment status (full-time, part-time, casual, management etc.), with **71%** indicating that yes, employment status impacts the number of paid sick days offered to the worker.

**How many paid sick days can your workers take in a year (either fully or partially paid days)?\***



\* Based on respondents who indicated they provide paid sick leave to some or all of their workers

The amount of pay available to a worker taking paid sick leave varied both within the organizations, and from employer to employer.

**How much of a day's pay do your workers receive if they take a full sick day? Select all that apply**

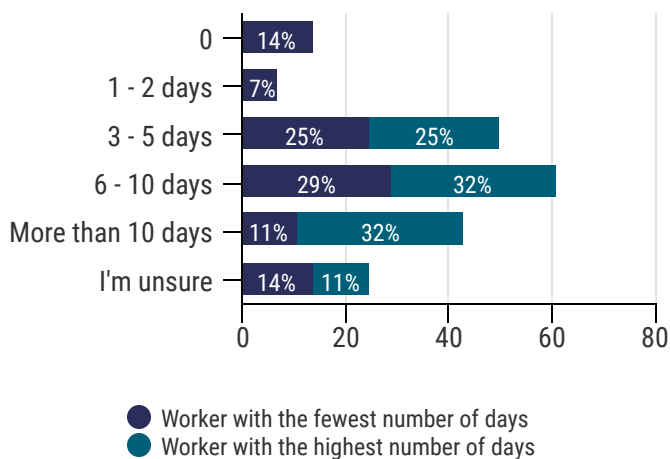
All workers receive full pay for every paid sick day	61%
Some workers receive full pay for every sick day	25%
Workers receive full pay for some sick days, and partial pay for some sick days	4%
I'm unsure	14%

\* Based on respondents who indicated they provide paid sick leave to some or all of their workers

# Employer Survey Results

With this information, we looked to dig deeper to understand the potential ranges in available days within an organization.

## Workers with fewest vs. workers with the most paid sick days

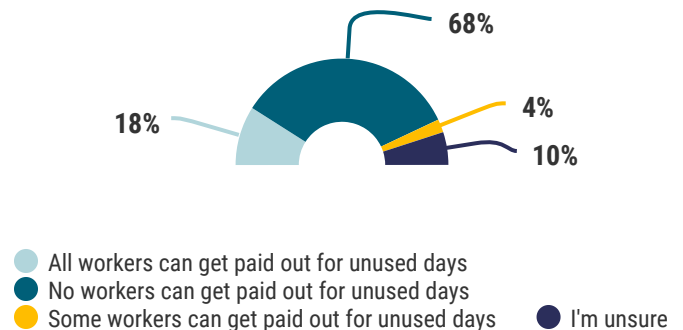


When asked if the paid sick leave was offered to their workers as part of a collective agreement, **82%** of applicable respondents indicated that they did not have union workers in their organization and are not required to offer paid sick leave as part of a collective agreement.

Of the employers that reported offering paid sick leave, **50%** have a written sick leave policy covering **all** workers, **14%** have a written policy covering **some** workers, and **29%** reported that they didn't have a written sick leave policy at all. Carry-over of sick days was only available from **25%** of applicable respondents.

Employers were also asked about whether workers were entitled to be paid out for unused sick days when their employment or work contract ends.

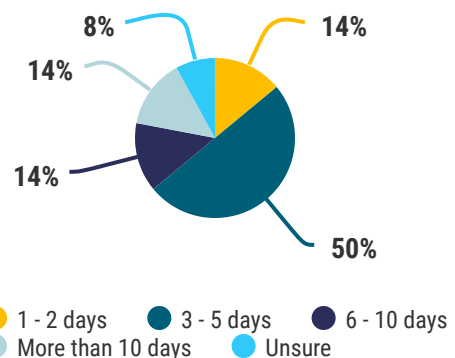
## Do your workers get paid out for unused paid sick days when their employment or work contract ends?\*



\* Based on respondents who indicated they provide paid sick leave to some or all of their workers

The survey also asked employers about the typical usage of paid sick days within their organization.

## How many days per year on average did your workers typically miss work because they were sick?\*

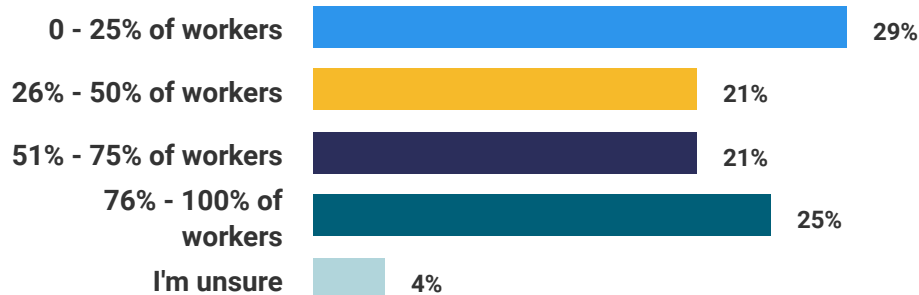


\* Based on respondents who indicated they provide paid sick leave to some or all of their workers

# Employer Survey Results

Employers offering paid sick leave were also asked to estimate the percentage of their workers that use all of their available paid sick leave each year.

## What percentage of your workers do you estimate use all the paid sick days they are entitled to each year?\*



\* Based on respondents who indicated they provide paid sick leave to some or all of their workers

## How could your paid sick leave program be improved?

*"Coverage for all workers regardless of whether they work for themselves or others or how much they make or how many hrs worked"*

*"Our sick leave is combined with vacation (four weeks for most employees), and we call it PTO. I don't like to use sick leave as a separate bank, because I've had employees abuse this in the past. Employees can use this time for sick leave, Dr's appointments, bank appointments, vacation etc. Really, it's personal time that I don't want to police. I would like any proposed legislation to allow provisions for employers to combine sick leave and vacation."*

*"Stringer requirement for reason for leave and steps being taken to return to work plan."*

*"More paid days extended to all staff."*

*"Not many options at this time"*

*"It would be great to be able to offer part-time staff a similar number of paid sick days as full-time staff. Unfortunately, we can't afford that at this time."*

*"We are a private business and providing 5 paid sick days is exceptionally generous, especially considering that 80% of our workforce is seasonal (works less than 5 months per year)."*

*"It could include mental health time off, say 12 days per year. The number of days of sick leave could be independent of length of employment. Wages for sick leave / mental health could be partially removed from a government support programme perhaps similar to CPP."*

*"As a small business I can't afford to offer paid sick leave to everyone. I only do for salary full time employees. This said are office is fully online and most staff work from home. Additionally they are all in charge of their work time so they can reschedule themselves accordingly."*



# Employer Survey Results

## How could your paid sick leave program be improved?

*"We currently provide paid sick days to salaried workers within reason. Our hourly workers generally make upward of 20 hours of overtime per week at really high wages, they generally pull in more money than the salaried workers. That said it's hard to think about adding more paid time off when the business is operating at a loss. In a perfect world we could offer sick leave to everyone."*

*"The government could pay for it, or reduce other employer contributions to offset the cost (WCB premiums, for instance)."*

*"Paid sick time for casual workers."*

*"Have the Yukon Government reimburse us."*

*"It does not need to improve - my employees are salary and get paid no matter if they are there or not."*

*"The sick leave plan is robust for permanent and seasonal workers as per our Union agreement. Casual staff have no paid leave and perhaps could be included with the regular staff - however they would accumulate slowly and it may not make much impact. For example, if they were entitled to 1.5 days per month (as the regular staff do), short contracts would not have much opportunity to use paid sick leave."*

*"It needs to be formalized."*

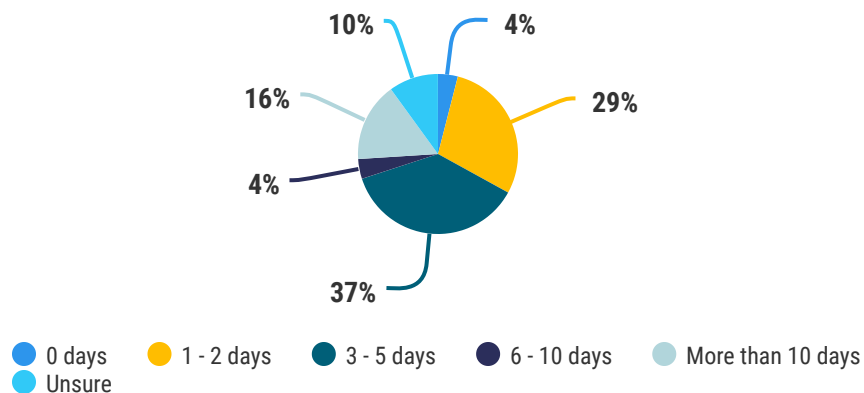
*"Have sick days 100% paid for by the government;"*

# Employer Survey Results

## Employers not offering paid sick leave

Employers not offering paid sick leave were asked to share insight into how many days their workers missed work due to illness prior to COVID-19.

**How many days on average did your workers typically miss work because they were sick?\***



\* Based on respondents who indicated they do not offer paid sick leave to their workers

The majority of employer respondents surveyed indicated that they did not currently offer paid sick leave to their workers. These respondents were asked additional survey questions to help understand some of the reasons why they may not be offering this to their workers.

What are the reasons for not providing paid sick leave to your workers? Select all that apply.	
I cannot afford to pay workers for sick time	73%
Now is not the time, but I may be able to afford it after recovery from the pandemic	10%
My workers have not asked for it	31%
My workers will take advantage of it	41%
The government has not required me to provide it	27%
My workers don't need it because they can work from home when sick or make up the time	12%
Other	20%



# Employer Survey Results

## Other comments from Employers on why they do not offer paid sick leave

*"We have a benefits plan that covers illness longer than 5 days. Sick time is expensive."*

*"If a staff calls in sick for my business, I work in a sector where I need to find a replacement staff as it is mandatory. So I would be paying for the individual who is sick and the person coming to cover the sick individual. I own a small custodial business and would lose my livelihood if YTG decided to implement this."*

*"Workers are subcontractors"*

*"My workers are not so committed to me that it would be appropriate for me to commit to them. Short term informal employment."*

*"Workers can draw from their 4 - 6 % holiday pay to cover sick days."*

*"Manual payroll, unsure how to implement or track paid sick days."*

*"We already have staff that consistently take unordinary amounts of sick time despite our attempts to curb this. For a small business paid sick time would be extremely costly and it is fully expected that staff will abuse this benefit. Most jobs are entry-level and this sort of benefit will undoubtedly be abused."*

*"All workers are part-time, less than 24 hours in 2 week period."*

*"We are a small business and had to choose between paying for paid sick time or initiatives that improve our worker's wellness. We have a wellness program where we pay for extra paid days off (vacation days) and also an enhanced employee health and dental benefit program that is better than YG. We also pay higher wages so employees do not have to work other jobs to make ends meet. Our employees are critical to our business, if they are suddenly away then we cannot open our doors because we would not be able to have them there to screen customers, check health status and do the cleaning required to meet CMOH obligations to stay open. By focusing on their wellness in this way, our employees very rarely get sick, and none have contracted COVID. Our employees are all vaccinated and are proactive about following guidelines outside of work as they value the wellness program we have instituted."*

*"Government has asked for rates for the coming year that do not include the cost of this new policy. In our business it could mean up to \$20,000 annually. Government is constantly implementing more measures such as COVID policies that cost the businesses money. The rates we are currently committed to have not included the cost of any of these new measures."*

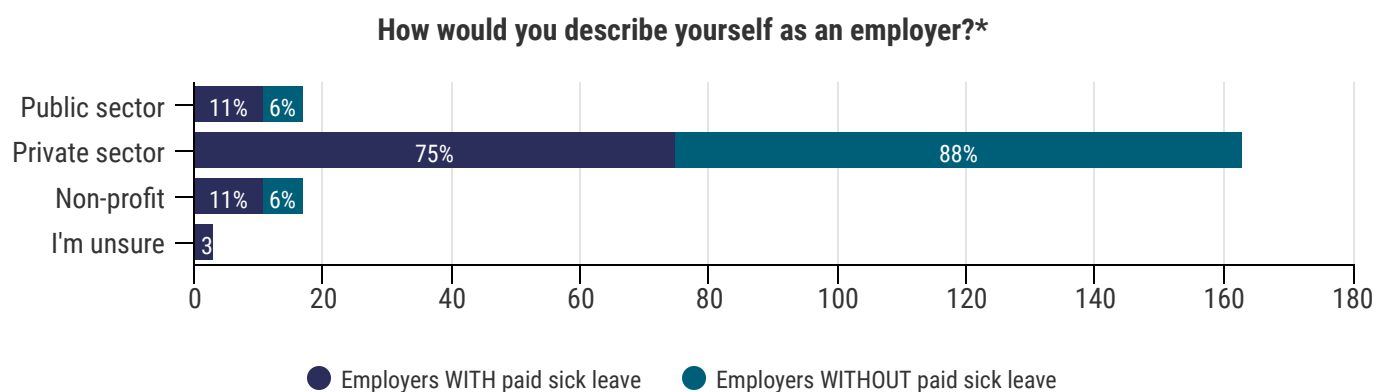
# Employer Survey Results

## General sentiments from all employer respondents

Employers were asked to identify what industries they operate in to provide a better understanding of the types of employment where workers may be offered paid sick leave options. The following chart identifies the percentage of respondents who are working in the identified industry.

Which industry do you operate in? Select all that apply.	Employer respondents WITH paid sick leave	Employer respondents WITHOUT paid sick leave
Accommodation / Food services	0%	14%
Agriculture	11%	8%
Construction	11%	18%
Educational Services	4%	4%
Finance & related fields	14%	2%
Health care & Social assistance	11%	4%
Manufacturing	7%	18%
Natural resources	0%	4%
Professional / Technical services	11%	10%
Public administration / Government	14%	0%
Retail & wholesale trade	21%	49%
Transporting & Warehousing	11%	10%
Utilities	4%	0%
Other services	25%	16%
Personal care services	0%	6%

\* Based on all employer respondents



\* Based on all employer respondents

# Employer Survey Results

## General sentiments from all employer respondents

Have you ever sent a worker home because they were sick?\*

	Employer respondents WITH paid sick leave	Employer respondents WITHOUT paid sick leave
Yes	79%	53%
No	21%	39%
I'm unsure	0%	8%

\* Based on all employer respondents

Did you pay the sick worker for their shift even though you sent them home?\*

	Employer respondents WITH paid sick leave	Employer respondents WITHOUT paid sick leave
Yes, I paid the worker for their whole shift	54%	23%
Yes, I paid the worker for part of their shift	9%	8%
No, I did not pay the worker	9%	31%
The worker was given the opportunity to make up the lost hours	14%	27%
Other (see below)	14%	11%

\* Based on all employer respondents

"Workers have the option to make up lost hours but because we are able to give them a good wellness program they don't usually feel they need to."

"Those entitled to sick pay were paid sick pay. Employees not entitled to sick pay were asked to go home with no sick pay."

"Depends on employee and reason - someone with the flu vs someone who is hungover are two different things, and we do encounter it all."

"They were paid for the hours they worked prior to being sent home."

"Case by case basis depending on circumstances."

# Employer Survey Results

## General sentiments from all employer respondents

### Are your workers able to work from home when they are sick?\*

	Employer respondents WITH paid sick leave	Employer respondents WITHOUT paid sick leave
Yes	21%	8%
No	47%	86%
Sometimes	32%	6%

\* Based on all employer respondents

### Do you provide any other options for your workers when they are sick?\*

	Employer respondents WITH paid sick leave	Employer respondents WITHOUT paid sick leave
Yes	18%	16%
No	75%	76%
Sometimes	7%	8%

\* Based on all employer respondents

# Employer Survey Results

## General sentiments from all employer respondents

### Please describe the other options you give workers when they are sick

*"If the employee is out of paid time off, they can take leave without pay. We don't have a policy for this, but in cases where employees are out of sick time, or where there are extraneous circumstances, we can top up PTO or provide other support."*

*"Make up the time when they are healthy"*

*"Make up a day if needed (wanted)."*

*"It depends on the nature of the illness and how long it will be to resolve"*

*"They set their own schedules they can work another day to make up time."*

*"Work from home -- depends on the nature of the position"*

*"Remote work"*

*"Relaxed work hours, paid full hours"*

*"Depending on their role they can make up time"*

*"They can reschedule clients and usually do"*

*"Make days up or will accommodate should there be a need"*

*"If they miss a day's work I let them make up the hours"*

*"If they wish, they can 'makeup' for days missed."*

*"If the employee is able to work from home, we facilitate that but not often possible due to nature of business. If employees wish to make up time, we accommodate them but it is not required. Duration and doctors care are considered and we will pay sick days in some instances until health coverage plan takes over."*

*"Online training has helped our workers receive some wages while isolating or sick"*

*"We pay slightly higher compensation to account for the expectation that staff may miss a few days a year sick"*

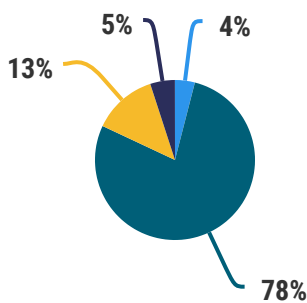
*"As we are open 7 days per week all year we normally bank stat holidays to be provided at a time convenient to both the employer and staff or to be added to their annual vacation time. When employees experience sick days we can provide paid days off by utilizing these banked days should the employees wish. We also strive to have our employees consider a swap of days off to accommodate the sick days so that there is no loss of wages and often we can provide opportunity for the employee to make up lost time. As we are a small business with entry level employees we would expect a high level of abuse as we already see a high level of abuse with unpaid sick days. Being required to pay employees just one sick day per year could result in a fairly significant hit to the bottom line. I expect this would be especially true for many rural businesses. People will use these days as personal days rather than truly as sick days. We generally strive to find suitable ways to make up lost revenue without taking a hit to the bottom line and this has worked well for use and most all employees except those that are abusing the sick days as there are some claiming sick days in excess of 4 per month. We expect these people simply do not care about lost wages."*

*"Our employee wellness program with increased paid vacation days, increased income and enhanced benefits. This has reduced their incidence of being sick significantly. We also give workers the opportunity to make up for lost hours of work by working extra during the time period when they feel well if they wish. However our workers do not take this because of the benefits we offer."*

# Employer Survey Results

## General sentiments from all employer respondents

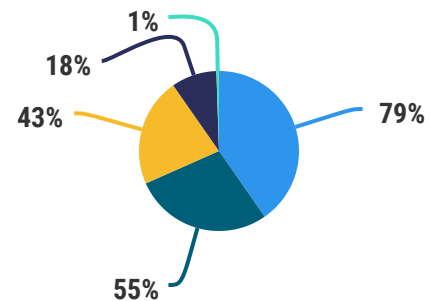
### How many workers do you currently have?\*



● No workers
 ● 1 - 25 workers
 ● 26 - 50 workers
 ● 51 - 100 workers

\*Based on data provided by all Employer respondents

### Which best describes your workforce? Select all that apply.\*



● Full-time
 ● Part-time
 ● Casual / Seasonal
 ● Contracted
 ● Other

\*Based on data provided by all Employer respondents

## How concerned are you about your workers coming into work sick?

Workers coming to work sick makes me feel...	Employer respondents WITH paid sick leave	Employer respondents WITHOUT paid sick leave
Very concerned	32%	14%
Moderately concerned	36%	29%
Somewhat concerned	25%	37%
Unconcerned	7%	20%

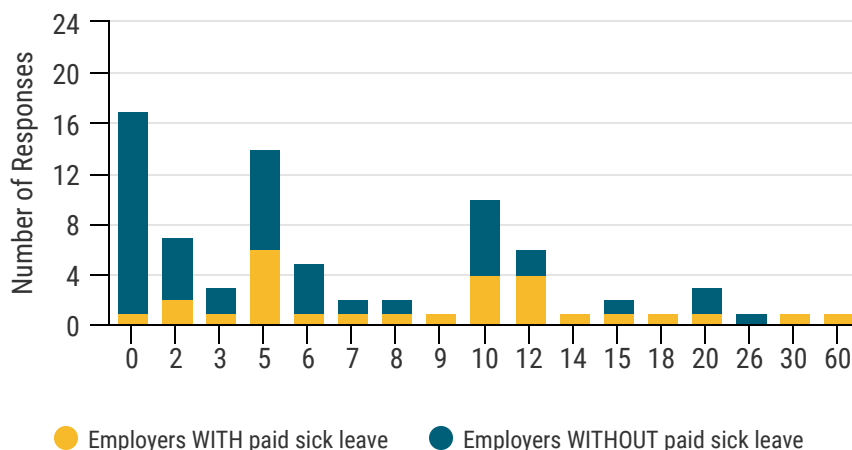
## How impactful is it to your operations if multiple workers are off sick?

If multiple workers are off sick my business...	Employer respondents WITH paid sick leave	Employer respondents WITHOUT paid sick leave
Can't operate if multiple workers are sick	18%	35%
Feels a major impact	54%	47%
Feels a moderate impact	28%	16%
Feels a little impact	0%	2%
Feels no impact	0%	0%

# Employer Survey Results

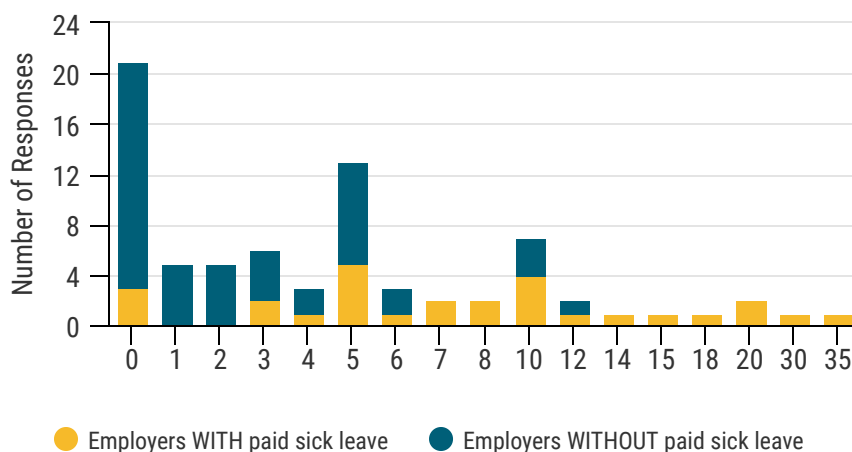
## General sentiments from all employer respondents

In an ideal world, how many paid sick days do you think a worker should have access to each year?



\*Based on data provided by all Employer respondents

What is the maximum number of paid sick days you could offer your workers without significantly impacting your organization?\*



\*Based on data provided by all Employer respondents

# Employer Survey Results

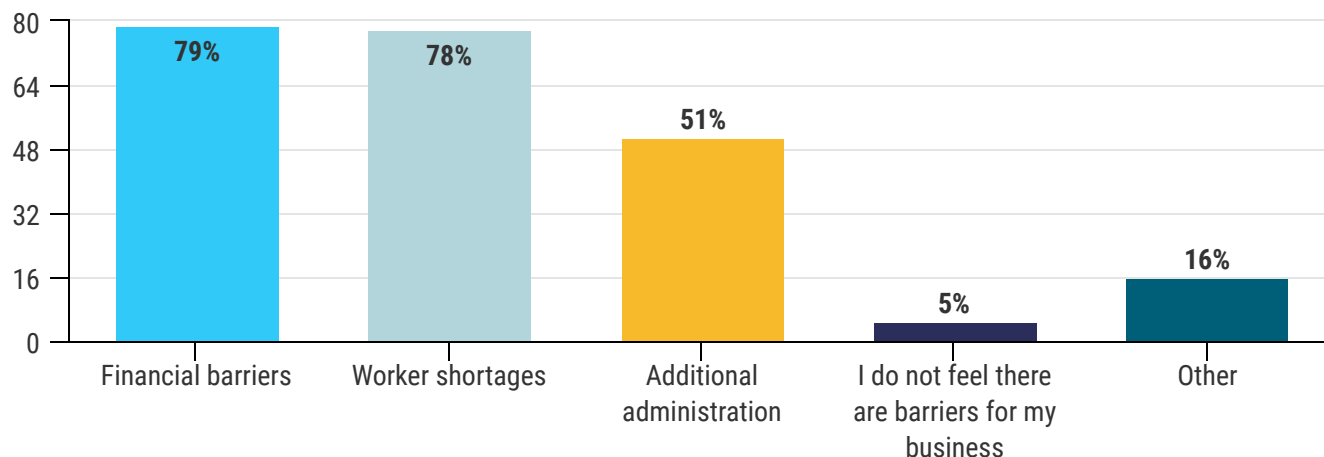
## General sentiments from all employer respondents

If workers in the Yukon were entitled to paid sick leave but you, as an employer, were not responsible for paying for it, how many days of paid sick leave per year would you support? Rank the number of paid sick days by putting them into your preferred order. 1= preferred choice, 5 = least preferred choice.



\*Based on data provided by all Employer respondents

What are the possible barriers that your business may face when implementing permanent paid sick leave? Select all that apply.\*



\*Based on data provided by all Employer respondents

# Employer Survey Results

## General sentiments from all employer respondents

### Other comments regarding possible barriers to implementing paid sick leave

*"Trained personnel shortages are not as easy to respond to as "worker shortages"."*

*"We prefer to offer paid time off (sick + vacation time combined). It keeps the sick time from being abused, and it allows employees to use PTO for any personal time off. The reality is that our staff are equipped to work from home, and most prefer to work from home or answer correspondence (even while sick) to stay on top of their projects. Paid sick time doesn't necessarily mean staff won't work anyways- particularly if they are on a deadline. Our system allows flexibility. If staff can't work, they'll ask someone in the office for help. If they can, they'll work from home with a cold and keep their PTO in the bank."*

*"Worker abuse of even more paid time"*

*"Custodial businesses make very little. I would have to increase my price substantially on tenders and risk losing my contracts to lower bidders. In addition, there is no way to calculate paid sick leave into a bidding process. For example, if I take into account that I would have 10 sick days estimated in a contract and an employee calls in sick 20 days in a year, the business is left flipping the bill."*

*"My workers are paid hourly and most are not full-time. How do I decide what to pay them if they are sick?"*

*"I am self-employed & working employed part-time. The private company that I am working with does not have sick leave"*

*"When an employee is off sick, we MUST get another employee to cover the shift. If we had to pay the employee that is off sick plus pay the employee covering the shift. Most likely over time. We are forced to pay double time and a half. But only receive regular rate of compensation. (Not a successful business model)"*

*"If I couldn't cover for them I would need to close my business while they were sick."*

*"Loss of income! Extra costs - having to pay someone else (possibly overtime) to cover for the employee who calls in sick. We are a small business (5 ish staff) One person calls in sick and we may not be able to open for the day. In a retail environment, already overworked and understaffed there are repercussions. We have to pay someone else to come in which adds to our costs - not just hourly wage, but all the payroll taxes that go with it."*

*"1-2 days is the only amount of sick days my business could support due to the fact that if my worker do not show I cannot run my business. I may have to shut down for those days. The other choices are not choices I can support."*

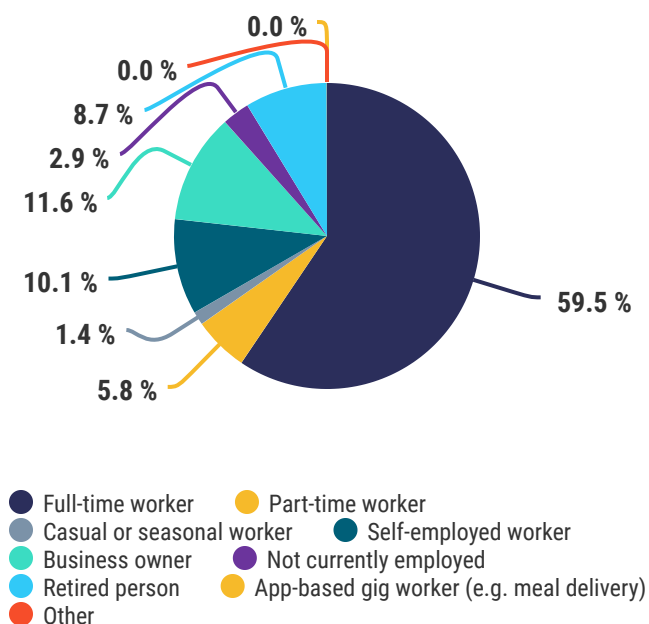
*"If staff members 'used' sick days because they were 'entitled' to them, we would consistently be short staffed and negatively financially impacted. That is our fear. We often hear of people 'choosing' to use sick days so they don't lose them...even when they are not sick."*

*"Workers will take advantage of it."*

# General Survey Results

The general survey was launched to ensure that all Yukoners had the opportunity to provide feedback on the topic of paid sick leave, regardless of their employment status. **Sixty-nine** individuals responded to this survey. Workers and Employers who previously answered the individual Worker or Employer surveys were welcome to participate in the general survey as well.

Which option best describes you?

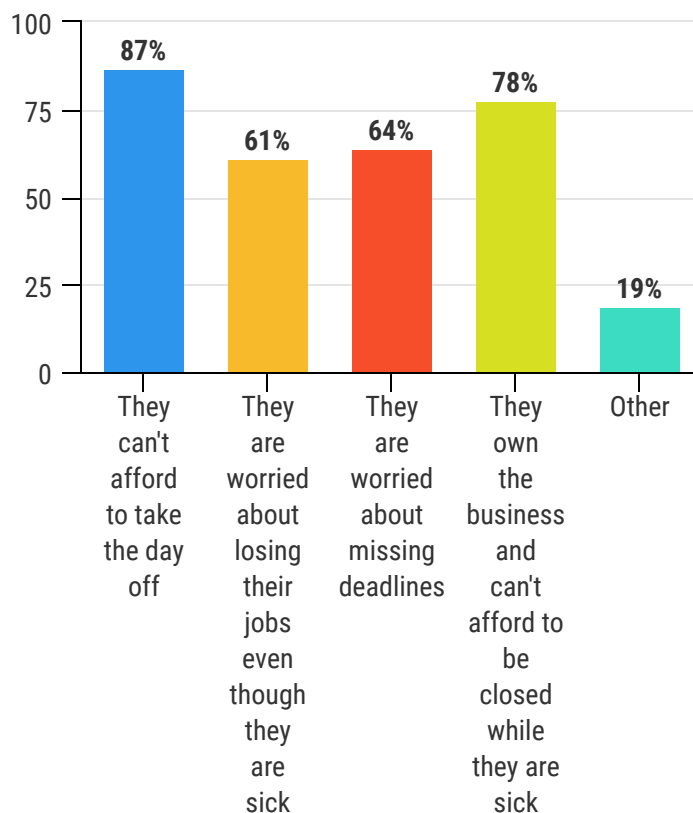


The questions posed in the general survey were designed to get an understanding of Yukoners' level of comfort attending different types of businesses where employees who may be sick are present. Additional questions were asked to identify the public's understanding of the reasons why a worker may choose to come to work sick. It also sought to gather general public feedback on the number of days of paid sick leave that should be available to workers, and the types of workers and scenarios that should be covered. Respondents to the General survey were also encouraged to share their ideas on how paid sick leave should be funded.

When asked about the number of paid sick days that should be made available to workers every year, **48%** of respondents favoured **6 - 10 days**, with another **32%** indicating that they were in favour of **more than ten days**. **Fifteen percent** of respondents recommended **3 - 5 days** of paid sick leave. Respondents were also asked whether they feel that self-employed people should have access to paid sick days, with **65%** of responses indicating that they were in favour, and **20%** of responses indicating that they were unsure.

Respondents were asked to provide thoughts on the types of reasons that a worker may go to work even though they are sick.

Why do you think workers choose to come to work when they are sick? Select all that apply.



# General Survey Results

## Comments on the other reasons why a worker may come to work when they are sick

*"They will be failing their clients or their employer or their co-workers."*

*"Cultural expectations: work is seen as more important than personal health/comfort."*

*"They're service-oriented and want to serve in the manner that they are currently meant to."*

*"They realize there is no one to replace them while they are sick. Schools and daycares can not operate without the correct number of staff."*

*"They are not encouraged to stay home if sick and face stigma if they do."*

*"There is nobody to cover for them, small businesses do not have extra people in case someone is sick."*

*"Some businesses foster a culture of employee dedication, whether they are sick or not. Not showing up, even when sick is perceived poorly by employers and peers alike."*

*"They know if they don't show up someone else will need to do their work and they may not want the person that would be assigned it to get involved in their work or they may not want the person to have more work put upon them. Consideration for their coworkers."*

*"All of the above depending on their income and job duties. Also, sick is all relative. Diagnosed or having the flu is a big difference from a cold."*

*"They like to work even when they are sick."*

*"Repercussions from managers or supervisors, having hours cut."*



**Should workers be able to use a paid sick day to provide care for a sick child or family member?**



**of respondents are in favour of allowing paid sick leave to be used for this situation**

# General Survey Results

How comfortable are you going to the following types of businesses or events if workers are coming to work sick?

	Very comfortable	Somewhat comfortable	Neutral	Somewhat uncomfortable	Very uncomfortable
Retail shops	1%	10%	17%	30%	42%
Restaurants and bars	0%	9%	10%	14%	67%
Personal services (salons, spas, barbers, etc.)	0%	7%	9%	20%	64%
Health or dental services	0%	6%	7%	13%	74%
Live theatre or music	3%	9%	20%	30%	38%
Administrative or government offices	3%	7%	19%	33%	38%

**Most respondents said they are somewhat to very uncomfortable going to businesses or events where workers may be coming to work while sick.**





# General Survey Results

## How do you think paid sick days should be funded?

*"Employer funded. For small businesses or non-profits, or the self-employed, some government support may be needed to create a fund. There is NO WAY the fund should be accessible or dependent upon action by employers; the employee should be able to apply directly, and the employer should provide proof. Perhaps an offshoot or something similar to WCB?"*

*"Taxes from corporations, perhaps business owners could pay into an 'insurance' type fund, maybe instead of using mining to build roads for mining companies so non-local corporations can increase their profit this money could be spent on looking after Yukon people."*

*"Good question. Generally, I think the employer should be responsible for funding paid sick days. I do support some government funding for very small employers to be able to offer paid sick days to their employees."*

*"By payroll deduction."*

*"A combination of YG, Govt of Canada and the business."*

*"Raise taxes."*

*"Territorial or Federal Government can reimburse small businesses that can't afford to give paid leave. Larger businesses should be mandated to give paid sick days to employees but not reimbursed to avoid them claiming unused sick days by staff and pocketing the money."*

*"Government."*

*"Percentage of wages like holiday pay."*

*"Something you pay into off your regular checks or like how EI accumulates. The employee earns the sick days while working."*

*"By employer as they can write this expense off anyway."*

*"Federally."*

*"That is hard to answer. I have seen so much abuse of sick time in my 40 years of working. Taxes can not be any higher. The more government pays for, the higher taxes will have to be."*

*"Banked hours."*

*"Contributions from both the employer and employee."*

*"Business should pay for sick days."*

# General Survey Results

## How do you think paid sick days should be funded?

*"It could be something like WCB where it is funded partially by the employer and the government? Or something that employees could opt to pay into and accrue like vacation pay and take as needed."*

*"Either through the company's benefits program (payroll deduction) or through government support if the organization is a non-profit or the employees are not entitled to a benefits program."*

*"If only a few days a year - paid by employer; if similar to government program - shared cost; need to be careful that administration costs for program do not cost employers as much as the benefit itself."*

*"By employers."*

*"Government funded."*

*"Taxes."*

*"I don't think the business should have to pay the sick leave. A lot of businesses are hanging on by a thread and can't afford it. It should be a government initiative."*

*"If not through collective bargaining then through a similar process as EI and CPP."*

*"Paid sick leave should be funded by YG, the employer would not pay the employee and they would have to submit to the government for the pay."*

*"By government or maybe by union dues."*

*"Employer and government."*

*"Paid for by Government - similar to the paid sick days previously offered (re: covid-19)."*

*"Split between employee, employer and government."*

*"Government paid. Employers are still digesting the massive min wage hike. Like government sick days, these days will be viewed as entitlement and used whether or not an employee is sick."*

*"Employer funded. its part of doing business."*

*"Private businesses cannot afford to fund these, the government imposed shut downs and restrictions have strangled small businesses to the pint we are fighting to keep our heads above water."*

*"It could be funded by combination federal/provincial/municipal governments and employers. Taxing the very rich needs to be increased, tax haven loopholes closed and tax collection enforced. There is entirely too much money hoarded by the rich and taken out of circulation."*



# General Survey Results

## How do you think paid sick days should be funded?

*"The employer should pay for them or so much money could be set aside from the employees paycheque so they have money available if they are sick. This could be joint payment between employer and employee and then the decision would be if they can carry unused days forward or if they get paid out at the end of a year and start over again."*

*"By The federal government EI fund. They have a ton of surpluses and need to start giving it back"*

*"Government. Otherwise increasing costs for businesses are passed on to the consumer and non-profits cannot afford to pay sick days out of their expenses - there would be less hours available to employees with another cost."*

*"Government or WCB-type funding."*

*"Contributions from employers and government."*

*"Through the government. My employer already pays a higher rate of pay to account for the couple of days a year that someone may take off. The more days that my coworkers take off is the harder I have to work and many will abuse the system if there are a mandated number of days. If it's not paid for by the government, I'm less likely to get future raises due to the additional cost."*

*"Government."*

*"Actually, I think we should adopt UBI and do away with all these social programs. Easier and cheaper administration to have just one big social safety net at the federal level. Barring that, gov't provided with a clawback/cutoff on companies that earn over a certain threshold."*

*"Employers and the Territorial government should split the bill."*

*"Workers could pay into a fund, like insurance. Maybe shared with the employer."*

*"It should be funded through health and social."*

*"Gov and small percentage from our pay."*

*"Combination of employer and government shared contributions."*

*"By the employer with government subsidies in certain cases. Large corporations should have to provide sick days but small business should be helped out for a few years until they can adjust their finances to account for the extra cost of paid sick days. Permanent government employees have paid sick leave paid for by tax payers."*

*"Some combination of employer-paid and government funded, depending on the size of the business and how the business is funded normally."*

*"Tax the rich. Tax rich corporations. Tax rich individuals. Introduce a VAT if you have to. Tax the rich."*



# General Survey Results

## How do you think paid sick days should be funded?

*"Organizations that have 'benefit plans' should have to include sick day benefits as part of the benefits and I assume that most do. Sick days for other employers including self-employment should be organized by the government, somewhat similar to how Unemployment Insurance is, because covering sick days for all workers benefits all of society."*

*"Government-funded, financed through taxes."*

*"I believe it should be funded by the government, as that seems the only way to guarantee everyone has equal access to them.."*

*"Taxes."*



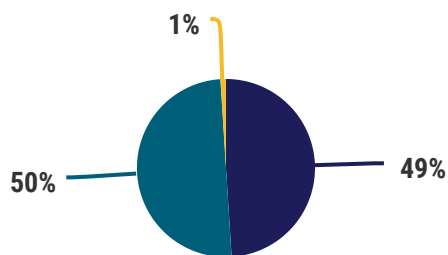
## PAID SICK LEAVE

YUKON PUBLIC ENGAGEMENT

### 3 Quick Polls

were available on Let's Talk Yukon

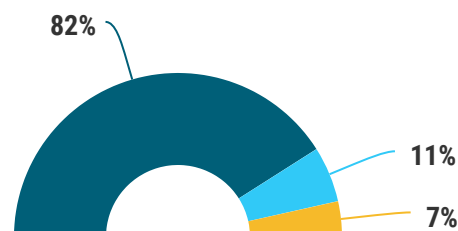
**Do you have access to paid sick leave from your employer?**



● Yes ● No ● I'm not sure

**222 Poll Contributors**

**Would you be more comfortable patronising Yukon businesses or events knowing the staff would stay home if sick?**



● Yes ● No ● I'm unsure

**73 Poll Contributors**

**How do you think paid sick leave should be funded?**

Paid sick leave should be funded by employers	10%
Every business should have paid sick days co-funded between the employer and Yukon Government	34%
Only small businesses should have paid sick days co-funded between employers and Yukon Government	20%
A percentage of a workers' gross wages should be allocated to paid sick days, similar to the existing requirements for annual vacation pay	30%
I have another idea that I will share on the 'Your Ideas' page	6%

**107 Poll Contributors**



## PAID SICK LEAVE

YUKON PUBLIC ENGAGEMENT

**As an employer, how do you think paid sick days should be funded?**



### Your Ideas

#### Top Voted Ideas



**4 votes**

"I realize that sick days are important. I also know that the amount of people going to the hospital greatly affects the health care system and tax dollars. Small business especially is going to be hurt no matter how important. It needs to be a shared cost. Or part of say some sort of benefits package."



**4 votes**

"As an employer who already invests heavily in our staff we would be willing to share the cost of paid sick leave with government."



**1 vote**

"If contract tracing shows that transmission happened in a workplace, then it should count as a workplace injury and the employer fined. Illness caught at work is a hazard."

#### Other Shared Ideas



"Should be operated like a short term disability insurance program. Premiums fully paid by employees so that payouts are non taxable."



"If the government is planning on mandating paid sick days for private-sector employees then they had better fund it entirely."



"Ear mark funds for short-term sick leave from employer-paid contributions to EI or Workers Comp. Use centralized EI system to manage claims."



## PAID SICK LEAVE

YUKON PUBLIC ENGAGEMENT

### What should the requirements be for paid sick days?



#### Your Ideas

#### Top Voted Idea



1 vote

"No requirements. People get sick."

#### Other Shared Ideas



"You should need to provide proof that you are actually sick. Doctors' note would be the only option. If you don't require proof, paid sick days will be abused by employees."



"Doctor's note for more than 3 days off sick. Usually, by that time most of my employees want to go see a doctor. What about mental health? Some employees off work dealing with a family crisis and not in shape to mentally work. So what does being sick mean?"



"Let's look at other countries that are doing this successfully. Many other countries are ALREADY doing this. They have systems ALREADY. Can we stop trying to reinvent the wheel and look at other countries to see what they are doing. Drs notes are Non starter, most of Whitehorse and the Yukon don't have drs so, unless you're gonna address that situation, drs notes ARE NOT the answer."

### How would you make paid sick days available to everyone?

#### Top Voted Ideas



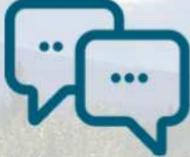
1 vote

"Manage sick leave similar to employment insurance, administered by government, available to all workers, part-time, self-employed, whatever. Require proof (sick note) only for periods of 10 days or more. Enable those with low-end, low-benefit jobs to look after themselves - and the rest of us - when they are sick. We now know that these are the people we rely on the most to keep stores and restaurants open, trucks on the road, etc. Let's look after them as well as we look after people with lots of workplace benefits."



1 vote

"It's just part of your Employment Insurance. Use the existing EI system to provide centralized universal access."



*let's talk*  
**Yukon!**  
**PAID SICK LEAVE**  
YUKON PUBLIC ENGAGEMENT

## What's Next?

The Making Work Safe panel will use the information gathered in the public engagement and the research gathered in the jurisdictional report to develop recommendations for the Legislative Assembly to establish permanent paid sick days in the Yukon.

On behalf of the Making Work Safe Panel, Narrative Consulting would like to thank everyone who took the time to participate and provide feedback. The panel will report their recommendations for amendments to the Employment Standards Act to the Legislative Assembly by January 31, 2022.



PAID SICK  
LEAVE

## Making Work Safe Panel Recommendations for Permanent Paid Sick Leave and Amendments to the Yukon Employment Standards Act

### **Appendix B**

Making Work Safe: An Environmental Scan on Paid Sick Days  
October 25, 2021

A person wearing a face mask and apron is working at a counter, possibly in a food service or retail environment. The image is overlaid with a teal gradient.

# Making Work Safe

## AN ENVIRONMENTAL SCAN ON PAID SICK DAYS

PREPARED FOR:

THE MAKING WORK SAFE PANEL  
YUKON TERRITORY  
OCTOBER 25, 2021

PREPARED BY:

 **Narrative**  
Consulting Inc.

# Table of Contents

Welcome & Overview	03
Jurisdictional Analysis Disclaimer	04
Yukon Territory	05
Canadian Federal Government	07
National Sick Day At-A-Glance	10
COVID-19 Measures & Programs	11
International Trends	12
Why Paid Sick Days Matter	13
Key Themes to Consider	14
Conclusion	17
References	18
Additional Sources	19
Appendix A	26
Appendix B	35



## Welcome

**Thank you for choosing Narrative Consulting Inc.** to help provide insight into the differing paid sick leave policies across Canada and engage with Yukoners to gather insights and recommendations that will shape new legislation.

We've conducted extensive research into the landscape of paid sick leave at the territorial, provincial, federal and international level, and reviewed informative research publications from a broad cross-section of viewpoints. With the additional help of the research initiated by the panel, we have prepared in-depth analyses for your review.

The need for paid sick leave has become greater than ever before, and we look forward to helping you with your recommendations.

## Overview

On December 31, 2019, Chinese authorities alerted the World Health Organization of a mystery disease known today as COVID-19<sup>1</sup>. On January 25, 2020, Canada reported its first presumptive case of COVID-19.

At home, the COVID-19 pandemic placed a spotlight on Canada's income support programs and the legislation protecting workers employment for personal sickness and caregiving leave. Federal, provincial, and territorial governments took immediate action to implement emergency measures to address the impact faced by workers and employers. Many of these temporary programs are set to expire. Without adequate sick leave, many workers have limited options when making a choice to go to work sick or stay home.



# Jurisdictional Analysis

## Disclaimer

The ongoing COVID-19 pandemic, its related programs and temporary measures have meant that information on related leave programs and related recommendations is constantly evolving. The information in this report has been compiled from numerous publications and reports, some of which have been developed in response to the pandemic. Any errors due to data sourced or recommendations from those reports are those of the original authors, and do not reflect the views of the publishers or funders of this environmental scan.

In regards to COVID-19 related programs, it is also important to note that at the Canadian federal level, the availability of many key COVID-19 benefit and relief programs for workers and employers come to an end on October 23, 2021. At the time of the publication of this report the Government of Canada has extended both the Canada Recovery Sickness Benefit and Canada Recovery Caregiving Benefit duration from four weeks to six weeks with eligibility extended to May 7, 2022. The Canada Recovery Benefit (CRB) which expired on October 23, 2021 has also been replaced by the Canada Worker Lockdown Benefit (October 24, 2021 to May 7, 2022), which focuses on providing support to workers specifically impacted by government-imposed public health lockdowns.

Additionally, a number of Canadian jurisdictions have introduced proposals related to paid sick leave, or are actively engaging in public consultation on the subject. Due to the action being taken by these jurisdictions, additional paid sick leave options may be coming into effect in the near future.

# Yukon Territory

## Current Unpaid Sick Leave Options for Yukon Workers\*

The current Yukon Employment Standards Act features a variable number of unpaid sick days based on the length of time that a worker has been employed.

This creates an additional potential stressor for the sick worker, who has to calculate not only if they can financially afford to be off sick, but also has to determine how many days they are entitled to take.

While this may be less impactful for long-tenured workers, for those who work seasonal work or have recently been employed this increases the likelihood that a worker may choose to come to work sick.

The Employment Standards Act also offers additional types of unpaid leave to support a worker who needs to be away from work for family caregiving reasons. While the option for these additional leave types is helpful, they also highlight the discrepancy between the amount of time available to help family members recover versus the amount of time available for the worker themselves to recover from an illness or injury.

### Unpaid Sick Leave



#### Who is eligible?

Workers are entitled to **one unpaid day** of sick leave for every month the worker has been employed by that employer

The worker shall not exceed **12 unpaid days** of sick leave, and each leave will be less any previous days taken\*\*



Up to a maximum of 12 days

Short Term Option

### Compassionate Care Leave



#### Who is eligible?

Workers who require an absence from work to care for a family member with a serious medical condition with a significant risk of death within 26 weeks\*\*\*



Up to a maximum of 28 weeks

### Critical Illness of a Child



#### Who is eligible?

Workers who have completed six months of continuous employment and requires an absence from work to care for a critically ill child in their family\*\*\*



Up to a maximum of 37 weeks

### Critical Illness of an Adult



#### Who is eligible?

Workers who have completed six months of continuous employment and requires an absence from work to care for a critically ill adult family member\*\*\*



Up to a maximum of 17 weeks

\* Not specific to COVID-19. Additional leave types are available, but have not been included as they do not directly link to the topic of paid sick days.

\*\* A medical certificate may be required if requested by the employer to be eligible for this leave.

\*\*\* A medical certificate is required by the employer to be eligible for this leave.

# Yukon Paid Sick Leave Rebate

The Paid Sick Leave Rebate provides up to 10 days' wages for workers and self-employed people who are sick, self-isolating or caring for household members due to COVID-19.

This rebate is eligible for workers without access to paid sick days from their employer and pays up to a maximum wage rate of \$378.13. Workers must have been employed by the business for more than two weeks.

The Government of Yukon launched the program in March 2020.

The program is being renewed and extended to September 30, 2022.

This is the third intake period since the program was launched. In total, workers could receive up to 30-days of paid sick leave.

The information provided is current as of September 30, 2021.



number of employers that have successfully applied to the rebate program.<sup>2</sup>



number of workers that have received paid sick leave income from the relief program.<sup>2</sup>



\$877,376 of the \$1.7 million has been distributed to employees as of September 30, 2021.<sup>2</sup>



program has been renewed from October 1, 2021 to September 30, 2021.<sup>2</sup>

## Yukon 14-Day Unpaid Leave

This leave is available to workers who must take time off if they or someone in their care is ordered to follow a health protection measure such as self-isolation.

This leave is not available to:

- Government of Yukon & its corporations;
- Government of Canada & its corporations;
- Yukon First Nation governments; or
- Municipalities

## Yukon Business Relief Program



Eligible business may receive support from the program to cover costs up to the point of break even.

- \$30,000 per month max to \$60,000 in total



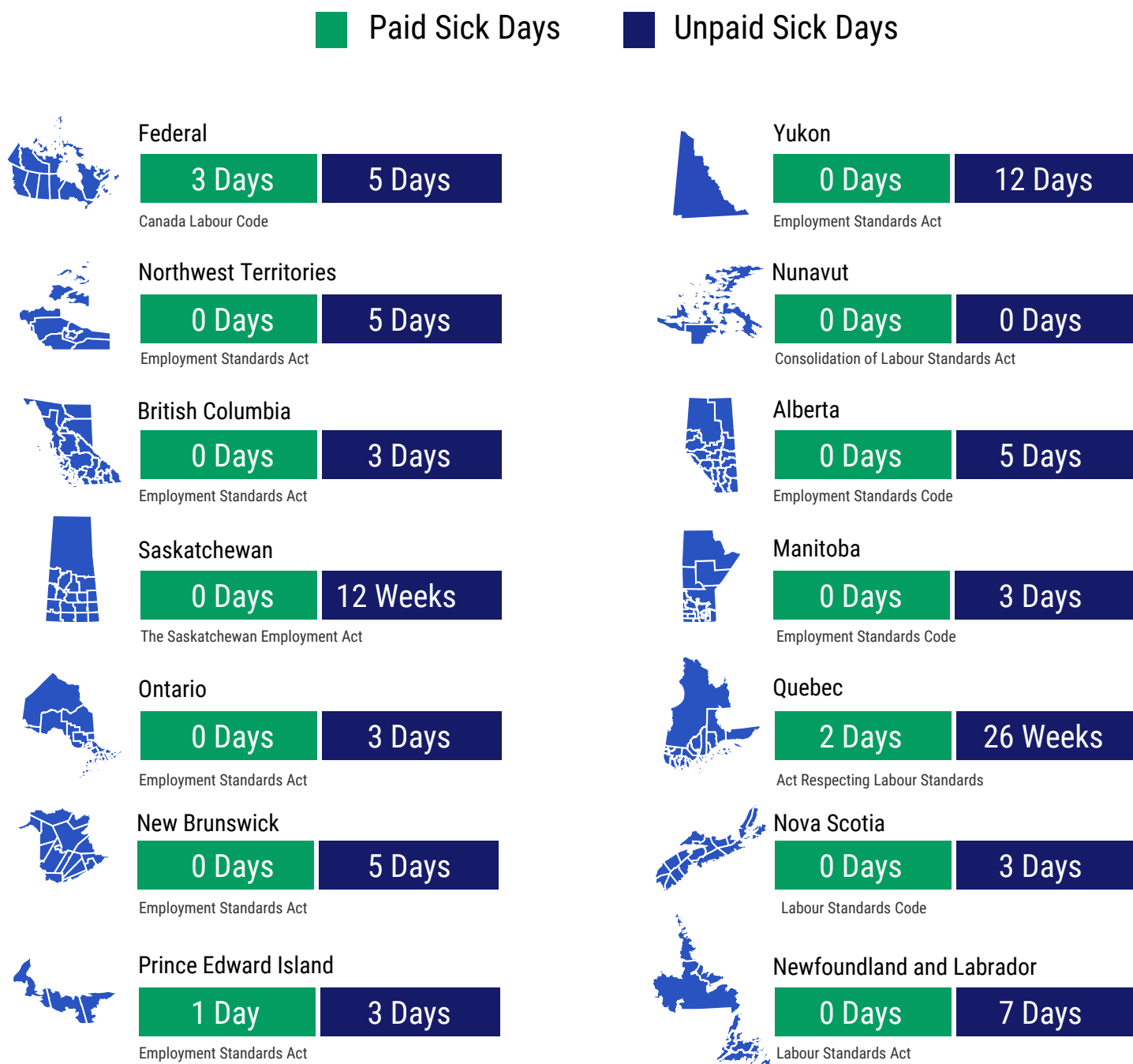
The Yukon Business Relief Program was available from April 1 to September 30, 2021.



To date there have been approximately 550 successful applicants to the program, with \$11.3M in funds distributed to Yukon businesses.<sup>2</sup>

# Sick Days at a Glance: A National Perspective

Upon reviewing the current state of sick leave across Canada, one thing is clear - there is no national standard. Few jurisdictions require employers to provide paid sick days, while unpaid sick days can range from a few days to multiple weeks.



*It should be noted that some jurisdictions across Canada are actively in the process of proposing new or amended legislation to introduce paid sick leave, while others have opted to hold off until after the pandemic.*

For a more in-depth look at Canadian Provincial and Territorial Sick Leaves, please see Appendix A

# Canadian Federal Government

## Canada Labour Code

The Canada Labour Code covers workers and workplaces which fall under the category of federally regulated industries. The code is broken into four parts. Not every part applies to each category of federally regulated industry, as shown in the table below.

If a worker is not employed in a federally regulated industry or workplace they will be subject to the employment standards set out by the province or territory that they work in.

### Canada Labour Code

Part I: Industrial Relations

Part II: Occupational Health & Safety

Part III: Standard Hours, Wages, Vacation & Holidays

Part IV: Administrative Monetary Penalties

### Federally Regulated Industry Categories

### Applicable parts of the Canada Labour Code

Federally regulated private sectors

Parts I, II, III, IV

Federally regulated public sectors

Parts II and IV

Private-sector firms and municipalities in Yukon, the Northwest Territories and Nunavut

Part I only

## Current Sick Leave for Federally Regulated Workers

### Personal Leave



#### Who is eligible?

Workers who have completed three consecutive months with the employer.

Eligible reasons for leave\*:

- sick leave
- caring for family members



5 days of leave are available, with the first three days taken at full pay, and the remaining days taken as unpaid leave

### Medical Leave



#### Who is eligible?

All workers who require an absence from work to due to:

- personal illness or injury
- organ or tissue donation
- medical appointments during working hours



Available as unpaid leave for up to 17 weeks\*\*

### Quarantine Leave



#### Who is eligible?

All workers who require an absence from work as a result of quarantine.



Available for up to 16 weeks\*\*

\* Other leave types are available but have not been listed above as they do not relate to sick leave.

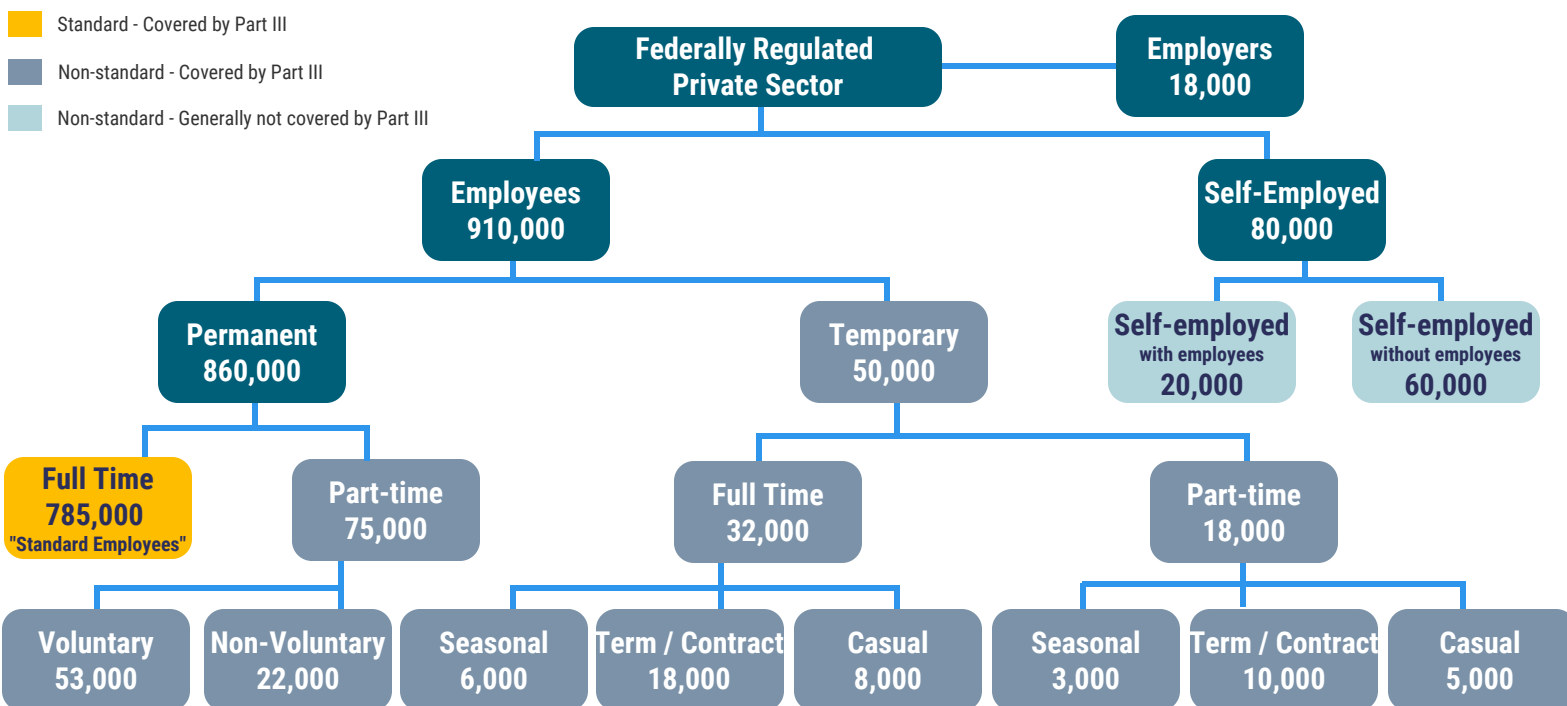
\*\* Pension, health and disability benefits and seniority continue during leave.

# Canadian Federal Government

## Examples of Federally Regulated Industries<sup>3</sup>

Category	Types of Jobs
Federally regulated private sector	<ul style="list-style-type: none"> <li>o air transportation, including airlines, airports, aerodromes and aircraft operations</li> <li>o banks, including authorized foreign banks</li> <li>o grain elevators, feed and seed mills, feed warehouses and grain-seed cleaning plants</li> <li>o first Nations band councils (including certain community services on reserve)</li> <li>o most federal Crown corporations, for example, Canada Post Corporation</li> <li>o port services, marine shipping, ferries, tunnels, canals, bridges and pipelines (oil and gas) that cross international or provincial borders</li> <li>o radio and television broadcasting</li> <li>o railways that cross provincial or international borders and some short-line railways</li> <li>o road transportation services, including trucks and buses, that cross provincial or international borders</li> <li>o telecommunications, such as, telephone, Internet, telegraph and cable systems</li> <li>o uranium mining and processing and atomic energy</li> <li>o any business that is vital, essential or integral to the operation of one of the above activities</li> </ul>
Federally regulated public sector	<ul style="list-style-type: none"> <li>o the federal public service</li> <li>o Parliament (such as, the Senate, the House of Commons and the Library of Parliament)</li> </ul>
Private-sector firms and municipalities in Yukon, the Northwest Territories and Nunavut	As described

## Understanding Coverage in the Federally Regulated Private Sector<sup>3</sup>



# Understanding the Canadian Federal Employment Insurance Benefit Programs

Employment Insurance provides temporary income to eligible Canadian unemployed workers. It also provides special benefits to workers who need time off work. In situations where a worker does not have any other form of sick leave, they may be able to access coverage through Employment Insurance. Let's take a closer look at the leaves that relate closest to the topic of paid sick leave.

## Employment Insurance Sickness Benefit



### Who is eligible?

Workers who need time off from work due to personal medical reasons.

Eligible individuals can receive up to 55% of their earnings up to a maximum of \$595 per week.



Payable up to a maximum of 15 weeks\*

## Employment Insurance For Self-Employed People



### Who is eligible?

Workers who need time off from work to provide care to a critically ill or injured person over 18 year old.



Payable up to a maximum of 15 weeks

The Employment Insurance Caregiver Benefit covers workers who need time off from work to care for a critically ill or injured person, or someone needing end-of-life care. Eligible individuals can receive up to 55% of their earning up to a maximum of \$595 per week. A medical certificate is required.

## Family Caregiver Benefit for Children



### Who is eligible?

Workers who need time off from work to provide care to a critically ill or injured person under 18 years old.



Payable up to a maximum of 35 weeks

## Family Caregiver Benefit for Adults



### Who is eligible?

Workers who need time off from work to provide care to a critically ill or injured person over 18 years old.



Payable up to a maximum of 15 weeks

## Compassionate Care Benefit



### Who is eligible?

Workers who need time off from work to provide care to a person of any age who required end-of-life care.



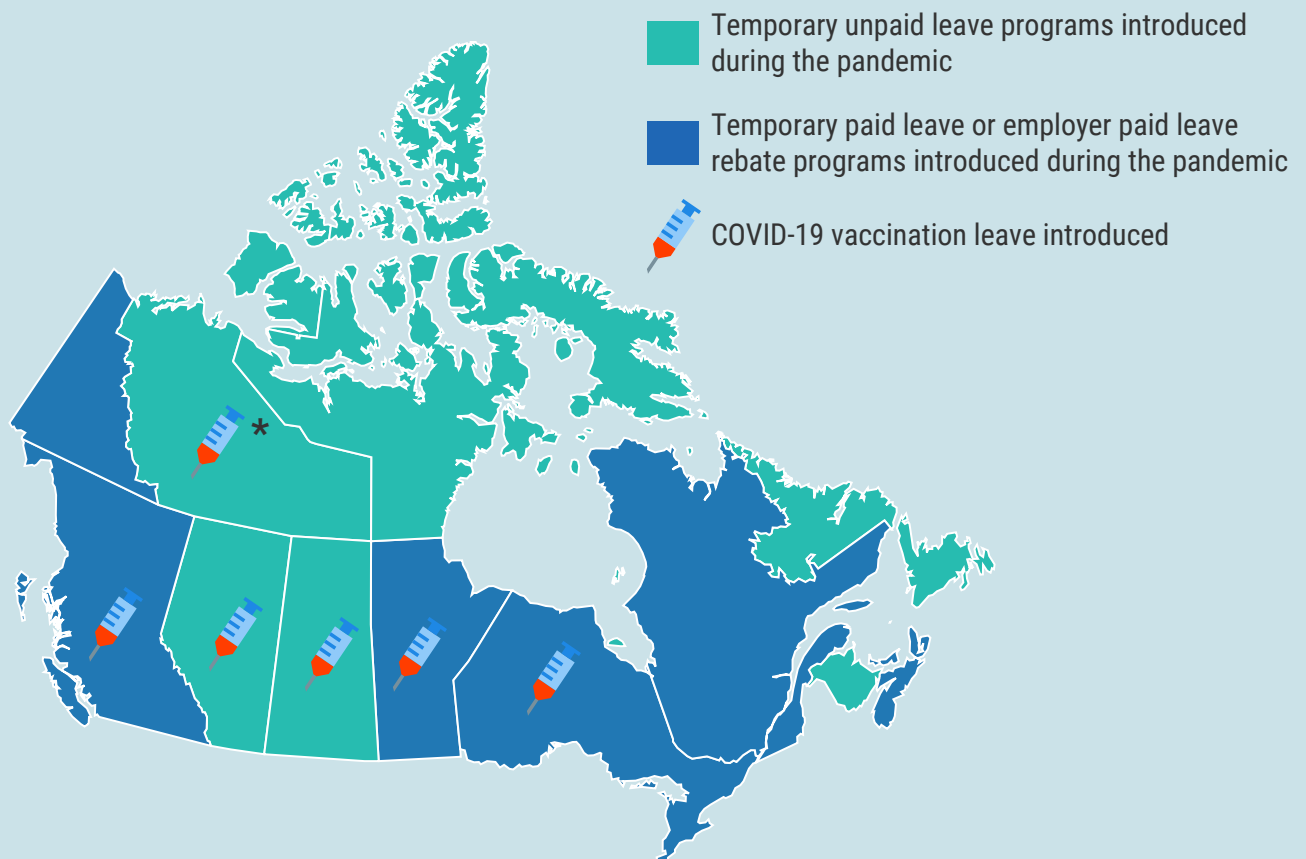
Payable up to a maximum of 26 weeks

\* The 2021 Federal Budget proposes an extension to 26 weeks.

# Temporary Pandemic Measures



## Across Canada



## At-a-glance summary of temporary COVID-19 sick leave measures across Canada

### Paid Leave

- Job-protected leave paid by the employer
- Duration in each participating jurisdiction varies
- Some jurisdictions have a maximum eligible amount per worker

### Paid Leave with Employer Rebate

- Eligible rebate amounts and/or durations of benefits vary by jurisdiction
- Workers who are covered under other sick leave benefits are not eligible under the rebate program

### Unpaid Leave

- Job-protected leave
- Duration in each jurisdiction varies from 14 days to as long as necessary for COVID-19 specific reasons
- Extra unpaid leave provisions have been introduced in some jurisdictions in addition to paid leave programs

For a full breakdown of COVID-19 program details by jurisdiction, including the federal details, please consult the tables in the appendices.

\* Note: NWT is the only jurisdiction to introduce unpaid COVID-19 vaccination leave. All other regions that have introduced this type of leave offer paid leave to be vaccinated.

# International Trends



In a study published by the International Labour Organization (ILO) it was found that only of the one third of the global working-age population had some form of income security protected by law in the case of sickness.

For those workers who did have access to some form of paid sick leave, there are still challenges to overcome. Workers may still experience:

- Insufficient financial benefits during the leave
- Inadequate number of paid sick days
- Waiting periods creating gaps in protection

The study also shed light on additional gaps in coverage for workers. Many countries have established legal provisions for employers to fund paid sick leave through employers liability. Other have additional coverage through universal benefit schemes or social assistance style programs, or a combination of both.

Globally, 59 countries rely exclusively on employer's liability to cover paid sick leave. This leaves many workers without coverage as many categories of workers including part-time or casual workers are often excluded from these employer provided benefits.

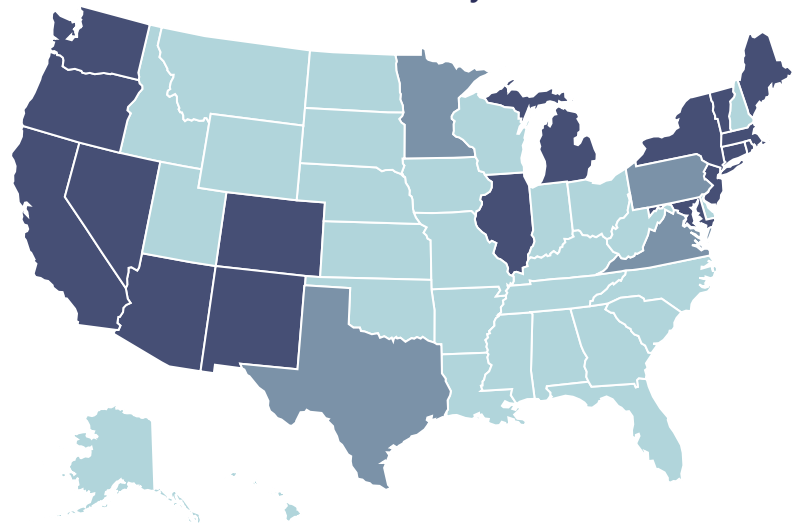
## Paid Sick Leave in the United States of America

While the COVID-19 pandemic has raised global awareness on the need for paid sick days, the topic has been discussed in the United States for more than a decade. Many cities chose to take action independently long before the passing of state laws mandating access to paid sick leave.

According to a news release<sup>5</sup> by the Bureau of Labor Statistics, 77 percent of private industry workers had access to paid sick leave in March 2021. Within those with access, the Bureau reported that paid sick leave is available to:

- 59% of workers in service occupations
- 93% of workers in management, professional and related occupations

## Paid Sick Leave by State<sup>6</sup>



- States **with** paid sick leave legislation
- States **without** paid sick leave legislation
- States without state-wide paid sick leave legislation, but with laws requiring **paid sick leave in specific regions, cities or municipalities**

## Unpaid Sick Leave in the US

At the U.S federal level, there is still an absence of a nationwide law regarding paid sick leave for private sector workers. Public sector workers are covered as part of their terms of employment. Federal law does provide access to unpaid sick leave under the Family and Medical Leave Act,<sup>7</sup> providing up to 12 weeks of unpaid leave if they meet the necessary eligibility requirements.

# Why Paid Sick Days Matter



## For workers who are sick...

Missing even a few of days from work can mean the loss of wages equivalent to a month's grocery budget for some workers.<sup>4</sup>

Workers without access to paid sick leave report significantly higher rates of psychological distress and are more likely to experience distress symptoms that are impactful to their daily life.<sup>8</sup>

Workers without sick days often fear they will lose their job if the need to take a day off to recover.<sup>4</sup>

## Many medical professionals agree that...

Patients who stay home when they are sick get well quicker. They also can access medical care more promptly, which may prevent more serious illness.<sup>9</sup>



Staying home when you are sick is key to preventing the spread of infectious disease.<sup>9</sup>

Providing workers with paid sick leave allows them more opportunity to seek care from their primary care physician rather than having to visit the emergency room after hours.<sup>9</sup>

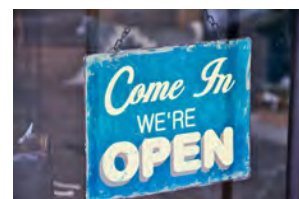
## Benefits to business

Offering paid sick days reduces employee turnover which saves businesses money. The cost of recruiting, taking time to interview candidates and training new hires is more impactful than providing a worker with paid sick leave.<sup>10</sup>

Workers who show up to work sick not only risk the spread of their illness, but they average a 20 percent loss in productivity.<sup>10</sup>

Workers in the food service industry typically do not have paid sick days, putting sick workers at financial risk if they take a day without pay to recover. When these workers come to work sick they put customers at risk of contracting illnesses, which can negatively effect businesses if the customer becomes ill.<sup>10</sup>

In the U.S, where the implementation of paid sick leave is becoming more wide-spread, many employers indicated that there was little negative financial impact once paid sick leave laws were introduced. Several jurisdictions reported that many of their workers didn't use any paid sick leave at all, or used very little of the allocated leave that they accumulated.<sup>10 11</sup>



Key themes to consider when implementing paid sick leave



Self-employed   Sufficient   Protection   Adequate   Provision   Awareness   Universal   Flexible   Fully Paid   Family   Caregiver   Permanent   Mental Health   Easy-access   Eligibility   No Sick notes

During our research and analysis on sick leave, many of the reports published by recognized organizations and associations featured common requirements for successful paid sick leave legislation development. We have captured them here for your consideration.

Universal & Accessible

Of all the challenges with the development of effective paid sick leave legislation, universal access was most often discussed. An employee will at some point require time off to attend to temporary personal illness or family caregiving responsibilities. Paid sickness and caregiving leave should be available to all workers regardless of classification of employment, workplace size, or immigration status.<sup>9</sup>

Precarious Workers

The International Labour Organization (ILO) refers to precarious employment as an inadequacy of rights and protection at work. The term can apply to informal work, but also applies to formal work, including subcontracting, temporary contracts, interim work, types of self-employments and involuntary part time work.<sup>4</sup> Workers in this type of employment are challenged with lower wages, access to benefits and health insurance, and length of current employment.

Protection

Technology is changing the way we work, the introduction of automation, artificial intelligence, and remote work are having an impact on traditional employment models. The Canadian Chartered Professional Accounts (CPA) reported that there is an increasing trend in the number of Canadians employed in precarious work situations. Evidence suggests that an increasing share of Canada’s most vulnerable are employed in situations with low pay, few protections and facing enormous unpredictability in both hours of work and wages.<sup>12</sup>

Initial analysis of the jurisdiction scan of Canadian provinces and territories highlighted the requirement for clearer legislation relating to short-term and medium-term leave. Many provinces and territories do not have a medium-term sick leave outlined in their labour standards code. This leaves workers unprotected if they require personal sick leave that in more than the defined short-term leave.



## Key themes to consider when implementing paid sick leave...

### Adequate

The COVID-19 pandemic has raised the awareness of the requirement to stay at home when sick. It is critical in maintaining the health and wellness of our co-workers, their families, and others within our community. Access to adequate sick allows workers to recover without the financial burden due to the loss of income.

How much time is needed for an individual to recover from commonly reported illnesses? Based on a survey of Canadian medical professionals, the Decent Work and Health Network (DWHN) is recommended at least 7 paid sick days with an additional 14 paid sick days during public health emergencies.<sup>9</sup>

The Institute for Research on Public Policy (IRPP) reports a key issue with short-term sick leave in Canada.<sup>13</sup> Workers take multiple short-term leaves in a year and will never use EI benefits due to the one-week waiting period. They recommend a total of 15 days of short-term paid leave to meet various sickness and caregiving leaves. Their study included Canada's international equivalents and sick leave in 190 countries.

Within Canada, the responsibility to provide employees with paid sick days has been placed with the employer and/or within employment terms and conditions for unionized employees in collective agreements.

In a report released by the International Labour Organization (ILO),<sup>4</sup> it is estimated that 62 percent of the global workforce is legally entitled to income security while on sick leave. This is funded by employee liability, sickness benefits through social insurance or assistance, or a combination of both. Relying solely on the employer to provide paid sick leave can leave unsalaried workers excluded with no or limited benefits. Putting the responsibility on employers may also lead to pressure not to take sick leave or discrimination in hiring individuals with declared medical conditions.

### Financing

On October 6, 2021, Bill 8, the "Stay Home If you are Sick Act, 2021,"<sup>14</sup> was introduced in the Legislative Assembly of Ontario. This Bill calls for 10 days paid sick leave and 14 days paid leave in declared emergencies. Interestingly, the bill also calls on the Minister to implement an employer support program to help employers adapt to increased costs with paid leave.

Financing paid sick leave is a complex issue and is a responsibility that could be met by both the employer and government-provided funding for income support.



## Key themes to consider when implementing paid sick leave...

### Sufficiency

Should paid sick leave require employers to pay workers their full wages for each day of leave? How would you determine a full wage for casual or part-time workers? Sufficiency requires that paid sick leave will at a minimum not put workers into financial burden when taking leave.

In 2018, the World Policy Analysis Center surveyed Organisation for Economic Co-operation and Development (OECD) member countries. In their report they stated, “A wage replacement rate of at least 80% helps to address poverty in leave-taking. Wage replacement rates of 80% are economically feasible”.<sup>15</sup>

### Flexible

Workers have unique requirements, paid sick leave should be flexible to allow for personal health and injury, family caregiving responsibilities, and emergencies. In our review of jurisdictions, we discovered some provinces allocate leave in full days or weeks. Manitoba’s Employment Standards Code counts partial days as full days which would not accommodate working a temporary week of half days. Each half day in a 5-day work week would be counted as 5 days leave. With flexibility this could be counted as 2 and a half days, which is within their current 3 day leave<sup>16</sup> maximum.

### Medical Notes

When an employer requests a worker to provide a sick note for minor illness it creates barriers to accessing paid sick days and following public health recommendations to stay home when sick. In addition, it places undue stress on workers, unnecessary strain on health providers and threatens the spread of communicable diseases in the community.

The Canadian Association of Emergency Physicians (CAEP) is asking for changes to the federal and provincial legislation. The requested changes will prevent employers from requesting sick notes for leave due to minor illness if a worker feels they do not require a medical assessment.<sup>17</sup>

In 2018 Ipsos conducted a poll on behalf of the Canadian Medical Association (CMA). Among employed Canadians 82% would rather go to work sick if their employer required a sick note for a minor illness.<sup>18</sup>

### Permanent

Many of the actions taken by the federal, provincial, and territorial governments in response to the COVID-19 pandemic were temporary. At the time of this report some of the temporary measures have expired. As governments design their new paid sick leave legislation, they must ensure that the measures introduced are permanent and not just in place for public health emergencies.

# Conclusion

The need for paid sick leave is not a new topic, advocates have been calling for change for over a decade. The COVID-19 pandemic has exposed our most vulnerable and raised an awareness that paid sick leave is vital to supporting the health and welfare of our citizens, our families, and economy.

Many states and cities in the U.S. implemented paid sick leave policies years before the start of the pandemic. They reported minimal financial impact to employers. Businesses and communities continue to see strong economic growth.

With temporary federal, provincial, and territorial sick leave and income assistance programs expiring. 58% of Canadian workers will be without access to needed paid sick leave.<sup>19</sup> As our 'new normal' is evolving, one thing is certain, it includes staying at home when we are sick or to provide care for family. Now is the window of opportunity to implement permanent paid sick leave legislation.

# References

1. World Health Organization 2021 "Listings of WHO's response to COVID-19"  
<https://www.who.int/news/item/29-06-2020-covidtimeline>
2. Data provided by Yukon Government Department of Economic Development October 2021
3. Government of Canada. "A portrait of the federally regulated private sector". October 17, 2021. <https://www.canada.ca/en/employment-social-development/corporate/portfolio/labour/programs/labour-standards/reports/issue-paper-portrait-federally-regulated-private-sector.html>
4. International Labour Organization. "World Social Protection Data Dashboards". October 18, 2021. <https://www.social-protection.org/gimi/WSPDB.action?id=1471>
5. US Department of Labor, Bureau of Labor Statistics News Release  
<https://www.bls.gov/news.release/pdf/ebs2.pdf>
6. Article published by Workest by Zenefits <https://www.zenefits.com/workest/the-definitive-list-of-states-and-cities-with-paid-sick-leave-laws/>
7. US Department of Labor, Family and Medical Leave Act  
<https://www.dol.gov/agencies/whd/fmla>
8. National Library of Medicine. 2018. "Paid sick leave and psychological distress: An analysis of U.S. workers". <https://pubmed.ncbi.nlm.nih.gov/28910124/>
9. Decent Work and Health Network (DWHN). 2020. "Before it's too Late: How to Close the Paid Sick Days Gap During COVID-19 and Beyond." Decent Work and Health Network Report (Released August 19, 2020).  
<https://www.decentworkandhealth.org/beforetoolate>
10. National Partnership for Women and Families – Paid Sick Days are Good for Business Oct 2020 <https://www.nationalpartnership.org/our-work/resources/economic-justice/paid-sick-days/paid-sick-days-good-for-business-and-workers.pdf>
11. National Partnership for Women and Families – Busting Myths About Paid Sick Days October 2018 <https://www.nationalpartnership.org/our-work/resources/economic-justice/paid-sick-days/busting-the-myths-about-paid-sick-days.pdf>
12. Chartered Professional Accountants Canada. 2018. "Navigating Precarious Employment in Canada: Who is Really at Risk?", Francis Fong. [https://www.cpacanada.ca/-/media/site/operational/sc-strategic-communications/docs/g10475-sc\\_navigating-precarious-employment-in-canada\\_who-is-really-at-risk\\_en\\_final.pdf](https://www.cpacanada.ca/-/media/site/operational/sc-strategic-communications/docs/g10475-sc_navigating-precarious-employment-in-canada_who-is-really-at-risk_en_final.pdf)
13. Institute for Research on Public Policy. 2021. "Designing Paid and Protected Employment Leaves for Short-Term Sickness and Caregiving", Eric M. Tucker and Leah F. Vosko. <https://irpp.org/wp-content/uploads/2021/10/Designing-Paid-and-Protected-Employment-Leaves-for-Short-Term-Sickness-and-Caregiving.pdf>
14. Ontario Government – Bill 8: Stay at Home When You Are Sick Act 2021  
<https://www.ola.org/en/legislative-business/bills/parliament-42/session-2/bill-8>
15. World Policy Analysis Center. 2018. "Paid Leave for Personal Illness: A Detailed Look at Approaches Across OECD Countries", Amy Raub, Paul Chung, Priya Batra, Alison Earle, Bijetri Bose, Judy Jou, Nicolas De Guzman Chorny, Elizabeth Wong, Daniel Franken, and Jody Heymann.

- [https://www.worldpolicycenter.org/sites/default/files/WORLD%20Report%20-%20Personal%20Medical%20Leave%20OECD%20Country%20Approaches\\_0.pdf](https://www.worldpolicycenter.org/sites/default/files/WORLD%20Report%20-%20Personal%20Medical%20Leave%20OECD%20Country%20Approaches_0.pdf)
16. The Employment Standards Code.  
[https://web2.gov.mb.ca/laws/statutes/ccsm/\\_pdf.php?cap=e110](https://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=e110). October 9, 2021
17. Canadian Association of Emergency Physicians. 2020. "CAEP Position Statement on Sick Notes for Minor Illness". <https://caep.ca/wp-content/uploads/2020/03/CAEP-Sick-Note-Position-Statement-2020.pdf>
18. Ipsos. 2018. "Staying Home Sick? Eight in Ten (82%) Employed Canadians Would go to Work Sick if their Employer Required Sick Notes for Minor Illnesses", Jennifer McLeod Macey. <https://www.ipsos.com/en-ca/news-polls/Canadians-oppose-ontario-government-plan-to-reinstate-sick-notes>
19. Statistics Canada. 2016. "General Social Survey (Canadians at Work and Home) 2016. Culture Code book (excludes sports section). Public Use Microdata File".  
<https://www23.statcan.gc.ca/imdb/p2SV.pl?Function=getSurvey&SDDS=5221>

## Additional Sources

International Journal of Health Services. 2010. "Ensuring a Healthy and Productive Workforce: Comparing the generosity of Paid Sick Day and Sick Leave Policies in 22 Countries".  
[https://www.researchgate.net/publication/41720650\\_Ensuring\\_a\\_Healthy\\_and\\_Productive\\_Workforce\\_Comparing\\_the\\_Generosity\\_of\\_Paid\\_Sick\\_Day\\_and\\_Sick\\_Leave\\_Policies\\_in\\_22\\_Countries](https://www.researchgate.net/publication/41720650_Ensuring_a_Healthy_and_Productive_Workforce_Comparing_the_Generosity_of_Paid_Sick_Day_and_Sick_Leave_Policies_in_22_Countries)

"No Nova Scotian Should Have to Work Sick", Rebecca Casey, Rachel K. Brickner, Jesse Carlson, Sarah Rudrum, and Jenn Munroe. 2021.  
<https://www.policyalternatives.ca/publications/reports/no-nova-scotian-should-have-work-sick>

WORLD Policy Analysis Center. 2020. "Protecting health during COVID-19 and beyond: A global examination of paid sick leave design in 193 countries", Jody Heymann, Amy Raub, Willetta Waisath, Michael McCormack, Ross Weistroffer, Gonzalo Moreno, Elizabeth Wong and Alison Earle. <https://www.tandfonline.com/doi/full/10.1080/17441692.2020.1764076>

Institute for Women's Policy Research. 2011. "San Francisco's Paid Sick Leave Ordinance: Outcomes for Employers and Employees", Robert Drago and Vicky Lovell.  
[https://iwpr.org/wp-content/uploads/2021/02/A138\\_edited.pdf](https://iwpr.org/wp-content/uploads/2021/02/A138_edited.pdf)

WHO: World Health Report. 2010. "The case for paid sick leave", Xenia Scheil-Adlung and Lydia Sandner.  
<https://www.who.int/healthsystems/topics/financing/healthreport/SickleaveNo9FINAL.pdf>

Statistics Canada. 2016. "General Social Survey, Cycle 30: Canadians at Work and Home. Public Use Microdata File Documentation and User's Guide".  
<https://abacus.library.ubc.ca/dataset.xhtml?persistentId=hdl:11272.1/AB2/NX1W3L>

Center for Economic and Research Policy. 2009. "Contagion Nation: A Comparison of Paid Sick Day Policies in 22 Countries", Jody Heymann, Hye Jin Rho, John Schmitt, and Alison Earle. <https://cepr.net/documents/publications/paid-sick-days-2009-05.pdf>

Center for Economic and Research Policy. 2009 "United States Lags World in Paid Sick Days for Workers and Families". <https://cepr.net/documents/publications/psd-summary.pdf>

Statistics Canada. 2020. "Study: Workers receiving payments from the Canada Emergency Response Benefit program, 2020". <https://www150.statcan.gc.ca/n1/daily-quotidien/210602/dq210602b-eng.htm>

Proceedings of the National Academy of Sciences of the United States of America. 2021 "Awareness and use of (emergency) sick leave: US employees' unaddressed sick leave needs in a global pandemic", Emma Jelliffe, Paul Pangburn, Stefan Pichler, and Nicolas R. Ziebarth. <https://www.pnas.org/content/118/29/e2107670118>

Publication Office of the European Union. 2016. "Sick pay and sickness benefit schemes in the European Union". <https://ec.europa.eu/social/BlobServlet?docId=16969&langId=en>

U.S. Department of Labour, Families First Coronavirus Response Act: Employer Paid Leave Requirements. October 15, 2021. <https://www.dol.gov/agencies/whd/pandemic/ffcra-employer-paid-leave>

National Partnership for Women and Families. 2020. "Fact Sheet: New Emergency Legislation Provides Paid Sick Days and Paid Leave for Child Care for Millions". <https://www.nationalpartnership.org/our-work/resources/economic-justice/new-emergency-legislation-paid-sick-days-paid-leave-child-care.pdf>

Legislative Assembly of Ontario. Bill 7, 10 Paid Sick Days for Ontario Workers Act. October 6, 2021 First Reading, Carried (Liberal) [Bill 7, 10 Paid Sick Days for Ontario Workers Act, 2021 - Legislative Assembly of Ontario \(ola.org\)](https://www.ola.org/bills/bills-2021/bill-7)

United Nations. 2020. "A UN framework for the immediate socio-economic response to COVID-19". <https://unsdg.un.org/resources/un-framework-immediate-socio-economic-response-covid-19>

University of British Columbia. Partnership for Work, Health and Safety. Research Brief. 2020. "Ability to work from home and paid sick leave benefits by precarious employment and socioeconomic status". <http://pwhr.sites.olt.ubc.ca/files/2020/09/GSS-COVID-19-Research-Brief-2020.pdf>

# Sources from Canadian Jurisdictions

## Federal

Canada Labour Code. <https://lawslois.justice.gc.ca/PDF/L-2.pdf>. Current to October 7, 2021

Bill C-13, An Act respecting certain measures in response to COVID-19. [https://laws-lois.justice.gc.ca/PDF/2020\\_5.pdf](https://laws-lois.justice.gc.ca/PDF/2020_5.pdf).

Canada's COVID-19 Economic Response Plan. <https://www.canada.ca/en/department-finance/economic-response-plan.html>.

Budget 2021, A Recovery Plan for Jobs, Growth, and Resilience. <https://www.budget.gc.ca/2021/home-accueil-en.html>. 2021

Canada Emergency Wage Subsidy (CEWS). <https://www.canada.ca/en/revenue-agency/services/subsidy/emergency-wage-subsidy.html>. October 13, 2021

Canada Recovery Hiring Program (CRHP). <https://www.canada.ca/en/revenue-agency/services/subsidy/recovery-hiring-program.html>. October 13, 2021

Canada Recovery Benefit (CRB). <https://www.canada.ca/en/revenue-agency/services/benefits/recovery-benefit.html>. October 14, 2021

Canada Recovery Sickness Benefit (CRSB). <https://www.canada.ca/en/revenue-agency/services/benefits/recovery-sickness-benefit.html>. October 13, 2021

Canada Recovery Caregiving Benefit (CRCB). <https://www.canada.ca/en/revenue-agency/services/benefits/recovery-caregiving-benefit.html>. October 13, 2021

Indigenous Community Business Fund. <https://www.sac-isc.gc.ca/eng/1596809415775/1596809469296>. October 13, 2021

Highly Affected Sectors Credit Availability Program (HASCAP). <https://www.bdc.ca/en/special-support/hascap>. October 13, 2021

EDC Business Credit Availability Program (BCAP). <https://www.edc.ca/en/solutions/working-capital/bcap-guarantee.html>. October 13, 2021

Co-Lending Program. <https://www.bdc.ca/en/special-support/special-support-co-lending-program>. October 13, 2021

Budget 2021, A Recovery Plan for Jobs, Growth, and Resilience.

<https://www.budget.gc.ca/2021/home-accueil-en.html>. October 15, 2021

The Canada Worker Lockdown Benefit. <https://www.canada.ca/en/department-finance/news/2021/10/the-canada-worker-lockdown-benefit.html>.

October 22, 2021

## **Newfoundland and Labrador**

Labour Standards Act <https://assembly.nl.ca/legislation/sr/statutes/l02.htm>. Current to February 1, 2021

Bill 33, An Act Respecting Certain Measures in Response to the COVID-19 Pandemic.

<https://www.assembly.nl.ca/housebusiness/bills/ga49session1/bill2033.htm>. October 10, 2021

## **Prince Edward Island**

Employment Standards Act.

[https://www.princeedwardisland.ca/sites/default/files/legislation/e-06-2-employment\\_standards\\_act.pdf](https://www.princeedwardisland.ca/sites/default/files/legislation/e-06-2-employment_standards_act.pdf). Current to July 14, 2020.

COVID-19 Special Leave Fund. <https://www.princeedwardisland.ca/en/service/covid-19-special-leave-fund>. October 6, 2021

## **Nova Scotia**

Labour Standards Code.

<https://www.nslegislature.ca/sites/default/files/legc/statutes/labour%20standards%20code.pdf>. Current to May 5, 2020

Coronavirus (COVID-19): Paid Sick Leave Program. <https://novascotia.ca/coronavirus/paid-sick-leave-program/>. October 6, 2021

## **New Brunswick**

Employment Standards Act. <http://laws.gnb.ca/en/ShowPdf/cs/E-7.2.pdf>. Current to December 18, 2020

## **Quebec**

Act Respecting Labour Standards. <http://legisquebec.gouv.qc.ca/en/showdoc/cs/n-1.1>. Current to June 30, 2021

Temporary Aid for Workers Program. <https://www.quebec.ca/en/family-and-support-for-individuals/financial-assistance/temporary-aid-for-workers-program>. October 7, 2021

## **Ontario**

Employment Standards Act. <https://www.ontario.ca/laws/statute/00e41>. Current to June 3, 2021

Ontario COVID-19 Worker Income Protection Benefit. <https://www.ontario.ca/page/covid-19-worker-income-protection-benefit>. October 7, 2021

Infectious disease emergency leave. <https://www.ontario.ca/document/your-guide-employment-standards-act-0/infectious-disease-emergency-leave>. October 7, 2021

Bill 284, COVID-19 Putting Workers First Act. <https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-284>. October 9, 2021

## **Manitoba**

The Employment Standards Code.  
<https://web2.gov.mb.ca/laws/statutes/ccsm/pdf.php?cap=e110> October 9, 2021

Bill 73, COVID-19 Vaccination Leave. <https://web2.gov.mb.ca/bills/42-3/pdf/b073.pdf>. October 11, 2021

Manitoba Pandemic Sick Leave. <https://www.gov.mb.ca/covid19/programs/pandemic-sick-leave.html>. October 10, 2021

## **Saskatchewan**

The Saskatchewan Employment Act. <https://www.canlii.org/en/sk/laws/stat/ss-2013-c-s-15.1/latest/ss-2013-c-s-15.1.html>. Current to October 2, 2021

Employment Standards. <https://www.saskatchewan.ca/business/employment-standards>. October 7, 2021

Bill 603, The Saskatchewan Employment (Paid Sick Leave) Amendment Act. <https://publications.saskatchewan.ca/#/products/112975>. October 11, 2021

Employers' COVID-19 Emergency Regulations.  
<https://publications.saskatchewan.ca/#/products/114953>. October 11, 2021

## **Alberta**

Employment Standards Code. <https://www.qp.alberta.ca/documents/Acts/E09.pdf>. Current to June 30, 2021

COVID-19 leave. <https://www.alberta.ca/covid-19-leave.aspx>. October 11, 2021

Personal and family responsibility leave. <https://www.alberta.ca/personal-family-responsibility-leave.aspx>. October 11, 2021

## **British Columbia**

Employment Standards Act. [https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00\\_96113\\_01](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00_96113_01). Current to September 29, 2021

Paid Sick Leave. <https://engage.gov.bc.ca/paidsickleave/>. October 11, 2021

## **Nunavut**

Consolidation of Labour Standards Act. <https://nu-lsco.ca/phocadownloadpap/Labour%20Standards%20Act%20Consolidation.pdf>. Current to March 19, 2020

COVID-19 Public Emergency Leave Regulations: <https://www.nunavutlegislation.ca/en/consolidated-law/covid-19-public-emergency-leave-regulations>. October 11, 2021

Nunavut's Path: Living with COVID-19. [https://www.gov.nu.ca/sites/default/files/nunavuts\\_path\\_living\\_with\\_covid-19\\_-\\_eng\\_2.pdf](https://www.gov.nu.ca/sites/default/files/nunavuts_path_living_with_covid-19_-_eng_2.pdf). October 11, 2021

## **Northwest Territories**

Employment Standards Act. <https://www.justice.gov.nt.ca/en/files/legislation/employment-standards/employment-standards.a.pdf>. Current to July 1, 2021

Bill 20, An Act to Amend the Employment Standards Act. <https://www.ntassembly.ca/content/act-amend-employment-standards-act-0>. October 11, 2021

Report on the Review of Bill 20. [https://www.ntassembly.ca/sites/assembly/files/cr\\_12-192\\_-\\_report\\_on\\_the\\_review\\_of\\_bill\\_20-an\\_act\\_to\\_amend\\_the\\_employment\\_standards\\_act\\_0.pdf](https://www.ntassembly.ca/sites/assembly/files/cr_12-192_-_report_on_the_review_of_bill_20-an_act_to_amend_the_employment_standards_act_0.pdf). October 12, 2021

## Yukon

Employment Standards Act.

<https://laws.yukon.ca/cms/images/LEGISLATION/PRINCIPAL/2002/2002-0072/2002-0072.pdf>.

Current to June 18, 2021

Leave (COVID-19) Regulation. [http://www.gov.yk.ca/legislation/regs/oic2020\\_058.pdf](http://www.gov.yk.ca/legislation/regs/oic2020_058.pdf). October 9, 2021

14-day unpaid leave during COVID-19. <https://yukon.ca/en/health-and-wellness/covid-19/14-day-unpaid-leave-during-covid-19>. October 9, 2021

Paid sick leave Rebate for employers and self-employed. <https://yukon.ca/en/health-and-wellness/covid-19-information/economic-and-social-supports-covid-19/paid-sick-leave#apply-for-a-paid-sick-leave-rebate-for-employers>. October 9, 2021

## Appendix A: Sick Leave Legislation Across Canada

Jurisdiction	Unpaid Sick Days	Paid Sick Days	Sick Note	Temporary COVID-19 Measures	COVID-19 Vaccination Leave
<b>Federal</b>	<p><b>Personal leave: 5 days</b> of leave for sick leave or leave related to the health or care of family members.</p> <p><b>Medical leave: up to 17 weeks</b> unpaid</p> <p>If 3 days or longer, medical note can be required by employer</p>	<p>Personal leave: <b>3 paid days</b> (first 3 days of the 5 days are paid)</p>	<p>Employer can request a medical note.</p> <p>Employee shall provide if reasonable and practicable</p>	<p>Unpaid, job-protected leave for up to 16 weeks for reasons related to COVID-19. Ends on October 1, 2020 when it will be replaced by a permanent provision that allows for leave of absence for quarantine. Sick note not required.</p> <p>A temporary program to provide 10 days of income support for COVID-related leave for workers without paid sick days has been announced, but details and implementation are still forthcoming.</p>	None
<b>Newfoundland</b>	<p><b>Sick and family responsibility leave: 7 unpaid days</b> for sick leave or family responsibility leave in a year after 30 days of employment.</p>	None	<p>An employee shall provide his or her employer with a certificate of a medical practitioner or nurse practitioner for a period of 3 or more consecutive days of sick leave.</p> <p>An employee shall provide his or her employer with a statement in</p>	<p>Unpaid job-protected leave for reasons related to COVID-19.</p> <p>Sick note not required.</p>	Do not specifically require employers to provide a paid leave to employees obtaining a COVID-19 vaccine

## Appendix A: Sick Leave Legislation Across Canada

			writing of the nature of the family responsibility where the leave is of 3 or more consecutive days in duration.		
<b>PEI</b>	<p><b>Sick leave:</b> Up to <b>3 days of unpaid</b> sick leave during a 12-month period after 3 months of employment.</p> <p>Up to <b>3 days of unpaid family responsibility</b> leave during a 12-month period after 6 months of employment.</p> <p>Family leave: <b>Up to 3 days</b> after 6 months of employment during a 12 calendar month period.</p>	<p><b>Sick leave:</b> Employees with 5+ years of continuous service are entitled to 1 day of paid sick leave.</p>	<p>Employer can request a medical certificate if employee requests 3 consecutive days of leave</p>	<p>Unpaid emergency leave in relation to COVID-19 for as long as an employee cannot perform their work-duties because of an emergency.</p> <p>Sick note not required</p> <p>On May 10, 2021, Prince Edward Island (PEI) established a COVID-19 Special Leave Fund that reimburses eligible employers for wages paid to PEI-based employees for scheduled time missed due to a COVID-19 vaccination appointment that could not be scheduled outside of work hours, and for other specified reasons related to COVID-19. For each employee, the employer is entitled to apply to the program for up to three days per week on two separate occasions (i.e., to a maximum of six days). The maximum</p>	<p>PEI does not require employers to provide employees with leave to obtain a COVID-19 vaccine per se. However, they have established a program that will reimburse employers without a paid sick leave program for wages paid to employees who have taken time off due to COVID-19 related reasons, including to attend a vaccination appointment.</p>

## Appendix A: Sick Leave Legislation Across Canada

				reimbursement is \$20 per hour or \$160 per day per employee.	
<b>Nova Scotia</b>	<p><b>Sick Leave:</b> Up to 3 days of unpaid leave each year.</p> <p><b>Emergency leave:</b> Unpaid leave for government declared emergencies or public health directives or emergencies that prevent employee from performing work duties or if they need to care for someone due to emergency.</p>	None	Guidelines suggest that sick notes may not be reasonable during a pandemic.	<p>Unpaid emergency leave was already in place. In response to COVID-19, employers can longer require a sick note if an employee must be off work.</p> <p>Coronavirus (COVID-19): Paid Sick Leave Program Nova Scotians who missed work between 10 May and 31 July 2021 because of COVID-19 may qualify for up to 4 paid sick days through the COVID-19 Paid Sick Leave Program. Businesses must apply for reimbursement for an employee's pay within 90 days of the date the employee was paid. Self-employed workers must apply within 90 days of missing work.</p> <p>Under the program, employers and self-employed people can apply for reimbursement up to a maximum of \$20 per hour or \$160 per day, with the maximum total payment per employee set at \$640. Employees who have sick leave benefits are not eligible. The Nova Scotia Government has</p>	None

## Appendix A: Sick Leave Legislation Across Canada

				indicated that this is a voluntary program for workers, businesses and self-employed people.	
<b>New Brunswick</b>	<p><b>Sick Leave:</b> Up to <b>5 days unpaid</b> leave during a 12-month period after 90 days of employment</p> <p><b>Family Responsibility Leave:</b> Up to <b>3 days unpaid</b> leave during a 12-month period.</p>	None	<p><b>Sick Leave:</b> If employee requests 4 consecutive days or more, employer can require a sick note.</p> <p><b>Family Responsibility Leave:</b> Sick not rules not specified.</p>	<p>Unpaid leave for reasons related to COVID-19 until regulation is repealed.</p> <p>Employer not permitted to ask for sick note.</p>	Do not specifically require employers to provide a paid leave to employees obtaining a COVID-19 vaccine
<b>Quebec</b>	<p><b>Sick Leave:</b> Up to <b>5 days unpaid</b> leave during a 12-month period after 90 days of employment</p> <p><b>Family Responsibility Leave:</b> Up to <b>3 days unpaid</b> leave during a 12-month period.</p>	Sick Leave: Up to <b>2 paid sick days</b> per calendar year with 3 months of employment.	Employer can request a sick note.	For COVID-19: Residents of Quebec 18 and over who are isolating because they have symptoms or have tested positive, have been in contact with an infected person; or, have travelled outside of the country may be granted \$573 per week for a period of 14 days of isolation or up to 28 days if justified, if they are not receiving compensation from their employer, private insurance or another	None

## Appendix A: Sick Leave Legislation Across Canada

				government program. The order to self-isolate must be given by the Government of Canada, the Gouvernement du Quebec or another responsible authority.	
<b>Ontario</b>	<p><b>Sick Leave:</b> Up to <b>3 days of unpaid</b> leave each year after 2 weeks of employment</p> <p><b>Family Responsibility Leave:</b> Up to <b>3 days of unpaid</b> leave each year after 2 weeks of employment.</p> <p>Family Caregiver leave: Up to 8 weeks unpaid leave in each calendar year.</p>	None	<p>Sick Leave: Employer can require a sick note.</p> <p>Family Responsibility Leave: Employer cannot require a sick note for a family member's illness, injury or medical emergency, but may require evidence or proof.</p> <p>Family Caregiver Leave: Medical certificate required.</p>	<p>April 29, 2021 amendments to the Employment Standards Act. (Emergency leave extended to December 31, 2021)</p> <p>Emergency Leave: Declared Emergencies and Infectious Disease Emergencies</p> <p>Paid infectious disease emergency leave: Provide employees with up to three days of paid leave (maximum of \$200 per day).</p> <p>Unpaid infectious disease emergency leave: No specified limit to the number of days an employee can be on unpaid infectious disease emergency leave.</p> <p>Employer cannot require a sick note</p>	Paid leave for vaccinations covered under Emergency Leave (Bill 284)
<b>Manitoba</b>	<p><b>3 unpaid</b> days of leave for sick leave or family care responsibilities</p> <p><b>Family Leave:</b> Up to <b>3 days of unpaid</b> leave for the health of the employee or</p>	None	Employers can require a medical note.	<p>Manitoba Pandemic Sick Leave:</p> <p>Up to <b>5 days of paid leave</b> (May 7, 2021 to October 23 2021) Up to to \$600 per employee.</p>	Up to 3 hours of paid leave. (Bill 73)

## Appendix A: Sick Leave Legislation Across Canada

	<p>family responsibilities each year after 30 days of employment.</p> <p><b>Long-term leave for serious injury or illness:</b> Up to <b>17 weeks of unpaid leave</b> in any 52 week period after 90 days of employment.</p>		<p>Long-term leave for serious injury or illness Medical certificate required.</p>	<p>Public Health Emergency Leave —COVID-19 Public health emergency unpaid leave of unspecified length for reasons related to COVID-19.</p> <p>Employer not permitted to ask for sick note</p>	
<b>Saskatchewan</b>	<p>After 13 weeks of employment, employees are entitled to:</p> <ul style="list-style-type: none"> <li>- Up to <b>12 days unpaid leave</b> in a calendar year for <b>minor illness or injury</b></li> <li>- Up to <b>12 weeks unpaid leave</b> during a 52-week period for <b>serious illness or injury</b></li> <li>- Up to <b>26 weeks unpaid leave</b> in a period of 52-week <b>if employees are injured and receiving benefits under The Worker's Compensation Act</b></li> </ul>	None	<p>Employers can request a medical note, unless absence is a result of a public health emergency.</p>	<p>Employees can take unpaid leave for as long as you are required to isolate or care for someone required to isolate to follow the public health order.</p> <p>Sick note required</p>	<p>Up to 3 hours of paid leave (The Occupational Health and Safety Regulations, 2020).</p> <p>A longer period if the employer determines that circumstances warrant it.</p>
<b>Alberta</b>	<p><b>Personal and Family Responsibility Leave:</b> Up to <b>5 days of unpaid leave</b> in a calendar year after employment of 90 days.</p> <p><b>Long-term Illness and Injury Leave:</b> Up to <b>16</b></p>	None	<p>Personal and Family Responsibility leave: Not stated</p> <p>Long-term Illness and Injury Leave:</p>	<p>Employees who are in quarantine due to COVID-19, are eligible for 14 days of unpaid leave.</p> <p>Temporary Personal and Family Responsibility leave related to COVID-19 in</p>	<p>Up to 3 hours of paid leave. (Bill 71)</p> <p>A longer period if the employer determines that circumstances warrant it.</p>

## Appendix A: Sick Leave Legislation Across Canada

	<b>weeks</b> in a calendar year after 90 days of employment.		Medical certificate required.	addition to the regular personal and family responsibility leave.  Available regardless the length of service. Can use this leave more than once.  Medical note not required	
<b>British Columbia</b>	<p><b>Illness of injury Leave:</b> Up to <b>3 days of unpaid</b> leave after 90 days of employment.</p> <p><b>Family Responsibility Leave:</b> Up to <b>5 days of unpaid</b> leave each employment year.</p>	None	Employers can request a medical note for personal leave or family responsibility leave.	Up to 3 days paid leave ending on December 31, 2021	<p>Up to 3 hours of paid leave. (Bill 3)</p> <p>Employees are also entitled to unpaid leave if they need:</p> <p>To assist a dependant (e.g., the employee's child or a person under their care who is unable to care for themselves due to illness/disability) who is being vaccinated against COVID-19; or More than 3 hours to obtain a COVID-19 vaccine.</p> <p>Employers may ask employees to provide reasonably sufficient proof of entitlement to this leave as soon</p>

## Appendix A: Sick Leave Legislation Across Canada

					as practicable, but not a medical note.
<b>Nunavut</b>	Sick Days: No information available	None		<p>COVID-19 Public Emergency Leave Regulations: An employee is entitled to COVID-19 emergency leave for as long as the list of circumstances applies to the employee.</p> <p>Employer may request reasonable verification. A employer cannot request a doctor note with one exception.</p>	COVID-19 Public Emergency Leave Regulations: Unclear
<b>Northwest Territories</b>	<b>Sick Leave:</b> Up to <b>5 unpaid days</b> sick leave during each 12 month period after 30 days of employment.	None	Employer can request a medical certificate after 3 consecutive days of leave.	Emergency Leave - Entitled to unpaid emergency leave as long as needed.	Unpaid leave for vaccinations, no time period specified.
<b>Yukon</b>	<b>Sick leave:</b> 1 unpaid day of sick leave for every month the employee has been employed by that employer, less the number of days on which the employee has previously been absent due to illness or injury, up to a <b>maximum of 12 unpaid days.</b>	None	Employer can request a medical note.	<p>Unpaid leave for a period of up to 14 days for reasons related to COVID-19. The leave must be taken all at once. A sick note is not required to access this leave.</p> <p>Paid Sick Leave Rebate Program for employers and self-employed provides up to 10 days wages for workers for COVID-19 related leave (Maximum \$378.13 per day). Regular paid sick leave</p>	

## Appendix A: Sick Leave Legislation Across Canada

				available to workers must be used first. A sick note will not be required. (2 time periods were provided, latest term is October 21, 2021 to September 30, 2022)	
--	--	--	--	--	--

# Appendix B

## Canadian COVID-19 Programs

### Individuals and Families

Employment Insurance (EI) Program - <https://www.canada.ca/en/services/benefits/ei.html>

Canada Recovery Benefit (CRB) - <https://www.canada.ca/en/services/benefits/ei.html>

Canada Recovery Sickness Benefit (CRSB) -  
<https://www.canada.ca/en/services/benefits/ei.html>

Canada Recovery Caregiving Benefit (CRCB) -  
<https://www.canada.ca/en/services/benefits/ei.html>

Supporting families with children under the age of six -  
<https://www.canada.ca/en/services/benefits/ei.html>

Supporting low-income workers and families -  
<https://www.canada.ca/en/services/benefits/ei.html>

Mortgage payment deferral - <https://www.canada.ca/en/services/benefits/ei.html>

### Provincial and territorial Support for Individuals

Alberta - [Emergency financial assistance | Alberta.ca](#)

British Columbia - [COVID-19 support for individuals and families - Province of British Columbia \(gov.bc.ca\)](#)

Manitoba - [Province of Manitoba | Support Programs for Individuals and Businesses \(gov.mb.ca\)](#)

New Brunswick - [https://www2.gnb.ca/content/gnb/en/corporate/promo/covid-19/individuals\\_families.html](https://www2.gnb.ca/content/gnb/en/corporate/promo/covid-19/individuals_families.html)

Newfoundland and Labrador - [COVID-19 AESL Programs and Services - Immigration, Population Growth and Skills \(gov.nl.ca\)](#)

Northwest Territories - [Financial supports | GNWT's Response to COVID-19 \(gov.nt.ca\)](#)

Nova Scotia - [Coronavirus \(COVID-19\): financial help and social supports - Government of Nova Scotia, Canada](#)

Nunavut - [COVID-19 \(Novel Coronavirus\) | Government of Nunavut](#)

Ontario - [COVID-19: Support for people | Ontario.ca](#)

PEI - [COVID-19 Supports and Services | Government of Prince Edward Island](#)

Quebec - [Financial assistance for workers | Gouvernement du Québec \(quebec.ca\)](#)

Saskatchewan - [Support for Workers | COVID-19 Information for Businesses and Workers | Government of Saskatchewan](#)

Yukon - [Economic and social supports: COVID-19 | Government of Yukon](#)

## **Students**

Waiving interest on student and apprentice loans -

<https://www.canada.ca/en/services/benefits/education/student-aid/grants-loans/repay.html>

## **Support for Business**

### **Avoiding layoffs, rehiring employees, and creating new jobs**

Jobs and Growth Fund - [Canada's Regional Development Agencies - Innovation, Science and Economic Development Canada](#)

Canada Recovery Hiring Program - [Canada Recovery Hiring Program \(CRHP\) - Canada.ca](#)

Canada Emergency Wage Subsidy (CEWS) - [Canada Emergency Wage Subsidy \(CEWS\) - Canada.ca](#)

Extending the Work-Sharing program - [Work-Sharing agreement - Overview - Canada.ca](#)

### **Financial Support, loans, and access to credit**

Canada Emergency Rent Subsidy (CERS) - [Canada Emergency Rent Subsidy \(CERS\) - Canada.ca](#)

Highly Affected Sectors Credit Availability Program (HASCAP) - [Highly Affected Sectors Credit Availability Program \(HASCAP\) Guarantee | BDC.ca](#)

Loan Guarantee for Small and Medium-Sized Enterprises - [EDC Business Credit Availability Program \(BCAP\) Guarantee | EDC](#)

Co-Lending Program for Small and Medium-Sized Enterprises - [BDC Co-Lending Program | BDC.ca](#)

Mid-Market Financing Program - [Mid-Market Financing Program | BDC.ca](#)

Mid-Market Guarantee and Financing Program - [EDC Business Credit Availability Program \(BCAP\) Guarantee | EDC](#)

Large Employer Emergency Financing Facility (LEEFF) - [CEEFC | Canada Development Investment Corporation \(cdev.gc.ca\)](#)

## **Provincial and territorial Support for Business**

Alberta - [Alberta Biz Connect | Alberta.ca](#)

British Columbia - [Economic supports for businesses - Province of British Columbia \(gov.bc.ca\)](#)

Manitoba - [Province of Manitoba | Support Programs for Individuals and Businesses](#)

New Brunswick - [https://www2.gnb.ca/content/gnb/en/gateways/for\\_business/covid19.html](https://www2.gnb.ca/content/gnb/en/gateways/for_business/covid19.html)

Newfoundland and Labrador - [Business Supports - COVID-19 \(gov.nl.ca\)](#)

Northwest Territories - <https://www.gov.nt.ca/covid-19/en/services/community-governments/financial-support-businesses>

Nova Scotia - [Coronavirus \(COVID-19\): financial help and social supports - Government of Nova Scotia, Canada](#)

Nunavut - [Where can I get funding for my business? | Government of Nunavut](#)

Ontario - [COVID-19: Help for businesses in Ontario | COVID-19 \(coronavirus\) in Ontario](#)

PEI - [For Business | Government of Prince Edward Island](#)

Quebec - [Financial assistance for businesses | Gouvernement du Québec \(quebec.ca\)](#)

Saskatchewan - [Support for Businesses | COVID-19 Information for Businesses and Workers | Government of Saskatchewan](#)

Yukon - [Economy and work supports: COVID-19 | Government of Yukon](#)

### **Support for self-Employed Individuals**

Canada Recovery Benefit (CRB) - <https://www.canada.ca/en/revenue-agency/services/benefits/recovery-benefit.html>

Canada Recovery Sickness Benefit (CRSB) - <https://www.canada.ca/en/revenue-agency/services/benefits/recovery-sickness-benefit.html>

Canada Recovery Caregiving Benefit (CRCB) - <https://www.canada.ca/en/revenue-agency/services/benefits/recovery-caregiving-benefit.html>

### **Indigenous business**

Supporting business through the pandemic and into recovery - [Indigenous Community Business Fund \(sac-isc.gc.ca\)](#)