
First Session, Forty-third Parliament
4 Charles III, 2025
Legislative Assembly of British Columbia

BILL 30

**EMPLOYMENT STANDARDS (SERIOUS
ILLNESS OR INJURY LEAVE)
AMENDMENT ACT, 2025**

Honourable Jennifer Whiteside
Minister of Labour

Explanatory Notes

CLAUSE 1: *[Employment Standards Act, section 49.01]*

- adds unpaid leave, due to serious personal illness or injury, for up to 27 weeks within any period of 52 weeks to the other types of leaves afforded job protection under the Act;
- requires an employee to obtain a medical certificate when taking the leave and provide a copy of the certificate to the employer as soon as practicable;
- enables an employee to take leave in one consecutive or multiple non-consecutive units of weeks.

BILL 30 – 2025

**EMPLOYMENT STANDARDS (SERIOUS ILLNESS OR
INJURY LEAVE) AMENDMENT ACT, 2025**

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

1 The Employment Standards Act, R.S.B.C. 1996, c. 113, is amended by adding the following section to Part 6:

Serious personal illness or injury – up to 27 weeks unpaid leave

49.01 (1) In this section, “**health practitioner**” means the following:

- (a) a medical practitioner;
 - (b) a nurse practitioner;
 - (c) a person who is authorized to practise a designated health profession, within the meaning of the *Health Professions Act*, that is prescribed for the purposes of this definition.
- (2) After the prescribed number of consecutive days, if any, of employment with an employer, an employee who, due to serious personal illness or injury, is unable to work for at least one week is entitled to up to 27 weeks of unpaid leave in any period of 52 weeks.
- (3) The employee must obtain a certificate from a health practitioner that states all of the following:
- (a) the employee is unable to work due to medical reasons;
 - (b) the date on which the employee’s inability to work
 - (i) began, if the employee is already unable to work, or
 - (ii) is expected to begin, if the employee is not yet unable to work;
 - (c) the date on which the employee is expected to be able to return to work and after which the employee is not expected to take any further leaves under subsection (10).
- (4) The employee must give the employer a copy of the certificate as soon as practicable.
- (5) A leave under this section must be taken in units of one or more weeks.

CLAUSE 1: *[Employment Standards Act, section 49.01 – continued]*

CLAUSE 2: *[Employment Standards Act, section 49.01]* replaces a reference to the *Health Professions Act* with a reference to the *Health Professions and Occupations Act* and is consequential to the enactment of the *Health Professions and Occupations Act*.

CLAUSE 3: *[Employment Standards Act, section 49.2]* is consequential to amendments made by this Bill to the Act.

CLAUSE 4: *[Employment Standards Act, section 127]* adds authority to make regulations for the purposes of section 49.01 of the Act, as added by this Bill.

- (6) A leave under this section begins on the first day of the week during which the earlier of the following occurs:
 - (a) the date referred to in subsection (3) (b);
 - (b) if the leave began before the date referred to in subsection (3) (b), the date on which the leave began.
- (7) A leave under this section ends on the last day of the week during which the earliest of the following occurs:
 - (a) the date referred to in subsection (3) (c);
 - (b) the employee has taken the 27 weeks of leave referred to in subsection (2);
 - (c) the expiration of 52 weeks from the date the leave began.
- (8) Despite subsection (7) (a), an employee may take a further leave if
 - (a) the employee obtains a new certificate in accordance with subsection (3),
 - (b) the employee has not taken the 27 weeks of leave referred to in subsection (2), and
 - (c) 52 weeks from the date the leave began have not expired.
- (9) An employee who takes a further leave in accordance with subsection (8) must give the employer a copy of the new certificate as soon as practicable.
- (10) An employee who returns to work before the date referred to in subsection (3) (c) may take a further leave up to that date without obtaining a new certificate if
 - (a) the employee is unable to work again due to the medical reasons referred to in subsection (3) (a),
 - (b) the employee has not taken the 27 weeks of leave referred to in subsection (2), and
 - (c) 52 weeks from the date the leave began have not expired.

2 Section 49.01 (1) (c) is amended by striking out “Health Professions Act” and substituting “Health Professions and Occupations Act”.

3 Section 49.2 (1), as enacted by section 1 of the Employment Standards Amendment Act, S.B.C. 2025, c. 6, is amended in the definition of “health-related leave” by adding “49.01,” after “sections”.

4 Section 127 (2) is amended by adding the following paragraphs:

- (u.01) prescribing designated health professions for the purposes of paragraph (c) of the definition of “health practitioner” in section 49.01 (1);
- (u.02) prescribing a number of consecutive days of employment for the purposes of section 49.01 (2); .

Commencement

- 5** The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Section 2	By regulation of the Lieutenant Governor in Council