



## News on BARGAINING



### | PLEASE POST |

**Date:** May 6, 2022

**To:** All Public Service Members

**Re:** Public Service Agency fails to implement 5 days paid sick leave for Public Service Workers

Earlier this year, the provincial government amended the *Employment Standards Act* to provide for five days paid sick leave for workers, effective January 1<sup>st</sup>, 2022.

For workers covered by a collective agreement, the government said that *to ensure government's intent that the paid sick leave entitlement is applied to all employees in B.C., the clause that relates to collective agreements is being amended*. This change was passed into law on March 31<sup>st</sup>.

[Read the provincial government's announcement here.](#)

Since the changes to the law, our union has repeatedly engaged your employer – the Public Service Agency (PSA) – about their plans to implement five days sick leave for public service workers. Despite these efforts, the PSA has failed to implement these changes. To make matters worse, MyHR, an arm of the PSA is sharing incorrect information about these changes. In response to a worker's question this week, MyHR advised the member as follows:

**The existing Short Term Illness and Injury Plan (STIIP) provides benefits for up to 6 months for the vast majority of the bargaining unit. As such, the STIIP provisions for bargaining unit employees exceed those of the Employment Standards Act. As a result, no bargaining unit employees are eligible for this leave. Eligibility for STIIP benefits remains unchanged.**

This information is false.

Under section 49.1 (1) of the *Employment Standards Act*, *after 90 days of employment, employees can take up to 5 paid days and 3 unpaid days of job-protected leave per calendar year. This leave is employee-initiated and employees decide whether they are requesting paid or unpaid leave.* The Act requires an employer to ensure all wages are paid within 8 days of each pay period.

[Read the full government policy here.](#)

Our union will continue to push the provincial government to implement these changes. We are unclear why these changes have not been put into place for public service workers. As the five days of fully paid leave are retroactive to the beginning of the calendar year, some workers were not paid at the appropriate rate. We will continue to pressure government to ensure these members are compensated.

In the meantime, we encourage all workers who have more than 90 days of employment and who need to take sick leave, request that the first five days of leave be paid at 100 per cent. The BCGEU is examining our legal options including a policy grievance and will have further guidance shortly.

In solidarity,

**Your BCGEU Public Service Bargaining Committee**

Stephanie Smith, President

Paul Finch, Treasurer

Judy Phipps, Executive Vice President

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