

## FW: CFAF: Paid sick leave

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From: Hynes, Colin GCPE:EX <Colin.Hynes@gov.bc.ca>  
To: McCaffrey, Julianne GCPE:EX <Julianne.McCaffrey@gov.bc.ca>, Wey, Melody GCPE:EX <Melody.Wey@gov.bc.ca>  
Cc: Tomana, Sukhi GCPE:EX <Sukhi.Tomana@gov.bc.ca>, Grieve, Chandler GCPE:EX <Chandler.Grieve@gov.bc.ca>  
Sent: May 20, 2020 11:53:53 AM PDT

Flagging this, as they are calling for a day of action tomorrow.

**From:** tno@gov.bc.ca

**Sent:** May 20, 2020 11:51 AM

**Subject:** CFAF: Paid sick leave 

CFAF (Victoria)

20-May-2020 11:30

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TNO...

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**From:** [McCaffrey, Julianne GCPE:EX](#)  
**To:** [Beneteau, Nicole GCPE:EX](#); [Hynes, Colin GCPE:EX](#); [McCaffrey, Julianne GCPE:EX](#); [Thomas, Rishma GCPE:EX](#); [Wey, Melody GCPE:EX](#)  
**Subject:** FW: COVID 19 Proposed Presumption and Sick Pay  
**Date:** May 6, 2020 10:09:43 PM  
**Attachments:** [COVID-19 Presumption Sick Pay May 5 Final \(003\).pdf](#)

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Please flag for JIC as an issue (not on 11 a.m. call), as well as FIN and JEDC.

Please ensure saved down to the COVID file.

- Let's consider how we're saving COVID stuff, for instance, is this correspondence or an issue? Let's craft messaging in response pls. anticipating that MHB could be asked to comment on their letter/position and that he could be asked to share the plan or what's been done since he and PJH started talking about this publicly.

Please ensure incorporated in the rolling covid19 QA on LBR issues.

May 6, 2020

Honourable John Horgan  
Premier of British Columbia  
West Annex Parliament Buildings  
Victoria BC V8V 1X4

Submitted via Email: Premier@gov.bc.ca

Dear Premier:

**Re: Proposed Presumption under Schedule 1 of the Workers' Compensation Act and Sick Pay During the COVID-19 Pandemic**

Recently, the Board of Directors of WorkSafe BC (WSBC) passed a motion at their regular meeting to add presumptive coverage for COVID-19 under Schedule 1 of the Workers Compensation Act. Concurrent with this decision, your government has made public facing statements about the prospect of employers and/or WSBC providing sick pay for workers who have contracted COVID-19.

While the business community understands and fully supports the need for workers who contract the disease to rest, isolate and recover and for workers with mild symptoms or who have tested positive with COVID-19 to self-isolate, we believe senior governments should shoulder any costs associated with time away from work (i.e. sick pay) associated with the current pandemic. At a time when many businesses have been hit extremely hard by the economic fallout from the pandemic, it is simply not reasonable for businesses to be expected to cover sick-pay costs for COVID-19 which, at its core, is a global pandemic and a national and provincial public health emergency.

Given this general context, the business community recommends the following:

- 1) Claims for coverage for COVID-19 under the Workers' Compensation Act should be adjudicated under existing policy, regulation and legislation. The science, evidentiary basis and efficacy of COVID-19 contraction continues to evolve and government, business and worker representatives should take the time necessary to ensure there is a robust and sound scientific basis for any move to extend presumptive coverage under the Act.

The intersection of public and occupational health is a complex one that requires significant research, analysis and action. In our view, adding a presumption to Schedule 1 of the Workers' Compensation Act is not a process to be entered into hastily or with misplaced urgency, but rather thoughtfully and deliberately. In the meantime, WSBC should be

encouraged to dedicate whatever staff and resources are necessary to adjudicate COVID-19 claims as effectively and expeditiously as possible.

- 2) Sick pay for employees required to self-isolate or who were found to be ineligible for WSBC coverage through the regular claim adjudication process should be covered through other federal and/or provincial programs. In this regard, we recommend that the Government of BC immediately initiate discussions with federal officials to extend COVID-19 sick pay coverage under the Employment Insurance (EI) program and/or Canada Emergency Assistance Benefit (CERB). Discussions should include which order of government “tops-up” sick pay beyond current statutory caps for EI and CERB coverage. COVID-19 is a national pandemic and, therefore, a compelling rationale exists for EI and/or CERB to provide temporary sick pay during the COVID-19 recovery period. A national program through EI (or CERB) has the added benefit of ensuring that sick-pay coverage is less variable from province to province as efforts continue to flatten the pandemic curve.

We are pleased to discuss the important issue of claims adjudication under the Workers' Compensation Act for workers who contracted COVID-19 during employment, and the related matter of sick pay for workers who must self-isolate as a result of community transmission.

We look forward to your response to this correspondence at your earliest possible convenience.

Sincerely,



  
Greg D'Avignon  
President & CEO




  
Samantha Howard  
Senior Director, B.C.



  
Val Litwin  
President & CEO




  
Bridgitte Anderson  
President and CEO




  
Anita Huberman  
President & CEO

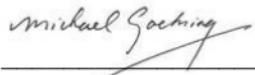


  
Chris Gardner  
President

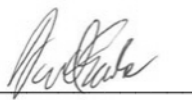


  
Doug Alley  
Managing Director

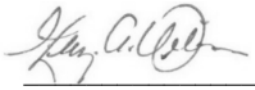


  
Michael Goehring  
President & CEO



  
Dave Earle  
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Greg Wilson  
Director  
Government

CC: Honourable Harry Bains, Minister of Labour  
Honourable Michelle Mungall, Minister Jobs, Economic Development, &  
Competitiveness  
Mr. Geoff Meggs, Chief of Staff, Office of the Premier  
Mr. Don Wright, Deputy Minister to the Premier, Secretary to Cabinet and Head of the  
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Mr. Trevor Hughes, Deputy Minister of Labour  
Mr. Fazil Mihar, Deputy Minister, Jobs, Economic Development, & Competitiveness  
Mr. Andrew Wilkinson, Leader of the Opposition

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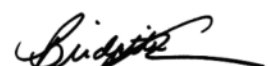


  
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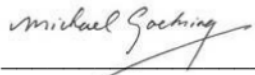


  
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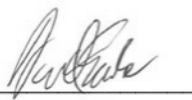


  
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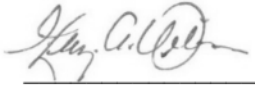


  
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Mr. Trevor Hughes, Deputy Minister of Labour  
Mr. Fazil Mihlar, Deputy Minister, Jobs, Economic Development, & Competitiveness  
Mr. Andrew Wilkinson, Leader of the Opposition



**From:** LRR Deputy Ministers Office LRR:CY  
**To:** LRR All  
**Subject:** DM Update  
**Date:** July 24, 2020 3:17:59 PM



**Trevor Hughes**  
*Deputy Minister*  
Ministry of Labour

Good Afternoon, All,

As this Monday message is getting to you on a Friday, you can likely tell it's been a very busy week! I wanted to update you on some work that is underway in the ministry.

**Situation Update:**

Last week the Premier extended the provincial State of Emergency to August 4<sup>th</sup>, as we navigate through the impacts of COVID-19. Prime Minister Trudeau and Premier Horgan also announced a \$19 billion "Safe Restart" Agreement. This Agreement includes funding for a national paid sick leave program, along with additional funding and supports for transit for local governments, childcare to support economic recovery and mental health supports. The province continues to focus on the Phase 3 Economic Restart with more businesses working to resume operations safely; there have been a few instances of "community" transmission, so we need to be vigilant about respecting social distancing and follow Dr. Henry's Orders.

**Ministry Update**

On Tuesday of last week, Minister Bains introduced Bill 23, the *Workers Compensation Amendment Act* which includes some meaningful amendments to respond to some of the recommendations contained in three expert reports penned by Paul Petrie, Terry Bogoyo and Lisa Jean Helps and a consultation process (with recommendations) led by Jeff Parr. Second Reading was completed earlier this week and we expect to move to Committee stage next week. Also, on Monday we launched the online tools and new form to support the re-designed Temporary Layoff Variance Process within ESB. This launch reflected a tremendous amount of work from the project team and ESB leaders and staff – a big shout-out from me to the whole team! Now comes the hard part for our ESB staff – processing the incoming applications!

Last week, Bill 5 which provides 5 days of paid leave for survivors of domestic or sexual violence completed Third Reading and is awaiting Royal Assent; we expect it some time this session. At the Premier's Economic Recovery Task Force today, I provided an update on the launch of the new Temporary Layoff Variance process and the public awareness campaign currently underway – which was well received by the participants.

We continue to work on our COVID Safety Plan for the ministry in accordance with guidelines from WorkSafeBC and the Public Service Agency and I know many of you have begun to choose to return to the workplace a bit more. We are committed to ensuring each ministry workplace is safe and welcoming as we gradually shift to the "new normal" environment.

This year's Learn @Work Week is September 14 to 18, and the theme is inclusion. It is a time for employees to join important conversations and learn about inclusion in the workplace. A week of programming is available to all employees. You can view the schedule on the Learn @Work Week [group page](#).

Summer weather is fully upon us – I hope each of you finds some time to enjoy summer holidays and stay safe while enjoying all BC has to offer.

If you need anything, we are here for you.

Trevor