

## ***Amended and New Leaves of Absence Proposed by BC Government***

Continuing the recent trend reported in prior e2r® Alerts, on April 9, 2018, the BC Government introduced Bill 6 - *Employment Standards Amendment Act, 2018*, which proposes to amend the BC *Employment Standards Act*. In particular, it proposes to amend certain existing leaves of absence as well as introduce 2 new unpaid leaves.

Changes employers can expect if the Bill passes are as follows:

### **Pregnancy Leave:**

Pregnant employees will be permitted to start pregnancy leave up to 13 weeks ahead of the expected due date (amended from 11 weeks).

### **Parental Leave:**

Parental leave will be amended to permit employees to take advantage of the new extended federal Employment Insurance maternity and parental leave benefits.

Birth mothers may take up to 61 consecutive weeks of leave immediately after the end of their 17 week pregnancy leave, for a total possible leave of 78 weeks (18 months).

Non-birth parents, including adoptive parents, may begin up to 62 consecutive weeks of leave within 78 weeks (18 months) of the child's birth or adoption.

Changes to the parental leave will be available to people currently on a parental leave, who have requested leave but have not yet taken it, or who may be planning to take a leave when the amendments come into force.

### **Compassionate Care Leave:**

Compassionate care leave will be amended to permit employees to take advantage of the changes made to Employment Insurance benefits in 2016. Employees who require a leave to care for and support a family member who has a significant risk of death within a 26 week period will increase to 27 weeks (amended from 8 weeks).

### **Child Death Leave:**

An employee who experiences the death of a child will be provided with a new unpaid job-protected leave of up to 104 weeks (or 2 years). This proposed

amendment follows Ontario's example in that the leave is provided to an employee if their child has died under any circumstances (not just if the death is crime related). By way of note, child is defined as a person less than 19 years of age.

### **Crime Related Child Disappearance Leave:**

An employee whose child has gone missing as a result of a crime will be provided with a new unpaid job-protected leave of up to 52 weeks (or 1 year). BC is currently the only province that does not provide employees with the right to job-protected leave if their child has gone missing as the result of a crime.

The Bill is currently within its first reading. Please keep in mind that these amendments (if the Bill is passed) will only apply to provincially regulated employers in BC.

Stay tuned for future e2r® Alerts that will provide further information on these changes and the progress of the Bill. In the meantime, please feel free to contact e2r® to speak to an Advisor if you have any questions regarding how these changes may impact your workplace.