

# No Nova Scotian Should Have to Work Sick

The Urgent Need for Universal and Permanent  
Paid Sick Leave Legislation

Rebecca Casey, Rachel K. Brickner, Jesse Carlson,  
Sarah Rudrum, and Jenn Munroe





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# No Nova Scotian Should Have to Work Sick

The Urgent Need for Universal and Permanent Paid Sick Leave Legislation

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## Introduction

As the COVID-19 pandemic has laid bare, paid sick leave is critical to supporting the health and well-being of workers and their families, and our communities. Paid sick leave allows workers the time to recuperate rather than go to work while they are sick. This benefits the worker, but in the case of infectious diseases, also protects co-workers and the members of the public who are customers, patients, or service users.<sup>1</sup> Within the workplace, access to paid sick leave also improves productivity, decreases workplace injuries and decreases employee turnover.<sup>2</sup> When policies allow workers to use sick days to care for sick family members, they help employees balance work and family caregiving obligations without financial risk, contributing to overall well-being.<sup>3</sup> Paid work leaves are essential to protecting the lives and wellness of all Canadians.

Lack of access to paid sick leave has been a serious and longstanding problem for workers in Canada. Prior to the pandemic, there were calls for paid sick leave in Nova Scotia from the \$15 and Fairness campaign, the Workers Action Centre, and the provincial NDP. The NS NDP tabled a bill in

2018 that would provide workers six paid sick days<sup>4</sup> and recently introduced Bill 3 which would amend the Labour Standards Code to include paid sick leave.<sup>5</sup> These calls for paid sick leave have intensified as a result of impact of COVID-19 on workers across the country. Actors calling for paid sick leave also include labour unions and organizations, such as the Nova Scotia Federation of Labour, as well as medical and public health professionals and municipal governments.<sup>6,7,8,9,10,11,12</sup>

While there has been some movement on paid sick leave in different jurisdictions, as discussed below, the COVID-19 pandemic has brought the lack of access to paid sick leave to the forefront of public policy debates. As we begin to emerge from the pandemic, there is an important opportunity to build on temporary policy gains in order to secure permanent rights for workers.

Throughout this report we use the term ‘paid sick leave’ to represent the changes needed in provincial, territorial, and federal employment legislation to provide workers with paid sick days for use in the short-term, rather than leave for longer-term illness and injury, which may be covered by federal employment insurance or private insurance.

In this report we draw on data from Statistics Canada General Social Survey—Cycle 30 (Canadians at Work and Home), with a focus on Nova Scotia, when possible.<sup>13</sup> We focus on workers of all ages who are in an employer/employee relationship. Therefore, we exclude self-employed individuals and those who are not working for pay. We also use data from our own study which examined three groups of essential workers (retail workers, long-term care workers, and teachers) in Nova Scotia during the first wave of the COVID-19 pandemic. Finally, we review the temporary sick leave policies from federal, provincial, and territorial jurisdictions in Canada to demonstrate how they must be improved.

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## **Background: Pre-COVID Sick Leave Legislation and Coverage Across Canada**

Inadequate existing sick leave policies are a strain to public health; they exacerbate gendered and racialized inequalities, diminishing the working conditions and health status of precarious workers. Advocates argue that in order to improve public health, reduce gender inequality, and improve working conditions for the most precarious and marginalized,<sup>14,15</sup> workers should have access to a minimum of seven, but ideally 10, paid sick days.<sup>16,17</sup>

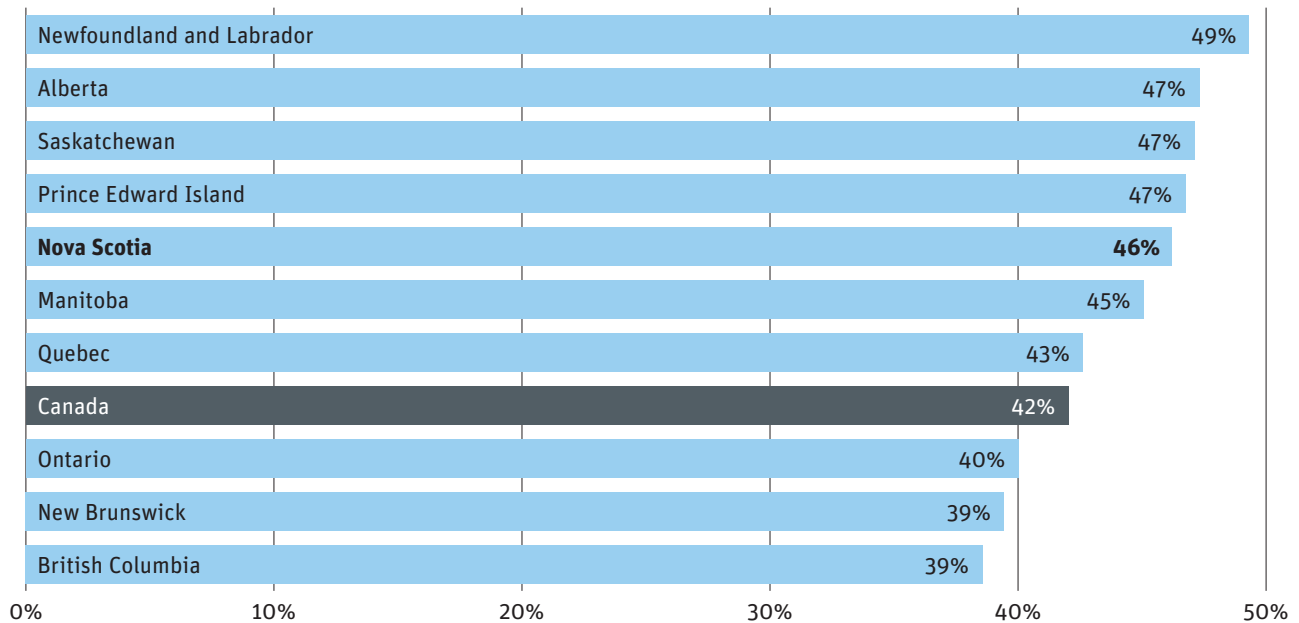
**TABLE 1** Sick Leave Policies in Canada by Jurisdiction<sup>26</sup>

Jurisdiction	Leave Name	Eligibility	Paid Sick Days	Unpaid Sick Days	Who funds paid days?
Federal	Personal Leave	3 consecutive months of employment	3	2	Employer
Quebec	Non-Work-Related Accident or Illness Leave	3 consecutive months of employment	2	Up to 26 weeks	Employer
Prince Edward Island	Sick Leave	3 consecutive months of employment for unpaid leave; 5 consecutive years employment for paid leave	1	3	Employer
Yukon	Sick Leave	Accrued beginning after one month	0	Up to 12 days	N/A
Newfoundland and Labrador	Sick and Family Responsibility Leave	30 consecutive days of employment	0	7	N/A
Northwest Territories	Sick Leave	30 consecutive days of employment	0	5	N/A
New Brunswick	Sick Leave	3 consecutive months of employment	0	5	N/A
Alberta	Personal and Family Responsibility Leave	3 consecutive months of employment	0	5	N/A
Nova Scotia	Sick Leave	No eligibility requirement	0	3	N/A
Ontario	Sick Leave	Two consecutive weeks of employment	0	3	N/A
Manitoba	Family Leave	30 consecutive days of employment	0	3	N/A
British Columbia	Personal Illness or Injury Leave	3 consecutive months of employment	0	3	N/A
Saskatchewan	Not included in <i>The Saskatchewan Employment Act</i>				
Nunavut	Not included in <i>Nunavut Labour &amp; Employment Standards</i> legislation				

Research suggests that 10 days allows workers time to access preventative health services and/or to recover from common illnesses. As we have seen during COVID-19, it can also allow workers time to comply with public health directives.<sup>18, 19</sup> However, there is not a single Canadian jurisdiction, federal or provincial, whose labour legislation meets this standard.<sup>20</sup> Only three jurisdictions—federal, Quebec, and Prince Edward Island—include legislation for **paid** sick leave for workers:

- Federal workers are guaranteed three paid sick days and two unpaid sick days by the *Canada Labour Code*.<sup>21</sup>
- Workers in Quebec have access to two paid sick days after three months of employment with their employer.<sup>22</sup>

**FIGURE 1** Access to Paid Sick Leave Among Workers Across Canada



**Note** Weighted data from Statistics Canada 2016 General Social Survey—Cycle 30

- Workers in Prince Edward Island who have worked for five continuous years with the same employer have access to one paid sick day and three unpaid days.<sup>23</sup>

Nova Scotia’s *Labour Standards Code* legislation is among the worst in the country.<sup>24</sup> Workers here are entitled to **three** days of **unpaid** sick leave per year.<sup>25</sup> Table 1 summarizes (pre-pandemic) sick leave policies in Canada by jurisdiction from the most to least coverage.

## Who Has Access to Paid Sick Leave?

Labour legislation sets minimum standards for sick leave, but individual companies and sectors vary in whether they meet or exceed these standards. Data from Decent Work & Health Network/Statistics Canada provides a more comprehensive picture of which workers have access to paid sick leave. Currently 58% of workers in Canada do not have access to any paid sick leave. This percentage becomes even higher when you consider particular job and worker characteristics.<sup>27</sup>

**TABLE 2** Job Characteristics of Workers in Nova Scotia and Canada  
Regardless of Access to Paid Sick Leave

	Nova Scotia (%)	Canada (%)
<b>Firm Size</b>		
<20	38	32
20–99	31	31
100+	31	37
<b>Number of Hours Worked</b>		
<30	17	19
30–40	59	62
41+	24	19
<b>Type of Employment</b>		
Permanent Employment	77	81
Non-Permanent Employment*	23	19
<b>Union Member</b>		
Yes	27	31
No	73	69

\* Non-Permanent employment represents workers who are seasonal, term, casual or on-call

**Note** Weighted data from Statistics Canada 2016 General Social Survey—Cycle 30

Using Statistics Canada 2016 General Social Survey—Cycle 30<sup>28</sup>, we find similar trends in Nova Scotia, where 54% of workers do not have access to paid sick leave. Nova Scotia ranks 5<sup>th</sup> in terms of access to paid sick leave, which is slightly above the national average. Access to paid sick leave is the worst in British Columbia, followed closely by New Brunswick. Focusing primarily on Nova Scotia workers, we examine which types of workers have paid sick leave benefits through their employment.

Canada can and must do better in terms of ensuring that workers have access to paid sick leave. Comparatively, in the United States, 76% of workers have access to paid sick leave.<sup>29</sup> And while access to paid sick leave is more common among state and local government workers, access to paid sick leave among private industry workers and civilian workers in the United States has increased since 2010. For private industry workers, access to paid sick leave has increased from 63% in 2010 to 75% in 2020; for civilian workers, from 67% in 2010 to 78% in 2020.<sup>30</sup>



**TABLE 3** Access to Paid Sick Leave—Job Characteristics

	Paid Sick Leave Nova Scotia (%)	Paid Sick Leave Canada (%)
<b>Firm Size</b>		
<20	42	32
20–99	47	43
100+	49	49
<b>Number of Hours Worked</b>		
<30	33	26
30–40	51	46
41+	42	41
<b>Type of Employment</b>		
Permanent Employment	49	44
Non-Permanent Employment*	28	25
<b>Union Member</b>		
Yes	64	54
No	38	36

\* Non-Permanent employment represents workers who are seasonal, term, casual or on-call

Notes Weighted data from Statistics Canada 2016 General Social Survey—Cycle 30. Weighted data from Statistics Canada 2016 General Social Survey—Cycle 30

### Characteristics of Workers with Access to Paid Leave in Nova Scotia and Canada

Access to paid sick leave varies depending on various aspects of employment status and working conditions. Table 2 includes information about workers in both Nova Scotia and Canada based on key job characteristics. In Nova Scotia, 38% of workers are employed at a small firm (fewer than 20 employees)<sup>31</sup>, 59% work 30 to 40 hours a week, 77% hold permanent jobs, and 27% are unionized. These characteristics are used in Table 3 to show who among those workers has access to paid sick time. There is little variation in access to paid sick leave based on firm size in Nova Scotia. However, paid sick leave is more common for employees in small firms in Nova Scotia (42%) compared to all small firms in Canada (32%). Only 41% of large firms with 500 or more employees in Nova Scotia provide paid sick days (data not shown in Table 3) which is comparable to what is available for employees in small firms. Access to paid sick leave tends to be associated with permanent, full-time, and unionized jobs. Nearly a third of Nova Scotia workers who

**TABLE 4** Access to Paid Sick Leave—Occupation and Industry Among Canadian Workers

	Paid Sick Leave Canada (%)
<b>Occupation</b>	
Occupations in manufacturing and utilities	32
Sales and service occupations	33
Natural resources, agriculture and related production occupations	34
Trades, transport and equipment operators and related occupations	35
Occupations in art, culture, recreation and sport	43
Business, finance, and administration occupations	44
Management Occupations	48
Natural and applied sciences and related occupations	49
Health occupations	49
Occupations in education, law & social, community & government services	55
<b>Industry</b>	
Accommodation and food services	20
Construction	27
Agriculture, forestry, fishing and hunting	29
Arts, entertainment and recreation	30
Retail trade	32
Other services (except public administration)	33
Manufacturing	37
Real estate and rental and leasing	41
Professional, scientific and technical services	43
Administrative and support, waste management and remediation	43
Information and cultural industries	47
Wholesale trade	47
Transportation and warehousing	50
Health care and social assistance	50
Mining, quarrying and oil and gas extraction	51
Finance and insurance	51
Educational services	54
Public administration	56
Utilities	66

**Notes** Management of companies and enterprises is omitted due to small cell counts

**TABLE 5** Worker Demographics and Paid Sick Leave

	Paid Sick Leave Nova Scotia (%)	Paid Sick Leave Canada (%)
<b>Sex</b>		
Male	44	42
Female	49	42
<b>Age</b>		
15–24	26	27
25–34	46	43
35–44	49	47
45–54	53	45
55–64	46	45
<b>Marital Status</b>		
Married or Common-law	51	45
Previously Married	52	43
Single	35	35
<b>Education</b>		
High school or less	42	33
College or Trade	46	44
University certificate or diploma	52	47
<b>Income</b>		
Less than 25,000	31	26
25,000–49,999	44	42
50,000–74,999	56	49
75,000–99,999	52	48
100,000+	61	51

**Note** Weighted data from the Statistics Canada 2016 General Social Survey—Cycle 30

worked fewer than 30 hours in the last week did not have access to paid sick leave. Workers with permanent employment (i.e., employment that is not seasonal, term, casual, or on-call) were more likely to have access to paid sick leave compared to those employed in non-permanent employment (49% compared to 28%). We also found that unionized workers were more likely to have access to paid sick leave compared to non-unionized workers (64% compared to 38%) (see Table 3).

The GSS includes information about occupations and industries. Here we only show Canadian data due to the smaller sample size of Nova Scotia workers.<sup>32</sup> Among Canadian workers more broadly, access to paid sick leave was more common in certain occupations: education, law and social services, community and government services; health occupations; and natural and applied sciences and related occupations. In comparison, only 32% of Canadian workers in manufacturing and utilities occupations and 33% of workers in sales and services occupations could access paid sick leave. Among industry classifications, workers in accommodation and food services are particularly vulnerable as only 20% had access to paid sick leave (see Table 4).

Turning to the demographic characteristics of workers in Nova Scotia, younger workers, workers who are single, have high school education or less, or earn less than \$25,000 have the least access to paid sick leave (see Table 5). Data about visible minority status is available in the GSS but cannot be shown for Nova Scotia workers due to the smaller sample size. However, 43% of Canadian workers who are visible minorities have access to paid sick leave compared to 42% of non-visible minority workers (data not shown). These trends are also found among all Canadian workers. Improved access to paid sick leave is clearly needed.

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## **Essential Workers in Nova Scotia— Teachers, Long-Term Care Workers, and Retail Workers**

We are part of a group of researchers from Acadia University who conducted a mixed-methods survey examining worker health and well-being during the first wave of the COVID-19 pandemic in Nova Scotia. Our survey focused on three groups of workers who are considered essential: long-term care workers, retail workers, and teachers.<sup>33</sup> We include data here from 141 teachers, 151 long-term care workers, and 186 retail workers. While this is not a representative sample of workers in Nova Scotia, the data provide important insights about access to and use of paid sick leave that can help inform policy discussions. The majority of teachers (100%) and long-term care workers (80%) who participated in our study are union members or covered by a collective agreement compared to 7% of retail workers.

Among survey participants who answered the question about access to paid sick leave, 42% of retail workers, 90% of long-term care workers, and 98% of teachers had access to paid sick leave. Focusing on unionization,

94% of unionized long-term care workers had paid sick leave compared to 88% of those who were non-unionized. Although there are only a few unionized retail workers, 71% of them had paid sick leave compared to 38% of non-unionized retail workers. Teachers reported the most generous access to paid leave. Almost all teachers (96%) reported receiving at least 10 paid sick days per year, and the average number of paid sick days was 10.96 per year. Among long-term care workers, 69% received at least 10 days per year, and the average number of paid sick days was 9.09. Retail workers reported the least access to paid sick days: only 11% reported having access to at least 10 days per year and the average was 4.89 days per year.

### **Using Sick Days Before the Pandemic**

We were interested in whether workers actually used their paid sick leave prior to the pandemic. Survey results indicated that despite having access to paid sick leave, some workers still went to work sick. Retail workers were the most likely (29%) to work when they were sick, even when they had access to paid sick leave. Among teachers, 18% reported going to work when sick, while 16% of long-term care workers went to work when sick.

Unlike teachers and long-term care workers, a large number of retail workers indicated that they did not have access to paid sick leave (58%). Among retail workers without paid sick leave, 41% reported going to work when sick. Of these, 88% of reported going to work when sick because they needed the money, which emphasizes the need for paid sick leave particularly among precariously employed workers and those in low-wage positions.

We were also interested in the workers' perceived expectations of their employers about working when sick and asked about the frequency with which they were expected report to work when sick. Although workers had access to paid sick leave, 65% of teachers, 54% of long-term care workers, and 53% of retail workers reported that they were expected to work when sick. The expectation to work when sick was higher among retail workers without paid sick leave (71%).

Among retail workers, working while sick likely results from the inability to afford the time off work. But, even with paid sick leave, workers may still go to work when sick. This suggests that it is not sufficient to provide paid sick days without making it accessible by addressing obstacles to workers using them. More research is necessary to understand all of these obstacles, but they may include fear of losing employment and the requirement to provide a doctor's note, which was common before the pandemic, or adhering to a

workplace culture.<sup>34</sup> As demonstrated by our findings, workers need sufficient and genuinely accessible leave or they may continue to work when sick, at risk to themselves and the public.

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## **Response to COVID-19 Pandemic and Paid Sick Leave**

Paid sick leave became an urgent issue during the COVID-19 pandemic. The Canada Recovery Sickness Benefit (CRSB) was introduced in September 2020 and made available for workers and self-employed individuals who are unable to work due to COVID-19 or are at risk of contracting COVID-19 due to a health condition.<sup>35</sup> The funds are administered by the Canadian Revenue Agency and are only available after the individual has missed at least 50% of their scheduled work week due to COVID-19. Eligibility is also based on an individual worker having earned at least \$5000 in 2019, 2020, or the last 12 months before an application is submitted. Moreover, the worker must not receive paid leave from their employer during the same period. Eligible recipients can receive \$500 for each week, up to a maximum of four weeks, which do not need to be taken consecutively. Aspects of the CRSB can pose challenges, especially for low-wage workers. These challenges include a cumbersome application process<sup>36</sup>, the wait to receive funds, and the requirement that a worker must miss half a week of work before claiming the benefit. The latter requirement means workers who suspect they have COVID-19 would not be paid for the time off to get tested.<sup>37</sup> The provincial leaves discussed below help fill gaps in the CRSB, including the initial work period that is not covered and the income threshold for eligibility.

Five provincial and territorial jurisdictions implemented government-funded paid sick leave policies to address the gaps in the federal CRSB program—Yukon, Manitoba, Nova Scotia, British Columbia, and Ontario. These policies are summarized in Table 6, in order from most to least coverage. The data in Table 6 is current at the time of writing, but policy in this area has been changing fairly rapidly and it can be expected that changes may have occurred. Implementation of these policies only began during the 2021 third wave, after Canadians had been living through the pandemic for over a year. Eligibility for these programs varies across jurisdictions but limits the workers who can benefit from the program. Typically, the programs are limited to workers who have tested positive for COVID-19 and who do not already have access to paid sick leave. In fact, workers who have already used paid sick leave may be ineligible for these new programs. Only some

**TABLE 6** Summary of Paid Sick Leave in Response to COVID-19

Jurisdiction	Eligibility	Paid Sick Days	Maximum Amount	Time Period	Who provides funding?
Federal—CRSB	Workers and self-employed who have missed at least 50% of scheduled work & have earned at least \$5,000 in 2019, 2020 or in the 12 months before applying	Up to 4 weeks	\$500/week up to 4 weeks	September 27, 2020–September 25, 2021	Government reimburses through Canadian Review Agency
Yukon	Workers and self-employed	Up to 10 days	\$378.13/day	April 1–September 30 2021	Government provides a rebate to employers
Manitoba	Workers in the private, non-profit, and charitable sector who do not have access to another sick leave program and cannot work from home	5	\$600 for 5 days	May 7–September 25 2021	Government reimburses employers
Nova Scotia	Workers and self-employed who do not have access to paid leave and cannot work remotely and miss more than 50% of scheduled work	4	\$20/hour to a max of \$160/day and max \$640 over 12 weeks	May 10–July 31 2021	Government reimburses employers
British Columbia	Workers who do not have access to another sick leave program	3	\$200/day	May 20–December 31 2021	Government reimburses employer through Work Safe British Columbia
Ontario	Workers covered by the Ontario Employment Standards Act	3	\$200/day	April 19–September 25 2021	Government reimburses employers through Workplace Safety and Insurance Board

**Note** Information for this table was verified on July 13<sup>th</sup>, 2021

of the policies are available to self-employed individuals who are unable to work from home and who do not already have access to paid sick leave. In addition, because employers are responsible for applying for reimbursement from their respective government, it is possible that some eligible employees will still go without paid sick leave if their employers do not follow through. The limited eligibility and late implementation of these programs curtailed their ability to mitigate the scope of the pandemic. Moreover, in each case the policies were intended to be short-term, temporary measures for the pandemic rather than securing workers' future rights.

Nova Scotia announced their new plan on May 12<sup>th</sup>, 2021, during the second year of the COVID-19 state of emergency.<sup>38</sup> The plan allocates 16 million dollars for reimbursement of four paid sick days for workers and the self-employed.<sup>39</sup> This leave is available to workers who are unable to work remotely and miss more than 50% of their scheduled work due to COVID-19, or who are getting vaccinated. The coverage is only for sick days taken between May 10<sup>th</sup> and July 31<sup>st</sup>, 2021. Nova Scotia's program is the shortest in duration as most of the other programs extend their coverage until September and British Columbia extends their coverage until December. The coverage

in Nova Scotia has a maximum of \$20 per hour to a maximum of \$160 per day. Each eligible person can receive up to \$640 over the 12-week period. Paperwork must be completed within 90 days of when the worker was paid (by the employer) or within 90 days from being sick for those who are self-employed (by the person who is self-employed). Workers who already have access to paid sick leave are not eligible for this new leave even if they have already used their paid sick days.

Although shorter in duration, Nova Scotia's new paid sick leave is comparable to other new paid sick leave policies developed in response to the COVID-19 pandemic. Among the territories, only Yukon's government implemented a paid sick leave, which is available for workers and self-employed people from April 1<sup>st</sup> to September 30<sup>th</sup>, 2021.<sup>40</sup> The government will provide a rebate to employers for up to 10 days of wages. This can be renewed, if required. Workers who do not have other coverage are eligible for up to \$378.13 per day, and 14-day self-isolation periods are also eligible for the rebate. Yukon's new sick leave legislation is one of the strongest as it provides 10 days of paid leave and provides the best daily compensation rates.

The Manitoba government's new paid sick leave program<sup>41</sup> provides employers with up to \$600 per worker for five days for COVID-19 related sickness. These five days do not need to be consecutive. Employers who already provide paid sick leave are not eligible for this program, which is available from May 7<sup>th</sup> to September 25<sup>th</sup>, 2021. Only the following employers are eligible for the program: private sector, non-profit, and charitable employers with eligible workers. Eligible employers are required to apply for this funding.

The British Columbia government<sup>42</sup> will reimburse employers to allow workers three paid sick days if they do not have access to another sick leave program. The maximum daily amount is \$200 and the money is distributed by Work Safe British Columbia. The program is scheduled to run from May 20<sup>th</sup> to December 31<sup>st</sup>, 2021.

Ontario's program<sup>43</sup> provides three paid days for sickness related to COVID-19 and is only for workers covered by the provincial *Employment Standards Act*. Eligible employers may be reimbursed up to \$200 per worker per day. Similar to British Columbia, the Ontario Workplace Safety and Insurance Board will administer the funds provided by the government.

At the time of writing, no other provinces or territories had passed paid sick leave legislation. However, some employers, regardless of provincial or territorial legislation, voluntarily improved their paid sick leave policy during COVID-19. All Canadian Starbucks retail stores are providing three paid sick days between April 19<sup>th</sup> and September 25<sup>th</sup>.<sup>44</sup> They also provide



workers with up to two hours paid time off to receive the vaccine and up to four hours of paid time to recover from side effects from the vaccine. Indigo (Chapters) is providing 14 paid sick days during the pandemic.<sup>45</sup> Like the provincial and territorial sick leave policies prompted by COVID-19, however, these are temporary programs. For all workers to have equitable access to paid sick leave, all employers should be mandated to provide it, and it must be permanent.

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## Recommendations for Universal, Permanent Paid Sick Leave in Nova Scotia

The aforementioned programs are important to support workers who have contracted COVID-19, but they are insufficient. We argue that an effective sick leave policy must meet the following six principles: universal, paid, adequate, permanent, accessible<sup>46</sup>, and employer-paid.

1. **Universal:** All workers, regardless of the type of work, workplace or personal characteristics, or status under labour legislation need access to legislated sick leave. Only 54% of Nova Scotia workers had access to paid sick leave prior to the pandemic. This means almost half of all workers, especially the most precarious, may need to work when they are sick.

2. **Paid:** All workers need access to legislated sick leave that is paid. Labour standards in Nova Scotia requires only three unpaid sick days. Workers need time to recuperate from illness or care for a sick family member without worrying about loss of income. Considering that the Nova Scotia minimum wage is well below the living wage<sup>47</sup>, paid sick leave is crucial for Nova Scotians to balance their work and well-being.

3. **Adequate:** workers need access to ten paid sick days normally, and up to 14 days during public health emergencies, to ensure that they (or a sick family member they are caring for) have the appropriate amount of time to recover from an illness or access preventative health services. Data show that even for those workers who have paid sick leave, the number of days varies considerably for workers across the province.

4. **Permanent:** Paid sick leave must be made permanent and included in the *Labour Standards Code*. Nova Scotia's new paid leave policy is important, but it is temporary and only covers COVID-19 related illness. Moreover, including paid sick leave in the *Labour Standards Code* would ensure that employers could be held accountable for any violations of the policy.

5. **Accessible:** Paid sick leave must be accessible. This means removing obstacles, such as requiring a doctor's note or requiring a minimum service requirement for eligibility. It also means being flexible to meet the needs of workers so they can use the paid leave for their own health as well as to provide care to sick family members. Some of our survey participants felt an expectation to work when they were sick. The health and well-being of workers, families, and communities improves when, instead, workers are encouraged to stay home when they are sick.

6. **Employer-Provided:** Paid sick must be paid for by employers. During the pandemic, federal and provincial governments funded paid sick leave. This was important to protect public health in an emergency. When considering a permanent sick leave policy, the question of who has the responsibility to fund short-term paid sick leave is an important point of deliberation. There are many reasons why this responsibility should shift from the public to the employers who themselves benefit from having healthy employees. Employers should not have the right to employ workers under conditions that compromise health and safety and then pass the costs off to the public. From a logistical perspective, when employers provide paid sick leave, it reduces the possibilities of gaps or delays in pay, which is particularly important for precarious workers and low-wage workers. Finally, just as vacation and public holidays are employer-paid, paid sick days should be covered by the employer.

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## Conclusion

Existing Federal employment insurance programs do provide longer term sick benefits for eligible workers,<sup>48</sup> but these do not effectively meet workers' short-term needs. Neither are they accessible to many, such as seasonal and part-time employees, who do not accumulate the required 600 hours for eligibility.

Given the percentage of workers without access to paid sick leave through their employer, Nova Scotia's new paid sick leave is a step in the right direction, as it provides paid sick leave for some of the most vulnerable workers. However, it only allows for four paid days, only lasts for 12 weeks, and, by funding the program provincially, shifts what should be an employer obligation to the public. The province's temporary legislation is important, and should be extended beyond July 31<sup>st</sup>, since the pandemic is not over, but Nova Scotian workers need the government to legislate a permanent

requirement for employers to provide a universal, accessible, and adequate paid sick leave policy. This is especially critical to ensure the well-being of part-time workers, non-regular workers, and non-unionized workers, who are least likely to have access to paid sick leave.

It is time for Nova Scotia to recognize that workplace health is public health.

# Notes

- 1** For example, paid sick leave is one factor that contributed to a reduction in COVID-19 outbreaks in long-term care facilities in England. See Shallcross, Laura, Danielle Burke, Owen Abbott, Alasdair Donaldson, Gemma Hallatt, Andrew Hayward, Susan Hopkins, Maria Krutikov, Katie Sharp, Leone Wardman, and Sapphira Thorne. 2021. “Factors Associated with SARS-CoV-2 Infection and Outbreaks in Long-Term Care Facilities in England: A National Cross-Sectional Survey.” *Lancet Healthy Longevity* 2.3 (March 2021): e129–e142. Retrieved July 10, 2021 from [https://www.thelancet.com/journals/lanhl/article/PIIS2666-7568\(20\)30065-9/fulltext#seccestitle150](https://www.thelancet.com/journals/lanhl/article/PIIS2666-7568(20)30065-9/fulltext#seccestitle150).
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Federal: <https://www.canada.ca/en/services/jobs/workplace/federal-labour-standards/leaves.html>.

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Prince Edward Island: <https://www.princeedwardisland.ca/fr/information/main-doeuvre-et-etudes-superieures/sick-leave>;

[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).

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[https://www.saskculture.ca/content/grant\\_pdf\\_files/Rights\\_and\\_Responsibilities\\_A\\_Guide\\_to\\_Employment\\_Standards\\_in\\_S\\_PTX9QeW.pdf](https://www.saskculture.ca/content/grant_pdf_files/Rights_and_Responsibilities_A_Guide_to_Employment_Standards_in_S_PTX9QeW.pdf).

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**28** Data from the GSS is weighted using the per\_weight variable created by Statistics Canada. We include all workers who work for someone else. This dataset is used in the 2020 report by the Decent Work and Health Network. The GSS, unlike the Labour Force Survey (LFS), asks about paid sick days. However, most data about Canadian workers typically used the LFS.

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- 31** Data about firm size are from the variable “Number of persons employed at work location”.
- 32** Nova Scotia workers represent 2.6% of the population of all Canadian workers in the General Social Survey. We do not show data about occupation and industry for Nova Scotia workers because the number of workers in each category is so small (often fewer than five) that the results may be biased and unreliable.
- 33** The three surveys were launched on August 12th, 2020 and closed on November 6th, 2020.
- 34** For example, Johnson quotes Hannah Wood, a cosmetician at Shoppers Drug Mart, who described how some employers guilt workers when they call in sick, or that workers worry they will lose hours if they are seen as unreliable. Without access to paid sick leave, Wood argues that service workers are unlikely to take sick days when needed. Johnson, Alexander. 2020. “Advocates say Nova Scotia Workers Can’t Afford Top Doctor’s Orders to Stay Home”. op. cit.
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**46** The first five of these principles reflect those of Ontario’s Decent Work and Health Network (DWHN). 2020. “Before It’s Too Late.” op. cit.

**47** Driscoll, Chelsea and Christine Saulnier. 2020. “Living wages in Nova Scotia and New Brunswick 2020.” *Canadian Centre for Policy Alternatives Nova Scotia* (September 2, 2020). Retrieved July 10, 2021 from <https://www.policyalternatives.ca/publications/reports/living-wages-nova-scotia-and-new-brunswick-2020>.

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