

On April 29, 2021, the Ontario government amended the *Employment Standards Act* to require employers to provide up to three days of “paid infectious disease emergency leave.” The COVID-19 Worker Income Protection Benefit (WIPB) is a temporary program put in place by the government to respond to the overwhelming calls for paid sick days. While this program falls short in many vital areas, it is important that you understand what you are entitled to under the new legislation.

When am I entitled to take a paid sick day under the new program?

The temporary paid sick days program is available to you if you are:

- going for a COVID-19 test
- staying home awaiting the results of a COVID-19 test
- at home sick with COVID-19
- going to get vaccinated
- experiencing a side effect from a COVID-19 vaccination
- advised to self-isolate due to COVID-19 by an employer, medical practitioner or other specified authority
- providing care or support to certain relatives for COVID-19 related reasons, such as when they are:
 - sick with COVID-19 or have symptoms of COVID-19
 - self-isolating due to COVID-19 on the advice of a medical practitioner or other specified authority

You do not need to take all three days consecutively.

How much is my employer required to pay me if I take a sick day?

Employers are required to pay employees up to \$200 per day (or \$28.52 per hour for a 7-hour shift) for up to three days, depending on their current wage. For example, if you would typically work a 7-hour shift at \$15 per hour, your employer will be required to pay you \$105 for each sick day that you take.

Who is eligible for the temporary paid sick days program?

The three days of paid leave are available to workers covered by the *Employment Standards Act* (ESA). **Independent contractors, workers in federally regulated workplaces and students in work experience programs do not qualify for these days.**

Do I need a doctor's note to take a paid sick day?

You do not need a doctor's note. Employers cannot require an employee to provide a certificate from a doctor or a nurse as evidence.

How can I opt out of the paid sick day program?

You may opt-out of the paid sick days program by advising your employer in writing before the end of the pay period in which you took your paid sick days.

This new temporary paid sick days program still leaves many workers behind. We continue to call for at least 10 permanent, legislated paid sick days that are seamless, universal and adequate, plus an additional 14 paid sick days during health emergencies. You can join the call for legislated paid sick days by writing your MPP using this e-mail tool:

<https://www.justice4workers.org/permanent>

Please call our Workers' Rights Hotline at the Workers' Action Centre for more information or about any issue you have with your rights at work at 416-531-0778 or visit our website:

www.workersactioncentre.org.