PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 514 *, Approved and Ordered* November 12, 2025

Wendy Cocchia
Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders the following:

(a) sections 1, 3, 4 and 5 of the *Employment Standards Amendment Act, 2025*, S.B.C. 2025, c. 6, are brought into force;

(b) the Employment Standards Regulation, B.C. Reg. 396/95, is amended as set out in the attached Schedule 1;

(c) effective April 1, 2026,

(i) section 2 of the *Employment Standards Amendment Act, 2025* is brought into force, and

(ii) the Employment Standards Regulation is amended as set out in the attached Schedule 2.

Minister of Labour

Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Employment Standards Amendment Act*, 2025, S.B.C. 2025, c. 6, s. 6; *Employment Standards Act,* R.S.B.C. 1996, c. 113, s. 127

Other: OIC 1155/95

R20928337

SCHEDULE 1

1 Part 7.02 of the Employment Standards Regulation, B.C. Reg. 396/95, is amended by adding the following sections:

Prescribed health professions and individuals for sick notes

45.032 (1) All designated health professions, within the meaning of the *Health Professions Act*, other than the designated health professions of medicine and nursing, are prescribed for the purposes of paragraph (c) of the definition of "health practitioner" in section 49.2 (1) of the Act.

(2) An individual who is a member of an employee's immediate family is prescribed in relation to the employee for the purposes of the definition of "health-related leave" in section 49.2 (1) of the Act.

Specified circumstances in which sick note cannot be requested

45.033 (1) For the purposes of the definition of "specified circumstances" in section 49.2 (1) of the Act, the circumstances specified in relation to an employee's health-related leave are that

(a) the health-related leave is for a period of no more than 5 consecutive days, and

(b) in the calendar year, the employee has taken no more than one other health-related leave for a period of no more than 5 consecutive days.

(2) In calculating a period of health-related leave under subsection (1) of this section,

(a) each type of health-related leave taken under Part 6 of the Act counts as a separate health-related leave, and

(b) the period of health-related leave is considered to be taken in the calendar year in which the leave begins.

Exceptions to section 49.2 of the Act

45.034 Section 49.2 (2) of the Act does not apply in relation to an employee's health-related leave if a specified health record requested by the employer in relation to the health-related leave is necessary to assess whether the employee

(a) is fit to return to work after the health-related leave, or

(b) requires a change to the employee's work or workplace to enable the employee to return to work after the health-related leave.

SCHEDULE 2

1 Section 45.032 (1) of the Employment Standards Regulation, B.C. Reg. 396/95, is amended by striking out "*Health Professions Act****" and substituting "****Health Professions and Occupations Act****".***