

(Some) Governments legislate paid leave to obtain COVID-19 vaccination

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There is a movement afoot to encourage mass COVID-19 vaccination - **legislated paid leave** to obtain the necessary shot(s). As of today's date:

- [Belgium](#) has done it.
- [Netherlands](#) has done it for employees who can only be vaccinated during regular business hours.
- [California](#) and [New York](#) have done it.
- [Illinois'](#) Department of Labor supports it.
- [Saskatchewan](#) has done it (3 hour leave).
- [British Columbia](#) has passed job-protected leave, but as of yet unpaid.
- [Ontario](#) Premier Ford indicated he might consider it for certain front-line healthcare workers vaccinated at work.

In addition, some **individual employers** are already doing it.

Can an employer ask for proof of vaccination to support this paid leave? Generally, if an employer chooses to provide a paid leave entitlement, in the absence of any legislated requirement, proof of vaccination can be required as a condition for payment.

However, under the Canadian regulations (noted above), the answers vary. The **Saskatchewan** regulation is silent on this issue. However, the [Saskatchewan government has advised proof cannot be requested](#). By contrast, in **British Columbia**, if requested by the employer, the employee must, as soon as practicable, provide reasonably sufficient proof. However, an employer must not request, and an employee is not required to provide, a note from a medical practitioner or nurse.

We will continue to monitor developments and keep our readers updated.

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