

Sick of Inequality: The feminist case for paid sick leave

Brief submitted as part of the public hearings
on Bill 27, An Act to Amend the Employment
Standards Act

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Coalition for Pay Equity
Coalition pour l'équité salariale
New Brunswick • Nouveau-Brunswick

Introduction

The New Brunswick Coalition for Pay Equity is pleased to submit a brief on Bill 27, [An Act to Amend the Employment Standards Act](#), to the Standing Committee on Law Amendments.

The New Brunswick Coalition for Pay Equity is a group of 100 organizations and more than 1000 individuals that pursues and ensures the realization of the right to pay equity and to just conditions of work for women. To that end, the Coalition engages in communication, education, research, advocacy for the adoption and the implementation of adequate legislation, as well as public policy dialogue and development.

Pay equity is equal pay for work of equal value. To achieve pay equity, the value of female-dominated jobs must be compared to the value of male-dominated jobs.

We welcome the government's willingness to pursue discussions on amending Section 44.021(1) of the Employment Standards Act to expand the current five unpaid sick days to ten paid sick days, including transitional funding for smaller businesses.

The COVID-19 pandemic illustrated that paid sick leave is also a public health measure, as it is critical to protecting the health and safety of workers, as well as the public whom they serve, by helping to contain the spread of viruses.

In this brief, we use a gender-based analysis to make recommendations on the proposed establishment of ten paid sick days, with a particular focus on its impact on women in the labour force. The proposed changes are intended to protect employee rights and increase gender equality.

Our position

Every day, many New Brunswickers are forced to put their health, wages and jobs at risk when they become ill and, in the case of many women, when they are required to care for child or loved one. Ensuring all workers have the right to 10 paid sick days would allow women to take time off to recover from COVID-19 or other illnesses without fear of losing their job or pay, regardless of the sector in which they work, their income, not if they have dependents. And never at the cost of lost income. This would also protect the health of their coworkers and the public by preventing the spread of illness.

Therefore, we support the proposed amendment to the Employment Standards Act.

Sectors at risk

Ten paid sick days would primarily benefit people working in precarious industries. Workers who experience the greatest economic insecurity, such as those working for low wages or part-time, are the least likely to have access to paid sick leave. While over 58% of working Canadians don't have access to paid sick leave through their employer, that number increases

to 70% for those earning less than \$25,000 a year.¹ These are often workers who cannot afford to take time off.

The majority of that workforce are women, particularly Black, Indigenous, women of colour, and women with disabilities.² They are overrepresented in occupations and industries with lower job quality and lower wages as a result of the systemic undervaluing of jobs historically or mostly done by women. For example, over half of working women are employed in the five Cs: caring, cashiers, cleaning, catering, and catering work—low-paid and undervalued professions.³

A few years ago, I was working in a restaurant and received a lot of grief for needing time off because I felt uncomfortable handling food while being sick. I was able to return to work for my next shift but my manager still insisted I go to the emergency room for a retroactive doctor's note even though I already felt better. That has always stuck with me.

— A server in New Brunswick

Over the past decades, women's lower salaries have often been justified on the basis that they were supplementary income for the household—men being the main breadwinners. Women were also segregated to specific jobs and often found themselves in service occupations, which required skills that were seen as an extension of their work at home and subsequently overlooked in determining their salary. As a result, traditionally female occupations were, and still are, undervalued and underpaid when considering the required responsibilities, qualifications and skills, working conditions and effort.

Moreover, the proportion of Canadian women working in predominantly female jobs is an upward trend. According to a study by Statistic Canada (2017), it has increased from 35.4 per cent in 1976 to 59.6 per cent in 2015.⁴ Accommodation and food services, which is a predominantly female workforce, had the lowest share of employees with paid sick leave in 2021 in Canada at 17.5%, with Retail trade, the fourth lowest at 41.4%.

These occupations are the least likely to offer paid sick days even though, on average, tend to be lower paid than other industries. In New Brunswick, workers employed in the *Accommodation and food services* industry earn on average \$15.72 an hour, and in *Retail trade* \$19.67 an hour — the two lowest paying industries and two of the industries least likely to offer paid sick leave.⁵

¹ Decent Work and Health Network. (2020). [Before it's too late: How to close the paid sick days gap during COVID-19 and beyond.](#)

² Sethi, B. (2020). [Personal Support Workers are the Backbone of Health Care but the Bottom of the Power Structure.](#)

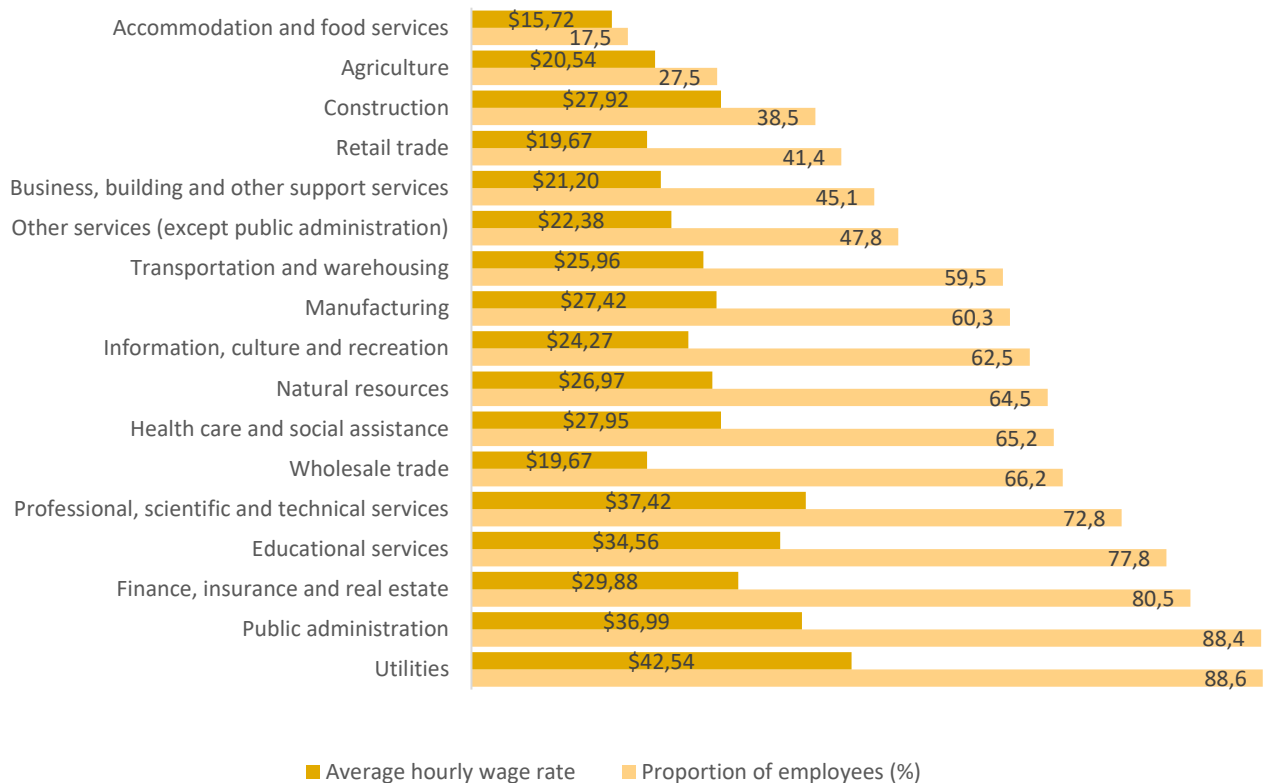
³ Moyser, M. (2017). [Women and Paid Work.](#)

⁴ Statistics Canada. (2017). CANSIM, Table 282-0072 - Labour force survey estimates (LFS), wages of employees by type of work.

⁵ Statistics Canada. Table 14-10-0064-01 [Employee wages by industry, annual](#)



Employee hourly wages (NB, 2022) vs. Share of employees with paid sick leave (Canada, 2021)



Low wage workforce

Ten paid sick days would benefit women since they are clustered in low-wage job sectors with few benefits, such as paid sick days. These are workers who do not have the luxury of choosing between a day's worth of pay and their health.

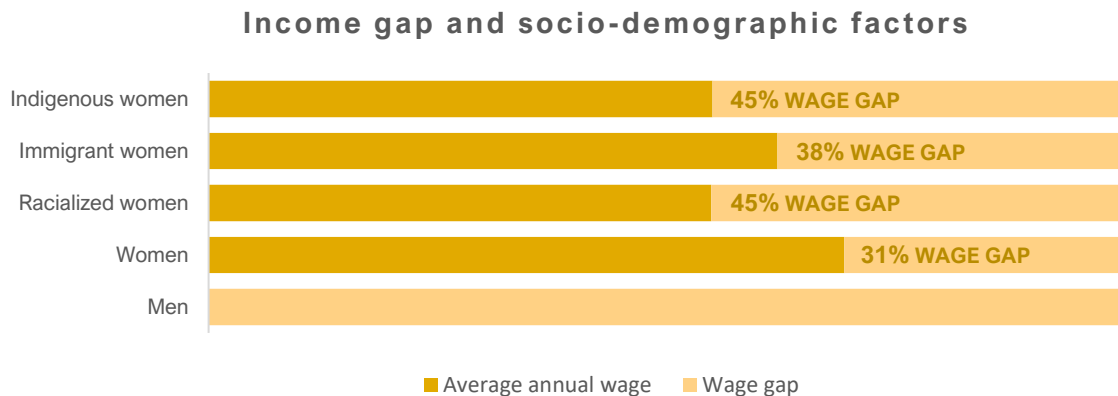
According to a 2022 survey released by BDO Canada, more than three-quarters of Canadians (78 per cent) say their personal finances have worsened due to inflation.⁶ It also found that over half (54 per cent) of Canadians say they're living pay cheque to pay cheque – an increase of three percentage points over 2021.

New Brunswick women make up the majority of minimum wage earners and those who hold multiple jobs, and they are twice as likely to work part-time than men.⁷ As a result, they are less likely to have access to paid sick leave even if their employer do offer it to their full-time workers.

⁶ BDO Canada Limited. (2022). [BDP Affordability Index 2022](#).

⁷ NB Jobs. (2022). [New Brunswick Minimum Wage Report](#).

In addition, the gender wage gap continues to put women at an economic disadvantage. There was a \$9,700 gap between the median annual income of men and women in 2020.⁸ And this gap is even greater for Indigenous and racialized women in New Brunswick.⁹ Lower earnings make it even more difficult for women to take unpaid leave.



The COVID-19 pandemic highlights the importance of these low-wage workers’ contribution to society—and their vulnerability.

One of the largest employers of women in New Brunswick is the community-based caregiving sector, which employs over 11,000 workers—95% of whom are women. Pay equity evaluations found that the gap between current wages and equitable wages range between \$7 and \$10 an hour.¹⁰ These workers, who care for the most vulnerable New Brunswickers—the elderly, people living with disabilities, children, and women fleeing violence—are often vulnerable themselves given their low wages and often the lack of access to paid sick leave.

I contracted COVID-19 in 2021 and was quarantined at home for over a week because I didn't want to infect my at-risk clients. When I returned to work, I discovered that I had lost one long-time client as my employer had found another employee to care for them while I was sick. I lost a week's salary as well as a paying client, which reduced my salary even further going forward.

— A home care worker in New Brunswick

As a result, they could not afford to stay home sick, but did not want to risk transmitting their illness to the vulnerable residents. At the height of the pandemic, we found that the lack

⁸ Statistics Canada. Table 11-10-0239-01 [Income of individuals by age group, sex and income source, Canada, provinces and selected census metropolitan areas](#)

⁹ Related data, [2016 Census for New Brunswick](#).

¹⁰ NB Coalition for Pay Equity. (2021). [The Value of Care: Pay Equity in special care homes, ESSP agencies, and family support services](#).

of paid sick days made some workplaces unsafe, as people went to work sick because they could not afford to stay home. This was particularly problematic in long-term care facilities, which suffered from high infection rates.

It's the perfect storm: low-wage workers don't have access to paid days, but because they can't afford to stay home, they go to work and spread illness.

Unpaid care work

Ten paid sick days would primarily benefit working mothers, since women bear a disproportionate share of family caregiving responsibilities. This situation is compounded for single mothers who often shoulder the brunt of their children's health care as well as their own.

Paid sick leave isn't just for deadly illnesses, but it's also for preventive care, such as routine doctors' appointments, children's health appointments and from time to time, mental health days.

— A mother in New Brunswick

Women are more likely to need time off care for sick children or loved ones at home. If they are unable to take time off to care for sick children or loved one, women may reduce their hours, which impacts their long-term earnings and promotion opportunities, or leave the workforce altogether. Paid sick leave would provide them more stability and

security while benefiting their employers through improved productivity, loyalty and retention. The lack of paid sick leave forces women to make difficult decisions: go to work when they are sick or when a child or loved one is sick or deal with a large gap in their next paycheck. A gap that could make a difference in their ability to pay rent or put food on the table.

Conclusion

While employers are increasingly relying on women's work, policies have not kept pace to ensure that women's work is fairly compensated. If we want the labor market to work for all of us, we need a systemic change in how we value and pay for women's work, and that includes better working conditions such as paid sick leave.

Because employees thrive, New Brunswick thrives.