



March 27, 2019

Submitted Via Email: [ESARReview@gov.bc.ca](mailto:ESARReview@gov.bc.ca)

**The Honourable Harry Bains, MLA**

BC Minister of Labour  
PO Box 9064, Stn Prov Govt  
Victoria, BC, V8W 9E2

Dear Minister Bains,

**RE: BCLI Employment Standards Act Reform Project; Sick and Family Responsibility Leave; Statutory Holiday Pay**

My name is Bruce Gillespie, owner of Little Jumbo Restaurant Corp. in Victoria, BC, and I am writing you to express my deep concern with proposed changes to Sick Leave and Statutory Holiday Pay outlined in the B.C. Law Institute's Employment Standards Act Reform Project.

Small businesses like mine (we have 17 employees) have been facing mounting costs over the past two years. Radically escalating costs threaten our ability to provide employment, these include: increases in the minimum wage, the new Employer Health Tax (we fall above the threshold), municipal tax increases of 6.5% and rapidly escalating food costs to name a few. Restaurants in Canada on average make well less than 5% EBITDA (profit) and the sector in BC sees hundreds of failures per year. Your government appears to be clearly out of touch with small business. With this current regime, I would never open another location within this province. We are a caring employer and provide our employees with extended healthcare benefits. If these changes occur so quickly on the heels of EHT and minimum wage increases we will be forced to drop the existing extended healthcare benefit plan and reduce staffing levels to cope. The addition of another statutory holiday in 2019 or 2020 further compounds the problem. Any further additional costs related to new sick and personal days will reduce the viability of our business even further.

Statutory holidays and paid sick leave are already expensive for employers. When businesses like mine do not perform and grow, we either cut labour or close, both options diminish jobs and income in our community.

The BCLI Employment Standards Act Reform Project Committee has outlined a number of options to reform sick leave. They range from keeping the existing system of 5 unpaid leave days, to a substantial change of 10 paid sick leave days. The cost associated with the latter option is extremely worrying to employers like myself. Was there no research done to understand that this would not only go well beyond the standard across Canadian jurisdictions? I can only ask the question as to what business representation, key stakeholders, sat on that committee? I firmly support the current sick leave policy

and ask that it remain unchanged or virtually similar to what now exists. It has worked well for both our business and its employees for the better part of a decade.

I am particularly opposed to a recommendation by the Committee to relax the eligibility requirements for statutory holiday pay. The new law would only require employees to work or earn wages on 16 of the 60 days preceding a statutory holiday to be eligible for statutory holiday pay, as opposed to 15 of 30 days preceding statutory holidays that is in place currently. Administratively, this would be a nightmare to track. **This will deter us from hiring university and college students as we currently do.**

I would be happy to discuss these concerns on the negative economic impact further, and counsel you to take the right decisions to protect jobs and incomes in BC.

Sincerely,

Bruce Gillespie  
Owner  
Little Jumbo Restaurant Corp.  
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