

**Ministry of Labour**  
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**Ministry of Labour**  
**2022/23 Estimates Summary**

(in \$000's)

Estimates - Operating Budget	Restated Estimates 2021/22	Estimates 2022/23	Variance
<b>Labour Programs</b>	<b>15,787</b>	<b>15,828</b>	<b>41</b>
Employment Standards Branch	14,010	14,010	-
WorkSafeBC Funded Services	1	1	-
Labour Policy and Legislation	1,776	1,817	41
<b>Executive and Support Services</b>	<b>1,587</b>	<b>1,595</b>	<b>8</b>
Minister's Office	630	638	8
Corporate Services	957	957	-
	<b>17,374</b>	<b>17,423</b>	<b>49</b>

**Variance Explanations:**

**Labour Programs (\$41,000 increase)**

- \$41,000 increase to offset budget pressures from an increase in Legal Services Branch chargeback rates in 2019/20 and 2021/22

**Executive and Support Services (\$8,000 increase)**

- \$8,000 increase for a 2% growth in salaries built into the Ministers' Offices budget.

In 2021/22, a cross Government review led by the Premier's Office and the Ministry of Finance was completed to better align budgets with staffing levels and historic spending. An incremental increase of \$35,000 was provided in 2021/22, and the salaries budget assumed 2% growth in the out years (\$8,000 in 2022/23).

Estimates - Capital	Restated Estimates 2020/21	Estimates 2021/22	Variance
Furniture and Equipment <sup>1</sup>	3	3	-
	<b>3</b>	<b>3</b>	<b>-</b>

<sup>1</sup> Budgets are placeholders in the event we need to incur Furniture & Equipment.

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### 1. Why has the Ministry of Labour's budget increased by \$49,000 in 2021/22?

The Ministry of Labour's 2022/23 budget is \$17.423 million, an increase of \$49,000 from the 2021/22 Restated Estimates budget of \$17.374 million.

Labour's overall budget increase of \$49,000 is due to the following:

- \$41,000 increase to offset budget pressures from an increase in Legal Services Branch chargeback rates.
- \$8,000 increase in Minister's Office for a 2% growth in salaries built into the Minister's Office Budget (See Q&A #2).

### 2. Why has the Ministers' Office budget increased by \$8,000 in 2021/22?

- In 2021/22, a cross Government review led by the Premier's Office and the Ministry of Finance was completed to better align budgets with staffing levels and historic spending. An incremental increase of \$35,000 was provided in 2021/22, and the salaries budget assumed 2% growth in the out years (\$8,000 in 2022/23).
- Any questions on the review of Minister's Office budgets should be directed to the Minister of Finance.

### 3. How is the **Labour Relations Board** funded?

- B.C.'s Labour Relations Code provides important protections for workers such as the right to unionize and job security when a unionized business changes ownership.
- In 2019, we modernized the Labour Relations Code after it hadn't been substantially reviewed since 1992; the changes we made improved job security for contracted service workers while delivering more stable and harmonious labour relations for employers and unions.
- Any questions relating to LRB's budget should be directed to the Ministry of Attorney General.

### 4. Is there continued funding for the **Forestry Worker Support Programs** in 2022/23?

- Budget 2022 provides more than \$185 million over the next three years to bring forth coordinated and comprehensive supports to help forest workers and contractors, industry, communities, and First Nations to adapt and respond to impacts of deferrals.
- Part of this funding includes support for the Bridging to Retirement program, which will support eligible forestry workers and contractors 55 years or older to transition to retirement and create jobs in working mills.
- The Ministry of Labour is delivering an expanded Retirement Bridging Program for impacted workers and contractors across BC resulting from Old Growth deferral decisions.
- The program intake opened in January 2022 for full time forestry mill workers and employees of forestry dependent contractors who are 55 years or older and who wish to transition to retirement.
- The intake for owners of forest dependent contracting businesses and voluntary retirees is expected to open in spring 2022.
- Previous Years Funding - Early Retirement Bridging Program:
  - In 2019/20 to 2021/22, \$58M was allocated to the Early Retirement Bridging Program (ERBP).
    - \$40M (funded through FLNRO)
    - \$18M in 2020/21 under the Stronger BC Recovery Initiative (\$10M was allocated for a Coastal ERBP, and an additional \$8M was

provided for the Interior Bridging Program.

Budget	(In \$ Millions)			
	2019/20	2020/21	2021/22	Total
Interior ERBP (Funded through FLNRO)*	20	16	4	40
Interior ERBP (Stronger BC Funding)		8		8
Coastal ERBP (Stronger BC Funding)		10		10
<b>Total</b>	<b>20</b>	<b>34</b>	<b>4</b>	<b>58</b>

Cabinet Confidences

In 2019/20 and 2020/21 Labour spent over \$44.5M on the ERBP Program and anticipates utilising the full \$4M allocation in 2021/22.

**5. Does Budget 2022 provide any Funding for the COVID-19 Employer Paid Sick Leave Program? How much was spent in 2021/22?**

- In May 2021, amendments to the *Employment Standards Act* created a temporary COVID-19 paid sick leave program for up to three days of leave, until December 31, 2021.
- The Province established a temporary program to reimburse employers up to \$200 a day per worker (up to 3 days per worker) to help cover their employees' wages for the COVID-19 paid sick leave.
- Permanent paid sick leave came into effect on Jan 1, 2022, with a minimum of 5 employer paid sick days each year.
- The COVID-19 Employer Paid Sick Leave Program had an initial budget Allocation of \$325M in 2021/22. There is no provincial funding for paid sick leave in *Budget 2022*.
- The initial budget estimates were prepared at a time of great uncertainty around the pandemic and the effectiveness of the vaccine campaign. The effectiveness of the vaccines and other response measures have resulted in lower than anticipated demand for this program.
- As at Q3, the forecast for the Paid sick leave program is \$15M. Actual expenditures for 2021/22 will be released in the Public Accounts later this year.
- As of December 31, 2021, over 7,752 applications have been approved,

benefiting over 20,118 British Columbians.

**6. Does Budget 2022 provide any incremental funding to address the backlog of Worker's Complaints under the Employment Standards Branch?**

- As a demand-driven complaint process, the branch's workload is variable and reflects what is happening in BC's workplaces; the pandemic has increased demand by workers and employers for access to the branch's services. In addition, legislative and regulatory improvements made since 2018 have made the branch more accessible to people who need it..
- Supporting BC's workers and employers by investigating and resolving complaints and eliminating the backlog is a priority for the Ministry.
- In 2021/22 a temporary backlogs reduction team was established with 24 new Employment Standards Officers to expedite complaint processing.
- The Ministry is currently expanding the temporary backlog reductions team, with the goal of eliminating the backlog of worker complaints this year.



## 2022/23 Estimates Note Advice to the Minister

**Ministry:** Ministry of Labour  
**Minister Responsible:** Hon. Harry Bains

**Title:** Mandate Letter Commitments

**Revised:** March 7, 2022

**Issue:** Key Minister of Labour 2022 Mandate Letter Commitments

**Response:**

- Through our mandate priorities, the Ministry of Labour and government more broadly are committed to supporting all British Columbians and not just those at the top.
- The Ministry of Labour's work supports government's foundational principles, including putting people first, committing to lasting and meaningful reconciliation with Indigenous people, promoting equity and anti-racism, creating a better future through fighting climate change, and supporting a strong, sustainable economy that works for everyone.
- We continue to work together, as we have throughout the pandemic, to make progress on these foundational principles.
- Some of the ways we have worked collaboratively with workers and employers to address the impacts of the pandemic on people and businesses include: vaccination leave, temporary layoff variances and paid illness and injury leave.
- Some of the mandate commitments build on work that was a priority during government's previous term and that remains important to us. For example, increasing workplace safety inspections and taking legislative action to licence asbestos abatement contractors and implement mandatory training to help ensure that all workers return home healthy and safe at the end of their shift.

**Background/Status:**

- The Mandate letter for the Minister of Labour contains the following priority initiatives that the Minister of Labour will lead:

## 2022/23 Estimates Note Advice to the Minister

**Ministry:** Ministry of Labour  
**Minister Responsible:** Hon. Harry Bains

- Continue working collaboratively with worker and employer representatives to address the impacts of COVID-19. **[see Tab 6]**
  - Continue working with the federal government on paid sick leave for COVID-19 and beyond. **[see Tab 22]**
  - Create new consultative mechanisms to engage worker and employer representatives on workplace legislation changes. **[see Tab 54]**
  - Tie the minimum wage to the rate of inflation after the June 1, 2021, increase in the general minimum wage to \$15.20 an hour. **[see Tab 19]**
  - Ensure every worker has the right to join a union and bargain for fair working conditions. **[see Tab 30]**
  - Cabinet Confidences; Advice/Recommendations
  
  - Cabinet Confidences; Advice/Recommendations
- 
- The Mandate letter for the Minister of Labour also directs the minister to support the work being led by other Ministers and Parliamentary Secretaries; on closing the gender pay gap and the development of pay transparency legislation; improving working conditions for workers in farming communities; establishing a new Worker Training and Job Opportunity Office; and, restoring the compulsory trades system. **[see below]**
  
  - The Mandate letter for the Parliamentary Secretary for the New Economy contains the following priorities to work on closely with the Minister of Labour **[also see Tab 52]:**
    - Work with labour and business organizations to develop a precarious work strategy that reflects modern workplaces' diverse needs and unique situations **[also see Tab 53]**
    - Propose employment standards for precarious and gig workers.
    - Investigate the feasibility of a collective benefit fund and a voluntary pooled-capital pension plan for workers who otherwise do not have coverage.

## 2022/23 Estimates Note Advice to the Minister

Ministry: Ministry of Labour  
Minister Responsible: Hon. Harry Bains

### Further Information on the Specific Mandate Items:

#### **Paid Sick Leave: [see Note 22]**

- The Premier's mandate letter directs the Minister of Labour to continue working with the federal government on a paid sick leave program to protect workers and businesses during the COVID-19 pandemic and beyond.
- BC identified gaps in the federal income support programs (the Canada Recovery Sickness Benefit) and Minister Bains raised the issue with his colleague Labour Ministers at a Federal/Provincial/Territorial annual meeting on March 1, 2021.
- On May 11, 2021, the Minister introduced Bill 13, the *Employment Standards Amendment Act (No. 2), 2021*. Bill 13 established up to three days of COVID-19 related paid sick leave for BC employees. These days were available to employees until December 31, 2021 and employers were able to access a temporary Employer Reimbursement Program for COVID-19 related illnesses from May 20 – December 31, 2021. **[see also Tab 23]**
- Bill 13 also established permanent paid leave for illness and injury to be effective January 1, 2022. The number of permanent paid illness and injury leave days was established in regulation at 5 paid days after consultations with employer and worker stakeholders and B.C. citizens.

#### Suggested Response:

- ***My mandate letter includes a commitment to continue working with the federal government on a paid sick leave program that protects workers and businesses during the COVID-19 pandemic and beyond.***
- ***Our government has continued to raise awareness about the importance of paid sick leave for reducing workplace transmission of illness and to support safe workplaces.***
- ***We discussed this issue with my Labour Minister colleagues from across Canada at our annual meeting on February 25, 2022.***
- ***As you know, on January 1, 2022 we implemented 5 paid days of illness and injury leave to address ongoing concerns about the need for paid sick leave for the long term, past the pandemic.***

#### **Consultative Mechanisms:**

- The Ministry is committed to engaging stakeholders, Indigenous partners and the public as we make improvements and address issues.

## 2022/23 Estimates Note Advice to the Minister

Ministry: Ministry of Labour  
Minister Responsible: Hon. Harry Bains

### Suggested Response:

- ***Our government is committed to hearing from people and obtaining input to inform our decision-making process.***
- ***We are using a wide variety of engagement channels and consultation methods to gain valuable input – and we will continue to engage as new consultative mechanisms are established.***
- ***The establishment of new consultative mechanisms is an important commitment to help ensure that future changes to workplace legislation receive the widest possible support and contribute to an inclusive, sustainable economy that works for everyone.***

### **WorkSafeBC Caseworkers and Inspections**

- The Minister of Labour's mandate letter includes direction to increase the number of WorkSafeBC caseworkers and increase workplace safety inspections.

### Suggested Response:

- ***Since becoming Minister of Labour, I have been committed to making British Columbia the safest jurisdiction in Canada for workers.***
- ***This means ensuring B.C.'s workers' compensation system is worker-centric and safety-focused.***
- ***WorkSafeBC has hired more prevention and investigations officers, and is stepping up inspections and issuing more citations, fines and penalties to increase compliance.***
- ***We continue to make improvements to better support workers and employers in keeping people safe – most recently we have introduced legislation to prevent exposure to asbestos for asbestos abatement contractors and workers. And there is always more to do to keep our workplaces healthy and safe.***

**[Please see Tab 38** Cabinet Confidences; Advice/Recommendations

Cabinet Confidences;  
Advice/Recommendations

## 2022/23 Estimates Note Advice to the Minister

Ministry: Ministry of Labour  
Minister Responsible: Hon. Harry Bains

### Chronic Work-Related Pain

- The mandate letter directs the Minister to partner with WorkSafeBC and with support from the Minister of Mental Health and Addictions, to develop better options for chronic work-related pain.

#### Suggested Response:

- ***Workers who get injured at work need our support; treating, managing and compensating chronic pain is a complex issue.***
- ***I am working with the Ministry of Mental Health and Addictions supporting this initiative so that chronic work-related pain is managed in a worker-centric way – to prevent opioid and other addictions.***
- ***WorkSafeBC is also considering its policies related to chronic pain to support this important work.***

[Please see Tab 42 Cabinet Confidences; Advice/Recommendations

Cabinet Confidences;  
Advice/Recommendations

### Precarious Work Strategy

- Non-standard work (including part-time and casual work, web-based “gig” work, and contract work) is becoming increasingly common. Such work is often associated with job insecurity, irregular earnings, and few, if any, employment protections. Women, recent immigrants, Indigenous people, Black people, people of colour, individuals with high school education or less, and single parents are consistently more likely to participate in non-standard employment.
- Work is underway on the development of a gig economy strategy including policy research to clarify the issues and articulate key questions for further investigation. In addition, the Minister and the Parliamentary Secretary for the New Economy have engaged in several meetings with interested parties who have expressed preliminary views/input.

#### Suggested Response:

- ***Our focus continues to be on supporting vulnerable workers and ensure BC labour laws are responsive to the changing economy as we move through the pandemic.***

## 2022/23 Estimates Note Advice to the Minister

Ministry: Ministry of Labour  
Minister Responsible: Hon. Harry Bains

- ***Parliamentary Secretary Walker and I are committed to working with business and labour representatives, to develop a precarious work strategy for British Columbia.***
- ***This includes looking at gaps in employment standards and in pension and benefit coverage for precarious and gig workers – so everyone benefits from an inclusive, sustainable economy.***

### Gender Pay Gap and Pay Transparency

- The mandate letter directs the Minister to support the Parliamentary Secretary for Gender Equity's work to close the gender pay gap by addressing systemic discrimination in the workplace and through new pay transparency legislation.
- The Parliamentary Secretary for Gender Equity (MLA Grace Lore) is under the direction of the Minister of Finance.
- Ministry staff have worked collaboratively to prepare for the public consultation process to support pay transparency legislation, including examination of models from other Canadian and international jurisdictions. Ministry of Finance will announce work to support the legislation on March 8, 2022.

#### Suggested Response:

- ***We are working to close the gender pay gap in British Columbia and to improve the transparency around pay practices is an important priority for this government.***
- ***I have been working to support the Parliamentary Secretary for Gender Equity's work on this issue and we will be seeking input from British Columbians in the coming months.***

### Improving working conditions for workers in farming communities

- The mandate letter directs the Minister to support the work of the Minister of Agriculture and Food to continue improving working conditions for all workers including temporary foreign workers and temporary domestic workers working in farming communities.
- Cabinet Confidences; Advice/Recommendations

## 2022/23 Estimates Note Advice to the Minister

Ministry: Ministry of Labour  
Minister Responsible: Hon. Harry Bains

### Suggested Response:

- ***The pandemic has highlighted that improving conditions in the agricultural sector in a way that benefits workers, as well as the industry as a whole, is an important priority for this government.***
- ***Work is progressing to ensure agricultural workers have safe and appropriate working conditions, including housing. I continue to support the Minister of Agriculture and Food's work on this issue.***

### **Worker Training and Job Opportunity Office**

- The mandate letter directs the Minister to support the Parliamentary Secretary for Rural and Regional Development (MLA Roly Russell) to guide the establishment of a new Worker Training and Job Opportunity Office.

### Suggested Response:

- ***As laid out in the mandate letters, the purpose of the proposed Worker Training and Job Opportunity Office will be to maximize the impact of our economic recovery plan for workers and communities during COVID-19 and beyond – with a focus on retraining workers, supporting resource communities facing job loss, developing higher value goods, and accessing new global markets and opportunities for B.C. products.***
- ***Staff in my ministry are working collaboratively with staff in the Ministry of Forests and the Ministry of Jobs, Economic Recovery and Innovation to share program information and data to support the development and establishment of the new Office.***
- ***My role is to support the Parliamentary Secretary for Rural and Regional Development's work*** Advice/Recommendations

### **Compulsory Trades**

- In 2003, British Columbia eliminated compulsory certification for skilled trades.
- Over the next decade our province is going to need more than 85,000 new skilled trades people to build and maintain the services and infrastructure we rely on every single day.
- B.C. needs to attract and retain people from all walks of life to work in the trades.
- We can do this by providing greater access to recognized skills training in key trades and ensure the safety of apprentices is a priority.

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Minister Responsible: Hon. Harry Bains

### Suggested Response:

- ***My mandate letter specifies that I support the work of the Minister of Advanced Education and Skills Training, and the Parliamentary Secretary for Skills Training, to restore the compulsory trades system to improve safety and give more workers a path to apprenticeship completion.***
- ***My ministry was represented on a Working Group that has been engaged on this issue over the past 2 years and I am supporting the Honourable Anne Kang and Parliamentary Secretary Andrew Mercier on this important priority which is well underway.***
- ***Last month our government introduced new legislation to establish a made-in-B.C. system to support and safely train apprentices and modernize the Crown agency responsible for trades training.***
- ***The new Skilled Trades BC Act lays the foundation to address labour shortages, and support and recognize the critical work that skilled tradespeople do in British Columbia.***

### Contact:

Michael Tanner	A/Executive Director	Labour Policy and Legislation Branch	778 974-2172
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February 25, 2022

Honourable Harry Bains  
Minister of Labour  
Parliament Buildings  
Victoria, British Columbia V8V 1X4

Dear Minister Bains:

Thank you for agreeing to serve British Columbians as Minister of Labour.

In this past year, as a member of Cabinet, your work has contributed to this government's efforts to support British Columbians as they face the impacts of COVID-19. People throughout the province continue to work together to stay safe and rebuild their lives and communities from the effects of the pandemic. Our government remains committed to getting through the pandemic and its aftereffects by building on this resilience and focusing on what matters most to people.

British Columbians voted for a government focused on their priorities: providing better health care for people and families, delivering affordability and security in our communities, and investing in good jobs and livelihoods in a clean-energy future.

I expect you –with support of your ministry – to focus on the commitments detailed in our platform, *Working for You*, along with the following foundational principles:

- **Putting people first:** Since 2017, our government has focused on making decisions to meet people's needs. That focus drove our work in our first term and will continue to be our priority. British Columbians are counting on the government to keep them safe and to build an economic recovery that works for everyone, not just those at the top. Keeping people at the centre of everything we do means protecting and enhancing the public services people rely on and working to make life more affordable for everyone.

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**Office of the  
Premier**

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**Mailing Address:**  
PO Box 9041 Stn Prov Govt  
Victoria BC V8W 9E1

**Location:**  
Parliament Buildings  
Victoria

- **Lasting and meaningful reconciliation:** Reconciliation is an ongoing process and a shared responsibility for us all. The unanimous passage of the *Declaration on the Rights of Indigenous Peoples Act* was a significant step forward in this journey. True reconciliation will take time and ongoing commitment to work with Indigenous peoples as they move toward self-determination. Our government – and every ministry – must remain focused on creating opportunities for Indigenous peoples to be full partners in our economy and providing a clear and sustainable path for everyone to work toward lasting reconciliation.
- **Equity and anti-racism:** Our province's history, identity and strength are rooted in its diverse population. Yet racialized and marginalized people face historic and present-day barriers that limit their full participation in their communities, workplaces, government, and their lives. Our government has a moral and ethical responsibility to tackle systemic discrimination in all its forms – and every ministry has a role in this work. While our caucus elected a record number of women, more work remains to address gender equity. Delivering on our commitments to address racial discrimination will require a commitment by all of government to ensure increased IBPOC (Indigenous, Black and People of Colour) representation within the public service, including in government appointments. Our efforts to address systemic discrimination must also inform policy and budget decisions by reviewing all decisions through a Gender-Based Analysis Plus (GBA+) lens.
- **A better future through fighting climate change:** In 2018, our government launched our CleanBC climate action plan. CleanBC puts British Columbia on the path to a cleaner, better future by building a low-carbon economy with new clean-energy jobs and opportunities, protecting our air, land and water and supporting communities to prepare for climate impacts. It is every Minister's responsibility to ensure your ministry's work continues to achieve CleanBC's goals.
- **A strong, sustainable economy that works for everyone:** We will continue our work to support British Columbians through the pandemic and the economic recovery by investing in health care, getting people back to work, helping businesses and communities, and building the clean, innovative economy of the future. Our plan will train the workforce of tomorrow, help businesses hire and grow and invest in the infrastructure needed to build our province.

The pandemic has reminded us that we're strongest when we work together. Delivering on our commitments to people will require a coordinated effort with your cabinet and caucus colleagues, supported by the skilled professionals in the public service. You will also support your cabinet colleagues to do their work, particularly where commitments cross ministry lines.

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British Columbians expect their elected representatives to work together to advance the broader public good despite their partisan perspectives. That means seeking out, fostering, and championing good ideas, regardless of their origin. I expect you to reach out to elected members from all parties as you deliver on your mandate. Further, you will build thoughtful and sustained relationships through public and stakeholder engagement plans that connect with people to incorporate their perspectives early in the policy development process. These plans must include measurable outcomes and ensure active dialogue and ongoing outreach in your ministry's actions and priorities.

Over the course of our mandate, I expect you will make progress on the following items:

- Continue a collaborative approach in working with representatives of workers and employers to address the impacts of the COVID-19 pandemic on people and businesses.
- Continue working with the federal government on a paid sick leave program to protect workers and businesses during the COVID-19 pandemic and beyond.
- Create new consultative mechanisms to engage employer and worker representatives in consideration of any changes proposed to workplace legislation to ensure the widest possible support.
- Once the minimum wage reaches \$15.20 per hour in June 2021, provide predictability for employers and workers by tying the minimum wage to the rate of inflation.
- Ensure that every worker has the right to join a union and bargain for fair working conditions.
- Increase the number of WorkSafeBC caseworkers and increase workplace safety inspections.
- In partnership with WorkSafeBC and with support from the Minister of Mental Health and Addictions, work to develop better options for chronic work-related pain, including improving pain management practices for injured workers and providing treatment on demand to those with chronic pain as a result of workplace injuries.
- Support the work of the Minister of Advanced Education to restore the compulsory trades system to improve safety and give more workers a path to apprenticeship completion.

.../4

- Support the Parliamentary Secretary for Gender Equity's work to close the gender pay gap by addressing systemic discrimination in the workplace and through new pay transparency legislation.
- Support the work of the Minister of Agriculture and Food to continue improving working conditions for all workers including temporary foreign workers and temporary domestic workers working in farming communities.
- Support the Parliamentary Secretary for Rural and Regional Development to establish a Worker Training and Job Opportunity Office to maximize the impact of our economic recovery plan for workers and communities during COVID-19 and beyond – with a focus on retraining workers, supporting resource communities facing job loss, developing higher value goods, and accessing new global markets and opportunities for BC products.

To assist you in meeting the commitments we have made to British Columbians, you are assigned a Parliamentary Secretary for the New Economy. You will work closely together and ensure your Parliamentary Secretary receives appropriate support to deliver on the following priorities, outlined in the mandate letter issued to them:

- Work with labour and business organizations to develop a precarious work strategy that reflects modern workplaces' diverse needs and unique situations.
- As part of the precarious work strategy, propose employment standards targeted to precarious and gig economy workers, and investigate the feasibility of a government-backed collective benefit fund and access to a voluntary pooled-capital pension plan for workers who do not otherwise have coverage.

Our work as a government must continually evolve to meet the changing needs of people in this province. Issues not contemplated in this letter will come forward for government action and I ask you to bring such matters forward for consideration by the Planning and Priorities Committee of cabinet, with the expectation that any proposed initiatives will be subject to the usual cabinet and Treasury Board oversight. Your ministry's priorities must reflect our government's overall strategic plan as determined by cabinet.

All cabinet members are expected to review, understand and act according to the *Members' Conflict of Interest Act* and conduct themselves with the highest level of integrity. As a minister of the Crown, your conduct will reflect not only on you, but on cabinet and our government.

You are responsible for providing strong, professional, and ethical leadership within cabinet and your ministry. You will establish a collaborative working relationship with your

deputy minister and the public servants under their direction who provide the professional, non-partisan advice that is fundamental to delivering on our government's priorities. You must ensure your minister's office meets the highest standards for integrity and provides a respectful and rewarding environment for all staff.

My commitment to all British Columbians is to do my level best to make sure people's lives are better, safer, and more affordable. I believe the challenges we face can and will be overcome by working together. By way of this letter, I am expressing my faith that people can expect the same commitment from you.

Sincerely,

A handwritten signature in black ink that reads "John J. Horgan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

John Horgan  
Premier



BRITISH  
COLUMBIA

November 26, 2020

Adam Walker, MLA  
Parliamentary Secretary for the New Economy  
Parliament Buildings  
Victoria, British Columbia V8V 1X4

Dear Parliamentary Secretary Walker:

Thank you for agreeing to serve British Columbians as Parliamentary Secretary for the New Economy, supporting the Minister of Labour. You are taking on this responsibility at a time when people in our province face significant challenges as a result of the global COVID-19 pandemic.

COVID-19 has turned the lives of British Columbians upside down. None of us expected to face the challenges of the past number of months, yet British Columbians have demonstrated incredible resilience, time and time again. We will get through the pandemic and its aftereffects by building on this resilience and focusing on what matters most to people.

British Columbians voted for a government focused on their priorities: fighting the COVID-19 pandemic, providing better health care for people and families, delivering affordability and security in our communities, and investing in good jobs and livelihoods in a clean-energy future.

I expect you – and the work of your ministry – to focus on the commitments detailed in our platform, *Working for You*, along with the following foundational principles:

- **Putting people first:** Since 2017, our government has focused on making decisions to meet people's needs. That focus drove our work in our first term and will continue to be our priority. British Columbians are counting on the government to keep them safe and to build an economic recovery that works for everyone, not just those at the top. Keeping people at the centre of everything we do means protecting and enhancing the public services people rely on and working to make life more affordable for everyone.
- **Lasting and meaningful reconciliation:** Reconciliation is an ongoing process and a shared responsibility for us all. The unanimous passage of the *Declaration on the Rights of Indigenous Peoples Act* was a significant step forward in this journey. True

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Office of the  
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reconciliation will take time and ongoing commitment to work with Indigenous peoples as they move toward self-determination. Our government – and every ministry – must remain focused on creating opportunities for Indigenous peoples to be full partners in our economy and providing a clear and sustainable path for everyone to work toward lasting reconciliation.

- **Equity and anti-racism:** Our province's history, identity and strength are rooted in its diverse population. Yet racialized and marginalized people face historic and present-day barriers that limit their full participation in their communities, workplaces, government and their lives. Our government has a moral and ethical responsibility to tackle systemic discrimination in all its forms – and every ministry has a role in this work. While our caucus elected a record number of women, more work remains to address gender equity. Delivering on our commitments to address racial discrimination will require a commitment by all of government to ensure increased IBPOC (Indigenous, Black and People of Colour) representation within the public service, including in government appointments. Our efforts to address systemic discrimination must also inform policy and budget decisions by reviewing all decisions through a Gender-Based Analysis Plus (GBA+) lens.
- **A better future through fighting climate change:** In 2018, our government launched our CleanBC climate action plan. CleanBC puts British Columbia on the path to a cleaner, better future by building a low-carbon economy with new clean-energy jobs and opportunities, protecting our air, land and water and supporting communities to prepare for climate impacts. It is every Minister's responsibility to ensure your ministry's work continues to achieve CleanBC's goals.
- **A strong, sustainable economy that works for everyone:** We will continue our work to support British Columbians through the pandemic and the economic recovery by investing in health care, getting people back to work, helping businesses and communities, and building the clean, innovative economy of the future. Our plan will train the workforce of tomorrow, help businesses hire and grow and invest in the infrastructure needed to build our province.

As Parliamentary Secretary, you will assist your Minister in carrying out their duties. You may be asked to represent the Minister at public events, deliver speeches on behalf of the Minister, or act as a spokesperson for the government's position. You will reach out to stakeholders, businesses, civil society and individuals across B.C. to better understand their perspectives and bring their views to the Minister.

You are also being given special responsibility to support your Minister in specific areas within their mandate. You will work with, and be supported by, B.C.'s professional public service in this role.

Over the course of our mandate, I expect you will make progress on the following items:

- Work with labour and business organizations to develop a precarious work strategy that reflects modern workplaces' diverse needs and unique situations.

- As part of the precarious work strategy, propose employment standards targeted to precarious and gig economy workers, and investigate the feasibility of a government-backed collective benefit fund and access to a voluntary pooled-capital pension plan for workers who do not otherwise have coverage.

Your Minister is ultimately responsible and accountable for their ministry and their mandate; thus, all key decisions will be made by them. Your role is to understand your Minister's policy goals, develop a deep understanding of the issues, participate in consultations with key stakeholders, Indigenous peoples and the broader public, in order to give your best advice to the public service as it develops options for a decision by the Minister.

You will collaborate with your Minister, Ministry and the Premier's Office to develop a workplan to guide your efforts, including detail on how the professional public service will support your work through briefings, supporting consultations, and keeping you apprised of policy development.

All members are expected to review, understand and act according to the *Members' Conflict of Interest Act* and conduct themselves with the highest level of integrity. As a Parliamentary Secretary, your conduct will reflect not only on you, but on your Minister and our government.

You are accountable for providing strong, professional and ethical leadership. I expect you to establish a positive, respectful and collaborative working relationship with your Minister, their staff and the public servants who provide the professional, non-partisan advice fundamental to delivering on our government's priorities.

My commitment to all British Columbians is to do my level best to make sure people's lives are better, safer and more affordable. I believe the challenges we face can and will be overcome by working together. By way of this letter, I am expressing my faith that people can expect the same commitment from you.

Sincerely,

A handwritten signature in black ink, reading "John J. Horgan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

John Horgan  
Premier



## 2022/23 Estimates Note Advice to the Minister

**Ministry:** Ministry of Labour  
**Minister Responsible:** Hon. Harry Bains

**Title:** COVID-19 Pandemic Response

**Revised:** February 4, 2022

**Issue:** Labour response to COVID-19

**Response:**

- During this unprecedented public health emergency, Government has acted to ensure that workers are better able to stay connected with their jobs, employers have increased flexibility to help them remain in business, and workplaces remain healthy and safe.
- Specifically:
  - Amendments to the *Employment Standards Act*:
    - provide employees with unpaid, job-protected COVID-19-related leave which aligns with relevant federal benefit programs such as the Canada Recovery Sickness Benefit and the Canada Recovery Caregiving Benefit;
    - allow up to three hours of paid leave, per dose, to employees who are receiving their COVID-19 vaccination; and
    - until December 31, 2021, provided employees with up to three days of COVID-19-related paid sick leave.
    - as of January 1, 2022, provide employees with up to five days of employer-paid illness or injury leave (this applies to any illness or injury, but in light of the continuing pandemic, this is also part of the pandemic response).
  - Amendments to the Employment Standards Regulation:
    - extend the maximum period for a temporary layoff, allowing employees and employers to maintain a longer employment relationship during a shut down;
    - establish an expedited variance application process for employers and employees wishing to extend temporary layoff periods beyond August 30, 2020; and,
    - provide unpaid, job-protected leave for employees to receive, or support a dependant to receive, a COVID-19 vaccination.
  - Frequent updates to web content ensures that current and relevant information is available to employers and employees.
  - WorkSafeBC:
    - is using its authority and expertise to assist industry to develop appropriate back-to-work guidance and plans to support the continued health and safety of workplaces across the province; and,
    - introduced an occupational disease presumption for COVID-19 that allows workers in occupations impacted by COVID-19 to have quicker access to benefits.

## 2022/23 Estimates Note Advice to the Minister

**Ministry:** Ministry of Labour  
**Minister Responsible:** Hon. Harry Bains

### Background/Status:

- Government has acted to ensure that BC's labour policies and legislation are responsive to the challenges presented by the COVID-19 pandemic.

### Employment Standards

- The following changes have been made to BC's employment standards legislation in response to COVID-19:
  - *Employment Standards Amendment Act (No. 2), 2020* (Bill 16)
    - Effective March 23, 2020, Bill 16 amended the *Employment Standards Act* (Act) to provide unpaid, job-protected leave to employees who, in relation to COVID-19, cannot work because:
      - they are ill;
      - they are required to self-isolate;
      - their employer is concerned they may place others at risk;
      - they are unable to return home to BC; or,
      - they need to care for their minor child or a dependent adult, including when a school or day care has closed.
    - Employees are entitled to this leave for as long as the specified COVID-19-related situation applies to them.
  - B.C. Reg 94/2020:
    - Effective May 4, 2020, the Employment Standards Regulation (Regulation) was amended to extend the maximum period for a temporary layoff to 16 weeks (formerly 13 weeks) if the layoff was due to COVID-19-related reasons and the employee agrees.
    - The 16-week layoff period coincided with what was then the period of time that the federal Canada Emergency Response Benefit of \$500 per week was available.
  - B.C. Reg 148/2020:
    - Effective June 25, 2020, the Regulation was amended to extend the maximum period for a temporary layoff to August 30, 2020, if the layoff was due to COVID-19-related reasons and the employee agrees.

## 2022/23 Estimates Note Advice to the Minister

**Ministry:** Ministry of Labour  
**Minister Responsible:** Hon. Harry Bains

- B.C. Reg. 185/2020:
  - Employers and employees who wished to extend the layoff (see above) beyond August 30, 2020, were required to utilize the existing temporary layoff variance request process under the Act.
  - In order to expedite the application process, effective July 20, 2020, the Regulation was amended to streamline the approval process for temporary layoff variance requests, which included the development of an online application tool.
- B.C. Reg 216/2021:
  - Effective April 1, 2021, the Regulation was amended to expand the availability of the COVID-19-related leave to include the following employees:
    - those who have underlying conditions, are undergoing treatment, or have contracted another illness that makes them more susceptible to COVID-19; and,
    - those who are caring for a family member that requires care due to COVID-19.
  - Also effective April 1, 2021, the Regulation was amended to provide employees receiving a COVID-19 vaccination, or who are providing support to dependants receiving the COVID-19 vaccination, with unpaid, job-protected leave.
- *Employment Standards Amendment Act, 2021 (Bill 3)*
  - Effective April 19, 2021, Bill 3 amended the Act to provide up to three hours of paid leave, per dose, to employees who are receiving their COVID-19 vaccination.
- *Employment Standards Amendment Act (No. 2), 2021 (Bill 13)*
  - Effective May 20, 2021, and ending December 31, 2021, Bill 13 amended the Act to provide employees with up to three days of paid COVID-19-related leave. (Note: effective January 1, 2022, employees became eligible for five days per year of employer-paid illness and injury leave.)

### WorkSafeBC

- WorkSafeBC introduced an occupational disease presumption for COVID-19 that allowed workers in occupations impacted by COVID-19 to have quicker access to

## 2022/23 Estimates Note Advice to the Minister

**Ministry:** Ministry of Labour  
**Minister Responsible:** Hon. Harry Bains

workers' compensation benefits. [In August 2020, Government passed an amendment to the *Workers Compensation Act* (Bill 23) which expedited the coming into force of this presumption.]

- WorkSafeBC has been actively monitoring and adjusting to the COVID-19 pandemic to determine how best to support workers and employers, including launching a province-wide inspection initiative to ensure employers are taking the appropriate steps to reduce the risk of workplace COVID-19 exposure.
- WorkSafeBC has also been a key partner in ensuring the safe implementation of BC's "restart plan" through the development of detailed sector specific resources and guidelines for industries.
  - In spring of 2020, WorkSafeBC worked with employer groups to develop protocols for more than 30 industries to operate safely during the COVID-19 pandemic.
  - In support of the Provincial Health Officer's order that COVID-19 safety plans be required for all employers, in January 2022 WorkSafeBC posted COVID-19 safety plan resources online, including sector-specific protocols, checklists, planning templates, education and training materials, signage, and other tools.
- For more information on WorkSafeBC's activities to assist employers and workers during the COVID-19 pandemic, please see Estimates Note #38, "Protecting the Lives and Safety of Workers".

**Contact:**

Michael Tanner	A/Executive Director	Labour Policy and Legislation Branch	778 974-2172
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## 2022/23 Estimates Note Advice to the Minister

**Ministry:** Ministry of Labour  
**Minister Responsible:** Hon. Harry Bains

**Title:** COVID-19 Pandemic Impacts

**Revised:** February 8, 2022

**Issue:** COVID-19 Impacts on Ministry Operations and Ministry Transition to the “new normal”

**Response:**

- The BC Provincial Health Officer (PHO) declared a provincial health emergency due to the COVID-19 coronavirus in March of 2020. As part of the overall response to COVID-19, the BC Public Service significantly reduced the number of staff in workplaces to help slow transmission.
- The Ministry has maintained its key strategic functions amidst COVID-19:
  - All ministry services have remained operational with temporary limits to some in-person service delivery in order to control the spread of the virus.
  - All offices are providing virtual service delivery and most remain physically open to provide in-person services to clients with appropriate precautions.
- The Ministry’s operations during the COVID-19 public health emergency are supported and guided by a Corporate Safety Plan (Safety Plan). The Safety Plan outlines high-level procedures and guidelines to ensure that the risk of exposure to the virus that causes COVID-19 in Ministry workplaces is minimized.
- The Ministry’s approach to the Safety Plan is consistent with: WorkSafeBC’s guidance for reducing the risk of COVID-19; directions from the Provincial Health Officer; and BC Public Service Agency (PSA) procedures and guidelines aimed at assisting ministries to create and maintain safe and healthy workplaces (including interacting with clients outside of the workplace).
- The Ministry is committed to addressing any access to services/programs issues that may have exacerbated and compounded inequality, marginalization or privilege as a result of implementation of the measures to prevent the spread of COVID-19.
- The Ministry has implemented Government’s vaccine mandate, which requires all employees to be fully vaccinated unless they are eligible for an accommodation, either for health or religious reasons.
- Consistent with BC Public Service Agency policy direction and guidance, the Ministry has finalized telework agreements with all Ministry staff who wish to continue to work from home part of the time once the pandemic is behind us. However, the implementation date for these telework agreements has been delayed, first due to the Delta wave and more recently due to the Omicron wave.

## 2022/23 Estimates Note Advice to the Minister

**Ministry:** Ministry of Labour  
**Minister Responsible:** Hon. Harry Bains

### Background/Status:

- On March 17, 2020, a public health emergency was declared in the province related to the novel coronavirus, COVID-19. This was followed by a province-wide state of emergency that was declared on March 18, 2020.
- Government swiftly implemented emergency measures to reduce the spread of the virus, including reduced social and economic activities.
- On May 6, 2020, Government announced a strategy for the gradual and safe resumption of social and economic activity for the people of B.C, the “Restart Plan”.
- The Ministry of Labour has developed a COVID-19 Safety Plan (Safety Plan) which outlines high-level procedures and guidelines to ensure that the risk of exposure to the virus that causes COVID-19 is minimized at the workplace.
- The objective of the Safety Plan is to:
  - Provide clear and actionable procedures, and guidelines for safe operations through the prevention, early detection and control of COVID-19 at Ministry of Labour workplaces,
  - Demonstrate safety commitment for the health and safety of all staff, and
  - Provide guidance to staff as they transition to a “new normal” which includes new workplace configurations, adaptations and safe work procedures.
- The Ministry has put in place the following processes and structures to ensure effective implementation of the Safety Plan:
  - COVID 19 Management Team  
The team is comprised of the Ministry’s Executive Directors. It is engaged in regular check-ins and in sharing information on what’s working, what’s not working, and any gaps as they relate to the implementation of the safety plans. The team also receives Executive updates on COVID -19 related issues and implications.
  - Ongoing Review of Workplace Safety Plans  
Corporate and branch safety plans are reviewed on an ongoing basis, as are associated protocols and procedures that are aimed at implementing improvements to safety measures and controls, monitoring effectiveness and investigating any gaps in safety measures.

## 2022/23 Estimates Note Advice to the Minister

**Ministry:** Ministry of Labour  
**Minister Responsible:** Hon. Harry Bains

- Communications

There is an ongoing internal communication from executive to staff as well as ongoing worksite specific communications on COVID-19 related issues.

### Ministry Operations During COVID-19 Emergency

- The Ministry's effort in delivering on its priorities during the COVID-19 pandemic include:
  - Maintaining front-counter in-person physical presence for the public with appropriate precautions, at almost all of its offices throughout the province and maintaining compliance with Provincial Health Officer orders and health and safety guidelines.
  - Where operationally feasible, supporting employees to work from home to minimize contact and maintain physical distance as per the Provincial Health Officer orders.
  - Where operationally feasible, modifying some labour program delivery methods in response to the COVID-19 emergency.
  - Implementing measures to minimize the risk of transmission in the workplace including masks, cleaning and hygiene practices, maintaining physical distance and where physical distance could not be maintained, implementing physical barrier measures including plexiglass.
  - GBA+: The Ministry encouraged staff to have conversations with supervisors to adopt work schedules and work arrangements that, where possible, accommodate their diversity and unique needs.
  - Psychological and Mental Health Issues: Ministry Executive is continuously monitoring and managing employee fear, anxiety and/or any misinformation through communication and regular updates to ensure optimum mental health of staff.
  - Business Continuity Plans: Ministry branches were directed to review and update their business continuity plans in response to COVID-19 emergency.

### Transitioning Ministry Operations to a "New Normal"

- The Ministry developed a Ministry Operations Plan (Operations Plan) which includes a three-phase transition plan for the "new normal" in alignment with government's "Restart Plan".
- In March 2021, the Public Health Officer announced a "three -week circuit breaker" to address rising COVID-19 case counts, variants of concern and increased severe COVID-19 cases and to help break the chain of COVID-19 transmission.

## 2022/23 Estimates Note Advice to the Minister

**Ministry:** Ministry of Labour  
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- To align the BC Public Service pandemic response with the Provincial Health Officer's direction, the BC Public Service strongly recommended employees work from home where operationally feasible on a full-time basis until further notice.
- In light of rising vaccination rates and falling COVID-19 cases over late spring and summer 2021, the BC Public Service planning for return to work included requiring telework agreements for each employee wishing to continue to work from home once the pandemic has ended. These telework agreements were initially scheduled to take effect in September 2021. However, in light of increasing case counts due to the Delta and then the Omicron variants, the effective date was moved originally to November 2021, and then until April 4, 2022.
- The BC Public Service has also implemented a vaccine mandate as a condition of employment for all public servants. This mandate came into effect in November 2021 and has been fully implemented subject to some requests for medical and religious accommodation still needing to be decided.
- The Ministry of Labour will continue to cautiously move towards better workplace configurations and balancing between working at home and working at the traditional worksite. The Ministry's approach in transitioning its operations to a "new normal" is based on the following principles and preconditions:
  - Compliance with Provincial Health Officer orders and directives including consideration of and development of enhanced protocols aligned with the Public Health and Safety Guidelines.
  - Prioritizing public-facing services in meeting the needs of B.C workers and employers.
  - Compliance with WorkSafeBC/Occupational Health Safety Regulation (OHS) requirements.
  - Prioritizing staff safety with special consideration given to staff with greater vulnerability to the COVID-19 virus, including those with compromised immunity and other health issues or staff with COVID-19 health concerns regarding the people they live with.
  - Availability of support services for employees including childcare, safe ways to get to work using public transit or other means, open schools (for parents with children attending school), etc.
  - Alignment and consistency in execution of operational plans in instances of co-located offices with other Ministries and/or Agencies.
  - Ministry wide restrictions on non-essential work travel.
  - Staff commitment to compliance and awareness of the COVID-19 safety plans and protocols as well as public health and safety



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**Ministry:** Ministry of Labour  
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guidelines. In addition, the Ministry is prepared to share its plans with the public to ensure their safety and confidence in coming into ministry offices around the province, where appropriate.

**Contact:**

Michael Tanner	A/Executive Director	Policy and Legislation	778 974-2172
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## 2022/23 Estimates Note Advice to the Minister

**Ministry:** Ministry of Labour  
**Minister Responsible:** Hon. Harry Bains

**Title:** Agriculture Sector Compliance

**Revised:** February 5, 2022

**Issue:** Employment Standards and Safety Protection for B.C Farm Workers

**Response:**

- Government is committed to ensuring that workplaces are safe, healthy and fair so that employers and workers can prosper and contribute to B.C.'s economic growth.
- Government fully appreciates the contributions that B.C. farm workers make to our domestic and export food production.
- Government is committed to protecting the health and safety of farm workers and to ensuring that vehicle safety and employment standards are enforced.
- The Employment Standards Branch plays an important role in protecting farm workers. The Branch:
  - has authority to cancel or suspend a farm labour contractor's licence where the relevant WorkSafeBC or motor vehicle laws have been violated;
  - maintains an agriculture compliance team that conducts site inspections – including worker interviews and payroll reviews;
  - participates in roadside vehicle inspections; and
  - provides education to employers and workers in the agriculture sector.
- The Employment Standards Branch continues to work actively with employers, employees, stakeholder groups and the Ministry of Agriculture in promoting compliance with the employment standards to which farm workers are entitled.

**Background/Status:**

- Farm workers are protected by most of the employment standards that apply to other workers in British Columbia. However, exemptions are provided in the areas of hours of work, overtime and statutory holiday pay.
- Farm workers are also fully covered by occupational health and safety standards. Employers in the agriculture sector are required to provide workers with a level of protection against a wide range of work-related hazards, including the handling of chemicals and pesticides.

