

2025/26 ESTIMATES TABLE OF CONTENTS – MINISTER OF LABOUR BINDER

ESTIMATES HIGHLIGHTS	
Budget Qs and As	1
Mandate Letter - Honourable Jennifer Whiteside 2025	2
Appointment Letter - Parliamentary Secretary Rotchford 2024	3
Ministry of Labour 2025/26 Summary	4
Key Messages - Efficiency Review-Expenditure Management	5
<i>Tabs Intentionally Blank</i>	6-7

EMPLOYMENT STANDARDS	
Agriculture Sector Compliance	8
Domestic or Sexual Violence Leave	9
Employment Standards Branch Budget, Resources, Service Levels and Complaints Management	10
Employment Standards Branch Statistical Summary	11
<i>Employment Standards Act</i> – Exclusions and Alternate Standards	12
Minimum Wage	13
Paid Sick Leave	14
Protection of Foreign Workers	15
Updating Employment Standards	16
<i>Tabs Intentionally Blank</i>	17-19

LABOUR RELATIONS	
B.C. Labour Relations Board Update	20
Collective Bargaining	21
Forestry Successorship	22
Mandatory Five-Year Review of the Labour Relations Code	23
<i>Tabs Intentionally Blank</i>	24-26

WORKERS' COMPENSATION	
Asbestos	27
Cancer Presumptions	28
Extending Coverage to Professional Athletes	29
Mental Health under the WCA	30

2025/26 ESTIMATES TABLE OF CONTENTS – MINISTER OF LABOUR BINDER

Protecting the Lives and Safety of Workers	31
Washrooms on Construction Sites	32
Workers' Compensation Improvements since 2017	33
<i>Tabs Intentionally Blank</i>	34-40

BRIDGING TO RETIREMENT PROGRAM	
Bridging to Retirement Program	41
<i>Tabs Intentionally Blank</i>	42

CROSS-PROGRAM	
Anti-Racism, GBA+, Equity, Diversity and Inclusiveness	43
<i>Declaration on the Rights of Indigenous Peoples Act</i> Implementation	44
Oversight of B.C.'s Labour Tribunals	45
Parliamentary Secretary for Labour and its role in the Ministry of Labour	46
Protections for Ride Hail and Delivery Service Workers (Mandate letter commitment)	47
<i>Tabs Intentionally Blank</i>	48-51

CORPORATE NOTES	
Deputy Minister's Office – Budget	52
Executive Compensation (Agencies, Boards and Commissions)	53
Minister's Office – Budget	54
Minister's Office – Travel	55
Ministry 2025/26 – 2027/28 Service Plan	56
<i>Tabs Intentionally Blank</i>	57

Contents

1. Why has the Ministry of Labour's budget increased by \$579,000 from 2024/25	1
2. Why has the Ministers' Office budget decreased by \$28,000 in 2025/26?	1
3. How is the Labour Relations Board funded?	2
4. Is there continued funding for the Bridging to Retirement Program in 2025/26?	2
5. Does Budget 2025 provide any incremental funding to address the backlog of workers' complaints under the Employment Standards Branch?	3
6. Has there been any budget increases to the WorkSafe BC Funded programs in Budget 2024?	4

1. Why has the Ministry of Labour's budget increased by \$579,000 from 2024/25

The Ministry of Labour's 2025/26 budget is \$25.986 million, an increase of \$579,000 from the 2024/25 Restated Estimates budget of \$25.407 million.

Labour's overall budget increase of \$579,000 is due to the following:

- \$607,000 increase is attributed to a base budget lift for compensation increases under the Shared Recovery Mandate.¹
- \$28,000 decrease to align the Minister's Office budget with allocations approved by the Office of the Premier.

2. Why has the Minister's Office budget decreased by \$28,000 in 2025/26?

The Minister's Office's budget decreased by \$28,000 due to adjustments made to align the Minister's Office budget in accordance with allocations approved by the Office of the Premier.

The Minister's Office budget includes funding for the Legislative salaries of the Minister and Parliamentary Secretary as well as budget for five support staff. There is no change to the budgeted staffing complement from the prior year. Any questions on the Minister's Office budgets should be directed to the Ministry of Finance.

¹Shared Recovery Mandate provides compensation increases in the following categories: Cost of Living Adjustments (COLA) for included staff; Management compensation increases for excluded staff; and Tribunal Appointee increases for the fully recoverable WSBC programs.

3. How is the Labour Relations Board funded?

- British Columbia's Labour Relations Code (Code) establishes the relationships between labour and management – how workers join unions, how employers and unions interact, and how collective bargaining disputes are resolved. It was first established in 1973.
- The Labour Relations Board (LRB) is an administrative tribunal whose job is to resolve issues that arise under the Code.
- The responsibility for LRB was transferred to the Ministry of Attorney General (AG) in 2017/18 as part of the Tribunal Transformation Initiative. This initiative consolidated various tribunal budgets (excluding the Workers' Compensation Administrative Tribunal) to ensure tribunal processes are efficient, cost-effective and meet users' needs.
- Any questions relating to the LRB budget should be directed to the AG.

4. Is there continued funding for the Bridging to Retirement Program in 2025/26?

- *Budget 2022* provided more than \$185 million over three years to bring forth coordinated and comprehensive supports to help forestry workers, communities, First Nations and industry adapt and respond to the impacts of old growth deferrals.
- This funding included support to deliver the Bridging to Retirement Program (Program), which supported eligible forestry workers and contractors 55 years or older to transition to retirement and create jobs in working mills.
 - Over the last 2 years (2022/23 and 2023/24), the Program has provided 818 impacted forestry workers with over \$33 million in grant benefits.
 - Actual spending for 2024/25 will be released this Summer with the Public Accounts.
- The Program closed the application process on February 26, 2025. Since this was a three-year time limited program, there is no funding next fiscal year.
- Previous Years Funding - Bridging to Retirement Program:
 - In the last 5 years, over \$80 million has been spent to support eligible forestry workers and contractors in their transition to retirement.

In \$ Millions	2019/20	2020/21	2021/22	2022/23**	2023/24	Total
----------------	---------	---------	---------	-----------	---------	-------

Bridging to Retirement Budget (Funded through FOR)	20.000	16.000	4.000			40.000
Bridging to Retirement				Government Financial		
StrongerBC Funding		18.000				18.000
Total Budget*	20.000	34.000	4.000	Government Financial Information		
Actual Spend 2019/20 to 2023/24	10.822	33.715	2.321	12.976	20.623	80.457
Variance	9.178	0.285	1.679	Government Financial Information		

Cabinet Confidences

** In Public Accounts, actuals show under contingencies funding as \$12.876M. The difference is due to Ministry base budget savings of \$100k Government Financial Information

5. Does *Budget 2025* provide any incremental funding to address the timeliness of resolving **workers' complaints** under the Employment Standards Branch?

- Supporting B.C.'s workers and employers by investigating and resolving complaints in a timely manner, and processing registrations for employers who want to hire temporary foreign workers, is a priority for the Employment Standards Branch (Branch) in the Ministry.
- The Branch's budget has increased by over \$7.7M since 2022/23.
- ESB's budget in 2022/23 was \$14.010 million and in 2025/26 is \$21.783 million.
- The difference in increases from the table below are due to the Shared Recovery Mandate budget increases.
- The majority of the budget increases (see below table) were provided to support up to 40 additional FTEs to assist resolving disputes between workers and employers, provide guidance on employment standards, and process employer registrations who want to hire temporary foreign workers.

Budget Increases Related to 40 new FTEs (\$000)								
	2023/24		2024/25		2025/26		2026/27	
	Budget	FTEs	Budget	FTEs	Budget	FTEs	Budget	FTEs
<i>Budget 2023</i>	3.135	20	3.984	27.5	4.821	33	4.821	33
<i>Budget 2024</i>			2.286	12.5	1.449	7	1.449	7
Total Increase	3.135	20	6.270	40	6.270	40	6.270	40
Total Budget	17.702	182	21.263	182	21.783	182	21.783	182

6. Has there been any budget increases to the WorkSafeBC funded programs in Budget 2025?

- WorkSafeBC (WSBC) funded programs' gross operating budget for 2025/26 is \$40.727 million, an increase of \$4.489 million from the 2024/25 Restated Estimates budget of \$36.238 million.
- The WSBC funded programs are as follows:
 - Workers Compensation Administration Tribunal (WCAT) is an independent tribunal that workers or employers can go to to appeal a decision from WSBC.
 - Employers Advisers Office (EAO) is a resource for employers in British Columbia, providing complimentary advice, assistance, representation, and educational seminars to employers, potential employers and employer associations concerning workers' compensation issues.
 - Workers Advisers Office (WAO) provides workers and their dependents with free advice, assistance, and in some cases representation, on appeals of WSBC decisions with which they disagree. Training, mentoring and advice is also provided to union and other representatives helping injured workers with their disagreements over WSBC decisions.
- All costs are fully recovered from the Accident Fund established pursuant to the Workers Compensation Act.

The gross budget increase of \$4.489 million is due to the following: Shared Recovery Mandate (\$1.659 million):

- \$1.659 million for compensation increases under the Shared Recovery Mandate for all WSBC funded programs.

Staffing Increases (\$1.485 million)

- WCAT: \$1.023 million is attributed to 7 new FTE positions and associated operating costs, 3 of which are new Vice-Chair positions.
- EAO: \$339,000 increase for 2 additional leadership FTEs and associated operating costs to provide increased efficiency, continued development and training for staff to support the recent changes to the Workers Compensation Act.
- WAO: \$123,000 increase is mainly related to 1 additional FTE and associated operating costs to support the WSBC requested IT analyst position.

Other Operating Costs (\$1.345 million)

- \$1.345 million increase was provided to align budgets with actual operating requirements, including increased operating and amortization costs associated with WCAT's IM/IT capital projects, contracts and ongoing building

occupancy costs.





January 16, 2025

Honourable Jennifer Whiteside
Minister of Labour
Parliament Buildings
Victoria, BC V8V 1X4

Dear Minister Whiteside:

Congratulations on your appointment as Minister of Labour at a critical time for our province. Serving as a member of the executive council is a privilege and responsibility which I am confident you will fulfill with integrity and a commitment to the people of our province.

British Columbians have trusted us with a mandate to deliver for them in ways that make a tangible difference in their daily lives. They expect us to listen and learn from people of different perspectives – and work together to make things better for everyone.

Specifically, we will tackle the challenges people worry about at the kitchen table:

- **Grow the economy by creating good jobs across British Columbia.** We will collaborate with businesses, workers, and communities to attract investments in both new and traditional sectors as well as emerging sectors of the economy. This approach will bring certainty for business, security for workers, and generate the wealth needed to support the essential services British Columbians rely on.
- **Reduce costs for families** including by helping people access homes they can afford through support for first-time homebuyers, increasing the supply of rental housing stock, and stronger measures to crack down on housing speculation.

.../2

**Office of the
Premier**

Web Site:
www.gov.bc.ca

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

Location:
Parliament Buildings
Victoria



- **Strengthen health care** by expanding access to family doctors and recruiting and training more health professionals, ensuring that every British Columbian can access the care they need, no matter where they live. We will also increase access to addictions treatment and provide help for people whose struggles require intensive supports.
- **Make our neighbourhoods and communities safer** by working with law enforcement and social agencies to address street disorder, crack down on organized crime, and do all we can to ensure repeat offenders stay behind bars.

Our commitment to take action on climate change remains foundational and will be key to a healthy and prosperous BC for future generations.

Underlying all this work is our partnership with Indigenous peoples. Advancing reconciliation, implementing the *Declaration on the Rights of Indigenous Peoples Act* and working in partnership with First Nations rights-holders to advance shared interests is the responsibility of every Minister.

Over this mandate I expect you to prioritize making progress on the following:

- In order to protect key services that British Columbians rely on, work with the Minister of Finance to review all existing Ministry of Labour programs and initiatives, to ensure our programs remain relevant, are efficient, protect employees and their families, grow the economy, and help keep costs low for British Columbians. This is important in the context of current Provincial budget constraints; the realities faced by provincial employers in relation to access to capital, global inflation and interest rates; and the threat of American tariffs.
- Support workers facing domestic abuse, life threatening illness, or significant risk of exploitation due to precarious status, by ensuring provincial programs and protections are responsive to their particular needs.
- Consider particular categories of workers who face higher rates of workplace illness or exploitation as a result of their conditions of work and ensure that they are supported appropriately.
- Continue to work with WorkSafe BC on the prevention of workplace injury or illness, the promotion of safe workplaces to ensure robust compliance and enforcement, and ensure meaningful programs are in place to support the return of injured workers to their workplaces.
- Support the Minister of Health to ensure that trades workers, who are disproportionately affected by the toxic drug crisis, have treatment options and programs available that are responsive to their particular needs.

.../3



- Review the implementation of gig worker protections to ensure they are delivering meaningful and intended outcomes to gig workers. Refine or replace any regulations that are not achieving the intended outcomes.
- Work to ensure our labour laws are keeping up with modern workplaces through the continued review of the *Labour Relations Code*, providing stable labour relations and supporting the exercise of collective bargaining rights.

To assist you in meeting the commitments we have made to British Columbians, you are assigned a Parliamentary Secretary for Labour whose focus will be to:

- Support development and maintenance of relationships with organized labour to ensure their feedback is considered in policy development.

You will work closely together and ensure your Parliamentary Secretary receives appropriate support to deliver on this work.

As you are aware, we have established an accord with the BC Green Caucus that supports our shared commitment to ensuring stable governance focused on delivering progress and tangible outcomes for British Columbians. The commitments in that accord complement the direction in these mandate letters.

As a Cabinet, we will uphold the highest standards of ethics, collaboration, and good conduct in service of the public, and as a Minister of the Crown, you are expected to review, understand, and act according to the *Members' Conflict of Interest Act*. 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. Your Minister's Office must meet the highest standards for integrity and provide a respectful, rewarding environment for all staff.

The work we have ahead takes place in a profoundly challenging geopolitical environment. Close friends and neighbours to our south are contemplating imposing draconian tariffs on our products that would hurt both Americans and Canadians. Our allies internationally face governmental instability. Hate and racism are on the rise around the world. Artificial intelligence breakthroughs with unclear implications and astonishing potential are announced daily. Global inflation, snarled supply chains, and war are threatening global economic growth and prosperity as well as the transition to a low-carbon economy.

We have an obligation to protect and defend British Columbians, as well as seize opportunities, in these uncertain times.

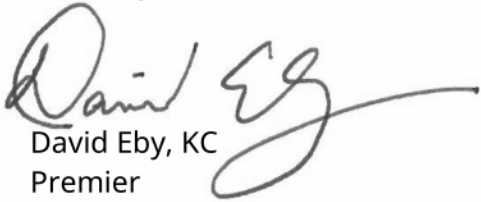
The good news is that we have everything we need to succeed, and we will succeed. British Columbia's people – our workers, entrepreneurs, business leaders, artists, and

innovators – are among the most talented in the world. We are home to world-class educational institutions and public services. Our natural beauty is unmatched, we have internationally envied resources, and we are one of the most diverse places on the planet. Your job is to help us leverage these advantages in perilous times.

Use this mandate letter to guide your work, and do not be afraid to challenge assumptions, or be innovative, bold and aggressive in achieving the goals set out for you and your Ministry by the people of this province.

Thank you for joining me in the work ahead.

Sincerely,



David Eby, KC
Premier

cc: Darlene Rotchford, MLA
Parliamentary Secretary for Labour



November 18, 2024

Darlene Rotchford, MLA
Parliamentary Secretary for Labour
Parliament Buildings
Victoria, BC V8V 1X4

Dear Parliamentary Secretary Rotchford:

Congratulations on your appointment as Parliamentary Secretary for Labour in the Ministry of Labour. Thank you for agreeing to serve in this important role. I am looking forward to working alongside you to deliver for the people of British Columbia.

In the coming weeks, Ministers will receive specific mandate expectations laying out priorities for action to address key challenges and opportunities. These mandate letters will also provide additional direction regarding your role supporting the Minister.

Our government's mandate comes from the clear message voters sent us in the election. In times of extraordinary change and uncertainty, British Columbians have asked us to work together to get things done that make a real difference in their daily lives. They expect us to focus on the challenges they worry about at the kitchen table.

Specifically, we will work to:

- **Reduce costs for families** by helping people access affordable housing, including support for first-time homebuyers and stronger measures to crack down on housing speculation. Additionally, we will implement a middle-class income tax cut that will put \$1,000 back into the pockets of BC households, every year.
- **Strengthen healthcare** by expanding access to family doctors and recruiting and training more health professionals, ensuring that every British Columbian can access the care they need, no matter where they live. We will also increase access to addictions treatment and provide help for people whose struggles require intensive supports.

.../2

**Office of the
Premier**

Web Site:
www.gov.bc.ca

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

Location:
Parliament Buildings
Victoria

- **Make our neighbourhoods and communities safer** by working with law enforcement to keep guns off our streets, crack down on organized crime, and address repeat offenders. We will reduce street disorder by getting people access to the services and resources they need.
- **Build a sustainable, clean economy** with good jobs across BC by working closely with business, workers and communities to attract global investments, bring certainty for business and ensuring that all British Columbians benefit from economic growth - not just those at the top.

Essential to our path towards a more prosperous future is continuing as a leader on tackling climate change. The cost of inaction is not just environmental, it's also economic. The transition to a low-carbon future represents a generational opportunity we must seize, not abandon.

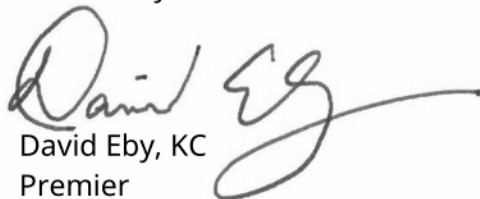
This work will be enabled and accelerated by advancing true, lasting, and meaningful reconciliation with Indigenous peoples. Reconciliation is not just a priority—it is foundational to our collective future. Our government will strengthen our relationships with Indigenous communities in tangible, measurable ways that benefit all communities across the province.

Achieving these goals will take time. Governing is a process that requires patience, hard work, and a commitment to listening and learning from British Columbians from all walks of life and different perspectives. In a province as diverse as BC, it does not mean we will always agree - but we do share a common future in one of the most extraordinary places in the world.

As Parliamentary Secretary, you must uphold the highest standards of ethical conduct and professionalism and establish a collaborative working relationship with the public service. Serving as an elected representative is a privilege, and it is a responsibility we must carry out with integrity and a deep commitment to the people of British Columbia.

I look forward to working with you in the months and years ahead.

Yours truly,



David Eby, KC
Premier

MINISTRY OF LABOUR

The mission of the Ministry of Labour is to promote fair, healthy, and safe labour and employment relationships in support of a strong, sustainable, and inclusive economy and to ensure provincial employment standards reflect the needs of British Columbians.

MINISTRY SUMMARY

(\$000)

	Estimates 2024/25 ¹	Estimates 2025/26
VOTED APPROPRIATION		
Vote 39 — Ministry Operations.....	25,407	25,986
OPERATING EXPENSES	<u>25,407</u>	<u>25,986</u>
CAPITAL EXPENDITURES ²	3	3
LOANS, INVESTMENTS AND OTHER REQUIREMENTS ³	—	—
REVENUE COLLECTED FOR, AND TRANSFERRED TO, OTHER ENTITIES ⁴	—	—

NOTES

¹ For comparative purposes, figures shown for the 2024/25 operating expenses; capital expenditures; loans, investments and other requirements; and revenue collected for, and transferred to, other entities are restated to be consistent with the presentation of the 2025/26 *Estimates*. A reconciliation of restated operating expenses and capital expenditures is presented in Schedule A.

² A listing of estimated capital expenditures by ministry is presented in Schedule C.

³ A summary of loans, investments and other requirements by ministry is presented in Schedule D.

⁴ A summary of revenue collected for, and transferred to, other entities by ministry is presented in Schedule E.



MINISTRY OF LABOUR
SUMMARY BY CORE BUSINESS
(\$000)

	2024/25	2025/26 ESTIMATES		
OPERATING EXPENSES	Net	Gross	External Recoveries	Net
Core Business				
Labour Programs.....	23,322	65,406	(41,503)	23,903
Executive and Support Services.....	2,085	2,438	(355)	2,083
TOTAL OPERATING EXPENSES	25,407	67,844	(41,858)	25,986
	Capital Expenditures	Capital Expenditures	Receipts and P3 Liabilities	Net
CAPITAL EXPENDITURES				
Core Business				
Labour Programs.....	3	3	—	3
TOTAL	3	3	—	3



MINISTRY OF LABOUR

VOTE DESCRIPTIONS

(\$000)

	Estimates 2024/25	Estimates 2025/26
--	----------------------	----------------------

VOTE 39 — MINISTRY OPERATIONS

This vote provides for the programs, operations, and other activities described in the voted appropriations under the following core businesses: Labour Programs and Executive and Support Services.

LABOUR PROGRAMS

Voted Appropriations

Employment Standards.....	21,263	21,783
WorkSafeBC Funded Services.....	1	1
Labour Policy and Legislation.....	2,058	2,119
	<u>23,322</u>	<u>23,903</u>

Voted Appropriations Description: This sub-vote provides for services promoting harmonious labour and employment relations through the administration of the *Workers Compensation Act*, the *Employment Standards Act*, the *Temporary Foreign Worker Protection Act*, and the *Labour Relations Code*; the operations of the Workers' Compensation Appeal Tribunal, Compensation Advisory Services, and other employment and labour relations initiatives; and worker support programs. This sub-vote also provides for legislative and policy support for activities described within this sub-vote. Costs associated with the Workers' Compensation Appeal Tribunal and Compensation Advisory Services are fully recovered from the accident fund established pursuant to the *Workers Compensation Act*. Costs may also be recovered from ministries, Crown corporations and agencies, and parties external to government for other activities described within this sub-vote.

EXECUTIVE AND SUPPORT SERVICES

Voted Appropriations

Minister's Office.....	732	704
Corporate Services.....	1,353	1,379
	<u>2,085</u>	<u>2,083</u>

Voted Appropriations Description: This sub-vote provides for the office for the Minister of Labour and for the Parliamentary Secretary for Labour. This sub-vote also provides for executive direction of the Ministry of Labour; and administrative services for the operating programs of the Ministry of Labour, including financial administration and budget coordination, strategic and business planning and reporting, human resources, office management, accommodation, and information systems, some of which are provided by the Ministry of Jobs, Economic Development and Innovation and the Ministry of Housing and Municipal Affairs. Costs may be recovered from ministries, Crown corporations and agencies, other levels of government, and parties external to government for activities described within this sub-vote.

VOTE 39 — MINISTRY OPERATIONS	25,407	25,986
--------------------------------------	---------------	---------------

MINISTRY GROUP ACCOUNT CLASSIFICATION SUMMARY

GROUP ACCOUNT CLASSIFICATION

Salaries and Benefits	49,572	53,085
Operating Costs	12,663	14,218
Government Transfers	90	90
Other Expenses	456	456
Internal Recoveries	(5)	(5)
External Recoveries	(37,369)	(41,858)
TOTAL OPERATING EXPENSES.....	25,407	25,986

Page 017 of 100

Withheld pursuant to/removed as

Advice/Recommendations ; Government Financial Information

Page 018 of 100

Withheld pursuant to/removed as

Advice/Recommendations ; Government Financial Information

Page 019 of 100

Withheld pursuant to/removed as

Advice/Recommendations ; Government Financial Information

ESTIMATES NOTE

Agriculture Sector Compliance

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

RESPONSE

- Government fully appreciates the contributions that B.C. farm workers make to our domestic and export food production and is committed to protecting them.
- The Employment Standards Branch (the Branch) plays an important role in protecting farm workers. The Branch:
 - has authority to cancel or suspend a farm labour contractor's licence, including where employment standards laws, or 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 Branch continues to work actively with employers, employees, stakeholder groups and the Ministry of Agriculture and Food in promoting compliance with the employment standards to which farm workers are entitled.

KEY FACTS

- 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.
- Over the years, the province has enhanced safety protections in its laws and regulations to better protect farm workers in B.C. This includes provisions in the *Employment Standards Act* to:
 - Prohibit farm producers from using the services of an unlicensed farm labour contractor.
 - Allow for the suspension or cancellation of a farm labour contractor's licence for significant WorkSafeBC or motor vehicle violations.

ESTIMATES NOTE

- Allow farm labour contractors to be billed an administrative fee to recover government's costs to transport stranded farm workers when unsafe vehicles are taken out of service in roadside inspections.
- Under the Ministry of Transportation and Transit, the Motor Vehicle Act:
 - Allows swift and strong action against Designated Inspection Facilities that do not perform to standards; and,
 - Requires a seatbelt for every passenger transported in a van or other passenger vehicle.
- Government has in place an interagency committee to coordinate enforcement, prevention and education activities with respect to farm workers. The interagency committee includes representatives from WorkSafeBC, Employment Standards Branch, Commercial Vehicle Safety and Enforcement (CVSE), the RCMP and the Superintendent of Motor Vehicles [1].
- A key activity of the interagency committee is to conduct random roadside safety checks on vehicles used to transport farm workers.
- Statistics summarizing the interagency committee's activities are reported on the website: <https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/hiring/farm-workers/iacc>
- Questions regarding the number of vehicles that failed CVSE inspections, and explanations for the number, can be referred to the Ministry of Transportation and Transit, which has overall responsibility for motor vehicle safety.

Farm Labour Contractors

- The *Employment Standards Act* (ESA) requires farm labour contractors to be licensed by the Director of Employment Standards.
- Applicants must pass a written test on the ESA, and post security for wages equal to 80 hours at minimum wage for each employee. In addition, a WorkSafeBC clearance letter must be provided that shows the employer to be registered and in good standing. As well, current and valid vehicle inspection certificates must be submitted for any vehicle used to transport workers.
- The licence may be cancelled or suspended should the farm labour contractor be found to be in contravention of the ESA, certain provisions of the occupational health and safety regulations under the *Workers Compensation Act* or provisions of the *Motor Vehicle Act*.
- Farm labour contractors are required to deposit wages directly into the employee's bank account.
- The Employment Standards Branch (ESB) undertakes a combination of random roadside inspections, unannounced site inspections, worker interviews, payroll reviews and education sessions over the course of the growing and harvest season.



ESTIMATES NOTE

- In 2024 ESB conducted 39 education sessions with employers, recruiters, workers and stakeholders to help them understand their obligations under both the ESA and the Temporary Foreign Worker Protection Act (TFWPA).

ESB Agriculture Compliance Team, Selected Stats (Calendar Year 2024)

- 11 farm site inspections
- 124 vehicle inspections
- 9 determinations, resulting in 18 contraventions and \$24,000 in administrative penalties
- 20 total payroll audits (*figure includes above 11 site inspections audits)

Seasonal Agriculture Worker Program (SAWP)

- SAWP is a partnership between the Governments of Canada, Mexico, and certain Caribbean countries. There is no direct provincial involvement in negotiating SAWP agreements.
- Under SAWP, B.C. employers may hire temporary foreign workers (TFWs) from participating countries to assist during harvest when there is a shortage of available domestic agriculture workers in the province. Work permits are granted for up to 8 months within a 12-month period.
- One of the main differences between SAWP and other TFW programs is the involvement of the countries supplying the workers. The source countries are responsible for recruitment and are also signatories to the workers' employment contracts. Source country consulates within Canada act as contact points and advocates for workers.
- B.C. employers participating in SAWP are required to pay round-trip transportation for workers and must ensure that they are registered for provincial health insurance as soon as they are eligible.
- Employers must provide SAWP workers with either on-farm or off-site housing (costs may be partially deducted from wages). Employers must provide proof that the housing is inspected annually by the appropriate provincial or municipal body, or by an authorized private inspector with appropriate certifications from the relevant level of government.
- The federal government has set housing requirement for temporary foreign workers in Canada. In the province, the Industrial Camps Regulation (ICR), which falls within the purview of the Ministry of Health, prescribes general housing conditions.
- The Ministry of Agriculture and Food is government's lead on housing issues and farm workers in partnership with the Ministry of Housing and Municipal Affairs. The British Columbia Agricultural Council organizes inspections of TFW housing, using updated industry-developed housing guidelines that exceed federal program requirements in many areas. Health authorities are also involved under the authority of the ICR.

ESTIMATES NOTE

- Employers must agree to review and adjust the wage of the temporary foreign worker to ensure it meets or exceeds, at all times, the wage rates outlined in wage tables provided by the Federal government, or applicable federal/provincial/territorial minimum wage rates, whichever is higher.
- For 2025 the lowest rate in the wage tables for B.C. is \$17.48/hour (higher for some categories of work). Workers doing hand-harvesting work on a piece rate basis must be paid at least the equivalent of the SAWP contract hourly wage.

Comparison with Other Jurisdictions

- In most jurisdictions, the employment standards for farm workers are different from those for other workers because of the unique nature of the industry and the harvesting season.
- Farm workers in B.C. are entitled to minimum employment standards that generally meet or exceed those in other provinces. While they are covered by most sections of the ESA, they are excluded from overtime and statutory holiday entitlements. Those who harvest specified crops by hand may be paid by piece rate but must be paid at least the minimum regulated piece rate for each crop. Vacation pay is included in the piece rates as set out in the Regulation. Farm workers not paid by piece rate are entitled to vacation pay over and above their wages.
- Other provinces exclude at least some farm workers from significant provisions of their employment standards.
- In Alberta, employment standards apply to some farm and ranch workers, but the following are excluded from employment standards:
 - Family members of the farm or ranch operator; and,
 - Farm and ranch operations with five or fewer waged, non-family employees.
- In Saskatchewan, farm workers are generally excluded from employment standards coverage. As such, the Director of Employment Standards cannot enforce employment standards protections for farm workers but will provide assistance in recovering unpaid wages owed under employment contracts.
- Many of the same exclusions — hours of work and eating periods, overtime pay, vacation with pay and public holidays—apply to farm workers in Ontario, Quebec, and the Maritime provinces.

[1] The RCMP and the Superintendent of Motor Vehicles have not actively participated on the committee in the past several years.

Contacts:

Mary Walsh	Executive Director	Employment Standards Branch	604 398-6108
Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172

ESTIMATES NOTE

Domestic or Sexual Violence Leave

ISSUE: Employment Standards Leave Provisions for Employees Facing Domestic or Sexual Violence

RESPONSE

- Government supports for employees facing domestic or sexual violence include paid and unpaid job-protected leave entitlements under the *Employment Standards Act* (Act).
- This leave allows employees the time and opportunity to remove themselves or their loved ones from a violent situation, to put their safety and security first, and to seek out the support they need.
- The five days of paid leave each year helps ensure economic stability for families facing these challenging situations.

KEY FACTS

- Under the Act, an employee impacted by domestic or sexual violence is entitled to the following each calendar year:
 - up to 5 consecutive or intermittent days of paid leave;
 - up to 5 consecutive or intermittent days of unpaid leave; and,
 - up to an additional 15 weeks of consecutive or -- with the employer's consent -- intermittent unpaid leave.
- These provisions were informed by a Fall 2019 engagement process which included an online public questionnaire (6,300 responses) and face-to-face stakeholder consultations (employers, labour representatives, Indigenous women's organizations, groups supporting individuals and families who had experienced domestic or sexual violence, and gender equity groups).
- An employee may take leave for any of the following purposes in relation to domestic or sexual violence experienced by themselves, their child (under 19) or a dependent adult in the care of the employee (who is the dependent adult's parent or former guardian):
 - to seek medical attention for a physical or psychological injury or disability;
 - to obtain victim services or other social services;
 - to obtain psychological or other professional counselling;
 - to relocate temporarily or permanently; or,
 - to seek legal or law enforcement assistance or attend a civil or criminal proceeding.
- While an employer may request that an employee provide "reasonably sufficient proof in the circumstances" that they are entitled to domestic or sexual violence leave, the Act does not specify what these documents should be.

ESTIMATES NOTE

- Where there is a dispute between an employer and an employee, what qualifies as “reasonably sufficient proof in the circumstances” will be determined by the Director of Employment Standards.
- Neither the Employment Standards Branch nor the Ministry of Labour track the uptake of leaves under the Act; as a result, there is no data available on the number of workers who have accessed domestic or sexual violence leave.
- Part of the Minister’s mandate letter commitment includes support for workers facing domestic abuse, life-threatening illness, or significant risk of exploitation due to precarious status, by ensuring provincial programs and protections are responsive to their particular needs.
- The ministry is committed to reviewing the existing provisions under the ESA for those facing domestic violence should it be identified that further changes would be beneficial.

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

Employment Standards Branch Budget, Resources, Service Levels and Complaints Management

Issue: Employment Standards Branch budget and resourcing to support employment standards service delivery

Response

- The Ministry of Labour is committed to improving the employment standards system for workers and employers in British Columbia.
- The Employment Standards Branch (ESB) budget is \$21.783 million in 2025/26. This is an increase of \$520,000 from the prior year's budget of \$21.263 million.
- The \$520,000 increase is attributed to a base budget lift for compensation increases under the Shared Recovery Mandate.
- ESB's budget has increased by over \$7 million since 2022/23 with the majority of the increases supporting up to 40 additional FTEs to assist resolving disputes between workers and employers, provide guidance on employment standards, and process licences, permits and employer registrations under the Employment Standards Act (ESA) and Temporary Foreign Worker Protection Act (TFWPA). Hiring for the additional positions is now complete.
- With an effective employment standards system in place, B.C. can attract and retain the workers needed to grow our economy, employers can invest here knowing there is a level playing field and workers have access to an efficient and effective dispute resolution process to ensure they are paid the wages they are entitled to.

Key Facts

Situation before budget increases beginning in 2018

- Employment Standards Branch (ESB) service levels were often the subject of criticism calling for increased budget and resourcing to support and improve service levels.
- The ESB budget was relatively stable over several years, totalling between \$7.8-\$7.9 million per year from 2013/14 through 2017/18.
- Labour stakeholders claimed that ESB budget and staff reductions had led to a significant reduction in enforcement of the *Employment Standards Act* and protections for B.C. workers.

ESTIMATES NOTE

Budget increases beginning in 2018/19

- Beginning in 2018/19, the budget for the ESB increased. These increases supported the Minister of Labour's mandate letter commitment to ensure that employment standards are applied evenly and enforced.
- ESB's budget increased by over \$13.89 million between 2017/18 and 2025/26. (Budget of \$7.9 million in 2017/18 to \$21.783 million in 2025/26).
- Through changes brought into force through the Employment Standards Amendment Act, 2019 (Bill 8) – including eliminating the Self-Help kit, increasing the wage recovery period to one year, and shifting to a full investigation model – workers now have increased access to the Branch and increased protections.
- The increases also recognized the ESB was given the responsibility to administer the Temporary Foreign Worker Protection Act (TFWPA) – including implementing licensing for foreign recruiters, a registry for employers seeking to hire temporary foreign workers, and increased protections and complaint pathways for foreign workers.
- Budget 2018 provided a base budget increase of \$1 million per year. In the first year, \$750,000 was allocated to engage in planning activities for modernization and \$250,000 went to the Labour Policy and Legislation branch to support development of the Temporary Foreign Worker Protection Act. These funds were used to undertake service design research and help ready the ESB for transformation and to develop modern business tools to assist in the overall modernization of employment standards in B.C.
- Budget 2019 provided further increases of \$5 million per year (\$3.786 million in 2019/20 and \$5 million from 2020/21 onwards) to support the transformation of the Employment Standards Branch.
- Budget 2023 provided the Ministry with a base budget increase of \$3.135 million in 2023/24, \$3.984 million in 2024/25 and \$4.821 million in subsequent years for an additional 33 Full Time Equivalents (FTEs)
- Budget 2024 provided a further \$5.2 million over 3 years (see table below for breakdown) to hire an additional 7 staff for a combined total of up to 40 additional FTEs and associated operating costs.

Cumulative Budget Increases Since 2018/19

	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
<i>Budget 2018</i>	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000
<i>Budget 2019</i>		3.786	5.000	5.000	5.000	5.000	5.000	5.000	5.000
<i>Budget 2023</i>						3.135	3.984	4.821	4.821
<i>Budget 2024</i>							2.286	1.449	1.449
Cumulative Budget Increase^{1,2}	1.000	4.786	6.000	6.000	6.000	9.135	12.270	12.270	12.270

¹ A portion of the increase (\$152,000 in 2023/24 and \$320,000 in 2024/25 onwards) is attributed to additional corporate services support (Under Executive and Support Services)

² Does not include other adjustments, such as budget increases under the Shared Recovery Mandate

ESTIMATES NOTE

ESB Transformation

The increases in funding enabled ESB to make significant improvements to services for workers and employers including:

- Streamlining the branch's process for receiving complaints;
- Improve collection efforts of unpaid wages for workers;
- Make technology upgrades to manage the new complaints process, improve data collection and reporting;
- Improve the accessibility of services for those with different abilities and communication needs; and
- Implement the Temporary Foreign Worker Protection Act, including the creation of the registries to better protect temporary foreign workers.
- The ESB completed a systemic transformation project to meet an expanded mandate including:
 - Development of new tools, including a guided pathway to assist employees and employers to understand minimum standards;
 - Development and launching of a new, more accessible website;
 - Removing the Self-Help Kit as a requirement to filing complaints;
 - Development of a new integrated Case Management Information System;
 - Implementing a new investigation process to meet the new legislative direction of Bill 8 – Employment Standards Amendment Act;
 - Establishing more efficient staffing processes and improved training to increase complaints processing capacity;
 - Centralization of administrative functions to free up resources for complaint resolution;
 - Reviewing and streamlining processes to increase efficiency and consistency across the branch; and
 - Improving the intake process to better respond to incoming complaints.

ESB Performance Measures

- ESB staff accomplish a significant amount with the resources they receive. Some examples include:
 - Staff resolve approximately 7,090 complaints per year and recover an average of \$8.79 million per year in wages for workers (5-year averages).
 - Staff answering multi-lingual and information line queries help approximately 112, 211 callers per year (5-year average).
 - 90 per cent of decisions issued by ESB were upheld on appeal (5-year average).
- Starting in 2024, the ESB piloted an alternative dispute resolution (ADR) pathway for targeted complaints. The vision was a simple, streamlined and effective resolution pathway that led to lawful outcomes in line with legislation. Approximately 2300 complaints were processed (touched by the ADR team) through this ADR stream, resulting in 1300 resolutions. Non-resolution rates are primarily attributed to one or both parties declining to participate in the

ESTIMATES NOTE

process. Where workers and employers participated, 75-83 per cent of complaints were resolved.

- Given strong success indicators, at the end of 2024, the ESB implemented a plan to integrate this new ADR process stream into its permanent dispute resolution model. Steps are underway to expand the process across the Branch.

ESB Budget and Staff Positions

(in \$ millions)	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26
Budget Allocated	8,745	13,041	13,882	14,010	14,010	17,702	21,263	21,783
Staff Positions (includes vacancies)	99	135	142	142	142	162	178	178
Staffing Budget (Salaries & Benefits)	8,068	10,940	11,843	11,971	11,971	15,457	18,965	19,405

ESB Service Indicators

	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025 (forecasted)
Individual complaints closed within 6 months (Service Plan Target was >85% but has been re-adjusted to account for ESB's aging backlog)	47%	51%	20% *	37% *	Advice/Recommendations; Cabinet Confidences

Advice/Recommendations; Cabinet Confidences

Contact:

Mary Walsh Executive Director

Employment
Standards Branch

604-398-6108

Employment Standards Branch - Statistical Summary							
Calendar Year (Jan 1-December 31)	2020	2021	2022	2023	2024	AVG.	Comments
							Advice/Recommendations; Government Financial Information
Complaints Received	7,403	6215	7723	8771	8921	7,807	
Complaints Closed	5,258	6169	7569	8081	8380	7,091	
Complaints Closed within 180 days				2798	2857	N/A	Fiscal Year
Service Plan Threshold				35%	32%	N/A	Fiscal Year actuals
% of Investigations resolved within 60 days of assignment to investigation			79	75.8	66%		
% of Investigations resolved within 61-120 days of assignment to investigation			12.2	15.2	14.7		
% of Investigations resolved within 121-180 days of assignment to investigation			4	6%	6.5		
% of Investigations resolved within 181-240 days of assignment to investigation			2.2	3.5	4.4		
% of Investigations resolved within 241-300 days of assignment to investigation			1.3	2.2	2.7		
% of Investigations resolved 301+days of assignment to investigation			1	3.9	5.7		
Advice/Recommendations							

Advice/Recommendations

2024/2025 Service Plan Measures

Advice/Recommendations

Contact: Mary Walsh Executive Director 604-398-6108



ESTIMATES NOTE

Employment Standards Act – Exclusions and Alternate Standards

ISSUE: Full exclusions, partial exclusions, and alternate standards from the protections in the *Employment Standards Act*.

RESPONSE

- The *Employment Standards Act* allows Cabinet, by regulation, to exclude classes of persons from all of the Act or from parts of the Act (such as the hours of work and overtime provisions), as well as to set alternate standards, as appropriate.
- Full exclusions, partial exclusions, and alternate standards seek to accommodate the unique requirements of a particular sector.
- The exclusions and alternate standards have developed over many decades. In some cases, it can become necessary to review whether there is a continued rationale for existing exclusions and alternate standards in particular sectors.
- As a government, we are always open to hearing proposals for improving the minimum standards and working conditions for employees in British Columbia.

KEY FACTS

- The Act sets out the minimum employment standards that apply in most workplaces in British Columbia.
- The Act provides that Cabinet may, by regulation, exclude classes of persons from all or parts of the Act (e.g., hours of work and overtime provisions), as well as set alternate standards as appropriate.
- Advice/Recommendations; Cabinet Confidences

Full exclusions from the Act

- Certain professions where individuals are licensed by statute or that are self-governing by statute are excluded from the Act in its entirety. Examples include physicians, chartered professional accountants, professional engineers, architects, and lawyers. Typically, such exclusions are long-standing and are intended to provide flexibility to accommodate the unique characteristics of the professions.

ESTIMATES NOTE

- The following are also excluded from the Act:
 - Sitters and home care workers who work for an employer for an average of 15 hours or less per week in any 4-week period
 - Students and other participants in certain work study or workplace training programs
 - Newspaper carriers still in school
 - Players on major junior ice hockey teams who are entitled to receive scholarships for post-secondary education

Partial exclusions from the Act

- Examples of workers subject to partial exclusions under the Act include:
 - Teachers, police officers, and firefighters – excluded from the hours of work and overtime provisions, including those governing meal breaks, split shifts, minimum daily pay and hours free from work each week.
 - High technology professionals – excluded from the hours of work and overtime provisions and the statutory holidays provisions.

Alternate Standards from the Act

- Advice/Recommendations; Cabinet Confidences
- Examples of workers subject to alternate employment standards include:
 - Truck drivers – subject to alternate overtime provisions which provide both drivers and trucking companies with sufficient flexibility to deliver loads to their destinations, thereby supporting the retention and development of employment within the sector.
 - Resident caretakers – subject to an alternate minimum wage that is paid monthly, and which is based on the number of suites in the apartment building where the resident caretaker lives.
 - App-based ride-hail and delivery services workers – subject to specific provisions governing minimum pay, work assignments, vehicle cost reimbursements, suspensions, and pay and destination transparency.

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

Minimum Wage

ISSUE: Minimum wage rates (including alternate minimum wages)

RESPONSE

- Raising the minimum wage is one way that government is delivering on its commitments to help lift more people out of poverty, make life more affordable, and build a strong and fair economy for B.C.
- Last year, government amended the *Employment Standards Act* to guarantee that the general minimum wage and the alternate minimum wage rates will automatically increase every year in accordance with the rate of inflation from the previous year.
- On June 1, 2025, the general minimum wage is set to increase to \$17.85 per hour, based on the 2.6 per cent increase in the 2024 B.C. Consumer Price Index.
- Alternate minimum wages for residential caretakers, live-in home support workers, camp leaders and app-based ride-hail and delivery services workers will also increase on that date.
- Minimum agricultural piece rates for hand harvesting certain crops will receive the same 2.6 per cent increase on December 31, 2025.

KEY FACTS

Fair Wages Commission

- The Fair Wages Commission (the Commission) was a 3-member independent body established in 2017 to advise government on how to raise minimum wages with regular, measured and predictable increases.
- From 2018 to 2021, government made 4 general annual increases to the minimum wage to raise it to at least \$15 per hour, as recommended by the Commission. In 2021, the minimum wage was increased to \$15.20, the highest among Canadian provinces.
- In 2018, the Commission's second report made several recommendations that government implemented, including eliminating the lower alternate minimum wage for liquor servers and raising the other alternate minimum wages at the same time as the general minimum wage increases.
- In 2023, the Commission delivered its final report, in which it emphasized the importance of government-wide measures – such as reduced childcare costs and minimum wage increases – as key factors in helping to moderate the gap between minimum and living wages in B.C.

ESTIMATES NOTE

Annual inflation adjustment

- The Minister of Labour's 2020 and 2022 mandate letters included direction to tie the minimum wage to inflation once it reached \$15.20 per hour, consistent with a campaign promise made by the NDP in 2020.
- In Spring 2024, the *Employment Standards Act* was amended to provide that the general minimum wage and the alternate minimum wage rates will automatically increase every year by the annual average percentage change to the B.C. Consumer Price Index (CPI) from the previous year. The amendments also ensure that the minimum wage rates will not decrease if there is a negative CPI (i.e., in years of deflation), and retain Cabinet's flexibility to adjust, add or abolish alternate minimum wage rates.

Other jurisdictions

- B.C.'s current general minimum wage is \$17.40 per hour – the highest of all Canadian provinces. As of February 18, 2025, minimum wage rates among the other provinces range from \$15.00 per hour in Alberta and Saskatchewan to \$17.20 per hour in Ontario. Nunavut's minimum wage of \$19.00 per hour is the highest in Canada.
- Most Canadian jurisdictions (with the exceptions of Alberta, Quebec, Prince Edward Island and Nunavut) have passed legislation indexing their minimum wage to an external measurement, typically the average annual CPI changes.

Alternate minimum wage rates

- The *Employment Standards Regulation* (Regulation) provides alternate minimum wage rates for live-in home support workers, live-in camp leaders, resident caretakers of apartment buildings, and app-based ride-hail and delivery services workers.
- The Regulation also sets out minimum agricultural piece rates for the hand harvesting of certain fruits, flowers and vegetables.
- Alternate minimum wage rates are subject to the same annual inflation adjustment as the general minimum wage.
- Alternate minimum wages (except for agricultural piece rates) and the general minimum wage increase each year on June 1. Agricultural piece rates increase each year on December 31, consistent with the longstanding practice of adjusting such rates in the winter to avoid imposing changes during the busy harvest season.

Contact:

Michael Tanner Executive Director Policy & Legislation 778-974-2172

ESTIMATES NOTE

Paid Sick Leave

ISSUE: Paid Personal Illness and Injury Leave

RESPONSE

- To better support employee health and safe workplaces, government established paid sick leave entitlements under the *Employment Standards Act* (Act).
- Effective January 1, 2022, employees are entitled to at least 5 days of employer-paid leave per calendar year. This is in addition to at least three days of unpaid leave.
- The 5-day minimum entitlement for paid sick leave was determined after a comprehensive public engagement and consultation process.
- Input from Indigenous partners, in addition to the business community, labour organizations, and other stakeholders, informed the development of the sick leave provisions.
- B.C. leads other provinces in supporting workers and ensuring that they do not have to go to work when they are sick.

KEY FACTS

- In 2021, to support workers staying home when they are sick, Bill 13 amended the Act to provide a permanent entitlement to employer-paid personal injury and illness leave.
- An estimated 50 per cent of B.C. employees did not previously have access to paid sick leave – meaning that upwards of one million workers potentially benefit from these new leaves. Paid leave is especially beneficial to vulnerable and low-wage workers (often women or migrant workers) who lack benefits.
- Effective January 1, 2022, all employees covered by the Act are eligible for up to 5 days of employer-paid sick leave after 90 consecutive days of employment.
- In order to meet the needs of workers and support healthy businesses, the number of paid days was determined after a comprehensive, multi-phase public engagement and consultation process over Summer and Fall 2021.
- In the first phase, the Ministry of Labour invited all workers and employers to complete a survey regarding their current sick leave benefits, if any, and to comment on where improvements could be made.
- This survey informed the second phase, where the Ministry developed an options paper for public feedback and consultation with Indigenous partners

ESTIMATES NOTE

and stakeholders, including workers, employers, business associations, labour advocates, non-profit organizations, and local governments.

- In March 2022, after consultations with business associations and workers, amendments were passed to simplify and strengthen permanent paid sick leave. The changes:
 - Apply the entitlement on a calendar-year basis (rather than an individual employee's start date) to simplify administration for employers and ensures workers receive 5 days of paid sick leave per calendar year.
 - Provide workers with 5 days of paid sick leave regardless of the terms of a collective agreement. This addresses situations in which employers claimed to have collective agreements that "meet or exceed" minimum sick leave standards in the Act, even if the first 5 days of sick leave were not fully paid or some of the workers had no paid sick leave.
- Under the Act, an employer may ask for "reasonably sufficient proof" that an employee is entitled to paid sick leave. While this often means a doctor's note or similar documentation, it is not always necessarily the case and can depend on the particular situation.
- Neither the Employment Standards Branch, nor the Ministry of Labour, track the uptake of leaves under the Act; as a result, there is no data available on the number of workers who have accessed sick leave under the Act.

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

Protection of Foreign Workers

ISSUE: Protections for workers under the *Temporary Foreign Worker Protection Act*

RESPONSE

- The *Temporary Foreign Worker Protection Act* (TFWPA) is designed to curtail the exploitation and abuse of temporary foreign workers (TFWs), such as charging recruitment fees or retaining a worker's passport.
- The TFWPA requires recruiters who recruit foreign workers (not just TFWs) for employment in BC to be licensed, and employers who hire certain TFWs for employment in BC to be registered, by the Employment Standards Branch (ESB). The TFWPA also contains compliance and enforcement provisions to better protect these vulnerable workers.
- As of December 31, 2024, there were:
 - 495 active foreign worker recruiter licenses.
 - 33,398 TFW employer certificates of registration issued.
- Employers are required to have a certificate of registration from ESB before applying to the Federal Government to access the TFW Program.
- After a surge of applications for employer registration certificates in late 2022, ESB received approximately 1,400 applications per month from 2022 to late 2024. Monthly applications currently average around 900 per month.
- Given the volume of applications, employers are encouraged to allocate more time for registration and apply as early as possible.

KEY FACTS

Protection of Foreign Workers

- The TFWPA was enacted in 2018 to create 2 new registries, one for foreign worker recruiters and one for employers wishing to employ TFWs. The legislation also contains compliance and enforcement provisions, which help protect vulnerable foreign workers from exploitation and abuse, such as having their passport seized by their employer. The Director of Employment Standards (Director) is responsible for administering the TFWPA.

ESTIMATES NOTE

- On October 1, 2019, the requirement for recruiters to be licensed by the Director came into effect. This includes a requirement for a \$20,000 bond against future unpaid penalties or other monies owing (for example, the bond could be used to reimburse a foreign worker if a recruiter illegally charges the worker a fee for recruitment services).
- Effective December 15, 2020, employers in BC who intend to hire TFWs under the federal TFW Program, or Home Child-Care Provider or Home Support Worker Pilot Programs, must hold a Certificate of Registration. The provincial employer registry is the initial level of screening and tracking for these employers. Prior to issuing a Certificate of Registration, the ESB verifies an employer's compliance with the applicable labour legislation.
- Once registered, an employer can apply to the applicable federal program through Employment and Social Development Canada (ESDC) for a Labour Market Impact Assessment (LMIA), which allows a TFW to apply for a permit to work in Canada.
- When violations occur, the TFWPA provides for strong enforcement, including monetary penalties and cancellation of recruiter licences and employer registrations, along with possible jail time.

Employer Application Surge

- Since the registry was created in late 2020, incoming employer application volumes to the ESB have been variable. During the 15 months prior to October 2022, about 250 employer applications were received by the ESB each month with processing times typically of between one to four weeks.
- Recently, many employers have been turning to TFWs to help deal with the labour shortage. Combined with the federal government's relaxation on the TFW Program restrictions, and an increased awareness of the TFW program, applications to the ESB have surged from the initial levels. It also appears that many employers began the recruitment process and tried to initiate the LMIA process with ESDC before coming to the province to obtain (or renew) a Certificate of Registration.
- As of December 31, 2024, there were:
 - 495 active foreign worker recruiter licenses.
 - 33,398 active TFW employer certificates of registration.
 - In just the last 4 months of 2022, the ESB received over 10,000 employer applications, as compared to 2,955 applications for all of 2021. ESB has since seen a stabilization in employer applications at approximately 1,400 per month, which has dropped recently to ~900 or less a month, in part due to changes in federal policies related to the Temporary Foreign Worker Program
- There remains a backlog of approximately 1200 applications and a wait time of approximately nine weeks (in comparison, the processing time for an application in 2021 was typically one to four weeks). Agriculture-related

ESTIMATES NOTE

applications continue to be prioritized due to concerns about impacts on crops and the food supply. The approximate processing time for these applications is two weeks. Since January 1, 2024, 763 agriculture-related applications have been issued or are in progress (as of the end of 2024).

- The ESB worked with ESDC to better coordinate service delivery to meet this employer demand.

Cross-Jurisdictional Comparison

Canada - Temporary Foreign Worker Program (TFWP) work permit holders by province/territory of intended destination, program and year in which permit(s) became effective

Province/territory					2024 Total		
	Q1 Total	Q2 Total	Q3 Total	Q4 Total		Population	TFWs per Hundred people
Prince Edward Island Total	225	750	325	235	1,460	179,301	0.814
Quebec Total	12,290	22,795	11,660	10,960	56,685	9,100,249	0.623
Ontario Total	12,825	18,290	11,060	12,885	53,910	16,171,802	0.333
Alberta Total	5,425	6,675	6,280	6,960	25,015	4,931,601	0.507
British Columbia Total	8,875	10,795	7,930	9,995	37,145	5,719,594	0.649

Data sources: Open Data IRCC, January 31, 2025; Statistics Canada. Table 17-10-0009-01 Population estimates, quarterly

Notes:

- Data are preliminary estimates and are subject to change.
- The total unique count may not equal the sum of permit holders in each program as an individual may hold more than one type of permit over a given period.
- Population estimates are for October 2024

Contact:

Mary Walsh	Executive Director	Employment Standards Branch	604 398-6108
Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172

ESTIMATES NOTE

Updating Employment Standards

ISSUE: Employment Standards – Ongoing Reform

RESPONSE

- The *Employment Standards Act* (ESA) and Employment Standards Regulation (ESR) provide minimum standards and protections for employees in B.C.
- Since 2017, many important amendments have been made to the ESA and ESR, including:
 - Better protecting children and youth from work that is not safe for young workers or is age-inappropriate;
 - Paid and unpaid illness or injury leave;
 - A new statutory holiday, National Day for Truth and Reconciliation;
 - Establishing minimum employment standards for online platform workers providing ride-hail services and delivery services; and,
 - Automatic annual increases to the minimum wage, tied to inflation.
- Going forward, work by the Ministry of Labour -- such as monitoring the implementation of gig worker protections and reviewing the Ministry's programs and initiatives -- will help to ensure that B.C.'s employment standards continue to meet the needs of the modern workplace.

KEY FACTS

- Key amendments to the ESA and ESR since 2017 include:
 - New, or expanded, job-protected leaves
 - Adding 5 paid and 3 unpaid days for illness or injury leave ("sick days");
 - Adding 5 days of paid domestic or sexual violence leave, and additional unpaid leave;
 - Adding leave to care for a critically ill or injured family member;
 - Adding leave for parents on the death or crime-related disappearance of their child;
 - Increasing the length of compassionate care leave;
 - Allowing maternity leave to start earlier; and,
 - Increasing the length of parental leave.

Protecting employed young people through age-appropriate and safe work

- Raising the general minimum age of employment to 16;
- Specifying "light work" that is appropriate for 14 and 15-year-olds to perform; and,
- Prohibiting those under 16 or 18 from performing work identified as too hazardous.

ESTIMATES NOTE

Creating a new statutory holiday

- Recognizing the National Day for Truth and Reconciliation every September 30.

Adding new protections for online ride-hail and delivery services workers

- Establishing that online platform workers providing ride-hail services and delivery services are subject to appropriate minimum employment standards, whether or not they are employees or independent contractors under any law.

Providing certainty and predictability on minimum wage for workers and employers

- Legislating an automatic annual increase to the minimum wage rates based on the average change in B.C.'s Consumer Price Index for the previous calendar year.

Additional changes have included:

- Restoring the ESA as the floor for new and renewed collective agreements;
- Explicitly prohibiting employers from keeping tips intended for workers;
- Extending the Employment Standards Branch's (ESB) ability to recover an employee's wages going back 12 months (rather than just 6 months);
- Eliminating the Self-Help Kit that required employees to try to resolve an issue directly with their employer before filing a complaint with ESB; and,
- Requiring temporary help agencies to be licensed (not yet in force).

Future Changes

- In support of the Minister of Labour's and Parliamentary Secretary for Labour's 2025 mandate letter priorities, employment standards issues under consideration by the Ministry of Labour going forward include:
 - Monitoring the implementation of gig worker protections in place since September 2024 to ensure they are delivering meaningful and intended outcomes;
 - Reviewing whether enhancements are needed to ensure that the leave provisions under the ESA meet the needs of today's employees; and,
 - Reviewing the ESA and the ESB to ensure that the province's employment standards program remains relevant, provides appropriate protections for workers, and delivers services efficiently.

Contact:

Michael Tanner Executive Director Labour Policy and Legislation 778 974-2172
Branch

ESTIMATES NOTE

B.C. Labour Relations Board Update

ISSUE: Status of Labour Relations Board staffing and members

RESPONSE

- **Staffing:** Labour Relations Board appointments are the responsibility of the Attorney General.
- As Minister of Labour, I provide input and advice to government, ensuring a strong and effective Labour Relations Board that supports a stable and productive labour relations environment.
- I am pleased that the Labour Relations Board is staffed with a full complement of appointees under its existing budget.
- **Resources:** Budget and staffing levels of the Labour Relations Board are the responsibility of the Ministry of Attorney General.

KEY FACTS

Staffing

- The Labour Relations Board (LRB) mediates and adjudicates disputes between employers and unions, and, in some cases, between unions and employees, that arise under the *Labour Relations Code*. The LRB is a quasi-judicial administrative tribunal with a chair and vice-chairs appointed by the Lieutenant Governor in Council through a merit-based process.
- As of February 19, 2025, the LRB is staffed as follows:
 - Jennifer Glougie, Chair (until February 5, 2030)
 - Andres Barker, Associate Chair (until April 30, 2025)
 - Stephanie-Ann Drake, Vice-Chair and Registrar (until July 30, 2025)
 - David Duncan Chesman, K.C., Vice-Chair (until July 30, 2025)
 - Carmen Hamilton, Vice-Chair (until July 25, 2026)
 - Jonathan Hanvelt, Vice-Chair (until May 21, 2028)
 - Rene-John Nicolas, Vice-Chair (until April 11, 2026)
 - Gurleen S. Sihota, Vice-Chair (until March 28, 2026)
 - Robyn Trask, Vice-Chair (temporary appointment under the *Administrative Tribunals Act* until June 30, 2025)
- Vice-chairs are typically appointed in equal number from the employer and labour communities to promote balanced representation at the LRB. Consultation with the labour relations community typically occurs before vice-chairs are appointed or re-appointed.
- The LRB also employs staff lawyers, mediators and administrative/support staff.
- Since 2017, the Attorney General has been responsible for the appointment provisions of the Labour Relations Code. However, the Minister of Labour and

ESTIMATES NOTE

ministry staff continue to provide advice on the appointments and engage directly with labour and employer stakeholders regarding concerns about LRB staffing.

Members

- In addition to vice-chairs, the *Labour Relations Code* provides for the appointment of as many members equal in number representative of employers and employees, respectively, as the Lieutenant Governor in Council considers proper.
 - Historically, members provided policy input and assisted with the mediation and settlement of disputes. When they were in place, members were people who were employed in the labour relations community, acted on an infrequent basis at the LRB and were paid a *per diem*.
 - Intergovernmental Communications
-
- Since 2017, the Attorney General has been responsible for the *Labour Relations Code* provision under which members are appointed to the LRB. Ministry staff are available to engage with the Ministry of Attorney General to provide advice regarding the use of members.

Contact:

Michael Tanner Executive Director Policy & Legislation 778 974-2172

ESTIMATES NOTE

Collective Bargaining

ISSUE: The Labour Relations Board and the Ministry of Labour's roles in facilitating resolution of collective bargaining disputes and protecting the public interest

RESPONSE

- The Ministry of Labour monitors collective bargaining disputes, including those that could negatively impact the public interest, in both the public and private sectors.
- Where possible, we encourage parties to use the Labour Relations Board's mediation services to assist with resolving disputes.
- If relevant before a strike or lockout, the Labour Relations Board will establish essential service levels to protect the health, safety or welfare of people living in B.C.
- Collective agreements have the best outcomes when negotiated at the bargaining table. This allows parties to work out their differences with mediation or other help if needed.
- The Ministry of Labour is neutral in collective bargaining. We are not involved in establishing bargaining mandates for the public sector.
- The Minister of Finance can address bargaining mandates for the public sector. If asked about a particular dispute, the response depends on the status of the dispute. Staff can provide up-to-date information and advice.

KEY FACTS

- The Mediation Division of the Labour Relations Board (the Board) offers services to assist with resolving collective bargaining disputes. Employers and unions generally access these mediation services by making an application to the Board. Mediation may include establishing the essential service and staffing levels needed to protect the health, safety or welfare of people living in B.C. before a union can engage in a legal strike or an employer can engage in a legal lockout.
- The ministry monitors collective bargaining disputes and provides advice to the minister on when and how the minister may wish to intervene in a dispute to protect the public interest. The ministry may become involved formally or informally.
- The *Labour Relations Code* (the Code) provides formal mechanisms for the minister to assist if the disputing parties request it, or if the minister

ESTIMATES NOTE

determines it is necessary and in the public interest. For example, the Minister can:

- Appoint a mediator under s.74 to help the bargaining process. This is often a request by the employer, and needs to be agreed to by both parties. Under the discretion of the mediator, may produce a report and recommendations.
- When agreed to by both parties, appoint a special mediator under s.76 with specific terms of reference that will identify a report, and recommendations will be produced to help facilitate the end to the dispute. During a collective bargaining dispute, the ministry may informally contact the parties, or the appointed mediator to stay informed on developments and offer assistance as appropriate. The ministry's goal is to assist the parties in achieving a voluntary end to their dispute while minimizing the negative impact that a work stoppage may have on the public.
- The Code does not provide a general mechanism for the minister to direct parties in a collective bargaining dispute to proceed to binding arbitration. However, the parties can agree to voluntarily enter into binding arbitration through terms of reference, although this occurs rarely in a dispute.
- Government can also choose to create stand-alone legislation that is dispute specific and binds the parties to resolve the dispute. Legislation can set parameters or factors for arbitrators to consider but is impacted by constitutional risks.

Fire and Police Services Collective Bargaining Act

- The *Fire and Police Services Collective Bargaining Act* (the Act) recognizes that no real ability to strike or lockout exists in the context of firefighting and policing due to the highly essential nature of that work. As such, the Act establishes a framework for resolving firefighter and police collective bargaining disputes through binding interest arbitration.
- This includes the ability for either party to apply to the Minister of Labour to direct that a dispute be resolved through binding arbitration.
- At times, municipal employers and the Union of B.C. Municipalities (UBCM) have raised concerns about arbitrators inadequately considering local economic conditions, other local collective agreement settlements, municipal financial capacity, local recruitment issues and municipality size in determining appropriate economic adjustments for fire and police collective agreements.
- In recent years, municipalities, UBCM and the B.C. Professional Firefighters Association have called for amendments and a broad-based review of whether the Act is meeting its objectives. To date, government has indicated that there are no plans to review the Act as it is achieving its intended objectives.

B.C. Bargaining Database

ESTIMATES NOTE

- In 2008, the B.C. Bargaining Database was launched in partnership with the B.C. Federation of Labour, the Business Council of B.C. and the Board to provide employers, unions and the public with data and trends on collective bargaining.
- The database is funded by a two-year cost-funding arrangement between the ministry and the Business Council of B.C. that is set to run until March 31, 2027.

Contact:

Michael Tanner Executive Director Policy & Legislation 778 974-2172

ESTIMATES NOTE

Forestry Successorship

ISSUE: Industrial Inquiry Commission on Forestry Successorship

RESPONSE

- In November 2021, government announced the appointment of Vince Ready and Amanda Rogers as an Industrial Inquiry Commission (IIC) to undertake a focused engagement with stakeholders about contract tendering and successorship in the B.C. forest sector.
- The IIC built on recommendations government received from the 2018 independent review of the *Labour Relations Code* (the Code), which identified forestry industry successorship protections as an area that needed further consultation, study and analysis.
- We received the IIC report in early 2022 and it was publicly released in the summer of 2022.
- In the Summer and Fall of 2022, we invited First Nations, labour organizations, and forest sector employer groups to make submissions regarding the report.
- This was in addition to holding information sessions on this matter for interested First Nations, the Association of BC Modern Treaty Nations, and with the First Nations Leadership Council.
- Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications
-
- Lasting and meaningful reconciliation with the Indigenous Peoples of B.C. is a priority, as we continue to consider the balance of workers' rights and the rights of First Nations rights and title holders in the forestry sector.

KEY FACTS

- In the summer/fall of 2019, the Ministry of Labour (the Ministry) partnered with the Ministry of Forests with the goal of identifying and articulating several legal and technical issues associated with various options to achieve successorship in the forest sector. This work identified implications for existing forest tenure and

ESTIMATES NOTE

licensing arrangements, as well as potential impacts on Aboriginal Rights and Title and self-governance agreements.

- On September 20, 2020, the Ministry announced government's intention to appoint an Industrial Inquiry Commission (IIC) under the Code to undertake a focused engagement with stakeholders about contract tendering and successorship in the B.C. forest sector.
- In November 2021, government appointed Vince Ready and Amanda Rodgers as an IIC to recommend ways to protect workers when contract tendering and the transfer of cutting and timber-harvesting rights fall outside of section 35 of the Code. Section 35 ensures that the collective bargaining rights of employees are protected when a business or part of it is sold, leased, transferred or otherwise disposed of.
- The Ministry received the IIC report on February 10, 2022, and it was released to the public on July 28, 2022.
- The report made several recommendations, including the recommendation to expand the Code's successorship provisions so that they apply when government initiates a transfer of harvesting rights to First Nations.
- Following the public release of the report, the Ministry engaged with BC First Nations and with labour organizations and employers in the forest sector by inviting them to make submissions regarding the IIC report and their recommendations. Submissions were received until September 29, 2022.
- In Fall 2022, the Ministry held five information sessions for interested First Nations, primarily attended by First Nations forestry staff. In addition, the previous Minister of Labour met directly with the First Nations Leadership Council, and Ministry staff engaged with the BC Alliance for Modern Treaty Nations.
- Advice/Recommendations; Intergovernmental Communications
-

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

Mandatory Five-Year Review of the *Labour Relations Code*

ISSUE: Status of the 2024 independent *Labour Relations Code* review

RESPONSE

- The *Labour Relations Code* (the Code) requires the Minister of Labour to appoint a committee of special advisors to review the Code and make recommendations for amendments every five years.
- This ensures regular and transparent reviews that include consultation with workers, labour organizations, employers, business and industry groups, Indigenous groups, the legal profession and the public.
- In February 2024, the previous Minister of Labour appointed a 3-person panel to review the Code from the perspective of providing stable labour relations and supporting collective bargaining rights. The panel was asked to make recommendations to ensure that our labour laws are keeping up with modern workplaces.
- The panel provided its report and recommendations in August 2024.
- Government is reviewing the report and will provide updates on next steps when available.

KEY FACTS

2024 *Labour Relations Code* review

- In February 2024, the previous Minister of Labour appointed an independent three-person review panel to review the Code and recommend updates.
- The panel was chaired by Michael Fleming, a mediator/arbitrator and former associate chair of the Labour Relations Board (the Board). Two labour and employment lawyers rounded out the panel, with Sandra Banister representing worker and union interests and Lindsie Thomson sitting on behalf of employer interests.
- The panel was tasked with consulting interest groups and Indigenous parties across the province and reporting back to the minister with a report and recommendations for potential amendments to the Code. The panel was also asked to consider labour relations developments in other Canadian jurisdictions to ensure that B.C.'s labour laws are consistent with the rights and protections enjoyed by other Canadians.
- The panel delivered its report to the previous minister in August 2024. Government is reviewing the report and determining next steps with respect to the recommendations and the release of the report.

ESTIMATES NOTE

2018 Labour Relations Code review

- In 2018, a Labour Code review panel undertook a similar process and submitted a report to the Minister of Labour with recommendations for amendments to the Code.
- Based on this panel's recommendations, in 2019, a number of amendments to the Code were made, including:
 - Improving the fairness of the certification process by shortening the time between certification applications and the secret ballot vote (from 10 calendar days to 5 business days), strengthening the restrictions on employer communication during an organizing campaign, and expanding the Board's ability to impose certification in response to employer unfair practices.
 - Extending union successorship rights (i.e., a union's right to maintain its certification when a business is sold or transferred) to situations where contracted services in specified sectors are retendered to another service provider.
 - Requiring the minister to, every 5 years, appoint a committee of special advisors to review the Code and make recommendations. This ensures there are regular, transparent and public consultative reviews.
- In 2022, the Code was amended to restore a single-step union certification system (also known as "card check") to allow workers to join a union when a clear majority of 55 per cent of all workers indicate they wish to do so, instead of requiring a secret ballot vote.
- This streamlining of the union certification process reduces opportunities for employer interference.
- Data provided in the Board's Annual Reports since 2022 suggests the objective of improved fair access to unionization is being met. There have been increased applications for certification and a reduction in the time required for granting certification.
- In addition, the Board's new audit process for verifying membership evidence demonstrates that there have been minimal issues regarding the veracity of the union's application, or the membership evidence submitted in support, since single-step certification was implemented.
- The AG is aware of the capacity challenges of the LRB regarding the increased in certification application and the timeliness of decisions on complex certification applications.

Contact:

Michael Tanner Executive Director Policy & Legislation 778-974-2172

ESTIMATES NOTE

ASBESTOS

ISSUE: Government and WorkSafeBC actions to address the safe use, handling, abatement, transfer and disposal of asbestos materials and products

RESPONSE

- We are very aware of the significant health and safety issues posed by asbestos for B.C. workplaces, workers and the public.
- It is for this reason that training, certification, and licensing requirements are now in effect to help keep workers safe from the danger of asbestos.
- Since January 1, 2024, asbestos abatement contractors must be licensed to operate in B.C., and anyone performing asbestos abatement work must have completed mandatory safety training and be certified.
- As of January 1, 2025, there are 572 licensed employers, and more than 8,400 individual certificates have been issued to workers.

KEY FACTS

- Asbestos safety is a matter of significant concern to the Government of British Columbia, worker and employer stakeholders, WorkSafeBC, local governments, public health officials and the public.
- A cross-ministry Asbestos Working Group was established in 2017 to identify, review and report on outstanding risks that asbestos poses for British Columbians and determine the actions that could be taken to further protect people and the environment from the dangers of asbestos.
- Based on recommendations from the Asbestos Working Group, government added new protections under the *Workers Compensation Act* in 2022 to help keep workers safe from the danger of asbestos.
- Specifically, it requires that asbestos abatement contractors be licensed to operate in B.C. It also provides a framework for requiring people who perform asbestos abatement work to complete mandatory safety training and certification.
- The training, certification, and licensing requirements are now in effect as of January 1, 2024.
- Additional information is in the WorkSafeBC Estimates Note titled 'Asbestos Licensing, Certification, and Enforcement'.

Contact:

Michael Tanner

Executive Director

Labour Policy and
Legislation Branch

778 974-2172

ESTIMATES NOTE

WORKERS' COMPENSATION CANCER PRESUMPTIONS

ISSUE: Cancer presumptions for firefighters

RESPONSE

- Government is aware of the difficult circumstances firefighters face at work and their potential exposure to cancer causing materials.
- Under the *Workers Compensation Act*, 18 cancers are presumed to be associated with employment as a firefighter. The presumption facilitates their access to workers' compensation since evidence is not required to prove the cancer's connection to firefighting.
- These presumptions recognize the important, dangerous and sometimes traumatic work that firefighters do every day to serve and protect British Columbians.
- My mandate letter from Premier Eby directs that I consider particular categories of workers who face higher rates of workplace illness as a result of their conditions of work and ensure that they are supported appropriately.
- I will be considering the expansion of the cancer presumptions to further protect and support firefighters.

KEY FACTS

- The *Workers Compensation Act* recognizes that certain occupational diseases are presumed to result from a person's employment in a specific occupation or process, unless the contrary is proved in an individual case.
- This includes 18 cancers that are presumed to be associated with the work that firefighters undertake. If a firefighter contracts one of these cancers after a certain minimum period of employment, the firefighter is eligible for workers' compensation benefits without requiring medical evidence that the disease is work-related.
- These cancer presumptions apply to about 3,800 career (paid) fire fighters working for local governments; about 10,000 volunteer firefighters; about 700 firefighters working for Indigenous organizations; wildfire fighters (the province employs roughly 1,300 wildfire fighters each year); federal government firefighters, and about 60 fire investigators. This includes full-time, part-time and volunteer firefighters.
- The following table lists the 18 cancers and their minimum cumulative employment periods:

ESTIMATES NOTE

Item	Occupational Disease	Minimum Employment Period
1	primary leukemia	5 years
2	primary non-Hodgkin's lymphoma	20 years
3	primary site bladder cancer	15 years
4	primary site brain cancer	10 years
5	primary site colorectal cancer	10 years
6	primary site kidney cancer	20 years
7	primary site lung cancer	15 years
8	primary site testicular cancer	10 years
9	primary site ureter cancer	15 years
10	primary site esophageal cancer	20 years
11	primary site breast cancer	10 years
12	primary site prostate cancer	15 years
13	multiple myeloma	15 years
14	primary site ovarian cancer	10 years
15	primary site cervical cancer	10 years
16	primary site penile cancer	15 years
17	primary site pancreatic cancer	10 years
18	primary site thyroid cancer	10 years

- All Canadian jurisdictions offer cancers presumptions for firefighters. The number of eligible cancers range from 9 to 22. The 4 cancers recognized in other Canadian Jurisdictions but not in B.C. are: skin; laryngeal; mesothelioma; and soft tissue sarcoma.
- Since the 2024 provincial election, the British Columbia Professional Firefighters Association (BCPFFA) has called for expanding the presumption for firefighters to include all forms of cancer and to lower the cumulative employment period to 2 years for all cancers. The BCPFFA have noted election campaign commitments to achieve this expansion made by both Premier Eby and BC Conservative Party leader John Rustad.
- The BCPFFA consists of 51 locals who represent professional fire fighters in the province.

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

EXTENDING WORKERS' COMPENSATION TO PROFESSIONAL ATHLETES

ISSUE: Professional athlete organizations have asked that workers' compensation coverage be provided to professional athletes

RESPONSE

- The Canadian Football League Players Association, alongside representatives from the Professional Lacrosse Players' Association, Professional Hockey Players' Association and the National Hockey League Players' Association, have approached government and WorkSafeBC about extending workers' compensation coverage to all professional athletes working in Canada.
- By a longstanding order, WorkSafeBC exempts professional sports competitors and athletes from workers' compensation.
- I understand that WorkSafeBC has been engaged with stakeholders on this issue and continues to examine the policy.

KEY FACTS

- Section 2 (1) of the Workers Compensation Act provides that the workers' compensation provisions apply to all employers and workers in B.C. except employers or workers exempted by order of WorkSafeBC.
- By a longstanding order, WorkSafeBC exempts professional sports competitors and athletes from workers' compensation.
- For the exemption to apply, the professional sports competitor or athlete must be competing in a sport entailing:
 - Physical activity;
 - The existence of rules governing how the sport is played; and
 - Competition, whether among teams or individuals.
- This exemption does not apply to non-competing workers of a sports team, such as coaches, management, trainers or other support staff.
- B.C. is not alone in exempting sports competitors and athletes from workers' compensation coverage. For example:
 - Ontario does not extend coverage under any circumstances to teams or individuals competing in sports.
 - By regulation, Manitoba does not extend coverage to "athletes."
 - New Brunswick's labour related act exempts coverage for persons who play sports as their main source of income.
- Between 2018 and 2024, officials from the following organizations met on several occasions with government officials to discuss the issue of workers compensation coverage for professional athletes (including the former

ESTIMATES NOTE

premier, the previous Minister of Labour and Deputy Minister of Labour, and the previous Minister of Tourism, Art, Culture and Sport):

- Representatives from the Canadian Football League Players Association (CFLPA), the Professional Lacrosse Players' Association, Professional Hockey Players' Association, and the National Hockey League Players' Association, who represent over 3,500 professional athletes from across Canada and support appropriate workers' compensation coverage for all professional athletes working in Canada.
- Representatives of the BC Lions, the Canadian Football League, and the Vancouver Canucks.

- Advice/Recommendations; Cabinet Confidences

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

WORKERS COMPENSATION ACT: MENTAL HEALTH PRESUMPTION

ISSUE: Mental health presumption for first responders and other occupations

RESPONSE

- Government established a mental-health presumption for first responders and other occupations, so they have faster access to treatment and workers' compensation benefits if a psychological injury is diagnosed. The presumption helps ensure that the workers who we count on to care for others also receive the support they need.
- I recognize that there are other occupations that we need to look at for this presumption, to support workers who experience trauma on the job.
- I want to ensure that this information is widely known that workers whose occupations are not covered by the presumption can still submit a claim with WorkSafeBC if they believe their psychological injury is caused by work-related factors.

KEY FACTS

- A presumption under the *Workers Compensation Act* provides that if a worker has been employed in a specific occupation and develops a disease or disorder that is recognized as being associated with that occupation, then the condition is presumed to have been due to the nature of their work, unless the contrary is proved. With a presumptive condition, there is no longer a need to prove that a claimant's disease or disorder is work-related.
- The mental disorder presumption was first established in 2018 for paramedics, police, fire fighters, sheriffs and correctional officers.
- The presumption covers mental disorders that may arise from a traumatic event experienced at work, such as Post-Traumatic Stress Disorder (PTSD).
- These disorders are presumed to have been caused by one or more traumatic events that an eligible worker was exposed to in the course of their work, rather than having to be proven, in order to obtain workers' compensation benefits and supports.

ESTIMATES NOTE

- Like other presumptions under the Act, the mental disorder presumption is rebuttable if there is evidence that the cause of the disorder was not the worker's employment.
- In 2019, government passed the Mental Disorder Presumption Regulation (Regulation) to add nurses, emergency dispatchers and publicly funded health-care assistants to the mental disorder presumption
- In 2024 the Regulation was amended to provide the presumption to community-integration specialists, coroners, harm-reduction workers, parole officers, probation officers, respiratory therapists, shelter workers, social workers, transition house workers, victim service workers, and withdrawal-management workers.
- Compensation for a mental disorder requires that the condition be recognized in the Diagnostic and Statistical Manual of Mental Disorders and diagnosed by a psychiatrist or psychologist.

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

PROTECTING THE LIVES AND SAFETY OF WORKERS

ISSUE: The Minister's role in worker safety

RESPONSE

- As Minister responsible for WorkSafeBC, I continue to work diligently to make British Columbia workplaces safe for workers.
- I know that most employers and workers in the province take worker health and safety extremely seriously, but there is more that needs to be done to ensure workers arrive home safe at the end of the day.
- My Mandate Letter directs that I continue to work with WorkSafeBC on the prevention of workplace injury or illness, the promotion of safe workplaces to ensure robust compliance and enforcement, and ensure meaningful programs are in place to support the return of injured workers to their workplaces.

KEY FACTS

- The Minister of Labour is responsible for the overall policy that informs B.C.'s legal framework for worker health and safety under the *Workers Compensation Act*.
- WorkSafeBC is established by provincial legislation, the *Workers Compensation Act*, as an independent agency with the mandate to oversee a no-fault insurance system for the workplace.
- WorkSafeBC's mandate includes promoting the prevention of workplace injuries, diseases, mental disorders and deaths, including developing and enforcing the *Occupational Health and Safety Regulation*, and educating employers and workers on the regulatory requirements.
- The Minister of Labour also maintains an ongoing dialogue with the WorkSafeBC Chair about worker safety. Discussions include emerging safety issues and accidents that can highlight areas where more work needs to be done, including legislative, regulatory, policy and program actions.
- Further, the Minister of Labour coordinates with colleagues across government, and in other jurisdictions, and with stakeholders and Indigenous partners throughout the province, on worker health and safety matters with a cross-government, provincial or national focus.
- Advice/Recommendations; Cabinet Confidences

Contact:

Michael Tanner

Executive Director

Labour Policy and
Legislation Branch

778 974-2172

ESTIMATES NOTE

WASHROOMS ON CONSTRUCTION SITES

ISSUE: Ensuring flush toilets on any construction sites with 25 or more workers.

RESPONSE

- Workplace health and safety is important to all workers, and this includes hygiene in washrooms.
- Recent amendments to the Occupational Health and Safety Regulation now ensure that employers at construction sites with 25 or more workers must provide flush toilets, handwashing facilities, and clean washrooms.
- In addition to being the right thing to do for worker health and safety, this change will also help the construction sector attract and retain new workers including women.
- WorkSafeBC has been working with the industry to ensure these new requirements are being met.

KEY FACTS

- The provincial government enacted changes to the Occupational Health and Safety (OHS) Regulation relating to washroom facilities at construction sites with 25 or more workers, effective October 1, 2024.
- Although WorkSafeBC (WSBC) generally amends the OHS regulations, government passed amendments to the OHSR related to the flush toilets at construction sites, based on input from WorkSafeBC's consultation with employers, construction-sector associations, unions, and workers.
- This process allowed for an expedited implementation of the changes.
- WorkSafeBC is continuing to work with construction companies to ensure they are aware of the changes and able to implement the requirements. It was recognized that some employers may require time to obtain the required facilities.
- The new regulations specify that:
 - Employers at construction sites with 25 or more workers must provide flush toilets, handwashing facilities, and clean washrooms.
 - The flush toilets may be plumbed or connected to a holding tank.
 - Chemical or other types of toilets can only be provided as an alternative if the employer can demonstrate it's not practicable to comply with the requirement to provide flush toilets.

ESTIMATES NOTE

- The handwashing facilities must be in or near the enclosed space where toilets are situated.
- Washrooms must be maintained in proper working order and cleaned and sanitized regularly. Records of maintenance and cleaning activities must be kept for at least 30 days.
- Advice/Recommendations; Cabinet Confidences

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

Workers' Compensation Improvements since 2017

ISSUE: Workers' Compensation Reform since 2017

RESPONSE

- A fair, effective, and respectful workers' compensation system is of utmost importance to this government.
- Over the past eight years, significant work has been undertaken to improve programs and services for workers and employers.
- The goal has been to make the system more worker centric while taking into account the interests of employers.
- This includes ensuring WorkSafeBC's continued ability to maintain the financial sustainability of BC's workers' compensation system.

KEY FACTS

2018/19 Workers Compensation Act (WCA) Amendments:

- In 2018, added a presumption for workers in five first responder occupations who experience trauma as a result of their work and which results in a diagnosed mental health disorder - paramedics, police, fire fighters, sheriffs and correctional officers. Such mental disorders are presumed to have been caused by their work, rather than a work-related cause having to be proven, facilitating their access to workers' compensation benefits and supports.
- Since 2018, 14 other eligible occupations have been added to the mental disorder presumption (by regulation), including nurses, emergency dispatchers, coroners and social workers.
- In 2018 and 2019, extended the three workers' compensation presumptions that were available to local government firefighters to also include federally-regulated firefighters, fire investigators, wildfire fighters and firefighters working for Indigenous organizations – that is, the presumptions for certain cancers, for heart disease and heart injury, and for mental health disorders.

2020 WCA Amendments:

- In 2020, ensured that more workers receive benefits reflecting the loss of earnings resulting from their work-related injury or disability
- Enhanced WorkSafeBC's occupational health and safety investigation framework to support the health and safety of B.C. workers, as recommended in an expert report related to the 2012 sawmill explosions in BC.
- Other changes improved the overall operational effectiveness of the workers' compensation system.

ESTIMATES NOTE

2022 WCA Amendments:

- In 2022, require that asbestos abatement contractors be licensed to operate in B.C., and that workers and employers who perform this work complete mandatory safety training and obtain certificates. These changes came into effect on January 1, 2024.
- In 2022, improved the fairness for workers injured on the job and better worker and employer support for the system where these changes came into effect over 2023 and 2024 as follows:
 - Establishing a WorkSafeBC Fair Practices Commissioner to review worker and employer complaints of alleged unfairness at WorkSafeBC
 - Establishing a clear employer duty to re-employ injured workers and to accommodate returning workers short of undue hardship.
 - Requiring employers and workers to co-operate with each other and with WorkSafeBC to support the return of the worker to their pre-injury employment or, where this is not possible, to other suitable work.
 - Expanding worker access to Independent Health Professionals during the appeals process.
 - Requiring interest to be paid on compensation benefits that are determined by the WorkSafeBC Review Division or the Workers' Compensation Appeal Tribunal to be owing to a person for 180 or more days.
 - Prohibiting employers from dissuading workers from filing a claim for compensation.
 - Indexing workers' compensation benefits to the full rate of annual percentage changes in the Canadian Consumer Price Index (CPI).

2024 Amendments:

- Online platform workers providing ride-hail and delivery services are covered under the compensation and occupational health and safety provisions of the WCA, whether they are an employee or an independent contractor, effective September 3, 2024.
- Amendments to the Occupational Health and Safety Regulation ensure that employers at construction sites with 25 or more workers must provide flush toilets, handwashing facilities, and clean washrooms, effective October 1, 2024.

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

Bridging to Retirement Program

ISSUE: Retirement transition support for workers impacted by changes in the forest sector

RESPONSE

- On November 2, 2021, B.C. announced an updated Bridging to Retirement Program (the Program) as part of a suite of forestry industry supports for workers impacted by old growth deferral decisions, fibre shortages and pauses in BC Timber sales across the province.
- The Program received funding for three years to support full-time workers at least 55 years old – who are B.C. forestry mill workers, forestry-dependent contractors and their employees – to transition to retirement.
- As of February 26, 2025, the 3-year Program has come to an end.
- In 2023/24, the Program supported 473 workers to transition to retirement by providing more than \$19 million to workers and preserving 300 jobs for younger workers in the forest sector.
- Actual spending for 2024/25 will be released this Summer with the Public Accounts.
- As we face an economic threat in the form of tariffs from the United States, government is adjusting efforts to support workers across all sectors of the economy - including the forestry sector.

KEY FACTS

- In November 2021, the Program was renewed with a 3-year funding commitment to assist workers, aged 55 and older, impacted by old growth deferrals, fibre shortages and pauses in B.C. Timber Sales.
- Over the last 2 years (2022/23 and 2023/24), the Program has provided 818 forestry workers with over \$33 million in retirement benefits.
- In 2022/23, the Program supported 345 workers transition to retirement, providing more than \$14 million to workers and preserving 315 jobs for younger workers in the forest sector.
- In 2023/24, the Program supported 473 workers transition to retirement by providing more than \$19 million to workers and preserving 300 jobs for younger workers in the forest sector.
- Actuals for 2024/25 will be released this Summer with Public Accounts.

ESTIMATES NOTE

- In February 2025, application intake was closed and 133 voluntary workers were notified that their applications would not be approved to receive funding.

GENERAL PROGRAM ELIGIBILITY

IMPACTED WORKER STREAM	VOLUNTARY WORKER STREAM
• Worker experiences permanent job loss at mill or forest contractor due to closure or indefinite curtailment for more than 4 months.	• Worker is currently employed with a B.C. mill or forestry contractor that is currently open.
• Employers do <u>not</u> need to agree to worker participation. • Employer cost share contribution amount is the minimum worker severance entitlements based on the Employment Standards Act (ESA) that the employer is expected to pay directly to the worker in B.C. • Worker retirement date is based on the Record of Employment date provided to the worker. • No new job vacancies are created.	• Employers must agree to worker participation. • Employers must contribute a cost share agreement amount with the Ministry of Labour to be paid directly to the worker. • Worker and employer must mutually agree to a retirement date. • Employer commits to filling the retiree vacancy with a more junior impacted worker. • Worker retirement will not create operational risk for the employer.
If the worker accepts benefits: • Must agree not to work as an employee or contractor for at least 18 months in the forestry sector. • Must permanently vacate position and relinquish their seniority with employer. • Can be an employee or start and operate their own business outside of forestry sector to support rural economic development.	If the worker accepts benefits: • Must agree not to work as an employee or contractor for at least 18 months in the forestry sector. • Must permanently vacate position and relinquish their seniority with employer. • Can be an employee or start and operate their own business outside of forestry sector to support rural economic development.

- Applicants were able to receive a maximum combined payment of up to \$75,000 based on years of experience, age and the amount of the employer's contribution. The benefit is calculated at \$5,000 for each year in the industry to a maximum of 15 years (i.e. the \$75,000 maximum).
- For workers that were facing a job loss, the benefit amounts noted above were reduced by the amount each applicant would have received based on severance compensation for length of service calculated under the *Employment*

ESTIMATES NOTE

Standards Act, to a maximum of eight weeks of salary. This amount was paid by the employer, representing the cost-sharing aspect of the program.

- For voluntary retirees, the benefit amounts were reduced by the amount the employee paid directly to the worker directly. Typical employer cost-sharing contributions include the extension of health and dental benefits, or pay in lieu, for a period of 12-18 months.
- The Ministry of Finance's Tax Policy Branch and the Canada Revenue Agency (CRA) confirmed that these payments were considered a taxable retirement allowance, and the province was required to deduct and remit income tax on these payments at the rates prescribed by the CRA:
 - 10% on amounts up to and including \$5,000
 - 20% on amounts over \$5,000 up to and including \$15,000
 - 30% on amounts over \$15,000

Contact:

Lorie Hryciuk

Assistant Deputy
Minister

Labour Policy and
Legislation

778 974-3766

ESTIMATES NOTE

ANTI-RACISM, GBA+, EQUITY, DIVERSITY AND INCLUSIVENESS

ISSUE: Implementation of anti-racism, GBA+, and equity, diversity and inclusiveness within the Ministry of Labour

RESPONSE

- The Ministry of Labour's approach to promoting fair, healthy and safe labour and employment relationships includes a commitment to maintain partnerships and develop projects that promote gender equity, address racism and build diverse and inclusive communities – and a recognition of the diversity and makeup of the communities that we serve.
- GBA+ brings a lens of equity and intersectionality to all of the ministry's legislative and policy initiatives, programs and service delivery. This is important as our work impacts workers and employers with a wide range of identity factors (e.g., gender and gender identity, Indigeneity, race, class, age, education, sexual orientation, language, ability, and other identities).
- Our work is also guided by government's Diversity and Inclusion Strategy, which ensures that the B.C. Public Service is reflective of our province and inclusive of Indigenous peoples, minority communities, immigrants, persons with disabilities and the LGBTQ2S+ community.
- We have advanced government's Diversity and Inclusion Strategy by implementing measures at all levels of our ministry, including the promotion of inclusive language and increasing awareness and learning around the diverse needs of our staff and the clients we serve.
- We are committed to developing more respectful and diverse workplaces and ensuring that clients in under-represented equity groups are supported when accessing government services.

KEY FACTS

Anti-racism

- The ministry participates in a cross-ministry roundtable to contribute to the development of a racial identity data standard under the *Anti-Racism Data Act*, which allows government to safely collect and use information to address

ESTIMATES NOTE

systemic racism. This will help to identify gaps in ministry programs and deliver stronger public services for everyone in B.C.

Gender-Based Analysis Plus (GBA+)

- In 2024, amendments to the *Employment Standards Act* were made to automatically increase the minimum wage in accordance with inflation every year. This provides more income to lower-wage workers, where women, youth and ethnic minority groups are generally over-represented.
- In 2023, the ministry led work to establish the National Day for Truth and Reconciliation as a statutory holiday, which provides an important opportunity for people living in B.C. to learn and understand B.C.'s colonial history and the ways in which the residential school system has impacted Indigenous communities.
- In recent years, changes to the *Workers Compensation Act* have included improving the fairness of annual inflation adjustments to workers' compensation payments for people with work-related disabilities, many of whom live in precarious or economically disadvantaged circumstances.
- The Ministry of Labour participates in a cross-government working group to promote GBA+ in government's work. In addition, the ministry is a member of the Economy Sector GBA+ Working Group, which exists to empower and engage economy sector employees to understand, implement and champion GBA+ in their day-to-day work.

Diversity and Inclusion

- The Ministry of Labour participated in the development of *Closing the Gap: Inclusion, Diversity, Equity, and Accessibility Action Plan in the Economy Sector 2023-25* (IDEA Action Plan), which was released in September 2023. The IDEA Action Plan's goals align with the first 3 goals outlined in government's *Where We All Belong: Diversity & Inclusion Three-year Strategy, 2021-2024*.
- The IDEA team is working to develop resources and learning tools to help employees implement IDEA principles across the economy sector. The IDEA team has created and shared the Meaningful Land Acknowledgements Guide and the Inclusive Practices Hiring Guide. The IDEA team also offers training on topics such as neuroinclusion in the workplace and promotes efforts like Black History Month.
- The ministry considers diversity and inclusion in its job postings by reviewing them for inclusive language and has responded to staff input on inclusivity measures (e.g., use of gender-based language in correspondence, gendered washrooms signage, etc.).
- Some programs have modified intake processes to allow clients to choose preferred pronouns; program websites have been reviewed and modified for accessibility; and steps have been taken to improve accessibility at physical work locations.

ESTIMATES NOTE

- The ministry's Reconciliation Working Group works to empower and engage ministry employees to understand, implement and champion the obligations outlined in the *Declaration on the Rights of Indigenous Peoples Act* in their day-to-day work to ensure that our services are inclusive of and accessible to all Indigenous Peoples in the province.

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES ACT IMPLEMENTATION

ISSUE: Implementing the *Declaration on the Rights of Indigenous Peoples Act* within the Ministry of Labour

RESPONSE

- Government is committed to advancing reconciliation, implementing the *Declaration on the Rights of Indigenous Peoples Act* (the Declaration Act) and working in partnership with First Nations rights-holders to advance shared interests.
- Our ministry participated in the development of government's 5 - year *Declaration on the Rights of Indigenous Peoples Act Action Plan (2022-2027)*. We are responsible for Action Item 4.46, which is to improve economic supports for Indigenous workers and employers by increasing access for Indigenous clients to our ministry's services and programs, including employment standards, workers' compensation and workplace safety.
- This ministry is committed to strengthening its consultation and collaboration with Indigenous peoples to identify barriers and enhance access to ministry services and programs for workers and employers, including employment standards, workers' compensation, occupational health and safety, temporary foreign worker protection and forestry worker support programs.
- We are also committed to consultation and cooperation with First Nations to ensure that provincial labour laws are consistent with the objectives of the *United Nations Declaration on the Rights of Indigenous Peoples*.
- We have engaged First Nations, Indigenous organizations and Indigenous peoples on proposed changes to B.C. labour laws regarding issues such as occupational disease for firefighters, paid COVID-19 vaccination leave, domestic and sexual violence leave, paid sick leave, improved child employment regulations, the workers' compensation system, employment standards and protections for app-based ride-hail and food-delivery workers, successorship in the forestry sector, and in the most recent 5-year review of the *Labour Relations Code*.

ESTIMATES NOTE

KEY FACTS

Action Item 4.46

- The ministry is required to report on the implementation of Action Item 4.46 in 2026. The ministry is developing the plan that includes staff education and engagement, leveraging opportunities across the branches to develop common indicators and reporting, a common consultation approach with Indigenous partners to ensure existing services are known and identify service improvements.
- The ministry's Reconciliation Working Group (RWG) exists to empower and engage staff to understand, implement and champion the obligations outlined in the Declaration on the Rights of Indigenous Peoples Act (Declaration Act) in their day-to-day work to ensure that our services are inclusive of and accessible to all Indigenous Peoples in B.C.

Other Ministry Actions

- The Community Advisory Council at the Workers' Compensation Appeal Tribunal (WCAT), comprised of Indigenous lawyers, mediators, and an articling student, advises on changes to help reduce barriers accessing WCAT and in conducting hearings, and reflects all geographical regions of B.C.
- Engaging with First Nations to discuss access barriers to ministry programs and services by Indigenous groups and individuals and enhancing accessibility of ministry programs to Indigenous clients through engagement on Indigenous Language service delivery.
- Building ministry capacity and raising Indigenous cultural awareness through mandatory training requirements for ministry staff.
- Leveraging existing outreach across the ministry's programs to facilitate ongoing direct engagement with individual Friendship Centers across B.C., the B.C. Association of Aboriginal Friendship Centers as well as organizations with mandates to support Indigenous individuals and communities including Indigenous Justice Centers.
- Participation in reconciliation tables and multiple cross-ministry engagement sessions with Indigenous groups, including the Indigenous Business Development Associations, the First Nations Finance Authority, and the First Nations Financial Management Board.

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

OVERSIGHT OF B.C.'S LABOUR TRIBUNALS

ISSUE: Ministry of Attorney General has responsibility for the Labour Relations Board and Employment Standards Tribunal budgets, and certain tribunal-related provisions of the *Labour Relations Code* and the *Employment Standards Act*

RESPONSE

- The Minister of Attorney General is responsible for the budgets of the Labour Relations Board and the Employment Standards Tribunal, along with certain legislative provisions relating to the administration of these tribunals.
- As the Minister of Labour, I am responsible for the labour policy reflected in the *Labour Relations Code* and the *Employment Standards Act*, which the Labour Relations Board and the Employment Standards Tribunal interpret and apply.
- The Ministry of Labour and the Ministry of Attorney General share an interest in having labour tribunals that function effectively. The 2 ministries consult and cooperate with each other on administrative matters, including appointments to the Labour Relations Board and Employment Standards Tribunal.
- The Ministry of Attorney General does not have budget and administrative oversight of the Workers' Compensation Appeal Tribunal because that is funded by WorkSafeBC and not by government.

KEY FACTS

- Effective April 1, 2017, the Ministry of Attorney General assumed responsibility for the administrative justice and certain other tribunal-related sections of the *Labour Relations Code* in relation to the Labour Relations Board (LRB) and the *Employment Standards Act* in relation to the Employment Standards Tribunal (EST).
- The Ministry of Attorney General, for example, is responsible for sections pertaining to the establishment of the tribunal, appointments to the tribunal and issues that may fall under the *Administrative Tribunals Act*.
- The Ministry of Labour retains responsibility for matters related to reviews, appealable decisions, compliance, enforcement and sector-specific policies.

ESTIMATES NOTE

- Both tribunals were included in the budget transfer from the Ministry of Labour to the Ministry of Attorney General, also effective April 1, 2017.
- Staff at both ministries have established a "Roles, Responsibilities and Accountabilities" document, under which staff consult each other and work cooperatively on matters of mutual interest regarding the LRB and EST.
- The budget and administrative oversight of the Workers' Compensation Appeal Tribunal did not transfer to the Ministry of Attorney General because the Workers' Compensation Appeal Tribunal is funded by WorkSafeBC and not by government.

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

PARLIAMENTARY SECRETARY FOR LABOUR AND ITS ROLE IN THE MINISTRY OF LABOUR

ISSUE: Parliamentary Secretary for Labour and its role in the Ministry of Labour

RESPONSE

- I am very pleased that the Parliamentary Secretary for Labour, Darlene Rotchford, is helping to advance priorities at the Ministry of Labour.
- In particular, the Parliamentary Secretary is supporting the development and maintenance of relationships with organized labour to ensure their feedback is considered in policy development.

KEY FACTS

- MLA Darlene Rotchford was appointed as Parliamentary Secretary for Labour in November 2024.
- Supporting the Minister of Labour, the Parliamentary Secretary's specific mandate is to support the development and maintenance of relationships with organized labour to ensure their feedback is considered in policy development.
- The Parliamentary Secretary also provides input and advice on other ministry initiatives to support the Minister's work.

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778-974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

PROTECTIONS FOR RIDE HAIL AND DELIVERY SERVICES WORKERS

ISSUE: Employment Standards and Workers' Compensation Protections

RESPONSE

- We believe that all workers deserve protection, regardless of what work they do or where they're from. This includes app-based ride-hail and delivery services workers.
- B.C. is at the forefront in Canada when it comes to improving working conditions for these gig workers.
- New rules came into effect in September 2024 that require platform companies to provide minimum employment standards, as well as workers' compensation and safety protections for these workers.
- Specifically, these rules provide protections such as:
 - A specific minimum wage rate for these workers;
 - A transportation expense allowance;
 - Tip protections;
 - A fairer process for suspensions and terminations,
 - Transparency for payment, and pick-up and delivery locations; and
 - Workers' compensation coverage from WorkSafeBC; as well as occupational health and safety protections.
- These new rules address the priority concerns of these workers, while maintaining the ride-hail and delivery services that many people in B.C. rely on.
- One of my top priorities is to review the implementation of gig worker protections to ensure they are delivering meaningful and intended outcomes.

KEY FACTS

- The economy and workforce have changed dramatically over the past few decades, and we've seen the growth of gig work mediated through an online platform. This includes app-based ride-hail and food-delivery work.
- Challenges facing workers in this sector have been the subject of public attention. In response, the Ministry of Labour implemented employment standards and other protections for app-based ride-hail and food-delivery workers.

ESTIMATES NOTE

- In Fall 2023, Bill 48, the *Labour Statutes Amendment Act, 2023* (Bill 48) amended the *Employment Standards Act* and *Workers Compensation Act* to allow for the development of regulations to entitle these workers to minimum employment standards and other protections specifically designed to address their working conditions and respond to their priority concerns.
- In September 2024, such regulations came into force, providing:
 - An hourly minimum wage of 120 percent of the general minimum wage for each hour of engaged time worked (currently \$20.88/hour).
 - Pay and destination transparency for each assignment, so workers know approximately how much they will be paid and where they will be going.
 - A minimum per-km distance expense allowance to compensate workers for transportation costs associated with performing this work.
 - For ride-hail services, this equals at least 45 cents per kilometre travelled by motor vehicle during engaged time.
 - For delivery services, this equals at least 35 cents per kilometre travelled during engaged time for all modes of transportation (other than travel by foot).
 - A requirement for platform companies to provide workers with reasons for temporary and permanent deactivations, in addition to notice and reactivation requirements in cases of temporary deactivations.
 - Platform companies must provide wage statements at least semi-monthly.
 - That specific provisions of the ESA apply to these workers, including tip protection, unpaid job-protected leaves (e.g., maternity leave), and having their employment rights enforced by the Employment Standards Branch.
 - That all online platform ride-hail services and delivery services workers are fully brought within B.C.'s workers' compensation and occupational health and safety systems.
- These regulations were the result of comprehensive engagement with ride-hail and food-delivery workers, platform companies, labour organizations, and business organizations. This engagement sought to identify the benefits and challenges of this work and propose appropriate standards and protections for workers.
- This engagement, which was conducted from 2022 until 2024, included:
 - In person and virtual roundtable discussions with workers in this sector.
 - An on-line survey conducted with app-based ride-hail and delivery services workers and the public, seeking their views (over 1400 respondents).
 - The development of a paper, "Proposing Employment Standards and Other Protections for App-Based Ride-Hail and Food-Delivery Workers in British Columbia" for discussion with stakeholders.

ESTIMATES NOTE

- Further engagement with app-based workers, platform companies, labour organizations, and business organizations, based on the discussion paper, with the intent to inform the design of the minimum employment standards and other protections for this sector.
- Early work is underway to develop a plan to review the implementation of gig worker protections to ensure they are delivering meaningful and intended outcomes. This will include engagement with drivers and others in the sector to help inform the future review.
- The precarious and gig worker strategy supports B.C. to build a strong and diversified economy by encouraging the creation of flexible, well-paying jobs, which often rely on new technologies.

Contact:

Michael Tanner	Executive Director	Labour Policy and Legislation Branch	778 974-2172
----------------	--------------------	---	--------------

ESTIMATES NOTE

DEPUTY MINISTER'S OFFICE – BUDGET

ISSUE: Deputy Minister's Office Budget in 2025/26

RESPONSE

- The Deputy Minister's Office budget in 2025/26 is \$606,000. This is an increase of \$12,000 from last year's Restated Estimates of \$594,000.
- The increase in salary and benefits of \$12,000 is related to compensation increases under the Shared Recovery Wage Mandate.
- The budget includes funding to support the salary and benefits for the Deputy Minister and support staff, travel, information systems and general office expenses.
- The Deputy Minister's Travel is published monthly on Open Information.

KEY FACTS

- The Ministry of Labour's previous Deputy Minister, Trevor Hughes incurred \$12,414.33 (See note below) in travel expenses as of November 18th, 2024, prior to being appointed as Deputy Minister, Post-Secondary Education and Future Skills (PSFS).
Note: The amount currently reported in Open Information totals \$12,414.33 and is incorrect. This amount includes transactions totalling approximately \$1,000 that should be reported on PSFS and will be corrected.
- Mary Sue Maloughney was appointed Deputy Minister of Labour on November 18th, 2024 and has incurred \$4,051.28 as of February 28, 2025.

ESTIMATES NOTE

Deputy Minister's Monthly Travel Expense Summary

Name: Trevor Hughes

Month: 2024 November

Portfolio: Labour

Travel expense summary (amount paid this month):

In Province Flights: \$ 1,184.99

Other Travel in Province: \$ 223.00

Out of Country Travel: \$ -

Out of Province Travel: \$ -

Total travel expenses paid this month: \$ 1,407.99

Travel expenses fiscal year-to-date: \$ 12,414.33

Deputy Minister's Monthly Travel Expense Summary

Name: Mary Sue Maloughney

Month: 2025 February

Portfolio: Labour

Travel expense summary (amount paid this month):

In Province Flights: \$ -

Other Travel in Province: \$ 1,633.89

Out of Country Travel: \$ -

Out of Province Travel: \$ -

Total travel expenses paid this month: \$ 1,633.89

Travel expenses fiscal year-to-date: \$ 4,051.28

Contact:

Brian Urquhart Assistant Deputy Management Services 250 896-3947
Minister

ESTIMATES NOTE

EXECUTIVE COMPENSATION (AGENCIES, BOARDS AND COMMISSIONS)

ISSUE: Executive Compensation in Ministry Agencies, Boards and Commissions reported by PSEC

RESPONSE

- B.C. has high standards for reporting, requiring annual public disclosures of total compensation for executives of Crown agencies, boards and commissions.
- Taxpayers deserve to know how their money is spent – this is why it is mandatory to disclose the salaries of executives from Crown agencies, boards and commissions.
- The disclosure process includes all compensation – base pay, pensions and other benefits including health and insurance plans.
- We work to ensure that executive compensation is fair and we believe that they do great work on behalf of British Columbians.
- WorkSafeBC and the Workers' Compensation Appeal Tribunal are covered by the executive compensation rules and reporting requirements established by Public Sector Employers Council .
- Providing fair and competitive compensation ensures we can continue to attract and retain highly skilled people who can effectively deliver quality services to British Columbians.

KEY FACTS

- The *Public Sector Employers Act* (PSEA) requires employers to disclose their senior executive compensation within 6 months of their fiscal year end in a form and manner directed by the CEO of Public Sector Employers Council.
- The compensation that is disclosed includes holdbacks, benefits, perquisites, allowances, pension, severances, salary continuance and any other payments.
- The requirements to disclose apply to all public sector employers', CEOs/Presidents and the top 4 executives earning an annualized base salary of \$125,000 or more along with copies of the senior employees' written contracts of employment.
- Since 2008, executive bonuses have been transitioned to holdbacks of up to 20 per cent.
- Since September of 2018, boards have been provided the option to eliminate or reduce holdbacks for their organizations.

ESTIMATES NOTE

- When new staff or newly-promoted staff move to an executive position which had bonus pay available to it, a hold back up to a maximum of 20 per cent of maximum base salary will be employed in place of bonuses.
- In addition, a reduction in the total base salary for senior executives of 10 per cent has been applied. The reduction reflects a reduced amount of pay at risk and compression with CEO compensation.
- Increases in total compensation may be due to legitimate vacation payouts, retirement allowances or other payments.
- To support the principles of restraint, this government:
 - Provides direction to public sector employers entities on standards of conduct, including policy that limits salary increases for executives, adopting a consistent public sector compensation approach using common principles, and ensuring post-employment restrictions are included in contracts.
 - Ensures direction for Crown agencies, boards and commissions that is intended to strengthen accountability, promote cost control, and ensure public sector entities operate in the best interest of taxpayers.
 - Maintains an effective management and transparent disclosure of executive compensation framework for all public sector employers that meet the definition of the PSEA, including Crown agencies, boards and commissions.

Contact:

Brian Urquhart	Assistant Deputy Minister	Management Services	250 896-3947
----------------	------------------------------	---------------------	--------------

ESTIMATES NOTE

MINISTER'S OFFICE – BUDGET

ISSUE: Minister's Office Budget in 2025/26

RESPONSE

- The Minister's Office budget for 2025/26 is \$704,000; a \$28,000 decrease from the 2024/25 Restated Estimates of \$732,000.
- The budget for the Minister's Office has been adjusted to align with the allocation approved by the Office of the Premier.
- The \$28,000 decrease is related to:
 - \$32,000 decrease to Salaries and Benefits
 - \$4,000 increase to Legislative Salaries
- The Minister's Office has a budgeted staffing complement of 5 FTEs (excluding Minister and Parliamentary Secretary)

KEY FACTS

Estimates Budget	FY25 Restated (\$)	FY26 Estimates (\$)	Variance (\$)
Salaries & Benefits	651,000	623,000	- 28,000
Travel	50,000	50,000	-
Information Systems	10,000	10,000	-
Office & Business	22,000	22,000	-
Recoveries	- 1,000	- 1,000	-
TOTAL	732,000	704,000	- 28,000

Ministers' Offices Budgets, Detailed Explanation

- The Minister's Office budget includes funding for the Legislative salaries of the Minister and Parliamentary Secretary as well as budget for 5 support staff.
 - One Chief of Staff
 - One Ministerial Advisor;
 - One Administrative Coordinator
 - One Administrative Assistant; and,
 - One Executive Assistant
- Benefits Budget:
 - Benefits are calculated as a fixed percentage of employee salaries.
 - The percentage is established by the Ministry of Finance on an annual basis.
 - In 2025/26 the benefit charge is 25.4 per cent of salaries, no change from 2024/25.

ESTIMATES NOTE

- The Benefits budget also accommodates the charge for the ministerial pension adjustment.
- The charge is a fixed percentage of the Minister's executive salary.
- Pension contributions are fixed at 11 per cent of a member's pensionable earnings. The current government contribution rate is 38.68 per cent (effective July 1, 2024).
- Legislative Salaries Budget:
 - MLA basic compensation (\$119,532.72 as at April 1, 2024) is reported against the Legislative Assembly's budget.
 - The Legislative salaries budget accommodates the Minister's and Parliamentary Secretary's executive salaries.
 - Ministers receive an additional salary that corresponds to 50 per cent of their basic MLA compensation.
 - Parliamentary Secretary's receive an additional salary that corresponds to 15 per cent of their basic MLA compensation.
 - Only the executive salaries are reported against the Minister's Office budget.
 - The Minister's executive salary is determined by the Members' Remuneration and Pensions Act.
- Travel:
 - Travel budget accommodates the travel for ministerial staff and Minister travel (e.g. travel for trade missions and other ministry business).
 - Travel to and from the Minister's constituency and caucus related travel is reported separately under the budget of the Legislative Assembly.
- Information Systems:
 - Information systems budget accommodates data communications charges (e.g. email cell phone charges).
- Office and Business:
 - Office and Business budget accommodates printing charges, training, shipping, and office supplies.

Contact:

Brian Urquhart	Assistant Deputy Minister	Management Services	250-896-3947
----------------	---------------------------	---------------------	--------------

ESTIMATES NOTE

Minister's Office – Travel

ISSUE: Minister's Office Travel Expenditures

RESPONSE

- The Minister of Labour's Office has a 2025/26 travel budget of \$50,000, which is consistent with previous years.
- My travel expenses will be made available on a quarterly basis on the government's Open Information website.
- Travel expenses for the Ministry's previous Minister for the period April 1 to November 18, 2024 was \$6,572.33. This does not include their travel in their role as an MLA, which is funded from the Legislative Assembly's budget.
- My travel expenses for the first three quarters of the year total \$10,398.02. Most of my travel was incurred during my time with the Ministry of Mental Health and Addictions.
- These expenses do not include my travel in my role as an MLA, which is funded from the Legislative Assembly's budget.

KEY FACTS

- Travel Expenses for all MLA's are published on a quarterly basis on the Legislative Assembly's website. The public is free to review this information and perform comparisons.
- Travel requirements are assessed throughout the year to ensure fiscally prudent management practices are adhered to.
- The Minister's ranking against other MLA's is not a performance metric used by the Ministry.

ESTIMATES NOTE

Minister's Quarterly Travel Expense Summary

Name: Honourable Harry Bains

Quarter: 2024 Oct to Dec

Portfolio: Labour

Travel expense summary (amount paid this quarter):

In Province Flights:

Other Travel in Province: \$ 247.82

Out of Country Travel: \$ -

Out of Province Travel: \$ -

Total travel expenses paid this quarter \$ 247.82

Travel expenses fiscal year-to-date: \$ 6,572.33

Minister's Quarterly Travel Expense Summary

Name: Honourable Jennifer Whiteside

Quarter: 2024 October to December

Portfolio: Labour

Travel expense summary (amount paid this quarter):

In Province Flights: \$ 699.04

Other Travel in Province: \$ 931.56

Out of Country Travel: \$ -

Out of Province Travel: \$ -

Total travel expenses paid this quarter: \$ 1,630.60

Travel expenses fiscal year-to-date: \$ 10,398.02

Contact:

Brian Urquhart

Assistant Deputy
Minister

Management Services 250-896-3947
Division

Ministry of Labour

2025/26 – 2027/28 Service Plan

March 2025



For more information on the Ministry of Labour contact:

PO Box 9206 Stn Prov Govt

Victoria, B.C., V8W 9T5

250-356-1346

Or visit our website at

<https://www.gov.bc.ca/lbr>

Published by the Ministry of Labour



Minister's Accountability Statement



The Ministry of Labour 2025/26 – 2027/28 Service Plan was prepared under my direction in accordance with the *Budget Transparency and Accountability Act*. I am accountable for the basis on which the plan has been prepared.

A handwritten signature in black ink, which appears to read "J. Whiteside". The signature is fluid and cursive.

Honourable Jennifer Whiteside
Minister of Labour
February 18, 2025



Table of Contents

Minister's Accountability Statement	3
Strategic Direction.....	5
Purpose of the Ministry.....	5
Operating Environment.....	5
Economic Statement	6
Performance Planning	7
Financial Summary	12
Appendix A: Public Sector Organizations	13
Appendix B: Minister Mandate Letter.....	14



Strategic Direction

In 2025/26, the Government of British Columbia will continue to prioritize delivering the services and infrastructure needed for people to build good lives in strong communities.

To support this objective, Government will focus on growing the economy, responding to the threat of tariffs, creating good paying jobs, improving affordability, strengthening health care and education, and making communities safer.

Government will also continue deepening relationships with Indigenous Peoples while advancing implementation of the Declaration on the Rights of Indigenous Peoples Act Action Plan.

This 2025/26 service plan outlines how the Ministry of Labour will support the government's priorities and selected action items identified in the Minister's January 2025 [Mandate Letter](#).

Purpose of the Ministry

To build a better British Columbia, the [Ministry of Labour](#) promotes fair, healthy and safe labour and employment relationships in support of a strong, sustainable and inclusive economy.

In this context, the Ministry has overall responsibility for British Columbia's labour and employment statutes – including the *Labour Relations Code*, the *Employment Standards Act*, the *Workers Compensation Act* and the *Temporary Foreign Worker Protection Act* – and for the effective administration and enforcement of those statutes. The Ministry houses the [Employment Standards Branch](#), the [Workers' Advisers Office](#), and the [Employers' Advisers Office](#). The Ministry has legislative responsibility for [WorkSafeBC](#), and for the Ministry's three tribunals: the [Labour Relations Board](#), the [Employment Standards Tribunal](#), and the [Workers' Compensation Appeal Tribunal](#).

The Employment Standards Branch and the Ministry's three administrative tribunals manage complaints and issues that have been brought before them. The Workers' Advisers Office and the Employers' Advisers Office provide advice and advocacy for workers and employers with respect to issues under the *Workers Compensation Act*. In all cases, timely and accurate disposition of those complaints or issues is an essential component of a fair and balanced system of labour and employment laws that is readily accessible to all stakeholders.

For more information about the Ministry's areas of responsibility and key initiatives, visit the [Ministry of Labour website](#).

Operating Environment

The Ministry of Labour operates in a changing environment shaped by shifting economic conditions and demographics, an increasingly diversified labour market and ever-evolving workplace norms and expectations. The work of the Ministry is also impacted by other factors



such as the growth of the “gig economy”, labour supply challenges, changing demands for, and supply of, foreign workers, as well as increasing cost pressures faced by employers and workers. These challenges have had significant implications for the economy and for employer/employee relations and are expected to have continuing impacts on the Ministry in this reporting cycle.

Economic Statement

B.C.’s economy experienced moderate growth last year amid relatively high interest rates, persistent price pressures and ongoing global economic uncertainty. The labour market ended the year on a positive note, supported by high immigration and strong population growth. Inflation in B.C. continued to moderate as the price growth of goods eased, while inflation for services remained elevated. Consumer spending and home sales activity were weaker for most of 2024 in the wake of still elevated interest rates and high prices. Subdued global demand and lower prices for key commodities led to a decline in the value of the province’s merchandise exports in 2024. Meanwhile, B.C. homebuilding activity remained relatively strong following record high housing starts in 2023.

The Economic Forecast Council (EFC) estimates that B.C. real GDP rose by 1.2 per cent in 2024. In the near-term, the EFC expects B.C.’s economy to grow by 1.8 per cent in 2025 and 1.9 per cent in 2026, in line with the national average. For Canada, the EFC estimates growth of 1.4 per cent in 2024 and projects national real GDP growth of 1.8 per cent in 2025 and 1.9 per cent in 2026. These projections do not fully include the impact of the evolving U.S. tariff situation.

Restrictive global trade policies, particularly potential U.S. tariffs, pose a risk to the outlook and there is uncertainty over the degree and timing of impacts on B.C.’s economy, and among the province’s trading partners. Other risks include lower population growth due to changes to federal immigration policy, as well as the potential for renewed price pressures leading to interest rates remaining elevated for longer, weaker global demand, and commodity market volatility.



Performance Planning

Goal 1: Strong and fair labour laws and standards

Robust labour laws promote fairness, protect vulnerable workers and support world-class worker health and safety outcomes. The Ministry's work towards this goal includes the key strategies set out below, which target priority areas for improvement and provide opportunities for collaboration with workers, employers and Indigenous peoples.

Objective 1.1: Update and modernize B.C. labour laws.

Labour laws require periodic updating to be relevant and responsive to the modern workplace and to support an inclusive, sustainable and innovative economy.

Key Strategies

- Monitor and review the implementation of gig worker protections, including new employment standards and workers' compensation protections introduced in 2024 for app-based ride-hail and delivery services workers. Refine or replace any regulations that are not achieving the intended outcomes.
- Consider input from workers, employers and others on reviewing and updating B.C.'s labour laws to ensure they address priorities identified in modern workplaces, including challenges experienced by workers who face illness, domestic abuse, or exploitation as a result of their conditions of work.
- Continue to work with WorkSafe BC on the prevention of workplace injury or illness, the promotion of safe workplaces to ensure robust compliance and enforcement, and ensure meaningful programs are in place to support the return of injured workers to their workplaces.
- Support the Ministry of Health in examining the impacts of, and potential solutions to, the toxic drug crisis as it relates to identified employee groups.
- Protect and ensure fairness for workers and employers in the application of labour laws through the timely resolution of complaints involving non-compliance with the provincial labour and employment laws.
- Continue to prioritize opportunities for ministry engagement with Indigenous peoples as part of the ongoing effort to implement the *Declaration on the Rights of Indigenous Peoples Act*.

Performance Measures

Performance Measure	2023/24 Actuals	2024/25 Forecast	2025/26 Target	2026/27 Target	2027/28 Target
1 Percentage of Employment Standards Branch complaints resolved within 180 days	35%	32%	80%	80%	80%

Data source: Ministry of Labour Employment Standards Branch internal data.

Discussion

This is a long-established Performance Measure for tracking the percentage of complaints to the Employment Standards Branch resolved within 180 days from the date the complaint was received. Timely investigations align with the purposes of the *Employment Standards Act*, including promoting fair and efficient procedures for resolving disputes over the interpretation and application of the legislation, ensuring compliance with labour laws and protecting vulnerable workers.

The Branch has experienced a significant increase in demand for its services in recent years, the result of several factors and improvements. In 2019, the Ministry removed the Self-Help Kit, which was a barrier to access to justice for workers, making it easier to submit complaints. A new investigation model was implemented, and the statutory recovery period was doubled from six months to one year. The Temporary Foreign Worker Protection Act and the associated Temporary Foreign Worker Registry was also launched. Pandemic response actions – including temporary layoff variances, vaccination leave, and illness and injury leave – also resulted in new work for the Branch. These changes have led to higher complaint volumes, and, in turn, a longer period of time required to assign cases. This is reflected in the reduced forecasts for the number of complaints resolved within 180 days from the date the complaint is received.

In 2023/24, the Branch received a three-year funding lift for additional FTEs. Work is also being undertaken to increase the timely resolution of complaints. For example, the Ministry has developed new, streamlined intake and triage processes to provide better outcomes for workers. Technological improvements have also been made as part of the overall digital transformation strategy, along with enhancements to information gathering to support more efficient and effective investigations.

Goal 2: Ensure that labour laws are communicated and enforced through effective, client-centered service delivery

Through the Workers' Advisers Office (WAO) and Employers' Advisers Office (EAO), continue to promote and increase workers' and employers' knowledge, awareness, and understanding of their rights and responsibilities under the workers' compensation system, with the goal of creating safer workplaces.

The Employment Standards Branch (ESB) educates workers and employers on their rights and obligations under the *Employment Standards Act* and the *Temporary Foreign Worker Protection Act* through its Information Line (including a multi-lingual line); website; online publications; education sessions; and through direct service delivery. Through accessible and effective education, compliance with legislation is enhanced.



Objective 2.1: Continue to implement new/updated processes to improve service delivery.

The Ministry of Labour aims to regularly refine operational systems and procedures to ensure they are delivered efficiently and effectively. We must continually adapt and optimize operations to meet evolving needs of employers and workers in a complex compensation/employment standards/foreign worker protection system.

Key Strategies

- The WAO offers free public training sessions, mentoring and advice to workers, service providers, and stakeholders on the workers' compensation system and is reviewing and updating workflow processes, to optimize operations and ensure consistent quality of service.
- The WAO continues to develop a new Case Management System and redesign of the public interface to more efficiently and effectively serve workers and their representatives. This is estimated to be completed in Fall 2025.
- The EAO provides education to ensure that employers and workers are receiving timely and accurate information, to reflect ongoing legislative, regulatory, and policy changes within the workers' compensation system and to increase their understanding, compliance, and promote safe, healthy and respectful workplaces.
- The EAO is initiating the replacement of the Case Management system to reduce administrative burden, improve client service delivery with modern tools, manage caseloads more effectively, and improve data to better respond to clients' needs within the workers' compensation system.
- The ESB provides free virtual education sessions with workers, employers and licensed entities to ensure these parties are well informed about their obligations and entitlements under the legislation and promote compliance with the law.
- The ESB continues to review, update and improve its digital systems, including its case management system and web-based resources, to maximize operational efficiency and provide high quality information about ESB's statutory interpretation, policy and processes.
- The ESB continues to evaluate and improve direct informational services to the public, as well as complainants and employers, workflow processes, policy interpretation guidelines and service standards to provide fair and efficient procedures for resolving disputes; to encourage open communication between employees and employers; and to ensure compliance with the law.



Objective 2.2: Maintain an effective B.C. Temporary Foreign Worker Protection (TFWPA) Regime

The *Temporary Foreign Worker Protection Act* protects vulnerable temporary foreign workers from harmful hiring practices. It requires recruiters of temporary foreign workers to be licensed and employers of certain temporary foreign workers to be registered and provides for enforcement of legislative requirements.

Key Strategies

- Maintain and enforce the recruiter licensing system.
- Maintain and enforce the employer registration system.
- Maintain the public-facing website to ensure reliable information is available and accessible.

Performance Measures

Performance Measure	2023/24 Actuals	2024/25 Forecast	2025/26 Target	2026/27 Target	2027/28 Target
2a Number of representations completed by Workers' Adviser's Office (WAO) Advisers ¹	2233	2367	Maintain or increase	Maintain or increase	Maintain or increase
2b Number of educational outreach sessions conducted annually by the Employers' Advisers Office (EAO). ²	328	334	Maintain or Improve	Maintain or Improve	Maintain or Improve

Data source:

¹Ministry of Labour, Workers' Advisers Office internal data. Representations are made following an assessment of the merits of the claim and may be either written or verbal submissions to the Review Division of WorkSafeBC or Workers' Compensation Administration Tribunal.

²Ministry of Labour, Employers' Advisers Office internal data.

Performance Measure	2024/25 Forecast	2025/26 Target	2026/27 Target	2027/28 Target
2c Number of proactive investigations undertaken under the Temporary Foreign Worker Protection Program	12	Maintain or improve	Maintain or improve	Maintain or improve

Data source: Employment Standards Branch data.

Discussion

The number of representations completed by WAO advisors is a new performance measure, replacing the former measure of number of community outreach sessions conducted annually by WAO advisors. The shift from community outreach to individual representation better aligns with WAO's mission to support workers under the *Workers' Compensation Act*. Providing workers and their dependents with free advice, assistance, and in some cases representation, on appeals has an immediate impact, resolving disputes, and ensuring fairness in the workers' compensation system. Advisers can empower workers by strengthening awareness and educating them on their legal rights and responsibilities and promote equity and compliance. This change reflects a commitment to impactful, proactive support for workers.

The EAO education sessions ensure that employers and workers are receiving timely and accurate information, to reflect ongoing legislative, regulatory, and policy changes within the workers' compensation system and to increase their understanding, compliance, and promote safe, healthy and respectful workplaces. The sessions also promote the services of the EAO including advice, representation, and education for employers so they will be better equipped to navigate the complex processes and obligations associated with the workers' compensation system.

Proactive investigations of employers that hire foreign workers and of agencies that recruit foreign workers are a key feature of ensuring that the *Temporary Foreign Worker Protection Act* is effective in protecting vulnerable foreign workers. This performance measure reflects an important aspect of the Ministry's priority described above in objective 2.2. The Branch's current priority and focus is on investigating active foreign worker complaints to ensure those vulnerable workers are protected and receive effective service. Hence the baseline target moving forward for proactive work is 12 proactive investigations.



Financial Summary

(\$000s)	2024/25 Restated Estimates ¹	2025/26 Estimates	2026/27 Plan	2027/28 Plan
Operating Expenses				
Labour Programs	23,322	23,903	23,903	23,903
Executive and Support Services	2,085	2,083	2,083	2,083
Total	25,407	25,986	25,986	25,986
Capital Expenditures				
Labour Programs	3	3	3	3
Total	3	3	3	3

¹ For comparative purposes, amounts shown for 2024/25 have been restated to be consistent with the presentation of the 2025/26 *Estimates*.

* Further information on program funding and vote recoveries is available in the [Estimates and Supplement to the Estimates](#).



Appendix A: Public Sector Organizations

As of March 4, 2025, the Minister of Labour is responsible and accountable for the following organizations:

WorkSafeBC

WorkSafeBC is an agency established under the *Workers Compensation Act* with the mandate to oversee a no-fault insurance system for workplace injuries, illnesses and fatalities. WorkSafeBC partners with employers and workers in B.C. to: promote the prevention of workplace injury and illness; rehabilitate those who are injured and provide timely return to work; provide fair compensation to replace workers' loss of wages while recovering from injuries; and ensure sound financial management for a viable workers' compensation system.

The Workers' Compensation Appeal Tribunal

The Workers' Compensation Appeal Tribunal is the final level of appeal in the workers' compensation system of B.C. and is independent of WorkSafeBC. The Tribunal is established under the *Workers Compensation Act*.

The Labour Relations Board

The Labour Relations Board is an independent, administrative tribunal established under the *Labour Relations Code* with the mandate to mediate and adjudicate employment and labour relations matters related to unionization and unionized workplaces.

The Employment Standards Tribunal

The B.C. Employment Standards Tribunal is an administrative tribunal established under the Employment Standards Act. The Tribunal conducts appeals of determinations issued by the Director of Employment Standards under the Employment Standards Act and under the Temporary Foreign Worker Protection Act.



Appendix B: Minister Mandate Letter

