

# Ministry of Labour

## 2010/11 – 2012/13 SERVICE PLAN

March 2010



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Ministry of Labour  
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## Message from the Minister and Accountability Statement



I am pleased to present the *2010/11 – 2012/13 Service Plan* on behalf of the Ministry of Labour. On June 10, 2009 I was appointed Minister of Labour, a new ministry whose vision is: –safe, healthy and fair workplaces where employers and workers prosper and contribute to BC’s economic growth and prosperity.”

The Ministry of Labour is committed to providing British Columbians with a stable and safe labour environment. The *2010/11 – 2012/13 Service Plan* explains in detail how we will achieve these goals.

A stable labour environment is critical to helping maintain British Columbia’s economy during the current global economic shift. Labour sets the framework within which effective, mutually beneficial, healthy labour and employment relationships can flourish. My ministry places significant emphasis on fairness and balance, and actively promotes mutually beneficial relationships by seeking out alternatives to traditional adjudication and dispute resolution, where appropriate.

It is vitally important that where the ministry is called upon to exercise its legal authority in the workplace, it is seen to be operating with a high degree of fairness and integrity. Equally important is that British Columbia’s labour laws balance the interests of workers and employers and promote economic prosperity. We remain committed to maintaining safe and healthy workplaces through WorkSafeBC, which continues to work with industry partners and workers to promote safety. We want to ensure that the ministry’s programs and services are accessible and deliver positive results, including fair treatment for workers and employers, timely resolution of disputes, encouraging positive workplace relationships and strengthening the economy.

I am grateful to all ministry staff for the dedication and professionalism they demonstrate every day. I look forward to the privilege of working with them to achieve these goals.

The *Ministry of Labour 2010/11 – 2012/13 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. All material fiscal assumptions and policy decisions as of February 17, 2010 have been considered in preparing the plan and I am accountable for the basis on which the Service Plan is prepared and for achieving the specific objectives in the Plan.

A handwritten signature in black ink that reads "Murray Coell". The signature is written in a cursive, flowing style.

Hon. Murray Coell  
Ministry of Labour  
February 17, 2010

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## Purpose of the Ministry

The Ministry of Labour provides services to employees, employers, unions, and businesses in British Columbia to support a modern and stable work environment, while ensuring that all of Labour's interactions with clients and stakeholders uphold the highest standards of government-wide, citizen-centred service commitments.

The Ministry of Labour sets the framework within which effective, mutually beneficial, healthy labour and employment relationships can flourish. In this context, the Ministry of Labour has overall responsibility for British Columbia's labour and employment statutes – including the *Labour Relations Code*, the *Employment Standards Act*, and the *Workers Compensation Act* – and for the effective administration and enforcement of those statutes. Three independent tribunals — the Labour Relations Board, the Employment Standards Tribunal, and the Workers' Compensation Appeals Tribunal — also fall within the ministry's overall responsibility in the administration and enforcement of these statutes.

The Employment Standards Branch and Labour's three administrative tribunals are involved in managing complaints and issues that have been brought before them. 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. The Ministry of Labour also actively promotes mutually beneficial relationships by seeking out alternatives to traditional adjudication and dispute resolution, where appropriate.

Educational services and initiatives, provided by the Employment Standards Branch and by the Employers' Advisers Office and Workers' Advisers Office, increase understanding of and compliance with the *Employment Standards Act* and *Workers Compensation Act*.

The Ministry of Labour conducts its business in a manner that is consistent with and upholds government's vision, mission and values as identified in the Province of British Columbia's Strategic Plan.

## Strategic Context

The Economic Forecast Council estimates that British Columbia's real GDP contracted by 2.6 per cent in 2009. The Council projects a return to growth for BC in 2010 and 2011, with real GDP expected to increase by 2.9 per cent and 3.1 per cent, respectively, in those years. Risks to BC's economic outlook include a double-dip recession originating in the US, slower than anticipated global demand resulting in reduced demand for BC's exports, a Canadian dollar valued above the current forecast, and further weakening of the US dollar resulting in significant disruptions to global commodity and financial markets.

The Ministry of Labour faces opportunities and challenges in the pursuit of its mandate over the next three years. The goals, objectives and strategies identified in this Service Plan will mitigate risks, address key challenges, and maximize opportunities.

### Challenges

- Current economic uncertainty may place a future strain on employment relationships as industry seeks ways to decrease costs which may in turn lead to challenges for negotiations between employers and unions, and/or an increased risk to occupational health and safety.
- In 2010 the vast majority of public sector collective agreements, covering close to 200,000 employees, will expire, requiring an increased focus on monitoring negotiations and providing assistance to the parties where necessary, to promote negotiated settlements, encourage labour stability, and protect the public interest
- Response to labour shortages in British Columbia has increased access to more diverse labour pools, including temporary foreign workers and young, less experienced workers. These vulnerable workers pose an increased challenge for the Employment Standards Branch and WorkSafeBC, both of which have implemented initiatives designed to assist and protect them.
- Workplace fatalities and serious injuries in high hazard sectors such as forestry, construction and mining require a continued emphasis on injury prevention and occupational health and safety initiatives.

### Opportunities

- The Ministry of Labour enables a stable labour relations climate through policies and legislation that support the development of a productive and efficient labour force, safe workplaces, and basic standards of compensation and conditions of employment. A stable labour relations climate fosters economic stability which attracts investors and employers to our great province.
- The legislative framework encompassing the ministry's labour and employment statutes recognizes that one size does not fit all in a modern and changing work environment. It provides the foundation for strengthening the economy and diversification through fair and balanced laws and regulations.

- The Ministry of Labour actively promotes mutually beneficial relationships by seeking out alternatives to traditional adjudication and dispute resolution, where appropriate. The premise is that the parties are best served by making use of every available means of resolving complaints or disputes before they escalate into either complex litigation or strikes and lockouts.
- The quality of employment relationships – as measured by indicators such as days lost due to strike activity, the safety of the Province's workplaces, and how well employers and workers understand and meet or exceed the province's minimum labour standards – remains a priority for the Ministry of Labour.
- Citizen-centred service improvements and proactive initiatives, such as improving service timeliness and providing workers' compensation and employment standards information in multiple languages, will help lay the groundwork for ongoing labour stability and prosperity.
- A focus on prevention, including education, serves to increase compliance with laws and regulations.



# Goals, Objectives, Strategies and Performance Measures

The Ministry of Labour works to create safe, healthy and fair workplaces where employers and workers prosper and contribute to British Columbia's economic growth and prosperity.

A Ministry Service Plan establishes priorities for addressing opportunities and challenges in the 2010/11 fiscal year. Three goals govern the Ministry's day-to-day operations:

- 1 – Balanced Law and Policy;
- 2 – Outstanding People;
- 3 – Service Excellence.

The goals, objectives, and strategies of the *2010/11-2012/13 Service Plan* align with the Ministry's internal operations while maintaining the external focus critical to the organization's success in serving the public.

The objectives translate each goal into more specific desired outcomes. The strategies describe the key activities and initiatives that will be implemented in order to achieve the desired objectives. The performance measures linked to each objective are indicators of the progress being made to address a specific issue or priority.



Three-year targets have been set for each performance measure. The baseline year for the majority of measures has been set as 2004/05. Internal benchmarks are used to set targets because, in most cases, national standards do not exist.

## Goal 1: Balanced Law and Policy

### Objective 1.1: Labour laws and policies responsive to, and supportive of, the evolving world of work

The Ministry of Labour's legislation, policy and services are designed to protect the health and well-being of British Columbia's workers, foster fairness, ensure appropriate protections, supports and remedies are available, and promote labour stability. In order to maintain these outcomes, the law, regulations and processes must keep pace with changes in the labour and health and safety environment.



**Key strategies:**

- Review ministry's law and policy in light of the evolving world of work.
- Create dialogue between the ministry and stakeholders in the employer and worker communities so that critical employment and labour relations issues are addressed in a timely, effective and mutually beneficial manner and in a way that promotes labour stability.
- Ensure that the principles of early intervention are applied, where necessary and appropriate, in collective bargaining and in the disposition of employment standards complaints.
- Develop new initiatives, and continue with existing initiatives, aimed at maintaining and improving accessibility of Labour Relations Board services to all parties.

**Objective 1.2: Clients and stakeholders have knowledge of and understand labour requirements and processes**

In order to achieve our objective of employment and labour laws and policies being responsive to and supportive of the evolving world of work, it is imperative that employers, workers, and other stakeholders are knowledgeable about workplace requirements, conflict resolution processes, and how to access them.

**Key strategies:**

- Ensure access to a responsive and efficient Labour Relations Board to address issues in the unionized workplace as regulated by the Labour Relations Code.
- Provide educational initiatives that provide comprehensive information on employment standards.
- Provide direct workers' compensation assistance, guidance and service to workers and employers.
- Provide training, mentoring and coaching of the labour community and employers with regard to workers' compensation issues to create safer, more effective workplaces and protect vulnerable workers.

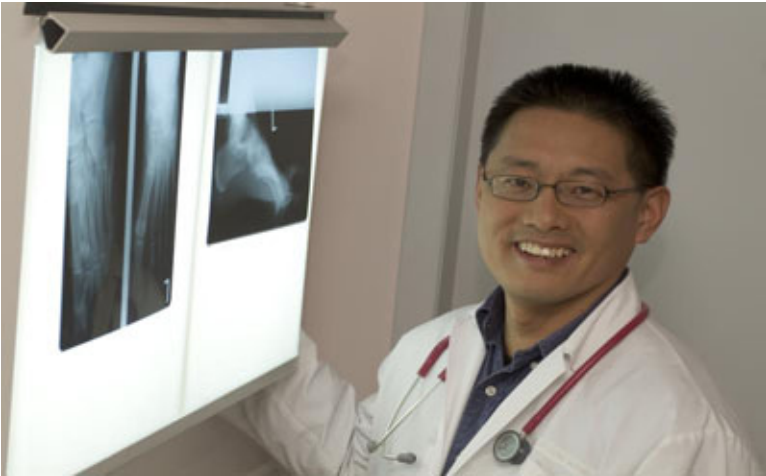
**Performance Measure 1: Percentage of employers whose employment practices resulted in no complaints being registered with the Employment Standards Branch**

Performance Measure	2004/05 Baseline	2009/10 Forecast	2010/11 Target	2011/12 Target	2012/13 Target
Percentage of employers whose employment practices resulted in no complaints being registered with the Employment Standards Branch	97.7%	96.5 - 98.5%	96.5 - 98.5%	96.5 - 98.5%	96.5 - 98.5%

**Data Source:** Employment Standards Branch Case Management System and BC STATS.

**Discussion**

This performance measure is an important indicator of labour stability within the province, which reflects the ministry’s focus on prevention, labour stability and competitiveness. The performance measure is determined by dividing the total number of complaints filed with the Employment Standards Branch within a fiscal year by the total number of business establishments with employees



throughout the province. A high percentage of employers without employee complaints registered with the Employment Standards Branch suggests a stable labour climate within the province, which in turn attracts investors, thus promoting continued economic growth and prosperity. While there are no specific national benchmarks for this performance measure, other jurisdictions within Canada have also adopted this measure as a means to track labour stability.

The measure is derived from two sources: Employment Standards Branch data which shows the number of employers who are the subject of one or more employment standards complaints over the course of a fiscal year; and BC STATS data on the total number of business establishments with employees over the same period.

The expectation is that educational and compliance initiatives, particularly in those sectors where vulnerable workers are most likely to be employed, will maintain the percentage of employers whose practices do not result in complaints being registered with the Branch at their current high levels.

It should be noted that the target range for this measure has not increased, as it continues to reflect an ambitious and appropriate target for labour stability in our province.

**Performance Measure 2: Person-days lost due to strike/lockout activity in British Columbia relative to Canada as a whole (Three-year moving average)**

Performance Measure	2004/05 Baseline	2009/10 Forecast	2010/11 Target	2011/12 Target	2012/13 Target
Person-days lost due to strike/lockout activity in British Columbia relative to Canada as a whole	0.96	0.95 - 1.05	0.95 - 1.00	0.95 - 1.00	0.95 - 1.00

Data Source: Government of Canada.

## Discussion

This measure is an indicator of the relative degree of labour peace in British Columbia compared to Canada as a whole, and strongly reflects Labour's focus on labour stability and competitiveness. The measure shows the number of person-days lost due to strikes and lockouts as a proportion of the British Columbia labour force, and compares this with the number of person-days lost across the entire country as a proportion of the Canadian labour force.

A score of 1.0 suggests that the degree of labour stability in British Columbia is on par with Canada as a whole, with a score of less than 1.0 indicating relative labour stability (fewer days lost per capita) compared with the rest of Canada and a score of greater than 1.0 indicating relative labour instability.

## Goal 2: Outstanding People

### Objective 2.1: Highly engaged, qualified people to deliver our services now and into the future

#### Key strategies:

- Support a high-performance, service-oriented culture.
- Support and promote health and wellness.
- Increase employee engagement by building leadership and relationships.
- Maintain and enhance the level of expertise of staff by providing professional development, subject to budgetary considerations.
- Address expected labour market shortages by continuing with such initiatives as the Labour Relations Internship program.



## Goal 3: Service Excellence

### Objective 3.1: Accessible, reliable, and timely adjudicative services

Timely, accurate and quality decisions are critical in ensuring that a fair and effective legislative process exists and the successful delivery of ministry programs and services is achieved.

#### Key strategies:

- Continue to improve the efficiency and effectiveness of the Employment Standards Branch decision-making process through access to clear policy direction, sharing of best practices, and the development and delivery of appropriate training.

- Ensure that the Employment Standards Branch continues to meet or exceed established timeline targets for cases.
- Ensure that systems are in place to track productivity and adherence to timeline targets for administrative tribunals.
- Establish timelines and a baseline for the disposition of cases before the Labour Relations Board, with a performance measure to be implemented in the next year.
- Continue with initiatives focused on ensuring the efficiency and responsiveness of the workers' compensation appeal system.

**Performance Measure 3: Percentage of Employment Standards Branch cases completed within 180 days**

**Discussion**

Previous service plans included two measures for this goal that addressed the percentage of Employment Standards Branch determinations overturned by the Employment Standards Tribunal and the proportion of Employment Standards Branch cases closed prior to adjudication. These measures are no longer meaningful, because targets were significantly exceeded since 2006/07.

Instead, the ministry will be creating a performance measure that presents timeliness indicators for the Employment Standards Branch. It will be based upon case management statistics and be calculated by dividing the number of cases where a final decision is issued by the total number of cases registered.

**Objective 3.2: Innovative early intervention processes**

Early intervention and the use of alternative dispute resolution processes support the timely, effective and fair resolution of complaints and disputes, which promotes overall compliance with labour legislation and fosters stability in labour relations. Labour continues to garner the support of essential stakeholders in innovative dispute resolution processes and initiatives.

**Key strategies:**

- Encourage the use of early intervention and alternative dispute resolution methods such as self-help, mediation and relationship building.
- Offer conflict resolution programs to the labour relations community that focus on team building, joint consultation committee effectiveness, and relationship enhancement, to promote and encourage cooperative participation in resolving workplace issues between employers and unions.
- Use education and proactive measures to facilitate and promote the use of early intervention and alternative dispute resolution in support of the complaint resolution model for employment standards (self-help materials and mediation prior to adjudication).

- Ensure that sector-specific initiatives undertaken by the Employment Standards Branch, such as the Inter-Agency Committee on Farm Worker Protection, foster mutual co-operation between government, industry and employees, particularly as they relate to vulnerable workers.
- Promote use of early intervention and early dispute resolution in the workers' compensation system (including self-help materials and merit assessments).

**Objective 3.3: Increased client and stakeholder satisfaction through open and effective communication**

Increased satisfaction arises from increased understanding, trust and respect. The success of these values relies upon open and effective communication.

**Key strategies:**

- Continue with initiatives to provide services in other languages.
- Create survey to measure overall client satisfaction with the Employment Standards Branch.
- Continue with the bi-annual Employers' Advisers Office and Workers' Advisers Office surveys, which measure overall client satisfaction.

**Performance Measure 4: Percentage of client satisfaction with the Employment Standards Branch**

**Discussion**

The ministry will be creating a new performance measure to assess how satisfied clients are with the services provided by the Employment Standards Branch. The measure will be based on responses to a client satisfaction survey to be conducted in 2010.

**Performance Measure 5: Percentage of client satisfaction with Employers' Advisers Office and Workers' Advisers Office**

Performance Measure	2004/05 Baseline	2009/10 Forecast	2010/11 Target	2011/12 Target	2012/13 Target
Percentage of respondents satisfied or very satisfied with Employers' Advisers Office (EAO)	90%	> or = 90%	> or = 90%	> or = 90%	> or = 90%
Percentage of respondents satisfied or very satisfied with Workers' Advisers Office (WAO)	73%	> or = 80%	> or = 80%	> or = 80%	> or = 80%

Data Source: Scores from biannual surveys of the Employers' Advisers Office and Workers' Advisers Office

**Discussion**

This measure demonstrates how satisfied clients are with the services provided by the Employers' Advisers Office and the Workers' Advisers Office. The measure is based on client satisfaction surveys conducted biannually; the next surveys are to be conducted in 2011.

# Resource Summary

## Resource Summary Table

Core Business Area	2009/10 Restated Estimates <sup>1</sup>	2010/11 Estimates	2011/12 Plan	2012/13 Plan
<b>Operating Expenses (\$000)</b>				
Labour Programs .....	14,110	13,480	12,730	12,730
Executive and Support Services .....	3,242	2,980	2,891	2,891
<b>Total .....</b>	<b>17,352</b>	<b>16,460</b>	<b>15,621</b>	<b>15,621</b>
<b>Ministry Capital Expenditures (Consolidated Revenue Fund) (\$000)</b>				
Labour Programs .....				
Executive and Support Services .....	1,600	1,003	1,003	52
<b>Total .....</b>	<b>1,600</b>	<b>1,003</b>	<b>1,003</b>	<b>52</b>

<sup>1</sup> Amounts have been restated, for comparative purposes only, to be consistent with Schedule A of the 2010/11 *Estimates*. The 2009/10 restated estimates reflect a change in funding model for corporately provided operations support such as accommodation, most information technology, freedom of information, corporate accounting services, payroll, and corporate sustainability. Funds previously held in Ministries for these activities were centralized into Shared Services BC, the existing service delivery body for these services.

# Ministry Contact Information

Department		Telephone	Website
Labour Relations Board		604 660-1300	<a href="http://www.lrb.bc.ca">www.lrb.bc.ca</a>
Employment Standards Office		General Inquiries: 1 800 663-3316*; in Prince George: 250 612-4100	<a href="http://www.labour.gov.bc.ca/esb/">www.labour.gov.bc.ca/esb/</a>
Employment Standards Tribunal		604 775-3512	<a href="http://www.bcest.bc.ca">www.bcest.bc.ca</a>
Workers' Compensation Appeal Tribunal		604 664-7800	<a href="http://www.wcat.bc.ca">www.wcat.bc.ca</a>
		1 800 663-2782*	
WorkSafeBC		1 888 621-SAFE (7233)*	<a href="http://www.worksafebc.com">www.worksafebc.com</a>
		1 866 WCB-HELP (922-4357) after hours*	
Location	Employment Standards Branch Office	Employers Advisers Offices	Workers' Advisers Offices
Abbotsford		604 870-5492	604 870-5488
		1 866 870-5492*	1 888 295-7781*
Campbell River			250 830-6526
Dawson Creek	250 784-2390		1 888 643-0013*
Kamloops		250 828-4397	250 371-3860
		1 866 301-6688**	1 800 663-6695*
Kelowna	250 861-7404	250 717-2050	250 717-2096
		1 866 855-7575**	1 866 881-1188*
Langley	604 513-4635		
Nanaimo	250 390-6186	250 741-5500	250 741-5504
		1 866 827-2277**	1 800 668-2117*
Nelson	250 354-6550	250 354-6139	250 354-6933
		1 877 877-5524**	1 866 354-6933*
Prince George	250 565-6120	250 565-5285	250 565-4280
		1 888 608-8882**	1 800 263-6066*
Richmond	604 660-4946	604 713-0303	604 713-0360
		1 800 952-2233**	1 800 663-4261*
Terrace	250 638-6525		
Victoria	250 952-0469	250 952-4821	250 952-4893
		1 800 663-8783**	1 800 661-4066*

\* Toll-Free in B.C.

\*\*Toll-Free in B.C. and Alberta



## **Additional Information**

Please visit our website at: [www.labour.gov.bc.ca/pubs/service\\_plan.htm](http://www.labour.gov.bc.ca/pubs/service_plan.htm) to view the following appendices:

**Glossary of Terms**

**List of Crowns, Agencies, Boards and Commissions**

**List of Legislation Administered by the Ministry**