

# Ministry of Labour

## 2020/21 – 2022/23 SERVICE PLAN

February 2020



## Minister Accountability Statement



The *Ministry of Labour 2020/21 - 2022/23 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 "H. Bains". The signature is written in a cursive style and is positioned above a horizontal line.

Honourable Harry Bains  
Minister of Labour  
February 5, 2020

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## 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 recently established *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 also 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 Ministry also administers programs that support displaced forest workers impacted by mill closures and curtailments.

The Employment Standards Branch and the Ministry's three administrative tribunals are involved in managing 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.

The [Bridging to Retirement Unit](#) provides support to displaced Interior B.C. forest workers by assisting mill workers who are 55 or older transition to retirement. The [Job Placement Coordination Offices](#) offer individualized assistance to displaced forest workers, contractors and owner/operators to access government services and programs and to match forest workers with job opportunities.

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

## Strategic Direction

The Government of British Columbia remains focused on its three strategic priorities: making life more affordable, delivering better services, and investing in a sustainable economy.

Ministries are actively working to provide quality, cost-effective services to British Columbia families and businesses. By adopting the Gender-Based Analysis Plus (GBA+) lens and Business and Economic Implications Framework to budgeting and policy development, Ministries will ensure that equity is reflected in budgets, policies and programs.

Additional key initiatives underpinning lasting prosperity in 2020/21 and beyond are the implementation of:

- A Framework for Improving British Columbians' Standard of Living which will provide the foundation for quality economic growth in our province and a pathway to a more inclusive and prosperous society;
- The *Declaration on the Rights of Indigenous Peoples Act* and the Truth and Reconciliation Commission Calls to Action, demonstrating support for true and lasting reconciliation; and,

- The CleanBC plan, putting B.C. on the path to a cleaner, better future – with a low carbon economy that creates opportunities while protecting our clean air, land and water.

The Economic Forecast Council (EFC) expects B.C.'s real GDP to grow by 2.4 per cent in 2020 and 2.3 per cent in 2021. Meanwhile for Canada, the EFC projects national real GDP growth of 1.7 per cent in 2020 and 1.8 per cent in 2021. As such, B.C.'s economic growth is expected to outperform Canada's in the coming years. Risks to B.C.'s economic outlook include ongoing uncertainty regarding global trade policies and weak global economic activity, as well as lower commodity prices and slower domestic economic growth. Meanwhile, Liquefied Natural Gas development in the province is expected to have a positive impact on B.C.'s economy.

This 2020/21 service plan outlines how the Ministry of Labour will support the government's priorities, including selected action items identified in the July 2017 Minister's [Mandate Letter](#). Over the previous fiscal year, the Ministry of Labour made progress on these priorities by:

- Amending the *Employment Standards Act* to better protect children, improve access to and enforcement of employment rights and to extend job protection to workers dealing with domestic or sexual violence.
- Amending the *Labour Relations Code* to implement recommendations put forward by an independent review panel after a thorough public consultation and engagement process.
- Amending the *Workers Compensation Act* to extend the firefighter presumptions to fire investigators, forest fire fighters and firefighters employed by Indigenous organizations.
- Initiating a project to modernize the Employment Standards System for all clients, to make services more accessible and to increase proactive enforcement and educational outreach.
- Implementing the GBA+ tool in the development of legislation and policy as well as in the delivery of front-line services.
- Bringing into force a new mandatory licensing requirement for foreign worker recruiters under the *Temporary Foreign Worker Protection Act* and establishing a public-facing, searchable registry of recruiters to improve the protection of foreign workers in B.C.
- Launching, in October 2019, two new programs to support displaced forest workers: an Early Retirement Bridging Program for mill workers in B.C.'s Interior and a Job Placement Coordination Office in five impacted communities to help forest workers access government services and programs and to track individual outcomes.

The following performance plan outlines how the Ministry of Labour will continue to track progress on key mandate letter commitments and other emerging government priorities.

## Performance Planning

**Goal 1: Strong and fair labour laws and standards that: reflect the changing nature of workplaces; support a growing, sustainable and innovative economy; protect vulnerable workers; and ensure world-class worker health and safety**

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

### Key Strategies:

- Monitor changes made to the *Labour Relations Code* in Spring 2019 and implement any associated regulation changes necessary to ensure the implementation of the legislative amendments.
- Review and develop options provided by recent formal reviews, to improve the workers' compensation system.
- Develop regulations to ensure the successful implementation of Spring 2019 amendments to the *Employment Standards Act*.
- Continue to support the work of the Fair Wages Commission and implement ongoing commitments to increase the minimum wage and consider any further recommendations on strategies to narrow the gap between minimum wage and living wages.

Performance Measure	2019/20 Forecast	2020/21 Target	2021/22 Target	2022/23 Target
1.1 Percentage of Employment Standards Branch complaints resolved within 180 days <sup>1</sup>	85%	Greater than 85%	Greater than 85%	Greater than 85%

<sup>1</sup> Data Source: Ministry of Labour Employment Standards Branch internal data.

### Linking Performance Measure to Objective:

Meeting the targets provides evidence to the Ministry that the ongoing updating and modernization of B.C. labour laws is successful. A complaint under the *Employment Standards Act* indicates a worker's view that the minimum legal standards are not being correctly applied in a workplace. A high percentage of complaints that are resolved within the 180-day time period reflects the Ministry's success in establishing clear expectations for workers and employers based on laws that are responsive and relevant to the modern workplace. A target to resolve 85 per cent of disputes within 180 days provides fairness and certainty to workers and employers and ensures that disputes do not linger in the workplace or after an employment relationship is terminated.

This is a long-established performance measure for the Employment Standards Branch. The branch is currently undertaking a review of its complaints resolution processes as part of a business transformation. The Ministry anticipates that this review will result in a new performance measure for future years.

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

**Objective 2.1: Develop new and update existing Ministry processes to improve service delivery**

**Key Strategies:**

- Continue to enhance multi-language service delivery.
- Broaden training and outreach efforts to a wide array of service providers and stakeholders in the workers’ compensation system, including enhanced Indigenous client outreach.
- Provide customized education and outreach services to improve compliance with labour legislation.
- Continue to implement new collections procedures aimed at improving collections outcomes on new employment standards complaints.
- Establish a proactive enforcement unit within the Employment Standards Branch that will focus on industries and sectors with high complaint volumes.

Performance Measure	2019/20 Forecast	2020/21 Target	2021/22 Target	2022/23 Target
2.1a Number of community outreach sessions conducted annually by the Workers’ Advisers Office (WAO) <sup>1</sup>	20	Maintain or Improve	Maintain or Improve	Maintain or Improve
2.1b Number of educational outreach sessions conducted annually by the Employers’ Advisers Office (EAO) <sup>2</sup>	450	460	470	Maintain or Improve

<sup>1</sup> Data Source: Ministry of Labour, Workers’ Advisers Office internal data.

<sup>2</sup> Data Source: Ministry of Labour, Employers’ Advisers Office internal data.

**Linking Performance Measures to Objective:**

- 2.1a WAO regional community outreach sessions are part of the Ministry’s efforts in improving service delivery in that they directly assist workers in becoming more aware and knowledgeable by providing information on the workers’ compensation system and claims issues.
- 2.1b EAO educational outreach sessions are part of the Ministry’s efforts in improving service delivery in that they serve to directly promote awareness and understanding among employers of occupational health and safety requirements as well as the province’s workers’ compensation system. In addition, these sessions can assist employers in meeting their regulatory training requirements both under the *Workers Compensation Act* and Occupational Health and Safety Regulations.

**Objective 2.2: Establish and implement an effective B.C. Temporary Foreign Worker Protection Regime**

**Key Strategies:**

- Bring the *Temporary Foreign Worker Protection Act* (TFWPA) into force.
- Develop regulations to support the TFWPA.
- Establish the recruiter licensing regime.
- Establish the employer registration system.
- Establish a public-facing website to ensure reliable information is available and accessible.

Performance Measure	2019/20 Forecast	2020/21 Target	2021/22 Target	2022/23 Target
2.2 Number of proactive investigations undertaken under the TFWPA <sup>1</sup>	5 based on partial-year data	Baseline to be established	To be determined	To be determined

<sup>1</sup> Data Source: Employment Standards Branch data.

**Linking Performance Measure to Objective:**

Proactive investigations of employers that hire foreign workers and of agencies that recruit foreign workers will be a key feature of ensuring the TFWPA is effective in protecting vulnerable foreign workers. Proactive investigations are evidence-based inquiries that utilize complaints data to identify economic sectors with high levels of non-compliance, as well as routine and random auditing.

Baseline data for both 2019/20 and 2020/21 will be based on a partial year as these are new programs which were established in 2019/20 and will be coming into operation over 2020/21.

**Goal 3: Support displaced forest workers facing forest sector rationalization**

The B.C. government is providing a suite of supports for Interior B.C. forest workers, contractors, employers and communities impacted by indefinite and permanent mill closures. Over a three-year period, these programs will help support strong, resilient families and communities and maximize forest sector skills retention. The latter half of 2019/20 involved the design, development and implementation of several temporary programs, while the focus will be on implementation throughout 2020/21 and into 2021/22.

**Objective 3.1: Implement temporary programs to create and find vacancies for displaced forest workers**

**Key Strategies:**

- Implement and administer an Early Retirement Bridging Program to transition older workers to retirement and create vacancies in working mills.
- Implement and administer a Job Placement Coordination Office Program to help displaced forest workers access government programs and services.



- Implement and administer a Job Match Program to provide workers with customized opportunities based on their skills, experience and interests and to provide employers with access to experienced forest workers.
- Work collaboratively with other ministries to connect displaced forest workers with industry needs for employment opportunities on provincial projects.

Performance Measure	2019/20 Forecast	2020/21 Target	2021/22 Target	2022/23 Target
3.1 Number of applications to the Bridging to Retirement Program with funding offers issued <sup>1</sup>	150 (based on partial year data)	To be determined	To be determined	Program expected to be completed
3.2 Number of displaced forest workers who accessed Job Placement Coordination Office services <sup>1</sup>	200 (based on partial year data)	To be determined	To be determined	Program expected to be completed

<sup>1</sup> Data Source: Bridging to Retirement Program and Job Placement Coordination Office data.

### Linking Performance Measure to Objective:

- 3.1 There are two streams to the Early Retirement Bridging Program: one for impacted mill workers and one for older workers not impacted but voluntarily wishing to retire from a working mill to create a vacancy for a younger, impacted worker. The number of applications with funding offers is a direct measure of the number of people who will benefit from the bridging benefit.
- 3.2 The Job Placement Coordination Offices deliver key services aimed at connecting displaced workers with existing government programs and services in collaboration with other ministries, facilitating the employment of displaced workers within the forest sector and other industries to keep communities strong and maximize forest sector skill retention. The Job Placement Coordination Offices also support displaced forest workers to access opportunities in B.C.'s provincial projects. The number of displaced forest workers who access these services is a direct measure of the number of people who have benefited from these services.

Note: [Programming](#) to support displaced forest workers is funded through the Ministry of Forests, Lands, Natural Resources Operations and Rural Development.

## Resource Summary

Core Business Area	2019/20 Restated Budget <sup>1</sup>	2020/21 Estimate	2021/22 Plan	2022/23 Plan
<b>Operating Expenses (\$000)</b>				
<b>Labour Programs</b>	14,910	15,642	15,770	15,770
<b>Executive and Support Services</b>	1,539	1,543	1,552	1,552
<b>Total</b>	<b>16,449</b>	<b>17,185</b>	<b>17,322</b>	<b>17,322</b>
<b>Ministry Capital Expenditures (Consolidated Revenue Fund) (\$000)</b>				
<b>Labour Programs</b>	55	3	3	3
<b>Total</b>	<b>55</b>	<b>3</b>	<b>3</b>	<b>3</b>

<sup>1</sup> For comparative purposes, amounts shown for 2019/20 have been restated to be consistent with the presentation of the 2020/21 Estimates.

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

## Appendix A: Agencies, Boards, Commissions and Tribunals

### [WorkSafeBC](#)

WorkSafeBC is established by provincial legislation as an agency with the mandate to oversee a no-fault insurance system for the workplace. WorkSafeBC partners with employers and workers in B.C. to: promote the prevention of workplace injury, illness, and disease; 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 [Labour Relations Board](#)

The Labour Relations Board is an independent, administrative tribunal with the mandate to mediate and adjudicate employment and labour relations matters related to 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*. The Tribunal may also reconsider any order or decision it makes.

### 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.