

# Ministry of Labour

## 2021/22 – 2023/24 SERVICE PLAN

April 2021



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>

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## Minister's Accountability Statement



The *Ministry of Labour 2021/22 – 2023/24 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, appearing to read 'H. Bains', with a horizontal line underneath.

Honourable Harry Bains  
Minister of Labour  
April 2, 2021

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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 *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 Ministry is also currently administering 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

In 2021/22 British Columbians continue to face significant challenges as a result of the global COVID-19 pandemic. The Government of British Columbia is continually evolving to meet the changing needs of people in this province. Government has identified five foundational principles that will inform each ministry's work and contribute to COVID recovery: putting people first, lasting and meaningful reconciliation, equity and anti-racism, a better future through fighting climate change and meeting our greenhouse gas reduction commitments, and a strong, sustainable economy that works for everyone.

The COVID-19 pandemic significantly reduced economic activity in B.C. in 2020. The ongoing evolution and economic cost of the pandemic on B.C. and its trading partners remains highly uncertain. The Economic Forecast Council (EFC) estimates a 5.1 per cent decline in B.C. real GDP in 2020 and expects growth of 4.9 per cent in 2021 and 4.3 per cent in 2022. Meanwhile for

Canada, the EFC projects national real GDP growth of 4.7 per cent in 2021 and 4.2 per cent in 2022, following an estimated decline of 5.4 per cent in 2020. As such, B.C.'s economic growth is expected to outperform Canada's in the coming years. The pandemic has increased risks to B.C.'s economic outlook, such as the timing of the global vaccination rollout, extended travel restrictions, a weaker global recovery, and the continued impact of a slower recovery in some sectors of the B.C. economy. Further risks include ongoing uncertainty regarding global trade policies and lower commodity prices.

This 2021/22 service plan outlines how the Ministry of Labour will support the government's priorities including the foundational principles listed above and selected action items identified in the November 2020 [Minister's Mandate Letter](#).

## Performance Planning

**Goal 1: Strong and fair labour laws and standards that: respond to the rise of the gig<sup>1</sup> economy and increased precarious work; support an inclusive, 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

- Support the Parliamentary Secretary for the New Economy to work with labour and business organizations to develop a precarious work strategy that reflects modern workplaces' diverse needs and unique situations.
- Review and develop options provided by recent formal reviews, to improve the workers' compensation system.
- Continue a collaborative approach in working with representatives of workers and employers to address the impacts of the COVID-19 pandemic on people and businesses.
- Create new consultative mechanisms to engage employer and worker representatives in consideration of any changes proposed to workplace legislation to ensure the widest possible support.
- Expand the Ministry's engagement with Indigenous Peoples as part of the continued effort to implement the *Declaration on the Rights of Indigenous Peoples Act*.

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<sup>1</sup> The term "gig economy" can include, for example, short term/temporary work as well as work conducted through internet based platforms such as food delivery and transportation services.

Performance Measure	2020/21 Forecast	2021/22 Target	2022/23 Target	2023/24 Target
1.1 Percentage of Employment Standards Branch complaints resolved within 180 days <sup>1</sup>	65%	>85%	TBD*	TBD*

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

\*This measure will be updated once the new ESB case management system is completed in late 2022/23.

## 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.

## Discussion

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 continuing to undertake 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: Continue to implement new and updated Ministry processes to improve service delivery**

**Key Strategies**

- Continue to provide 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.
- Continue to implement new collections procedures aimed at improving collections outcomes on new employment standards complaints.
- Maintain a proactive enforcement unit within the Employment Standards Branch that will focus on industries and sectors with high complaint volumes.
- Prioritize the processing of complaint files to improve service delivery for workers and employers.

Performance Measure(s)*	2020/21 Forecast	2021/22 Target	2022/23 Target	2023/24 Target
2.1a Number of community outreach sessions conducted annually by the Workers’ Advisers Office (WAO) <sup>1</sup>	5	10	Maintain or Improve	Maintain or Improve
2.1b Number of educational outreach sessions conducted annually by the Employers’ Advisers Office (EAO) <sup>2</sup>	115	125	Maintain or Improve	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.

\*NOTE – the forecasts and targets for these measures have been reduced from the previous year’s Service Plan. This is due to the impact of the COVID-19 Pandemic on in person education and outreach sessions.

**Linking Performance Measure 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: Continue to implement an effective B.C. Temporary Foreign Worker Protection Regime

### Key Strategies

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

Performance Measure(s)	2020/21 Forecast	2022/22 Target	2022/23 Target	2023/24 Target
2.2 Number of proactive investigations undertaken under the TFWPA <sup>1</sup>	16	Maintain or Improve	Maintain or Improve	Maintain or Improve

<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 are 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.

### Discussion

For the year 2020/2021 the forecast is 16 proactive investigations. 2020/2021 establishes the baseline for the ministry's operational planning and targeting for this three-year Service Plan.

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

The B.C. government is continuing to provide a suite of supports for Interior B.C. forest workers, contractors, employers and communities impacted by indefinite and permanent mill closures. These programs are helping support strong, resilient families and communities and maximize forest sector skills retention. The Forestry Worker Programs were approved as 2-year temporary benefit programs, operating from September 2019 to September 2021 Program funding was approved for fiscal years 2019/20 to 2021/22.

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

##### Key Strategies

- Administer the Early Retirement Bridging Program to transition older workers to retirement and create vacancies in working mills.
- Administer the Job Placement Coordination Office Program to help displaced forest workers access government programs and services.
- Administer the 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(s)	2020/21 Forecast	2021/22 Target	2022/23 Target	2023/24 Target
3.1a Number of applications to the Bridging to Retirement Program with funding offers issued <sup>1</sup>	680	60	Program expected to be completed	Program expected to be completed
3.2 Number of displaced forest workers who accessed Job Placement Coordination Office services <sup>1</sup>	350	200	Program expected to be completed	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 (JPCO) 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. The JPCO provides dedicated and continuous support to displaced forest workers until they have obtained new employment. A worker looking for employment may receive multiple service engagements from JPCO officers including job match searches, resume support, skills training, interview coaching, job opportunity referrals, and referral engagements of other government services that are available depending on the identified worker's needs.

## **Discussion**

In the 2019/2020 Service Plan, the targets for this performance measure for the years 2020/21 and 2021/22 were not yet established. The forecasts for 2020/21 are now established and the ministry has an expected program completion date which has allowed for the setting of 2021/22 targets.

Application target numbers for the Forestry Worker Programs during Fiscal 2021/2022 reflect smaller funding allocations and partial fiscal years compared to Fiscal 2020/2021 which is a full fiscal year and has the largest funding allocation for the 2-year Programs

Note: Programming to support displaced forest workers is funded through the Ministry of Forests, Lands, Natural Resources Operations and Rural Development. In addition, the Ministry received \$18 million of additional funding in 2020/2021 to support both Interior and Coastal forest workers.

## Financial Summary

Core Business Area	2020/21 Restated Estimates <sup>1</sup>	2021/22 Estimates	2022/23 Plan	2023/24 Plan
<b>Operating Expenses (\$000)</b>				
Labour Programs	15,642	15,787	15,787	15,787
Executive and Support Services	1,543	1,587	1,595	1,604
<b>Total</b>	<b>17,185</b>	<b>17,374</b>	<b>17,382</b>	<b>17,391</b>
<b>Ministry Capital Expenditures (Consolidated Revenue Fund) (\$000)</b>				
Labour Programs	3	3	3	3
<b>Total</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>

<sup>1</sup> For comparative purposes, amounts shown for 2020/21 have been restated to be consistent with the presentation of the 2021/22 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**

As of April 2, 2021, the Minister of Labour is responsible and accountable for the following:

### [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