

Ministry of Labour

2022/23 – 2024/25 SERVICE PLAN

February 2022



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Published by the Ministry of Labour

Minister's Accountability Statement



The *Ministry of Labour 2022/23 – 2024/25 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 4, 2022

Table of Contents

Minister’s Accountability Statement	3
Purpose of the Ministry	5
Strategic Direction	5
Performance Planning	6
Financial Summary	10
Appendix A: Agencies, Boards, Commissions and Tribunals.....	11

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](#), the [Employers' Advisers Office](#) and the [Bridging to Retirement Program](#). 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 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 Program](#) provides support to B.C. forestry workers impacted by old growth harvesting deferrals by assisting workers who are 55 or older transition to retirement, creating opportunities for younger workers.

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

Strategic Direction

In 2022/2023, the Government of British Columbia will continue its whole-of-government response to the COVID-19 pandemic with a focus on protecting the health, social and economic well-being of British Columbians. Building on our economic, environmental, and social strengths while looking to seize opportunities to improve outcomes for all British Columbians will be an important aspect of each ministry's work as we respond to COVID-19 and recover from devastating floods and wildfires. The policies, programs and projects developed over the course of this service plan period will align with the five foundational principles established by Government in 2020: putting people first; working toward lasting and meaningful reconciliation; supporting equity and anti-racism; ensuring a better future through fighting climate change and meeting our greenhouse gas reduction targets; and supporting a strong, sustainable economy that works for everyone.

This 2022/23 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 gig¹ 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

- Continue to 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 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.
- Utilize the advice and experience provided by consultative mechanisms designed to engage employer and worker representatives in consideration of any changes proposed to workplace legislation to ensure the widest possible support.
- 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 Measure(s)	2021/22 Forecast	2022/23 Target	2023/24 Target	2024/25 Target
1.1a Percentage of Employment Standards Branch complaints resolved within 180 days	N/A ¹	New Baseline	80% or Improve	85% or Improve

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

¹The Employment Standards Branch is currently undertaking a project to address the backlog of worker complaints; the project data for 21/22 is not yet available.

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.

¹ 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.

Discussion

In previous years, a target to resolve at least 85 per cent of disputes within 180 days was established to promote 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 modernize its complaints resolution processes as part of an ongoing business transformation initiative. In an addition, the branch’s new case management system is expected to be fully in place in the middle of the 2022/23 fiscal year. The Ministry is committed to ensuring a timeliness metric continues to be reported and new baseline is established in 2022/23 to reflect the updated process at the branch expected to be fully implemented.

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

- Broaden training and outreach efforts to a wide array of service providers and stakeholders in the workers’ compensation system, including enhanced Indigenous client outreach as well as the continued use of multi-language service delivery.
- Implement a redesign of the public-interface and case management system used by the Workers Advisers Office to better serve the public.
- 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 Baseline	2021/22 Forecast	2022/23 Target	2023/24 Target	2024/25 Target
2.1a Number of community outreach sessions conducted annually by the Workers’ Advisers Office (WAO) ¹ .	10	12	Maintain or Improve	Maintain or Improve	Maintain or Improve
2.1b Number of educational outreach sessions conducted annually by the Employers’ Advisers Office (EAO) ²	130	90	Maintain or Improve	Maintain or Improve	Maintain or Improve

Data source:

¹Ministry of Labour, Workers’ Advisers Office internal data.

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

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.

2020/21 has been selected as a new baseline year for this measure as it reflects a new normal, for the foreseeable future, in terms of client interaction as a result of the COVID-19 pandemic.

Objective 2.2: Maintain an effective B.C. Temporary Foreign Worker Protection (TFWPA) 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)	2021/22 Forecast	2022/23 Target	2023/24 Target	2024/25 Target
2.2 Number of proactive investigations undertaken under the TFWPA	20	Maintain or Improve	Maintain or Improve	Maintain or Improve

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.

Goal 3: Support forest workers as government transitions towards a new approach for sustainable forest management

The B.C. government is providing a strategically coordinated and comprehensive suite of supports for B.C. forest workers, contractors, workers, employers, and communities in response to the impacts of old growth harvesting deferrals, which resulted from recommendations in the June 2020 Old Growth Strategic Review report, [A New Future for Old Forests](#). The Ministry of Labour is delivering an expanded Bridging to Retirement program starting in January 2022.

Objective 3.1: Implement Bridging to Retirement program to support forest workers that may be impacted by old growth harvesting deferrals

Key Strategies

- Administer the Bridging to Retirement Program to transition older workers to retirement and manage the transitional impacts resulting in employment loss and forestry contract reductions.
- Work collaboratively with other ministries to connect forest workers with industry needs for employment opportunities.

Performance Measure(s)	2021/22 Forecast	2022/23 Target	2023/24 Target	2024/25 Target
3.1a Number of workers receiving bridging benefit funding offers ¹	N/A	TBD	TBD	TBD

Data source: Ministry of Labour, Bridging to Retirement Program internal data.

¹Current year forecasts and future year targets are not yet available given the infancy of the program. Updates to be provided in next year’s Service Plan.

Linking Performance Measure to Objective

3.1 There are three streams within the Bridging to Retirement Program: one for older impacted workers, one for older impacted contractors and their employees, and one for older workers voluntarily wishing to retire from a working operation to create a vacancy for a younger worker. The number of applications with funding offers is a direct measure of the number of people who will benefit from the bridging benefit.

Financial Summary

Core Business Area	2021/22 Restated Estimates ¹	2022/23 Estimates ²	2023/24 Plan	2024/25 Plan
Operating Expenses (\$000)				
Labour Programs	15,787	15,828	15,828	15,828
Executive and Support Services	1,587	1,595	1,604	1,604
Total	17,374	17,423	17,432	17,432
Ministry Capital Expenditures (Consolidated Revenue Fund) (\$000)				
Labour Programs	3	3	3	3
Total	3	3	3	3

¹ For comparative purposes, amounts shown for 2021/22 have been restated to be consistent with the presentation of the 2022/23 Estimates.

² The Financial Summary table does not include the costs of the Bridging to Retirement program, which is funded through Vote 45 Contingencies (All Ministries) and New Programs.

* 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 February 4, 2022, 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