

**Ministry of
Labour**

**2018/19 – 2020/21
SERVICE PLAN**

February 2018



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Minister Accountability Statement



The *Ministry of Labour 2018/19 - 2020/21 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".

Honourable Harry Bains
Minister of Labour
February 2, 2018

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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 innovative 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*, and the *Workers’ Compensation Act* – and for the effective administration and enforcement of those statutes. The Ministry has legislative responsibility for [WorkSafeBC](#), 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. 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.

Strategic Direction and Alignment with Government Priorities

Premier John Horgan’s July 18, 2017 [Mandate Letter](#) included direction to:

- Establish a Fair Wages Commission to support implementation of the \$15-per-hour minimum wage;
- Create a Temporary Foreign Worker registry;
- Update employment standards and ensure they are applied evenly and enforced;
- Review and develop options with WorkSafeBC to increase compliance with employment laws and standards put in place to protect the lives and safety of workers; and
- Review the Labour Relations Code to ensure workplaces support a growing, sustainable economy with fair laws for workers and businesses.

The Ministry is aligned with the Government’s key priorities:

Government Priorities	Ministry of Labour Aligns with These Priorities By:
Making life more affordable	<ul style="list-style-type: none"> • Raising the minimum wage and developing strategies to close the gap between the minimum wage and “living wages”. (Strategy under Objective 1.1) • Updating employment standards to ensure they are evenly applied and enforced. (Strategy under Objective 1.1)
Delivering the services people count on	<ul style="list-style-type: none"> • Providing timely, accessible and reliable services to British Columbians as they engage with the workers’ compensation, employment standards and labour relations systems. (Objective 2.1) • Ensuring that British Columbia’s health and safety regime leads the country in protecting workers. (Strategy under Objective 1.2)

A strong, sustainable economy	<ul style="list-style-type: none"> • Ensuring our labour laws and policy are responsive to, and supportive of, the changing nature of the workplace. (Goal 1) • Reviewing the <i>Labour Relations Code</i> to ensure meaningful access to collective bargaining rights and fair and effective dispute resolution. (Strategy under Objective 1.1)
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Strategic Context

The Economic Forecast Council (EFC) expects B.C.’s real GDP to grow by 2.5 per cent in 2018 and 2.2 per cent in 2019. Meanwhile for Canada, the EFC projects national real GDP growth of 2.2 per cent in 2018 and 1.8 per cent in 2019. As such, B.C.’s economic growth is expected to outperform Canada’s in the coming years. Downside risks to B.C.’s economic outlook include US trade policy uncertainty and ongoing economic challenges in Asia and Europe.

A number of additional factors are expected to affect the Ministry’s operations during the 2018/19-2020/21 period. The most significant of these are:

- The anticipated release in 2018 of the British Columbia Law Institute review of employment standards and recommendations for reform of British Columbia’s *Employment Standards Act* and its enforcement.
- Recommendations provided by the Fair Wages Commission in respect to British Columbia’s minimum wage rates, including recommendations in early 2018 on establishing a path to \$15-per-hour. Commencing in 2018, the commission will work to develop recommendations on addressing the gap between the minimum wage and a “living wage”.
- Ongoing requests to the Ministry and Minister to support the resolution of collective bargaining disputes that may impact the health, welfare or safety of British Columbians.
- Specific workplace incidents and developments in our knowledge and understanding of physical and psychological workplace hazards can require responsive legislative or program changes to protect worker health and safety.
- Changing demographics, an increasingly diverse labour market, and ever-evolving workplace norms and expectations, present challenges and opportunities for British Columbia labour law and policy.

Goals, Objectives, Strategies and Performance Measures

Each year, ministries look ahead three years to plan future work through the Service Plan. The development and communication of the resulting goals, objectives and strategies serves to ensure the Ministry's work is clearly linked to government's priorities and that those priorities, including leadership in fostering safe, fair work environments and a thriving economy, are clearly communicated to citizens. Over the next three fiscal years, the Ministry will work toward achieving the following outcomes:

- Goal 1: Modern, fair labour laws and standards that: reflect the changing nature of workplaces; support a growing, sustainable and innovative economy; and ensure the province leads the country in the health and safety of its workers
- Goal 2: Service excellence for workers and employers that treats all clients with compassion, respect and dignity

Goal 1: Modern, fair labour laws and standards that: reflect the changing nature of workplaces; support a growing, sustainable and innovative economy; and ensure the province leads the country in the health and safety of its workers

The Ministry aspires to achieve this goal through continued focus and commitment to its three core areas of responsibility:

- 1) Ensuring a fair workers' compensation system and striving to make B.C. a leader in worker health and safety;
- 2) Establishing a modern employment standards system that is applied fairly, is actively enforced and protects and supports vulnerable workers as they share in the prosperity of the B.C. economy; and
- 3) Promoting a stable labour relations environment, which in practice means having a fair *Labour Relations Code* and reducing strikes and labour disruptions by monitoring and assisting workplace parties in negotiations.

Objective 1.1: Labour laws and policy that are responsive to, and supportive of, the changing nature of the workplace

It is crucial that labour laws reflect and accommodate advancing technological developments as well as changing expectations among today's workers and employers. This can be achieved in a way that allows for flexibility in the way that workplaces are managed and promotes the inclusion of everyone who wants to work, but at the same time, ensures that workers are protected from exploitation, as well as unfair and unsafe working conditions. As Objective 1.1 is focused on the development of evolving law and policy, the Ministry does not assign a specific quantifiable performance measure. However, it should be stressed that this objective remains central to the Ministry's contribution to government's key priorities.

Key Strategies:

- Act on recommendations from the Fair Wages Commission regarding the implementation of the \$15-per-hour minimum wage, other related minimum wage rates (e.g. liquor server wage), and narrowing the gap between minimum wage and “living wages”.
- Identify and implement opportunities to update and enforce employment standards to better reflect modern workplaces, including through review and consideration of the final report of the British Columbia Law Institute (BCLI) on British Columbia’s employment standards.
- Work towards creation of a Temporary Foreign Worker registry to help protect vulnerable workers from exploitation and to track the use of temporary workers in our economy.
- Appoint a committee of special advisors to review the *Labour Relations Code* to ensure workplaces support a growing, sustainable economy with fair laws for workers and businesses.

Objective 1.2: Compliance with B.C. labour and employment law

Meaningful and effective enforcement of labour laws is a key component of the Ministry’s role in protecting workers, and in supporting a growing and sustainable economy that works for all British Columbians.

Throughout 2018/19, the Employment Standards Branch will collect baseline data to determine the number of employers who are the subject of repeated bona fide disputes under the *Employment Standards Act* in the same workplace within a 12 month period. This data will be collected with the goal of determining if the Branch’s early intervention/dispute resolution processes could be adjusted to better encourage compliance. The new measure will assist the Ministry in assessing the degree to which employers who interact with the Employment Standards Branch show improved compliance with employment standards laws. Determining the amount of recidivism in employment standards will help the Ministry build on strategies to promote compliance through more effective and even enforcement of the *Employment Standards Act*.

Key Strategies:

- Review Employment Standards Branch operations to identify opportunities for increased and/or improved enforcement practices, and to ensure that employment standards are applied evenly and enforced.
- Review and develop options with WorkSafeBC to increase compliance with laws and standards put in place to protect the lives and safety of workers.
- Review and consider the report from the Cross-Ministry Asbestos Working Group on steps that the B.C. government and its agencies can undertake to further protect people and the environment from the dangers of asbestos.
- Through the Workers’ Advisers Office and Employers’ Advisers Office, 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.

Objective 1.3: Clients and stakeholders are aware of and understand labour requirements and processes

Workers and employers having knowledge and understanding of existing labour standards is an important aspect of ensuring compliance. The understanding and awareness of the processes by which rights are accessed and laws are enforced is also fundamental to ensuring a level playing field for workers and employers.

Key Strategies:

- Conduct outreach, education and training and make educational materials available in relation to employment standards and the workers' compensation system.
- Address potential language barriers within various ethnic communities by providing information and services in multiple languages where practical through:
 - Leveraging the Ministry's multilingual workforce;
 - Producing information materials in multiple languages; and
 - Utilizing the WorkSafeBC Language Line which allows both the Workers' Advisers Office and the Employers' Advisers Office to provide services in over 40 languages to injured workers and employers in B.C.
- Expanding upon in-person seminars, the Employers' Advisers Office will implement new E-Learning and Webinar module training with the goal of increasing outreach to improve employer and worker knowledge in all areas of workers' compensation.
- Provide direct workers' compensation assistance, guidance, representation and advisory services to workers and their families, and employers through the [Workers' Advisers Office](#) and the [Employers' Advisers Office](#).

	2017/18 Forecast	2018/19 Target	2019/20 Target	2020/21 Target
Performance Measure				
1.3a Number of community outreach sessions conducted annually by the Workers' Advisers Office (WAO) ¹	N/A ²	8	Maintain or improve ³	Maintain or improve ³
1.3b Number of educational outreach sessions conducted annually by the Employers' Advisers Office (EAO) ⁴	N/A ²	425	450	Maintain or improve

¹ Date Source: Ministry of Labour, Workers' Advisers Office.

² New Service Plan measures in 2018/19. Ministry to begin reporting out on these measures in the 2018/19 Annual Service Plan Report.

³ Based on the interest and response to the sessions developed and implemented in 2018/19, the targets for the following two fiscal years may be adjusted.

⁴ Data Source: Ministry of Labour, Employers' Advisers Office.

Linking Performance Measures to Objectives:

- 1.3a WAO regional community outreach sessions directly assist workers in becoming more aware and knowledgeable by providing information on the workers' compensation system and claims issues.

- 1.3b EAO educational outreach sessions serve to directly promote awareness and understanding 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.

Discussion:

The core functions of the WAO involve advising and representing individual workers who have been injured at work and who seek assistance and/or representation as they navigate the workers' compensation system. Accordingly, proactive community outreach has not been a common practice undertaken by the WAO. However, over the next three fiscal years the WAO is committed to implement community outreach sessions aimed at workers in all regions of the province. The WAO is also committed to developing an outreach session targeted more specifically to indigenous workers. The intent of these sessions will be to promote awareness and understanding of the workers' compensation system and the services provided by the WAO.

Educational outreach through in-person seminars has been a cornerstone of the EAO service offerings. The EAO will be expanding its contact with employers and workers by increasing the seminar offerings, and adding Webinar and E-Learning modules to increase employer/worker outreach over this three-year service plan. The EAO will continue to reach out to indigenous employers to promote awareness and understanding of the workers' compensation system and the services provided by the EAO.

Goal 2: Service excellence for workers and employers that treats all clients with compassion, respect and dignity

The Ministry is committed to service excellence in its interactions with workers and employers, as well as the general public. It is focused on ensuring that all clients are treated with compassion, respect and dignity.

Given that one of the fundamental roles of the Ministry's legislation is to protect workers, the Ministry's programs and services place a particular focus on workers to ensure that their interests and concerns are taken into consideration. The Ministry will continue to measure its performance against service delivery standards while engaging with clients to identify new ways to further improve.

Objective 2.1: Accessible, reliable and timely services

Timely, accurate and quality decisions are critical for ensuring that fair and effective processes exist, and for the successful delivery of Ministry programs and services. It can be noted that in addition to Performance Measure 2.1 below, the Ministry will be developing new performance measures related to the services provided by the WAO and EAO for the 2019/20 Ministry Service Plan.

Key Strategies:

- In the Ministry’s review of Employment Standards Branch operations, consider worker needs and priorities, particularly for vulnerable workers.
- Remove barriers on workers seeking to access their rights under the *Employment Standards Act*.
- Work with and support the Ministry of Attorney General to ensure that the Labour Relations Board and the Employment Standards Tribunal have the capacity to provide timely and responsive dispute resolution services.
- Continue to pursue and implement innovative processes at the Workers’ Advisers Office and Employers’ Advisers Office to allow clients more efficient access to services (e.g., toll-free phone intake system, online inquiry and worker portals).
- Have highly engaged, qualified staff to deliver effective services.
- Encourage diversity in our workforce and recruitment and retention processes to ensure we are representative of the population we serve.

Performance Measure	2010/11 Baseline	2017/18 Forecast	2018/19 Target	2019/20 Target	2020/21 Target
2.1 Percentage of Employment Standards Branch complaints resolved within 180 days ¹	78%	Greater than 79%	Greater than 80%	Greater than 80%	Greater than 80%

¹ Data Source: Ministry of Labour.

Linking Performance Measures to Objectives:

- 2.1 A target to resolve 80 per cent of disputes within 180 days provides certainty to workers and employers and ensures that disputes do not linger in the workplace or after an employment relationship is terminated.

Discussion:

By striving to resolve employment standards complaints within the 180-day time period, the Ministry is able to establish clear expectations for workers and employers. The performance measure is based on a 2010/11 baseline and is calculated by dividing the number of complaints resolved within 180 days by the total number of complaints filed.

Resource Summary

Core Business Area	2017/18 Restated Estimates ¹	2018/19 Estimates	2019/20 Plan	2020/21 Plan
Operating Expenses (\$000)				
Labour Programs	10,001	11,106	10,880	10,880
Executive and Support Services	1,523	1,532	1,532	1,532
Total	11,524	12,638	12,412	12,412
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 2017/18 have been restated to be consistent with the presentation of the 2018/19 Estimates.

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

Appendix A: Ministry Contact Information

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To learn more about the numerous programs and services provided by the Ministry of Labour, please visit the [Ministry website](#).

To find a specific person or program in the Ministry of Labour, you can use the [B.C. Government Directory](#).