

# South Asian Legal Clinic of BC's Employment Standards in British Columbia Resource Sheet



 SALCBritishColumbia

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# Employment Standards in British Columbia

The **Employment Standards Act** sets minimum standards for compensation and working conditions for most employees in British Columbia.

These standards are a **basic requirement for employers**. Employers and employees cannot agree to working arrangements that are below these standards.

## Hiring

- Employers are not allowed to share **false or misleading information** about job opportunities to convince someone to work for them.
- Employers have to follow special rules if they wish to hire anyone **under the age of 16**.
- Employers and employment agencies are **not allowed to ask for money** from people that are looking for work.

## Minimum Wage

- Employees must be paid at least minimum wage (**\$15.20 per hour**).
- On **June 1, 2022**, minimum wage will increase to **\$15.65 per hour**.
- Some types of employees have a different minimum wage, such as live-in home support workers, resident caretakers, and some farm workers.

## Paying Wages

- Employers must pay employees **at least twice a month**.
- Employers are **not allowed to deduct money** from employee's wages, unless required by law (for example, for income tax or employment insurance).
- Employers must give each employee a **written wage statement** that contains information about how the employee's pay was calculated.

## Hours of Work and Overtime

- Employers are not required to provide coffee breaks in BC.
- Employees get at least **30 minutes for a meal break** if they have worked 5 hours in a row.
- Employees get at least **32 hours in a row to rest from work each week**. If an employee is required to work during this time, they get extra pay.

## Statutory Holidays

- There are 10 statutory holidays in BC.
- Employees qualify for statutory holiday pay if:
  - they have been **employed for 30 calendar days**, and
  - worked or earned wages on **15 of the 30 days before a statutory holiday**.
- If you qualify for statutory holiday pay, you will receive an **average day's pay** on the statutory holiday. You do not have to work on the holiday to receive this pay.
- **If you work on a statutory holiday**, you will receive 1.5x your hourly pay. You will receive double-time for hours worked over 12 hours.

## Leaves and Jury Duty

- Employees can take **time off work** for certain situations without putting their job at risk, including:
  - Illness or injury;
  - Maternity and parental leave;
  - Caring for a child or immediate family member;
  - Disappearance or death of a child;
  - Domestic or sexual violence;
  - Death of an immediate family member; and
  - Jury duty.
- Employers may ask for some **proof** of the situation that applies to the employee.

## Annual Vacation

- **Employees must take time off for annual vacation** and receive vacation pay. After earning vacation pay, employees must take the vacation within 12 months.
- Vacation pay is **at least 4% of all wages** paid in the previous year.

## Termination of Employment

- Employees can quit their jobs at any time.
- In order to fire an employee, an employer must provide **written notice**, based on the employee's length of service:
  - After 3 months: **1 week's notice**
  - After 1 year: **2 weeks' notice**
  - After 3 years: **3 weeks' notice + 1 week's notice for each additional year** (maximum 8 weeks)
- Employers can provide **payment** instead of notice, or a **combination** of both

These standards are managed and enforced by the **Employment Standards Branch**.

You can **file a complaint** with the Employment Standards Branch if your employer is not following the minimum standards.

- There is **no fee** to submit a complaint.
- There are **time limits** to submit a complaint:
  - You have **6 months** from your last day of work if you are no longer working for the employer.
  - You have **1 year** to file a complaint if you are still working for the employer.

## File a complaint online:

<https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/complaint-process/submit-a-complaint>



**Printable complaint form:**

[https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/employment-standards-workplace-safety/employment-standards/forms/complaint\\_form.pdf](https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/employment-standards-workplace-safety/employment-standards/forms/complaint_form.pdf)

The printable complaint form explains how to submit an application package by mail, toll-free fax, and by email.

**More information:**

**Employment Standards Branch Website:** <http://www.labour.gov.bc.ca/esb>

**Employment Standards Solution Explorer Tool:** <https://explore.labour.gov.bc.ca/>

**Working In British Columbia Information Sheet:**

[https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/employment-standards-workplace-safety/employment-standards/factsheets-pdfs/working\\_in\\_bc\\_infosheet.pdf](https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/employment-standards-workplace-safety/employment-standards/factsheets-pdfs/working_in_bc_infosheet.pdf)

**Foreign Workers Info Sheet:**

[https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/employment-standards-workplace-safety/employment-standards/factsheets-pdfs/pdfs/foreign\\_workers\\_info\\_sheet.pdf](https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/employment-standards-workplace-safety/employment-standards/factsheets-pdfs/pdfs/foreign_workers_info_sheet.pdf)

**Free Education Seminars from the Employment Standards Branch:**

<https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/forms-resources/education-seminars>

**Translation services from the Employment Standards Branch:**

1-833-236-3700

Service is available 7:30 AM to 5:00 PM, Monday to Friday

**Information about workplace health and safety:** [www.worksafebc.com](http://www.worksafebc.com)

# Thank You!

*Please visit our website and social medias to keep up to date with our clinic and future events!*



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