



DID YOU KNOW?

August 2017

Working In BC

The *Employment Standards Act* is a BC law that outlines the rights of employees, and the responsibilities of employers. The Act sets the minimum standards for working conditions. The Employment Standards Branch (ESB) is the government office that enforces the *Employment Standards Act*. If you have concerns or complaints about your working conditions or rights, you can contact the ESB for assistance.

How do I file a complaint?

Before a complaint is accepted by the ESB, you must complete the Self-Help Kit, which is available at the ESB website at www.labour.gov.bc.ca/esb/. Note: using the Self-Help Kit does not mean a complaint has been filed or accepted by the ESB. The Self-Help Kit is only to assist employees and employers to resolve problems among themselves. **Except under limited circumstances, the ESB will not accept complaints unless the Self-Help Kit has been used.**

If, after using the Self-Help Kit, you still need to file a complaint, a complaint can be made, in writing and delivered, to an office of the ESB. There is no charge for filing a complaint. Complaints can be filed:

- Online at www.labour.gov.bc.ca/esb/
- At an ESB office
- By requesting a hard copy form from the ESB at 1-800-663-3316

What are the time limits for filing a complaint?

A complaint must be filed within the following time limits:

- Within six months of the problem taking place (if you still work for the same employer); or
- Within six months of the day your employment was terminated (if you no longer work for the employer)

What happens after I file a complaint?

After a complaint is filed, the parties are contacted and the rights and responsibilities from the *Employment Standards Act* are explained. The ESB may proceed with the following:

Investigation: ESB officer will gather information and evidence in order to resolve the complaint informally

Mediation: an Informal meeting between employer and employee with an ESB officer assisting to resolve the complaint.

Adjudication: a formal hearing where an ESB officer will hear arguments from all parties in order to make a determination.

More information

Employment Standards Branch

Toll-Free: 1-800-663-3316

Website: www.labour.gov.bc.ca/esb/

This fact sheet contains legal information, not advice and is accurate as of the above date. For legal advice, please contact a lawyer.