

Report: Child Labour is No Accident: The Experience of BC's Working Children

Methodology

First Call's research for the BC Child Labour Standards Improvement Project involved a number of methods. Through these methods, we reached a total of 129 youth all of whom had some formal work experience. The majority of youth, 68 out of the 129, participated by completing an on-line survey. In addition, 16 educators responded to an on-line survey. The remaining youth participated through focus groups and individual interviews.

Participants for all of the above methods were recruited through First Call's networks, including meetings of the coalition, the advisory committee for this project, our website, newsletter, blog, Twitter feed, and the website and Facebook page specific to the campaign on child labour. E-mails and phone calls were directed to community organizations with access to youth audiences, requesting participants to visit nochlldlabour.org to complete the online survey or to contact First Call directly about participating in a focus group or interview.

Six focus groups with a total of 56 youth were conducted in BC. Community organizations were enlisted to co-host focus groups and help recruit participants from their local communities.

Focus Group Location and Supporting Organizations:

Nanaimo	Nanaimo District Community School
Kelowna	Okanagan Boys and Girls Club
Burnaby	Adoptive Families Association of BC
Vancouver	McCreary Centre Society
Surrey	Pacific Community Resources Society
Prince George	Carrier Sekani Family Services

Key Findings

Key findings from this study include:

- Sixty per cent of young people who participated in this study started work at age 14 or under, but only 24 per cent of them reported that a parent had given written permission for them to start work, as required by the current legislation.
- The largest group, roughly one third, worked in food services and accommodation, fields that many other provinces prohibit children from working in. Nine per cent of participants said that their first jobs were in construction, a field that, not surprisingly, is also often restricted for young workers in other jurisdictions.

- BC is the only Canadian province that does not prevent younger teenagers from working at night. Most provinces have stronger protections for children under 15, and many limit the types of occupations open to children and youth.
- Forty-three per cent of the youth we spoke to reported sustaining workplace injuries. The most common injuries were burns, cuts and falls. Several study participants reported serious injuries, including a 12-year-old with burns down the front of his body from battery acid, a 13-year-old with a broken wrist and back injury from a fall, and another with blistered fingers from a burn on a grill. The latter reported being told she was not allowed to leave work to seek medical treatment.
- Lack of pay for training is a common theme among working children and youth. Employers will ask workers to come in for a “try out” shift, or they will be asked to start working as part of the interview for the position. Youth also reported doing unpaid training at home with online orientation sessions or manuals. Many employees were also made to pay for uniforms, a practice that is illegal.
- Working too much has a negative impact on education:
 - 16 per cent of participants reported having dropped out of school due to their work schedule and/or financial need,
 - 19 per cent reported they had missed classes because of work,
 - 46 per cent reported being too tired and/or not having enough time to complete their homework or participate appropriately at school as a result of working too much.
 - By contrast, working had a positive effect on the education of 19 per cent.
- About half of study participants reported they did not receive adequate (or in some cases any) training at their jobs.
- The law requires 12- to 14-year-olds to be supervised by an adult at all times. One 15-year-old reported supervising 14-year-olds in a fast food restaurant and did not feel safe with that level of responsibility.
- Over the past decade BC has shifted from relying on workplace inspections and a permit system to ensure the protection of 12- to 14-year-olds to strategies that emphasize parental responsibility for children’s safety in the workplace and increased public education efforts.
- Many young people do not think it is realistic to expect a parent to have a role in assessing their workplace saying such things as, “Employers would never hire someone who came in with their mom.”
- Many young people are not aware that they can make a complaint to the Employment Standards Branch about things like unpaid wages.

Recommendations

First Call is calling for the development and enactment of legislation improving protection for children in the workplace in the next legislative session. The Government of British Columbia must take seriously its responsibility to children.

BC also has a responsibility to our global neighbours to maintain high standards. The well-being of all the world's children should be at the centre of decision-making.

Improvements should include:

- Establishing a minimum work start age of 15 in compliance with the UN Convention on the Rights of the Child.
- Imposing restrictions on the occupations, tasks, and times of day that children can work.
- Increasing Employment Standards Branch inspections of worksites where children are most likely to be working, including random inspections.
- Establishing a child labour advisory group that includes a broad representation of child and youth advocates, including young people with recent work experience in the higher injury occupations.
- We strongly advise the government to find ways to keep track of the employment of children. On-going data collection about how many children are working and at what occupations and tasks is needed in order to monitor their safety.
- Requiring WorkSafeBC to publish the same detailed injury claims reports on 12- to 14-year-olds as are currently produced for young workers (ages 15 – 24).
- Finally, the federal government should also implement a work start age for workers under federal jurisdiction. All children in Canada should be afforded the same protections regardless of where they live.

Recommendations from study participants

- Restrict the hours of work for young people. It's hazardous to walk home after late night shifts.
- There should be better supports for families so their children don't have to work.
- Some servers have to give a percentage of their tips to other staff. The minimum wage should go up, and servers should get the regular minimum wage.
- Businesses should be forced to inform employees about their rights.

- Unions need to play a bigger role with young workers. Labour is a transaction, and employers have lots of power.
- Worker rights are not being respected and enforced.
- A higher wage should be paid for shifts worked on call.
- Employers should be clear about the rules of a job when the worker starts it.
- Construction sites need more oversight, including spot inspections.

Timeline

Spring, 2003

The Government of British Columbia introduces Bill 37 to amend legislation with respect to child labour. Numerous advocacy, social justice and faith groups form a coalition within First Call to urge the government to rethink Bill 37.

November, 2003

Two representatives of the community coalition meet with the Minister of Labour Graham Bruce and ask his government to repeal Bill 37.

December, 2003

The Government of British Columbia passes Bill 37 amending the Employment Standards Act eliminating the requirement for employers to obtain a permit or consult with a child's school before employing children between the ages of 12 and 14.

These amendments removed the role of Employment Standards Branch staff in determining the suitability of a work-site or tasks for a child employee in that age group.

Child and youth advocates expressed concerns about these changes. Specifically they were worried that the changes would:

- a) Leave children vulnerable to economic exploitation;
- b) Increase pressure on children to assist with earning household income;
- c) Increase the number of work-related injuries to children; and
- d) Interfere with children's ability to finish high school.

January, 2004

Amendments in Bill 37 comes into force. BC becomes the only province that does not place legislative or regulatory restrictions on the occupations, tasks, or time of day a child over 12 years can work.

March, 2004

The Canadian Centre for Policy Alternatives releases *Who's Looking Out for Our Kids? Deregulating Child Labour Law in British Columbia* a report by former employment standards officer Graeme Moore, and Helesia Luke. The report outlined numerous concerns about the potential negative impact of deregulating child labour.

September, 2005

The Canadian Centre for Policy Alternatives releases *Child and Youth Employment Standards: The Experience of Young Workers Under BC's New Policy Regime*. This study surveyed public school students between 12 and 14 years old and raised yet more concerns that BC's few employment regulations are leaving children without adequate protections in the workplace.

The report also found the few regulations in place were often not followed.

- 70% of children reported they worked without supervision some or all of the time
- Nearly half (48%) reported that their parents had not evaluated the health and safety of the workplace
- More than half (58%) reported that their employer did not receive written approval from their parents

July, 2007

WorkSafeBC passes regulations requiring employers provide young or new workers with health and safety orientations and training specific to the workplace. These regulations also require employers to keep records of that orientation and training.

October, 2009

First Call releases a research report *What's Happening to Our Children?: A Look at Child Work-Related Injury Claims in BC Over the Past 10 Years*, which examined WorkSafeBC's young worker injury claims data. One of the key findings of this report was a ten-fold increase in accepted WorkSafeBC injury claims among children under between 12 and 14 years of age over a four-year period following changes to BC's child labour laws.

October, 2009

First Call representatives met with then Minister of Labour Murray Coell to discuss the recommendations in our report researching the number of workplace injuries. While he seemed responsive to issues in the meeting, in a subsequent letter the Minister indicated he would not be taking further action. First Call responded by launching a campaign to raise public awareness of the need for law reform.

Spring, 2011

First Call received funding from the Law Foundation of British Columbia to gather evidence about the experiences of young workers, specifically in relation to health and safety in the workplace, economic exploitation, and the impacts of work on their education. The resulting data and anecdotal evidence were used to produce this report and accompanying policy framework for presentation to the provincial government, with the goal of recommending increased protections for young workers through legislative reform.