

Opinion: B.C.'s child labour laws make Canada look bad



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Keep kids in school, not in job sites, Catherine Evans and Adrienne Montani write. *JASON PAYNE / PNG*

In 2004, when the B.C. government lowered the work

start age to 12, our province became an outlier among developed states around the world. Nowhere else are there so few restrictions on the type of work children can do at such a young age.

There has still been no real explanation from the government about their reasons. Children are not expected to be breadwinners for their families; our laws require children to attend school until 16; and in most other respects our employment rules are much like other places.

So why did the B.C. government make it legal to hire 12-year-olds in almost every kind of workplace, and why are they not moving to fix this now that Canada has ratified Convention 138, the international minimum age convention that protects children from all but light work until age 18?

Was it because of our agriculture sector? Are children being hired to work in our orchards, greenhouses and fields? Was it the tourism and hospitality industry? In the developing world, a persistent cause of child labour is that children will accept lower wages than adults and they don't speak up for themselves. Are there employers in B.C. who want workers like that? Do we want workers who are like that?

Our new federal government wants us to strengthen our place in the world and rebuild our international influence. According to MaryAnn Mihychuk, Canada's Minister of Employment, Workforce Development and Labour, "Ratifying Convention 138 sends a clear message about Canada's interests and values. We stand together with countries around the world denouncing child labour, exploitation and abuse. Canadian leadership can have a positive influence in the world, and ratifying Convention 138 is the right thing to do."

It has taken Canada a while to get to this place. A total of 168 other countries have ratified Convention 138 before us. But we have done it now and we have until June 2017 until it takes legal effect.

Convention 138 is one of eight fundamental conventions of the International Labour Organization (a specialized agency of the United Nations) that are considered core to promoting decent work. Its role is to require states to enact laws protecting children from starting regular work until they have completed their compulsory schooling, or age 15, whichever is later. It also seeks to protect children from hazardous work until they are at least 18. It does not prohibit all work. It strikes a compromise, recognizing that children

have much to learn from certain types of work. It also recognizes that there are countries whose “economy and educational facilities are insufficiently developed” to achieve a work start age higher than 14.

Officials at B.C.'s Ministry of Jobs, Tourism and Skills Training, those responsible for overseeing B.C. minimum employment standards and regulations, say they were part of the discussions among Canada's provinces, territories and federal government leading up to Canada's ratification of Convention 138. Their Minister, the Honourable Shirley Bond, apparently knows about it too. But they say they have “no instructions” to bring B.C.'s laws into conformity.

It begs the question: Whose interests are being protected by our provincial government? It is certainly not those of the children of this province.

First Call: BC Child and Youth Advocacy Coalition has been concerned about B.C.'s work start age — and its effects on children's health, safety and education — since the law was changed in 2004. We have done what we can to find out about the experience of child workers in B.C. Statistics are few and far between: Statistics Canada, for instance, does not collect data on workers under 15 because “there aren't workers under 15 in Canada.”

WorkSafeBC does not publish reports on how many children under 15 are injured on the job. We know, however, from interviews with children and Freedom of Information requests to WorkSafeBC that children under 15 are working in B.C. and some of them are getting hurt.

Having even one child injured at work badly enough to be reported to WorkSafeBC before that child has even completed their compulsory schooling is not the message that Canada and Canadians want to send to the rest of the world. B.C. risks making all of Canada look hypocritical in the eyes of the world by being so far outside the norm. Not only do children in this province need the protection of a change in B.C.'s child labour laws, but children around the world need it too.

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