



Honourable Harry Bains, Minister of Labour
P.O Box 9064 Stn Prov Govt
Victoria BC V8W0E2

Via email

February 8, 2019

Dear Minister Bains,

We, the undersigned, call on you to table legislation at the next sitting of B.C.'s Legislative Assembly aimed at protecting children and youth from employment-related injury and exploitation.

In British Columbia, children as young as 12 years old can legally work at virtually any job and task. We're not talking about babysitting or paper routes, 12-year-olds can work in most industries, the most common being food services and accommodation, but many are working in construction, manufacturing and resource-based jobs. We know where they are working, not because government is monitoring but because this is where they are getting injured.

When the Employment Standards Act was changed in 2003, B.C. became the only province that does not place legal restrictions on the occupations, tasks, or time of day a child can work. Every single year over the past decade, children under 15 were injured on the job seriously enough for WorkSafeBC to pay out over five million dollars in injury claims. In some cases, children have sustained life-altering injuries. Over that same period over 2,000 children under the age of 15 claimed work-related health-care costs.

In 2016, the Government of Canada ratified the International Labour Organization's Convention 138 agreeing to set the minimum work age at not less than 16 years, the age of completing compulsory schooling.

We support First Call: BC Child and Youth Advocacy Coalition's recommendations to modernize legislation and regulations to meet Canada's ILO commitments.

- **Raise the minimum age for formal employment to 16** with exceptions for appropriate light work as defined in regulations.
- **Require a permit** issued by the employment standards branch for the employment of children under the age of 16.

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- With respect to the employment of children and adolescents 12 to 15 years **establish permit criteria** that considers:
 - **acceptable ‘light work’ including tasks and work places** that do not threaten the health and safety, or hinder the education of children (12-13) and younger adolescents (14-15)
 - **limits on the time-of-day** for work, appropriate to age groups (e.g. prohibit late night and over-night work)
 - **limits on the length of work time** on a daily and weekly basis appropriate to age groups (e.g. no more than 4 hours per day on a school day for children)
- Ensure **hazardous tasks and worksites are entirely off-limits** to workers aged 16 – 17.
- **Mandate adequately resourced, government-led enforcement** to ensure employer compliance and inform government’s policy monitoring.

First Call’s position is based on the following, widely accepted tenets related to child and adolescent development, and the need for special protections related to employment.

1. Childhood is a period of life which should be dedicated, not to work, but to education and development.
2. Not all work is harmful to children. Appropriate light work of a casual nature can be beneficial to psychosocial development, and promote self-sufficiency and confidence.
3. “Child labour” by definition is never acceptable. Child labour means work that compromises children’s safety, that is harmful to physical or mental development, and that interferes with their education.
4. Child labour often accompanies family and community poverty. It also perpetuates poverty by depriving the child of opportunities to pursue studies and to fully develop.
5. Without government protections, some employers will hire children for inappropriate and dangerous work. Children and adolescents are generally more compliant, will accept lower pay, and are less aware of safety issues and their rights than adults.
6. Child labour will exist when governments do not expressly prohibit it through legislation and regulation, and when those laws are not strictly enforced.

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The British Columbia Law Institute's 2018 Report on the Employment Standards Act agrees that government must act, as do most British Columbians. A 2018 public opinion survey found the large majority of BC residents (78%) would support the introduction of legislation to provide greater regulation of the employment of children aged 12 to 14 years, including almost half (47%) who would strongly support it.

We urge you to ensure legislative change, based on these recommendations, is enacted this spring. Government must do more to protect children and youth from exploitation and injury doing jobs meant for adults.

Sincerely,

BC Association for Child Development and Intervention
BC Employment Standards Coalition
BC Federation of Labour
BC Government and Service Employees' Union
BC Retired Teachers' Association
BC Teachers' Federation
Canadian Centre for Policy Alternatives - BC Office
Canadian Coalition for the Rights of Children
Canadian Federation of University Women - BC Council
Coalition of Child Care Advocates BC
Community Legal Assistance Society
Developmental Disabilities Association
Family Services of Greater Vancouver
Health Sciences Association
Public Health Association of BC
The Elizabeth Fry Society of Greater Vancouver
Victoria Child Abuse and Counselling Centre
Victoria Family Court & Youth Justice Committee
West Coast Legal Education Action Fund
Westcoast Child Care Resource Centre
YWCA Metro Vancouver

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