



**Employment Standards
Consultation on Hazardous
Work and Minors
May 2022**

Background

- 2003: BC reduced work start age to 12 with few restrictions
- 2004: First report published by BC CCPA *Who's Looking Out for Our Kids? Deregulating Child Labour Law in BC* and First Call initiates a public awareness campaign
- 2009: First Call publishes second report *What's Happening to Our Children?: A Look at Work-Related Injury Claims in BC Over the Past 10 Years*, examining the increase in the number of workplace injury claims from children

Background

- 2012: Third research report published *First Call Child Labour is No Accident: The Experience of BC's Working Children*
- 2018: First Call commissions public opinion survey
First Call makes submission to the Law Institute's Employment Standards Review
- 2019: First Call and partners published open Letter to Harry Bains, Minister of Labour
- 2020: Government passes Bill 8 amending the Employment Standards Act but did not provide or enact regulations

- **Phase 1 regulations** (Oct 15, 2021):
 - brought in a permit system to employ a child 15 or younger – up from the previous requirement of 11 or younger, and
 - and as an exception, allow 14- and 15-year-olds to perform specific types of “light work” without a permit but with parental consent.

- **Phase 2 regulations** (now):
 - this public engagement, will identify and define hazardous work that will be prohibited for young people up to under age 19.

The Ministry of Labour is gathering input through an online survey open from **April 21 to June 10, 2022**

This input will help inform the development of a regulation that will define which types of work are **too hazardous for young people under the age of 19.**

Review and Research

The Ministry of Labour reviewed

- hazardous work regulations in other places,
- WorkSafeBC injury statistics and
- identified a number of jobs to consider placing under a hazardous work regulation.

If a type of work is identified as hazardous and included in the regulation, an employer would not be permitted to employ a person younger than the minimum age (16, 17, 18 or 19) specified for that job.

Sectors and Conditions

- Construction
- Forestry/Arborists
- Fish and animal food processing
- Oil/gas & power industries
- Production process at a smelter, foundry, refinery or metal processing or fabricating operation
- Work that is likely to expose a person to Silica, Asbestos and/or Radiation
- Work with specific occupational health and safety risks.

Question Format

Construction

Construction includes general construction labour, as well as demolition, excavation, wrecking, roofing, electrical and plumbing, or flagging (traffic control) on a construction site.

Following are injury rates for a sample of construction sub-sectors:

Injury Rate (BC average for all occupations is 2.1/100 workers)

| Construction sub-sector | Injury Rate |
|-----------------------------|-------------|
| Excavation | 2.1 |
| Electrical | 2.8 |
| Building Demolition | 3.0 |
| Traffic Control | 3.0 |
| Plumbing/HVAC | 4.5 |
| Roofing (low & steep) | 5.4 |
| Construction Labour | 7.0 |
| Framing/Residential Forming | 7.8 |

Between 2016 and 2020, 669 BC workers under 19 were injured in construction jobs, of which 26 suffered long-term disabilities.

In Saskatchewan, Manitoba, Ontario and NWT workers must be 16 to work on a construction site.

Question Format

❗ Choose one of the following answers

- No minimum age: 14 and 15 year olds can do this work with a permit from the Director of Employment Standards
- 16 years old
- 17 years old
- 18 years old
- 19 years old
- I don't know

Question Format

Forestry/Arborists

Logging, sawmill, pulp mill, silviculture & other tree services, and forest fire fighting.

The following is a table of injury rates across a sample of these sub-sectors.

Injury Rate (BC average for all occupations is 2.1/100 workers)

| Forestry Jobs | Injury Rate |
|---------------------------------------|-------------|
| Pulp & paper mills | 1.6 |
| Sawmill/shake mills | 2.6 |
| Mechanized tree falling | 2.7 |
| Silviculture | 7.0 |
| Manual tree falling/bucking | 19.9 |
| Forest firefighting | 6.2 |
| Other tree services (incl. Arborists) | 7.4 |

Between 2016 and 2020, 37 BC workers under 19 were injured in the forestry/arborist sector, of which 6 suffered long-term disabilities.

In Saskatchewan, Nova Scotia and NWT workers must be 16 to work in forestry/logging operations. In Manitoba workers must be 18.

On all questions **select 18 or 19** as the age at which a worker can undertake work in the sector or work with chemicals/substances, using respirators, and in confined spaces.

First Call's Advice on Providing Comments

At the end of the survey in the open textbox let the Ministry know **there are many sectors and hazardous work tasks missing** from the questionnaire.

Other sectors where data shows youth getting injured are not included in the survey including:

- Manufacturing
- Service Sector
- Transportation & Warehousing

Data collection:

- How will government know where minors are working?
- Suggest WorkSafeBC collect worker ages

Compliance:

- What measures will government undertake to educate employers?
- What compliance resources are available for inspections and to follow-up complaints?

Next Steps for First Call

- monitoring
- continue annual requests to WorkSafeBC for injury data
- continue to gather experiences from youth and their parents
- rules for hiring children in the entertainment industry unchanged

Thank You!



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**Thank you for supporting
this work over the years!**