



Employment Standards for Children & Youth in British Columbia (BC) July 2023

HISTORY



Like most of North America, BC has a long history of putting children to work in hazardous occupations.

HISTORY



Children were employed in low-skill high risk occupations like mining, logging and fisheries.



A mining explosion in Coal Creek in 1902 triggered the first child protection laws in BC.

HISTORY



Up until 2003, employers who wanted to hire children had to apply for a permit.

BACKGROUND

**In 2003,
government
lowered work
start age to 12
and removed
the need for a
permit.**

**Why do I have to wait
'til I'm 12 to get a job?**



Child labour steals childhoods.

While developing nations are bringing in laws to protect children, B.C. now has the youngest work start age in North America — 12.

Tell your MLA the new child labour law doesn't protect our kids.

BACKGROUND

- Children 12 - 15 could work with **one parent's permission** and permission from their school.
- **No worksites or tasks were off limit**
- BC brought in a '**training wage**' for new workers that was far less than the minimum wage
- **And lower child employment standards were advertised** in newspapers across the province

BACKGROUND

This change identified children, aged 12-15, as **a cheap pool of labour** available for virtually any work site, for any task.



- **Research Reports**
 - Injury Data
 - Experience of minors
- **Letters and Submission to government**
- **Media – articles, op eds,**
- **Presentations and Conferences**

OUR ADVOCACY GUIDED BY PRINCIPLES

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 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.

OUR ADVOCACY GUIDED BY PRINCIPLES

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.

6. Child labour will exist when governments do not expressly prohibit it through legislation and regulation, and when those laws are not strictly enforced.

Who's Looking Out for Our Kids? Deregulating Child Labour Law in British Columbia



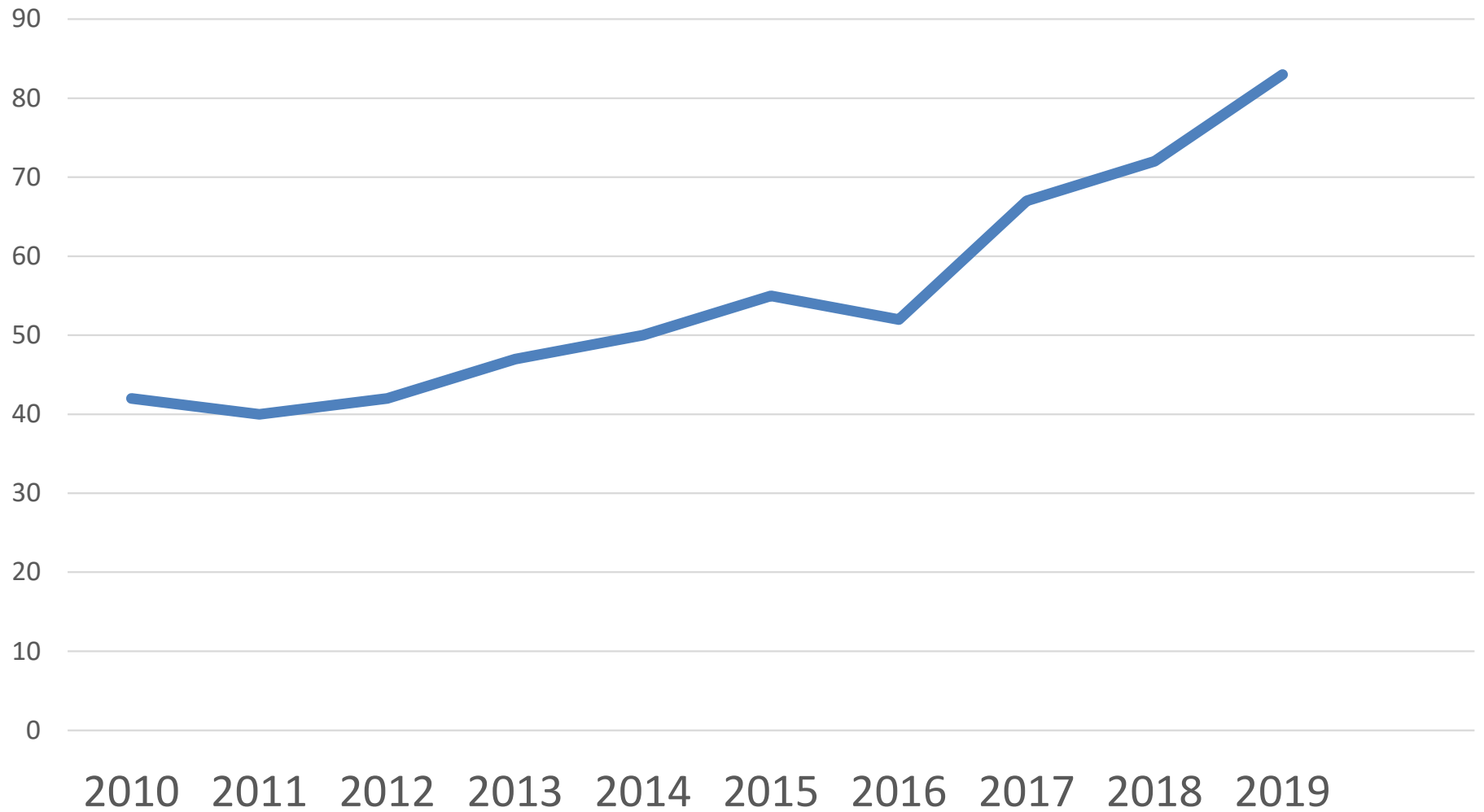
A CCPA-BC Policy Brief

by Helesia Luke
and Graeme Moore

**2004: First report BC CCPA
*Who's Looking Out for Our Kids?
Deregulating Child Labour Law in BC***

- 2004: First report published: *Who's Looking Out for Our Kids? Deregulating Child Labour Law in BC* initiates a public awareness campaign
- 2009: 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

Under 15 Disability Injury Claims



- 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 the Minister of Labour
- 2020: Government passes Bill 8 amending the Employment Standards Act but did not provide or enact regulations

FRIDAY, MAY 10, 2013

The details of the incidents cannot be released in order to protect the boys' identities, but the injuries were "severe" and occurred while the boys were doing work known to be high risk and "inappropriate" for children, says the First Call report. The boys are now permanently disabled.

Work-related injury claims payouts to children surge

Increase largely due to 'severe' injuries to two boys under 15

GORDON HOEKSTRA,
OPINION COLUMNIST

» OPINION: B.C. PAYS PRICE FOR LOWER WORK AGE | A17

'Vulnerable' child workers exposed by B.C.'s labour laws, critics say

GLENDALUYMES

Child safety advocates are urging the provincial government to change B.C. labour laws to protect the province's youngest workers — those 15 and under — after more than \$5 million in disability claims was paid to kids injured on the job between 2007 and 2017.

"The stories we've heard are very concerning," said Adrienne

Montani, provincial co-ordinator with First Call B.C., a coalition of organizations that advocate for children and youth. In its work across the province, the coalition has heard from several injured children, including a 12-year-old with battery acid burns and a 13-year-old with a back injury.

She said First Call had reports of 13-year-olds on construction sites, sometimes working with

their parents on the same job sites. In the retail and fast-food industries they've heard about the sexual harassment of young girls and of children under 15 working until 1 a.m.

Between 2007 and 2017, Work-SafeBC recorded 187 accepted claims by kids 14 and under, as well as 593 accepted claims by those age 15 for a total of 780 accepted claims, representing \$5.2 million

in disability benefits. The data does not include claims accepted for health-care benefits only.

"As many children and you begin summer jobs, it's important for everyone to realize how few safeguards are in place to protect them from exploitation and injury," said Montani. "We want B.C.'s child labour laws brought to international standards."

SEE INJURED KIDS ON A5

report.

CONTINUED ON A2



B.C. NDP government updates labour rules, scrapping Liberal measures

First Call BC Child and Youth Advocacy Coalition said the minimum age of 16 for most jobs is a positive step. Some of the most common jobs children as young as 12 take in B.C. currently are sweeping up at construction sites and helping dismantle vehicles for parts, said development coordinator Helesia Luke.

“Right now we are the only jurisdiction in North America that lets 12-year-olds on construction sites – lets them not only be there but work there,” she said.

In 2023, after

- 19 years
- 5 research reports
- 15 freedom of information request
- 100s of child workplace injury claims
- and at least 6 Ministers of Labour

Regulations are now in place that better protect children from exploitation and injury in workplaces.

The new (2022) approach:

- Limit the types of work a minor can do by determining acceptable work for different age groups.
- Re-establish a government permit system for employers.

Requires:

- Parent letter of permission is required with or without a permit
- School permission required if during school time

When employing children between the ages of 12 and 15 for any occupation **other than** camp assistant, assistant coach, referee or umpire for a sports or recreational activity, **a permit is required unless otherwise excluded from the act.**

The new rules do not prevent children from babysitting or delivering newspapers part time, or students from working in a work study or work experience class.

NEW SYSTEM

Ages 12 and 13

Employers need a permit unless:

- The child will be working as a camp assistant, assistant coach, referee or umpire and will not be performing any tasks listed in [not light work](#)
- The child is working for a family owned business and will not be performing any tasks listed in [not light work](#)
- The child will be performing in the entertainment industry

Ages 14 and 15

Employers need a permit unless:

- The child will be working as a camp assistant, assistant coach, referee or umpire and will not be performing any tasks listed in [not light work](#)
- The child is working for a family owned business and will not be performing any tasks listed in [not light work](#)
- The child will be performing in the entertainment industry
- The child will be doing [light work](#) only

NEW SYSTEM

Occupations that are now considered as **light work appropriate for youth 14 and 15** include:

Cashier

Golf caddy

Messenger or courier

Performing artist

Referee or umpire

Server of food or drink, other than alcohol

Summer or day camp leader

Visual artist or graphic designer

Computer programmer

Lifeguard or lifeguard assistant

Peer counsellor

Recreation or community program attendant

Salesperson, other than door-to-door

Sports or recreational coach or instructor

Tutor or instructor

Writer, editor or similar

NEW SYSTEM

Occupations or situations that are now considered **unsafe for youth under 16** include:

repairing, maintaining or operating heavy machinery;
places where a minor is not permitted to enter;
construction sites, heavy manufacturing and heavy industrial work;
sites designed to retain an oxygen-deficient or toxic atmosphere;

walk-in freezers or coolers, other than to place or retrieve an item;
handling substances that minors cannot legally purchase, use or distribute;
lifting, carrying or moving heavy items or animals; and
using, handling or applying hazardous substances, such as pesticides

Director's discretion

The decision to issue a child employment permit is subject to the Director's approval. The Director assesses factors such as:

- The child's **health and wellbeing** of the child, including any risks or hazards they may be exposed to
- The child's **ability to assess risk and refuse tasks** they may be uncomfortable performing
- The **consent** provided by the parent or guardian and the child's school authority
- The **suitability** of the employment for the child

The Director exercises their discretion with a focus on the health and wellbeing of the child. This includes:

- **Potential hazards or dangers** present in the child's proposed workplace
- Proper **compensation** for work performed
- Employment agreements that meet all **minimum employment standards**

We continue to have concerns:

- **compliance – do employers know about new law and permit system?**
- **data – will these changes provide an accurate picture of how many children are working and where?**

Next steps for us:

- **monitoring**
- **continue annual requests to WorkSafeBC for injury data**

FUNDING FOR OUR ADVOCACY



British Columbia
Teachers' Federation