



**ANNUAL REPORT OF
THE EMPLOYMENT STANDARDS TRIBUNAL
OF BRITISH COLUMBIA
FISCAL YEAR 2005/2006**

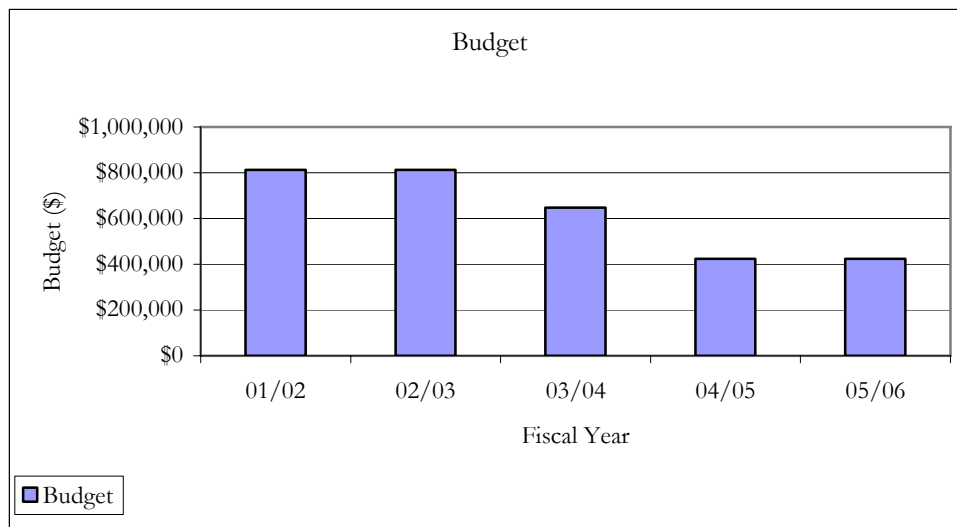
Overview

The Employment Standards Tribunal was established on November 1, 1995 under Part 12 of the *Employment Standards Act* (the “Act”) as an independent agency with a mandate to conduct appeals of Determinations issued by the Director of Employment Standards and to reconsider decisions made by the Tribunal.

Historical Financial and Statistical Data

Budget

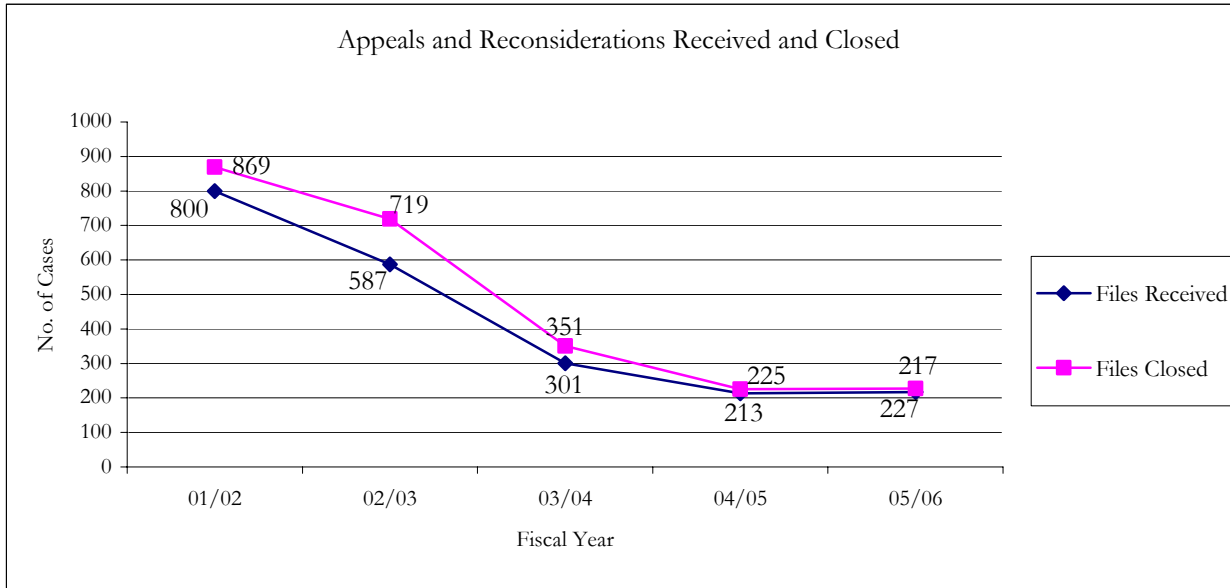
Fiscal Year	Budget
01/02	\$813,000
02/03	\$813,000
03/04	\$647,000
04/05	\$424,000
05/06	\$424,000



Appeals and Reconsiderations Received and Closed

Fiscal Year	Received			Closed		
	Appeals	Reconsiderations	Total	Appeals	Reconsiderations	Total
01/02	718	82	800	778	91	869
02/03	524	63	587	652	67	719
03/04	265	36	301	308	43	351
04/05	190	23	213	199	26	225
05/06	185	32	217	198	29	227

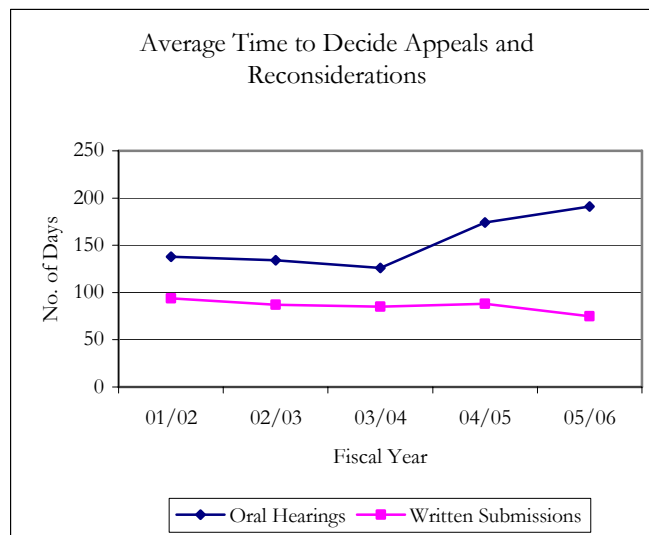
Note: Data for 05/06 does not include approximately 30 letter/informal decisions.



Average time to Decide Appeals and Reconsiderations

Generally, a case before the Tribunal is decided within 90 days of receipt where the case is decided solely on the basis of written submissions from the parties. On occasion, Tribunal appeals may take more than 1 year to adjudicate.

Decision Method	Number of Days				
	01/02	02/03	03/04	04/05	05/06
Oral Hearings	138	134	126	174	191
Written Submissions	94	87	85	88	75



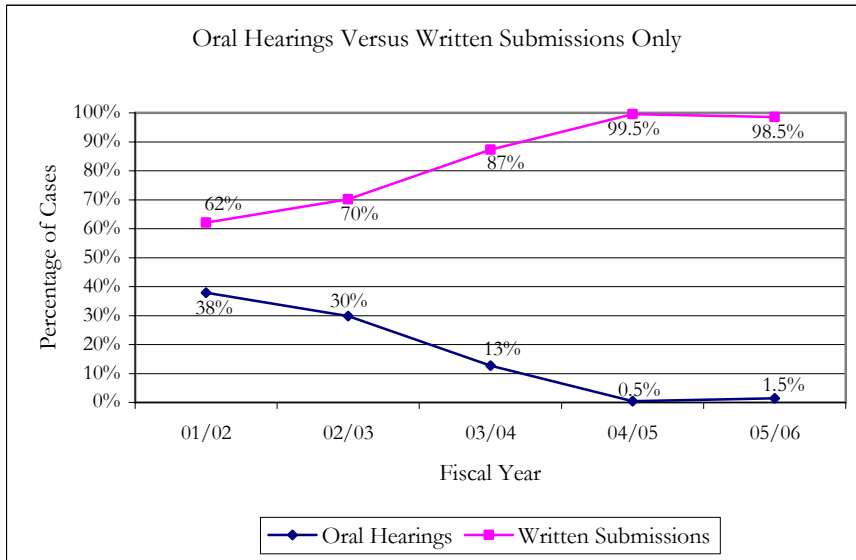
* Note:

- In Fiscal Year 04/05, one case was decided based on an oral hearing.
- In Fiscal Year 05/06, 3 cases were decided based on oral hearings.

Oral Hearings versus Written Submissions (% of total cases)

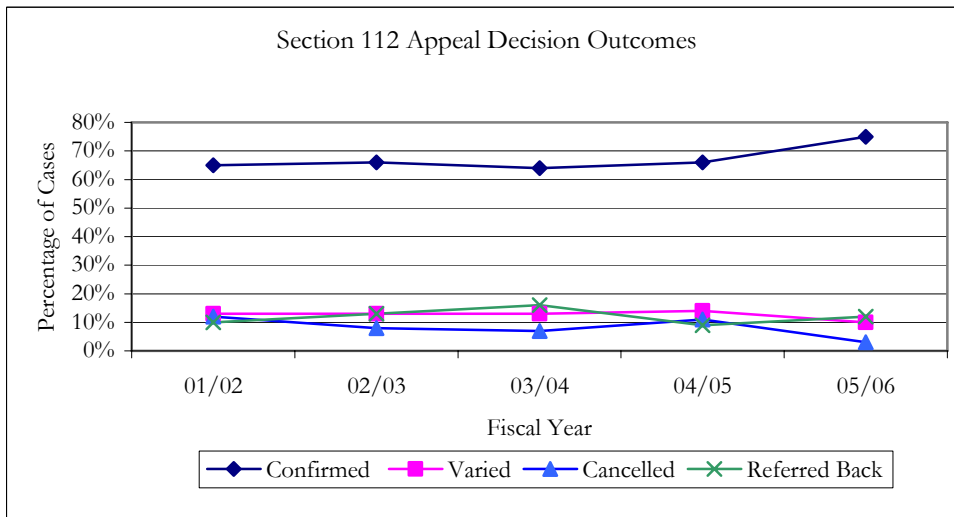
The Tribunal may decide cases based on either written submissions only or by a combination of an oral hearing and written submissions. Since fiscal year 03/04, Tribunal decisions are based primarily on written submissions only.

Decision Method	01/02	02/03	03/04	04/05	05/06
Oral Hearings	38%	30%	13%	0.5%	1.5%
Written Submissions	62%	70%	87%	99.5%	98.5%



Section 112 Appeal Decision Outcomes (% of total cases)

Appeal Outcome	01/02	02/03	03/04	04/05	05/06
Confirmed	65%	66%	64%	66%	75%
Varied	13%	13%	13%	14%	10%
Cancelled	12%	8%	7%	11%	3%
Referred Back	10%	13%	16%	9%	12%



Reconsideration Decision Outcomes (% of total cases)

Since inception, the Tribunal has received 486 requests for reconsideration. This represents a request rate of 7.32% of total files. The reconsideration requests resulted in the Tribunal, on average, confirming 85% and altering or cancelling 15% of its original decisions.

Reconsideration Outcomes	01/02	02/03	03/04	04/05	05/06
Denied - Decision Confirmed	85%	91%	83%	81%	97%
Granted - Decision Varied	8%	1%	7%	15%	3%
Granted - Decision Cancelled	7%	5%	7%	4%	0%
Granted - Decision Referred Back	0%	3%	3%	0%	0%

