



Employment
Standards
TRIBUNAL

**ANNUAL REPORT OF
THE EMPLOYMENT STANDARDS TRIBUNAL
OF BRITISH COLUMBIA
FISCAL YEAR 2007/2008**

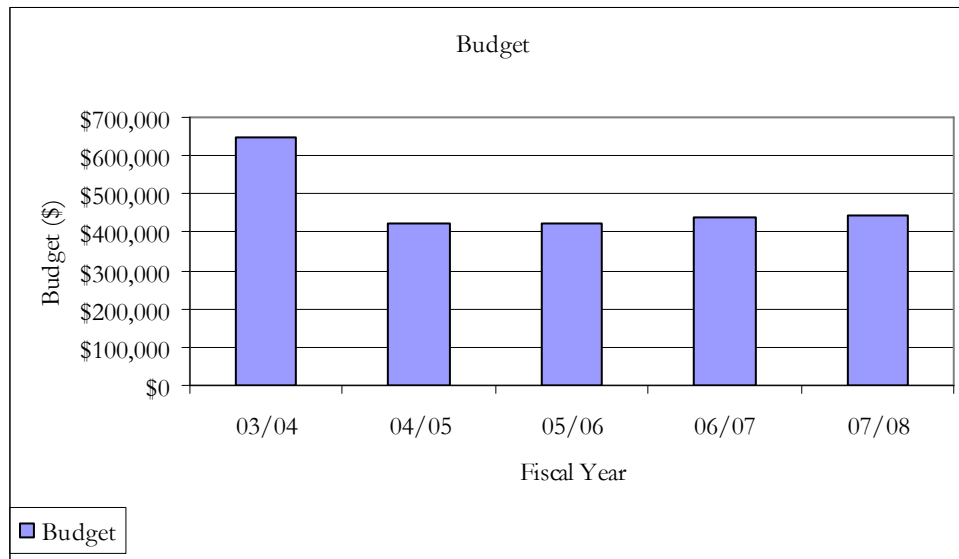
Overview

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

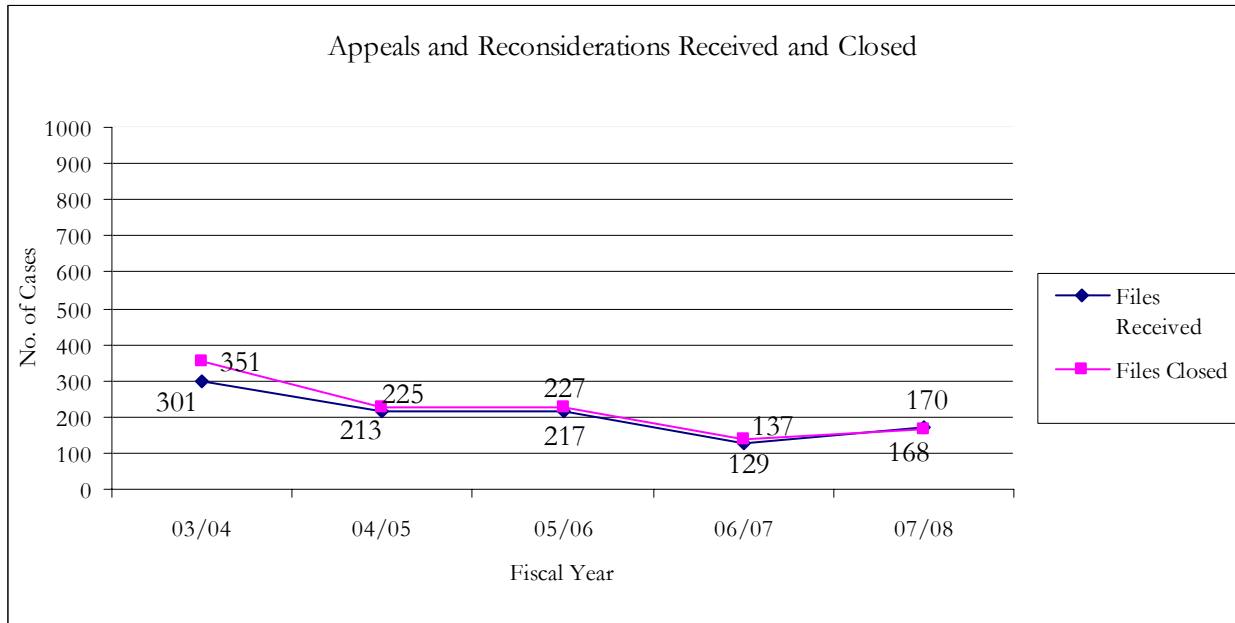
Fiscal Year	Budget
03/04	\$647,000
04/05	\$424,000
05/06	\$424,000
06/07	\$437,000
07/08	\$443,000



Appeals and Reconsiderations Received and Closed

Fiscal Year	Received			Closed		
	Appeals	Reconsiderations	Total	Appeals	Reconsiderations	Total
03/04	265	36	301	308	43	351
04/05	190	23	213	199	26	225
05/06	185	32	217	198	29	227
06/07	102	27	129	113	24	137
07/08	154	16	170	153	15	168

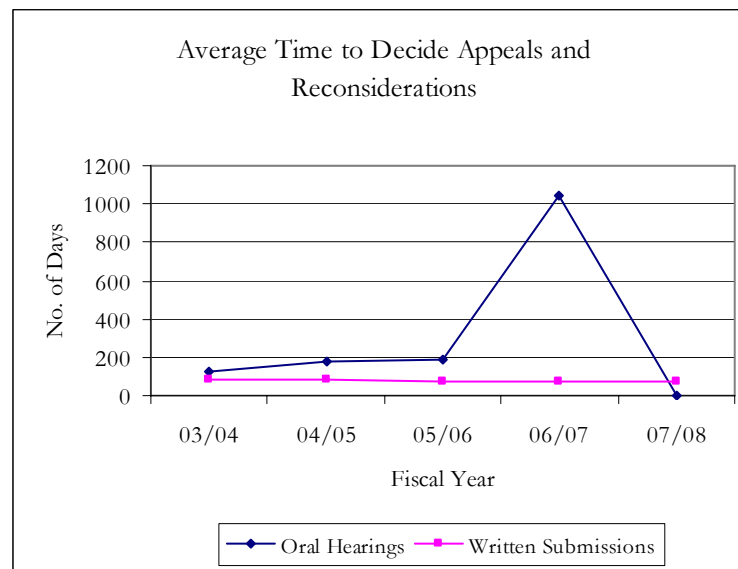
Note: Data for 07/08 does not include approximately 20 letter/informal decisions.



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	03/04	04/05	05/06	06/07	07/08
Oral Hearings	126	174	191	1047	0
Written Submissions	85	88	75	76	71



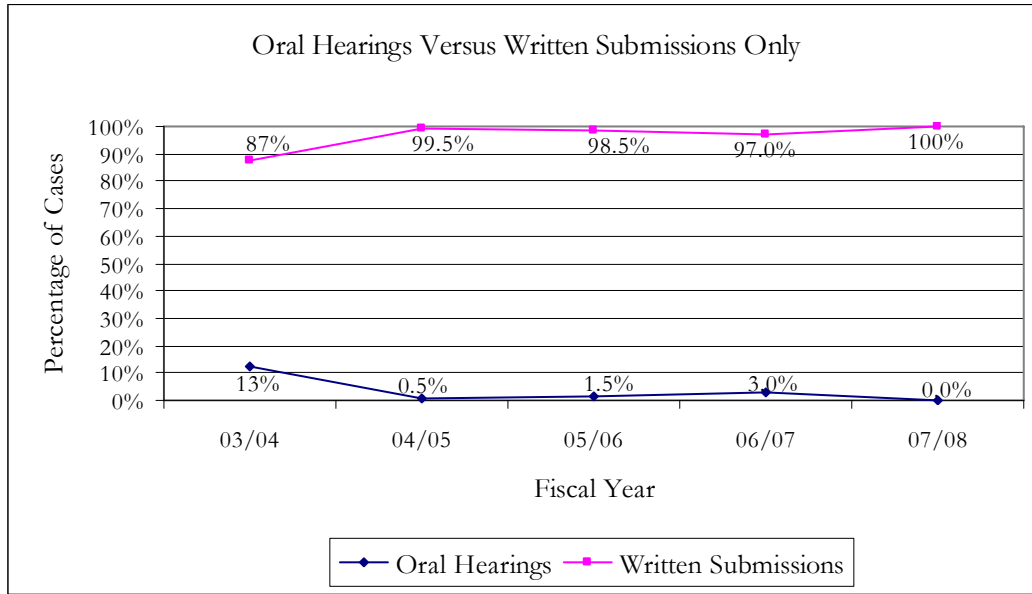
* Note:

- In Fiscal Year 06/07 the 4 associated cases were decided based primarily on written submissions. The appeals were received in Fiscal Year 03/04. Multiple decisions were issued, one of which was based on a combination of an oral hearing held in 2003 as well as written submissions.

Oral Hearings versus Written Submissions (% of total cases)

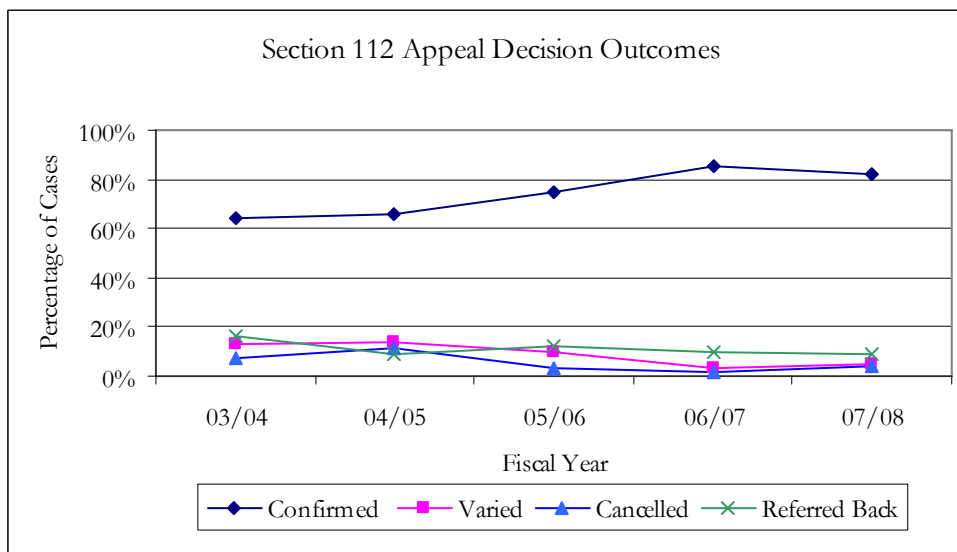
The Tribunal may decide cases based on either written submissions only or by a combination of an oral hearing and written submissions. Since fiscal year 03/04, Tribunal decisions are based primarily on written submissions only.

Decision Method	03/04	04/05	05/06	06/07	07/08
Oral Hearings	13%	0.5%	1.5%	3.0%	0.0%
Written Submissions	87%	99.5%	98.5%	97.0%	100%



Section 112 Appeal Decision Outcomes (% of total cases)

Appeal Outcome	03/04	04/05	05/06	06/07	07/08
Confirmed	64%	66%	75%	85%	82%
Varied	13%	14%	10%	3%	5%
Cancelled	7%	11%	3%	2%	4%
Referred Back	16%	9%	12%	10%	9%



Reconsideration Decision Outcomes (% of total cases)

Since inception, the Tribunal has received 513 requests for reconsideration. This represents a request rate of 7.58% of total files. The reconsideration requests resulted in the Tribunal, on average, confirming 86% and altering or cancelling 14% of its original decisions.

Reconsideration Outcomes	03/04	04/05	05/06	06/07	07/08
Denied - Decision Confirmed	83%	81%	97%	96%	100%
Granted - Decision Varied	7%	15%	3%	4%	0%
Granted - Decision Cancelled	7%	4%	0%	0%	0%
Granted - Decision Referred Back	3%	0%	0%	0%	0%

