



December 12, 2025

Honourable Niki Sharma  
Attorney General of British Columbia  
Parliament Buildings  
Victoria, BC  
V8V 1X4

Dear Honourable Minister:

RE: Employment Standards Tribunal Fiscal Year 2024/2025 Report

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I am pleased to forward to you the Employment Standards Tribunal's annual report for the Fiscal Year 2024/2025. This Report has been prepared for your review pursuant to Section 103 of the *Employment Standards Act*.

Yours truly,

A handwritten signature in black ink, appearing to read "J. Glougie".

Jennifer Glougie, Chair  
Employment Standards Tribunal

Enclosure

cc. Honourable Jennifer Whiteside  
Minister of Labour  
Parliament Buildings  
Victoria, BC  
V8V 1X4



# Annual Report of the Employment Standards Tribunal

For the period April 1, 2024, to March 31, 2025.

## CHAIR'S MESSAGE

The Tribunal continues to fulfill its mandate as an appeal body for decisions issued by the Employment Standards Branch. While the overall number of cases remained stable this year, the complexity of matters before the Tribunal increased significantly. This has required additional time and resources to ensure decisions are fair, thorough, and timely.

Operationally, the Tribunal faced challenges. We were unable to fill two critical vacancies, Operations Manager and Registry Administrator, due to funding constraints. These circumstances have placed additional pressure on our limited resources resulting in the timeliness of delivering decisions being impacted. We are now advising parties to expect their appeal to be decided in approximately eight months to eleven months, which is longer than in previous years.

This year also marked an important development: the Tribunal began receiving cases under the *Temporary Foreign Worker Protection Act*, expanding the scope of our work and introducing new legal and procedural considerations.

Despite these challenges, the Tribunal remains committed to delivering high-quality appeal and reconsideration decisions. The ability to meet these demands is a testament to the dedication and professionalism of our Registrar, staff, and Members. I am deeply grateful for their resilience and hard work during this period of transition and increased complexity.

Looking ahead, the Tribunal's ability to maintain timely and effective service will depend on adequate resourcing. Filling our vacant positions and ensuring sufficient administrative support are essential to meeting the growing complexity of cases and the expanded jurisdiction under the *Temporary Foreign Worker Protection Act*. Continued investment in staffing and operational capacity will allow the Tribunal to uphold its mandate and deliver the level of service expected by the public. As the *Employment Standards Act* applies to the vast majority of workplaces in British Columbia, ensuring robust capacity is critical to meeting the needs of employees and employers across the province.

## OVERVIEW

The *Employment Standards Act (ESA)* establishes the Employment Standards Tribunal (“Tribunal”) and gives it exclusive jurisdiction to inquire into, hear and determine all those matters and questions of fact, law and discretion arising or required to be determined in an appeal or reconsideration under Parts 12 and 13 of the *ESA* and to make any order permitted to be made.

The *Temporary Foreign Worker Protection Act (TFWPA)* gives the Tribunal exclusive jurisdiction to inquire into, hear and determine all those matters and questions of fact, law and discretion arising or required to be determined in an appeal or reconsideration under Parts 9 and 10 of the *TFWPA* and to make any order permitted to be made.

## ORGANIZATION OF THE TRIBUNAL

### The Chair and Members

The Tribunal’s Chair is appointed by Order in Council. The current Chair, Jennifer Glougie, also serves as Chair of the Labour Relations Board.

The Tribunal’s Members are appointed by Ministerial Order. During the reporting period, the following Members were on the Tribunal’s roster: Alysha Bennett, Shafik Bhalloo, Jeremy Bryant, John Chesko, Ryan Goldvine, Richard Grounds, Robert E. Groves, Warren Insell, Marie “Diane” Irvine, Brandon Mewhort, Mona Muker, Lynn Muldoon, Carol L. Roberts, Sherry Shir, David B. Stevenson, and Kenneth Wm. Thornicroft.

There are no representative members appointed to the Tribunal.

Under the *ESA*, the Chair has the authority to assign panels to hear and decide appeals and applications for reconsiderations. The Chair is responsible for ensuring that the Tribunal’s processes are fair, independent, effective and timely, and is also accountable for the Tribunal’s operations and budget.

### The Registry

During the reporting period, the Tribunal’s Registry comprised the Registrar, a newly appointed Deputy Registrar, and three Registry Administrators. The Registry is responsible for processing all appeal and reconsideration applications and administering informal dispute resolution services.

The Registrar plays a pivotal role in Tribunal operations, providing strategic leadership to uphold its mandate and operational efficiency. Responsibilities include oversight of case management systems, payroll and benefits administration, financial management, ensuring compliance with filing requirements, managing suspension requests, applying privacy legislation and compliance with administrative policies. The Registrar is also the Tribunal's Privacy Officer.

To strengthen administrative capacity and ensure business continuity, the Tribunal introduced the Deputy Registrar position. This role supports the Registrar by managing day-to-day operations, supervising Registry staff, and coordinating case processing and dispute resolution services. The Deputy Registrar also provides redundancy for critical functions, mitigating operational risk and ensuring uninterrupted service during periods of high demand or staff absence.

The Operations Manager position remains vacant due to funding constraints. Its duties—such as providing support for the Tribunal's software and hardware infrastructure, drafting communications, managing remuneration, the Tribunal's facilities, and maintaining the Tribunal's website—are currently shared by the Registrar and Deputy Registrar to maintain continuity of service.

Registry Administrators manage the processing of cases and respond to inquiries from parties and the public. Their expertise in this area is essential to maintaining procedural integrity and service quality.

## Legal Services

Legal services to the Tribunal are provided by lawyers from the Legal Department of the Labour Relations Board. These lawyers offer advice and support on matters of law and procedure, assist with the interpretation of legislation, and represent the Tribunal at court. Their expertise is essential in maintaining the Tribunal's commitment to fairness, independence, and integrity.

## STATUTORY AND REGULATORY AMENDMENTS

During the reporting period, there were amendments to both the *ESA* and the *TFWPA*; however, none of these changes affected the Tribunal's mandate, jurisdiction, or processes. The Tribunal continued to operate under the existing statutory framework without any legislative modifications impacting its work.

The Tribunal actively monitors legislative developments to ensure compliance and readiness for future changes, maintaining its commitment to fair and effective adjudication.

## **OPERATIONS UPDATE**

### **Access and transparency**

The Tribunal's processes must be fair, meet statutory requirements, and address its operational needs. They must also be accessible and transparent.

### **Usual Appeal and Reconsideration Process Information**

Information about the Tribunal's processes is available on its website and provided to parties involved in appeals and reconsideration applications. These materials are regularly reviewed and updated based on party feedback to ensure clarity, accessibility, and ease of use. By incorporating user input, the Tribunal strives to remove barriers to understanding and promote fair and informed participation in its proceedings.

### **Access to Information and Privacy and Anonymization Policy**

The Tribunal's privacy and anonymization policy is available on its website. It describes the information the Tribunal collects in proceedings under the *ESA*, how the information is used, and what information the public has access to. The Policy also confirms that, in accordance with the open court principle, names and relevant personal information are published in Tribunal decisions. However, in exceptional circumstances, a panel may exercise its discretion to anonymize the name of a party or omit certain personal information where the harm to a person's privacy or security outweighs the public interest in transparency, accountability, and intelligibility of Tribunal decisions. The Policy sets out the process by which an applicant can ask the panel to consider exercising its discretion in that regard.

### **Time Limits**

The usual time limit for deciding an appeal or application for reconsideration is now eight to eleven months.

### **Information and Website**

The Tribunal's website contains information about its processes, decisions, and annual statistics reports. The website address is [www.bcest.bc.ca](http://www.bcest.bc.ca).

## Indigenous Reconciliation, Diversity, and Inclusion

The Tribunal has continued to take steps to ensure that it is open and inclusive both as a public body and as an employer, including those outlined below.

### Indigenous reconciliation

The Tribunal continues to encourage and require cultural awareness training for its staff and Members as part of its commitment to reconciliation. This training promotes understanding of Indigenous histories, perspectives, and legal traditions, fostering culturally informed decision-making and respectful engagement with Indigenous parties. In alignment with the Truth and Reconciliation Commission's Calls to Action, the Tribunal is committed to advancing cultural competency within its processes and ensuring that its services are inclusive and accessible to Indigenous peoples. The Tribunal also reviews its practices and materials to identify and remove barriers, incorporating feedback to support equitable participation and uphold the principles of reconciliation.

### Accessible British Columbia Act

The Tribunal remains steadfast in enhancing accessibility in alignment with the *Accessible BC Act*. In collaboration with the Labour Relations Board, the Tribunal has developed a Draft Accessibility Plan, reflecting a shared commitment to identifying and removing barriers that may impede meaningful engagement for users and staff. This joint initiative is informed by a dedicated Accessibility Committee, which includes persons with disabilities who have direct experience interacting with Tribunal processes. The Draft Plan represents the initial step in the Tribunal's accessibility journey and is open to public feedback, which will be carefully considered as implementation progresses.

### Recruitment

The Tribunal remains committed to advancing diversity among its Ministerial Order appointees and staff. Our team includes individuals who identify as First Nations and persons of colour, reflecting the Tribunal's dedication to representation and inclusion. We actively encourage applicants for both Ministerial Order appointments and staff positions to self-identify, as this information helps us promote equity and strengthen diversity within the organization.

## STATISTICS

The statistics below cover the period April 1, 2024, through to March 31, 2025, for activities under the *ESA* and the *TFWPA*.

The Tribunal has made corrections to data reported in the previous two fiscal years to reflect updated and more accurate information from our case management system. These adjustments ensure that the statistics presented in this report provide a reliable and consistent representation of the Tribunal's operations. These corrections did not affect overall trends or conclusions reported in prior years.

### Appeals

While a typical case before the Tribunal involves a single appellant and a single employer, and, in most instances, the parties are self-represented, FY25 presented a broader range of matters.

In addition to standard appeals, the Tribunal dealt with cases involving multiple employees, cases with several related employers, and other atypical scenarios requiring more complex analysis and coordination. This diversity reflects the evolving nature of the Tribunal's caseload and the need for flexible and thorough adjudication processes.

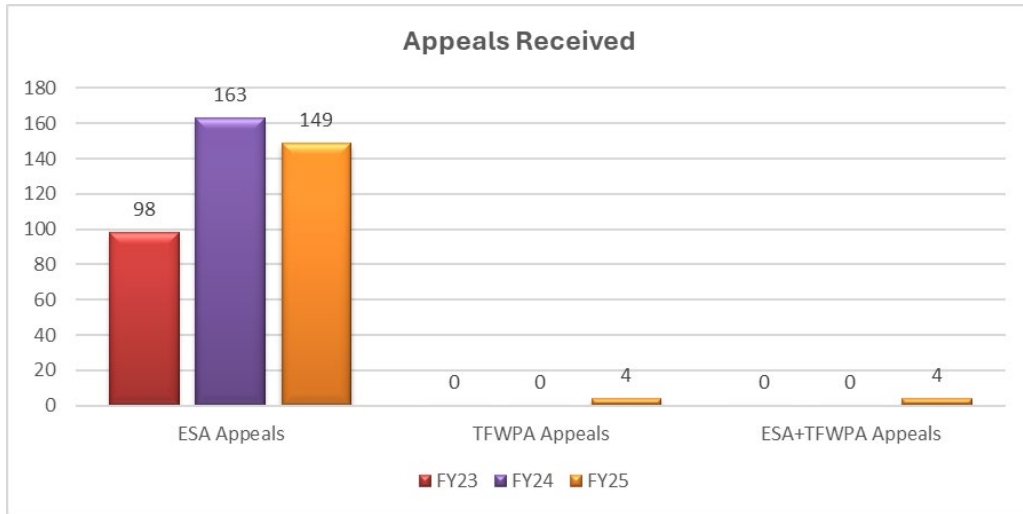
#### Appeals Received

During Fiscal Year 2025, the Tribunal received 157 appeals under the *ESA*, 4 under the *TFWPA*, and 4 which involved both the *ESA* and *TFWPA*. The table and chart below present a comparison of appeals received across Fiscal Years 2022-2023 (FY23), 2023-2024 (FY24), and 2024-2025 (FY25).

**Appeals Received**

Fiscal Year	ESA Appeals	TFWPA Appeals	ESA+TFWPA Appeals
FY23	98	0	0
FY24	163	0	0
FY25	149	4	4



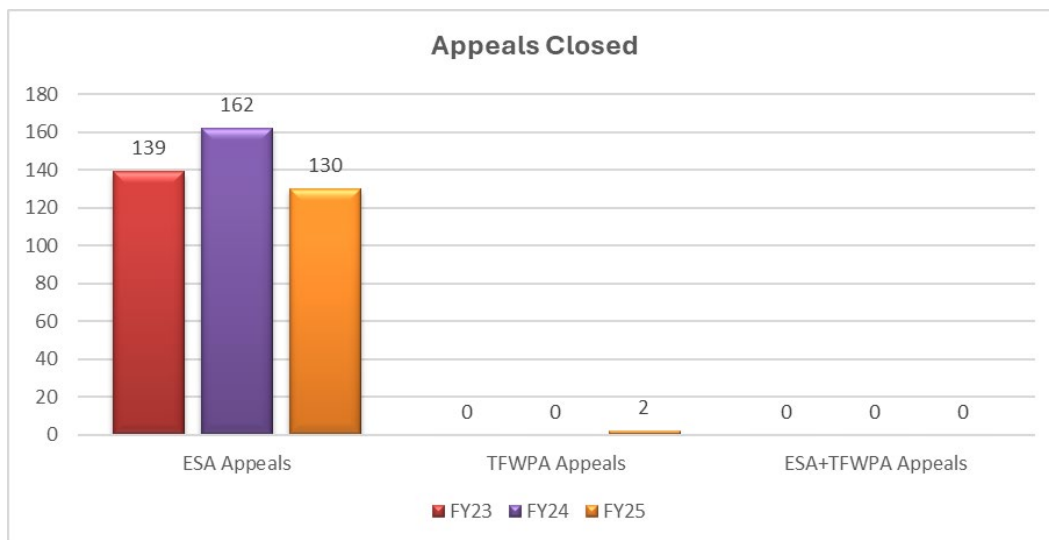


## Appeals Closed

During Fiscal Year 2025, the Tribunal closed 130 appeals under the *ESA* and 2 under the *TFWPA*. The table and chart below present a comparison of appeals closed across Fiscal Years 2022-2023 (FY23), 2023-2024 (FY24), and 2024-2025 (FY25).

### Appeals Closed

Fiscal Year	ESA Appeals	TFWPA Appeals	ESA+TFWPA Appeals
FY23	139	0	0
FY24	162	0	0
FY25	130	2	0



## Appeal Outcomes

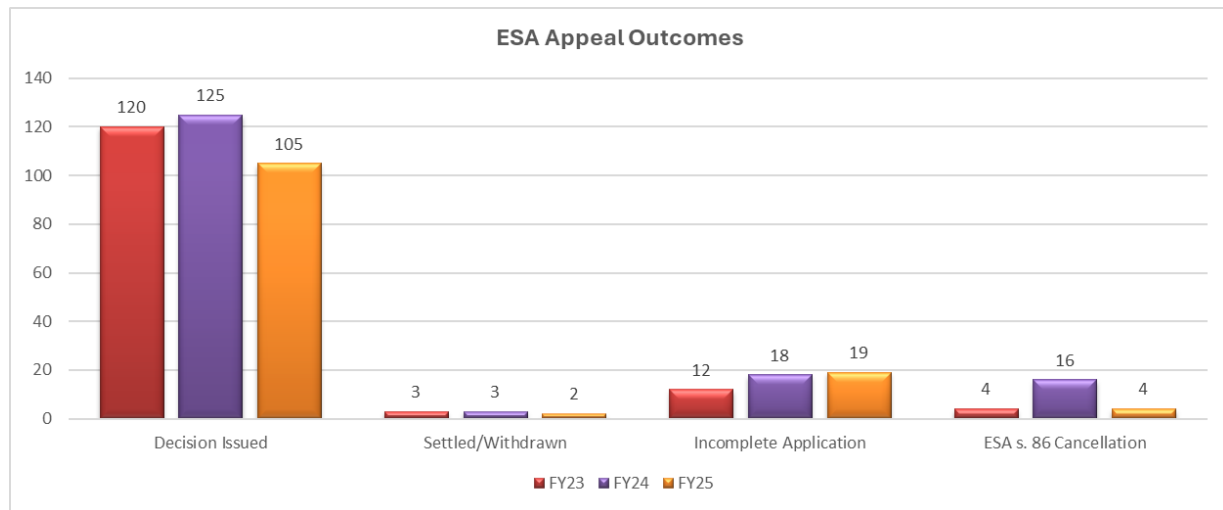
Of the 125 closed *ESA* appeals, 105 were closed as a result of a final decision being issued, 2 were withdrawn by the appellant, 19 were closed as they were not perfected by the appellant, and 4 were closed as the Director of Employment Standards cancelled the determination under section 86 of the *ESA*.

Both of the closed *TFWPA* appeals were closed as the Director of Employment Standards cancelled the determination under section 47 of the *TFWPA*.<sup>1</sup>

The table and chart below present a comparison of *ESA* appeal outcomes across Fiscal Years 2022-2023 (FY23), 2023-2024 (FY24), and 2024-2025 (FY25).

**ESA Appeal Outcomes**

Fiscal Year	Decision Issued	Settled/Withdrawn	Incomplete Application	ESA s. 86 Cancellation
FY23	120	3	12	4
FY24	125	3	18	16
FY25	105	2	19	4



<sup>1</sup> There is no data table presented for closed *TFWPA* appeals.

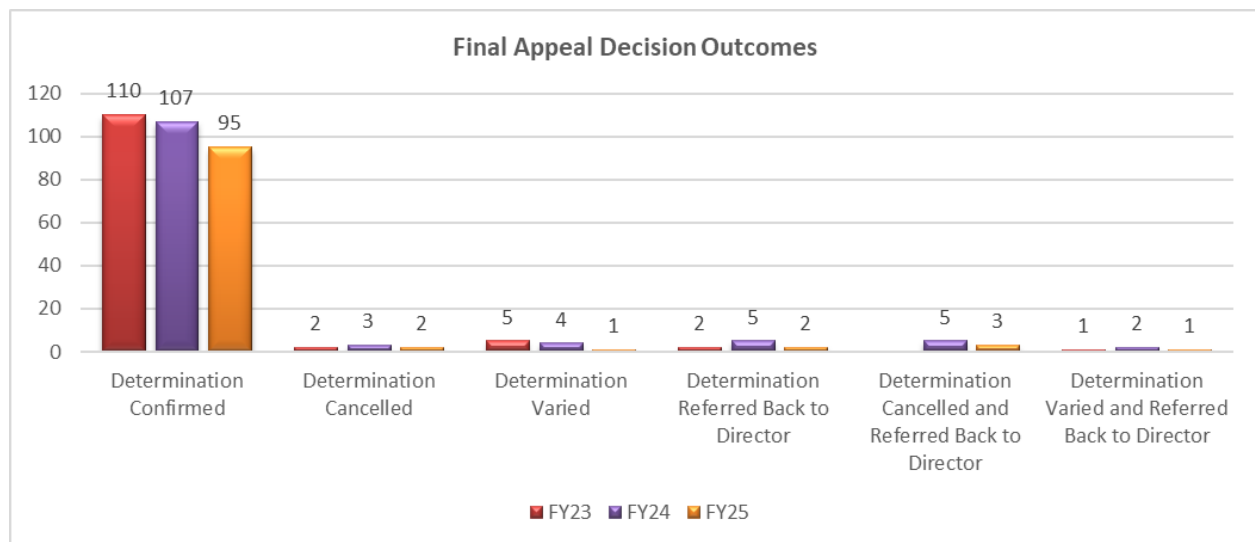
## ESA Appeals - Decision Outcomes

In addition to issuing a final decision on an appeal, the Tribunal may issue preliminary decisions, interim decisions, production orders, anonymization orders, as well as non-disclosure orders.

The table and chart below present a comparison of *ESA* appeal final decision outcomes only across Fiscal Years 2022-2023 (FY23), 2023-2024 (FY24), and 2024-2025 (FY25).

**ESA Final Appeal Decision Outcomes**

Fiscal Year	Determination Confirmed	Determination Cancelled	Determination Varied	Determination Referred Back to Director	Determination Cancelled and Referred Back to Director	Determination Varied and Referred Back to Director
FY23	110	2	5	2		1
FY24	107	3	4	5	5	2
FY25	95	2	1	2	3	1



## Reconsideration Applications

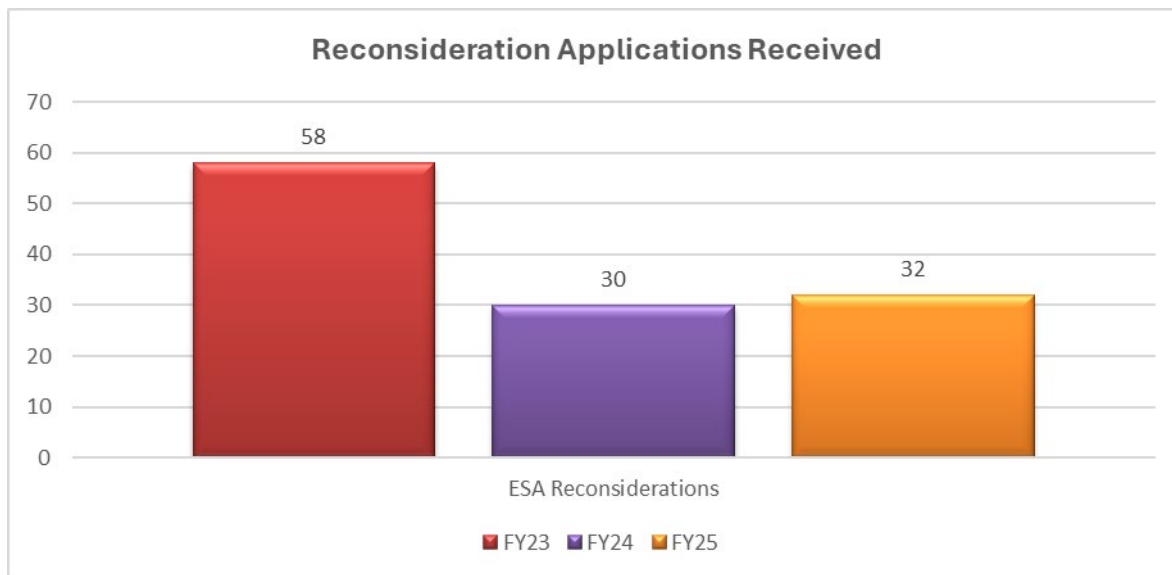
### Reconsideration Applications Received

During Fiscal Year 2025, the Tribunal received 32 applications for reconsideration under the *ESA*. The Tribunal did not receive any applications for reconsideration under the *TFWPA*.

The table and chart below present a comparison of *ESA* reconsideration applications received across Fiscal Years 2022-2023 (FY23), 2023-2024 (FY24), and 2024-2025 (FY25).

#### Reconsideration Applications Received

Fiscal Year	ESA Reconsiderations	TFWPA Reconsiderations	ESA+TFWPA Reconsiderations
FY23	58	0	0
FY24	30	0	0
FY25	32	0	0



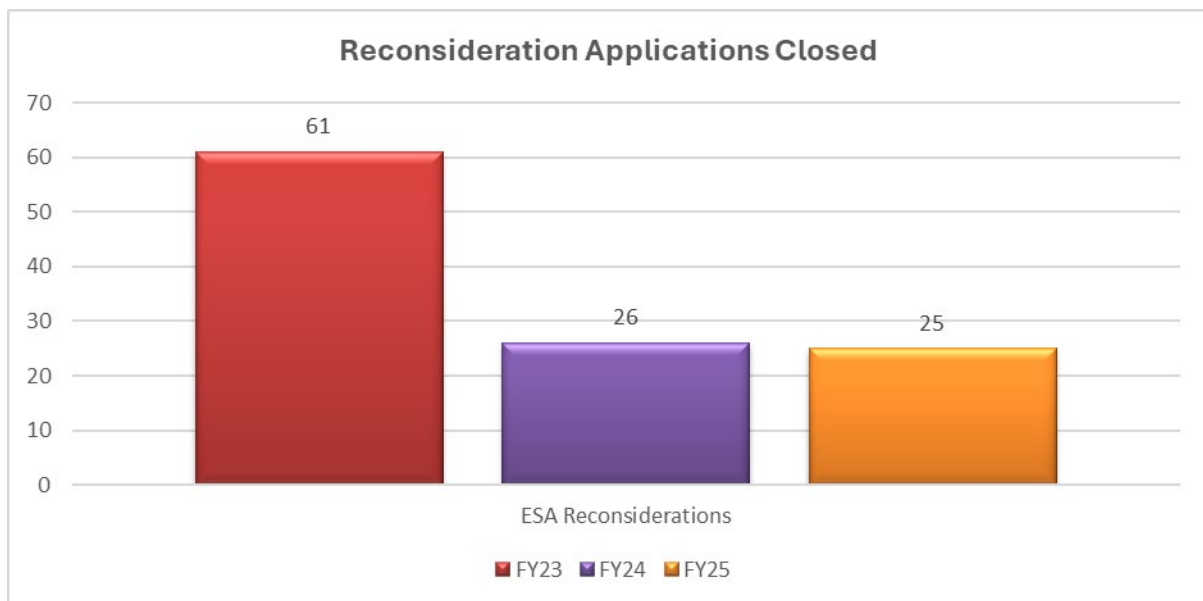
## Reconsideration Applications Closed

During Fiscal Year 2025, the Tribunal closed 25 reconsideration applications under the *ESA*. No reconsideration applications were closed under the *TFWPA*.

The table and chart below present a comparison of *ESA* reconsideration applications closed across Fiscal Years 2022-2023 (FY23), 2023-2024 (FY24), and 2024-2025 (FY25).

### Reconsideration Applications Closed

Fiscal Year	ESA Reconsiderations	TFWPA Reconsiderations	ESA+TFWPA Reconsiderations
FY23	61	0	0
FY24	26	0	0
FY25	25	0	0



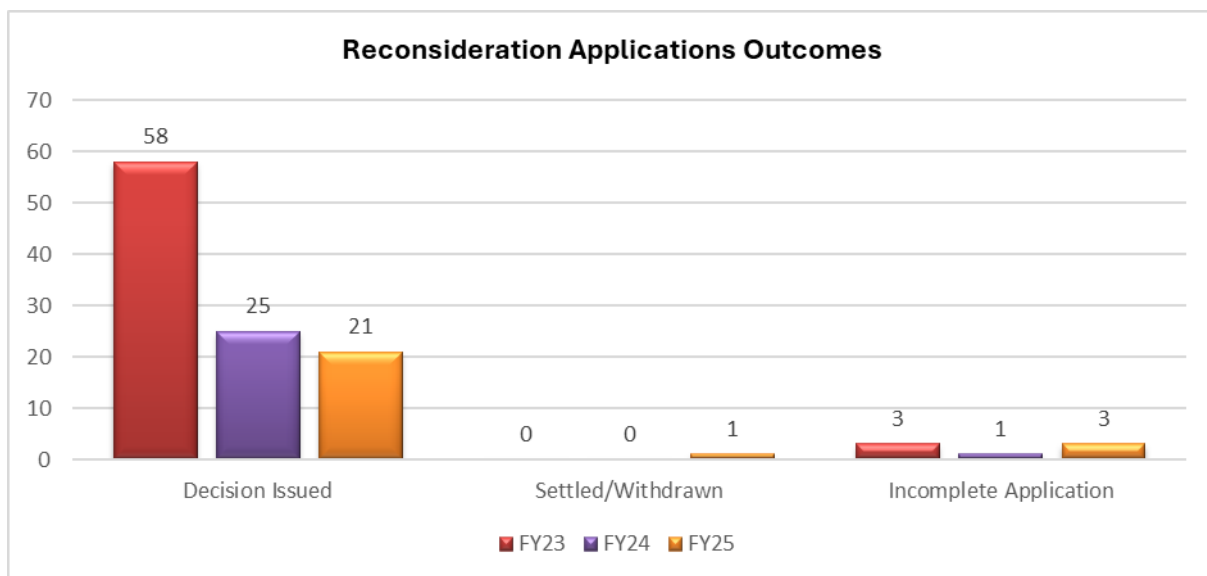
## Reconsideration Application Outcomes

Of the 25 closed applications for reconsideration, 21 applications were closed as a result of a final decision being issued, 1 application was withdrawn by the applicant, and 3 cases were closed as they were not perfected by the applicant.

The table and chart below present a comparison of *ESA* reconsideration applications outcomes across Fiscal Years 2022-2023 (FY23), 2023-2024 (FY24), and 2024-2025 (FY25).

**Reconsideration Applications Outcomes**

Fiscal Year	Decision Issued	Settled/Withdrawn	Incomplete Application
FY23	58	0	3
FY24	25	0	1
FY25	21	1	3



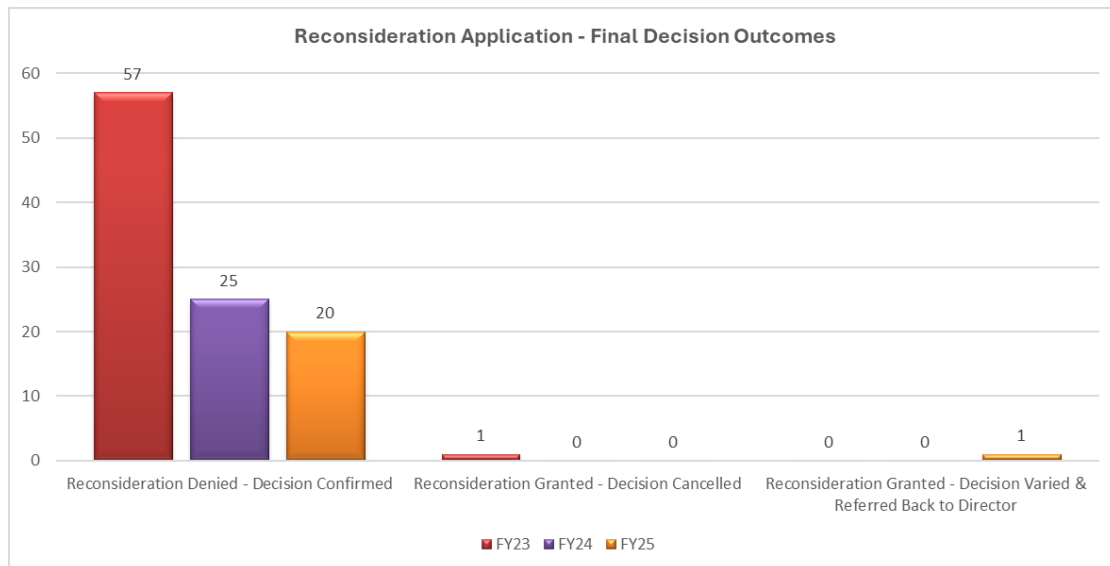
## Reconsideration Application Final Decision Outcomes

In addition to issuing a final decision on an application for reconsideration, the Tribunal may issue preliminary decisions, interim decisions, production orders, anonymization orders, as well as non-disclosure orders.

The table and chart below present a comparison of *ESA* reconsideration application final decision outcomes only across Fiscal Years 2022-2023 (FY23), 2023-2024 (FY24), and 2024-2025 (FY25).

### Reconsideration Application Decision Outcomes

Fiscal Year	Reconsideration Denied - Decision Confirmed	Reconsideration Granted - Decision Cancelled	Reconsideration Granted - Decision Varied & Referred Back to Director
FY23	57	1	0
FY24	25	0	0
FY25	20	0	1



## Budget and Expenditures

The table and chart below show a comparison of the Tribunal's budget and expenditures across fiscal years 2022-2023 (FY23), 2023-2024 (FY24), and 2024-2025 (FY25).

### Budget and Expenditures

Fiscal Year	Budget	Expenditures
FY23	\$547,000	\$685,666
FY24	\$718,000	\$815,958
FY25	\$738,000	\$952,207

