

BEFORE YOU BEGIN

This Appeal Form is used to file an appeal under the Employment Standards Act (**ESA**), the Temporary Foreign Worker Protection Act (**TFWPA**), or both.

Review the **Appeal Form Guide [2026-08-01]** before completing this form.

If more than one determination is being appealed, a separate Appeal Form, Contact Form, and Appeal Submission must be filed for each determination.

The Tribunal has issued Rules of Practice and Procedure (the “**Rules**”) and **Practice Directives** that set out the procedures governing how appeals are conducted. The Rules and Practice Directives can be found on the Tribunal’s website: <https://www.bcest.bc.ca>.

Some Practice Directives that apply directly to the initial filing of an appeal include:

- 2026-003 (Filing Requirements) [2026-07-01]
- 2026-004 (Redactions) [2026-07-01]
- 2026-006 (Administrative Requirements (Appeals)) [2026-07-01]
- 2026-007 (Appeal Submission) [2026-07-01]
- 2026-020 (Statutory Requirements (Deposits)) [2026-08-01]

All documents must be in English, and any translated documents must include a signed translator’s statement: see Rules 15 and 16 of the Rules.

It is the appellant’s responsibility to ensure the Tribunal has received the appeal materials.

ACCOMMODATION AND ACCESSIBILITY

The Tribunal aims to ensure its process is safe, respectful, and accessible to everyone. If you need something to help you participate, you may request an *accommodation*. Review **Practice Directive 2026-001** (Accommodation and Accessibility) [2026-07-01] before making your request.

PRIVACY AND REDACTIONS

The Freedom of Information and Protection of Privacy Act applies to the Tribunal.

Information in the Appeal Form and all accompanying submissions will generally be shared with the Director of Employment Standards (the “**Director**”) and other parties involved in the appeal. This means that the Director and other parties will usually see everything you submit.

The appellant is responsible for reviewing and redacting **personal information that is not necessary to decide the appeal**, including information relating to the appellant and to other individuals. Redaction requirements can be found in **Practice Directive 2026-004** (Redactions) [2026-07-01].)

SECTION A: APPELLANT INFORMATION

1. **APPELLANT** (Person (including an individual, organization, business, society, partnership, or other entity) served with the determination and filing the appeal.)

Name: _____

2. **APPELLANT'S REPRESENTATIVE** (If applicable.)

Name: _____

Law Firm / Company (if applicable): _____

SECTION B: DETERMINATION DETAILS

3. **DETERMINATION TYPE** (Select whether the determination is under the ESA, TFWPA, or both.)

- ☐ Determination issued under the ESA.
- ☐ Determination issued under the TFWPA.
- ☐ Determination issued under **both** the ESA and the TFWPA.

4. **DETERMINATION DATE AND METHOD OF SERVICE**

Determination date: _____
(YYYY-MM-DD)

Method of Service on the appellant

- ☐ By email.
- ☐ By ordinary or registered mail.

5. **DETERMINATION AND REASONS FOR THE DETERMINATION**

An appellant **must** file the Reasons for the Determination when filing an appeal (ESA s. 112(2)(a)(i.1); TFWPA s. 68(2)(a)(i.1)). If you do not have the Reasons for the Determination, you must request them from the Employment Standards Branch so you can submit them to the Tribunal and perfect your appeal.

- ☐ Determination and Reasons for the Determination are attached.
- ☐ Determination only attached.
- ☐ I do not have a copy of the Reasons and have requested a copy from the Director of Employment Standards. I will provide it to the Tribunal on _____.
(YYYY-MM-DD)
- ☐ I do not have a copy of the Determination or the Reasons for the Determination, and I have requested a copy of both documents from the Director of Employment Standards. I will provide it to the Tribunal on _____.
(YYYY-MM-DD)

SECTION C: GROUNDS OF APPEAL

6. SELECT THE GROUND(S) OF APPEAL (Select all that apply.)

- ☐ Error of law.
- ☐ Breach of natural justice.
- ☐ Evidence has become available that was not available when the Determination was being made.

SECTION D: REASONS AND ARGUMENTS FOR THE APPEAL

Attach your reasons and arguments for appealing (explaining how the facts and law support each ground of appeal selected) and supporting documents (evidence relied upon). These should be prepared and filed in accordance with **Practice Directive 2026-007** (Appeal Submission) [2026-07-01] and **Practice Directive 2026-003** (Filing Requirements) [2026-07-01].

Only submit documents relevant to your appeal. You do not need to resubmit documents submitted to the Employment Standards Branch during the investigation of the complaint.

7. REASONS AND ARGUMENTS

- ☐ All reasons and arguments for each ground of appeal are attached.
- ☐ Some reasons and arguments are attached. I have requested additional time to provide more reasons and arguments.
- ☐ No reasons and arguments are attached. I have requested an extension to the statutory appeal period to provide the reasons and arguments.

8. SUPPORTING DOCUMENTS

- ☐ I do not have supporting documents.
- ☐ All supporting documents are attached.
- ☐ Some supporting documents are attached. I have requested additional time to provide more supporting documents.
- ☐ No supporting documents are attached. I have requested additional time to provide supporting documents.

SECTION E: DEPOSIT REQUIREMENTS (EMPLOYERS ONLY)

This section applies only if the appellant is an employer. If the determination requires payment of money, the appellant must deliver a deposit equal to the full amount owing within the appeal period unless the Tribunal orders otherwise. Deposit obligations are set out in **Practice Directive 2026-020** (Statutory Requirements (Deposits)) [2026-08-01].

9. DOES THE DETERMINATION REQUIRE PAYMENT OF MONEY?

- ☐ Yes.
- ☐ No. Proceed to section F.

10. DEPOSIT CONFIRMATION

- ☐ I have attached written confirmation of delivery of the full deposit to the Director.
- ☐ A deposit has not yet been delivered.

11. REQUEST TO DEPOSIT A LESSER AMOUNT

- ☐ Authorization is requested to deposit a lesser amount of: _____.
- ☐ No. Proceed to section F.

SECTION F: TIMING OF APPEAL

12. STATUTORY APPEAL DEADLINE: _____

(YYYY-MM-DD)

13. TIMING OF FILING (Indicate if filing is before or after the statutory appeal deadline.)

- ☐ Yes, filed before deadline. ☐ No, filed after deadline.

SECTION G: STATUTORY APPEAL PERIOD EXTENSION

The Tribunal may extend the statutory appeal period (ESA s.109(1)(b), TFWPA s. 66(1)(a)). Requirements for requesting an extension to the statutory appeal period are set out in **Practice Directive 2026-013** (Statutory Time Limit Extensions) [2026-07-01]. Reasons for the request **must be included**, even if final appeal arguments are not yet complete.

14. EXTENSION TO THE STATUTORY APPEAL PERIOD

- ☐ An extension to the statutory appeal period **is not** requested.
- ☐ An extension to the statutory appeal period **is** requested.

Requested new deadline: _____

(YYYY-MM-DD)

SECTION H: ADDITIONAL TIME FOR FURTHER SUBMISSIONS (Optional)

This section applies only if statutory appeal requirements have already been met and the appellant is requesting additional time to submit more materials. Requirements for requesting additional time are set out in **Practice Directive 2026-014** (Additional Time Requests (Non-Statutory)) [2026-07-01]. Reasons for the request **must be included**, even if final appeal arguments are not yet complete.

15. ADDITIONAL TIME IS REQUESTED TO PROVIDE THE FOLLOWING (Select all that apply):

- ☐ **Additional** reasons and arguments. Requested deadline: _____
(YYYY-MM-DD)
- ☐ **Additional** supporting documents. Requested deadline: _____
(YYYY-MM-DD)
- ☐ Other (details provided on separate sheet). Requested deadline: _____
(YYYY-MM-DD)

SECTION I: SUSPENSION

The Tribunal may suspend a determination subject to conditions (ESA s.113(2); TFWPA s. 69(2)). Requirements for requesting a suspension are set out in **Practice Directive 2026-015** (Suspension Request) [2026-07-01]. Reasons for the request **must be included**.

16. SUSPENSION REQUEST (INDICATE IF YOU ARE REQUESTING A SUSPENSION.)

- ☐ No, a suspension is not requested.
- ☐ Yes, the appellant requests a suspension (**non-monetary**).
- ☐ Yes, the appellant requests a suspension (**monetary**).
- ☐ The appellant has deposited the full amount of _____ with the Director of Employment Standards.
- ☐ Authorization is requested to deposit a lesser amount of _____.

SECTION J: DISCLOSURE LIMITATION REQUEST (Optional)

The Tribunal may consider and grant a party's request that the Tribunal limit the disclosure of specific information. Requirements for making a request are set out in **Practice Directive 2026-005** (Request to Limit Disclosure) [2026-07-01].

17. DISCLOSURE LIMITATION (If disclosure could harm privacy or safety, request limitation.)

- ☐ I am requesting that the Tribunal consider whether specific information should be withheld from disclosure and have provided written reasons for the request in the Appeal Submission.

SECTION K: REDACTION COMPLIANCE

18. CONFIRMATION OF REDACTION REQUIREMENTS COMPLIANCE

- ☐ I confirm that all appeal materials, as well as any supporting documents, have been reviewed and that unnecessary personal information has been redacted in accordance with **Practice Directive 2026-004** (Redactions) [2026-07-01].

SECTION L: DELIVERY OF APPEAL MATERIALS TO THE DIRECTOR

The appellant **must** deliver a copy of the appeal materials to the Director of Employment Standards (ESA s. 112(2)(b); TFWPA s. 68(2)(b)). Requirements for delivery are set out in **Practice Directive 2026-006** (Administrative Requirements (Appeals)) [2026-07-01].

Delivery to the Director of Employment Standards does **not** replace delivery to the Tribunal.

19. DELIVERY TO THE DIRECTOR OF EMPLOYMENT STANDARDS

- ☐ Yes, delivery to the Director **has** been completed on _____.
(YYYY-MM-DD)
- ☐ By email (employmentstandards@esb.gov.bc.ca)
- ☐ By fax: 1-855-490-0476
- ☐ By ordinary mail (Director of Employment Standards, PO Box 9570, Stn Prov Govt, Victoria, BC V8W 9K1)
- ☐ In-person / Courier (Director of Employment Standards, 200 - 880 Douglas Street, Victoria, BC V8W 2B7)
- ☐ No, delivery to the Director **has not** been completed. I will deliver the appeal materials to the Director on _____.
(YYYY-MM-DD)

SECTION M: DELIVERY OF APPEAL MATERIALS TO THE TRIBUNAL

Within the statutory appeal period, the appellant must deliver required appeal materials to the Tribunal. Filing methods and technical requirements (file types, email limits, no hyperlinks, confirmation of receipt, etc.) are set out in **Practice Directive 2026-003** (Filing Requirements) [2026-07-01].

Complete the Delivery Checklist on Page 7. For each item, indicate if included or not applicable.

20. DELIVERY CHECKLIST

Item description	Included		Not applicable
Contact Form	Yes ☐	No ☐	☐
Determination and Reasons for Determination	Yes ☐	No ☐	☐
Reasons and arguments (why you are appealing)	Yes ☐	No ☐	☐
Supporting documents (evidence relied upon)	Yes ☐	No ☐	☐
Deposit Requirements	Yes ☐	No ☐	☐
Redaction compliance	Yes ☐	No ☐	☐
Confirmation of delivery to the Director	Yes ☐	No ☐	☐
Suspension request (if applicable)	Yes ☐	No ☐	☐
Appeal period extension request (if applicable)	Yes ☐	No ☐	☐
Additional time request (if applicable)	Yes ☐	No ☐	☐

SECTION N: CONFIRMATION AND SIGNATURE

21. CONFIRMATION (Indicate if filing is complete or if extension / additional time is requested.)

- ☐ I confirm this appeal filing **is** complete.
- ☐ This appeal filing **is not** complete. A request for an extension to the statutory appeal period has been made.
- ☐ This appeal filing **is not** complete. A request for additional time has been made.

22. SIGN AND DATE THIS APPEAL FORM

Signature: _____

Print Name: _____

Date: _____
(YYYY-MM-DD)

If signing on behalf of the appellant, relationship: _____
(example: manager, lawyer, spouse, friend)