

EMPLOYMENT STANDARDS TRIBUNAL

PRACTICE DIRECTIVE 2026-003 FILING REQUIREMENTS

[2026-07-01]

PART 1 – GENERAL

1. PURPOSE

- 1.1. This Practice Directive sets out the requirements for filing materials with the Tribunal, in proceedings governed by the Employment Standards Act (**ESA**) and/or the Temporary Foreign Worker Protection Act (**TFWPA**), including requirements respecting how materials must be filed, when they are considered filed, how they must be organized and presented, and how the Tribunal may address defective or incomplete filings.
- 1.2. These requirements apply to all materials filed with the Tribunal. This includes Appeal Submissions under **Practice Directive 2026-007** (Appeal Submission) [2026-07-01] and Reconsideration Submissions under **Practice Directive 2026-011** (Reconsideration Submission) [2026-07-01].

PART 2 – FILING REQUIREMENTS

2. FILING MATERIALS WITH THE TRIBUNAL

- 2.1. Documents must be filed with the Tribunal in accordance with the Tribunal’s Rules of Practice and Procedure (the “**Rules**”).
- 2.2. When submitting documents, in addition to the requirements under this Practice Directive, ensure you also comply with redaction requirements set out in **Practice Directive 2026-004** (Redactions) [2026-07-01].
- 2.3. The Tribunal accepts filing by the following methods:
 - Email: registrar@bcest.bc.ca
 - Mail / courier / in person: 650 – 1066 West Hastings Street, Vancouver, BC V6E 3X1
 - Fax: (604) 775-3372
- 2.4. The Tribunal may direct a different method of filing in a particular case.

3. EMAIL FILING REQUIREMENTS

3.1. Each email must clearly identify:

- the file number (if assigned);
- the name of the party filing the material; and
- a brief description of the contents.

3.2. Documents filed by email must:

- be attached as separate files (not embedded in the email body);
- use accepted file types, unless otherwise authorized: **.PDF, .DOC, .DOCX, .JPEG, .JPG, .PNG, .MSG**;
 - If you need to submit audio or video files, contact the Tribunal to discuss the process.
- be legible and complete; and
- not be compressed, executable, or password-protected unless directed otherwise.

4. RESPONSIBILITY FOR FILING

4.1. A document is filed when it is **received by the Tribunal**, not when it is sent.

4.2. The filing party is responsible for ensuring that:

- the document is successfully received by the Tribunal; and
- any transmission issues are addressed promptly.

4.3. The Tribunal may request confirmation of filing, where necessary.

5. TIMING OF FILING

5.1. Documents must be filed within any applicable **statutory time limit** or **Tribunal-ordered deadline**.

5.2. The Tribunal's business hours are 8:30 a.m. to 4:30 p.m., Monday to Friday, excluding statutory holidays. Documents received by the Tribunal outside the Tribunal's business hours, including after 4:30 p.m., are deemed received on the next business day.

5.3. Filing requirements in this Practice Directive do **not extend or modify statutory time limits** under the ESA or the TFWPA.

PART 3 – FORM, FORMAT, AND ORGANIZATION OF MATERIALS

6. GENERAL REQUIREMENTS

- 6.1. Documents filed with the Tribunal must be clearly organized and presented in a manner that allows the Tribunal and the parties to understand the material being relied on.
- 6.2. Filings should:
 - be logically structured;
 - clearly identify the purpose of the document;
 - include supporting materials in an organized manner; and
 - avoid unnecessary duplication.
- 6.3. Parties must ensure, where reasonably possible, that all documents are complete, legible, and sufficiently clear to be reviewed without further clarification.

PART 4 – REVIEW OF FILINGS AND PROCEDURAL COMPLIANCE

7. REVIEW OF FILINGS

- 7.1. The Tribunal may review filings to determine whether they meet applicable filing requirements.
- 7.2. This review may include assessing whether a filing is:
 - complete;
 - clear; and
 - compliant with applicable requirements under the Rules, this Practice Directive, and any other applicable Practice Directive.

8. DEFECTIVE OR INCOMPLETE FILINGS

- 8.1. A filing may be considered defective or incomplete if it:
 - does not comply with applicable filing requirements;
 - is missing required information or materials; or
 - is unclear or incapable of being meaningfully reviewed.
- 8.2. If the Tribunal identifies deficiencies in a filing, it may:
 - notify the filing party of the deficiencies;
 - provide an opportunity to correct or complete the filing; and
 - set a deadline for doing so.

- 8.3. If deficiencies are not corrected within the time provided, the Tribunal may:
- treat the filing as incomplete for administrative purposes and require the filing party to correct or re-file the material by a specified deadline; or
 - take any other action authorized by the ESA, the TFWPA, or the Rules.
- 8.4. This Practice Directive **does not** determine whether a filing was made within a statutory time limit or whether an extension of time should be granted.

PART 5 – EFFECTIVE DATE AND APPLICATION

9. EFFECTIVE DATE AND TRANSITIONAL APPLICATION

- 9.1. This Practice Directive applies to proceedings commenced on or after July 1, 2026, unless the Tribunal orders otherwise.