

BEFORE YOU BEGIN

This Reconsideration Application Form is used to file an application for reconsideration under the Employment Standards Act (ESA), the Temporary Foreign Worker Protection Act (TFWPA), or both.

Review the **Reconsideration Application Form Guide [2026-07-01]** before completing this form.

If more than one Tribunal decision is requested to be reconsidered, a separate Reconsideration Application Form, Contact Form, and Reconsideration Submission must be filed for each decision.

The Tribunal has issued Rules of Practice and Procedure (the “**Rules**”) and **Practice Directives** that set out the procedures governing how reconsideration applications 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 a reconsideration application include:

- 2026-003 (Filing Requirements) [2026-07-01]
- 2026-004 (Redactions) [2026-07-01]
- 2026-010 (Administrative Requirements (Recons) [2026-07-01]
- 2026-011 (Reconsideration Submission) [2026-07-01]

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 applicant’s responsibility to ensure the Tribunal has received the reconsideration application 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 Reconsideration Application Form and all accompanying submissions will generally be shared with the Director of Employment Standards (the “**Director**”) and other parties involved in the reconsideration application. This means that the Director and other parties will usually see everything you submit.

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

SECTION A: APPLICANT INFORMATION

1. **APPLICANT** (Person (including an individual, organization, business, society, partnership, or other entity) served with the appeal decision and filing the reconsideration application.)

Name: _____

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

Name: _____

Law Firm / Company (if applicable): _____

SECTION B: APPEAL DECISION DETAILS

3. **DECISION TYPE** (Select whether the Tribunal decision is under ESA, TFWPA, or both.)

- Tribunal decision issued under the ESA.
 Tribunal decision issued under the TFWPA.
 Tribunal issued under **both** the ESA and the TFWPA.

4. **DECISION NUMBER:** _____

5. **DECISION DATE:** _____
(YYYY-MM-DD)

SECTION C: GROUNDS FOR RECONSIDERATION

6. **SELECT THE GROUND(S) FOR RECONSIDERATION** (Select all that apply.)

- Error of law.
 Breach of natural justice.
 Evidence has become available that was not reasonably available at the time the Tribunal was making the decision.

SECTION D: REASONS AND ARGUMENTS FOR THE RECONSIDERATION APPLICATION

Attach your reasons and arguments for requesting a reconsideration of the Tribunal decision (explaining how the facts and law support each ground selected) and supporting documents (evidence relied upon). These should be prepared and filed in accordance with **Practice Directive 2026-011** (Reconsideration Submission) [2026-07-01] and **Practice Directive 2026-003** (Filing Requirements) [2026-07-01].

Only submit documents relevant to your application. You do not need to resubmit documents submitted during the appeal process.

7. REASONS AND ARGUMENTS

- All reasons and arguments for each ground of reconsideration 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 reconsideration 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: TIMING OF RECONSIDERATION APPLICATION

9. STATUTORY RECONSIDERATION DEADLINE: _____
(YYYY-MM-DD)

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

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

SECTION F: STATUTORY RECONSIDERATION PERIOD EXTENSION

The Tribunal may extend the statutory reconsideration period (ESA s.109(1)(b), TFWPA s. 66(1)(a)). Requirements for requesting an extension to the statutory reconsideration 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 reconsideration arguments are not yet complete.

11. EXTENSION TO THE STATUTORY RECONSIDERATION PERIOD

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

Requested new deadline: _____
(YYYY-MM-DD)

SECTION G: ADDITIONAL TIME FOR FURTHER SUBMISSIONS (Optional)

This section applies only if statutory reconsideration requirements have already been met and the applicant 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 reconsideration application arguments are not yet complete.

12. 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 H: 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**.

13. 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 I: 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].

14. 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 Reconsideration Submission.

SECTION J: REDACTION COMPLIANCE

15. CONFIRMATION OF REDACTION REQUIREMENTS COMPLIANCE

- I confirm that all reconsideration application 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 K: DELIVERY OF RECONSIDERATION APPLICATION MATERIALS TO THE TRIBUNAL

Within the statutory reconsideration period, the applicant must deliver required reconsideration application 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].

16. DELIVERY CHECKLIST (For each item, indicate if included or not applicable.)

Item description	Included		Not applicable
Contact Form	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/>
Reasons and arguments (why you are requesting reconsideration)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/>
Supporting documents (evidence relied upon)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/>
Redaction compliance	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/>
Suspension request (if applicable)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/>
Reconsideration period extension request (if applicable)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/>
Additional time request (if applicable)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/>

SECTION L: CONFIRMATION AND SIGNATURE

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

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

18. SIGN AND DATE THIS RECONSIDERATION APPLICATION FORM

Signature: _____ Print Name: _____

Date: _____
(YYYY-MM-DD)

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