

JULY 2023 MONTH IN REVIEW

# British Columbia

## LAWS & ANNOUNCEMENTS

### Discrimination

Jun 5: From now through Sept. 30, BC will hold [online surveying](#) on what the government should do to address systemic racism. The government will use the feedback to identify and create new legislation to deal with the gaps and barriers faced by Indigenous and racialized people in the province.

**Action Point:** Beware of [employment practices](#) that inadvertently perpetuate racial discrimination

### Retaliation

Jun 1: As of today, the healthcare worker whistleblower protections contained in the [Public Interest Disclosure Act](#) (PIDA) apply to those working at health authorities, Providence Health and BC Emergency Health Services. BC first adopted the PIDA in 2018 and has been gradually expanding its scope ever since.

**Action Point:** Find out how to discipline employees [without committing reprisals or retaliation](#)

### Immigration

May 23: BC announced plans to more than quadruple funding for settlement services under the BC Settlement and Integration Services Program (BCSIS) from \$6 million to \$25.6 million per year.

### Employment Benefits

Jun 6: BCFSA issued new a new [Best Practices Guideline](#) for sponsors, administrators and members of Multi-Employer Pension Plans that are registered in BC.

## **Health & Safety**

Jun 8: WorkSafeBC [updated](#) the OHS Regulation to bring first aid training and kit requirements into line with revised CSA standards, namely, CSA Z1210-17 and CSA Z1220-17, and to clarify first aid rules for high-risk remote workplaces. Key changes include requiring first aid assessments to consider situations where first aid attendants can't get to injured workers.

## **Health & Safety**

Jun 19: With hotter weather approaching, WorkSafeBC published [new guidance](#) to help employers guard workers against the dangers of heat stress, including training workers how to identify and respond to its signs and symptoms.

## **Workers Comp**

Jun 7: WorkSafeBC issued a reminder that come Jan. 1, 2024, employers will have a new duty to work with injured workers to ensure a return to their pre-injury job or comparable job. If the worker isn't fit to do those jobs, the employer must offer other suitable work, while making accommodations to the point of undue hardship.

**Action Point:** Implement a legally sound [return to work policy](#)

## **CASES**

### **Workplace Violence: No Evidence Race Factored into Decision to Fire Worker for Fighting**

A forklift operator at a warehouse got into a physical altercation with a co-worker. He claimed he was provoked but after interviewing the parties and witnesses, the investigator concluded that both combatants were equally at fault. The operator claimed race, colour and ancestry discrimination but the BC Human Rights Tribunal found no evidence to support the claim and dismissed the complaint. The operator was fired for fighting and there was no evidence that race, colour or ancestry factored into the decision, it concluded [\[Jhawar v. Wallace and Carey Inc. and others, 2023 BCHRT 60 \(CanLII\), June 20, 2023\]](#).

**Action Point:** Find out about the 10 things you must do to [prevent workplace violence](#)