

JUNE 2024 MONTH IN REVIEW

British Columbia

LAWS & ANNOUNCEMENTS

Minimum Wage

Jun 1: B.C.'s minimum wage increased from \$16.75 to \$17.40 an hour. The 3.9% raise also applied to resident caretakers, live-in home-support workers, and live-in camp leaders. Minimum piece rates for hand-harvesting crops will increase by the same percentage on December 31, 2024. Future increases will automatically adjust based on the previous year's average inflation rate.

Discrimination

May 30: Initial research revealed barriers for Indigenous and racialized people in B.C.'s public services, schools, and healthcare. Findings showed under-representation in the BC Public Service, fewer special-needs designations for racialized students, and higher rates of certain health issues among Indigenous people. The government committed to improving hiring practices, career support, and healthcare services to address these issues.

Action Point: Beware of employment practices that inadvertently perpetuate racial discrimination

CASES

Labour Relations: OK to Contract Out Urgent Work that Available Union Workers Can't Finish On Time

Significant mechanical failures made it impossible to complete crucial canola loading operations in a timely manner with in-house personnel. With ships waiting in the harbor and fines and other penalties for delays lurking, the grain company decided to contract out the work. The union contended that bringing in outside

workers violated the collective agreement; this was an emergency, the company countered. The BC arbitrator sided with the company. Given the urgency of the situation and the impossibility of completing the job on time and safely with in-house millwrights available, it was reasonable for the company to contract out the work [[Cargill Limited v Grain Workers' Union, Local 333](#), 2024 CanLII 57518 (BC LA), May 23, 2024].

Workplace Harassment: Court Nixes Denial of Mental Health Benefits to Harassed Worker

A fired security guard at a remote northern mining camp filed a claim for workers comp benefits for the anxiety, insomnia and adjustment disorder he claimed he suffered as a result of workplace harassment and bullying. The WCB denied the claim and appeal after finding that the guard's mental disorder was principally caused by employment-related issues not covered by workers comp. In a fairly unusual move, the BC court reversed WCAT and ordered new proceedings, not because the determination was wrong but because it was reached in an unfair way. Specifically, it was patently unreasonable for WCAT to fail to ensure that a psychologist was provided with complete and accurate information about the 89 occurrences of workplace harassment the guard allegedly experienced [[J.T. v British Columbia \(Workers' Compensation Appeal Tribunal\)](#), 2024 BCSC 994 (CanLII), June 7, 2024].

Action Point: Use the HRI [template](#) to create your own workplace harassment and violence policy