

April 8, 2024

Attn:

Sandra Banister, K.C.

Michael Fleming

Lindsie Thomson

Delivered via e-mail: lrcreview@gov.bc.ca

Dear Labour Relations Code Review Panel,

Thank you for your service and willingness to undertake the important work of reviewing the Labour Relations Code in British Columbia.

We previously reached out as part of the formal submission process, providing our insights and perspectives of the Section 3 review. You are undoubtedly aware that the government has introduced Bill 9 - Miscellaneous Statutes Amendment Act, 2024, which proposes changing the definition of "strike" in the Labour Relations Code of British Columbia.

Noting that these legislative developments occurred after the Review Panel was appointed and its outreach work commenced, we felt that additional dialogue was warranted to appropriately express our views and concerns.

The changes proposed by Bill 9 respond to a matter that was decided by a panel of the Labour Relations Board (LRB) in 2022.¹ We had understood that this matter would likely be of interest as part of the independent review and had looked forward to the thoughtful consideration by the Review Panel on the matter. As noted in our submissions to the Review Panel, employers view this matter as very consequential. It is of particular concern for employers that operate at sites containing both provincially regulated and federally regulated operations.

We are seeking clarification from the Review Panel as to whether they were consulted or informed about this change and asked for their views before the change was made. Regardless of the status of Bill 9, we are requesting that the Review Panel continue its work on the question of the definition of "strike" while also commenting on aspects of procedural fairness, considering employer concerns as articulated in the LRB process and presented to you as part of the consultation.

We are also requesting that the Review Panel provide additional information and context in the final report for any precedence of changes being made to the Labour Relations Code in British Columbia, or its equivalent in Canada or other provinces, during the time that an

¹<https://lrb.my.salesforce.com/sfc/p/#f40000022yYB/a/0A0000000qax/bUfw3z2.Bh9NDNLEqkMzIquwdOBxt4HTQwimK1jz5t4>

independent review and consultation is ongoing. We ask that in its deliberations, the Review Panel also weigh in on the effect that Bill 9 could have on the real or perceived balancing of interests that is inherent in any review or consultation.

Again, we thank you for your willingness to give of your time to conduct a review of the Labour Relations Code, and we thank you for the ability to participate. We hope that you will respond to the considerations raised in this letter.

Sincerely,



Bridgitte Anderson
President and CEO



Fiona Famulak
President and CEO



Jairo Yunis
Director for British Columbia and
Western Economic Policy

Copies to:

The Honourable Harry Bains, Minister of Labour

Trevor Hughes, Deputy Minister of Labour