DISCLAIMERS

- Legal information, not legal advice
- No lawyer/client relationship
- Discretion should be used
- Laws change quickly!
Learning Goals

Understand the role of the Employment Standards Act

Increased understanding of some key employment law issues & avoiding pitfalls

Better understand what is needed to set-up the workplace for success

Diversity, Equality & Inclusion “DEI”

New legislative updates impacting the workplace

Understand the importance of employment agreements

Q & A
EMPLOYMENT RULES & RIGHTS

- *Employment Standards Act* of BC – the “ESA”
  - minimum standards
  - For vacation, how & when stats are paid, leaves, severance, work hours and overtime
  - includes *Regulations* which modifies the rights of others who are covered and excludes others from *ESA*
  - Employee vs. Independent Contractor
  - Contract Employee (limited term, *not* an Independent Contractor)
Overtime

Am I required to pay Overtime?

What about if my employee is on a salary?

What about if the office is only open for 4 days a week and employees work 4 x 10-hour days but never over 40 hours per week?
TERMINATING AN EMPLOYEE

• Notice of Termination
• Without cause vs. Just cause
• Considerations
• Caution!
Legislative Updates

New Paid Sick Leave

New National Day for Truth and Reconciliation Statutory holiday

Pay Transparency Act
DIVERSITY, EQUALITY, INCLUSION – “DEI”

- What is it?
- How do you know if you need a DEI Plan?
- Unconscious bias (or implicit bias)
- What does a DEI Plan look like?
SETTING THE WORKPLACE UP FOR SUCCESS
The Importance of Employment Agreements & Associate Agreements
GET IT IN WRITING!

- What written agreements can include:
  - clarity and sets the tone
  - limit liability for severance
  - sets expectations and obligations for each party eg: vacation, benefits, work location, work hours
  - protects IP, confidentiality, non-solicitation of staff
  - clarify file ownership, custody and enduring access.

- For Employers …

- For Associates …

- For Both …
TAKEAWAYS

• Know the ESA
• Workplace Issues Brewing: Be proactive
• Caution in managing discipline & terminations
• Employment Agreements