



NEWS RELEASE

For Immediate Release
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March 21, 2012

Ministry of Labour, Citizens' Services and Open Government

New timeline ensures workplace issues resolved quickly

VICTORIA – A ministerial regulation establishing timelines for Labour Relations Board decisions will ensure timely resolution of workplace disputes, Minister of Labour, Citizens' Services and Open Government Margaret MacDiarmid announced today.

Labour Relations Board decisions will need to be managed within 180 days from the date an application is filed ensuring workplace disputes are quickly resolved. The new 180-day timeline includes the time to make submissions, conduct oral hearings and finalize the decision-making process involving matters under the Labour Relations Code.

Extensions to the timelines can be approved by the chair in specific cases, such as to allow the parties to engage in settlement discussions, collective bargaining or to allow the board to wait for the conclusion of matters before the courts.

The timeline is effective for all applications received on or after Sept. 1, 2012, to allow the board and the community to prepare for the implementation of timelines.

Quotes:

Minister of Labour, Citizens' Services and Open Government Margaret MacDiarmid –

“By dealing with labour relations issues under the code in a timely manner, we're reducing the risk of having workplace issues drag on without resolution. That's important to all parties – employees, employers and unions.

“This regulation enhances the service provided to the users of the Labour Relations Board. It also makes British Columbia a leader in Canada in establishing timelines for board decisions.”

Learn More:

Read about the role of the B.C. Labour Relations Board at: <http://www.lrb.bc.ca/>

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PROVINCE OF BRITISH COLUMBIA
REGULATION OF THE MINISTER OF LABOUR

Labour Relations Code

Ministerial Order No. M 073

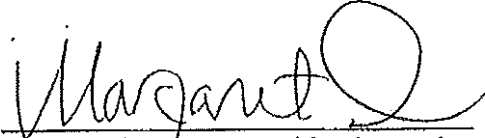
I, Margaret MacDiarmid, Minister of Labour, Citizens' Services and Open Government, order that, effective September 1, 2012, the attached Prescribed Time Periods for Decisions Regulation is made.

DEPOSITED

March 21, 2012

B.C. REG. 49/2012

7 March 2012
Date


Minister of Labour, Citizens' Services and
Open Government

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Labour Relations Code, R.S.B.C. 1996, c. 244, ss. 128 and 159.1

Other: _____

February 16, 2012

R 25/2012/22

PRESCRIBED TIME PERIODS FOR DECISIONS REGULATION

Definitions

1 In this regulation:

“Code” means the Labour Relations Code;

“time period” means a time period prescribed under section 2;

“time period extension plan”, in respect of a complaint or application, means a plan setting out the following:

- (a) the steps to be taken in the complaint or application;
- (b) a timetable for the steps to be taken, including the date a final decision on the complaint or application is expected to be rendered.

Prescribed time period for board decisions

2 For the purposes of section 128 (1) (a) of the Code, the prescribed time period for rendering a final decision on a complaint or application is as follows:

- (a) in the case of a complaint or application received, and considered to be complete, by the board before the effective date of this regulation, 180 days from the effective date;
- (b) in the case of a complaint or application received, and considered to be complete, by the board on or after the effective date of this regulation, 180 days from the date the completed complaint or application is received by the board.

Extension of time period

3 (1) For the purposes of section 128 (2) (a) of the Code, the chair may extend a time period for a specific case in the circumstances described in subsection (2) or (3) of this section.

(2) The chair may extend a time period, before the time period expires, on the request of a party to the complaint or application or at the chair's own initiative,

- (a) in order to allow
 - (i) the board to deal at the same time with the complaint or application and matters related to that complaint or application, or
 - (ii) the board, including a panel to which the complaint or application has not been assigned, or a court to first decide matters related to the complaint or application that are before the board or court, as the case may be, or

(b) if the parties to the complaint or application agree to an extension of the time period while collective bargaining or settlement discussions take place.

(3) The chair may extend a time period after the time period expires if

- (a) a time period extension plan is submitted to the chair

- (i) by the panel assigned, before the date the time period expires, to the complaint or application, within a reasonable time after the time period expires, or
 - (ii) by a panel assigned, on or after the date the time period expires, to the complaint or application, within a reasonable time after the complaint or application is assigned to the panel, and
- (b) the chair approves the time period extension plan.