



Ref: 61442

Mrs. Adrienne Montani
Provincial Coordinator
202 - 1193 Kingsway
Vancouver BC V5V 3C9

Dear Mrs. Montani:

Thank you for your letter of November 18, 2009 following up on our October meeting regarding the safety of children in the work place.

As you are aware, the *Employment Standards Act* (ESA) is intended to set workplace practices related to protection of wages and hours of work. Under the ESA, and in all cases, an employer must have the parent or guardian's written permission to employ children less than 15 years of age. Children younger than 12 years of age must still have a permit from the Director of the Employment Standards Branch (the Director) unless otherwise set by regulation as is the case for youth employed in recorded entertainment. Youth workers in that sector have standards set by government through a regulation under the ESA that addresses maximum hours of work, hours related to school days, as well as adult supervision and income protection.

Youth in general employment who are aged 12 to less than 15 years of age have a standard set by regulation that includes maximum hours related to the school day and the school week as well as adult supervision. While it is true that all children of less than 15 years of age previously required a permit from the Director, the reality was that far fewer youth workers or their parents/guardians requested the permits than were actually working. Now all children have restricted hours of work and overtime through regulation, and children in general employment must still have a permit from the Director if they are less than 12 years of age.

Government recognizes that young workers are vulnerable to workplace injury and are often the least likely to understand their rights and responsibilities in the workplace. It is for these reasons that WorkSafeBC concentrates much of its attention on the safety of these workers and continues to work with its partners to reduce young worker injuries.

WorkSafeBC has directed its attention on young workers for more than 10 years. Even though the young worker injury rate has decreased by 30 percent since 1997, it remains consistently higher than the provincial injury rate for workers of all ages.

In July 2007, WorkSafeBC announced amendments to the *Occupational Health and Safety Regulation* that require employers to provide all young or new workers with orientation and training specific to the work site and to record and document that training.

In October 2007, WorkSafeBC announced further amendments to the *Occupational Health and Safety Regulation* that require mandatory pre-payment at gas stations, where many young workers work, and additional new requirements to protect workers working alone.

Since the introduction of these new regulations for young or new workers in 2007, the injury rate for young workers has decreased further. While the injury rate for young workers is still above that for all workers, the gap is narrowing.

WorkSafeBC continues to work with its partners to reduce young worker injuries by:

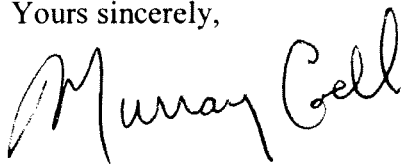
- Partnerships with employer associations, organized labour, parents and the community;
- Annual young worker awareness campaigns;
- Focus on outreach to industries and occupations causing the highest number of serious injuries; and
- Integration of this issue into the educational system, with programs such as the Planning 10 curriculum, annual student safety video contests, and the distribution of youth focussed safety resources at schools.

WorkSafeBC maintains a thorough and extensive database on the type of workplace injury by age group, date, short term disability, long term disability, and so on. This data has indicated that injuries to young workers occur primarily in accommodation, food services and retail industries. The sectors with the highest risk for serious injuries are construction and the service sector. WorkSafeBC uses this information to focus its efforts to reduce workplace injuries amongst young workers.

The continued interest and advocacy of your organization with respect to these issues is appreciated and your specific recommendations have been noted. Again, thank you for taking the time to write and share your concerns.

Again, thank you for taking the time to write and share your concerns.

Yours sincerely,

A handwritten signature in black ink that reads "Murray Coell". The signature is written in a cursive, flowing style.

Murray Coell
Minister