

A new initiative launched by the provincial government will help keep workers and employers connected as British Columbia continues on the path towards economic recovery. Starting July 20, 2020, employers and workers can jointly apply to the Employment Standards Branch to extend a temporary layoff period through a streamlined variance application process that includes an online form and additional resources.

You may recall that in June, government amended the Employment Standards Regulation to allow workers and employers to agree to an extended “COVID-19 emergency layoff” of up to 24 weeks in any consecutive 28-week period. The “COVID-19 emergency layoff” period expires on August 30, 2020.

While there are signs of increased economic activity in many sectors, some businesses, particularly in the tourism, cultural and hospitality sectors, are not yet able to recall their workers. For those workers and employers who wish to extend a “COVID-19 emergency layoff” beyond August 30, the provincial *Employment Standards Act* provides a tool unique in Canada, allowing for employers and workers to apply jointly to the Employment Standards Branch for a temporary layoff variance.

Under the new streamlined variance process, applications can be made using an online form available at: <https://services.labour.gov.bc.ca/variance/s/>. The Employment Standards Branch has also assigned additional resources to ensure that applications are processed efficiently. An information campaign is planned and the Branch will have new supports and information on its website.

Government is recommending that employers submit their variance applications early to avoid the potential of permanent layoffs and compensation for length of service to eligible workers upon the expiry of the “COVID-19 emergency layoff” period on August 30.

To apply for a variance, employers must follow a simple, two step process.

Step 1: Survey your workforce using a template and tool from the Employment Standards Branch to ensure more than 50% of employees who will be affected by the variance support the application.

Step 2: Complete the application form on the online portal and upload your employees’ responses from the tool.

The Employment Standards Branch will review the application, and employers will be notified once the variance is decided. To ensure applications are decided by the August 30th deadline, employers are encouraged to submit their variance applications by August 25th.

For more information on what to expect during the temporary layoff variance application process, please go to: <https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/hours/variances>.