

INTER-AGENCY AGRICULTURE COMPLIANCE COMMITTEE

TERMS OF REFERENCE

OVERVIEW

Since the late 1990's the Employment Standards Branch, has maintained an Agriculture Compliance Team based in the Fraser Valley. The purpose of the team has been to promote and enforce compliance with the *Employment Standards Act* (ESA) by Farm Labour Contractors (FLCs) and producers. In addition to this, the Branch also participated with the Commercial Vehicle Safety Enforcement Branch and RCMP in conducting inspections of vehicles transporting farm workers. While each Agency continued to administer their individual mandates there has been no ongoing coordinated approach to enforcement.

Achieving compliance by employers in this sector with respect to the ESA, *Motor Vehicle Act*, and WorkSafe BC requirements has been an ongoing challenge. Concerns with respect to worker safety were exacerbated as a result of the deaths of farm workers when a vehicle transporting them crashed. Clearly in some instances worker safety was being compromised by the actions of some FLCs. Government subsequently implemented a regime of increased safety inspections and spot checks of commercial vehicles operated by FLCs. In a number of instances, Farm Labour Contractors have been found to be transporting workers in vehicles which were not in compliance with the MVA, WSBC Regulations, and the Employment Standards Regulation. Both in terms of mechanical soundness and worker safety, deficiencies have been of significant concern.

PURPOSE AND SCOPE

In order to ensure the FLCs are compliant with the various requirements of each regulatory agency with whom they interact, an Inter-Agency Committee has been struck to ensure that appropriate coordinated strategies and activities are put in place to support that goal. WorkSafe BC, Commercial Vehicle Safety and Enforcement, RCMP, Superintendent of Motor Vehicles, Ministry of Agriculture, and the Ministry of Labour have assigned staff to the enforcement initiatives and the work of the committee to increase both awareness and compliance with the regulatory requirements for this sector. The emphasis is to develop and support strategies such as information sharing and coordination of activities for an increased level of enforcement and focus on increased Regulatory compliance within the sector.

The mandate of the Committee will be to provide leadership and a forum for coordination and collaboration of enforcement activities between the agencies where appropriate. The Committee will consolidate data from the each agency, and facilitate information sharing.

Each agency has developed enforcement strategies which are being shared and analyzed by the Committee to assess opportunities for a cohesive or coordinated approach which would support the goal of greater compliance

DELIVERABLES

The Inter-Agency Committee will ensure quarterly formalized reporting of compliance related activities and collate the information on compliance (inspections, audits, investigations) and education activities undertaken by each agency. The Committee may make recommendations for further initiatives or suggestions for integration or changes to the operational approach utilized by the field enforcement staff.

Representatives of the Inter-Agency Committee will provide advice to senior staff of each Ministry and Agency involved with respect to compliance approaches and challenges. The Committee will facilitate collaboration of efforts by each agency through information sharing and identifying both opportunities and barriers to increasing compliance. The results of inspection and compliance activities will be consolidated and used to establish a baseline level of compliance.

MEMBERSHIP AND MEETINGS

Each agency will retain responsibility for its own statutory mandate but the Committee will promote and seek out operational synergies amongst the combined enforcement staff dedicated to the sector. The Committee will consist of representatives from:

- Ministry of Labour and Citizens' Services
 - Employment Standards Branch
- Ministry of Transportation
 - Commercial Vehicle Safety and Enforcement Branch
- Ministry of Agriculture
- Ministry of Public Safety & Solicitor General
 - Office of the Superintendent of Motor Vehicles
 - Police Services Division
- Royal Canadian Mounted Police
- WorkSafe BC

The Committee will hold regular meetings and implement a structure to facilitate quarterly statistical reporting, in addition to reviewing progress and issues. Meetings and communication between operational management staff of each agency will take place much more frequently in order to enable coordination of activities and facilitate reporting.

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