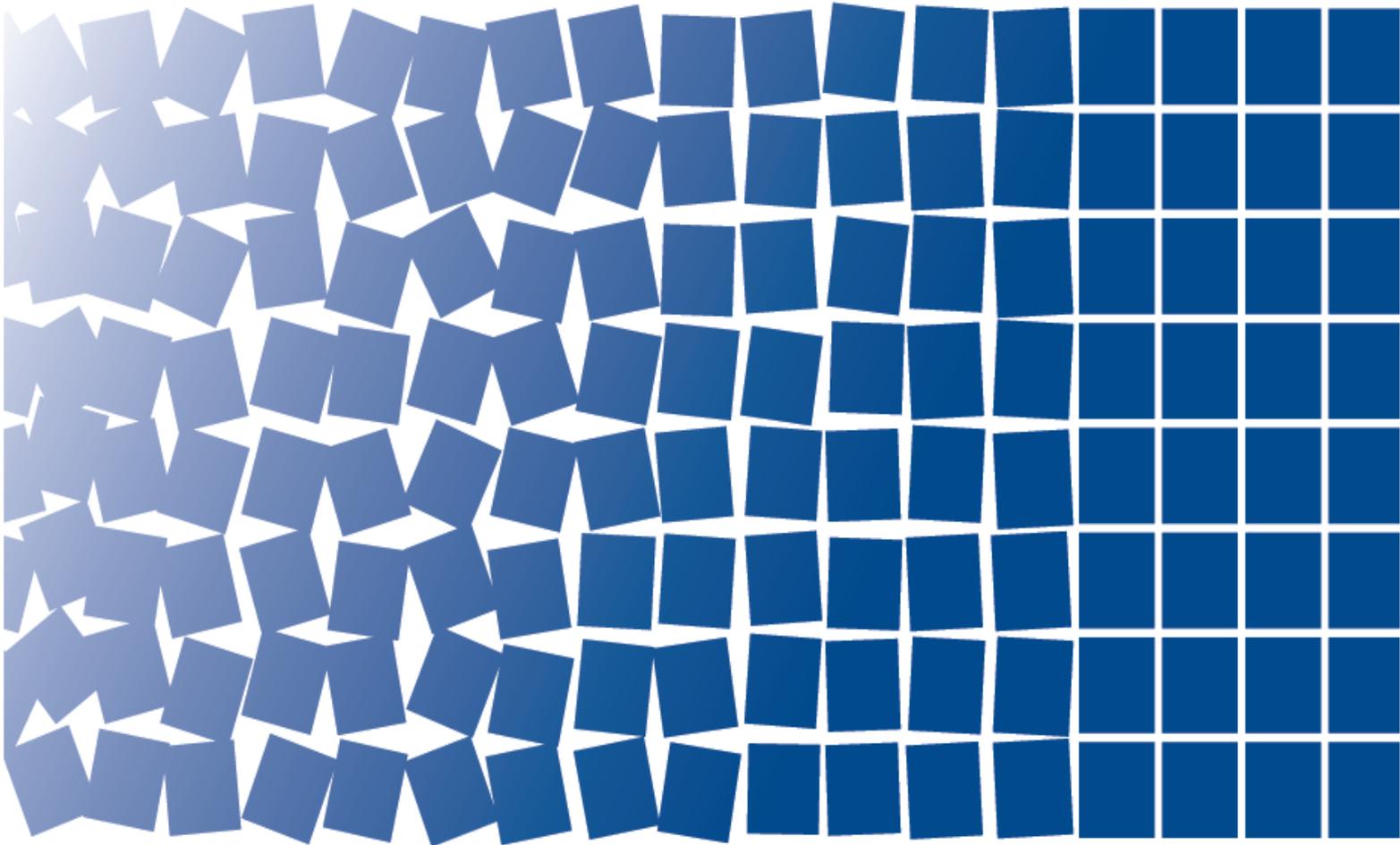


EMPLOYMENT STANDARDS OPERATIONAL RECORDS CLASSIFICATION SYSTEM



GOVERNMENT RECORDS SERVICE

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

EMPLOYMENT STANDARDS

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

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ORCS REGISTER OF AMENDMENTS

This register lists all approved changes made to the *Employment Standards ORCS*, in ascending order (i.e., the most recent changes appear first).

For more information about the changes listed here, see the relevant section, primary, and/or secondary; the *ORCS* may also have an appendix that provides a more detailed summary of changes.

Original schedule approval date: 2011-05-19

Amendment Number	Amendment Type	Date Approved	Section/ Primary/ Secondary	Changes
195727	Formal Amendment	2023/10/20	Entire ORCS	Entire ORCS updated; See Appendix A for summary of changes.

USEFUL INFORMATION

Key to Information Schedule Codes and Acronyms:

Information Schedule titles:	ARCS = <i>Administrative Records Classification System</i> ORCS = <i>Operational Records Classification System</i>
Office information:	OPR = Office of Primary Responsibility
Records life cycle:	A = Active SA = Semi-active FD = Final Disposition
Active and semi-active period codes:	CY = Calendar Year FY = Fiscal Year NA = Not Applicable SO = Superseded or Obsolete w = week m = month y = year
Final disposition categories:	DE = Destruction FR = Full Retention SR = Selective Retention OD = Other Disposition NA = Not Applicable
Special flags:	FOI = Freedom of Information/Protection of Privacy PIB = Personal Information Bank VR = Vital Records

The following links provide additional resources for managing your information:

- [ARCS and ORCS User Guide](#).
- [Special schedules for records that are not covered by ARCS and ORCS](#).
- [Legislation, policies, and standards for managing records in the BC Government](#).
- [Tips, guides, and FAQs on related topics](#).
- [Government Records Officer contact information](#).

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

EMPLOYMENT STANDARDS ORCS

Operational Records Classification System (ORCS)

Executive Summary For Amendment 1

Creating Agency

Ministry of Labour

Employment Standards Branch (ESB)

Amendment Change Summary

The Employment Standards ORCS (ESTA) has been updated to reflect the operational and legislated changes that have taken place over the past twelve years. The introduction of the [Temporary Foreign Worker Protection Act \(SBC 2018, c. 45\)](#) required the amendment of several secondaries. In addition, the evolution from physical records to electronic, especially with the expanded use of information systems, altered some processes and eliminated others.

Scope

The purpose of this amendment is to:

- update the *ORCS* by eliminating defunct processes and practices;
- update the *ORCS* by describing current operational functions;
- update the *ORCS* by including the functions and record keeping requirements of the *Temporary Foreign Worker Protection Act*; and
- meet current *ORCS* format requirements.

Notes On Application

This *ORCS* amendment is retroactive and applies to all records, regardless of location (onsite and in off-site storage) and media, which are in the custody and control of ESB.

Standard Appraisal Considerations

The active and semi-active retention periods specified in the schedule meet all operational, administrative, legal, fiscal, and audit requirements. The final dispositions have been reviewed to ensure that records having enduring evidential and informational values are preserved.

Specific Appraisal Considerations

Final policies (secondary 72000-00) are re-appraised from selective retention to full retention. This change reflects government's current approach to scheduling final, operational policies while also reducing the number of selective retention final dispositions, whenever possible.

Published lists (secondary 72000-10) are re-appraised from full retention to destruction. These lists, previously classified under secondary 72200-05 Permitting and licensing lists, are

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

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published to the branch website in accordance with operational and legislative requirements and enable the public to confirm the status of businesses, employers, and recruiters licensed by ESB. This secondary also covers the publication of lists of employers who have contravened the legislation administered by the ESB. The lists covered under this secondary are routinely updated, have short-term operational and reference value, and do not warrant permanent retention in the government archives. Note: Contravention summary reports are fully retained under secondary 72000-04 Annual summary reports and statistics.

No other changes were made to the final disposition of records covered under this amendment. All other records added by this amendment are destroyed at the end of their retention periods.

For a detailed description of the changes, consult Appendix A: Summary of Changes to the *Employment Standards ORCS*.

SUMMARY LIST OF NEW / AMENDED CLASSIFICATIONS

SECTION 1 - EMPLOYMENT STANDARDS

Classification	Classification Title	Retention
72000	EMPLOYMENT STANDARDS – GENERAL	
72000-00	Policy - final	SO 5y FR
72000-10	Published lists	SO nil DE
72000-40	Policy development files	SO 5y DE
72000-50	Report development files	CY 5y DE
72100	COMPLAINTS AND INVESTIGATIONS	
72100-03	Employment standards complainant profile data	SO 10y DE
72200	PERMITTING AND LICENSING	
72200-04	Due diligence searches	CY 1y DE

Endorsements

This schedule was developed in consultation with staff and managers who conduct the operational functions in the creating agency. It has also been reviewed by appropriate Government Records Service staff to ensure it meets scheduling and appraisal standards, and reflects sound record keeping practices.

Schedule Number: 112971

Amendment Number: 195727

Schedule Developer: Ken Oldenburger

Archivist: Sarah Shea

Endorsed by Government Records Service: Mario Miniaci, Director, Archives and Records Initiatives, 2023-07-25

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

The government body endorses this schedule and its implementation: Mary Walsh, Executive Director Employment Standards Branch Ministry of Labour, 2023-08-01

The Information Management Advisory Committee recommends this schedule for approval: Mary LaBoucane, Chair, 2023-10-05

Approved by the Chief Records Officer: Charmaine Lowe, 2023-10-20

END OF EXECUTIVE SUMMARY



Schedule No. 112971

Accession No. see "How to Use ORCS" part 3.9.1

RECORDS RETENTION AND DISPOSITION AUTHORITY

This is a recommendation to authorize an operational records classification and scheduling system.

Title Employment Standards

Ministry of Labour
Employment Standards and Industrial Relations
Employment Standards Branch

Description and Purpose:

The Employment Standards Operational Records Classification System (ORCS) covers all operational records created, received, and maintained by Employment Standards Branch. This ORCS does not cover the Employment Standards Tribunal.

The records document the administration of the Employment Standards Act (RSBC 1996, c. 113) and the Employment Standards Regulation (BC Reg. 396/95). This includes records relating to: investigation and resolution of complaints; issuance of child employment permits; licensing of employment agencies, talent agencies, and farm labour contractors; inspections; registration of domestic workers; administration of polls for trade union certification and decertification, pursuant to the Labour Relations Code (RSBC 1996, c. 244); disbursement of trust funds; and the issuance of variances to provisions stipulated in the Act.

For more information, see attached schedule.

Date range: 1894

Physical format of records: see attached schedule

Annual accumulation: 2.35 cubic meters

Recommended retention and disposition: scheduled in accord with attached ORCS.

THE UNDERSIGNED ENDORSE THE RECOMMENDATIONS:

Records Officer 2010/11/08
Executive Director/ADM DIRECTOR Nov 9/10
Deputy Minister/Corporate Executive ADM Nov 10/10

THE PUBLIC DOCUMENTS COMMITTEE CONCURS:
Chair, PDC 16 Dec 2010

THE SELECT STANDING COMMITTEE ON PUBLIC ACCOUNTS APPROVES THE RECOMMENDATION OF THE PUBLIC DOCUMENTS COMMITTEE:

J.T. Feb. 10, 2011

APPROVED BY RESOLUTION OF THE LEGISLATIVE ASSEMBLY:

J.T. May 19, 2011

OTHER STATUTORY APPROVALS:

Signature Title Date Signature Title Date

CONTACT: Mary McIntosh, Records Officer, (250) 387-9811

RECORDS MANAGEMENT APPRAISAL:

This appraisal documents the recommendation for active and semi-active retention periods.

These records are created and received under the authority of the *Employment Standards Act* (RSBC 1996, c. 113), the *Employment Standards Regulation* (BC Reg. 396/95) and the *Labour Relations Code* (RSBC 1996, c. 244) and subsequent legislation governing the operational responsibilities and functions of the creating agency.

Functional duplicates and microfilmed records are indicated under appropriate classification headings.

The retention and final disposition guidelines specified in the attached *Operational Records Classification System* meet the creating agency's information requirements, ensure fiscal and audit control, protect government's legal rights and liabilities, and provide for effective management of the agency's operational functions. Upon expiry of the active and semi-active retention periods, the records covered by this recommendation will no longer be of any primary value to government.

The retention and final disposition guidelines have been established in consultation with the Records Officer and staff and managers of all branches conducting operational functions in the creating agency.


 Records Analyst

2010-10-28
 Date


 Team Lead, ORCS Development

2010-10-28
 Date

ARCHIVAL APPRAISAL:

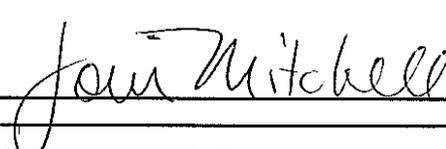
This appraisal documents the recommendation for final disposition.

The final disposition recommendations protect records considered to have significant evidential and historical values. The specific reasons for retaining certain records are stated within the *ORCS*, as well as in the Executive Summary.

Record series or groups of records which will be retained in their entirety are indicated by "Full Retention."

Record series or groups of records which will be retained in part are indicated by "Selective Retention." Selective retention means that portions of the record series will be retained by means of recognized archival selection criteria. For the meaning of selective retention with respect to a specific record series, see the attached schedule.

The definitions of both selective and full retention provide that records will be preserved in the government archives, and that unnecessary duplicates, transitory materials, and ephemera may be discarded.


 Archivist

2010-10-27
 Date

The undersigned endorses the appraisal recommendations:


 Manager, Policy, Appraisal and Storage

2010-11-08
 Date

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

A SA FD

EMPLOYMENT STANDARDS

OPERATIONAL RECORDS CLASSIFICATION SYSTEM (ORCS)

EXECUTIVE SUMMARY

This *Operational Records Classification System (ORCS)* establishes a classification system and retention and disposition schedule for the operational records created by the Employment Standards Branch.

These records document the administration of the *Employment Standards Act* (RSBC 1996, c. 113) and the *Employment Standards Regulation* (BC Reg. 396/95). The Act sets out the minimum standards of wages and working conditions that apply in most workplaces in British Columbia. This includes records relating to: investigation and resolution of complaints; issuance of child employment permits; licensing of employment agencies, talent agencies, and farm labour contractors; inspections; registration of domestic workers; administration of polls for trade union certification and decertification, pursuant to the *Labour Relations Code* (RSBC 1996, c. 244); disbursement of trust funds; and the issuance of variances to provisions stipulated in the Act.

The active and semi-active retention periods specified in the schedule meet all operational, administrative, legal, fiscal, and audit requirements. Records Management Operations has reviewed the final dispositions to ensure that records having enduring evidential and historical values are preserved.

This *ORCS* covers records created and received since 1894. Between 1894 and 1917, employment standards in the province were administered by the Provincial Secretary and the Attorney General. In 1917, the Department of Labour was established. In 1966, the Labour Standards Branch was established and assumed responsibilities for the administration of those acts previously administered by the department. In 1981, the *Employment Standards Act* (SBC 1980, c.10) came into force, consolidating past legislation, and the branch name was changed to the Employment Standards Branch. Other records relating to the functions documented in the *ORCS* have been appraised and scheduled under one-time records schedule(s) and/or under ongoing records schedule(s), and transferred to the government archives or destroyed as appropriate.

The following summary describes the types of records covered by this *ORCS* and identifies their retention periods and final dispositions. In this summary, record types are linked to the *ORCS* by primary and secondary numbers. Please consult the *ORCS* manual for further information.

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[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

	<u>A</u>	<u>SA</u>	<u>FD</u>
1) <u>Policy and procedures</u> (secondary -00 throughout <i>ORCS</i> , with the exception of 72000-00)	SO	5y	FR
<p>Throughout this <i>ORCS</i>, the government archives will fully retain all policy and procedure files created by offices having primary responsibility for policy and procedure development and approval. These records have evidential value.</p>			
2) <u>Skills development and fair wage investigation case files</u> (secondary 72100-60)	SO	10y	FR
<p>These records document the investigation of non-compliance with fair wage legislation. This function is no longer performed by the branch.</p>			
<p>SO = when investigation is complete, appeals have concluded, and all appeal periods have expired</p>			
<p>10y = The retention period is based on the 10-year limitation period for commencing an action with respect to a local judgment for the payment of money, or the return of personal property, under the <i>Limitation Act</i> (RSBC 1996, c. 266, s. 3).</p>			
<p>FR = The government archives will fully retain Skills development and fair wage investigation case files because they document the investigation of non-compliance with fair wage legislation, which was enacted in 1993 and rescinded in 2001. The <i>Skills Development and Fair Wage Act</i> (RSBC 1996, c. 427) required that all privately contracted work on public construction be done by certified trades' people who receive a minimum standard of pay based on prevailing union rates. The records have evidential, informational, and historical value.</p>			
3) <u>Collective agreement dispute resolution, Human rights investigation, and Labour relations investigation case files</u> (secondaries 72100-30, -40, and -50)	SO	7y	FR
<p>These records document functions previously performed by the Employment Standards Branch on behalf of the Labour Relations Board or the BC Council of Human Rights (currently called the BC Human Rights Tribunal). Due to legislative changes, these functions are no longer performed by the branch.</p>			

(continued on next page)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

A SA FD

SO = when complaint is withdrawn or settled and report is submitted

7y = The retention period meets the reference requirements of the branch and ensures the records are available for a sufficient period for consultation purposes with either the Labour Relations Board or the BC Council of Human Rights.

FR = The government archives will fully retain Collective agreement dispute resolution case files because they document the involvement of government Industrial Relations Officers who, prior to 2002 under section 87(1) of the *Labour Relations Code* (RSBC 1996, c. 244), were appointed by the Collective Agreement Arbitration Bureau to serve as settlement officers in the resolution of mid-contract disputes between employers and trade unions.

The government archives will fully retain Human rights investigation case files because they document the involvement of government Industrial Relations Officers who, between 1984 and 1996 under the authority of the former *Human Rights Act* (RSBC 1979, c. 52), investigated employment-related human rights complaints submitted to the BC Council of Human Rights.

The government archives will fully retain Labour relations investigation case files because they document the involvement of government Industrial Relations Officers who, prior to 2002 and in accordance with the *Labour Relation Code* (RSBC 1996, c. 244), investigated labour relations complaints brought to the Labour Relations Board.

These records have evidential, informational, and historical value.

4) Employment standards reports - annual CY nil FR
 (secondary 72000-04)

These records include the Monthly Performance Indicators Report, Allegation Summary Report, Contraventions (Top 10 Industry Sectors) Report, and the EST Statistical Report. In order to interpret the reports, a listing of the codes used in the reports is also included in this secondary.

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[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

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A SA FD

FR = The government archives will fully retain Employment standards reports - annual because they provide a summary of the number and types of *Employment Standards Act* contravention complaints that are brought to and the determinations that are subsequently issued by the Employment Standards Branch. These records have evidential and informational value.

- 5) Employment standards fact sheets and guidelines SO nil FR
(secondary 72000-02)

These records cover a collection of fact sheets and guidelines pertaining to all of the services performed by the Employment Standards Branch, such as registration of domestic workers and issuance of permits and licences.

FR = The government archives will fully retain Employment standards fact sheets and guidelines because they document the services provided by the Employment Standards Branch and one of the ways the branch informs the public of their rights and obligations under the *Employment Standards Act* (RSBC 1996, c. 113) and *Employment Standards Regulation* (BC Reg. 396/95). The records have evidential value.

- 6) Permitting and licensing lists SO nil FR
(secondary 72200-05)

These records document the farm labour contractors, employment agencies and talent agencies that have been authorized to operate in British Columbia.

SO = when lists are updated and no longer required for reference purposes

FR = The government archives will fully retain Permitting and licensing lists because they document the farm labour contractors, employment agencies and talent agencies that have been authorized to operate in British Columbia. The records have evidential, informational, and historical value.

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[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

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	<u>A</u>	<u>SA</u>	<u>FD</u>
7) <u>Standard Operating Procedures and Interpretation Guidelines Manual</u> (secondary 72000-00)	SO	5y	SR

These records document the branch's standard operating procedures and their interpretation of employment standards legislation and general law.

SR = The Employment Standards Branch will transfer a copy of extant earlier printed versions of the *Standard Operating Procedures (SOPs)* and the *Interpretation Guidelines Manual*. Staff will transfer a complete copy of the manuals to the archives when the ORCS is approved. After that, staff will transfer a copy of the manual every five years.

The government archives will fully retain all other policy and procedure files throughout this section created by offices having primary responsibility for policy and procedure development and approval. These records have evidential value.

8) <u>Employment standards complaint case files</u> (secondary 72100-20)	SO	10y	DE
---	----	-----	----

These records document the investigation and resolution of complaints of alleged contraventions of the *Employment Standards Act* (RSBC 1996, c. 113).

SO = when the complaint is withdrawn, abandoned, settled, or a determination is issued, and appeals and appeal periods have expired; and if payment is not received, when all judicial actions relating to the complaint or the director's actions are concluded

10y = The retention period is based on the 10-year limitation period for commencing an action with respect to a local judgment for the payment of money, or the return of personal property, under the *Limitation Act* (RSBC 1996, c. 266, s. 3) and meets the reference needs of the branch.

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[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

	<u>A</u>	<u>SA</u>	<u>FD</u>
9) <u>Farm labour contractor audit and inspection case files</u> (secondary 72200-25)	SO+1y	9y	DE
<p>These records document routine audit inspections undertaken independently of complaints and applications for permits, licences or registrations.</p> <p>SO = when all assignments opened in a given calendar year for a given farm are closed</p> <p>10y = The retention period is based on the 10-year limitation period for commencing an action with respect to a local judgment for the payment of money, or the return of personal property, under the <i>Limitation Act</i> (RSBC 1996, c. 266, s. 3).</p>			
10) <u>Trust disbursement case files</u> (secondary 72400-20)	SO+5y	5y	DE
<p>These records document the receipt and disbursement of trust funds according to the <i>Employment Standards Act</i> (RSBC 1996, c. 113, s. 19 and 99).</p> <p>SO = when final trust disbursement is released; when bond funds are returned; and when unclaimed wages are claimed; and in all cases, if unclaimed, when funds are sent to the B.C. Unclaimed Property Society</p> <p>10y = The retention period is based on the 10-year limitation period for commencing an action with respect to a trustee under the <i>Limitation Act</i> (RSBC 1996, c. 266, s. 3).</p>			
11) <u>Employment standards issue case files</u> (secondary 72000-30)	SO	7y	DE
<p>These records document issues management consultation and resolution.</p> <p>SO = when issue is resolved and when no longer required for reference purposes</p> <p>7y = The retention period provides sufficient time for issues management consultation and resolution.</p>			

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[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

A SA FD

12) Electronic records

The following electronic databases are covered by this ORCS: CASE System, Case Tracking System, Farm Labour Contractor Tracking System, and the Talent Agencies Tracking System. The Information System Overview section provides information about the CASE System and the Case Tracking System, including inputs and outputs and routine back-ups. Notes under the relevant secondaries provide information about the classification and scheduling of the data. These records have no enduring value to government at the end of their scheduled retention periods.

Because the Farm Labour Contractor Tracking System and the Talent Agencies Tracking System are simple systems, information system overviews have not been developed. Notes under the relevant secondaries provide information about the classification and scheduling of the data. These records have no enduring value to government at the end of their scheduled retention periods.

13) All Other Records

DE

All other records are destroyed at the end of their semi-active retention periods. The retention of these records varies depending on the nature of the records and the function performed, but does not exceed seven years. The information these records contain is summarized elsewhere, or reflects policies and procedures adequately documented in records covered by the -00 Policy and procedures secondaries, fact sheets and guidelines (72000-02), reports and statistics (72000-04) and lists (72200-05). Significant issues are documented in records which will be retained under the provisions of this ORCS, as well as in briefing notes to the ministry executive and ministry annual reports. These records have no enduring value to government at the end of their scheduled retention periods.

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

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SECTION 1

EMPLOYMENT STANDARDS

PRIMARY NUMBERS

72000 – 72999

Section 1 covers records relating to administering and enforcing the provincial government's required functions under the [Employment Standards Act \(RSBC 1996, c. 113\)](#) and the [Temporary Foreign Worker Protection Act \(SBC 2018, c. 45\)](#).

The *Employment Standards Act* sets out the minimum standards for payment, compensation and working conditions that apply in most workplaces in British Columbia, while the *Temporary Foreign Worker Protection Act* aims to protect foreign workers from unfair practices. This section includes records relating to: investigating and resolving complaints; authorizing employment related certificates, permits and licenses; conducting inspections; registering of various workers and employers; managing trust funds; and issuing variances.

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

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EMPLOYMENT STANDARDS

72000 - 72999

72000	EMPLOYMENT STANDARDS – GENERAL
72100	COMPLAINTS AND INVESTIGATIONS
72200	PERMITTING AND LICENSING
72300	TRADE UNION CERTIFICATION
72400	TRUST DISBURSEMENTS
72500	VARIANCE ISSUANCE

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72000 EMPLOYMENT STANDARDS – GENERAL

Records not shown elsewhere in this section that relate generally to administering and enforcing the provincial government's required functions under the [Employment Standards Act \(RSBC 1996, c. 113\)](#) and the [Temporary Foreign Worker Protection Act \(SBC 2018, c. 45\)](#).

This primary includes the development and approval of employment standards, policies and procedures, fact sheets and external guidelines for employers; employment standards assignment data; development and approval of reports; and employment standards issues case files. It also covers lists published in accordance with the Acts and related regulations.

For public education sessions, see [ARCS primary 1735](#).

For reference material/topical files, see [ARCS secondary 358-20](#).

For system descriptions, see the System Section.

For websites maintained by the branch, see [ARCS primary 340](#).

The ministry OPR is Employment Standards Branch unless otherwise noted below. See specific secondaries for OPR retention schedules.

72000	EMPLOYMENT STANDARDS – GENERAL	A	SA	FD
	All non-OPR offices will retain these records for:	SO	nil	DE
-00	Policy - final (covers final/approved policies, procedures, standards, guidelines, fact sheets and equivalents pertaining to the functions and activities documented in this ORCS, developed for internal and external use) (arrange by category, then by policy name or number)	SO	5y	FR
	RETENTION STATEMENT Transfer to the government archives five years after the policy is replaced or becomes irrelevant.			
	SO: when the policy is replaced or becomes irrelevant			
	FR: The government archives will fully retain final versions of operational policy documentation, developed for internal use, because they provide significant evidence of the governance of the functions and programs described in this ORCS. The external guidelines provide evidence of the ways the branch informs the public of their rights and obligations under the various Acts.			

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72000	EMPLOYMENT STANDARDS – GENERAL	A	SA	FD
-01	General RETENTION STATEMENT Destroy at the end of the second calendar year. NOTE: Throughout this section, this secondary covers miscellaneous records that relate to the primary but do not document decisions and actions, and do not relate to topics that warrant specific classifications.	CY+1y	nil	DE
-04	Annual summary reports and statistics (covers annual summary reports and statistics that document key branch activities, performance measures and outcomes, as well as significant ad-hoc reports) RETENTION STATEMENT Transfer to the government archives at the end of the calendar year. FR: The government archives will fully retain these records because they summarize key branch activities and outcomes (e.g., allegations, appeals, complaints, contraventions, determinations, and branch performance). These records complement the information published in the ministry annual service plan report and may be used to illustrate trends in employee-employer relations. NOTE: Published lists are classified under secondary 72000-10. NOTE: The branch maintains a library of all reports, including copies of those covered under this secondary, to meet their long-term reference requirements. This library is classified under ARCS secondary 358-20 .	CY	nil	FR
-10	Published lists (includes various lists (e.g., farm labour contractors, foreign worker recruiters, employers of foreign nationals, employment agencies, talent agencies and violators) RETENTION STATEMENT Destroy when lists are updated and no longer required for	SO	nil	DE

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72000	EMPLOYMENT STANDARDS – GENERAL	A	SA	FD
	reference purposes.			
	SO: when lists are updated and no longer required for reference purposes			
-20	Assignments tracking data (covers assignment tracking data in the information systems used to track assignments)	SO	nil	DE
	RETENTION STATEMENT Destroy when no longer required for tracking the status of assignments and for statistical reporting.			
	SO: when no longer required for tracking the status of assignments and for statistical reporting			
-30	Issue case files (includes correspondence, notes, articles, background materials, and copies of briefing notes) (arrange by issue)	SO	7y	DE
	RETENTION STATEMENT Destroy seven years after the issue is resolved and the file is no longer required for reference purposes.			
	SO: when issue is resolved and when no longer required for reference purposes			
	7y: The retention period provides sufficient time for issues management consultation and resolution.			
-40	Policy development files (covers amendments to and evaluations of policies, procedures, standards, and guidelines) (includes correspondence, briefing notes, policy proposals/intentions papers, and draft versions) (arrange by category, then by policy name or number)	SO	5y	DE
	RETENTION STATEMENT Destroy five years after the policy is approved and distributed, or when it is abandoned, and the development file is no longer required for reference purposes.			
	SO: when the policy is approved and distributed or when it is abandoned, and the development file is no longer			

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72000 EMPLOYMENT STANDARDS – GENERAL **A SA FD**

required for reference purposes

DE: Policy development files may be destroyed because final policies are fully retained under secondary 72000-00.

-50 Report development files **CY 5y DE**

(covers raw data, processed data, and formulas)
(includes correspondence, briefing notes, and draft versions)
(arrange by report name, then by date)

RETENTION STATEMENT

Destroy at the end of the sixth calendar year.

NOTE: Annual summary reports and statistics are classified under secondary 72000-04. The branch also maintains a library of all reports, to meet their long-term reference requirements. This library is classified under [ARCS secondary 358-20](#).

END OF PRIMARY

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72100 COMPLAINTS AND INVESTIGATIONS

Records relating to the investigation and resolution of complaints of alleged contraventions of the [Employment Standards Act \(RSBC 1996, c. 113\)](#) and the [Temporary Foreign Worker Protection Act \(SBC 2018, c. 45\)](#).

Complaints are resolved through a process that includes investigation, education, determinations, and appeals. Complaints can be resolved by parties signing a settlement agreement, by a voluntary payment, by withdrawal, or by the issuance of a written decision called a determination, which can result in monies being owed to the complainant or in the imposition of penalties. Settlement agreements and determinations, if not honoured, can be filed in the Supreme Court and enforced as a judgment of the Court. Determinations can be appealed to the Employment Standards Tribunal.

This primary also includes four closed secondaries that reflect functions previously performed by the Employment Standards Branch either on their own or on behalf of the Labour Relations Board or the BC Council of Human Rights (currently called the BC Human Rights Tribunal). Due to legislative changes, these functions are no longer performed.

For employer audits and inspections, see secondary 72200-25.
 For system descriptions, see the System Section.
 For related trust disbursement records, see secondary 72400-20.

The ministry OPR is Employment Standards Branch unless otherwise noted below. See specific secondaries for OPR retention schedules.

72100 COMPLAINTS AND INVESTIGATIONS	A	SA	FD
All non-OPR offices will retain these records for:	SO	nil	DE
-01 General	CY+1y	nil	DE
RETENTION STATEMENT Destroy at the end of the second calendar year.			
-02 Director's copy of appeals to the Employment Standards Tribunal (closed January 1, 2021 – do not create new files in this secondary)	CY	nil	DE
RETENTION STATEMENT Destroy at the end of the calendar year.			
DE: These records are appraised for destruction because annual statistical summaries of complaints, investigations, and appeals to the Tribunal are fully			

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72100 COMPLAINTS AND INVESTIGATIONS A SA FD

retained under secondary 72000-04.

NOTE: Complainants are entitled to appeal a determination to the Employment Standards Tribunal. Prior to January 1, 2021, they were required to copy the Director, Employment Standards Branch, on all such appeals.

PIB -03 Employment standards complainant profile data SO 10y DE

(covers investigations, appeals and enforcement)

RETENTION STATEMENT

Destroy 10 years after all the complainant's complaints are resolved.

SO: when all the complainant's complaints are resolved

10y: The retention period is based on the 10-year limitation period for commencing an action with respect to a local judgment for the payment of money, or the return of personal property, under the [Limitation Act \(SBC 2012, c. 13\)](#) and meets the reference needs of the branch.

-20 Employment standards complaint case files SO 10y DE

(covers investigations, appeals and enforcement)

(includes complaint and information forms, evidence, correspondence, investigation reports, settlement agreements, determinations, supporting documentation to the determinations, court documents and copies of payment)

RETENTION STATEMENT

Destroy 10 years after the complaint is withdrawn, abandoned, settled, or a determination is issued, and appeals and appeal periods have expired; and if payment is not received, when all judicial actions relating to the complaint or the director's actions are concluded.

SO: when the complaint is withdrawn, abandoned, settled, or a determination is issued, and appeals and appeal periods have expired; and if payment is not received, when all judicial actions relating to the complaint or the director's actions are concluded

10y: The retention period is based on the 10-year

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72100	COMPLAINTS AND INVESTIGATIONS	A	SA	FD
	<p>limitation period for commencing an action with respect to a local judgment for the payment of money, or the return of personal property, under the Limitation Act (SBC 2012, c. 13).</p> <p>DE: These records are appraised for destruction because complaint outcomes summary reports are fully retained under secondary 72000-04.</p>			
-30	Collective agreement dispute resolution case files (closed November 1, 2002 – do not create new files in this secondary) (includes application for appointment of settlement officer, copies of collective agreements, settlement notes, settlement agreements, and correspondence) (arrange by employer name)	SO	7y	FR
	<p>RETENTION STATEMENT</p> <p>Transfer to the government archives seven years after the complaint is withdrawn or settled and report is submitted.</p> <p>SO: when complaint is withdrawn or settled, and report is submitted.</p> <p>7y: The retention period meets the reference requirements of the branch and ensures the records are available for a sufficient period for consultation purposes with the Collective Agreement Arbitration Bureau (CAAB) of the Labour Relations Board.</p> <p>FR: The government archives will fully retain Collective agreement dispute resolution case files because they document the involvement of government Industrial Relations Officers who, prior to 2002 under section 87(1) of the Labour Relations Code (RSBC 1996, c. 244), were appointed by the Collective Agreement Arbitration Bureau to serve as settlement officers in the resolution of mid-contract disputes between employers and trade unions. The records have evidential, informational, and historical value.</p>			
-40	Human rights investigation case files (closed January 1, 1996 – do not create new files in this secondary) (includes notice of assignment, copy of complaint information form, copy of particulars of allegation, copy of complainant's	SO	7y	FR

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72100	COMPLAINTS AND INVESTIGATIONS	A	SA	FD
	<p>and respondent's letter, original correspondence from complainant and respondent, registrar of companies searches, withdrawal forms, investigation notes, investigation report, and correspondence) (arrange by employer name)</p> <p>RETENTION STATEMENT Transfer to the government archives seven years after the complaint is withdrawn or settled and report is submitted.</p> <p>SO: when complaint is withdrawn or settled, and report is submitted</p> <p>7y: The retention period meets the reference requirements of the branch and ensures the records are available for a sufficient period for consultation purposes with the BC Council of Human Rights.</p> <p>FR: The government archives will fully retain Human rights investigation case files because they document the involvement of government Industrial Relations Officers who, between 1984 and 1996 under the authority of the former <i>Human Rights Act</i> (RSBC 1979, c. 52), investigated employment-related human rights complaints submitted to the BC Council of Human Rights. The records have evidential, informational, and historical value.</p>			
-50	<p>Labour relations investigation case files (closed May 1, 2002 – do not create new files in this secondary) (includes copies of referrals from the Labour Relations Board, investigation notes, investigation reports, and correspondence) (arrange by employer name)</p> <p>RETENTION STATEMENT Transfer to the government archives seven years after the complaint is withdrawn or settled and report is submitted.</p> <p>SO: when complaint is withdrawn or settled, and report is submitted</p> <p>7y: The retention period meets the reference requirements of the branch and ensures the records</p>	SO	7y	FR

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72100	COMPLAINTS AND INVESTIGATIONS	A	SA	FD
	are available for a sufficient period for consultation purposes with the Labour Relations Board.			
	FR: The government archives will fully retain Labour relations investigation case files because they document the involvement of government Industrial Relations Officers who, prior to 2002 and in accordance with the Labour Relations Code (RSBC 1996, c. 244) , investigated labour relations complaints brought to the Labour Relations Board. The records have evidential, informational, and historical value.			
-60	Skills development and fair wage investigation case files (closed October 1, 2001 – do not create new files in this secondary) (includes project report forms and supporting documents, site visit report forms, investigation status report forms, site closure forms, demand for employer's records, audit records, determinations, compliance orders, violation tickets, appeal records, court documents, and copies of payment) (arrange by construction project)	SO	10y	FR
	RETENTION STATEMENT Transfer to the government archives 10 years after the investigation is complete, appeals have concluded, and all appeal periods have expired.			
	SO: when investigation is complete, appeals have concluded, and all appeal periods have expired			
	10y: The retention period is based on the 10-year limitation period for commencing an action with respect to a local judgment for the payment of money, or the return of personal property, under the Limitation Act (SBC 2012, c. 13) .			
	FR: The government archives will fully retain Skills development and fair wage investigation case files because they document the investigation of non-compliance with fair wage legislation, which was enacted in 1993 and rescinded in 2001. The Skills Development and Fair Wage Act (RSBC 1996, c. 427) required that all privately contracted work on public construction be done by certified trades' people who receive a minimum standard of pay			

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72200 PERMITTING AND LICENSING

Records relating to authorizing permits, licences and certificates; collecting data about certain workers as well as employers (i.e., registration); conducting audits investigations; and performing “due diligence searches”, pursuant to the [Employment Standards Act \(RSBC 1996, c. 113\)](#) and the [Temporary Foreign Worker Protection Act \(SBC 2018, c. 45\)](#).

Authorizations and registrations covered under this primary include:

- permits for the employment of children;
- licences for employment agencies, talent agencies and farm labour contractors;
- registries of employees working in private residences (i.e., domestic workers) and textile workers;
- licences for foreign worker recruiters;
- certificates of registration for employers of foreign nationals; and
- registries of licensed foreign worker recruiters and registered employers.

This primary also covers investigations not related to a complaint, referred to as audit and inspections, to differentiate from the various investigations classified under primary 72100. Audits and inspections may be conducted at any time and for any reason.

This primary also covers “due diligence searches” which are third party requests for information to determine whether a specific employer has any outstanding liabilities. Liabilities would include open complaints or money owing. Searches of this kind are typically received from law firms when there is a pending sale of a business.

For accounts receivable records, see [ARCS secondary 935-20](#).

For the published lists required by legislation and regulations, see secondary 72000-10.

For system descriptions, see the System Section.

The ministry OPR is Employment Standards Branch unless otherwise noted below. See specific secondaries for OPR retention schedules.

72200	PERMITTING AND LICENSING	A	SA	FD
	All non-OPR offices will retain these records for:	SO	nil	DE
-01	General	CY+1y	nil	DE

RETENTION STATEMENT

Destroy at the end of the second calendar year.

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72200	PERMITTING AND LICENSING	A	SA	FD
PIB	<p>-02 Worker registration data (covers worker registration data stored in information systems)</p> <p>RETENTION STATEMENT Destroy when no longer required for the maintenance of a registry of workers in British Columbia.</p> <p>SO: when no longer required for the maintenance of a registry of workers in British Columbia</p>	SO	nil	DE
	<p>-03 Domestic worker registration forms and confirmation letters (closed January 1, 2021 – do not create new files in this secondary) (arrange chronologically by week)</p> <p>RETENTION STATEMENT Destroy six months after the end of the calendar year.</p> <p>NOTE: This secondary is closed because the process is currently managed through web-based forms.</p>	CY+6m	nil	DE
	<p>-04 Due diligence searches (includes third party's request for search, authorization to release information, and search response letter)</p> <p>RETENTION STATEMENT Destroy at the end of the second calendar year.</p> <p>2y: The retention period ensures the records are available for a sufficient period in the event of a search error, or to respond to questions pertaining to the search.</p>	CY	1y	DE
PIB	<p>-20 Child employment permit case files (includes applications, declaration of parent or guardian, supporting documents, investigation documents, and permits)</p> <p>RETENTION STATEMENT Destroy three years after the application has been withdrawn, denied, or abandoned; or, if approved, three years after the child has reached the age of majority.</p>	SO	3y	DE

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72200	PERMITTING AND LICENSING	A	SA	FD
	<p>SO: once the application is withdrawn, denied, or abandoned; or, if approved, when child reaches the age of majority</p> <p>3y: The retention period ensures that records are retained for the two-year limitation period for commencing an action with respect to an injury to person or property under the Limitation Act (SBC 2012, c. 13). This period also satisfies the two-year limitation period under the <i>Employment Standards Act</i>. An additional year is allowed for serving notice on all parties.</p> <p>NOTE: Child employment permits do not have set validation periods and will vary by permit. Renewals require the creation of a new case file.</p> <p>NOTE: As these files are not primarily organized by the child's name, in order to comply with the SO statement, ESB staff will run an annual report to identify children who have reached the age of majority (i.e., 19). The records which comprise the child employment permit case file will then begin the three-year semi-active period.</p>			
-25	<p>Employer audit and inspection case files (includes demand for employer records, copies of time sheets, payroll records, Payroll Audit Form/Checklist, determinations, demand notices, and copies of payment)</p> <p>RETENTION STATEMENT Destroy 10 years after the audit and inspection is resolved.</p> <p>SO: when the audit and inspection is resolved</p> <p>10y: The retention period meets operational and reference requirements and provides a reasonable period for the legal value of the records to be extinguished.</p> <p>DE: These records are appraised for destruction because statistical summaries of audits and investigations are fully retained under secondary 72000-04.</p> <p>NOTE: Associated licence files are classified under secondary 72200-40.</p>	SO1y	9y	DE

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72200 PERMITTING AND LICENSING **A SA FD**

-40 Licence case files SO+1y 2y DE

(covers licences (e.g., talent agencies, recruiters, farm contractors, employment agencies, and employers of foreign nationals))

(includes applications, application for licence – officer's checklist, investigation documents, interview notes with applicant, workflow sheets, supporting documentation to the licence, examinations, copies of payment, determinations and appeals)

RETENTION STATEMENT

Destroy three years after the licence application is withdrawn, denied, or abandoned; or, if approved, three years after the expiration or revocation of the licence; and the expiration of all statutory complaint filing periods, reconsideration periods, and appeal periods; and upon conclusion of all complaints, reconsiderations and appeals.

SO: when licence application is withdrawn, denied, or abandoned; or, if approved, upon expiration or revocation of licence; and the expiration of all statutory complaint filing periods, reconsideration periods, and appeal periods; and upon conclusion of all complaints, reconsiderations and appeals

3y: The retention period ensures the licences are available for the duration of a licence, and for a reasonable period should the licensee apply to renew the licence. This period also satisfies the two-year limitation period under the *Employment Standards Act* and the *Temporary Foreign Worker Protection Act*.

NOTE: Permits for child employment are classified under secondary 72200-20.

END OF PRIMARY

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72300 TRADE UNION CERTIFICATION

Records relating to the certification and decertification of trade unions as the bargaining agent for a bargaining unit and the conduct of final offer votes, pursuant to the [Labour Relations Code \(RSBC 1996, c. 244\)](#).

On behalf of the Labour Relations Board, the Employment Standards Branch investigates applications for certification and decertification. An Industrial Relations Officer investigates the application and determines if the applicant has the requisite support to proceed with a vote. If so, the officer prepares a report with supporting documents for a tentative vote. The Labour Relations Board then holds a hearing and orders the vote to proceed. The officer then sets up and conducts the votes, counts the ballots, and reports the results to the board. The original return of poll, as well as the original completed ballots, are retained by the branch. There are two possible outcomes of a vote: the vote will be counted, and a return of poll submitted to the board; or, at the request of the board, the ballot box will be sealed until all issues pertaining to the vote are resolved. Once the issues are resolved, the ballot box will be unsealed, the vote counted, and the return of poll submitted to the board.

NOTE: As of January 1, 2021, this function is performed entirely by the Labour Relations Board with the Employment Standards Branch having no related records.

The ministry OPR is Employment Standards Branch unless otherwise noted below. See specific secondaries for OPR retention schedules.

72300	TRADE UNION CERTIFICATION	A	SA	FD
	All non-OPR offices will retain these records for:	SO	nil	DE
-01	General (closed January 1, 2021 – do not create new files in this secondary)	CY+1y	nil	DE
	RETENTION STATEMENT Destroy at the end of the second calendar year.			
-20	Union certification, decertification and final offer case files (closed January 1, 2021 – do not create new files in this secondary) (includes applications, investigation reports, audit records, original completed ballots, original return of poll, tentative voter list, original appointment of scrutineer, copies of application for certification and decertification received from the board, copies of signed membership cards, copies of notice of hearings, reports, notice of polls, board orders, and company searches)	SO	nil	DE

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72300 TRADE UNION CERTIFICATION A SA FD

(arrange by employer number/and or name)

RETENTION STATEMENT

Destroy, if no vote is conducted, one year after investigation report is submitted to the board; or one year after vote is counted; or, if vote has not been counted, when the board recommends destruction.

SO: if no vote is conducted, one year after investigation report is submitted to the board; or one year after vote is counted; or, if vote has not been counted, when the board recommends destruction

DE: These records are appraised for destruction because final policies regarding union certification and decertification by Industrial Relations Officers are fully retained under secondary 72000-00.

END OF PRIMARY

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72400 TRUST DISBURSEMENTS

Records relating to the receipt and disbursement of trust funds according to the [Employment Standards Act \(RSBC 1996, c. 113\)](#) and the [Temporary Foreign Worker Protection Act \(SBC 2018, c. 45\)](#).

Examples of funds covered under this primary include the following:

- funds held in trust for persons named in a determination, a settlement agreement, or an order of the tribunal;
- funds held in trust when received voluntarily from the employer or in cases of unclaimed wages;
- bond monies received from talent agencies and farm labour contractors; and
- securities received for licence applications.

For cash/cheque deposit logs, see [ARCS secondary 985-04](#).

For related complaint and investigation case files, see secondary 72100-20.

For trust fund management records, see [ARCS primary 1130](#).

The ministry OPR is Employment Standards Branch unless otherwise noted below. See specific secondaries for OPR retention schedules.

72400 TRUST DISBURSEMENTS	A	SA	FD
All non-OPR offices will retain these records for:	SO	nil	DE
-01 General	FY+1y	nil	DE
RETENTION STATEMENT Destroy at the end of the second fiscal year.			
-20 Trust disbursement case files (includes copies of cheques, funds received/trust disbursement approval form, financial reports, trust disbursement batch listing, expense authority approvals, interest calculations and other calculations)	SO+5y	5y	DE
RETENTION STATEMENT Destroy 10 years after one of the following conditions have been met: final trust disbursement is released; bond funds are returned; unclaimed wages are claimed; or security is returned. In all cases, if funds are unclaimed, destroy 10 years after funds are sent to the British Columbia Unclaimed Property Society.			
SO: when final trust disbursement is released; or when bond funds are returned; or when unclaimed wages			

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72400 TRUST DISBURSEMENTS **A SA FD**

are claimed; or when security is returned; and in all cases, if funds are unclaimed, when they are sent to the British Columbia Unclaimed Property Society

10y: The retention period meets operational and reference requirements and provides a reasonable period for the legal value of the records to be extinguished.

NOTE: Unclaimed funds are sent to the British Columbia Unclaimed Property Society in accordance with the [Unclaimed Property Act \(SBC 1999, c. 48\)](#).

END OF PRIMARY

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72500 VARIANCE ISSUANCE

Records relating to the review of joint applications from employers and employees for variances to provisions stipulated in the [Employment Standards Act \(RSBC 1996, c. 113\)](#). Variances are issued in the form of a determination, and cover provisions such as pay days, special clothing, minimum daily hours, maximum hours of work, and hours free from work.

The ministry OPR is Employment Standards Branch unless otherwise noted below. See specific secondaries for OPR retention schedules.

72500	VARIANCE ISSUANCE	A	SA	FD
	All non-OPR offices will retain these records for:	SO	nil	DE
-01	General	CY+1y	nil	DE
	RETENTION STATEMENT Destroy at the end of the second calendar year.			
-02	Variance determinations (covers variance determinations (i.e., decisions) communicated to applicants via notices, notifications, and equivalents) (arrange chronologically)	SO	nil	DE
	RETENTION STATEMENT Destroy when no longer required for reference purposes.			
	SO: when no longer required for reference purposes			
	NOTE: This secondary covers a chronological set of determinations retained for convenience purposes. Originals are classified under secondary 72500-20.			
-20	Variance case files (includes applications, supporting documentation to the application, investigation documents, and variance determinations)	SO1y	2y	DE
	RETENTION STATEMENT Destroy three years after the application is withdrawn, denied, or abandoned; or, if approved, three years after the expiration or revocation of variance; the expiration of all complaint periods and appeal periods; and upon conclusion of all complaints and appeals.			

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

72500 VARIANCE ISSUANCE A SA FD

- SO: when application is withdrawn, denied, or abandoned; or, if approved, upon expiration or revocation of variance; the expiration of all appeal periods and the expiration of all complaint periods and appeal periods; and upon conclusion of all complaints and appeals

 - 3y: The retention period ensures that records are available for the duration of the variance, and for a reasonable period should the employer apply for a renewal of the variance. This period also satisfies the two-year limitation period under the *Employment Standards Act*.

 - DE: These records are appraised for destruction because policies regarding the issuance of variances are fully retained under secondary 72000-00.
-

END OF PRIMARY

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

EMPLOYMENT STANDARDS ORCS

OPERATIONAL RECORDS CLASSIFICATION SYSTEM (ORCS)

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[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

SYSTEM SECTION

CASE TRACKING SYSTEM (CTS)

SYSTEM OVERVIEW

Creating Agency

Ministry of Labour
Employment Standards Branch

Date of System Description

June 28, 2023

Purpose

The purpose of CTS was to track the status of all Employment Standards Branch assignments. An assignment is the Employment Standards Branch term used for tracking the processing of applications, including complaints, permits, licences, due diligence searches, and variances.

CTS maintains files of employers for purposes of identifying repeat offenders and for employees to reduce redundancy and enable searching of a variety of criteria. It also contains a library of form templates and produces a variety of reports for operations and management.

Information Content

CTS contains the following employer information: industry group and type; variance/licence history; payment transaction history; domestic workers or home workers history; assignment history; summary of documents issued to the employer; and employer notes.

For employees, CTS contains the following information: assignment history; summary of documents issued to the employee; and employee disbursement history. Information maintained for each assignment includes start date, end date, outcome, officer in conduct, decision date, document type and number, penalty amounts, money received, and money disbursed.

Information maintained for each assignment includes start date, end date, outcome, officer in conduct, decision date, document type and number, penalty amounts, money received, and money disbursed.

Inputs, Processes, and Outputs

CTS inputs consist of information captured from online complaint forms and information manually input from the various physical files, including complaints, investigations, permits, licences, variances, due diligence searches, trust disbursements, and the domestic registry.

CTS produces bring forward notifications of expiry dates, or time limitations, in certain circumstances; it records activities of an assignment; and it records determination information regarding moneys owed to employees, interest owed and penalties. It also captures results of appeals.

CTS outputs consist of several standardized forms, automatic letters, notifications, and reports. CTS does not interface with the Corporate Accounting system (CAS). CAS inputs are performed manually.

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

Historical Note

CTS contains a portion of the historical data maintained in the predecessor Case Tracking System (CASE).

In 2021, the Dispute Resolution System (DRS) started replacing CTS's functions and will eventually replace all of the functions of the Case Tracking System (CTS). CTS data will no longer be updated once this happens, and CTS will be maintained until the data within it reaches its final disposition.

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

CASE TRACKING SYSTEM (CTS)

DATA RETENTION PLAN

Data Description	Data Retention Period
Assignments tracking data Classification 72000-20	Destroy when no longer required for tracking the status of assignments and for statistical reporting.
Worker registration data Classification 72200-02	Destroy when no longer required for the maintenance of a registry of workers in British Columbia.

For additional classification details, including retention rationales, refer to the classification description in the applicable section of the *ORCS*.

For descriptions of system related records (e.g. back-up data, log files, and transitory electronic data processing (EDP) records), see the [System Section FAQ](#).

END OF OVERVIEW

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This is an approved information schedule, as defined by the [Information Management Act \(SBC 2015, c. 27\)](#). For more information consult your [Government Records Officer](#).

DISPUTE RESOLUTION SUITE (DRS)

SYSTEM OVERVIEW

Creating Agency

Ministry of Labour
Employment Standards Branch

Date of System Description

June 28, 2023

Purpose

The purpose of DRS is to manage the Employment Standards Branch assignments and registrations in order to administer and enforce the [Employment Standards Act \(RSBC 1996, c. 113\)](#) and the [Temporary Foreign Worker Protection Act \(SBC 2018, c. 45\)](#).

An assignment is the Employment Standards Branch term used for processing complaints (including investigations and inspections), authorizations (i.e., permits, licences, certificates), variances, and due diligence searches. Assignments are tracked according to the employer or recruiter.

Registrations gather data about various employers, recruiters and workers.

DRS also contains a library of form templates and produces a variety of reports for operations and management.

Information Content

DRS contains the following employer information: owners', partners' or directors' names and contact information; business name and contact information; BC Registry Number; WorkSafe registration number; industry group and type of labour; relevant employment standards history (e.g., authorizations, penalties, payments, number of workers and workers history); and documents issued to the employer.

DRS contains the following recruiter information: licensee and business name and contact information; partners, agents and affiliates names and contact information; worker compensation number; and other relevant memberships (e.g., law societies, employment agencies, Immigration Consultants Regulatory Council); relevant recruitment history (e.g., authorizations, penalties, payments, number of workers and workers history); and documents issued to the recruiter.

DRS contains the following workers' information: name, number and contact information; payment method; assignment and disbursement history; authorization for child employment; and documents issued to the worker.

Information maintained for assignments includes application, ESB staff, investigation and/or inspection, determination, dates, authorization (i.e., permit, certificate, or licence), penalty amounts, money received, and money disbursed.

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

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Due diligence search information includes name and contact information of business requesting the search, employer being searched and employer's authorization for the search.

Inputs, Processes, and Outputs

DRS inputs consist of information directly entered through online forms and information manually entered by staff. Employers or employees may send recorded evidence which is stored in the system. DRS is able to act as a repository for electronic records related to the various assignments.

Corporate Accounting System (CAS) financial reports about trust disbursements are used to manually update the information in DRS.

DRS tracks assignment progress and produces bring forward notifications of expiry dates and/or time limitations. Processes may include work in progress (WIP) documents and templates, and disclosures used by the staff member. It records determination information regarding moneys owed to workers.

DRS outputs consist of several standardized forms, investigation findings, automatic letters, emails, notifications, and reports. It is used to produce the lists and registries required by legislation. These lists are automatically published to the ESB website.

DRS does not interface with CAS. CAS inputs are performed manually.

Historical Note

DRS began operations in 2021 and will eventually replace all of the functions of the Case Tracking System (CTS).

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

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DISPUTE RESOLUTION SUITE (DRS)

DATA RETENTION PLAN

Data Description	Data Retention Period
Assignments tracking data Classification 72000-20	Destroy when no longer required for tracking the status of assignments and for statistical reporting.
Employment standards complainant profile data Classification 72100-03	Destroy 10 years after all the complainant's complaints are resolved.
Employment standards complaint case files Classification 72100-20	Destroy 10 years after the complaint is withdrawn, abandoned, settled, or a determination is issued, and appeals and appeal periods have expired; and if payment is not received, when all judicial actions relating to the complaint or the director's actions are concluded.
Worker registration data Classification 72200-02	Destroy when no longer required for the maintenance of a registry of workers in British Columbia.
Due diligence searches Classification 72200-04	Destroy at the end of the second calendar year.
Child employment permit case files Classification 72200-20	Destroy three years after the application has been withdrawn, denied, or abandoned; or, if approved, three years after the child has reached the age of majority.
Employer audit and inspection case files Classification 72200-25	Destroy 10 years after the audit and inspection is resolved.
Licence case files Classification 72200-40	Destroy three years after the licence application is withdrawn, denied, or abandoned; or, if approved, three years after the expiration or revocation of the licence; and the expiration of all statutory complaint filing periods, reconsideration periods, and appeal periods; and upon conclusion of all complaints, reconsiderations and appeals.

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

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Variance case files Classification 72500-20	Destroy three years after the application is withdrawn, denied, or abandoned; or, if approved, three years after the expiration or revocation of variance; the expiration of all complaint periods and appeal periods; and upon conclusion of all complaints and appeals.
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For additional classification details, including retention rationales, click on the links above.
For descriptions of system related records (e.g. back-up data, log files, and transitory electronic data processing (EDP) records), see the [System Section FAQ](#).

END OF OVERVIEW

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

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APPENDIX A: Summary of Changes to the *Employment Standards ORCS*

This concordance table is intended as a general guide for transition between the old and new versions of this *ORCS*. The new classifications and retentions are to be applied to all relevant digital and physical operational records, both in the office and in storage. When converting old files to the new *ORCS*, you will need to check file contents to ensure that the recommended replacement secondary is appropriate for that particular file.

Primary/ Secondary	Title	Type of Change	New retention A/SA/FD
72000	EMPLOYMENT STANDARDS - GENERAL		
72000-00	Policy and procedures	Renamed - Policy - final Partially replaced – reclassify development files to 72000-40 Policy development files Partially replaces 72000-00 Policy and procedures Partially replaces 72100-00 Policy and procedures Partially replaces 72200-00 Policy and procedures Partially replaces 72300-00 Policy and procedures Partially replaces 72400-00 Policy and procedures Partially replaces 72500-00 Policy and procedures	Retention changed from SO 5y SR to SO 5y FR for policy – final and SO 5y DE for policy development files
72000-02	Employment standards fact sheets and guidelines	Replaced – reclassify to 72000-00 Policy – final	Retention changed from SO nil FR to SO 5y FR
72000-03	Employment standards reference materials	Replaced – reclassify to ARCS 358-20 Library/topical reference materials	
72000-04	Employment standards reports – annual	Renamed - Annual summary reports and statistics	
72000-05	Employment standards reports – other	Replaced – reclassify to ARCS 358-20 Library/topical reference materials	
72000-07	Information Line inquiries	Replaced – reclassify to either ARCS 320-02 Inquiry logs and statistics or ARCS 320-30 General inquiries	Retention changed from CY nil DE to either SO nil DE or CY+1y nil DE
72000-10	Published lists	NEW Replaces 72200-05 Permitting and licensing lists	SO nil DE

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

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APPENDIX A: Summary of Changes to the *Employment Standards ORCS*

Primary/ Secondary	Title	Type of Change	New retention A/SA/FD
72000-20	Employment standards assignments tracking data	Renamed - Assignments tracking data	
72000-30	Employment standards issue case files	Renamed - Issue case files	
72000-40	Policy development files	NEW Partially replaces 72000-00 Policy and procedures Partially replaces 72100-00 Policy and procedures Partially replaces 72200-00 Policy and procedures Partially replaces 72300-00 Policy and procedures Partially replaces 72400-00 Policy and procedures Partially replaces 72500-00 Policy and procedures	SO 5y DE
72000-50	Report development files	NEW	CY 5y DE
72100	COMPLAINTS AND INVESTIGATIONS		
72100-00	Policy and procedures	Replaced – reclassify to either 72000-00 Policy – final or 72000-40 Policy development files	Retention changed from SO 5y SR to either SO 5y FR or SO 5y DE
72100-02	Director’s copy of appeals to the Employment Standards Tribunal	Closed – Jan 1, 2021	
72100-03	Employment standards complainant profile data	NEW	SO 10y DE
72200	PERMITTING AND LICENSING		
72200-00	Policy and procedures	Replaced – reclassify to either 72000-00 Policy – final or 72000-40 Policy development files	Retention changed from SO 5y SR to either SO 5y FR or SO 5y DE
72200-02	Domestic worker registration data	Renamed - Worker registration data	
72200-03	Domestic worker registration forms and confirmation letters	Closed – Jan 1, 2021	
72200-04	Due diligence searches		Retention increased from CY+6m nil DE to CY 1y DE

[Key to ARCS/ORCS Codes and Acronyms](#)

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

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APPENDIX A: Summary of Changes to the *Employment Standards ORCS*

Primary/ Secondary	Title	Type of Change	New retention A/SA/FD
72200-05	Permitting and licensing lists	Replaced – reclassify to 72000-10 Published lists	Retention decreased from SO nil FR to SO nil DE
72200-25	Farm labour contractor audit and inspection case files	Renamed - Employer audit and inspection case files	
72200-30	Farm labour contractor tracking data	Replaced – reclassify to 72200-40 Licence case files	Retention increased from SO nil DE to SO+1y 2y DE
72200-35	Farm Labour Contractor Tracking System	Replaced – System covered by Dispute Resolution Suite described in System Overview	
72200-45	Talent agencies tracking data	Replaced – reclassify to 72200-40 Licence case files	Retention increased from SO nil DE to SO+1y 2y DE
72200-50	Talent Agencies Tracking System	Replaced – System covered by Dispute Resolution Suite described in System Overview	
72300	TRADE UNION CERTIFICATION		
72300-00	Policy and procedures	Replaced – reclassify to either 72000-00 Policy – final or 72000-40 Policy development files	Retention changed from SO 5y SR to either SO 5y FR or SO 5y DE
72300-01	General	Closed Jan 1, 2021	
72300-20	Union certification, decertification and final offer case files	Closed Jan 1, 2021	
72400	TRUST DISBURSEMENTS		
72400-00	Policy and procedures	Replaced – reclassify to either 72000-00 Policy – final or 72000-40 Policy development files	Retention changed from SO 5y SR to either SO 5y FR or SO 5y DE
72500	VARIANCE ISSUANCE		
72500-00	Policy and procedures	Replaced – reclassify to either 72000-00 Policy – final or 72000-40 Policy development files	Retention changed from SO 5y SR to either SO 5y FR or SO 5y DE
72500-02	Variance notifications	Renamed - Variance determinations	

[Key to ARCS/ORCS Codes and Acronyms](#)