



INFORMATION BULLETIN

For Immediate Release
2018LBR0002-000147
Feb. 6, 2018

Ministry of Labour

Province names Labour Relations Code review panel members

VICTORIA – A committee of special advisers is being appointed to review the Labour Relations Code to ensure British Columbia's unionized workplaces support fair laws for workers and businesses, and are consistent with the labour rights and protections enjoyed by other Canadians.

Labour Minister Harry Bains appointed the three members of the code review panel, which consists of a chair, a representative of employers and a representative of unions. The appointment of the review panel supports commitments in the 2017 Confidence and Supply Agreement (CASA) with the B.C. Green caucus. The panel is recognized as one more step toward improving fairness for workers.

The panel is tasked with consulting interested stakeholders from all regions of the province, and reporting back to the minister by August 2018, with recommendations on any amendments to the code that will better support a growing, sustainable economy. The panel will also review any recent changes in labour laws in other Canadian jurisdictions to ensure B.C.'s labour code is consistent with best practices elsewhere.

The panel will be chaired by Michael Fleming, a mediator/arbitrator and former associate chair of the BC Labour Relations Board. Two labour and employment lawyers will round out the panel, with Sandra Banister representing union interests, and Barry Dong sitting on behalf of employer interests.

The Labour Relations Code establishes the relationships between labour and management – how workers join unions, how employers and unions interact, and how collective bargaining disputes are resolved. The last comprehensive reviews of B.C.'s labour code took place in 1992 and 2003, and the last substantive amendments were made in 2001 and 2002.

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BACKGROUND

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Labour Relations Code review panel

Labour Relations Code review panel – member biographies

Chair: Michael Fleming

Fleming was called to the bar in 1989. He has over 20 years of experience as an impartial third party, adjudicating and resolving disputes in a wide range of sectors in B.C. and the Yukon, including the public service, Crown corporations, education, transportation, construction, television and film, forestry, pulp and paper, and manufacturing. He has extensive experience in designing and implementing dispute resolution processes involving multiple parties. Fleming has held a number of positions with the Labour Relations Board, including vice-chair from 1997 to 2002 and associate chair of both adjudication and mediation between 2002 and 2012.

Panel member and representative of union interests: Sandra Banister, QC

Banister has practised labour law and civil litigation for over 35 years. She has represented clients from both the public and private sectors and has appeared at all levels of court in British Columbia, labour arbitrations, the British Columbia Labour Board and the Human Rights Tribunal. In 2011, her ability and achievements in the legal profession were acknowledged when she was designated Queen's counsel, and she is recognized in the Best Lawyers peer review. Banister regularly volunteers with organizations providing ongoing legal education. She is a speaker at many seminars and conferences and designed the British Columbia labour law course at the Canadian Labour Congress winter school, where she has taught it since 1985.

Panel member and representative of employer interests: Barry Dong

Dong practises exclusively in the areas of labour, employment, human rights and administrative law, representing clients before federal and provincial labour and administrative tribunals, arbitration boards and panels, in court and in collective bargaining and negotiations. Dong also represents clients in a number of sectors, including the transportation, technology, construction, film and TV, and service industries. In addition to his advocacy practice, Dong's representation of clients includes providing practical labour and employment business advice, and presenting seminars and training workshops.

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