

MEMORANDUM OF UNDERSTANDING

BETWEEN:

MINISTRY OF SKILLS DEVELOPMENT AND LABOUR
THE EMPLOYMENT STANDARDS BRANCH
(THE BRANCH)

AND:

BRITISH COLUMBIA RESTAURANT & FOODSERVICES ASSOCIATION
(BCRFA)

INTRODUCTION

1. This Memorandum of Understanding creates the framework for a partnership between the Employment Standards Branch and the British Columbia Restaurant & Foodservices Association. The goal of the partnership is to increase education, understanding and voluntary compliance of the *Employment Standards Act* by BCRFA members to ensure employees receive the entitlements established by Legislation. The goal of the partnership is also to provide a more efficient and mutually satisfactory means of dealing with Employment issues.

DESCRIPTION OF SERVICE

1. An Officer of the Employment Standards Branch will be assigned to work in cooperation with the BCRFA. The Officer will work closely with the President and CEO of the BCRFA. The Officer will be accountable to the Coastal Regional Manager of the Employment Standards Branch for results.
2. The Officer will conduct investigations of complaints made against BCRFA members on a Province wide basis. If necessary the officer may lead a small team of officer in the investigation of these complaints.
3. The Officer will use mediation and complaint resolution skills as the preferred method of dispute resolution. The BCRFA will assist in educating and promoting compliance of members as to the requirements of the *Employment Standards Act*. Where mediation and voluntary resolution, including intervention by the Association, fail to achieve compliance the Officer will apply compliance principles consistent with those established in the Act.
4. The Officer will conduct targeted workplace site visits to education employers and employees, conduct payroll reviews and to bring about increased compliance.
5. The Officer will be located in the BCRFA's office. The officer will remain an employee of the Branch and will continue to be paid by the Branch.
6. The Officer will develop and conduct educational seminars on how to comply with the *Employment Standards Act* for BCRFA members. The BCRFA will promote the seminars to their members.
7. If requested the Branch will supply advice and answer questions in regards to the *Employment Standards Act* in the BCRFA's monthly publication.

SERVICE STANDARDS

The Goals for the first year of this partnership are:

1. The Employment Standards Branch will develop an accurate measure of the number of complaints received from BCRFA members.
2. Once a baseline is established the goal will be to reduce the volume of complaints from association members by 25% over the following year.
3. The Branch will develop a one-day seminar to educate BCRFA members in the requirements of the *Employment Standards Act* and assist in their compliance with the legislation. The Officer will conduct at least 2 seminars in the first year.
4. The Branch will include within their Website a description of the Partnership between the BCRFA and the Employment Standards Branch. The Information will set out the goals of the agreement and identify the successes of the partnership in improving working conditions for employees and employers within the Sector. The Branch will also establish a direct link between their Website and the Association's Website.

COSTS

1. The Employment Standards Branch will reimburse the BCRFA for the Rental, Taxes, and Common Area costs. These costs are estimated to be \$275.00 per month.
2. The Employment Standards Branch will pay for other expenses incurred by the Officer:
 - Telephone
 - Fax
 - Travel
3. The Branch will supply the Officer with office furnishing and a computer.
4. The results and costing of the initiative will be monitored quarterly and an in-dept review will be conducted after one year.

TERMINATION OF THE MEMORANDUM OF UNDERSTANDING

1. If either party wishes to terminate this agreement, they must provide (30) day's notice to the other party of their intention to terminate the agreement.

THIS MEMORANDUM OF UNDERTANDING SIGNED THIS 10TH DAY OF APRIL, 2002.

LENORA ANGEL
DIRECTOR
EMPLOYMENT STANDARDS BRANCH

SIMON EVANS
PRESIDENT AND CEO
BRITISH COLUMBIA RESTAURANT AND
FOODSERVICES ASSOCIATION

**ADDENDUM
MEMORANDUM OF UNDERSTANDING**

BETWEEN:

**MINISTRY OF SKILLS DEVELOPMENT AND LABOUR
THE EMPLOYMENT STANDARDS BRANCH
(THE BRANCH)**

AND:

**BRITISH COLUMBIA RESTAURANT & FOOD SERVICES ASSOCIATION
(BCRFA)**

INTRODUCTION

The restaurant initiative began on July 2, 2002. Representatives of the BCRFA and the Ministry of Skills Development and Labour met on June 20, 2003 to review the restaurant initiative progress and results to date. The meeting resulted in the confirmation of the original goals as outlined in the MOU and the identification of some additional goals for the initiative over the next six months.

ADDITIONAL GOALS

1. The Branch will establish a direct link in its website to the BCRFA website.
2. The signatories to the MOU will make effort to increase awareness of and access to the education offered by the initiative to non-members in the industry.
3. The BCRFA will provide the Branch with a monthly updated list of Restaurant Association Membership.
4. The signatories to the MOU will meet in six months time (December 2003) to review progress and results.

THIS ADDENDUM SIGNED _____ OF _____ 2003

**LENORA ANGEL
DIRECTOR
EMPLOYMENT STANDARDS BRANCH**

**SIMON EVANS
PRESIDENT AND CEO
BRITISH COLUMBIA RESTAURANT
& FOODSERVICES ASSOCIATION**