



September 25, 2023

Honourable Minister Harry Bains  
Minister of Labour

Parliamentary Secretary Janet Routledge

**Re: Surrey Board of Trade Request for Clear Path Forward for App-Based Rideshare and Food Delivery Workers**

Dear Minister Bains and Parliamentary Secretary Routledge,

On behalf of the Surrey Board of Trade and its 6,000 business contacts which employ over 60,000 employees, we write to ask for a clear path forward for app-based ride-hail and food-delivery workers.

In Fall 2022, the Ministry of Labour began an engagement process to identify the benefits and challenges of app-based ride-hail and food-delivery work. Platform companies, labour and business organisations, academics, and others were invited to participate in virtual meetings. Worker-only roundtable discussions took place in several B.C. communities, and a public survey focusing on app-based ride-hail and food-delivery workers was conducted online. Results of this engagement are compiled in a [What We Heard Report](#).

On August 3rd, the B.C. Ministry of Labour published a [discussion paper](#) to explore employment standards and other protections for app-based rideshare and food delivery workers.

The Discussion Paper itself focuses on four priority issues and poses questions with respect to these areas:

- Fair compensation standards
- Pay and destination transparency
- Account suspensions, deactivations, and terminations
- Workers' compensation and occupational health and safety coverage

**Potential Impact on British Columbia Economy**

The government is considering including these benefits and protections under the *Employment Standards Act*. If this takes place there is a high likelihood of widespread confusion and contagion among other aspects of the British Columbia economy.

**Confusion** - if the Government comes forward and says app-based workers are "employees" who get a special set of benefits and protections (e.g., higher minimum wage), there is likely to be widespread confusion among the broader economy. For example, a restaurant worker might



ask why the delivery person working on the Uber Eats platform is entitled to 120% of the minimum wage while they are not. This widespread confusion is harmful for workers and businesses.

**Contagion** - if this legislation is not properly scoped to app-based workers, there is a risk that other industries and worker groups will demand that they be included in this set of benefits and protections.

The B.C. business community has already witnessed the government's approach to various labour reforms exerting pressure in key areas: the minimum wage increase (6.9%), 5 day paid sick leave (with talks of increasing this to 10 days) , an additional statutory holiday, employer health tax , and the backlog with employer foreign worker certificates.

It's important that the government's action on this issue is clear to ensure that unintended impacts are not felt by your industry as you continue to adapt and navigate other policy and legislative changes they've made to your industry to date.

### Call to Action

**Clarity** - the legislation should clearly address what an app-based worker is and what an app-based worker is not. Failing to do so and relying on technical language inside the *Employment Standards Act* will create a major challenge to the business community. Calling app-based workers "employees" will only create mass confusion across sectors. Instead, there should be a clearly delineated category for what constitutes an app-based worker and what they are entitled to.

**Proportionality** - as the discussion paper makes clear, the nature of app-based work requires an alternate set of benefits and protections. These benefits and protections should be proportionate to the reality of app-based work, which is fundamentally different from traditional employment and allows a much greater degree of independence on the part of the worker.

**Balance** - the focus of the legislation should be on supporting workers while protecting the existence of app-based platforms in British Columbia. Many communities and businesses rely on app-based platforms for mobility and delivery. Jeopardising these platforms would have detrimental impacts on the British Columbia economy.

If you have any questions, please contact me at 604-634-0342 or at email: [anita@businessinsurrey.com](mailto:anita@businessinsurrey.com).



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Sincerely,

A handwritten signature in black ink, appearing to read 'A Huberman', with a long, sweeping horizontal line extending to the right.

H. Captain (Navy) Anita Huberman  
President & CEO, Surrey Board of Trade