



14 August 2025

Ms. Anne Naser
President/CEO WorkSafe BC
Main Building
6951 Westminster Highway Richmond,
B.C, V7C 1C6

Dear Ms. Naser,

RE: GRATUITIES AND PAYROLL

British Columbia's economy is struggling. Consumer demand is weak, profitability is fragile, and the threat of additional costs—such as tariffs and counter tariffs—looms over multiple sectors. In this environment, the recent enforcement of a gratuity payroll inclusion policy risks placing further strain on industries already fighting to survive.

For over 20 months, we have engaged with WorkSafeBC executives to address this issue. Including gratuities in payroll has never been the practice in the restaurant industry, nor is it common in other sectors where gratuities are standard. While we acknowledge that the Workers Compensation Act defines compensation broadly, we understand that WorkSafeBC itself chose not to enforce this policy until recently.

That pause made sense then, and it makes even more sense now. In the fall of 2023, a long-established restaurant was audited, penalized, and told to add gratuities to payroll—a practice the owner, with over 20 years of experience, had never been advised to follow. WorkSafe reversed these penalties. We are now seeing similar enforcement actions resulting in small businesses being penalized with substantial fines and reassessments at a time when businesses can least absorb new costs.

Given the above, we respectfully request the following:

1. **Suspend** the Gratuity Payroll Directive requirement to include gratuities as assessed payroll for three years.
2. **Reverse** audit decisions and resulting penalties and assessments that occurred over the last two years.
3. **Collaborate** with industry during this period to consider creative options that would appeal to both industry and WorkSafeBC. This would also include proper education and implementation plans.
4. **Establish** a joint task force to consult on simplifying WorkSafeBC policy implementation for small businesses, reducing red tape, encouraging stronger compliance and engaging more businesses to sign on.

From our discussions with WorkSafeBC, we understand there is no immediate financial consequence to the organization if this pause is granted. This is not about undermining safety or fairness—it is about timing, practicality, and the shared goal of strengthening BC's economy.

WorkSafeBC plays a critical role in protecting workers. We want to work alongside you, not in opposition. A temporary suspension of this policy would be a clear signal that WorkSafeBC understands the realities that BC businesses including digital platforms are facing today and is committed to helping them succeed.

The Premier has stated it is imperative we build a resilient BC economy as we face the uncertainty, for multiple years, ahead of us. This is a critical first step.

Respectfully on behalf of and with the support of the organizations below,



Ian Tostenson
President & CEO, BCRFA

cc: Kevin La Freniere, Head of Stakeholder Experience
Mark Heywood, Head of Assessments and CFO
Chris Back, Director, Assessments

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