

## Choosing BC to Gain a Strategic Advantage in the Talent Race

British Columbia is one of the most desirable places to live in the world, ranking atop the Economist Intelligence Unit Global report on liveability again this year. This makes BC an attractive place for international talent. There is also an abundance of home grown talent, as BC is home to three world class universities as well as a vibrant biotech industry.

The University of British Columbia consistently ranks in the top 40 universities globally,<sup>1</sup> in the top 10 in North America, and as the top university in Canada for commercializing research and for patent activity in the Life Sciences.<sup>2</sup> UBC is home to four Centres of Excellence for Commercialization and Research, which aim to increase business through research-and-development partnerships, while engaging experts within industrial sectors and accelerating commercialization of technologies, products, and services.<sup>3</sup> Two other BC universities, Simon Fraser University and the University of Victoria, are also excellent sources of talent for biotech companies. SFU ranks as the highest rated comprehensive university in Canada<sup>4</sup> and UVic features Western Canada's largest co-op education program, which allows students to move out and transfer knowledge to the private sector through co-op placements.<sup>5</sup>

BC's liveability, thriving research community, and diverse talent pool give biotech companies a strategic advantage in the talent race by helping to attract and retain talent.

### *BC's Employment Law Landscape*

BC's employers face a number of key issues, and while BC employers can structure their employment contracts with freedom and flexibility, certain terms of employment are implied by law. Examples of such terms are the employer's duty of good faith and fair dealing, and employees' rights to a safe workplace, to pay for work done, and to reasonable notice of termination or pay in lieu of notice, absent just cause or a written contract to the contrary.

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<sup>1</sup> [www.ubc.ca/about/global.html](http://www.ubc.ca/about/global.html)

<sup>2</sup> [www.publicaffairs.ubc.ca](http://www.publicaffairs.ubc.ca)

<sup>3</sup> [www.nce-rce.gc.ca](http://www.nce-rce.gc.ca)

<sup>4</sup> <http://oncampus.macleans.ca/education/rankings/>

<sup>5</sup> <http://www.uvic.ca/students/grad/>



Employment relationships in BC are principally governed by the following sources:

- *Labour Relations Code*. This governs unionized workplaces and provides for collective bargaining rights.
- *Employment Standards Act*. This sets out the minimum standards that apply in relation to a number of areas, including minimum wages, hours of work, statutory holidays and annual vacation, maternity and parental leave, notice of termination of employment and severance. These minimum requirements cannot be contracted out. Note that the Act does not apply to students, volunteers, or members of professional associations. Parts of the Act do not apply to particular types of employees, such as managers.
- *Human Rights Code*. This protects individuals against discrimination on prescribed grounds, including race, sex, and disability, and cannot be contracted out.
- *Workers' Compensation Act*. This provides insurance coverage to workers who suffer workplace injuries or occupational diseases, and protects employers from lawsuits from workers affected by the economic hardship caused by work-related injuries or disease.
- *Personal Information Protection Act*. This governs the collection, use and disclosure of personal information including by private employers.
- *Common law*.

Companies should familiarize themselves with these sources to ensure compliance, to minimize legal exposure, and to structure employment relationships most advantageously.

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