



**Community Services**  
**Employment Standards & Residential Tenancies**



**Policy: ESRT-6040-003**

## **Policy and Procedure**

### **File Assignment**

*This policy provides guidance to staff at the Employment Standards and Residential Tenancies Branch and the public in understanding our internal processes. This policy is not law. To the extent that this policy conflicts with any federal or territorial legislation, the legislation prevails. This policy may be amended or revised by the Director of Employment Standards and Residential Tenancies. If you have questions about the policy, please contact the Employment Standards and Residential Tenancies branch by phone at (867) 667-5944 or email at [eso@yukon.ca](mailto:eso@yukon.ca) or [rto@yukon.ca](mailto:rto@yukon.ca).*

#### **Purpose**

This policy describes the procedure at the Employment Standards and Residential Tenancies branch (the “Branch”) for assigning officers to new files in a way that is fair, neutral and efficient.

#### **Background**

The Branch processes wage complaints, applications for dispute resolution, and other claims under the *Employment Standards Act* and *Residential Landlord and Tenant Act*. The Residential Tenancies Officers and Employment Standards Officers (“Officers”) who adjudicate these matters are responsible for managing high volumes of files with strict deadlines and varied complexity.

For most new files opened at the Branch, an Officer must be promptly assigned to notify the parties and set the matter down for hearing.

## **Policy and Procedure**

Once a new file is created, the Director will assign an Officer to the file. The Director will consider the following factors when deciding which Officer to assign:

### **1. Whether any Officers have identified a conflict of interest**

Each Officer is responsible for notifying the Director if they have experience with a file or a party that may affect their ability to adjudicate the matter fairly or could cause a reasonably informed person to believe it would affect their ability to adjudicate the matter fairly.

The Director will not assign an Officer to a file if they have identified a conflict of interest.

### **2. The distribution of active files**

The Branch uses a secure software to store and monitor the status of files. The software can provide live updates of the number of active files assigned to each Officer, the nature of the files and upcoming deadlines.

The Director will review this information to determine which Officers have capacity to take on a new file.

### **3. The nature of the dispute**

The urgency and complexity of files will vary. Some complaints or disputes are more pressing and demanding than others.

The Director will consider the nature of the new file, and of the active files already assigned, to determine which Officer is best positioned to take on the new file.

### **4. Upcoming leave or other events affecting the Officers' availability**

Planned leave, illness or other circumstances may cause an Officer to be away from the office. The Director will consider an Officer's scheduled leave and other circumstances that would make it difficult for them to meet service standards on a given file.

## **Additional information**

New files will be distributed in a way that aligns with the public's interest in a fair and expeditious process.

The considerations listed in this policy will guide the Director in assigning the appropriate Officer to each file. However, the decision is highly contextual, and this list is not exhaustive or applicable in all cases.

If the considerations in this policy do not appropriately address the circumstances of the case, then the Director may consider whatever factors they deem appropriate to ensure that files are distributed in a way that is compatible with the purpose of this policy. The Director may modify the criteria in this policy as needed.

### **Policy history**

<b>Date</b>	<b>Version number</b>	<b>Description</b>
June 10, 2024	1	Policy approved