

October 2009

## **New legislation threatens public safety**

Under the guise of improving labour mobility, the Ontario government is quietly ramming through legislation that will likely eliminate Ontario's ability to set training and licensing standards that reflect the needs of Ontarians.

"Labour mobility is not a problem in Canada," said OFL president Wayne Samuelson. "We don't need a new legal framework that reduces Ontario's ability to make licensing decisions in the interests of health and safety."

"Given the costs and risks, it is truly remarkable that Bill 175 is being advanced with little evidence that labour mobility is a problem in Canada."

*Trade lawyer Steven Shrybman*

Under Bill 175, *the Ontario Labour Mobility Act*, a license recognized in any province must be accepted in Ontario. The proposed bill gives legal standing to the *Agreement on Internal Trade* (AIT), a non-binding inter-provincial trade deal modeled on the regressive *Trade, Investment and Labour Mobility Agreement* (TILMA) signed between British Columbia and Alberta.

"Labour and community organizations were successful in stopping TILMA at the Saskatchewan border," said Samuelson. "Now the corporate lobbyists are getting the Premiers to bring it in the back door — without any public debate."

"How many people know that the AIT includes provisions for fines as high as \$5 million to governments and agencies that violate AIT-dictated terms?" said Samuelson. "Given the province's current financial challenges, I don't understand why McGuinty would want to make Ontario liable for millions of dollars in AIT-imposed fines and compromise the province's right to make licensing decisions in the interest of public safety."

"Too often we forget that important licensing standards evolved in response to real experiences like the Walkerton tainted water tragedy," said Samuelson. "We need to safeguard the public interest and right now, neither the AIT nor Bill 175 does that."

Trade lawyer Steven Shrybman concurs: "Given the costs and risks, it is truly remarkable that Bill 175 is being advanced with little evidence that labour mobility is a problem in Canada."

The OFL opposes Bill 175 and is calling on the McGuinty government to conduct regional public hearings on the legislation.

## **Liberals threaten funding for job action centres**

With record unemployment and no end in sight, a lifeline for Ontario's jobless is in peril. The McGuinty government is reviewing funding for job action centres throughout the province, and in some cases, has already decided not to keep them open.

"Job action centres are more than just a collection of services, and it is cruel and counterproductive to close them when entire communities are in crisis," says OFL president Wayne Samuelson.

"In addition to building job-search skills, they help the unemployed cope with the grief of losing their jobs, many after a lifetime of work, and after many years with one employer."

"Job action centres are more than just a collection of services, and it is cruel and counterproductive to close them when entire communities are in crisis."

*OFL president Wayne Samuelson*

Howard Hampton, the NDP MPP for Kenora-Rainy River in Northwestern Ontario, says the government is "completely out of touch" with the broken economy in that region, where unemployment tops the 50 per cent mark in some towns.

In the Legislature, Hampton asked: "With record unemployment levels, thousands of good jobs destroyed, and employment insurance claims soaring across Northern Ontario, can the Premier explain why the McGuinty Liberals have cut off the funding of local job action centres in northern Ontario communities like White River, Nipigon and Terrace Bay?"

## Ontario's second-lowest unionized rate in Canada

Ontario's rate of unionization is lower than the national average, and second lowest of all provinces, according to Statistics Canada figures for 2008.

Of the province's employed workers, 27.9 per cent are unionized. Alberta has the lowest rate, 24 per cent, and Newfoundland the highest, at 38.4 per cent.

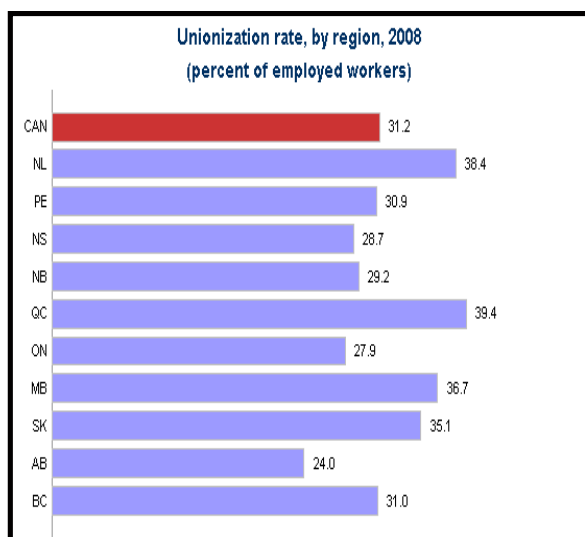
The data also shows that Canada-wide, the percentage of employed workers who are unionized has decreased gradually over the past decade, from 33.7 per cent in 1997 to 31.2 per cent in 2008.

The drop has been most significant among men, falling from 35.2 per cent in 1997 to 30.8 per cent in 2008. For women, the percentage dropped from 31.6 per cent to 30.8 per cent.

Historically, the rate of unionization among men was higher than among women, but the trend has reversed.

Looking at the numbers by age, the lowest rate of unionization is 15.7 per cent among those aged 15 to 24, followed by 21 per cent for those 65 and older. It's 34.1 per cent for those aged 25 to 54 and 38.2 per cent among workers who are 55 to 64 years of age.

Ontario workers are finding it difficult to form unions because of changes to labour laws that were enacted by the Conservatives under former premier Mike Harris, and kept in place by the McGuinty Liberal government, says OFL president Wayne Samuelson.



Source: HRSDC calculations based on Statistics Canada. Labour Force Historical Review 2008 (Table Cd3T09an). Ottawa, Statistics Canada, 2009 (Cat. No. 71F0004XCB)

## OFL young workers part of national effort on worker rights

Young Ontario workers are pressing Canada's federal, provincial, and territorial

labour ministers to get in line with an international standard protecting children used to produce goods and services.

The OFL's *Workers Under 30* Committee hand-delivered a letter to Ontario Labour Minister Peter Fonseca demanding immediate ratification of the International Labour Organization's Convention 138 on minimum wage.

The OFL committee's actions were co-ordinated with young workers around the country on October 7, the World Day for Decent Work, which recognizes the ILO's workers' rights standards.

"It is embarrassing that Canada is in the company of countries like Afghanistan, Burma, India, Iran and Korea who are well-known for their questionable child labour practises, and have not yet ratified this convention," says OFL executive vice-president Terry Downey.

## Liberals and conservatives defeat anti-scab legislation

Ontario's Liberal and Conservative MPPs have banded together to defeat proposed legislation that would have shortened strikes and reduced the likelihood of picket line violence.

Bill 86, an NDP Private Member's Bill, was defeated at second reading by a vote of 25-10. Introduced by NDP MPP Peter Kormos, it would have restored the balance of power that existed before the Conservatives under former Premier Mike Harris dismantled protections under the *Ontario Labour Relations Act*.

Ontario employers are increasingly using strikebreakers to force major concessions on bedrock contract provisions, such as pensions, wages, and post-retirement benefits, says OFL president Wayne Samuelson.

"But our members are fighting back. The use of scabs by employers like Engineered Coated Products in Brantford and Vale Inco in Sudbury hasn't broken the resolve of union members. But it has needlessly lengthened those work stoppages and inflicted economic and social damage on those communities."

Workers at Engineered Coated Products have been on strike for more than a year. Vale Inco workers are in their fourth month on the picket line.

While Brantford area Liberal MPP Dave Levac joined the NDP members to support the bill, Labour Minister Peter Fonseca opposed it.