

ONTARIO FEDERATION OF LABOUR
PRESIDENT'S REPORT
MAY 10, 2010



Ontario Federation of Labour
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Table of Contents

LABOUR MOVEMENT PAYS TRIBUTE TO HONOURED LEADER TIM BROWN

GOVERNMENT RELATIONS

- **January 21 & March 11: Finance Minister Dwight Duncan and Labour Minister Peter Fonseca**
- **May 5: Deb Matthews, Minister, Health and Long-Term Care**
- **April 19: Brad Duguid, Minister Energy & Infrastructure**
- **March 15: John Milloy, Minister, Training, Colleges and Universities**
- **March 9: Peter Fonseca, Minister of Labour**
- **March 2: Chris Bentley, Attorney General**

WORKPLACE HEALTH AND SAFETY

- **April 28 Day of Mourning & Dec 24th scaffolding tragedy**
- **Expert Advisory Panel on Occupational Health and Safety**
- **Occupational Disability Response Team (ODRT)**

CAMPAIGNS AND INITIATIVES

- **Shoppers Drug Mart and the fight for lower generic drug pricing**
- **Pension reform urgently needed**
- **Support for Vale Inco strikers**
- **G8/G20 planning underway**

SOLIDARITY WITHIN LABOUR

- **OFL Youth Conference**
- **OFL Women's Retreat**
- **Local 75 UNITE HERE**
- **USW Local 1005**

INTERNATIONAL SOLIDARITY

- **Canada-Colombia Free Trade Agreement**
- **OFL welcomes Haitian labour leader**

ONTARIO BUDGET 2010

Ontario Federation of Labour President's Report OFL Executive Board Meeting May 10, 2010



LABOUR MOVEMENT PAYS TRIBUTE TO HONOURED LEADER TIM BROWN

The labour movement lost an inspirational Aboriginal and human rights leader and a cherished friend with the passing of Tim Brown, OFL Vice-President for Aboriginal Peoples and Chair of OPSEU's Aboriginal Circle, who died of cancer April 25. We remember Tim as a mediator, a man who brought reason and thoughtfulness to all discussions and as a leader who was unequivocal in his vision of economic and social equality for Canada's Aboriginal peoples. For more than a decade he used his passion and commitment to achieve a vibrant OFL standing committee that not only served to educate the OFL and affiliates but also to provide leadership on major issues. Even while dealing with the many physical challenges of failing health, Tim's love of his people and commitment to justice remained paramount. In early March, Tim and I met with Attorney General Chris Bentley to tackle government plans to diminish the portfolio of Aboriginal Affairs. Government ministers, politicians and all those who came into contact with Tim recognized him as a man of great personal integrity. We feel his loss deeply and send our heartfelt condolences to his family and loved ones. Tim Brown was a devoted husband, father, grandfather and son. He was born on Six Nations Reserve of Grand River. He was an Eagle Feather Carrier, a position of leadership and respect in that community. We will miss him dearly.

GOVERNMENT RELATIONS

**January 21 and March 11: Finance Minister Dwight
Duncan & Labour Minister Peter Fonseca**

The first meeting was held Jan. 21 with the two ministers. It was a historic meeting at which prized public-private sector labour unity was on display and central to the meeting's success. Fifteen leaders of Ontario's largest unions





representing workers in health, education, manufacturing, forestry, construction and the service sector spoke with one voice on the need for a jobs' budget. Minister Duncan agreed to a second pre-budget meeting and quarterly meetings thereafter. That March 11 meeting gave us the opportunity to detail priority areas for the budget. Many of the items flowed from the Speech from the Throne and included: job creation and a good jobs' budget rather than a deficit-cutting budget; health care; pensions; Employment Insurance; and the Super Crown Corporation, including the possible privatization of government assets. We raised the issue of successor rights, northern Ontario electricity rates, and re-emphasized the need for \$63.5 million funding for child care to ensure that jobs and spaces were not cut. We will send out notice as soon as we have a date for the next meeting.

**May 5: Deb Matthews, Minister,
Health and Long-Term Care**



The OFL's first meeting in 15 years with an Ontario health minister resulted in significant advances. Minister Matthews opened the meeting by thanking us for our strong contribution to a key reform designed to lower the price of generic drugs by up to 50%. She also agreed to ongoing meetings with the OFL to discuss broad health care issues. At the top of our agenda was the issue of the "zero wage increase" for the public sector announced in the March budget. Although framed as applying only to "new" bargaining, OFL affiliates report that employers are backing out on wage increases agreed to in bargaining sessions that had started long before the budget announcement was made. Some employers are insisting the wage freeze be retroactive.

The minister asked about our solution. I responded that the regulations currently being written should clarify that this applies to "new" bargaining only, in unionized workplaces. I impressed upon her the seriousness of this issue and the importance the labour movement attaches to the sanctity of free collective bargaining. I suggested that Notice to Bargain could and should be the cut-off point. I requested that she communicate our concerns and solutions to Finance Minister Dwight Duncan whose ministry is responsible for the implementation of the measures. She



agreed to do so and we are hopeful that the important clarification will ensue.

We also raised the issue of the underfunding of hospitals, the disappearance of nursing jobs and minimum staffing standards in long-term care facilities. The minister noted that she does not share our focus on minimum hours of care, opting instead to focus on “quality of care.” Under my questioning of what exactly that means, the minister offered to provide a briefing to the OFL Health Care Committee on the specifics of their staffing proposals. OFL and ministry staff will work together to schedule the meeting.



April 19: Brad Duguid, Minister Energy & Infrastructure

We met with the Minister Duguid and his Deputy Minister to discuss northern Ontario energy pricing and the government’s pledge to provide reduced electricity rates for hard-hit northern businesses. Included in the OFL meeting were the CAW, CEP, CUPE and the Society of Energy Professionals. The four areas of discussion emerged from a prior conference call with OFL affiliates: how the government envisions the roll-out; whether companies will have to submit plans to show energy efficiencies; eligibility; information on what happens after the three-year period is over. The minister stated that the planning and complexities had to be worked out between four ministries: Economic Development, Finance, Municipal Affairs and Housing, and Energy. At the conclusion, the minister agreed to a working group at the staff level to enable labour’s input.



March 15: John Milloy, Minister, Training, Colleges and Universities

Terry Downey and I, along with representatives from the OFL Labour Adjustment Committee met with Minister Milloy to reiterate our serious concerns with the Second Career Program.

Current eligibility and suitability guidelines have greatly diminished access to this program. The minister agreed to arrange a meeting with staff. At that subsequent meeting,

Director of MTCU Programs Branch Patti Redmond indicated that some minor revisions to the income support policy and suitability criteria would be considered. A further consultative meeting took place on May 3. We are awaiting a response to the OFL proposals tabled.

March 9: Peter Fonseca, Minister of Labour

Marie Kelly, Terry Downey and I were joined by affiliates to discuss precarious work – especially in relation to migrant and temporary foreign workers – and the reestablishment of successor rights and modernization of the *Employment Standards (ESA)* and *Labour Relations Acts (LRA)*. I stressed the importance of viewing these issues in the broader context of the need for good jobs. I noted that an important aspect of the strategy must include the extension of card-based union certification for all workplaces. I also said that procurement policies were essential components of an effective jobs' strategy and expressed concern about the Canada-US "Buy America" deal, urging the Ontario government to reject it. I asked the MOL to sign International Labour Organization Convention 138 to contribute to the establishment of a minimum work age of 15 years across Canada. I congratulated the government on meeting its commitment to increase ESA enforcement by \$10 million.

The minister agreed to further consideration of successor rights as well as consultations with the OFL with respect to the federal Temporary Foreign Worker program. He called this program a priority and said it needed a complete overhaul. He also said he hoped that a working group could be established to allow for more formal collaboration between labour and the ministry to address concerns with the *ESA* and the *LRA*. He said the representatives would focus on three broad topics: enhancement of enforcement; re-establishment of successor rights for unionized workers whose employers are contractors; and temporary and migrant worker issues.

March 2: Chris Bentley, Attorney General

Nancy Hutchison of the USW, Tim Brown, OFL Vice-President responsible for Aboriginal Persons and I met with

Attorney General Chris Bentley. Items for discussion included our follow up to the Dec. 24th scaffolding tragedy and our repeated requests for use of the Westray Bill C-45 provisions that give the government the power to lay criminal charges if an employer causes death or serious harm due to negligence. We discussed the steps the minister would be taking to inform and educate the Crown Attorneys and others who will be directly involved in prosecutions. We also raised our concerns with respect to the Premier's shuffle that gave Minister Bentley the added responsibility of Aboriginal Affairs. Tim Brown spoke of the loss of a full-time minister as a step backward from key recommendations of the Ipperwash Inquiry. We repeated our request that had been detailed in a letter to the Premier that a meeting be held with the Chiefs as soon as possible.

WORKPLACE HEALTH AND SAFETY

April 28 Day of Mourning & December 24 scaffolding tragedy

I spoke at the Lindsey and District Labour Council ceremony, and on April 28 at the Toronto event at Nathan Phillips Square that was attended by more than 600 workers. Dilshod Marupov, the lone survivor of the Christmas Eve tragedy that killed four workers was there as an honoured guest. Also in attendance was the Toronto Police detective assigned to the case who paid his respects to Dilshod and thanked us for the C-45 background materials we had provided to him. The investigation is still active and, as we reported earlier, if charges are to be laid by the police they will be done at the same time as any charges laid by the Labour Ministry.

The signs we sent to all labour councils, "Kill a worker, go to jail," were prominent across the province and they formed a sweeping backdrop at Nathan Phillips Square. In my comments, I thanked the USW leadership and the hundreds of Steelworkers present for their tireless efforts in winning significant health and safety protection. I noted that the USW's stewarding of C-45, the Westray Bill, has given the labour movement one of its most important tools, a way to hold corporate executives, directors and managers who act wrongfully or negligently, criminally responsible. In Ontario, in the first two months of 2010, there have been



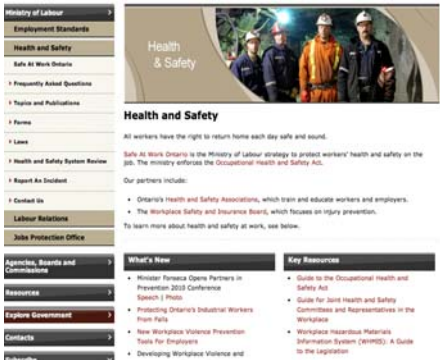
86 deaths and 38,184 claims for work-related injuries and diseases reported to the Workplace Safety and Insurance Board; in 2009, there were 479 fatality claims and 253,761 injuries and disease claims.

Expert Advisory Panel on Occupational Health & Safety

The panel's consultation paper has just been released and is available at www.labour.gov.on.ca. It incorporates all of the issues raised by the OFL which are reflected either as direct additions to the paper or in the questions being asked. We are urging all unions to ensure they fully respond to the questions posed, the central one of which is: *What do you think about the occupational health and safety system in Ontario?* The scope of inquiry is wide. Deadline for response is June 30, 2010. The working groups are being set up and discussions are underway with respect to the public meeting dates and venues. The OFL appointee to this panel is Health and Safety Director Vern Edwards. Other labour reps include Bud Calligan, former Secretary-Treasurer of the Carpenters' District Council of Ontario and Carmine Tiano, Director of Workplace Safety and Insurance Board (WSIB) Advocacy and Occupational Services for the Provincial Building and Construction Trades Council of Ontario.

Occupational Disability Response Team (ODRT)

ODRT staff and I met with WSIB Chair Steve Mahoney to seek relief on the grant reduction and present a disability prevention project concept. The OFL was seeking \$385,000 of additional funding for the current year and \$850,000 of additional funding for each of the next two years to improve sustainability and effectiveness of return to work programs and plans for injured workers. The funding would enable the OFL-ODRT project to hire five additional staff to organize a series of community seminars addressing disability prevention principles, legal provisions and leading practices for return to work programs. It would also enable the OFL-ODRT staff to provide workplace-based facilitation services to develop return to work policies, programs, best practices and establish baseline measures.



The chairman and president of WSIB were pleased with the presentation and offered to arrange a follow-up meeting with senior VP's. This took place later in April and the OFL was asked to submit a detailed three-year funding proposal. They indicated that senior management would meet to discuss how and when they could start funding the initiative. Presently, the OFL does not have a signed funding agreement and the ODRT project has not received any grant payments. This is now creating a cash flow problem. The WSIB VP for Prevention told us that they can not release funds without a grant agreement. As a work-around, pending further review, they will send a signed funding agreement less the 10% but with a cover letter confirming that they are reviewing ways to offset the reduction. This allows them to release the first two grant payments for 2010 and keeps the possibility of relief on the table. We hope to have further discussions about the disability prevention proposal in the coming weeks.

CAMPAIGNS AND INITIATIVES

Shoppers Drug Mart and the fight for lower generic drug pricing

We have done extensive media interviews and issued numerous media releases supporting government efforts to cut the price of generic drugs by up to 50%. On April 7, I joined Health Minister Deb Matthews at a media conference along with Susan Eng, Canadian Association of Retired Persons, and Rick Perciante of the Canadian Cancer Society. On April 12, the OFL demanded that Shoppers stop obstructing the public's access to lower cost generic drugs and called on the government to follow Ireland's example when it was embroiled in the same fight. April 14 we issued an "Open Letter to Shopper's Drug Mart." London and District Labour Council weighed in with a boycott when Shoppers cut store hours and imposed delivery charges on that community's most vulnerable people. April 22, the OFL and SEIU called on the small pharmacies to uncouple themselves from Shoppers and the generic drug industry. We established a Facebook site, now with more than 1500 people signed on. We will step up our campaign this week and are urging all affiliates to join this significant battle that will benefit members' drug plans and the public.





Pension reform urgently needed

We joined with the CLC to organize a March 27 Pension Summit to discuss solutions to Canada's crisis. Unions and members called this one of the finest conferences they had ever attended. The sold-out crowd had the opportunity to hear from retirees, unions, business, academics, community leaders, pension experts and media. OFL staff were incredible in their diligence and expertise, and the teamwork between OFL officers was the best example of what can be achieved through positive and energetic collaboration. I emphasized the CLC message of the need for an enhanced CPP to form the cornerstone of pension reform and retirement security. We have a window of opportunity over the next six weeks, prior to the June 26 finance ministers' meeting, to increase the profile of this issue. We will continue to work closely with the CLC to achieve this.

Support for Vale Inco strikers

On March 22, OFL and labour movement buses were packed with supporters for Sudbury's Vale Inco strikers. Nearly 5,000 people filled Sudbury's Community Arena to demand the mining giant return to the bargaining table and negotiate an end to the nine-month old strike. I condemned the company's continued demands for concessions and its ruinous strategy that continues to harm an entire community. I promised the full and active support of the OFL for the 3,000 strikers across the country. April 26, I spoke at the USW's National Policy Conference demanding a fair contract for Vale workers. On April 29, I joined hundreds of USW and other union members at the Queen's Park rally to call for anti-scab legislation.

G8/G20 planning underway

On May 6, the Toronto Police Service announced the G20 Designated Speech Area would be moved from Trinity Bellwoods Park to Queen's Park; On May 7, because community concern was still high, we issued a media release notifying the press and the public that the OFL, CLC and our partners in the June 26 rally had revised our plans and would no longer be using Trinity Bellwoods Park as the end rally point. We noted that our



quarrel should not be with each other but we should instead focus our attention and efforts on sending the strongest possible message to the leaders of the world's wealthiest and most powerful nations. We will rally instead at 1 p.m. at Queen's Park and march from there. Planning is moving swiftly. A G-20 section will be posted on our website by mid-week with current information and issue papers.

SOLIDARITY WITHIN LABOUR

OFL Youth Conference

On April 10, we held the first-ever aggregate meeting of the affiliates' young workers committees. I was asked to speak about important structures in the labour movement and their interconnection. This was one of the issues identified by youth representatives as a major stumbling block. This committee will meet again in November. In the meantime, its representatives are looking at attracting new union members through the "Union Rocks" tent at upcoming concerts.

OFL Women's Retreat

Forty-three representatives from the OFL's Women's Committee, Women's Council and Equity Committee met to establish priorities for the remainder of 2010. The five priorities call for strong links with the OFL's *Communities That Work* campaign as well as a concentrated focus on pay equity, child care, workplace violence, and work-family-union life balance. In my remarks, I congratulated the sisters on their Ontario budget victory that retained the \$63.5 million for child care and noted their on-going efforts to achieve equality for all women over the years have produced substantial changes. I also emphasized the importance of integrating employment equity structures into the labour movement to ensure strong and vibrant representation of workers of colour. The future of the labour movement rests on pro-active employment equity initiatives and the strong leadership that inevitably develops.





Local 75 UNITE HERE

On May 5, I spoke at the media conference organized by UNITE HERE criticizing the Sheraton Centre, Delta Chelsea and Delta East hotels for fake “green” programs that are resulting in the loss of 30 – 40 eight-hour shifts per week for room attendants. Hotel guests are being duped into believing that are making a difference when, in fact, the final room clean up requires triple the time and as much cleaning fluid as daily cleaning.

USW Local 1005

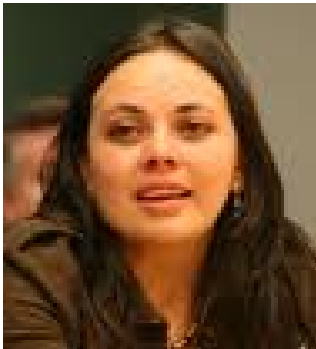
On May 2, I marched with 1,500 union workers in Hamilton calling for support for manufacturing jobs, and social and economic equity. In my speech I called for an end to the ruinous corporate strategies that are impoverishing the country and the world. The local’s slogan called for “Steel, Not Steal! Manufacturing Yes! Nation-wrecking No!” The rally was part of cross-country actions.



INTERNATIONAL SOLIDARITY

Canada-Colombia Free Trade Agreement

I was one of the panel speakers adding the OFL’s voice to those trying to stop the legislation from becoming reality. The Harper government - with the help of the Liberals, and in particular, Trade Critic Scott Brison - are pushing through an agreement to confer legitimacy on this regime that will result in even more misery for the people of Colombia. I also attended a meeting with human rights activist **Yessika Hoyos Morales** of the **José Alvear Restrepo Lawyers’ Collective in Colombia** who is on a speaking tour. Hoyos Morales is calling on the labour movement to redouble its efforts to block passage of this agreement.



The Colombian labour movement operates under constant surveillance by security forces in collusion with paramilitary groups. The number of murdered trade unionists increased to 46 in 2008, from 39 in 2007; an increase of over 25%.



By mid-September of 2009, a further 27 trade unionists had been murdered. Since January 2007, 115 have been killed.

OFL welcomes Haitian labour leader

The OFL hosted a lunch and meeting with Haitian labour leader **Dukens Raphael, Secretary-general of the Confederation of Public and Private Sector Workers (CTSP)** who spoke of the need for solidarity, not charity, in the provision of aid to his country. Unions and grassroots organizations are not being consulted in the relief efforts and consequently the services and infrastructure are not meeting the needs of the people. He emphasized that public, not privatized services, must be established. The January 12 quake, killed more than 300,000 people and left two million homeless. Three hundred CTSP members were killed and its headquarters were demolished.

ONTARIO BUDGET 2010

I condemned attempts to interfere with free collective bargaining by imposing a two-year wage freeze on public sector employees. I warned the government its “net zero” bargaining strategy for the public sector is what led to the longest municipal strike in Canadian history which took place in the minister’s home town of Windsor.

I also strongly criticized the shortfall in base hospital funding and warned of more service and staffing cuts. This budget’s meager 1.5 % increase for hospitals’ global budgets results in a dangerous gap between hospital funding and inflation for the third year in a row. We cannot accept this and will be lobbying hard to protect our hospitals and health care system.

We also intend to pressure the government to restore the \$250 dietary allowance available to ill recipients of social assistance who, with a doctor’s recommendation, had entitlement to this basic health need. This take-away from those at the bottom stands in stark contrast to the more than \$4 billion given away to those at the top through corporate income tax breaks.

The positive aspects the March 27 Ontario budget owe a huge debt to the work of the OFL's "Communities That Work" (CTW) campaign and the members, affiliates and staff that worked to develop and promote its high-profile program for economic recovery:

The government announced an eight-year deficit-reduction plan, rather than the shorter-term program that would have elicited cheers from Bay Street but massive cuts to public services;

We pushed for, and got, the specified \$63.5 million in childcare funding. Without it, 1,000 jobs and 7,600 childcare spaces would have been lost;

Our repeated calls for meaningful assistance to recession-ravaged northern Ontario were echoed in the Northern Ontario Electricity Rate Program, worth \$150 million annually;

We also welcomed the additional \$6 million allocated for Employment Standards enforcement;

We were worried the Second Career Program, upon which tens of thousands of vulnerable Ontario workers depend, might be cut back, but our lobbying helped produce a \$600 million contribution for 30,000 new workers. We continue to meet with the government to deal with restrictive eligibility and other criteria.

The provision of a \$500 million grant to the Pension Benefits Guarantee Fund is welcome news especially for the pensioners at Nortel Networks. The fund is to help ensure the PBGF has sufficient assets to cover claims in the near term.

Sid Ryan
President
Ontario Federation of Labour