

ONTARIO FEDERATION OF LABOUR

PRESIDENT'S REPORT

MARCH 3, 2010



Pre-Budget meeting January 21, 2010 with Ontario Finance Minister Dwight Duncan, Minister of Labour Peter Fonseca, Sid Ryan, OFL President and 15 Heads of Ontario's largest unions.

Ontario Federation of Labour
202-15 Gervais Drive, Toronto, M3C 1Y8
March 3, 2010

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**Ontario Federation of Labour
President's Report
OFL Executive Board & Council Meeting
March 3, 2010**



WORKPLACE HEALTH & SAFETY

December 24th construction tragedy

The horrifying and needless deaths of four migrant workers who died in a construction accident on December 24th have occupied our hearts and minds and hold a central place in our sustained work efforts. The fifth worker survived the fall but with extensive injuries that will impair him for life.

Support to the families



Immediately upon hearing news, the Ontario Federation of Labour (OFL) began to first locate and then outreach to the families of the five workers to ensure they were not alone in their attempts to cope with this worst of human tragedies. We wanted not only to offer our solidarity and support but to also ensure they had proper representation in dealing with the Workplace Safety and Insurance Board (WSIB).

Meetings were held with the families with the assistance of a friend of the workers who acted as a translator. Also present were lawyers from the Industrial Accident Victims Group of Ontario (IAVGO), a community legal clinic funded by Legal Aid.



On February 18th, we met with the sole survivor, Dilshod Marupov who had retained a private lawyer. He had been on the job less than two days and was receiving no pay.



Media

As soon as the facts of the incident began to emerge, we issued a media release calling on the Attorney General to ensure that a full investigation that included the possibility of criminal negligence on the part of the employer took place. We raised the “Westray Bill” which allows criminal charges to be laid if a company causes death or serious harm due to negligence.

This followed with another release mobilizing support for the public vigil organized by No One Is Illegal and Justicia to honour the victims of the tragedy.

This was followed by a Toronto Star op-ed piece in which we noted how reluctant the province was to utilize the Criminal Code against negligent employers. Not once in the six years since the “Westray Bill” was passed has it ever been used; yet in the same time period the Labour Ministry has successfully prosecuted nearly 14,000 charges against companies and individuals for workplace health and safety violations.



The intensive media work, major newspaper, TV and radio interviews have helped the public to understand the issues and, more specifically, some of the important remedies to the senseless loss of life in the workplace. We also believe that it contributed to the decision of Toronto Police Services to launch an ongoing criminal investigation of the incident. (Copies of media coverage and OFL press releases are provided with this report).

Deaths, ruined lives, spark wide-ranging systemic review: “The Expert Panel”

In response to this pressure – not only from the OFL, but from our affiliates, the Ontario Building Trades Council and Labour Councils, the Ontario government announced a major review of the province’s workplace health and safety systems. We received a phone call from Minister Fonseca advising the OFL of the creation of an expert advisory panel and requesting our participation. We publicly applauded this announcement and noted that the broad-based, wide ranging systemic review is what the labour movement has long been calling for.



Members of both the OFL health and safety and WCB committee were invited on February 22nd to an update on the Expert Panel status. Invitees included public and private sector unions as well as the building trades, and Uzbek community and immigrant worker community groups. The group developed a large wish list for Expert Panel. There will be a follow-up meeting on March 11th to prioritize this list.

The Minister of Labour sent his Chief of Staff, Rob Walters to this meeting.

We have delegated Vern Edwards, OFL Health and Safety Director, as the representative to the panel and identified this as a top priority for 2010. Its findings are to be released in the Fall 2010.

Auditor General's findings on the Workplace Safety and Insurance Board unfunded liability

We also responded publicly to the Auditor General's findings on the Workplace Safety and Insurance Board's unfunded liability and have called for an increase in premiums to 1996 levels to address the true needs of injured workers. We underscored that injured workers did not create the problem and should not have to bear the continued costs of fixing it.

Occupational Disability Response Team (ODRT)

The OFL-ODRT project for 2009 finished on target delivering 151 courses and over 33,000 person hours of training. A final report was presented this month to the WSIB. Although the project received confirmation of funding for this year, it contains a 10 per cent reduction from the previous years.

We met with Tom Beegan, Chief of Prevention for the WSIB, to seek relief on the grant reduction and secure additional new funding for the ODRT return-to-work training and facilitation services. While Beegan agreed to speed-up release of holdback funds and schedule another meeting to review the ODRT's proof of concept pilot on return-to-work training, he did not offer relief on the 2010 grant reduction.

Another meeting is scheduled with Steve Mahoney, Chair of the WSIB, to discuss this and other issues of concern to the labour movement. In the meantime, the OFL-ODRT staff continue to implement plans for the current year.



BUILDING SOLIDARITY WITHIN LABOUR

Information sharing: When we know, you will too.

Monthly President's Action Updates to affiliates, the Canadian Labour Congress, Labour Councils and our allies have been enthusiastically welcomed and will therefore continue. Likewise, comprehensive reports to the Executive Board will become a routine feature.

Building the strongest possible relationships

Canadian Auto Workers

We continue to meet with the Ken Lewenza, President Canadian Auto Workers (CAW) and anticipate welcoming the CAW as re-affiliated members prior to our next Executive Board meeting. In the meantime, CAW representatives are actively engaged with numerous OFL committees and working groups, such as Labour Adjustment, Apprenticeship, and labour discussions on the newly created Ontario government's expert advisory panel on workplace health and safety.



Canadian Labour Congress

New and important initiatives are underway with the Canadian Labour Congress (CLC). Brother Hassan Yussuff and I met with Ontario Finance Minister Dwight Duncan on the issue of pension reform. We have met with Brother Georgetti, leading to the CLC and OFL working closely together as co-sponsors of the Pension Summit in Toronto on Saturday, March 27. We will be speaking more about the pension issue later in my report.





CLC structural review

The CLC Commission on Structural Review commenced its work in November 2008 and has submitted two reports to the Executive Council. The Commission believes we need much broader involvement in the review as well as a forum for affiliates for discussion of the recommendations. The Commission has discussed alternate models of governance, the role and function of labour councils, per capita payments from affiliates and the issue of inter-union disputes. A CLC Structural Review Conference will be held March 31 to April 1, 2010 at Toronto's Royal York. Each of the CLC's 52 affiliates are entitled to up to six delegates. The draft discussion paper proposes, for example, to replace the Executive Council with the "Canadian Council".

Labour Councils

I was a keynote speaker at the **St. Catharine's & District Labour Council** fundraiser in support of striking Vale Inco workers. The February 12 event raised more than \$2000. We are mobilizing support for the United Steelworkers Locals 6500 & 6200 rally this Saturday (March 6), targeting Vale Inco. The 2500 miners and smelter workers in Sudbury, Port Colborne & Voisey's Bay continue to resist the outrageous attacks on pensions, the nickel bonus and seniority rights.

I also spoke to delegates at the **Toronto & York Region Labour Council** about the migrant workers killed and injured December 24th and labour's response.

Communities That Work Campaign (CTW)

What began as a discussion amongst some Ontario union leaders on November 16th with respect to the province's looming budget deficit of approximately \$24.7 billion, and the Premier's musings over deficit cutting led to the creation of our singular and high-impact campaign Communities That Work.

CTW captured the sentiments of so many affiliates that we were able to fast-track the planning and execution of this umbrella initiative.



January 14th Conference Call with Union Leaders

A January 14th conference call raised an immediate quarter-million dollars as a start, concretized affiliate commitments and represented a political cohesiveness between public and private sector unions that we have not achieved for at least two decades.

January 21st Meeting with Finance Minister

This prized public-private sector labour unity was central to the success of the January 21st pre-budget meeting with Ontario Finance Minister Dwight Duncan and Finance Minister Peter Fonseca at which 15 leaders of Ontario's largest unions representing workers in health, education, manufacturing, forestry, construction and the service sector spoke with one voice detailing the need for a jobs' budget. We have a March 11th follow-up meeting already in place and quarterly meetings thereafter.

After we conducted focus groups, radio and TV ads launched the CTW campaign on February 1st Broadcast radio ads ran from February 1 – 7 and February 11 – 14; Broadcast TV ads in five languages ran on OMNI-Television, Ontario's province-wide multicultural/multilingual TV network. A dedicated website (<http://communitiesthatwork.ca/>) is up and running.

On February 3rd, we made the OFL pre-budget presentation to the Standing Committee on Finance and Economic Affairs.

On February 17th, we worked in cooperation with local labour councils to launch the first leg of our northern campaign. I was joined at the media conference in Thunder Bay by **Thunder Bay & District Labour Council** President Melanie Kelso.

Pre-and-post-budget day preparations

Pre-and-post-budget day preparations are underway. While each affiliate will likely have its own release, the OFL release will focus on one question: the extent to which the 2010-11 budget is or is not a “*Good Jobs Budget*.” Criteria for judging the budget will be the five elements included in the Federation’s initial brief:

- 1) infrastructure spending and green jobs;
- 2) maintenance of public services;
- 3) assistance for childcare and training;
- 4) elimination of the corporate income tax cuts; and
- 5) hiring of additional Employment Standards auditors.

We are trying to organize leaders’ participation in a media scrum.

Labour councils will be encouraged to hold news events in their communities at 5:00 p.m. on Budget Day. The news release and talking points will be e-mailed to them as quickly as possible after the lockout finishes.

Post-budget plans

An op.ed. piece signed by all union leaders will be developed to summarize our position on the budget.

The OFL will sponsor a budget de-brief, likely in early April, inviting labour and community leaders to share their views as well as information about existing campaigns that will take us into the next provincial election. (A detailed report of the campaign has been circulated).

Next Steps

The CTW Planning Committee will submit a detailed proposal to the next OFL Executive Board and Council meeting. This proposal will bring us to the October 6, 2011 Ontario provincial election.



GOVERNMENT RELATIONS

Pro-active relations with the Ontario government have yielded new opportunities for full and frank discussions.

We have already spoken about the meetings with Finance Minister Dwight Duncan and Labour Minister Peter Fonseca and those to come. As well, you have heard about the progress we have made on the Workplace Health & Safety file.

Health Care

On February 18th, we requested a meeting with **Health and Long-Term Care Minister Deb Matthews** as a first step in building a relationship with the government on behalf of our 200,000 health care members. The Minister's office has been in contact and we are working on next steps. We noted the quarterly meetings that are now established with the Finance and Labour ministries and expressed our hopes that we could look forward to the same dialogue with her department.

On March 2nd I spoke at a meeting of the **Ontario Nurses' Association** (ONA) Coordinators to outline the OFL's strategic directions and core issues, and to hear their high priority items for 2010.



Emergency Dept. closure linked to 18 year-old death

In late December, 18-year-old Reilly Anzovino, died before reaching the Welland Hospital following a car accident. The Fort Erie emergency department had closed due to budget cuts. This is the second death since emergency department closures at Fort Erie and Port Colborne hospitals. The OFL issued a media release calling for a coroner's inquest to determine whether the young woman could have survived had the emergency room closest to her not been closed.



Aboriginal Affairs

On March 2nd, Tim Brown, OFL Vice-President responsible for Aboriginal Persons and I met with **Attorney General Chris Bentley**. At issue is the Premier's shuffle that gave Minister Bentley the added responsibility of Aboriginal Affairs. The loss of a full-time minister represents a step backward from key recommendations of the Ipperwash Inquiry. First Nations communities are facing high unemployment, a youth suicide crisis and general frustration regarding land development. Tim and I sent a letter to the Premier urging him to meet with the Chiefs as soon as possible. The OFL will utilize its influence to help achieve social and economic equity. We will report back to the Board and Council upon conclusion of the meeting. We will also be joined in this meeting by Nancy Hutchison of the USW for discussion of the "Westray Bill" C-45.

Labour Relations

Precarious workers: On March 9th, the OFL, SEIU, UNITE/HERE 75, UFCW, CAW and Justice For Migrant Workers and No One is Illegal will meet with the **Deputy Minister of Labour** to discuss precarious work. The OFL Labour Relations Committee is in the process of developing its position on the amendments to the *Labour Relations Act* and the *Employment Standards Act* to improve conditions for these workers.

Precarious Work Workshop

On January 29th, 2010 the OFL joined with the Workers' Action Centre to co-sponsor a workshop on organizing, servicing and bargaining for precarious workers.

Labour Adjustment: The **Minister of Training, Colleges and Universities** John Milloy has requested a meeting which we will be attending on March 15th. On February 19th, the Labour Adjustment Committee and Executive Vice-President Terry Downey met with **Assistant Deputy Minister** Laurie LeBlanc of the Employment and Training Division and raised the serious problems with new policies imposed on the **Second Career program**.

This program was intended to be three years in length, provide training for 20,000 laid-off workers, and had an initial budget of \$350 million. However, when the global recession struck in October of 2008, more workers than anticipated applied. The money allocated to the program over a three-year period was almost gone by September 2009.

In November 2009, the province imposed a new point system to determine eligibility. It is now fair to say that the majority of Second Career applicants are being rejected. Other workers without jobs are simply not applying.

Workplace-based Literacy and Language Training

A Provincial Advisory Committee comprised of unions (OFL, CUPE, CAW) employers (Canadian Manufacturers & Exporters), and literacy organizations was established and mandated to focus on employed workers who need literacy and language upgrading programs that are based in or near the workplace.

The Provincial Advisory Committee worked together to develop a shared vision and in September 2009, submitted a joint proposal to the Minister of Training, Colleges and Universities: *Collaborative Development Approaches Piloting Illustrative Workplace Models*.

In February 2010, we were informed by the Ministry of Training, Colleges and Universities that the *Collaborative Development Approaches* proposal had been approved. The 13-month project will be administered jointly by the Provincial Advisory Committee, and will have approximately one-half million dollars to undertake four pilots.

ATU Local 113 right to strike under attack

A Private Member's Bill introduced by MPP David Caplan would declare the TTC an "essential service" and thereby substitute binding arbitration for collective bargaining. We raise this now in the form of an alert to all affiliates because the removal of the right to strike from any union is a matter of top concern to this Federation. We have had word



through the NDP that the Premier is stoking the fire for just such a move and using it to deflect attention away from the government's unwillingness to restore provincial financial support for TTC operations that was taken away by the Mike Harris government nearly 15 years ago.

OFL-CLC Pension Summit

The future of Canadians' retirement security hangs in the balance.

Pension reform is being debated this Spring. Federal and provincial finance ministers have promised to consult with Canadians and report back by May. The usual voices are advocating for a system that will benefit the financial industry and the wealthy. The CLC has waged a successful campaign to ensure that the interests of workers are not forgotten in this debate. Labour is advocating for an expansion of the Canada Pension Plan. This safe, low-cost alternative will benefit all workers in every sector of the economy.

High-profile speakers are already confirmed for the March 27 OFL-CLC Summit to be held at Toronto's Park Hyatt: Diane Urquart, Independent Financial Analyst; Jaqui McNish, Globe and Mail; Susan Eng, CARP Vice-President Advocacy; Catherine Swift, Chairwoman, President and CEO, CFIB; Wayne Arthurs, Parliamentary Assistant to the Ontario Minister of Finance; Keith Ambachtscheer, Dean, Rotman School of Business; and Don Stewart, CEO, Sunlife Financial.

This conference will include the stories of workers, also business and government employees as well as academics.

OFL Public Hearings on Pensions

Proposed locations:

Sudbury, Thunder Bay, Windsor, Ottawa, Oshawa.

Evening meetings 7:00 p.m. – 9:00 pm.

OFL Officers will moderate a panel of three or four people that include a local VIP, retiree, youth, community personality, who will take 2 minutes for brief remarks. An open mic session will then follow for deputations from the audience and panel questions.

Wrap-up

The OFL will pull together all deputations and make a report to present to government.

Bill 236 Amendments

The OFL Pension Committee's review of Bill 236 Amendments to the *Pension Benefits Act* is now finished. A joint union brief is nearing completion. We are working closely with the NDP and will continue to as the Bill goes through committee.

The committee has noted major issues of pension policy that have not been dealt with in this Bill and have also emphasized the need to address the broader question of retirement income security and improving access to pensions for all Ontarians, including those who are not members of employer-sponsored pension plans.

Some of the major amendments proposed deal with the following sections:

Surplus – We are proposing amendments that would ensure that any access to surplus by an employer should result from the consent of plan members or their representatives.

Grow-In Benefits –The expanded access needs to be broadened. We have said that the attempt to differentiate between voluntary and involuntary quits adds to cost, complexity and inequity and that the “grow-in” provision should not be limited in this way.

Historic Asset Transfers – The problem of historic asset transfers should be the subject of a framework agreement between the affected Jointly Sponsored Pension Plan and in the event agreement cannot be reached, the matter should be subject to arbitration within specified time limits.

“Buy American” trade deal rejected

We issued a media release calling on the McGuinty government to reject the Stephen Harper brokered Canada-U.S. trade deal, which would restrict the ability of provincial and municipal governments to support domestic firms employing Canadian workers when they procure goods and services. We noted that Canadians get temporary and partial access to a stream of stimulus spending that has largely dried up, and in return, we forever give up the ability to spur and shape job creation through policies like the local procurement provisions of the recent *Green Energy Act*.



BUILDING SOLIDARITY WITH THE COMMUNITY

Building collaborative relationships with progressive communities and groups outside of the house of labour is core work that contributes to our aspirations for social and economic equality for our members, and for all people who live and work Ontario. We have already mentioned a number of community organizations that we are working closely with.

Ontario Health Coalition

The Ontario Health Coalition is one of our key partners. Their upcoming public hearings on small, rural and northern hospitals launches March 4th in Wallaceburg. Twelve communities are on the schedule: we have included the flyer in your kits and urge you to ensure wide distribution as well as participation in these hearings. The input, concerns and ideas from them will form a report that will be delivered to the Health Minister and the Premier.

Ontario Coalition for Better Childcare

The Ontario Coalition for Better Childcare has launched its provincial budget campaign calling on the McGuinty government for continued funding in 2010 without which we will see dramatic cuts to child care subsidies and a



destabilizing of the system. The petition to the Legislative Assembly of Ontario is in your kits and we urge all of you to ensure you sign as well as distribute within your unions.

Colour of Poverty Working Group

A meeting with the Colour of Poverty Working Group took place in January to debrief and evaluate the November symposium. Recommendations included incorporating the topic of employment equity measures and legislation into future campaigns as well as the development of tools to facilitate communication and networking on common issues. We are working with the Coalition of Black Trade Unions, Asian Coalition Labour Association, and Latin American Trade Union Coalition to begin planning for a provincial Workers of Colour Conference to be held prior to the next OFL convention.

Filipina Women's Network and Thorncliffe Neighbourhood Services

The OFL continues to act as a resource for the Filipina Women's Network and Thorncliffe Neighbourhood Services to assist individuals in filing complaints with the Human Rights Tribunal.

Equal Pay Coalition

We are an important part of the Equal Pay Coalition and its efforts to achieve pay equity. The Coalition is working closely with the NDP, examining the Ontario government's procurement policies. Some of the key questions that are under examination include the issues of how contracts are awarded; who has them; how the government monitors legislative compliance, and enforcement.

Council of Agencies Serving South Asians

The OFL Apprenticeship Committee is working with the Council of Agencies Serving South Asians on its provincially-funded project "Improving access to the trades for internationally trained tradespeople." Their next meeting is April 24th at the OFL.



HUMAN RIGHTS

Over 30 human rights and community activists, allies, OFL officers and staff met in Niagara Falls at the annual Human Rights Committee Retreat (February 26 -28, 2010) facilitated by Winnie Ng (acting Executive Director from the Labour Education Centre).

The retreat objectives were:

- to review, reflect and draw lessons from human rights related activities of the OFL and affiliates;
- to engage and envision what an integrated OFL Action Plan agenda will look like from an equity perspective;
- to deepen the critical analysis on the linking of the Human Rights Committee work on precarious work and equity agenda with the broader movement for global, economic and social justice;
- to collectively develop an Action Plan for the Human Rights Committee with key priorities, and time frame.



The four themes that were developed through open participatory discussion were:

1. Building community links;
2. Resisting the neo-Liberal agenda;
3. Strengthening solidarity and renewing the labour movement;
4. Advancing human rights and equity.



The four themes will become the integrated objectives of all our human rights activities. The four upcoming strategic priorities as discussed are:



1. Laying the groundwork on Employment Equity;
2. Integrating equity principles into OFL Campaigns;
3. Building for Good Green Jobs for all;
4. Building solidarity and allies around Aboriginal issues.

The four themes are interlocking pieces to ensure that all OFL human rights initiatives will be achieved; therefore, working with community groups is not just about building community links but part of movement building and renewal.



Black History Month

Black History Month concluded this past Monday. We issued a statement on the invaluable lessons for us all on the struggles, setbacks and triumphs of African Canadians. In collaboration with SEIU Local 1 and the ONDP, and with the excellent exhibit created by the City of Toronto Culture Division we hosted an event on Tuesday, February 23rd at the OFL to mark the occasion.



MEDIA RELATIONS

While we have included details of our media work throughout my report to you, we want to speak of three in particular that were not covered. We mention these because they represent the kind of opportunities we are seeking more of in our desire to reach the public to create dialogue and discussion on ideas that we hold central.

The first was my appearance in January on TVO. I was interviewed by Steve Paikin on The Agenda and also served as a panel guest discussing green jobs. It gave me the opportunity to talk about our agenda. I spoke about what “good jobs” mean and about our prescription for addressing the economic vitality of Ontario.

The second was my meeting with the Toronto Star Editorial Board which enabled me to build valued relationships and to detail our priority areas.

And the third was the Toronto Star op-ed piece that afforded a real opportunity to describe the tragedy of workplace accidents and to therefore convey the full meaning of use of the Westray Bill C-45.

We hope to be doing more of these in the future.

Please find in your kits a package of the print coverage received by the OFL and press releases issued over the last two months.

CONCERNING THE G20 SUMMIT IN TORONTO

Background

Since mid-2009, the CLC has been involved with a broad spectrum of civil society organizations in the planning sessions for the People’s Summit.

The OFL’s first involvement was a labour conference call on January 15th, followed by our participation in a January 20th planning session.



The OFL is:

Developing strategies to mobilize Ontario membership to attend a labour sponsored rally on June 26th;

Encouraging affiliates to “adopt” communities and pay the cost of buses to enable labour and community activists to attend the rally;

Encouraging labour councils to mobilize within their community to ensure the success of the rally;

Working to develop the logistics for possible march routes, locations of rally, and timing of event.

Queen’s Park has been booked as the meeting point for the buses.

At the moment, the G20 Summit is scheduled for the Toronto Convention Centre in downtown Toronto. There are plans for designated areas for speakers which will also be accessible to the international media. There will be some controlled areas and some areas with fencing in excess of 10 feet.

TIME LINE

June 18-20

People’s Summit in Toronto

June 19

Labour component of People’s Summit to be held at University of Toronto

June 20

Civil society component of People’s Summit

June 21-27

Week of Action by various organizations

June 21-25

International Trade Union Confederation (ITUC) World Congress Vancouver

June 23

Likely date for ITUC rally in Vancouver

June 25-26

G8 Summit in Huntsville

June 25

International labour leadership in Toronto from Vancouver to meet with G20

June 26-27

G20 Summit in Toronto

June 26

Labour organized rally in Toronto

In solidarity,

Sid Ryan
President
Ontario Federation of Labour