



ONTARIO FEDERATION OF LABOUR

Submission to the
Standing Committee
on Finance and
Economic Affairs,
Government of Ontario



THE NEW NORMAL – BUILDING AN ONTARIO FOR ALL: an immediate economic recovery plan

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Preamble

We are in uncharted territories.

COVID-19 has effectively shutdown entire sectors of our economy or considerably curbed others; has revealed fractures in our institutions and social safety net; and has heightened inequities in the distribution of political, social, and economic power.

We know that the economic climate will remain uncertain for the foreseeable future. This, however, is not a reason to revert to old ways.

The deregulation of health and safety standards in communities and workplaces, the destabilization of workers' rights and protections, the erosion of progressive taxation, the retrenchment of welfare state programs, the privatization and chronic underfunding of public services, and the disregard of equity-seeking groups have all led us to this point in time.

Now is the time to invest in people and the public services they depend on – not cut and slash our way back to where we were before.

As the Ontario government prepares to reopen the economy in the immediate term, while we continue to ride the first wave of COVID-19, several guiding principles must be followed.

- 1. Worker and community safety must be the priority.** Our collective goal must be to create an economic recovery plan that restarts Ontario safely for everyone, eliminating potential new waves of COVID-19.
- 2. Workers, unions, and health and safety committees must have a meaningful voice in decisions at every level of policymaking: workplace, community, provincial, and federal.** The reality is that it is workers whose lives and wellbeing are at risk; we need an economic recovery plan that draws from their experiences, knowledge, and strength.
- 3. Investment in infrastructure and public services will be critical in reopening the economy.** Among general uncertainty, weak consumer demand, and high levels of indebtedness, business investment alone will be insufficient. Only strong public investment can lead the recovery, boosting incomes and economic activity that will then stimulate business investment.

- 4. The Ontario as we knew it left far too many behind.** Prior to COVID-19, many Ontarians fell through the cracks of our social safety net. This pandemic has highlighted the need to immediately address the continued marginalization of vulnerable communities.
- 5. Actions taken by the government must apply an intersectional, equity lens.** The government must recognize that policies focused on health and safety, decent work, public services, and equity-seeking communities are closely intertwined – the links of which have become exacerbated during COVID-19.

We are in a moment where we need bold policies from the government – ones that reflect our hopes for a just world. Collectively, we must reorient what the social and public good can – and should – be.

The government has an opportunity to deliver an Ontario for all – one that is built upon decent work for all, strong public services for all, justice for all, and healthy and safe workplaces and communities for all.

The Ontario Federation of Labour, which champions the rights of both unionized and non-unionized workers in the province, submits the following recommendations that the government must immediately act upon. For a comprehensive list of long-term and systemic changes that are required, please see our [2020 pre-budget submission](#).

Healthy and Safe Workplaces and Communities for All

Workers in Ontario – and throughout the country – have three fundamental health and safety rights: 1) the right to know about the dangers in their workplace; 2) the right to participate in decisions affecting their health and safety; and 3) the right to refuse unsafe work.

These rights will not be forfeited as the government restarts the economy.

Thus far, the pandemic has illuminated the significance of strong workplace health and safety standards that follow the hierarchy of controls as well as the importance of including workers' and their unions' voices at all levels of decision-making. Lifting or relaxing preventive measures without meaningful consultation with all stakeholders will only result in more workers and communities succumbing to COVID-19 and ultimately, lead to greater societal and economic upheaval.

As the government begins the process of restarting the economy, Ontario workers must have robust protections to do their jobs safely and more importantly, to make it back home without being injured, made ill, or killed because of their work. Ontario families must have strong community health protections to feel confident to participate in society without fear of being exposed to or killed because of COVID-19.

This means that employers must fulfill their duty to ensure a safe workplace and be held accountable for their actions. This means that the government must protect a worker's right to refuse unsafe work and does not require workers to put their lives at risk without ensuring that every possible action is taken to allow them to do their jobs safely. This means that the government must equip the public with the knowledge and tools to practice safe measures in their everyday lives.

This also means that government must recognize that its Ministry of Labour, Training and Skills Development has a legal mandate to protect workers. The *Occupational Health and Safety Act* supersedes any public health directives when it comes to the health, safety, and lives of workers in Ontario. Ministry inspectors play an integral role to ensure that workers' health and safety is protected. Too often, they are restrained by red tape and bureaucracy. They must be allowed to do their work without interference, enforcing the protections outlined in the *Occupational Health and Safety Act* and related regulations.

We know that as the economy resumes, workers will play a pivotal role in its success. Their health and safety, and that of their families, must be the top priority.

The government must introduce the following measures immediately:

- Establish strong, clear, and enforceable workplace health and safety standards.
 - Create concrete tools for workers – in consultation with Occupational Health Clinics for Ontario Workers and the Workers Health & Safety Centre – to navigate their return to work.
 - Ensure that every workplace has a joint process between workers (and their unions, if applicable) and employers to create a workplace transition plan that is evaluated on an ongoing basis.
- Equip Ministry of Labour, Training and Skills Development inspectors with the required personal protective equipment (PPE), training, and directives so they can enter workplaces safely to do their job.
- Boost the number of Ministry of Labour, Training and Skills Development inspectors and publicly report where inspections are occurring and their results.
- Adopt a strict adherence to the precautionary principle in all workplaces.
 - Require employers to provide workers with adequate levels and types of PPE for those currently on the job and for those returning to the workplace.

- Require employers to ensure that sufficient inventory of PPE exists prior to opening workplaces.
- Order businesses to manufacture PPE in Ontario.
- Enhance infection control standards for all workers, including those directly impacted.
- Ensure that all workers have stronger protections against retaliation – particularly around workers’ exercising their health and safety rights.
- Increase access to universal, rapid, reliable, and publicly delivered coronavirus testing, treatment, and the vaccination (once approved) at no cost.
- Oversee an integrated system of recording, reporting, and tracking worker infections – with appropriate safeguards to protect worker data and privacy.
- Improve contact tracing capabilities and remove exposed workers from work with pay, benefits, and without retaliation – and with appropriate safeguards to protect worker data and privacy.
- Declare anti-Black and anti-Indigenous racism as a public health crisis with proper supports and policies allotted towards marginalized and racialized communities.
- Expand workers’ compensation coverage to all workers and volunteers who put themselves in harm’s way.
- Extend protection of the *Workplace Safety and Insurance Act* to workers who must be isolated or quarantined because of work exposures as well as to workers with health conditions that are likely due to COVID-19 but are not verified by testing.
- Streamline the adjudication of COVID-19 workers’ compensation claims and protect appeal rights with presumptive relatedness legislation for essential workers.
- Consider the impact of COVID-19 on existing injured workers and occupational disease victims in policy decision-making, including their access to health care and vocational rehabilitation.
- Develop, support, and resource a climate action plan that focuses on green jobs, carbon emission reductions, and the impact on equity-seeking communities – with clear mandates for industry.

Decent Work for All

Gaps in worker protections have long existed and needed closing, but this pandemic is highlighting their urgency.

While some Ontarians are staying home, those keeping the province running – and facing a greater risk of infection – are people working in jobs that traditionally have been the lowest paid with few benefits and no access to unionization. And it is women workers,

racialized and Indigenous workers, migrant and immigrant workers, and workers with disabilities that are overrepresented in these precarious but essential jobs.

While essential workers have gone from being overlooked and underappreciated to being viewed as critical parts of our society, this is not enough. They must also be supported through permanent decent and safe working conditions.

A full economic recovery will require the government to legislate increases to workers' wages and protections as well as to correct the inherent power imbalance between workers and employers. Workers must be empowered to respond to the current economic downturn and should not be forced to accept concessions to fund the recovery of their employers.

The government must introduce the following measures immediately¹:

- Implement the promised pandemic premium pay, expand its eligibility, and make it permanent for all frontline workers.
- Introduce a livable minimum wage with no exceptions.
- Legislate at least 10 permanent paid sick days, plus paid days during an outbreak for all workers.
- Strengthen protections for temporary agency and migrant workers.
- Honour and respect collective agreements and their contract provisions.
- Ensure workers can access their right to unionize while restrictions remain in place.
 - Provide a fair, timely, and effective process for certification votes.
 - Provide early access to workplace information, including personal phone numbers and email addresses, when a union is engaged in an organizing drive.
- Remove the one per cent cap on public sector compensation packages.
- Stop layoffs or re-hire any public sector workers who have been laid off or dismissed during the pandemic.
- Ensure that workers have the right to return to their job, if they choose, when the sector reopens.
- Explore conditional economic supports and agreements that will help employers keep workers employed.
- Ensure that all workers, including equity-seeking groups, have access to apprenticeships and on-the-job learning opportunities.
- Encourage employers to explore flexible work weeks – with strict adherence to the *Employment Standards Act*.

¹ Please see the Workers' Action Centre, Parkdale Community Legal Clinics, the Fight for \$15 and Fairness, and the Migrant Workers Alliance for Change for a detailed list of recommendations.

Public Services for All

Now is not the time to be focused on reducing the deficit.

Austerity measures are the reason that Ontarians are feeling the breadth and depth of COVID-19. Governments that have actively slashed spending and chronically underfunded public services; shrunk the size of the public sector; reformed the structure of social policy programs to the detriment of people; and restructured labour markets by promoting greater flexibility for employers and encouraging businesses competitiveness through internal devaluation must recognize that these courses of action are unsustainable and jeopardize the wellbeing of Ontarians.

Before COVID-19, for instance, the long-term care sector was in crisis. It was characterized by decades of significant underfunding, the expansion of private ownership as well as relaxed regulations and standards (e.g., easing staff ratios, scaling back on annual comprehensive inspections).

These political choices are the direct result of where Ontario finds itself now: COVID-19 has been deadliest among the long-term care sector – with both residents and workers losing their lives. In fact, more than three-quarters of COVID-19 deaths in Ontario have been among long-term care residents. The distribution, however, has not been equal. There is a significantly higher death rate due to COVID-19 in long-term care homes that are owned by for-profit corporations as compared to non-profit and public (municipal) homes.

While private long-term care facilities have been raking in staggering profits, these institutions have been plagued by many ailments – including ineffective inspections, infection controls, and accountability measures; inadequate staffing levels; indecent wages and working conditions for personal support workers; and no legislated minimum standard of care for residents, forcing staff to rush through daily care. The disproportionate power of the for-profit industry, and of providers in general, over advocates for residents and workers must end. Ontarians need a concrete commitment from government to stop the for-profit privatization of long-term and chronic care in our province.

It must be understood that actively expanding public services and infrastructure will be an engine of growth. Strategic public investment in critical areas – such as public health care and long-term care, public child care, public transit, public housing, publicly funded education, and public infrastructure development – produce multiplier effects. These

investments will create employment, support workers across all sectors as they return to work, reduce inequality, and ensure a broad and inclusive economic recovery.

An economic recovery plan in Ontario must be predicated on a robust and a stronger suite of public services that ensures that everyone can access these vital resources when they need it.

The government must introduce the following measures immediately:

- Provide free health care, including in COVID-19 assessment centres, community clinics, and hospitals, for all (regardless of status) – without health card or wait period requirements.
- Ensure that the inquiry into long-term care is independent and publicly transparent – and does not preclude immediate actions from being taken.²
 - Take concrete measures to address critical staffing shortages, improve infection control, bolster inadequate training and workplace safety, isolate residents who test positive, and intervene in homes that have incompetent or negligent management.
 - Demonstrate coherent, coordinated leadership rather than leaving it to voluntary arrangements between provider companies.
 - Institute a 4-hour average minimum care standard in long-term care.
- Place a moratorium on all for-profit care (e.g., health care, child care, social services).
- Ensure that those who have profited from this crisis pay to rebuild collective resources.
- Resist the use of privatized services as a substitute measure to support strained public services – instead, extend public systems.
- Reverse all previous plans to merge and to reduce budgets for various public services.
- Increase access to community mental health and social supports for women and other vulnerable groups affected by unemployment, financial insecurity, isolation, and domestic violence.
- Increase access to affordable and public housing for low-income, homeless, and precariously housed populations.
- Expand the eligibility of access to free child care to include all Ontario workers.³
 - Meet or exceed current best practices in Emergency Child Care for reopening, including greatly reduced groups sizes, enhanced staff to child ratios, and full base funding for child care programs.
- Ensure that recipients of social assistance do not encounter claw backs from other income supports.

² Please see the Ontario Health Coalition for a detailed list of recommendations.

³ Please see the Ontario Coalition for Better Child Care for a detailed list of recommendations.

- Raise social assistance rates and income supports to well above the low-income measure line.
- Invest in publicly funded education to ensure the safety of all students, teachers, and education workers as well as to address mental health issues and/or learning gaps caused by COVID-19 and school closures.
- Lobby the federal government for increased federal transfers that are conditional on public delivery, standards of care, and decent work standards.
- Ensure that any corporate assistance is directly tied to job creation and supports remaining in communities.

Justice for All

The reality is that COVID-19 has not affected everyone equally – particularly women; Indigenous, Black, and other racialized people; individuals with disabilities; 2SLGBTQI+ (two-spirit, lesbian, gay, bisexual, transgender, queer, intersex+) people; and immigrants and migrants.

This is the first service-driven economic downturn in history. The service sector – especially sectors that were initially impacted such as education and child care, retail, personal services, and restaurants – is dominated by women workers and other equity-seeking groups.

And it is the service sector that is largely defined by insecure working conditions and experiences greater levels of unemployment. These labour market inequities then lead to several other social and economic inequities for marginalized communities, including higher poverty rates, greater health risks, and lower quality housing.

COVID-19 has further exacerbated these realities – both inside and outside of the labour market. Equity-seeking groups, for example, must now contend with continued restricted access to public services and infrastructure; an expanded burden of unpaid care and domestic work to compensate for the closure of schools, child care centres, and other social services; and health and safety concerns around maintaining physical distancing in contact-driven service industries.

A just and equitable economic recovery plan must then be built upon acknowledging and understanding that equity-seeking groups are disproportionately impacted by the economic, social, and physical harms of COVID-19.

The government must introduce the following measures immediately:

- Establish gender-equity and other inclusivity targets for quickly achieving full employment.
- Ensure immediate access to clean water for all Indigenous communities so that individuals can practice short-term prevention measures and prevent the spread of COVID-19.
- Fund, collect, and publish provincial data on the impacts of COVID-19 on equity-seeking Ontarians, including how women; Indigenous, Black, and other racialized people; individuals with disabilities; 2SLGBTQI+ people; and immigrants and migrants are disproportionately affected by this pandemic.
- End the sharing of personal health information – including an individual’s COVID-19 status and all socio-demographic information related to one’s COVID-19 status – with law enforcement across Ontario.
- Defund police services across municipalities by reducing their budgets and reallocating those resources to community services that are better equipped to address urgent community needs.
- Fund the Anti-Racism Directorate to end xenophobia and racism, as workers – especially Black, Indigenous, Chinese, Iranian, and other groups of racialized workers – are more likely to experience greater acts of racism.

Conclusion

Among other revelations, COVID-19 has demonstrated the critical role that government holds in ensuring the wellbeing of its citizens. Ontarians need an equitable and just economic recovery plan that is centered around their health and safety, robust work standards and protections, and significant investments in public services and infrastructure. The success of the working class – and the Ontario economy – relies on the government’s ability to deliver an Ontario for all.

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The Ontario Federation of Labour (OFL) represents 54 unions and one million workers.
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