

Good Jobs Policy Document

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
WHAT IS A GOOD JOB?.....	2
Labour Market Developments.....	2
Changing Labour Market	2
What Does a Good Jobs Strategy Include?.....	3
Short-Term Strategies to Keep Good Jobs.....	3
Longer-Term Strategies	3
LABOUR ADJUSTMENT, TRAINING AND SKILLS UPGRADING	6
A. Labour Market Partners Forum.....	6
B. Employers Must be Held Accountable	6
C. Strengthen Supports for Laid-off Workers	6
D. Invest in Human Infrastructure	8
E. Good, Green Jobs	9
GOOD JOBS FOR WOMEN - GOOD FOR THE ECONOMY.....	10
Child Care	10
Pay Equity	11
EQUALITY IN THE WORKPLACE.....	12
Lesbians, Gay Men, Bisexuals and Trans-Identified Workers (LGBT).....	13
Why Do We Need Employment Equity?.....	14
Here are Some Solutions:	14

GOOD JOBS

EXECUTIVE SUMMARY

The economic crisis we are facing is threatening a pillar of both our economy and the labour movement – the industrial sector. This crisis is taking a huge toll. In communities across Ontario our neighbours are stretched to the breaking point – financially, emotionally, and physically. More and more of them need help from community and social services organizations such as food banks, women’s shelters, crisis centres, community health services, and mental health services.

Despite the depth of the current crisis, the labour movement must continue to focus on our goal to improve the quality of working life for Ontarians. We are fighting to protect our members from the worst of the economic downturn. To do so, we need to maintain our manufacturing base and our good jobs in the public sector.

However, we cannot lose sight of the long-term shifts in the economy towards employment in the service sector and precarious work – and away from secure work in the public and private sectors. We need to organize and advocate improving the quality of work across the Ontario economy. We must campaign for changes to the *Employment Standards Act* and the *Labour Relations Act* to do so. We know that one aspect of the renewal of the manufacturing sector and our economy

as a whole is the creation of good, green jobs.

We need effective policies that will reduce the likelihood of lay-offs and increase support to workers who are laid-off. To achieve this: we need a strong voice at the table with government and employers; we need an Employment Insurance system that provides laid-off workers with the support they need; and, we need to invest in human infrastructure to ensure that women, workers with disabilities, newcomers, racialized workers, young and older workers have access to training and better jobs.

Women cannot be left behind in this recession. There are a number of components to good jobs for working women. Working women need access to affordable, quality, not-for-profit child care, pay equity and a working environment free from harassment and violence. Women need access to training, retraining, promotions and hiring in non-traditional fields of employment. Women need employment equity.

The recession is nothing new for peoples of colour and Aboriginal peoples. Jobs have always been hard to find and keeping them is even more of a task. We need the implementation of employment equity in Ontario. We also need trade unions to take a number of actions to increase equality in our workplaces and in our unions.

WHAT IS A GOOD JOB?

Despite the economic crisis that we are facing, the labour movement must continue to focus on improving the quality of working life for Ontarians. The International Labour Organization (ILO) characterizes decent work as follows:¹

- it is productive and secure work;
- it ensures respect of labour rights;
- it provides adequate income;
- it offers social protection; and
- it includes social dialogue, union freedom, collective bargaining and participation.

The labour movement will continue to fight for more good jobs and to turn bad jobs into good jobs.

Labour Market Developments

Ontario workers have been hit hard by the continuing impact of the global financial crisis. Over the first seven months of 2009, 167,000 fewer Ontarians were working than in 2008. The unemployment rate rose from 6.5 percent to 9.3 percent.²

Job losses, while disproportionately in the goods-producing sector, cut across all sectors of the economy. Between September 2008 and July 2009, there were 126,000 jobs lost in the manufacturing sector – 14 percent of the total employment in that sector.³ Over that period, 218,000 full-time jobs were lost. While employment for Canadian-born workers was down 1.6 percent year over year in June 2009, it

was down 3 percent for established immigrants and down 5.7 percent for recent immigrants.⁴

This crisis is taking a toll on individuals, families, and communities. Job losses are often accompanied by losses in retirement savings. Those who have trouble making mortgage payments face the prospect of having to sell when values are down. Entire communities that rely on single industries are in crisis.

In communities across Ontario our neighbours are stretched to the breaking point – financially, emotionally, and physically. More and more of them need help from public and non-profit community and social services organizations such as food banks, women’s shelters, crisis centres, community health services, and mental health services.

Changing Labour Market

The structure of the labour market has continued to shift. Private sector unionization rates peaked at about 30 percent in the 1970s dropping to 19.2 percent in 1997 and to 16.6 percent in 2007. There has been an attendant rise in part-time, contract, and temporary work – what is often called precarious work. Hopes for a full-time, unionized good job for our working life, and retiring with a defined benefit pension, have been shattered for many older workers. That hope seems out of reach for many young workers. Fewer Ontarians are working full-time in full year jobs, and fewer still in unionized workplaces that provide protections, good wages and benefits.

Even before the current economic crisis, Ontarians were working more hours for less money.⁵ Low-wage workers, especially women, immigrant

and racialized workers are increasingly working in temporary, contract and part-time work, and juggling two or three jobs without employment benefits or workplace protections.⁶ The impact of these working conditions does not end at the workplace or the pay cheque. You cannot spend enough time with your kids, and you cannot participate fully in your community juggling this kind of work.

There is a gendered and racialized dimension to this inequality. Forty percent of employed Canadian women hold precarious jobs.⁷ The gap in earnings between recent immigrants and Canadian-born workers continues to widen. In 1980, men who had recently immigrated to Canada earned 85 cents for every dollar earned by Canadian-born men. By 2005, that had dropped to 63 cents. The gap is even wider for women who have recently immigrated to Canada, dropping in 2005 to 56 cents for every dollar earned by Canadian-born women — from 85 cents in 1980.⁸

What Does a Good Jobs Strategy Include?

Short-Term Strategies to Keep Good Jobs

During this economic crisis, we need governments to take action to help us weather the storm, and position us for a more sustainable future. These actions include:

Maintaining Ontario's industrial base by helping businesses survive the current economic storm.

Many businesses, which are viable and an integral part of the Ontario economy, are at risk. Although they could operate profitably in the future, they are in danger in the

short-term. Closing plants and shipping equipment to China is not the best long-term response to short-term problems, no matter how dire they are. These companies and workers need support from government to get through these hard times.

Getting good value from infrastructure investments.

We need a 'Buy Ontario' policy for infrastructure spending. This will ensure that Ontarians get the maximum benefit from Ontario tax dollars. We need to work together at the local level to make sure that infrastructure projects meet local needs, and move our economy to a greener path.

Supporting public services when we need them the most.

We must allocate funding to support public services when Ontarians need them the most. Cutbacks cost jobs, reduce economic activity, and the quality of public services. Hard times increase the need for public services, such as health care and social services.

Longer-Term Strategies

We are focused on protecting our members and other Ontarians from the worst of the economic downturn. However, we cannot lose sight of the longer-term shifts in the economy towards employment in the service sector and towards precarious work, and away from secure work in the public and private sectors.

We need to maintain our manufacturing base and our good jobs in the public sector. We need to organize and advocate improving the quality of work across the Ontario economy. We need to campaign for changes to the *Employment Standards Act* and to the *Labour Relations Act* to improve the working lives of Ontarians.

A. Goods-Producing Industries Matter

Ontario's goods-producing sector is the foundation for much of the economic activity in the province and for the communities in which these industries are located.

The sector's industries accounted for 26.5 percent of Ontario's economy in 2008. Ontario's manufacturing sector, a cornerstone of the economy, accounted for 17.4 percent of the economy in 2008.⁹ These percentages understate the importance of these sectors, and the role they play in exports, supply chain linkages, technological intensity, and the spin-off benefits for other sectors.¹⁰

Help for the Ontario Industry

We need industrial policy development for Ontario that will include measures aimed at improving the longer-run economic prospects of key sectors like manufacturing. Such a strategy must address all of the challenges facing the industry, including the need to attract investment, invest in new skills and technology, and improve environmental performance. It must also address the massive imbalances in international trade which have destroyed hundreds of thousands of jobs in the auto industry and other manufacturing sectors.

It cannot be emphasized enough that any support to industry must be tied to firm commitments by the companies to a proportional production and employment presence in Canada.

These commitments, along with many actions that governments must take to support our industries, maintain universal health care, and protect the environment, would be limited by trade negotiations that are currently underway. In September 2009, Prime Minister Stephen Harper went to Washington to offer up municipal and provincial procurement in a set of new negotiations with the U.S. Government.¹¹

The negotiations between federal, provincial and territorial governments underway to "reduce barriers to interprovincial trade" pose a similar threat. In reality, there are few barriers to interprovincial trade, investment and labour mobility. As we know, Canadians are free to live, work, and invest anywhere in this country. There are no customs stations along provincial borders, and no tariffs on interprovincial trade. The real objective of these negotiations is to limit governments' ability to act, and promote privatization and deregulation.¹²

B. Increased Access to Unionization

The combination of weaknesses in legislation and enforcement, changing labour market structure, and the economic crisis has resulted in a decrease in the number of unionizing drives, and a decrease in the number of new workers unionizing. There were only 422 certifications in 2007-08 applications as compared to 829 in 1993-94. The share of these applications that were successful was 51 percent as compared to 73 percent in 1993-94.

ACCESS TO UNIONIZATION IN ONTARIO			
Fiscal Year	# of Certifications	% of Successful Applications	# of Workers
1993-94	829	73%	25,798
1994-95	762	77%	32,116
1995-96	510	67%	20,564
1996-97	387	59%	21,496
1997-98	424	64%	21,049
1998-99	415	62%	27,299
1999-00	313	55%	19,763
2000-01	521	56%	36,901
2001-02	307	45%	16,255
2002-03	318	51%	14,026
2003-04	301	52%	12,173
2004-05	428	53%	11,610
2005-06	352	53%	14,461
2006-07	420	59%	11,158
2007-08	422	51%	13,617
Source: Ontario Labour Relations Board Annual Reports 1993-94 to 2007-08			
NOTES:			
1993-94	(Bill 40: Reforms implemented)		
1995-96	(Bill 7: Restricts organizing, mandatory votes, etc.)		

2000-01	(Minus SEIU/CAW displacements total is: 24,206)
2005-06	(Bill 144: Reforms implemented)
* Each year there are a number of “displacements” from one union to another. Exempted here is only the major “displacement” of SEIU and the CAW which totalled approximately 12,695 in the OLRB fiscal year of 2000-01. This leaves a new certification total of 24,206 in that year.	
* Percentage of successful applications are calculated as the number of certifications granted as a percentage of total certifications disposed of by the OLRB.	

For the past year and a half, the Ontario Federation of Labour has been working with the 25 in 5 Network for Poverty Reduction. The Network has taken on and taken up the importance of labour market policies in reducing poverty. They have put forward the following demands to the government with respect to labour law reform:

- re-establishing successor rights for unionized workers whose employers are contractors;
- re-establishing card-based certification for all workers in Ontario; and
- providing more protection for workers from reprisals and intimidation because of their union activities by increasing the penalties for unfair labour practices to levels equivalent to those of the proposed *Employee Free Choice Act* in the United States.

This success in having a broad-based coalition endorse our demands is significant. The labour movement will increase success in its advocacy campaigns with more support from the broader community.

The current recession, and its aftermath, increases workers' needs for the support and protection of being unionized. The changes to the labour market structure outlined above will likely be even more pronounced. Our approaches to organizing will have to continue to evolve to reflect these new structures. We will continue to need to work for political change to support our demands. And, we will continue to build public support by working with the community and non-unionized workers.

**LABOUR ADJUSTMENT, TRAINING
AND SKILLS UPGRADING**

The creation and maintenance of good, sustainable jobs must be the foundation of all economic development and training strategies. Training and education are meaningless if future employment is part-time, low-wage, precarious, and permanently in flux. As noted above, Ontarians need good jobs, decent wages and benefits, secure pensions and much wider access to training, with adequate support.

Labour must campaign to increase wages and benefits for all workers. Public services must be strengthened and public, democratically controlled ownership should be considered as an alternative to job loss.

A. Labour Market Partners Forum

The Ontario government must work together with stakeholders to develop sound social and economic strategies. The Ontario government should create a permanent Labour Market Partners Forum comprised of equal numbers of labour, employers, and government representatives, to develop sound

strategies for economic development, training and labour adjustment.

B. Employers Must be Held Accountable

Increasing the cost to employers of lay-offs will not eliminate job loss. However, making lay-offs expensive can act as a brake and force employers to consider alternatives. This is especially true where employers are making profits, but choosing to phase out enterprises that "aren't profitable enough".

Employers must be legally obliged to:

- a. Justify layoffs.
- b. Bargain adjustment and fund action committees/ centres staffed with peer helpers.
- c. Pay severance and termination monies to all laid-off workers.
- d. Pay workers first in the event of employer insolvency or bankruptcy.
- e. Ensure workers' pensions are not at risk in the event of employer bankruptcy or insolvency.

C. Strengthen Supports for Laid-off Workers

The current level of support for laid-off workers is woefully inadequate, especially for those facing barriers to the labour market and for older workers. We know all too well that the failure to provide an adequate national safety net results in increased pressure on provincial and municipal supports.

Employment Insurance is just such an example, where those who run out of - or fail to qualify for - Employment Insurance (EI) income support, are forced to turn to social assistance.

The appropriate levels of government must:

- a. Fund adjustment committees and action centres staffed by peer helpers.
- b. Restore and strengthen the public, not-for-profit service delivery system.
- c. Reform Employment Insurance:
 - i. increase benefits to 66 2/3 of normal earnings, using workers' 12 best weeks and raise the maximum rate;
 - ii. significantly reduce the qualifying hours to one uniform standard of 360 hours;
 - iii. eliminate the two-week "waiting period" during which workers receive no benefits;
 - iv. end allocation of pension income, vacation pay, severance and other termination monies received by workers at the time of lay-off, as income against EI benefits;
 - v. extend EI benefits whenever unemployment reaches 6.5 percent;
 - vi. maternity, parental, compassionate and sick leave benefits should not be

counted against EI claims resulting from lay-off;

- vii. extend EI Part I benefits (income support) to workers enrolled in approved training.
- d. Provide adequate income support for all workers and address the particular needs of older workers, workers who have exhausted EI claims, and others facing barriers to the labour market.
- e. Provide meaningful retraining programs to laid-off workers from literacy and basic skills to 2nd Career and Skills Development. Meaningful retraining must include:
 - i. bridging programs that include literacy, computer, math, language, Grade 12 completion or equivalency and other skills training;
 - ii. such programs must meet the retraining needs of workers facing barriers to the labour market, including older workers, workers with disabilities, workers for whom English is a second language, and those who may not have had secondary or post-secondary education;
 - iii. group purchases from public colleges provided with adequate public funding to establish flexible intake dates for laid-off workers;

- iv. ending means - testing for income support programs while retraining.
- f. Provide bridging to retirement programs for older workers.
- g. Create a health benefit and drug plan for all laid-off workers.
- h. Restore public, not-for-profit employment agencies.
- i. Further regulate for-profit temporary employment agencies, and properly enforce such regulations.

D. Invest in Human Infrastructure

Women, workers with disabilities, newcomers, racialized workers, young and older workers are particularly vulnerable in the current economic context. Too many workers in general are employed in low-skilled precarious employment, with little access to skills training. Others are employed in sectors that are economically at risk.

Such vulnerable workers are in urgent need of workplace-based training that includes literacy, computer, math, language, Grade 12 completion or equivalency and other skills training.

Government must:

- a. Provide new and adequate infrastructure funding for workplace-based literacy, language and basic skills training:
 - i. such infrastructure funding must include literacy, computer, math, language, Grade 12 completion or equivalency and other skills training;

- ii. such programs must meet the retraining needs of workers facing barriers to the labour market, including older workers, workers with disabilities, workers for whom English is a second language, and those who may not have had secondary or post-secondary education.

During economic downturns, workers and government can use this time to increase the skills and adaptability of the workforce. However, both government and employers must make contributions to this critical investment.

In addition, government must:

- b. Implement a training levy where employers either invest in training and apprenticeship or pay the levy. The labour movement suggests one percent of payroll.
- c. Implement workplace-based skills upgrading that includes skills for green jobs.
- d. Reduce/eliminate tuition fees for all public training/education programs including in-class apprenticeship training.
- e. Ensure that funding for training and upgrading be used only at public institutions or in not-for-profit union training centres. Public dollars should not be directed into for-profit private institutions.
- f. Increase funding for post-secondary institutions, including all deferred maintenance costs.

- g. Expand student financial assistance through increased grants.

E. Good, Green Jobs

The Obama administration in the U.S., with its commitment to reduce greenhouse gas emissions, has changed the rules of the game. The Harper government will be forced into taking action on climate change. As a result, both North American demands for renewable energy and for energy savings will increase dramatically.

One estimate is that the increase in demand for solar panels, wind turbines, fuel cells, combined heat and power systems, and biomass engines is projected, in the U.S. alone, to reach \$226 billion annually by 2016.¹³ Demand for solar and wind power will continue to expand over the next 20 years, and between 70 and 80 percent of the new jobs created in those industries will be in the manufacturing sector.

Ontario's *Green Energy Act*, introduced this spring, will also increase renewable energy supply in the province, and create jobs in sectors that increase our energy efficiency. Its success, and the number of jobs it will create, will depend on the government's implementation of the *Act*.¹⁴ If the proper procurement policies are put in place, this *Act* has the potential to drive the development of a green manufacturing sector in Ontario.

What Kinds of Activities will Generate Green Jobs?

- Increasing building energy efficiency through retrofit programs.

- Increasing use of renewable power through development of hydroelectric power: wind energy, bioenergy, waste energy recycling and solar power.
- Improving our electrical transmission system to accommodate more renewable energy.
- Improving public transit and transportation infrastructure.

What Kinds of Jobs are Green Jobs?

These different activities require different skills sets. However, workers that are needed will include: construction workers, sheet metal workers, financial auditors, engineers, concrete forming operators, support staff, accountants, building inspectors, research scientists, steel workers and metal fabricators.

How Do We Make Sure that Green Jobs are Good Jobs?

We know that the best way to turn a bad job into a good job is by making it a union job. We need changes in government policies to make it easier for workers to unionize, and make it more likely that government funds go to unionized contractors and facilities through mechanisms like fair wage policies.

We need to make sure that all Ontarians have equitable access to these jobs by having the government attach employment equity requirements to any programs that support the transition to a greener economy

How Many Green Jobs will be Created?

Estimates for Ontario suggest that over 90,000 jobs will be created through the implementation of the *Green Energy Act* alone.¹⁵

**GOOD JOBS FOR WOMEN
GOOD FOR THE ECONOMY**

Women cannot be left behind in this recession. There are a number of components to good jobs for working women. Working women need access to affordable, quality, not-for-profit child care, pay equity and a working environment free from harassment and violence. Women need access to training, retraining, promotions and hiring in non-traditional fields of employment. Women need employment equity.

Child Care

Child care, like no other public investment, is critical in times of serious economic uncertainty. Child care is good for the economy – whether it’s a good or bad economy. Child care gives families the ability to weather the storm of keeping jobs, looking for work, attending community colleges and universities and participating in re-training.

In this time of economic upheaval, infrastructure spending must be part of stimulating the economy – but we need the ‘software’ social infrastructure to go with the ‘hardware’. Investing in the capacity and resiliency of people, particularly children, is as vital to our economic health as bridges and highways. Furthermore, investing in lifelong skills, beginning with the early

years, is crucial to ensuring that Ontario has a broad participation in creating and sharing prosperity.

Child care stimulates local economies. Early childhood education and care generates ongoing economic activity in the community. It creates jobs and, since the sector is labour intensive, the majority of child care dollars are spent locally and invested in people. As a consequence, the lower cost to parents will free up dollars for local spending and investment.

Quality child care makes us more economically competitive. More than 90 percent of net new jobs created from 1997 to 2006 went to people with post-secondary education. There is no better way to ensure an educated workforce now, and in the future, than to invest in early learning and child care.

Child care and early learning is an investment not a cost. Access to quality child care reduces social service and health service costs later in life. There are long-term economic gains: at minimum 2:1 return and, at maximum a 17:1 for more vulnerable populations. There are also immediate tax revenues generated from parents who are working. Over the long-term this creates a healthy and productive workforce.

Access to affordable child care is proven to reduce the rate of child poverty. Providing quality, affordable child care services is the most effective way to reduce poverty in families.

The Ontario government has set a goal to reduce poverty by 25 percent in the next 5 years. We welcome this goal. However, you cannot reduce poverty without creating a system of child care.

For this reason the province must invest in child care and early learning.

The Quebec government's investment in child care resulted in a 50 percent drop in its child poverty rate in 10 years.

Studies show that the poverty rate is reduced when families have access to universal, affordable child care. This access improves women's participation in the workforce which brings down child poverty rates. It also improves lifetime earnings which reduces poverty rates in old age.

Access to affordable child care is crucial for economic recovery and long-term prosperity. Ontario needs a child care system.

Pay Equity

Pay equity is good for the economy and an essential component of good jobs strategy for women.

When women are paid their true value, they have the resources to provide for themselves and their families. Recognition of the value of their work contributes to empowering women.

Pay equity has an immediate impact on women and their families. Payment of adjustments mean women can pay the bills, access good housing, healthy food, and opportunity for their children accessing post-secondary education. Pay equity is often the difference between living in poverty and making a decent living. It affects women's pay cheques today and for their future pensions. Pay equity is also good for the economy. The majority of pay equity monies are spent at a community level which is good for local economies.

If the Ontario Liberal government is serious about a poverty reduction strategy, then it must meet legislated pay equity obligations for low-paid proxy sector workers. It must make achieving pay equity a priority and fund adjustments to child care professionals, women shelter workers and child services providers (proxy sector workers).

January 2008 marked the 20th anniversary of the Pay Equity law in Ontario. The Ontario government owes \$545.9 million from 2006 to 2011 to over 100,000 women working in predominantly female workplaces such as child care centres that use the proxy comparison method for pay equity.

The Women's movement along with the labour movement, under the Equal Pay Coalition, organized and won pro-active pay equity law in Ontario. Thousands of workers in female-dominated jobs saw significant wage increases ending decades of systemic wage discrimination. This law includes an important right to maintain a pay equity plan with legal obligations on both employers and bargaining agents. It is critical that all union bargaining committees ensure that pay equity plans are kept up-to-date and maintained. We must exert the rights we fought for and won.

Pay equity is an equality issue and it is also a critical economic issue.

EQUALITY IN THE WORKPLACE

The recession is nothing new for peoples of colour and Aboriginal peoples. Jobs have always been hard to find and keeping them is even more of a task.

An aging workforce, the feminization of the workforce and an increase in peoples of colour and Aboriginal peoples entering the workforce constitutes a change in labour force demographics.

Studies show that by year 2017 more than half of the population of Toronto metropolitan area will belong to a visible minority group. Toronto will have a population of between 6,316,000 and 7,148,000 including 3,194,000 to 3,853,000 visible minority persons. More than one million people belonging to the South Asian visible minority group will be living in the Toronto GTA.

The share of the visible minority workforce in senior, middle, and other management is much lower than the national average. Nationally, 12 workers in 1,000 work in management, while only 7 in 1,000 visible minority workers fall in these occupations.

A similar situation can be found among Supervisors, Crafts and Trades, Skilled Crafts and Trades Workers, and in Administrative and Senior Clerical Personnel.

In contrast, the shares of the visible minority workforce are larger in occupations that are less skilled: Clerical Personnel, Intermediate Sales and Service Personnel, Semi-Skilled Manual Workers and the least-skilled Other Sales and Service Personnel.

In 2006, the Aboriginal peoples workforce accounted for 3.1 percent of the national total, an increase from 2.6 percent in 2001 and 2.1 percent in 1996. (Between 1996 and 2006, the Aboriginal peoples workforce increased by 77 percent - more than four times faster than the 19 percent increase of the total workforce population. This growth of the Aboriginal peoples workforce is due to a higher birth rate, an increasing number of people identifying themselves as Aboriginal, and a reduction in the number of incompletely enumerated Indian Reserves since 1996.)

Some of the fastest growth in the Aboriginal peoples workforce occurred in trades. For example, the number of Semi-Professionals and Technicians grew 153 percent, and among Skilled Crafts and Trades Workers the growth was 94 percent, compared to national average increases of 59 percent and 29 percent respectively.

Employment equity focuses on four designated groups: women, visible minorities, Aboriginal peoples and persons with disabilities. The aim of employment equity is to achieve equality of employment opportunities for the above designated groups so that no one is denied employment opportunities or benefits for reasons unrelated to ability. It has two main components: numerical representation and workplace environment. According to Judge Rosie Abella, 1986:

To achieve equity in the workplace so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability and in the fulfillment of that goal to correct the conditions of disadvantage in employment experienced by women, Aboriginal people, persons with disabilities and visible minority peoples by giving effect to the principle that employment equity means more than treating persons the same way but also requires special measures and the accommodation of differences.

Lesbians, Gay Men, Bisexuals and Trans-Identified Workers (LGBT)

The inclusion of lesbians, gay men, bisexuals and trans-identified people (LGBT) as a 5th designated group under employment equity is strongly supported by labour and equity advocates.

Harassment or the threat of harassment is a day-to-day reality for many LGBT workers. To be openly LGBT at work can be unsafe, thus the employment equity requirement of numerical representation, at present, is not a demand of this group.

However, it is strongly supported that lesbians, gay men, bisexuals and trans-identified people be counted as a designated group for the purpose of workplace environment measures. Whenever systemic action is being taken against sexism, racism, and ableism, action against heterosexism and homophobia must be included.

Employment Equity is supported by legislation that includes the *Ontario Human Rights Code*, the *Canadian Human Rights Act* and the *Canadian*

Charter of Rights and Freedoms. It is a methodology to eliminate barriers to employment, remedy past discriminations, improve access and designation of opportunities to employment and finally to develop tools and resources to eliminate systemic barriers that would produce a work environment that is inclusive and equitable.

The Ontario labour movement is committed to providing a work environment where all employees feel included and valued and where opportunities for employment are available to all. The duty to accommodate includes the obligation to accommodate disability and also religious belief, national or ethnic origin, age, family status, marital status, sex (including pregnancy and childbirth), sexual orientation, and gender identity and expression.

Building diverse workplaces is at the heart of an inclusive plan to implement employment equity. The Ontario Federation of Labour is committed to successfully include LGBT workers in the workplace as the 5th designated group described in employment equity terms. Everyone needs to better understand the issues facing LGBT men and women in the workplace, because their well-being will be greatly improved in a work environment that is free of discrimination and open to diversity. It is part of the labour movement's employment equity plan of action.

Since its first Convention in 1957, the Ontario Federation of Labour has debated and passed policies and resolutions about harassment and discrimination. Unions support employment equity because:

- it provides minimum standards and protection for workers who do not have the power to bargain for employment equity provisions in their workplaces;
- it helps to advance the principles which lie at the heart of the labour movement's principles of collective responsibility, fairness, equality, justice, workplace democracy and workplace solidarity;
- it is an opportunity for unions to require employers to review longstanding conditions of work which need to be changed – often in areas otherwise covered by management rights (Canadian Labour Congress).
- In 2006, the median age of the visible minority population was 33 years, compared to 39 years for the total population of Canada.
- The Aboriginal community has long been prevented from sharing in economic wealth due to discriminatory barriers. There are approximately 190,000 people in Ontario reporting an Aboriginal identity: 70 percent identified as North American Indian, 26 percent as Métis, and less than one percent as Inuit. In 2001, one in five Aboriginal peoples lived in Ontario, making it the province with the largest density of Aboriginal peoples.

Why Do We Need Employment Equity?

- In a recent study article in the May 14, 2009 edition of *The Toronto Star* entitled '*Darker the skin, less you fit*', described how discrimination affected peoples of colour when applying for jobs.
- 65 percent of peoples of colour occupy the five lowest occupational categories in the labour market. These are primarily service sector jobs. Many of the jobs are low paying with limited job security.
- Ontario had a population of 2,745,200 people of colour in 2006 - more than half - 54.2 percent of Canada's total peoples of colour population. Peoples of colour comprised 22.8 percent of Ontario's total population in 2006. In contrast, just 25 years earlier they accounted for only 6.4 percent.
- The ongoing dilemma is how do we bring racial and employment equity into the workplace to the forefront with the economical distress that Ontarians are feeling. Studies on employment equity show that racialized persons are still largely concentrated in lower level positions within organizations and that upward mobility continues to be a problem.
- Ethno-racial families make up 37 percent of all families in Toronto but account for 9 percent of those families that are poor.

Here are Some Solutions:

- Promote economic equity and justice, upholding and expanding employment equity, strengthening and extending the coverage of employment standards.

- Create a barrier free access to trades for the designated groups.
 - Create a barrier free workplace to reduce the turnover rate for workers of colour.
 - Establish anti-discrimination and anti-harassment policies, including a clear language mechanism to address human rights complaints.
 - Change institutional and structural policies through collective bargaining.
 - Ensure that all language or policies are enforceable, accountable, transparent and monitored closely.
 - Use an 'equity lens' to review collective bargaining, grievance and arbitration priorities and language, as well as union policies and practices.
 - Focus explicitly on racial equality by naming it. Silence allows racism to fester.
 - Define what communities of colour need in order to have access to good jobs by listening to and respecting their voices rather than deciding their outcomes and needs for them.
 - Develop labour and community alliances that help to foster, build, deepen and expand the strategy for human rights, including fair treatment and racial and ethnic justice.
- Ongoing training in human rights and anti-racism should be an integral part of training for all.

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Endnotes

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