

RISING TOGETHER

CONVENTION REPORT
12th Biennial Convention • Nov. 25-29, 2013



ONTARIO FEDERATION OF LABOUR

**RISING
TOGETHER**



**Rising Together: Convention Report
November 25, 2013 • Ontario Federation of Labour (OFL)**

The Ontario Federation of Labour (OFL) represents 54 unions and one million workers.
It is Canada's largest provincial labour federation.

15 Gervais Drive, Suite 202, Toronto, Ontario M3C 1Y8
416-441-2731 • 1-800-668-9138 • info@ofl.ca
TDD: 416-443-6305 • FAX: 416-441-1893

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PART I

CHALLENGING AUSTERITY



Building the Case Against Austerity

In the wake of the devastating global collapse of the financial sector in 2008, neoliberal politicians around the world exploited the tragedy as an opportunity to set about dismantling public services under the guise of deficit reduction. These cuts had the opposite effect than the economic growth that was promised. Higher unemployment and greater hardship for families struggling to get back on their feet depressed household spending and led to economic stagnation that threatened to entrench the recession slump. In some countries, the result was disastrous double and triple-dip recessions.

Here in Canada, governments at every level added their voices to the deficit reduction hysteria and set their sights on slashing public sector jobs and services at a time when government supports could not have been more critical.

Five years later, the tide is finally starting to turn on austerity. The utter devastation that austerity policies have had on the people of Greece and Spain turned each country into upheaval and helped to push previously hawkish proponents of such measures – like the World Bank and the International Monetary Fund (IMF) – to call for caution.

In Ontario, Premier Kathleen Wynne has made public her desire to turn Ontario away from austerity in favour of investment. However, this dramatic shift did not come easily and austerity is far from defeated. The Harper government continues with strident cuts to social spending and Ontario PC Leader Tim Hudak has made clear his intentions to forge callously forward with the attack on public services.

“We Are Ontario” Rally Calls for Fairness

After voters stripped the Liberal Government of its majority in the 2011 general elections, then-Premier Dalton McGuinty drafted former TD Banker Donald Drummond to head up a commission to review government spending. Drummond responded to the challenge by tabling a devastating report in February 2012 that contained 362 recommended cuts without a single suggestion for enhancing the province’s revenue generation.

The OFL called an emergency heads of unions meeting and assembled a team of the province’s top labour communicators and campaigners to develop a “We Are Ontario” campaign modelled on the spirit of populist movements in Wisconsin and Ohio.

Focus-group tested messaging helped the campaign zero in on the core values underpinning labour and community concerns about austerity – *fairness* and *equality*. Rolling out a cross-province advertising campaign, the OFL sought to target ridings where Liberal parliamentarians were most vulnerable and drove up public awareness of the threat at their doorstep.

At the same time, the OFL called for broad-based community support in mobilizing a mass rally on April 21, 2012 to stop the cuts. The timing couldn’t have been more perfect. Delayed budget deliberations ensured that the rally landed in the middle of negotiations and when 15,000 labour and community protesters descended on Queen’s Park under the banner “We Are Ontario,” it was front page news. The McGuinty government struggled to manage its message and NDP Leader Andrea Horwath was able to leverage five budget amendments, including a new surtax on high income earners and the cancellation of cuts to Ontario Works and the Ontario Disability Support Program (ODSP).

Public Outrage Forces Liberals to Repeal Bill 115

Premier McGuinty triggered a summer 2012 byelection in Kitchener-Waterloo by appointing the Conservative Member of Provincial Parliament Elizabeth Witmer to the Workplace Safety and Insurance Board (WSIB). The vacancy that was created bolstered the Premier's hopes of snatching the Tory seat and restoring his government's majority. Two weeks before election day, McGuinty introduced the now notorious Bill 115, *Putting Students First Act, 2012*, to strip education workers of the right to free collective bargaining. The bill was part of a cynical strategy of attacking education workers in an effort to generate controversy and win the election by convincing Conservative voters that Liberals could be more tough on unions than the Tories. The plan backfired. Teachers, many of whom had been strong Liberal supporters, were outraged at the betrayal and convinced voters to deliver a crushing defeat to the Liberals.

However, McGuinty was undeterred and unapologetic. He doubled-down behind his misstep and secured Conservative support to pass Bill 115 and quickly promised to extend the law to the 500,000 workers in the broader public sector.

In response, the OFL launched an outreach and mobilization campaign that travelled to communities across Ontario.

Throughout the fall, education workers intensified their weekly rallies and protests and implemented job actions that saw the withdrawal of extracurricular and volunteer tasks in schools. Despite the inconvenience, students and parents remained sympathetic to educational workers and refused to buy into McGuinty's politics of division. Impromptu student protests erupted across Ontario in support of teachers and support staff.

In October, Premier McGuinty attempted to subvert the growing opposition to his party by proroguing the Legislature, but the plan only intensified public outrage and within weeks both he and Finance Minister Dwight Duncan resigned and thrust the party into an immediate leadership race.

In order to suppress threats of one-day teacher strikes, the Liberal Government invoked Bill 115 on January 3, 2013 and imposed a two-year contract on ETFO and OSSTF. However, it did so at the same time that the Premier announced that he would repeal the bill. The contradictory move was intended to quell the controversy around the law and repair relations with teachers but it only served to reinforce public cynicism about the Premier's motives and expose the government's hypocrisy.



30,000 Rally in Defence of Rights and Democracy

On a chilly Saturday afternoon on January 26, 2013, as delegates to the Ontario Liberal Convention congregated in Toronto's Maple Leaf Gardens to select a new Ontario Premier, tens of thousands of labour and community protesters amassed outside the convention hall in the largest protest to face the party since forming government in 2003. The thronging mass of 30,000 that snaked its way to the city's once grand Colosseum was the culmination of a year of growing anger over deep cuts to jobs and services.

Billed as a "Rally for Democratic and Economic Rights," the OFL rally earned the support of more than 90 community groups and labour unions who came together to demand fairness and equality from a party that had betrayed its supporters and alienated struggling families.

Liberal delegates elected Don Valley West MPP Kathleen Wynne to replace McGuinty. Wynne's self-styling as "Social Justice Premier" indicated the party's appetite to break with McGuinty's aggressive and anti-social agenda.

The Fall of Ontario's "Austerity Premier"

After being stripped of his majority government in the 2011 provincial elections, Premier McGuinty tabled what became known as a "Bankers' Budget" – containing \$17.7 billion in public funding cuts but no increases to corporate taxes.

McGuinty introduced Bill 115 to strip rights of education workers and woo Conservative voters, but they were punished by voters at the polls and an NDP candidate won the seat. McGuinty then announced plans to extend the bill to the broader public sector, but just as the province's labour leaders declared a united opposition to the government, the Premier suddenly prorogued the house and, along with his Finance Minister, announced his resignation.



“People’s Budget” Changes Channel on Austerity

Still bruised from the bitter internal divisions created by McGuinty’s missteps, Premier Wynne inherited a Liberal government that was clinging to a precarious minority but was not yet confident enough to face voters in a general election. In the tenuous situation, the OFL saw an opportunity push MPPs at Queen’s Park to cut across party lines and collaborate on a budget that would change the channel on austerity.

The OFL called upon affiliates and community allies to participate in an ambitious cross-province consultation branded the “People’s Budget.” The media interest generated around alternatives to austerity helped to establish a more favourable political landscape for cross-party negotiations and the NDP was able to secure budget amendments that mitigated the government’s austerity measures. However, despite modest improvements for working people, Ontario Premier Wynne failed in her first budget to successfully distance her government from McGuinty’s harmful—and widely discredited—austerity agenda.

Over the course of six weeks, the OFL travelled to nine communities and received online deputations from hundreds of people from all walks of life, including, students, women, workers, seniors, newcomers, Aboriginal peoples, racialized communities and anti-poverty advocates. Two weeks before the Ontario Budget was tabled, the OFL released its *People’s Budget White Paper*, along with a list of recommendations that would make the budget more fair and equitable. The three core demands were:

1. Increase the minimum wage above the poverty line and put in place a formula for determining regular future increases;
2. Establish an infrastructure fund to create new jobs by expanding public transit, rebuilding aging infrastructure and supporting green initiatives; and
3. Implement a fair taxation package that would include a range of tools to generate revenue.

With a mandate from the people in hand, NDP and Liberals negotiated budget amendments along the themes of the People’s Budget. However, the Liberal commitment to a one percent cap on spending growth and continued wage freezes for public sector workers revealed a government not yet ready to break with austerity.

2013 BUDGET GAINS

- **\$35 billion over three years to rebuild aging infrastructure and create jobs;**
- **\$295 million over two years for a Youth Jobs Strategy;**
- **\$260 million in one year for home care;**
- **\$3 million annually for enforcement of employment standards;**
- **Modest reforms to social assistance; and**
- **Creation of a minimum wage advisory panel.**



Campaign Calls for \$14 Minimum Wage

On March 21, Common Front partners, such as the Workers' Action Centre, Freedom 90, and ACORN Canada, launched a campaign to raise the minimum wage to \$14 per hour and to institute regular annual increases to account for inflation.

It is widely recognized that \$14 an hour is the base wage required to lift working people 10 percent above the poverty line and that without automatic annual increases, minimum wage earners would slip back into poverty.

The protesters delivered large blocks of ice to the Ministry of Labour and Members of Provincial Parliament to symbolize the need to thaw the freeze on the minimum wage that has been in place since it reached \$10.25 per hour in March 2010. Since then, inflation has driven minimum wage earners 19 percent below the poverty line. In her first budget, Ontario Premier Kathleen Wynne responded to pressure from the OFL by appointing an advisory panel to propose recommendations for the province's minimum wage. While still short of an immediate increase in the minimum wage, this represented a significant opportunity for change. The panel is being chaired by University

of Toronto Human Resource Management professor Anil Verma and has business, worker, labour and youth representatives. One of the labour representatives is the OFL's Antoni Shelton.

Throughout the panel's public consultations this fall, protesters have held monthly days of action on the 14th day to maintain media interest and keep pressure on the government. For information, visit: <http://raisetheminimumwage.ca>



Byelection Voters Send Three New Democrats to Queen's Park

In two rounds of byelections, one year apart almost to the day, Ontario voters delivered a tough blow to Liberals and robbed Hudak of his hopes for momentum.

Katherine Fife (Kitchener-Waterloo), Peggy Sattler (London West) and Percy Hatfield (Windsor-Tecumseh) joined the NDP Caucus with a strong mandate for change.



Tory Omnibus Bills Are Most Undemocratic to Date

In what has been declared the most undemocratic and nontransparent government in Canadian history, the Harper government celebrated the first two years of its majority rule by passing massive omnibus budget bills that extend far beyond the fiscal scope of a budget mandate. Dubbed “Monster Budgets” by the opposition parties, the strategy is frightening not just for its scope (the 2012 Budget spanned 425 pages and the 2013 Budget covered 325 pages) but also for the magnitude of devastation it left in its wake.

In 2012, the federal budget reached directly into legislation to radically alter over 70 federal laws in ways that effect nearly every sector – from gutting environmental protections of waterways to cutting essential programs like Old Age Security and healthcare. In 2013, Finance Minister Jim Flaherty reached for sweeping

new powers, such as direct control over labour relations at the CBC and other cultural or scientific Crown corporations and the “exclusive right” to decide which workers are “essential” and are denied the right to strike.

Such sweeping non-budget changes should be brought before Parliament as separate bills where experts would have the chance to carefully study them and parliamentarians would have the ability to debate the merits of such substantial changes. The governing party ought to be forced to make a compelling case to justify the necessity of each law.

In response, the three opposition parties lined up hundreds, if not thousands, of amendments to filibuster Harper’s budget bills and across the country, Canadians have demonstrated their outrage about the affront to democracy.



PSAC People’s Court Puts Austerity Cuts on Trial



The Public Service Alliance of Canada (PSAC) has been actively challenging the cuts to 80,000 federal jobs that provide vital public services to Canadians and could have a negative impact on food inspection, border security and other vital services. Regular days of action have taken place over the past two years, often involving coordinated action among thousands of federal civil servants in communities across the country.

On September 15, 2012, PSAC organized a theatrical “People’s Court” in Toronto to put the austerity agenda on trial. OFL Officers Sid Ryan and Irwin Nanda attended the event, while Secretary-Treasurer Nancy Hutchison joined activists at a Kitchener rally.

The PSAC is campaigning under the banner “We Are All Affected” in an effort to emphasize the impact that government workers have in their communities.

Rally Calls for Action from Premiers as Harper Edges Away from Healthcare

Over 2,000 people travelled to Niagara-on-the-Lake at the end of July 2013 to call on the premiers of Canada's provinces and territories to issue a united call to the Harper government to uphold national public medicare and renew the Canada Health Accord in 2014.

Penned in 2004, the 10-year health accord set priorities to improve access to healthcare and established a new funding formula that effectively reversed the cuts of the 1990s. The accord has helped to stabilize Canada's healthcare system, improve access and increase the federal share of healthcare funding, but virtually all of the initiatives set out by the first ministers in the accord have since been abandoned by the Harper Conservative government.

As the last joint premiers meeting prior to the expiry of the accord next summer, it represented an important opportunity to raise an issue that is vital to the lives of all Canadians. Spearheaded by the Ontario Health Coalition and the Canadian Health Coalition, with the support of the OFL and many labour and community partners, the protesters came together for an educational "Shadow Summit" and a mass rally outside of the premiers' meeting.

"The federal Conservative government's antipathy to public medicare is becoming more and more overt," said Ontario Health Coalition Director Natalie Mehra. "Not only has it walked away from the table on a national drug program and home care, but

Harper has bluntly refused to meet with provincial governments about renewing the funding formula for healthcare."

According to the Ontario Health Coalition, Ontario has lost 18,500 hospital beds over the last 23 years, a period during which the provincial population has grown by more than three million.

In December 2011, the Harper government announced plans to cut \$36 billion from federal healthcare transfers to the provinces once the accord expires in 2014. The federal government has also cut healthcare for refugees and other groups and walked away from a national pharmacare program that would have provided prescription drug coverage to all Canadians.

The impact of further cuts would be devastating to all Canadians and the future of healthcare in Canada hangs precariously in the balance of this accord.

"Public healthcare is something every Canadian cares about," said CUPE Ontario President Fred Hahn. "For years, budgets have been squeezed while the population grows. As a result, communities across the province are losing hospital beds and emergency rooms are closing. It is time for leadership on healthcare."

Watch the OFL video of the rally to Stand Up for Healthcare: http://youtu.be/i1P3_zsu-Y4



OFL Supports Québec Student Strike Against Austerity

One of the most inspiring examples of resistance to austerity in Canada comes from the student strike that swept the province of Québec and toppled the Charest government.

On May 22, 2012, all three OFL Officers travelled to Montréal, Québec to join a city-wide protest of over 300,000 people to support college and university students striking against tuition fee hikes.

For over four months, 150,000 striking students were joined by thousands of citizens of all ages and backgrounds in overwhelmingly peaceful protests against Québec Premier Jean Charest's plan to boost tuition fees by 75 percent over five years. Charest attempted to silence their dissent by introducing the most draconian law since the *War Measures Act* to strip every Québécois (not just student protesters) of their rights to free expression, association and peaceful assembly.

The OFL argued that Québec should not succumb to pressure to follow the dubious lead of Ontario colleges and universities – where students pay the highest fees in the country and graduate with record-setting debt levels.

“Québec’s low-fee model of higher education should be the gold standard for Canada, not the other way around,” said Ryan. “Canada is out of step with nearly 20 Organisation for Economic Co-operation and Development (OECD) countries that charge little or no fees for higher education and Ontario has set the Canadian record for the highest fees.”

In Ontario, a four-year degree for an average student living at home costs \$55,000 and with fees climbing at twice the rate of inflation, that cost is expected to leap to \$102,000 in the next 18 years. Graduates with public and private debt begin their careers with an average debt of \$37,000. However, with more than 70 percent of new jobs requiring a post-secondary education, financial barriers for higher learning are unconscionable.

Ryan published opinion articles in the *Toronto Sun* and the *National Post* calling for the abolition of tuition fees, citing a Canadian Centre for Policy Alternatives (CCPA) study showing that if \$170 per household were redirected from corporate tax cuts, university could be free for every student.

In May, the Charest government cancelled the school year and locked-out students. Through social media networks, spontaneous “Casseroles” protests sprung up almost nightly in communities throughout Québec, with participants banging pots and pans in parades that wound through neighbourhoods in open defiance of Bill 78’s ban on unsanctioned rallies. As a result of the broad community solidarity, the government was unable to enforce its own law and the demonstrations became an expression of collective solidarity.

On November 3, 2013, outraged Québécois punished the Charest government at the polls and elected the Parti Québécois, which promptly repealed Bill 78 and cancelled the Liberal tuition fee hikes.



Campaign to Raise the Rates on Social Assistance

After coming under criticism for failing to make progress on its 2008 Poverty Reduction Strategy, which committed to reducing child and family poverty by 25 percent by the year 2013, the Liberal government established a Commission for the Review of Social Assistance in Ontario in 2010. Headed up by Frances Lankin and Munir A. Sheikh, the Commission received submissions from the OFL, affiliates, social assistance recipients and many community allies who were calling for the perspectives of social assistance recipients and workers to be reflected in the recommendations. The submissions were oriented around the

following priorities: increasing equality, improving the livelihoods of low-income people and minimizing any disruption of benefit levels as a result of any restructuring of Ontario Works (OW) or the Ontario Disability Support Program (ODSP).

The Committee's final report was released in fall 2012 and included some important recommendations, such as an immediate \$100 per month increase for single adults on Ontario Works, bringing the rate up to \$699 a month. The report also recommended that those on social assistance should be allowed to keep an additional \$200 of their employment earnings without affecting their benefits.

However, the Commissioners also recommended that OW and ODSP should be merged and a single rate should be set. This would mean that a supplementary benefit such as the special diet allowance would be eliminated since it would be rolled into the standard rate. The change would negatively impact those with serious medical conditions.

The OFL joined the Ontario Coalition Against Poverty (OCAP), CUPE and many other allies in rallying to stop cuts to the Community Start Up and Maintenance Benefit (CSUMB) and to raise the rates on social assistance. The CSUMB is a patchwork of government programs designed to help the most vulnerable Ontarians keep a roof over their heads by providing rental deposits, sustaining utilities and preventing eviction. In direct response to the OCAP-led campaign, the Ontario government restored \$42 million dollars to the CSUMB program.

This initial victory demonstrates what communities can accomplish when they work together. However, the OFL continues to work with OCAP, CUPE and other community allies to raise social assistance rates by 55 percent.



Labour Rallies with Ontario Students to Drop Fees

The OFL and a number of affiliates joined the Canadian Federation of Students in mobilizing for rallies and events held throughout Ontario for the February 1 National Day of Action to Drop Tuition Fees in 2012. In Toronto, a rally of several thousand students, workers and allies led a march to Queen's Park as part of the Education is a Right campaign calling for national standards for post-secondary education and increases to transfer payment funding for the sector in the province. Ontario students also called on the McGuinty government to convert their ill-conceived tuition fee grant into a real fee reduction for all students.

All three OFL officers joined the rally and President Sid Ryan concluded his remarks to the raucous crowd by calling on McGuinty to distinguish his government's policies from those of the Tories before him.

"Six years ago, Dalton McGuinty boasted that he would be the 'Education Premier.' Today, Ontario's students have the highest fees, largest debtloads, biggest classes and lowest per-student funding," bellowed Ryan to thunderous applause. "So according to every test of his record as Education Premier, McGuinty has failed!"



PART II

A MOVEMENT OF CHANGE

Ontario Common Front Forges Community Bonds

Following the 2011 Convention, the OFL reached out to more than 100 community groups and labour unions to create the province's largest labour-community alliance since the Mike Harris era – the Ontario Common Front. Seen as a central part of the labour movement's strategy for challenging the austerity agenda, the OFL resolved to create an alliance across the province to facilitate and coordinate local and provincial actions, including mass mobilization against austerity.

After an aggressive community outreach campaign, the OFL and its social allies unveiled the Ontario Common Front on August 20, 2012 at a massive assembly in a Toronto community church the day before the new group mobilized 15,000 people to oppose McGuinty's "austerity budget." From this founding meeting, a broad new alliance was forged and "We Are Ontario" became its central campaign.

Bringing together province-wide groups with community branches, the Common Front was conceived as less of a coalition than a vehicle for coordinating action. The Steering Committee is headed up by OFL Secretary-Treasurer Nancy Hutchison but includes diverse regional representation from every corner of the province. In Kitchener-Waterloo, a local chapter called "K-W We Care" was created in order to coordinate issues-based

organizing during the 2012 byelection and through the new network, activists were successful in re-framing the electoral debate around local issues of poverty and inequality. Afterwards, similar local chapters sprouted up in Cornwall, Brampton-Mississauga, Hamilton, London, Ottawa and several other regions.

On Labour Day 2012, the Common Front launched a new activist website for fighting the cuts to jobs and services at www.WeAreOntario.ca. The innovative site was structured as a central online portal for sharing campaigns, events, cuts, testimonials and reports with activists across the province. Using an interactive map of Ontario, activists visiting the site can post, share and follow content that relates directly to the impact of the austerity agenda in their community.

WE ARE ONTARIO Make it Fair For Everyone

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Choose Your Region (click map area)

POST YOUR OWN CONTENT ON WEAREONTARIO.CA

1. Click "Add your content"
2. "Register" to create an account
3. Check your email for your password
4. Log in, subscribe and start posting
5. Choose categories & hit "submit"!

START → **ADD YOUR CONTENT**

We Are Ontario Action Map

- View All Cuts
- View All Testimonials
- View All Events
- View All Reports

Falling Behind Report Exposes Ontario as Dead Last

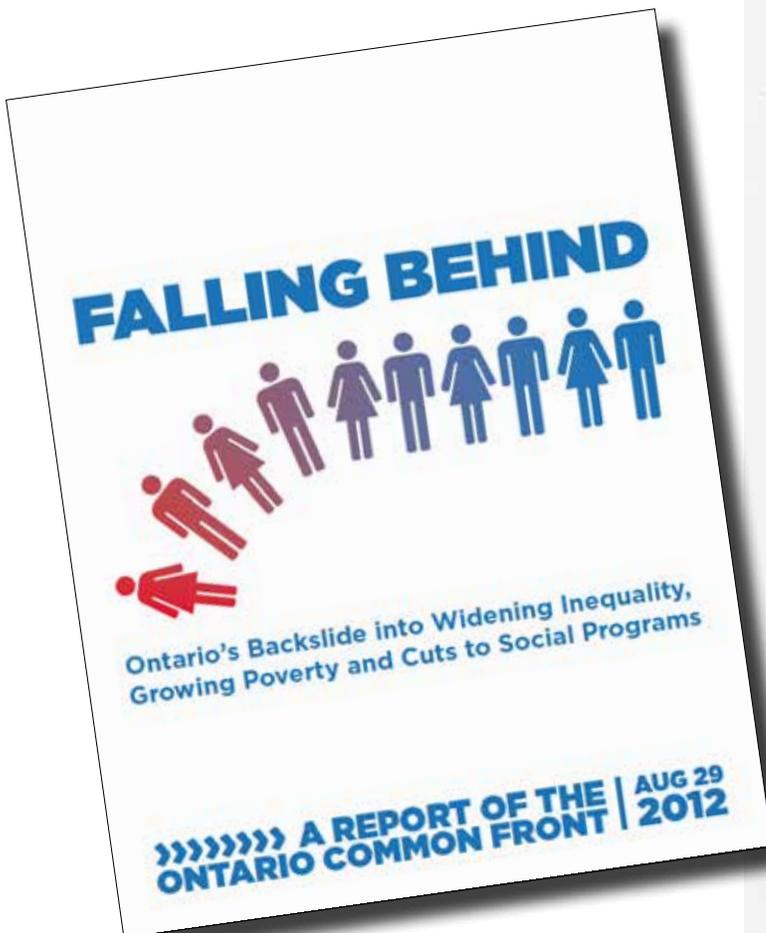
On August 29, 2012, the OFL and the Ontario Common Front released a groundbreaking report on Ontario's widening inequality that created a fire storm of media coverage from one end of the country to the other. Entitled, "Falling Behind: Ontario's Backslide into Widening Inequality, Growing Poverty and Cuts to Social Programs," the report showed that by every important social indicator, Ontario has sunk to dead last behind every other province in Canada.

Pulling together all available data pertaining to nearly every sector, the report compared Ontario's general social equality against the rest of the nation in order to evaluate the impact of cuts to social program funding on ordinary Ontarians. The result was an unprecedented report that examined the wage gap, hours of work, hospital beds, tuition fees, child poverty rates, support for seniors, access to affordable housing, disability support, and much more. The findings demonstrated that Ontario is at the bottom of the pack when it comes to equality and social programs and that a growing number of Ontarians are falling behind in the economy.

The report found that 40 percent of Ontarians – 600,000 families – are struggling with incomes that are stagnant or declining and that more than 393,000 children live in poverty while Ontario leads the country in cuts to corporate and income taxes. One in seven Ontario children are currently impoverished, but this ratio leaps to one in two for some racialized communities. Shamefully, Ontario spends the least per capita on social programs to support those in need.

Across Ontario and Canada, newspaper headlines, editorial columns and talk show panels echoed the findings of the report and showcased the negative impacts of McGuinty's cuts only a week before two provincial byelection votes were held.

The full report and factsheets can be found at: <http://WeAreOntario.ca/index.php/FallingBehind>



Engagement Organizing and Minimum Wage Campaign are Top Priorities for Mobilization

After two years of engagement organizing, the Common Front has matured into a leading force for collective action in Ontario. Three successful general assemblies have attracted more than 750 activists, including anti-poverty networks, students' unions, retiree groups, First Nations organizations, trade unions, local labour councils, faith-based groups and many more.

At the August 2013 assembly, keynote speaker, Dr. Henry Giroux, Chair in Communications and Cultural studies at McMaster University, declared that:

“any collective struggle that matters has to embrace education as the centre of politics and the source of an embryonic vision of the good life outside of the imperatives of predatory capitalism. This is a challenge for young people and those invested in the promise of democracy that extends not only the meaning of politics, but also its commitment to struggle and social and economic change.”

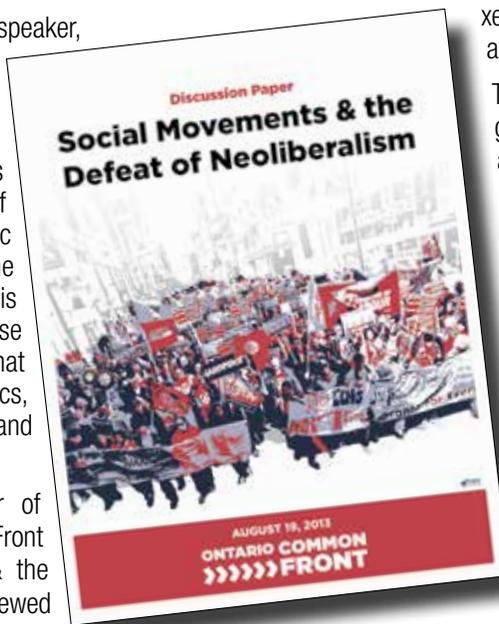
This idea of education as the center of politics was developed in the Common Front discussion paper “Social Movements & the Defeat of Neoliberalism.” The paper reviewed lessons learned from social movements and laid out a plan to strategically ‘grow the tent’ by engaging students, community and union supporters in educational and direct action. The August assembly was carefully planned as one such educational where the big picture was discussed and skill-building was part of the agenda.

“We must work together across our movements to build long-term networks, fuse alliances between students and workers and develop frameworks that can challenge the neoliberal agenda locally, nationally and internationally,” said OFL Secretary-Treasurer Nancy Hutchison, who chairs the Common Front. “Challenging racism, sexism, homophobia, Islamophobia, xenophobia and all forms of oppression are a central part of meaningful solidarity.”

The assembly also featured breakout groups tasked with fleshing out an alternative vision for social, economic and environmental justice. Workshops focused on the Ontario-wide campaign for a \$14 minimum wage, the 2014 Peoples' Social Forum in Ottawa, deep organizing strategies led by ACORN Canada and the development of educational resources.

The upbeat mood and energy of the participants reflected an appetite to challenge neoliberalism and a determination to strengthen the alliances and networks so crucial to the struggles ahead. The Common

Front steering committee should be recognized for their ongoing commitment to building labour-community alliances, while long, hard work of growing the tent and building alternatives to neoliberalism needs to continue in light of the upcoming elections at all levels of government from now until 2015.



Ontario Common Front Honours South Asian Activists

In a packed reception hall in North Mississauga on June 1, 2013, the OFL and the Ontario Common Front hosted an amazing evening event to mark the close of South Asian Heritage Month with a celebration of community activism. Over 600 participants representing the diversity of the GTA population gathered to honour four award recipients whose contributions to social justice and human rights have strengthened ties within and between labour and community groups.

In many ways, the event is a concrete reflection of the Common Front's commitment to bringing a community-oriented approach to collective organizing.

The awards dinner was co-hosted by Gogi Bhandal from the Canadian Labour Congress and OFL Executive Vice-President Irwin Nanda, the OFL's first Executive Officer of South Asian descent.

"The alliances formed between labour groups and community organizations have been the Common Front's defining feature. There is incredible activism taking place in communities and neighbourhoods across the province, but we need to do a better job of connecting those struggles, recognizing leadership and inspiring action," said Nanda. "These awards are a step towards recognizing a community that has made incredible contributions to the struggle to achieve equality for everyone."

Among the award recipients recognized at the event were the Helping Hands Workers' Advice Centre, the Brampton-Mississauga and District Labour Council, Dr. Ritika Goel and long-time CUPE activist Harminder Magon.

Helping Hands Workers' Advice Centre works in the community to provide free advocacy related to social, legal, employment and settlement services. Hardeep Kaur and Iqbal Samble took the stage with a host of volunteers to receive the award.

"Whether we are building a space needle or sewing a garment, we are all workers and we deserve dignity and respect," said Helping Hands volunteer Iqbal Samble. "We cannot wait for governments to protect our interests, we must take action to create positive change."

The Brampton-Mississauga and District Labour Council was recognized for outstanding work in building strong community partnerships and a grassroots movement for workers' rights and social justice.

President Motilall Sarjoo brought three labour activists up to receive their award together: "When fighting for fairness, equality and social justice, it is important that our movement models our values," said Sarjoo. "We are proud to see the Common Front honouring that work and inspiring all of us to learn from the examples that others set. It is a powerful basis of unity."



CLC Membership Outreach Strategy Puts the Spotlight on Fairness

The Canadian Labour Congress (CLC) marked Labour Day this year with the launch of a nation-wide member-to-member engagement program under the banner “together FAIRNESS WORKS” and the Ontario Federation of Labour has pledged its full support. Together, the labour movement has set out an ambitious goal – to have three million conversations with union members on the value of union membership. But this cannot be accomplished unless the leadership of every union and every local dedicates the energy and resources needed to connect with their combined membership and tip the balance in the public relations war with corporate Canada.

“It is time for the labour movement to learn how to communicate differently with the public and deliver our message as simply as possible. Our goals and our work are really all about fairness,” said Ken Georgetti, President of the CLC. “We have to take the time to explain the union advantage. In monetary terms, that advantage is an average of five dollars more per hour for a union worker, in societal terms it means greater equality for everyone.”

Following several months of development, consultations with affiliates and pilot testing, new education workshops have been developed to support the initiative.

The CLC has launched a national website and produced a host of sharp promotional materials that affiliates can customize for use in their workplaces, in training workshops on member engagement, and in public relations. However, the strength of the labour movement is an active and engaged membership.

Leaders’ Seminars were held across Canada during the fall to outline the context and research behind this pan-Canadian initiative and lay out tools and steps for leaders to integrate into existing member engagement strategies or to launch a new strategy.

The Leaders’ Seminars focus on planning and strategizing, and are tailored to meet the needs of a diversity of local presidents, officers and senior staff. This first phase focuses on “starting” or “changing” the conversations with union members with the ultimate goal of building a strong membership base united on the value of their union.

The OFL is calling on every affiliate and local to make this member engagement initiative a priority.

For more information, contact ontario@clc-ctc.ca or visit: <http://www.canadianlabour.ca/action-center/together-fairness-works>



Birth of Unifor Sparks Labour's Renewal: CEP and CAW Merger Based on Principle of Social Unionism

Across Ontario—and no doubt the entire country—2013 Labour Day celebrations were led by a sea of red and white. Unifor, Canada's newest and largest private-sector union, delivered an enthusiastic throng of over 3,000 energized former members of the Canadian Auto Workers union (CAW) and Communications, Energy and Paperworkers union (CEP) to lead the Toronto march. The massive display of labour unity and militancy was a fitting conclusion to the founding convention of the new union.

"Unifor is here because it's time to stop playing defense and start playing offense," Jerry Dias bellowed during his inaugural address as the new president of Unifor. "Society has betrayed the

hopes and dreams of our young people. Young people are getting screwed and they're just not going to take it any more."

Dias' rousing speech was punctuated by several standing ovations, as he called for a more aggressive approach to organizing and stronger ties to the community.

Outgoing top executives of CAW and CEP looked to the future in their parting words to the packed convention hall.

"Unifor isn't just a union, it's a social movement, it's a progressive union," former CAW President Ken Lewenza said to a roaring crowd.

Former CEP President Dave Coles said that hope will extend beyond Unifor to help those living in poverty across Canada. "It is our responsibility in Unifor to remember that when they come for one of us, they come for all of us," Coles said.

All three OFL officers joined a contingent of "who's who" in the labour movement who attended the founding meeting. An impressive roster of guest speakers, including CLC President Ken Georgetti, author Naomi Klein, This Hour Has 22 Minutes personality Marg Delahunty (aka Mary Walsh) and pollster Allan Gregg helped to mark the occasion.

Visit Unifor's new website: www.Unifor.org



A People's Social Forum: Canada-Québec-Indigenous Solidarity to Challenge Neoliberalism

Anger and discontent against the ruling Conservative government is on the rise all across Canada. Human rights groups, women's organizations, cultural associations, environmental groups, labour, Indigenous peoples, students and civil society organizations feel threatened and angered by the government's policies and actions. Protests for social and environmental justice have been erupting all over the country. These campaigns have drawn much of their strength from young activists and have coalesced into a broad and amorphous movement to challenge the social, economic and environmental damage of neoliberal austerity policies.

Emerging out of this diverse opposition is a growing call for collective action and the development of concrete and inspiring alternatives. Taking their lead from World Social Forums that began in Porto Alegre, Brazil in 2001 and have spread throughout the world, activists in Canada, Québec and Indigenous communities have come together to organize a People's Social Forum in Ottawa in the summer of 2014.

The central purpose of the Forum is to replace the notion that "there is no alternative" with the belief that "another world is possible." However, it is the grassroots model of the Forum that offers the most potential for the emergence of new and radical alternatives.

Using a horizontal approach to decision-making, organizers from diverse labour unions, groups, organizations and communities of dissent have begun the process of reaching out to a plurality of social movements across Canada, Québec and Indigenous communities. Two mass organizing meetings have already been held to bring together the necessary resources and mandate to host a successful Forum in 2014.

The short-term goal of the People's Social Forum is to draw together existing struggles to form a united and cohesive front against the Conservative agenda of austerity and privatization. However, the long-term goal is to transform the current political, economic and social paradigm, by employing creative resistance while proposing alternatives and solutions. For information, visit: www.PeoplesSocialForum.WordPress.com

“Jack’s Got Your Back” OFL Unveils Bronze Statue of NDP Leader Jack Layton

The OFL marked the second anniversary of the passing of Jack Layton with the much anticipated unveiling of a life-sized bronze sculpture of the beloved NDP Leader riding in the back seat of a tandem bicycle. Entitled, “Jack’s got your back. Stronger Together: The Layton Memorial,” the monument was erected on Toronto’s Waterfront to welcome visitors to the newly minted Jack Layton Ferry Terminal and remind them of Jack’s legacy of love, hope and optimism.

“It is fitting that the centrepiece of the statue is an empty front seat that invites visitors to climb on the tandem bicycle and take a ride with Jack,” said OFL President Sid Ryan. “Visitors will immediately understand the significance of Jack riding in the back seat because Canadians know that Jack always had their back.”

The memorial was initiated two years ago by a resolution submitted to the OFL convention just months after Jack’s death. The OFL worked closely with MP Olivia Chow to bring the project to life, but it was the generous donations of labour unions, organizations and individuals that made it a reality. The fundraising goal of \$350,000 was easily surpassed and the City of Toronto resolved to support the project through the donation of land. The beautiful crafting of master sculptor David Pelletier and the renowned team at MST Bronze Limited rendered a stunning monument.

“I have raised many donations in my time, but none have been as enthusiastically contributed as the donations to this monument,” said Ryan. “Workers across the country were inspired by Jack’s leadership and felt that it was important to share his message with future generations.”

All three OFL officers stood with the group of illustrious labour donors to present the statue to Jack’s family and representatives of the City of Toronto, as a gift from the labour movement to the people of Canada.

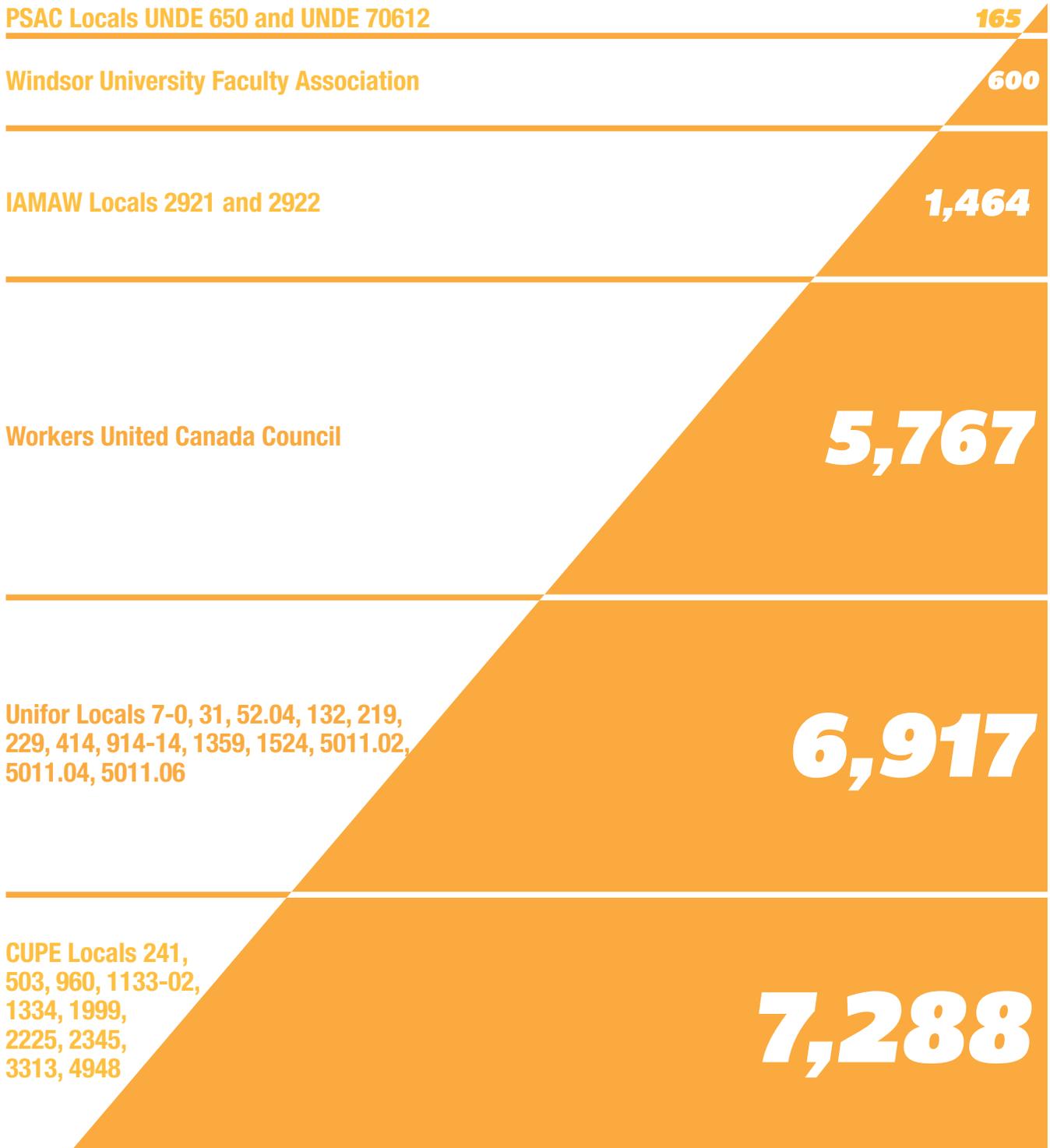
“When Jack and I rode our tandem together, I was always in the back seat. For years, I had Jack’s back and now he has yours,” said Chow. “In many years, after all of us are gone, this bronze sculpture will endure as a tribute of the optimism Jack stood for.”

Located at the mouth of Toronto’s Waterfront, the statue will be viewed by an estimated two million people every year.

“Jack will be remembered as a champion of working people. He even dedicated his last speech in Parliament to the defence of the rights of Canada’s postal workers,” said Ryan. “We hope that this statue serves as a reminder of Jack’s positive message that inspired so many ordinary Canadians to dream of a better life, a better world and a brighter future.”



OFL grows by **22,201**¹⁷ members since Nov. 2011



PART III DEFENDING WORKERS' RIGHTS



Conservatives Promise American-Style Anti-Union Laws – and Lower Wages – for Ontario Workers

There is no doubt that anti-union politicians in Ontario and Canada felt emboldened last month when Michigan Governor Rick Snyder signed a “right-to-work” bill into law. After all, Ontario’s economy is closely tied to neighbouring states and we are already feeling the downward drag of the race to the bottom.

In Ontario, Conservative leader Tim Hudak unveiled a White Paper last summer calling for the creation of a “flexible workforce” but what he really meant was “creating a low wage workforce.” After all, he’s talking about competition, not job creation.

On both sides of the border, right-wing policy is taking aim at the foundation of workers’ rights in order to undermine workers’ collective voice and the very existence of labour unions.

In the United States, those leading the anti-union charge have outlawed mandatory union dues collection and effectively dismantled much of the labour movement in 24 states. They call such policies “right-to-work” (RTW), but nothing could be further from the truth. Instead of guaranteeing employment, RTW laws have made it illegal for unions to negotiate a collective agreement that requires all workers who benefit from the terms of the contract to pay union dues. This, in turn, dramatically reduces union resources and weakens their ability to effectively represent workers and bargain for higher wages or benefits. The result has been devastating on workers, communities and the economy.

Aptly-dubbed “right-to-work for less” laws by those who have tracked their impact, U.S. studies show median household incomes in 18 of 22 RTW states fall short of the national median

income. Yet these policies fail to deliver on their promise of job creation.

Hudak has given a similarly Orwellian name to his made-in-Ontario version of these anti-unions laws. Branding them “worker choice reforms,” Hudak has attempted to obscure the fact that unions are fundamentally democratic organizations. In his manifesto, Hudak recommends that: “No clauses in any provincial legislation, regulation or collective agreement should require a worker to become a member of a union or pay union dues as a condition of employment.”

His objective is to dismantle the very democratic foundation at the heart of Canadian labour laws. That’s because Hudak understands that he cannot implement a cheap labour economy without first neutralizing its primary opposition—unions.

Last year, the Harper government opened up the affront against unions with the passing of Bill C-377, a private member’s bill that singled out unions from among thousands of lobby groups and representative bodies and was designed to bury them in bureaucratic red tape and cast public doubt on their activities. Today, a string of new federal anti-union laws are on the order paper, including Bills C-525 and C-4.

With the Harper government and certain provincial political parties, including the Saskatchewan Party, Alberta’s Wild Rose Party and Ontario’s Progressive Conservative Party, all drawing inspiration from American RTW laws, the labour movement must pool its resources to counteract the stream of anti-union propaganda.

OFL Launches Union Security Research & Training

In early 2013, the OFL produced two substantial reports to educate members about the value of unions and the coming threat to union security. These reports are part of a suite of materials produced by the Ontario Federation of Labour to educate union members and the public on the achievements of labour unions in the past and their continued relevance as defenders of the rights of all. "The Rising of Us All" and "Working for Less" have been developed into a train-the-trainer workshop, complete with a presentation guide and an online multi-media presentation so that local union activists can deliver the presentation themselves.

These resources are intended to assist union and community organizers in educating friends, co-workers and community members. They are designed to empower members so that participants leave feeling prepared to deliver the workshop on their own.

To find all the materials, visit:

<http://ofl.ca/index.php/campaigns/workersrights>



Labour Law Reform Promises Path from Poverty

In 2012, the OFL worked closely with NDP Labour Critic Taras Natyshak (MPP for Essex) in drafting two private member's bills designed to revamp Ontario's labour laws through the introduction of enhanced union protections. Bill 77, *Fairness for Employees Act, 2012*, made it past Second Reading and Bill 79, *Equal Rights for Employees in Ontario Act, 2012*, made it past First Reading before both bills died on the order paper with the prorogation of the legislature in mid fall.

However, the NDP remains committed to strengthening union protections as a significant pathway out of poverty for many low-wage workers. This November, Brother Natyshak tabled Bill 129, *Labour Relations Amendment Act (Employee Rights), 2013*. If passed, this bill would go a long way towards leveling the playing field in an organizing drive and make it more difficult for an employer to bully workers. It would establish successor rights in the contract sector, ensure the early disclosure of employee lists, allow for neutral and off-site voting, require the posting of a union bill of rights, provide protection from reprisal for union activity and guarantee reinstatement of employees during a lawful strike.

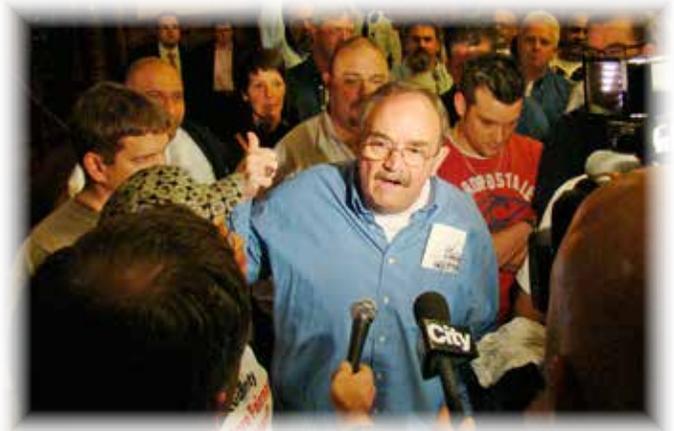
With politicians of different political stripes talking about enhancing protection for vulnerable workers, the climate is right for the passage of this bill. Indeed, with strong and concerted support from the labour movement this is an opportunity to pass the first progressive changes to labour laws in over 20 years.

IAMAW Challenges Harper in International Court

On September 25, 2012, the International Association of Machinists and Aerospace Workers (IAMAW) submitted a complaint to the International Labour Organization (ILO), protesting the Canadian Government's violation of the fundamental right to freedom of association and collective bargaining under international law.

"Free collective bargaining is an essential component of a free society," explained IAM Canadian General Vice-President Dave Ritchie. "We have called on the ILO to use all available means to ensure that Canada meets its international obligations."

The ILO affirmed the union's position and the case is before the court.



Exploitation and Scandal Beleaguers the Temporary Foreign Worker Program

Ontario's shameful treatment of migrant workers has been making headlines this year after scandal, exploitation and abuse have attracted unprecedented public exposure.

The Royal Bank of Canada generated a fierce public backlash when the company's plans to replace 50 experienced Canadian workers with migrant workers through the Temporary Foreign Worker Program (TFWP) was revealed by a disgruntled employee who was asked to train his own replacement. The ensuing public pressure forced the bank to guarantee employment for the displaced workers and put out a public statement committing to stop the outsourcing of work that Canadian workers are qualified to perform. While these measures are important steps towards redressing the immediate scandal, they have brought public attention to the corporate abuse of Canada's TFWP and the inadequacy of the Labour Market Opinions process.

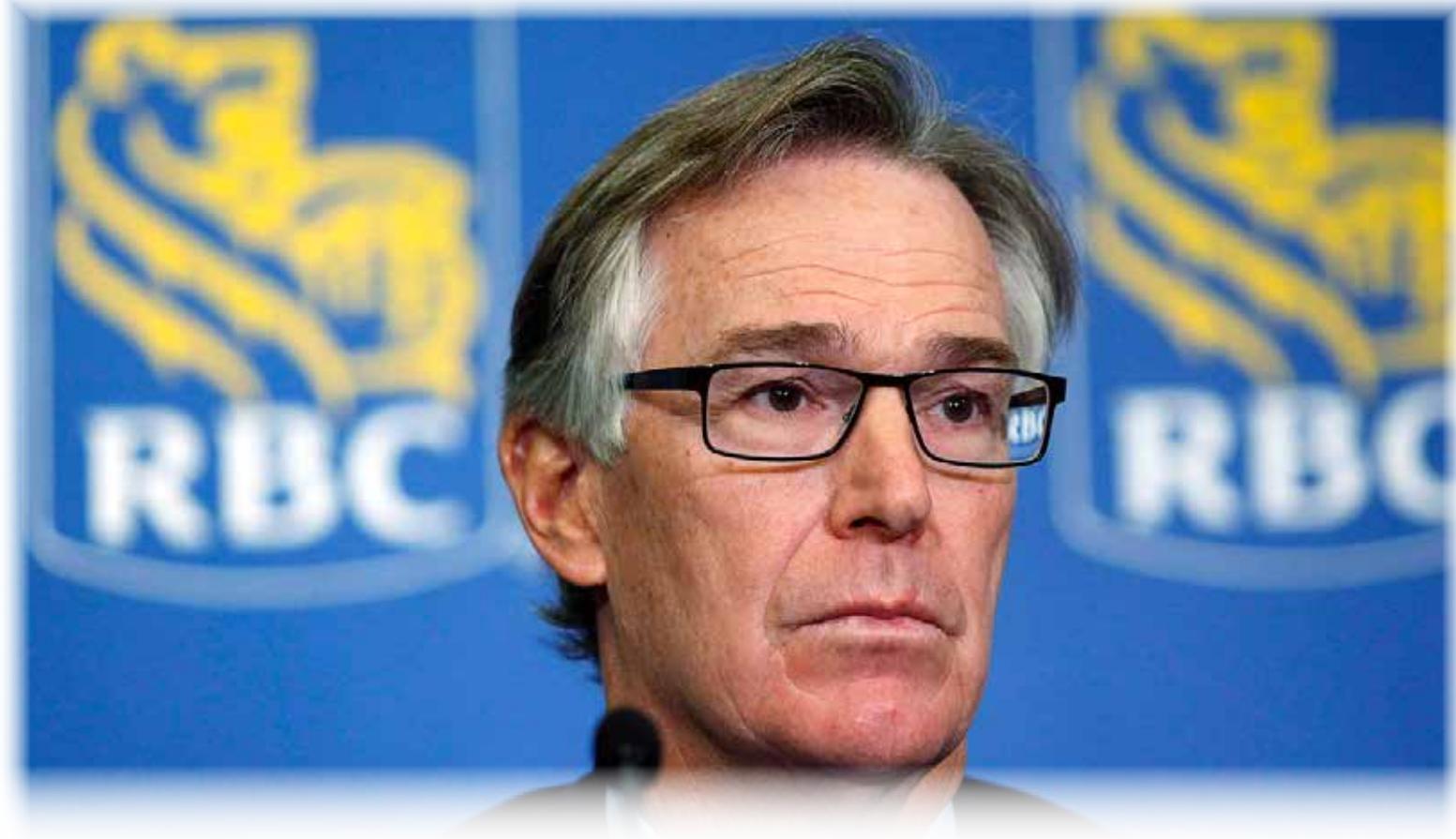
On May 15, 2013, the Canadian Council for Refugees (CCR) released Federal and Provincial Report Cards on Migrant Workers, exposing gaps in provincial legislation, enforcement and information. The report cards gave Ontario shamefully low grades for putting the province's 120,000 migrant workers at "great risk

with little recourse to justice." Ontario received a "C-" for its lack of legal protection for migrant workers, a "D" for failing to educate vulnerable workers about their rights and a "D-" for failing to provide migrant workers with access to permanent residence.

The increase in migrant workers in Ontario is no accident. The province has embraced the federal strategy for expansion of the TFWP in every sector, with a particular emphasis on low-skilled migrant workers. This belies the myth that the TFWP is needed to address labour shortages. For example, in 2008 Ontario employers brought in 60,000 migrant workers while, at the same time, the Ontario economy lost over 164,000 jobs.

At the federal level, 75 percent of the new jobs created in Canada in 2010 and 2011 were filled by migrant workers despite the fact that 1.4 million Canadian residents were unemployed.

Even though the TFWP is a federal program, in practical terms it is driven by employers who are eager to spend less on training and wages and enhances their corporate profits at the expense of workers' rights and human rights. The OFL is calling for effective legislation to monitor employers and protect workers from abuse.



OFL and UFCW Team Up to Defend Migrant Workers

The OFL teamed up with the United Food and Commercial Workers (UFCW) to launch a political and educational campaign designed to defend the rights of migrant workers in Canada. The partnership sought to empower migrant workers, raise awareness about their contribution to Ontario's economy and society, and defend their inherent rights as workers in Canada. Of particular concern was the Harper government's policy of allowing Canadian employers to pay migrant workers up to 15 percent less – a pilot

project that the government was forced to scrap as a result of the public outcry.

However, the long-term goal of the partnership was the extension of all labour and human rights to migrant workers.

The campaign comprised research and educational components that include posters, leaflets, teach-ins, town hall meetings and the use of social media to educate the public and mobilize support for migrant workers' rights.

The UFCW and the OFL also plan to collaborate with various human rights agencies, as well as local and international groups that work closely with migrant workers from the Philippines, Jamaica, Mexico, Guatemala and other countries.

On April 5 and 6, 2013 the OFL and UFCW joined with several labour and community partners to host an extensive weekend workshop on migrant labour and immigration issues, called "Protecting Rights. Building Solidarity: A Workshop on Migrant Labour and Immigration Issues."

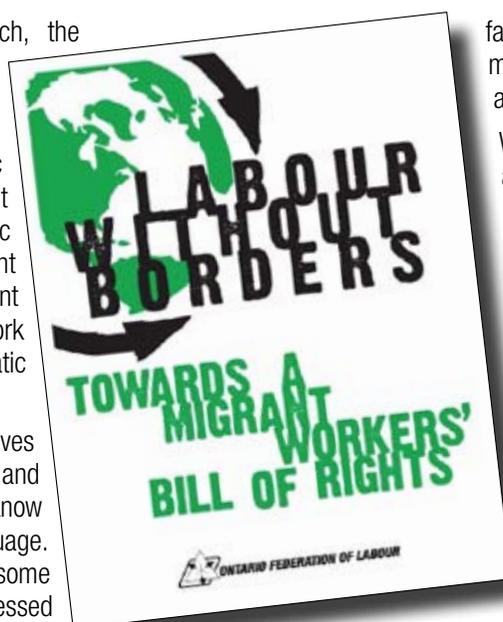
The workshop's 80 registrants drew together workers, advocates, experts and community allies committed to protecting and strengthening the rights of newcomers to the province's labour market.



OFL Calls for a Migrant Workers' "Bill of Rights"

Under the Harper government's watch, the number of migrant workers coming to Canada has grown dramatically and Canada's intake of migrant workers is vastly outpacing the number of economic immigrants. In Ontario, this has meant that in 2012, only 49,000 economic immigrants were granted permanent residency, while over 70,000 migrant workers were given temporary work permits. This trend represents a dramatic shift towards temporary migration.

Many migrant workers who find themselves working in Canada encounter a new and unfamiliar country, where they don't know the laws and often don't speak the language. In many cases, they have travelled from some of the world's most economically depressed conditions to strive for a better life for their



families. These circumstances that make migrant workers so deserving of protection also make them vulnerable to exploitation.

Without adequate education, advocacy and protection, many migrant workers will continue not to report or resist abuses, injuries or unfair treatment. The persistence of their exploitation creates downward pressure on the wages and working conditions of all workers in Canada.

The OFL has launched a public call for an end to this exploitation by establishing a migrant workers' bill of rights. Read the full report:

<http://ofl.ca/wp-content/uploads/2013.08-MigrantWorkers-Report.pdf>



labour solidarity ...





together

FAIRNESS WORKS



Workers and Seniors Occupy 20 Tory Offices to Defend Retirement Security

Public outrage boiled over in late January 2012 after Prime Minister Stephen Harper made an unexpected domestic announcement about plans to cut seniors pensions while addressing the international elite at the World Economic Forum in Davos, Switzerland.

“We’ve already taken steps to limit the growth of our health care spending ... we must do the same for our retirement income system,” announced the Prime Minister. The government made clear its plans to reduce Old Age Security (OAS) pension benefits and increase the eligibility age from 65 to 67.

The majority of seniors currently live on \$25,000 a year or less and the average monthly OAS payment is a meager \$508.35. Meanwhile, Harper is spending billions to reduce corporate taxes while he continues to refuse to implement minor increases to Canada Pension Plan (CPP) contributions that would double benefits for all seniors.

The OFL responded quickly to the announcement and mobilized affiliates, local labour councils and seniors to form a new coalition to defend retirement security, called the “Grey/Blue Alliance.”

Two weeks after the announcement, the OFL, along with retirees, pensioners and workers, organized the simultaneous occupation of 20 Tory constituency offices all across the province.

With scores of angry residents shutting down offices in so many locations, this impromptu action attracted mainstream and community press in every corner of the province.



E.I. Cuts Threaten to Drive Down the Wages of All Workers in Canada

The labour movement actively challenged recent changes to Employment Insurance (E.I.) that limit access and depress wages and working conditions. Regular recipients of E.I. will be subjected to new job search requirements that impel workers to take any job available rather than match their skills with suitable employment. Such provisions are likely to have the strongest effect on “frequent” and “occasional” claimants, the majority of whom reside in Ontario and Québec, including workers in the elementary, secondary and post-secondary education sectors, as well as the hospitality and manufacturing sectors.

The Harper government initially sought to force E.I. recipients to compete with migrant workers under a pilot project that allowed migrant workers to be paid as much as 15 percent below the prevailing wage for a particular job. The effect was to drive wages down for all workers. These measures are part of a thinly disguised low-wage strategy, that is predicated on dividing workers and forcing them to compete with each other for low wages.

On June 28, 2012, the OFL’s Labour Adjustment Committee met with NDP MP Andrew Cash (Davenport) to discuss his initiative to support urban workers and expand access to E.I. At the meeting, the OFL sought support for reducing qualifying hours and expanding mandatory participation in this social insurance program. The OFL also reiterated its staunch opposition to regressive, private models of unemployment “insurance,” such as the Job Seekers Loan scheme promoted by institutions like the

Mowat Centre. A final lobbying priority was to stop the widespread misclassification of workers as “self-employed” when they should rightly be classified as employees and entitled to these critical public supports.

Since then, the OFL has signed on to a joint statement by community and labour groups calling on the federal government to scrap all 2012 and 2013 budgetary measures that have diminished the E.I. program and calling for improvements to E.I. by increasing the amount and duration of benefits and improving access by reducing qualifying hours.



Labour Adjustment Advisory Program

Since the implementation of the Labour Market Development Agreements between the federal and provincial governments, the province delivers E.I. Part II benefits. The provincial government has maintained an Adjustment Advisory Program (AAP) with designated staff to facilitate action to support laid-off workers, including support for worker-led action committees and centres designed to provide peer support for laid-off workers, such as navigating the E.I. system, assistance with education and training, job searches, personal and emotional support, and a plethora of other critical services.

In October 2011, the OFL Labour Adjustment Committee met with senior staff within the Ministry of Training, Colleges and Universities (MTCU) to re-affirm the labour protocols that guide all aspects of the adjustment process. These protocols, signed by both MTCU and labour representatives, will be used to train all action committee or action centre partners.

Unfortunately, in December 2011, the MTCU suddenly eliminated the AAP Advisory staff classification that ensured provincial staff

could focus on adjustment issues and develop a level of expertise in adjustment-related programs and policy. This restructuring resulted in the loss of expertise and much broader job descriptions for all public sector employees working in the department.

On June 25, 2012, the OFL's Labour Adjustment Committee met with Training, Colleges and Universities Minister Glen Murray to reinforce labour's role in the process of assisting laid-off workers.

At the meeting, Minister Murray expressed enthusiasm about partnering with the OFL, citing data that showed better outcomes in apprenticeship training when unions are full and equal partners. He also expressed an interest in using discretionary funding to support labour adjustment and workplace-based literacy proposals.

Following the meeting, the Labour Adjustment Committee submitted four issue sheets of recommendations to the Minister that highlighted the key challenges facing peer-led Action Centres.

Jobs Grant Ignores Vulnerable Workers

In the 2013 Federal Budget, the Harper government announced that it would be diverting \$300 million in funding away from existing Labour Market Agreements to a new Canada Job Grant program. This is a shift away from supporting vulnerable workers, such as women, immigrants, and older workers who need literacy training and upgrading support, towards further investment in what the federal government calls "high-demand jobs."

The current Labour Market Agreement commits to a transfer of \$500 million a year from the federal government to the provinces, which provides resources for training unemployed workers who are not eligible for Employment Insurance and workers with low levels of skills and literacy. This agreement is set to expire on March 31, 2014. The new Canada Job Grant proposal would

provide a sum of \$15,000 per employee available for employers to provide training (\$5,000 from federal government, \$5,000 from provincial government, and \$5,000 from the employer). It is for "short duration training" and there is no guarantee that it will not go towards existing training programs. Shockingly, even though the program is not set to start until 2014, the Harper government has already spent millions advertising the program on television.

The OFL continues to support the provincial government in its position that this diversion of funding risks leaving underrepresented groups behind and that the province should retain flexibility in addressing labour market issues.

The OFL attended a roundtable with MPP Kellie Leitch to express our concerns about these changes on June 13, 2013.



Young Workers Exploited Through Unpaid Internships

The rise of unpaid internships is troubling. Estimates put the number of unpaid interns in Canada around 100,000 to 300,000. Youth entering the workforce and looking for experience often find internships to be their point of entry. These positions come with the false promise that they will lead to paid work, but as many young workers soon learn, this is often not the case. Concern is growing that employers are coming to rely on this unpaid workforce and have little intention of moving these young workers into paid positions.

The OFL has begun working with the Canadian Federation of Students and other allies to tackle the issue from both the labour and student perspective.

According to Munib Sajjad, President of the University of Toronto Student Union, “corporations are never doing young people a favour by giving them an unpaid internship because the idea of unpaid labour is fundamentally unfair.”

The OFL has recently learned that unpaid interns are not only exempt from Employment Standards legislation, but they are potentially excluded from Occupational Health and Safety protection as well. The OFL is lobbying the Ontario government to address this serious and dangerous gap in laws protecting young workers.



Funding Cut for Canadian Apprenticeship Forum

The Canadian Apprenticeship Forum (CAF) is a pan-Canadian body that brings together government, employer and labour representatives from the trades across Canada. In 2012, the federal government de-funded the organization, along with other sector councils. In order to maintain a pan-Canadian body, a proposal was developed to fundraise \$850,000 by April 2013 to maintain the organization, but as a more streamlined governing body that would include representation from the construction and industrial sectors.

At the June CAF conference, an initiative was launched asking stakeholders such as labour, employers and provincial governments to review this fundraising initiative and determine whether there is an appetite to continue.

Visit the website for the Canadian Apprenticeship Forum at: <http://caf-fca.org>



Canadian Apprenticeship Forum
Forum canadien sur l'apprentissage

Ontario College of Trades Impacts Services

The Ontario College of Trades (OCOT) recently undertook developing a comprehensive set of regulations to integrate “existing” regulations, as well as the two pieces of legislation that govern trades and apprenticeship training. Considerable attention was paid to the ratio of journeypersons to apprentices as a measure to ensure that apprentices are not used simply as cheap labour to displace qualified journeypersons.

While the College offers important avenues to improve authentic apprenticeship training and the self-governance of authentic trades, there are still concerns that certain types of occupations have been included under the rubric of “trades” that do not offer the full range of training and skills development normally associated with authentic, whole trades. Many of these kinds of trades affect workers in the services sector who themselves may not realize they will be subject to the rules, regulations and legislation governing the College of Trades.

The scope of trades included in each division of the College can be found online at:

www.collegeoftrades.ca/about/legislation-and-regulations

Young Workers Say “Enough with Un(der) Employment!”

Today's youth in Ontario are the first generation in history to face the prospect of a lower quality of life than their parents. Young Ontarians are facing a tough labour market with limited opportunities for good, full-time jobs that they can build a life on. Youth unemployment in Ontario is more than double that of the general population. Making the situation worse, many young workers who are employed are working in precarious jobs that do not match their skills and education, often having to work multiple part-time jobs just to make ends meet.

Change is what almost 100 young people from across Ontario were after when they gathered in Toronto on September 27, 2013 to discuss solutions to youth unemployment and underemployment in Ontario. The event – “Enough With Youth Un(der)employment!” – was organized by young leaders from labour, student and community organizations, including the Ontario Federation of Labour, Unifor, the Canadian Federation of Students, the Canadian Labour Congress, the United Food and Commercial Workers, Workers United and the Canadian Centre for Policy Alternatives.

“The employment crisis we face in this province runs deep, and it won't be solved by telling young workers and recent grads to simply pull up their boot-straps,” said Matt Dumas the Ontario Federation of Labour Young Workers Vice-President.

It was fitting that the Canadian Centre for Policy Alternatives (CCPA) Ontario released a report on youth unemployment on the day of the forum. “The Young and the Jobless – Youth Unemployment in Ontario” by Sean Geobey revealed startling statistics confirming the crisis young Ontarians have been experiencing in recent years.

Youth unemployment in Ontario is sitting well above the Canadian average between 16 and 17 percent in 2013. This makes Ontario the worst province outside of Atlantic Canada. Focusing in on the hardest hit regions of the province, including Windsor, Oshawa, Brantford and London, reveals youth unemployment rates of more than 20 percent, which is in the range of what the hardest hit European countries have been experiencing in recent years.

Meanwhile, the youth employment rate – the actual number of young Ontarians who have jobs – is the lowest it has ever been. Only half of Ontarians between the ages of 15 and 24 have paid employment. In addition, while the employment numbers for adults have been slowly recovering since 2008, the same is not true for young Ontarians. The youth unemployment rate has actually been on the rise since 2011. The so-called economic recovery is leaving young workers behind.

Despite the grave situation facing youth, the atmosphere at the Enough with Un(der)employment! forum was overwhelmingly positive. The young people in the room were determined to find solutions and were keen to take action.

Organizers are hoping to develop an action plan. One thing is for sure, measures much broader than the current Youth Jobs Strategy are needed. For example, investments in infrastructure and sectoral development strategies to create jobs could go a long way. So too could investing in public services and social programs that the generations before us built, such as education, healthcare and social assistance, which help create equal opportunities for all Ontarians. Immediate action is also needed to curb the rise of unpaid internships, support youth from marginalized communities and ensure young workers' right to organize in a union.



Caterpillar Runs Over Workers in Race to the Bottom

For many Canadian workers, the dangers of American-style right-to-work legislation were brought home when Electro-Motive Diesel in London, Ontario was bought out by the international corporate giant Caterpillar. Last year, the multinational company promptly closed down their London operations and moved production to Muncie, Indiana after its skilled and productive Canadian workforce rejected a 50 percent wage cut. In Indiana, where anti-union laws prevail, these diesel train workers earn only \$13.50 an hour.

More than 15,000 trade unionists and supporters descended upon downtown London, Ontario on January 21, 2012 in an overwhelming display of solidarity with the members of CAW Local 27.

“For workers across the province, Electro-Motive/Caterpillar has become the poster child of the greedy one percent,” said OFL President Sid Ryan. “This lockout represents everything that is wrong with a Harper government that rewards greedy corporations with public tax dollars while they bulldoze their workers in pursuit of obscene profits.”

The company’s wage cut was one part of a \$30 million concession package tabled in a year in which Caterpillar enjoyed multi-billion-dollar profits and a 20 percent boost to production over 2010.

When word of the lockout spread, Ryan contacted CAW President Ken Lewenza to offer support and issued a media release promising labour movement support in preventing scabs from crossing picket lines. Ryan and newly elected OFL Officers Nancy Hutchison and Irwin Nanda each visited the picket line within the first few days of the lockout. When the CAW announced plans for a solidarity rally on January 21, the OFL swung into action to

promote it as a full-fledged Day of Action. An OFL call-out, poster and various online materials helped to raise awareness and build momentum for the day.

For workers across the province, fighting Electro-Motive/Caterpillar means fighting every greedy, foreign-owned corporation that buys up Canadian companies in order to gut wages and benefits or move production out of the country. The *Investment Canada Act* is intended to protect national interests by requiring “consideration of a ‘net benefit’ to Canada when approving foreign takeovers of Canadian companies.” However, the Harper government has proven itself to be unwilling to enforce the *Act* or, in the case of Caterpillar, even disclose the terms of the purchase.

Rather than strengthening Canadian foreign investment and ownership laws to protect Canadian interests, Conservative anti-union politicians in Canada hold the Caterpillar example up as an illustration of Canada’s failure to remain “competitive.” In their economic analysis, decent wages and benefits that provide for quality of life and retirement security are simply barriers to trade.

“Prime Minister Harper is spending billions of taxpayers’ dollars to subsidize tax cuts for profit-rich corporations that simply take our cash and our jobs. It is time he stood up for Canadians,” said CAW President Ken Lewenza.

One month after Electro-Motive Diesel locked out its 460 workers, parent company Caterpillar Inc., shut down the London plant and took the operations to Muncie, Indiana, where Governor Mitch Daniels had signed into law so-called “right-to-work” legislation about 36 hours prior.



U.S. Steel Locks Out Nanticoke Workers for 2nd Time in Three Years

Strong resolved and massive support helped Steelworkers Local 8782 end a 13-week lockout by U.S. Steel at the Lake Erie mill in Nanticoke, Ontario.

A steel plant once billed as the most efficient and productive in North America was shut down for over three months, after its foreign employer locked workers out to try to force the union to accept deep concessions that would slash job security and decimate the livelihood of union retirees.

The gates of U.S. Steel's Lake Erie Works were locked precisely at 9 a.m. on Sunday, April 28, 2012, by private security guards. That was the deadline the company had set for its 1,000 workers if they did not accept the final contract offer.

"U.S. Steel has destroyed decades of constructive union-management relations in an effort to bulldoze workers and their families," said USW Local 8782 President Bill Ferguson. "The battle being waged on workers in Nanticoke is being played out in communities across the country. We see companies trying to drive living standards down in every country and Canadian workers are next on their hit list."

This aggressive move by U.S. Steel marks the third time the company has locked out a portion of its workforce since it was allowed to buy out the former employer, Stelco Inc.

The previous Lake Erie lock-out lasted from August 2009 to April 2010 and was followed in November of that year by the 11-month lock-out of Hamilton workers. In those confrontations the issue was company demands to change the pension plans,

by forcing new workers into a defined contribution system and ending pension indexing for retirees. These measures will have a devastating impact on widows whose husbands' work generated decades of profit.

On May 25, hundreds of steelworkers and supporters rallied at the Fort Erie Works site to call on the Harper government to force foreign corporations to live up to their obligations to Canadian workers and retirees.

"We have seen this story before," OFL Secretary-Treasurer Nancy Hutchison told the crowd of 500. "Prime Minister Stephen Harper has opened Canada's doors to the biggest and most ruthless multi-national corporations to strip mine our resources and our livelihoods. U.S. Steel is committing a crime of opportunity and the Harper government is complicit in every way."

"Harper's vision for Canada's future is a low-wage economy where retirees are forced to gamble with their income security on the stock market," said USW National Director Ken Neumann.

"The entire labour movement is proud of these workers who remained strong in the face of the second uncalled-for lockout at the mill in two years," said Marty Warren, United Steelworkers (USW) District 6 Director.

Since buying the profitable operation in 2007, U.S. Steel has failed to live up to its promises to workers and the Government of Canada. The Harper government continues to sit idly by as Canadian jobs are lost and lockouts become the order of the day.



OFL Helps Elevator Workers Get Off Ground Floor

Over one month after Ontario's elevator mechanics were forced on strike by an employer coalition with a near monopoly on elevator operation, virtually every one of the province's 50,000 elevators were out of compliance with provincial safety standards and roughly 75 percent were estimated to be in some form of disrepair. The 1,400 striking workers, members of the International Union of Elevator Constructors (IUEC), are a silent army that keeps our province moving. They ensure that the 50,000 elevators in workplaces, apartments, hotels, hospitals and schools are running smoothly and safely.

Despite the fact that the IUEC Locals 50, 90 and 96 offered to continue to keep elevators safe and operational throughout bargaining, employers flatly refused. In the meantime, these four big companies—Kone, Otis, Schindler and ThyssenKrupp—protracted the dispute by using scab labour and managers to perform the work of the specially trained and licensed elevator mechanics.

On June 6, 2012, the OFL organized a rally attended by hundreds of elevator workers and supporters amid the downtown high-rises of Toronto's financial district to call on the government to force the employer back to the bargaining table. Within hours of the action and extensive news coverage, the government ordered both sides back to the table and, within weeks, a settlement was reached.



Bonfield Workers Fight for Fairness

The 16 members of CUPE 4616 who work for the municipality of Bonfield in Northern Ontario have been on strike for a fair contract since August 1, 2013 against a mayor determined to push contract concessions, including plans to contract-out public services.

After the employer threatened to impose new terms and conditions, the workers were forced to strike. However, the mayor appears resolute to oppose a fair contract, even if it means compromising important public services the community relies on.

The OFL organized a solidarity rally that saw hundreds join the small group of determined workers in a massive display of solidarity. Newly elected Ontario Regional Director of Unifor, Katha Fortier led a camera crew in to confront the mayor as he and other city councillors provided scab labour during the dispute.

"The union won't accept concessions!," Bonfield Mayor Randall McLaren shouted at Fortier. "What's the point of negotiating if they won't take concessions?"



UFCW Takes Aim at Target Canada

The United Food and Commercial Workers (UFCW) brought national attention to the plight of former Zellers workers with their TargetFairness.ca campaign.

When the American retail giant Target rolled into Canada, it swallowed up 150 Zellers stores from the Hudson's Bay Company, and promptly fired all 15,000 employees, some with more than 15 years of service to the company.

"If you're in the service industry in Canada, this is the fate that awaits you when you have these companies from the U.S. gobbling up the retail industry in Canada," OFL President Sid Ryan told the protesters.



20 Airline Fuelers Take on Porter and Win First Contract

On January 10, 2013, the newly unionized employees who fuel Porter aircrafts at the Toronto Island airport were pushed on strike by an employer that was eager to block their first collective agreement and break the union.

Porter Airlines, which is expanding its operations throughout eastern North America, thwarted negotiations by putting forward a final offer in bad faith. The issues that these courageous workers brought to the table were centered primarily around safety and pay. The list of unsafe practices and working conditions that they reported were

deeply troubling, while their pay was much lower than comparable workers at Pearson Airport. Given the vital importance of these issues to the lives and livelihoods of young workers, the OFL called upon the labour movement to rally behind COPE Local 343 to put pressure on Porter to put forward a fair offer.

The OFL organized several solidarity rallies that shut down traffic to the isolated airport, but it was the sustained support of the entire labour movement that helped the small local win their first contract.



Novotel Mississauga Dispute Ends in Major Victory for UNITE HERE Local 75

In October 2012, the Ontario Labour Relations Board ruled managers at a Mississauga hotel acted illegally when they removed the key union organizer from the workplace and used misinformation and threatened job losses to stop employees from unionizing.

The Board ordered automatic union certification for employees at the Hotel Novotel Mississauga, one of a worldwide chain of hotels owned by Accor, a Paris-based company.

It also ordered the hotel to pay union organizers who were fired or had their wages cut because of their pro-union activity.

"This case sends a serious message to employers," said Stephen Krashinsky, the lawyer with Sack Goldblatt Mitchell LLP, who represented the union at the labour board. "The message it sends to employers is to back off and let the employees decide, without your interference, whether or not they want a union."

Under existing labour legislation in Ontario, union certification can be ordered if it is found that an employer used intimidation or other pressure tactics to stop employees from forming a union.

"The decision makes it clear that the tactics are illegal and undermine people's basic rights under the law," said David Sanders, organizing director for UNITE HERE.





PART IV

HEALTH & SAFETY / WCB

OFL'S "Kill a Worker, Go to Jail" Campaign Wins Historic Conviction in Metron Tragedy

The OFL's "Kill a Worker, Go to Jail" campaign won a significant victory with an appeal court decision in early September that increased the criminal negligence fine against Metron Construction from \$200,000 to \$750,000 for the 2009 deaths of four workers and the serious injury of a fifth.

"You cannot put a price on a life because no financial penalty can bring these workers back or fill the void left in their families, but the magnitude of this fine will send a powerful message to employers that the lives of workers can't be written off as the cost of doing business," said OFL President Ryan.

Last summer, the OFL leveled harsh criticisms against a judicial system that allowed a criminally negligent employer to walk free after putting the lives of workers at risk.

That strong reaction of Ontario's labour movement followed a July 2012 hearing that sentenced Metron Construction to pay a mere \$200,000 fine for criminal negligence, while its sole owner and director, Joel Swartz, escaped criminal conviction. Swartz struck a plea with the court to escape criminal charges in favour of paying a \$90,000 fine to the Ministry of Labour.

Metron's sentence marked the first time in history that an Ontario company was convicted in a criminal court for a workplace death since the Criminal Code of Canada was amended in response to the 1992 Westray Mine Disaster. It concluded a criminal investigation that began after the December 24, 2009 collapse of a swing stage at a west Toronto high-rise that resulted in five workers plunging 13 stories during construction repair. Only one month into his first term of office, Ryan launched the "Kill a

Worker, Go to Jail" campaign to demand justice for the survivor and families of victims.

The tragedy's sole survivor, Dilshod Marupov, remains in constant pain with no hope of ever regaining his former physical health. The 25-year-old worker requires heavy pain medication and continuing counselling to deal with anxiety and depression.

However, the historic conviction was marred by the paltry penalty that was levied against the convicted company. The OFL said the sentence sent a "disgraceful message that a worker's life was only worth \$50,000" and called on the Crown to appeal the \$200,000.

A year after the appeal was filed, a panel of three judges ruled that the \$200,000 fine was "demonstrably unfit" and ordered a new fine of \$750,000. A 15 percent "victim fine surcharge" of \$112,500 was also levied against the company, bringing the total fine against Metron up to \$862,500. Despite the quadrupled penalty, the OFL stands resolutely behind its "Kill a Worker, Go to Jail" campaign demanding jail sentences for negligent employers.

"We won't stop campaigning for justice until bad bosses learn that they can't buy their way out of criminal responsibility," said Ryan. "When employers sacrifice the lives of workers in pursuit of profits, they must be marched from the board room in handcuffs."

A trial against Metron Project Manager, Vadim Kazenelson, is said to be delayed until fall of 2014. The OFL will continue to press for justice and jail time for every employer who puts a worker's life in danger.

USW Investigates Vale Fault in Mining Deaths

In June 2011, two workers at the Stobie Mine near Sudbury, owned by multi-national mining company Vale, were killed when a “run of muck” came crashing down and engulfed them. Within days of the tragedy, the OFL called on the Sudbury Chief of Police to conduct an investigation based on Bill C-45 Criminal Code provisions (known as the “Westray Bill”), that allow for the prosecution of companies that disregard the health and safety of workers.

For the first time in the mine's history, the company refused to conduct a joint investigation with the union, so instead the employer and USW Local 6500 conducted their own, separate investigations.

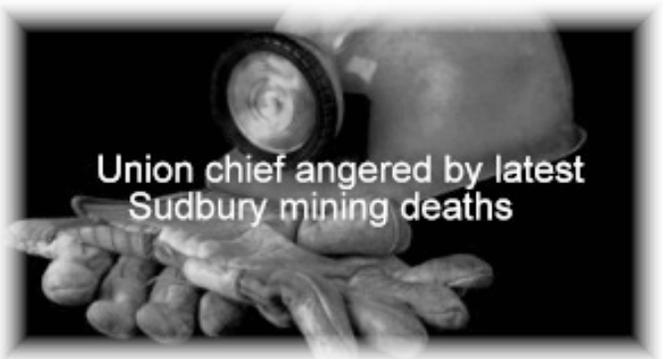
Within seven months of that incident, another two workers lost their lives in Vale mines in Sudbury and in Thompson, Manitoba. The most recent death occurred on the heels of the release of the company's report absolving itself of any wrongdoing.

However, on February 29, 2012, USW Local 6500 released the findings of a union investigation that painted a very different picture of the tragedy. After hundreds of interviews and extensive research, the investigation revealed a company that had ignored

documented concerns about excess water levels and failed to abide by safety requirements.

The OFL supported the USW's call for a public inquiry into the safety of Stobie and other Ontario mines and for a ministerial committee to review current health and safety legislation and enforcement.

In the eight years since Bill C-45 became law, over 500 workers have been killed on the job in Ontario but not one employer has gone to jail.



Migrant Worker Deaths Spark Call for Protections

A tragic head-on collision near Hampstead, Ontario claimed the lives of 11 people on February 6, 2012 and left three survivors in critical condition. The terrible accident occurred when a cargo van carrying migrant farm workers collided with a flatbed truck. The tragedy mirrored other fatal accidents elsewhere in Canada. However, the Hampstead tragedy claimed the greatest number of workers' lives in a single event since the Westray Mine explosion that killed 26 workers 20 years ago.

The OFL moved quickly to respond to the tragedy and President Sid Ryan secured confirmation from Workplace Safety & Insurance Board (WSIB) Chair Steve Mahoney that the victims would receive workers' compensation and family survivor benefits.

“Ontario needs to address the fact that this tragedy impacted the most vulnerable of workers who were travelling in a van meant for cargo from one of the dirtiest and most unsafe occupations. It is a sober reminder that we need to protect the migrant workers who contribute so much to our economy,” said OFL Secretary-Treasurer Nancy Hutchison.

The OFL called upon the province to guarantee a Coroner's inquest into the incident and ensure that all levels of government work together to prevent similar catastrophes in the future.

On February 7, 2012, the UFCW Canada and Agriculture Workers Alliance (AWA) set up Migrant Workers Family Support Fund to

help the families of the injured or killed workers, including 13 agriculture workers, as well as the driver of the colliding vehicle. By early March, the fund had reached over \$100,000.

Unfortunately, just a month after the Hampstead tragedy, a highway collision in Alberta claimed the lives of four Filipino migrant workers and left another seriously injured. The UFCW hosted Migrant Farm Worker Awareness Week from March 26 to 30 to raise awareness about these and other issues facing workers in these precarious jobs.

To donate to the Migrant Workers Family Support Fund, visit: www.UFCW.ca



OFL Launches “Bad Gas” Hotline to Protect Vulnerable Workers from Employer Exploitation

On September 15, 2012, Toronto gas station attendant Jayesh Prajapati was run over and killed during pursuit of an SUV driver who stole \$112 worth of gas from the Shell station where he worked. Allegations quickly surfaced about franchise owners illegally docking workers' wages to pay for stolen gas.

The OFL immediately sent letters to the Toronto Police Service and the Minister of Labour calling for a full investigation into the policies of Shell Canada and the possible role they played in the tragedy. The OFL cited Bill C-45 Criminal Code clauses that impose criminal charges in cases where employer negligence causes a worker's death.

On September 18, the OFL launched the Bad Gas Rip-Off Hotline so that gas station and late night retail attendants could report employers who are illegally docking their wages to cover the cost of customer theft. Announcing the hotline publicly on several national radio and television programs, the OFL further promoted the toll-free number through nearly 15,000 faxes sent to local gas stations and 3,000 automated voice messages to workers on morning, evening and weekend shifts.

“At far too many gas stations, after a thief drives off with stolen gas, the company turns around and steals the money back from vulnerable workers,” said OFL President Sid Ryan. “The OFL's Bad Gas Rip-Off Hotline is helping the little guy push back against wage theft by Canada's Big Oil companies.”

Dozens of current and former gas attendants, and even a former Toronto Police officer, have called in to report illegal or unfair corporate policies, demonstrating that the problem is widespread across the province and oil companies.

The OFL has enlisted the help of labour councils to distribute 20,000 business-sized cards telling local gas attendants to call in anonymous tips to 1-800-668-9138 or email info@ofl.ca

During a live television interview on the CBC Radio show “As It Happens,” Ontario Labour Minister Linda Jeffrey admitted to receiving 30 *Employment Standards Act* complaints every year on this issue.



**Gas station bosses stealing your wages for customer theft?
Report them! BAD GAS RIP-OFF HOTLINE: 1-800-668-9138**





Behaviour Based Safety

Concerns have been raised by affiliates that the focus of too many employers places responsibility for workplace health and safety exclusively on workers. Committee members are reporting a growing trend in the workplace to “blame the worker” and to use discipline for health and safety issues rather than addressing the root cause or eliminating the hazards. This is even worse when it happens in workplaces with a lot of vulnerable and non-union workers. Sadly, it’s also gradually leading to some workers accepting that this is just the way things are.

There are many workers who feel pressure to accept what should be unacceptable working conditions.

The OFL has been working with the affiliates to develop strategies and a campaign to combat Behaviour Based Safety (BBS) programs. This includes proposals for legislative change, collective bargaining language, workplace awareness tools and education of the membership.

A campaign logo and poster will be shared with affiliates in the coming month.

Sister Nancy Hutchison Appointed to Ontario Prevention Council

In December 2011, George Gritzotis was appointed as Ontario’s first Chief Prevention Officer (CPO) and was tasked with setting up a Prevention Council that would oversee the implementation of Expert Panel recommendations.

On August 10, 2012, the Ontario government finally unveiled the province’s first Prevention Council on Occupational Health and Safety. Included in the announcement was the appointment of OFL Secretary-Treasurer Nancy Hutchison and four other worker representatives to advise the government on measures to protect workers across the province.

Included on the Council are Patrick Dillon (Provincial Building and Construction Trades Council of Ontario), Colin Grieve (Ontario Professional Firefighters Association), Bryan Neath (United Food and Commercial Workers Canada) and Linda Vannucci (Toronto Workers’ Health and Safety Legal Clinic).

OFL Brings Community Voices to Prevention Council

This spring, the Ontario Ministry released a consultation paper on the development of a province-wide occupational health and safety strategy. The document specifically prioritizes the needs of vulnerable workers who have an increased risk of exposure to conditions that are hazardous to their health and safety.

“This opportunity can be a real game changer for workers all across this province” said OFL Secretary-Treasurer Nancy Hutchison. “Too many workers are put at risk every day and they can’t speak up because they fear for their livelihoods. The province must get serious about safety prevention and to do that they must hear directly from the workers affected.”

The OFL weighed in on the consultation with a substantive submission and by bringing the voices of vulnerable workers

directly to the Ministry’s Prevention Council through the Ontario Common Front.

On April 17, 2013, the OFL brought together 75 members of the Common Front with Chief Prevention Officer George Gritzotis to discuss front-line concerns facing vulnerable workers. These vocal community advocates identified the risks that precarious workers face due to employer exploitation, lack of knowledge, fear of reprisal and even the possibility of deportation.

In its submission, the OFL called for the elimination of behaviour-based safety practices, the imposition of a “precautionary principle” approach in Ontario workplaces, an emphasis on workplace inspection, greater safety enforcement and a comprehensive strategy for occupational disease prevention.

OFL Seeks Compensation for Occupational Disease

In June 2012, the OFL sent a letter to Premier McGuinty to advocate for the victims and survivors of occupational disease. After an employer-led lobby campaign in 2009, the Workplace Safety and Insurance Board (WSIB) changed its operational practice of paying loss of earnings (LOE) benefits when a worker is no longer in the workforce and no longer has earnings to lose. Previously, the WSIB had paid loss of earnings benefits for new



occupational disease claims that were diagnosed well after the worker had retired from the workforce. LOE benefits were also paid when a worker underwent surgery after retirement, even when retirement was voluntarily.

The Workplace Safety and Insurance Appeals Tribunal (WSIAT) concluded that the WSIB did not have the statutory authority under Section 43 of the *Workplace Safety and Insurance Act, 1997* to award LOE benefits where the worker had no loss of earnings. The WSIB has since rejected the claims of many victims.

However, this does not change the fact that if evidence proves on a balance of probabilities that the workplace exposure significantly contributed to the disease, the worker should be compensated.

The OFL's letter called for the repeal of this policy on the grounds that it ignores the significant latency period that often follows harmful exposure and the development of disease. The OFL reminded the Premier of the "historic compromise" of 1914 in which workers give up their right to sue employers for workplace injury or disease in exchange for fair compensation.

Arthurs Report Exposes WSIB Injustice

Four months after receiving Professor Harry Arthurs' final report on the Workplace Safety and Insurance Board (WSIB) finances, the Ministry of Labour finally released it to the public in May 2013. The reason for the delay is not hard to imagine. At a time when WSIB senior management had launched an unprecedented attack on injured workers in the name of fighting the Board's unfunded liability, the "Funding Fairness" report is a rare attempt at genuine evenhandedness. Arthurs' investigation uncovered vital facts about the nature and scope of the injustices facing injured workers, even if some of the recommendations are more modest than were hoped. The challenge facing injured workers is to press the Ontario government and WSIB Chair Elizabeth Witmer to take action to resolve the issues Arthurs has exposed.

Read the full report: www.wsibfundingreview.ca/finalreport.php

For decades, the Board's unfunded liability has been a cudgel in the hands of employers and right-wing politicians. Playing on negative views towards government debt and deficits, it has been argued that injured workers must accept less until the WSIB's finances are fixed. However, when benefits have been cut, the resulting "savings" have gone to premium holidays for employers rather than eliminating the unfunded liability.

The Arthurs Report cut through the alarmism by distinguishing between a debt and deficit and making the point that future liabilities can be funded by future revenues. While recommending that the Board strive for full funding within 20 years, Arthurs strongly argued against squeezing injured workers to meet that

goal. Despite pegging the current unfunded liability at \$14.5 billion, he maintained that administrative investments and compensation enhancements for injured workers should not be sacrificed.

Arthurs' most important recommendation is that the government should reinstate annual inflation adjustments equal to 100 percent of the change in the Consumer Price Index and help workers affected by past cuts. Since 1995, these workers have not received any inflation adjustments except when inflation exceeds the Bank of Canada's two percent target rate.

The impact of frozen benefits cannot be over stated. For workers injured before the year 2000, benefit cheques have experienced a real dollar cut of 20 percent. While Arthurs does not recommend the full redress for this shortfall, he does propose full inflation indexing for all injured workers going forward and catch-up funding to reduce the current losses by 40 to 45 percent for affected workers.

This recommendation follows years of activism by the labour and injured worker movements, but the battle is far from won. Despite the modesty of the recommendations, the Ministry of Labour media release that accompanied the Arthurs Report offered a meager 0.5 percent adjustment for 2013 and 2014.

Arthurs also recommended that unless and until experience rating can be significantly redesigned, with worker involvement, to guarantee healthy workplaces and return to work, the program should be scrapped. In the interim, he called on the Board to take decisive action to stop employer abuse.

WSIB Reviews Benefits and Rate Setting Framework

In June 2013, WSIB released the final report of the Benefits Policy Review Consultation chaired by Jim Thomas. The report is more modest and less clear than many had hoped, but, excepting a few areas of concern, most of the recommendations are positive steps forward. The report sets the stage for better policies than those initially proposed by the Board.

One of Thomas' most important recommendations to the Board is that, in the future, if the WSIB believes it needs to re-draw the work-relatedness line, it should provide stakeholders with a discussion paper explaining its reasons – and those reasons should not be based on cost.

"Entitlement to benefits is established through causation provisions in the [*Workplace Safety and Insurance Act*]," said Thomas. "None of those provisions include the WSIB's ability to pay as a factor in deciding where to draw the line."

At the same time, the WSIB is expected to kick-off its Rate Setting Framework Consultations under the direction of Special

Advisor Doug Stanley. A former law professor, Stanley served as New Brunswick's Deputy Minister of Labour, an arbitrator and mediator in Ontario and was the part-time Vice-Chair of the Ontario Labour Relations Tribunal. In 2011, Stanley retired from the position of CEO of WorkSafe NB, a position he held for eleven years. On retiring, Doug returned to his arbitration practice and has also taken consulting assignments on public policy. In 2011-2012, Doug Chaired a Workers Compensation Legislative Review Committee in PEI.

In September, Stanley was engaged by the WSIB to act as a Special Advisor, responsible for producing a Consultation Paper on Employer Classification and Rate Setting Framework reform, as well as Experience Rating. This will be followed by a Consultation Plan with stakeholders and a Final Report and recommendations.

Stanley reports directly to WSIB Chair Elizabeth Witmer and will be supported in these activities by the WSIB's Funding Modernization Office and Consultation Secretariat.

WSIB Called Before Legislative Committee

On July 4, 2012 the WSIB was called before the Standing Committee on Government Agencies where the OFL, several affiliates and the Ontario Network of Injured Worker Groups (ONIWG) presented strong calls for reform.

In its submission, the OFL called for:

- Stronger responsibility for the WSIB Board of Directors in strategic policy decisions;
- The full indexation of benefits to the cost of living;
- The establishment of clear timelines for consultation and implementation of the other key recommendations from the Arthurs report;
- Full coverage of all workers and sectors in the province, including all independent operators and other individuals carrying out front-line work in covered sectors;
- An end to the discriminatory practice of "deeming," which reduces benefits based on hypothetical earnings from jobs injured workers may not actually have;
- Full compensation to injured workers for their actual loss of earnings; and
- The restoration of benefits to victims and survivors of occupational diseases diagnosed or treated after the worker stopped working.

The OFL also expressed concerns about the Board's plan to implement a new objection and appeals system that will discourage workers from pursuing claims.

NO MORE CAP IN HAND!

Tell Kathleen Wynne to
end WSIB discrimination
& the poverty of
injured workers



Justice for Injured Workers






PART V

EQUITY AND HUMAN RIGHTS

OFL Calls for Justice for Sammy Yatim and Demands Full Investigation into Police Shootings

Questions about the police response to crisis incidents were reignited across Ontario after news broke on July 27, 2013 that 18-year-old Sammy Yatim had been shot dead and then tasered on an empty Toronto streetcar. The entire incident was caught on video and sparked public outrage over the excessive use of force. The OFL responded by demanding an independent investigation into police training, policies and practices from the highest levels of decision-making right down to the front line response.

The OFL worked with community partners, such as the Urban Alliance on Race Relations, the Black Action Defense Committee and the Never Again Coalition, to give profile to the families of victims of police shootings and highlighting the need to change the culture of policing.

“We cannot continue to treat each police shooting as an anomaly while the bodies are piling up,” said OFL President Sid Ryan. “Sammy Yatim wasn’t just killed by the volley of bullets that night, he was killed by a police response that failed him at every level.”

Before a mass community rally on August 13, OFL Executive-Vice President Irwin Nanda hosted a packed media conference with the families of several victims of police shootings to demand answers as to why recommendations from a 2002 report, “Saving Lives: Alternatives to the Use of Lethal Force by Police” were never implemented, despite receiving the endorsement of the Toronto Police Service.

“The dangerous consequences of police over-reactions to crisis incidents have been thoroughly examined and a road map for reform has already been written, yet more than a dozen lives have been senselessly lost over the past 20 years,” said Nanda. “This isn’t the case of one bad apple or even a bad barrel, it is systemic failure of policing and it is costing precious lives.”

Following the public outcry, investigations were announced at several levels and Officer James Forcillo, who shot nine bullets that allegedly struck Yatim eight times, was charged with second-degree murder. This marked only the second case in which an on-duty Toronto officer has received such a charge.

While Ontario Ombudsman André Marin announced a province-wide review of the use of deadly force and Toronto Police Chief Bill Blair finally ceded to public pressure to conduct a full investigation of his force, Community Safety and Correctional Services Minister Madeleine Meilleur has merely responded by announcing plans to issue tasers to front-lines police officers throughout the province.

The OFL has called all of these measures “insufficient justice” and continues to campaign for the Attorney General of Ontario to impose uniform guidelines across the province that require police officers to focus on de-escalation before resorting to the use of force.

Watch the OFL video calling for justice for Sammy Yatim: <http://youtu.be/QPGQRHdhtzg>

Community Challenges Racial Profiling

In March, 2012, the Toronto Star released a controversial report called “Known to the Police” that analyzed Toronto police stop data from 2008 to mid-2011. The Star analysis showed that the number of young black and brown males aged 15 to 24 documented in each of the city’s 72 patrol zones is greater than the actual number of young men of colour living in those areas.

Young white males and those designated as “other” did attract some police attention, their rate of questioning did not compare to that of black and brown youth. In some areas, blacks were five times more likely to be stopped by police as whites.

Toronto Police Chief Bill Blair dismissed the possibility that his officers have documented every young black and brown man in certain communities. However, while the data collected by the Star do not — and cannot — prove that every young male of colour has been stopped, questioned and documented, they do give rise to serious questions.

These questions were raised by the Black Action Defense Committee (BADC), Toronto Police Accountability Coalition, the OFL and community partners at a media conference held in Toronto’s “at-risk” Jane and Finch community on March 21, the International Day for the Elimination of Racial Discrimination. OFL Executive Vice-President Irwin Nanda joined a panel of other activists in calling for greater police accountability and an end to racial profiling.

“People of colour bore the brunt of the recession but you can be sure that they had absolutely no influence over the financial institutions that created it,” said Nanda. “Discriminatory policing practices will only exacerbate the root causes of alienation among young people of colour, not make it go away.”

Summit Looks at Root Causes of Youth Violence

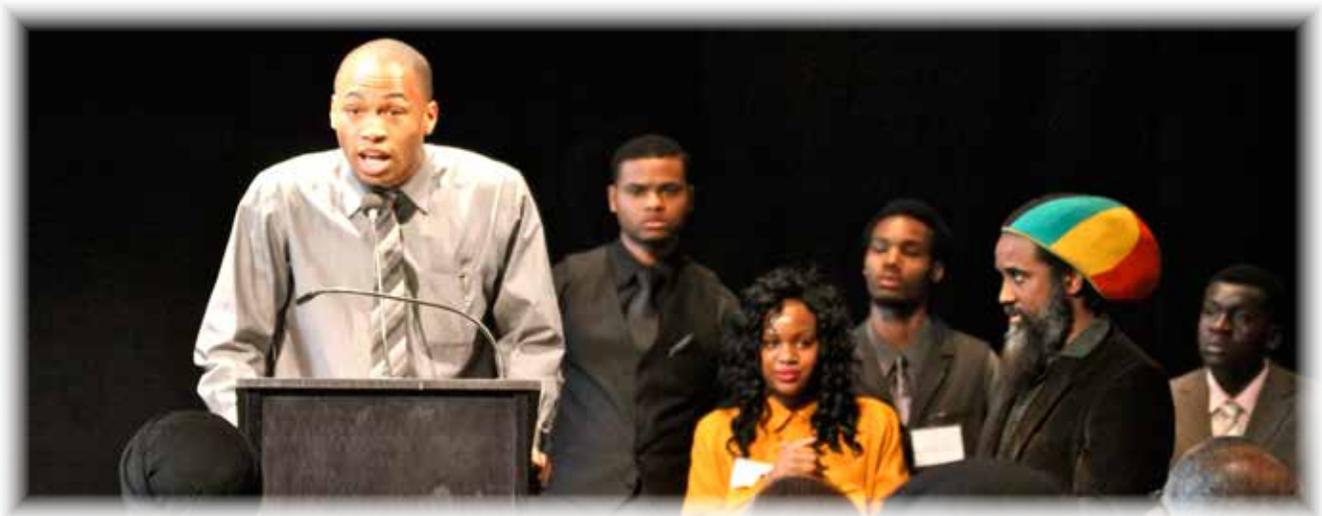
The OFL joined the African Canadian Coalition of Community Organizations, the African Canadian Legal Clinic, and the Coalition of Black Trade Unionists (Ontario Chapter) to mark the International Day for the Elimination of Racial Discrimination by hosting a joint summit on youth violence.

A theme heard throughout the Summit was: the time for action is now! This reflected a growing impatience with the lack of change implemented by governments at every level since the Stephen Lewis Report identified the need to address the growing crisis of youth violence over two decades ago.

Joining the many African Canadian community leaders were key government officials, representatives of major public institutions, labour leaders, service providers and other stakeholders. The summit focused on issues of marginalization and social exclusion that have contributed to the current crisis among African Canadian youth, and in particular, the disproportionate level of gun violence.

The racialization of poverty, high school drop-out rates and over-representation in the child welfare and criminal justice systems were identified as urgent issues affecting the African Canadian Community. These social ills necessitate an effective community-based action plan for addressing gun violence and ultimately gun control. The OFL, along with CBTU Ontario, PSAC, CUPE, ETFO, OSSTF and OECTA attendees were invited to join the Summit to reinforce Labour’s perspective on the connection between employment, economics, good jobs and healthy communities.

OFL President Sid Ryan addressed an audience, which included Premier Kathleen Wynne, with remarks that called for employment equity and reaffirmed labour’s commitment to supporting the community in putting the Summit recommendations into action.



Labour and Community Allies Join Idle No More

Starting in late 2012, the Idle No More movement has continued to grow throughout 2013 as new allies joined their movement in defence of Indigenous lands and rights.

In January 2013, the OFL joined in supporting the Idle No More movement as First Nations leaders prepared to meet with Canada's Prime Minister and Governor General in Ottawa. OFL President Sid Ryan brought the support of Ontario's labour movement to Canada's Aboriginal community by joining Attawapiskat Chief Theresa Spence, First Nations peoples, the Idle No More movement and community allies for a rally and march in Ottawa on January 10.

"The conditions facing Aboriginal communities across Ontario are deplorable. Soaring poverty rates, boil water alerts, inadequate housing and substandard schools are a national shame that cannot be allowed to persist for one second longer," said Ryan. "It is time for Canada to sit down with First Nations peoples to negotiate agreements respecting their treaty rights and ending the appalling indignities they face."

The international attention generated by the Idle No More movement and the hunger strike of Chief Theresa Spence forced a reluctant Prime Minister Stephen Harper to begin to address a community that he and previous governments had ignored for far too long.

"Prime Minister Harper cannot continue to sit by while Canada's Aboriginal communities are in crisis," said Ryan. "This movement has begun to wake Canadians up to these serious issues and workers across Ontario have joined this call for immediate action. Justice cannot be delayed."

The campaign saw a diversity of tactics across the country, ranging from protests, powwows and drum circles, to blockades of roads and railways. A peaceful movement, the resistance shown by this diverse coalition of Aboriginal activists and community allies has been generating international news and putting pressure on decision-makers at all levels to open up a real dialogue with Canada's Aboriginal people.

However, the media exposure given to the movement was far from universally positive. Public representations of the campaign and the media response has given broad exposure to racist and denigrating depictions in many mainstream media outlets, such as Sun Media.

The OFL remains committed to collaborating with the Aboriginal community to call for social, economic and environmental justice. The alliance that is being forged through this campaign offers the potential for a new and lasting movement that is rooted in a respect for Canada's broad and diverse Aboriginal community.



Strawberry Ceremony Mourns Stolen Sisters

Members of the Aboriginal community and allies have come together on February 14 to demand a national public inquiry into Canada's missing and murdered Aboriginal women.

According to research conducted by the Native Women Association of Canada (NWAC) under the Sisters In Spirit Program, approximately 600 Indigenous women have been murdered or gone missing over the past 30 years.

At the 2013 ceremony, all three OFL officers joined OFL Vice-President Representing Aboriginal Peoples Joanne Webb, affiliates and community members at an action held at the Toronto Police Headquarters to demand justice for stolen sisters.

Demonstrators beat drums, sang songs and rallied under the banner "NO MORE SILENCE." Throughout the crowd, protesters held placards with the names of murdered and missing women so they would not be forgotten.



Six Nations Walk for Peace

On April 28, 2012, a thousand Canadians from across Southern Ontario participated in the Walk, Rally, and Potluck for Peace, Respect, and Friendship and joined with Indigenous land defenders and families who are tired of the inaction and disrespect shown by all levels of Canadian government, to demand that Six Nations land rights be respected.

OFL staff and Aboriginal Circle members helped to plan the event and attended the rally in Kanonhstaton, the "protected place"—a site of Haudenosaunee land reclamation and defence. Located on the boundary between the Six Nation reserve and the settler town of Caledonia, Kanonhstaton has brought Indigenous land rights to the forefront of national attention over and over again in the past six years, gaining prominence rarely seen in land occupations since the 1990 Oka standoff.



In the six years since the reclamation began, the Federal government has done nothing to bring resolution to the issue, despite being in charge of dealing with land claims, according to Canadian laws.

Toxic River Poisons Grassy Narrows

The people of Grassy Narrows have sustained themselves for thousands of years on their traditional territory – 2,500 miles of land north of Kenora, Ontario. Now plans for clear-cut logging, mining and the legacy of residential schools, hydro damming, relocation, and mercury poisoning threaten to uproot the way of life of the Asubpeeschoseewagong Anishinabek.

The OFL and a host of community partners joined the Grassy Narrows mothers in challenging Premier Dalton McGuinty to attend a traditional fish fry at Queen's Park for a meal of local fish cooked on an open wood fire. However, days before the event, organizers were informed that the cook-out was banned. Instead the marchers created a "wild river" of blue fabric rippling to Queen's Park by unfurling a 15,000 square foot flowing blue quilt, accompanied by traditional drummers and colourful fish puppets.

The event raised awareness about the health impacts of mercury poison fifty years after a Dryden mill began dumping 10 tonnes of the neurotoxin into Grassy Narrows' English-Wabigoon River.

For more information go to: FreeGrassy.org

Equity Conference Challenges Austerity

From November 9 to 11, 2012, the OFL hosted an Equity Conference in Niagara Falls under the theme: “Putting Equity Before Austerity.” The Conference drew together over 170 labour and community activists to participate in a series of interactive learning circles designed to address the intersection between oppressions that are exacerbated by the government’s current austerity budget cuts.

Conference participants challenged themselves to face tough truths about individual and systemic prejudice and discrimination within society and our movements.

Discussion topics ranging from challenging white privilege to debunking myths about Aboriginal peoples created dialogue about sometimes hidden prejudices that form real obstacles to progressive change. Other sessions addressed tools and strategies designed to assist workers in addressing homophobia and mental strain in the workplace. Still other sessions examined the differential impact of austerity cuts on women and the future generations of workers.

“At nearly every level of decision-making, Canadian politicians are imposing deep budget cuts that disproportionately affect the most vulnerable and are causing a dramatic rise in inequality across all sectors of society,” said OFL Executive Vice-President Irwin Nanda. “It is no surprise that as good jobs and vital public services are being axed, it is the most marginalized who are bearing the brunt.”

Women’s Summit Builds Activist Leadership

In December 2012, the OFL brought together over 120 women leaders from the labour movement and community organizations for the first ever Women’s Leadership Summit. Under the banner “Sister to Sister,” women activists shared skills, strategies and experiences of working together to challenge inequality. The Summit focused on the need to build stronger unions, ensure diversity within the leadership and strengthen partnerships with community allies in the struggle for a more just and equitable society.

Drawn from every sector of the workforce, sisters working in government, manufacturing, building trades, administration, services, healthcare and education discussed the shifting demographics of the labour movement and its impact on labour leadership. Participants identified the key challenges faced by women within their unions and received research showing that the greatest potential for the future growth in the labour movement lies within workplaces dominated by women – and women from equity-seeking groups in particular.

This historic gathering also provided an important forum for women activists to discuss the gendered impact of the austerity agenda and share strategies for challenging the cuts to jobs and services that are so vital to every community. In doing so, participants connected women’s struggles with those of other marginalized groups and identified key priorities for defending equity against austerity.



‘One Billion Rise’ Against Gender Violence

On February 14, the Ontario Federation of Labour joined with people around the world for an international day of action, dance and resistance to demand an end to violence against women and girls.

Through the One Billion Rising campaign, women and men came together in unison to challenge gender-based violence – the world’s largest and most persistent human rights violation.

Despite the violent news reports that continue to shock the international community and the evidence that many more incidents go unreported, uninvestigated and unnoticed, Canadian authorities refuse to act on far too many cases of violence against women and, in particular, the violence against Aboriginal women.

“Here in Canada, actions placed a particular focus on the demand for a national inquiry into missing and murdered Aboriginal women and girls. Canada’s neglect of these women is a national shame,” said OFL Secretary-Treasurer Nancy Hutchison. “We aren’t going to wait for justice to be served.”

The OFL issued an official statement endorsing the day of action and distributed an action plan to encourage affiliate involvement. All three OFL officers joined events in Toronto and OFL staff helped with planning and preparation. In cities and towns across Canada and around the world, actions were held in support of this incredible movement. Visit: www.OneBillionRising.org



Fighting for Pay Equity

Across Ontario, public and private sector workers took action to call on Premier Kathleen Wynne to declare April 9 Equal Pay Day. Despite decades of action, an average woman in Canada would have to work three extra months to match a man’s average yearly pay – meaning her 2012 workload would finally end in early April, 2013.

Less than one month later, CUPE Local 966 won an historic pay equity settlement for 700 workers in long-term care facilities. The \$1.6 million victory finally brings justice to women who worked in Peel’s homes for the elderly up until 2003. However, the employers continue to fight restitution for the period from 2003 until today.



Peel Shuts Down Regional Child Care Facilities

On September 13, 2012, the Peel Region Council shamefully voted to close 12 public child care centres in a decision that will shutter the region's centres by September 2014. The Brampton-Mississauga and District Labour Council, the Ontario Coalition for Better Child Care (OCBCC), the OFL, the CLC, affiliates and scores of community allies that successfully forestalled the closure of the Centres earlier in the year again mobilized to oppose the vote.

Behind the planned cuts was a report by KPMG – the same company that advised the City of Toronto on sweeping service cuts – that was kept secret until public and media pressure forced the council to share it with residents. The response from Peel parents has been understandably irate. The planned closures will strand 853 children in the region, including many children with special needs who currently benefit from targeted programs run by the Region. The Region's decision to completely withdraw from the direct delivery of child care will cost the jobs of 126 regular and 117 casual and contract staff. Without a public alternative, more children will be forced into lower-quality private facilities where staff are paid basement wages.

The OFL's Nancy Hutchison, herself a Peel resident and a deputant in January's Peel Task Force hearings, joined parents and workers to protest the council meeting where the decision was taken.



Consultation on Personal Support Worker Standards

The OFL submitted a brief to the Ontario Ministry of Health and Long-Term Care on educational standards for Personal Support Workers (PSW). Like many affiliates in the healthcare sector, the OFL has taken the position that PSWs play an important role in the continuum of care and their role should be recognized to encourage present and future PSWs to continue working in this sector. The OFL called on the Ministry to adopt one educational standard for PSWs, regulated through the Ministry of Training, Colleges and Universities (MTCU), to replace the current system.

OFL Joins Sikh Community Celebrations

OFL President Sid Ryan called for social justice for the Sikh community before a rally of one hundred thousand at a Baisakhi Day (or Vaisakhi Day) Celebration in Etobicoke on Sunday, May 6, 2012. All three OFL officers joined NDP MPP Jagmeet Singh (Bramalea-Gore-Malton) at the annual event, which included a parade from the Mississauga neighbourhood of Malton to a religious centre in Toronto's west-end.

As a featured speaker, Ryan used his remarks to take aim at the Harper government's changes to the Temporary Foreign Worker Program and E.I. changes that will drive down wages.



Anti-Bullying Law Protects LGBTQ Youth

The Ontario government's anti-bullying legislation became law in summer 2012, making it clear that sexual assault, gender-based violence, homophobia and transphobia will not be tolerated in the province's public schools. While the law came too late to save the lives of 15-year-old Jamie Hubley and 11-year-old Mitchell Wilson, it is hoped that it will help prevent similar suicides among LGBTQ youth.

The *Accepting Schools Act*, known as Bill 13, passed third and final reading on Tuesday, June 5, 2012. It was the first bill to pass since the Liberals won a minority in last October's provincial election. Moved by Liberal MPP Laurel Broten (Etobicoke-Lakeshore), the bill received the full support of the NDP but was opposed by all 36 Progressive Conservative MPPs.

Expected to receive Royal Assent later in June, the bill will amend the province's *Education Act* and apply to every school, whether public or Catholic. The intent of the bill is not just to discipline schoolyard bullies, but to spot and correct bad behaviour before it escalates. The bill, which also requires schools to recognize the student clubs, commonly named "Gay Straight Alliances," was

strongly supported by all three teachers' unions: ETFO, OSSTF and OECTA.

The OFL joined the teachers' unions and community partners in supporting the MyGSA coalition to champion the bill in response to a survey of high school students published by the EGALE Human Rights Trust in 2009 that showed that three-quarters of LGBTQ students feel unsafe in at least one place at school.



Out@Work Conference Eyes Health, Safety, Jobs & Justice

From May 10 to 12, 2012 a diverse group of 100 union and community LGBTQ activists attended the OFL's Out@Work Conference. Participants shared strategies on how to support, empower and mobilize LGBTQ members in their workplaces.

The conference opened with a public forum called "Outing Our Rights" to mark the International Day Against Homophobia & Transphobia. The conference wrapped up with participants joining a rally at Queen's Park in support of Bill 13, the *Accepting Schools Act*.

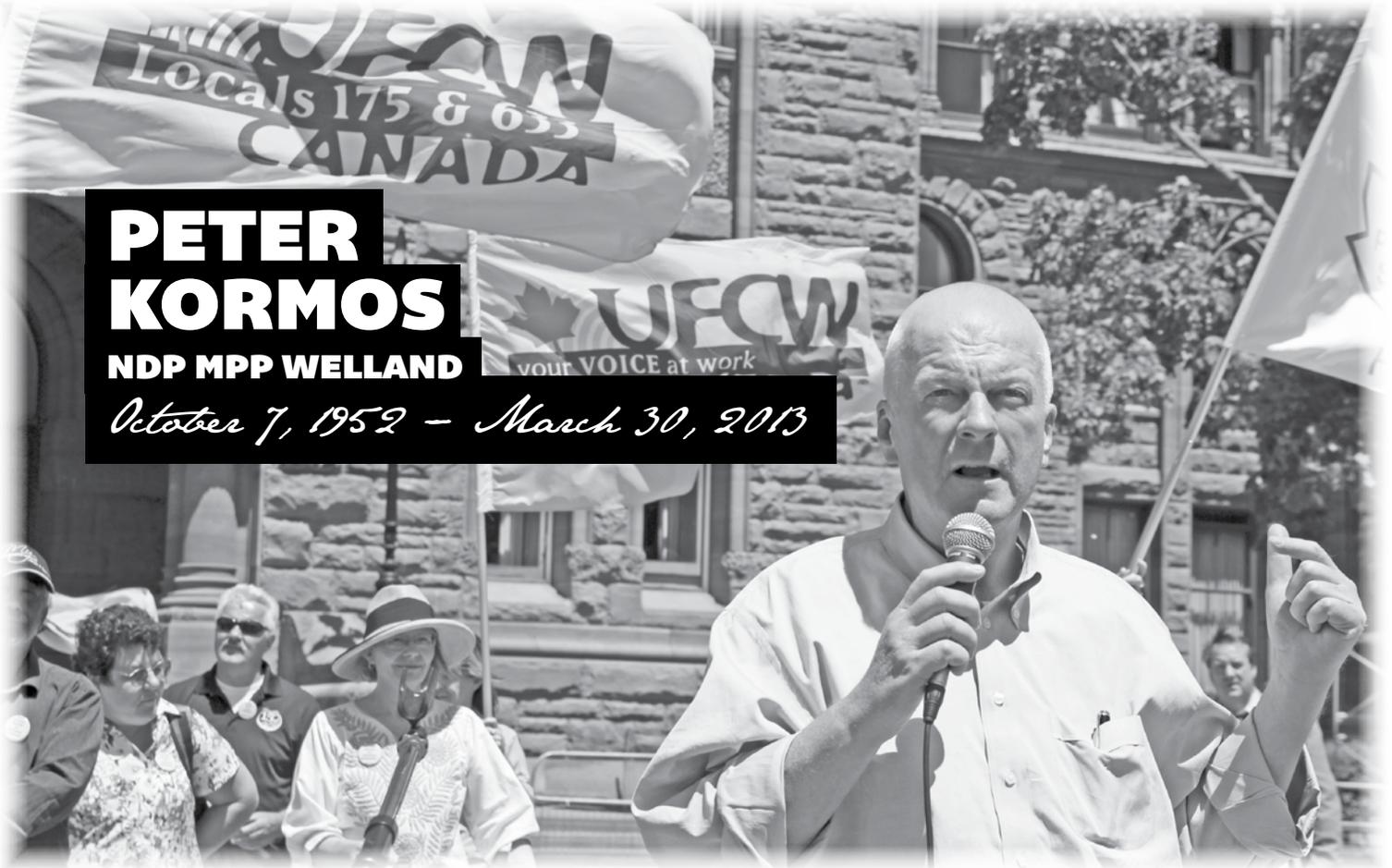
"Toby's Law" Marks Breakthrough for Human Rights

On the opening day of the OFL's Out@Work Conference, delegates were joined by NDP MPP Cheri DiNovo (Parkdale-High Park) who announced the passage through Second Reading of Bill 33, *Toby's Act (Right to be Free from Discrimination and Harassment Because of Gender Identity or Gender Expression)*. In her fourth attempt to secure Human Rights Code protections for 'gender identity' and 'gender expression,' DiNovo's bill finally passed third reading on June 13, 2012 and it became law before the 2012 Toronto Pride week.





In memoriam



**PETER
KORMOS**

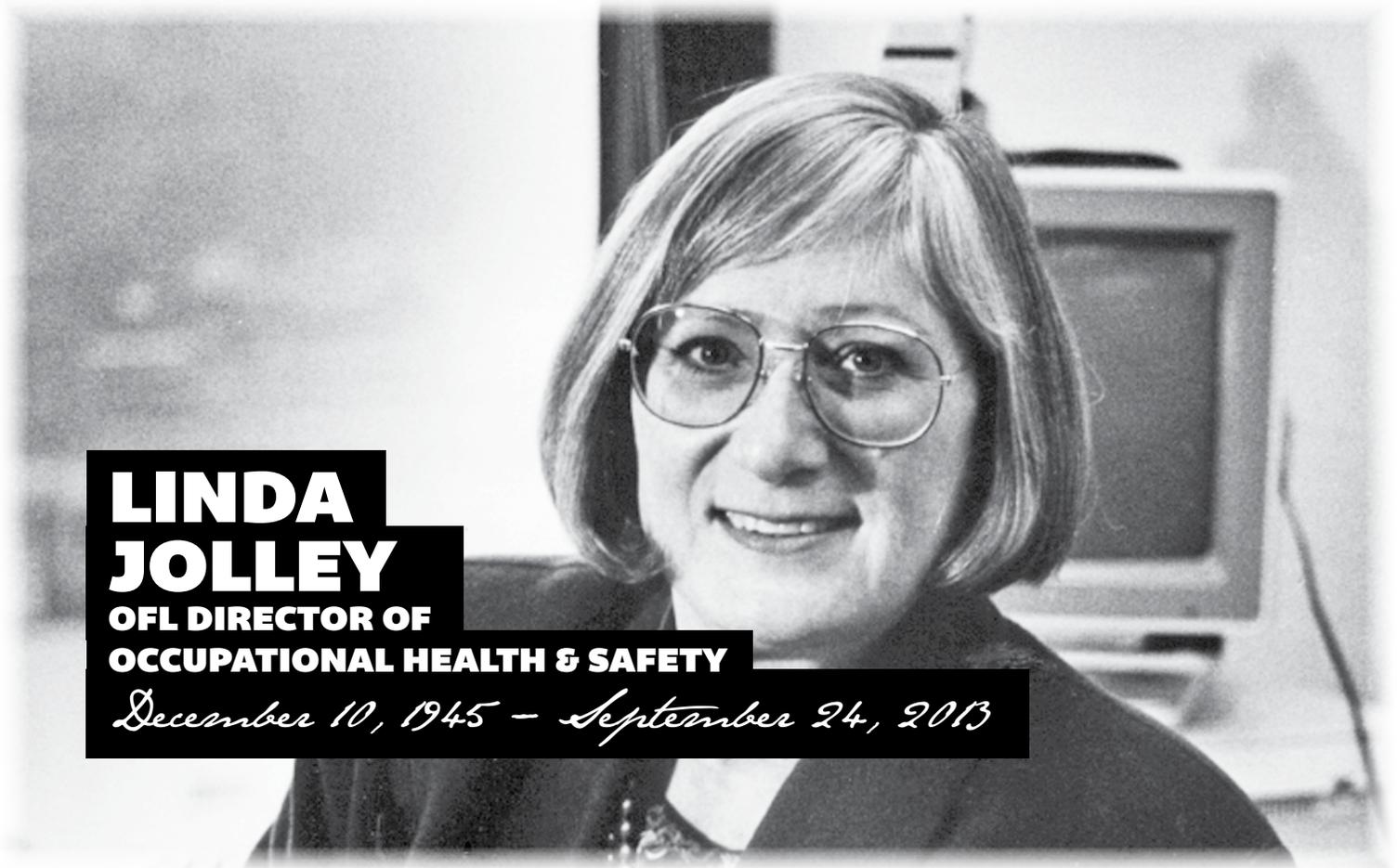
NDP MPP WELLAND

October 7, 1952 - March 30, 2013



**CLIFF
PILKEY**
OFL PRESIDENT

July 27, 1922 - November 17, 2012



**LINDA
JOLLEY**
OFL DIRECTOR OF
OCCUPATIONAL HEALTH & SAFETY

December 10, 1945 - September 24, 2013

