



October 20, 2016

Changing Workplace Review, ELCPB
400 University Ave., 12th Floor
Toronto, Ontario M7A 1T7

Via Mail and Email

CWR.SpecialAdvisors@ontario.ca

Attention: Special Advisors

Dear Sirs;

Re: The Changing Workplaces Review – Interim Report

Kennedy House Youth Services has a long tradition of providing personal care for young people in the Greater Toronto Area. We started with an initial family-like group home in 1971 and have added along the way additional residential programs, a state-of-the-art secure custody facility, bailiff services, day treatment programs, shelter services, developmental services programs, and outreach community services in designated priority neighbourhoods. Kennedy House works with youth to enable them to grow as individuals to contribute to as members of the community.

Currently Kennedy House has approximately 200 employees and has both union and non-union employee groups.

We congratulate the Minister of Labour for undertaking this much overdue and needed review of both the Ontario Labour Relations Act and the Ontario Employment Standards Act. Regrettably, we were not made aware of this review until recently and did not have the opportunity to provide you with any input for formulating your interim report and the presenting options for consideration or the deadline for responding to your interim report.

As a Not for Profit Agency it is becoming more and more difficult for us to meet the challenges of meeting our program and services commitments in addition to meeting commitments made to both our Union and Non Union Employee groups. The Not for Profit Sector has changed significantly since the early 90's. Referring back to the law as in 1993 – 1995 is not being progressive. We believe a formal and broader consultative with various Employer's including the Not for Profit Sector would be beneficial to the process. We would appreciate an opportunity to meet with you and discuss in greater detail our concerns with some of the options you are proposing. The nature of our work includes committed Government funding for a multitude of programs and services we are mandated to provide. A few of the options recommended for consideration would have significant implications for meeting our program and service agreements.

Kennedy House Youth Services Inc.

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We have reviewed the number of options outlined in the "Interim Report". We believe that further consultation and engagement with various Not for Profit Employer's, such as Kennedy House, would be of great value to you. We believe that there are a number of proposed options for change that will have significant implications for our sector and ultimately for those that we provide programs and services.

Specific Proposed Changes of Concern

Provisions Described Within the Ontario Employment Standards Act:

1. Definition of an Employee
2. Hours of Work
3. Overtime Provisions
4. Exemptions, Special Rules and General Process as it specifically relates to "managers and supervisors" and the "student exemption from the three hour rule"
5. Leaves of Absence
6. Enforcement and Administration
7. Use of "Binding" Settlements
8. Remedies and Penalties
9. Increased powers of the Office of the Worker Advisor

Provisions Described Within the Ontario Labour Relations Act:

1. Related and Joint Employers
2. Card Based Certification
3. Off site, Telephone and Internet Voting
4. Successor Rights
5. Consolidation of Bargaining Rights
6. Replacement Workers

We would appreciate the opportunity to meet with you and discuss specifically these concerns and alternative options that would be more appropriate for the non-profit sector. Please contact Angela Moncada, our Human Resources Manager, amoncada@kennedyhouse.org (416) 299-3157 Ext. 201, to set up a time to meet.

Respectfully Submitted;
KENNEDY HOUSE YOUTH SERVICES INC.



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