

Northumberland Community Legal Centre

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VIA EMAIL: CWR.SpecialAdvisors@ontario.ca

Mr. Mitchell and Honourable Murray
Special Advisors – Changing Workplaces Review
ELCPB 400 University Ave., 12th Floor
Toronto, Ontario M7A 1T7

Dear Mr. Mitchell and Hon. Murray:

Re: Submission to the Changing Workplaces Review on the Interim Report

Please accept these submissions from the Northumberland Community Legal Centre. The Northumberland Community Legal Centre is a Legal Aid-funded community legal clinic in Northumberland County. Northumberland County is largely a rural community with 7 separate municipalities. The Northumberland Community Legal Centre practices employment law, including filing Employment Standards Claims for our residents. Our residents include. Our clients are low-income residents of Northumberland County, often precariously employment, including agricultural workers and temporary foreign workers.

The Changing Workplaces Review provides an unprecedented opportunity to tackle the root causes of precarious work. As the appointed Advisors to the Changing Workplaces review, you were asked by the government to address why “far too many workers are experiencing greater precariousness” today in Ontario.

We are heartened that you have correctly identified changing business practices as a source of precarious work. We note that many of these practices stem from the many exemptions and loopholes that make it possible for employers to evade their responsibilities under the law. Accordingly, we need to close the gaps in legislation that contribute to precarious work and that, left unchecked, will continue to exert downward pressure on the wages and working conditions of all of us.

In addition to raising minimum standards for all workers, we must also reduce the barriers to collective bargaining that exclude most people in precarious work. While there is an *Agricultural Employees Protection Act*, it is not a real option for agricultural workers to collectively bargain.

Additionally, Migrant workers – including workers in the Seasonal Agricultural Worker Program – work in some of the most dangerous and difficult jobs in Ontario, and have some of the lowest wages and protections, and sometimes no protection

It's no accident that many of the industries that are primarily made up of migrant workers are exempted from the Employment Standards Act. To the extent that workers with status have other options, they can move to work with better legal protections. This leaves the most vulnerable workers in the the least regulated/most exploitative workplaces. As a result, migrant workers are denied basic protections under the law, such as minimum wages, hours of work and more.

Migrant workers are part of our communities, where they live, work, shop and build relationships. They are not "foreigners", they are part of Ontario's workforce, and they are part of our labour market. As a result of their temporary immigration status, migrant workers are particularly vulnerable to abuse and require specific protections.

We are calling on you to reject options that will introduce additional precarious employment to Ontario's labour market and instead recommend a bold and comprehensive vision that uproots the structural sources of precarious employment. As you well know, we cannot expect to fix systemic labour market problems with band-aid solutions. We recommend:

1. That migrant workers get the same rights, and protections, including collective bargaining rights as other workers in Ontario;
2. That migrant workers get specific anti-reprisals protections, and that proactive enforcement be expanded; and
3. That migrant workers are protected from recruitment fees through proactive licensing and regulation of recruiters.

We are calling on you to reject options that will introduce additional precarious employment to Ontario's labour market and instead recommend a bold and comprehensive vision that uproots the structural sources of precarious employment. As you well know, we cannot expect to fix systemic labour market problems with band-aid solutions.

The Migrant Workers Alliance for Change, the Workers' Action Centre and Parkdale Community Legal Services have provided a full review of the Advisors' Interim Report and made recommendations to improve wages and working conditions. Our organization supports and endorses their submissions.

Yours truly,



Teresa Williams, Chair
Interprovincial Migrant Workers Working Group
Community Legal Worker
Northumberland Community Legal Centre