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August 26, 2016

RE: Personal Emergency Leave – Changing Workplaces Review (CWR)

To the CWR Special Advisors:

Workers United Canada Council would like to provide our feedback that has been requested in regards to the Personal Emergency Leave (PEL) options outlined in the Special Advisors' Interim Report for the Changing Workplaces Review.

Workers United is a labour union representing nearly 10,000 workers in Ontario and across Canada in various industries including: warehouse and distribution, social services, hotels and restaurants, apparel and textile, manufacturing and health care services. As a union that both organizes and represents many low-income and precarious workers, we understand the importance that Personal Emergency Leave plays for workers who have limited to no job security when it comes to responding to a personal or family emergency.

Firstly, we are concerned that policy options surrounding PEL have been singled out from other leave options covered in the review. Such policy options/recommendations should be placed within the context of other leave provisions, such as paid sick time, and not be made in advance. We strongly urge that decisions on PEL be integrated with the full Employment Standards Act review.

Further, we are in full support of removing the 50 employee threshold for PEL (Option #2) so that all workers, regardless of the size of the workplace, have full access to PEL. We believe it to be unjust that workers in 95% of workplaces in Ontario do not have access to PEL and that workers are being restricted emergency leave based on arbitrary workplace size thresholds. Personal and family emergencies can strike anyone at any time, and PEL is a critical provision that provides workers flexibility and peace of mind that they are able to take leave time while maintaining their job security. Furthermore, removing this employer size threshold would place Ontario in line with other provincial jurisdictions.

In this respect, we reject policy options 1, 3, and 4, which would either maintain the status quo, or break down PEL days into separate leave categories. We believe that such measures would simply provide employers the opportunity to deny workers unpaid emergency time off based on an employee's personal situation. PEL is a critical protection for workers and all employers should be complying by providing employees with a base standard that is protected by the Employment Standards Act. We appreciate your time and consideration on this matter.

Sincerely,

Barry Fowlie
Director, Workers United Canada Council