

THE PRECARIOUS GENERATION

Submitted To:
The Changing Workplaces Review
Ontario Ministry of Labour

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WHO ARE WE?

The OPSEU Provincial Young Workers Committee is an elected body that represents over 20,000 unionized workers between the ages of 18 and 35 working in the public sector. Our members include: employees of the Government of Ontario, children's aid societies, universities, school boards and municipalities, healthcare and support workers in hospitals, long term care homes, development services and community health, provincial corrections workers, college academic and support staff, LCBO workers and more. Our committee is comprised of seven young workers who take action to address the issues of our diverse membership. We live and work all across Ontario, with committee members hailing from Windsor, Hamilton, Barrie, Ottawa, Toronto, North Bay and Thunder Bay.

We are also members of the precarious generation.

Much has been made of the economic uncertainty facing the newest generation to enter the labour market. A 2014 report from the Conference Board of Canada found that "[t]he average disposable income of Canadians between the ages of 50 and 54 is now 64 per cent higher than that of 25-to-29 year olds, up from 47 per cent in the mid-1980s."ⁱ In fact, wage inequality is only the tip of the iceberg when it comes to the widening generational gap for workers. The Canadian Centre for Policy Alternatives' 2013 study *The Young and the Jobless* reported that young workers fared worse in the economic recovery of the previous 5 years compared to the general population. Ontario youth (aged 15-24) had employment rates 2.5% – 3.6% worse than Canadian averages. In Ontario, communities including Oshawa, Windsor, and London, saw youth employment rise high as 20%.ⁱⁱ

Those young people who are able to secure employment face another barrier: underemployment. For many, the notion of youth underemployment conjures the vision of a recent university graduate working as a fast food server. This cliché exists for a reason. The Certified General Accountants Association of Canada found that 26.4% of young university graduates who were employed full time in 2005 held positions that did not require post-secondary education.ⁱⁱⁱ At the same time, skilled and educated young workers employed in their chosen fields are increasingly required to accept part-time, temporary work without provisions for benefits, job security, hours of work or retirement savings. According to the OECD, 37% of Canadians working in these types of "non-standard" employment in 2013 were 15-29 years of age, despite making up less than 25% of Canadian employees.^{iv}

Regardless of the name it goes by, temporary, part-time, insecure, contract, casual, non-standard, precarious work is the number one issue facing Ontario's young workers. It is limiting not only our career options, but our ability to raise families, purchase homes, pay off rising tuition costs, save for a secure retirement and support Ontario businesses through our purchasing habits. This is as true for young workers in the public sector as in the private sector. Employers of all stripes are replacing full time, secure positions with precarious ones as a way to reduce labour costs. You, the Special Advisors of the Changing Workplaces Review, have an extraordinary opportunity to shape employment policy in Ontario. Ontario's new Employment Standards Act and Labour Relations Act must tackle the culture of precarious work that is making our generation the first to be worse off than our parents.

RECOMMENDATIONS

In this submission we will not be advancing our own unique recommendations. We recognize the skilled work done by other organizations to ensure the needs of all kinds of workers are heard by the Changing Workplaces Review panel. Instead, we endorse the recommendations of Workers Action Centre's submission *Still Working On the Edge*^v, particularly in regards to employment status, hours of work, exemptions and minimum wage. We also endorse the Ontario Federation of Labour's preliminary submission recommendations regarding the process by which Ontario workers join a union.

We have paired our endorsements with stories from our membership to demonstrate how the recommended amendments to ESA and LRA will work to stem the inequality faced by youth in the Ontario employment market.

EMPLOYMENT STATUS

Endorsed recommendations from *Still Working On The Edge*^{vi}:

- There should be no differential treatment in pay, benefits and working conditions for workers who are doing the same work but are classified differently, such as part-time, contract, temporary, or casual.
- Prohibit long-term temporary assignments. Require that agency workers become directly-hired employees after working a cumulative total of six months for the client company. Limit temporary staffing to 20 percent of a company's workforce.

"I am a part time technologist working alongside a full time technologist. I do the exact the same job as the full time person I work next to but I get paid at much less than they do. I'm not sure how I can make any plans for my future based on my current wages and hours."

Carole, College Support Worker

"My workplace recently went through layoffs. A position in my department was abolished. Now we have less staff and the same amount of work, if not more. In the past few months, the employee that lost their job has been called in on a "casual" basis.

They do the same work as their previously abolished position. But they work for a less pay, no benefits and no vacation. Could I be next?"

Renata, University Support Staff

"New officers are hired as contract employees, also known as Fixed Term Employees. FTE's work as much as 16 hours/day 7 days/week but receive no benefits, no paid vacation, only 24 hours' notice of schedule change, and limited job security. I put my life on the line every day supervising pedophiles, murderers, rapists and participants in organized crime but I've been a "casual" Correctional Officer for 8 years. Where's the respect for keeping Ontario safe?"

Jermaine, Provincial Correctional Officer

HOURS OF WORK

Endorsed recommendations from *Still Working On The Edge*^{vii}:

- Require employers to offer available hours of work to those working less than full time before new workers performing similar work are hired.
- Require two weeks' advance posting of work schedules (including when work begins, ends, shifts, meal breaks).
- Require that employees receive the equivalent of one hour's pay if the schedule is changed with less than a week's notice, and four hours' pay for schedule changes made with less than 24 hours' notice.
- Workers must be able to ask employers to change schedules without penalty (i.e., protection from reprisals).

"I work in Development Services part time while continuing my education. I'm supposed to work 56 hours bi-weekly, but I'm often forced to stay and work mandatory overtime due to staffing shortages. I get little to no notice, and often have to miss my classes. I've been scheduled to work as many as 18 hours straight with no notice."

John, Developmental Services Worker

"I'm a casual employee. My schedule can be changed without my agreement. There is no minimum guarantee of hours. Usually I don't know if I'm working until I get a call to come in that same day. It is impossible to get a second job to make ends meet because I'm expected to be free, but I don't get on-call pay. Each month I'm unsure if I'll be able to make the rent."

Arun, LCBO Employee

EXEMPTIONS

Endorsed recommendations from *Still Working On The Edge*^{viii}:

- No exemptions or special rules

Due to sectorial exemptions to Employment Standards Act, more than 50,000 members of OPSEU are potentially subject to fewer rights than other employees. In some cases these provisions are bargained into their collective agreements, but often at the expense of other gains, simply to ensure the same protections as employees covered by the ESA. These sectors include the Ontario Public Service, the Liquor Control Board and the Colleges.

"I'm an Environmental Studies student so I was really excited when I got my summer job at the Ministry of Natural Resources. Then I found out I'd be making minimum wage and I wouldn't even get paid for the statutory holidays in the summer. I was shocked. Who would have figured I could make more working at McDonald's than getting experience in my field?"

Karen, OPS Summer Student

MINIMUM WAGE

Endorsed recommendations from *Still Working On The Edge*^x:

- “Raise the minimum wage to \$15 per hour in 2015”
- “Repeal occupational exemptions to minimum wage.”
- “Repeal liquor servers minimum wage.”
- “Repeal student minimum wage.”

“I am currently fortunate enough to have a contract that sees me make \$10 more an hour than the current minimum wage in Ontario. Even with that wage, it would be almost impossible for me to purchase a house in the city of Ottawa, where I work and live. How then, could someone who makes minimum wage (or close to it) for their entire career ever keep up with their bills, never mind aspire to be a home owner?”

Kyle, LCBO Employee

ABILITY TO JOIN A UNION

Endorsed recommendations from the Ontario Federation of Labour’s Preliminary Submission^x:

- Card-Based Union Certification
- Early Disclosure of Employee Lists
- Neutral and Off-Site Voting, Including Telephone and Electronic Voting
- Interest Arbitration for a First Contract
- Reinstatement Following an Organizing Drive
- Successor Rights for the Contract Services Sector
- Anti-Scab Rules

Being a member of a union is one of the most powerful tools a young worker has to overcome low wage and precarious work. The Canadian Labour congress reports that in 2013 working Ontarians between 15 and 24 years of age made, on average, \$2.69/hour more than their non-unionized peers.^{xi} Our committee also sees the benefits of union membership every day in our work places, and they go far beyond wages.

“Being in a union has allowed me access to benefits. With my benefits, I’ve been able to go regularly to the dentist and the optometrist, purchase glasses, medication and get dental work done. These are all luxuries that not everyone can afford.”

Catherine, OPSEU PYC

“My union has helped me with gender equity issues being in a male dominated skilled trade.”

Connie, OPSEU PYC

“Being in a union has given me a voice in situations where normally I would not be comfortable standing up for myself.”

Ken, OPSEU PYC

There are still many barriers to union membership and good faith collective bargaining in Ontario. The recommendations of the Ontario Federation of Labour would go a long way to ensuring that every young worker in Ontario who wishes to pursue the union advantage can do so. And just as importantly, they can do it without economically devastating reprisals from their employers.

CONCLUSION

The OPSEU Provincial Young Workers Committee calls on you to adopt the recommendations endorsed in this submission. Meaningful changes that stem the growth precarious work would transform the Employment Standards and Labour Relations Acts into modern legislation to match a modern workforce.

We are your children and grandchildren. We are Ontario’s future. And all we want is a fair opportunity to build our careers and families as you have. The power is in your hands to level the playing field and ensure we do not become the first generation that Ontario leaves behind.

ⁱ *The Buck Stops Here: Trends in Income Inequality Between Generations* (The Conference Board of Canada, 2014).

ⁱⁱ Gobey, Sean, *The Young and the Jobless*, (The Canadian Centre for Policy Alternatives, 2013).

ⁱⁱⁱ *Youth Unemployment in Canada: Challenging Conventional Thinking?* (Certified General Accountants Association of Canada, 2012).

^{iv} *In It Together: Why Less Inequality Benefits All* (Organization for Economic Co-operation and Development, 2015).

^v Gellatly, Mary. *Still Working On The Edge: Building Decent Jobs From the Ground Up* (Workers Action Centre, 2015)

^{vi} Ibid.

^{vii} Ibid.

^{viii} Ibid.

^{ix} Ibid.

^x *Preliminary Submission The Changing Workplaces Review* (Ontario Federation of Labour, 2015).

^{xi} “Young Workers Breakdown By Community – Ontario,” accessed September 18, 2015, <http://canadianlabour.ca/why-unions/young-workers/ontario>.