

PSAC submission to the Changing Workplace Review Consultations – Speaking Notes

- Thank you for allowing me the opportunity to share my views on the changing—or more accurately, the changed—nature of work in Ontario. PSAC welcomes this opportunity to formally engage with the Ontario government’s efforts in this area.
- The PSAC represents well over 170,000 workers in Canada and approximately 60,000 workers in Ontario. And while the bulk of our members are in the public or para-public sectors, we continue to organize new workplaces that exhibit elements of workforce precarity—for instance, in the university sector, which I am a part of.
- I’d like to focus my remarks on three items in particular: the need for legislations that protect job security, strengthening enforcement, lastly certainly not least legislation that make it easier to unionize in Ontario

1. JOB SECURITY

Is Precarious Employment Disposable Employment?

- I am a Sessional Instructor at the University of Ontario Institute of Technology (UOIT). Where it is a normal practice to have 1/3 of all University courses taught by Sessional Instructors.
- HR has stated to me that Sessional Employees are Disposable: **Am I “Disposable”?**
- How can 1/3 of all employee’s be disposable???
- I am an expert in in my field and highly qualified, just like the 135 Sessional Instructors I work with, who have a PhD or Masters in their field.
- I have work for my institution for 3 years and many of my colleagues have also worked for the same institution- full time hours (35 hours + per week)- for 3, 5, 10 years.
- Yet, we do have to apply for their jobs every 17 weeks.
- Many of us will not get employment
- I did not get employment this term.

Without Job Security: I am “Disposable”!

- I am treated very different from the other 2/3 UOIT full time employees:
- My contracts are posted 2-4 weeks before I am expect to teach and if I am lucky to get a contract, the faculty notifies me a week before I am expected to teach the contract.
- Which means I only have a week to create a course! And my work belongs to the University.
- The University has increased my class size from 70 students to 400 students, and I still got paid me \$7000.00 for the contract.
- Over the last year my TAs, my tutorials have been cancelled, and my courses are blended.
- And I was just expected to just blend the work into my contract.
- Finally as a sessional, even though I teach the same course as the 2/3 UOIT full time employees, I only make on average \$28,000.00 per year.

Without Job Security: I am “Disposable”!

- Sessional Instructors may get no contracts, 1 contract (14 hours per week), or up to 8 contracts per term (112 hours per week).
- Yes, some of us will work 112 hours a week for 17 weeks because we never know if we are going to be unemployed the next term.
- Myself, last fall I works 4 contracts (56 hours a week), last winter term 1 contract (14 hours per week), 1 contract in the spring/ summer and this fall no contracts.
- And I was notified that I would not have a contract September 1st, classes start Sept 8th.

Without Job Security: I am “Disposable”!

- As a precarious worker my employer can keep me on for a term or a decade. Give no hours per week or 112 hours per week. Make me teach 70 students or 400 student. Give me supports, take them away. Hire or don't hire me without any notice. Pay me very little and give me no benefits.
- As a precarious worker not only am I disposable. I am exploited and marginalized.

We need ESA legislation that makes my job a little less “DISPOSABLE” and provides precarious workers with Job Security.

2. Strengthening Enforcement

- Along with my colleagues in the union, I spend much of time ensuring that collective agreement violations are addressed promptly and effectively. Ensuring that violations of the collective agreement are quickly rectified is perhaps the most important function of any union after negotiations, because any collective agreement that is violated regularly and with impunity is not worth the paper it’s printed on.
 - The same logic applies to the Ontario *Labour Relations Act* and the *Employment Standards Act*. If these pieces of legislation, along with future labour legislation, are not meaningfully enforced—if violations of the law are allowed to go with impunity—Ontario’s labour laws effectively cease to have any effect.
 - And regrettably, this is the trend we’ve been concerned by over the last decade; report after report has detailed how labour standards go unenforced and that, individual workers, often in very precarious situations to begin with, simply do not have the time and resources to fight back against violations of the law by employers. And even when they do have the time and resources to pursue a complaint, they remain very vulnerable to employer reprisals.
 - This is where strong provincial enforcement can play a major role. Such enforcement must include as a minimum:
 - proactive monitoring of workplaces by government
 - significant penalties when employers are found to be in violation of the law; no more ‘slaps on the wrist’
 - simple mechanisms for filing complaint (in person, via the web, a 1-800 line, etc.) with continuous updates (e.g. via the web, 1-800 line) of the status of a complaint
 - the right to file complaints anonymously or via third parties
 - protection against wrongful dismissal and heavy fines in cases where employers retaliate against employees who file complaints
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3. Making it easier to unionize

- While it’s critically important, as a first order of business, to have a high legislative floor to employment standards in the province, we must recognize that this is indeed the minimum. Workers regularly find themselves negotiating their working conditions with powerful employers who hold most, if not all, the cards. To effectively empower workers, the door to unionization in Ontario must be made easier to open.

- To this end, returning the card-based certification model for unionization—where when a majority of workers in an organization sign union cards, the union is automatically certified (following a card verification)—to Ontario would go a long way towards making unionization easier.
 - Indeed, we had this card-check model in place in Ontario before the Harris government introduced workplace votes for union certification.
 - Workplaces votes are, of course, problematic as they allow an opportunity for the employer to intimidate and harass workers into not voting or voting against unionization.
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- Once again thank you Thank you for allowing me the opportunity to share my views on the changing nature of work in Ontario, especially within the university sector, which I am a part of.
- I hope given the above you will see the need for legislations that protect job security, strengthening enforcement, and the need to make it easier to unionize in Ontario