

Submission to the Ontario Ministry of Labour

The Changing Workplaces Review

Thunder Bay and District Labour Council

September 16, 2015

My name is Carlos Santander-Maturana and I am the President of the Thunder Bay and District Labour Council, a labour organization representing over 12 000 unionized members, we are the recognize voice of workers in the area regardless if they are member of a union or not. I must say that as a Labour Council, we are very thankful of this opportunity to make a presentation in front of you on issues of concern to workers, a consultation and review that in our opinion is long overdue.

I applaud the decision of Premier Wynne to launch the review of the Employment Standards Act and the Ontario Relations Act. The pragmatic initiative of the Premier is rooted in the recognition of the changes in the composition of our provincial economy, an economy that had very drastically changed from industrial manufacturing to an economy of light industry, services and financial speculation. Consequently, changes in the economy brought the inevitable decline in wages, salaries and working conditions enjoyed in past decades by Ontarians. Naturally this inevitability wouldn't be possible if there were progressive labour laws in place, designed with the protection of workers in mind, rather than facilitating smooth operations of business with very little interference from government.

It is clear that profound changes are needed in order to address the issues that Ontario workers are facing today. The steady erosion of industrial manufacturing, the base and core of our economy, did hurt

workers in very concrete and significant manner. Workers that were able to earn decent wages and enjoy benefits, now are forced to work in precarious employment, usually in the services sector of the economy, with very little protection, and at the mercy of hostile employers determined to get their plus value out of them. The Ontario government needs to be serious about addressing this imbalance; it is no wonder that the gap between the have and have not is getting wider every year. Workers need a set of Employment Standards that will reflect the new economic realities, standards that must be modernized and with mechanisms in place to make them enforceable. Precarious employment is not a phenomenon that we only witness in the private sector, young workers entering the labour force also have to face this matter in the public sector area of the economy, usually they are not hired with a full complement of acceptable number of hours per week, but always short of the number of hours to qualify for full time employment and the coveted benefits enjoyed by their colleagues. This two tier system is very detrimental to the workplace moral and sets low benchmark standards for the private sector to follow.

In issues related to pensions, the decline in the union density has become a real problem for our province. Usually a unionized workplace meant decent working conditions, acceptable wages and benefits and often a workplace pension plan. In the last twenty years the number of Ontario citizens collecting a workplace pension has been dropping steadily, in fact this issue is, probably the most significant factor related to impoverishment of our retirees. Retired workers are mostly depending on an inadequate Canada Pension and Old Age Security Plan; many of them have been forced to rely on support from their own children to survive with certain degree of decency. In our opinion the solution to remedy this situation is quite simple. Every research shows that belonging to a union; drastically improves the living conditions of a

worker. Higher wages associated to a unionized workplace allows workers to make higher contributions to a Pension Plan, and or establish their own supplementary retiring plans. It is the duty and obligation of our provincial government to establish the legal framework that will allow workers to defend themselves by accessing the protection that a union could provide. A union is an organization that truly could make the difference to get them out of precarious employment and borderline poverty. Government does have the obligation to address this issue, and must be able to improve regulations to ensure full protection equal to the more fortunate workers of years past. In matters of precarious employment and minimum wages, the question becomes rapidly one of equity. In accordance to available figures, women tend to overrepresented in this bracket of the economy; this overrepresentation is visible over the whole spectrum of the working force, from new workers entering the labour market to workers approaching retirement age. The ability to work in a unionized workplace will make all the difference for those women and other disenfranchised minorities, since the statistics shows that usually they will earn roughly seven dollars an hour more than in a non-unionized workplace. Improvement to the ability to get join a union will ensure that women, new immigrants, indigenous and people of colour will be able to get out of poverty.

In our opinion, Government should be embracing a notion of creating conditions conducive to improve the ability of workers to join a union. The labour community is quite clear about this matter; belonging to a union will drastically improve the livelihood of large numbers of people. People will have access to income beyond covering the bare necessities, in turn, they will spend more, and this will invigorate the local economies by the way of support to local businesses. Higher levels of union membership, will undoubtedly reduce social tensions, and will

swell the coffers of government at all levels with taxes to pay for badly needed programs to benefit us all.

The Ontario Government does have a moral and a legal obligation to ensure that workers can organize themselves into unions, without the all too common intimidation tactics practised by employers, who are often unwilling to share the wealth with the very people that make those profits possible. The moral obligation arises from the fact that the most basic duty of government is to take care of their own denizens, safeguard the vast majorities that they have sworn to protect. The legal component, arise from the provisions of the Canadian Charter of Rights to protect workers to freely join a union. We believe that there is a high need to modernize labour laws to ensure that those basic governmental obligations are met. What the Ontario Government can easily do, is to bring back the card base certification, a simple, expedite way to probe a worker's commitment to join a union. Labour law changes introduced by the labour unfriendly government of former Premier Mike Harris were intended, in our opinion, to protect employers from the threat of a unionized workforce. Harris' government labour changes truly created an imbalance to favour employers against the need of the workers. Those changes must be rescinded and fairer; more democratic labour laws must be introduced and then implemented for the benefit of all Ontarians.