

October 22nd, 2015

Changing Workplaces Review, ELCPB
400 University Ave., 12th Floor
Toronto, ON M7A 1T7

Re: Changing the Workplace Review

The purpose of this letter is to address a major area of concern in regards to the current legislation as it pertains to the **Employment Standards Act of Ontario**.

As business owners in the area of silviculture and forestry, we employ between 150-200 seasonal workers on a yearly basis, most of whom are young workers (between the ages of 19-25 years of age) and are quite often university students across the country. We are one of the few major **tree planting companies** currently operating in Ontario – planting approximately 10,000,000 trees every year.

As with most tree planting operations in the province, these work sites are unique in several ways; for example, they are situated in remote locations whereby a bush camp is set up for employees to live, and commute to work on a daily basis (by *company vehicles*) – and the commute can be short, or long depending on the location of the clear-cut (which ultimately affects the length of the working day). Individuals are paid a ‘per tree’ rate, planting between 1500-3500 trees per day, *on average* (and rates range between 9-11 cents per tree *on average*). Tree planting is a tough job, in general, but has great potential for employees to make a lot money in a short period of time – which is also the reason why most of the individuals doing this type of work tend to be university and college students.

After encountering some challenging situations a few years ago (and recently), we came to realize that we are NOT currently EXEMPT from certain laws in regards to the Employment Standards Act in Ontario, whereby other jobs and industries in Ontario ARE currently exempt (such as harvesters of fruit, flower growers, packing of fresh fruit, shrub and tree growing [for **esthetics purposes only**], etc.) – also posted on the Ministry of Labour web site: http://www.labour.gov.on.ca/english/es/tools/srt/group_agriculture.php. We operate as a seasonal business, whereby there is a **2-4 month window** during the spring and summer months to have 10,000,000 trees planted for the logging companies and yet,

we are expected, by law, to follow the standards in effect like a 'regular' workplace with respect to: hours of work, daily rest periods, time off between shifts, weekly/bi-weekly rest periods, eating periods, overtime pay and public holiday pay. Tree planting is currently NOT included in the list of industries and jobs with exemptions or special rules; it is imperative that changes to the legislation take place in the very near future to aid in the success of tree planting operations across the province.

Thanks for considering our concerns comments in this area of the Employment Standards Act.

Thanks,

A handwritten signature in blue ink, appearing to read 'Melissa Hakojarvi', with a stylized flourish at the end.

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