



October 13, 2016

Changing Workplace Review, ELCPB
400 University Ave., 12th Floor
Toronto, Ontario M7A 1T7

Via Email

CWR.SpecialAdvisors@ontario.ca

Attention: Special Advisors

Dear Sirs;

Re: The Changing Workplaces Review – Interim Report

The Association of Professional Security Agencies – “APSA” is a National Association, and the official voice representing our security industry Members across Canada. Our National Office is located in Toronto, Ontario. We provide advice and assistance to Federal, Provincial Ministries concerning the security industry. Our President is a standing member of the Private Security and Investigative Services Advisory Committee (PSISAC) for the Ontario Minister of Community Safety and Correctional Services where they provide input, guidance and advice regarding the Ontario Private Security and Investigative Services Act (PSISA). We establish standards and ethics for the security guard service industry, in keeping with the benefit of our clients and the protection and safeguarding of the public-at-large. Our Members provide Security Services to Hospitals, Banks, Industrial Plants, Malls, Office Towers, Retail outlets etc. APSA continually works with its community partners, the various policing service agencies and their respective associations, in support of our common goals and objectives for keeping the public-at-large safe from harm.

We congratulate the Ministry of Labour for undertaking this much overdue and needed review of both the Ontario Labour Relations Act and the Ontario Employment Standards Act. Regrettably, we were not made aware of this review until recently and did not have the opportunity to provide you with any input for formulating your interim report and the presenting options for consideration.

As an industry and sector, it is becoming more and more difficult for our Members to meet the challenges of the competitive marketplace. Our labour market in the early 90’s has changed significantly over the past twenty plus years. Referring back to the law as in 1993 – 1995 is not being progressive. We believe a formal and broader consultative with various Employer Associations would be beneficial to the process. We would appreciate an opportunity to meet with you and discuss in greater

detail our concerns with some of the options you are proposing. The nature of our work includes long term contractual relationships with the clients of which we provide guarding and protective services. Some of the options recommended for consideration would prohibit us from meeting these specific contractual obligations. We require a market place that balances Employer, Employee and Customer responsibilities and obligations.

We have reviewed the number of options outlined in the "Interim Report". We believe that further consultation and engagement with Employer organizations would be of great value to you. We believe that there is a number of proposed options for change that will have significant implications for our Industry and for our Membership.

Specific Proposed Changes of Concern

Provisions Described Within the Ontario Employment Standards Act:

1. Definition of an Employee
2. Definition of an Employer
3. Exemptions, Special Rules and General Process as it specifically relates to "managers and supervisors" and the "student exemption from the three hour rule"
4. Leaves of Absence
5. Enforcement and Administration
6. Use of "Binding" Settlements
7. Remedies and Penalties
8. Increase powers of the Office of the Worker Advisor

Provisions Described Within the Ontario Labour Relations Act:

1. Related and Joint Employers
2. Card Based Certification
3. Off site, Telephone and Internet Voting
4. Successor Rights
5. Consolidation of Bargaining Rights
6. Replacement Workers

We would appreciate the opportunity to meet with you and discuss specifically these concerns and alternative options that would be more appropriate for the Security Sector. Please contact Nicole Lentinello, to set up some time to meet.

Respectfully Submitted


Nicole Lentinello
President, Association of Professional Security Agencies