



October 7, 2016

Changing Workplaces Review  
ELCPB 400 University Avenue, 12<sup>th</sup> Floor  
Toronto, Ontario M7A 1T7

Dear Panel of Special Advisors:

The Ontario Veterinary Medical Association (OVMA) is the voluntary professional association representing Ontario's 4,500 veterinarians working in private practice, government, industry and academia. On behalf of OVMA and its members, I am writing to you today in response to the *Changing Workplaces Review Interim Report*.

The Interim Report was reviewed by OVMA's Board of Directors on September 28<sup>th</sup> and I am pleased to share with you the board's feedback on the document:

***Employment Standards Act (ESA) exemptions and a new exemption process (section 5.2.3):***

Veterinarians are health professionals who require maximum flexibility in terms of hours of work to ensure that veterinary care is available to the Province's animals when they need it. For example, regulations under the *Veterinarians Act* require veterinarians to provide after hours emergency care (to be "on call"). While many practices collaborate to jointly provide this service via emergency facilities, many others cannot due to geographic limitations. Further, large animal veterinarians do their work on farms and are therefore unable to refer clients elsewhere. This exemption permits a number of benefits to the public good, including: assisting agricultural communities by responding quickly to emergencies and saving livestock, prompt identification of emerging disease outbreaks and for companion animals, ensuring that veterinarians are able to quickly respond to accident victims or animals with life-threatening illnesses.

Requiring veterinarians to abide by the ESA provisions concerning hours of work could negatively impact patient care and animal and human health. Issues such as hourly wage or annual salary, overtime pay, vacation time and public holidays are already routinely covered by written employment agreements between the employed veterinarian and the hospital owner. Therefore, they do not need to be outlined in legislation or regulation.

Lastly, in veterinary medicine, only veterinarians are exempt from the ESA. Other practice staff, who may be the group of workers this document intends to protect are not exempt from ESA standards. Potentially "at risk" workers in the veterinary profession are therefore already covered by the ESA. Therefore, OVMA's Board of Directors believes that the current exemption should remain in place.

**Issue: Paid Vacation (section 5.3.3.2)**

Most veterinary employees receive two weeks' vacation to start. On average, veterinary employees earn additional vacation time as their tenure with their employer increases, reflecting an approach set out in the third option in the *Changing Workplaces Review Interim Report*.

While veterinarians generally support employees earning more vacation over time, OVMA believes that the precise terms of such arrangements should be left to veterinary practice owners, so that they may make arrangements that balance the needs of employees with the needs of clients and patients.

**Issue: Paid Sick Days (section 5.3.5)**

The interim report was not clear as to whether or not the Panel was seriously considering altering the current rules for workplaces with 50 or fewer employees, so OVMA's response is based on the possibility of making changes to sick leave provisions in the ESA, as well as the size of the organization to which the rules would apply.

Veterinary hospitals are, almost by definition, very small businesses, with roughly two-thirds of Ontario veterinary hospitals having 10 employees or less. Margins are tight, and any additional costs that are mandated by the Province will ultimately have to be passed on to clients seeking medical care for their animals.

With veterinary hospitals and other small businesses facing increased employer tax costs due to the impending CPP reform, now is not the time to also force employers to have to pay more for employee sick leave. Those businesses that can afford to provide paid sick leave and choose to provide that benefit for their employees are, of course, free to do so.

**Issue: Just Cause Termination (section 5.3.8.3)**

It is essential for any small business to maintain flexibility in terms of the number of staff employed at any given time. It is also essential for employers to have the ability to dismiss staff who may not have committed a specific workplace violation, but who constitute a poor fit in their position or in the organization. OVMA strongly supports maintaining the status quo regarding just cause terminations.

Thank you once again for the opportunity to provide a response to this consultation. We hope this input is helpful. If you have any questions regarding this response, please contact OVMA's Manager of Government and External Relations, John Stevens at [jstevens@ovma.org](mailto:jstevens@ovma.org) or 800.670.1702, ext. 24.

Sincerely,



Christine Coghlan, DVM  
President