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Bill 266

An Act respecting minimum pay for support workers

Mr. J. West

Private Member's Bill

1st Reading March 23, 2021

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill enacts the *Support Workers Pay Act, 2021*. The Act provides that the minimum pay for every support worker shall be the minimum pay for a support worker when including the temporary pandemic pay paid to support workers. The Act also provides that every entity that employs support workers shall provide travel payments per kilometre travelled between work sites. The Act also provides that the Minister of Long-Term Care shall develop programs to provide training, education and professional development for all support workers and long-term care staff that provide care, to recruit and retain the number of support workers required to deliver adequate and appropriate care, and to ensure support workers are paid while learning on the job and that they can receive full-time jobs at the end of their apprenticeship. The Act also establishes the Support Worker Wage Review Commission.

An Act respecting minimum pay for support workers

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definitions

1 In this Act,

“Minister” means the Minister of Long-Term Care (“ministre”);

“support worker” means a person who delivers personal support services and includes home support workers, home help workers, community support workers, long-term care home support workers, retirement home support workers, residential support workers and homemakers. (“préposé aux services de soutien”)

Minimum pay

2 (1) The minimum pay for every support worker shall be the minimum amount received by a support worker when including the temporary pandemic pay increase paid to support workers in accordance with Ontario Regulation 241/20 (Order Under Subsection 7.0.2 (4) of the Act — Special Rules re Temporary Pandemic Pay) made under the *Emergency Management and Civil Protection Act*.

Appropriation required

(2) Subsection (1) does not apply unless money has been appropriated by the Legislature for the purpose of subsection (1).

Travel payments

3 (1) Every entity that employs support workers shall provide travel payments in the amount set by the Support Worker Wage Review Commission established under section 4.

Appropriation required

(2) Subsection (1) does not apply unless money has been appropriated by the Legislature for the purpose of subsection (1).

Programs

4 (1) The Minister shall develop the following programs:

1. A program to provide training, education and professional development for all support workers and long-term care staff that provide care.
2. A program designed to recruit and retain the number of support workers required to deliver adequate and appropriate care.
3. A program that ensures support workers are paid while learning on the job and that helps to ensure they receive full-time jobs at the end of their training period.

Appropriation required

(2) Subsection (1) does not apply unless money has been appropriated by the Legislature for the purpose of subsection (1).

Support Worker Wage Review Commission

5 (1) The Support Worker Wage Review Commission is established.

Composition

(2) The Commission shall be composed of no less than three and no more than nine members appointed by the Lieutenant Governor in Council.

Same

(3) In the appointment of persons to the Commission under subsection (2), the Lieutenant Governor in Council shall ensure, to the extent possible, the following groups are evenly represented:

1. Sector management.
2. Sector policy experts.

3. Support workers or support worker representatives.

Functions

(4) The Commission shall perform the following functions:

1. The Commission shall review support worker pay every two years.
2. Based on each review under paragraph 1, the Commission shall make recommendations on support worker pay to the Minister.
3. The Commission shall review support worker travel pay and, no later than 12 months after the day this section comes into force, set the amount of travel pay support workers shall receive per kilometre travelled between work sites.
4. The Commission shall review the travel pay set under paragraph 3 once every two years and, if it determines it is appropriate, increase the travel pay rate.

Commencement

6 This Act comes into force on the day it receives Royal Assent.

Short title

7 The short title of this Act is the *Support Workers Pay Act, 2021*.