



ISSN 1710-9442

**Legislative Assembly
of Ontario**

First Session, 39th Parliament

**Assemblée législative
de l'Ontario**

Première session, 39^e législature

**Official Report
of Debates
(Hansard)**

Thursday 24 September 2009

**Journal
des débats
(Hansard)**

Jeudi 24 septembre 2009

**Standing Committee on
Justice Policy**

Ontario College of Trades
and Apprenticeship Act, 2009

**Comité permanent
de la justice**

Loi de 2009 sur l'Ordre des métiers
de l'Ontario et l'apprentissage

Chair: Lorenzo Berardinetti
Clerk: Susan Sourial

Président : Lorenzo Berardinetti
Greffière : Susan Sourial

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON JUSTICE POLICY

COMITÉ PERMANENT DE LA JUSTICE

Thursday 24 September 2009

Jeudi 24 septembre 2009

The committee met at 0901 in room 151.

ONTARIO COLLEGE OF TRADES AND APPRENTICESHIP ACT, 2009

LOI DE 2009 SUR L'ORDRE DES MÉTIERS DE L'ONTARIO ET L'APPRENTISSAGE

Consideration of Bill 183, An Act to revise and modernize the law related to apprenticeship training and trades qualifications and to establish the Ontario College of Trades / Projet de loi 183, Loi visant à réviser et à moderniser le droit relatif à la formation en apprentissage et aux qualifications professionnelles et à créer l'Ordre des métiers de l'Ontario.

ONTARIO ASSOCIATION OF CERTIFIED ENGINEERING TECHNICIANS AND TECHNOLOGISTS

The Chair (Mr. Lorenzo Berardinetti): Good morning and welcome, everybody, to the Standing Committee on Justice Policy. I'd like to call the meeting to order. We're on a bit of a tight schedule because we have to break at 10:30 for question period and we've got quite a few deputations this morning, so we'll start right away with our first delegation for 9 o'clock, the Ontario Association of Certified Engineering Technicians and Technologists.

Welcome to our committee. You have 15 minutes. Any time that you don't use will be set aside for questions from members of the three different parties that are here today. You may begin your presentation.

Mr. Ron Walker: Thank you very much for allowing us to speak to you today about this important piece of legislation.

I'm Ron Walker. I'm a certified engineering technician and technologist. I'm an elected member to OACETT's board of governors, their council. I'm also a faculty member, teaching technology subjects to technical students, at Sir Sanford Fleming College in Peterborough, Ontario.

OACETT certifies graduates of the colleges. We've been doing it for 52 years now, by provincial statute. Virtually every college in the province graduates technical students, and these students seek certification with OACETT because they see the value of that certification and it helps them to truly believe that they are the

professionals they are. This is a profession to us. The colleges are obviously supported heavily by the taxpayers of Ontario to create these graduates, and they enter the workforce doing multitudes of tasks, some of which overlap other skill sets.

Also, in Ontario, OACETT certifies internationally trained professionals who come here and seek OACETT to measure their credentials and ensure that they are equated to the credentials in Ontario so that they can enter the workforce at an appropriate level and more quickly. About 70% of our current membership growth is internationally trained professionals.

We have industry partners who have been working with us. At the table today with me are Randy Topp from Direct Energy, Theo Breimer from Schneider Electric, Ralph Palumbo from Pathways. Also in the room, we have Paul Anis from Sinotech; we have David Tsang, past president of OACETT; David Thomson, the executive director of OACETT; Alla Bondarenko is here from OACETT staff. Working with us, but not able to be here today, are Marcus Johnson from Siemens Canada, Kevin Cosgrey from Direct Energy, and Charles Frey from Honeywell. They've been working with us for about two years now on the piece of legislation that was changed, that was outlined in the documents that we provided for you previously.

The legislation concerns the industry because it limits our members' ability to do work that they've been highly trained to do and have performed for years, and are skilled to do, and are uniquely qualified to do in an area of overlapping interest with a skilled trade. Technicians and technologists, in general, are trained for two or three years to do tasks that, in the electrical field, are more testing, diagnostic, troubleshooting and repair. It's in those kinds of areas—commissioning and designing new systems, as well—that we're concerned that unique skill set may not be able to be applied if this kind of legislation continues to be created. The example we put in the paper is one example. Other examples may come up in the future. This college that is being created should have the ability to look at that to ensure that where those overlapping skills occur, we are able to make case—and that the college be able to consider those things where appropriate and create exemptions so that our members could do that work where it's appropriate.

There are exemptions in legislation, such as a gas fitter who may go into your home to install a gas appliance. The gas fitter has an exemption and is able to do the

electrical work related to the installation of that gas appliance. That would be a similar example. The gas fitter is not able to wire your house completely but is able to do that limited electrical work. We think that sort of exemption is appropriate. Other examples exist and should exist in the future.

We're respectfully requesting amendments to Bill 183. We have, with the group, for about two years now, worked with different government ministries, and we've attempted to come to a resolution to have changes made. We were directed, frankly, by the government to come to the college, because the college will have the legislated right and mandate to make these kinds of exemptions and to consider these sorts of things. What we are asking, then, is that an amendment be made. You'll see in the paperwork that was provided to you suggested wording and a position for that amendment.

We want it to be clear, though, that we want to have these amendments be appropriate for the skill set, that it be duly considered, and that we can assure that our certified engineering technicians and technologists are skilled, trained and qualified to do the work.

There are several examples that might help you. One example I would suggest is where a building may have a system that monitors the environmental systems. If the environmental system controls break down, the technician or technologist is most qualified and trained to troubleshoot, repair and diagnose that system. As it stands, legislation changes like we have referenced make it so that it may be necessary to have two people attend that repair, as opposed to the technician being able to go in and do the repair—may have to have a licensed electrician supervise the work. The licensed electrician is typically not trained and skilled in that diagnostic and troubleshooting. They're very strongly trained in other aspects of the installation and hands-on code and those sorts of things, but not on diagnostics and troubleshooting. So that's kind of the overlap that we're trying to sort out here today.

I would certainly turn it over to you for any questions you may have of our industry partners, me or Ralph.

The Chair (Mr. Lorenzo Berardinetti): We have just around seven minutes, so roughly two minutes per party. We'll start with the Conservative Party. Ms. Elliott, do you have questions?

Mrs. Christine Elliott: Thank you very much for your presentation. Just for clarity's sake, you're really just asking for an amendment to allow the college to deal with these sorts of issues in the future. Is that correct? You're not asking for the change itself to be made, but simply that the college have the jurisdiction.

Mr. Ron Walker: Certainly, that change itself being made would please us greatly, but I think it's probably fair to say, as you have, that we're looking for the ability of the college to do those things.

Mrs. Christine Elliott: Thank you very much.

The Chair (Mr. Lorenzo Berardinetti): We'll move on, then, to the NDP. Mr. Marchese.

Mr. Rosario Marchese: The OFL made some suggestions that I find very useful. They say we should separate the whole bill into two parts: one that speaks to genuine trades—and by that they mean, obviously, anyone who goes through an apprenticeship program for two to five years—and the other one is the occupations, where it's less time and they have certain skills, and it should be divided that way. I find that a very useful way to separate the skills. Obviously this bill doesn't propose that, but did you find that a better way to deal with it? Would that give you better comfort in terms of what you were looking at, or no?

0910

Mr. Ron Walker: I think what you're suggesting makes a lot of sense to us. We see ourselves not as a skilled trade; we see ourselves as—we say "profession," but "occupation" may well be another way to look at that.

In the electrical sector that we're talking about here, you've got probably three levels: the skilled trade, the engineering technician/technologist and the engineering sector as well, so we'd probably fit in the middle of that. At each end of it, there are overlapping skill sets. In the electrical area, technologists often do design work to a point, but the unlicensed engineer does more in stamped design work on the upper end, as it were. On the lower end, there are overlaps with the apprenticeship, skilled trade, and journey person areas. So I think the way you're suggesting to think of it may have great merit.

Mr. Rosario Marchese: Because one of the criticisms that the OFL makes is that now, anything can be classified as a trade. Once you combine the two existing acts, anything can be a trade. I happen to agree with them because, unless you have the required hours to have a genuine trade, to break down the various genuine trades into skill sets and classify them as trades doesn't make any sense to me. But that's what this bill does—

Mr. Ron Walker: There are certainly nomenclature issues there, terminology issues, about what is a trade and what is not a trade and where does it overlap.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We'll move on to the Liberal Party. Mr. Zimmer?

Mr. David Zimmer: I just have a short question. I've got your written submission that you turned in, and at page 7—I mean, I gather what it really boils down to is that you'd like to see the bill amended, and you've set it out at page 7, starting with, "More specifically, we submit" the proposed amendment, clause 25, and then a new section, 72.1, and it goes on for a page or so. But can you tell me in layman's language, just for the record, what the effect of that amendment is, just so we all understand it?

Mr. Ralph Palumbo: The regulation now under the Occupational Health and Safety Act indicates that no worker other than an electrician certified under the Trades Qualification and Apprenticeship Act can do electrical work. By that they mean that no one other than an electrician "shall connect, maintain or modify electrical equipment or installations...." What OACETT is saying is that for years, they were doing that very work. So what they're asking is for this amendment to Bill 183

so that they can attend at the college of trades and make the case as to why they should be able to do this work, and in fact to prove that their members are persons with equivalent qualifications by training and experience.

It's not as if it's an automatic; they just want a venue. They want to be able to go somewhere to say, "This is what's happening in the marketplace now. This is the effect it's having on our members and on industry, and we'd like to come and prove that in fact, we need an exemption."

Mr. David Zimmer: And that would take place at the college.

Mr. Ralph Palumbo: At the college.

Mr. David Zimmer: Thank you very much.

The Chair (Mr. Lorenzo Berardinetti): We have time for one last, quick question. Mr. Leal?

Mr. Jeff Leal: Mine's more of a comment. Ron, I just want to say thank you for the time that you took, with my friends Bob Jameson and Sharon Reid, to visit me in my constituency office in Peterborough. It certainly highlighted some of the concerns you have with the bill at its first reading, and I want to assure you we'll be taking your submission very seriously today. I think you've made some very good suggestions, so thanks again. And you do excellent work at Fleming College too. You've got a great reputation.

Mr. Ron Walker: Thank you.

The Chair (Mr. Lorenzo Berardinetti): Thank you for your presentation this morning.

CARPENTERS' DISTRICT COUNCIL OF ONTARIO

The Chair (Mr. Lorenzo Berardinetti): We will now ask the next deputation to come forward from the carpenters' union. We have Mr. Mike Yorke. Thank you. Good morning and welcome to the committee. If you could please introduce yourself for the purposes of Hansard.

Mr. Mike Yorke: Yes, certainly. My name is Mike Yorke. I'm with the Carpenters' District Council of Ontario. I'd like to say good morning to the Chair and to the committee. Thank you very much for affording us the time to be here.

I'm here with two colleagues, also from the carpenters' union. To my left is Steven Del Duca, public relations at the central Ontario regional council. On my right is Rick Harkness, a colleague of mine. We work together at the Carpenters' District Council of Ontario. Thank you very much. We'll give the presentation.

The Carpenters' District Council of Ontario represents 24,000 skilled men and women across the province of Ontario. I'd like to begin by conveying strong support for Bill 183. Before I go into detail regarding that support, I wanted to offer a few words of thanks to some of the people who deserve credit for this groundbreaking legislation.

Firstly, the carpenters' union would like to thank Premier Dalton McGuinty for appointing Tim Armstrong

to conduct the review of the issue of compulsory certification. That's an issue that our organization has been seeking progress on for close to 40 years.

I'd like to thank Tim Armstrong for having the insight and the courage to go a bit beyond his initial mandate and providing a report to the government that called for self-governance for Ontario's skilled trades.

Finally, thanks to Minister John Milloy, Kevin Whitaker and the political and departmental staff at the Ministry of Training, Colleges and Universities for having the determination to take Mr. Armstrong's inspired vision and make it a reality.

Way back in August 2007, when this government first appointed Tim Armstrong to conduct his review, I don't think anyone imagined how creative and revolutionary his report would be, because we certainly didn't.

Our initial hope was that the review would lead to the creation of a fair, open and transparent process for interested voluntary trades to apply to become compulsory. Well, Bill 183 does provide that opportunity, but it offers the entire community of skilled trades so much more.

When both Armstrong and Whitaker reached out to stakeholders across the province, they heard many of the same concerns and complaints. For example: The current PAC system is not functioning properly; government doesn't listen to us; there are too many bureaucratic layers to deal with; there's no adequate mechanism for dealing with compulsory certification or ratios—and on and on the list went.

Self-governance, which is really what Bill 183 affords us, is a comprehensive and exciting solution to all of the well-founded concerns that were raised. To me, as a proud carpenter, the creation of our very own self-governing body will mean that we have the chance to continue to raise the profile of the trades, to add even more value to apprenticeship training and to give ourselves a professional status that is similar to analogous programs for many other professions.

For too long, despite the best efforts of the ministry and various training centres, colleges and boards of education, a career in the trades had been seen as an option of last resort. Those of us who work in the trades know that this is an unfair yet persistent stereotype. It's our hope and our sincere belief that the college of trades, when fully implemented, will help to change that image once and for all.

The proposed college is also designed to empower participants to make decisions without going to government, and for the most part to seek and receive approval. This means that for the first time ever we will no longer be spectators as others decide what's best for us. Bill 183 means that we will become the decision-makers.

We will determine and set training standards. We will develop the framework for the compulsory certification application process and for deliberations relating to ratios. We will populate the various boards and committees of the college via the transition board. We will develop strategies, collaboratively, for addressing issues such as looming skills shortages. And ultimately, we will

strengthen and modernize Ontario's skills and apprenticeship system and in turn play a fundamental part in building the economy of the future. All of this will rest with us, and that, from our perspective, is ultimately a good thing that deserves our support and endorsement.

0920

Notwithstanding our enthusiastic support for the legislation, there are a couple of suggestions that we have with respect to how it may be improved. We would respectfully submit that the initial classes of membership for the college of trades, as spelled out in section 36 of Bill 183, be expanded so as to include registered apprentices. So much of what we aspire to achieve with respect to self-governance for trades is linked directly to how our actions may affect apprentices. These women and men are the future of the trades, and so it seems to us that it's essential to include them as full participants in the college, starting on day one.

We also note that those practising a voluntary trade who do not hold a certificate of qualification are neither required nor able to join the college right away. While we understand the rationale for defining membership in this manner, we hope that the transition board will exercise the regulatory power it has by virtue of subsection 36(3) to include these individuals as a voluntary class of membership as soon as possible, following the creation of the college.

With respect to the structure of the trade boards, we do not believe that it is reasonable to expect that four members will be enough to provide the range of opinion that exists within each specific trade. So with that in mind, we recommend that subsection 20(3) be amended so that no fewer than eight individuals would be appointed to serve on a trade board. We would recommend that these eight could be further divided such that four would represent employers and four would represent employees. It may also be useful to include language in this section that suggests that appropriate geographic representation be included as one of the criteria for appointing individuals to the trade boards.

With respect to deliberations regarding compulsory certification, we recommend that the period of repose described in subsections 60(5) and 60(6) of the bill be amended so that a maximum period of repose is written directly into the legislation. We would further recommend that the period of repose be no more than five years; however, it could be less.

Over the last few weeks, we have heard a number of suggestions from other well-meaning organizations that believe that fundamental changes are needed to Bill 183. Some have suggested that the proposed organizational structure of the college be revised so as to include more direct representation from the provincial government itself. To this, we disagree. The bill already affords the government with continued responsibility for a host of important issues, not the least of which is decision-making power with respect to funding for training delivery agencies. That said, it seems to us that self-governance has to mean exactly that, and we have no

doubt the community of skilled trades is mature enough and ready to take on that challenge.

Other organizations are of the belief that the college should only apply to compulsory or to restricted trades. Again, we disagree strongly. In order for this undertaking to be comprehensive and to have the valuable impact that it should, the college must apply to all skilled trades. Leaving out most trades would create an unnecessary and artificial class system within the trades and would undermine the goal of strengthening apprenticeship across the board.

We understand that embarking on this new course represents a bit of a leap of faith on the part of the skilled trades community. As in all similar situations, when dealing with enabling legislation, the bill leaves tremendous regulatory power in the hands of the transition board. But it is the opinion of the carpenters' union that we should not fear the unknown, especially when one considers that the transition board will include representatives and individuals who represent us. Some may believe that this is too much of a challenge and that we should simply stick with what we have or tinker with the status quo, but we believe that Bill 183 represents a tremendous opportunity for all skilled trades, because the power to shape our future will rest with us.

We look forward to participating fully in the college. Thank you very much for the opportunity to meet you this morning.

The Chair (Mr. Lorenzo Berardinetti): Thank you, Mr. Yorke. That leaves about six minutes for questions, and we'll rotate the starting questions. We'll go with the NDP first. Mr. Marchese?

Mr. Rosario Marchese: Thank you, Mike. You answered one of my questions, because one of the issues that was raised by the Coalition of Compulsory Trades was that we separate the compulsory trades—or at least phase it in with the voluntary trades. You're obviously speaking against that.

Mr. Mike Yorke: Yes. Well, I'm glad to have the opportunity to bring that forward.

Mr. Rosario Marchese: What about the issue of fees? Does that concern you at all, in terms of the voluntary trades or the others? Will it discourage some? Is that a problem for you, or is that a good thing?

Mr. Mike Yorke: We've discussed that issue and we have looked at it and we don't believe that it will constitute a barrier. We think that's part of the process in terms of self-governing, self-regulation. There is an opportunity there for individuals to play that kind of role, participation.

Mr. Rosario Marchese: Okay.

Mr. Mike Yorke: We don't see that as an obstacle.

Mr. Rosario Marchese: What about issues of enforcement or the language around inspectors, which is very lax in terms of the registrar "may" or "may not," and there are other conditions. How do you feel about the issue of enforcing? The OFL and many other unions are saying that it's very weak, there should be an enforcement unit and other language as expressed by them,

which is very strong. Do you feel strongly one way or the other about that?

Mr. Mike Yorke: That particular issue, I'm going to ask a colleague of mine to address that—Steve Del Duca.

Mr. Steven Del Duca: Yes, with respect to that, understanding fully where some of those concerns are coming from, I think at the end of the day the fact that the enabling power will rest with the transition board and also that the community of skilled trades will have a chance to participate and to make submissions in the actual implementation of the college—we don't feel that it's a serious problem the way that the language is contained in the bill at this time.

Mr. Rosario Marchese: Okay. What about the issue of an organization that seems very bureaucratic and top-heavy? Do you think that we have too many boards set up? You have the divisional boards, the trade boards, the review panels, you have the governance board. Do you think there are too many panels at work here or do you think that's okay?

Mr. Mike Yorke: We believe that's okay, because we see that there's been a streamline of existing boards. Some existing are merged into this, so we don't see it as an overlap. As a matter of fact, as it is self-regulatory, it's sort of outside the framework of government. We think that's acceptable, as it is laid out in the flow chart that I have here.

Mr. Rosario Marchese: And if the government doesn't accept many of the suggestions you make, will you be okay with that?

Mr. Mike Yorke: We can always improve the bill and that's why we're here, to bring forward some of our issues. We're comfortable with it but we believe there is room for improvement and that's why we've made the presentation as we've drafted it.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We'll move to the Liberal Party. Mr. Flynn?

Mr. Kevin Daniel Flynn: Thank you, Mike, for your presentation. Among all the constructive suggestions you've made, could you briefly expand—and then some other members have a question—on what you see taking place during the transition period?

Mr. Mike Yorke: Steve, I'm going to ask if you can address that.

Mr. Steven Del Duca: Sorry, could you—

Mr. Kevin Daniel Flynn: During the transition period, when we have the transition board in place, what do you see taking place during that period?

Mr. Steven Del Duca: If I understand it correctly, the transition board will sort of go forth to start to populate the rest of the college itself. There are a number of other appointments that need to take place for division boards, for the trade boards, for the review panels etc. I think that the criteria around deliberations for ratios and the criteria around applications for compulsory certification will take shape at that stage.

Obviously it's our hope and our opinion that some of that stuff should move as quickly as possible because there has been a great deal of pent-up demand in the

system, from this organization's perspective; close to 40 years that we've been talking to various governments about the issue of compulsory certification, for example.

So those are some of the fundamental things that I—

Mr. Kevin Daniel Flynn: And you envision playing an active role in that?

Mr. Steven Del Duca: Absolutely, and we envision participating as fully as possible.

The Chair (Mr. Lorenzo Berardinetti): One last question. Mr. Moridi?

Mr. Reza Moridi: Mr. Yorke, I wish to thank you and your colleagues very much for this wonderful deputation and presentation this morning.

As I understand, you are suggesting that we include a new class of membership. I wonder if you could please elaborate a bit about this new class of membership you are suggesting be included in this bill.

Mr. Mike Yorke: The apprentices?

Mr. Reza Moridi: Yes.

Mr. Mike Yorke: Thanks for that question. Apprentices make a commitment to the trade, no matter what the trade is. They're putting four or five years of their life into the trade. We believe they should have the opportunity to play an active role in the college from the beginning. They've made that commitment. We see them as the future of the trade and we see they're so important to the longevity of the trade that we believe it to be unfair to exclude them from the college. We believe there is an active role for the apprentices. They'll make a contribution to their own future.

Mr. Reza Moridi: Thank you.

The Chair (Mr. Lorenzo Berardinetti): We'll move on to the Conservatives.

Mr. Robert Bailey: We've got two questions, so I'll ask mine really quick. In the short time we have, I'd like you to expand on your question about the ratios and how you see that changing or what impact it has on your trade at this time.

0930

Mr. Mike Yorke: With respect to the apprenticeship ratios?

Mr. Robert Bailey: Yes.

Mr. Mike Yorke: Within the context of the current PACs. That's where they would be dealt with. At the same time, when it merges into the college of trades, there's an opportunity to have that open, transparent discussion between all parties around the issue of ratios. We don't see any change in the ratios currently, so I think that affords us the venue to have that discussion.

Mr. Robert Bailey: Okay. Ms. Elliott's got a question.

The Chair (Mr. Lorenzo Berardinetti): Mrs. Elliott.

Mrs. Christine Elliott: I was hoping you could expand just a little bit on the idea that you expressed with respect to the creation of the college and how that would encourage other young people to get into the trades, and how you think that will foster the growth.

Mr. Mike Yorke: I'll make one or two comments. Then I'm going to ask my colleague Rick Harkness to

address the views. He's got a great way of putting that with respect to the college.

We think that's an important part, to have young individuals coming into the trades and see that there's something really valuable in terms of the role they can play within the college. As we said earlier, in the context of the brief, we think the professionalism and the improvement of respect within the community at large around the trades really will help to drive apprenticeship completion rates.

But also, Rick, if you could address that question, that would be great.

Mr. Rick Harkness: Certainly. I guess the simplest way to put this is that if you spend four years of your life training to be an apprentice and working toward being a journeyman, and at the end of it you get a piece of paper that doesn't mean anything, what was the point?

Most of our apprentices who come to us tell us the same thing: "Why would I spend \$100 to write a C of Q application and pass a test that nobody asked for and that nobody cares you have?" That's why they want to move to compulsory certification. They want to be recognized as a profession.

Mrs. Christine Elliott: Thank you.

The Chair (Mr. Lorenzo Berardinetti): Thank you. That's our time. We appreciate your presence here today and your deputation.

Mr. Mike Yorke: Thank you very much.

The Chair (Mr. Lorenzo Berardinetti): Just to remind members: We have four more deputations to go through before 10:30, when we recess for question period.

ONTARIO CHAMBER OF COMMERCE

The Chair (Mr. Lorenzo Berardinetti): I'd like to call the next deputation forward, which is the Ontario Chamber of Commerce. Good morning. Welcome. As you've seen, it's 15 minutes for your presentation. Any time that you don't use in making your presentation will be spread amongst the parties, with questions from the members of the committee.

Mr. Stuart Johnston: Sounds good. Good morning. I'm Stuart Johnston. I'm representing the Ontario Chamber of Commerce. Thank you very much for the opportunity to come to speak with you this morning on this particular bill. The Ontario Chamber of Commerce, for those who may not know, is a federation of 160 local chambers of commerce and boards of trade throughout Ontario representing approximately 60,000 businesses from all sectors, every size of business, from virtually every corner of the province.

I'd like to start by saying that the proposed college of trades is an excellent step in the right direction, a step that should serve to put us on better footing as we attempt to train our workforce in a manner that is best for our economy.

The Ontario chamber and our 60,000 members have long viewed skilled trades and apprenticeship training as

the third pillar of education, one that's equally important to college and university education. We've been pleased with the progress we've witnessed in recent years to address concerns raised by the chamber in our two previous reports on skilled trades. Of course, there is always more to be done in this particular area.

We know that several important programs have been put in place over the years that attempt to address the skills shortage. Unfortunately, many of our members have no idea that they exist or how to access many of these programs. We are hopeful that the college of trades will help improve the level of awareness as well as firmly establish skills and apprenticeship training as the third pillar of post-secondary education.

In particular, Bill 183 establishes a framework that will enable the college of trades to further encourage businesses and individuals to make investments in workforce education and training. In our first report on skills shortage, we quantified that return on investment for apprenticeship training at 430%. So for every dollar that business invests in training an apprentice, they'll get back \$4.30 over the life of that employee's work, which is a significant return on investment for the business, the employee and the economy.

We know that training makes good economic sense. It's also vital for Ontario's competitiveness that we have a well-trained and adaptable workforce. The new college of trades would provide further ways to encourage businesses to play their part and will provide a formalized, structured environment that will serve to better coordinate and manage skills training in Ontario.

The framework outlined in Bill 183 will enable the college of trades to better develop underutilized segments of the workforce. Skills shortages have, for many years, been a serious concern of our membership and continue to worry them as they look ahead. We are constantly hearing from our members about a lack of qualified workers in a broad range of sectors. Notwithstanding the many unfortunate people who have recently lost their jobs, the skills shortage will continue to worsen in the years to come. But there are a few ways in which to grow that workforce and many ways in which the workforce, of course, is shrinking.

Ontario's slowing birth rate and the aging population serve to exacerbate an already urgent problem. As we all know, immigration will help to boost our workforce, but we are in a global competition for skills. Every industrialized country in the world is facing the same demographic pressures that we are. So immigration, while important, is not the panacea that some may believe.

It's estimated that from 2011 to 2020, Ontario's labour force will shrink or it will weaken to about 0.7%, from its current 1.8% that we've witnessed over the last decade. In addition, Ontario's population growth rate is expected to shrink even further over the next five years, averaging a mere 0.5%. Of course, we need somewhere just north of the 2% range in order to sustain our population.

Perhaps the most reliable way to boost our workforce is to train our people in a better, smarter way, as well as

to strengthen our ability to tap into underutilized segments of the population—often cited are the aboriginal and disabled communities, as well as the new Canadians who are already here in Ontario but who have been unable to transition to the labour market for a variety of reasons—so that their sought-after skills and experience can be fully utilized. The college of trades, we believe, will be able to encourage greater participation from these groups and others in higher education and, of course, in our economy.

Bill 183 also provides direction for the college of trades to address the unwarranted stigma attached to skilled trades. Whether it be through rebranding apprenticeship training or marketing the value of the trades, the college could and should take it upon itself to help address this long-standing issue in Ontario.

For these reasons and more, the OCC is broadly supportive of the college of trades. We would, however, offer a few important suggestions for the government to consider in order to strengthen the legislation.

First of all, clarification, we think, is needed in the bill to provide some clarity and predictability on the financial cost of membership for employers and employees. Open-ended language may serve to undermine the confidence and trust in the new college of trades, so predictability and transparency, we believe, is the key in this area.

As such, we would ask that we continue with further consultations as the legislation, regulations and even the transition board progress, in order to ensure a more fulsome discussion in this most important initiative. We need to get this right the first time, and so all parties need to have a voice at the table.

Finally, to that end, we notice that our colleges are not specified in the bill as being represented on the board of governors and on trade and divisional boards. As the primary delivery agents for apprenticeship in-school training, we believe colleges have much to bring to the table and should be an integral part of the governance of the college of trades.

I wish to thank the committee very much for this opportunity, and I'd be pleased to answer any questions.

The Chair (Mr. Lorenzo Berardinetti): Thank you very much. We have about seven or eight minutes, and we'll try to stay with our timeline. We'll start this time with the Liberal Party. Mr. Flynn?

Mr. Kevin Daniel Flynn: Thank you. There may be some other questions after me, but, certainly, Stuart, thank you for your support of the bill. Thank you for your constructive comments as well.

A previous delegation talked about the trades often being an option of last resort when somebody is considering a career. Does the business community see it that way as well? Those comments came from the trades themselves. Do you see that?

Mr. Stuart Johnston: Well, of course. But first, let me—I've been remiss—introduce my colleague Sonia Mistry. She's our policy analyst at the Ontario chamber, so I apologize for that oversight.

In answer to your question, yes, our members actually do see that because they're frustrated, because they can't

find the appropriate skill level in the employees they're seeking. So, absolutely, they're frustrated that there are not enough people being trained. Some are turning to the immigration system—they think they need to bring them from overseas—but that's problematic in and of itself because, as I said, every industrialized nation is fighting to keep the people they have and to recruit the people from other countries, including ours. So they do absolutely see that as an issue.

The Chair (Mr. Lorenzo Berardinetti): Okay. Mr. Levac?

0940

Mr. Dave Levac: Yes, very quickly. Thank you for your presentation—and obviously to the others that presented. Just a quick question. I know the chamber is very famous for polling its membership at the local, provincial and national levels. In terms of percentages, is there anyone that has come offside with support for the bill, and for what reason—if there needs to be pointed out—

Mr. Stuart Johnston: No. I can say that didn't come up. In fact, it's been almost universal support for a coordinated college of trades.

Mr. Dave Levac: Thank you very much.

The Chair (Mr. Lorenzo Berardinetti): We'll move on, then, to the Conservative Party. Ms. Elliott?

Mrs. Christine Elliott: Thank you very much for your presentation. You've raised a number of really interesting and important issues. I was particularly struck by the one comment that you made about how the college could perhaps be helpful in drawing in certain groups that traditionally have had difficulty with employment—people with disabilities of some kind. I'm interested in your comments about how you think the college could help bring some of those groups in and foster their growth in the trades.

Mr. Stuart Johnston: I think if it's focusing on the training issue, and it also broadens its mandate to include that rebranding and the marketing. We talked about the immigration issue. We have some very qualified people here in Ontario, an underutilized workforce. I think the college will have the ability to reach out to these particular communities, figure out what their particular needs are and how to formulate strategies to bring them into the economy and get them employed, because right now, as we know, those segments are dramatically underemployed, so we need to bring them into the workforce.

Mrs. Christine Elliott: Just one follow-up question: Do you think the legislation, as drafted now, will have the ability to do that, or do you think there are any further changes or any further powers, perhaps, that they need to have?

Mr. Stuart Johnston: I think if it is a priority, and I believe that it should be, the language could be strengthened. As it sits now, it does identify underutilized segments, but I think, of course, any legislation could be strengthened.

Mrs. Christine Elliott: Thank you.

The Chair (Mr. Lorenzo Berardinetti): We'll move on, then, to Mr. Marchese.

Mr. Rosario Marchese: Stuart, I have two questions, and one relates to the issue of poaching, because I've been interested in that for quite some time. There are many corporations who don't invest as much as they should and/or would like because they fear that if they invest, other companies who don't will simply poach those workers. Do you see this bill as somehow dealing with that?

Mr. Stuart Johnston: I think it will certainly help. You're absolutely right. Poaching is a very serious issue with our membership. Many members are reluctant to invest in training because they know that their competition is going to hire them away. I think that formalizing the trades training in Ontario in the manner that we're talking about will help to address that in the sense that poaching, really, is a supply-and-demand issue. There's a huge demand and a very low supply, so it encourages poaching. I think if we can increase the supply, then the demand through poaching will lessen.

Mr. Rosario Marchese: The other question I have is my interest in what Quebec is doing, and Ireland and France, in terms of forcing corporations who have over \$1 million in profits to invest 1% of their dollars in training. I kind of like that. I think it works. Do you like that?

Mr. Stuart Johnston: I don't think our members would, no.

Mr. Rosario Marchese: Why not? Given that you talk about the tremendous need that we have in investing in training, and that there's a serious shortage, why wouldn't the members like it?

Mr. Stuart Johnston: Because I think the real issue is the one you first addressed through your question about poaching.

Mr. Rosario Marchese: But if we're all doing it?

Mr. Stuart Johnston: Well, if we're all doing it, we don't need to legislate people to contribute training dollars. Our members see the inherent value of training people. They need those employees. They will train them or they will go to places, colleges and elsewhere, to find—

Mr. Rosario Marchese: Other countries.

Mr. Stuart Johnston: And other countries. Well, we need to go to other countries. Our birth rate is not sustaining our workforce. We need to use a number of strategies to raise that supply, and I think that once that supply is there and they're comfortable in the fact that the poaching issue may be addressed, they have no problem investing. They understand the value of that investment. They're just reluctant to do so in many cases because they know that investment may disappear out the door.

The Chair (Mr. Lorenzo Berardinetti): Thank you very much. Thank you for your presentation and for being here this morning.

CHRISTIAN LABOUR
ASSOCIATION OF CANADA

The Chair (Mr. Lorenzo Berardinetti): We'll move on, then, to our next deputation, which is the Christian

Labour Association of Canada. Good morning. If you just want to identify yourself for the record.

Mr. Andrew Regnerus: Thank you, Mr. Chairman and committee members. My name is Andrew Regnerus. I'm the construction coordinator in the province of Ontario for the Christian Labour Association of Canada and I'm making this presentation on behalf of our four locals in Ontario and our five offices and training centres, which are located in Niagara, Ottawa, southwestern Ontario, central Ontario and in the GTA.

I have included some background information about CLAC and I would like to begin by saying a few things: The Christian Labour Association was established in 1952. We have over 50,000 members, about one third of those in Ontario, and about one fourth of our Ontario members work in the construction industry.

I want to advocate for a model of construction labour representation in the province of Ontario and to endorse that model and ensure that consideration of that model is recognized in this particular legislation for the college of trades.

Our model is unique in the construction sector. We would say that all of an employer's workers in all trades belong in one collective bargaining unit as a workplace community, with a common collective agreement. Our wall-to-wall approach creates choice for workers over against the one-union-per-trade approach that is practised by traditional construction unions. For this and for other philosophical reasons, CLAC is not part of the Ontario Building and Construction Trades Council.

Several hallmarks of our philosophy of labour relations are a co-operative approach, mutual dignity and respect between worker and employer, promotion of workplace democracy, and worker choice. They don't all resonate well with the underlying philosophy of many traditional unions. Promoting unionized labour as an independent, all-Canadian union gives us a unique perspective, and we wish to share that perspective participating in Ontario's college of trades.

Of the four divisions that are proposed, I want to speak particularly about construction. We endorse promotion of the trades, which is a central goal of the college. We see that there are barriers that must be overcome to address the upcoming skills shortage and to position Ontario as a leader within Canada and globally. We also endorse the recommendation that the college should reflect the workplace reality of the trades and the diversity of the province.

The college is to be self-regulating and self-governing. That's a laudable goal and a goal that's consistent with enhancing the status of the trades, but we wonder about whether this is actually deliverable.

The construction industry is known to have some unscrupulous practitioners and we need to be able to continue to eradicate those practitioners, whether it be the underground economy or ignoring legislation that has to do with employment insurance, WSIB, health and safety, and other legislation. The expectation of compliance, we believe, comes more readily with a stick than a carrot,

and there is a disciplinary procedure proposed in the college of trades that will help address that. The college must be able to level sanctions against those who damage the reputation of the trades, because it is that damaged reputation that hinders attracting additional workers into the trades. We believe there is an ongoing separate and important role for inspectors who monitor job-site health and safety in compliance with the Trades Qualification and Apprenticeship Act and other legislation.

We see that the governance model that is proposed is a very streamlined model and it is intended to represent diversity in the province in these four divisions. We would echo the caution expressed by others earlier in weeks and months leading up to today that the college become not so bureaucratic that it is unable to function in a way that would allow it to carry out its important goals.

Having said that, the college has to sufficiently be representative of the industry throughout the province in order to garner full and meaningful support and to get the supporting broad-based buy-in necessary to make change.

0950

In the construction industry, there are three main models—I spoke about this in my introduction—the craft model; the wall-to-wall model, represented by CLAC; and then the non-union model. All three models for the representation of college members must be permitted a voice in the college.

We propose that the board of governors permit three labour members, one from each model, including a designated seat for CLAC. To keep the board size to 22 as proposed, the number of lay members might be reduced to four from five. On the other hand, increasing the board to 23 isn't particularly unwieldy and may help achieve quorum for meetings. We believe the same to be true for divisional boards—representing all three models—and we look forward to participating in the college in that respect.

We're also concerned that the trade boards won't be sufficiently representative of the diversity of the province. Insofar as these boards appear to be groupings of several trades, many groups will be vying for places on the boards, representing diverse interests with regard to different trades, different labour models, geographic differences and sectoral differences within the construction division.

We also want to make sure that the college's solicitation for input is inclusive. Considering how appointments are to be made by an appointments council, we recommend that all labour models be included in that body. Further, adjudicative rosters and review panels ought to be accessible to all voices that make up the diverse mosaic of trades and trade representation in our province.

With respect to the phase-in plan, it appears, from our perspective, to be ambitious and well thought out. However, the actual launch of the college is predicated on settlement of a couple of initial issues which have defied resolution for decades. Perhaps we should reconsider

whether we want the spotlight on some contentious issues which will run contrary to the goal of enhancing the positive image of the trades—dealing with ratios in particular, less so on the compulsory status issues of the trades. Whatever the outcome, we'll be perceived to have winners and losers.

With regard to membership in the college, we believe that it should consist of more than just journeypersons and their employers, as is proposed. Additional categories should be added, including registered apprentices; they're the future of the trades and of the college. Apprentices also have the most relevant input on how to make the trades more attractive because they're the ones who have most recently been attracted to the trades.

We also suggest that labour representatives who might not be trade journeypersons should also be members of the college, on a voluntary basis. Such representatives are asked to speak on behalf of journeypersons and apprentices and to contemplate changes in the industry. With our unique multi-trade approach, this is particularly important to our union. We want to ensure that our members, who speak through staff representatives, are able to meaningfully have their voice heard within the college.

In conclusion, I do wish to point out that in our package our earlier submissions to Mr. Whitaker are not appended, as was intended, due to a computer glitch, but we will happily make them available today by submitting them to the committee clerk.

I wish to thank you for your time. We'll gladly answer any questions today if there are any, and we can be reached for further information.

The Chair (Mr. Lorenzo Berardinetti): We have just under two minutes per party. We'll start with the Conservatives. Any questions? Mr. Bailey.

Mr. Robert Bailey: Thank you for your presentation today. You touched on a number of issues here that we've heard before, as well. The ratios keep coming up. How do the ratios affect your union, CLAC?

Mr. Andrew Regnerus: Well, I would say not too differently than any others. We've made a lengthier submission on ratios in our initial position paper. The important thing for us is that we recognize that ratios are implemented in order to ensure proper health and safety and training standards. What's important for us is that apprentices be trained well and that there be a level playing field. I mentioned unscrupulous employers, and there are those who play fast and loose with the ratios, and that shouldn't be. We need enforcement mechanisms that ensure that the trades are enhanced by paying attention to the ratios and training people properly.

Mr. Robert Bailey: Thank you.

The Chair (Mr. Lorenzo Berardinetti): Okay, the NDP. Mr. Marchese.

Mr. Rosario Marchese: Thanks, Andrew. I wanted to say that you're not the only one who has spoken about having apprentices have a role as members on the board. If there's one thing that has been consistent with most of

the deputants, it is that apprentices should be members of the board. So I wanted to just say that.

With respect to the various divisions, where you've got a governing board, you have a divisional board and trade boards—is there one of these panels that you would abolish, or do you think they're all useful?

Mr. Andrew Regnerus: In the streamlined governance, I think they're all necessary. So there isn't one in particular that I would have abolished.

Mr. Rosario Marchese: Thanks, Andrew.

The Chair (Mr. Lorenzo Berardinetti): Mr. Flynn.

Mr. Kevin Daniel Flynn: Thank you, Andrew. Three quick questions: Just so that I understand the organization a little bit better, I'll just choose any one of the trades. Let's say I was a steam fitter or I was a crane operator, but I was working on a job site where the collective agreement was held by your organization. In what capacity would I be operating? Would I be operating as a member of your union or as a tradesperson?

Mr. Andrew Regnerus: Both.

Mr. Kevin Daniel Flynn: Both. Okay. So within the wall-to-wall model, you've got a variety of trades.

Mr. Andrew Regnerus: That's correct. On the same job site we'll have carpenters, steam fitters, crane operators, sheet metal mechanics and the apprentices of all of the above working under a common collective agreement.

Mr. Kevin Daniel Flynn: But you would recognize the provincial certification in those trades.

Mr. Andrew Regnerus: Absolutely.

Mr. Kevin Daniel Flynn: Okay, great.

I liked your point about not having the two important issues that have come to the forefront define the success or the failure of the college in its initial stages. Could you expand on that a little bit? You've talked about ratios and compulsory status.

Mr. Andrew Regnerus: As I said, ratios have generated more heat than light in the last number of years since the initial report was unveiled a couple of years ago. I really do wonder if that is going to be the best thing for people to talk about. There is such a diverse range of opinion on that.

I'm glad that I can also address the issue of compulsory certification. I think that that should be less contentious and could be more in keeping with the role, which is to enhance the trades, to put them on a level playing field and perhaps use a little bit of a more common-sense approach. My friends from the carpenters' union before me wonder, as I do, why it is that carpenters don't need to be licensed but barbers and hairdressers do.

Mr. Kevin Daniel Flynn: The final question is: On the apprenticeship issue, the bill does not include them, as it stands at present, but it's the intent that the college would make its own mind up. It would be one of the first tasks—whether to include apprentices or not. You're saying they should be included from the get-go. Could you live with a model that had that as the first task of the college?

Mr. Andrew Regnerus: I could live with either model.

Mr. Kevin Daniel Flynn: Thank you.

The Chair (Mr. Lorenzo Berardinetti): Thank you for your presentation.

I'm just trying to stick to the schedule here so we can all make it to question period. Our 10 o'clock deputation is Jeff Jenkins and Dr. Robin Bredin. Are they present? They're not present? Okay. What we'll do is, we'll listen to our 10:15 deputation, which I know is present, and we'll see if the 10 o'clock deputants come.

1000

REFRIGERATION PIPEFITTERS LOCAL UNION 787

The Chair (Mr. Lorenzo Berardinetti): The Refrigeration Pipefitters Local Union 787: Good morning, and welcome.

Mr. Shane McCarthy: Good morning. I'm pleased to join you all this morning.

The Chair (Mr. Lorenzo Berardinetti): If you could kindly identify yourself for the record.

Mr. Shane McCarthy: Okay. I'm Shane McCarthy. I'm with the JTAC, refrigeration workers, Local 787.

I'm representing the United Association Refrigeration Workers. We're the HVAC workers in Ontario. Refrigeration Pipefitters is part of the pipe trades in Ontario and represents over 2,800 members working the air conditioning, refrigeration and mechanical systems industry.

The introduction of Bill 183, the college of trades, marks a significant milestone in the province of Ontario. It's a belief of my members that a regulatory body governed by its members is necessary. Such a college will advance the profile and operation of skilled trades in Ontario. However, it is also our belief that the profile should also be inclusive of tradespeople.

The current proposed model must be inverted. We believe that individual trade colleges should be developed that provide individual trades the authority and legal structures to self-govern under the coordination of the college and its committees. The trade colleges must be comprised of licensed tradespeople who are also members of the college. The college boards must be comprised of elected members of selected trade colleges that reflect a cross-section of trades and interests; geography, encompassing all regions of Ontario; business size; and a balance of sectoral representation. It is only upon this inverted structure that the college can realize its mandate and its vision to maintain and increase the safety, health and overall well-being of the consumer, workers and the environment.

I will now elaborate on the proposed structure amendments that we believe are necessary in this bill. Looking at the board of governors, we believe its scope of duties needs to be more clearly defined. The board must be reduced in size to ensure the reduction of redundant and needless bureaucracy. Members should be tradespeople elected from divisional boards. However, we do recog-

nize the importance of non-tradespeople appointed by the government to protect the public interest.

Looking at the appointments council, as it reads, Bill 183 does not outline the appointments process to be used by the appointments council. Therefore, Local 787 requests that the appointments council be governed by members of the college—

The Chair (Mr. Lorenzo Berardinetti): Excuse me, Mr. McCarthy. Could you just step back a little bit from the mike, because it's just not picking up. I was just told by Hansard that they're having trouble picking it up.

Mr. Shane McCarthy: Sorry. Too loud. Let me just repeat that again: Therefore, Local 787 requests that the appointments council be governed by members of the college in addition to selected members of the public.

Reviewing the structure for the review panel, we recommend that applications for compulsory status should proceed while the college is established. The interim board of governors should develop criteria for granting compulsory status, as well as appointed adjudicators to the panel to review the applications.

Looking at the issue of apprentices in Bill 183, a distinct divide is made between management of the trades and the management of the apprenticeship system. In fact, Bill 183 does not propose apprentices as members of the college. Much of the actual authority of apprentices will continue to lie with the Ministry of Training, Colleges and Universities. It's the recommendation of Local 787 that apprentices be required to be members of the college. Much of the apprenticeship training is done on the job. As such, the inclusion of apprentices in the college provides Ontario with consumer protection.

It is also our recommendation that the college have the authority to register apprentices, rather than MTCU. In addition to the reasons stated before, the college will ensure that ratios of apprentices to journeymen are upheld to provide proper safety and supervision. The college must also have the authority and power to enforce these journeyman-apprenticeship ratios. Doing so requires additional authorities to maintain an adequate registry system.

Finally, the college must have the authority to grant training delivery status and monitor TDA status. Various other governing bodies of occupational regulation have the authority to accredit post-secondary programs with professional standards to ensure public apprentices receive the highest level of training standards.

To the issue of enforcement of Bill 183: Enforcement of the trades in Ontario is essential to upholding and expanding upon the integrity of the trades; however, Bill 183 lacks proper enforcement measures. In Mr. Armstrong's report, enforcement is imperative to the role of the college. We propose specifying compliance as a primary objective of the college, increasing the enforcement roles of inspectors and providing the college with the means to seek legal disciplinary measures for persons practising without a licence.

We believe the college should adopt an enforcement policy similar to the Ontario College of Physicians and

Surgeons. The OCPS operates an inquiries, complaints and reports committee who refer allegations to the discipline committee. The discipline committee finds whether the physician has committed an act of professional misconduct and issues the appropriate punishment, ranging from revoking the physician's licence to imposing specific terms or limitations on the physician.

We believe that without enforcement capabilities similar to the OCPS, the college will be unable to fulfill its mandate of trade governance. Giving the college enforcement capabilities will increase public confidence in the trades, raise public trust in the college and raise the college's reputation as a governance model of excellence. It's particularly important that enforcement measures, including legal measures, are accessible to the college to discipline persons practising a certified trade without a licence. To this point, the college must develop and execute additional measures to protect its reputation, including membership identification, such as a card, that assures customers that the tradesperson in question is indeed qualified to perform the work. Working with the government of Ontario, the college should work to educate consumers on how to identify members of the college, helping to decrease the number of persons practising illegally.

In summary, it's the opinion of Local 787 that the development of the college is instrumental and critical to the future of trades in Ontario, if it's done properly. Bill 183 contains a well-intended platform; however, it requires significant amendments. The most important of these amendments is the establishment of individual and self-governing trades colleges that fall under the governing umbrella of the college.

Thank you.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We have about six minutes left, so two minutes per party. We'll start with the NDP. Mr. Marchese?

Mr. Rosario Marchese: Thank you, Shane, for your report.

Mr. Shane McCarthy: You're welcome.

Mr. Rosario Marchese: One of the things that you speak to has been raised by other unions as well. You say, on page 5, "The college cannot monitor compliance when it lacks an up-to-date and accurate registry of apprentices or reports on the number of journeypersons employed," and it seems to make sense. Why does the government or the ministry want to hold on to that particular function and not pass it on to the new college? Why do you think?

1010

Mr. Shane McCarthy: I think that's a good question. Speaking to the actual information, I think there's been a lack of accurate information for a while, so I don't know that they're trying to hold on to something they don't have already.

Why are they trying to hold on to the actual management of it? I'm not really sure. I think perhaps they may be afraid that we're not going to do a good job. But I think that we will do a good job of it. Perhaps they think

that qualified people aren't available, which I think is not true. I think that there are lots of people within our own organizations who can fulfill those tasks.

Mr. Rosario Marchese: But why have a college of trades—and I hope the name gets changed, by the way. Why have a college of trades, upon whom you entrust so much of this new work, and then say that the whole notion of who maintains the registry and the reports on the numbers of journeypersons employed and so on isn't something that they could do. I don't quite understand it.

Mr. Shane McCarthy: And neither do I.

Mr. Rosario Marchese: And maybe the parliamentary assistant might tell us.

The Chair (Mr. Lorenzo Berardinetti): Okay, and we're going to move on to the Liberal Party. Mr. Flynn.

Mr. Rosario Marchese: Because I would find it helpful.

Mr. Kevin Daniel Flynn: I've got a statement—I know you would, Rosario. The college, as I understand it, has all the powers that you were mentioning. It's modelled on other colleges that exist currently in the province of Ontario. As I understand it, it has very clear prohibitions that you can't practise a trade that you're required to have a licence for—it may be a matter of clarity or it may be semantics, but my understanding is that what you've asked for is included in the bill. I'd be interested in your comments, perhaps, outside of this sort of time-limited arena we're in. I'd like to understand that a little bit more, and I know my colleague Mr. Moridi has a more precise question, I think.

Mr. Shane McCarthy: Okay, well, I'd be more than happy to provide you with that time.

Mr. Kevin Daniel Flynn: Yes, thank you.

Mr. Shane McCarthy: You're welcome.

The Chair (Mr. Lorenzo Berardinetti): Mr. Moridi?

Mr. Reza Moridi: Thank you, Mr. McCarthy, for this presentation. In the proposed legislation, registration of apprentices remains with the government, with the MTCU, and you are suggesting otherwise.

Mr. Shane McCarthy: Yes.

Mr. Reza Moridi: Could you explain a little bit more what the significance is of transferring this authority to the college rather than keeping it within the government?

Mr. Shane McCarthy: Certainly. The first thing that comes to mind is, when we're on the job—this is different from post-secondary—we're working with the journeymen. We're working under the watchful eye of the Ministry of Labour. We have to make sure that the journeymen and apprentices are compliant with all the laws—safety laws and everything—under the labour people, for one thing.

Secondly, there's something called a training standard. It really is the mentorship part of an apprenticeship. For the college to properly do its job, it has to be in charge of the mentorship process. That's the most important thing in apprenticeship, that we mentor that apprentice along through on-the-job training, because that's the 90% part of the training. They only get 10% in the college or in the

training centre, where they're doing the mostly technical part of their training.

If we don't have the ability to oversee the apprentices throughout their apprenticeship and more or less be in charge of their apprenticeship, then I don't see how the college is going to be effective in the trade as a whole.

I think those are the primary reasons.

Mr. Reza Moridi: Thank you.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We're going to have to move on to the Conservatives. Mr. Bailey?

Mr. Robert Bailey: Okay. I just have a short question. Thank you for your presentation. Is there anything more you'd like to say about—I know in your summary you say about the inversion being paramount to the success. Is there anything you'd like to add that isn't in here, just to—

Mr. Shane McCarthy: I suppose my first thought and statement around that is that we have to make sure, to tradespeople, that the college is a college for tradespeople. Presentations from the nurses and the teachers—my wife is a teacher as well; they don't feel that their colleges are necessarily colleges for them. They feel otherwise.

We don't want that to happen. We want the college of trades to be envisioned by tradespeople as a college for them, working for them, doing for them and making their world and the world around them better.

Mr. Robert Bailey: Good enough. Thank you.

The Chair (Mr. Lorenzo Berardinetti): Thank you for your presentation, and thank you for being here this morning.

JEFF JENKINS

DR. ROBIN BREDIN

The Chair (Mr. Lorenzo Berardinetti): We have one last deputation for this morning, and that is Mr. Jeff Jenkins and Dr. Robin Bredin. I hope I pronounced that properly. Please come forward.

Dr. Robin Bredin: Good morning, Mr. Chairman.

The Chair (Mr. Lorenzo Berardinetti): Good morning. Please have a seat. There should be some water—

Dr. Robin Bredin: I'd prefer to stand, sir. My last name is Bredin, first name Rob, PhD in education. I'm at 184 Broadway, Orangeville, Ontario. I have with me this morning, sir, Mr. Jenkins, first name Jeff, who's at 698 Kitchener Avenue, Fergus, Ontario.

Sir, we appreciate the opportunity this morning—

Mr. Rosario Marchese: Robin, in order to record you, I think they need you to be seated.

Dr. Robin Bredin: Thank you, sir.

The Chair (Mr. Lorenzo Berardinetti): Yes, please be seated. You have 15 minutes to make your presentation.

Dr. Robin Bredin: I've got a PhD; 15 minutes is no challenge.

The Chair (Mr. Lorenzo Berardinetti): Take your time.

Dr. Robin Bredin: Good morning, sir, ministers, MPPs, ladies and gentlemen, we appreciate sincerely the opportunity to be here to speak to you this morning.

When I first met Jeff, I understood that he was the quintessential cable guy monoglot, but he had concerns about where the essence of the industry—particularly the contractors in this industry—was. We all hear—and I read in the paper the other day where Mr. Nadir Mohamed said that Rogers, for example, had revenues last year of \$11.3 billion.

As a teacher and professional educator in the province of Ontario, teaching courses like careers and what children will do to be meaningfully employed in the future, I saw that Jeff was doing something, but that it was a bit off the grid. I've heard someone say that his wife is in the college of teachers; I've been in the college of teachers. I recently let that go because I did not feel it was of me. But I felt with what Jeff was doing, and the dangers and hazards of his occupation as a cable guy—the designation is CATV—he was sort of off the radar. Then we saw this advertised and we felt there was a chance for this occupation to get on to the radar.

Jeff, as he'll explain, works around voltages of 90 volts and under, with amperages that can kill, and the training is, at best, haphazard. Rogers has the nice brand and the nice finesse, but the people who actually do the work, the actual boots on the ground—the term the Americans like so much, “boots on the ground”—the actual men who are out there doing the job, 70% to 95% are contractors, and they're remunerated at a rate of pay, say, between \$17 to \$22 an hour, minus benefits. Jeff—as you'll see, his teeth have not been looked at in decades—and these people are ill-skilled, indifferently trained and not fully apprenticed.

We make a presentation this morning, myself as an educator and Mr. Jenkins as a 25-year man in this field, to appeal to you all that this initiative, Bill 183, that's before the Legislature and the standing committee here be carried forward, not for us but for the next generation of men, and especially as the manufacturing and secondary industries go by the board in Ontario, so that they would have a chance at making decent remuneration—a middle-class occupation with which they may be benefited, have pension plans, dental plans, stuff that, perhaps, MPPs take for granted, and that this be properly credentialized and apprenticed with a four-year apprenticeship.

We're encouraging that CATV, which is a subtrade in a voluntary field, at present, be made mandatory.

Jeff has some experience having cabled out in BC as well. Jeff?

Mr. Jeff Jenkins: Well, I don't know where to start.

The Chair (Mr. Lorenzo Berardinetti): You can use that microphone there, the one with the light on.

Mr. Jeff Jenkins: Okay. I'm terrified. I've never spoken in front of people before so—

The Chair (Mr. Lorenzo Berardinetti): Don't worry about it. Just relax. I'm just as nervous as you are.

Mr. Jeff Jenkins: As safety issues go, all our learning is basically on the job. We have half-hour meetings in the morning, and a little bit of this and a little bit of that. All the things that we learn are basically from senior men in the industry. Hopefully, they've had some kind of technical training behind them—the people that are explaining to you what to do. I think they tell you that because that's the way they were taught, and it's not necessarily that they've had any technical training from recognized schools and such.

Safety's an issue—I'm tongue-tied here.

Dr. Robin Bredin: With the initiative here and with—what I've explained to Jeff is that I'm like a bookcase. He is one of the books that makes it on the bookcase; other people with other experiences in other trades will be other books, and the information we can bring is all good because few people will have as much actual experience in this trade as Jeff. We're here to advocate that this CATV cabling be standardized for Ontario, be brought to a new higher level with CATV.

1020

The old thing about the cable guy or cable television is very passé, I think being made passé by the advent of the Internet, say, in the last 20 years. Cable is now Internet, it's phone, it's telecommunication, it's at least the veins—maybe not the arteries, but the veins—of the economy, because if one is investing from, say, a rural part of Ontario, one can be buying 5,000 shares of a firm. And if one can't make the trade in the morning, one reaches a state of apoplexy because opportunities are lost. So as our manufacturing and secondary industries go by the board—and they are. If you drive through Smith Falls, as I did this weekend, you'll see Hershey's gone, you'll see in St. Thomas that the factories are gone, and that in Oshawa GM's gone.

How do we replace that? Meaningfully, we can replace it with his style of employment, because these jobs can't be outsourced: They can't be sent to Bangladesh, they can't be sent to China, they can't be sent to Mexico. The jobs have to be done here in the construction sites. Real estate subdivisions seem to keep getting built. So as we peel away good jobs in secondary processing and manufacturing industries in Ontario, certainly in this last decade, what do we look at that will remain? These cabling jobs are integral to the new economy. We hear that Prime Minister Harper wants high-speed Internet into every home. Certainly Mr. McGuinty's online with this.

But with Rogers and other companies—and Jeff is not speaking about his employer or about his contract because his job is imperilled by being here—we're hoping that they can take a more positive leadership approach in this, making sure that the workers on the ground can minimize risk. Jeff has told me that the voltage in some of the boxes he goes into is 87 volts, amperage at 13 amps. Again, these can be deadly. Jeff has told me that when he was first starting out, he knew nothing and in the first six months came close to death seven times. Jeff is like the proverbial cat: He's expended seven of his nine lives.

Jeff, what were some of your experiences in the first six months with the sort of very sketchy training?

Mr. Jeff Jenkins: Well, my training was—you're working with him, and then when I get out in the job site, I understand that he's been doing the job six weeks. Working around roadways and that, we had no training whatsoever. It turned into a happy story, but it could have been—we weren't even aware of pulling steel across the road with cars and that. One car threw it up in the air and another car caught it. A 600-pound reel of steel was ripped off the trailer and we had to slack out, and I saw my friend go sailing that way and I went sailing that way. We both ended up in the hospital, but I just had bruises and that. I had a couple of stitches and was off because it damaged my leg for a bit. I mean, it's—I don't know. Go ahead, Robin. Give me a second.

Dr. Robin Bredin: Again, we're here this morning speaking to standards. In the 1970s, Jeff went to a 48-week course, which was—

Mr. Jeff Jenkins: I was in construction for about seven or eight years, and I thought, if I'm going to stay in the industry—I loved what I was doing—I'll go back to school. At Seneca College, they offered a CATV electronics course, a one-year course. It was a certificate course. After getting out, I went back into construction. I should have gone to Mr. Rogers's system, but because you made more money contracting to start with, I went back into contracting.

I ended up in Kitchener and I went into the electronics part, and that's where I should have used the knowledge I gained at school. But financially, I needed to go back into construction.

His men are treated as tradesmen and they're enumerated as tradesmen, but he only keeps a skeleton crew of supervisors out there. They're all qualified men. He has a lot of in-house training, which we don't have; we have none. We have the EUSA come in occasionally to speak to us about safety issues and that, and that's the extent of our training. There's no coherency throughout the industry. Our company does the training once in a while, the next company mightn't have any training because of the costs associated with it, and another company will invest the money and train their men properly. So there's great disparity from one company to the next. It would be nice to be able to have some young—because our jobs are going to stay around for a long time. They can't do without us. We're the backbone. Basically, anything that these folks do online, send across, that's what we do. We keep that system functional for everybody. When I started, when you built a system, it was like 29 channels of entertainment were provided. Over the course of the years they introduced Internet, which is worldwide, instantaneous communications, and now they've introduced telephones, telecommunications. So we started out as cable TV, we worked our way into a telecommunications industry and it's not at the point yet—I don't know if Bell Canada is deemed an essential service—but they are pretty important for people to communicate, and we're going that way. We are offering and we're growing

our telephone system, so it's getting beyond the simple cable TV concept. It's growing and growing.

Dr. Robin Bredin: To conclude, we generally see there's a qualification void, no uniform standards of practice or training. There's a veritable sea of loosely trained individuals actually undertaking the work in this increasingly complex and invaluable sector as we are moving fully into the information economy.

We'd like to thank, for the ability to make this presentation, our MPP in Wellington, Mr. Ted Arnott, who's been a deeply impressive politician through many years, and especially for fighting for men like us and to keep the Lord's Prayer in the books here at Queen's Park. Is Minister Milloy here today? We'd like to thank him. He has personally communicated with us, corresponded with us. Again, we're not here as men to improve our lot one iota. Jeff's in his mid to late 50s now and he's toward the end of his career. We're simply looking, me as an educator in Ontario and Jeff as a—

Mr. Jeff Jenkins: As a concerned person to maybe make it better for the next generation of people in the industry, sons and daughters.

The Chair (Mr. Lorenzo Berardinetti): Thank you very much for your presentation. That concludes our time. This committee stands recessed until 2 p.m.

The committee recessed from 1028 to 1401.

UNITED ASSOCIATION LOCAL 46

The Chair (Mr. Lorenzo Berardinetti): Good afternoon, everybody, and welcome back to the Standing Committee on Justice Policy. Our 2 o'clock deputation is Mr. Vince Kacaba. Good afternoon and welcome.

Mr. Vince Kacaba: Thank you all for having me here. As you can see, it's my first time here, so we'll just sort of go with the flow.

The Chair (Mr. Lorenzo Berardinetti): Relax and enjoy.

Mr. Vince Kacaba: Easy for you to say.

The Chair (Mr. Lorenzo Berardinetti): You have 15 minutes. If there's any time that you don't use up, members of the committee will have questions for you.

Mr. Vince Kacaba: Okay. I will try to make it as brief as possible. As a training director, I'm trained to talk, so I can speak forever and a day.

My name is Vince Kacaba. I'm the director of training of the United Association Local 46 in Toronto, the plumbers and steam fitters. Our organization has 6,000 licensed plumbers, steam fitters and welders, and I have 1,100 apprentices. We act as an LAC. I would suggest that we're probably the second-largest group of apprentices in the province after the electricians. So I have an intimate knowledge of apprenticeship, and I have a very deep desire to make sure that this process works properly.

I've been a plumber for the last 25 years and I've made my living at it. There's nothing that brings me greater pride than to say that I'm a licensed plumber in the province of Ontario.

Over the last three or four months, there has been a lot of discussion over this. We made presentations to the Whitaker committee. We spoke with our partners in the mechanical contractors; the Ontario Pipe Trades Council, which represents all the organized plumbers and steam fitters in the province; the Ontario building trades council. I even sit on the Ontario federation's apprenticeship committee. There has been a lot of discussion over this to try to come up with a position that will be the best for the industry and the people of Ontario.

Trade certification is key to our industry. I can speak for construction, but more effectively for the piping trades. The other three pillars—motive—have their own proponents.

Local 46 supports Bill 183. There are a lot of very good options in the bill, but it is flawed. There are several issues that either need clarification or an overall change, in our opinion. I hope you all have my brief. I'm just going to touch on the issues. The synopsis is there on pages 6 and 7. That way, if you have any questions it's easier for me to respond to those.

With no further ado, issue one: We feel that the college of trades has to remain responsible to the Ministry of Training, Colleges and Universities. We have a deep-seated concern about having arm's-length organizations.

We work with another arm's-length organization that is not quite as responsive as we would like, and it causes us no end of grief. When I say "us," I mean labour and our partner mechanical contractors. Actually, the chairman of my joint training and apprenticeship committee is in the room with us; he'll be speaking with another group. But we work together very closely.

Again, we have no doubts that the college has to answer to the ministry. We also feel that in the structure, the membership of all the boards has to come from the bottom up. We're dealing with trades; you cannot have someone who has no knowledge of the trades trying to make decisions. Our feeling is that the membership of all the boards should emanate up from the trade boards. That way, you know that you have someone who can speak effectively on behalf of the industry. I'll cover a bit more of that as I go through my different points.

The second point, and this is probably the most key point and the biggest flaw that we've found with the bill at the moment: You don't include apprentices in this college. One quarter of my membership would not be members of the college. They have to be included. Whether they're full members, whether they're associate members, however it's sorted out, apprentices must be members of the college.

If you don't make them members—and we already run into an issue with completions; now I will have apprentices going, "Why would I get my C of Q? My contractor likes the way I work and pays me the full journeyman rate. As soon as I get that C of Q, now I have to pay X number of dollars." This is another concern we have: There is nothing with regard to the funding in the bill, and I assume that that will be sorted out later, for better or worse. They're going to say, "Why would I become a member? Now I have to pay money to them in addition

to my C of Q licensing. Now I'm subject to potential disciplinary action. If I stay as an apprentice, I don't ever have to worry about that."

This ties in with voluntary trades, which I'll catch up to a little bit later. You also have a concern with the voluntary trades that, again, if you don't need a C of Q, why would you become a member?

Now you have employers who, if you're employing someone with a C of Q, you have to be a member of the college. If you don't employ someone with a C of Q, you don't have to worry. I don't know what the implications for the contractors are, and I have no doubts that they will raise their concerns, but you have just segmented off an entire section of the industry which is outside that.

Basically, now you're dealing with the compulsory certified trades in Ontario, which is only a segment of the industry. Either the college represents all trades, or it's a waste of time. If you tell an apprentice, "I'm sorry, you're not good enough to join the college of trades," what does that say to them? Once you become a journeyman all of a sudden you become a made man or woman, and now you're good enough to join? They'll sit there and go, "Well, why would I want to join then?" Especially in the voluntary trades. "I don't need to join that." It becomes problematic. It will lower the level of credibility of the college, in our opinion.

Again, do I want them to be full voting members or however it's going to be defined? No. They should be members, whether they be associate or have voice but not vote. Whatever the impact is, that's something for wiser minds than mine to sort out, but they have to be members.

1410

Issue three, the PAC/IC system: Provincial advisory committees are at the heart of our industry. We have a very effective PAC for the plumbers and steam fitters. There is representation from all segments of the industry, union and non-union, from around the province. That needs to take place with the trade boards. Right now, you have two members from each side. There is no way that you can get the proper representation and reflect the needs of the different portions of this province with such a small group.

My suggestion, tying in to number 4, is that you need to really phase in the implementation of this college structure. To try to swallow this all, as my former boss used to say, is like trying to eat an elephant: The easiest way to eat it is one bite at a time.

If you start with one particular pillar—and my suggestion would be the construction—at least now you can work at making sure you get it right. This has the potential to impact on a very large segment of our province for a very long time. We want to get it right.

Why do I pick construction, other than the fact that I'm intimate with it? We work very closely with our contractors; there's a partnership. In construction we realize that if our contractors aren't making money, we're not making money. There's a symbiotic relationship there, to make sure that everyone is marching in the same direction. That goes from the very bottom of our organ-

ization right up to the very top. It's a predominant feature of our organization. We actually have a standard of excellence that dictates to our membership what they're going to do: They're going to be on time every day and give their contractor an honest day's work. That is what is required.

Last but not least, at the end of the day, at some point, the compulsory trades will have to be extended to all trades. If an occupation has been deemed necessary to be a trade, why is it not necessary for it to be compulsory? In order for me to drive a boat, I have to pass a competency exam, as I do in order to drive a car or serve liquor. These are all areas where you have to prove competency. Yet you can have a boilermaker working on massive boilers which, when they explode, will wipe out hundreds of people, and boilermakers don't need to be certified. You can get someone from anywhere to work on it. I mean, it's not rational.

Sprinkler fitters: Get someone in here—no sprinklers in here. Tsk-tsk. Bad. Plumbers always do that. We go in and we look at the plumbing in a house and go, "Jeez." If you bring someone downstairs, you can tell if they're a plumber because the first thing they do is look at the toilets and the piping. I guarantee it. Off-topic; I'm sorry.

Forklift mechanics: They're not compulsory. Get someone off the street: "Hey, this is a forklift. Two things sticking out of the front—up, down. Fix it." And then when it drops down on someone's head and crushes them, people are surprised.

People don't care—this is a very cynical, harsh thing to say, but no one cares until the inquest. That's the bottom line. We don't want inquests. We want it done right.

You know what? There has always been the argument that, if you make trades compulsory, it's going to cost more. Yes, it will. And if you don't make them compulsory, those that are left are the winners because there's no one else out there and now they write their own ticket—something to contemplate.

I tried to make it short and sweet. As you can see, I am sort of passionate about it.

The Chair (Mr. Lorenzo Berardinetti): We've got about two minutes left for questions in the rotation. We're going to start with the Progressive Conservatives. Just very quick questions because we want to stay on schedule. We've got quite a few deputants.

Mrs. Christine Elliott: Okay. Thank you for your presentation, Mr. Kacaba. I'm just really interested in the discussion about the compulsory and non-compulsory aspect of it. When you were consulting, prior to this bill being brought forward, did you raise that as a significant concern? And if so, what was the reaction to that?

Mr. Vince Kacaba: The discussion has always taken place. Obviously, in construction, the majority of the trades are compulsory. But, again, it is our viewpoint that they should be compulsory for the reasons I outlined. At the end of the day, it would be up to the specific trades to make that determination. I wouldn't presume to be arrogant enough to dictate to other trades what is best for them.

Mrs. Christine Elliott: Thank you.

The Chair (Mr. Lorenzo Berardinetti): Thank you. Mr. Marchese?

Mr. Rosario Marchese: We don't have much time, except I wanted to say two things. All the labour groups have consistently said that apprentices should have membership in the governance body. I think they've all said that, and I'm assuming the Liberal members have heard it. We certainly support that. The other one is—from the labour groups, at least—that the membership should come from the trades, in terms of the expertise. That's been consistent with most of you. It's not the case—the appointments' council can appoint whoever they want, it seems. But I wanted to support what you've said. I think the labour groups have all said the same.

Mr. Vince Kacaba: I mean, it makes sense. Why would you have a doctor telling a plumber what's best for their industry? I don't tell doctors what's best for their industry—although I do have some experience putting in medical gas systems.

Mr. Rosario Marchese: Thank you.

The Chair (Mr. Lorenzo Berardinetti): Thank you. Mr. Flynn?

Mr. Kevin Daniel Flynn: Thank you, Vince. My dad was a long-time member of Local 46, so it's great to see you here.

You were saying that what we need is a timely development of the criteria for creating new compulsory trades.

Mr. Vince Kacaba: Yes.

Mr. Kevin Daniel Flynn: One of the college of trades' first responsibilities will be to have a process in place for that, something we've never, ever had in this province before. It's been sort of hit and miss. But we'll finally have a process in place. So I think we're saying the same thing.

Mr. Vince Kacaba: Exactly. Again, there are a lot of things I do agree with. I just wanted to reiterate some of them just to make sure that there are no illusions as to where I stand.

Mr. Kevin Daniel Flynn: Thanks for your support.

Mr. Vince Kacaba: I'm glad your dad was a member of Local 46.

Mr. Kevin Daniel Flynn: He was a steam fitter. He wasn't a plumber, though.

Mr. Vince Kacaba: Oh, that's okay. I'm a steam fitter as well. I have both licences.

The Chair (Mr. Lorenzo Berardinetti): Thank you. That completes all the time available. Thanks for your presentation.

Mr. Vince Kacaba: Can I say one last thing? I understand last week someone raised questions about the application process of Local 46. If any of you have any interest or questions about it at some point in the future, please give me a heads-up. I have no problem explaining exactly how it works.

Anyway, I really appreciate the time. Thank you very much.

The Chair (Mr. Lorenzo Berardinetti): Thank you.

ARBORIST INDUSTRY COMMITTEE

The Chair (Mr. Lorenzo Berardinetti): We'll go on to our 2:15 deputation, the Arborist Industry Committee. Good afternoon, and welcome.

Mr. Peter Wynnyczuk: Good afternoon.

The Chair (Mr. Lorenzo Berardinetti): If you could just identify yourself for the record.

Mr. Peter Wynnyczuk: My name is Peter Wynnyczuk. I'm with the Arborist Industry Committee under the Ministry of Training, Colleges and Universities. Thank you for allowing me to speak today.

The Chair (Mr. Lorenzo Berardinetti): You have 15 minutes—

Mr. Peter Wynnyczuk: Yes. Thank you for the opportunity to be here today to present information and suggestions respecting this forward-thinking intention by the province of Ontario. As a representative of the Arborist Industry Committee, we support the concept of the college of trades.

Having been involved in the formulation of the trade of arborist back in the late 1980s and having grown with this trade, I was fortunate enough to be elected to the position of chairperson of the Arborist Industry Committee, at a time when arborists in Ontario were brought to task by the Ministry of Labour as it related to fall protection. This set in motion a discovery of how there are various regulatory authorities and boards and associations involved in the safety of the workplace and their interrelationship and overlap.

What also became known through this process is the lack of a system to obtain concise and easily obtainable tracking of safety incidents, particularly by trade or trade group. In identifying the injury or incidents, analysis can be conducted to determine if changes to industry practices or training are required. We see that a self-regulated college of trades with dedicated resources and focus on the trades has the potential to provide a mechanism for accomplishing these needed changes in the current system.

The provincially initiated compulsory certification project, led by Tim Armstrong, allowed us to present information and documentation to Mr. Armstrong and his committee on the lack of clarity or protocol on the voluntary/compulsory determination of an existing or new trade and the lack of safety data specific to the provincially recognized trades.

Subsequent to reviewing the final report of the compulsory certification project by Tim Armstrong, dated April 28, 2008, by T.E. Armstrong Consulting, it became apparent that, in my interpretation, the following conclusions were reached:

(1) Lack of accident/incident data relevant to trade sector that could help in determining status of compulsory or voluntary trades;

(2) Lack of easily accessible data related to registrations, monitoring and completions of either mandatory or compulsory trades;

(3) Rate group trades not cohesive/logical, and unable to identify comparable incidents in compulsory or voluntary trades; and

(4) Lack of concise tracking by the Ministry of Labour, Workplace Safety and Insurance Board, and by trade sector, and not definitive enough to help to determine voluntary/compulsory trades that have incidents, as each is tracked differently by various organizations.

Page 60 of his report stated: safe workplace data—lack of data that is usable for this forum. And on page 62 of his report, he identified increased costs and consumer protection, and the need for a Ministry of Labour and Ministry of Consumer Services source of information.

1420

Also, on the last point, there is an overlap or potential overlap between the various regulators, the Ministry of Labour, the Technical Standards and Safety Association, the Electrical Utilities Safety Association, the electrical safety association and their supporting legislation, which has operational impacts on a trade, depending on the enforcement agency.

The point is the need for standardization through the various ministries, boards, and agencies of recognition of each provincially recognized trade to track data related to health, safety incidents and consumer issues to guide curriculum and training delivery.

As an example, if an arborist working in a tree is injured, then the report to WSIB and, if applicable, the Ministry of Labour should be tracked back to the trade of arborist. Aggregate information, cognizant of freedom-of-information rules, could be presented to the other safety agencies and the college of trades to help determine if there is a gap in the curriculum or training delivery.

This should lead to a single-thread approach for a trade member:

—through their application and registration into a trade;

—education and training;

—upgrading of skills as needed;

—aggregate tracking of incidents highlighted by the WSIB and/or the Ministry of Labour; and

—feedback to the college of trades to review and change, if needed, the curriculum and training delivery aspects.

Also, as regulatory changes are made affecting trade members, this would allow for commenting on proposed changes, as we are standing here today, and notification and implementation after the regulation is passed, as it affects the specific trade.

The above would help each ministry and agency move towards zero incidents and/or accidents at the workplace. Further, if there are consumer issues raised, then there could be follow-up on it in conjunction with the appropriate ministries, if needed, for a joint response or action taken, the premise being that if there is a significant rise in incidents or issues in a trade, then the review of the practice, tool or issue could be checked against the curriculum or delivery agencies, which can be

reviewed, and changes can be implemented in a simple process. If a trade member has received attention due to a consumer concern, the college could have a mechanism to respond to that concern.

In October 2008, the province sought input into the recommendations from the Tim Armstrong report on the proposal for the college of trades. On November 28, I made a presentation on behalf of the arborist industry committee in response to the questions set out by Mr. Kevin Whitaker and his team. In that presentation, a couple of points I bring forward again are—one question posed to us was how the college of trades process should deal with and decide applications for compulsory status.

I've put it in bullets:

- multi-stage process which can either be driven by the government or the industry;

- as with red seal trades, there has to be sanctioning by the trade stakeholders and members, including regulatory authorities and the employers to make application;

- to determine compulsory or voluntary trade based on the health and safety data and risks for the trade; opportunities for improvement in delivery of training; registration of employers/employees based on forecasting of career opportunities; completion rates of apprentices; consumer protection issues; economic impact; and other aspects such as integration opportunities for newcomers to Ontario and those with abilities that can be accommodated.

The above have to be weighted to reflect health and safety as the primary component to help address zero accidents and/or incidents in a trade. Also, we included as a note, justification respecting the health and safety data. The Arborist Industry Committee has for years been trying to seek accident and/or incident data to help focus the efforts of the Arborist Industry Committee. As Mr. Tim Armstrong noted in his report, specific to page 60, section 102: "As previously indicated, the two governmental sources most involved in this critical issue are the WSIB and the MOL, and neither collect data on trades, occupations or skill sets in a manner which enables me to make the comparison between voluntary and compulsory trades, as required in my letter of appointment."

The college of trades could be instrumental in coordinating with the relevant ministries and safety agencies to track training and incident information with respect to a specific trade—incidents highlighted by the WSIB and/or MOL as each agency or ministry moves towards zero incident accidents at the workplace, and, by echo effect, enhance consumer satisfaction of service or products delivered.

In summary, there should be recognition of the provincially recognized compulsory and voluntary trades in terms of their respective regulatory agencies to allow for better incident tracking specific to the trades to determine key areas of concern for enhanced safety training. I've reiterated this many times, it seems. Further, the regulatory agencies should review their mandates over various trade sectors to determine overlap and gaps in the regulations to reduce confusion and enhance safety and consumer protection.

With the federal government moving in the direction of improving mobility of recognized trades across Canada and the existing red seal program, it seems forward-thinking of Ontario to meet the future needs of our trades' ability to compete on the world stage with the development of the college of trades that can adapt to:

- a maturing workforce;

- greater reliance on immigration;

- broader range of skill sets of the population;
- protocols for prior learning assessment in trades expanding employment opportunities;

- expand recognition of trades at the high school-level curriculum;

- enabling new trades to develop and be recognized; for example, damage prevention technician.

In conclusion, with the vision of the framework for the college of trades and support from other ministries, agencies and boards, we can see a future of trained, safe, efficient workers and workplaces contributing to current and future needs from the local to the international working community.

The Chair (Mr. Lorenzo Berardinetti): Well done. There are about six minutes, so two per party. We'll start with the NDP. Mr. Marchese.

Mr. Rosario Marchese: Thank you, Peter. I'm assuming you raced through this because you wanted to get to questions. Is that it? Because I missed the entire report. As I get older, it gets more complicated. You would understand that?

Mr. Peter Wynnyczuk: I'm a fast reader when I'm nervous, yes. Sorry.

Mr. Rosario Marchese: Holy cow. I was going to stop you at the beginning.

"In summary, there should be recognition of the provincially recognized compulsory and voluntary trades in terms of their respective regulatory agencies to allow for better incident tracking specific to the trades to determine key areas of concern for enhanced safety training." Is that the recommendation you're making? Is that what I'm understanding?

Mr. Peter Wynnyczuk: That's what I'm trying to say should be considered by everybody, yes.

Mr. Rosario Marchese: So how do you build that in the form of an amendment? What would it look like?

Mr. Peter Wynnyczuk: If it's not in the form of an amendment to the bill, at least it should be set out in the tone or in the rules of creation of this group, the college of trades. There should be a mandate in there that specifies specifically looking at an inter-ministerial group to be used to set up this program of the tracking, because each ministry or agency would have to change their working practice to accommodate that. On the WSIB form, when there's an incident, there would have to be a box added on to it to indicate the trade group, and then everybody would have to also be advised of the trade group number that would be reflected in that. That's the baseline thing we're looking at. So it has widespread effects on other ministries, agencies and boards.

The Chair (Mr. Lorenzo Berardinetti): We'll move on to the Liberals. Mr. Flynn?

Mr. Kevin Daniel Flynn: I suppose I should outline from the start that it's the intent of the bill to give the college the ability and the skills it needs to get the research done that it needs to get done, and I think a lot of that it will be deciding itself—what sort of data it needs.

Can you expand a little bit on the role that you see between the college and the WSIB again?

Mr. Peter Wynnyczuk: The intent is that if we have a large number of incidents in a particular trade that are tracked—I'll give you an example. If you're cut by a saw and the person filling out the WSIB form puts "cut by saw" on it, it's not necessarily reflective to an individual trade group sector—or it could be an occupation, based on what the WSIB has within their rate group. Really, what I'm saying is there should be a review between the WSIB rate groups and how they're structured—do they recognize any of the trades? Then you've got the Ministry of Labour. How do they track incidents based on a particular sector or trade? Those have to be brought together or reviewed to see how they fit in with what we're looking at here.

Mr. Kevin Daniel Flynn: So once the college is formed, should this bill be successful, which I hope it is, then this should be a consideration of the college?

Mr. Peter Wynnyczuk: I think it should be a very important consideration, because we make decisions much like when we have a plane crash and do the post-analysis, which, unfortunately, is way too late. If there are opportunities to head things off at an earlier stage before trends start, then at least we can be in a better position to be proactive.

Mr. Kevin Daniel Flynn: Thanks for coming today.

The Chair (Mr. Lorenzo Berardinetti): We'll move on, then, to the Conservatives. Ms. Elliott.

Mrs. Christine Elliott: Again, just to follow up on the question that Mr. Marchese asked you, in terms of the amendments and the specific things that we should be building into this bill: Are there some suggestions that you could make to us to guide us as we consider this matter further?

Mr. Peter Wynnyczuk: There is one section that the Lieutenant Governor does have the ability to provide for functions—"The minister has the following functions for the purposes of this act"—it's actually clause 64 on page 38. There could be something introduced into that section—sorry, maybe I'm mistaken here. There was something that the Lieutenant Governor had in terms of dictating some of the roles of the board. So that could be something that, through the Lieutenant Governor, in this bill, could be introduced: "The Lieutenant Governor shall indicate that the board of directors has to have this inter-ministerial or WSIB or safety boards and agencies group set up." That's one way to approach it, as a suggestion. I don't have specific wording, unfortunately, but that's something to contemplate.

The Chair (Mr. Lorenzo Berardinetti): I'd like to thank you for your presentation—

Mr. Dave Levac: On a point of order, Chair: Can we get that in writing? If you could find that at a later date, and just submit it to us.

Mr. Peter Wynnyczuk: Certainly. Is it possible for me to e-mail it to the clerk?

Mr. Dave Levac: I'd appreciate that.

Mr. Peter Wynnyczuk: We'd be happy to.

The Chair (Mr. Lorenzo Berardinetti): Thank you. She'll check with you on that. Thanks for your presentation.

1430

ONTARIO PUBLIC SERVICE EMPLOYEES UNION

The Chair (Mr. Lorenzo Berardinetti): We'll move on to our next presentation, which is the Ontario Public Service Employees Union. Good afternoon.

Mr. Smokey Thomas: Good afternoon.

The Chair (Mr. Lorenzo Berardinetti): Welcome.

Mr. Smokey Thomas: I have with me on the left, Moe Blais. Moe's on the ministry employee relations committee for the Ministry of Training, Colleges and Universities, and his work life is—what do you call yourself, again?

Mr. Moe Blais: Employment and training consultant.

Mr. Smokey Thomas: And on my right, I have Deb Gordon. Deb's the chair of the community services divisional council in OPSEU. She works in child and youth services, and she's a social worker by trade, so if you have any real technical questions, I'll refer, and we've got some other people with us who were part of formulating our response.

The Chair (Mr. Lorenzo Berardinetti): Good afternoon. Just for the sake of Hansard, we have your name listed as—

Mr. Smokey Thomas: Warren Thomas, Smokey Thomas, president of OPSEU.

Good afternoon. I am Smokey Thomas, and I am the president of the Ontario Public Service Employees Union. We represent over 125,000 members in many areas of public service throughout the province of Ontario. Our members in the broader public service, we call the BPS; the colleges of applied arts and technology, CAAT; and the Ontario public service, OPS, play an integral part in the operation of the apprenticeship system in our province.

We anticipate that a considerable number of our members will be affected by Bill 183, and in light of that, I appreciate the opportunity to present our views pertaining to the bill to you today. My presentation will primarily focus on the following five themes: the Ontario public service; the importance of quality public education; membership of the college of trades; the much required shift from discipline to enforcement; and finally, the issues around governance.

Ontario public service at the front line: OPSEU strongly supports public services and is opposed to any downloading of current ministry functions to the college

of trades. OPSEU is convinced that the government has to continue to be an active and visible partner in the apprenticeship system. In particular, the government, through the Ministry of Training, Colleges and Universities, which I will refer to as MTCU from here out, should maintain its responsibility for promoting apprenticeships, setting training and certification standards, enforcing training standards, and certifying and licensing apprentices.

One of the most efficient ways to achieve the government's goal of enhancing the quality of apprenticeship training and expanding the system would be to re-establish the apprenticeship branch of the MTCU. A revitalized apprenticeship branch with a renewed mandate would be able to focus on ensuring that Ontario's apprenticeship system would be a leading example of quality and accountability.

If the college of trades is to succeed it must remain closely integrated with the government. The college of trades must work closely with the MTCU and other ministries involved in apprenticeship. The college of trades must have a clear relationship to the minister so that any recommendations it makes are received at the highest levels of government.

Successor rights: OPSEU strongly recommends, given the fact that Bill 183, section 64, retains ministerial responsibility for apprenticeship, that there be no reduction in either the current number of positions or hours worked to administer and enforce apprenticeship agreements and training requirements. We further recommend that all employees hired under Bill 183 as employees of a trades governance structure be considered OPS members with full successor rights, seniority and pension benefits as those currently working on apprenticeship and other relevant departments within the MTCU.

The significance of quality public education: We maintain that the public post-secondary education system, and particularly the community colleges, represent the best avenue for the delivery of the in-school portion of apprenticeship training. For many people, their only exposure to post-secondary education will be through the apprenticeship system. The skills needed by industry and society are not only technical but also encompass communications, teamwork and management competencies. The faculty members who teach in the community colleges are professional in their field of expertise and they are also professional educators. Along with the experienced and well-qualified staff in the public colleges of Ontario, they are able to provide the type of education that will produce well-trained trades workers with a broad array of skills to succeed in industry and society.

Membership of the college of trades: We believe that the membership of the college of trades should be certified journeypersons and registered apprentices, only in the compulsory trades. Voluntary and unrestricted trades ought to be exempted from the college of trades. A current non-compulsory professional body can always decide to move and become a compulsory trade if that is what it chooses, and thus be part of the college of trades.

Also, given that there are already certain existing governing colleges for certain voluntary and unrestricted trades—the College of Early Childhood Educators would be an example—another regulatory body like the college of trades will only make the situation confusing, and causes the fear of creating a two-tier system. If required, professional bodies that currently don't have their own governing college may pursue the option of creating their own in the future.

The much-required shift from discipline to enforcement: There is a myriad of disciplinary procedures outlined in Bill 183. Indeed, the text and structure of Bill 183 is nearly identical to the professional colleges designed to govern teachers, nurses, social workers and early childhood educators. As such, Bill 183 creates conditions in which a written complaint from a member of the public is all that is required to trigger disciplinary procedures against college members. I can tell you from personal experience with the College of Nurses, it is a problem, an expensive problem for the employers and us.

As it is written, two thirds of Bill 183 is devoted to disciplinary procedures while lacking the bylaws and regulations that could make the apprenticeship system better. Based on experience with the professional colleges upon which Bill 183 is modeled, OPSEU has considerable concern about the potential harassment of trades workers. It is worth noting that any unnecessary harassment of trades workers may very well discourage people from choosing a career in the trades, and those undermine the stated objectives of Bill 183.

In his review of compulsory trades, Tim Armstrong noted that far more scope is needed to ensure that employers, especially those in the compulsory trades, comply with a variety of rules, regulations, codes and standards. Most would agree there is a need for additional enforcement in the area, and this is where we need financial and human resources to enforce existing regulations. Without adequate inspectorial staff, no regulation in the world can have meaning.

This is where Bill 183 should be focused, developing a unit that is adequately staffed, sufficiently authorized and appropriately empowered to create real consequences for employers and workers who are in violation of regulations and who put public and worker safety at risk.

Governance: OPSEU has considerable concern with the current governance structure of the college of trades as outlined in the bill. There are a number of jurisdictional problems embedded in Bill 183 that, unless corrected, will obstruct the progress of any trades governance body. The most obvious is the duplication of college membership embedded in Bill 183 by virtue of the existence of professional colleges for early childhood educators and social service workers.

We strongly oppose the mandatory imposition of a new governance structure on workers already enmeshed in existing colleges. Ideally, we recommend that voluntary and unrestricted trades be exempt from the college of trades.

Furthermore, the fees associated with Bill 183 for both employers and employees in these sectors are especially

worrisome, as many agencies already struggle financially and the workers in these categories are not typically among the province's top income earners. These workers should not be obligated to pay twice for multiple governance structures.

In terms of the board, the college of trades should be governed by a board that consists of representatives of the participants in the apprenticeship system, including employers, private and public sector unions, journey-people, apprentices, educators and the government. The representatives on the governing body should be selected by their constituent groups. The governing body should also include representatives from groups which are under-represented in the current apprenticeship system, who could then lend their perspective to the deliberations.

One model that could be used would be the Canadian Apprenticeship Forum, which includes representatives from business, labour and government, as well as educators, persons with disabilities, women, visible minorities and aboriginal persons. The Canadian Apprenticeship Forum also uses a consensus-based decision-making model that ensures each constituent group is able to fully participate in the process.

1440

In conclusion, it is unfortunate that Bill 183 fails to address the Mike Harris legacy of the Apprenticeship and Certification Act, or ACA, and offers a model that appears far too complicated to enhance the implementation of decisions and far too oriented on disciplining trades workers to be effective. We at OPSEU are concerned that the structures envisioned by Bill 183 as drafted will be top-heavy, top-down, unaccountable and lacking a sufficient degree of expertise in the skilled trades. It will become immediately mired in jurisdictional disputes and bogged down in bureaucracy. As a consequence, Bill 183 as it stands will fail to establish an effective governance structure that could promote authentic trades and apprenticeship training in Ontario.

I thank you for listening and look forward to answering questions, and I would make this offer: I don't know how you work after you do your committees, but if you need any more information or want to sit down and have a round-table chat with anybody in our organization, I'd be more than happy to facilitate that. The reason I offer this is that with me today, and employed by the government already, are front-line workers who understand these issues inside and out, have a very unique, on-the-ground perspective and, I think, would bring a lot to the table to influence your decision-making. Thank you.

The Chair (Mr. Lorenzo Berardinetti): Thank you very much for your presentation. That leaves about four minutes in total, so just under a minute and a half per party. Mr. Flynn?

Mr. Kevin Daniel Flynn: I would just note that my understanding is that the exemptions will be dealt with by regulation. We talk about the potential harassment of trades workers. We've had a lot of the skilled unions come forward already. None, to my knowledge or recollection, have mentioned that as a concern. Have you talked to them about that?

Mr. Smokey Thomas: Because they haven't had the luxury of experiencing it yet? I'm a registered practical nurse by trade. I worked my entire career in a psychiatric hospital. Many of us are hauled before the College of Nurses, where you are guilty until you prove yourself innocent, because somebody has made a complaint. It does not matter if you are innocent or guilty; it stays on your record forever. You can be absolutely exonerated; it's still a blight on your record.

Once you get into this, you will find that some people complain because they were unhappy with the price of the job. I don't think you understand exactly the door you're opening here.

Mr. Kevin Daniel Flynn: So you will talk to them.

Mr. Smokey Thomas: I absolutely will. I'll be at the OFL next week.

Mr. Kevin Daniel Flynn: Mr. Levac has a brief question.

The Chair (Mr. Lorenzo Berardinetti): Mr. Levac.

Mr. Dave Levac: Thank you, parliamentary assistant. Smokey, thanks for the presentation and the eye-opener from the perspective of OPSEU. Moe and Deb, thanks for the work that you do.

I am tweaked by some of the concerns you have raised. Obviously I want to assure you that they are being listened to and will be passed on to those who are analyzing the bill and its impact. You are aware that there are some people supporting it within the trades who believe that what you're saying might not come true. Having said that, the one piece you did say that really tweaked me, and would have a major impact in Ontario, is the underground economy. Do you believe that the creation of this college may indeed start us down the road toward that, as long as some of the things you're talking about are addressed?

Mr. Smokey Thomas: I agree with you. It does have the ability to address some of that. All I'm saying is that we believe you need to be very careful in how you do it, and that it's focused more on discipline than on enforcement. You have already at your disposal many tools, regulations and laws that you can use which, if you had the appropriate number of staff in the OPS and the various ministries, you could actually go out and enforce. This is seen by many as being punitive rather than trying to enhance and build. I believe the intent here is to build something positive, and we see that.

The Chair (Mr. Lorenzo Berardinetti): We'll move on to the Conservatives. Mr. Bailey?

Mr. Robert Bailey: Thank you, Smokey, Ms. Gordon and Mr. Blais, for coming in today. You speculated on some numbers—your membership could be affected with layoffs and that. Have you any idea on those numbers? Before you comment, the second part would be that I'm glad you brought up the part about the colleges and that you're worried about the harassment of your members and that. Maybe we can talk offline about that sometime. But could you speculate on the numbers? Do you have any idea on that?

Mr. Smokey Thomas: I think it would depend on how it's actually implemented at the end of the day. I don't have a hard and fast number, but it could be several hundred. Of course, they all have rights and entitlements in the collective agreement that we would vigorously enforce, but we'd like to strike a table before that happens to work it through, so that we could maybe avoid a whole bunch of disputes.

Mr. Robert Bailey: Good. Thank you.

The Chair (Mr. Lorenzo Berardinetti): We'll move on to the NDP. Mr. Marchese.

Mr. Rosario Marchese: Thank you, Smokey and others. I think you raised the question, and many others have raised the question, that many of the members you represent are already subject to other colleges that they're part of, with a whole list of regulations and other compliance measures that they're subject to. Then you've got another board that's set up with different rules, and they'll be subject to two sets of rules. That presents a problem for your members. Do you want to comment on that?

Mr. Smokey Thomas: Why would you pay twice to have somebody try to take your licence away? That's how workers view it.

Interjection.

Mr. Smokey Thomas: No, it's just how we view it. I've been at the College of Nurses. I'm still in a legal dispute with them, and I intend to win.

What you run the danger of creating, particularly for social service workers who took seven strikes a year ago last summer to try to raise it up—we lobbied the government, and the government pumped a bunch of money into the sector, but they're still borderline. If you've got to pay an additional licensing fee, that hurts somebody who's living just above the poverty line. Some of the agencies aren't lying when they come to the table and say, "We don't have any disposable money," because of their fixed costs, and when you see their books, they're telling you the truth. How do you bargain a deal, and then how do they actually come up with the money to pay it? Are they going to get increased funding to pay the employer share? Do you know what I mean?

How workers view licensing: I remember that the social workers of Ontario approached me once and wanted me to help them form a college. I said, "Why on earth would you want to do that to yourselves?" The whole premise of a college is to protect the public—noble, absolutely noble—but the way they're currently constructed is problematic.

I would suggest that out of this you have the opportunity to create something that is very, very positive, that brings people to work together rather than bringing people to do this: We have two dedicated staff people in my organization and a couple of law firms, and all they do is represent people at licensing bodies because of the complaint procedures.

If you go back and look at all that, we'd be very, very happy to come back and talk to you more about how you can make it into a positive rather than a negative in the

workers' view, because in time you run the extreme risk and, I think, a high probability of it becoming a negative rather than a positive. I think everybody's well intended to make it positive; do you know what I mean? Does that help?

The Chair (Mr. Lorenzo Berardinetti): Thank you for your very thorough presentation. Unfortunately, time has run out.

COLLÈGE BORÉAL

The Chair (Mr. Lorenzo Berardinetti): We'll move on to our 2:45 presentation, Collège Boréal. Good afternoon, and welcome to the committee.

Mr. Denis Hubert: Good afternoon.

The Chair (Mr. Lorenzo Berardinetti): You have 15 minutes to make your presentation. Any time you don't use will be taken up with questions from the committee members. Would you be kind enough to introduce yourself and those who are with you who will be presenting today?

Mr. Denis Hubert: Yes, my name, mon nom, c'est Denis Hubert. I'm the president of Collège Boréal. I have, to my left, Daniel Giroux, the vice-president responsible for trades at Collège Boréal, and to my right, Christian Paquette, our legal counsel with Heenan Blaikie.

Mr. Chair, representatives of the government, c'est un plaisir, it's a pleasure for me to have a couple of minutes to address several issues. I will be mostly concentrating on the francophone aspects of the trades and their importance, and how I see that the college of trades can positively influence the outcome.

A brief note on who we are: We're the newest college on the block. We're only 15 years old this year but growing very well. We're a community-based college. We work very, very closely with our community. We've got seven campuses and 48 offices in 38 cities across Ontario. We cover from Hearst down to Windsor, the last new acquisition that we just opened about three months ago.

Our major mandate is access to education. In this case, I will be talking about access to education in the trades. We've had good successes in the past: the highest retention success rate in Ontario among all colleges in Ontario, the highest diploma satisfaction across Ontario and the second-highest employment rate across Ontario. What I'm telling you is that the college is working. We're doing good work. Over 11,000 students have graduated from the college. So we're moving in the right direction.

But we have challenges. One of those challenges is the threats, les menaces, that we have. Presently, as you probably know, Mr. Chair, 20% of francophone students getting out of grade 8 don't continue on to the francophone system. Kathleen Wynne is very well aware of that situation. One out of every two students coming out of secondary school does not continue their education in French, en français. They move on to English training. For a lot of issues—and a lot of those issues have already

been addressed to the Ministry of Training, Colleges and Universities—some of those are based on lack of facilities, programs that are not there at present. There are institutional challenges and systemic challenges.

1450

In the report, we submitted to you quite a number of stats for your perusal. If you look at the report, it's anglais/français, so you could just flip it over in case you open to the wrong page. So just flip it over, okay? Basically I applaud, as a member of the college of presidents of colleges in Ontario—and I also sit on the apprenticeship steering committee for Colleges Ontario, so trades are a very passionate issue for me, both as a college president and as a francophone. So I applaud Colleges Ontario, which probably has given their presentation and, if not, they will pretty soon, whereby Colleges Ontario recommends that the college of trades also be assigned the relative responsibility of la Loi sur les services en français. I applaud very much Colleges Ontario for moving in that direction.

Basically the recommendations that you will find in the document—I think there are 10 recommendations there for you. I will not read through the 10 recommendations, that's not the purpose, but I will give you a résumé of probably the most important parts of the recommendations.

The recommendations are based quite a bit on la Loi sur les services en français, the French Language Services Act; the Regulated Health Professions Act; the Ontario College of Teachers Act; and the Local Health System Integration Act, the LHIN act. Also, there's a sideline in there of the Official Languages Act. As you probably know, it's its 40th year. We're celebrating that at the federal level.

What we've done is we've gone through the different legislation that the government has gone through in the past number of years. Basically what we're saying is that there might be a slight oversight in the legislation that is there. The Legislature has recognized the existence of francophones in Ontario, the important role of francophones in Ontario, and has moved once step further—and I applaud them for doing that—in integrating into those different acts the importance of l'Ordre des métiers en français, and so on and so forth.

In the recommendations we're basically trying to address what the potential oversights are. I will draw your attention to three recommendations if I still have time.

Recommendation 1: Given the important number of francophones, because over 40% of the workforce in northern Ontario is francophone—in the workforce and in the trades—we represent a high importance of tradespeople in northern Ontario, even though we only represent about 26%, 27% of the population. So we recommend to you that the college of trades be a designated agency provided under the French Language Services Act, and your solicitors will be able to advise you on the impact of that.

I think some of the presenters there can link into the presentation I'm doing now.

Recommendations 2 and 3: To assist the planning of French-language apprenticeship services, the Ontario College of Trades—l'Ordre des métiers de l'Ontario—should be required to keep records on the language characteristics of its members, as per the Regulated Health Professions Act, the same thing you were doing on that side. I'm open to questions on why we want to do that.

Recommendation 4: The Ontario College of Trades should identify and record the language preferences of each college member and identify the language preference of each member of the public who has dealings with it. What is happening, in a nutshell, is that the school board system, or the Ministry of Education system, has a database of students—who they are, where they come from, where they were born, so on and so forth. Colleges—we have our own data. It's not the same database as that at the school board. Universities have their own data. The apprenticeship division has their own data. There's something wrong there. There has to be one database. A student in my college might come from the post-secondary—close to 15% come from university, back to college, some come through the apprenticeship division, and there's no proper tracking right now of that same client moving through those different doors. So that has to be addressed, and (b) so that I can do my job, I have to have access.

As a TDA—we've got 18 TDAs—trade-designated agency, for trades that we give to the MTCU, I have to be able to know where the francophones are within the 3,700 registered apprentices in northern Ontario so that I can meet them, talk to them, encourage them to go into the trades. Right now I don't have access to that. As an educator, how am I supposed to do my job, and how am I supposed to do it to make it such that in a couple of years from now I will not be losing one out of every two students who is moving away from the francophone system of education?

The recommendations are there, and they're very light recommendations, very light amendments that could be brought to the act. I think they should be done. The inspiration is what the government has done for previous acts. Merci. Thank you.

The Chair (Mr. Lorenzo Berardinetti): Thank you very much for your presentation. We have just over six minutes for questions. This time, we'll start with the Conservatives. Ms. Elliott.

Mrs. Christine Elliott: Thank you very much for your presentation. I do just have a question on recommendation number 2, where you indicated you could give us reasons why the college of trades should be required to keep records on the language characteristics.

Mr. Denis Hubert: Yes. Thank you very much for the question. We've been having some deliberations with the government administrators and officials from the apprenticeship division on that. For example, if you come from a local school board, I can meet the school board director; we share files, I know where you are, the challenges you have, and so now I can work to make sure I can

encourage you to move into such-and-such a trade or profession.

What I'm asking for is the same right. The people who are presently in the temporary tanks, the 3,700 apprentices who are in the system—in order for me to do a proper job, I have to know—because I am an agency, and what we're being told is that under the privacy act, I'm not privy to that information. I'd like to contest that, because I am a designated agency under the Ministry of Colleges and Universities, so let's make it such that I can do a proper job. I have to know who my client is, where he or she has been and where he or she wants to go. If I don't have that information, it's harder for me to plan the upcoming programs and courses, and if I can't meet you, as I can—at the college, every year, about 10,000 students come to the college to visit us, to meet with us, to meet the faculty, the teachers. In the apprenticeship division, we can't do that. They have to be able to come and see the shops. The biggest scare they have, they say, "Denis, I don't know all the proper French terms. Are they terms from France?"—which is not the case. We're not doing that. We are producing the best tradespeople in Ontario. They have the ability to work in both languages, and we're furnishing 40% of the manpower in northern Ontario. So we're doing something right there. But I have to know who you are and where you come from.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We'll move on to you, Mr. Marchese.

Mr. Rosario Marchese: Denis, you've raised important concerns. My question is, did you raise these concerns with Mr. Armstrong, and did you raise them with either the parliamentary assistant or the minister or their staff? Why haven't any of the recommendations you're suggesting been integrated in the report? I'm not sure I understand.

Mr. Denis Hubert: Yes. It goes far back. I used to be at the La Cité collégiale before, and I've moved now as president over to Boréal. I was partly responsible for setting up trades in Ottawa, as I am now. It has always been a challenge. I know that they're working on data banks. They had computer problems, they had challenges in setting up a new data bank system and so on and so forth. I say, 'Hey, I sympathize with that, but make it happen.'

Second, we're having challenges, and this is fairly recent, because we want to have access to the francophone basins that are in there. One of the major challenges, in answers that we've been getting back, is that, "Maybe you don't necessarily have access to that type of information." So I do not know the level of readiness of that information. Have we asked for it? Yes, we have. We've moved through different channels to ask that question, and we need to have an answer to that. We have not received an answer to that.

The Chair (Mr. Lorenzo Berardinetti): Mr. Flynn?

Mr. Kevin Daniel Flynn: I just wanted to thank you for your presentation. Mr. Levac has a question, I believe.

The Chair (Mr. Lorenzo Berardinetti): Mr. Levac?

Mr. Dave Levac: Thank you, Mr. Chairman, and thanks to the parliamentary assistant. I appreciate your presentation very much. If I'm hearing this right—and I want to just bring clarity to my thinking—insomuch as the legislation itself, if you take your concern that has been raised on the language side and it becomes a universal application, as opposed to fragmented forms and fragmented requests for information and data on languages and probably other information that you and others would find useful, if there were to be a discussion on a universal application of how that information is shared, how much is collected, what is collected and who it goes to, that would satisfy the major part of your concern, and the legislation itself would not be troublesome to you?

Mr. Denis Hubert: Yes, exactly, because we think we're partners in this. That's probably the bridge we have to traverse. We're much more partners than a lot of people think. As colleges in Ontario, we deliver close to 83% or 84% of apprenticeship courses in Ontario. So I want to help the ministry move forward. I want to have more tradespeople in there, and I want them to have better training and good jobs. To do that, I only have part of that equation.

1500

On top of that, when I do submit a request for information, there has to be an overlying philosophy from the college of trades, as from the ministry, as from l'Office des affaires francophones, saying that, hey, there's a French Language Services Act. There's a philosophy under that act—it was put there by Bernard Grandmaître a couple of years back—and we have to respect that. That has to now trickle down and say what the tools are, to answer the Legislature, that say we do have une Loi sur les services en français.

Mr. Dave Levac: All designed within the legislation?

Mr. Denis Hubert: Yes.

The Chair (Mr. Lorenzo Berardinetti): I'm going to have to jump in there, because we have to stick to the schedule.

Mr. Dave Levac: Oh, okay. Sorry, Mr. Chairman.

Mr. Denis Hubert: Yes, absolutely.

The Chair (Mr. Lorenzo Berardinetti): If you want to, you can take it outside for a little bit.

Mr. Dave Levac: Take it outside?

The Chair (Mr. Lorenzo Berardinetti): If you want to ask the question outside for a moment. But I just want to make sure we stay on schedule, because there are quite a few other people here.

Thank you for your presentation. We have all the information here. We will be considering it next week, when we meet to consider the bill. Thank you for your time.

M. Denis Hubert: Merci.

COUNCIL OF ONTARIO CONSTRUCTION ASSOCIATIONS

The Chair (Mr. Lorenzo Berardinetti): The next deputation, scheduled for 3 o'clock, is the Council of

Ontario Construction Associations. Good afternoon, and welcome to our committee.

Mr. Ian Cunningham: Thank you. Good afternoon, Chair and members of the Standing Committee on Justice Policy.

My name is Ian Cunningham. I'm the president of the Council of Ontario Construction Associations, best known as COCA. Just for your information, COCA is a federation of 31 construction employer associations that operate for the most part in the industrial, commercial, institutional and heavy civil parts of the construction industry. That's to say we do everything but building homes and condominiums. We have served as the strong and united voice of our members for more than 30 years.

It is my pleasure to have the opportunity to appear today and to provide input concerning the creation of the college of trades.

COCA supports the high-level goals of Bill 183: to elevate awareness and improve the image of the skilled trades, to encourage more people to consider careers in the skilled trades, and I should add, to produce here in Ontario some of the best-skilled tradespeople in the world. We believe most sincerely that work in the skilled trades is both important for our society and personally fulfilling, satisfying and rewarding.

While it can be said with justification that every industry is unique, there are a number of features that make a construction work site significantly different from a hairdressing salon, an auto repair shop, a commercial kitchen, a factory floor or most other typical trade workplaces that are worth highlighting here. Some of these factors are:

—The physical shape of the workplace changes every day as a project advances from start-up through its successive stages of construction to completion.

—At any one time, there are workers from many different employers or contractors working together on a job site, and teamwork and flexibility among crews are the hallmark of a successful construction project.

—Projects for subtrades may be of short duration, and a construction worker may work for many different employers or contractors through the course of a year.

—A unionized construction employer does not have the ability to hire workers based on their experience, background, technical and interpersonal skills but simply accepts the workers provided by the hiring hall.

Without wanting to overstate the importance of the industry, the construction industry is an enabling industry that makes most other industries possible. That is to say we build the stores, warehouses, factories, offices, schools, hospitals, police stations, courthouses, pubs and resorts. We build most of the places where Ontario works and plays.

The construction industry has an existing and active array of provincial advisory committees and a successful provincial labour-management health and safety network.

While COCA agrees with the broad goals of the bill, it would establish a college of trades with a complex governance structure that provides a one-size-fits-all ap-

proach to four groups, or trade divisions, as they're referred to in the bill. Each of these groups has its own history, culture and business structure, and in this regard we have four major concerns about the college which we would like to raise at this time.

The first is the matter of ratios and trade status. I would say at the outset here that, as a matter of internal operating policy, COCA does not involve itself in labour relations issues. This is because members of our federation operate in both unionized and non-unionized sides of the business, and we want to protect those relationships and we want to focus on those things that make us strong together and not on those things which are different. However, we will provide today some comments on the processes outlined in the bill for determining trade status and journey-person-to-apprentice ratios to which the bill gives considerable attention.

First, ratios are largely, if not exclusively, an issue for the construction industry and the construction trades. They are currently prescribed by LGIC regulation and also bargained through the collective bargaining process. We question the need to put processes in place for all trades in all divisions of the college that apply only to the construction trades.

Secondly, Bill 183 proposes that determinations on ratios and compulsory trade status be made by a three-person review panel whose members are selected from the roster of adjudicators. The appointments council has the responsibility for maintaining the roster of adjudicators whose members—the number is unspecified in the bill—"shall be capable of, and shall act, in a neutral and impartial manner." There is no margin for error in the selection of members of the roster of adjudicators, and the appointments council must give extremely careful consideration to these judge-like appointments.

Finally, as outlined in the bill, there will be no appeal of the decisions made by a review panel. It is unrealistic to believe that a panel of three people, no matter how wise, no matter how well-gifted with superior thinking abilities, will never make an improper judgment on these matters of high importance. Therefore, we recommend that the decisions of the review panels be subject to the normal appeal mechanisms for administrative tribunals in Ontario, which is judicial review.

Moving on to our next point, the matter of transparency and accountability of operations of the college: It's absolutely critical that the college of trades' long-term strategy and operational planning, execution and results are fully transparent for all stakeholders to see. If the college is to earn the support of stakeholders, it must operate honestly and openly. It must empower its stakeholders to hold their college accountable by providing them with all the information they need. The college must have a thirst for accountability. It must be driven to be held accountable by its members. It must strive to be the best college that it can possibly be, so it must operate openly and honestly, providing the fullness of information so that they can be held accountable.

In a sincere desire to be held accountable, the college must develop and publish measurable operational object-

ives, tactics and budgets that are aligned with its strategic goals, and it must not be shy to report on both its successes and shortcomings at least once every six months. While these reports should not focus only on financial performance, stakeholders will demand value from their college and will require visible proof that their membership investment in their college is being spent in the most effective manner.

Bill 183 would establish a nine-member appointments council—eight members plus a chair—responsible for appointing members of the college’s board of governors, divisional boards, trade boards and maintaining a roster of adjudicators. Once the bill is passed, the appointments council will also serve as the college’s first board of governors, as the new organization transitions from start-up to full, operational status. We strongly recommend that at least one representative of construction management be appointed to the appointments council and subsequently to the permanent board of governors. We believe that the important enabling quality of the industry, its mature structures and its scale relative the other divisional trade groups that make up the college make this an entirely reasonable request. We believe the experience and perspective of construction management is an essential component of the appointments council and the board and that it would be an oversight not to include someone with that background.

1510

In the college’s governance structure, the bill prescribes a 21-member board of governors as the governing body for the college, with four divisional boards, one of which, of course, is the construction divisional board, serving as first-tier committees. Under the divisional boards are trade boards which, without obvious reason, are limited to only two employer and two employee representatives in the bill. While we understand and appreciate the efficiency of smaller committees, because of the unique nature of the construction trades and because of the requirement of the trade boards to conduct broad outreach, we believe the size of the construction trade boards must be more than four members, but not to exceed 12, to be determined, based on need, by the construction divisional board. We also believe the governance structure would be more effective if there was a direct representative link between the construction divisional board and its trade boards. This would serve to ensure the full and complete flow of communications between the construction divisional board and its trade boards.

Now, on to a section dealing with the status of apprentices in the college. With regard to membership in the college of trades, the bill provides for three classes of membership: journeypersons, employers of journeypersons and apprentices, and other classes as prescribed by the college’s board. We strongly recommend that the bill be amended to include a membership class specifically for apprentices.

From the moment they register, apprentices have an employment relationship with a construction employer.

They spend the vast majority of their apprenticeships learning their trades through experiential learning, working in the industry. Apprentices are part of the construction industry, and they must be part of the college and must subscribe to its standards.

We recommend that apprentices be required to become apprentice members of the college and pay a membership fee in an amount which the board determines appropriate for that class of member.

I want to thank you for the opportunity to appear and provide advice today. Should this bill be passed, we look forward to working constructively with the transition board and the board of governors in making its appointments, establishing regulations and developing important criteria and processes in the months ahead.

I would like to use the remainder of my time to take any questions from the committee.

The Chair (Mr. Lorenzo Berardinetti): Thank you, Mr. Cunningham. We have three minutes left, so one minute per party. We’ll start with the NDP.

Mr. Rosario Marchese: Thank you, Ian. I should tell you that everybody seems to be in agreement that apprentices should have membership on the board. I’m assuming the Liberals will make that amendment.

The other point you make about the appointments council and that they “shall be capable of, and shall act, in a neutral and impartial manner”—I get the impression you don’t believe they will be neutral. That’s my feeling. Is that correct?

Mr. Ian Cunningham: Well, I think very, very careful consideration must be given to these appointments. These are very, very important appointments that put in place those people who will populate all the various boards and committees and so forth. Very, very careful thought has to be given to the individuals.

Mr. Rosario Marchese: I understand.

Mr. Ian Cunningham: They must be, without question, unbiased, neutral—

Mr. Rosario Marchese: Ian, I should point out that unions are worried, too, because they think, on the other side, conversely, that there should be tradespeople on the appointments council. You both seem to have concerns about the neutrality of these members.

Mr. Ian Cunningham: As I said before, I think these appointments have to be given very careful thought.

Mr. Rosario Marchese: I agree.

Mr. Ian Cunningham: They may want to interview all kinds of people and examine them for neutrality and their ability to serve in the way that’s outlined in the bill.

Mr. Rosario Marchese: Thank you, Ian.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We’ll move on to the Liberal Party.

Mr. Kevin Daniel Flynn: In the short time we have, Ian, I just wanted to thank you for your support of the bill and for the suggestions you’ve made.

My exposure to both the employers and to the bargaining agents in our construction industry in Ontario is that, as we move forward with this process, I think a maturity level where there’s no room for error, that you were

talking about, will come to the surface very quickly. I think this will be successful, especially with groups like COCA being actively involved.

Mr. Ian Cunningham: Well, it seems to me that a great deal of good thinking has been applied to the development of this bill. I don't think anybody would agree it's perfect, but perfection exists as a fleeting notion and it's different in the minds of everybody. Suffice it that a lot of thought has been put into the governance model as it's laid out in the bill. If people can get together, committed to producing the best apprentices that we possibly can and committing themselves to making this work, the proof is in the execution. As we go forward, if the bill is passed, it will only be successful if it's successful in its execution.

Mr. Kevin Daniel Flynn: Agreed.

The Chair (Mr. Lorenzo Berardinetti): We'll move on to the Conservative Party. Mr. Bailey.

Mr. Robert Bailey: Thank you for your deputation and presentation today. You've said a lot, and I agree with most of it. Do you think, on the one part there about the adjudicators and their background, that at the end of the day they necessarily have to have a judicial background to be fair, or not necessarily? Is that something you'd lean to or that you think we should consider when we're looking at this?

Mr. Ian Cunningham: It's something, I suppose, that could be considered. I don't think that only judges are capable of being neutral and unbiased. I think there are lots of other people who don't have partisan or other kinds of relationships that guide their life and I think those are the kinds of people that should populate this appointments council.

The Chair (Mr. Lorenzo Berardinetti): Thank you for your presentation.

ONTARIO ELECTRICAL LEAGUE

The Chair (Mr. Lorenzo Berardinetti): We'll move on to our 3:15 deputation, the Ontario Electrical League. Good afternoon, and welcome.

Ms. Mary Ingram-Haigh: Good afternoon to you as well.

The Chair (Mr. Lorenzo Berardinetti): If you could just, for the record, state your name.

Ms. Mary Ingram-Haigh: Yes. Mary Ingram-Haigh, from the Ontario Electrical League.

Mr. Chair and members of the Standing Committee on Justice Policy, my name is Mary Ingram-Haigh. I've had the pleasure of being in the electrical industry for approximately 22 years, the last four years with this not-for-profit organization. Through my work with the organization I sit on many committees, be they the provincial advisory committees to the MTCU, the advisory committees to our electrical authority, safety authority, colleges etc., and I've had the opportunity to speak to many electricians, apprentices and contractors who often are tradespeople as well. On behalf of the input of the

members of our league, I am pleased to present our comments on Bill 183.

A little bit more about our league: We are not-for-profit, and we are inclusive and provincial. We have over 25 members from the electrical industry in Ontario; and those are just persons that signed up. We do represent far more than that. Our members do include electrical contractors, again, who are often tradespeople; electricians, apprentices, utilities, Hydro One, the generators, the Electrical Safety Authority, which is our regulatory body for safety, and their inspectors; the suppliers, manufacturers' reps, engineers, educators and service companies.

As well, our membership is inclusive in the sense that we're open shop. We have a lot of non-union shops but we also have a significant number of companies that are signatory to the two unions that do the electrical industry in Ontario, which are the International Brotherhood of Electrical Workers and the Christian Labour Association of Canada.

In my presentation today I will highlight our objections to the proposed college of trades and our recommendations for improvements, assuming the bill goes forward. The full details on our objections and recommendations can be found in our submission to the committee.

We have canvassed, as the Ontario Electrical League, our membership and have found, amongst the members who participate in these discussions, that there is little or no support for the proposed college of trades. The most frightening part, perhaps, is that there is a great lack of awareness. I have personally, as have many of my electricians, spoken to other folks in the industry and they don't even realize that the college of trades is coming in or what it's about.

In particular, I'd like to state the following objections. For the most part our trades in Ontario, and particularly those in construction, and particularly those that are mandatory, meaning that you must have your certificate of qualification in order to do that type of work, are well regulated through a series of existing bodies. We see no reason for another bureaucratic organization to regulate the trades, especially given that we already had so many great advisory cabinets giving great advice to the various ministries. In the case of the electrical trade, this group is certainly amongst the most heavily regulated, and rightly so. Electricity, although you can't see it, is very dangerous, but our group welcomes the high regulatory standards imposed on us by the Workplace Safety and Insurance Board; the Ministry of Labour; our own regulatory body, the Electrical Safety Authority; and the Ministry of Training, Colleges and Universities.

Number two, we feel that the proposed college of trades is potentially an undemocratic organization. As we understand it, the members of the board will be appointed, with no elected representation from the very tradespeople the college will regulate. As I understand it, there are approximately 470,000 C of Qs out there, and in some cases, people hold multiple tickets.

1520

Number three, we have not seen any proof that this proposed college of trades will actually create any jobs. As we understand it, when regulatory burdens are increased, this often actually stifles jobs and growth.

Lately there have been many pronouncements on creating jobs from the McGuinty government, including the Premier and the Minister of Finance repeating that the HST will actually eliminate paperwork and red tape to make businesses more efficient and create jobs. Just recently the Premier announced that the mandate of his recently appointed parliamentary assistant is to help Ontarians create jobs. We haven't seen anything coming out of Bill 183 that fits with what appears to be the number one priority for our government today.

While we do strongly oppose the creation of the college of trades, if the government of Ontario is intent on going forward with it, we offer the following recommendations:

The first, and we think the most important, is that the proposed college of trades should be put to a vote of the very tradespeople it will regulate. Find out first-hand if the tradespeople feel that additional regulation is required. If 50% plus one of Ontario's eligible tradespeople endorse the proposed college of trades in a fair and open vote, we would certainly not hesitate to endorse it.

Assuming there was such a vote and the tradespeople said, "Yes, we want the college of trades, this is what we recommend," the members of the proposed college's board should be elected from among Ontario's tradespeople, as opposed to appointed by the government. This will give the proposed college of trades much more legitimacy among the tradespeople, just as the members of this committee have legitimacy by virtue of their election by the people of Ontario to the Legislative Assembly of Ontario.

Any fees to be levied by the proposed college of trades should be approved by a majority vote of the members of the college. In electrical, as I understand, for certain tickets they pay \$60 for a three-year renewal. The number I heard in the proposal was \$100 per ticket, understanding that some people hold multiple tickets. As we understand it, that would be a minimum of \$47 million per year coming in to the government from our tradespeople's pockets. I understand they are planning to charge the businesses that actually hire the tradespeople as well, and we haven't seen anything on the budget or how all that would work out.

We believe the government should consider taking a look at some of our existing regulatory agencies. Again, in electrical, that would be the Electrical Safety Authority, which already governs the code and does the inspections. Safety is the number one priority. We sit on various committees with them, along with the Electrical Contractors Association of Ontario, to ensure that safety is top of mind. The point of the ESA is to have them potentially take over the apprenticeship and training governance functions as well. I believe there is already talk of them taking over the certificate of qualification.

We feel the government should conduct an independent economic analysis of the potential impact of the creation of the proposed college of trades and share the results with all the tradespeople. We feel that Bill 183 is the wrong bill at the wrong time. At a time when the government of Ontario should be concentrating solely on creating new jobs and opportunities for Ontarians, the proposed college of trades does not seem to propose anything that will help our tradespeople across the province. One fear that exists because of the ratios today, as well, is that some of these tradespeople may move on and leave our province, leaving us in a worse state.

The Ontario Electrical League has been consistent and clear in its objections to Bill 183 and the proposed college of trades since the beginning of the process. In spite of the fact that we have worked with the government process and have contributed to the debate, it appears there haven't been any answers or results of our input. One of our fears is that groups with a strong commercial interest may use the power of government to not ensure that the whole thing is fair and reflective of Ontario—meaning the tradespeople in Ontario with whom they work, whom they are signatory to or not—and that it be fair and equal.

If Bill 183 is passed without a proper vote of the tradespeople themselves, we're afraid as well of how the different tradespeople in Ontario would feel about that and whether or not they might buy in to the process. In 2007, we came up with the provincial electrical contractor licence. One of the reasons for that was to ensure that people are staying above ground, not under. The ESA's database went from approximately 4,500 contractors to approximately 7,800 contractors. So it helped bring things out of the woodwork. Our fear, especially perhaps in the non-compulsory trades, is that if people aren't allowed to buy in to the process and be part of it, we may find more underground work as a result.

On behalf of the members of the Ontario Electrical League, I urge you to reject the bill as written. I thank you for your time and consideration, and will try to answer any questions you may have.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We have just over six minutes for questions. We'll start with the Liberal Party. Mr. Flynn?

Mr. Kevin Daniel Flynn: Thank you, Mary, for your presentation. I've got a 54-year-old brain now, but I think you're the first person, or perhaps the second, who has come forward and said outright, "We don't want you to pass this bill." That kind of surprises me, in a sense, as the reason for the genesis of this bill, I think, had a lot to do with some of the input that was coming from your organization in the first place with regard to concerns that were being expressed over the ratios.

No government in the past really had the ability to deal with those concerns in any sort of concerted way, because a process didn't exist to deal with the questions that were being asked and the opinions that were being offered by both sides. So I guess I'm a little surprised that there's now a process that's going to be put in place

for the first time in this province's history to deal with an issue that I know you're concerned with, and yet you seem to be opposed to it. Maybe you could answer that first.

Ms. Mary Ingram-Haigh: Absolutely, Mr. Flynn. I think we feel there is a process that exists. There are groups called provincial advisory committees, which the staff of MTCU has been great in supporting. To be perfectly blunt, since I have been on that committee, I have spoken with people who have been for years, and the group right now is in theory balanced by the number of employers and employees. However, given our understanding of open shop versus closed shop—open shop means non-union or a union that will work side by side with other unions or with non-union persons, whereas a closed shop is almost like a marriage between the contractor and the employees such that they can't work with other people—the provincial advisory committee was the place for those votes to take place. Unfortunately, the advisory committee does not seem to be reflective of the tradespeople in Ontario, in that 50% seem to come from the closed-shop, unionized sector and 50% from the open shop. There was a process, in that we've come up with approximately five to seven recommendations—consensus, unanimous among all parties—and unfortunately none of them were moved on by the current government.

The ratios themselves: That is the place, and the votes were taken, but perhaps because of what we feel to be the incorrect reflection of Ontario on the committee, the votes always kind of broke even.

Mr. Kevin Daniel Flynn: Okay. I think we all agree that whatever comes out of this, it's got to be efficient and it's got to be a good thing for the economy. As part of the transition, it was the intent of this bill, as I read it, that any duplication as far as enforcement is concerned between groups like the ESA, the MOL or the TSSA would be examined to make sure we're not doing the same thing, either in duplicate or in triplicate. Groups like the Ontario Chamber of Commerce were before us today saying that they felt this was a good thing for the economy: It was going to help address the skills shortage; it would maybe attract young people to the skilled trades again. So I guess I'm a little surprised. Maybe I shouldn't be, but I am.

Ms. Mary Ingram-Haigh: Well, we have put the comments in since the beginning.

Mr. Kevin Daniel Flynn: Did I use up my time?

The Chair (Mr. Lorenzo Berardinetti): I am on the clock, and I want to be fair to everybody here. Your point is well taken, and I do apologize, because there are questions from Mr. Bailey.

Mr. Robert Bailey: Thank you, Mr. Chair. Thank you, Mary, for your presentation today. You already touched, on the ratios, about the cost to the members. One of our other deputants, who appeared just before you, raised the issue about the adjudicators—I won't go over the other issues. Did you have any issues? If this bill goes through more or less as written, or even with some

changes, would your organization have some concern about the qualifications and neutrality of the adjudicators?

Ms. Mary Ingram-Haigh: I would say yes, and I believe someone asked earlier whether they should have a judicial background. I'll be blunt: I have not discussed this particular piece with my members, so speaking on my own, what I would say is that I think it's really important that they understand the trades. I think that getting people who actually have trades experience, who have been out in the real world and done this work—but I do think they should perhaps have access to support of that nature.

Mr. Robert Bailey: Thank you.

The Chair (Mr. Lorenzo Berardinetti): Mr. Marchese?

Mr. Rosario Marchese: Mary, you did answer one of my questions, but I wanted to ask you again: You didn't consult with your own members?

Ms. Mary Ingram-Haigh: On that particular question, not in detail.

Mr. Rosario Marchese: But have you consulted your members on these issues?

Ms. Mary Ingram-Haigh: Yes, in our government relations committee.

Mr. Rosario Marchese: Do they all agree with you?

Ms. Mary Ingram-Haigh: I think you know that in communications, you can only find out their answer if they respond. So those I have spoken to, and we've gotten some proactively, are not interested in the bill as it stands today.

Mr. Rosario Marchese: Would that be a few, many, 100, 200, 1,000?

Ms. Mary Ingram-Haigh: I would say we've been talking about it for about a year in various committees. I would say easily hundreds of individuals, who in turn, through our chapter organization, would speak to others. But my biggest concern really was the lack of awareness that this was even coming.

Mr. Rosario Marchese: That's probably true too. That was a question I wanted answered and I think you've answered fairly well.

You talked about the provincial advisory committee. One of the complaints from the union groups is that even though it's been in existence for such a long time, the government doesn't listen to them.

1530

Ms. Mary Ingram-Haigh: I would have to say that that's the feedback I receive from the members as well, but the process is there to be listened to and to be addressed. It's just a lack of action, it appears, and I'm not certain why.

Mr. Rosario Marchese: What's the point of having it if the government doesn't listen?

Ms. Mary Ingram-Haigh: I've heard that comment from the members as well, but I do believe that committee could work within the structure if there were more actions taken.

The Chair (Mr. Lorenzo Berardinetti): Thank you for your presentation. It was very thorough.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION

The Chair (Mr. Lorenzo Berardinetti): We'll move on to our 3:30 presentation from the Ontario Secondary School Teachers' Federation. Good afternoon and welcome.

Mr. Ken Coran: Thank you.

The Chair (Mr. Lorenzo Berardinetti): If you could just identify yourselves for the record, for the sake of Hansard, and then you have 15 minutes to speak. If you speak and there's time left during that 15 minutes, then we'll ask questions from the committee.

Mr. Ken Coran: Thank you. Ken Coran, and I am the president of the Ontario Secondary School Teachers' Federation. With me is Craig Brockwell, from our communications political action department. He's also our legislative researcher.

I wanted to start out with the first question people might ask: Why is there a presentation from the Ontario Secondary School Teachers' Federation? To introduce ourselves, we do represent 60,000 members across the province who are not only teachers but also educational support workers. In fact, the paper that is presented today will have some concerns from the teaching division of that grouping as well as from some of the support staff members. Craig Brockwell is a certified tradesperson as well as a certified teacher, so the majority of the presentation will be done by Craig, because he can speak first-hand with regard to what some of the concerns are.

The issue I wanted to point out to you may seem trivial, and I believe it likely has been raised by other presentations. It's just the name. We do have the Ontario College of Teachers. In fact, there is a lot of debate right now and discussion over the professional designation that has now been utilized for teachers, which is also OCT. If you are going to embark on another college and use the designation, OCT, as well-meaning as it is, I think what will happen down the road is that it likely will cause some confusion and probably some communications going to different people that it perhaps was initially intended to. I wanted to highlight that simple thing that sometimes gets overlooked in a lot of areas. I know the OFL has recommended another name, so I would strongly advise taking a look at that other name as well.

For the remainder, Craig will walk you through our paper. He likely will also answer the majority of the questions.

Mr. Craig Brockwell: Thanks, Ken. What I want to touch on is probably two areas: duplication and jurisdiction. If you go to the section on duplication, I'll start off with that.

The creation of the college obviously will cause duplication, because beyond the teaching ranks we also represent educational assistants, child and youth workers and a variety of other professions that are basically

represented by other colleges. Teachers themselves who are tech teachers are represented, once this is formed—or if this is formed—by perhaps the college of trades and the College of Teachers. We're seeing duplication of a variety of activities, policies and legislations that are going to impact on our members, which obviously, from our perspective at the provincial office, will cause some concern by our members and a fair number of calls trying to decide, "At what time do I use this piece of legislation and at what time do I use that piece of legislation?"

The issue about expenses: Many of our members already send fees on to professional colleges. With the formation of the college of trades, they perhaps have to add another fee on top of two or three fees that are already paid out. This challenge could be addressed by provisions as far as exemptions go, but my expectation is that those exemptions would cause greater complications once initiated. We could have voluntary membership in one or the other. Obviously, if you're a teacher, you have to belong to the College of Teachers through existing legislation. We have those challenges before us.

The issue of jurisdiction, when it comes to a person practising: Will school boards require that tech teachers have to belong to the college of trades, the College of Teachers and perhaps others if they are teaching in their trade? That causes tremendous difficulty, because there might be conflicts between the mandates and policies of those particular colleges, and at what time does one supersede the other?

This bill provides, from our perspective, a number of questions that we think have to be clarified before it moves forward, and I think they have to be clarified with the involvement of the people who are either in the trades and understand these issues or through consultation with various groups. We would agree wholeheartedly with many of the issues that the Ontario Federation of Labour perhaps put forward in their presentation, if they've made one already, or if they're due to make one.

What we have is members who may wish to belong to both of them at the same time because of their non-school activities. We have a large number of members who, let's say, are carpenters—I'm a carpenter by trade. During a school year, they're teaching. During the summertime or during weekend hours, they may be practising in the building trades of some sort. Will one activity impact on the other? That's another question that I think we have when we're dealing with these types of issues.

So both issues: duplication and the expense involved in that duplication; and jurisdictional questions as to when one particular college supersedes another. Are they concurrent? What are those issues? I think those are probably our biggest concerns.

I want to highlight another section that I think is important in moving forward as well through the implementation of this legislation. If you look under educational assistant apprenticeship training—the complexion of a variety of director boards and what have you within the college of trades—educational assistants are one of

the recognized trades that are going to come under this particular college. There are training proposals; there's an apprenticeship program for educational assistants. However, that program is not recognized by many school boards. So which type of training do you advocate? Do you advocate the two-year college program, or do you advocate this apprenticeship program? That's a challenge that, again, some of our members have had to meet. In some cases, school boards have offered upgrading programs to allow these things to go on, but that's another problem.

I'll end there and leave time for some questions that people may have.

The Chair (Mr. Lorenzo Berardinetti): We have just over seven minutes left. We will start with the Conservative Party. Mr. Bailey?

Mr. Robert Bailey: Do you feel that you were consulted? You've raised a lot of good issues now. Did you have an opportunity, when the bill was being drafted, to have input at that time, or was it just on reflection, after the bill was drafted, that you had a chance to look at it? You've raised a lot of different issues—everyone has, who has come here—and this is different, again. Do you feel you had an opportunity to present at the time?

Mr. Craig Brockwell: We're affiliated with the Ontario Federation of Labour, so any input we've had leading up to this has been through them. On this particular piece of legislation, we didn't have any contact with training, colleges and universities on this particular issue.

Mr. Robert Bailey: Okay.

The Chair (Mr. Lorenzo Berardinetti): We'll move on to the NDP. Mr. Marchese.

Mr. Rosario Marchese: Thank you both. First of all, I want to agree with you with respect to the name change. The government members haven't spoken to this, and I assume they haven't spoken to the minister about it yet. I think the name should be changed. I think there is a great deal of confusion. I think that in the general public's view, when you talk about the college of trades, it sounds as if we're creating another college that's going to be dealing with trades. The confusion is evident. My view, like yours, is that they're going to have to do that.

On the whole notion of duplication and other areas of concern—jurisdiction, regulation—you're not the first who has raised this, and many of the members you represent are represented by different governing bodies. I think what I heard from Mr. Flynn is that they will be dealing with these jurisdictional problems, but I'm not quite clear how that's going to work, if it's going to work or what laws will supersede what or which. Will this bill supersede any other laws that are in place, or will the existing laws by which you're governed supersede this? All that is unclear.

I think you raised good questions about having clarity before you can say, "Okay, we agree, or disagree, with this." Unfortunately, we don't have those answers. I'm glad you raised the questions, and hopefully some answers will come.

1540

The Chair (Mr. Lorenzo Berardinetti): We'll move on to Mr. Flynn.

Mr. Kevin Daniel Flynn: I've got a brief point to make, and then I'm going to turn it over to my colleague.

You raised a good point on the tech teachers. I think they need exemptions. That's the sort of information we were hoping to hear at these hearings. Obviously, any exemptions will be dealt with through the regulations, and you've certainly highlighted that one.

Is it fair to say, though, that you agree with the concept of the college? You have some problems with the name and some other things you would like to see addressed, but overall do you agree with the concept?

Mr. Craig Brockwell: I think, initially, we agree with trying to promote the trades. From a very personal perspective, I hold both a university degree and a trade. When my older boy was going into post-secondary, I naturally thought, "Okay, the good avenue for him is to go on to university." I was wrong, because every bit as valid, and perhaps in many cases for many of the students we're dealing with on a daily basis, the trades are a far better route to go. Those people will be successful. My son went into the trades.

So we agree with the idea that you want to promote trades as every bit as good an avenue as post-secondary education.

Mr. Kevin Daniel Flynn: I think another teacher wants to talk to you too.

The Chair (Mr. Lorenzo Berardinetti): Mr. Levac, go ahead.

Mr. Dave Levac: Thanks for the presentation, Craig. I appreciate it. There will be some repeals of other pieces of legislation that might help reduce the temperature that seems to be rising. Once that happens, I believe that some of that issue will be addressed.

Earlier we heard from Denis Hubert, the president of Collège Boréal. He talked about an overlying problem of communication between the collection of data and the information that's necessary. He mentioned secondary schools, the colleges system and the trades themselves. Are you in concurrence with sharing that data and the capacity for us to bring out the information that's necessary, not just for francophone students but for everybody who needs that kind of information shared, so that you can follow and track the students in your charge and those who are involved in the trades and apprenticeships, in order to give us a clearer picture of what exactly is happening?

Mr. Craig Brockwell: We're just one partner in that information, obviously.

Mr. Dave Levac: Precisely, but your information is different than that collected by the other agency, and they're not allowed to share.

Mr. Craig Brockwell: I don't think we have a major difficulty. Ken?

Mr. Ken Coran: Well, it has to be an equal sharing of information, and for what reason is this data being gathered? If it's being gathered to help student success,

so be it. If it's being gathered for performance appraisals, we obviously have an issue with something of that nature.

I think the intent of the data would have to be very clearly identified before we could positively say yes or no to any scenario dealing with it.

The Chair (Mr. Lorenzo Berardinetti): Thank you for your presentation and for your time here today.

CANADIAN BUILDING TRADES—
BUILDING AND CONSTRUCTION TRADES
DEPARTMENT

The Chair (Mr. Lorenzo Berardinetti): We'll move on to the next deputation, which is the Canadian Building Trades—Building and Construction Trades Department. Welcome. You have 15 minutes. If any time is left, the committee will ask questions. Would you kindly identify yourself?

Mr. Robert Blakely: My name is Bob Blakely. I am the director of Canadian affairs for the building trades. In the short time I have, I will try to speak to a number of points that have been made here. You've heard a number of these points, so you probably don't need me giving you some great, lofty background on some of these issues.

We, the Canadian building trades, the 450,000 men and women who make their living in the construction industry, view apprenticeship as a vital Canadian resource. Our business is transitory; it works from province to province. Welders in Ontario are employed in Quebec, Newfoundland and Alberta, people from the east coast come here on a regular basis. What happens in the largest apprenticeship system in the country has an impact on the other provinces.

We are here to say what's being done in Ontario needs to fit. It is demonstrating leadership, and we support the undertakings that have been done. We would say respectfully that what has gone on here is based on logic and analysis, not ideology. If you look at the work of Mr. Armstrong and the work of Mr. Whitaker, there has been broad and substantial consultation which has tried to make this work.

In other provinces there have been tweaks of the apprenticeship system. What is going on here in Ontario is the chance of a lifetime. It is a chance to look at trades and the business of trades, and I would ask with respect that this be something that we don't squander.

I come from the construction trades. That's 60% of apprenticeships across Canada, the lion's share of apprenticeships. Our business is transitory. It is essential that construction employers who employ tradespeople have people who have broad-based threshold skills to enable a mobile workforce. We can't afford to have one-trick ponies. What an employer may not need today will be needed by another employer tomorrow.

I listened to the person from the Ontario Electrical League, with all of its 25 members, and thought to myself, with 1,000 electrical employers in Ontario who

are with the IBEW, there must be 100 that have their offices within a couple of square miles of this building. There are a lot of people who support what's going on here.

One of the things the college is going to do is professionalize the trades. If you look at the numbers that have been gleaned demographically for the trades on a go-forward basis, we need to replace a significant portion of the tradespeople in this country in the next seven to 10 years as the baby boomers leave. There needs to be something to attract people to the trades. It is image; it is an understanding that these are good jobs, good careers, with good pay. Part of the value of those good careers is the value in the certificate, the certificate which gives you a right to practise, in some cases an exclusive right to practise. If you ask anyone who has got a law degree and has been through the process with the Law Society of Upper Canada, the value in having your right to practise is to be heard at the bar. For a doctor, it is admitting privileges in a hospital. Each of those learned professions has a method whereby they regulate internally. If I hung out the shingle and said, "I'm a doctor," the police aren't going to come and get me tomorrow; it's going to be the doctors' association. That is one of the things that this college should and ought to do. The law is not a stranger to quasi-judicial tribunals.

I have three trade certificates and I'm a lawyer. I've been in the trades business longer than the lawyer business. I heard some questions from members of your panel which said, "Should we have lawyers doing this?" I know a lot of lawyers and I know a lot of tradespeople. Some are inherently fair in everything they do; some aren't. Can't we have a process where we vet people and come up with chairs? We do it for the Labour Relations Board and for a host of other tribunals.

Governance: The people who are impacted materially by this legislation ought to have a seat at the table. I noted from the media that Colleges Ontario was here saying, "Look, we train people. We need to have a seat at the table." It should be employers who employ workers and employees.

I know people have stressed to you that you should eat the elephant in a number of bites. If you are going to be successful in the transition, start some of the work with the compulsory trades and work through to the voluntary trades.

On the issue of ratios, one size will not fit all. There is a difference between the risk there is to a beautician and the risk there is to a first-year apprentice ironworker who's working with 300 feet of freefall. You need experts to tell you where to do this.

1550

The public registry, which is in the material, the protection of the public and being able to determine if people have or do not have threshold competency is something that we view as substantially important. The provisional certificates, which have been talked about here, transfer that function to the college and take it away from MTCU. Is there a conflict between some of the

various bodies? If I am a teacher in a high school that does technical training, do I have a conflict? There are hundreds of people who have more than one skill, and somehow we manage to figure it all out.

Improvements to the appointment process: There needs to be input from the stakeholders and a vetting before you do anything.

Apprentices are not to be members of the college, as I read the material. In the law society, students of law are members of the college, essentially. In the medical society, interns are members of the college. It makes sense to have everyone in one place and it makes it too complicated to leave some people with MTCU. If there's going to be a transition, and there will have to be, form ought to follow function and money ought to follow a change in responsibility.

Part of our presentation asks, what's in a name? "College" was originally a Latin term. Colleges used to exist at the crossroads in Rome, and the various colleges kept the crossroads clean and had a number of functions that were important to the public. "College" is a term of some substance. I don't know if some people say, "Don't call the trades a college because we're just too dumb to do that." I would suggest to you that the college of physicians and surgeons, the college of trades and the college of teachers are something that most everyone can understand.

When you look at the business, what the college will do is deal with a number of people who have important societal functions. They will be professional people. Don't give the college of trades some namby-pamby nondescript name to make a couple of people who feel more important happy.

This is not about anything other than professionalizing and recognizing the men and women who make their living in the trades as capable, vital, strategically important occupations that our society needs.

Those are my submissions and I'll answer any questions that you might have.

The Chair (Mr. Lorenzo Berardinetti): Thank you very much for those submissions. We will begin with the NDP and Mr. Marchese. There are about two minutes per party.

Mr. Rosario Marchese: Robert, a question around the issue of enforcement: Both the OFL and the Coalition of Compulsory Trades in construction speak about the enforcement mechanisms that are in place as being inadequate. They think there should be better enforcement in the bill. Did you have any comment on that?

Mr. Robert Blakely: I agree with that completely. I'm sorry; I thought I'd made the point that I thought the enforcement was key. I think enforcement is key.

You know, in the province of Ontario, I can't take my goldfish to somebody to have it looked after, but there are people who would say, for the people who look after the steam or electricity in the kids' school, "Oh, anybody can fix that." Well, that's rubbish.

Mr. Rosario Marchese: I've got another question. The Trades Qualification and Apprenticeship Act clearly

establishes that an apprenticeship program must be a minimum of two years. Bill 183 makes no such provision, the OFL says. As Bill 183 is presently written, any program can be classified as an apprenticeship program, regardless of whether such a program takes six weeks or six years to complete and regardless of whether the program is primarily in-class or on the job. Any comment on that?

Mr. Robert Blakely: My firm belief is that people who are reasonably expert in the trade or the occupation need to address their minds to what is required for there to be a trade. Some trades are five years, some trades are three years, some trades are four years. That is something that I think needs to be worked through for each trade specifically. I would not specifically have words of limitation in the legislation, but I would hope that the legislation would provide for a full and complete trade rather than a fragmented section of, you know, door lock installers, door hinge installers, door shim installers.

Mr. Rosario Marchese: Thank you. Do we have time for a quick question?

The Chair (Mr. Lorenzo Berardinetti): All right, as long as we finish by 4.

Mr. Rosario Marchese: You're talking about a phase-in and you're suggesting you start with the—

Mr. Robert Blakely: Compulsory trades. There's a mechanism there.

Mr. Rosario Marchese: How long do you think that might take in terms of this phase-in? Is it one year, two, three, four, five? Do we know?

Mr. Robert Blakely: I'm guessing, so I would say that perhaps Mr. Dillon would be a much better person to ask than I; he's been a lot closer to it. But because there is an established infrastructure, I would think that 18 months might do it.

Mr. Rosario Marchese: Thank you.

The Chair (Mr. Lorenzo Berardinetti): Thank you. Mr. Flynn.

Mr. Kevin Daniel Flynn: Thank you, Mr. Blakely. That was an excellent presentation.

My understanding is that the provisional certificates will go to the college, along with some of the responsibilities for the transition, obviously, to deal with some of the issues that are confronting the industry at present.

If I could summarize what you've said, it would be that there is something really good here, we should seize the moment, we should strongly consider a phase-in, and we need to include apprentices. If we were to do those things, next to other jurisdictions in North America, where would you place us?

Mr. Robert Blakely: I would think that you would have a leadership role. I'm from Alberta, so I'll tell you that I think the Alberta apprenticeship system is marvelous. We actually have an apprenticeship board. Somebody got rid of the one here before my time.

Mr. Kevin Daniel Flynn: That's good news. My colleague has a question too.

The Chair (Mr. Lorenzo Berardinetti): Mr. Moridi, go ahead, please.

Mr. Reza Moridi: Thank you, Mr. Blakely, for a wonderful presentation.

In the proposed legislation, the structure of the board of governors is set out such that there are members from the various industries—employer, employee and government appointees. Some people think that there should be representation from the training providers; for example, the colleges and other training providers. They argue that in similar colleges, in the Royal College of Dental Surgeons of Ontario, for instance, the board of governors or the council of the college has representation from dentistry schools, and I believe the case is the same with the college of physicians. So would you think we should have a similar structure in the college of trades?

Mr. Robert Blakely: With respect, my answer to that is no. I think that if you look at the actual role of the colleges, colleges are essentially contract training providers. I believe there is a conflict in roles and a conflict in definition. I know at least in the medical and dental professions, part of the reason people are there is because those are very closely quota-ed disciplines and they're trying to make sure they maximize the number of people in the throughput. It is not like the history department or, respectfully, the plumbers in Ontario.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We're going to have to move on to the Conservative Party and Mrs. Elliott.

Mrs. Christine Elliott: Thank you very much, Mr. Blakely, for your presentation. I too am a lawyer by training, so I entirely agree with your comparison with the law society. I think it's a very good analogy.

My question relates to the issue of phase-ins, and you gave as an example the issue of dealing with ratios. Would you consider that to be a top priority to be dealt with as soon as possible, or where would you place that in the rank of order?

Mr. Robert Blakely: I think it's an important priority. I think the issue of compulsory trades and how you are going to get through that and ratios are really important. The ratio determines the number of people who will be available to take an apprenticeship and the number of people who can effectively be trained. So I think it's an important issue.

Mrs. Christine Elliott: Thank you.

The Chair (Mr. Lorenzo Berardinetti): That completes the time. Mr. Blakely, thank you for your very thorough presentation.

Mr. Robert Blakely: Thank you.

1600

COALITION OF COMPULSORY TRADES IN CONSTRUCTION

The Chair (Mr. Lorenzo Berardinetti): We will move on now to our 4 o'clock presentation, the IBEW Construction Council of Ontario. Good afternoon and welcome to the committee. If you could kindly identify yourselves for the purposes of Hansard, which is our record-keeping system here.

Mr. John Pender: Thank you and good afternoon. I'm John Pender. I'm the executive secretary-treasurer of the International Brotherhood of Electrical Workers Construction Council of Ontario. With me is Mr. Eryl Roberts, executive vice-president of the Electrical Contractors Association of Ontario, and on my left is Mr. Ron Lebi, who's counsel for the Coalition of Compulsory Trades in Construction. We want to thank the committee for allowing us to comment on Bill 183.

We're here today representing the Coalition of Compulsory Trades in Construction. The coalition consists of the following organizations: the Electrical Contractors Association of Ontario; the Mechanical Contractors Association of Ontario; the Ontario Refrigeration and Air Conditioning Contractors Association; the Ontario sheet metal contractors association; the International Brotherhood of Electrical Workers Construction Council of Ontario; the Ontario Pipe Trades Council; and the Ontario Sheet Metal Workers' and Roofers' Conference.

The members of the coalition represent approximately 2,500 employers and over 40,000 journeypersons and apprentices in Ontario's construction industry. The trades represented by the coalition count for almost two thirds of the apprentices in the construction industry.

You've been handled a detailed version of our brief that details how Bill 183 can be improved. I would like to give you a summary of these recommendations.

The first issue that Bill 183 must address, from our perspective, is the issue of enforcement. Enforcement is the foundation that protects the integrity of the compulsory trades and is critical for consumer protection, quality workmanship, and worker health and safety. It is our view that it separates compulsory trades from the voluntary trades as certificates of qualification or registration as an apprentice are required to practise a trade. Currently, the enforcement regime relies exclusively on the Ministry of Labour's occupational health inspectors to inspect requirements for certificates of qualification under the Trades Qualification and Apprenticeship Act.

Prior to the MOL being involved, I cannot recall a single instance where the Ministry of Training, Colleges and Universities gained a conviction for violation of the TQAA. In any event, the current approach has been ineffective. The Provincial Auditor, the provincial Ombudsman and others have confirmed this. The sole exception has been in eastern Ontario, where the jobs protection office has undertaken a more active approach in enforcement. We strongly believe that success of the college will rely on its ability to ensure the integrity of the compulsory trades through a rigorous and consistent enforcement regime.

Secondly, and very importantly, all apprentices must be members of the college from the start. During the briefing by MTCU staff last week, Mr. Rosario Marchese detailed the concerns that were raised by the Provincial Auditor in relation to apprenticeship registrations and completion rates. The completion rate for many apprentices and certain organizations working out there is atrocious in this province. This is something that you all

have to be concerned about when we are talking about this new ministry of colleges. The Ministry of Training, Colleges and Universities, no matter what political party is in power—and I repeat that, no matter what political party should be in power—the record in the past has been dismal in the administration of the apprenticeship system. They have essentially abdicated their duties with a laissez-faire attitude and have undermined the integrity of the apprenticeship system. It's time for proper oversight of this vital program, and perhaps this proposed college of trades, if it does take some recommendations very seriously, would have that potential. Proper oversight of the apprenticeship system will ensure increasing completion rates, and will ensure the apprentices are not being used as a cheap source of labour.

You know, they are our future. We see that. Everybody in this room knows that apprenticeship leads to the future workers of tomorrow. We have to give them all the help we can, all the tools we can, so they can function properly at their jobs, at work and at school. We also have concerns that if one of the objectives of the college of trades is to raise that level of professionalism of the skilled trades, then it is wrong to do so without including the breeding mechanism for the future tradespeople. You can't have one without the other. It is my understanding that this statement was raised by many other presenters earlier today and last week.

Thirdly, we feel that phasing in of this college, starting with the compulsory trades, is critically important for the long-term success of this college and for the integrity of the compulsory trades. We wish to stress that the coalition is not proposing the college of trades be a club that is restricted to compulsory and restricted trades. We share the government's commitment to an all-trades college and to improving the government, administration and public image of the trades that the college could achieve. A phased-in approach to membership in the college will ensure that the objects of the bill are achieved and the college has industry support from its inception.

These are the three key areas where Bill 183 must be amended to ensure the college of trades is successful in raising the status of skilled trades in Ontario: once again, obligation and power to enforce compulsory certifications; all apprentices must be members of the college; and a phased-in approach starting with compulsory trades.

Thank you very much. Those are my opening remarks. We'll take any questions for Mr. Roberts, Mr. Lebi or myself.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We have—

Mr. Eryl Roberts: John, maybe management wants to say just a few words.

Mr. John Pender: Of course.

Mr. Eryl Roberts: John's making the presentation today, and the reason for that is that I have no problem with it. Safety and apprenticeship training are two of the issues in our industry where we check our constituency

hats at the door. All we're here to talk about is what's good for the apprenticeship system and, as a result, what's good for the contracting industry.

The other point I want to make—and I think I made this in front of the hearings at OTAB and again in Bill 55, and I might as well do it here with the college of trades so I'm consistent. You've got to realize that from the employer's perspective, apprenticeship is, first off, a job and secondly a training program. So whenever you look at the legislation clause by clause, think to yourself, how is this affecting or helping the employment relationship that underpins apprenticeship? That was said earlier; I think I heard Bob Blakely saying something similar. When it comes to staffing the college, divisions and so on, think about that: the employer and the employee. Those are the primary people that this system is supposed to serve.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We have just under seven minutes for questions. This time we'll start the rotation with the Liberal Party—about two and a half minutes.

Mr. Kevin Daniel Flynn: I have a question and then my colleague Mr. Leal has one as well, I think. I'm trying to understand the process that you'd employ if you did go to a phase-in, if we agreed that the phase-in would be the right way to do this. If one of the issues you are going to deal with in the very short term would be a compulsory certification review and you needed buy-in from the industry or from the sector, how could you do that if you only phased in the compulsory trades? How would you involve the voluntary trades if they weren't included in the phase-in and yet they'd be included in the issue for sure? How would you accomplish that?

Mr. John Pender: I think the question you're asking is—I think that's what the model is. If we go and put the compulsory trades first into this college, in the phase-in, the mechanisms are in place in this province—the schooling, the curriculum. It's there; it exists. So, to me, it's a model. For instance, the IBEW electricians in this province—all the electricians and apprentices—go to school, and there's a model and there are courses they have to take. They have to go to school three times in the process, so it's laid out, it's set out. We don't have to reinvent that model. We don't have to reinvent the model for the plumbers. We don't have to do that for the sheet metal workers. So you've got a model you can base it on that works fairly successfully in training. So to me, that answers that question. Let's try it and see how it fits in there, in the house of construction, because I look at the house of construction as a faculty, and in every faculty you have different departments. The department of compulsory trades would have a head and all the other sections and things, where people can bring their issues forward—

Mr. Kevin Daniel Flynn: I'm not sure I'm understanding, then, so it's probably me, not you. How would you involve the voluntary trades? Because presumably some voluntary trades may become compulsory trades. How would you include them in the process if they aren't included in the phase-in?

1610

Mr. John Pender: What I'm thinking is, a lot of trades would like to become compulsory; however, there are quite a few that don't want to become compulsory. So the mechanism, if I'm talking about a mechanism, is in place for them to bring their issues forward to a panel. The panel would then take a look at a non-compulsory trade and decide whether or not they could have the status to become compulsory. And then, if they do, they'd move into the department of compulsory trades.

I don't know if I'm more confused than you are, but that's the way I see it.

The Chair (Mr. Lorenzo Berardinetti): We'll go to the other two parties. If there is time left, then we'll come back here again. Any questions from the Conservative—

Mr. Robert Bailey: Thank you, Chair.

Thank you for your presentation this afternoon and the very extensive depiction.

A number of other people—from the trade side; not management so much—mentioned the cost to their members. A number of them, in the electricians, I'm sure, and the pipefitters and all the other trades, already pay a mandatory licensing fee. Apparently, in this legislation, the way it is written—that might be changed during committee or whatever—there is a further fee that would be charged. Where is your membership on that? Someone explained it—one of the members came in and said it's like you're paying to have someone, for want of another word, accost you, because they're there as a licensing body and a policing body.

Mr. John Pender: You know something? If we had enforcement in the industry, you're going to talk to—my members in this province have said to me, "John, if you can get enforcement, if they will look after the regulations of this licence, we will pay for it and we would be glad to pay for it."

Right now we pay for nothing. There hasn't been a ticket written in this province south of Ottawa in years for people working in this industry and not being properly licensed and policed. We would pay to have that done, absolutely.

Mr. Eryl Roberts: I back John on that. Enforcement is the value added to compulsory certification, and it's worth something.

Mr. Robert Bailey: Okay. Thank you.

The Chair (Mr. Lorenzo Berardinetti): We'll move on then to Mr. Marchese.

Mr. Rosario Marchese: Thank you for your submission. I wanted to ask you a question that hasn't been talked about too much, except your organization has made mention of this. The government retains the power to maintain a registry of apprentices, but you and all the other affiliates make a good case as to why the maintenance of the registry of apprentices should fall under the college of trades. Do you want to review that again? I don't think people have seen that, and you might want to comment on why it is that the government feels they need to control that and not pass it over to the college.

Mr. John Pender: I don't think the government is much in control of this registry, what's going on right now. I don't think they know the number of apprentices in their system, I don't know if they know the number of graduations they have, I don't know if they know the number of registrants who haven't reported, don't go to school. It is a mess.

If we leave this with the Ministry of Training, Colleges and Universities and the government, and don't go over to the college, it will stay the same; nothing will change. That's why we're very adamant about the apprentices coming in. They must come into this house there must be some registration, enrolment and graduation. It's fundamental here.

To keep them over here in the mess they're in already will serve no purpose, and we can't support the bill if that happens. It just goes nowhere.

Mr. Rosario Marchese: One of the comments that you made that I articulated in the Legislature, having read the auditor's report, is that the ministry seems to be obsessed with numbers, registrants, as opposed to completion rates. They do talk about a number of things they could or should be doing, but have done very little in this regard.

Your point is that we could deal with the issue of completion rates by taking over the registry of apprentices and making sure that the college of trades has control of those numbers as a way to deal with that particular problem. Otherwise, you're saying this might linger as a problem.

Mr. John Pender: It will stay there, it won't go away, and it's the biggest problem we have now. You know, when you get large numbers of people who are partly trained and they're out there working in the industry, because they know enough to do something, all we're doing sometimes in this instance is feeding the underground economy and providing a source of semi-skilled cheap labour. It doesn't serve the purpose of the industry, consumers; it doesn't serve the purpose of this young man or woman who is out there working like that.

The Chair (Mr. Lorenzo Berardinetti): Now, did someone have a quick question here?

Mr. Jeff Leal: Very quick question. Ratios have developed a lot of discussion in Ontario the last number of years. Section 60 in particular identifies that one of the first tasks of the new college is to develop these ratios and that it be reviewed on a four-year basis. What's your view on that provision?

Mr. Eryl Roberts: Looking back at the ratio debate over the last year and a half, I've been in this industry for 30 years, and I think it was a great disservice to politicize that issue. Ratios are there for a purpose: educational, safety, manpower planning. I'd be the first one to agree that simply having a ratio in the legislation in a non-dynamic environment is not good. Things change, and we have to be able to change with them. By bringing in the ratio panel staffed with labour market specialists, labour lawyers, industry people, you will get excellent decisions that are sustainable for educational purposes,

manpower planning and also for safety. It's time to depoliticize it, and I think that's one of the things the college legislation does very well.

Mr. Jeff Leal: You're in favour of section 60, then?

Mr. Eryl Roberts: Yes.

The Chair (Mr. Lorenzo Berardinetti): Thank you for your presentation, and thank you for your time here today.

Mr. Eryl Roberts: Thanks for having us today.

MERIT OPENSHP CONTRACTORS ASSOCIATION OF ONTARIO

The Chair (Mr. Lorenzo Berardinetti): We'll move on to our next deputation for 4:15, Merit OpenShop Contractors Association of Ontario. Good afternoon and welcome.

Mr. David McDonald: Good afternoon, committee. I'd like to excuse my throat a bit. It's in fairly rough shape.

The Chair (Mr. Lorenzo Berardinetti): I see you have water, but there's also water available there.

Mr. David McDonald: I've got my own.

The Chair (Mr. Lorenzo Berardinetti): Our rules are basically 15 minutes, as you've seen. If you would kindly just introduce yourself so that we can record that in our recording system here.

Mr. David McDonald: Good day. My name is Dave McDonald, I am the chairman of the Merit OpenShop Contractors Association of Ontario.

Our organization was founded some 20 years ago when union-only contracting and bidding was brought into the province in the city of Toronto, which excluded most of our members from bidding on city of Toronto work and most of our contractors and employees. Since that time, we've taken up other causes and other issues which affect the open-shop contractors of the province, and this college of trade is clearly one of them.

Our board and our membership is made up of sub-contractors and general contractors, some in the compulsory trades such as electrical or mechanical, some in voluntary trades such as roofers and carpentry, so they span the whole spectrum of the industry across the province. They are unanimous in opposing this initiative. It, in our view, is simply a back step in progress in the apprenticeship system and the efficiency of the construction industry in this province.

We have followed this process from the beginning, participating in the Armstrong report, participating in the Whitaker report, attending technical briefings, and over the course of following this, we've become more and more alarmed that this is going off track. Almost all the deputations where we attended were advocates from the construction trades. This is not an initiative for all 160 trades in this province; this is a construction trade initiative. It is a construction trade initiative because the Liberal Party likes to do initiatives for the construction trades. That is the origin and single cause for this college of trades to come into being.

1620

The government claims the college of trades is being created to enhance the status of and promote all trades in the province, so as to recruit workers in anticipation of projected labour shortages in the next coming years. This seemingly noble goal, to create a college on a similar model to the College of Teachers or the college of physicians, is a bad idea that has gained bureaucratic momentum against all logic. You can visit our website to review our comments in the DCN on this matter. For this deputation, I would like to highlight clearly some reasons why the college model, for the trades in this province, is completely idiotic.

The first thing about colleges: All colleges in this province are completely democratic. Everybody votes. Everybody votes for how much they're going to pay; everybody participates. This creature of government that the government is creating is completely appointed: The four levels of boards and the panels who are going to adjudicate compulsory trades and ratios are completely appointed by government, yet it's an arm's-length government institution. This is nonsense. It's ridiculous and it is a political powder keg, because you can change the appointment board government by government, and you can change the whole structure and essence of the whole college. It is a political disaster waiting to happen, and it's an inefficient political disaster waiting to happen.

Other colleges are not set up to promote the members' status and numbers, but to protect the members' interest from personal legal liability. Colleges were set up because the members have legal risks and liabilities in the practice of their profession, and therefore they need high standards of training and codes of ethics to protect them from legal action. The core source of the liability is that the members of other colleges deal directly with the public or the client in one-to-one relationships, and therefore have specific extra liabilities. This model just is simply not the case in the construction industry.

Many colleges, in fact, are a hindrance to recruiting, innovation and flexibility and a barrier to recruitment and entry. Think of the stories of immigrants—immigrant doctors, engineers and lawyers—who are driving cabs because we have colleges which are overly inflexible and will not let them participate. Also consider the long history of new Canadians with limited language knowledge and language skills moving into this end of the construction industry, using their skills but not necessarily having Canadian qualifications or cards and not being able to get them because of their limitations in language skills. How is this college going to help them? How is it going to get the new immigrants who are coming into this country into jobs? It's a barrier to that. It is a profound barrier to that, and that is what it is all about.

Construction craft unions, from the beginning, rely on controlling the supply of labour in particular trades to geographic areas as a means of maintaining union standards and establishing collective bargaining relationships with employers in the area. In order to do that, construction unions must require employers to hire only them. The basic economic theory of union labour law is,

you restrict the supply of labour so that you drive up the cost of labour. That is why the construction trades are vehement in opposing the change in ratios, because it expands the supply of labour and may reduce the cost of labour and their leverage in collective bargaining with their owners.

In a survey in the DCN, the Daily Commercial News, which is the most-read construction paper in this province, they asked the question: "Would it be better to have 3-to-1 ratios or 1-to-1 ratios?" The respondents replied 96% in support of 1-to-1 ratios, yet this government does not act and this college will freeze those ratios forever. It is guaranteed, since this government supports the building trades and supports the declaration of the building trades that only they can be the voice of labour in any government function.

This college will essentially become trapped by the building trades and a small minority of the contractors. Employees in this business in this province will be dominating the rest of the industry, imposing their work conditions, their multi-tiered, multi-trade working situations on the whole industry when the vast majority of the industry does not work like that.

I include in here a letter from the Ontario Road Builders' Association to the city of Hamilton, complaining that the city of Hamilton has signed an agreement with the carpenters' union which has caused their contractors, union contractors, allied to the Labourers' International Union of North America, to be disqualified from bidding on city of Hamilton work because they don't have carpenters. They do all the work. They build bridges, sewers, water mains, roadwork, curb work and parks work without a carpenters' agreement. But because they don't have a carpenters' agreement, they are now disqualified from doing it.

There are many trades in this province, many sectors, where this building trade model is completely inappropriate. In fact, the industry has gone far beyond that. There are multi-tasked workforces out there that are much more efficient, such as Labourers' 183, in the city of Toronto, which is its most successful construction trade union in North America that does not have a carpenters' agreement. Thank you.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We have about five minutes for questions, and we'll begin with the Conservative Party—

Mr. David McDonald: Excuse me. My recommendation would be that this bill be withdrawn and the government do what it should have done in the first place, which is commission a study of education and apprenticeship experts who will survey best practices, best ratios and best apprenticeship completion rates from across this country and come up with models and alternatives that this particular process did not include at all.

The province of New Brunswick has just engaged in just that sort of process. You must get the experts, who are the education people, the college people and the apprenticeship people, involved in this and look at the best results from across the country.

The Chair (Mr. Lorenzo Berardinetti): Thank you very much. There's just over a minute per party. We'll start with the Conservative Party. Ms. Elliott?

Mrs. Christine Elliott: Thank you very much for your presentation and your perspective on this. If you could elaborate just a little bit on your latter point that another province is now providing a model of what, in your view, we should be doing—

Mr. David McDonald: Yes, New Brunswick has just received—they commissioned a study over a year ago and have just received it in the Legislature, so they're starting to review it.

Mrs. Christine Elliott: Okay, thank you.

The Chair (Mr. Lorenzo Berardinetti): We'll go to the NDP. Mr. Marchese?

Mr. Rosario Marchese: I have two quick questions. I'm assuming you believe in apprenticeship programs.

Mr. David McDonald: Our employers use apprenticeships. They send our workers to all the—

Mr. Rosario Marchese: You agree?

Mr. David McDonald: Yes, exactly. But compulsory trades are self-defeating in terms of efficiency and productivity.

Mr. Rosario Marchese: Do you fund any training centres yourself?

Mr. David McDonald: We're an employer organization. We support the colleges which provide training. We do our own in-house training.

Mr. Rosario Marchese: Do any of your members fund any training—

Mr. David McDonald: We're an employer organization. The OGCA, COCA and these other organizations don't fund apprenticeship training. That's the responsibility of the colleges.

Mr. Rosario Marchese: Thank you.

Ms. Marie Sonnenberg: We do, however—

The Chair (Mr. Lorenzo Berardinetti): Before you speak, if you want to just identify yourself for the record. I apologize.

Ms. Marie Sonnenberg: Sorry, I'm Marie Sonnenberg, the executive director. Although we don't provide the training directly, we do fund for apprentices of our members. We do refund their tuition when they have completed the course and passed. So we do strongly support tuition of the apprenticeship programs.

The Chair (Mr. Lorenzo Berardinetti): Thank you very much. We'll move on to the Liberal Party. Are there any questions?

Mr. Kevin Daniel Flynn: I don't think there are any questions in the short time we have. I think the presentation was very clear. Compared to the other presentations, I think it would be in the minority opinion, but thank you for making your presentation.

Mr. David McDonald: I'm afraid it's a minority opinion of the industry itself, which has not been properly consulted and has no expert advice to follow, because there was no expert opinion taken.

Mr. Kevin Daniel Flynn: Thank you very much for appearing today.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We appreciate you coming out today.

ONTARIO ROAD BUILDERS'
ASSOCIATION

The Chair (Mr. Lorenzo Berardinetti): We'll move on to our 4:30 presentation, the Ontario Road Builders' Association. Good afternoon, and welcome.

Ms. Karen Renkema: Good afternoon.

The Chair (Mr. Lorenzo Berardinetti): Just to let you know, you have 15 minutes to speak, and any time that you don't use, we'll ask questions. Also, if you could kindly identify who you are so that we can keep it in our Hansard records.

1630

Ms. Karen Renkema: Absolutely. Mr. Chairman and members of the standing committee, good afternoon, and I thank you for having me here. My name is Karen Renkema and I am the director of government relations for the Ontario Road Builders' Association.

ORBA is an association comprised of approximately 95 contractor members that perform work primarily for the Ministry of Transportation and municipalities across the province. We have an additional 85 associate members. Our membership consists of both union and non-unionized road-building construction firms in Ontario, which employ more than 25,000 workers at peak season.

As a bit of an introduction to our comments on this piece of legislation, I would like to share with you our common hiring practices and training, our concerns previous to introduction of this legislation, and our work on the promotion of skilled trades in our industry. These comments will assist you with understanding our concerns.

Our members operate as both prime, or general, contractors and subcontractors in the heavy civil construction industry. Regardless of whether a member is unionized or non-unionized, we employ our labour force from two key contingents of the construction labour market: general labourers, or construction craft workers, and heavy equipment operators, both currently voluntary trades. I must add that we have a few electrical contractor members that operate as subcontractors on MTO and municipal projects, and they of course employ electricians. However, for our purposes today, my comments are related to the majority of our members that are heavy civil prime contractors and subcontractors.

Hiring practices vary within our industry, from a contractor that keeps a very steady workforce that operates within one area of the province and employs the same workforce year after year, to the contractor who is mobile across the province and hires the majority of his or her workforce on a contract-specific basis.

Although hiring practices may vary, the industry's training practices do not. Our membership prides itself on its training. Because there are so many components to road construction, and unique job opportunities, it is most common that our skilled workers are trained on the job,

not in a traditional apprentice/journeyman fashion, but instead, their abilities are recognized on the job and they are then further trained for the next appropriate promotion on the job site. In addition to providing skills training on the job, our members are active in providing health and safety training that exceeds many standards.

However, a high majority of our labour force does not hold a certificate of qualification. In fact, for many of our members, a certificate of qualification is secondary to the actual skills taught and demonstrated by an employee on that job site. A skilled worker, to our members, is just that: an employee who possesses the appropriate skills to perform his or her job. Our industry does not define skilled workers as those who possess only a certificate of qualification. Therefore, ORBA's involvement with the issue of the college of trades began with a debate on the merits of the compulsory certification of trades, driven by a consultation process led by Tim Armstrong.

Our concerns then and still now are that compulsory certification of trades that our industry most commonly uses will negatively affect our recruitment ability as well as further confuse jurisdictional issues between the trades. Furthermore, compulsory certification would not provide a tool for increasing quality of work in our sector. This is already done through assessments and measurements of a contractor's performance by the owner, most commonly the Ministry of Transportation or a municipality.

We recognize the need for promotion of skilled trades. Planning and recruitment now are essential to having a workforce and skilled trades for the future. However, I may again add that skilled trades come in all different forms, not only those who hold a certificate of qualification.

ORBA, along with 16 other associate members, including the Ministry of Transportation, has formed the Ontario Construction Civil Careers Institute to assist in the recruitment and promotion of skilled trades in our industry. The OCCCI is active in high schools across Ontario as well as trade shows and other skilled trade venues. The formation of the OCCCI initiative was in response to the lack of any comprehensive effort to attract young people to skilled trades in civil construction.

As it relates to the promotion of the skilled trades, we support and applaud the intention for the college of trades to place and organize the promotion mandate under one roof, controlled by those who are employed in and employ skilled trades. However, as I will explain in the following, we are concerned that any input from our industry on promotion of the skilled trades we most commonly use will be minimal, if that.

Quite simply, we have seven key concerns with this legislation. I'll briefly outline them, and I can explain more thoroughly during question time:

(1) The recognition that all skilled trades in this legislation are only those who hold a certificate of qualification.

(2) That participation in the college, including the divisional committee, trade committees and board of governors, is limited to those that employ either a regis-

tered apprentice or journeyman who holds a certificate of qualification.

(3) Further to number 2, that any direction in decision-making that will affect the construction industry as a whole will be done by only a few.

(4) That the timelines for implementation, specifically regarding the compulsory certification review panel, are short and need to be adjusted.

(5) Concern about the obvious and overt ability for the college of trades to have powers of enforcement on employers that employ voluntary trades but yet are not members of the college because they may not employ such workers.

(6) The powers and the appointments of the transitional board: We are concerned with the powers given by the appointments council that is appointed by the government for a college that has been introduced as self-regulating. We also have concerns with the selection of the appointees. Would non-members of the college have an opportunity to sit on the appointments council? How would associations interface etc.?

(7) Concerns about the size of the divisional board, specifically the size of the construction divisional board.

Therefore, as this legislation is currently drafted, we see little initial benefit from the creation of the college of trades. We do have a few possible suggestions for solutions:

(1) Amending the legislation so that it would create a college of compulsory trades with no intention to phase in voluntary trades. This would clarify that enforcement, promotion etc. would be specific to those employed in and employing compulsory trades. Voluntary trades would then not be affected by the college and would continue to operate under the current system, and a compulsory certification review panel could be instituted, but not through the control of the college; or

(2) Immediately amending the legislation and creating an optional membership category for those employing voluntary trades without a certificate of qualification. This would at least give those in our industry the option to have a seat at the table to determine direction, enforcement etc.

(3) Amending the size of the divisional boards as it relates to the construction industry.

(4) Regulations prescribing enforcement must be considered and must not allow enforcement of non-members of the college.

(5) The compulsory certification review panel should not be implemented until the college is fully established.

Bill 183 has the potential to drastically change many aspects of employment, training, jurisdiction and enforcement for the construction industry. We encourage the government to listen to all stakeholder concerns, hit the pause button, and sincerely consider the suggestions provided to them through this committee process.

I thank you for your time and would welcome any questions.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We have about six minutes, so two minutes per party. We'll start with the NDP.

Mr. Rosario Marchese: Karen, what kind of workers do you use?

Ms. Karen Renkema: General labourers and heavy equipment operators. If you would define those in the union capacity, for our union membership that would be, for example, Locals 183 and 793.

Mr. Rosario Marchese: And in your view, if they're learning on the job, that's sufficient. That really is sufficient, in your mind.

Ms. Karen Renkema: A good example is, there are courses available for labourers, but the labourers wouldn't go through the whole program; they would go through the course for road-building. The problem with the way that curriculum is currently drafted is that if a labourer were to get a certificate of qualification, he would be going through many different parts of a labour training course that really don't have much to do with road-building, so the training really is not applicable to that. In many cases that's why, for example, a general labourer or those that we hire do not have a certificate of qualification.

In many cases what happens is, if you're unionized or non-unionized, you would either pull in workers who have those skill sets or you would train those workers on the job to get that skill set or send them to a preliminary course, a small course, but it wouldn't lead you to an exact certification of qualification.

Mr. Rosario Marchese: And the heavy equipment operators, they too learn on the job, and that's enough?

Ms. Karen Renkema: I would say that, yes, here and there, in some cases what happens is you have a general labourer who has a skill set to move up the chain and operate small machinery, and then it's identified that they actually have the skill set to operate heavy equipment. Then they're moved, and if you're a unionized company, signed up with that specific union and continue working. But a lot of times it's—we do have probably more operating engineers or heavy equipment operators that have C of Qs than general labourers, yes.

1640

Mr. Rosario Marchese: But you do accept the fact that some workers might need the two or three years of apprenticeship—

Ms. Karen Renkema: We don't argue that fact if they do want to, but the status—

Mr. Rosario Marchese: But your workers don't do that.

Ms. Karen Renkema: We're not suggesting that they don't need it, but we're suggesting that the status of our workforce right now and our availability to recruit workers, suggesting that all workers need to have a C of Q is not necessary in our opinion, no.

The Chair (Mr. Lorenzo Berardinetti): Let's move on, then, to the Liberals. Mr. Flynn.

Mr. Kevin Daniel Flynn: Thanks for the presentation, Karen. Very clear, very well done again. If I was to try to summarize, what I think you said is that you don't have opposition to the college of trades, but you're wondering how it's going to impact or how you can have any input or how your industry can have any impact or

input on the college itself and you wonder if it's necessary for your industry.

Ms. Karen Renkema: Exactly.

Mr. Kevin Daniel Flynn: Some of the possible solutions, how would that make it more meaningful to your industry?

Ms. Karen Renkema: I guess the first two are an either-or suggestion. Right now, we feel, as it's currently drafted, that there will be minimal input from our industry for the labour force that we currently employ, because we don't have many members of our labour force that have certificates of qualification. Therefore, we're suggesting that right away there should be an optional membership category for those employers that employ workers without a certificate of qualification or, if it's not going to be of benefit, suggest that college really be what it was intended to be, possibly, and be a college of compulsory trades and not include the voluntary trades.

Mr. Kevin Daniel Flynn: Okay. Could you expand on your fifth concern? It's at the bottom of the third-last page. I didn't quite follow it.

Ms. Karen Renkema: Sure. Right now, the way the legislation is written, it is not specifically clear, and regulations need to be drafted on the enforcement ability of the college and the enforcement ability of checking for certificates of qualification, ratios, whatever it may be. Because we have members that may have both—general labourers that have a certificate of qualification and those that don't—how will the enforcement ability be driven for those that are non-members of the college? That's what our questions is, and it's not clear right now in the legislation, so we're asking for the regulations to define that a bit more; that the enforcement abilities of the college be defined within the scope of the membership of the college, not exterior to the membership of the college.

The Chair (Mr. Lorenzo Berardinetti): We'll move on to the Conservative Party. Mrs. Elliott.

Mrs. Christine Elliott: Thank you for your presentation, Ms. Renkema. You've raised some pretty considerable concerns with respect to this legislation, and I'm just wondering if ORBA was involved in the consultations that preceded the bringing forward of this bill.

Ms. Karen Renkema: We were, yes. We met with Mr. Whitaker, we've been speaking with the minister's office, and we did work with Tim Armstrong through that consultation period as well.

Mrs. Christine Elliott: But yet you still have these concerns that are outstanding?

Ms. Karen Renkema: We do, and we realize it's a difficult place that the government is in right now because of the way that skilled trades are currently defined in legislation and by the government in general. Skilled trades are those with a certificate of qualification. It's difficult. We employ skilled trades, but because they don't have their certificate of qualification they're not a skilled trade? That's difficult.

Mrs. Christine Elliott: So do you think this legislation is ready to proceed at this stage, or do you think

there are still too many unanswered questions? I'd just really like to get a handle on where you feel we're at with this.

Ms. Karen Renkema: Just from gathering input from different stakeholders and talking to different management members of the construction industry, I think a good idea right now would be to hit the pause button, maybe for a month or whatever time it may take, to regurgitate some of these concerns and really hash out how this thing is going to work. I think on paper it looks good, but how is it really going to operate once we start getting into the establishment over a two-and-a-half- or three-year period?

The Chair (Mr. Lorenzo Berardinetti): Thank you for coming out today with your presentation.

INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL 793
OPERATING ENGINEERS TRAINING
INSTITUTE OF ONTARIO

The Chair (Mr. Lorenzo Berardinetti): We'll move on then to our 4:45 presentation, which is the operating engineers, Local 793. Good afternoon and welcome.

Mr. Harold McBride: Good afternoon, Mr. Chair, everyone. Thank you for the opportunity to speak with you on the proposed college of trades. My name is Harold McBride, and I am the executive director for the Operating Engineers Training Institute of Ontario. I have 25 years' experience operating a variety of heavy equipment in the construction industry. Since 2001, I've been with the Operating Engineers Training Institute of Ontario as an instructor, training director and now as the executive director.

With me on my right I have Joe Dowdall, who is our apprenticeship coordinator, who is a C of Q holder for mobile and tower cranes. He's a past member of the hoisting engineers PAC for nine years, currently a resource person with the PAC for the last three years and a representative on the LAC, local apprenticeship committee.

Before we begin, I'd like to give you some background information on who we are. The International Union of Operating Engineers Local 793 represents 11,000 members who operate mobile cranes, tower cranes, concrete pumps, bulldozers, excavators, graders and tractor-loader backhoes, to name a few. There are actually many more; I won't go into them.

The International Union of Operating Engineers Local 793 training fund is affiliated with 800 employers across the province. Training contributions are from members going into the training fund, and training is carried out at the Operating Engineers Training Institute of Ontario. We have two campuses, and both are approved training delivery agents with the MTCU.

At our Oakville campus, mobile crane, tower crane and concrete pump apprenticeship training takes place, while in Morrisburg, our heavy equipment training facility, TLB, excavator, dozer and concrete pump

apprenticeship training takes place. This year in Oakville, we trained about 184 students, consisting of mobile, tower and concrete pump apprentices. On the heavy equipment side, in Morrisburg, we trained about 60 students consisting of pre-apprentices and apprentices.

We also offer other specialized safety training courses at both campuses. We have approximately \$13.5 million worth of training aids, equipment and simulators and are seen as world leaders in training for the operating engineers.

You have in front of you our submission. We realized we couldn't get through it in 15 minutes, so we have our brief here, our speaking notes in front of us. Basically, our position is this: We agree in principle with the college of trades, so long as it improves current apprenticeship systems and works towards expanding compulsory certification. Our fear is, in reflecting back a few years through the whole process, that Tim Armstrong's original intent to expand compulsory certification will be overshadowed by the college of trades.

Today we'd like to address two main areas of concern to us. First, I would like to speak on compulsory certification, and then my counterpart Joe will be speaking on the governance structure.

Compulsory certification is an issue that we have been proactively involved with since the 1980s. Since Armstrong's initiative to review voluntary apprenticeships in 2007, we have also participated in all the submissions, all the meetings regarding the proposed college of trades. The reason we are so passionate about this is because direct benefits have been seen on the hoisting engineers side—and I'm talking about when we switch to compulsory certification. Hoisting engineer has been a compulsory trade under the TQAA since 1982. Before then, 20% of all construction deaths were caused by cranes or rigging accidents associated with cranes. After compulsory certification, that number dropped to 8.8%, and between 2000 and 2004, that figure dropped to less than 5%. So from 20% down to 5%.

For heavy equipment, we've been hoping to have compulsory status since the 1990s. In 2002, we finally got voluntary status under the ACA. One of the problems is that there is no established criteria to evaluate applications. For example, we know on the heavy equipment side that before voluntary apprenticeship, somewhere between—and these are statistics from the CSAO—25% to 41% of all construction deaths were due to heavy equipment, and we know that after 2002, 23% to 62% of all construction deaths were due to heavy equipment. So basically what we see is that the voluntary apprenticeship has done nothing to improve safety on Ontario construction sites.

1650

Why has the heavy equipment voluntary apprenticeship done so poorly, you might ask? For one thing, we know that from 2002 to 2005, only 6% of the 169 heavy equipment voluntary apprentices completed their apprenticeships. So comparatively, for mobile crane, if you want to compare that to mobile crane, completion rates for the same years were 90%. That's alarming, the differ-

ence. And for a tower crane, completion rates were about 75%. Mobile and tower are both higher than the industry average, which is usually around 50%. If you consider that voluntary heavy equipment apprentices make up less than 2% of the total population of heavy equipment operators currently working, it's clear to see how lack of training is contributing to deaths on construction sites. Just a note: This summary represents 52 deaths.

Another important question to ask is why it is acceptable that somewhere between a quarter and a half of all construction deaths are heavy equipment related. The short answer is that it isn't acceptable. The long answer is, Ontario needs compulsory certification and we know that there is a process we have to go through to get there.

One of the problems with heavy equipment voluntary apprenticeship is the number of operators involved. We know that there are about seven times more heavy equipment operators than crane operators. We also know that there is very little incentive for a voluntary apprentice to finish their training, because when they get to the worksite and their assignments on their machines, the employers are not treating the voluntary apprentices like the compulsory apprentices. What is happening, basically, is that they end up treating them like cheap labour, because they're at reduced rates, and they put them on equipment that is totally unrelated to their apprenticeship assignments.

So what is the solution? To begin, we want criteria established so that valid compulsory applications can be heard and measured. Those criteria are the same that Tim Armstrong recommended on page 107 of his report. Here he sets out some general criteria—for example and very importantly, the effect on health and safety. So when you're looking at statistics, the CSAO would forward those statistics that I just read. Consumer protection, registration and completions would also be major considerations. Not only do we want Tim Armstrong's criteria used but we also want the same criteria to be objective, so that it is measurable, like statistics and safety.

Joe is going to talk about the review panels. Basically, we have the same reservations about the role the review panels will play and we want the criteria for compulsory status and ratios to be objective and clearly defined so that there is no reason why the review panel could possibly reject a valid application.

So our recommendations are three: adopt Armstrong's criteria for considerations of ratios and compulsory status; ensure that the criteria is objective, so it's measurable; and grant compulsory status to heavy equipment and concrete pump.

Now I'd like to turn it over to Joe.

Mr. Joe Dowdall: Thank you, Harold. I'd like to address a few concerns we have regarding the governance model; namely, as many have already expressed, we feel that the organizational structure is overly bureaucratic and top-heavy—

The Chair (Mr. Lorenzo Berardinetti): Could you just move the microphone closer when you're speaking, sir? Thank you.

Mr. Joe Dowdall: Although we support initiatives aimed at raising the profile of the trades, we have reservations on how this will be effectively managed, with 151 trades transitioning under the proposed college. We suggest, as you have heard from other trades, that a phase-in approach might work best. For example, compulsory trades could be brought in first.

Next I'd like to speak about the appointments council. We are in agreement that the only way to staff the positions initially is to appoint them; however, it is evident that the transitional board is critical for driving the agenda and setting the tone for the entire college. As such, if the right candidates are selected, then early decisions can ensure a successful transition. In terms of representing the construction sector, we recommend that qualified candidates be chosen from the Provincial Building and Construction Trades Council of Ontario. Following the initial appointments, Bill 183 does not explicitly state how candidates will be selected from that point on. We are against appointments continuing beyond the initial period. We recommend that a fair and equitable process be implemented and that a person's demonstrated experience and strong trades background be a key determinant added to the selection considerations listed under section 63(10) of the bill.

Another concern is the role of the divisional boards. In our view, the divisional boards act as gatekeepers between the board of governors and the trade boards. While we recognize that there is a need to filter and manage the volumes of information and requests from 39 construction trade boards, we question how divisional boards will impartially prioritize requests. On issues related to compulsory certification and ratios, it is preferable for the trade boards to bypass the divisional boards completely and send their recommendations directly to the board of governors.

As for trade boards, it would seem that since they are the last of the permanent boards to be appointed, then they will also have the least power and influence. Therefore, in an attempt to equalize the power structures of the college, the bill must, at the very least, give the trade boards a voice and establishment of the criteria by which compulsory status and ratios are determined and for the development of any regulations established by the board of governors. The only way to accomplish this is to follow Mr. Whitaker's recommendations regarding the phasing-in stages with slight modifications; namely, we agree that during phase one—the first 12 months—the PACs and ICs should be dissolved and the trade board members be appointed. However, if we are to take the sequencing of events suggested by Mr. Whitaker under phase one word for word, then we would see that the regulations are drafted and the criteria for ratio reviews and compulsory restriction status are established before the appointments to various boards are made. We recommend that this be amended. Appointments are to be made first, and the trade boards should be consulted in the development of the compulsory certification and ratio criteria.

Another issue with the trade boards is that we do not support multiple trades under a single board as suggested

in the bill. For example, we anticipate three separate trade boards: hoisting engineers, heavy equipment and concrete pump.

The final issue with the trade boards has to do with their size. A four-member board will not be able to sufficiently represent our trade. Therefore we recommend that the trade boards be expanded to eight members. Under our current PAC for hoisting engineers, we have five labour, five management, and three resource representatives. If the PACs are to be replaced by the trade boards, we feel that an eight-member board is a sufficient compromise.

Moving on to the review panel, the bill is clear that the only means by which compulsory certification may be reviewed is by having recommendations from the trade boards sent up to divisional boards and then to the board of governors, who may then initiate the review panel. We feel that the review panels should be accessible to the trade boards. The bill suggests very little access or communication between review panels and the trade boards. The bill should clearly express that the review panels should consult with the trade boards—

The Chair (Mr. Lorenzo Berardinetti): Excuse me. Sorry to interrupt, but you have about one minute left.

Mr. Joe Dowdall: —from which the request originated. Decisions need to be communicated down and up rather than only up. Two-way communication rather than top-down communication is imperative.

1700

Although you will find other topics covered in our submission, the purpose of today's presentation was to highlight some of our key concerns. We encourage you to look at our submission in greater detail.

In closing, we support Bill 183 in principle and recommend that our proposed changes be considered by the committee. As has always been the case with MTCU, we look forward to working with the college of trades to improve and modernize the apprenticeship system and have the best-skilled workforce in the province of Ontario.

The Chair (Mr. Lorenzo Berardinetti): We have your presentation here as well. Thanks for your very thorough presentation today and for your submission here as well.

That completes the time available. It's now 5 o'clock, and that was our final deputation for the day. Members of the committee, Cornelia Schuh is the legislative counsel for this bill. Amendments are due at 4 p.m. on Monday, September 28.

MILLWRIGHT REGIONAL COUNCIL OF ONTARIO

Mr. Dan Trudel: Excuse me, we have a five o'clock appointment.

The Chair (Mr. Lorenzo Berardinetti): One moment, please. The committee clerk is just going to check right now.

Mr. Dave Levac: On a point of order, Mr. Chair: I seek unanimous consent from the committee, from all parties, to accept the deputation whether it's on the list or not. It sounds to me like we've got a little bit of a problem, so I would ask all members to accept it.

The Chair (Mr. Lorenzo Berardinetti): Do I have unanimous consent to hear from the deputant? Agreed. Please come forward. Our apologies.

Mr. Ian McIsaac: Thank you for taking us. Actually, we've got an e-mail with us, and the appointment was booked for 5 o'clock. Thank you for allowing us to speak today. Our presentation, we won't bore you because you've been listening all day—a long day for everybody—but we've got a couple of things—

The Chair (Mr. Lorenzo Berardinetti): If you would just be kind enough to introduce yourself.

Mr. Ian McIsaac: Will do. I'll start off. My name is Ian McIsaac, I'm the executive secretary treasurer of the Millwright Regional Council of Ontario. With me is Dan Trudel, training director of the Millwright Regional Council of Ontario. We represent members working from Thunder Bay in the north to Windsor in the west, Kingston in the east and Niagara Falls in the south—indeed, the whole province of Ontario.

I would like to congratulate the provincial Liberal government for creating this bill in the first place. It's a bold step, but one which can take the politics out of trades training and related issues and create fair governance by all the stakeholders in the apprenticeship and trades area.

In my brief submission, I would like to submit a list of recommendations that are widely agreed to by most of the provincial building trades. I gave you a copy of these, later on I'll get to it. There's a slight variation in number four. I endorse these, but my main mission today is to put a personal touch to all the technical data you'll be receiving.

As someone who's been involved in the millwright trade in Ontario for over 40 years, this is truly a great step forward for our industry. To have our apprentices and journeypeople look at what they're doing now not just as a job but as a career can only help completion rates and skill levels as well as improve health and safety, not only for the person doing the work, but the Ontario population as a whole. I'll explain that just a little bit later.

In closing on the brief opening submission here, I would also point out that both the Millwright Regional Council of Ontario and our contractors' association fully endorse the new college of trades.

In the overall view I gave you—this was produced by the building trades. I had a look at it, and, rather than reinvent the wheel again here and kind of just going through it again, the only variation I would have—and I've listened to a few of the submissions this afternoon—was number 4. Whether apprentices are part of the college of trades or not, I believe that if you don't make them part of it, they should at least be a preparatory member, if there's such a category ever thought of.

One of the big things, for anybody who doesn't know—and this is one of the reasons I wanted to come here. We can do all the talking and give you all the statistics and everything else to prove our point, but the plain matter of fact is, as a non-compulsory trade, which many of you may not know, in the millwrights—think of it: When you go and you turn on your power, we install all the turbines, we work in the calandrias and install all that in the nuclear power industry. Not only can we hurt ourselves and hurt the partner we're working with, we can hurt the population as a whole if we end up not doing it right.

One of the things that was said in the original submission: If somebody hires a qualified person, they get a qualified person. By having a compulsory status and making sure everybody is qualified and trained, the whole population gains; everybody gains. We can make arguments from the union, non-union, all sides, but I'll tell you what: If you take an apprenticeship—I was in Minister Bentley's office at one time a few years ago, long before this came on the horizon, and I spoke to him. I said, "You're a lawyer. Do you want somebody that's picked up a book and knows a few legal things to be a lawyer representing you, or do you want somebody that's qualified?" All we're saying is, you want a qualified person. There's nothing wrong with that. That doesn't mean they're the best; it just means that they're qualified.

I've got a few things on the college of trades that maybe give us a little bit of a concern. I think when you're looking at it as a group, the fee structure, one thing I would ask you to consider is perhaps a one-time fee or at least a five-year for renewals. One of the reasons for that is, there's one thing I have a fear of. There's a lot of unemployment in the industries right now in Ontario. What you could end up with someday is that here we go for something that's a giant step forward, and they don't pick up the renewal, which would scare me, because they didn't have 50 bucks or 60 bucks or whatever it was to renew it. I would like to see something that led to that.

The other thing is just that we are a trade that for 40 years has been fighting for compulsory certification. There was no panel, really, to look at you. You passed the stuff over and somebody had to look at it. They said they hadn't done it for 20 years; they weren't going to do it now. But there was no objective criticism one way or the other as to whether you legally should get it or legally shouldn't get it. As far as I'm concerned, having a body there that can have a look at it, at the very least I can go back to my members and say, "Look, they didn't give it to us, but this is the reason why." That's fair. I can accept that. I can't accept that you pass it on to someone, and just because we've not done it for 20 years, we ain't gonna do it now. That's not good enough. A little province like Nova Scotia, they've started compulsory certification. A few of the trades have picked it up in the last few months.

One of the things I like is the trade boards; I think they should be modelled on the same line as the PACs. I think we get a lot of good work out of there. What you have

there are people from labour and people from management, the contractors, people who are in the industry. They've got a lot of good advice. With that advice coming forth, I would have no problem with somebody who was on that passing information ahead that may or may not affect our industry because, by and large, they've looked at the problem, they've got good knowledge of the problem and they'll pass it on to the appropriate body above them who may make decisions based on whatever. Another thing I like about it is I see it as maintaining government at arm's length, and I think that's appropriate as well. I think that takes the politics out of the situation and leaves it in a body that looks at it objectively and, in my opinion, properly.

I listened to a few of the comments today, and I won't take up too much of your time. The ratios, for anybody who doesn't understand it—one of the gentlemen earlier mentioned that we just set ratios so we can drive up the wage rate. Nothing's further from the truth. Our ratio right now is three to one. I think a proper body looking at it, I've got no problem. I would suggest that you never go below two to one, and there are a lot of common sense reasons for that. If the journeyman who's working there is off sick or he's on vacation, who's training the apprentice, if it's one to one?

1710

You've got to think: The apprentice is there to pick up so much time in class and training, and so much time on the job and the practical. Another thing is, if the guy's a lousy journeyman and you stuck a guy with him, you're going to have a whole school of lousy journeymen. When they move around, they get different people, they learn different perspectives and they become better tradesman for it.

Enforcement: I won't make a lot of comments on it because I don't have a tremendous knowledge of how it will work out, but I would say that if it's done right, this can be an effective tool in working on the completion rates. That's what it's all about. Completion rates for us are very high. One of the reasons is that as a body, I think we're proactive. We make sure our apprentices get their C of Q, regardless of what. They get a certificate of apprenticeship. After that, we make sure they go and get a C of Q.

Today, the modern apprentice is much smarter than he ever was, and now they're all becoming Philadelphia lawyers. If they can find ways of getting out of it, they will. I think if you have a body that mandates it that you do complete, it's good for everybody.

One of the earlier speakers talked about compulsory should be members, and non-compulsory. I'll tell you what: I think our trade is one of the best trades of the lot. I would go out on a limb and say that we are the best trade in the lot, but that's all subjective. I would say this: We're no less than anybody else. Just because we weren't lucky enough many, many years ago to get compulsory status doesn't mean that we shouldn't be at least looked at and have that reviewed.

For any of you who don't know, we do an 8,000-hour apprenticeship. We do three times at trade school. We also have night school; it's mandated for the apprentices. We do online training, all of this, and we also have additional training. We do follow-ups for the journeymen, because your training doesn't end when you finish an apprenticeship.

Basically, that's most of what I have to say, and I'm quite willing to take any questions.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We have about a minute or so per party. We'll follow the rotation. We'll go with the Liberals first. Mr. Flynn, do you have any questions?

Mr. Kevin Daniel Flynn: No. I just want to thank you. I am glad that you did have the opportunity to present. What I got is that you're supportive of the college and you want to play an active role in it.

Mr. Ian McIsaac: Definitely.

The Chair (Mr. Lorenzo Berardinetti): Thank you. We'll move on to the Conservatives.

Mr. Robert Bailey: Thank you, Mr. McIsaac, for your presentation, and thank you, Mr. Trudel, for coming in as well. I had the opportunity over many years to work with many of your members in the Sarnia-Lambton area in the Chemical Valley, so I know the training that your members have taken and have done in the past. I know the apprenticeships that they go through in the Chemical Valley and the valuable work they do, so thank you for your presentation today, and we will take it into account.

The Chair (Mr. Lorenzo Berardinetti): Thank you. Mr. Marchese.

Mr. Rosario Marchese: Ian, in point 5, you mentioned that the "TQAA and the ACA do not define what is a trade or an apprenticeship. This has led to governments taking liberties in defining the learning of some skills or occupations as apprenticeships."

This has concerned me for quite a number of years, because the government continues to define trades very liberally, and I've been critical of the government in this regard. I really do believe that they should define what a trade or an apprenticeship is, and they haven't done that. Do you want to make a comment on that?

Mr. Ian McIsaac: Yes, I will make a comment. It may seem a bit like tooting your own horn. I really believe that we have a proper trade. I'm not saying that anybody else doesn't, but we have a proper trade. There's an awful lot of things out there—earlier today, in one of the other presentations, one of the gentlemen said that there are some guys who are fixing door locks and stuff like that. You have to have a definition of what an apprentice is in the first place, and if you have a definition of that, you should have a rough idea of what the apprenticeship is. I would hope that the college, in one of their roles, would identify that along the way. I think it would be a useful tool for everybody.

Mr. Rosario Marchese: It's an important thing to do.

Mr. Ian McIsaac: Very important.

The Chair (Mr. Lorenzo Berardinetti): Thank you for your presentation. Again, we apologize for any inconvenience.

That, then, members of the committee, completes the depositions. The next stage will be the consideration of the bill.

Cornelia Schuh is the legislative counsel for the bill, and amendments are due by 4 p.m. on Monday, September 28. The next meeting of this committee will be on October 1 in committee room number 1.

We stand adjourned until next Thursday. Thank you.

The committee adjourned at 1714.

STANDING COMMITTEE ON JUSTICE POLICY

Chair / Président

Mr. Lorenzo Berardinetti (Scarborough Southwest / Scarborough-Sud-Ouest L)

Vice-Chair / Vice-Président

Mr. Jeff Leal (Peterborough L)

Mr. Lorenzo Berardinetti (Scarborough Southwest / Scarborough-Sud-Ouest L)

Mr. Ted Chudleigh (Halton PC)

Mrs. Christine Elliott (Whitby–Oshawa PC)

Mr. Peter Kormos (Welland ND)

Mr. Jeff Leal (Peterborough L)

Mr. Dave Levac (Brant L)

Mr. Reza Moridi (Richmond Hill L)

Mr. Lou Rinaldi (Northumberland–Quinte West L)

Mr. David Zimmer (Willowdale L)

Substitutions / Membres remplaçants

Mr. Robert Bailey (Sarnia–Lambton PC)

Mr. Kevin Daniel Flynn (Oakville L)

Mr. Rosario Marchese (Trinity–Spadina ND)

Clerk / Greffière

Ms. Susan Sourial

Staff / Personnel

Mr. Andrew McNaught, research officer,
Legislative Research Service

CONTENTS

Thursday 24 September 2009

Ontario College of Trades and Apprenticeship Act, 2009, Bill 183, <i>Mr. Milloy /</i> Loi de 2009 sur l'Ordre des métiers de l'Ontario et l'apprentissage, projet de loi 183, <i>M. Milloy</i>.....	JP-399
Ontario Association of Certified Engineering Technicians and Technologists Mr. Ron Walker; Mr. Ralph Palumbo	JP-399
Carpenters' District Council of Ontario..... Mr. Mike Yorke; Mr. Steven Del Duca; Mr. Rick Harkness	JP-401
Ontario Chamber of Commerce..... Mr. Stuart Johnston	JP-404
Christian Labour Association of Canada Mr. Andrew Regnerus	JP-406
Refrigeration Pipefitters Local Union 787..... Mr. Shane McCarthy	JP-408
Mr. Jeff Jenkins; Dr. Robin Bredin.....	JP-410
United Association Local 46 Mr. Vince Kacaba	JP-412
Arborist Industry Committee..... Mr. Peter Wynnyczuk	JP-415
Ontario Public Service Employees Union Mr. Smokey Thomas; Mr. Moe Blais	JP-417
Collège Boréal Mr. Denis Hubert	JP-420
Council of Ontario Construction Associations..... Mr. Ian Cunningham	JP-422
Ontario Electrical League Ms. Mary Ingram-Haigh	JP-425
Ontario Secondary School Teachers' Federation Mr. Ken Coran; Mr. Craig Brockwell	JP-428
Canadian Building Trades—Building and Construction Trades Department..... Mr. Robert Blakely	JP-430
Coalition of Compulsory Trades in Construction Mr. John Pender; Mr. Eryl Roberts	JP-432
Merit OpenShop Contractors Association of Ontario Mr. David McDonald; Ms. Marie Sonnenberg	JP-435
Ontario Road Builders' Association Ms. Karen Renkema	JP-437
International Union of Operating Engineers, Local 793; Operating Engineers Training Institute of Ontario Mr. Harold McBride; Mr. Joe Dowdall	JP-439
Millwright Regional Council of Ontario..... Mr. Dan Trudel; Mr. Ian McIsaac	JP-441