

Legislative  
Assembly  
of Ontario



Assemblée  
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de l'Ontario

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**Official Report  
of Debates  
(Hansard)**

SP-41

**Journal  
des débats  
(Hansard)**

SP-41

**Standing Committee on  
Social Policy**

Occupational Safety  
and Health Day Act, 2021

1<sup>st</sup> Session  
42<sup>nd</sup> Parliament  
Monday 22 March 2021

**Comité permanent de  
la politique sociale**

Loi de 2021 sur la Journée  
de la sécurité et de la santé  
au travail

1<sup>re</sup> session  
42<sup>e</sup> législature  
Lundi 22 mars 2021

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Chair: Deepak Anand  
Clerk: Tanzima Khan

Président : Deepak Anand  
Greffière : Tanzima Khan

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House Publications and Language Services  
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Service linguistique et des publications parlementaires  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
SOCIAL POLICY**

**COMITÉ PERMANENT DE  
LA POLITIQUE SOCIALE**

Monday 22 March 2021

Lundi 22 mars 2021

*The committee met at 0901 in room 151 and by video conference.*

MS. JANE MCKENNA

**OCCUPATIONAL SAFETY  
AND HEALTH DAY ACT, 2021**

**LOI DE 2021 SUR LA JOURNÉE  
DE LA SÉCURITÉ ET DE LA SANTÉ  
AU TRAVAIL**

Consideration of the following bill:

Bill 152, An Act to proclaim Occupational Safety and Health Day / Projet de loi 152, Loi proclamant la Journée de la sécurité et de la santé au travail.

**The Chair (Mr. Deepak Anand):** Good morning, everybody. We have officially started the meeting.

The Standing Committee on Social Policy will now come to order. We're here for public hearings on Bill 152, An Act to proclaim Occupational Safety and Health Day. As a reminder, the deadline for written submissions is 7 p.m. Eastern Daylight Time on Monday, March 22, 2021. That's today; that's this evening. Legislative research has been requested to provide committee members with a summary of oral presentations and written submissions as soon as possible following the written submission deadline. The deadline for filing amendments to the bill is noon on Tuesday, March 23, 2021.

We have MPP Kusendova, MPP Martin and MPP Gates in the room. We have MPP Babikian, MPP Harden, MPP Harris, MPP Karahalios, MPP Karpoche, MPP McKenna and MPP Triantafilopoulos through Zoom. We are also joined by staff from legislative research, Hansard, and broadcast and recording.

To make sure that everyone can understand what is going on, it is important that we all speak slowly and clearly. Please wait until I recognize you before starting to speak. Since it could take a little time for your audio and video to come up after I recognize you, please take a brief pause before beginning. As always, all comments should go through the Chair.

Once again, in order to ensure optimal sound quality, members participating via Zoom are encouraged to use headphones or microphones, if possible.

At this time, I want to ask all honourable members: Any questions before we begin?

**The Chair (Mr. Deepak Anand):** Seeing none, I'd now like to call on MPP Jane McKenna, the sponsor of the bill.

MPP McKenna, you will have 45 minutes of questions from the members of the committee. The questions will be divided into three rounds of six minutes for the government, three rounds of six minutes for the official opposition, and two rounds of four and a half minutes for the independent members as a group. I'll give reminders of the time remaining during the presentation and the questions. At this time, I'll request you to please state your name for Hansard and begin. Thank you so much.

**Ms. Jane McKenna:** I'm Jane McKenna, MPP for Burlington.

Good morning, members of the Standing Committee on Social Policy. I appreciate the opportunity to speak on my private member's bill, Bill 152, which would declare the first Tuesday in May in each year Occupational Safety and Health Day in Ontario during North American Occupational Safety and Health Week.

If you've ever ridden the subway on the Yonge-University line and exited at the York Mills station, you've likely seen the Breaking Ground commemorative quilt by Laurie Swim hanging on the north side mezzanine. This tapestry honours five Italian immigrant workers—Pasquale Allegranza, Giovanni Carriglio, Giovanni Fusillo, Alessandro Mantella and Guido Mantella—who lost their lives in a tragic accident while working on a water main under the Don River in Toronto on March 17, 1960. These men lost their lives after being trapped 10 and a half metres underground in a cramped, dimly lit tunnel. This sparked a public outcry over the lack of safety standards in construction. The accident became known as the Hoggs Hollow disaster and was the catalyst that forever changed the safety laws in Ontario and saved many lives as a result.

Following the Hoggs Hollow disaster, the government of Premier John Robarts enacted the Industrial Safety Act in 1964, which defined safety as "freedom from injury to the body or freedom from damage to health." For the first time, employers were required to take reasonable precautions to ensure worker safety.

Then, in 1978, the government of Premier Bill Davis passed the Occupational Health and Safety Act, incorporating over 100 recommendations from a 1976 royal commission report.

Also in 1978, the Canadian Centre for Occupational Health and Safety was created to provide health and safety information, training and education.

With the 1980s came even more progress. In 1985, the Canadian Labour Congress declared April 28 as the Day of Mourning, an annual day to remember workers killed on the job.

Then, in 1986, Canada celebrated the first Canadian Occupational Health and Safety Week, which was observed from 1986 to 1996.

Ontario and Canada have led the way when it comes to improving health and safety in the workplace. That's why, in talks between Mexico, Canada and the United States leading up to the North American Free Trade Agreement, the status of workplace safety in all three countries was discussed. Canada suggested to our Mexican and American partners that their countries should consider a similar health and safety week as ours. The United States and Mexico agreed. Together, the three nations launched the North American Occupational Safety and Health Week in June 1997. Both Labour Canada and the Canadian Society of Safety Engineering were also instrumental in making this happen.

Then, in 1998, the Ontario government revamped the workers' compensation system and created the Workplace Safety and Insurance Board. Twenty-one years later, the WSIB covers over five million workers in more than 300,000 workplaces across Ontario.

Whether we've served in this place for a year or for several decades, we all know that the road to a healthier and safer workplace has been built over many decades. There will always be more we can do. We know that workplace injuries still occur every day and profoundly affect workers, their families and their communities—like Dan, who came into my community office in Burlington for assistance after a two-by-six fell from a second storey and hit him in the arm. Since the accident, he has been unable to work, and it has significantly impacted his family.

As parliamentary assistant to the Minister of Labour, Training and Skills Development, I can tell you that our government recognizes that creating a robust health and safety culture is fundamental to a prosperous Ontario economy. In support of that goal, my private member's bill proposes recognizing the first Tuesday in May as Occupational Safety and Health Day in Ontario. This day would fall during North American Occupational Safety and Health Week, and it will further emphasize the importance of preventing injury and illness in the workplace, at home and in the community. This special day will help promote health and safety by highlighting the roles and responsibilities of employers, supervisors and workers to support and nurture a health and safety culture in every workplace. It can also help educate employers and employees on their rights and obligations under the Occupational Health and Safety Act. For example, many employees may not realize they have the legal right to refuse unsafe work, and some employers may not understand their legal obligation to investigate, address and respect a worker's right to refuse

unsafe work. This is especially the case among young workers. In fact, new and young workers in Ontario are three times more likely to be injured during the first month on the job than more experienced workers.

#### **0910**

I'll never forget an article by Moira Welsh in the Toronto Star in 2002. It told the story of a 19-year-old Wilfrid Laurier student from Sault Ste. Marie, Lewis Wheelan. Lewis was back home in the Soo after finishing his first year of university. It was May 2001 and Lewis had what seemed like a great job for the summer: \$10 an hour cutting overgrown trees near Great Lakes power lines. He showed up for work wearing a new pair of safety boots, a friend's safety goggles and his dad's yellow hard hat. All of that wasn't enough to protect him from what happened one hour into the second day on the job, when a 7,200-volt power line fell across his body. As a result, he lost two legs, his right arm and his right shoulder. Sadly, Lewis passed away in 2003.

We owe it to Lewis and to every young worker injured or killed at work to do more to protect young people entering the workplace. Occupational Safety and Health Day could play a key role in doing this.

Between 2011 and 2015, 33 young workers aged 15 to 24 died in work-related incidents, according to the WSIB. During this same time, the WSIB processed 31,689 lost-time claims for young workers. More recently, in 2018, injuries to young workers resulted in more than 8,500 lost-time claims. In July 2019, the WSIB launched a campaign to promote workplace safety to young workers and their parents. The campaign delivered the serious message that workplace injuries are real and that no one is invincible.

The timing of Occupational Safety and Health Day in the first week of May coincides with the end of exams at colleges and universities in Ontario. It would be a timely reminder to empower young people to speak up and ask questions before working in unsafe environments. This could help lower workplace injuries among this age group.

Recognizing the importance of health and safety with a specific day in Ontario also allows us to show appreciation to all health and safety professionals—the people who work to develop and implement policies and procedures for the well-being of everyone in the workplace.

The idea of recognizing an annual health and safety day is not new. In fact, since 2003, the International Labour Organization and the United Nations have observed a World Day for Safety and Health at Work, which is celebrated on April 28 each year. If you're not familiar with the ILO, it is a tripartite agency of the United Nations, established in 1919. The International Labour Organization brings together governments, employers and workers of 187 member states to set labour standards, develop policies and devise programs promoting a safe and healthy working environment.

The World Day for Safety and Health at Work is recognized as a significant tool to raise awareness of how to make work safe and healthy and of the need to raise the profile of occupational safety and health. Around the world on April 28, labour organizations, governments and

businesses also recognize the international commemoration day for dead and injured workers, which has been organized worldwide by the union movement since 1996.

Even though April 28 is recognized by the labour movement around the world as the day to commemorate dead and injured workers and recognize safety and health at work, the NDP took exception to two things being on the same day. NDP members from Niagara Falls, Hamilton Mountain and Windsor West even went as far as to suggest we made a mistake. Sadly, the only mistake made was by the NDP for not supporting Occupational Safety and Health Day in Ontario so far.

Ontario Occupational Safety and Health Day will be a yearly reminder of the importance of creating a culture in every workplace where the right to safe and healthy working environments is respected by all; where governments, employers and workers actively participate in securing a safe and healthy working environment through a system of defined rights, responsibilities and duties; and where the highest priority is the principle of prevention.

We know that a safer workplace results in many benefits to the employer, including higher productivity, fewer sick days and lower WSIB premiums, and it builds a strong reputation and makes attracting qualified employees easier.

Workers and their families expect their employers, their government and this Legislature to do what they can to help ensure they come home safe to their families at the end of a work day.

Today, in Canada, there are nearly five fatalities on the job every work day. It should come as no surprise that the least safe jobs in the country have casualty rates well above average.

Based on total fatalities, according to statistics from the Association of Workers' Compensation Boards of Canada, Canada's most dangerous industries are:

- fishing and trapping, which has the highest workplace fatalities, with 52 per 100,000 workers;
- mining, quarries and oil wells, which has 46.9 workplace fatalities per 100,000 workers;
- logging and forestry, which has 33.3 workplace fatalities per 100,000 workers.

**The Chair (Mr. Deepak Anand):** MPP McKenna, two minutes, approximately.

**Ms. Jane McKenna:** Construction has 20.2, and transportation and storage has 16.

Here in Ontario, in 2017, there were 81 deaths related to injuries in the workplace and 146 deaths from injuries caused by the workplace.

In my role at the ministry, I look forward to working with organizations like the Board of Canadian Registered Safety Professionals to help make Ontario safer for our workers.

I was also happy to receive the support of the Ontario General Contractors Association, where we also presented this afternoon.

I want to thank you so much for letting me bring my bill forward today, Chair. I look forward to any questions.

**The Chair (Mr. Deepak Anand):** MPP McKenna, thank you so much for that.

Now there will be a round of questions, starting with the official opposition. You will have six minutes. Subsequently, there will be a round of questions from the government side for six minutes, as well.

Before you start, MPP Gates—you will have a new Chair.

**Mr. Wayne Gates:** I think I'm going to start where I left off the last time I happened to see this member. That was last week, with WSIB and a bill—where you didn't lift your head up as you said, "No, no, no."

As you are aware from last week's hearings on Bill 238, I am quite passionate about the issues facing injured workers. Certainly, I believe that I have earned the right to not only represent injured workers, but I have proven for the last 40 years how important it is to work with injured workers.

Your government has routinely abandoned injured workers, just like the previous Liberal government, and you put that on display last week. I have a bill before this House, Bill 191, which has been supported by many parties in the Ontario Legislature. It uses the exact same language used in legislation around employment insurance to ensure there is no fraud, but it also ends the practice of deeming in WSIB. Under your watch, 50% of injured workers in Ontario live in poverty. That's a disgrace. And yet, last week you refused to even debate including it in your legislation. You've had repeated opportunities to actually help injured workers in Ontario, but you continue to choose to support big business.

Why have you not publicly supported my bill to end deeming? Why does your government continue to support that practice?

**The Acting Chair (Mrs. Robin Martin):** MPP Kusendova, point of order.

**Ms. Natalia Kusendova:** I do believe that comments need to pertain to the bill we are currently discussing and not other bills. I would like to ask the member to address his comments to the bill that is before us today.

**The Acting Chair (Mrs. Robin Martin):** I have taken note of the point and I am listening to the submissions.

Continue, MPP Gates.

**Mr. Wayne Gates:** I'll help that member over there. She raised the WSIB a number of times in her presentation. It was raised by her in her presentation.

I'll repeat it: You have had repeated opportunities to actually help injured workers in Ontario, but you continue to choose to support big business. Why have you not publicly supported my bill to end deeming? Why does your government continue to support that practice? And why do you continue to have in the province of Ontario workers, who get hurt on the job through no fault of their own, live in poverty?

**0920**

**The Acting Chair (Mrs. Robin Martin):** MPP McKenna, are you going to answer the question?

**Ms. Jane McKenna:** Thanks so much, Chair.

First of all, to the member for Niagara Falls, let's be clear: The NDP were in government for five years and refused to do anything about WSIB deeming.

I have to be quite honest with you. I stayed awake a few nights while I did this Bill 152 because, as you know, because you were there making numerous comments when I was doing it—I still cannot understand how, when worldwide they commemorate health and safety day and also deaths and injuries, and yet we have the Day of Mourning here on the same day, April 28. So I'm not sure what the purpose was—why you voted against it and the NDP did. I guess the NDP and yourself do not believe workplace safety is important, considering you're not talking about it. I was chatting with my partner, and I still cannot understand—besides politicking this bill—the purpose of what you did with this bill by not supporting it when it came forward, when the world is doing the exact same thing that we asked to do.

**The Acting Chair (Mrs. Robin Martin):** Just over two minutes, Mr. Gates.

**Mr. Wayne Gates:** I find that kind of rich coming from your party, when you know—and you knew this last week—your entire party voted against supporting injured workers in Ontario.

When you talk about the Day of Mourning, you know that you actually put this bill forward to this House on the Day of Mourning because you didn't realize it was the Day of Mourning, and you changed it to May 2.

I'm going to ask you an easy question: Why are there no labour councils, who regularly prepare annual events for the National Day of Mourning for injured and killed workers, at the hearing for this bill today?

**Ms. Jane McKenna:** Please don't put words in my mouth—that I didn't know what I was doing when I brought this forward with Bill 143. I was very clear on what we were doing. It was the natural course to be—

**Mr. Wayne Gates:** Is it accurate?

**Ms. Jane McKenna:** Just let me finish. You've asked me a question.

It was absolutely clear as ice water that worldwide was doing a day of mourning for people and injured workers, and on top of that, they had the workers every day for health and safety. So I'm not sure why you think that our government or myself were unclear bringing it forward on April 28 in the first part. It was totally confusing to all of us sitting there when you were voting against people being safe and going to work. You voted against it when worldwide it's done. We have the Canadian mourning day here for April 28. It was a natural course to be able to bring that forward. Again, I still don't understand that.

As you know, because you were there in the House, the Canadian Registered Safety Professionals and the Ontario General Contractors Association, which are going to be speaking this afternoon, both supported it.

So please stop saying that I didn't understand or I didn't know. You've said that numerous times. I'm very clear of what I did do and very unclear on what your party was doing by voting against it.

**The Acting Chair (Mrs. Robin Martin):** Thirteen seconds.

**Mr. Wayne Gates:** I appreciate your comment. But let's talk about this on a serious note.

Are you trying to say that my 40 years in supporting the labour movement, going to every single—

**The Acting Chair (Mrs. Robin Martin):** Sorry, MPP Gates, that's time.

**Mr. Wayne Gates:** That's it?

**The Acting Chair (Mrs. Robin Martin):** That's time for now.

*Interjections.*

**The Acting Chair (Mrs. Robin Martin):** We'll be back, yes.

The second round of questions will start with the government members. MPP Harris.

**Mr. Mike Harris:** Thank you, MPP McKenna, for bringing such important legislation forward.

You brought up some really interesting comments in your opening remarks here, and I was hoping you could touch on them a little bit and maybe give me some advice about what I might be able to do with my ministry, as the parliamentary assistant to the Minister of Natural Resources and Forestry.

You said that fishing and trapping was the number one, I guess you could say, on-the-job incident place of employment and that forestry ranked in the top five as well. Both of those fall under the purview of my ministry. I was wondering what you think Occupational Safety and Health Day can help do, from our ministry's standpoint, to raise awareness to be more careful about what you're doing when you're on the job, especially in these really important fields that are crucial to Ontario's well-being and economy.

**Ms. Jane McKenna:** Thank you so much for that question.

I didn't get an opportunity to read them all out. Fishing and trapping—you are 100% right—is the highest, at 52. Mining, quarries and oil wells is next, at 46.9. Logging and forestry is 33.3; construction, 20.2; and transportation, 16.

I think the reason that we brought this bill forward as a government—and myself—was to be able to have people like yourself as PA in that ministry to be able to keep the awareness going for people. Because most people just hearing this now, and obviously us doing our stats on it—we were shocked that fishing and trapping was actually first, at 52.

It's all about education and prevention, and keeping people top of mind. That's the reason we brought this bill forward, because as I said numerous times, April 28—it was brought forward for both world safety day and for the Day of Mourning for dead and injured people. So the reason we wanted it originally that day was to make sure to keep awareness—because educating people and having a day is very important for people to keep that information going.

When we looked at all that and saw everything that was there—this day will provide every sector the opportunity to highlight actions that can be taken to improve health and safety. It is very important just having this information here today. It has educated the people who are here today to be able to see how many people—as we all know, with COVID-19, there have been many, many accidents that have happened, not just because of COVID-19, but just for

this last year there have been a lot of fatalities that have happened.

Being able to let employers make sure that their employees are safe, and having the awareness of this day, which we now move to the second Tuesday in May, is important. If this bill passes, I'll look forward to working with you, as the PA to the Minister of Natural Resources.

Thank you so much for that question.

**Mr. Mike Harris:** Yes, they're really staggering stats. I never would have thought that our ministry had such a big role to play in this. I think it's funny, because the Ministry of Natural Resources is very small, but we really do have a pretty large footprint across Ontario. There are many people who are employed in our sector. Again, I never would have thought that this would be such an important thing for our ministry to be able to highlight and pay attention to. So thank you again for bringing this forward.

I want to switch gears a little bit. You talked quite a bit about this being almost a North America-wide initiative, with Mexico and the US already being on board with this for quite some time now. I think, in some of the notes that I looked at before this, it goes back, actually, a decade or two since they had been on board with this day and this awareness week. Why do you think it has taken Ontario so long to get on board with this, and Canada more as a whole?

**The Acting Chair (Mrs. Robin Martin):** Sorry; just to let you know, there are two minutes left.

**Ms. Jane McKenna:** I can first of all say that working in this ministry—I've had the privilege of being the PA in this ministry since I got into this position. It was with Minister Scott, as you know, and obviously with Minister McNaughton now.

I think it's just constantly doing awareness. I will name off a few stats for you: In this ministry, to keep things safe, we've hired 98 new health and safety inspectors—Ontario has the largest number of labour inspectors ever; increased inspections, more than 1,500 each week; expanded online health and safety training; and our 445 field inspectors visit an Ontario workplace every single day.

This ministry—I'll tell you, with Minister McNaughton in there and all the people who are around him, they have done a phenomenal job at making sure that the workplaces are being inspected. As you know, the blitzes that we've had—the thing that we have to remember: Prior to our government, inspectors went in with a very heavy hand, and that was the culture. We don't do that anymore. We're in there to help. There are bad actors, which we will take down, as Mr. McNaughton says all the time. But what we absolutely love about this ministry is that they're there to help, to go in with a helping hand.

I can't speak to why the previous government didn't move to create an Occupational Safety and Health Day. But within a year of taking office, I moved this bill. So we're very proactive.

Thank you so much for that question, as well.

0930

**The Acting Chair (Mrs. Robin Martin):** That ends the time for the government's first round of questions.

Now we have 4.5 minutes for the independent members. MPP Karahalios.

**Mrs. Belinda C. Karahalios:** Thank you, MPP McKenna, for your time this morning.

I have what I think is a fairly simple question. Your bill is to create an awareness day. I want to know what that would entail. Are you envisioning mandatory training for small businesses and big businesses across Ontario? Are you thinking of an addition to the high school curriculum? What is your vision of how this will be rolled out and implemented across Ontario?

**Ms. Jane McKenna:** Thank you so much. I'm sorry; I had a hard time hearing from the echo in the back.

Like North American Occupational Safety and Health Week, since June 1997, we're looking to work with educators, employees, workers and unions, to make sure that—like when I did speak about the youth and how tragic, how sad that is, focusing on the youth and making sure they understand that if they're in an unsafe environment, they can choose not to go to work. I think the reality is obviously when—it's educating people and having a day so that people are more aware of what exactly is going on.

Like I said, the previous government that was in had a very heavy hand with inspectors, going in, and so, unfortunately, people were always panicked when they came in, whereas now we're very, very clear that when we go in, we're there to help. As you've seen yourself with COVID-19 and, obviously, with reopening places, we've done these blitzes. I think we've conducted over 43,000 inspections, issued over 45,000 orders, shut down more than 74 unsafe workplaces, and we've published over 200 safety guidelines.

So if [*inaudible*] the following statement front and centre—

**The Acting Chair (Mrs. Robin Martin):** MPP McKenna, we're losing you. Could you speak up or get near the microphone, or get yourself some water?

**Ms. Jane McKenna:** I know. I'm taking a drink of water. Hold on. I have a frog in my throat now. Thank you.

Anyway, if you visit the home page of the Ministry of Labour's website, you'll see the following statement front and centre: "Preventing work-related illness and injury is the most important job at any workplace."

**The Acting Chair (Mrs. Robin Martin):** I'm sorry to interrupt, but I think MPP Karahalios is trying to get in with a second question.

You have about two minutes left, MPP Karahalios.

**Mrs. Belinda C. Karahalios:** Thank you, Chair; I appreciate it. And thank you, MPP McKenna, for that. I apologize, as well, for the acoustics on my end.

I understand that's the reasoning behind the bill, but again, are you thinking of a campaign, where there are going to be posters that would be put up that day? I'm just trying to get an idea—and I think it could be helpful for others to know what you envision occurring that day. Is it, again, something where small businesses or large businesses would have an educational component to that day? Or is it really geared toward children in the high

school area, where we would be bringing awareness to them in that context?

**Ms. Jane McKenna:** Thank you so much for that question.

Again, this day is all about education. If passed, the Minister of Labour, Training and Skills Development will work to support the rollout.

As you've seen with Minister McNaughton and obviously with this ministry, with all the inspections and the blitzes done and all the rollouts they've had with all of that, it has been unbelievable what they have put forward to be able to educate people.

Again, I say this all the time—as you know, I have five children, and my son has his own company in welding and construction up north—it's just keeping the awareness going. Even he will say to me, he's obviously the employer and it's educating himself on an ongoing basis to get the proper information that he needs for the safety of his employees. And he's young. He's 25 years old. He started it when he was 23.

So this day isn't about any one person's idea to promote health and safety; it's about working together to promote health and safety in every sector.

**The Acting Chair (Mrs. Robin Martin):** That's the end of the time for the independents.

Now we'll start the second round of questions with the opposition, for six minutes.

**Mr. Wayne Gates:** Again, I'll go back to the parliamentary assistant. Your government has been very clear when it comes to workers and how you support workers. When my bill for presumptive language was put forward, your government said no, even though it's our essential workers who are being turned down by WSIB. Right now, we've had 2,000 people turned down by WSIB. Your government said no to that bill.

Take a look at the deeming bill, which is all about workers. Workers in this province are living in poverty. Somebody has a job for \$50,000 a year and gets hurt on the job—WSIB is deeming him. What happens to that worker? He loses his home. He loses his family. He loses his sense of community.

What did your government say last week, under Bill 238? Do you know what they said, Chair? "No."

Take a look at WSIB. They have a \$3.5-billion annual surplus, while 50% of the workers in the province of Ontario live in poverty when they get hurt on the job. And you say you care about workers?

What was your level of consultation with labour councils across the province on this legislation? Were the labour councils supportive of the legislation? And can you show me documentation of labour council support?

**The Chair (Mr. Deepak Anand):** MPP McKenna.

**Ms. Jane McKenna:** No one in this government voted against injured workers. The NDP doesn't seem to understand how these committees work. You're consistently bringing forward items that have nothing to do with the legislation being discussed.

We've heard from legal experts about how presumptive legislation would be worse.

Your record on deeming is clear. When you had the opportunity to do something about it, when you were in government, the NDP did nothing.

**Mr. Wayne Gates:** I can appreciate that comment, except, as you should know—I don't know if you do—that the way deeming was done by WSIB actually started under a Liberal government, which was in 2015. That's where the surpluses come from, at the expense, quite frankly, of injured workers, who are living in poverty.

I'm going to ask you a simple question. I've being doing it for 40 years. I've had people die in my workplaces that I was president of; I've gone and cried with those families on the Day of Mourning. Can you tell me what the slogan is for the April 28 Day of Mourning?

**Ms. Jane McKenna:** Yes, I will, but first of all—you bring up the fact about deeming. Deeming has been in place since 1980. Deeming was put front and centre in 1990, just eight months before the NDP took government. I just want to be clear with that.

Sorry; what was the second question you asked me? I apologize.

**Mr. Wayne Gates:** What is the slogan for the Day of Mourning in the province of Ontario and across the country? What is it? That's good enough; I can see that you don't know it.

I'm going to go on to another question. I don't have a lot of time.

Why are there no labour councils, who regularly prepare annual events for the National Day of Mourning for injured and killed workers, at the hearing for this bill today?

**Ms. Jane McKenna:** I don't know. You must not have invited them.

**Mr. Wayne Gates:** Well, it's not my bill. I wouldn't have brought this bill forward—two days after the Day of Mourning, when people are mourning those who died on the job and recommitting to fight for the living. That's what we do. So I wouldn't have brought this bill forward. I would have sat down with the labour councils and talked to them. I would have sat down with workers across the province of Ontario. I would have made sure that workers in the province of Ontario weren't living in poverty.

I have a question for you. Last year, we saw six workers die on construction sites in less than a month—

**The Chair (Mr. Deepak Anand):** MPP Gates, you have one minute and 30 seconds.

**Mr. Wayne Gates:** Okay. I appreciate it.

We know that workplace deaths in construction have been particularly high since 2014, with little evidence of any downward trend. We have some stakeholders presenting today from groups related to the industry.

What concrete measures has this government taken to reduce the number of deaths we are seeing on construction sites? In the last three months, two young workers—which I raised again under Bill 238 last week—have died on construction sites, both under 21, and one with a young family. What is your government doing to protect young workers?

0940

**Ms. Jane McKenna:** Thank you so much for that question.

Just to go back: We sent out to all stakeholders about this today and obviously with the submissions, so who was coming on here today was who responded back. That's first and foremost.

I'll say this, and I'll say it again and again, and I've already said this prior: One death is one too many, as you know.

I look at the ministry—I've said that we hired 98 new health and safety inspectors. Ontario now has the largest number of labour inspectors ever. We've increased inspections more than 1,500 a week, and we have expanded online health and safety training.

I'll just give you one quote from the Auditor General in 2019: "The ministry has been successful at consistently maintaining the lowest lost-time injury rate in comparison to other provinces. Further, the rates of injury in each sector are among the lowest in the country."

**The Chair (Mr. Deepak Anand):** That finishes the time.

Over to the government side: MPP Kusendova.

**Ms. Natalia Kusendova:** Good morning, member from Burlington. I have to tell you, I'm getting quite frustrated with the opposition always trying to impute motive and trying to suggest that you didn't know the significance of what April 28 meant when you originally brought this bill forward. I think it is very clear for any logical-thinking person why the April 28 date was chosen in the first place.

The NDP's words and actions never seem to match. They say the health and safety of Ontario workers is their top priority, but when it came time to act, they were the only party to oppose having Occupational Safety and Health Day in Ontario. That is very, very disappointing.

I would like to quote from the Auditor General's report of 2019: "Compared to other Canadian jurisdictions, Ontario has consistently had ... the lowest lost-time injury rate of any province since 2009. It goes on further to say that "Ontario had either the lowest or second-lowest lost-time injury rates in the construction, health care, and industrial sectors."

MPP McKenna, thank you for bringing this very important bill forward. Especially in light of the COVID-19 pandemic, I think we do need to highlight occupational health and safety.

Can you expand a little bit on how this day and this bill will help, in light of the COVID-19 pandemic, to educate our workers on health and safety in the workplace?

**Ms. Jane McKenna:** Thank you so, so much.

First of all, I want to say back to the previous member that the slogan is, "Remember the Dead, Fight for the Living."

This bill helps fight for the living, like countries across the world have been doing for decades, recognizing the workers we've lost or who have been injured, while promoting health and safety in the workplace.

I totally appreciate what you're saying, because there's nothing worse than when people politick on the sadness of

people who have passed away or who are injured, when we're trying to make things better in the workplace, which I know Minister McNaughton and his ministry—I've mentioned numerous times all of the inspections and the people we've brought forward.

This special day will help promote health and safety by highlighting the roles and responsibilities of employers, supervisors and workers to support and nurture a health and safety culture in every workplace. It can also help educate employers and employees, which is very important, on their rights and obligations under the Occupational Health and Safety Act.

I've heard Minister McNaughton say this numerous times: We're there to help the people who have businesses. The majority of employers who have companies want to do what's right for their employees; there's a handful of bad actors who do not, and those are the ones we need to continue to put a hammer on—to go down to make sure they're doing the right things for the people who come to work every day.

We've said this numerous times: People deserve to go to work and they deserve to come home and to be health and safety—make sure that everything is up to speed where they are, but also for employees to be able to understand that if it's unsafe for them in that environment, they're allowed to leave and say it's an unsafe environment. It's their right to be able to do that and not to be afraid to do that.

I appreciate the question. When we did this bill originally, Bill 143, and it was brought forward on November 17, we were absolutely shocked—the MPP from Eglinton—Lawrence was there and did the other part of my speaking when we did this. The opposition was standing up and saying that the government didn't know what we were doing, saying it was on April 28. It was so shocking that anybody would stand up and make that such a political—politicking on this bill, when it was the right thing to be doing.

**The Chair (Mr. Deepak Anand):** A minute and 30 seconds.

**Ms. Jane McKenna:** I'm not sure they understood that it has been done worldwide for both things, and that was the obvious thing, to be able to bring it forward on April 28—health and safety—when we had the Day of Mourning. It's still very confusing to me.

**Ms. Natalia Kusendova:** I agree with you, MPP McKenna. This bill is a natural fit for the NDP to support, so I don't know if they're having cognitive dissonance or what's going on. I was shocked, just like you were, when they voted this bill down.

The member opposite talked about the construction industry. I know, in light of the COVID-19 pandemic, my office has received numerous phone calls from some construction sites concerned about some of the practices. Of course, that's why we have increased the number of inspectors for construction sites.

Can you tell us how this bill can benefit the construction industry in particular?

**Ms. Jane McKenna:** We are going to have some stakeholders this afternoon, which will be quite interesting

to see. We'll have the Ontario General Contractors Association. They've actually said, with COVID-19, that they've done extremely well in construction, with keeping the awareness going. The Board of Canadian Registered Safety Professionals supported us, as well, on this bill, right out of the gate, and also again with—

**The Chair (Mr. Deepak Anand):** Thank you, MPP McKenna.

Now I want to move over to the independent member. MPP Karahalios, would you like to ask or say anything?

**Mrs. Belinda C. Karahalios:** I do not have any questions right now for the honourable member.

**The Chair (Mr. Deepak Anand):** Thank you so much. I appreciate it.

At this time, I'll move back to the opposition. You have six more minutes. MPP Wayne Gates.

**Mr. Wayne Gates:** Do you normally participate in your local labour council's events for the National Day of Mourning?

**Ms. Jane McKenna:** As the PA to labour, I usually have events with the ministry.

**Mr. Wayne Gates:** What events typically take place in your riding?

**Ms. Jane McKenna:** I'm not sure what this has to do with this bill, but—

**Mr. Wayne Gates:** Well, it's about worker safety. I don't know why you're questioning why I'd ask a question around the Day of Mourning. That's what we're talking about, so I don't understand. If you don't know the answer, that's fair, but—

**Ms. Jane McKenna:** For one example, there's the National Day of Mourning. We have it here, and so that's April 28. We had a virtual Zoom. Off the top of my head, that's one.

**The Chair (Mr. Deepak Anand):** MPP Gates, I understand you're asking questions with respect to the bill—but not trivia questions. It's not trivia going on; it's a conversation we're having. It's a debate going on, so please stay—

**Mr. Wayne Gates:** I always respect the ruling of the Chair, so I appreciate that.

**The Chair (Mr. Deepak Anand):** Please stay within the bill. Go ahead, sir.

**Mr. Wayne Gates:** I don't know if this is within the bill, but you did mention inspections, so I think I can ask something about inspections: Are you aware of an article that was in the Toronto Star over the course of the week-end that said 600 Amazon workers have gotten COVID-19 and less than five have filed for WSIB? As the PA to the Minister of Labour, are you aware of that?

**Ms. Jane McKenna:** Yes.

My question to the member from Niagara Falls: You talk about safety in construction. Is there something you think the Labourers' International Union of North America isn't doing to promote health and safety in construction? They support this bill.

0950

**Mr. Wayne Gates:** The way this works—I'll try to explain it to you: I ask the questions, and you provide the

answers. But because I'm a nice guy and I understand that—

**The Chair (Mr. Deepak Anand):** MPP Gates—

**Mr. Wayne Gates:** No, I'll answer the question. I will have the opportunity this afternoon to talk—

**The Chair (Mr. Deepak Anand):** MPP Gates, please hold for a second. I have a point of order from MPP Harris. Go ahead, MPP Harris.

**Mr. Mike Harris:** I'm not sure why the MPP from Niagara Falls is taking such liberties with the member we have here today, but I feel that he is badgering MPP McKenna, and I'm not sure that's very productive to the committee hearings we have here this morning. He has already been asked once to keep his questions within the bill, and I definitely don't feel that he's doing that very well.

**The Chair (Mr. Deepak Anand):** Thanks, MPP Harris.

MPP McKenna, I want to say this to you: It is the members who have to ask the questions, not you.

But again, let's stay within the bill and let's have a constructive conversation that—the people who are watching us are watching for a reason.

Go ahead, MPP Gates.

**Mr. Wayne Gates:** I have no problem discussing that with whoever comes this afternoon.

COVID-19 has taken the lives of numerous workers in our province due to workplace exposure. Unfortunately, this new reality will only add more names to the list of workers we mourn each year. As you are aware, many of those workers were in long-term-care homes, retirement homes and high-risk health care settings.

As this bill indicates, you are very concerned about injured workers and workplace health and safety.

Do you believe mandatory WSIB coverage should be extended to cover all retirement homes in the province of Ontario?

**The Chair (Mr. Deepak Anand):** MPP McKenna.

**Ms. Jane McKenna:** Yes, so—

**The Chair (Mr. Deepak Anand):** MPP McKenna, give me a second.

MPP Martin?

**Mrs. Robin Martin:** I'm struggling to understand how that question is relevant to the bill we're discussing this morning. I think it's not within—I think it's rule 25(b).

**The Chair (Mr. Deepak Anand):** Absolutely.

MPP Gates, let's restrict our ability to converse on the bill. If you want, I can read the bill—it is An Act to proclaim Occupational Safety and Health Day. So let's talk about the Occupational Safety and Health Day. Over to you.

**Mr. Wayne Gates:** All I'll say to that, Chair, is that these are all health and safety questions. I think they're fair, and I think they're reasonable. I certainly believe that people who work in retirement homes should have WSIB. I get the opportunity to ask the question. If you're telling me that's not a question you want me to ask, she doesn't have to answer.

**The Chair (Mr. Deepak Anand):** Well, I want to say, let's restrict ourselves to the ability to ask questions on the Occupational Safety and Health Day.

Over to you, MPP Gates. Start the clock. You have about 50 seconds.

**Mr. Wayne Gates:** Fifty seconds?

**The Chair (Mr. Deepak Anand):** We've retracted the time which I spent.

**Mr. Wayne Gates:** That's fine.

If you care about workers' health and safety, then you have to make sure that workers who go to work in the province of Ontario are safe every single day. When they happen to get injured on the job, as a province, we have an obligation—I believe everybody in this room has an obligation—to make sure that worker who got injured is able to go to WSIB and is not deemed and does not end up living in poverty.

I'm asking my colleagues: Do you believe that anybody who gets injured on the job should live in poverty in the province of Ontario? Put your hand up. I begged last week to include it in the bill. I'm not asking much here. These could be your sons, your daughters. As we found out, young people die on the job every single day.

**The Chair (Mr. Deepak Anand):** That finishes the time.

Now it's time for the government. You have six minutes. MPP Martin.

**Mrs. Robin Martin:** Thank you again, MPP McKenna, for bringing forward this important bill.

As MPP Gates just mentioned, it's really important that we recognize and protect workers from injuries. We recognize that injuries happen in the workplace, and we do everything we can, I think—especially for younger workers—to educate them about possible workplace dangers so that they can go to work and be safe and come home safely. I think that's what everybody wants.

I really appreciate the fact that you brought forward this bill. I spoke to it when you brought it forward in the House and I was delighted to do so. I go to my local April 28 Day of Mourning at the Columbus Centre every year, which is a very moving ceremony. I've gotten to know the people who were behind the organization of the wall of fallen workers, where all the names are commemorated. I think I said in my speech that that wall is now full, but they have kept adding names because, unfortunately, there have been a number of people who died or were injured in workplace accidents.

A lot of the people in my area are of Italian background, and they were the ones in Hoggs Hollow digging the subway when that tragic accident happened. I want to mention the two books that I think I mentioned in my speech, by Paola Breda and Marino Toppan—*Land of Triumph and Tragedy*, and *The Voice of Labour*—which are so important for documenting all of the things that happened to these workers and making sure we do not let these kinds of things happen again.

For me, MPP McKenna, the most important thing about this day is—it doesn't solve all of the problems, but it does highlight the importance of occupational health and safety,

and especially the importance of it for young people, to be educated so that nothing happens inadvertently on a job site, to make sure that they can be as safe as possible. As parents of young men and women, I think a lot of us want to make sure that they're safe and that they come home from work.

So I just want to ask you how you feel this day will help us to highlight and to educate younger workers.

**Ms. Jane McKenna:** Thank you so much for that question. I do appreciate it, because you did champion this with me when I brought this bill forward, from the beginning.

I want to say this: that we all learn from ourselves and from the people around us.

When I have mentioned my son, who is 25 years old and started his business at 23—and, of course, there are always lots of things that can happen in construction when you're a welder under water and all those kinds of things. But even he will say the same thing—I didn't speak to him about this bill when I brought it forward originally, and he said the same thing to me. He said, "Mom, it's giving people the ability to educate themselves and to have the information in front of them. If this day, when you bring it forward, it's just a day that people can continue"—because it's worldwide, which I've said numerous times. "It educates people who have employers"—because he's an employer—"to make sure that everybody is safe and making sure that they're doing exactly what they need to be doing."

You will hear today from Robert Ellis, the president of Our Youth at Work Association, who lost his 18-year-old son—second day on the job. Over the past 21 years, the foundation has reached millions of employers, workers, educators, parents and students across North America with his message of inspiring courage, influencing change. The thing about having him here today is that there's another person who will educate us this afternoon with his voice—because he was there; he has experienced it with his son.

The reason we put bills forward is to make things better. As you said, MPP from Eglinton–Lawrence, there is always more to do, but we have a responsibility, as government and even as its Legislature, to make sure that we give people the tools they need—and that they have to make sure that people go to work safe and come home safe.

So I felt, putting this bill together after looking—worldwide, they have the health and safety day. Also, for people who have passed away and for injured workers—that was on that day of April 28. As I've mentioned before, that's why we brought this bill together—because obviously, we have the Day of Mourning here on April 28. We had the support from other people to bring it forward. It seemed like the natural course of things to be doing, to educate people, when we're already doing it worldwide. It was important for me to do that. You saw the importance.

You were kind enough to talk about—which we did say earlier—the Yonge-University line, when you exit it at York Mills station, about the breaking ground.

You said the wall is filled now.

We want to make sure that accidents do not occur, and we want to make sure, as the Ministry of Labour, that—I've mentioned numerous times how many more inspectors we have brought on, how many blitzes we've done. I've been part of those blitzes—

**The Chair (Mr. Deepak Anand):** Thank you, MPP McKenna. That concludes the six minutes.

At this time, we're going to take a recess. We will return at 1 o'clock. Thank you so much.

*The committee recessed from 1000 to 1302.*

**The Chair (Mr. Deepak Anand):** Good afternoon, everyone. The Standing Committee on Social Policy will now come to order. We will resume public hearings on Bill 152, An Act to proclaim Occupational Safety and Health Day.

ONTARIO GENERAL CONTRACTORS  
ASSOCIATION

OUR YOUTH AT WORK ASSOCIATION

MR. WAYNE BROWN

**The Chair (Mr. Deepak Anand):** We will begin with our first group of presenters. We have Mr. David Frame and Mr. Craig Lesurf from the Ontario General Contractors Association and Mr. Robert Ellis from Our Youth at Work Association, and we are expecting Mr. Wayne Brown as well.

Each presenter will have seven minutes for your presentation for a total of 21 minutes. The remaining 39 minutes of the timeslot will be for questions from members of the committee. This time for questions will be broken down into two rounds of seven and a half minutes for the government members, two rounds of seven and a half minutes for the official opposition, and two rounds of four and a half minutes for the independent members as a group.

At this time, I'd like to ask, are there any questions from the members? Seeing none, I will call on the representatives from the Ontario General Contractors Association.

Good afternoon, sir. Please start with your name. You have seven minutes for your presentation. You may begin now.

**Mr. David Frame:** Thank you, Mr. Chair. I am David Frame, director of government relations with the Ontario General Contractors Association. I am joined today by Craig Lesurf. Craig is president of Gillam Group and chair of the OGCA safety committee and chair of the League of Champions, among many other roles he has with us.

The OGCA membership includes 197 general contractors, performing a majority of the work in the ICI construction industry in Ontario. I'm not going to spend a lot of time talking about who we are, but what is important to know is that we have a core mandate of health and safety, which includes a strategic deliverable to promote safety excellence among members and across the construction industry.

As part of this commitment, the OGCA also founded the League of Champions, with a mandate to empower

leaders to be health and safety champions. The league's promotion of safety starts with this commitment and action from leaders in the organizations. The league's creation was inspired by our work with our friend Rob Ellis, who is also presenting today. In my experience, Rob has done more than anyone in Ontario to inspire positive commitment in workplace safety. Just a few weeks ago, the OGCA awarded Rob with the Doug Chalmers Award for Safety. It was very well deserved.

OGCA member companies are amongst the very safest in any industry in Ontario, not just construction. In 2019, our collective membership recorded an LTI—that's a lost-time injury—frequency rate of 0.20, which is more than three times lower than the ICI construction industry performance and is only 20% the rate of the whole construction industry. There are many reasons for this success. It includes taking every opportunity to communicate and celebrate excellence in health and safety and promoting a culture of safety.

We enthusiastically support Bill 152 because it speaks directly to supporting success and commitment to workplace safety, which is a vital component of a successful program.

I'm now going to call on Craig Lesurf, who will explain this further.

**Mr. Craig Lesurf:** Thanks, David.

Thank you for letting us present today. I appreciate it.

First, I want to start off by saying that the Day of Mourning, April 28, is—

**The Chair (Mr. Deepak Anand):** Mr. Lesurf, hold on a second. Please start with your name so that we can—

**Mr. Craig Lesurf:** I'm terribly sorry. I'm Craig Lesurf, president of Gillam Group and chair of the OGCA safety committee.

**The Chair (Mr. Deepak Anand):** Go ahead, sir.

**Mr. Craig Lesurf:** Thank you again.

The Day of Mourning, on April 28, is a retrospective day to talk about what has gone on in our stuff, and this day is a forward-thinking day. Occupational Safety and Health Day is looking out, it's forward, it's positive. They support each other and they're complementary.

In the construction industry, May is a big safety month. We already have a safety focus going on. The first full week in May is safety week, designated and celebrated by a number of companies across Canada and all of North America. It's also safety month for the OGCA, the Toronto Construction Association, the Grand Valley Construction Association, Niagara Construction Association and a number of others. We've designated the month to help highlight safety across our industry so that we can go out and be advocates for it.

This year's theme that we've chosen is "Fit for Duty"—and to talk about impairments. By impairments, I don't mean just drugs and alcohol; there are a lot more. You could be mentally impaired, with regard to distraction. You could be over COVID-19. You could have a whole number of things that are affecting your ability to make sound judgments. We've got a slogan: "Be Present, Be Focused, Be Safe." There are four states of Fit for Duty:

There's your mental health, your physical health, your emotional health, and your competency. All four of those need to go into place in order to be there. That's why we're taking the entire week, the first week of May. I personally take a week off from my company's day-to-day business and tour all my job sites and do active participation to focus, to get everybody thinking about safety.

This new day fits right in with that, because it's also during safety week and allows us to have a designated day. So it's kind of important for us. We think it's a one-plus-one-is-three type of deal, and I think, as an industry, we're looking forward to it.

You see me wearing this hockey jersey here, which is the League of Champions jersey, and you can see on it, I have quite a number of signatures—tens of thousands. The League of Champions—what we've set it up to be is that you sign your family name to these types of symbols. We'll go around and we'll talk, and I've used it and I've spoken in front of colleges, universities, all our job sites, lots of events—and tens of thousands at least in the last few years. You sign your name to the jerseys—your family name, something that goes on a contract—and you make a commitment to work safe every day, that everybody beside you works safe every day, and that everybody goes home safe at the end of the day. It's something that we do to promote safety. It's a symbol. It's a lever. It's about changing safety culture.

That's what's good about the Occupational Safety and Health Day that is being designated. It will be able to be used by everyone. It will allow us to do something different.

I will say that safety is important for everyone in the industry. We don't want to have any workplace accidents or injuries. It's something we all strive to avoid. Every day should be safety day, and every week should be safety week, and every month should be safety month, but it doesn't quite work out like that. So what we like to do is have a focused day that we get to talk about as an industry and across the board in every workplace, not just construction. It takes a special effort. That's what we're asking for.

With that, I'm done ahead of time. Thank you.

**The Chair (Mr. Deepak Anand):** Thank you so much. Yes, absolutely, you saved 40 seconds. Would your counterpart want to add something, or can we move on to the next presenter? Perfect.

Now we have Mr. Robert Ellis from Our Youth at Work Association. Mr. Ellis, please start with your name. You have seven minutes.

**Mr. Robert Ellis:** My name is Robert Ellis. I'm president of Our Youth at Work Association, a not-for-profit organization that has been in operation for 21 years. Thank you for the honour of speaking to the standing committee today. Standing shoulder to shoulder with Mr. David Frame and Mr. Craig Lesurf of OGCA, we are strongly in support of Bill 152. It is a day when we can celebrate Ontario moving forward. I believe this would be the only day set aside specifically for occupational health and safety across Canada, so we want to become the leader

specifically of the Occupational Safety and Health Day for Canada and Ontario.

**1310**

Twenty-one years ago, we lost our 18-year-old son, David, in a workplace incident. I stop and I pause there because we're talking about our own family, losing our 18-year-old son in a workplace incident. From that very devastating day, we were very, very fortunate to have such great champions like David Frame and Craig Lesurf come shoulder to shoulder with us, side by side with us, to work with us, to support us, to help us. We travelled across Ontario with Premiers, with ministers of government, with presidents and CEOs of businesses, with union leaders, and I have to tell you that those leaders really were passionate, as Craig and David were this morning. They're very, very passionate about safety. They not only wanted to save lives; they also wanted to reduce the number of incidents in their workplaces. They wanted to make Ontario safer.

All of the leaders shared the same vision. They recognized right away that occupational health and safety and productivity and prosperity were all connected. Making Ontario the best place in Canada to work and to live—that was their goal; that was their aim. And with their help, with the help of the leaders of Ontario, we were able to engage and educate millions of the next generation of leaders.

Over the next two months, we will be talking to the next generation of leaders in universities and colleges. Those students are made up of skilled trades; they're made up of engineers; they're made up of business and MBA grads; they're made up of our medical and dentistry grads. There is a high, high demand for safety knowledge from our next generation of leaders. They also are asking us to show them who are the best leaders in Canada, who have the best safety cultures, and I believe, because of this demand, that we will see tremendous changes in Ontario taking place.

I support the passing of Bill 152 and establishing the Ontario Occupational Safety and Health Day, because I think the timing is absolutely right. There is strong support from government, business and unions on establishing this day. I also support passing Bill 152 because I think there's a growing demand from the next generation of leaders in Ontario. We want them to get established very quickly, and we want them to stay here in Ontario and help us build the best province in Canada. Thirdly, I support Bill 152 because the Occupational Safety and Health Day can be a cornerstone for the sharing of safety knowledge and sharing of safety systems between two generations of great, great leaders. Let this day be a cornerstone where we can share the systems, share our success, share our testimonies and move forward with a positive momentum that will change Ontario's future.

Today, our future in Ontario is very bright, it is very prosperous, it is very productive, and it will be safer with the passing of Bill 152.

Thank you very much for this opportunity to speak to you—this is tremendous; great champions of Ontario. I appreciate it very much.

**The Chair (Mr. Deepak Anand):** Thank you, Mr. Ellis. My condolences.

**Mr. Robert Ellis:** Thank you.

**The Chair (Mr. Deepak Anand):** I'm sorry to hear about your loss. I just want to say, it's not easy, but thank you for your commitment and for doing what you're doing.

Moving on, we have Mr. Wayne Brown. Mr. Brown, you have seven minutes. Please say your name for Hansard, sir.

**Mr. Wayne Brown:** My name is Wayne Brown, and I live in Burlington, Ontario. I also am in favour of Jane McKenna's Bill 152.

Over the weekend, I did a little research into the background of occupational safety and health. I'd like to relate some of that information to you. The data emanates from a look at workplace injuries from the years 2017 to 2019.

In 2017, there were 625 occupational disease-related fatalities across Canada; one third of those were in Ontario. From 2014 to 2017, Nova Scotia, Quebec and Ontario showed the highest per cent increase in occupational disease-related fatalities. In 2017, seven provinces reported a declining injury rate; Ontario's rate increased. In 2017, Ontario was second in Canada regarding injury-related fatalities and highest in occupational disease fatalities. We were also second-highest in lost time due to injury in that year. In 2018, Ontario and New Brunswick had the highest increase in injury rates, up 15% from 2017—also, there was an increase in fatalities.

After examining the statistics, it's obvious that Ontario workplaces are becoming less safe, not more safe, as they should be. All of this says to me that we need a provincial day to remind ourselves that safety must be a priority in the workplace.

Allow me to say one final thing. I'm a member of CSIS, the Center for Strategic and International Studies. It's basically an American think tank. They have recently published papers on the decaying or even crumbling of infrastructure not only in the States, but also across Canada. In fact, the situation is so bad, CSIS feels that the capability of the Armed Forces has been compromised. All this means to me that there is going to be a boom in construction, not only in Ontario but across Canada, to replace our aging infrastructure over the next two or three decades. I think an occupational safety and health day would go a long way to keeping the workplace safety idea at the front of our thoughts as we go through the reconstruction of our infrastructure.

Thanks to MPP Jane McKenna for bringing this topic forward to us.

**The Chair (Mr. Deepak Anand):** Thank you so much, Mr. Brown. We appreciate it.

With that, we're finished with the presentations. We're going to be having two rounds of seven and a half minutes of questions, starting with the government side first, and then over to the opposition.

MPP McKenna, go ahead. You have seven and a half minutes, maximum.

**Ms. Jane McKenna:** I want to start off with David Frame. Just so the people who are watching know this, their members account for approximately 70% of all Ontario industrial, commercial and institutional projects and for 100% of all alternative finance projects. I say that because it's a huge, huge amount of people, so I want to be very clear on that.

I also want to say thank you, David, because I've had the opportunity to come to your general meeting at the OGCA and speak.

Craig, thank you so much for having your League of Champions jersey on. I have one and I have not even—I've got about seven names on it, so I obviously have to get more people to sign that.

**1320**

The reason I decided to do Bill 152—and I want to thank you so much, David, for being at the beginning with me, from Bill 143 to Bill 152—was your passionate compassion for your members that are there.

Rob, I can't imagine what it's like to lose a child. I have a son with his own company; when he started he was 23, and he's 25 now. That was one of the main reasons—along with also coming to meet all of you wonderful people; Rob as well, whom I've met a few times—just because it's so important to educate. We had a lot of questions this morning about, "How are you educating people?" But it's people like yourselves who continue the education for youth.

I know, Rob, that you do your videos on the Day of Mourning every April 28 and they're inspirational. I've pointed my son to that, and he has watched them. So you have been a huge inspiration for my son, for his business, as an employer with his employees. Thank you so much. It's all of us educating people together that gets us where we need to go.

When I decided to do this, as I mentioned, I really did it selfishly on that aspect of it—to make sure that all youth and people go to work safe and come home safe, because it's our responsibility to make sure, as a government and with legislation, that we do that for people. I know there's a lot more to do, but if we're all working in the same direction, doing what we're doing with wonderful people like yourselves, it's only going to continue to keep the conversation and the dialogue moving forward. For that, I thank all of you who are on this right now. Thank you so much, Craig, Wayne, David and Rob. It means everything.

There's a list of things—Rob, you won the Doug Chalmers award, you've been an inspiration for the League of Champions for the last five or six years, and just the passion and compassion that you have for what you do is overwhelming at times for myself when I've come and listened to you speak.

I have a question for David Frame. How do you think this proposed Occupational Safety and Health Day can help prevent workplace accidents and injuries?

**Mr. David Frame:** Jane, I'd like to thank you for putting this legislation forward. This is about a pivot. The week before, we recognize that we've lost an awful lot of people through workplace injuries, through the Day of

Mourning. The fact that we have the Day of Mourning is vital and it's a vital part of what's happening. But this is about pivoting from saying "here's the problem" to "here's the solution."

It's probably best explained by what Rob did. Rob and his family paid the ultimate horrible sacrifice when they lost their son David. But Rob pivoted to saying, "I don't want any other family to experience what my family has gone through," and that's been a driving force with what he has been doing for the last 21 years.

We're going to use this day to pivot to, let's make health and safety better; let's support each other; and, most importantly, let's work with the leaders in industry, the CEOs etc., to take on the commitment and take this one day—if they can't take the week, if they can't take the month—and go up to their workforce and say, "Hey, it's a busy place out there. There are all sorts of opportunities for people to be unsafe. Let's keep focused on safety. Let's make sure that everybody goes home safely. I'm here to protect you. I'm here to make sure that you do 'safety first' rather than 'hurry up and get it done first.' That's the value that we take forward."

When those CEOs take that value forward, it goes out through the workplace, and the workers recognize that the training they've had is there to be used and they're to look out for each other, as well.

That's what this day is about. This day is about taking that chance to look at what's important, to remind each other what's important and to make sure we're all safe.

**Ms. Jane McKenna:** Rob, you made a very valid point, that it's about the next leaders, and it's so important. We all learn, in anything in life, from the people who have done such a phenomenal job—for the next leaders to be able to come in and pick up that torch. So I want to know if you want to elaborate on that, because—I mean this sincerely—I have four girls and one boy; I've said that a thousand times, but my son is in this industry, and I have pointed him to all the wonderful things you've done. You being the leader that you are has been inspirational for him—because they want to learn from the best, and they are learning from you. It's a very sad tragedy, what happened with your son, but can you tell me how this Bill 152 will help the youth, moving forward?

**The Chair (Mr. Deepak Anand):** One minute.

**Mr. Robert Ellis:** Thank you very much, Jane. Great things come from Burlington. Thank you very much for stepping up and making this day special for all of us.

I have to tell you that in the past 21 years, we have seen tremendous growth, and that growth has come from two directions: one from the actual students, and one from CEOs and presidents. That has impacted all of their levels of organization. But the greatest growth is actually coming with our future leaders. We are incredibly excited to be able to go to universities and colleges, where they are asking us to lead with safety first—not careers, but safety. So they're coupling safety with careers, and that is—

**The Chair (Mr. Deepak Anand):** Thank you so much, Mr. Ellis. I appreciate it. That finishes seven and a half minutes.

Now I'll be moving over to the official opposition. Just as a reminder—the time is seven and a half minutes, and I will be reminding at two minutes before. MPP Karpoche.

**Ms. Bhutla Karpoche:** I'd like to thank David, Rob, Craig and Wayne for your presentations.

Rob, I also want to express my condolences to you. I think you sharing your personal loss is a reminder to everybody that when we talk about workplace accidents and deaths, it's not just a statistic or a worker, but that everybody is a family member, a loved one, and that is why we need to take this issue very seriously.

Craig, in your presentation, you talked about this bill, Bill 152, being forward-thinking. In the same vein, I'm wondering if you can share with the committee specific measures that are forward-thinking, that go beyond raising awareness—actual, concrete actions that promote health and safety for workers, especially during challenging times like now, during the pandemic [*inaudible*].

**Mr. Craig Lesurf:** There are a lot of things that we do as an industry, and I think having designated days is good because it allows leadership to come out and talk to everybody at the same time. We all do safety initiatives in all our companies in varying degrees, but when you have a designated day, it allows you to actually highlight that day, do a concentrated effort across the board and put a bigger campaign to things.

When we have our job sites, we literally—I've got my schedule. I have a steering committee every Monday right now on safety week, and each day we're going out to different sites. We're going to have an agenda. Food is always good to get construction guys going—we'll do a breakfast or a lunch, and we'll bring them all out and do some quick speeches. We also bring in suppliers, and we'll bring in people to talk about PPE and new items, new safety things, and we'll actually educate everybody.

Safety is not proprietary, so we share. We, across the board, like to share. Something that in the last five years has gone gangbusters is that we're all sharing the information amongst each other. We're not competitors. We're all in the same boat at the same time for the same reason, which is that everybody goes home safe at the end of the day. So we're sharing information and educating our workforce. I would say to you that if you ever walked one of our jobs today, and then you walked it, say, five years ago or 10 years ago, you would see a significant difference, and the difference is that we're proactive, we're on it, we're educating and making everybody aware.

1330

**Ms. Bhutla Karpoche:** I'm wondering, what can the government do, very specifically, to promote health and safety at the workplace, beyond—raising awareness, yes, is one thing, but specific actions. What would you say that the government needs to do in order to promote health and safety?

**Mr. Craig Lesurf:** Well, first off, let's get the day started. Let's get Bill 152 passed.

Beyond that, I regularly speak with CPO Ron Kelusky, and his predecessor as well. We've had a lot of dialogue, and what we've always talked about is, "Help us as

employers help the workers. Make sure they know that they're held responsible and they have to look after each other." I think that has gone on and it's being heard; we're starting to see some traction. But again, I can give everybody all the tools they want and give them all the training they want; if they choose to ignore it on the job site—the actual individuals themselves have to take responsibility. I think the government, in reinforcing that message that it's not somebody else looking after their safety but they also need to look after their own safety—so a campaign.

**The Chair (Mr. Deepak Anand):** MPP Gates.

**Mr. Wayne Gates:** First of all, I'll offer my condolences to Mr. Ellis. Obviously, losing a loved one is never easy. Unfortunately, we continue to see that in the province of Ontario.

It doesn't matter who answers this question; I would think Robert might like to.

Vadim Buczel was an 18-year-old worker who died on a job site. He was doing electrical work and was not licensed to do so; he was unregistered. Unfortunately, he was electrocuted as he was working alone at a height, and he was killed.

What concerns do you have when it comes to proper enforcement of licensed trades in Ontario?

**Mr. Robert Ellis:** Well, thank you. I appreciate it very much.

I'm concerned, like all Ontario residents who allow their loved ones to go out and work for organizations that do not meet Ontario's compliance regulations. I'm very, very concerned about that. I want those kinds of organizations to meet every regulation required, but I'm also in the face of all these students and leaders across Ontario, saying, "If you find that an organization does not meet compliance, is not up to regulation, do not work for that organization. Move on."

There are tremendous companies that provide great safety, that provide great training and great orientation, and those are the organizations that I want students to find and to seek. That's why I asked leaders to come out with us—be visible, talk about your organization, talk about your safety culture, talk about your training, and make sure that students in Ontario understand that there is a difference between working for a great, great industry and a great organization and one that does not meet the regulations set out by Ontario.

We've got a ways to go. We need your help. We need you to be visible with us at all of our events. I encourage MPPs to come out with us, because we're in every one of your communities. We want government support from all directions.

**Mr. Wayne Gates:** I appreciate that, but I can tell you that just over the last couple of months—and I'm talking to you, because you obviously understand what it's like to lose a loved one, especially a son or a daughter. In the province of Ontario, just in the last couple of months, we saw six workers die on construction sites in a very short period of time. Also, we know that deaths in Ontario on construction sites—

**The Chair (Mr. Deepak Anand):** My apologies; MPP Gates. The time is finished. You can always ask in the next round.

Since we don't have the member from the independents, we will be moving over to the members of the government.

Again, you have seven and a half minutes. I will be giving you notification about two minutes before. MPP Harris.

**Mr. Mike Harris:** Thank you to everybody who's here today.

Mr. Ellis, I think you're going to hear this from all of us who get a chance to speak here today. I'm very sorry to hear about what happened to your son. I'm not trying to take away from that, but this is going to lead into my question.

When I was young and working a summer job with a fairly large company here in the province of Ontario, I had a workplace injury myself. I didn't really realize the situation I was getting into, working on some machinery that had had an oil spill. I was sort of sent in there to clean it up, with very minimal training, and ended up falling about five or six feet and hit my ribs across three water pumps on a turbine. I broke some ribs and spent a little bit of time in the hospital. It wasn't a whole lot of fun. At the time, I didn't really realize what I was doing. I was a young kid and just out there trying to do the best I could to get noticed and be a go-getter. I think that's what a lot of young people want to do to be able try to move up in an organization.

This leads me into my question—more for Mr. Lesurf, I think, than anybody. I know Gillam construction very well—and previous to that, Vanbots with Marcus's father, Keith. I know you guys have done a great job over the years of maintaining health and safety standards.

I was wondering, from your perspective, what something like this—and I know you touched on it a little bit with Ms. Karpoche's question. I was hoping you could go into some more detail about what this means for larger companies, where a lot of people think that safety gets forgotten, just because of the grand scheme of how large a lot of these companies are and the scale of the projects they're working on—just a little bit more about what this would mean to further that agenda of keeping health and safety first and foremost in people's minds.

**Mr. Craig Lesurf:** The biggest problem we have right now is complacency. Whether you're an employer or a worker, everybody becomes complacent—the new norm. We see it right now with COVID-19, with face mask protocols, where people are cheating. They'll have the mask on around their face, and next thing you know, it's below their nose, and next thing you know, it's on their chin—again, people become comfortable. The problem is, when you become comfortable, that's when things happen.

Large companies and small companies need to have a constant rehash of the same old same old. It always needs to be brought to the top, because people become comfortable. "I've done it that way for 20 years. I'm comfortable doing it. I've always done it that way." So it's important

for us to do that. In the larger companies, they have dedicated safety professionals; we've got a couple ourselves. We've got all the people we plug in. Those people go around and constantly reinforce working safe. So I think that's the key—the constant reinforcement and bringing it to top of mind.

**Bill 152:** The reason I like it is because it brings it to top of mind, not just in my workplace and everything else.

Jane, you said why you're doing this. Well, I know why I do what I do: It's because I care. I've got a son in this industry. I've got a daughter who's a nurse. I want somebody else looking after them. I want to make sure that whatever happened to Rob's son David never happens to anyone ever again.

And you're right: We did have six industry accidents in December. It was absolutely abysmal; it was terrible. A lot of those, when you trace back to the root cause—it always comes back to a lot of people not paying attention or not doing what they're supposed to do and, again, not making it a priority. If we did those things, a lot of those would have gone away. It's unfortunate, but it's something we've always got to be vigilant on.

**Mr. Mike Harris:** Rob, what's your take on that?

1340

**Mr. Robert Ellis:** I stand with Craig. I think Craig is a very passionate leader. He absolutely gets out to the work sites and tells everybody—not just from the CEO and board of directors level; he gets into people's faces. He absolutely challenges them to not just take safety as a token "This is part of our business." He actually is looking for ideas on how to improve. I think that's absolutely fantastic, and that's why OGCA has done such a great job. They're looking at items that underlie safety, and those are items such as communication.

We're finding that the best organizations with the best safety cultures also have the best communication. They're not just texting or emailing safety regulations; they're in the faces of people. That, surprisingly, is what we're finding our young skilled trades really want. They want face-to-face training, but they also want personal coaching. And there's an area where Bill 152 will play a very important role, where the Craig Lesurfs, the leaders of great organizations, will share—

**The Chair (Mr. Deepak Anand):** Two minutes.

**Mr. Robert Ellis:**—how their coaching and mentoring programs are impacting their safety cultures. That's what great leaders do. They'll share, and Ontario will prosper in the future.

**Mr. Mike Harris:** So just to round this out quickly, David, when members of the opposition, or anybody for that matter, is asking what the government can do to help bolster health and safety here in the province—do you think this is a really great first step and a continuation of a lot of the things that have already been done to help to do that?

**Mr. David Frame:** This is an excellent first step, yes. We really appreciate you and Jane putting this forward.

As Rob says, we're out talking to young people, we're out talking to our industry all the time. Government can

join us. You can come out—we'll invite you to our construction sites. We'll invite you to the colleges and universities. By you being there, you make a statement that this is important, and when people realize this is important, we'll continue to reduce the accidents.

**The Chair (Mr. Deepak Anand):** MPP Martin.

**Mrs. Robin Martin:** Thank you all for your evidence.

Mr. Ellis, I also want to say we are so sorry that we lost your son David. My son also did a little construction when he was young and had a workplace injury, because for some reason he didn't think he needed to wear pants with his workboots to protect his legs from the tile coming off the wall. Thankfully, nothing too serious—but it is every parent's nightmare.

I just want to say how much I appreciate all you're doing to have David's legacy continue and to help other families not face what you faced, and to make sure that people stay healthy in the workplace, which is what we all want to do. I just wanted to take the time to say thank you.

**The Chair (Mr. Deepak Anand):** That finishes the seven and half minutes allocated to the government.

Now I'll be moving over to the official opposition. MPP Gates.

**Mr. Wayne Gates:** I'm going to go back to Mr. Ellis and then my last question before I give it to Joel—anybody can answer.

We know that stats show that youth are four times more likely to be injured or killed on the job when they go to work. I'll go over this case here that you talked very clearly about—about making sure that when our young people go to jobs, they're supervised, they're getting the proper training, they're not left alone to perform work that they're not really registered or qualified to do. I do appreciate the fact that you said they can just refuse. I know a lot of young people who are 16, 17, 18, 19 and 20 years old. I have a daughter who's 23. The last thing they're going to do in a non-union shop, quite frankly, is refuse to work. That happens. You can agree to disagree with me, and I'm fine with that, but I know it happens.

In this particular case, he was an unregistered electrician. He was 18 years old. They put him on a ladder. He had no supervision, no mentor with him. He fell off the ladder, hit his head and died.

This goes on in workplaces in the province of Ontario, and it absolutely shouldn't. That's one of the reasons why for the last 40 years, sir, I've gone to the Day of Mourning celebrations in my community. We have 11 of them in Niagara. I go every year.

I'll tell a quick story and then I'll probably pass it on. When I was president of my local union—because I came out of a union shop—a young man, 40 years old, who followed all the safety rules, did everything right, questioned me as a committee person around safety, went on a day shift. He was put on a job he hadn't done for a year at General Motors. They had changed the switch so it would just continually flow. Nobody told him. He came in in the morning to change the tools, and the machine cycled and crushed him. He was the coach of a hockey team. His son played on that hockey team. Every year, I go back to the

Day of Mourning with his family. We put a monument in front of the Virgil arena. These are the types of things that happen. General Motors was fined \$350,000—and a lot of people think that goes to the family. As you know, it doesn't go to the family. Pam has grown up. She has remarried. The daughter has four kids. One young man, now 28 years old, is a mechanic.

I know it has happened to you, sir—that this affects not only yourself; it affects your partner, it affects your aunts, uncles, brothers and sisters. And then you don't get that one opportunity to watch your grandchildren grow up. That's why health and safety is so important.

That's why I have concerns with the bill; not any other reason. I think health and safety is one of the most important things that we can do in our working lives, quite frankly. My issue here is, the government will not support people who get hurt on the job—not necessarily killed, but hurt on the job. If I'm working in construction—and there are a lot of good workers in construction, and there are a lot of good companies, by the way; I agree 100% with you. But if I get hurt on the job and I'm making \$50,000 a year and I claim WSIB and they deem me that I could do a different job and they cut me so I'm living in poverty, I lose my family; I lose my community. My kids can't go to hockey school. That's the issue that I have with this.

So if you're going to say you care about workers—and I'm not saying they don't. What I'm saying is, if you care about workers, why don't we fix the deeming bill? If I'm working for one of your companies and I get hurt, I don't think any of you want me to live in poverty. I'd be shocked if you tell me that's how you want to see one of your workers end up. Presumptive language with our health care workers—we could do all this stuff, and we could all sit here and agree on bills that are passed for it. I really don't understand why we're not doing it.

I say to the presenters, I'm glad that you're coming here. I'm glad that you care about health and safety. I'm glad that you care about your workers. But if we care for workers, we have to fix the system. Nobody in the province of Ontario should get hurt on the job and live in poverty. That's how I feel.

I believe the mistake that was made in the province of Ontario was when they took out of grade 7 and grade 8 where you do shop, where you do welding; where you do some mechanical stuff—you may do autobody. I think we should bring it back into our school system as the need for skilled tradespeople—

**The Chair (Mr. Deepak Anand):** Two minutes.

**Mr. Wayne Gates:** —will go on.

I'll finish there. You don't have to answer the question. I'll turn it over to Joel, and he'll ask you a question.

Now you know why I'm so passionate about health and safety. I think we can fix the system. That's where I'm at when it comes to the bill.

I really appreciate your time, guys.

I'll turn it over to Joel.

**The Chair (Mr. Deepak Anand):** MPP Harden, we have about a minute and 45 seconds.

**Mr. Joel Harden:** My question is also to Mr. Ellis.

Again, like everyone, Mr. Ellis, I want to thank you for being here. You remind me a great deal of a gentleman back home.

If you've had occasion to visit Ottawa, you will know that Dow's Lake is a big feature of our city, particularly when we've got the canal open. There's a huge condo building at the foot of that called the Claridge Icon building. On February 4, 2016, Olivier Bruneau, a 24-year-old tradesman, lost his life when a 12-metre ice sheet fell off that building and killed him. Ever since, rather like Wayne was saying, Mr. Bruneau shows up at every Day of Mourning event. He's raising awareness. One of the things he always talks about is the importance of a union in the workplace—and it's not because he's paid to do so; he's just a dad. He knows that what you just said about the need to access training—unionized workers tend to have much more opportunity to get that training.

I have seen in this building, in the two and half years that I've been here, Merit Canada showing up time and again, wining and dining politicians, telling me, "You don't need unions; you just need us."

I'm wondering, sir, if you have any reflections on this. If Mr. Bruneau were here, he would agree with you that we need more training. It would seem a union partner in the workplace is a great way to get that training. What do you think?

1350

**Mr. Robert Ellis:** Well, I think the unions are doing a tremendous job of keeping health and safety as a core of their families. I absolutely am a strong believer that union leaders need to step up and be more visible to the Canadian public. If you and I went to speak to 1,000 young students at a high school tomorrow and asked them what the difference between a union and a non-union shop was, they could not—

**The Chair (Mr. Deepak Anand):** Thank you so much, Mr. Ellis. That finishes the allocated time of seven and a half minutes.

At this time, I would like to say thank you to the Ontario General Contractors Association, Our Youth at Work Association, and Mr. Wayne Brown. Thanks for your presentations.

BOARD OF CANADIAN  
REGISTERED SAFETY PROFESSIONALS  
LABOURERS' INTERNATIONAL  
UNION OF NORTH AMERICA

**The Chair (Mr. Deepak Anand):** Moving over to the next set of presenters: We have Mr. David Johnston, the governing board chair from the Board of Canadian Registered Safety Professionals, and we have Mr. John Mandarino, director of LiUNA Canadian Tri-Fund, Labourers' International Union of North America. Each presenter will have seven minutes for their presentation. The remaining time will be for questions from the members of the committee. This time, the questions will be broken down into two rounds of seven and a half minutes

for the government and two rounds of seven and a half minutes for the official opposition. We'll be starting with the official opposition as the first group asking the questions.

At this time, I would ask Mr. David Johnston to please say your name for the record, sir. You have seven minutes for your presentation.

**Mr. David Johnston:** My name is David Johnston. I am the chair of the Board of Canadian Registered Safety Professionals, also known as BCRSP.

Hello, members of the Standing Committee on Social Policy. It's a pleasure to attend today's meeting of the Standing Committee on Social Policy as you consider Bill 152, the Occupational Safety and Health Day Act, introduced by MPP Jane McKenna. I can state that BCRSP supports this bill.

The objective of Bill 152 is to formalize the date when Ontarians can recognize the importance of occupational health and safety. In fact, I would advocate that this should be done 365 days a year.

With that said, the preamble of the bill states that, through this bill: (1) "the province of Ontario recognizes the importance of supporting and nurturing a safety and health culture in every workplace"; and also (2) "will provide an opportunity to promote workplace safety and health through education of safety and health rights, responsibilities and prevention measures." As an organization, we believe that this is important. This is at the core of what we do at BCRSP.

BCRSP is a public interest not-for-profit association whose certificants are dedicated to the principles of health and safety as a profession in Canada. Like myself, certificants have chosen to make occupational health and safety a professional career.

By way of background, BCRSP was established 45 years ago—the same year the government appointed a royal commission to investigate health and safety in mines. Chaired by Dr. James Ham, it became known as the Ham Commission. The Ham Commission report included more than 100 recommendations concerning mine health and safety. The report also introduced the idea of an internal responsibility system that would require government, employers and workers to work together to improve health and safety. This was the starting point for joint health and safety committees and a turning point for workers, as they would now have the right to participate in health and safety.

At BCRSP, we maintain a certification standard for the occupational health and safety profession, certifying qualified safety practitioners as Canadian registered safety professionals, or the CRSP designation, and the Canadian registered safety technician, CRST. The CRSP certification is now a widely accepted form of recognition by industry and government in Canada. BCRSP has certified more than 6,000 individuals since its inception. Notably, in Ontario, there are currently 1,700 practising CRSPs.

In 2018, we introduced the CRST certification to support the evolving needs of industry. Of interest, the

BCRSP recognizes the competency of journeypersons as an acceptable prerequisite to writing the CRST exam.

BCRSP continually strives to advance the body of knowledge, the competency of the profession and the value that safety professionals bring to society.

BCRSP believes that a focus on education and training in support of the preventive measures as referred to in Bill 152 is the best approach to ensuring workers return home every day. On too many occasions, there are workplace incidents that lead to tragic outcomes, something that is unacceptable. A continued and renewed focus on occupational health and safety is important. Bill 152 will provide an opportunity for more awareness and a call for renewal on further preventive measures.

Workplace safety has become more evident during the COVID-19 pandemic. For the first time, many small and medium-sized businesses that were once not considered hazardous work sites have had to consider new precautions to limit the spread of COVID-19 and comply with new government regulations in order to remain open. Faced with the combined impacts of health hazards in the workplace, existing legislative and regulatory requirements, and the enormous costs associated with OHS incidents, more and more businesses in Ontario are relying on OHS consultants and practitioners to ensure that their workplaces are safe.

However, despite efforts, on January 29, a government news release stated that ministry inspectors found the most common reasons cited for non-compliance were failure to properly screen staff and patrons, improper social distancing and workplaces not having adequate COVID-19 workplace safety plans. Many workplaces across the province were not equipped or did not have the professional expertise to establish a safe work environment for their employees, nor could they differentiate between qualified OHS practitioners and others who are not qualified.

At BCRSP, we continue to seek to partner with the government to ensure that occupational health and safety professionals in Ontario have the proper training, education and experience for their jobs. Currently, BCRSP is looking to partner with the Ontario government to implement title protection for occupational health and safety professionals as there is no oversight on the profession in the province. At present, anyone in Ontario can call themselves an occupational health and safety professional, even with no background, no training and no experience in the field. There is no regulation—

**The Chair (Mr. Deepak Anand):** Two minutes.

**Mr. David Johnston:** —on who can present themselves as an OHS professional. With no oversight on the profession, it leaves the health and safety of workers and employers vulnerable to dangerous, reckless or negligent OHS practitioners, and work by unqualified OHS professionals carries reputational and financial liability risks for employers and the province.

Absence of government oversight or formal title protection, along with a multitude of low-quality certifications and designations, has created confusion in the marketplace and is driving poor OHS outcomes. In the

spirit of Bill 152, we can and should do better for workers in Ontario.

I'd like to mention that the proposal by BCRSP is supported by the Ontario Chamber of Commerce, in an effort to ensure that Ontario businesses benefit from access to recognized, trained and qualified occupational health and safety professionals.

I'd like to close by stating that preventive measures save lives, reduce burdens on business and government, and foster compliance with everyone involved.

Bill 152 will increase awareness and is a good step forward to ensuring that more Ontarians recognize the importance of occupational health and safety. I hope that members of the Legislature continue to support this bill and that we continue the dialogue on further measures to ensure the safety of hard-working persons in Ontario. To paraphrase Dr. Ham, safety is everyone's responsibility.

Thank you for your time and consideration.

**The Chair (Mr. Deepak Anand):** Thank you so much, Mr. Johnston.

Now it is time for Mr. Mandarino. Sir, you have seven minutes for your presentation. Please state your name for Hansard, and you may begin now.

**Mr. John Mandarino:** Good afternoon, Chair and committee members. I thank you for the opportunity to speak with you today. My name is John Mandarino. I'm the director of the LIUNA Canadian Tri-Fund.

It's my privilege to be with you, representing LIUNA international vice-president Joseph Mancinelli. LIUNA is the Labourers' International Union of North America. Headquartered in Washington, DC, we represent over 500,000 unionized workers, primarily in the construction industry, 140,000 of whom are in Canada and 90,000 of whom are here in Ontario.

The Canadian Tri-Fund is a tripartite office overseeing matters of health and safety, training and labour-management co-operation.

LIUNA is fiercely committed to the health and safety of our members from coast to coast to coast. LIUNA has always been a forward-thinking organization that works closely with employer groups across the province on safety initiatives that support the occupational health and safety system in Ontario.

**1400**

Bill 152, as proposed by Jane McKenna, parliamentary assistant to the Minister of Labour, would provide recognition of the importance of health and safety in all types of workplaces. It's integral that the province of Ontario recognizes the importance of supporting and nurturing a health and safety culture in every workplace. Designating a day to recognize the importance of occupational health and safety will help advance the industries' efforts to promote safe workplaces, and will elevate our collective initiatives to provide an understanding that health and safety training prevents injury and saves lives.

Workplace injuries occur regularly on job sites across the province. These injuries affect workers, the employers, the workers' families and their communities. The ripple effect of just one injury can cause great harm to a family

and a community. Therefore, any effort to promote greater awareness of occupational health and safety should be applauded and welcomed with open arms.

In the construction industry, we've experienced an average of 320 injuries and an average of 20 fatalities per year. It's imperative that the construction workforce be educated on the need and importance of health and safety training and that the existence and availability of health and safety training be reinforced by a day of recognition. An official day that draws attention and awareness to occupational health and safety and promoting heightened safety on job sites is a progressive step in the right direction and provides a much-needed boost to our health and safety promotion efforts.

There is industry proof that demonstrates a heightened awareness of health and safety training and the creation of a health and safety culture can impact safety numbers positively. In the industrial, commercial and institutional, or ICI, sector, a recent study of union and non-union work sites found that union work sites were 31% safer. This directly correlates to the aggressive health and safety promotion, culture and training approach employed by union training centres and skilled trade apprenticeship programs sponsored and delivered by joint labour-management training facilities.

Health and safety training is important because it has a common goal: to keep workers in workplaces safe. Implementing health and safety recognition and awareness contributes to workplace safety and supports the success of employees and workplaces alike.

LIUNA has been training and advocating for health and safety for decades, and our efforts have contributed to a reduction in workplace deaths and injuries. LIUNA's training network is a province-wide team of training facilities in 13 cities across Ontario. Our commitment to providing a positive health and safety environment extends to our membership and apprentices through our social media platforms, networking events, membership meetings, seminars and our support and participation in all major industry-driven safety initiatives. We train thousands a year in numerous health and safety courses, and we develop and promote wellness initiatives that take care of our members and their families.

In fact, Ministry of Labour inspectors work with our LIUNA training centres and the Canadian Tri-Fund on several safety initiatives and strategies. Tunnelling, for example, can be one of the most dangerous sectors of construction. LIUNA has been successfully providing tunnel rescue training, in co-operation with the WSIB and the Ministry of Labour, for over 25 years. As a result of our hard work and efforts, we've seen a decline in the number of work site injuries. We've led the discussion on health and safety training and standards in this sector, and our efforts have resulted in a successful education and awareness program.

LIUNA adheres to the importance of health and safety practices, and we advocate that health and safety should be introduced to everyone as early and often as possible. In fact, enhanced health and safety awareness can only

improve our health and safety efforts and reduce the risk of job site injuries and fatalities.

**The Chair (Mr. Deepak Anand):** Two minutes.

**Mr. John Mandarino:** Accordingly, LIUNA has introduced health and safety training to high schools through OYAP programs and career day outreach and we also provide health and safety awareness and training to students as early as grades 7 and 8 through career fairs and skills demonstration initiatives.

In addition, LIUNA prides itself on the hands-on experience that our instructors share when delivering health and safety training to construction workers across the province. LIUNA representatives participate in various committees that focus on the health and safety of workers in Ontario. Examples include the MLTSD prevention council; the construction legislative review committee, which focuses on health and safety regulatory change; and sector-specific safety committees in the tunnelling, residential construction, high-rise, formwork, demolition, hazardous remediation and concrete finishing sectors.

By recognizing a designated Occupational Safety and Health Day, we can broaden the awareness of an entire province of the importance of health and safety. We can make progress in recognizing the workplace health and safety errors of the past, becoming more aware of workplace hazards, promoting a culture of safety and acknowledging that we all must do better in ensuring safer workplaces and safer communities. LIUNA applauds Ms. McKenna for bringing recognition to such an important topic and fully supports proclaiming the first Tuesday in May of each year as Occupational Safety and Health Day.

**The Chair (Mr. Deepak Anand):** Thank you so much. We appreciate it.

That finishes the presentations for all three presenters.

We will be moving over to the opposition for the first round of questions. MPP Harden.

**Mr. Joel Harden:** Thank you to all of our presenters today. Mr. Johnston and Mr. Mandarino, thank you very much for being with us. This is an important subject, as everybody here agrees. We can have policy differences on what we would like to see in the scope of this legislation, but nobody disagrees that health and safety is important.

In the last round of presenters, we started getting into some important subjects I'd like to hear both of you elaborate on a bit more.

I was mentioning a tragic story back home of a 24-year-old man who lost his life when he was hit by a 12-metre sheet of ice that fell. What I took from that very awful incident was, clearly, the importance of training. It has been very clear to me that it has been made available in unionized shops. It's absolutely clear to me, when I've had an opportunity to talk to builders, talk to workers, talk to families who have been active in construction for decades, that they put a high value on training, and it would seem that a unionized environment certainly offers that, as opposed to a non-unionized environment.

Mr. Mandarino, I was wondering if you could elaborate on this, because I know you'd be familiar, a lot more than me, with the research in this area.

**Mr. John Mandarino:** As I think I stated, our training centres are obviously committed to training and ensuring that our workforce is certified in not just the requirements of health and safety as prescribed by the Ministry of Labour, but also above and beyond. We train in approximately 36 different health and safety areas. We train our apprentices in health and safety on the very first days of their training, so that they go out into the workforce prepared. We believe it; it is the first pillar of training in our organization, and we do it as a labour-management partnership, because we understand that safety is important to productivity. We understand what an employer's bottom line is, but our bottom line—as I think everybody will state—is getting workers home safely at the end of the day, ensuring that they are safe and that the people they work shoulder to shoulder with are also safe by virtue of their training. And so we try to provide the greatest amount of access to health and safety. We ensure that we have certifications in every area of health and safety that affects our members on construction.

We participated in a study, along with the OCS, the Ontario Construction Secretariat. I think the first iteration of the study showed 23%—and now we've become 31% safer. Union training centres have become 31% safer. It's the fact that we are providing access. It's the fact that we are providing a vast library of health and safety training. It's the fact that we are promoting, promoting, promoting. That's why this bill is so important. We need to indicate to young men and women at every stage that health and safety training is important and being conscious of health and safety on every work site is integral.

**Mr. Joel Harden:** Mr. Mandarino or Mr. Johnston, you can add to this—I know, Mr. Johnston, you bring to this conversation a lot, with your experience at Toronto Hydro and a lot of accolades won, so I want you to help me understand, and maybe help the committee understand and help my colleague MPP McKenna understand, from her standpoint of wanting to take some leadership on health and safety.

I'm particularly troubled by workplace health and safety for temporary foreign workers in many of our workplaces. There's one company that has come up a number of times in this sitting of Parliament: Fiera Foods in Toronto. Some 70% of the employees at this employer are temporary foreign workers, and we have a repeated pattern of health and safety abuses. We've been seeing, given the repeated nature with which this particular company has been brought up in this sitting of Parliament, that we have a problem at this workplace.

I'm wondering if either of you could comment on the particular vulnerability faced by temporary foreign workers. What can we do from a policy standpoint, if we're raising awareness about health and safety, to fix that?

**Mr. David Johnston:** It is definitely something that has been a problem for many years.

Just for the record, my previous employment was not always at Toronto Hydro; I did work in the food industry for a period of time, agri-industries, chemical industries, metal smelting, the automotive sector and so on. I've worked in both unionized and non-unionized locations.

**1410**

I just want to build a little bit on what John said. I've seen very safe non-unionized locations, and I've seen very unsafe unionized locations, but I will say that the one advantage that a union does provide is, it provides support and confidence for those workers in those locations. They're probably more likely to exercise their rights as they're written under the health and safety act.

As for foreign workers, it is such a large, complicated issue. In our profession, it's a problem, because incredibly well-qualified people immigrate to Canada and can't find work because they don't have Canadian experience. My wife went through that. It's ludicrous.

**The Chair (Mr. Deepak Anand):** Two minutes.

**Mr. David Johnston:** As far as protecting the health and safety of these vulnerable employees and workers, it really comes back to the employer and what culture they have, what values they have. You can have very safe workplaces with recent immigrants. There is not directly a cause and effect there.

I don't know what the solution is. I started working the same year the health and safety act came into force, 1979. We've been beating out new regulations. We've tried enforcement. We've tried other approaches. We're just not moving that needle as far as we need to. I think we need to be really open-minded to new approaches, one of which—accreditation was a start in the right direction. I think that's something that could be done, and if it's done correctly, it would address the issues of training and workplace culture. We really need to look at how we change that culture at all levels, and I think Jane McKenna's proposal will help stimulate that discussion.

You can't legislate culture; I know that. So we've got to find a way to make a positive safety culture happen within workplaces, reward those who do well and penalize those who don't. That's my view on it.

**Mr. Joel Harden:** Chair, how much time do I have left?

**The Chair (Mr. Deepak Anand):** You have about 15 seconds, so I think there won't be another question, but you'll get another opportunity to have a full seven and a half minutes.

**Mr. Joel Harden:** I'm going to give that to my colleague MPP Gates.

I thank, in particular, Mr. Mandarino and all the members of the labour movement who are out there looking out for temporary foreign workers. If you're watching this, you need a union, because you need a voice on the job.

**The Chair (Mr. Deepak Anand):** Over to the government side: MPP McKenna.

**Ms. Jane McKenna:** We know that workers, both those who are in unions and those who aren't, get injured or worse.

The point MPP Gates raised this afternoon, in a much different tone than he did this morning, actually makes the case for why we need Occupational Safety and Health Day in Ontario.

To the NDP member on this committee: The purpose of today's hearings is not to make a pitch for union membership, but instead to make sure that workers in every workplace have a safe work environment.

David, thank you so much for raising the issues of the occupational health and safety professional designation. You and I will certainly be talking about this. I appreciate the conversation and you coming out today.

This morning, the MPP from Niagara Falls expressed concerns about workplace injuries and deaths in the construction industry. I asked him this morning if there was something more he thought LIUNA could do to promote health and safety in construction.

Could you tell us a bit more about some of the new health and safety initiatives LIUNA has put in place? Thanks, John.

**The Chair (Mr. Deepak Anand):** Go ahead, Mr. Mandarino.

**Mr. John Mandarino:** Aside from ensuring that our instructors are constantly up to date in their certifications—it has been a challenge, of course, in 2020 to provide health and safety training remotely and via Zoom, as a lot of health and safety training requires a hands-on component, a competency demonstration. So we've had some challenges. However, I think we've successfully overcome the challenges using streaming and video and Zoom and other devices like that.

An improvement, I believe, has come through the fact that we have begun to own some of our own health and safety, in that we have brought professionals from the industry in. We have certified our own instructors through training the trainers, and we continue to assist large and small locals so that we raise the bar for health and safety training across the province. In fact, my office has the national jurisdiction. It's right across the country. It's providing greater access, greater facilities to provide that access, and of course provincial and federal governments have been super in helping us with that. It has been ensuring that our instructors are constantly in training as well, so they are at the top of their game, so to speak, in providing health and safety training. I think that's really the type of approach that has been successful.

**Ms. Jane McKenna:** I've had the opportunity numerous times to be able to go out to numerous places with LIUNA, and I want to say that your membership—they're all together as a family. We all have families, but your membership with your families is second to none that I've ever seen. I want to thank you so much because people, especially with COVID-19 for the last year, are always looking for an extended hand. Thank you for all your support and hard work and, obviously, keeping that dialogue open.

I agree with what you're saying, that the youth more than ever—we just had stakeholders who were in prior saying that we all have a job and a responsibility to educate

people so they know—that youth, if it's an unsafe situation, don't have to be in that situation, regardless if they're in a union or a non-union. It's very important to be able to keep that dialogue.

I put this together myself because I wanted to make sure—as I said, my son is in construction, with his welding company that he has. We're passing it off to the next generation of people who learn from the best—people like yourself, David, and obviously John and Joe as well, and your whole team together. Everybody is trying to help out—because it's not one hand that's educating. We're having a day that we're able to let people know about that—but like we've said numerous times, this is 365 days and it's all of us. I say to my kids all the time, when you work alone, you make progress; when you work together, you make history. If we're all pushing together on the same course, how much better is it going to be for people to go to work safe and come home safe?

One death is one too many. We've heard very tragic stories here today, and we want to make sure that stops.

David, I have a quick question for you, and then I'm going to pass it over to MPP Babikian.

As a national non-profit organization dedicated to the principles of health and safety as a profession in Canada, how could this bill and the proposed Occupational Safety and Health Day being proposed support making Ontario workplaces safer?

**Mr. David Johnston:** From our perspective, the profession of a health and safety person is not well known. I can recall, several years ago, we started doing our advocacy work at Queen's Park, and people in the Ministry of Labour had never heard of a safety professional.

In terms of Fiera, I followed the news, and they hired an HR manager to resolve their problems. That is not a health and safety professional.

I think with this day that you are proposing through Bill 152, it's going to raise that issue so people know that health and safety is a profession. We need to have people who can manage health and safety, and they need to have the right qualifications; not just anybody should be allowed to call themselves a safety professional.

**Ms. Jane McKenna:** I think one thing that we've done extremely well is that—with the previous government that was in, it was a very heavy hand with inspectors going in, and people feared it. There are bad actors who are definitely going to be taken down, but we want to go in and help the people who are trying to help their employees to do the best they possibly can. So there has been a big cultural shift with that.

I'm actually going to pass it over—how much time is left, Chair?

**The Chair (Mr. Deepak Anand):** You have a minute and 10 seconds.

MPP Babikian.

**Mr. Aris Babikian:** I will ask my first question to Mr. Johnston.

What are some of the bigger challenges faced by the health and safety profession in Ontario and Canada today?

How has the focus on workplace health and safety changed as a result of COVID-19 and the global pandemic?

1420

**Mr. David Johnston:** The biggest challenge that we currently face is the fact that there are, like I mentioned earlier, a lot of people out there presenting themselves as competent safety professionals without any qualifications whatsoever, nor is there any oversight body that has any regulatory power.

In one example, if you look up the name—I think it was Adam Brunt. He was a young man, 30 years old, who drowned during ice rescue training. The really sad part was the instructor had a fatality about—I think it was several years earlier, and in the same circumstances. The—

**The Chair (Mr. Deepak Anand):** Mr. Johnston, thank you so much. You'll have another chance.

MPP Babikian, there's another seven and a half minutes in the second round.

Moving over to the opposition: MPP Gates.

**Mr. Wayne Gates:** I'll send this off to LIUNA: Your organization is very well aware that deaths on construction sites remain high in Ontario. Just last year, we saw several deaths in the month of December, including labourers. I'm not sure if they were LIUNA members. There was a young man in London; I think he was under 21. I think he had a young family.

You noted that we need to strengthen health and safety to ensure that all workers return home safe and healthy at the end of each day. What are some measures you feel this government should have brought forward to achieve that goal?

**Mr. John Mandarino:** In regard to greater health and safety? Honestly, health and safety—

**Mr. Wayne Gates:** People dying on the job. As you know, there have been a number of labourers who have died on the job.

**Mr. John Mandarino:** Yes, as I noted, 20 on average every year—and even one is one too many.

Where to start with health and safety? In our organization, our training centres are labour-management. We're in constant discussion with our employer partners on how to improve; how to pivot in order to accommodate what we're going to see on job sites, because job sites are ever-changing places; how to provide the best health and safety training.

Really, it's about access. I think supporting training centres through allowing us to expand our facilities, improve the training that we give to our personnel—which is not to say that that's not happening, but we can always be better, as I think Mr. Johnston will agree. Improving our health and safety administration and delivery and the personnel we certify and how those people are certified is probably the most important part in the delivery of health and safety. Having good facilities and good people is the key, and then access.

Our organization has approximately 100,000 people in Ontario now. Getting to each and every one of those and providing them the right health and safety is paramount,

so anything that assists in that effort is the most important part of health and safety delivery.

**Mr. Wayne Gates:** I guess I'll have to go to LIUNA on this one: Is it fair to say your union is supportive of my deeming bill, Bill 191?

**Mrs. Robin Martin:** Chair, point of order.

**The Chair (Mr. Deepak Anand):** Give me one second, MPP Gates.

MPP Martin.

**Mrs. Robin Martin:** On a point of order, Chair: We're talking about Bill 152, and so questions about other bills are kind of irrelevant to this bill, which is what's before us. Under 25(b)—I think we should keep things on Bill 152, which is what we're here about.

**The Chair (Mr. Deepak Anand):** MPP Gates, let's stay on the bill.

**Mr. Wayne Gates:** I actually think it's a fair question. I'll tell you why, and I'm sure LIUNA would agree with me. What's happening in the construction industry, in particular with our labourers—we have an opioid crisis. What's going on with the opioid crisis is that some of our labourers have been deemed. They go from making, I'll say, \$50,000 a year—it may be more. They don't want to collect WSIB because they know they're going to get deemed and they're going to lose most of their salary. What I'm saying is, by supporting the deeming bill, we can help alleviate some of the opioid crisis that is in our workplaces—it's not just labourers, by the way; it's right across the construction sector, and I'm sure they know that.

I think it's a fair and reasonable question—to ask the union if they support Bill 191 in relationship to this bill, because this bill is supposed to be about what's in the best interest of workers and how we keep them safe on the job.

**The Chair (Mr. Deepak Anand):** Hold on for a second, MPP Gates. I do see MPP Harris.

Before you go, MPP Harris—MPP Gates, maybe you can reword your question, rather than asking straight about supporting a bill which is not being referenced here.

MPP Harris, go ahead.

**Mr. Mike Harris:** This is the third or fourth time this afternoon that there has been a very interesting line of questioning coming from the MPP from Niagara Falls. I think it has already been ruled out of order once. We're certainly not here to promote his private member's bill; we're here to discuss the bill that's before us. I'd appreciate if this could be taken seriously at this point.

**The Chair (Mr. Deepak Anand):** I have not ruled out—I reminded the member. I want to thank you for your input.

At the same time, I want to remind MPP Gates, you're more than welcome to word it in a way that it is in line with the bill. Go ahead.

**Mr. Wayne Gates:** Chair, I appreciate it, and I appreciate my colleagues trying to shut me down, but the reality is that in the construction—

**The Chair (Mr. Deepak Anand):** I'm fine with everything—you can say it. But please kindly retract that word—that they're shutting you down.

**Mr. Wayne Gates:** I retract that. I apologize.

**The Chair (Mr. Deepak Anand):** No problem.

**Mr. Wayne Gates:** I'm saying to the union that's here: They have a crisis—and he can correct me if I'm wrong—in the construction industry, including with labourers, union and non-union, with opioids. What happens is, they get hurt on the job and, rather than try to collect WSIB as an injured worker, they continue to go to work and they start taking opioids, and they get hooked on opioids. That's what's going on in the industry.

I think it's fair to ask a union if they support that bill so their members aren't in a crisis with opioids. That's where I was going with the question. I think it's fair, I think it's reasonable and, quite frankly, I think it's very, very important to his 100,000 members as well. I know we're all concerned about the opioid crisis in the construction industry.

*Interjection.*

**The Chair (Mr. Deepak Anand):** Stop the clock. MPP McKenna?

**Mr. Wayne Gates:** That's the best I can do on that.

**Ms. Jane McKenna:** This honourable member spoke to me in a very condescending and bully-like manner.

We are here to discuss this important bill, not to be doing what you're doing.

Can we please focus on this matter at hand, or does the NDP plan to vote against this bill for a second time?

**The Chair (Mr. Deepak Anand):** Again, I want to remind all the members that we are here having a conversation with the representatives, so it's not a debate. You're more than welcome to have a debate in the chamber.

At this time, I would appreciate—let's try it one more time, MPP Gates. The clock was stopped, right?

**Mr. Wayne Gates:** What do I have left?

**The Chair (Mr. Deepak Anand):** You have two minutes.

**Mr. Wayne Gates:** I would think that John would want to answer this question, but I'll leave that up to him and to his union.

One way that I think we could certainly help people and educate people is through the Day of Mourning. Obviously, that is a day that has been supported by union and non-union people who have lost loved ones who have been killed on the job, and also those who have gotten workplace sicknesses. The Day of Mourning is very clear: We certainly mourn those who have died, but we also fight for the living.

I'll ask either one of the panellists: What does the Day of Mourning mean to you or to your organization?

**The Chair (Mr. Deepak Anand):** We have about a minute. Go ahead.

**Mr. John Mandarino:** It's to pay respects to those men and women who lost their lives in workplaces all over Ontario, whether they were union or non-union, regardless.

As I've said, any death, any injury on a job site, should be preventable, and we don't like to see those numbers—not even one.

1430

What does it mean? It means to use that day to remember and to possibly become better or to learn from any mistakes we may have made, because that's the only way to get better. I think we're constantly working to get better.

**Mr. David Johnston:** For our organization, it is a reminder of why we do what we do, and to reinforce that motivation we have. This is something that we do not want to see happen; this is something we want to stop. This is what motivates us, this Day of Mourning. It's different than the proposed day under Bill 152, which is more about the need for health and safety in the workplace. The Day of Mourning strikes a different emotion.

**The Chair (Mr. Deepak Anand):** That finishes the time allocated to the official opposition.

Now we have seven and a half minutes for the government side. MPP Babikian.

**Mr. Aris Babikian:** I want to ask Mr. Johnston to continue or finish his thoughts in regard to my question, which was about the challenges you're facing during COVID-19.

**Mr. David Johnston:** I can tell you, when it did start, I was working full-time, and I stayed on an extra six months to help my employer put plans together so that workers did remain safe. The challenge, initially, was getting people to switch their paradigms on how important it is to take what's known as the "precautionary principle." and that is, you take action even though you may not have all the facts available to you.

The other part was introducing the concept of the hierarchy of controls, which is very, very well known to safety professionals; it's not so well known outside. The point of it is that you just don't rely on PPE; that is your very last line of defence. We had to get people to stop thinking—in the normal days, we would do everything we could to encourage people to come in, even if they weren't feeling well. We had to switch that totally and say, "If you're not feeling well, you stay home." We would rather have one person stay home for two days and find out that they don't have COVID-19 than have them coming into work and we have 10 or 20 people staying home for two weeks because of that mistake.

Those were the two challenges—one was instituting the precautionary principle, and the other one was teaching people about the hierarchy of controls. Those are probably two of the biggest challenges I found.

**Mr. Aris Babikian:** My next question is to Mr. Mandarino.

As an international union with 500,000 members across Canada and the United States, LIUNA has been involved with the North American Occupational Safety and Health Week for a number of years now.

How has education and training helped make workplaces safer for your members in Canada and south of the border? Let's focus on Canada, and especially when we have thousands of newcomer professionals coming to Ontario every year—even though they are very good at

what they do in their profession, but the working culture in their home countries is different from Canada.

**Mr. John Mandarino:** In relation to new Canadians, we know that there is a health and safety culture in countries where new Canadians are coming from. However, it's not just about the culture; it's about the actual training and the practices of how we operate on job sites and what is expected of our workers. The impact of training, of course, is that we're raising an awareness and education level. We're creating a culture, we're building upon a culture of health and safety. The idea is to have every single one of our members and apprentices acquire an understanding of the importance of health and safety and what it means to them and what their part of it is. Every worker is a piece of the puzzle of health and safety. Every employer and every union partnership is a piece of that puzzle.

Figuring out how we all are responsible for it is what the education is all about—how they interact with it, how they can keep themselves safe and those around them safe, and beyond that, how to be proactive when it comes to safety, not just reactive. That's where the awareness comes in. That's where, for example, I think, coming back to square one, this bill brings promotion of health and safety and recognition of health and safety, and it requires its own day and its dedicated time to do so.

**Mr. Aris Babikian:** Am I safe to say that this bill will give you an additional tool in your safety training and education programs?

**Mr. John Mandarino:** Absolutely. It's validation and it's proof of the importance of the safety, which we're telling all of our apprentices and all of our skilled workers as they come in for health and safety training. And even when they're in for skills training, we're really pushing health and safety. It really helps us move the change forward. It helps us move forward in that it gives us the validation that safety is important, by having a day committed to it, although it is a 365-days-a-year endeavour.

**Mr. Aris Babikian:** How much time do I have, Chair?

**The Chair (Mr. Deepak Anand):** You have about two minutes and 10 seconds.

**Mr. Aris Babikian:** Mr. Johnston, you mentioned earlier that this bill and the previous April 28 mourning date are quite different from each other. Can you elaborate more on how these two dates are different from each other—because I heard confusing messages from some members that when there is already one date, why do we have another one?

**Mr. David Johnston:** Day of Mourning, rather interestingly, did have its origins at Toronto Hydro many years ago. Day of Mourning is about people who have died, who have had tragic consequences, diseases, all sorts of things of that nature. It's our duty to remember those people, to not forget about them. If you've been a survivor of somebody who has been killed at work, the one thing you want to know is that that person didn't die in vain; that people learned from that and they're going to do something to stop it from happening again. That's what I hear from every survivor of any of these workplace tragedies.

The Occupational Safety and Health Day is different. It talks about, in my way of thinking, the need for employers to have solid management systems in place; the need to have training in place; the need to have qualified and competent people in place, both as supervisors and as operators. It reminds us of the importance of health and safety. It is very different than thinking about people who have died on the job. That is not a reminder of health and safety. That's a memory, of making sure that those things don't repeat themselves again, somewhat similar to Remembrance Day. What's Remembrance Day about? It's about the fact we don't want to see another war. So—

**The Chair (Mr. Deepak Anand):** Thank you, Mr. Johnston. I appreciate that.

That finishes seven and a half minutes from the government side.

At this time, it's 2:40, and our next presenters are going to be here at 3 p.m. We're going to take a break and reconvene at 3 p.m.

*The committee recessed from 1439 to 1500.*

WEST END  
HOME BUILDERS' ASSOCIATION  
ONTARIO HOME BUILDERS'  
ASSOCIATION  
BULLIVANT HEALTH AND SAFETY

**The Chair (Mr. Deepak Anand):** Welcome back. I do see we have the presenters who are here now for 3 p.m. We have Michael Collins-Williams from the West End Home Builders' Association; Mr. Bruce Bolduc, Ontario Home Builders' Association; Mr. Alex Piccini, manager at the Ontario Home Builders' Association; and Mr. AJ Bullivant from Bullivant Health and Safety. Welcome. We're going to start with the West End Home Builders' Association. Each presenter will have seven minutes for your presentation. Please state your name for Hansard.

At this time, I would appreciate and I would request Mr. Michael Collins-Williams. You may begin now, sir.

**Mr. Mike Collins-Williams:** Good afternoon, Chair, committee members and fellow presenters. My name is Mike Collins-Williams, and I'm the new CEO of the West End Home Builders' Association. The WEHBA has been the voice of the local construction industry for more than 70 years in the Hamilton-Halton region, with over 270 members representing all facets of new home construction, including home builders, tradespersons, professional renovators and suppliers. We are proudly affiliated with both the Ontario and the Canadian home builders' associations.

I am pleased to join you all today, and I appreciate the opportunity to speak to Bill 152, An Act to proclaim Occupational Safety and Health Day. This is an important piece of legislation and one that I am glad to see come from the WEHBA region, with the MPP for Burlington, Jane McKenna, championing this bill.

Occupational health and safety is a fundamental part of the work our sector does each and every day. Long before

the COVID-19 pandemic, health and safety was an essential part of our association's work. Through the WEHBA health and safety council, our volunteer members take a proactive approach to ensuring that all members of our association have the most up-to-date and accessible health and safety information available to them and that health and safety issues are raised when challenges occur. The WEHBA health and safety council is essential to ensuring that a culture of occupational health and safety is reinforced in our sector.

As the CEO of the West End Home Builders' Association, I'm proud of the work and the leadership that our association has provided to our members. This is why Bill 152 is so very important—because it underscores the importance of occupational health and safety every single day, not just on the first Tuesday in May or during a pandemic. By reinforcing a culture of health and safety, Bill 152 provides an important opportunity for employers and employees to take a moment to stop and reflect on how to improve health, safety and sanitation practices on job sites. By providing this reminder, Bill 152 opens up a stronger dialogue amongst employees and employers on ways that health and safety can be improved, and it ensures that it is a focal point for everyone on job sites.

The legislation specifically speaks to different aspects of occupational health and safety, including education of safety and health rights, health and safety responsibilities and prevention measures.

Education on-site has been a key focus for the WEHBA, ensuring that all employers and workers have the information and resources they need to stay safe. Early on in the COVID-19 pandemic, it was critical that all new health and safety information got communicated in an accessible manner. Since the start of COVID-19, WEHBA has been working with the Ministry of Labour, our partners and provincial associations to deliver transparent, clear and predictable criteria for our members so that they keep jobs safe.

In his various press conferences, the Premier has also been very clear that the construction industry must step up and improve health and safety conditions on job sites or be shut down. Our association heeded the Premier's call, and that is why early on in the pandemic, in March 2020, we worked with our provincial association to announce a workplace information guide to help our members implement best practices on job sites as we awaited ministerial direction on this.

Once the Ministry of Labour released a guide for enhanced health and safety on construction sites during COVID-19, WEHBA moved quickly to get this information to our members and reminded all that the Ministry of Labour is actively inspecting sites, issuing orders and shutting sites down for not meeting the enhanced health and safety standards. WEHBA also shared resources such as a template for signage for members to use on job sites, as well as digital employer job site personnel tracking templates.

As we moved through the summer, WEHBA members made continued improvements to job site health and safety

and sanitation while also preparing for the unique construction challenges that winter presents. Through the winter, our members continued to prioritize education on occupational health and safety and reinforced that Ontario workers continue to have the right to refuse unsafe work sites and should report these conditions to the appropriate authorities.

Throughout COVID-19, WEHBA has consistently reinforced the responsibilities of employers in ensuring that job sites are safe, healthy and sanitary, so that everyone goes home safe at the end of the day. Sharing and promoting new ministerial guidelines and resources to members and making available health and safety webinars for members to ask questions and get answers are just some of the ways our association has put health, safety and sanitation measures front and centre.

Finally, on the prevention side, WEHBA has also been working closely with our employer members—

**The Chair (Mr. Deepak Anand):** Two minutes.

**Mr. Mike Collins-Williams:** —to ensure that the screening processes and COVID-19 job site safety plans are in place.

In summary, Bill 152 provides another essential opportunity to promote workplace safety and health through education of safety and health rights, responsibilities and prevention measures.

Thank you for this opportunity to speak to the legislation. I'd be happy to answer any questions you may have.

**The Chair (Mr. Deepak Anand):** Thank you, Mr. Collins-Williams.

Next is the Ontario Home Builders' Association. Please state your name and go ahead, sir.

**Mr. Bruce Bolduc:** Thank you, and good afternoon, Chair, committee members and fellow presenters. My name is Bruce Bolduc, and I am an Ontario Home Builders' Association member for over 25 years now. I am the previous chair of the OHBA health and safety committee and the former president of the Simcoe County Home Builders' Association. I'm also the president of Construction Workplace Safety Training here in Barrie, where we've been a safety training provider for a little over 20 years.

I am pleased to speak to you today on Bill 152, An Act to proclaim Occupational Safety and Health Day. This is an important piece of legislation that speaks to directly ensuring everyone goes home safe at the end of the day. As someone who has worked in the occupational health and safety sector for a very long time as well as being from a construction sector prior to that, I have seen how COVID-19 has been a disrupting force in all kinds of sectors in Ontario. Many sectors have had to make significant changes in how they manage occupational health and safety on a regular basis. Overall, the shift has been positive. Bill 152 helps to drive home that point that safety never takes a holiday.

In the construction sector, health and safety and sanitation continue to be of paramount importance, and through my work with OHBA we've been able to provide greater awareness and resources to ensure that job site health,

safety and sanitation is prioritized. In late November, I assisted the OHBA to put together a tool box talk, essentially a webinar, for members or site supers to get the latest information and resources on how to navigate COVID-19 health and safety through winter. This was a first for many members who had made many changes to their job sites and their safety protocols through the summer but were now trying to figure out how to take measures going into the winter and the cold and snow. This posed some unique challenges.

**1510**

At OHBA, we've continuously strived to assist our members to ensure a safe work environment. We work closely with the governing agencies, including the Ministry of Labour and others, to get the latest information and get that out to our members, whether it's normal operations of our industry or through the global pandemic.

OHBA, in conjunction with others present, knows the importance of bringing a safe work culture to all workplaces in Ontario. Having this day of recognition during NAOSH further emphasizes the connection that we all have in making safety an integral part of all of our workplaces.

I wish to conclude by noting that Bill 152 is not just about the awareness of health and safety on the job site, but it promotes health and safety and the safety culture that must be considered every time we walk on to a job site. This is the key part that is worth remembering: When health and safety becomes a culture, it becomes the everyday conversation on job sites and at the workplace, and is at the centre of the decision-making process. Bill 152 helps us commit to get to health and safety as a culture, because we all want safe work sites. We must work together to keep each other safe.

Thank you for your time. I look forward to answering any questions that you may have.

**The Chair (Mr. Deepak Anand):** We appreciate it. Thank you so much. You still have three minutes.

Anyone else? Okay, go ahead.

**Mr. Alex Piccini:** Thank you. Good afternoon, Chair, committee members and staff. It's a pleasure to be with you all this afternoon. My name is Alex Piccini. I am the manager of government relations for the Ontario Home Builders' Association.

The Ontario Home Builders' Association is the voice of the residential building, land development and professional renovation industry in Ontario. We represent over 4,000 member companies, mostly small companies and family-run companies, organized into 27 local associations across the province. From Windsor to Ottawa and from Niagara to Thunder Bay—and the GTA—OHBA members make home-believer dreams a reality for thousands of families each and every year. The residential construction industry employs more than 500,000 people across the province, as well.

Today I'm pleased to speak to you about Bill 152, An Act to proclaim Occupational Safety and Health Day. This is an important piece of legislation that helps establish a culture of health and safety in workplaces across our province.

For the residential construction sector specifically, health and safety has been the key priority throughout the COVID-19 pandemic. Ensuring that our employees, contractors, suppliers, subtrades and clients are all safe and healthy has been the central focus for OHBA members, and one that members are continually building upon.

Very early on in the pandemic, OHBA members worked to put together proactive, best health and safety practices for members to follow. I'll briefly cover off some of the measures that OHBA has taken since the beginning of this pandemic to help members adjust to the changing workplace environment that has been created by COVID-19.

Very early on, around March 20, OHBA, along with our industry partners, developed and distributed a best practices guidance document, as the pandemic was really starting to get into its first gear, to help members make immediate improvements to health, safety and sanitation on job sites. Shortly thereafter, on March 29, 2020, the Ministry of Labour released a guide for enhanced health and safety on construction sites during COVID-19.

OHBA has also developed some template signage for members to use on job sites, as well as employer and employee information sheets to help with tracking all individuals coming on to sites. OHBA members are committed to health and safety on job sites. While this is not a business-as-usual [*inaudible*], our members want safe job sites for employees, employers and everyone in between.

Later, in June, OHBA released a renovator guide to assist our professional renovator members who work in occupied spaces, which itself presents some unique challenges, especially working with clients, to ensure that there is both a comfort level as well as health and safety at the forefront.

In November, OHBA released a digital job site screening form to help members track all personnel coming on-site. Later, on November 23, OHBA, again, held that tool box talk that Bruce alluded to earlier, where we helped members prepare for the unique challenges that winter, combined with COVID-19, would have for—

**The Chair (Mr. Deepak Anand):** Thank you, Mr. Piccini. That finishes the allocated time.

Mr. AJ Bullivant, please confirm your name for Hansard, sir, and you have seven minutes.

**Mr. AJ Bullivant:** Thank you very much. I'll be brief. My name is AJ, as was mentioned. I'm from Bullivant Health and Safety. We're a training and consulting firm with a few decades of experience delivering safety messages and health messages, typically to industry in the Hamilton area, but we also get into the construction and health care sectors.

My support behind this bill comes from—since I've known of NAOSH Week, I have always felt that there's some disconnect between our Ontario ministry and NAOSH Week as an event. That's just my personal feel on it. I've also seen very little—and I don't know financially, but it seems very little invested in the Day of Mourning.

So I feel that this bill would be something different, something new, and it excites me that it is something that is backed by our Ontario government as opposed to federally. I think most of my clients—my primary resource for safety information in this province is our ministry, and to get a day of recognition promoted by Ontario is crucial, and I think it's overdue.

That's who I am, and that's why I'm here. Thank you very much. I appreciate very much the opportunity to speak to everybody, and I'm happy to answer any questions you have.

**The Chair (Mr. Deepak Anand):** Thank you so much, Mr. Bullivant.

At this time, we will be going to the two rounds of questions, starting with the government side, for seven and a half minutes. I will be reminding around two minutes that you have two minutes left. MPP Triantafilopoulos.

**Ms. Effie J. Triantafilopoulos:** Thank you to all three of our presenters. The information you provided in terms of what each of your groups do is very, very important to the discussion we're having today on this piece of legislation. We all know that the residential construction industry is an important economic driver in our province, employing thousands and thousands of people.

I'd like to address my first question to both of the builder associations, and it's specifically tied to the skilled trades.

Across Ontario, the skilled trades and building trades represent an increasing number of small business owners, plumbers, carpenters, electricians and other skilled trades that build new homes right across the GTA and across the province.

How do you think the passing of this bill would directly impact your members? I'd like to start with Michael and then, from there, I'll call on Bruce or Alex to respond.

**Mr. Mike Collins-Williams:** Thank you very much for the question.

First of all, I'd like to thank your government for taking some critical steps when you first took office to address some of the shortages we're experiencing in skilled trades. One of the first steps your government took was to modernize the apprenticeship ratios to allow for one apprentice to journey person. Most other provinces were ahead of Ontario. Ontario was a laggard in this.

We've got a lot of challenges in our industry with escalating housing prices. Part of that's to do with housing supply. Part of that's to do with lumber supply, which certainly has been in the news the last few days. But a big issue is the lack of skilled trades. We're not going to be able to turn this around overnight. It takes time to bring new people into the industry. I appreciate some of the efforts your government is taking to educate high school students and promote skilled trades and promote safety in the skilled trades at the high school level to get kids interested in our industry and interested in careers in construction.

For better or for worse, traditionally, a lot of schools have tried to push kids towards different professions, sending everybody to university, which is great for certain

segments of kids out there, but there can be very rewarding careers in the skilled trades. I was actually lecturing a university course, and I think I said the wrong thing to all of the students at university—that, had they gone for an apprenticeship in the skilled trades, they'd be making six figures by their late 20s.

**1520**

Your government is helping our industry with that. As I said, it will take a while. We are still experiencing skilled trade shortages, so that is a major piece. In our industry, we certainly share in that burden, in terms of promoting it. Our association is trying to get out there to high schools. I know the Ontario Home Builders' Association and some of the other local associations are trying to get out there in high schools and get kids interested at a younger age. Skilled trades and apprenticeship ratios are a huge issue.

Also, the people coming into Canada—we need to be looking at the skills that we're bringing in, because it's not just housing; it's also the hospitals that need to get built, the transit that needs to get built, the roads that need to get built. We are a growing province, and we need more workers, be it young kids coming up through high schools, be it immigration—or we need more women in the skilled trades. For better or for worse, it is somewhat of a male-dominated industry. That is starting to change. There are great voices out there promoting skilled trades for young women, to get them into the workforce. It's something that perhaps our industry had a bit of a blind eye to in previous decades, but we need all the help we can get, and there are a lot of great careers out there.

I think Bill 152 offers the opportunity, not just on job sites but perhaps for apprentices, for people coming up through the education components of what they're doing, learning the skills—they need to learn that safety is the top priority on any job site. Anything that we can do, that government can do, that our partners can do to raise greater awareness around occupational health and safety—in any industry, but speaking from the construction sector, it's absolutely critical.

**Ms. Effie J. Triantafilopoulos:** May I call on Bruce or Alex to speak to this question as well, please?

**Mr. Alex Piccini:** I can take this one, MPP Triantafilopoulos. Thank you very much for the question.

Very much to what Mike said, one of the big things that the government has been working on so far—major strides have been taken to end the stigma. I know one of Minister McNaughton's first key initiatives was to bring out that campaign and to drive home that skilled trade jobs and apprenticeships are meaningful, rewarding careers and that they are opportunities for a lot of different young people getting into them, or even people who are looking at second careers or a career change. Certainly, there are lots of great opportunities there to develop a rewarding, high-paying career where you have that entrepreneurial aspect, too, that often you can't find in a lot of other sectors. Certainly, the stigma aspect of things was really critical, and it's something that OHBA has been working to promote—to end the stigma, to raise awareness of the opportunities that are out there.

How that translates to Bill 152, the legislation that is before the committee today: Certainly, health and safety has to be the foundation of any career in the skilled trades or an apprenticeship. Going home safe every day needs to be the central focus, and understanding the rights and responsibilities therein is also imperative. The legislation provides a fantastic foundation for those careers, to build a career that is focused primarily on having a safe workplace environment that is a healthy place to go every day. Often, a lot of different tradespersons in apprenticeships—you can be on multiple different [inaudible], sometimes in a single day, so further raising that awareness of safety is not something that stays at the job site; it's a culture. Bill 152 really does speak to that, in ensuring that it is something that permeates not just the physical space of the job site but also everybody on-site, everybody there working in a safe manner.

Making it part of the dialogue on job sites is what's really key with Bill 152. Having people getting into the skilled trades—particularly women, because women represent, I think, as Minister Dunlop mentioned, less than 5% of all skilled tradespersons in the province of Ontario. Having that dialogue at the very beginning of health and safety is—

**The Chair (Mr. Deepak Anand):** Thank you so much, Mr. Piccini. That finishes the time allocated to the government side.

At this time, I will ask the official—wow, okay. So you've decided? MPP Harden, go ahead.

**Mr. Joel Harden:** Thank you to the presenters this afternoon.

We're having a conversation today about the importance of awareness around health and safety. I take to heart that everybody in this conversation believes in that objective; I think that's a good thing.

Something we haven't talked about is that we're having this conversation during a historic pandemic, which I think makes this discussion even more nuanced.

I would like to know, beginning, Mr. Collins-Williams, with you—a lot has been said in the province of Ontario recently, not only in the construction industry but across all industries, that the lack of paid sick day protection, particularly for non-unionized workers working temporary shifts and part-time shifts, has led to huge community transmission, and that has affected employers. You probably are familiar with the case of The Well in Toronto, where 68 workers tested positive.

I'm wondering if you can talk for a moment, from your perspective, given that we are raising awareness about health and safety today, about the value of paid sick days—and not just any kind of paid sick days, but sick days that a worker, regardless of wherever she or he works, can access immediately, that there's no debate in that worker's mind about whether or not that day is going to get covered.

I'm familiar with many workers in construction, and they tell me that benefits and those sorts of securities are a big part for them in having peace of mind. I know many

employers I've spoken to are happy to make those investments so their workers are safe.

I'm wondering if you could elaborate, Mr. Collins-Williams, on that particular aspect of raising awareness on health and safety.

**Mrs. Robin Martin:** On a point of order, Chair.

**The Chair (Mr. Deepak Anand):** Point of order. MPP Martin.

**Mrs. Robin Martin:** We're here to discuss Bill 152, which is about Occupational Safety and Health Day—and not bring in debates that we're having in the Legislature about other things. Paid sick days are provided through the federal program. This is a debate that's going back and forth, and the opposition is trying to misrepresent, I think, that—sorry, I withdraw—is not characterizing the federal program as paid sick days, which is confusing people. But we're here to discuss Bill 152, so this is not relevant per standing order 25(b).

**The Chair (Mr. Deepak Anand):** Thank you, MPP Martin.

At this time, I'll ask MPP Harden to stick to occupational health and safety. You're fine. You're more than welcome to ask an occupational health and safety question. The issue is just with the sick days.

**Mr. Joel Harden:** I understand, Chair. I would say, through you to my friend, that talking about sick days in this context is directly relevant to raising awareness. I understand MPP McKenna's bill, which is very important—Chair, speaking through you to the member and to MPP McKenna, we need to raise awareness about sick days. We are having this debate, let's remember, in a historic pandemic, when workers and employers are duty-bound by legislation to ensure safe workplaces, to ensure the right to refuse unsafe work. So my question—

**The Chair (Mr. Deepak Anand):** Again, MPP Harden, I understand. I want to—

*Interjection.*

**The Chair (Mr. Deepak Anand):** You can ask the question, but it has to be worded in a way that it actually is on Bill 152 and talking in terms of occupational health and safety.

**Mr. Joel Harden:** I'll make an attempt here; here comes my pitch.

Mr. Collins-Williams, I was attempting to ask you, do you think this private member's bill, Bill 152, in raising awareness, should put an emphasis on sick days and the need for a viable, effective sick days program to ensure workers' health and safety?

Did I get that right? Thank you, Chair.

**Mr. Mike Collins-Williams:** I'm good to answer?

**The Chair (Mr. Deepak Anand):** Yes, go ahead.

**Mr. Mike Collins-Williams:** Thank you. I appreciate the question. I'll try to answer this in a couple ways.

As has been repeated a few times by the Premier, by those in our industry, by those in opposition parties such as yourself who are raising awareness around occupational health and safety as it relates to being in the middle of a pandemic that we're all struggling with—I think it has

been repeated many times that if you're not feeling well or sick, you should stay home.

We understand that the federal program already provides some of these benefits.

I'd remind the committee that some of these employees are working through piecemeal agreements, so I'm not sure how applicable all of those policies would be. I would say that with the vast majority of our members being small businesses, these sort of policies require impactful discussion.

**1530**

However, at this time, our association has not taken a position on the question of paid sick day leave because it hasn't been presented as a consultation to our members by government. I would hope—

**Mr. Joel Harden:** Mr. Collins-Williams, thank you very much. Our time is circumscribed here, so I just want to make sure I understand you correctly. You're saying that for your particular members, small enterprises—small enterprises are the backbone of our economy in Ontario, and I thank you and your members for all the great work they do across this province, including in the great city of Ottawa, where I'm proud to live. You're saying—because this is important for me to understand as an opposition member in this discussion—at this point, you haven't figured out a position to take with respect to Bill 152, this bill in front of us, about whether it should, by way of raising education, point out the fact that we need a rigorous, immediate sick day program.

I would only suggest to you, sir, that in other countries, the burden is taken off your shoulders and it's a sector-wide arrangement, like in the UK, where your individual members don't have to worry about maintaining a program, either through some kind of a system where employees or employers pay into a collective pot—workers never have to worry about that split-second decision.

Just on the face of it, sir—I'm wondering if you think a useful amendment to this private member's bill would be a particular discussion about the need for a proactive and effective sick day regime that your members may be able to get behind.

**Mr. Mike Collins-Williams:** Again, we are supportive of Bill 152 as it is currently written, to raise awareness.

With respect to the second part of your question, as I said before, we understand that there's a federal program that provides some of these benefits, but should the government want to engage our membership in a discussion, we'd be happy to engage. But at this point, we can't comment on a consultation that is not occurring.

What is occurring today is a consultation on Bill 152, and I'm happy to be before this committee today in support of Bill 152, to raise awareness for occupational health and safety, including sanitation measures, to be preventive on work sites during the pandemic.

**Mr. Joel Harden:** Understood. Thank you for your answer. I understand it to be a forthright answer.

I'm going to ask the same question to the folks from the home builders' association. Mr. Bolduc, same question to

you, sir: As part of this private member's bill, do you think a useful amendment would be—particularly now, because we're living in an historic pandemic—for us to have an amendment that made sure we had a prioritized discussion on a sick day regime that was there for employers and workers when they need it? What do you think?

**Mr. Bruce Bolduc:** Well, I have to concur with Mike Collins-Williams in that the OHBA stands behind Bill 152, and we're here to discuss Bill 152 as it has been presented. Any discussion on paid sick leave would be—if it's brought forward to the OHBA, perhaps, as a separate entity, I think our members would love to have an opportunity to discuss it, to look at the ramifications of it. But again, coming back to—as Mike had just said, without reiterating all of his comments, I think we're in the same position.

**Mr. Joel Harden:** Well, I sure hope the vaccine rollout is successful and we don't have to worry about your industry and many other related industries suffering as a consequence of not having a good, rigorous paid sick day program.

I've talked to many workers and employers back home who are particularly worried about those folks Mr. Collins-Williams mentioned, who may be working on those short increments of contracts and who don't qualify for the federal program.

Right now, 60% of that fund has not been spent, and we have a potential third wave staring us right in the face. In our office—all of our offices—we care about health and safety. From the science, I understand this to be the priority conversation.

I hope we can persuade my friend MPP McKenna to prioritize this particular matter as part of her bill.

Thank you, everyone, for your presentations. Thank you for your time.

**The Chair (Mr. Deepak Anand):** MPP Harden, that finishes the time allocated to you.

At this time, I'm going to be moving over to the government side. MPP McKenna.

**Ms. Jane McKenna:** I want to thank all the presenters for participating in our discussion today.

Chair, if MPP Harden and the NDP want to do something helpful on paid sick days, we need them to stand with Premier Ford and all provincial and territorial leaders to ensure improvements to Canada's national paid sick day program. Again, if the NDP want to see a national program that protects all workers in Canada, like the national program that exists in the US, it's time for the NDP to stop playing politics and stand with us to improve the federal program for all Canadians.

As we know, we have gone from 10 paid sick days to 20.

My first question this morning is going to be to AJ. As a provider of health and safety training in the GTHA, in your experience, what are the most common health and safety challenges workers face in Ontario today, and what role does education and training play in minimizing these risks?

I just say that because we just had, obviously, stakeholders who were here prior to this, and a lot of them were saying that the younger generation, which is going to take the lead from the older generation that has been there to guide them, is looking for more of a hands-on kind of approach, as opposed to other things. So can you just let me know some of the answers to that?

**Mr. AJ Bullivant:** I will echo their sentiment that young workers and our young workforce, being the future, are what's going to move us beyond this pandemic and beyond future issues, I'm sure.

Again, without question, training, in my history, has been the best aid in prevention. If you expect anybody to live up to your expectation, you had better tell them what that expectation looks like, and we have hits and misses in this province where that's concerned. We have requirements to live up to a very high standard for our safety committee, for example. We have days required before you're certified for that role, and yet anybody can fire up a forklift and drive around, it seems, to a certain degree.

So there are frustrations when it comes to buy-in. Buy-in will never be driven from the worker up. The buy-in has to happen at the employer level, and we don't see enough of that. Again, if we come back to what training and skills development can do to support that—we need more resources at the employer level. We need employers to understand the value in this, as much as the workers under them. That's where I see a real struggle. Yes, our young workers are in deep, but without leadership, they don't have a chance.

I hope that answers your question.

**Ms. Jane McKenna:** It does, AJ, and I want to thank you very much because—I'll tell you a quick story. I have four girls and one boy, and my son decided he was going to not go to university; he wanted to go to college and become a marine mechanic. Anyway, he is a strong personality like his mother. He threw me in the car, we went up to Georgian College, and he signed himself up. And I was—the stigma; we've heard this from numerous people. Mike, who we've had many conversations with—thank you, Mike, for being here, as well. The stigma starts with the parents at home. I take full responsibility for that. I have one son, and I was very nervous that he was going to get into that aspect of it, as opposed to going to university. So I went up—it was the first time in my life that I didn't have to call him to get up in the morning when I was at work. He got up and away he went, and he excelled.

I have said numerous times today that education starts with all of us. Obviously, government and legislation is a huge component of that. That's why I have decided to put this bill forward. It was for personal reasons, selfishly, and also for the wonderful people I've met along the way—with Mike of the West End Home Builders' Association; with David Frame and a bunch of other people.

We've got people on this call today, and their child has died in this situation—because the youth who get into situations don't always necessarily know that, if they feel unsafe, they don't have to go into an environment.

I say this all the time: I have a responsibility as a mother and I have a responsibility as a parent and I have a responsibility as an MPP to educate the people who come to my office, who ask the questions—to give them the tools of where they need to go.

I know that we have lots more to do, but I also know that colleges and universities have been at the forefront, and we haven't had skilled trades at the forefront—

1540

**The Chair (Mr. Deepak Anand):** Two minutes.

**Ms. Jane McKenna:**—a very long time.

I'm very grateful that all of you have come here today, because it's educating all of us. There have been wonderful people like yourselves here today who carried that conversation moving forward—because it's all of us pulling together to make sure that everybody goes to work safe and comes home safe. We have a responsibility, as employers, to do that. I've said this, with MPP Martin from Eglinton–Lawrence: The reality is that we can't sit back and just say, "Let everybody else figure it out." We have a responsibility to do that.

This took a lot of work for us to put together, with the help of all you people. I am very grateful, because it's one more step for people to be able to understand that everybody needs to have the opportunity to be safe going to their workplace. I want to thank all of you on this call today for your contributions, what you've done. My door is always open.

One death is one too many, and we hope that we're able to stop anybody being in a position—because the majority of employers want to make sure that their people who come to work are safe. We want to be able to educate, especially youth coming in—to make sure that they're safe and understand that when they're going to work, if they feel they're unsafe, they have a voice to be able to say that, moving forward.

So thank you very much. I appreciate all of you who have come here. We all have the common goal to make sure that everybody has an opportunity in life to succeed in their goals, whatever path they decide to go on, but also to succeed in educating the people who come to work.

Thank you so much, AJ. I've never met you personally.

Mike and I have had numerous conversations.

Bruce, I haven't met you—and Alex, thank you for being here—

**The Chair (Mr. Deepak Anand):** Thank you, MPP McKenna. That finishes the time allocated.

I'm going to be moving over to the opposition side. You have seven and a half minutes. I see—

**Mr. Wayne Gates:** Thank you very much, Chair. I certainly do appreciate it.

I would like to thank the presenters.

I'm going to start off talking about something that you guys have all talked about—on the importance of skilled trades in the province of Ontario. There is no doubt that we need more apprentices. There's no doubt that we need more women in apprenticeships, and we have to make sure that our women are paid the same as their male

counterparts as they go through the apprenticeship program.

I've always said, for a number of years, that they should never have cut the shops out of grades 7 and 8. I think that was a mistake, and it certainly hurt our skilled trades going forward.

These are good-quality jobs. What we have to do, as employers and as politicians, is to make sure the jobs are safe. That's the number one issue. That's why—I'm out of a labour background, but there's a lot of non-union in the residential, as well. A lot of non-union also build homes, as well as unionized guys.

We celebrate the Day of Mourning because a lot of people died in residential accidents. There have been others who have died for other reasons in factories and all that kind of stuff.

Because I'm talking to you guys, I just want to be clear: I agree we need trades. I agree we need apprentices. I agree we need more women in apprenticeships. But what we have to do is make sure that their jobs are safe. I think that's our number one issue.

I've got a couple of questions.

I spoke earlier to Mr. Robert Ellis of Our Youth at Work in this committee. His son was killed on the job, on his second day. Youth are four times more likely to be injured on a job. Just in 2019, we saw the death of an 18-year-old worker on the job. He was uncertified to do electrical work.

What steps do you believe the government should take to address youth workplace safety? Whoever wants to answer it can. Don't fight over it, but one of you can.

**Mr. Mike Collins-Williams:** I'll start briefly, and then I'm going to suggest—since Bruce is more of the health and safety expert on the training side.

I appreciate your comments about the shop class. For better or for worse, as a kid going through school in the late 1980s and early 1990s, I did not get the access to shop in my high school that probably would have served me well for some life skills.

We were talking earlier about exposing high school students to different opportunities, not just in the construction industry but a whole variety of trades. I think by not only exposing kids to potential career paths in the trades—that's the opportunity, at an early age, to really instill a health-and-safety-first priority.

Your mention of the youth stats in terms of some of the deaths and injuries—that's terrible. One death is too many, and one injury is too many.

I'm hopeful that Bill 152 will raise some awareness, but there's lots of work to be done, and there's more that can be done. My hope is that by encouraging more careers in construction and by having more education earlier in the process about skilled trades and about health and safety, when people first appear on job sites they'll have more background than maybe they do today or maybe they did in years past.

Those are my general comments on that.

Again, Bruce's career is all focused on health and safety, so he may have a better, more detailed answer than I can provide.

**Mr. AJ Bullivant:** I don't want to take anything away from Bruce here, so I'll be quick.

As far as I'm concerned, what would help would be more provincialized standardization. We need to know what the bar looks like, and not enough people do. We haven't created the bar. Training and safety has changed a lot in one generation.

When you think about young workers—who's training them? These guys who are a generation ahead. We need to make it better. We need to make it, again, standardized, and enforce it. We need enforcement beyond just our summer blitzes and construction visits. We maybe need better enforcement tools. But like I say, standardization, to me, down the road, seems like the most sense.

I'll just give that up to Bruce now.

**Mr. Wayne Gates:** Can I come back to it? I want to get another question in.

**The Chair (Mr. Deepak Anand):** Yes. Go ahead, MPP Gates.

**Mr. Wayne Gates:** I'll ask all three of you, again—because you only get seven minutes, it goes quick, and I think this is maybe one of the most important questions that has been asked to you guys, for sure.

We know that a big issue in the trades is the billion-dollar underground economy. In these workplaces, there is little certification, and workers are typically not trained and are completing tasks that are typically the job of compulsory trades.

Could all three of you discuss how the underground economy has serious implications for workers' health and safety, and the work your organization is doing to combat the underground economy in homebuilding? It has been raised with me not only by you guys; it has been raised in my own local area that this is a huge, huge issue. And it should be a huge issue for the government, because all those taxes aren't coming to build our hospitals or schools and, right now, our long-term-care facilities. I'd appreciate some comments from you guys.

**Mr. Mike Collins-Williams:** I'll jump in, but I'll pass over the mike to some of the others who didn't get a chance to answer your previous question.

Even your figure undervalued how big the underground economy is in our sector. It's well over \$10 billion, probably approaching \$20 billion. You wouldn't think it from all the cranes you see on the skyline, but the residential renovation sector is actually larger than the homebuilding sector in terms of the two sides of residential construction.

Research that the Altus Group has done on behalf of the OHBA at the provincial level and the Canadian home builders at the national level has found that upwards of a third of all dollars being spent in the residential sector are being done for cash. On those job sites, you're probably not going to have any health and safety training. None of those workers are going to have WSIB. They might not have had their fall training or any Ministry of Labour—

**Mr. Wayne Gates:** Fall arrest.

**Mr. Mike Collins-Williams:** Yes, fall arrest.

And then beyond the health and safety aspects, there are massive liability issues for the consumer. If you've got somebody up on your roof that you're paying cash for and they fall off your roof, guess who's liable? The homeowner.

There is also the tax leakage at the provincial level, at the national level.

A lot of those renovations are not getting building permits, so they're probably not even being built to the Ontario building code.

So there are all kinds of problems there.

On the new homebuilding side, having homes that are not properly registered with Tarion is very problematic—

**The Chair (Mr. Deepak Anand):** Thank you, Mr. Collins-Williams. That concludes the time allocated to the opposition side. That, in fact, concludes our business today.

At this time, I'd like to thank each one of you for coming here and giving a presentation.

Please don't leave. We still have two things to talk about.

As a reminder, the deadline to send a written submission will be 7 p.m. Eastern Daylight Time today, March 22, 2021. Legislative research has been requested to provide committee members with a summary of oral presentations and written submissions as soon as possible following the written submission deadline.

The deadline for filing amendments to the bill will be noon on Tuesday, March 23, 2021.

Before we adjourn, I'd like to acknowledge and thank staff from legislative research, Hansard, members from broadcast and recording and, of course, our committee Clerk for your support so that we are able to accomplish so much in such a seamless way.

The committee is now adjourned until 9 a.m. on March 24, 2021, for clause-by-clause consideration of Bill 152.

Thanks for your co-operation.

*The committee adjourned at 1551.*

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