

Legislative
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**Official Report
of Debates
(Hansard)**

F-23

**Journal
des débats
(Hansard)**

F-23

**Standing Committee on
Finance and Economic Affairs**

Working for Workers Act, 2023

1st Session
43rd Parliament

Tuesday 18 April 2023

**Comité permanent
des finances
et des affaires économiques**

Loi de 2023 visant à oeuvrer
pour les travailleurs

1^{re} session
43^e législature

Mardi 18 avril 2023

Chair: Ernie Hardeman
Clerk: Vanessa Kattar

Président : Ernie Hardeman
Greffière : Vanessa Kattar

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LEGISLATIVE ASSEMBLY OF ONTARIO

**STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS**

Tuesday 18 April 2023

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES**

Mardi 18 avril 2023

The committee met at 0902 in room 151.

**WORKING FOR WORKERS ACT, 2023
LOI DE 2023 VISANT À OEUVRER
POUR LES TRAVAILLEURS**

Consideration of the following bill:

Bill 79, An Act to amend various statutes with respect to employment and labour and other matters / Projet de loi 79, Loi modifiant diverses lois en ce qui concerne l'emploi, le travail et d'autres questions.

The Chair (Mr. Ernie Hardeman): Good morning, everyone. I call this meeting of the Standing Committee on Finance and Economic Affairs to order. We're meeting today to begin public hearings on Bill 79, An Act to amend various statutes with respect to employment and labour and other matters.

**MINISTRY OF LABOUR, IMMIGRATION,
TRAINING AND SKILLS DEVELOPMENT**

The Chair (Mr. Ernie Hardeman): I will now call on the Honourable Minister McNaughton, Minister of Labour, Immigration, Training and Skills Development, as the first witness.

Minister, you will have up to 20 minutes for your presentation, followed by 40 minutes of questions from the members of the committee. With that, the floor is yours, Minister.

Hon. Monte McNaughton: Thank you very much, Chair. It's great to be with everyone here this morning.

I first want to just thank the committee for all of your work, not only on this bill but other bills that come before the committee, in particular the budget bills and the finance bills.

I also want to begin by thanking my parliamentary assistants, one of whom is with us today—my PA Dave Smith, as well as our parliamentary assistant, Deepak Anand, who have been really instrumental in leading the labour reforms that we've brought forward here in Ontario to ensure that we support workers and their families.

I'm pleased to be here today to give my sponsored deputation on Bill 79, the Working for Workers Act, 2023. Under the leadership of Premier Ford, our government is working to improve the lives of workers and to make Ontario the best place to live, work and raise a family. No one works harder to support workers than our Premier. I'm

glad to have this opportunity to talk about our third Working for Workers bill, how it can help workers find better jobs and bigger paycheques, and address the historic labour shortages that we're facing, and how we can protect vulnerable workers, support those who protect us, and bring new transparency around starting a job as well as what happens when there are layoffs.

With Bill 79, our third Working for Workers Act, we're building on the strong success of our previous Working for Workers bills that were passed in this Legislature in 2021 and 2022. We're proposing unprecedented action to attract, keep and equip people to thrive in today's world of work and power future economic growth. We are working with labour leaders and businesses to make that happen, and we are looking for your support to report this bill back to the House.

Our province is facing a historic labour shortage, and it's holding back our ambitious plan to build the homes, schools, hospitals, transit and other projects our families need. It's hindering economic growth. In January, there were more than 300,000 jobs going unfilled. That's 300,000 paycheques not being collected and nearly 300,000 lost opportunities for a worker and their family to get ahead.

Immigration is a critical tool to meet labour market needs, spur further job action and provide greater opportunities. Yet, Ontario's ability to select economic immigrants is proportionately smaller than any other province. When Ontario is able to nominate immigrants for permanent residence who best meet the needs of our communities, everyone wins. That's why the Premier and I have been working for months with our federal counterparts to land a better deal for Ontario when it comes to immigration.

Just a month ago, I joined Canada's Minister of Immigration, Sean Fraser, to announce that the federal government answered our calls to double our annual allocation for the Ontario Immigrant Nominee Program to 18,000 by 2025. And 10 days later, our government announced an additional \$25-million investment in the Ontario Immigrant Nominee Program. I want to specifically thank the Premier for his leadership in making this happen, as well as Minister Bethlenfalvy, the PAs at finance, as well as our government. This was really, really important. In fact, when we made this announcement—the Premier pointed this out—we were joined by our caucus colleagues from the Peel region, and it really was quite an emotional

time, because we were joined by a number of MPPs who came to Canada in the last 22 or 23 years, and they were joining us on stage as members of provincial Parliament, as parliamentary assistants in announcing an investment to welcome more newcomers to build this great province. I want to thank those members who joined us that day. We're funding out of this \$25 million an investment to speed up processing to ensure those coming to Ontario can start working in their professions quicker than ever before. This will help ensure that we have the skilled individuals and innovative entrepreneurs Ontario needs to grow and prosper.

We know that the world of work has changed. Technology and the Internet have uncoupled geography from employment. For many, the daily commute to work is now simply down a flight of stairs or across the room. In the fourth quarter of 2022, 1.4 million workers here in Ontario were working exclusively from home, and another 800,000 were working a mix of on-site and at home. While these remote workers don't have a desk in their office, their contributions to their employers and to our economy are just as valuable. It's time to give people who work remotely the same protections as those who work on-site in circumstances where a mass termination occurs. This would mean fully remote employees would receive more notice that they're losing their jobs or pay in lieu of notice, in some cases, eight times as much. That doesn't make much difference to a billion-dollar tech company's balance sheet, but a little more time to find the next step in their career will make a huge difference to a worker and their family. It's the right thing to do, and it's one of the many things we're doing for Ontario's workers.

And we're not stopping there. On a much happier note, we are requiring employers to provide basic employment information before new workers start their first shift. This written information will outline things like pay, work location and hours of work—things every worker should know before they start a new job. In addition, balancing the scales between new hires and their employers will help attract workers—because when we work for workers, everyone wins.

Additionally, our government is standing up for the brave men and women in uniform, our reserve force members. Thousands of people in Ontario are active reservists in the Canadian Armed Forces. These courageous women and men are an integral part of Canada's national defence and the security of Canada. They put their full-time careers on hold to join important military missions at home and abroad. They step up to provide support during search and rescue operations, natural disasters, ice storms, wildfires, conflicts and other major events.

We know it isn't easy for military reservists to pack up and leave on a mission, especially if they're just starting a new job. We also know it isn't always easy for them to immediately return to their job afterwards, especially if their mission is traumatic. That is why we are proposing a reduction in the length of time one needs to be employed before going on reservist leave—down from three months

to two months. And when there's trouble at home, we're proposing that there be no length of employment requirement if the leave is for assistance during a domestic emergency. We support our men and women in uniform—brave and courageous people who put their lives on the line in service of us and our country.

0910

Our proposed legislation also seeks to provide new rules to help our reservists recover from injuries after a deployment. This includes allowing reservists to take leave to recover from physical or mental health injuries related to their service to Canada.

These proposed changes build on job-protected leave already in place for reservists, including protections we introduced last year. We're giving those who selflessly serve us the peace of mind they deserve. With these changes, we are proud to make Ontario reservist leave among the most flexible and comprehensive in the country. I am proud to stand up for our men and women in uniform, and our government will do so every day.

A key emphasis in our proposed legislation is protecting vulnerable workers. As we know, Ontario relies on newcomers to help fill labour shortages across the province. Yet, despite prohibitions in the Employment Protection for Foreign Nationals Act, some employers continue to take foreign nationals' passports and work permits. This is illegal, and it's wrong. We will hold those who do this accountable. Ministry inspectors and authorities will be knocking at their door.

Our government is strengthening protections for foreign workers. We are proposing the highest maximum fines in Canada for employers and recruiters who are convicted of taking or retaining a foreign national's passport or work permit. My message to these immoral employers and recruiters is this: We will find you, fine you and put you behind bars. If our proposed amendments are passed, individuals convicted would be liable to either a fine of up to \$500,000, up to 12 months in prison, or both. Corporations would be liable to a fine of up to \$1 million. We have no tolerance for labour trafficking in Ontario. No matter a person's immigration status, they have rights.

Our government is committed to the health and safety of every worker in Ontario. Workers need to be safe on the job, and employers need to be held accountable when they violate health and safety laws.

That is why we are proposing amendments to the Occupational Health and Safety Act that, if passed, would increase the maximum fines for corporations convicted of an offence under the act from \$1.5 million to \$2 million. This would give Ontario the highest maximum corporate fine under workplace health and safety legislation in the country. The idea that injuries at the workplace are the cost of doing business is over. We will hold lawbreakers accountable. Bad actors will not get away with taking a lax approach to workplace safety.

Now I want to take a moment to talk about other measures we are taking that complement our Working for Workers legislation, and one is to help Ontario's fire-fighters. These brave men and women are there for us in

times of our greatest needs. They put their lives on the line to save others. We all know that and are forever thankful for their service. In return, we must be there for them.

What many might not know is that firefighters die of cancer at a rate four times higher than those in the general population—25 to 30 firefighters die every year in the province of Ontario. We owe it to them and their families to ensure they have easy access to compensation for work-related illnesses. That is why we are planning to introduce a regulatory change to make it easier for firefighters, fire investigators and their survivors to get access to Workplace Safety and Insurance Board compensation. These changes would expand presumptive occupational cancer coverage for firefighters and fire investigators to include primary site thyroid and pancreatic cancers. By presuming thyroid and pancreatic cancers are work-related, firefighters and fire investigators can get streamlined access to benefits and other supports they need and deserve. These measures will be retroactive to January 1, 1960, helping to ensure that those who have these cancers or have had them in the past can get the help they need and deserve. This will apply to all firefighters in Ontario—those who are full-time, part-time and volunteers, as well as firefighters employed by First Nations' band councils and fire investigators. We owe it to firefighters and their families. Once again, this is the right thing to do.

Another group of workers we're stepping up for is our construction workers. There are 600,000 men and women working in construction today, building Ontario. By 2027, it's forecast that we'll need more than 70,000 new construction workers. We need to get those boots on the ground as quickly as possible to deliver the infrastructure projects our businesses and families need. This includes building 1.5 million homes by 2031.

One of the biggest injustices I've seen on construction sites is the condition of washrooms. That is why in February, my ministry launched the first inspection blitz targeting dirty washrooms in Ontario's history. Since then, our health and safety inspectors have visited over 1,800 job sites and found over 244 violations. The common issues they found were no toilets being provided, facilities that lack privacy, and failures to meet basic cleanliness and hygiene standards. That is why we're taking action to double the number of washrooms on job sites and introduce the toughest standards in North America.

Our new rules would require toilets to be completely enclosed, adequately lit, and have hand sanitizer where running water is impossible. Furthermore, we're requiring larger construction sites to have at least one women's-only washroom.

In addition to improving washrooms, we're also making it clearer that personal protective equipment and clothing provided, worn or used by workers in construction are required to be a proper fit. It's not only the right thing to do, but it's necessary to keep our workers safe. Everyone should have protective clothing, boots and safety harnesses that fit properly. Women belong on our job sites, and they should see themselves reflected in the protective equipment and clothing that they wear.

We must ensure that the skilled trades are open to everyone. Our government is proud of the steps we have taken so far, and we've seen the results. In the past year, the percentage of new entrants to the skilled trades who are women is up by 27%.

As I said, these measures complement our Working for Workers Act, 2023, legislation and expand on the groundbreaking actions in the Working for Workers Acts, 2021 and 2022, that are already helping millions of people.

In our first bill, we made amendments to protect and support vulnerable workers by establishing mandatory licensing of recruiters and temporary help agencies.

For truckers and food delivery drivers, who keep our world moving and bring what we need to our doorsteps, we enshrined their right to use washrooms in the businesses and restaurants they serve.

Furthermore, we made it easier for internationally trained workers to register in the regulated professions they trained in when they come here to Ontario, making sure that they can realize the Canadian dream and build our economy for the next generation.

In our first bill, we also introduced first-in-Canada measures to require employers to have policies on the right to disconnect. We made sure that there is a clear line between work and family time. Every day, our men and women put in an honest shift, and they deserve to unplug when they're off the clock.

We also banned the use of non-compete agreements—the very first jurisdiction in Canada to do this. This ensures fairness for our workers by allowing them the opportunity to advance their careers and help smaller and growing businesses find the skilled workers they need.

We followed these workplace improvements with our Working for Workers Act, 2022. In this bill, we passed amendments to make Ontario the first province in Canada to have requirements regarding a minimum wage and other foundational rights for digital platform workers, workers who deserve rights regardless of their employment status. These rights, like the right to regular pay periods, the right to keep their tips and the right to resolve work-related disputes here in Ontario, will go a long way to levelling the playing field between these workers and the companies they work for.

Building on our work to help those from other countries start their careers here, we took steps to make it easier for those from other provinces to do the same. Now workers from other Canadian provinces or territories who apply to work in their regulated profession must receive a registration decision within 30 business days. In the race for talent, this change is an important part of how we're taking a customer service approach to those who want to come here to Ontario.

We also took action to reduce overdose deaths by requiring employers to provide a life-saving naloxone kit in workplaces where there's a risk of an overdose. This was also a first in North America.

We enhanced worker health and safety by increasing maximum fines for directors and officers of businesses who fail to provide a safe work environment.

And in our second bill, Ontario became the first province to protect workers' privacy by requiring employers to disclose electronic monitoring of their employees.

0920

By passing even stronger workplace protections and changes to make the workday better, outlined in Bill 79, we would create a better future for workers in our province.

I will conclude by calling on you to support the Working for Workers Act, 2023, and vote to report this bill back to the House. By doing so, we can protect and support our workers to thrive in today's world of work, find better jobs and earn bigger paycheques. We can address the historic labour shortage by helping workers gain skills for in-demand jobs, and together we can make Ontario the best place in the world to live, work and raise a family.

Thank you. I'll turn it over to the committee for questions.

The Chair (Mr. Ernie Hardeman): Thank you very much for the presentation, Minister.

This round will start with the official opposition. As a reminder, the questions will be divided into two rounds of seven and a half minutes for the government members, seven and a half minutes for the official opposition members, and two rounds of five for the independent members of the committee as a group.

With that, we'll start the rotation, starting with the official opposition. MPP Gates.

Mr. Wayne Gates: Good morning, Minister. How are you today?

Hon. Monte McNaughton: Good morning, sir. I'm doing well. How are you?

Mr. Wayne Gates: I just want to start with a little bit of history. As you know, because you've heard it enough from me, I've been involved with the labour movement for well over 40 years in a number of capacities, including being a committee person, a shop person. I was at bargaining with General Motors a number of times. I did 150 collective agreements.

I'd just like to know a little history about yourself and labour. Have you belonged to a union?

Hon. Monte McNaughton: I have not.

But I can tell you, over the last four years, our government has brought in historic labour laws—

Mr. Wayne Gates: Sir, I'm just going to ask yes-and-no questions. Can you just answer—I've got some short questions—

Hon. Monte McNaughton: —to improve the lives of workers and working with labour partners in the province—

The Chair (Mr. Ernie Hardeman): One at a time.

Mr. Wayne Gates: Have you ever belonged to a union? Yes or no?

Hon. Monte McNaughton: I've been working closely with all of our labour partners in the province. In fact, in the last election, we were endorsed by many unions in the province—

Mr. Wayne Gates: Chair, he's not going to utilize all my time. Can you just ask him to answer the question?

The Chair (Mr. Ernie Hardeman): We would ask the questioner to ask the questions and the answerer to answer the questions and each to give time to do that.

With that, back to MPP Gates.

Mr. Wayne Gates: So I'll take that as a no.

I'm going to bunch these together, so you can answer yes or no on these: Did you ever work in health care? Did you ever work in education? Did you ever work as a paramedic, an auto worker, or in skilled trades?

Hon. Monte McNaughton: It's really interesting; I've long said that the left has abandoned workers in this province. I think of your party, sir, and I don't think Tommy Douglas or Jack Layton would recognize your party today.

It's a PC government that's bringing forward historic changes to support workers in this province.

And I'm happy to speak to the legislation that's in front of you today.

Mr. Wayne Gates: I appreciate your opinion, but I'm going to tell you, I've given my entire life to working for workers and making it better for communities.

I'll tell you, it's disgraceful, the way we have to walk down the streets of Toronto and see people lying on grates to stay warm—the homeless citizens of this province.

I'm going to continue to fight for workers. And our party is certainly the party of workers.

I'll ask you a question. Maybe you can help me with this. If you're working for workers, how many times on one of these bills—one, two, three; you'll probably have bill 80 by the time we finish this. How many times did you meet with the Ontario Federation of Labour, which represents 1.2 million workers in the province of Ontario, on any one of these bills?

Hon. Monte McNaughton: I'm proud of our record.

When I became the Minister of Labour, in the first 100 days, I met with over 100 labour leaders in this province to open a new dialogue with labour. I'm proud of the partnership.

I think of the work we've done around the skilled trades to open opportunities to get people into good-paying jobs, many of these in unions, with defined pensions and benefits.

Our government is working to help people get better jobs and bigger paycheques.

We're focusing on those issues that matter to workers in this province, and I outlined them pretty clearly in my remarks today: expanding military reservist leave, cleaner washrooms for the 600,000 construction workers—

Mr. Wayne Gates: Again, he's not answering my question.

My question was directed to you, on how many times on this bill you met with the Ontario Federation of Labour. I'm not asking how many times you met with other unions. I'm asking about the organization that represents 1.2 million workers in the province of Ontario. On Working for Workers—how many times have you met with them?

Hon. Monte McNaughton: I've had many discussions—

Mr. Wayne Gates: On these three bills, how many times have you met the Ontario Federation of Labour?

Hon. Monte McNaughton: I run into Patty Coates on a regular basis.

Mr. Wayne Gates: That wasn't—running into—do you know what? I run into a lot of people at Shoppers Drug Mart. My question is clear to you, sir.

Hon. Monte McNaughton: We're working with all labour partners to make sure—

Mr. Wayne Gates: Chair, my question is clear to him.

Hon. Monte McNaughton: —we're bringing in rights for workers.

The Chair (Mr. Ernie Hardeman): I think in order to proceed here, we need to set the ground rules. The questioner will go through the Chair, and the response will go through the Chair.

I would also point out that we're here to discuss Bill 79, and if we could keep the discussion to the bill, I think it would be helpful for us all.

MPP Gates.

Mr. Wayne Gates: The reality is, we're talking about workers in the province of Ontario. The bill is called Working for Workers; I'm talking about workers. I think it's fair and I think it's reasonable to ask the minister how many times he's met with the Ontario Federation of Labour on Working for Workers 1, Working for Workers 2 or Working for Workers 3. We're talking about workers. We're talking about health and safety. That's what we're talking about. All I'm asking the minister very clearly is, have you ever met—not met them on the street or met them at Shoppers Drug Mart or wherever you're out and about. Have you ever sat down and met with them on any one of 1, 2 or 3? That's all I'm asking. I think it's fair. I think it's reasonable. I'm trying to get the minister to say “yes” or “no.” If he has met with them, I'm going to say “Great. Good for you. That's what we need to do,” but if he hasn't, he should be honest with us and say he hasn't met with them. That's what I'm asking him, and I'm asking him to answer it.

I don't want to hear about the rest of the bill. I know the bill. I read it. It's really low-hanging fruit. I understand what the bill is all about.

But I need to know, has he met with the Ontario Federation of Labour? If he's telling me that his most important thing is working for workers—well, the Ontario Federation of Labour, like myself, works for workers.

Just like Bill 60—when I asked why you didn't meet with health care workers on Bill 60.

So I'm going to ask him again, and I'm going to continue to cut him off until I get a yes or no answer, because I want to make sure I get the other questions.

There are lots of things we can do for workers.

I'm going to ask you again directly: Have you ever sat down and talked about Working for Workers 1, Working for Workers 2 or Working for Workers 3 with the Ontario Federation of Labour, which represents 1.2 million workers in the province of Ontario? Yes or no?

Hon. Monte McNaughton: I think my track record is clear. I work with labour and industry. My approach since day one is to ensure that labour, government and business work together.

I'm proud of our track record—working with labour groups of all backgrounds and in different professions.

I would object to what the member from the NDP said—that this is low-hanging fruit. Some of these changes have been demanded for a decade or more. I think of the firefighters and giving them presumptive coverage for—

Mr. Wayne Gates: It's not in the bill.

Hon. Monte McNaughton: —pancreatic and thyroid. That's not low-hanging fruit. That's important—

Mr. Wayne Gates: It's not in the bill.

Hon. Monte McNaughton: —and to make that retroactive to January 1, 1960, to ensure that the firefighters in Niagara Falls and the families who have lost loved ones get the compensation that they deserve.

I think of expanding military reservist leave to help the men and women in uniform who are serving our communities—whether it's a natural disaster or overseas in Afghanistan. I think of the one in every seven soldiers who came back from Afghanistan with mental health issues like PTSD. This is going to give them time to recover and heal. This isn't low-hanging fruit. This is important.

Mr. Wayne Gates: I appreciate that.

I've got another question for the minister—

Hon. Monte McNaughton: I think of—

Mr. Wayne Gates: I've got another question for the minister.

Hon. Monte McNaughton: —cleaner washrooms, Chair.

Mr. Wayne Gates: I've got another question for the minister—

Hon. Monte McNaughton: Sure. You asked about working with—

Mr. Wayne Gates: I've only got a minute left.

They brought in Bill 28 that attacked workers' collective bargaining rights.

You've been sitting on and voting for Bill 124. How many times have you voted against us bringing it forward and asking you, “Please, don't go through the courts. Do not hold nurses, our heroes, to a 1% wage increase”?

And on the firefighters—I can't find it anywhere in the bill. You did discuss it. There's nobody who fights harder for firefighters in my community than I do. You can go check with firefighters—

Hon. Monte McNaughton: I've heard.

Mr. Wayne Gates: Yes, I'm sure you've heard.

Hon. Monte McNaughton: I visit Niagara Falls firefighters—

The Chair (Mr. Ernie Hardeman): Order.

Mr. Wayne Gates: Yes, you have.

Show it to me in the bill. What page is it on in the bill, where you talk about firefighters in the bill? It's not in the bill. That's for one thing.

We've got Bill 28, we've got anti-scab legislation that you could bring forward—

The Chair (Mr. Ernie Hardeman): Thank you very much. That concludes the time.

0930

We'll go to the independents. MPP Bowman.

Ms. Stephanie Bowman: Thank you, Minister, for being here with us this morning.

I have a question about the OHS violation fees. You're increasing them in this bill, from \$1.5 million to \$2 million, which I welcome, but my question is about how this will work as a deterrent in terms of—it only works if it's enforced. Given some of the reports lately about 22 inspectors being fired, who have decades of experience—I know there are two sides to every story. I'm just wondering how confident you feel that you'll be able to conduct sufficient investigations into potential violations, given the state of the inspectorate in the ministry?

Hon. Monte McNaughton: It's a great question, and I really appreciate that.

The health and safety of every worker is, by far, my top priority. That's why we hired more than 100 new Ministry of Labour inspectors. We actually have more inspectors today in the province of Ontario than at any point.

One of the reasons why we've been continuing to increase fines in our previous Working for Workers legislation, plus this one, is that health and safety should never be a cost of doing business. We need to ensure that we have fines as a deterrent—it's one tool in the tool box—but those proactive investigations are also important, and those proactive inspections. We've hired more than 100 new health and safety inspectors, and I expect we'll be hiring more soon. Again, we have to continue to ensure that workplaces are safe for workers.

I always say, though, that the overwhelming majority of employers do the right thing. They do a good job. It's those bad actors that we have to really crack down on.

It's also one of the reasons why we're bringing in huge fines for those who withhold passports. I was pretty clear, I think, that the most inhumane thing one can do is to take somebody's passport or work permit documents. We're going to crack down on those people as well.

Ms. Stephanie Bowman: That actually leads to my next question, about withholding workers' passports.

Has this government consulted with the federal government regarding greater Criminal Code sanctions against those who withhold passports, which is in fact a form of human trafficking?

Hon. Monte McNaughton: Yes. Certainly, labour trafficking has no place in Ontario—or anywhere, for that matter.

I work closely with Minister Sean Fraser, my federal colleague on the immigration front, to ensure that we're strengthening protections for workers in the country. We've had a number of discussions around migrants—in particular, during the pandemic—and some of the issues and challenges we saw in agriculture.

I will say again that, building on previous pieces of legislation, not only are we launching the registry for temp help agencies and recruiters, but we also launched a dedicated Ministry of Labour team to really investigate those

temp help agencies and recruiters. We've done dozens of investigations, and now we're working with law enforcement partners to track down those employers and recruiters that are withholding passports and work permits. We'll continue to do that, to bring these people to justice.

Ms. Stephanie Bowman: I want to come back to your commitment toward improving working conditions. I have no reason to doubt that, and I believe that you're committed to that, but I do want to ask how you square your motivation for that with your government's capping of public sector wage increases and using the “notwithstanding” clause to limit education workers' rights to fair bargaining.

The Chair (Mr. Ernie Hardeman): One minute.

Hon. Monte McNaughton: I actually gave a speech last week just to talk about our Working for Workers initiatives. It's about going out there. I spent a lot of time with my parliamentary assistants and MPP colleagues to get out to workplaces, to talk to workers, to really identify problems and to bring solutions forward as quickly as possible.

I can say that everything that's in this legislation in front of the committee today is from being out on the road and meeting with workers, whether it's those who are working in businesses that are military reservists, firefighters—I think of those remote workers. I think that a substantial piece of the bill is to ensure that those who work remotely get the same protections as those who work in an office.

So we'll continue getting those ideas from workers across the province and bringing forward a sensible, common sense solution that hopefully we get to—

The Chair (Mr. Ernie Hardeman): Thank you very much. That concludes the time.

We'll now go to the government side. MPP Coe.

Mr. Lorne Coe: Chair, through you to Minister McNaughton: Minister, thank you very much for your excellent presentation. It covered, as I recall, all aspects of Bill 79 and the various statutes that are part of that and those parts that deal with employment, in particular, and labour.

My question is on military reservists. I don't think anyone disputes that the proposed changes are a good thing and will have a positive impact. But I'd like you to share with the committee, please, why the changes to reserve leave are being proposed now.

Hon. Monte McNaughton: Thank you to the MPP for Whitby for that question.

Our government stands with those men and women in uniform. Premier Ford has advocated on their behalf since coming to office back in June 2018. I think of the training programs we've done to help military veterans transition into civilian life when they're done serving our country overseas, for example, or the partnership we've done with the building trades unions that represent literally hundreds of thousands of workers in this province and our support to Helmets to Hardhats to help those veterans, when they return to Ontario or to Canada, pick up skilled trades, working with one of the unions in one of the skilled trades.

It's amazing. These are six-figure jobs with defined pensions and benefits.

I'm proud of the support from so many unions in the province for our changes.

When it comes to military reservist leave, we're building on all of the other changes that we've made in the past to support our military reservists. As I mentioned previously, of the 40,000 Canadian people who served in Afghanistan, one in seven came back with a mental health issue. So we are expanding the leave. When they come back, if they have a physical injury or a mental health injury, they can take time to heal, and their job will be protected. We're going to enshrine that in legislation. This is about basic respect for those men and women who are serving, whether it's in a community in Ontario because of a natural disaster, or overseas in Afghanistan, for example.

Mr. Lorne Coe: I think we're the first province in Canada to do what you're proposing, and I thank you for that.

Through you, Chair: I'd like to go to MPP Cuzzetto.

The Chair (Mr. Ernie Hardeman): MPP Cuzzetto.

Mr. Rudy Cuzzetto: Thank you, Minister, for everything you have been doing for labour.

As you're aware, I was a member of the CAW and Unifor for 31 years. My father was a boilermaker and a rigger, and he was part of a union. My mother was a custodian at the Peel school board, as a first-generation immigrant. So I've worked with unions over the years.

I want to thank you for everything you have done with unions.

Unfortunately, my father died when I was 18 due to asbestosis, from lung cancer, from the refinery.

I noticed what you have done with firefighters. Can you explain what cancers are covered right now with our Bill 79?

Hon. Monte McNaughton: Absolutely.

First off, I'm sorry to hear about the cancer.

It is, obviously, important and why we're expanding our research when it comes to occupational illnesses and starting to cover things that haven't been covered for years. I think about those families in northern Ontario that were miners; they were impacted by McIntyre Powder. It took almost 50 years for them to get the compensation they deserved. People shouldn't wait 50 years to get compensation through the WSIB. We've moved forward to give them the compensation.

I'm happy to hear about the boilermaker—I didn't realize that. I knew about the connection with Unifor and the CAW. We work closely with both of those unions.

The presumptive coverage that we're expanding is around pancreatic and thyroid cancer.

I do want to give a shout-out to Lori Roi, who was a spouse of a firefighter from Cambridge, MPP Brian Riddell's riding. Lori's husband, Larry, passed away in 2018. He was a firefighter for his entire life in Cambridge, and unfortunately, he passed away from pancreatic cancer—it was one of the two cancers; I think it was pancreatic. She really led the charge, on behalf of spouses and on behalf of those families who lost loved ones who

were firefighters to one of these cancers. Again, it was the right thing to do.

Science clearly shows that firefighters are at a higher risk of getting cancer than those in the general population—four times higher, with thyroid and pancreatic. That's how this came to be. It was about listening and engaging and ensuring that we identify the problem and bring forward our solutions as quickly as possible. We did that in a matter of months.

So I do want to give credit on the record to Lori Roi, to her late husband, Larry, and to all those firefighters and family members who have lost loved ones.

0940

Mr. Rudy Cuzzetto: Thank you.

How much more time do we have?

The Chair (Mr. Ernie Hardeman): Two minutes.

Mr. Rudy Cuzzetto: As you know, we've attracted \$17 billion in the automotive industry to build the cars of the future here in the province.

With our immigration program, you've been able to get 18,000 new immigrants here to the province of Ontario. Do you think that we should try to get even more than that, moving forward?

Hon. Monte McNaughton: Certainly. Ontario is well situated to select the skilled immigrants we need, the skilled newcomers. We know, based on sector of economy and based on community, where the labour shortages are. We've been working as a ministry over the last couple of years really hard on that. That's one of the reasons why we launched the Skills Development Fund literally months into the pandemic, and to date, we have now trained or upskilled or retrained 400,000 workers by funding almost 400 projects across the province.

We really do need to use immigration strategically. We've spent 18 to 24 months to negotiate with the federal government. I give Sean Fraser, the federal minister, credit. I give the Premier credit for working closely with the Prime Minister. This is historic—10 years ago, through the Ontario Immigrant Nominee Program, Ontario selected 1,000 newcomers; we're selecting, as a bare minimum, 18,000. I actually expect that number is going to be considerably higher when we get to year 2025. We are going to select health care workers, skilled trades workers, technology workers and truck drivers. That will basically be the criteria that we're going to select, the lens that we select through, for the 18,000. We would like to see immigration used more strategically to fill labour shortages.

The Chair (Mr. Ernie Hardeman): That concludes the time for that one.

We'll now go to the second round. MPP Gretzky.

Mrs. Lisa Gretzky: Because the member on the opposite side mentioned auto investments and once again took full credit for it, I just want to say that it is actually the workers on the shop floor; it's the bargaining committees and the unions that actually bargain in those investments. It was a gift to you. All you had to do was come to the table and say, "We will participate." So I want to give proper credit to the workers on the shop floor and

the bargaining committees and the unions who actually did the heavy lifting and who do that on a day in, day out basis.

I have a few questions for the minister. He repeats over and over again that he's working for workers, the government is working for workers. It's the name of the bill. So I want to ask the minister, for Bill 28, which trampled on the collective bargaining rights of education workers—the lowest-paid education workers in the province—why were you the first one to stand up and applaud when that bill passed, after you supported it?

Hon. Monte McNaughton: I'm here to talk about Bill 79. But I do want to mention—

Mrs. Lisa Gretzky: We are talking about Bill 79. You say it's working for workers. That's my question.

Hon. Monte McNaughton: I'm going to address the question that you asked.

Mrs. Lisa Gretzky: Well, do it precisely and quickly, please.

The Chair (Mr. Ernie Hardeman): Through the Chair—if we could have it through the Chair.

Hon. Monte McNaughton: Chair, she mentioned Stellantis down in Windsor, and I too want to give credit to those workers.

I'll go even further: This Stellantis investment is game-changing for the region. The MPP for—

Mrs. Lisa Gretzky: Chair, I'd like to reclaim my time, please, because he's not actually answering my question—

Hon. Monte McNaughton: Oh, I am. You mentioned this—

Mrs. Lisa Gretzky: It's the first time I've heard them give credit to the workers, so I appreciate that.

I'll ask the next question, since the minister wouldn't answer that.

Where in this Working for Workers bill is there card-check certification—which, I will point out, when we brought it forward previously, he voted against? Where in the bill—in this one or the one before or the first bill, Working for Workers—is card-check certification?

Hon. Monte McNaughton: Again, I'll stick to Bill 79, but I do want to go back to those auto investments, because you mentioned it in your first—

Mrs. Lisa Gretzky: That is related to Bill 79.

Chair, I would just like him to answer my question, please.

Hon. Monte McNaughton: You brought it in your first question.

Chair, she mentioned it in her first question. I really do want to answer—

Mrs. Lisa Gretzky: It was a very specific question. Where is card-check certification?

The Chair (Mr. Ernie Hardeman): If we could just get back to the topic at hand, we would ask that the questions be asked direct—and then an opportunity to ask the question through the Chair, and an opportunity to answer the question through the Chair.

With that, we'll go back to MPP Gretzky.

Mrs. Lisa Gretzky: I would also like to ask the minister, who says he's working for workers—when it came to Bill 124, he was also one of the first to vote for it

and stand up and applaud. So I'd like to ask, where in this bill is the repeal of Bill 124?

Hon. Monte McNaughton: Again, Chair, through you: I will stick to Bill 79.

Mrs. Lisa Gretzky: I am talking about Bill 79. I'm—

The Chair (Mr. Ernie Hardeman): MPP Gretzky, I think courtesy says that you would allow a question to be answered when it was asked.

Mrs. Lisa Gretzky: If he would specifically answer the question, I would appreciate that.

Hon. Monte McNaughton: Bill 79: We're bringing forward a number of changes to support workers across the province, including workers in your own community.

To the MPP for Windsor West: I was down visiting firefighters in her municipality. I worked really closely with them. I give the Windsor firefighters credit for the changes that we're bringing forward—

Mrs. Lisa Gretzky: Chair, I'd like to reclaim my time. He's not talking about the question I asked.

Hon. Monte McNaughton: This is really important to ensure that we have presumptive coverage for thyroid and pancreatic cancers for those firefighters—

Mrs. Lisa Gretzky: He's not answering. I'd like to reclaim my time.

The Chair (Mr. Ernie Hardeman): The MPP asked the question. The MPP has an obligation and the courtesy to listen to the answer to the question.

Mrs. Lisa Gretzky: He's not giving me the answer, so I'd like to move on.

I'd like to know where in Bill 79, Working for Workers, is anti-scab legislation.

If you were in Windsor, perhaps you could have stopped by the Windsor Salt picket line, where those jobs are outsourced and they're forced out; or you could have stopped at Highbury Canco, to support those workers when they were out on strike and they were bringing in scab labour.

I'm wondering, did I miss it in Bill 79? It's the bill before us, so it's relevant. Is there anti-scab language in Bill 79, the bill before us?

Hon. Monte McNaughton: I'm proud of what we've done for workers in Windsor.

I was down in Windsor, and I worked really closely with Dave Cassidy, the local Unifor—

Mrs. Lisa Gretzky: They're not his members out on strike right now.

Hon. Monte McNaughton: —and Unifor overall. One of the things that we've done is ensure that we have job action centres for those third-shift auto workers down there, to ensure that they get retraining and training and the services that they need to get them into even better jobs with bigger paycheques—

Mrs. Lisa Gretzky: Chair, I'd like to reclaim my time again because he's not answering the question.

Hon. Monte McNaughton: We worked closely with Unifor to make sure that those investments are there—

Mrs. Lisa Gretzky: It's not Local 444 members I asked about; it's Local 1959—

The Chair (Mr. Ernie Hardeman): Order.

Hon. Monte McNaughton: —for Stellantis. That’s a historic—

Mrs. Lisa Gretzky: Chair, I’m not asking about—
Interjections.

The Chair (Mr. Ernie Hardeman): MPP Gretzky.

Mrs. Lisa Gretzky: He’s not actually answering my question.

I’d like to know from the Minister: Where in Bill 79—Working for Workers—in this one, or the previous two bills, does it end deeming, something that the minister has voted against several times when we brought forward legislation? Where in Bill 79 do you end deeming? Where’s the language around that? The minister actually talked about WSIB, so where are the reforms to WSIB to end deeming in this bill—

Hon. Monte McNaughton: I’m happy to talk about—

Mrs. Lisa Gretzky: —or pay equity, for that matter, in this bill?

Hon. Monte McNaughton: I’m happy to talk about reforms that we’re bringing forward in this legislation to the WSIB—and that is expanding cancer coverage for firefighters. I would add, to the member from the NDP, that we’re expanding this cancer coverage for volunteers, for full-time, for part-time firefighters as well as fire investigators, and we’re making it retroactive to January 1, 1960. So literally tens of thousands of firefighters—

Mrs. Lisa Gretzky: Chair, I’d like to reclaim my time again because he is not actually answering the questions that I asked.

Hon. Monte McNaughton: —and their families will have WSIB coverage. You asked about WSIB coverage—

Mrs. Lisa Gretzky: With whatever time is left, I’d like to give my colleague from Niagara Falls an opportunity to ask questions.

Hon. Monte McNaughton: —and we’re ensuring that we have a system that is better for workers in this province—

Mrs. Lisa Gretzky: The minister is not answering my questions directly so I’d like to reclaim—

Hon. Monte McNaughton: —including those firefighters—

The Chair (Mr. Ernie Hardeman): Order. One at a time.

Thanks, Minister. We will now go to MPP Gates. You have one minute.

Mr. Wayne Gates: On the firefighters: I think it’s great that we’re expanding cancer coverage. It’s not in the bill. Put it in the bill, and then we can discuss it here.

I wanted to talk about the government’s record on attacking workers’ rights to collective bargaining.

We know this government passed Bill 28, which attacked workers’ charter rights, which this member voted in favour of and this member stood up and applauded. They ended it, repealing it, because education workers stood up for their rights against this government.

So why did this government not use this opportunity in any one of these three bills to repeal another terrible, unconstitutional bill, Bill 124, which has attacked nurses

and front-line health care workers? It has attacked paramedics in our work force. It has attacked education workers who make the lowest scale of pay—a 1% increase.

I can tell you, every one of the members who are here today that I see around this table got a raise of more than 1% in this Parliament.

So I’m asking you, why didn’t you put it in Bill 28 and repeal Bill 124? Not only have we begged you—every union leader you’ve met with would have told you to get rid of Bill 124. You continue to say no. You continue to fight workers in the court. You continue to hold them to 1% pay—

The Chair (Mr. Ernie Hardeman): Thank you very much. That concludes the time.

0950

We’ll now go to the independent. MPP Brady.

Ms. Bobbi Ann Brady: Thank you to Minister McNaughton for being here today.

I like many of the changes in Bill 79, and I’m going to take a bit of a different spin. I’m going to ask you about the employers.

Bill 79 will be significant for both employers and employees, but employers over the past few years have had to deal with a lot of changes—legislative changes, regulatory changes—and they’ve had to constantly pivot, especially during the pandemic. The rules are constantly changing. I understand that updating to reflect the reality of the current economy and the current atmosphere is vital, but if I was an employer, if I was a small business owner, I’d probably look at hiring a lawyer to make sure that I’m in compliance with everything and all the changes. But I feel that in order to fully protect the employees, employers need support in order to know that they are doing things correctly.

Can you detail for me what supports may be in place for employers?

Hon. Monte McNaughton: That’s a really important question.

That’s why I always say and have always led by the approach that government, business and labour have to work together.

It’s interesting; in our earlier Working for Workers legislation, we banned non-compete clauses. That was actually something that around 28,000 tech companies asked for in Ontario, to improve labour mobility.

I believe strongly that the changes we’re making are really about making Ontario the best place to live, work and raise a family. The historic labour shortage is a big problem, and we need to make Ontario the best place to get a better job and a bigger paycheque. That’s why we’re improving programs to ensure that we get the 850,000 people, some of those who are on social assistance, to fill labour shortages, to get them trained for in-demand jobs. That will lift those people on social assistance up. We’re helping train people who are underemployed to fill labour shortages, Indigenous peoples to fill labour shortages. All of the work we’re doing is helping employers, because it’s creating a trained workforce for them

I also work closely with small businesses, in particular, across the province. We consult quite widely and broadly with the small business community, the agriculture community, to ensure that we take a balanced approach in what we do.

I would close by saying that health and safety is the number one priority, and most businesses do a good job, but there are some bad actors out there that we have to crack down on.

Ms. Bobbi Ann Brady: So is there a place where employers can go? What is in place for them to ensure that they are in compliance, without having to seek and spend money on a lawyer?

Hon. Monte McNaughton: Sorry. To answer quickly: They should call the Ministry of Labour. We're here to help.

It's interesting; during the pandemic, our inspectors really did give a lot of advice to employers to help them in, obviously, unprecedented times because many small businesses, in particular, didn't know how to adapt to the pandemic, so we were there to help them.

By the way, our ministry also leads a lot of seminars with small businesses to help them adapt to these changes.

Ms. Bobbi Ann Brady: And with respect to the temporary foreign workers, which is very important to my riding, I feel like the changes in Bill 79 have to do more so with—

The Chair (Mr. Ernie Hardeman): One minute.

Ms. Bobbi Ann Brady: —off the farm.

Are there any protections that you have in Bill 79 or coming forward that may provide that additional layer of protection on the farm?

Hon. Monte McNaughton: A number of things—and thank you for your leadership on this. I know you've been a real advocate, even during the pandemic, for those workers.

The additional health and safety inspectors, obviously, are helping on farms. We do targeted blitzes of farms to keep those migrant workers safe.

The fines in this legislation will benefit any migrant worker, in particular, who has had or has their passport held by an employer, or their work permit documents. That will benefit some of those workers on farms, for sure, and in all sectors.

The Chair (Mr. Ernie Hardeman): MPP Dowie.

Mr. Andrew Dowie: Thank you, Minister, for being here. I'll be sharing my time with MPP Anand.

I've had the opportunity to introduce my brother to you in the past. Seeing the changes to the Grade 10 to Apprenticeship Pathway and the high school diploma into trades policies—quite frankly, they're tailor-made for people like my brother Jim. He went through a similar pathway in completing his certificate to be a mould maker—he left school at 11, finished during night school. That was an excellent pathway for him to develop a great career. So I see this as a promising change that's going to bring terrific employment opportunities to so many young Ontarians.

I'm wondering if you could elaborate a bit as to what you have in mind for the consultation process with educators and school boards and employers to go down this road.

Hon. Monte McNaughton: I have to begin by thanking the MPP from Windsor–Tecumseh for his leadership and talking about Stellantis earlier—really championing the government to work closely with partners down there as well as the federal government to ensure that that plant was located there. That's going to be, as I mentioned, game-changing for the area.

I've had the pleasure of being on the road with you a number of times down in the Windsor–Essex region to meet your brother and other people in the trades. These are exciting opportunities for young people and for those who are looking at a second career. I met somebody the other day who's over the age of 40; he's now getting, out of the trades, great opportunities to make six figures, retirement plans, pensions, benefits—all of those great things that come along with these careers.

We're doing so many things on this front to send the message that we don't need every single young person in Ontario going to university—there are great career paths in the skilled trades—and really just to level that playing field. We are exploring kids in grade 11 starting an apprenticeship program.

I do want to highlight that this idea came to me from Windsor. I was on the road; I was at a couple of the union training centres through the construction unions that were doing this, working in partnership with the local school board down there. Those grade 11 students were actually doing their entire grade 11 year at the union training centre. So it's really great. I think this is really exciting. Like everything else, we have to get this right and do the proper consultation.

We're also introducing the skilled trades as early as grade 1, and I give Minister Lecce and the Premier and the Ministry of Education a lot of credit on making that happen.

I hired dozens of OYAP recruiters two years ago to go into every high school in Ontario with the mentality to compete head-on with university recruiters to talk about careers and pathways into the skilled trades. We're doing more from a pre-apprenticeship perspective to help people explore the trades and try the different trades and then start a formal apprenticeship.

I do want to highlight, because I want everyone to know, because this is something we should all be proud of, regardless of political party: In Ontario, year over year, we've had a 23% increase in apprenticeship registrations; a 27% or 28% increase in female apprenticeship registration.

Literally today in Ontario, there are thousands and thousands more people in a formal apprenticeship program than 12 months ago, and that's a credit to Premier Ford and our government.

Mr. Andrew Dowie: Thank you, Minister. I'll pass my time to MPP Anand.

The Chair (Mr. Ernie Hardeman): MPP Anand.

Mr. Deepak Anand: I just want to start by saying thank you to the workers in the province of Ontario. We're seeing the prosperity, and it is nothing but because of the collaborative leadership of everyone in this province. We cannot achieve anything without the support of workers, whether it is constructing 30,000 long-term-care beds; whether it is providing four hours of home care; whether it's 86,000 child care spaces; whether it is 1.5 million homes; whether it is four subways; making sure that \$17 billion that came to this province in the electrical vehicle investments; and the list goes on.

Minister, you brought this bill forward, and one of the reports which this whole Working for Workers Act was built on was The Future of Work in Ontario, wherein there were 437 consultations done. I'm going to name some of them here.

I want to ask you a simple question: What do you think is the importance of consultation?

But before we do that, I want to name a few of them: the Ontario Association of Certified Engineering Technicians, the Ontario Caregiver Organization, the Ontario Chamber of Commerce, the Ontario Community Support Association, Ontario Creates, the Ontario Dental Association, the Ontario Federation of Labour, the Ontario Masonry Training Centre—and the list goes on.

So the question is very simple: How much do you value the consultations? And what do you think is the value of the consultation that we put into this bill?

Hon. Monte McNaughton: I think our track record is clear. We work with business, we work with labour to ensure that we're bringing forward ideas and we're solving problems for everyday people in the province.

That's why I have said pretty publicly that the left has abandoned workers in this province. They tie themselves into pretzels trying to be woke. We're focused on ensuring that people have jobs with pensions and benefits. It's that simple. It's ensuring that we're retraining and upskilling people for better jobs and bigger paycheques. That's the philosophy. That's why we're investing more in workers today than any government in the history of this province.

And the facts are clear: We are now in our third round of the Skills Development Fund—to date, it's nearly a billion dollars. I think we're at three quarters of a billion dollars in the three rounds.

The Chair (Mr. Ernie Hardeman): One minute.

Hon. Monte McNaughton: We're going to build training centres across the province. We just announced, thanks to Minister Bethlenfalvy, \$224 million to build training centres across the province for skilled trades workers, for automotive workers, to ensure that these heroes others have forgotten about are paid attention to. That's why we're bringing these policies forward to help those workers, whether it's firefighters or construction workers.

Can you imagine that in over 100 years, under governments of all political stripes, they've never investigated washrooms on construction sites?

These blue-collar workers who are building the future of our province are heroes.

Interjection.

Hon. Monte McNaughton: And the NDP, who heckle all the time and mock the government for cleaning up

washrooms, never suggested this once. We heard from consultations with people that we've got to clean them up.

Mr. Deepak Anand: Minister, I have very little time. I just want to ask you: Do you think this bill is low-hanging fruit?

Hon. Monte McNaughton: I talk to construction workers. I think of that ironworker—that female apprentice in Ottawa who is going into the skilled trades to be an ironworker to build those infrastructure projects. This is important to her.

The Chair (Mr. Ernie Hardeman): That concludes your time, and that also concludes this presentation. We want to thank you for your presentation.

The committee is now recessed until 3 o'clock this afternoon.

The committee recessed from 1003 to 1500.

The Chair (Mr. Ernie Hardeman): Good afternoon, and welcome back. We're here to continue public hearings on Bill 79, An Act to amend various statutes with respect to employment and labour and other matters.

Please wait until I recognize you before starting to speak. As always, all comments should go through the Chair.

The Clerk of the Committee has distributed committee documents, including written submissions, via SharePoint.

As a reminder, each presenter will have seven minutes for their presentation, and after we've heard from all three presenters, the remaining 39 minutes of the time slot will be for questions from the members of the committee. This time for questions will be divided 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 members, and two rounds of four and a half minutes for the independent members as a group.

CHRISTIAN LABOUR ASSOCIATION
OF CANADA

MIGRANT WORKERS ALLIANCE
FOR CHANGE

WORKERS' ACTION CENTRE

The Chair (Mr. Ernie Hardeman): I believe we have the presenters at the table. The first panel is the Christian Labour Association of Canada, Migrant Workers' Alliance for Change, and the Workers' Action Centre.

We'll ask each presenter to state their name for the Hansard as they begin to speak. Just before the end of your presentation, I will say, "One minute." That doesn't mean to stop talking—but all that's left is one minute, and then I stop your talking.

We will start with the Christian Labour Association of Canada. The floor is yours.

Mr. Ian DeWard: Thank you, Mr. Chair, and members of the committee. My name is Ian DeWard. I'm the Ontario director for the Christian Labour Association of Canada, or the CLAC. It's my pleasure to make this submission today on Bill 79, the Working for Workers Act, 2023.

CLAC is an independent labour union founded in 1952, with over 60,000 members nationally, including more than

18,000 members here in Ontario, who work primarily in the health care and construction sectors. CLAC is also the largest union of volunteer firefighters in this province.

We fully support each of the measures proposed in the legislation and hope that the Legislature will unanimously move them forward when the bill returns to the House.

We want to highlight and congratulate for the steps taken to better protect foreign nationals. It's a dismal reality that migrant and temporary foreign workers are most vulnerable to power imbalance in the workplace. By increasing fines for people convicted of misuse of a person's passport or work permit, the province sends a strong message about the duty of care that is owed to these essential and incredibly industrious workers. In the same vein, the bill will prevent unnecessary and protectionist barriers facing internationally trained professionals who are qualified and competent to join regulated professions in Ontario. In these two measures, Ontario declares that it welcomes and will ensure just treatment for immigrant newcomers and temporary workers. This care says a lot about what kind of province we aspire to be.

CLAC believes that stronger job-protected leave for reservists is also a key measure in this bill, as any person willing to serve our country deserves the ability to come back to their job when their service is over. We're proud to support this measure and the Canadians who serve in our military reserves.

We also support the proposed increase in fines for corporations that are convicted under the Occupational Health and Safety Act. As a union, we work with our members and employer partners to ensure that the right education, training, equipment and protections are in place for healthy and safe workplaces. However, there will also be those who place expedience and profit at too great a priority. Employers who are negligent in their duty to protect workers from harm or who treat injuries as merely a cost of doing business deserve maximum fines.

On behalf of the 1,000 volunteer firefighters CLAC represents, we pass along their appreciation for the enhanced WSIB coverage for thyroid and pancreatic cancers. Ontario's volunteer firefighters already give so much of themselves in service to their communities, and this improved insurance goes a long way to demonstrating the province's collective appreciation for their sacrifice.

Proposed measures in this bill will remove Employment Standards Act loopholes that have become a reality due to our growing shift toward remote work. We firmly believe that severance and termination obligations of employers should not be avoidable simply because a person works from home, so we're pleased to see this change as well.

The package of measures around Bill 79 includes a number of regulatory initiatives, including improved standards for what constitutes dignified washroom facilities. In my younger days, I worked long days on construction sites, and I know full well how degraded these facilities can sometimes be. We heartily support these measures.

Initiatives to make construction sites more female-friendly are also welcome. Through training, education,

partnerships and advocacy with employers, CLAC is working to ensure that a construction site is a welcoming and safe workplace for women in trades. Our union has published its own best practices guide for creating that kind of environment, and we're proud members of the Canadian Apprenticeship Forum and Supporting Women in Trades, which help to amplify these efforts.

When we surveyed our own members about key issues that need change to improve female participation in construction, we heard about the following topics: personal protective equipment, bathrooms, and flexibility of shift times. We're pleased to see that the announced regulatory changes will address bathrooms and PPE, but we'd also like to see further change to address flexibility of work hours, and we look forward to participating in the regulatory process to make this known.

While CLAC is supportive of the proposed legislative measures in the bill and the proposed regulatory changes, we would be remiss if we did not mention what is missing. For many years, CLAC has been asking for an expansion of WSIB coverage for people who provide care in congregate living settings like retirement homes. This was an issue long before the pandemic, but the pandemic brought the vast inequity in what we believe is an inhumane, sub-standard protection into the spotlight. Retirement home workers caring for our elderly were sent home without pay after contracting COVID-19 in the workplace, because they are not covered by the public WSIB system. Other issues faced by workers in these settings include a lack of protection for pre-existing conditions from prior work injuries, significantly lower benefit levels, a lack of access to an effective appeal process, and no support in the return-to-work process. This issue should not be about cost, but our estimates show that such a change would cost less than \$600 per employee per year. We know it's too late to include this change in this bill, but we do hope the members of the committee would support efforts to get this into the next bill. It's a long-overdue change for these angels of health care.

In Bill 79 and the regulatory changes proposed with it, the government has taken steps toward improving the rights and protections of workers. CLAC looks forward to continuing to work with each of you on this important piece of legislation.

With that, I'd be happy to take any questions.

The Chair (Mr. Ernie Hardeman): Thank you very much for the presentation.

We now go to the Migrants Workers Alliance for Change.

Mr. Syed Hussan: Thank you for having me. My name is Syed Hussan. I'm the executive director of the Migrant Workers Alliance for Change. We're a membership-based body of farm workers, agricultural workers, domestic workers, current and former international students, and undocumented people, with approximately 37,000 members across the country.

Along with the Workers' Action Centre and Parkdale Community Legal Services, we've presented you with our written set of recommendations, which ask you to:

- expand the scope of EPFNA to all migrants;
- increase fines for all infractions, not just passport seizures;
- implement the recruiter licensing regime created in the Working for Workers Act, 2021;
- increase the proactive enforcement for both EPFNA and the ESA; and
- amplify the deterrent effect of the EPFNA changes proposed in Bill 79 by publicizing the cases.

I'm going to focus my remarks on our recommendations regarding the recruiter licensing regime and proactive enforcement.

Bill 79, among other things, aims to increase fines under the Employment Protection for Foreign Nationals Act, also known as EPFNA.

EPFNA was created in 2009, after two members of our organization who were live-in caregivers for then-MP Ruby Dhalla came forward to share stories of exploitation and abuse, including seizure of passports. We organized. We pushed the then provincial government to create a law that banned the seizing of documents and the charging of fees. That was created in 2009. Since then, for the next three years, until 2012, we campaigned to expand that law from covering just caregivers to all temporary foreign migrant workers on work permits. There are agricultural workers and others. Since 2009, we have attempted to get hundreds of migrant workers to access justice by making complaints via EPFNA. Remember, that's the law that today you are talking about increasing the fines to. We have largely failed. This is because recruiters have adjusted their practices such that there is no paper or digital trail to show the exchange of money, the promise of jobs or the seizing of documents. Even when there is a mountain of evidence, migrant workers are unable to prove that they were charged fees or exploited under EPFNA.

1510

One such example is Elaine Ungar. Elaine Ungar is a recruiter who would recruit Filipino women in Hong Kong. She would bring them to Canada through the Live-in Caregiver Program. Upon arrival, they would either have no jobs or would be exploited. Her agency partners in Hong Kong would charge fees from the workers, and then the workers would receive an envelope of cash. So they'd pay them and then get an envelope of cash which they would bring to Canada and give over to Elaine Ungar, so there was no paper trail of even the transfer of money to her. One of the workers who experienced this is Lilibeth Galapon. She spoke up. She was the first one to file a complaint. The process dragged on for years, and eventually Lilibeth died—another one of our members—from cancer without ever receiving justice.

A group of six workers eventually were able to go and make a claim under EPFNA and moved ahead. Despite all having gone through the exact same process, five of them were denied and one of them was accepted because one of them had this text that they decided was what everything would be determined on. With our support and Parkdale Community Legal Services, they appealed, but only after

an expensive and lengthy process were they able to secure a favourable decision.

The recruiter, Elaine, was not fined at all—again, we're talking about increasing fines only today. But even if she had been, there would be no benefit to the workers—because the fine is one question; the other question is reparations. It's about recovering the money that you've paid and giving it back to the workers. The lawyers were able to negotiate a significant decrease, so the workers never got back the whole amount they paid, and based on inflation, they got even less.

This story is not an exception. According to the Ministry of Labour itself, between 2009 and 2017, claims for illegal fees and withheld passports were denied in 24% of the cases, and migrant workers fell outside of the scope of EPFNA in another 24% of cases; basically, 48% were not getting through.

In our experience, in most cases, migrant workers, whether they have been charged fees or have been otherwise exploited, simply do not make complaints. When a worker comes to Canada—to pay these recruiters, they have to take out loans, and they're often still working for employers who work for those same agencies. Migrant workers live in employer-controlled housing, they are only allowed to work for the employer listed on their permit, and they often cannot get employment insurance. This means that if you speak up, you're fired. You become homeless. You can't work for anyone else. You can be deported, and you can be banned from the country. In such a situation, who is going to make a complaint?

Over the years, so few complaints have been made under EPFNA—and even fewer have been granted—that everyone knows that EPFNA doesn't work; that's not me saying it. This government, in 2021, actually passed the Working for Workers Act 1, which created a recruiter licensing regime which would effectively be the infrastructure on top of EPFNA. This is something we have been calling for since 2009 and that is already in place in Manitoba, Nova Scotia and PEI. The idea of the licensing is super simple. Simply, all recruiters in Ontario must be registered, they have to put up a credit, and employers are liable. So if an employer uses a bad recruiter, they are liable, and the recruiter can lose money—because they've put up money—if they're abusing workers.

While this law is a step in the right direction, it actually doesn't have many of the protections that exist in other provinces. But it's a step in the right direction. Three years since the passing—since January 2021 to now—it has not been implemented; each day it's not, workers continue to be exploited and abused.

The Chair (Mr. Ernie Hardeman): One minute.

Mr. Syed Hussan: Thank you.

One other thing to understand is that bosses can exploit anyone in this province. As a worker, you have the power to walk away and make a complaint and eventually get justice. But if your ability to walk away is limited or you're going to face reprisals, a complaints-driven process simply doesn't work. This is why labour law has always had two parallel roads: one that's complaint-driven, like EPFNA,

and one that is one of proactive enforcement, which includes things like registries—which have not been implemented—unannounced inspections, publicizing bad actors. But over the last four years, proactive enforcement is simply not happening in Ontario, and so the most vulnerable and exploitable workers, those without permanent resident status, are the ones worst impacted.

To summarize, there is a law that doesn't work called EPFNA. It doesn't even apply to undocumented workers, as my colleagues from Workers' Action Centre and PCLS will explain. We've already moved forward and passed different legislation to create a better law that hasn't been implemented—

The Chair (Mr. Ernie Hardeman): Thank you very much. That concludes your time. Maybe the rest we can get into the question portion.

We will now go to the Workers' Action Centre.

Ms. Ella Bedard: My name is Ella Bedard. I'm an organizer with the Workers' Action Centre. We are a worker-based organization committed to improving the lives and working conditions of people in low-wage and unstable work. You have our written submissions that are submitted on behalf of the Migrant Workers Alliance for Change, our organization, and Parkdale Community Legal Services.

I'm going to be speaking only about schedule 1 of Bill 79, the proposed changes to EPFNA. We all know that acronym now.

When introducing this bill, the Minister of Labour said, "No matter a person's immigration status, you have rights." We want to believe the Minister of Labour, but the proposed amendments to EPFNA will not help the majority of migrant workers who are currently facing exploitation in Ontario. I say this for a few reasons.

First, EPFNA, as written, does not apply to the majority of migrant workers who face exploitation in Ontario, because the legislation only applies to foreign nationals who have valid work permits or are in the process of applying for valid work permits. What this means is that migrants without status, who are undocumented, or in Canada on visitors' visas do not have access to protections under EPFNA. They're excluded from the act.

Secondly, EPFNA and the fines proposed in Bill 79 will have no real-world impact without proactive enforcement and further accountability measures, like the recruitment licensing regime that my colleague just talked about.

There are an estimated 500,000 undocumented workers in Canada; a significant portion of them likely live in Ontario and have for many, many decades. They are members of our community. They are vital members of our workforce, particularly in the construction trades and in health care. Because of their precarious status, they face disproportionately high rates of wage theft and abuse at work but have little recourse under the existing minimum standards regime.

I want to tell you about a group of workers we talked to just a few weeks ago. It was three workers who are Mexican nationals. They were hired by an employer to do construction work. The employer told them, "If you give me your passports, I'll be able to get you work permits."

They badly needed the jobs, and they trusted their employer. Six months later, the workers did not have work permits, they did not have their passports, and they were owed \$7,000 in unpaid wages. In circumstances like these, we often try to help workers recover the wages that they badly need, but because the employer had taken their passports, these workers did not feel they could take action to retrieve the money they were owed. These are precisely the "scumbag employers" that the Minister of Labour has talked about, but because these workers do not have valid work permits, EPFNA and the increased fines proposed in Bill 79 do not apply to them. These employers get to act with impunity. And this story is not exceptional.

In our work, we meet with hundreds of migrants who have been threatened, coerced and harmed by their employers, who have had their passports and identification confiscated or have been charged illegal recruiter fees. For EPFNA to have any bearing whatsoever on their lives and working conditions, the scope of the legislation needs to be expanded to include all foreign nationals working in Canada. You will see from our submissions that this can be achieved with a simple amendment to EPFNA, striking a couple of words from one section of the act. Otherwise, the act is actually good to go. That's our first recommendation you will see in our submissions. This is a crucial amendment, but, as my friend mentioned, we also want to note that no matter how good EPFNA is in theory, it will have no practical impact without proactive enforcement and additional accountability measures, such as the recruiter licensing regime. Without proactive enforcement, workers can only access justice by making an individual complaint. What that looks like is, they have to learn about the law, first of all; they have to jump whatever language barriers may exist for them and overcome bureaucratic hurdles in order to fulfill the claims process; and then they have to withstand incredible threats of retaliation from employers in order to file a claim themselves. The deterrence effect of the fines proposed in Bill 79 will be negligible if the fines are not actually levied against anyone, and that's why proactive enforcement is so important, along with widening the scope of EPFNA.

As Hussan mentioned, in 2021 this government introduced the recruiter and temporary help agency licensing regime, and we need that regime to be implemented immediately.

And a final note just to tie into why broadening the scope of EPFNA is so important is—the as-yet instituted recruiter and temporary help agency regime says that the director of employment standards shall refuse a licence if an applicant has not complied with EPFNA, including charging illegal recruiter fees. But because EPFNA does not apply to undocumented workers, a recruiter can still charge such workers exorbitant fees or take their passports without technically violating EPFNA. So the construction workers I just mentioned earlier—their employer, who now will not be charged under EPFNA—

The Chair (Mr. Ernie Hardeman): One minute.

Ms. Ella Bedard: Thank you—has charged illegal recruiter fees, is also probably eligible still for a licence, if this regime had been implemented. That's a serious loop-

hole, and it undermines the licensing system and underscores the importance of implementing our recommendation to expand EPFNA.

Recruiters' exploitation of migrant workers happens regardless of whether the worker has a valid work permit. And as my colleague mentioned, recruiters are actually also luring workers to Canada often under the false pretense—

The Chair (Mr. Ernie Hardeman): We thank you for your presentation. We now will start the rounds of questioning—

Interjection.

The Chair (Mr. Ernie Hardeman): I've just been advised that we need to take a five-minute recess so we can change your mike.

The committee recessed from 1523 to 1525.

The Chair (Mr. Ernie Hardeman): Everything is fine now, so we will start the round of questioning with the independents. MPP Bowman.

Ms. Stephanie Bowman: Thank you all for being here—very informative presentations, and I certainly learned a lot.

Hussan, I wondered if you just wanted to take a moment and finish. You were almost wrapped up. Is there much to finish your statement?

Mr. Syed Hussan: I just wanted to say, I don't really understand why we're doing this. We're increasing fines under a law everyone knows doesn't work. A new law has been passed to basically work on top of it. We're not implementing it, so this seems completely absurd to me.

Ms. Stephanie Bowman: Could you expand a little more on your understanding of the Working for Workers Act, 2021? And have you had consultations with the ministry about why it hasn't been enacted and implemented, to try to get at this absurdity that you mentioned here?

Mr. Syed Hussan: We've had multiple meetings with the ministry about the design of the regulations. The regulations are slowly making their way through the process, but there's absolutely no reason for the delay, because basically this law is copying what has happened in other provinces for the last 10 years. All I can think of is, there is a lack of political will to implement it. Promises are being made but not delivered on.

Ms. Stephanie Bowman: Thank you.

Ella, could you talk a little bit more about your understanding about what would prevent the government from taking the recommendation around expanding who is included, like the undocumented workers, for example? Have you had conversations about that? Do you know of any potential reasons why this couldn't be amended to that effect?

Ms. Ella Bedard: I don't know any potential reasons, no. I think, actually, the act is almost structured as if it already contemplates that it should be expanded this way. Also, it would actually create a very tidy parallel to the Employment Standards Act, which applies as broadly as possible to as many workers in the province as possible. EPFNA is supposed to be a companion legislation to the ESA, and if it really is to do the work that it is intended to

do, which is to provide extra protection for migrant workers, this amendment would easily be implemented.

Ms. Stephanie Bowman: All of you mentioned the workers who might come in on visitor visas. Is there anything under that condition that, again, would need to be modified so that they would be covered under this proposed legislation? Would there be an opportunity for someone to say, "Well, they came in under false pretenses and therefore this was not appropriate"?

Mr. Syed Hussan: I think the basic premise is that labour laws should apply to everyone. But EPFNA specifically, the way it's written, since the beginning—first it only applied to caregivers, then it was just expanded to one more group of workers. This has been its existential—the original sin of this law has always been that it excluded so many people.

So our joint recommendation is to simply take out those words—just leave it to say "workers," and then it would apply to everyone. Instead of "workers on valid work permits to employers of the Temporary Foreign Worker Program," just say "migrant workers" and then everyone is included, and then EPFNA could actually apply and we could make claims.

The Chair (Mr. Ernie Hardeman): One minute.

Ms. Ella Bedard: I would just add to that that the Employment Standards Act, which sets the floor of conditions for all workers in the province, does not contemplate or discuss anything to do with immigration status. It applies to absolutely everyone, and that's a crucial part of the legislation.

Ms. Stephanie Bowman: We sometimes hear from this government, "Oh, we need the federal government to do something," or "We need them to improve something at the border." So, again, you do not see any reason why there would need to be a different kind of co-operation or agreement or arrangement with the federal government? This could be changed here in Ontario and we could proceed with that?

Ms. Ella Bedard: That's absolutely right, yes.

Ms. Stephanie Bowman: Good. Thank you.

The Chair (Mr. Ernie Hardeman): To the government: MPP Crawford.

Mr. Stephen Crawford: Thank you to the three presenters for being here today.

My first question will go to the Christian Labour Association. I specifically wanted to ask a little bit about schedule 1, with respect to the government giving increasing fines for bad actors taking passports and other documentation.

Jim MacSween, the York Regional Police chief, had a quote, and I wanted to know whether you agree with this or not: "York Regional Police and the investigators in the human trafficking section welcome this legislation, which will provide us with another tool to fight labour trafficking and the exploitation of vulnerable people in our community. This new law will allow our officers to hold individuals and companies accountable for their actions." Would you agree with that commentary? Could you expand upon that?

Mr. Ian DeWaard: I can't expand on it to the degree that my panel mates here, of course, can speak to the legislation and the mechanics of that legislation. I think the signal that's being sent is one that's important. Our organization has limited experience here in Ontario, but pan-nationally, especially in BC, we see migrant and immigrant workers, temporary foreign workers, being beholden to employers who have a significant amount of power in those relationships.

We know that withholding of these documents happens, so the signalling that happens, that these infractions will be treated severely and that the costs will be high, is the right tone. Notwithstanding the other work and the other measures that might be done to support foreign nationals, it's a measure that achieves that signal.

1530

Mr. Stephen Crawford: Thank you.

To the Migrant Workers Alliance—actually, and to Workers' Action Centre; both of you—if you could just give a very brief comment before I move to the next question. In terms of trends that you have seen with this, is this something that you see as being a bigger and bigger problem, or is it declining? Do you have data on that?

Mr. Syed Hussan: You're talking specifically about labour trafficking?

Mr. Stephen Crawford: Yes.

Mr. Syed Hussan: Actually, what we are seeing is that labour trafficking is a funding regime. What is happening is that people are facing workplace exploitation, but the government is funding a group of organizations—right now, we could get so much money if we just renamed our work to be on “labour trafficking.” People who used to do worker exploitation just call their work “labour trafficking,” then they say there is more labour trafficking, and suddenly everyone thinks there's more labour trafficking. The kinds of experiences we are talking about—abuse, exploitation, withholding of passports, wages—aren't trafficking; this is exploitation under the Employment Standards Act, which has a civilian process. What's the difference? If I make a claim under the Employment Standards Act, I have standing. I make a claim, someone assesses it, and if I win, I get my money back. In labour trafficking, the police are involved. The police go after the employer—they can jail them—but I, as the worker, can't make a claim and can't get money back. Do you see the difference? The civilian process allows the exploited person to have agency and power. The criminal process—by and large, we actually think that the expansion of the definition of “labour trafficking” is resulting in fewer rights for people. We worked on creating the initial labour trafficking laws in this country federally, the temporary resident permits, and they've all actually failed and have misdirected.

The York Regional Police chief you referred to is speaking after Project Norte, where 69 Mexican workers, some of whom the Workers' Action Centre supported, were actually being exploited and abused. EPFNA does not apply to them, because they were not on the Temporary Foreign Worker Program. So the York Regional Police

and the Minister of Labour both said that this law applies to workers to whom it doesn't. What we are giving you is the mechanism through which this law could be extended to cover the people the government said they want to cover.

Mr. Stephen Crawford: Did you have any different commentary on that, or would you—

Ms. Ella Bedard: You were asking about statistics. I'd say that the issues that workers are facing are—this is a steady stream. We have a phone line, and we have various means of talking to workers. We speak to approximately 100 or more workers a month who are experiencing these kinds of issues.

Mr. Stephen Crawford: Was that five years ago or 10 years ago? Or is it—

Ms. Ella Bedard: I can't speak to the decline, but I know that the problem is consistent now. As Mr. Hussan said, we are focused in our organizations on trying to actually help the workers, support the workers, in recouping the hard-earned wages that they have lost because they were charged illegal recruiter fees or because the employer withheld their passport and then paid them a sub-minimum wage. We'd like to see the EPFNA and the Employment Standards Act as tools in our tool belt to help workers do that, but with the limited scope of the legislation, it's not playing that role now. I'm not aware of the existing fines under EPFNA being levied all that often anyway, so the increased deterrent effect of that, is going to be negligible, as I already said.

Mr. Stephen Crawford: How much time is left, Chair?

The Chair (Mr. Ernie Hardeman): You have 1.4 minutes.

Mr. Stephen Crawford: I'm going to give it to Mr. Dowie.

The Chair (Mr. Ernie Hardeman): MPP Dowie.

Mr. Andrew Dowie: I want to thank all the presenters. I'm learning a great deal from your presentations, so thank you very, very much.

I want to first start off with Ian. I'm just learning a bit about your organization. You represent firefighters. You represent individuals in the construction sector.

Thank you for your earlier comments that you would like to see passage of the bill pretty quickly.

I want to just get a sense from you about how meaningful these changes will be for someone who is coming to Canada. I know, having worked on many construction sites—

The Chair (Mr. Ernie Hardeman): One minute.

Mr. Andrew Dowie: —many of the workers are here in Canada, in Ontario, for the first time. This is their first job. They just want to make a go of it. How meaningful would these changes be for someone who is just starting out?

Mr. Ian DeWaard: In terms of construction, speaking to the changes that impact the construction work site, I'll speak firstly, if I may, to those that are targeting women in construction and the trades. We know that there's a major shortage of people in that sector. We're all hands on deck in terms of the industry partners and stakeholders trying to

acquaint and attract people into the industry—people who have historically been under-represented in that space, women in construction being one of them. This measure does something for that group of workers who are trying to be acquainted—

The Chair (Mr. Ernie Hardeman): Hold that thought, because we have to go over here for the next question.

The official opposition: MPP Gates.

Mr. Wayne Gates: Thanks to the presenters for being here.

I just want to say to start off, our province and our country wouldn't be the same without migrant workers. They do an incredible job every single day providing an incredible service, particularly in my area. I represent Niagara—Niagara-on-the-Lake and Niagara Falls and Fort Erie.

To the migrant workers who may get the opportunity to get a break from their employers while they're working today, I just want to say thank you on behalf of myself, our family and communities right across the province of Ontario. They do incredible work under unbelievable conditions. They're not treated with respect or dignity, and they have to go through all kinds of different hoops, including with recruiters, with employers—I think you used the word “scumbags”; I think that's the one that Monte uses. They should look at themselves some days when they're doing that.

I read your presentation. I really like your presentation. I apologize; I didn't get it until I got here today. I'm going to read it out, and maybe you can tell me why you think it's like this; maybe that will help me understand—and anybody can answer that; hopefully, the two of you will: “A more effective strategy of enforcement is through proactive inspections of recruiters and employers of migrant workers. Proactive inspections are supposed to be conducted by the employment standards officer in a manner that protects the identities of individual workers that may have made a complaint. Unfortunately, under the current government, proactive inspections have declined from almost 3,000 in 2017 to 224 in 2021”—that would be under this government. Why do you think that has happened, and what should we be doing to correct it?

Mr. Syed Hussan: In terms of the reduction in proactive enforcement, first of all, that 3,000 number is tiny if you look at the actual number of employers. So the reduction makes it basically irrelevant, with a few hundred employers being inspected, and as you can see, the results of that—the fines that are even levied are much lower.

It seems to me, again, that there's a lack of political will. Minister McNaughton said, “We will find them, fine them and jail them.” That was what he said. But finding, step 1, requires proactive enforcement, because you have to actually do the inspections, but there are no inspections. It seems more valuable to this government to make announcements that are for PR purposes—calling huge fines, making a lot of hay, but not actually making any changes. As a result, we see that our people are being exploited, are being abused and literally dying.

This month, three farm workers died in Ontario in workplaces, and the workers haven't even started coming. And if agricultural workers are excluded from minimum wage, overtime pay, hours of work and weekends, that means that as a farm worker, you can be made to work 16 hours a day, seven days a week, months on end, and it's legal. People are getting sick, and they're separated from their families, and they're dying. There's no change being made. So even if there was an inspection because people were facing this treatment, the inspection would find the employer having done a good job because they're not breaking any law. The laws exclude people, and then there are no inspections—

Interjection.

1540

Mr. Syed Hussan: Sorry; is something funny? I missed it.

Mr. Wayne Gates: No, there's nothing funny here.

Mr. Syed Hussan: Okay. The laws exclude people, and then there aren't even inspections—and even if there were, what protections could the law actually protect for?

Mr. Wayne Gates: To your point, some migrant workers get injured on the job, they have no way to get back home, and the communities have to fundraise to even get them back to their families—I'm sure you're aware of that—to help pay medical bills and all those other things.

I know that migrant workers in Ontario face many challenges; in particular, even upholding their basic labour rights on a daily basis.

Do you think that the government has done enough to protect migrant workers in the province of Ontario?

Mr. Syed Hussan: We are seeing our people being exploited and excluded. I talked already about agricultural workers. Consider, for example, domestic workers: They're excluded from occupational health and safety if they are living in the home of their employers, which many workers are. The two largest areas of migrant workers are domestic work in-home and agriculture—those are the two areas where we see the most exclusion from labour laws. To be clear: Those labour law exclusions are based by industry, not immigration status. So the government can rightly say “all workers, irrespective of their immigration status,” but it just so happens the industries with the most number of migrants are being excluded.

Then, we are seeing this increase in this notion of trafficking. Money is being put into creating these departments within the Ministry of Labour that are really about criminalizing bad employers, and as I already mentioned, that results in no changes for the workers. And, of course, very few people are being criminalized. So we don't need more criminal measures. We don't need larger fines.

We need laws to apply to everyone. We need to remove the exclusions in the laws, we need proactive enforcement—where people can't make complaints because federal law has denied them permanent resident status.

So Ontario actually works to double down on the exploitation that is created by the federal government by denial of permanent resident status.

Ms. Ella Bedard: I would just add one thing, which is that on March 31, health care for undocumented workers expired. As we see, migrant workers have a lot of precariousness, and one of the main things that creates that precarity is, they're unable to access health care. They need their wages. Even if they're making a sub-minimum wage, they need that money because they don't have the same access to health care here that those who are insured by OHIP do have. So this government has allowed that to happen, has allowed undocumented workers—

The Chair (Mr. Ernie Hardeman): One minute.

Ms. Ella Bedard: —to fall out of coverage for OHIP, and that's going to double down on the precariousness that we're seeing with the workers we see every day.

Mr. Wayne Gates: I've met with CLAC many, many times. I understand that CLAC represents a number of employees in long-term care; obviously, you know that. This is an industry that has faced serious challenges. PSWs and nurses in those facilities have been leaving because of low wages and stress.

Do you believe that your members in long-term care have been treated fairly by this government, as workers? And has Bill 124 affected every single one of the workplaces that you represent, in long-term care and retirement homes?

Mr. Ian DeWaard: To the fairness question, I would say that workers in long-term care and related industries have been underpaid for a long, long time. Their wages have consistently fallen behind the cost of living—

The Chair (Mr. Ernie Hardeman): Thank you very much. That is the end of the time. He had time for the question; not for the answer.

We'll now go to the independent. MPP Bowman.

Ms. Stephanie Bowman: Ian, I'd like to give you the chance to finish the answer to this last question.

Mr. Ian DeWaard: Thank you. I appreciate that.

It has been a long-standing problem. Workers have fallen behind the cost of living to the tune of 13% over the last 10 years because of successive caps, because of successive freezes, because of underfunding in the space. There has been lots of attention paid to the industry over the last few years, through the pandemic.

But Bill 124 notwithstanding—some workplaces are affected by it, some are not, depending on who owns them. Even where Bill 124 isn't in play, the workers are seeing substandard wage increases that aren't keeping up with the cost of living—typically something like 1.5%, 1.4%—and the problem gets ever-increasingly large. There is a huge demand for health care workers in long-term care over the next five years; in fact, it's as big or greater than the needs in construction, and as we continue to underpay and undervalue the work that these folks do, we are not going to be able to fill those positions that are so sorely needed to be able to live up to the commitments of increased care and of increased beds.

There are some great things happening in the space in terms of new hours, in terms of new beds, but in order to provide the care, the work has to be attractive, we need stable employment, we need to be able to bring people in

and keep them there. And when you can go down the street to make as much money starting off delivering pizzas, it's not that much of an alluring future to go into the hard work that these folks are called to do every day.

Ms. Stephanie Bowman: Thank you. I want to come back to the questions around migrant workers. Too often, these issues are brought to the forefront when they show up in the media and there's a story that is often, again, linked to criminal activity. Do you find that the stories related to more of the harms to the workers themselves—are those stories getting out sufficiently? You're here today; you're talking about those stories. We also hear from farms that say, "We are a good employer. We're not one of the bad actors."

Do you see the stories getting out that need to get out, and also, do you see that there are good actors? And how can we get those stories out so that the bad actors can learn from them?

Mr. Syed Hussan: A dear friend of mine, who has been doing this farm work organizing for many years, always says there are good bosses doing bad things and bad bosses doing good things. The problem is not whether you're a good boss or a bad boss; it's what the laws allow. When the laws allow you to work a person for unlimited hours without any breaks for an unlimited number of days in this province—which is the law in agriculture—then that's a good boss who's doing that. Do you see what I'm saying? So we need to get rid of this. I'm not here criticizing employers; I'm here calling on this government to ensure that labour laws cover everyone.

Ms. Stephanie Bowman: Anything to add, Ella?

Ms. Ella Bedard: I would just say that it's a systemic problem that exists. Right now, because employers can act with impunity, it's cost-effective for them to charge illegal fees, for them—

The Chair (Mr. Ernie Hardeman): One minute.

Ms. Ella Bedard: —to provide sub-minimum wage, provide sub-minimum standard employment, because they know they can get away with it, and they know they can get away with it because these laws are not being proactively enforced. As my colleague said, the ministry is not doing the finding let alone the fining of those employers.

Ms. Stephanie Bowman: Could you talk a little bit more about what you think it would take to do the finding—what kind of inspection regime, the number of inspectors? We hear about inspectors being terminated—I don't think so much for migrant workers, but for construction sites etc. Is it possible to implement an inspection order that could help to achieve some of the goals if the laws are sufficiently designed?

Ms. Ella Bedard: I think there's a lot of room for improvement, so we could just start trying to make a proactive enforcement system that worked. Blitz inspections of workplaces is something that used to happen in—

The Chair (Mr. Ernie Hardeman): Thank you very much.

The government side: MPP Dowie.

Mr. Andrew Dowie: Chair, through you: Ian, I'd love to hear more about the construction site impacts of the legislation, as you had begun in our last bit of time.

Mr. Ian DeWaard: I think the point I was going to make is that we've got lots of work to do in industry to make the construction work site hospitable and welcoming. There's lots being done by stakeholders and by industry; more to be done to ensure that the workforce we hire for tomorrow, be it increasing the proportion of women in trades, Indigenous community members, recent immigrants—there's work to be done on ensuring that those folks feel welcome and safe and can be active and productive parts of those workforces. This bill takes a measure to do that for a certain group, but we as industry and as stakeholders have lots more to do in that space.

Mr. Andrew Dowie: Just a quick follow-up, then I'll pass it to my colleague: Are Ontario workers better off for this bill passing versus not?

Mr. Ian DeWaard: Yes, the bill takes several measures. There's lots in here that demonstrates that the government is concerned about the plight of workers. And so, for those reasons, we support the many measures and urge its quick passage.

1550

Mr. Andrew Dowie: Chair, I'll pass to MPP Anand.

The Chair (Mr. Ernie Hardeman): MPP Anand.

Mr. Deepak Anand: Thank you to each one of you for coming here. Actually, this is the reason we are doing this committee meeting—so we can listen and we can talk and we can work on it together.

Hussan and Ella, I have to say this to you: It was very touching when I was listening to you. I actually happened to be at a funeral last week for four members of the Gujarati community who were visitors to Canada when they died. In situations like this, when they happen, yes, we need to punish those who are wrong and bad apples. But at the same time, we cannot bring those people back. That's the sad truth. So what you're doing in your field, I must acknowledge, and I appreciate what you're doing. We may not agree on everything—I'm not going to say that I agree on everything—but at the same time, your presence, helping those people, means a lot to the community. So thank you for doing it. Please keep doing it.

My question is to Ella. You talked about how EPFNA is not for visitors to Canada. What were you trying to say? I'm just trying to understand. Visitors to Canada are not eligible for this? What does that mean?

Ms. Ella Bedard: The legislation, EPFNA, applies to foreign nationals, but then that application is narrowed so it only applies to people who have a valid work permit or are applying for a valid work permit in Ontario. That's what section 3 of EPFNA says. It only applies to people with a valid work permit, and not to the hundreds of thousands of workers currently in Ontario who are working without a valid work permit, which includes those who are working who are here with a visitor's visa, so they're not without status—they have status as visitors—but they don't have work permits. A lot of workers we're seeing who are facing what should be EPFNA violations are

falling outside of the act; the act is not applicable to them, and the fines in Bill 79 would not be applicable to them, because they don't have valid work permits.

Mr. Deepak Anand: And there's where I get a little bit challenged—when I talked about that in terms of differences. So as somebody who is a visitor to Canada, are they allowed to work? Should they be working? That's my question.

Mr. Syed Hussan: First of all, students, study permit holders, are allowed to work, but they are excluded from this act, for example.

Mr. Deepak Anand: My question is only for the visitors.

Mr. Syed Hussan: No, no. I understand.

Mr. Deepak Anand: Are the visitors allowed to work?

Mr. Syed Hussan: The reality is that there are about half a million people in this country who have no work authorization, who are undocumented, who are working. In addition, many people are coming on tourist visas and working. We can say they should or should not be working under federal law, but provincial labour law has never before—the Employment Standards Act does not differentiate. It does not care what your federal immigration status is; it just cares if you're employed in Ontario, because what it's focusing on is: Does an employer in Canada treat you right or wrong? That's the purpose of the labour law; it's not to say if you should work legally here or not. That's a separate issue. That's a federal matter.

So when the law starts excluding people, it basically gives an added advantage to employers—if you do that, then an employer says, “Then I should hire more tourists, because I can pay them less, because the labour laws don't apply to them.” Do you see that? If you carve out any group of people to be exploited more—for example, people on tourist visas, people with no authorization or study permits, or refugee claimants, which make up the majority of migrants, because it's everyone other than temporary foreign workers who are currently being excluded. If you do that, then employers have an advantage. They will choose to hire someone without valid work authorization because they can actually exploit them more. Do you see that?

Mr. Deepak Anand: Yes. And I'm telling you—I'm just trying to understand.

Mr. Syed Hussan: Of course.

Mr. Deepak Anand: When students are allowed to work for 20 hours—and when they work over 20 hours, we say, “This is not legal. This is not right.” And you—

Mr. Syed Hussan: If the employer paid them less than minimum wage for those extra 20 hours, the Employment Standards Act would apply to them. But if the employer charged them fees for letting them work those extra 20 hours, the EPFNA would not apply to them. Do you see?

Mr. Deepak Anand: I'm just trying to understand. You're trying to say that visitors should be allowed to work, those who come here—

The Chair (Mr. Ernie Hardeman): One minute.

Mr. Deepak Anand: —for visiting this place, and then when they apply for the visitor visa, they say, “We are here

to come,” and the people who actually sponsored them will say, “Okay, we’ll take care of that boarding, lodging”—

Mr. Syed Hussan: No. What I’m saying is that the labour laws in this province should treat all employers equally.

Mr. Deepak Anand: Employees?

Mr. Syed Hussan: Employers. The employers, currently, if they employ someone without a valid work authorization and charge them fees, can get away with it, because there’s no law that makes it illegal. That thing that happened in Project Norte that the York Regional Police did is legal. That’s legal under labour law, even after you pass this thing today. That’s what we are saying. The law currently excludes protections for people who either don’t have a valid work permit or are applying for a work permit; that includes trafficking people, as we were just talking about. That’s the problem. There is a loophole here.

The Chair (Mr. Ernie Hardeman): That concludes the time.

We will now go to the opposition. MPP Gretzky.

Mrs. Lisa Gretzky: Can I tell you how disturbing that conversation was to me? What I heard from the government side is that they believe the workers are more at fault than the employers that exploit them or traffic them or work them, in some cases, to death. That is very concerning to me, and that is likely why we have seen so many injuries and deaths in workplaces across this province, especially when it comes to migrant workers.

I’m sure that some of the presenters are well aware of the area I come from. The member for Windsor–Tecumseh, as well, has a very large migrant worker population, out in Essex county. During COVID, we saw one of the first workers—actually, migrant workers—come down with COVID.

Mr. DeWaard, I just want to be clear, because the question that was posed to you from the other side was about firefighters, was about washrooms—that is not actually legislated in this bill. There’s no language in this bill that actually legislates those things happening. It’s still up to the government to bring in either that legislation or those regulations. As the other presenters have pointed out, there are things from the first Working for Workers bill, which passed in 2021, that have still not been enacted by this government. So what I want to say to you, because you said it’s too late, is that it’s actually not too late; I can promise you that. We will be bringing forward amendments to this bill, and the government will have an opportunity to correct some of those and work some of those things into this legislation. I just want to reassure you it’s not too late, and there will be amendments.

I want to talk about one of the things that I just raised that was in the presentation from Mr. Hussan and Ms. Bedard. There’s a quote in your presentation that says, “Similarly, under the ESA, prosecutions of employers in violation of the act went from 79 in 2017-18”—just before this government came into power—“to 12 in 2021-22.” So I’m wondering what in this legislation gives you any sort of confidence or comfort that that is going to start shifting in the other direction, where we will actually see that when

employers take advantage of or exploit workers, there will be severe consequences is for that.

Ms. Ella Bedard: I would say that remains outside of the bounds of the bill as written. That’s why we are here asking for proactive enforcement. That is one of the ways that we’re hoping to increase prosecutions under the act. As we’ve said, the fines are not being levied as is, and we’re not confident that they will be levied at this higher rate if the enforcement regime is not itself reformed.

Mrs. Lisa Gretzky: Mr. Hussan, you were talking specifically about enforcement and fines and how there’s no benefit to workers—what do they get out of it? I’m going to share a story, and I think it will be important to my colleague from Windsor–Tecumseh since we share the area.

1600

Just last week, I happened to be in the right place, at the right time. A young woman from Mexico, 20 years old—she looked about 13, frankly, but she was 20 years old—who did not speak a word of English, happened to come across my path in downtown Windsor. She had been brought here to work as a caregiver, as a nanny, and was treated terribly by the family who was employing her. She came through a recruiter with not a dime to her name. As the behaviour escalated and they became more verbally abusive, they took her passport, they took her phone, they refused to let her talk to family or leave the house without them being with her. Luckily, she was able to escape before it got physical. She did not speak a word of English. It took me a long time to find an interpreter. I was able to find a shelter to take her in before we called the police. She was terrified we would call the police. She was afraid that she would be excluded from this country permanently if she spoke out—or what repercussions would be for the other people in that home who were young children. Luckily, we were able to get her shelter and some food; she was starving. Eventually, we were able to talk her into working with Windsor police and immigration, who did a fantastic job, by the way, and as of probably 24 hours ago, she has returned home to Mexico, where she wanted to be, with her family. They have not had contact with her in six months—six months. You can correct me if I’m wrong, but based on what I’m reading and what you’re saying, there is absolutely nothing in this bill to ensure—and we had to pay for her to get a cab when she got back to Mexico to get home. Immigration picked up the bill to fly her back home. There is nothing in this bill, financially, if those fines were levied, to make her or her family whole for the cost that they paid to that recruiter. Is that correct?

Mr. Syed Hussan: Yes. We have a complaints-based system, so she will have to prove through EPFNA—but she would be excluded, because, as you explain it, if she was here without a work permit, she could not make a claim under any existing labour laws, so that way, there is no form for her to fill; if she did, she would be deemed outside of it, unless you make the change we are asking, and then if that happened, she would have to go to court and prove. This is the other problem with EPFNA—it’s impossible to prove. I’m sure when she paid that money,

no one gave her a receipt. The evidentiary requirements have become so high under EPFNA that no one is getting anything.

Even if the fines are levied against the employer, those fines go to the municipality—to build a park perhaps—but it does not go back to the worker. The entire infrastructure—at each step, EPFNA fails by excluding people who are most vulnerable—

The Chair (Mr. Ernie Hardeman): One minute.

Mr. Syed Hussan: Sorry; I'll stop here.

Mrs. Lisa Gretzky: I think the moral of that that I really would like the government side to take away is something that you raised, as well. This young woman was brought to this country thinking that she was going to have a job and have something better for her family, and she was not treated properly here, and she did not have the language skills to be able to communicate, to file a complaint, to know who to go to. She was terrified of the police because where she comes from, the police aren't always all that great to the citizens. She was afraid of being excluded from this country, from ever being able to work here again. So I think that is one of the key take-aways. That side of the House kind of sounds like they're talking about how it's the worker's fault. Nothing in this bill really ensures that workers like her have the supports and the services and the processes needed to protect them from employers that would exploit—or, in her case, were going to traffic her.

Mr. Syed Hussan: We have made some very small, specific, pragmatic changes that you can do to fix it. You could just be like, "This is an honest mistake," and fix it—

The Chair (Mr. Ernie Hardeman): Thank you very much. That concludes the time for this presentation, and that concludes the panel, too.

We want to say thank you to all the presenters for a great job of presenting your views to us today. We will take that forward as we review the bill.

PARKDALE COMMUNITY
LEGAL SERVICES
OPENCIRCLE
RESCON

The Chair (Mr. Ernie Hardeman): The next panel is Parkdale Community Legal Services, OpenCircle, and Rescon, if they will take a seat at the table. The first presenter will be Parkdale Community Legal Services. As a reminder, and I've mentioned it for the previous panel, each presenter will have seven minutes for their presentation. After we've heard from all three presenters, the remaining 39 minutes of the time slot will be for questions from the members of the committee. This time for the questions will be divided 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 members, and two rounds of four and a half minutes for the independents as a group.

The first thing you say when you speak—give the name for Hansard so it will be properly recorded in Hansard. Near the end of the presentation, I will just say, "One minute." Don't stop talking, because if you want to get your punchline in in the end, that's the minute to get it in.

We will start with Parkdale Community Legal Services.

Ms. Mary Gellatly: Thank you so much for the opportunity to speak with you today. My name is Mary Gellatly. I work at Parkdale Community Legal Services. We support people in low-wage and precarious work, and migrant workers.

Like my colleagues, I'm going to focus on schedule 1, dealing with the Employment Protection for Foreign Nationals Act—because that's who we work with.

When Minister McNaughton introduced Bill 79, he said in his press conference that his bill would have helped the 64 migrant workers—and I think Hussan talked about this before—who were found by police and CBSA under the so-called Project Norte investigation. Unfortunately, this is not true. I'm going to just walk through where the loopholes and gaps are in the act, but before I do—we worked with a number of these workers who came. At my clinic and at WAC, we supported people. Each worker was charged a recruitment fee of \$3,000 to be recruited to the country. When they got to the airport, they were charged another \$300 to get transported downtown to the housing where they would be put. They were taken to a five-bedroom house in North York, where 30 people were housed. They paid \$500 for a mattress on the floor each, one kitchen, a couple of bathrooms. Every day, 30 people would be loaded onto a 20-seater van and driven a couple of hours from North York up to Bradford, where they worked on a farm packing fruits and vegetables. Their workday was getting picked up at 5; they worked until about 9. They were paid \$13 an hour for this. When they tried to fight for their rights, they were threatened by their employer.

I think we all probably agree this is a horrendous situation, one that we want to work together with to try to address. In terms of doing that, we're going to have to make some changes to Bill 79 in order for it to actually be effective for workers like these and the workers we work with every day.

The first reason these 64 workers would not be helped by the EPFNA, the Employment Protection for Foreign Nationals Act, is because of the narrow application of people who have valid work permits. We've talked about that before, so I won't go into that in too much detail. We also talked about how the workers who were found in Project Norte came on visitors' permits, and so they would not have been eligible for protection under EPFNA. Similarly, because they weren't covered, it also means the employers could not be held liable for fines under the act as well, which was the main impetus for the minister when he was talking about the changes he was bringing in—really to be able to go after those employers. But unless we make the amendments that we've proposed, that would not happen and that won't happen in the future.

Basically, we're recommending that an amendment to EPFNA be made, that the narrow application of EPFNA to only those migrant workers on work permits or applying for work permits must be removed. It should apply to all migrants who face exploitations. If we don't do that, the loophole creates an incentive for employers to recruit workers who are excluded from EPFNA.

The third reason that these migrant workers would not be protected by the proposed increased fines in schedule 1 is because it was relating to, specifically, issues of passports or work permits seized and held by the employers, but with the people we worked with in the case of Project Norte, they didn't seize the passports. They didn't withhold the work permits; they didn't have work permits.

So, again, the very narrow scripting of these proposals under Bill 79 leave out all the other ways workers are being exploited.

1610

What we recommend is that Bill 79 be amended to include all the areas of offence under EPFNA so it would include things like the illegal fees that people are charged. These workers under Project Norte didn't have their passports seized, but they all paid \$3,000, which would be close to about \$200,000 that the recruiters were able to steal off the workers. Illegal recruitment fees are a key part of the exploitation of migrant workers, and we work with many who are charged illegal recruitment fees of up to \$10,000 and more. Most recruiters want that fee paid up front, so when you convert that fee to the worker's home currency, the challenge is quite clear. The fees represent between six months or two years of earnings in a worker's home currency, and so to pay these fees, entire families go into debt. With families in debt back home, when they come here, they're constrained about what risks they can take to try to enforce their rights as well. So we want Bill 79 to be amended to include all offences under EPFNA.

I just want to return to what my colleague said: that for this to have a deterrence effect, it has to be used. So we do need proactive inspections to be able to identify these recruiters and employers that are charging fees, and that means being able to benefit from the licensing regime that needs to be brought in, because then we'll have the names of the employers and the recruiters to make an enforcement regime practicable.

The Chair (Mr. Ernie Hardeman): Thank you very much.

We'll now go to the next presenter, OpenCircle.

Ms. Line Porfon: Thank you very much for the opportunity to present today to this committee. My name is Line Porfon. I'm the recently newly minted CEO of OpenCircle, after having been part of the organization for nine years. I'm here to speak to Bill 79, Working for Workers Act, specifically on two sections that relate to women in construction and high school students entering the trades. Our membership in Ontario is 117 companies, and the composition of women within those companies is approximately 11.3%, so we have a little ways to go in terms of attracting women into the trades. We would like to

applaud, on behalf of the open-shop sector of the construction industry, the efforts in this bill toward providing women with spaces where they are going to be able to go to the washroom, have privacy etc., and have PPE that fits appropriately, that isn't more expensive and that puts them on an even playing field with the gentlemen who are in the trades as well.

Certainly, the trades are a good career; they are good-paying. We certainly need to attract women and other diverse groups into being a skilled tradesperson. We have shortages. It is difficult to attract folks into it on a long-term basis because of the cyclical nature of the work. So anything that government can do in terms of public policy to encourage smart women, articulate women, hard-working women to come into those spaces and give them an opportunity to be part of the solution in terms of ensuring that Ontario is a good place to work, live and be—absolutely.

The second piece that I would speak about would be around the changes to high schools or high school credentialing in order to provide an additional incentive for young people to go into the trades. This is a very positive step. When you look at the models in Europe, trades are considered to be something that is admirable to go into, the equivalent of being in professional fields, as well. We applaud any effort that public policy changes can make in terms of attracting kids younger and having a place that they understand is a good place that they can make good money—again, the same thing in terms of attracting women into the field—so we absolutely appreciate the efforts of this government in order to do that. Generating interest in this is great. There is a bias in some of the school systems, just in terms of putting kids into professional fields or encouraging kids to go into professional fields etc. As we have the dialogues, as the counsellors in the schools talk about what is good for a career etc.—how they can make money, how they can support families, how they can be part of the economy—in order to attract folks into Ontario, attract folks into the trades etc., it really is a reputation management perspective, as well, around promoting those trades within the high schools.

Being a skilled trades person is not for kids who are lesser; it's not for women who are lesser. The concept of "other," being "other" on the site, whether you're a child looking at what that might mean for yourself, whether you're a woman etc.—people want to be accepted onto their sites. They want to be safe in these sites etc. and they want to be able to progress in their careers. So the efforts of this bill are conducive to doing that, and we absolutely applaud the Ontario government for taking these steps.

The Chair (Mr. Ernie Hardeman): Thank you.

We now will go to Rescon.

Mr. Andrew Pariser: I think my colleague on Zoom is going to start it off. I'm Andrew Pariser, vice-president with Rescon. I'll let Amina Dibe introduce herself and start it off.

Ms. Amina Dibe: Good afternoon, Chair and Vice-Chair and members of the standing committee. My name is Amina Dibe. I am the manager of government and

stakeholder relations at Rescon. Andrew already introduced himself. Thank you for providing us time to share our feedback on Bill 79, Working for Workers. Rescon represents over 200 builders of high-rise, mid-rise and low-rise builders in the province. We work in co-operation with government and related stakeholders to offer realistic solutions to a variety of challenges affecting residential construction, many of which have wider societal impacts. We are committed to providing leadership and fostering innovation in the industry through the following six core focuses: health and safety, including mental health and addictions and DE&I; training and apprenticeship; government relations and labour relations; building science and innovation; regulatory reform; and technical standards.

Specific to health and safety: Rescon sits on three infrastructure health and safety association committees, two WSIB committees, and is an active participant in all Ministry of Labour, Immigration, Training and Skills Development health and safety consultations. The Rescon health and safety committee has eyes and ears throughout the residential construction industry and comes together to share information, best practices and implementation plans when it comes to on-site and in-office safety.

Rescon's commitment to health and safety also spans mental health and addictions and diversity, equity and inclusion. This has been shown through our efforts to raise awareness and remove the stigma of mental health and addictions through annual Rescon-hosted mental health and addictions symposiums, the creation of Rescon's construction against racism committee and specific efforts to get more under-represented groups, including women, into careers in construction.

I'll now turn it back to Andrew.

Mr. Andrew Pariser: For us, Bill 79, Working for Workers Act, is about making Ontario a jurisdiction that is welcoming to top talent—and we'd say for domestic workers, but also for immigrants. Labour shortages are a concern, but it's a concern that we can do something meaningfully about, and we can really impact it.

Within the next decade, we're going to need 50,000 construction workers in residential construction. They're going to have to be hired, trained and retained. That's a big part of the labour supply strategy.

This legislation signifies that Ontario is a jurisdiction that respects and is leading when it comes to workers' rights, which will obviously help attract and retain top talent.

In particular, new-build residential construction is a sector in my members and Amina's members—they meet and almost always exceed the minimum standards when it comes to things like pay, on-site sanitation, safety, benefits, and we can go on and on, and there's a long-standing practice of implementing best practices.

For any workers who are watching, in any sector: If your employer isn't respecting your rights; if they can't comply with this bill, maybe it's time to look at a career in new-build residential construction.

We support Bill 79—and instead of going through the individual schedules, we just want to make some high-level comments. I'll start it off, and then I'll pass it over to Amina.

The first theme is immigration. When you look at the history of new-build residential construction, it's one of immigration, especially when you look at the broader Golden Horseshoe-Toronto-Hamilton-Kitchener-Waterloo area. The history includes waves of immigrations from Ireland and Italy and Portugal and eastern Europe and dozens of other countries in pretty much every cultural region in the world. Those immigrants came with specialized skill sets, a strong work ethic and a desire to succeed; they did, and they built up the foundation of residential construction. So anything in this legislation or anything that happens that improves and supports the rights of immigrants, we're very much in favour of. Amina is going to expand on this a little bit more when she talks about some of our DI efforts and what we think there.

1620

Regulated professions: Sometimes regulated professions—it's really just unnecessary and harmful red tape. Sometimes there are points to it, but sometimes it's hurtful; sometimes it's red tape. Sometimes it's designed to keep people out, and it makes labour shortages worse.

Again, if we're going to increase the supply of labour in a thoughtful way and we're going to get rid of unnecessary or hurtful red tape, we're very much supportive of that.

In residential construction, we've got what we would say are 25 specialized skill sets that go into the building of a house or a condo. This is how we build. This is how we've always built, and we need these people. The idea is, we know the skill sets that we need, whether it's building basements or high-rise forming or people who install flooring or railings, and we need to prioritize those. And so when we're looking at reducing red tape and we're looking at prioritizing people who want to come and do the work, we're supportive of getting rid of obstacles that don't serve a purpose.

Another theme is around health and safety and the Occupational Health and Safety Act. Health and safety has always been our top priority. During COVID-19, I think we really cemented new-build residential construction's reputation when it comes to safety. Whether it's sanitation, COVID, enhanced training; whether it's the confirmation of, do the people have, we'll call them "certs," essentially training, which could be anything from propane to working at heights; the way that we audit those systems, the way that we check them—we're constantly striving, and what we do is we implement a continuous improvement model.

We really like this bill, and we like the ideas that go with it when it talks about—

The Chair (Mr. Ernie Hardeman): One minute.

Mr. Andrew Pariser: —washrooms or on-site sanitation, because it takes the best practices that our members have, and now it's bringing up the playing field.

I'll turn it back to Amina.

Ms. Amina Dibe: While not specifically related to Bill 79, certainly an important component of health and safety is diversity, equity and inclusion and ensuring that we're fostering workplaces that are welcoming to all, including women.

As Andrew mentioned, while clean and separate bathrooms were already an industry best practice in the residential construction industry, we laud the government for enshrining this within the Occupational Health and Safety Act. This in addition to the push to have properly fitting PPE for women are both symbolic, as they promote more inclusion.

Overall, to reiterate, we're supportive of Working for Workers, and we commend the minister for supporting both employers and workers—

The Chair (Mr. Ernie Hardeman): Thank you very much. That does conclude the time—and we can get to that in delegation.

We'll now go to the questioning. We'll start with the government. MPP Smith.

Mr. David Smith: I want to start off by thanking all of you for being here.

What do you think of Bill 79, just in general? One of the things this government has done is to look at all the concerns that were a bother or troublesome in the area and try to amend, to fix, to put it together and bring out this bill. So what are your concerns?

Mr. Andrew Pariser: I'd love to go first.

I think the schedules are fantastic, but I think the question really talks to the higher level. To me, Bill 79—and even the title, Working for Workers—is just a clear message that, when you come to Ontario as a worker, you're going to be respected.

I represent and Amina represents builders of new-build residential construction. This will help us recruit and maintain talent. I think there are still some misconceptions when it comes to what it means to work in construction. I'm very proud of the members that we have. I chair the health and safety committee, and nothing in this bill is new for us. I would say we still exceed, when it comes to new-build residential construction, what's in this bill, especially when it comes to health and safety. But it's a great message to get out there, because now everybody knows that this is the base level. My members are still going to exceed it, but I love that high-level message: Come to Ontario, work there, be respected.

Mr. David Smith: Do you have an opinion on Bill 79 and its form?

Ms. Line Porfon: I'm not speaking to the items that don't relate to construction.

Speaking to the construction-related items, we're very supportive of the changes that are being made. We don't have concerns related to this. As a piece of legislation and then with regulation and policy etc., it will be the build-out of how you actually enact this, how you ensure that this happens, that is important for our members, and certainly, in terms of commercial construction, which is the majority of where our members lie and do their work, it's very important that they have clarity on that. So as the

bill continues to go through the motions of government and related to the other pieces that follow along with it, it will be very important that the intent of the bill also follows through in terms of the regulations and policies etc., so that the construction industry has clarity around what that means, what we are being held to, what the standards are etc. Our members pride themselves on excellence. We have members who are extremely progressive, forward-thinking, and they want to have diversity within the areas, but they need help with attracting that.

Mr. David Smith: Ma'am, could you explain—

Ms. Mary Gellatly: Yes, thank you. My colleagues and I have underscored that we really think that the intent of trying to protect migrant workers is a good one, but that there are so many gaps and loopholes in the way schedule 1 is crafted that it's not going to achieve that.

Make the amendments to expand the application to all migrant workers to protect, not just in the case of passports, but in the case of other offences under the Employment Protection for Foreign Nationals Act, and then do the enforcement to make sure that people are found, detected and held accountable.

Mr. David Smith: I just want to say that it's very important that we understand that all the members around this table here are members of the Legislature, and we help to make laws, and after laws are made, they have to be carried out by enforcement. The enforcement part of it is another section. Those sections not clearly being covered is what makes us go back to create other bills or other amendments to laws to make certain it works.

What I'm hearing is that people are coming in as visitors and changing their status when they come to Canada, and that can create a problem. I worked in the department of immigration, and I can tell you what the federal side of that deals with. But here we are in Ontario, we have a labour shortage, but we can't carry on the whole burden of someone coming on a visitor visa—and the situation changes at a farm or wherever they go to work, and then they are sleeping on the floor, I just heard. These kinds of conditions—I don't approve that. I'm not happy about it. But if you are going to a place where you're not protected, people do all around the world take advantage of people in those situations. It shouldn't happen in Ontario. It's painful.

Ms. Mary Gellatly: Yes, but our Ontario labour law does protect all workers, and it does that because it wants to have a level playing field for all employers and for all workers. People don't lose their basic rights to employment standards on the basis of their immigration status. I think as Ella pointed out, there are a whole lot of reasons why people's status becomes precarious. Somebody may have come under the Temporary Foreign Worker Program, but because—we work with a lot of care workers—the person they were taking care of dies, then they fall out of status. People are in and out of status for a whole lot of reasons and flaws in the system, and so those, too, are the people we're talking about who don't have access to the protections under EPFNA.

Mr. David Smith: This is why my ministry has gone through the bitter pain that when those individuals come here, they need to be guided, directed, to tell them, “These are your rights. This is what you can do. You don’t have to be a Canadian. You don’t have to be on a work permit. But if you’re working, this is what you can do.” And all these illegal agencies that have been recruiting people and sending them off to various places—we now put on the books that those persons are going to be charged and put in imprisonment and pay fines.

1630

The Chair (Mr. Ernie Hardeman): One minute.

Mr. David Smith: We are changing the whole situation to meet those needs. I just heard, prior to 2019, we had several cases—80-something cases, I just heard—and now we are down to 12. As we hear those things, we change the laws, and then we’re going to create further enforcement to make certain that those things get taken care of.

The Chair (Mr. Ernie Hardeman): You have 33 seconds—if not, I’ll go to the opposition. MPP Gates.

Mr. Wayne Gates: I want to say to all three of you, a worker is a worker is a worker who should be covered under the ESA, period, and treated as a worker. I want to say to the migrant workers—I said this the last time: They make our country and our province better by their labour, and they should be respected. To do that, they should be paid properly, and they should be covered by the ESA.

To my good friend there: What happened to the shoulder? Did I do that to you last time you were here? I’m not sure. I can’t remember that well, but I know the two of you have seen me before. That’s for sure.

Mr. Andrew Pariser: I think it was my arm, not my shoulder, which was—rotator cuff.

Mr. Wayne Gates: My wife has one of them, actually, from a car accident.

To your point around job sites and washrooms: It’s surprising to me that there is nothing in the bill to ensure clean washrooms and gender-equitable access on the job site as well as body-appropriate safety gear. I just want you to know that, because you mentioned it.

The other thing that’s not in the bill includes firefighters—we all know that firefighters should be covered by presumptive language when it comes to cancers. It’s also not in the bill. They have done some PR around that, and they’ve been out there out in front of that issue, but it’s not in the bill, so we’ve got to rely on regulation, and we know that regulation isn’t as strong as if it’s in the law and it’s in the bill. I just want you to be clear on that, because the two of you guys raised that.

On the other issue with yourself—what’s your first name? Sorry.

Ms. Line Porfon: Line.

Mr. Wayne Gates: Line, I can tell you that I came out of a—at that time, grade 7 and 8, I did a tech course. There were women—as a matter of fact, I took home economics. I still can’t cook, and that’s a few years later. But at the end of the day, we did have shops in our classes—I took grade 7 and 8. I did welding, I did sheet metal, along with some of the girls who were in my class. Then I went to

high school, and I took it for four years in high school. It was taken out of our school system by the Harris government, by the Conservative government, and that was a big mistake. That’s what has caused some of our problems around having skills shortages in the trades today. Now they’re talking about putting them back in and trying to find somebody to teach those classes. I just want you to understand, it wasn’t like it was forgotten about—it’s because of law. That’s why it’s important to have laws in place. I was a beneficiary of that. I went into a plant, quite frankly, and I knew how to lock out. I was 20 years old. I knew how to lock out a machine because that’s what I learned in high school.

As far as women go, that’s why I said about the washrooms—just so you know about that.

To the legal clinic: I know you’ve had your funds cut. I want to say thank you very much for the work that you do every day. It’s extremely hard. It’s very similar to what we do, quite frankly, in our offices with our constituency staff—tough, tough times that are out there.

I’ve got a question for you. How often are you contacted by or do you receive referrals from injured workers in the province of Ontario who have been deemed by the WSIB and now are struggling to pay their bills? Do you think that it was a missed opportunity for this bill to address deeming in the province?

Ms. Mary Gellatly: Yes, sure. I think if we’re concerned about people who are injured on the job being able to live with the basic essentials, we have to be able to ensure that they’ve got the income support. Deeming denies people the ability to have the funds necessary to survive, so I think it’s a huge area that needs to be addressed.

Mr. Wayne Gates: I really appreciate that. I know the injured workers who are living in poverty today because of deeming appreciate that you’re saying those words. I’m going to come back to you, and then I’ll move on to my other—we’ve got another seven and a half minutes.

What changes would you like to have seen in this legislation to help support migrant workers in the province of Ontario and make sure we are protecting and expanding their rights?

Ms. Mary Gellatly: From the province, in terms of protecting people’s rights—I think extending the same basic rights to agricultural workers that other workers have, the right to have decent hours of work and not have to work overtime without pay, and to at least be assured minimum wage. I think many migrant workers are excluded from the ability to unionize to protect their rights, so that would be important. We talked about being able to access health care for the uninsured. That would be very important.

I think the government is moving in a wrong direction on this whole labour trafficking and the amount of money that they’re putting into labour trafficking organizations. I think, basically, working with the federal government to raise the floor of standards by working to ensure access to PR so people have the ability to leave workplaces where

their rights are being violated are important steps to deal with the kind of exploitation that people face.

Mr. Wayne Gates: The other thing I'll say—and I'm hoping my colleagues on the other side are listening. They look like they are; they're actually looking at me intensely. They should take a serious look at giving back money to our legal clinics. The work that you do every day is amazing—and I don't need a thumbs-up. I'm saying that we live it every day in our offices; you live it every day in your offices. You need the resources to perform the job that you do for those who can't afford a lawyer, to take on some of the things that are out there, whether that's in rents and all the other things that we're struggling with in housing. So I put a plug in for you, and hopefully, they're listening and they will give you back some of your funding, because you deserve it.

My question will go to Rescon. How do you plan to work with labour unions—

The Chair (Mr. Ernie Hardeman): One minute.

Mr. Wayne Gates: Thank you—and employees to effect change for workers to ensure that every worker has gender equity access to a clean washroom on the job site? I know you do a lot of work around health and safety. We've had many, many conversations about this. How do you see that being able to get going?

Mr. Andrew Pariser: We don't have much time, so—single-occupant bathrooms. We figured it out during COVID. We've got lots of them. They're clean. Again, we like this, because everyone else in construction has to catch up to us—but I don't think it has to be any more complicated than that. We have lots of bathrooms, but that is the best answer—single-occupant bathrooms.

Mr. Wayne Gates: On your job site, you've had the opportunity—because I know you have job sites that do have unionized workplaces. You've worked with the unions and said, how does this best serve all the workers, including women, including—

Mr. Andrew Pariser: With any work site issue, you always start with the joint health and safety committee; it's the pillar. We're 98% union, so we are union builders, and so—

The Chair (Mr. Ernie Hardeman): Thank you very much. MPP Bowman.

Ms. Stephanie Bowman: Thank you all for being here.

I want to echo MPP Gates's comments, Mary, about your funding. I know that legal aid funding has been cut by this government, and I know that you're here probably because you got money from the federal government—or that certainly helped. I want to thank the MP for Parkdale–High Park for making sure that you had some funding to keep doing the good work you are doing on behalf of workers. I want to focus, really, on that, because while we have on one side here members from the construction industry talking about some of the good things that could come from this bill if the right words are included in the act about bathrooms etc., we also have on the other side this whole other group of people who are being excluded, and excluded to a degree where they are being mistreated under horrible conditions we've heard about—and yet I

feel that I'm hearing from the government side that, well, again, maybe they don't deserve treatment because they're not here on the right grounds.

So I just want to again emphasize that the work that's being done to protect those workers will continue. People like you, who do good work, will continue to fight for the rights of those workers, but your fight for their rights would be made a lot easier if they were treated like workers and had the right terms for them under this legislation. I just want you to talk a bit about that, because again—these people are here, they are doing the work, they are harvesting our crops. Their work is valued because it does help feed us. So we do, I think, want to treat them with respect, and again, we need to talk about what can change here. So, again, please tell us how this bill can actually help you keep doing the work that will still be needed even if the language has changed.

1640

Ms. Mary Gellatly: So how the amendments to the bill could help?

Ms. Stephanie Bowman: Yes, if the amendments are made around the changing of the terms, that will give you better tools to help your clients.

Ms. Mary Gellatly: First off, the amendment to the Employment Protections for Foreign Nationals Act is to remove the narrow application to people on work permits or applying for work permits, which means the definition would basically be all non-Canadians and all non-PR—permanent residents—and it would capture all the various statuses that people find themselves in in an immigration system which pushes people in and out of status all the time. Certainly, refugees are in and out of status all the time. So by including everyone, you're working to have, then, the enforcement tools that can raise the floor for all employers, can raise the floor for all workers and not leave workers out and employers that will exploit those workers.

The need to not just assign higher fines for passports—I looked at the claims made under the EPFNA over 10 years, and there were only three claims for withholding of passports.

The Chair (Mr. Ernie Hardeman): One minute.

Ms. Mary Gellatly: The rest of them were all for illegal fees. So, EPFNA—if you're going to be using an enforcement tool, it has to apply to all offences.

Ms. Stephanie Bowman: I just want to summarize by saying that I think the members across agree that when they hear these stories of terrible working conditions and mattresses on the floor, 30 people in a house, they don't want that. And all you're suggesting and your colleagues from the earlier panel are saying is, "Give authorities the tools to make sure that we can help those workers who are in those situations," and part of that is a change to this language.

Ms. Mary Gellatly: Yes.

The Chair (Mr. Ernie Hardeman): We'll go to the government. MPP Byers.

Mr. Rick Byers: I thank the presenters very much for your information this afternoon.

Perhaps one question for each—Line, to you first. Congratulations on your new role. I appreciated your comments about supporting trades and, in particular, as well, the education sector. I have a rural riding; I've heard a little of that comment too—that sometimes students are not encouraged to enter jobs that get their fingers dirty. So thank you for supporting that.

We've got a labour shortage here and everywhere. Do you think this bill will help break down some of the barriers—and you mentioned diverse working environments—that will encourage workers to come in and help us with our labour situation here in Ontario a little bit?

Ms. Line Porfon: Yes, I absolutely do. I think that we can always do more work, and we're happy to engage in a dialogue with the provincial government around what phase 2 might look like and continue to promote Ontario as a good place to work, a good place to come. It's a competitive advantage for the province to have that reputation, and this is a really good start. Anything that breaks down those silos, anything that breaks down the opinions of folks outside of the province, inside the province, around skilled trades being a good career is a positive step.

The concept of other women being on a site and that they would be treated differently is just not what society expects from us anymore. Employers are expected to do better, and as an association that supports those employers, we are looking at giving them all the tools that they need in order to do that. So to work collaboratively, in a non-partisan way, in a way that involves everybody in the industry, involves government, municipalities and whatever group that we need to speak to about this, we will, and we will support that. So I think it's going to go a long way towards generating that conversation, generating the efforts. It's an iterative thing.

When I look at some of the statistics across Canada in terms of participation of women—10 years' worth of programs in different provinces across the country, and we've moved the needle 1% in 10 years. I try not to be discouraged by that. I try to be encouraged by the fact that it did move the needle, and we can continue to do good public policy decisions and good legislative decisions that continue to promote it.

As I said, society expects better of employers. COVID completely shifted that narrative, I believe by a decade, where they want more. We need to support them, as industry and as government, so that employers can be attractive, so that people want to be here, giving Ontario that advantage.

Mr. Rick Byers: Thank you for your comments.

Next, to Andrew and Amina: Thank you for your presentation this afternoon. You were talking about immigrants and, historically and currently, their role in construction and your business.

Do you think that the fines we are introducing here in this bill will enhance employers, to make sure that they're being responsible employers and improve that reputation and, more importantly, improve working conditions on your projects and others?

Mr. Andrew Pariser: On our projects, I don't think it will change anything, because we don't have this issue. I started this conversation with MPP Gates. We're unionized builders. Our members are great. In addition, they're also represented by a union, so a lot of the issues I'm hearing today, I don't experience, thankfully, but obviously, if I did, I'd do everything I could, because these are very serious issues.

For new-build residential, it doesn't impact us, other than I think it sends a message to immigrants trying to pick where they're going to go that Ontario is a good jurisdiction, because there are laws to protect them.

Amina Dibe chairs our diversity, equity and inclusion committee, so I'd love to defer to her, because I think she can talk about some of the recruitment and retention initiatives that we also offer.

Ms. Amina Dibe: Yes, certainly. For Rescon specifically, we have—we call it the construction against racism committee, but it encompasses a lot of work that we're doing to ensure that employers are sourced with tools and resources to welcome more people from diverse communities, including immigrants, because it's not enough just to get a young person or an immigrant interested in a career in construction. We actually have to, as employers, hire, recruit, train, onboard and make sure that we're providing them with and fostering an environment where they want to stay within the industry and grow.

Mr. Rick Byers: I'll pass to MPP Cuzzetto.

The Chair (Mr. Ernie Hardeman): MPP Cuzzetto.

Mr. Rudy Cuzzetto: I used to work at Ford Motor Co. before I became an MPP. During that time, we lost over 300,000 manufacturing jobs here in the province of Ontario, under the previous government. During the pandemic and now, we've created 600,000 jobs, and we have 400,000 available jobs that we can't fill.

I remember when the first woman electrician arrived at Ford Motor Co. It was like, "Wow. This is unbelievable."

Do you think this bill will attract more women to the trades, like being an electrician, plumber, carpenter?

Ms. Line Porfon: I think it has the capacity to continue to promote that. I think it's a step. As the rest gets built out—regulations, policy etc.—it needs to be an entire package. This is absolutely the first step. It's about reputation management. People need to feel safe. They need to feel like they have good options, and I believe that this bill is a start toward doing that.

Mr. Rudy Cuzzetto: For Andrew: As you're aware, we have to build 1.5 million homes in the province of Ontario in the next 10 years. Will this bill help us achieve that goal here in the province of Ontario with immigrants?

Mr. Andrew Pariser: Yes, I think it takes fairly significant steps forward, because again, it's that top-line message: "Ontario is a great place for workers and a great place to work." I can't think of a better message to get the labour supply that we need. I think it's that easy.

The Chair (Mr. Ernie Hardeman): One minute. MPP Anand.

Mr. Deepak Anand: Thank you again to each one of you for being here.

Mary, my question to you is something which we asked the previous one, as well. We were talking about how I came to Canada on January 15, 2000, as an immigrant. For all these years, I always—when I started working, I thought there was a process: When we come here, we can come on a work permit. We can come as a student and have a pathway to the work. From there, we become a permanent resident. From there, we become a citizen.

1650

If somebody comes to this country as a visitor, and they say, before they apply, that they want to come here as a tourist, my thought process is that they're coming here as a tourist to explore, visit, and if they like it, they might like to apply at some point in time and then work—

The Chair (Mr. Ernie Hardeman): Very good question; no time for an answer.

We'll go to the opposition. MPP Gates.

Mr. Wayne Gates: Before I get to you, Andrew—one of the comments that was made by my Conservative colleagues was that Ontario lost 300,000 jobs. They continue to say it. It isn't accurate. It's not true. We lost 300,000 jobs in the province of Ontario—that part is true—but it was because of a Harper government that allowed our dollar to be a petrodollar that went to \$1.10. And the reason why we're competitive in the province of Ontario—I'm sure you know this, Andrew, because you're buying stock all the time in your companies—

Interjections.

The Chair (Mr. Ernie Hardeman): The Chair would like to bring us back to the topic—

Mr. Wayne Gates: It is on the bill. He raised it.

The Chair (Mr. Ernie Hardeman): It doesn't matter who raised it. You are not speaking to the panels.

Mr. Wayne Gates: Anyway, it's because it went to \$1.10 and now our dollar is at 74 cents, 72 cents, and as long as our dollar stays at 72 cents, people are coming to Ontario and they're going to set up manufacturing. The dollar makes a big difference in the cost of a product in the province of Ontario.

I'll turn it over to my colleague.

The Chair (Mr. Ernie Hardeman): MPP Gretzky.

Mrs. Lisa Gretzky: One of the comments made by the Conservative members, and we were talking about—full disclosure, my dad was a construction worker. Both of my brothers benefited from that. They learned from him. Because I was a girl, I was not included in that. Luckily, things are changing.

Mr. Deepak Anand: That's going to change.

Mrs. Lisa Gretzky: Not fast enough, frankly.

There was a comment made about the reputation, putting it out there that this kind of thing is not acceptable anymore. One of the government members talked about reputable employers: that they need to improve their reputations in order to attract more workers from out of province so those who are out of province want to come work here, and the onus was put on the employers. I don't disagree. Some of that onus is on employers.

I'm not just going to talk about employment; I'm talking specifically around women and trades, as well,

because nursing is a trade. The government is the biggest employer in the entire province. They cancelled paid sick days and won't bring them back. They passed Bill 124, which disproportionately attacked largely women-led professions and was found unconstitutional, and now they're fighting those workers—those women—in court. There was Bill 28, which also disproportionately attacked women-led professions. And the government really has not enforced pay equity. So I'm just wondering, from any of the presenters, when the government is talking about how the onus is on the employer—and, again, I don't disagree that we need to have good employers to attract good employees. But when you look at the things that the largest employer in the province of Ontario has done, do you not think that the largest employer in the province of Ontario has the largest responsibility to lead by example?

Ms. Mary Gellatly: Yes, I agree that the government should be leading by example, should be modelling what are good employment practices, should be valuing the labour of the nurses and the front-line workers who got us through COVID working in hospitals and long-term-care homes etc. but under wages that have certainly not gained and are falling well behind. So, yes, I think there's an important role to be a model employer. And certainly, paid sick days is the very least that can be done to provide all people access to an essential health protection.

Mrs. Lisa Gretzky: And I think it would be safe to argue that paid sick days would largely benefit women most, who often take on the caregiving roles within their families and would need time off to be able to care for their sick children, as well.

Mr. Andrew Pariser: My mom was a nurse, and my grandmother was a nurse, and obviously I've just been in the care of a nurse, so I fully support nurses, especially. I also support collective bargaining.

I'm from new-build residential construction, so I don't necessarily have a lot to say about public sector, but I can say that there's lots of stuff that's put into collective agreements. I'm never a fan of blanket policies; I really tend to like a surgical approach—pardon the pun, with my injury. I guess that's all I can say there. I think those are some factors that go into what you're talking about. There's collective agreements. There's other stuff. There's employment law.

To go back to the health and safety comment, on health and safety regs: Whether it's sanitation or properly fitting PPE—that has always been in the regs, and so I know it's not in this bill; I would say it shouldn't be, because in the province of Ontario, those regs get updated twice a year, in January and July. That's the same practice that has been around—it doesn't matter who has been in power; it has always been in the regs.

But now I'm getting on a digression, so I'll stop.

Mrs. Lisa Gretzky: I totally agree with you. I fully respect collective bargaining. The issue with Bill 124 and 28 is that they actually took the right away. They took the rights of nurses and other health care workers, paramedics. Bill 28 took it away from education workers. The government took that away and forced collective agreements on them.

As nurses are trying to negotiate free and fair collective agreements, they cannot do that with Bill 124 over their heads and this government spending taxpayers' dollars—spending those nurses' dollars, really—to fight them in court.

One other comment I want to make: We need more homes, we need more affordable housing, but the reality is—and the government side doesn't seem to get this—that we can build up to two million homes without touching the greenbelt. Builders can do that; they can make it happen. We do not need to touch the greenbelt.

And I do just want to say, for all the reasons—like how I mentioned Bill 124, Bill 28, pay equity—

The Chair (Mr. Ernie Hardeman): One minute.

Mrs. Lisa Gretzky: —and the record of this government when it comes to women in the workplace—there is nothing in the legislation to actually make sure that women, that workers, have proper washrooms or the proper safety gear. They can do it through regulation, and I hope that's the route they're going to go, but they could also amend this bill during committee to ensure that that is legislated, because, again, there are women all around this province who, because of Bill 124 and Bill 28, really don't trust this government to do the right thing. It should, in fact, be in this bill, because women do belong on construction sites.

And I want to give one last shout-out to the folks at Build a Dream in my area, who—while they encourage women to enter all kinds of workplaces, there really is a focus on skilled trades. I want to commend one of the leaders of Build a Dream in Windsor-Essex, Terry Weymouth, who is an electrician and inspires and helps mentor so many in our—

The Chair (Mr. Ernie Hardeman): Thank you very much.

We'll go to the independent. MPP Bowman.

Ms. Stephanie Bowman: I have no further questions.

The Chair (Mr. Ernie Hardeman): With that, I want to thank the panel for your presentations, both here at the table and virtually, and for joining us this afternoon.

UNITED ASSOCIATION LOCAL 787

HELMETS TO HARDHATS CANADA

The Chair (Mr. Ernie Hardeman): Our next panel is made up of United Association Local 787 and Helmets to Hardhats Canada.

As a reminder, each presenter will have seven minutes for the presentation. After we've heard from all three presenters, the remaining 39 minutes of the time slot will be for questions from members of the committee. This time for questions will be divided 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 members, and two rounds of four and a half minutes for the independent members as a group.

We ask the panel members to state their names as they start their presentation, to make sure it's properly recorded in Hansard.

We'll start with United Association Local 787.

1700

Mr. Andrew Tarr: My name is Andrew Tarr. I'm the business manager, financial secretary of UA Local 787, HVACR Workers of Ontario. UA Local 787 represents just over 4,500 workers in Ontario who perform work in the area of heating, ventilation, air conditioning, refrigeration, both in new construction and building maintenance.

I would like to thank the committee for allowing me time to speak on Bill 79, a bill that I believe is a continuation of the good work of this government and the Minister of Labour, Monte McNaughton.

Workers are the key to the success of the great province of Ontario. If we are to attract and retain the best workforce, we need legislation that will support our workers. Bill 79, Working for Workers Act, 2023, along with previous Working for Workers bills, is doing just that.

As a labour representative for HVAC workers, it is good to see the changes to the Occupational Health and Safety Act that we will see fines increased for those corporations convicted of an offence, from \$1.5 million to \$2 million. We need to continue to make sure that the cost to follow occupational health and safety of our health and safety regulations is cheaper than the fines, and this is a step in the right direction.

One proposed change to the Employment Standards Act, if passed, would see leave for those who have served in the military expanded. I believe that this is important and will help those who have already sacrificed so much. We need to make sure that these men and women get much-needed help and have the assurance that there will be a job for them when they're ready to return to work.

Other proposed changes within the bill to the Employment Standards Act will see employees who work from home have the same termination notice as an employee who would work at the employer's place of business—or to the Employment Protection for Foreign Nationals Act that will increase fines for withholding passports. These do not directly affect my membership, but I do support these changes.

In closing, I would like to also point out other regulatory changes announced alongside Bill 79 such as improving washroom conditions, requiring women-only washrooms and proper-fitting personal protective equipment for women. Not only are these a basic requirement of human dignity, but they are critical in attracting more people to the skilled trades. Local 787 applauds these long-overdue regulatory changes.

Thank you for your time.

The Chair (Mr. Ernie Hardeman): The second presenter is Helmets to Hardhats.

Dr. Darryl Cathcart: Thank you to the committee for enabling this opportunity. My name is Dr. Darryl Cathcart. I am an education and training consultant with Helmets to Hardhats. Before coming on board with H2H, I served in the Canadian Armed Forces, specifically the Canadian army, for 26 years. This is inclusive of domestic and multiple international operations.

On the call with me today, virtually, is Mr. James Hogarth. He is the executive director designate of H2H.

H2H was founded in 2012 by Mr. Joseph Maloney. Joe is a boilermaker by trade and a long-time unionist. Mr. Maloney understands the economic community and personal impact of hiring Canadian Armed Forces reservists, veterans and their family members.

Helmets to Hardhats Canada is a registered not-for-profit that provides opportunities in the unionized construction industry for serving Canadian Armed Forces members, transitioning Canadian Armed Forces members and veterans.

H2H works with the community of building trades unions and employers to ensure all of our clients receive only the best industry wages, benefits and access to pension plans.

H2H is recognized as a leading service provider by the Canadian Armed Forces, by Veterans Affairs Canada, and Canada's 14 building trade unions. We make the connection between the Canadian Armed Forces, their service and Ontario's construction sector. Many of the soft and technical skills of the reservists are highly transferable into the skilled trades, where the Helmets to Hardhats program matches the reservist to their desired trade.

While H2H is national in reach and scope, our largest client population is in the province of Ontario. Since its founding in 2012, H2H has referred nearly 1,400 clients to the skilled trades sector in Ontario, including 351 Canadian Armed Forces reservists. In 2022 alone, we referred 71 reservists to the skilled trades across the province. The impact, whether that be economic, well-being, social, employment, familial, of H2H programming continues to result in positive outcomes for reservists and employers. The introduction of this new provincial legislation amplifies this impact. In effect, the skills acquired and practised in complex and ambiguous real-world environments translates to a more engaged and knowledgeable workforce for the province.

In the past few years, H2H extended its outreach and offered tailored programming across the province. This includes homeless veteran outreach in conjunction with Good Shepherd Ministries here in Toronto; a military-connected student and trades pilot program in conjunction with Fanshawe College, Loyalist College and Release Point Education; and a safety training program. Each of these tailored opportunities were enabled through financial support from this government and the Skills Development Fund grants.

As an example, to appreciate the impact of this programming, our safety training program delivered mandated safety training that witnessed nearly 100 H2H clients qualified in four required areas: confined space, working at heights, hoisting and rigging, and elevated work platform. This truncated the military-service-to-employment pathway, which is a benefit to the Ontario construction industry. The return on the investment in the safety training program manifests through an increase in available work-ready apprentices and a projected industry cost savings of nearly \$2,800 per individual. The support

of the government and the Ministry of Labour, Immigration, Training and Skills Development was instrumental in realizing these training goals.

In conclusion, the Canadian Armed Forces presents qualifying citizens with an opportunity to serve their nation, which then cultivates an intrinsic sense of purpose, creates a unique bond with their uniformed peers, and fosters an organizational attachment. Reservists are at the centre of the special relationship between the Canadian Armed Forces and their community. Legislation that better protects the over 11,000 citizen soldiers in this province will undoubtedly contribute to the economic growth in many cities and towns across the province. In aggregate, reservists who have legislated leave protections will have a disproportionate impact on our communities upon their return to work after military operations, training or health-related absences.

Mr. Chair and committee, thank you for your time.

The Chair (Mr. Ernie Hardeman): Thank you very much for your time.

We'll start the round of questioning with the official opposition. MPP Gates.

Mr. Wayne Gates: First of all, I'd like to say my dad was a veteran who served from 1939 to 1945 in the Second World War. Unfortunately, my dad is not with me any longer.

Helmets to Hardhats, you do a good job—I just wanted to say that. I also wanted to say that in doing the good job that you're doing with your organization, we can't forget about our veterans today who are living on the street, who are homeless, who Legions all over the country are trying to help. We see it every day, so I think our hats should go off also to the Legions around the province of Ontario, in this case, for the work they do trying to make sure that our veterans are dying with some form of dignity and being taken care of, including when we've got a crisis with homes. You would be aware of it, I'm sure—or James might be—in Kingston, where they built tiny homes for veterans. That type of program should go across the province.

We certainly respect our veterans, and when they serve our country and they come back—and to make sure that they're taken care of medically until they're ready to come back to work, make sure they get into a skilled trade or whatever job they want to do—not just skilled trades, by the way. It's great that they're getting into a unionized workplace, because we know in a unionized workplace, you get paid fair wages, fair benefits and, in a lot of cases, pension plans. We also know that the safety records in unionized workplaces are far better than non-union workplaces.

1710

So to both of you guys, thanks for the work that you do.

I will ask some questions that I think are fair and reasonable. You guys might not think they're fair and reasonable, but I'm going to ask them and we'll go from there, okay?

Some skilled trades groups have been pleased with the work of this current Minister of Labour, particularly around

the changes that have been made with apprenticeship programs and the new Skilled Trades Ontario organization.

However, there were some concerns noted when this minister voted to strip education workers of their collective bargaining rights and was supportive of Bill 28. Do you think it was an example of working for workers? The two of you can answer that.

Mr. Stephen Crawford: Point of order.

The Chair (Mr. Ernie Hardeman): MPP Crawford.

Mr. Stephen Crawford: I think that's going off-track. That's not related to this bill. I would ask the Chair to please ask the member to reconsider that question.

Mr. Wayne Gates: "Working for Workers" is the name of the bill—and that's what this was. It came right out of the Working for Workers Act. What are you scared of? Just let him answer.

The Chair (Mr. Ernie Hardeman): I would just ask the member to make sure the questions are related to the presentations here.

Mr. Wayne Gates: I believe it is. They're unionized workers.

The Chair (Mr. Ernie Hardeman): Then carry on.

Mr. Wayne Gates: They're unionized workers. They support unions, I support unions, and I believe that Bill 28 doesn't support unions. I'd just like to get a comment from them.

Mr. Rudy Cuzzetto: Excuse me, Chair, this is Bill 79, not Bill 28.

The Chair (Mr. Ernie Hardeman): I think that's a point of order. I would ask the member to get back to Bill 79.

Mr. Wayne Gates: I appreciate me getting the attention of the Conservative representative.

My question—and I'll try to rephrase it—does Bill 28 support workers?

The Chair (Mr. Ernie Hardeman): I would ask the member to listen to the Chair's ruling and go back to Bill 79 or quit asking questions.

Mr. Wayne Gates: You know you're impartial, right?

The Chair (Mr. Ernie Hardeman): I am.

Mr. Wayne Gates: There are some changes in this legislation around employer penalties under the ESA; however, it begs the question as to what overall enforcement from the minister would look like.

Would you agree that increased penalties are only helpful if the minister is actually hiring more inspectors and enforcing fines from increased workplace inspections?

And I believe that's on the bill because it mentions that in the bill.

Mr. Andrew Tarr: I think enforcement would be important, yes.

Mr. Wayne Gates: Do you want to answer, as well?

Dr. Darryl Cathcart: From a Helmets to Hardhats perspective, we are a referral organization to ensure that we create that pathway from the military to the skilled trades. So I believe that question is a little outside of our area of responsibilities.

You do raise a great point about the Royal Canadian Legion. We have partnered with the Legion across Ontario

to deliver some of our Skills Development Fund training last year, and we continue to work with them as it comes to homeless veterans and referring them to the skilled trades. So thank you for bringing that up, MPP Gates.

Mr. Wayne Gates: I can't say enough about our Legions in Niagara and the work that they do in trying to help some of the veterans.

I was at a function the other day. My good friend Burd Sisler, 108 years old—it was his birthday. You can see it on my social media, if you guys—I'm sure you follow me on social media; most union people do. But if you're not, you can certainly get on it. It was really nice. He's a veteran. He's one of the few who are left. At the celebration of his birthday, there were two individuals there from the Korean War. Two years ago, we had 150 veterans from the Korean War. He told me, at the celebration for Burd, there are only four left in Niagara from the Korean War. When Burd did his speech, I was a little concerned. I met with him the day before his birthday at Garrison Place, where he's staying. He said, "Gatesy, I'm really getting tired." And then we went to the birthday, he did his speech and said, "I can't wait until my 110th birthday." So it's kind of nice to see a veteran who has survived everything we've gone through, with COVID, around long-term-care facilities.

I will say—I'm thinking; I'm trying to figure out where I can go without upsetting the—actually, they are the government for a couple of years more.

We spoke with the minister this morning, and it was clear he did not consult with the OFL—

The Chair (Mr. Ernie Hardeman): One minute.

Mr. Wayne Gates: —thank you. I'm sure you're happy about that, too, Chair—which, as you know, represents one million workers in Ontario.

Could you discuss your level of consultation on this legislation and if you think it was a mistake not to consult with one of the largest groups of workers in Ontario, the Ontario Federation of Labour, which represents 1.2 million workers in the province?

Dr. Darryl Cathcart: Helmets to Hardhats cannot comment on who the minister consulted prior to this bill.

Mr. Wayne Gates: You mean, as an organization, you can't answer that. Okay, that's fair.

Dr. Darryl Cathcart: I don't know who the minister consulted, or who he did or did not consult on the creation and forwarding of this bill.

Mr. Wayne Gates: James, do you know if they consulted with you, buddy?

Dr. Darryl Cathcart: Consulted with us or with our organization?

Mr. Wayne Gates: Yes, with your organization.

Interjection.

Mr. James Hogarth: I'm unaware of the—

Mr. Wayne Gates: I'm out of time. I'm sorry. Thanks, guys. I appreciate it.

The Chair (Mr. Ernie Hardeman): We will now go to the government side. MPP Dowie.

Mr. Andrew Dowie: Thank you, both, for being here and for speaking of the importance of some of the reforms

that are being proposed. I know we heard from other delegations, too, about the changes that workers can expect, especially for those who are more vulnerable, those who are being misused by their employers, and particularly for those who work in construction fields and in the trades.

I'm hoping you might be able to speak a little bit about—are the measures in this bill the right direction? We've heard a bit of testimony today about how maybe they're not worthwhile to do for a variety of reasons. In your opinions—for both of you—are these measures that are contained within the bill worthwhile to proceed with and beneficial to the workers in Ontario?

Mr. Andrew Tarr: I think it's a step in the right direction. The points that I deal with in basically the construction trades—I'd like to see more enforcement across the board.

Dr. Darryl Cathcart: Great question.

This legislation is the first of its kind in Canada in terms of protecting Canadian Armed Forces reservists. We often look south of the border and culturally to the American military and the protections that they've had since 1944, and Canada has lagged behind significantly.

The truncation from three months to two months in terms of leave protection is outstanding. It's a great step in the right direction that should be mirrored and matched all across this country.

Stats Canada tells us that there are over 97,000 uniformed service members in the Canadian Armed Forces. That includes the regular force, full-time military and the reserve, the part-time component, 30% of whom live in Ontario. So as we look at that in the aggregate, the protections that are in this bill will certainly help the reservists.

Immediately we go to the physical and mental health care of those reservists, but I ask that you keep in mind the training aspect. That's an important component of this bill. Often, reservists cannot access military training at a time that's convenient to them. They may have the opportunity to go on a regular force training, which then enables them to deploy, whether that be a COVID callout, forest fires, or activities in the north of the province. So as we look at that in the aggregate, this is extremely meaningful legislation for the reservists, who will then come through, hopefully, our program and then have that second economic impact on the province.

Mr. Andrew Dowie: One quick question, Chair, before I pass it to MPP Byers.

This is actually directed more towards Andrew. Part of this legislation includes the increasing of fines for bad actors and, really, those who take the passports of workers who are new to the country or to the province, or other documentation. Our schedule 1 has this as part of the bill. Do you think the government is right to go down this road, or are the fines just not a deterrent, no matter what actions we take? I'd love to get your thoughts.

1720

Mr. Andrew Tarr: I don't deal with a lot of foreign workers in our trade, but I think, with any fine, probably the most important thing that comes with that is enforcement. Sometimes we create fines, we create regulations,

and we rely on the worker to report or ask for help. What I find is that workers have a hard time. A person who is born in this country, who speaks the language and understands the system—they have a hard time. Someone who comes from another country, who may not speak the language—they come from a different culture. I see that in my world, as a union rep. There are some nationalities who feel reporting their employer would be turning against them.

Fines are good; I think we need to go after the people. Fine them to the point they can't operate anymore. But that can only happen if we have good enforcement.

The Chair (Mr. Ernie Hardeman): MPP Byers.

Mr. Rick Byers: Thank you both for being here this afternoon.

I wanted to ask a question to our friends from Helmets to Hardhats. As a bit of background, I had the pleasure of sitting on the board of the True Patriot Love Foundation from 2016 until last year, and it was my introduction to veterans. For others, that organization raises money to support injured vets and the amazing programs they run. It was as part of that exposure that I understood better the challenge of veterans transitioning from military into employment. Whether they're injured physically or mentally, as TPL supports, or other veterans, it's a big challenge to move from the military world to the employment world. You touched on it a little bit in your presentation, but give us a sense of how the bill will help both veterans and reservists with their employment activities, either existing or new.

The Chair (Mr. Ernie Hardeman): One minute.

Dr. Darryl Cathcart: We talk a lot in terms of reserve-specific, reservists-specific in this bill. It's about a reduction of barriers. We want to reduce those barriers to employment. If we look at it on a spectrum, not only do we see employment; we see a reservist who leaves and is now then classified as a veteran. They're able to take care of their family. That contributes to their sense of purpose, their identity, their well-being. And they're a meaningful contributor to their local Ontario community. This bill is a great step forward in reducing those barriers to a successful reintegration to civilian life—

The Chair (Mr. Ernie Hardeman): Thank you very much. That concludes the time.

Back to the opposition: MPP Gretzky.

Mrs. Lisa Gretzky: I want to address a comment that was made from the government side to Mr. Tarr. You did respond to the best of your ability. I want to provide some background to that question. First of all, the member said that some people have implied this legislation isn't worthwhile, when in fact that's not exactly what they said or the way they said it. It was specifically around the fines and the enforcement. They were saying that if you put it in language but never actually enforce it, really, how is that supporting the workers and how does that deter employers from certain work conditions that put employees at risk? So, to your point where you said, well, it's one thing to say we're going to do the fines or we're going to do the inspections or there's going to be enforcement, and it's

another to actually do it—that’s what the presenters before you were talking about.

The Migrant Workers Alliance for Change, the Workers’ Action Centre and Parkdale Community Legal Services were saying, historically, what we have seen is that there are regulations or there is language that comes forward from this government, particularly talking about protecting workers, but the inspections aren’t there, the enforcement isn’t there, the follow-up isn’t there, and those employers continue the same practice of exploiting workers without any sort of retribution. I want to share some data that those three organizations shared with us earlier. They were talking about, specifically, enforcement and consequences and the lack of follow-through. It said, “under the ESA, prosecutions of employers in violation of the act went from 79 in 2017”—just before this government came into power—to only “12 in 2021-22.” That was not because there were not violations; it was because those were not enforced. I’m wondering if you could build on that a little bit more from a worker’s perspective and from a union’s perspective—what that looks like when there’s supposed to be legislation to protect workers. Like you said—and that was a concern that these presenters raised as well—for some workers, it’s incredibly intimidating to come forward to start that process to make a complaint. I’m wondering if you can expand on that from your experience and those of your members.

Mr. Andrew Tarr: I find workers have a hard time coming forward. I don’t know how much more to expand on that. I find workers, by nature, want to work and do a good job. When they go against the employer, they have a problem doing that. That’s human nature, I think.

I think enforcement has always been a problem. I don’t know the numbers exactly, but I’ve been representing HVAC workers since 2006, and we’ve been looking for enforcement ever since. I think it’s a common problem.

Mrs. Lisa Gretzky: Under the way the current legislation or system is set up, in your experience and those of your members, when an employer is in violation of the act—we’ll talk about a worker getting injured—if there is a fine levied, does that benefit the worker at all, specifically? Do they get any type of financial compensation?

Mr. Andrew Tarr: Not that I know of, no.

Mrs. Lisa Gretzky: Does WSIB support them?

Mr. Andrew Tarr: No.

Mrs. Lisa Gretzky: Okay.

To my colleague from Niagara Falls.

The Chair (Mr. Ernie Hardeman): MPP Gates.

Mr. Wayne Gates: I do appreciate talking about our veterans. I want to be clear, because I don’t want you to leave here thinking that the NDP doesn’t support veterans. We have a number of people in our caucus, including myself—my dad served for six years, stayed a year over in Europe for the shows. They had some shows in Europe—I wasn’t around then; good thing he came home, or I wouldn’t be here.

At the end of the day, I want to say thank you to your organization for what you do every day.

I still believe—and I believe this from the bottom of my heart—as a country, we have to do better for our veterans. I gave you some examples that are going on right in my own riding, where veterans are trying to take care of veterans who are 88 years old—a 90-year old, taking care of somebody who might be 86 or 85 in the hospital. They’re doing that every day. As a society, we’ve got to do better.

This program is really, really good. I might not agree with everything that’s in the bill—when we bring bills forward, I wish we could vote on every part of the bill. But I will tell you, we’ll be bringing forward amendments that I think would make the bill better. I’m going to give you an example on why I think the government should be listening. We talk about what’s in the bill, and they’ve been talking—you’ve probably heard this—about the firefighters and the cancers. If you’re in a workplace, you know what I’m talking about when we talk about cancers, especially around asbestos and some of the things we’re facing all the time that are still in some of our older buildings, probably including this place. I think when they do the construction of this place, it’s going to take eight or nine years, they’re going to find a fair amount of asbestos, which is going to put workers in jeopardy.

There’s nothing in the bill that talks about firefighters and the extra presumptive cancers that firefighters deserve.

1730

I’ll be honest with you: You both represented workers—I don’t know if you have, but I know you have. Cancers are in all of our workplaces, and they should be covered, quite frankly—not just for firefighters; it should be covered for everybody.

The Chair (Mr. Ernie Hardeman): One minute.

Mr. Wayne Gates: Just so you know, there is nothing here—and I’m surprised by this—ensuring clean washrooms and gender equitable access on job sites, as well as access to body-appropriate safety gear. The minister made those comments with great fanfare about that recently—including calling a press conference—but they’re not here.

And so, because you represent workers, we will be bringing amendments forward to put them in the bill, because if you’ve been doing this for—how many years have you been doing this now?

Mr. Andrew Tarr: Since 2006.

Mr. Wayne Gates: I’ve been representing workers for 40 years as the president of a local union, and I know you’re aware of that. And I know that it’s a lot better to have it in the bill in language, because when they put it in regulations, nobody really pays attention to regulations in a lot of cases, and some of the things get lost. So I’ll give you a commitment to your members that we’re going to put it—

The Chair (Mr. Ernie Hardeman): Thank you very much.

The government side: MPP Anand.

Interjection.

Mr. Deepak Anand: I’m giving an extra 10 seconds to MPP Gates to say thank you.

The Chair (Mr. Ernie Hardeman): I'm taking it off your time.

Mr. Deepak Anand: It's good to see him smiling, Chair, and I'm happy to give another 10 seconds if he smiles on that. I have no problem.

Mr. Wayne Gates: I'm always smiling.

Mr. Deepak Anand: Thank you so much for coming.

I just want to acknowledge that I was actually at the announcement when we talked about the military reservists, and the former chief of defence, Mr. Hillier, was there. He talked about how important it is—when we talk about that one in seven of the Canadian soldiers deployed to Afghanistan developed mental disorders. We talked about the current legislation, even if we were moving from three months to two months—how important it is for them.

My question is to you, sir. When we make this change through the Working for Workers Act, 2023, what message really goes out to the people who are serving in the forces? Yes, we are here as a government to support them, but more than that—what does it tell the people who are serving so that they can relate and communicate to the others?

Dr. Darryl Cathcart: That's a great question.

Reservists often fall in the cracks between federal and provincial care. Once they're on a training iteration, an international deployment or a domestic deployment, they fall under federal health care. When they come back into their communities and they come back into their jobs, they're back under provincial health care.

So, yes, General Hillier quoted that stat, but we have much more fidelity on regular force members as compared to the reserves, because the reserve member is continuously moving between different levels of protection.

By having a government that's taking proactive steps to put in measures to help out reserves, that provides that much more time for folks to get access to care that they need.

Unfortunately—and we all know this—the Canadian Armed Forces is a dangerous occupation. I've served 26 years all over the world, including Afghanistan, and luckily I was never wounded or suffered from mental health injuries. But that's not the case—and we don't know when those injuries will come up. We don't know if they'll come up during the incident or two, three, four months or longer after the incident. So knowing that there are protections out there is fundamental for the morale and welfare of the service members, their families and their loved ones.

Mr. Deepak Anand: Thank you so much.

Chair, I'm just going to do my shameless plug. I love to talk about team Ontario, team prosperity, and what we're doing in the province of Ontario.

This question is to Mr. Tarr.

We are actually building 30,000 long-term-care beds, providing four hours of home care, 86,000 child care spaces, 1.5 million homes, and many more things that we are doing in the province. In order to do this, we need workers, and we know in this province of Ontario, we've got many of our workers, like me, who are first-generation immigrants with foreign credentials.

So what I want to talk about—through you, Chair—is about schedule 3, wherein we are making sure that immigrants with foreign credentials can give back to the community, to society, and have better jobs and bigger paycheques. My question is simple: What is your opinion on what we're doing here and what we can do more on that?

Mr. Andrew Tarr: I think it's good that we're trying to look at immigrants and their credentials and bring them quicker into the system. I don't deal with that a whole lot in my business. Typically, when we have immigrants come in, they come in as apprentices, and we help them out through the system.

Mr. Deepak Anand: My last question to both of you is very simple: What do you think of this bill? Is it a positive step in the right direction?

Mr. Andrew Tarr: I believe it is a positive step in the right direction, yes.

Dr. Darryl Cathcart: Yes, I concur. The protections for reservists are certainly a great step in leading not only the province but the country, and others should look at that.

Mr. Deepak Anand: Thanks for coming.

That's it for me, Chair.

The Chair (Mr. Ernie Hardeman): We have two minutes left. MPP Smith.

Mr. David Smith: I want to, first and foremost, thank both of you for coming here today.

I have a similar background to you, and I'm pleased to know that I am a part of the Ministry of Labour, Immigration, Training and Skills Development.

This bill, I believe, is a great bill, so when I hear you say what you said not too long ago, that it's a great direction to be moving—at least, you used the words “step in the right direction”—to make certain that we are fixing the problems that we face.

I agree with you when you mentioned that—apparently, you don't take in a lot of foreign workers, from what I'm hearing. I guess you find most of the people here, locally, so you don't have the same impact. But for the reservists and the firefighters we're talking about, first of all, there are two items—

The Chair (Mr. Ernie Hardeman): You have one minute.

Mr. David Smith: There are two items we're talking about right now which are in this bill. I don't know why my colleagues across the way don't see that, but we added thyroid cancer and pancreatic cancer. But for the other cancers—they already exist in previous bills, so I'm not sure what they're looking at.

However, today, I want to thank you for coming and for dealing with that situation. Reservists need to be taken care of, and we saw that as a need—firefighters are a need. We are trying to make certain that we highlight those two items to bring it forward to wholesomeness.

So we are moving in the right direction. I can't say anything more about the bill, other than the fact that it's a good bill, and I'm glad to hear that you feel the same way. Going in the right direction is what we're all about—to make this government be a better place to protect employees.

The Chair (Mr. Ernie Hardeman): That concludes the time. That also concludes the time for the panel.

I want to thank all three of you for being here—those sitting on the bench in front of us and those sitting on the bench at home and in the office. Thank you very much for your participation. We very much appreciate it.

That concludes our business for today. I want to thank all the presenters again who presented.

As a reminder, the deadline for written submissions is 7 p.m. on Wednesday, April 18, 2023.

Are there any questions or comments? MPP Crawford.

Mr. Stephen Crawford: I have two motions.

First motion: I move that the committee enter closed session for the purpose of organizing committee business.

The Chair (Mr. Ernie Hardeman): You've heard the motion. Any discussion? MPP Gretzky.

1740

Mrs. Lisa Gretzky: I'm actually curious as to what it is we're organizing. Those of us on this side of the House and the independent were not given any type of a heads-up of the government wanting to talk about anything at this committee that would require us to move into closed session. It's not uncommon that we see this kind of thing coming from the government side, but I have a hard time supporting moving into closed session to talk about something when the government hasn't even had the courtesy to tell us that there might be something that needs to be talked about in closed session.

Oftentimes, it is the practice that the government House leader and the opposition House leader would have a discussion ahead of time and give us the heads-up that there was something that would require us moving into closed session, but that courtesy was not extended to the members of this committee, and again, the independent member had not been given a heads-up either.

So at a point where we're supposed to be reassessing before we go into hearing more deputations on this bill before us tomorrow, the government is at the last minute, without any type of consideration for the opposition members, without any type of conversation or a heads-up, moving into, or wants to move—well, we will. They have a majority, so we're going to move into closed session regardless of what those of us on this side of the House want.

I think it's really important to be on the record to say that this happens far too often. While the government side will constantly say, whether in here or in the chamber, that they want to work with us and that we won't work with them, this is another classic example of the complete opposite—of the reality of being an opposition member in this place. It is an affront, frankly, to democracy, that this government continues to do what it's doing over and over again. My colleague and I were in another committee where the exact same thing happened, without the House leaders having a conversation, without any warning to the members on the committee. It's incredibly disrespectful not only to our constituents we represent, but to the members on the committee.

So I am not going to support moving into closed session, regardless of what it is for, because the government members haven't had the courtesy to have that conversation with us.

We've been here how many hours this afternoon? At any point, any one of you could have come over here and pulled us aside and said, "Hey, we have an organizational item that needs to be taken care of. This is what we're going to do. We're going to move a motion. Are you okay with that?" That's all it would have taken—a respectful conversation in the nearly three hours that we've been in here. And it didn't happen. You had conversations amongst yourselves, you had conversations with people who came to present, but you didn't have that conversation with us. This is not something that I can support. If there's something organizationally that needs to be dealt with, then I think the government members should have that conversation with those of us in opposition, have the House leaders have a conversation, and give us a heads-up.

Maybe we can take care of it tomorrow morning; I don't know. I don't know if it's a pressing issue or not a pressing issue because you didn't bother to talk to us about it. I think that it is, frankly, insulting, not just to me as an MPP, but to the people I represent and to the people who come before these committees expecting us to have at least that minimal respect within the House and within these committee meetings, and the government hasn't shown that.

The Chair (Mr. Ernie Hardeman): Any further debate? If not, shall I put the question?

Mr. Wayne Gates: Excuse me. I'd like to take a recess, please.

The Chair (Mr. Ernie Hardeman): A 20-minute recess has been requested pursuant to standing order 132(a). The time now being 5:45, the committee will reconvene at five after 6.

The committee recessed from 1745 to 1805.

The Chair (Mr. Ernie Hardeman): I call the meeting back to order.

Are the members ready to vote? Shall the motion carry?

Mr. Wayne Gates: Can we have a recorded vote, please?

The Chair (Mr. Ernie Hardeman): Recorded vote.

Ayes

Anand, Byers, Crawford, Dowie, David Smith, Triantafilopoulos.

Nays

Gates, Gretzky.

The Chair (Mr. Ernie Hardeman): The motion is carried. We go into closed session.

The committee recessed at 1806 and later continued in closed session.

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