Legislative Assembly of Ontario

Assemblée législative de l'Ontario

Official Report of Debates (Hansard)

F-22

Standing Committee on Finance and Economic Affairs

Organization

Protecting Ontario's Workers and Economic Resilience Act, 2026

1st Session
44th Parliament

Wednesday 13 May 2026

Chair: Hon. Ernie Hardeman
Clerk: Lesley Flores

Journal des débats (Hansard)

F-22

Comité permanent des finances et des affaires économiques

Organisation

Loi de 2026 pour protéger les travailleurs et la résilience économique de l'Ontario

1re session
44e législature

Mercredi 13 mai 2026

Président : L'hon. Ernie Hardeman
Greffière : Lesley Flores

Hansard on the Internet

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

Le Journal des débats sur Internet

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

https://www.ola.org/

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7400.

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7400.

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

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

ISSN 1180-4386

CONTENTS

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

COMITÉ PERMANENT DES FINANCES ET DES AFFAIRES ÉCONOMIQUES

Wednesday 13 May 2026

Mercredi 13 mai 2026

The committee met at 0902 in room 151.

APPOINTMENT OF VICE-CHAIR

The Chair (Hon. Ernie Hardeman): Good morning. We call the meeting of the Standing Committee on Finance and Economic Affairs to order.

Before we get on with the business, I believe MPP West has a motion.

MPP Jamie West: I move that MPP Bell replace MPP Shaw as First Vice-Chair of the Standing Committee on Finance and Economic Affairs.

The Chair (Hon. Ernie Hardeman): You've heard the motion. All those in favour? All those opposed? The motion is carried.

APPOINTMENT OF SUBCOMMITTEE

The Chair (Hon. Ernie Hardeman): Second motion?

MPP Jamie West: I move that MPP Bell replace MPP Shaw on the subcommittee on committee business.

The Chair (Hon. Ernie Hardeman): You've heard the motion. All those in favour? Opposed? The motion is carried.

PROTECTING ONTARIO'S WORKERS AND ECONOMIC RESILIENCE ACT, 2026

LOI DE 2026 POUR PROTÉGER LES TRAVAILLEURS ET LA RÉSILIENCE ÉCONOMIQUE DE L'ONTARIO

Consideration of the following bill:

Bill 105, An Act to enact the Strengthening Talent Agency Regulation Act, 2026 and to amend various Acts / Projet de loi 105, Loi édictant la Loi de 2026 visant à renforcer la réglementation des agences artistiques et modifiant diverses lois.

The Chair (Hon. Ernie Hardeman): Before we begin public hearings, I would like to make the following announcement: On May 6, 2026, the subcommittee on committee business adopted changes to the committee schedule for the consideration of Bill 105. The subcommittee was authorized by the committee to revise meeting and deadline dates and times, if necessary.

The first change was to move the public hearings date to today, May 13, 2026. Additionally, the Minister of Red Tape Reduction is now scheduled to appear before the committee at 1 p.m. The witnesses were rescheduled to a new meeting date, where possible. Finally, the deadline for written submissions has been changed to 6 p.m. on Thursday, May 14, 2026.

We will now begin public hearings on Bill 105, An Act to enact the Strengthening Talent Agency Regulation Act, 2026 and to amend various Acts.

Please wait until you are recognized by the Chair before speaking. As always, all comments should go through the Chair.

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

To ensure that everyone who speaks is heard and understood, it is important that all participants speak slowly and clearly. As a reminder, each presenter will have seven minutes for their presentation.

After we have heard from all three presenters, the remaining 39 minutes in this time slot will be used for questions from the members of the committee. The time for questions will be divided into two rounds of five and a half minutes for the government members, two rounds of five and a half minutes for the official opposition members, two rounds of five and a half minutes for the recognized third party members and two rounds of three minutes for the independent member of the committee. I will provide a verbal reminder to notify you when you have one minute left for your presentation or allotted time speaking. I want to point out: Don't stop when I say, "One minute," because the punchline is between that and the end. At the end of the time, I will stop it immediately.

Are there any questions from the committee? If not, we will start with the first panel.

MS. MILA FERRI

MS. NAINA GANATRA

UNITED STEELWORKERS LOCAL 6500

CARPENTERS' REGIONAL COUNCIL

The Chair (Hon. Ernie Hardeman): The first panellist is Mila Ferri and Naina Ganatra. They are virtual. I believe they're on the screen. The second presenter will be the United Steelworkers Local 6500. The third one will be Carpenters' Regional Council.

With that, we will—as you've heard the instructions—start with the first presenter, Mila Ferri. The floor is yours.

I just want to point out, we ask each presenter to identify themselves before they start speaking so we can attribute the comments to the right person. We also ask that if anyone else speaks, before they speak, that they introduce themselves for Hansard.

With that, the floor is now yours.

Ms. Mila Ferri: Hello to the Chair and members of the committee. My name is Mila Ferri, and I'm honoured to be here today to present in strong support of schedule 4 of Bill 105.

Despite being born and raised in Ontario, I'm a second-year medical student at the Royal College of Surgeons in Ireland. Today, I'm here to speak on behalf of all Ontarian international medical graduates. When choosing to study medicine abroad, one of my biggest fears was the prospect that I may never return home to practise medicine. This thought is terrifying to all Ontarians who study medicine abroad, who have envisioned re-establishing their roots and careers in the very place that raised them.

Today, I want to highlight the advantages to each and every Ontarian's health care that passing this bill will cause.

The primary care crisis that we are facing is no longer a future risk. It's our current reality as 2.5 million Ontarians do not have a family doctor, and the number continues to rise. As ER wait times rapidly increase—now at 4.5 hours—I think about 16-year-old Finlay van der Werken, who died after waiting eight agonizing hours in an emergency room in my home region of Halton, despite him being triaged at level 2, a category that requires a doctor's assessment within 15 minutes.

I also think about my elderly grandparents living in the Niagara region, where 90% of patients wait for up to three days in the ER for an in-patient hospital bed.

Additionally, the average Ontarian patient is trapped in an arduous ordeal regarding specialist treatment. In critical specialities, the journey from referral to life-changing treatment takes nearly a year. This is why schedule 4 is vital. We cannot manage these year-long patient journeys without a stable, local physician workforce across all specialities who will practise in our communities for the long haul. Schedule 4 isn't just a technical change to the residency match, it's a critical tool for patient survival and physician retention.

Prioritizing the 1,500 international medical graduates with Ontario ties is backed by clear data. Physician retention is highest—over 80%—when doctors train in the communities where they have deep roots. Schedule 4 ensures we prioritize doctors with ties to Ontario, as these are the individuals statistically most likely to open a clinic in their hometown and stay there for an over-30-year career.

Currently, the match process for international graduates has a 4-to-1 ratio of applicants to spots. This risks giving a taxpayer-funded residency spot to someone with zero connection to Ontario, who may leave Ontario as soon as their residency is complete. With this match rate, we don't just need a doctor for the two to five years of residency, we need a doctor for over 30 years of practice. The Ontarians studying medicine abroad want to come home to re-establish roots and spend their entire careers serving Ontario's patients. Individuals who already know the challenges that Ontario health care faces can directly relate to, and be part of, the urgent solution.

Furthermore, this bill brings Ontario into alignment with our peers in BC, Alberta and Nova Scotia that already use similar provincial-tie criteria. By legislating this, we provide stability by prioritizing Ontario's own workforce without the fear of policy reversals. We are simply ensuring that Ontario's tax dollars are used to train Ontario's future doctors. This bill would be adapting and accommodating to the established standard in other provinces, whereby Ontario is simply modernizing to remain competitive and up to date. The time and money invested in training residents would therefore benefit each Ontarian whose taxpayer dollars are funding the residency training.

This bill removes the barriers and obstacles that prevent Ontarians that are internationally educated from returning to serve their own neighbours. I urge you to support schedule 4. Let's bring our students home, let's protect our investment and, most importantly, let's get doctors for the millions of Ontarians waiting for one. Thank you.

I'm going to dedicate the rest of my time to allow my fellow student Naina Ganatra to speak.

0910

Ms. Naina Ganatra: Thank you, Honourable Chair, and hello to the members of the committee. My name is Naina Ganatra, and I am also currently a second-year medical student at the Royal College of Surgeons in Ireland in their direct-entry medicine program. I am also speaking to support schedule 4, regarding the provincial changes to the Canadian Resident Matching Service.

When I started to pursue medicine, my original plan was to attend McMaster medical school. However, by the time I reached high school, that plan no longer seemed realistic. Instead of pursuing an undergraduate degree and then trying to get into a medical school close to home, I chose to move an ocean away for a six-year direct-entry program, because it would realistically take less time than waiting to be accepted into a Canadian medical school.

I am not alone in my endeavours, as approximately one third of my first-year class was Canadian, and the vast majority of us were from Ontario. This follows a consistent trend, as over a quarter of physicians in Canada are foreign-trained, and much of that statistic is made up of Canadian international medical graduates.

Myself and my colleagues all share a similar objective: match back to Canada, and Ontario, specifically. I chose to attend RCSI because of its strong ties to Canadian residency programs, but these programs are not kind to international medical graduates.

Although Ontario has added 551 residency spots since 2018, international medical graduates are disproportionately rejected compared to Canadian-trained graduates. CaRMS applicants must be Canadian citizens or permanent residents. However, Canadian medical graduates are consistently elevated throughout the process, whilst only 10% of spots are allocated for IMGs. As of 2021, 97% of

CMGs matched, whereas less than 25% of IMGs did, despite our outstanding qualifications.

The disparities in CaRMS as of right now prevent myself and other Ontarians from achieving our goal of practising in a country and province that desperately need doctors. Luckily, this sentiment is shared across the country, as the recommended alterations to CaRMS have a precedent set by other provinces such as New Brunswick, Nova Scotia and Prince Edward Island. Saskatchewan also prioritizes IMGs by allocating more residency seats.

The changes proposed to CaRMS would greatly benefit myself and other Ontario international medical graduates as it puts us on a more level playing field with Canadian-trained medical graduates. It would also allow us to make meaningful change in a struggling system, as my colleagues so—

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

Ms. Naina Ganatra: Thank you—and improve health care across the province.

Furthermore, I implore each and every one of you to recognize that it's time for CaRMS to evolve to reflect both the growing need for doctors, as well as the expanding IMG population, and most importantly, allow myself and my fellow Ontarians to return home.

Thank you, and I yield the rest of my time to the Chair.

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

With that, we will now hear from the United Steelworkers Local 6500.

Mr. Sean Staddon: Good morning. Thank you, Chair, and to the committee for having me today.

My name is Sean Staddon. I'm an executive board member for USW Local 6500, and I'm also the WSIB compensation officer for that local. We represent over 3,000 workers in the Sudbury basin, as well as 7,000 pensioners, retirees and their families—many living with chronic injuries and illnesses from the mining industry. We are the largest mining union in the province, and we've been representing workers in the basin for 62 years.

I want to start by acknowledging that this bill does contain some needed improvements. Increasing loss of earnings to 90% for injured workers matters. It recognizes the financial pressure injured workers face. Improvements to benefits beyond age 65 also reflect the reality we see every day, that many workers in physically demanding occupations cannot retire safely or with dignity.

These changes matter. But, respectfully, they are not enough. Removing the 72-month lock-in period is being presented as a benefit, and it is not. It is a removal of protection.

Under this bill, the WSIB can review a worker's earnings at any time, and for the rest of their life. For workers living with chronic, progressive diseases, that creates a permanent uncertainty. It turns what should be a system of security into one of constant anxiety. That's not protection; that's instability written into law.

And while 90% of loss of earnings sounds strong, many of the workers I represent will never actually see 90%. In section 54 of the Workplace Safety and Insurance Act, the WSIB and legislation places a cap on their earnings. For workers, especially in dangerous occupations, that means that most of them are actually receiving closer to 70% of their earnings. When someone gets hurt for doing some of the most dangerous work in the province, they should not be punished for what they earn. Section 54 of the WSIA needs to be eliminated—full stop.

What brought me to here today though, committee, and through the Chair, are my friends Ron Rousseau and Jacques Labelle. Ron was diagnosed with occupational lung cancer when he turned 64. Last month, he received a letter from the WSIB saying that his benefits were going to be cut off in July. Imagine being told that you won't have an income while you're fighting for your life.

My friend Jacques is handcuffed to an oxygen tank in Timmins, Ontario. He has severe, life-threatening COPD he got from the mining industry. He was forced to take a reduced pension and walk away from a career that he loved.

These are not isolated stories; these are the consequences of a system that does not work for the people who it was built to protect. Bill 105 needs to remove the arbitrary cut-offs and worker election to receive benefits after 65. It should be automatic. We also need to introduce retroactive protection, so that workers who've been injured get the same benefit through this law as their peers will moving forward, because if this bill is meant to protect workers, it has to protect the ones who need it most.

The reality is that mining is not just dangerous for acute injuries, but irreversible occupational diseases: 87% of mining fatalities come from fatal occupational disease. In the last decade, 179 workers have died from lung cancer, COPD and pulmonary fibrosis. This legislation does nothing to address this epidemic. These are not accidents; they are slow, preventable diseases. Mining workers face a 54%-higher chance of getting lung cancer in their career, and a 165%-more chance of getting COPD. These illnesses are caused by known exposures—diesel engine exhaust, silica and arsenic—yet Ontario allows these exposure limits far above what researchers and scientists say, higher than Australia, higher than the United States. That's not prevention; that's accepted poisoning.

At the same time, the compensation is failing. It can take one to two years to come with an initial decision from the board, and much longer if that decision is denied. Instead of recognizing the combined effect of these carcinogens, the board looks at them in isolation.

So, yes, Bill 105 does have some needed improvements for those fortunate enough to get approval; far too many of the people I represent do not. If we are serious about protecting workers, we need real change.

We need to reduce red tape and introduce presumptive legislation for mining workers in the province's most dangerous industry. If a worker spends their career underground and gets lung cancer from the work they do, it should be assumed it came from work. Science supports it, and it's the right thing to do. This means faster access to care, less red tape at the board and dignity for families and those fighting their diseases.

We also need to bring exposure limits in this province down. Ontario has some of the highest exposure limits for non-carcinogens, and it's embarrassing.

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

Mr. Sean Staddon: Critical minerals are essential to our future and to this economy. Ontario cannot claim leadership while allowing preventable disease in its most important industry. Workers shouldn't have to choose between a good job and their health.

I thank the committee, and I welcome your questions.

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

We'll now hear from the Carpenters' Regional Council.

Mr. Finn Johnson: Good morning, Chair and members of the committee. My name is Finn Johnson, director of government relations for the Carpenters' Regional Council. I am joined virtually by my colleague Sally Chiappetta, our WSIB representative. Thank you for the opportunity to speak to Bill 105.

We are supportive of many elements of this bill and would like to speak to the positive changes being made to reduce the length of the open period in construction, and the steps towards harmonizing training certifications in the construction industry. However, we do have concerns with the changes being made to the Workplace Safety and Insurance Act.

To begin, we support the proposed amendment to shorten the open period in the construction industry to 30 days. The current 60-day window creates prolonged uncertainty for workers and contractors. In construction, where projects rely on tight timelines and coordinated labour, this instability can disrupt productivity and delay completion. A shorter open period will reduce disruption on job sites and help maintain productivity and stability in our industry.

0920

We also support the creation of a worker occupational exposure registry. It will improve the tracking of workplace exposures, support better health outcomes and strengthen accountability across the industry.

Another beneficial change in this bill is the move towards national standards for training and PPE. This will eliminate unnecessary barriers, like retesting and duplicate certifications; reduce costs and delays for workers moving between provinces; and increase labour mobility. Ontario's construction sector is under pressure from major infrastructure and housing demands. Enabling skilled workers from across Canada to contribute immediately when and where they are needed will help keep projects on track. We hope this step is one of many on the path towards nationally recognized standards for safety and training across the construction industry.

I would now like to pass it over to Sally Chiappetta to speak about the proposed changes to the WSIA.

Ms. Sally Chiappetta: Thank you, Finn.

Good morning, Chair and members of the committee. My name is Sally Chiappetta and, like Finn mentioned, I'm one of the WSIB representatives at the union, Carpenters' Regional Council.

While we support the move to provide loss-of-earnings benefits to injured workers past the age of 65, we have significant concerns with the broad discretion afforded to the WSIB to make the determination of whether an injured worker is likely to continue working past age 65 without clear criteria.

With the language proposed in the bill, if you are injured on the job before the age of 65, you are not automatically entitled to benefits after that age. Instead, the WSIB will be required to make a determination of whether they think you would have continued working past the age of 65 if you were not injured and for how long. This approach will certainly increase disputes and appeals, causing further backlogs to a system that is already overrun with cases. This is the wrong way to implement a good idea to help injured workers.

Instead, workers should be entitled to loss-of-earnings benefits up to the age of 68 if they were injured before the age of 65. This recognizes the reality that many workers are retiring later due to the high cost of living and people living healthier lives well into their mid- and late-sixties.

Further, we are also concerned about the removal of the 72-month lock-in period for loss-of-earnings benefits and the expanded review powers for the WSIB proposed in the bill. Whereas now, after 72 months, an injured worker's loss-of-earnings benefits are set and cannot be changed, this bill proposes that loss-of-earnings benefits be reduced at any time for any reason, and as many times as the WSIB decides to. This would leave workers feeling like they are under constant review. Over time, loss-of-earnings benefits will decrease based on statistical increases in earnings or increases in the minimum wage.

This has real consequence, as it can complicate access to mortgages and loans and undermines long-term financial planning. Further, by allowing perpetual reviews of benefits, the WSIB is taking on a tremendous administrative burden that will be costly to maintain. As we try to attract young people into the trades, they want to know that they will be protected in the event they experience a workplace injury. Removing the 72-month lock-in will significantly undermine confidence that a worker will have long-term protection if they are injured in the course of their employment.

Finally, we are concerned about the proposal to allow WSIB to consider other sources of income when determining reductions in loss-of-earnings benefits with the goal of ensuring no worker is earning more than 100% of their net income pre-injury. The proposed language is broad, and the types of income that the WSIB would consider when determining reductions include CPP retirement benefits and employer or union pensions. This represents a significant departure from current practice. More importantly, it changes a foundational principle: Workers' compensation has always been based on loss-of-earning capacity due to injury. This proposal shifts the focus towards total income rather than a worker's ability to earn employment income.

Additionally, union members can often begin collecting an unreduced pension before they retire—some as early as age 50. This means they could be punished for having a

strong union pension, and their loss-of-earnings benefits could be reduced. This is a fundamental change which risks undermining the purpose of the system.

Finn?

Mr. Finn Johnson: In closing, Bill 105 includes several important and positive reforms that we support, particularly around labour stability, safety and mobility.

However, the proposed WSIA changes raise serious concerns about fairness, predictability and the integrity of the compensation system. In the last two years, employers have received $4 billion back in premium rebates, while injured workers are going to be harmed by the WSIA changes in this legislation. This is simply not fair.

We encourage the committee to amend the bill regarding loss-of-earnings benefits after age 65 to automatically cover workers up to age 68, to keep the 72-month lock-in period for loss-of-earnings benefits and to remove the cap on loss-of-earnings benefits at 100% of pre-injury net earnings.

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

Mr. Finn Johnson: Thank you for your time. We look forward to answering your questions.

The Chair (Hon. Ernie Hardeman): Thank you. That concludes the presentations.

We will now start the first round of questions with MPP West.

MPP Jamie West: I want to thank everybody, but I'm going to start with the Steelworkers just because of the amount of time that we have. Actually, a lot of things the steelworkers said, the carpenters said as well, so I might go back and forth.

Sean, do you want to expand a little bit on removing the 72-month lock-in period and what that means for workers?

Mr. Sean Staddon: Yes, absolutely. Through the Chair, I thank you for the question, Jamie.

Removing the 72-month lock-in could devastate a worker with a long-term injury. We're not talking about sprains or strains or things that resolve in six-to-eight weeks. A lot of the workers that I represent have life-changing injuries. They may never go back to the workplace again. Their life has not only changed from their health outcomes but financially taken a hit. They based their mortgage—they based their entire lives on what they were able to earn at their workplace, knowing at any time that an oversight agency like the WSIB could review and make their changes and reduce your earnings even further.

As far as I'm concerned, the legislation as it stands now—if there is some kind of alarm bell from the WSIB or there's a material change post-72 months, the WSIB has the ability to review the earnings. I've seen it happen. I've seen workers have their earning capacities changed because of a material change in their job; they started earning more money and it was appropriately changed. There is absolutely no reason to change this legislation as it stands.

MPP Jamie West: Thank you.

Finn or Sally, in your submission, you mentioned concerns about this lock-in period as well and honestly talked about the administrative burden that will be costly for the taxpayers to maintain on this. I wanted to know if you could expand on that.

Mr. Finn Johnson: Sure. I might pass that to Sally first and then I can jump in after.

Ms. Sally Chiappetta: Thank you.

As far as the administrative burden, our office deals with many decisions that go through the appeal process. We see already, as it is with the decisions that we're dealing with and the caseload that we're dealing with, that we're faced with backlogs; that decisions could take a couple of years to go through the entire appeal process. Those are on decisions with the way the legislation is currently written.

With the broad discretion for the WSIB to now review benefits following 72 months and it would be perpetually reviewed, that would just open up files to be continually assessed, scrutinized and reviewed, and those decisions would be appealed. I know my colleague and I in our office would encourage our members to appeal those decisions because that would be the right thing to do. That would be the best thing in their interest. That would just further burden a system that's already taxed with dealing with the file work that they already have.

So in addition to the financial implications, as the steelworker rep mentioned, there are a lot of administrative and bureaucratic concerns that we have with this sort of decision. The system at the WSIB currently is simply not equipped to deal with the level of work that this proposed bill would create.

MPP Jamie West: I'm going to go on to some of the things that Sean from Local 6500 had said about mining having irreversible occupational injuries. The stats were pretty stunning: 87% of fatalities in the mining industry in Ontario come from occupational disease. You said that's not prevention, that's intentionally poisoning—54%-increased chance of lung cancer, 165%-greater chance of COPD.

I think, very tellingly, you talked about the importance of dignity for families. I used to be a member of their union; I know from visiting people at the hall, you often meet children and wives of the miners—predominantly male-dominated—on the verge of tears, and miners just hoping to get a response from WSIB before they pass away so they know their family will at least have some partial care.

I want to understand this because while you were talking about this, I was thinking about how people can't smoke at the mall anymore. You mentioned intentional poisoning. So why is it, in Ontario, that our rates are much higher than in other sectors or other regions around the world?

0930

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

Mr. Sean Staddon: Through the Chair, I thank the member for the question.

As to why we are allowed to have occupational exposure limits set where they are, I couldn't really answer that question. Those limits have been set, as far as I know, since the late 1980s and have not changed. They have not

kept up to date with the technology that is underground, with the heavy introduction to diesel equipment.

This province is far behind our neighbours to the south, who, under the current administration, have lowered their silica rates by 50%. That's how important mining is to North America—that our American neighbours are changing the silica laws. We're far, far behind.

Everyone's worried about the economic cost it will take to do that. The economic cost on the health care system—

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

We now go to MPP Blais.

Mr. Stephen Blais: Thank you, everyone, for your presentation.

Sean, I'm going to give you a chance to conclude your thought there, if you would.

Mr. Sean Staddon: Thank you, through the Chair: It's not just economically a burden for the employers to have to implement controls; it's what needs to happen, because those costs are being shifted to our already stressed health care system.

Someone is going to get silica and be treated for it. Now, whether the WSIB benefits pay for that treatment or OHIP does, it will be paid for. Quite frankly, our local has taken the position that as long as we allow the employers—because they are doing nothing wrong; they are following the law. What we need to do is change the law to reduce the amount of people, the amount of miners, the amount of smelter workers, the amount of refinery workers and even my friends in construction. We need to lower the limits to enforce this. It's the right thing to do so that families don't have to lose a husband at 67 years old, that they can retire with dignity for longer than five years after they take their pensions.

This isn't an orange question, blue question or red question; this is the right thing to do for human beings.

Mr. Stephen Blais: Yes, I know. I do appreciate that, and I agree with you. Whether we pay through WSIB insurance or with the health care system, the bill is going to come due at some point.

Forgive my ignorance: I'm not a miner and I don't have any miners in my family or close circles. How are exposure limits monitored? Is it a matter of the amount of time you're spending in the mine? Are there air quality monitors while you're in there? Maybe educate us a little bit about that.

Mr. Sean Staddon: Yes, absolutely. I appreciate the question.

Through the mining regulation and through the designated substance regulation here in the province, each employer who has these designated substances in their workplace is required to monitor it, whether that's through wearing a personal sampling pump on your coveralls—you wear a pump that collects the air for an eight-to-10-hour shift—or we have area monitoring, where we would set it up in a location in the mine for a run-time of 10 hours. It's collected and analyzed at a lab. An occupational hygienist would assess it and would determine how much of the contaminants are in the air.

For silica, right now, we're allowed 100 micrograms per metre cubed over an eight-hour shift. Science tells us it needs to be at 25. The United States have moved to 50 and will move to 25 in the coming years.

This isn't some union trying to push employers to do the bad thing. This is based on science, based on people a lot smarter than me who have been researching this for decades.

The employer I work for does an incredible amount of exposure-limit monitoring. The WSIB has decades of test results because of this. They know how many people are sick, who have been overexposed and who are getting these preventable diseases.

Mr. Stephen Blais: I presume I know the answer to this, but silica is not the only concern. What are the other types of, I guess, airborne contaminants that you face in your industry?

Mr. Sean Staddon: The second-largest one—and kudos where it is. Three or four years ago, the Minister of Labour did reduce diesel particulate—or we call it elemental carbon. That's the soot from a tailpipe of a scoop tram—a haulage truck—that can get into your lungs. That's from the engine exhaust.

We have inhalable and respirable nickel from the ore we mine and from furnace emissions. Arsenic is in the ore—asbestos, anything. If you took a rock and placed it on a table and just started drilling—all of that dust that comes up, that is full of known carcinogenic agents.

Mr. Stephen Blais: And when you're in the mine, are you wearing some kind of respiration device, or are you just—your face is open?

Mr. Sean Staddon: For 95% of the shift, you are not required to wear PPE whatsoever. Now, we may encounter areas where it is required, but for the most part, no.

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

Mr. Sean Staddon: There are operations in our smelting facilities where, yes, you do have to wear a respirator. But I'll remind the committee of the hierarchy of controls: PPE on a worker is the last line of defence. We have to engineer controls, eliminate the hazards, before we start putting things on workers.

Mr. Stephen Blais: Yes.

I will get to everyone else; I'm just quickly running out of time.

I do want to thank you very much for telling us Ron's story. A very sad story; I'm sure he's by no means the only one.

You did talk about presumptive protections. Have you received any momentum or any information from the government about their openness to looking at that?

Mr. Sean Staddon: We've had primary discussions with the government about presumptive legislation along with our colleagues in the building trades. The firefighters, as you know, have presumptive legislation for the same cancers we're asking for—

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

MPP Brady.

Ms. Bobbi Ann Brady: Thank you to all our presenters this morning.

Sean, did you want to finish that thought?

Mr. Sean Staddon: Yes, very quickly. Thank you.

We've had some primary discussions. It's been something we've been talking about for the last couple of years—always willing to talk with any member who wants to, and very open to educate the entire House on this matter.

There hasn't been any willingness and, really, we're not going to be able to do it alone. We need our partners at the Ontario Mining Association. We need our friends here in the House because, like I said, this isn't a team A or B thing; it's a human dignity issue we have.

Ms. Bobbi Ann Brady: Thank you. I represent USW Local 8782. I have many friends who actually work at the steel mill, and I know what a demanding job they have. I have the utmost respect for our Steelworkers.

I agree with you. Under the current WSIB framework, locked-in benefits represent far more than a financial calculation. It represents the first genuine sense of certainty and stability for that worker and their family. I agree that the proposed elimination of the lock-in would place permanently disabled workers into a state of indefinite review. I think that's very scary, and the anxiety that would cause makes me very sad.

If you could, describe what message this legislation is sending to those workers in physically demanding professions in this province. I suspect that you were not consulted prior to the tabling of Bill 105. I'm wondering—I think you said, Sean, that maybe we should have left well enough alone—would you have liked to have seen the WSIB changes in a stand-alone piece of legislation rather than in an omnibus bill?

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

Mr. Sean Staddon: Thank you for the question. I think that injured workers and advocates across the province have been asking for WSIB reform for many, many years.

Our organization was not consulted. I was lucky enough to see this bill was coming. All of us in this space tried to rally very quickly and be able to present here. So, yes, we would have liked to have seen a separate bill so we could discuss our challenges and our friends at the carpenters' could bring forward. I guarantee you today, most of us will be saying the exact same thing. Thank you.

Ms. Bobbi Ann Brady: Thank you.

Finn, was your organization consulted prior to the tabling?

Mr. Finn Johnson: Yes, we were. We agree, in principle, with many of the ideas in this bill—I think, in particular, benefits to individuals over the age of 65 for loss of earnings. But the actual mechanisms and how broad the legislation is written—that gives such discretion to the WSIB to make decisions that, based on the language that's in the bill, seem incredibly arbitrary. The actual—

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

We'll now move to the government: MPP Racinsky.

Mr. Joseph Racinsky: Thank you to all the presenters for coming this morning and for being flexible with your schedules after shifting some things around. We appreciate it, and thank you for all your feedback so far.

0940

Mr. Johnson, I'll start with you. Going back to the start of your presentation, you talked about the open period for construction. We're proposing to shorten that from 60 to 30 days. Our government has a very ambitious, over-$200-billion capital program. We want to get building, and we want to get it done quickly. Whether it's our government, the federal government, getting these big projects moving is a top priority for, I think, everyone across the country.

But I know this also is a benefit for your members, for your workers. So please explain a bit more about why this is important to do and, really, a win-win.

Mr. Finn Johnson: Sure. The open period in the construction industry does create a lot of uncertainty amongst contractors, union members and within the industry as a whole, especially when you go into areas of the province that have higher unionization rates in construction. The open period is essentially a 60-day window leading up to the expiry of the current collective agreement. In the construction industry, all of the collective agreements are aligned. They have three-year terms that expire at the same time.

So there's a huge amount of uncertainty amongst all of the construction trades in the ICI sector as the agreements come to expire. When they have the 60-day window, there's a lot of instability. It's a bit chaotic.

To have the period shortened to 30 days does create more certainty for employers and for workers, more stability. That's something we need right now, at a time when we have to get lots of work built. We need lots of individuals in the skilled trades. We're excited. Our members are excited to build this province, and having that stability, a reduced period of uncertainty, is certainly beneficial.

Mr. Joseph Racinsky: That's great. Thank you.

You also mentioned the standardization of training, PPE, health and safety across the country. That's another thing that has been very important for us: breaking down provincial trade barriers, making sure that we've got labour mobility. I'll get to Ms. Ferri later about health care, but why is it important to have that mobility, to be able to move people from different provinces to different projects? Just tell me a bit more about that too.

Mr. Finn Johnson: Ontario has been a real leader in this area in terms of harmonization of standards and certifications for safety and training in the construction industry.

Labour mobility is so critical. Projects have tight timelines. We want to get projects built on time and on budget. Oftentimes, large-scale projects are popping up in many different areas of the province—incredibly large scale—where we do need to bring in individuals from out of province in order to meet the demands of the industry.

With the current system and in years past, if I'm an individual who's working in Alberta, for instance—typically, Ontario has been one of the provinces that does

a better job of this, but if I'm an individual working in Ontario and I'm looking to work on a project in Alberta, the timelines are really important. When I have training and safety standards that are already in alignment with the standards that are required in Alberta, but when I get to the province they say that I need to re-take all of those standards because they aren't the Alberta standards, even though what you actually learn and what you get certified in is the exact same, that's an additional cost that's borne by the worker.

That's a delay for them, in terms of the time it takes for them to have to train before they can get onto the project. That's days of lost wages that they're retraining for or recertifying for.

A lot of these projects that are on tight timelines when we have individuals coming in from out of province are typically turnaround jobs in the oil and gas sector, shutdown work or sometimes camp projects, where there are these sorts of tight timelines when you would be able to work on the project. If you miss a couple of days, sometimes that costs you two weeks because the project is under way, and you have to wait for the next turnaround.

So there's a huge burden on workers. To be able to harmonize these standards across the industry is really going to help big things get built and reduce the burden on workers, who we really need.

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

Mr. Joseph Racinsky: Just for time, I want to quickly go to you, Sean. Again, talking about the health and safety standardization, labour mobility—is labour mobility important for your sector as well and making sure that health and safety is standardized across the country?

Mr. Sean Staddon: Absolutely. Standardization to help us attract new, young workers and people who want to be involved in Ontario mining—absolutely. I wouldn't be here saying that we should stop mining. We need more people, and the way we'll get more people is showing the province that we're going to make it safer. We're going to take real leadership so that young people will enter into mining. If my kids came to me and said they wanted to go underground, I would tell them "No, it's too dangerous. You'll get sick and you won't enjoy your retirement."

So, yes, standardization, absolutely—

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

MPP Vaugeois.

MPP Lise Vaugeois: A question to Sean about lowering the amounts of poisons that workers are exposed to: Are you aware of any organizations or associations that are opposed to lowering these limits?

Mr. Sean Staddon: Very easy answer for me: No, I am not aware of any safe-work associations or unions that would be. The one association that comes to mind would be the Ontario Mining Association. They have not publicly said they are staunchly against it, yet they sit on the section 21 committee. It is tabled there and remains unpassed at this time.

MPP Lise Vaugeois: Okay. So it really requires us as representatives to make that happen, to push that to happen.

The age 65 provisions in the bill are very complicated, and from what you're saying, it also seems likely that nobody is actually going to get through this process and have their earnings extended beyond age 65.

What are your thoughts on how that could be better? Because this is a red tape reduction bill and yet this seems to be creating an enormous amount of red tape and barriers to actually receiving compensation.

Mr. Sean Staddon: Yes, absolutely. It's hard. I welcome us at least looking at this idea, that people are working past age 65—very happy, because this is something that we have appealed multiple times. I probably have a dozen appeals that we can't take forward and we are looking at constitutional challenges because we know people are working past age 65.

But then to say that the worker has to let us know, that they were planning on it and they need to means-test that and, "Show me your mortgage payments" and everything—that is going to create far more appeals, in my opinion. It's really adding a lot of barriers to workers who just want to be able to pay off their house and were planning to work longer.

Ron, for example, had worked for a mining company in the 1980s that went defunct. Then, he had to go to a different mining company; it went defunct. He did not have a chance to get to his 30-year pension. People say, "You should be able to retire and be good to go at age 65." That's not the case anymore for many of our workers.

I see this really being more discriminatory. It's going to be a super challenge for the workplace safety insurance tribunal, honestly.

MPP Lise Vaugeois: Thank you. I also have a lot of concerns about the 72 months, lifting that cap. I already have concerns about the 72-month period because what we see—perhaps either of you can speak to this—is that the WSIB seems to be always looking for a way, a rationale to reduce benefits to people.

We see the practice of deeming and perhaps you could explain that. I understand deeming to be when an injured worker is told they could be working somewhere, they could be earning something, and so therefore that money is taken away, whether or not that job exists.

Mr. Sean Staddon: I'll let my colleagues go first, if they want.

Mr. Finn Johnson: Sure. I'll pass that one to Sally to start.

Ms. Sally Chiappetta: Thank you for the question. The concern with deeming is a long-standing one. The idea that the WSIB decides that a worker should be earning something, whether the job is available or whether they're able to do the job or whether the job is sustainable, has been, like I mentioned, a long-standing concern.

The problem by lifting the 72-month review, just like you mentioned: It gives the WSIB another way to further reduce what workers are already receiving. It just provides the worker less financial stability and it removes the worker's ability to finally catch their breath. Having a claim go on as long as it does with the WSIB creates enormous pressures on a worker and the family unit. So to have

the WSIB be given the authority to review benefits and determine benefits whenever they feel fit, for no reason other than they can, at any time, when they want to, is something that I can't even begin to understand how to describe to injured workers.

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

0950

Ms. Sally Chiappetta: So the practice of deeming is definitely a concern, but to give the WSIB even more authority and more power to look for reasons to further reduce a worker's benefit following injuries that prevent them from returning to their work and are with them forever—the injuries, many times, are chronic and are long-standing—can only be considered punitive, which, again, is not the intent of this legislation. The intent of the legislation is to protect workers and compensate them after workplace accidents.

MPP Lise Vaugeois: Thank you.

The Chair (Hon. Ernie Hardeman): MPP West, 19 seconds.

MPP Jamie West: Thank you for your submission. I also want to thank you for bringing forward the importance of being punished for having a unionized pension. It's important that our members around the table here understand the importance of having a unionized pension, and that you shouldn't be losing earnings just because you were injured in a job that you love to do; that you'd prefer to actually be doing—

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

We'll now go to MPP Blais.

Mr. Stephen Blais: Just on that same topic: Sally, I don't quite understand the "strong pension" problem that you alluded to and Jamie was just talking about. I'm wondering if you could, in maybe a minute, explain what that challenge is.

Ms. Sally Chiappetta: Sure. Currently, the WSIB does not consider retirement income—pensions, so union pensions—in their calculation of employment income. That's what the WSIB uses to determine whether the worker should receive less benefits, so whether there's an offset, if you will, on the WSIB benefit.

Historically, retirement pensions are not considered employment income. With the vague language in the proposed bill, it reads that the WSIB could offset, and will offset, payments that a worker receives from their employer on behalf of the employer, which would mean that examples of income that were not considered prior—that were safe, if you will—are now part of this offset regime, which is problematic.

Many workers that we know of, many workers that my colleague and I represent, are working and receiving their retirement pension. The same is true with workers that are receiving a partial loss of earnings from WSIB, because they're injured and can't get back to their work, and offset those losses with their union pension—a pension that they've worked towards, a pension that is there to provide for them and their families.

The fact that they are able to take it prior to retirement at 65—it's something that's available to them, and again, it's to offset the cost of living. It's to offset the losses that they do experience with the claim. So to now use that as a way to say, "You're receiving too much" is punitive. That's not the intent, again, of the legislation, and the retirement pension ought to be protected from any offset or any sort of calculation when the WSIB considers what a worker should receive after an accident.

Mr. Stephen Blais: I'd like to touch on this idea of extending the full coverage to 68. I agree: Many people are working longer, either by choice or because of financial circumstance. But I do remember the Conservative government tried to increase the retirement age a number of years ago to 67 or 68, and there was extraordinary pushback from people—from labour unions, from the population—in terms of increasing the retirement age.

I'm wondering: If we start to extend these benefits as of right into that threshold, are we not maybe opening the door to that conversation of making the retirement age later?

Sally, you were the one that talked about this; other people can answer it.

Mr. Finn Johnson: Sure. I don't mind jumping in here first, Sally.

Ms. Sally Chiappetta: Okay. Thank you.

Mr. Finn Johnson: This is not a new idea in Canada, the idea to have loss-of-earnings benefits after the age 65. Quebec has it up to age 68. Many other provinces also have loss of earnings benefits over the age of 65.

The difference here is that their language that's in the legislation in those provinces is much more defined. It's much clearer, so there's an expectation as to what a worker would potentially be entitled to. There's clarity for the workers that are filing a claim to be able to understand what they might be entitled to, and what documentation they would provide that might get them there.

With the way the language is written right now, essentially WSIB gets to make a decision when a worker turns 63. If they were injured prior to the age of 63, the WSIB gets to make a determination. There are no factors listed in the proposed bill, but the WSIB is able to determine if, in a hypothetical—in an alternate universe where the worker was not injured, would they have worked past the age of 65, and if so, for how long?

The WSIB gets full discretion to make that determination, which, in our opinion, doesn't make sense. I don't understand how the WSIB would possibly be able to make a determination if someone would have continued working had they not been injured without any factors outlined in the legislation.

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

Mr. Stephen Blais: Sure, I understand that. I guess my question is more that they could be 70. They could be 75. But also, if you open the door to a later date in one area of law, do you not then encourage that door to be opened up on the other side and that's the pension side? But I get that point.

I do want to move on very quickly back to Sean and the Steelworkers. You mentioned 100 milligrams per metre—

Mr. Sean Staddon: Micrograms, yes.

Mr. Stephen Blais: The Americans have brought it down to 50. You said the science says 25. Are there any Canadian jurisdictions that have brought it down below 100?

Mr. Sean Staddon: Yes, thank you for the question. Very quickly, yes, several: British Columbia, Saskatchewan, Newfoundland, Nova Scotia, Alberta—

Mr. Stephen Blais: And are they at the 50 or have they—

Mr. Sean Staddon: They're at 25.

Mr. Stephen Blais: They're down to 25.

Mr. Sean Staddon: Yes, and the Canadian labour code calls for 25 as well.

Mr. Stephen Blais: So Conservative governments in Alberta and Saskatchewan have lowered it to 25.

Mr. Sean Staddon: I couldn't accredit that lowering to them—

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

MPP Brady.

Ms. Bobbi Ann Brady: I'll move over to our medical students.

I'm curious. Despite your support of schedule 4 in Bill 105, I have concerns that the legislation itself does not define what an Ontario connection actually means. It leaves that definition to future regulations written by cabinet or the ministry. You know the saying; I've seen all too often that the devil is often in the details.

I'm wondering if any of you actually have concerns about who gets to count as having a legitimate Ontario connection.

Ms. Naina Ganatra: Thank you for your question. I believe in the changes to CaRMS, they defined an Ontario connection that would pertain to the bill as living in the province for 24 weeks the year before you start to match, having at least two years of Ontario high school and having around, I believe, a year of university full-time within the province.

Furthermore, I don't believe Mila and I have any concerns at that point, in terms of what would define—

Ms. Bobbi Ann Brady: Do you believe that the criteria, from your perspective, is fair and it's evidence-based?

Ms. Naina Ganatra: In terms of what we can see in the bill right now, we believe that it does cover a large portion of Ontario graduates, specifically those who are closer to entering the medical workforce, as we entered medical school right after high school. Mostly, students are going into med school right after university, so they would need an undergraduate degree.

In addition, if there are newcomers to Canada and they live in Ontario for 24 weeks before they start the residency-match process, then that would also be classified as an Ontario connection.

I think I speak on behalf of both of us: We do believe that that's fairly—

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

Ms. Bobbi Ann Brady: Okay, and you don't see that that criteria could unintentionally disadvantage newcomers or internationally trained physicians?

Ms. Mila Ferri: I think this is not about excluding international physicians; it's more of a "welcome back" to those who have roots here. It's not something that I think would put them at a disadvantage. There are many other provinces that have this rule as well. I think it's just ensuring that Ontario is keeping up-to-date with the other provinces' legislations that they have in place and making sure that we're all on an equal playing field, especially those who have roots here.

As I said in my speech, I think these changes would truly benefit the health care system in Ontario, as it has been proven that people who have established roots here or have ties here are more likely to stay here and practise. What we don't want is for—

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

We will now go to MPP Kanapathi.

Mr. Logan Kanapathi: Good morning and thank you to all the presenters for your presentations. Thank you for being here.

1000

My question will go to Mila and Naina. Thank you for your passion. You studied here—most of them born here. Then you went out; you couldn't get a fair share here. Then, because of your passion, you went out to Ireland and the Caribbean. So many IMGs are coming out of all over the world, especially the Caribbean, Ireland and South Asia—India, Sri Lanka.

I've been dealing with IMGs for decades. I've talked to hundreds of IMGs and international foreign doctors because my wife went through the system 25 years ago. The door was open, but it wasn't too open to the IMGs.

That's why our government is undertaking this change. It's amazing. I'm one of the caucus members who advocates for it, along with my members here. We passionately talk about IMGs. We need you. That's why the proposed changes to the matching process in Ontario would make it easier for Ontarians studying medicine abroad to come here to practise after their graduation, and allow the people to see your friends, see your neighbourhood, see your country, see your province. That's why it's an amazing program.

We started many streams to accommodate internationally trained doctors and IMGs to come and practise in Ontario.

Could you elaborate a little bit more on what else we could do to bring more into the system? You don't want to wait for three, four years. Even if you wait three, four years, there is an issue—your credentials. So what else should our government be doing to bring more IMGs into the system and strengthen our primary care system?

Ms. Mila Ferri: Yes. I think that's a very good question. I thank you for your support of our passion as well.

I think something that would be very beneficial is opening up more spots for specialties. I think specialties are equally as important as family medicine, and I think

that's also a big concern for many Ontarians who are trying to come back home.

As I mentioned in my speech, there are incredibly long wait periods, especially to get into surgeries. I think that's an area of improvement as well.

Naina, would you like to take the rest?

Ms. Naina Ganatra: Just building off Mila's point, both of us are actually very interested in surgery, and that's something we do want to come back to Canada for. However, if we do want to practise surgery, stats have shown that it's actually easier for us to match back to the United States, which would, of course, be a whole other process. We're losing more medical graduates from Canada to the States and internationally every year.

But, in addition, something that was really concerning to both of us was the fact that, even though we're all Canadian citizens, Canadian medical graduates have a 97% match rate as opposed to international medical graduates who are Canadian, which is less than 25%. That is something that's concerning to both of us, especially in subspecialties that we may want to go into. I'm personally very interested in neurosurgery; I know Mila is very interested in plastics. So the fact that we have barriers like that, even though we're all Canadian citizens and we are getting a very comprehensive medical education—that's something concerning.

Very quickly, in addition, there are other barriers for IMGs in terms of the exams that we have to write in order to come back to Canada that are required for Canadian medical graduates. However, we have to write those, such as a skills assessment and a multiple-choice exam, before we match back, before we even enter the match process. However, for Canadian medical graduates, they're allowed to write that after they have secured a residency spot. If they fail that, they can still continue on in their residency. Whereas if we fail, we're completely kicked out of the system.

So those are some concerns that we have. We would like for future conversations to be about lowering those boundaries even more so. Thank you.

Mr. Logan Kanapathi: We are not stopping your passion to be an internal medicinist or surgeon or specialist. We are not stopping that, our government.

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

Mr. Logan Kanapathi: But in the current crisis, you know we need more primary caregivers. Everything has to go through family doctors. All the specialist referrals and all the hospital referrals have to go to through the primary caregiver. This is lacking. One of the great things we have in Canada is the primary caregiver system. We have to strengthen our system.

Thank you for your passion. When you come back, we will continue to talk. Thanks for bringing your voice, and we will listen to you. This is a great forum to listen to you. Thank you for your voice and your concern.

The Chair (Hon. Ernie Hardeman): Thank you for that. That concludes the time for that presentation. It also concludes the time for this panel.

We thank you very much for your participation and the time you took to prepare and so ably present it to us. I'm sure it will be helpful as we write the report.

With that, we stand recessed until 1 o'clock.

The committee recessed from 1005 to 1300.

The Chair (Hon. Ernie Hardeman): Good afternoon, everyone. I call this meeting of the Standing Committee on Finance and Economic Affairs to order. We're meeting to resume public hearings on Bill 105, An Act to enact the Strengthening Talent Agency Regulation Act, 2026 and to amend various Acts.

Please wait until you are recognized by the Chair before speaking and, as always, all comments should go through the Chair. To ensure that everyone who speaks is heard and understood, it is important that all participants speak slowly and clearly.

MINISTRY OF RED TAPE REDUCTION

The Chair (Hon. Ernie Hardeman): I will now call on the Honourable Andrea Khanjin, Minister of Red Tape Reduction, as the sponsor of the bill. Minister, you will have up to 20 minutes for your opening statement, followed by 39 minutes of questions from the members of the committee.

This time for questions will be divided into two rounds of five and a half minutes for the government members, two rounds of five minutes and a half minutes for the official opposition members, two rounds of five and a half minutes for the recognized third party member and two rounds of three minutes for the independent member of the committee. I will provide a verbal reminder to notify you when you have one minute left.

Minister, the floor is yours, and welcome to the committee.

Hon. Andrea Khanjin: Thank you to the committee members for the opportunity to appear before you today. I appreciate you accommodating the 1 o'clock time slot.

I'm pleased to be here at the Standing Committee on Finance and Economic Affairs to speak to the proposed initiatives under the Protecting Ontario's Workers and Economic Resilience Act, 2026. I'm joined virtually by Maud Murray, the Deputy Minister of the Ministry of Red Tape Reduction, along with officials from partner ministries who are here to assist with any technical questions. I just wanted to start out by thanking all of them for their hard-earned effort to bring this bill together.

Like any red tape reduction bill, as everyone knows, no matter which party you're from, it really is a team-effort approach of how these particular bills get drafted and, really, ideas that come from the ground up in terms of listening to Ontarians and their feedback and input on much of these bills. I do want to recognize the two parliamentary assistants for red tape reduction—PA Racinsky and PA Kanapathi—for their help and support on this legislation.

But, as I mentioned, this does bring work from multiple ministries together, showing how collaborative we are across government. It helps make life easier for individ-

uals, families and businesses, and under Premier Ford's leadership, we are united in our efforts to reduce unnecessary red tape, safeguard jobs and ensure Ontario remains competitive in a changing global economy.

As many of you have heard me say in the past, since 2018, our efforts have saved businesses approximately $1.3 billion and 1.8 million hours by cutting unnecessary regulation and reducing regulatory compliance requirements by about 6%. We achieved these results by focusing on practical, common-sense changes that remove burdens while continuing to protect workers, public safety and the environment.

This work is guided by our seven regulatory modernization principles, including adopting national and international standards, applying a small business lens, expanding digital services, using risk-based inspections, creating a "tell us once" culture and focusing on plain language rules and user experience and emphasising outcome-based regulations. Together, these principles ensure Ontario remains open for business while keeping people safe and healthy.

In today's economic climate, this work is more important than ever. We must be nimble and we must act quickly. In the face of US tariffs and global economic uncertainty, our government is taking action to protect Ontario, keeping workers on the job, attracting investment and making life more affordable for families.

This is not just about protection, it's about making Ontario the most competitive in the G7—the most competitive to do business and to invest by removing any barriers that stand in the way of the province's full economic potential.

We are living in a time of rapid change and inflation. Supply chain pressures and global geopolitical headwinds are reshaping the economic landscape, and governments are being challenged to move faster, remove outdated barriers and create conditions for people, businesses and communities to thrive. That is exactly what this bill sets out to do.

This bill complements a series of red tape reduction measures we've taken as the government since 2018, and it is a foundation of what we continue to build on when it comes to reducing barriers and red tape for Ontarians. But this is about building a province that is responsive, resilient and ready to lead the next generation of growth and opportunity. Through this package, you will see we are modernizing outdated regulations. We're removing unnecessary barriers. We're strengthening the foundation for a competitive economy.

At its core, the bill advances two priorities: streamlining permits and approvals and strengthening support for workers and businesses. Together, they reflect a simple principle: Worker protection and economic competitiveness must move forward together.

The bill includes targeted, practical measures to make life easier for Ontarians, such as streamlining environmental assessments; strengthening worker protection in areas like uniforms and, in the entertainment industry, ensuring workers are paid first; supporting labour mobility while also expanding safety coverage in care settings; and increasing access to medical residency positions for Ontario-connected international medical graduates. These proposals reflect a common-sense approach that improves outcomes while keeping people at the centre of everything we do. At the heart of the work are the people who power Ontario's economy. That's why a central focus of this bill is protecting workers and supporting a strong and fair labour market.

The Protecting Ontario's Workers and Economic Resilience Act includes seven initiatives from the Ministry of Labour, Immigration, Training and Skills Development that, if passed, would protect worker paycheques, strengthen safety, support injured workers and help safeguard our economy during a critical global period. The bill proposes to harmonize health and safety standards across Canadian jurisdictions to reduce duplication, maintain strong protections, improve training portability and support labour mobility.

It also strengthens oversight of talent agencies to better protect entertainment workers, ensuring fairness, transparency and timely payment while preventing financial exploitation. We are putting workers first by ensuring employees are paid first when recovered funds are collected and by reducing out-of-pocket costs through prohibited charges for mandatory uniforms.

The bill also strengthens tools like the Occupational Exposure Registry, improving workers' access to information and supporting earlier diagnosis for occupational illnesses.

We're also taking action to ensure fairness and sustainability within the Workplace Safety and Insurance Board system. This includes increasing loss-of-earning benefit rates from 85% to 90%, allowing benefits to continue past the age of 65 for those who choose to keep working and ensuring compensation better reflects actual income loss. In addition, we are expanding WSIB coverage to include all residential care, retirement home and group home operators, providing consistent protections across the sector. If passed, these initiatives, along with other proposals in this act, will help keep Ontario one of the best places to work and raise a family.

Helping employees keep more of their hard-earned money is more important than ever, especially given today's uncertain global economy. That is why our government is making smart, targeted changes to support workers, strengthen businesses and build our long-term economic resilience.

Ontario is working with provincial and territorial partners to harmonize training standards and improve labour mobility without compromising safety. This is beginning with high-hazard areas identified by construction stakeholders. If passed, Bill 105 would streamline interjurisdictional recognition of health and safety standards to reduce duplication, shorten open periods in the construction sector and give the minister clear authority to address Employment Standards Act complaints effectively, efficiently, and include rejecting vexatious or incomplete claims. Together, these changes will help put more money

in the pockets of many hard-working Ontarians while supporting Ontario businesses and the broader economy.

Worker health and safety remains a top priority for our government. Ontario already has one of the strongest safety records in Canada, but still there is more to do. If passed, Bill 105 would amend the Occupational Health and Safety Act to streamline recognition of safety standards across jurisdictions, reduce burdens on employers, support future reimbursement for protective headwear in construction and strengthen the Occupational Exposure Registry by improving workers' access to their own exposure information.

1310

Ensuring compliance and preventing workplace injuries and illnesses continue to be a key focus. When injuries or occupational diseases occur, workers must have the support they need. That is why the bill would also make important changes to the Workplace Safety and Insurance Act. These include expanding mandatory WSIB coverage to private residential care and group home operators, allowing loss-of-earning benefits to continue past age 65, increasing the benefit rate from 85% to 90% and ensuring total benefits do not exceed pre-injury earnings. These measures would provide greater financial security for injured workers while supporting their return to work.

Supporting workers is only part of the equation; we also need to ensure businesses and communities can move projects forward more quickly and with greater certainty. That's why a key part of this package focuses on streamlining permits and approvals, cutting unnecessary delays, reducing duplication and helping get critical projects built faster while maintaining strong protections.

Ontario's current approval system can be slow, fragmented and unpredictable. Compared to peer jurisdictions, businesses here often face longer timelines for approvals in sectors like advanced manufacturing and resource development. These delays cost money. They create uncertainty. They make Ontario less competitive when it comes to attracting investment and creating jobs.

It's simple: Businesses value certainty. When timelines and requirements are clear, investors can make decisions more confidently and move projects forward more quickly. But today, proponents must navigate a complex web of overlapping requirements across multiple ministries, creating inefficiencies for businesses and additional challenges for Indigenous communities facing repeated and siloed consultations.

A lack of clear digital tools, transparency and predictable timelines further adds to this uncertainty, and when investors lack confidence, progress slows. But Ontario can restore confidence through clear rules, predictable timelines and greater transparency. A faster, more predictable regulatory environment lowers risks and attracts investments. It supports job creation, enables infrastructure development and drives growth in key sectors like critical minerals, forestry, energy and advanced manufacturing, to name a few.

Strong regulations can protect health, safety and the environment while still giving businesses the confidence to move forward. That's why our government began focusing on permit modernization back in the fall of 2025 and why we are already seeing results with more than 150 permits reviewed, completed or under way. This work is helping create a more agile economy, one that can respond quickly to global challenges and seize new opportunities.

We have heard clearly from businesses of all sizes across every sector about the need for a more coordinated and predictable permitting system. We listened. We now have a structured plan to review permits in bundles, reducing duplication, accelerating timelines and creating greater consistency across ministries. This approach gives businesses and project proponents a clear, predictable road map with permits reviewed and modernized on a defined schedule.

We're also moving permitting online, starting with mining, to create a modern, single-window digital system that is easier to navigate and faster to use.

I'd like to share a quote from Priya Tandon, the president of the Ontario Mining Association. I was actually just with her this morning at a mining breakfast and she says, "Mining projects require a disciplined, effective approval process to attract long-term investments that depend on certainty. Ontario's work to modernize permitting, introduce clear timelines and create a one-window digital approach will strengthen the province's competitiveness while supporting responsible resource development and good-paying jobs across the north."

Chair, we welcome the continued support of the OMA as we continue to work to bolster certainty in the permitting process. By the end of 2028, every economic development focus permit will be reviewed. It will be reviewed with the goal of eliminating, transforming or streamlining at least 35% of more than 350 permits, focused on those with the greatest impact.

This work is guided by evidence-based analysis that balances risk and opportunity and ensures clear service standards are improved and are made. We are building on this momentum with an additional initiative to further modernize permitting processes, strengthen safeguards and create a more responsive and competitive regulatory environment.

This is how Ontario grows: by clearing obstacles, modernizing systems and building confidence for workers, communities and investors. As part of this effort, the Ministry of the Environment, Conservation and Parks is advancing further modernization of Ontario's environmental assessment framework. These changes are intended to shorten timelines and improve efficiency, while maintaining strong environmental oversight.

Environmental assessments remain critical to protecting Ontario's air, land, water and communities. But, over time, the process has become more complex and lengthy without always improving environmental outcomes: some steps, at significant time, without strengthening protections or changing decisions.

That is why Ontario is proposing targeted changes to modernize the comprehensive environmental assessment process, so that environmentally sound projects can move forward more quickly, while strong safeguards remain firmly in place. The proposed changes would streamline the comprehensive environmental assessment process by removing procedural steps that add delay without improving environmental outcomes.

Across all these changes, the focus is clear: eliminating unnecessary processes, not weakening environmental protection. Indigenous communities, stakeholders and the public will continue to have multiple opportunities to provide input, including during the development of terms of reference throughout the environmental assessment preparation and during a full, public comment period. This is about modernization, how protection is delivered, and it's about making processes clearer, faster and more focused on delivering outcomes that matter.

Strong environmental oversight will remain firmly in place throughout the technical review, compliance approvals, monitoring and enforcement. These changes will help prevent environmentally sound projects from being stalled unnecessarily, allowing Ontario to grow responsibly while protecting the environment and strengthening economic resilience.

Next, I'd like to turn to the Ministry for Seniors and Accessibility and the measures that they propose in this particular bill when it comes to the Retirement Homes Act. These changes would extend legal protections to as-of-right health professionals and Ontario registered physician assistants with fully mandatory reporting obligations, ensuring they receive the same protections as other regulated health professionals. The proposal would also transfer appointment authority for the Retirement Homes Regulatory Authority board to the minister, improving governance flexibility and oversight.

Addressing this gap supports labour mobility, promotes fairness and enhances resident safety. It better reflects how care is delivered in retirement homes today, without increasing the costs or administrative burden for operators. These are focused, practical updates that modernize the legislative framework and support Ontario's retirement home sector and the people who depend on it.

The Ministry of Health is also proposing changes in this bill. Under their idea, the proposed amendments prioritize Ontario-based international medical graduates in the first round of the Ontario residency-matching service. This would help strengthen Ontario's health care workplace by prioritizing residency positions for Ontarians and Ontarian students who studied medicine abroad and whose strong ties to the province exist.

Evidence shows these individuals are more likely to remain in practice in Ontario after completing their training, particularly in communities facing physician shortages. Aligning residency training with long-term retention supports and support systems will actually help build a system that is sustainable. It helps ensure investment in medical student education translates into doctors practising where Ontarians need them most.

1320

Next, I want to turn to the change from the Ministry of Francophone Affairs and the Ministry of the Attorney General. What they are proposing in this bill are amendments to the Ombudsman Act to require French-language proficiency for the Ontario Ombudsman. This change reaffirms the importance of—

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

Hon. Andrea Khanjin: Thank you, Chair—this will reaffirm the importance of bilingualism under the French Language Services Act. I am happy to elaborate more on that in the Q&A.

But overall, Chair, I just want to emphasize that this is not just another legislative package. Taken together, these measures remove unnecessary barriers while maintaining strong protections to help our government work better for people, for businesses and communities to support growth, resilience and protect Ontario's future.

Thank you, and I look forward to the committee's questions.

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

We will start the first round of questioning with the third party: MPP Fraser.

Mr. John Fraser: Thank you very much, Minister, for your presentation.

I would like to ask you about schedule 2 and the Environmental Assessment Act. Do you consider not allowing for public comment or ability to direct things to the Ontario Land Tribunal—local input, local content—as a necessary thing to sacrifice in streamlining?

Hon. Andrea Khanjin: I appreciate the question, but if I can clarify what the change does. There will still be a requirement for what is called an environmental compliance assessment, so there is still a step for all of that in terms of public input and consultation.

What we're doing here is we are moving from an environmental assessment process to an ECA process. Oftentimes, in practice, what we have heard, and feedback the Minister of the Environment did receive is that it doesn't change the outcomes of the project itself; it just causes delays. In a situation where we do have specific projects that don't have the luxury of time—I think of the water power folks that were here—changes like moving from an environmental assessment to an environmental compliance assessment for them would shave four months off of their water power projects.

Mr. John Fraser: Is that like the Dryden dump and the urgency to approve that very quickly and swiftly, even though it's been closed 30 years?

Hon. Andrea Khanjin: This legislation has nothing to do with that issue. Again, this is—

Mr. John Fraser: Well, it has to do with environmental assessments, and the ability of the public to make a submission to bring an action, to have some agency in decisions that are being made where they live, right? That's what it does. Correct me if I'm wrong. That's what it does.

Hon. Andrea Khanjin: The change here is not pertaining to the issue that you're asking about. The fill rate system doesn't change. What we're simply doing is moving to an ECA process. I'm happy to walk you through that, but there's still a requirement to publish and consult the ministry review—

Mr. John Fraser: I do understand what you're doing. What I'm saying is you're taking a step out of the process because you want the process to be faster—because you've got friends who want to it be faster, right? And the step in the process is a step which people have to be able to give some input, to bring an action, to ask questions about something that's happening in their neighbourhood. You're taking that away.

You're streamlining; I know that. What I'm trying to point out is your streamlining is actually cutting out a step that has the public voice in it, that our communities count on—all of our communities have counted on up until now. I get that you're streamlining. My point is, I'm not sure that it works for anyone else other than the proponents of the project, which is unfair and unbalanced.

Hon. Andrea Khanjin: So the motive you're implying, it does not exist in this legislative change, and the motive you're implying—

Mr. John Fraser: Well, no. It's not going to be in the legislation. It's not the legislation; it's the outcome.

Hon. Andrea Khanjin: It has nothing to do with what you're asking about.

Mr. John Fraser: I'm talking about the outcome. This is what the outcome is going to be. It's not in the legislation. You're not going to write that. You're not going to put that in the description. You're not going to explain it that way. That's all well and good. I'm just trying to point out, let's not make it sound like it's great for people, because it's not, because you're taking away the voice of somebody in a rural community who says—

Mr. Joseph Racinsky: Point of order, Chair.

The Chair (Hon. Ernie Hardeman): Point of order, MPP Racinsky.

Mr. Joseph Racinsky: The member just said he's not talking about something that's in the legislation, but we're here to talk about the legislation, so I'd just—

Mr. John Fraser: No, I didn't say that.

The Chair (Hon. Ernie Hardeman): I'm sure the member will get back to what he's supposed to be doing, which is asking questions.

One minute left.

Mr. John Fraser: What I was saying is—what the minister suggested I was saying was in the legislation I said is not in the legislation; it's the outcome. It's the outcome of a change that you're making. It's not going to benefit people. It's going to benefit the proponents. That creates a lack of balance.

I know you're in a hurry. I know that your proponents are in a hurry. I know that it's one-sided. I'm just trying to point that out. I'm not asking you to defend it. I'm just saying that's what it is.

I yield my time.

The Chair (Hon. Ernie Hardeman): Very good.

Hon. Andrea Khanjin: Chair, if I could just say—

The Chair (Hon. Ernie Hardeman): We go to MPP Brady.

Hon. Andrea Khanjin: Okay.

The Chair (Hon. Ernie Hardeman): Do you have a question?

Hon. Andrea Khanjin: Go ahead.

The Chair (Hon. Ernie Hardeman): MPP Brady.

Ms. Bobbi Ann Brady: I'm just going to follow-up on what my colleague was saying. I think it's fair to say that this government is increasingly labelling broad omnibus legislation as red tape reduction, regardless of whether the practical outcome is more centralized bureaucracy. I think there are many schedules in Bill 105 that leave critical details to future regulation.

I'm just wondering if the ministry acknowledges that uncertainty and regulatory complexity are really forms of red tape. Can the minister explain how Bill 105 qualifies as red tape reduction when several schedules create new regulatory powers, new administrative processes and additional layers of ministerial discretion?

Hon. Andrea Khanjin: That's a great question. As I mentioned in my opening remarks, this particular bill is talking about red tape reduction and strengthening worker protection. The two can go hand in hand in terms of eliminating some of the bureaucratic red tape that workers used to have to go through to access benefits. It's neither this nor that; it actually can be both in this scenario.

But also, just rooted in everything that this government does under a red tape reduction lens, it's not just the Ministry of Red Tape Reduction that focuses on the elimination of duplication of bureaucracy. It's really a mindset of the entire government when it comes to those principles on regulations that are too complicated or complex.

Ingrained in our policy-making is, always, a regulatory impact assessment. So any time any change is made, there is a regulatory impact assessment that is evaluated and, of course, the pros and cons.

In this scenario, we do have information that we received from workers who said, "Look, I've been through a lot of this red tape and paperwork and bureaucracy just to be able to get my benefits"—and same thing with the sort of interprovincial trade barrier aspect of this bill as well.

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

Ms. Bobbi Ann Brady: Okay. I just think it's difficult for some of us and Ontarians to trust promises of efficiency. We don't see it written in the legislation. We've got to trust that regulation is going to take care of that.

We certainly didn't hear this morning about worker protection. We heard the exact opposite. WSIB is already highly bureaucratic and it's hard to navigate, but I don't see that Bill 105 actually reduces burdens for workers. So who is Bill 105 supposed to help, the worker or the administrator?

Hon. Andrea Khanjin: That's an excellent question. I would say rooted in this is listening to the workers. Much of the input we received for the changes in this bill were from the folks who—whether it was in Scarborough, the workers who are working on a medical school there. We

heard first-hand from a gentleman named Jermaine about his colleague on the job site—

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the time for that question.

MPP Saunderson.

Mr. Brian Saunderson: Thank you very much, Minister, to you and your staff for coming here this afternoon and explaining the bill to us.

1330

My question: A big priority of this government has to be health care. We've increased our health care budget by almost 36% from 2018 to now—over $100 billion for health care. We know it's more than bricks and mortar. We have to have a pipeline of physicians and front-line staff to operate the hospitals. We are opening two new medical schools, and we've been looking at trying to certify foreign-trained physicians in Ontario. But you mentioned in your comments that we have been making changes to the residency program here to bring back students who have a connection to Ontario, who may have got their medical training overseas, to ensure that they can come back and serve residents of Ontario with a focus on areas that are underserved.

I'm just wondering if you can explain the changes—the residency changes—proposed in this bill and how that's going to impact Ontarians.

Hon. Andrea Khanjin: Thank you for your question. As you know—as well as I, being a member in Simcoe county—we are very much one of those underserved areas that I mentioned in my opening remarks, and this particular change is predicated on that mindset of, if someone is being able to get educated within their community or trained in their community, they're going to stay there. We saw that with the nursing program. You've seen that, I know, in Simcoe county—as did I—with the Learn and Stay grant. Being able to allow for people to learn and stay in their community, they're going to build roots, they're going to stay, and then that's a great pipeline for places like Soldiers' Memorial, RVH and like hospitals.

I think it's incredibly commendable for a Minister of Health to always think forward. She is working with the Minister of Infrastructure and our whole government to build new hospitals. We understand we're going to need a significant inventory of individuals who are passionate about health care, and we want to remove all the obstacles for those individuals who choose a profession in health care to be able to access that easier, faster and smoother. This is what this particular change is about; we're saying, "You invested your time and effort in Ontario; we want to recognize that." We shouldn't be having caps on our medical schools in a time where we have a shortage of medical professionals across the health care ecosystem.

So that's something our government's invested in, whether it's the PSWs, nurses, doctors, medical training. This really complements that full gamut. It's a very complementary change in this particular legislation because we're recognizing that we do need to make the amendments so that we can prioritize those medical students here at home.

Mr. Brian Saunderson: Thank you for that answer. By way of supplementary, Collingwood in my riding of Simcoe–Grey is the headquarters for the ROMP program, the Rural Ontario Medical Program. They do the placement for medical students from all seven or eight medical schools across the province, getting them into the communities where they like to work. And they have incredible statistics about the number of students that come out and stay in the area that they've trained in. I think it's over 90%. So I can see the benefit, certainly, in my riding, of having the pipeline of kids who come from Ontario, who are schooled overseas, coming back and agreeing to serve in communities like ours that need it and getting their training locally and then staying and settling and providing primary health care.

We know that it's a big focus of this government and we have, in addition, I think, increased the budget by $1.4 billion to connect Ontarians to primary care physicians. So that's a real gap. We heard from two medical students this morning who are studying overseas who want to take advantage of this.

I didn't know if you had any other comments just to talk about connecting Ontarians in rural communities to health care through this program.

Hon. Andrea Khanjin: Yes, I would say that everything our government does, we always want to put people before paperwork, especially when it comes to health care. So this particular change, when it talks to training more people in Ontario, complements other red tape reduction measures we've taken in the health care field to allow doctors and health care professionals to do what they do best, which is look after people and patients. I know it's something that PA Kanapathi is very passionate about.

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

Hon. Andrea Khanjin: He's held several round tables on this topic, and we've gotten really great support from the Ministry of Health to keep finding these ways to allow medical professionals to keep doing more of the great work that they trained to do.

Mr. Brian Saunderson: I know we don't have much more time, but seeing as I worked previously with the Ministry of the Attorney General, I was wondering if you could just talk quickly about the Ombudsman changes that you addressed in your comments—about the bilingualism and how that's going to impact services through the Ombudsman office in the province.

Hon. Andrea Khanjin: I appreciate the question and thank you for your work with the Attorney General.

The last two Ombudspersons did speak French. It was something that they already had in terms of a skill but it wasn't actually codified as a requirement. So we're making that change—and thanks to the Auditor General for the recommendation as well—to codify it so that going forward, any government who is hiring for that particular position requires that. The red tape aspect of this is we have two official languages in this province. Oftentimes, we want to make sure that people are getting better, adequate services in the language that they're strongest in.

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

We'll now go to MPP Vaugeois.

MPP Lise Vaugeois: Thank you for your presentation, Minister Khanjin. I have to say that you have not removed one iota of red tape for injured workers. In fact, you've doubled, tripled and quadrupled the red tape, particularly around removing the 72-month cap. You have increased the workload for the people who actually work at the WSIB, who will have an enormous caseload with enormous numbers of appeals.

But you have also put injured workers, people who have been permanently injured, under permanent surveillance for the rest of their lives, for the entire period that they receive benefits. They have no assurance whatsoever that their benefits will not be clawed back. As we know, the practice of the WSIB is in fact to use deeming to reduce benefits based on a pretend job that the person doesn't have and may not be capable of doing. Removing that cap causes harm.

You said to us you are a "tell-us-once" culture, but you are asking injured workers to tell again and again and again that they are still injured and incapacitated. Can you please explain to me how that reduces red tape?

Hon. Andrea Khanjin: You've asked two questions in one question. Just on the first piece on the 72-months, schedule 9 specifically: I think you have to see all the—this isn't just one piece of legislation. This is complemented by several acts that our government has done, whether it's on the WSIB front, whether it's Working for Workers, whether it's the budget bill. Everything we do is putting people at the centre of the system to make it more adequate, faster and nimble for them. This is no different. We understand—

MPP Lise Vaugeois: Minister, I'm going to interrupt because it is not more nimble for them. It requires more reporting, more appeals. It does nothing to make things any better for injured workers, particularly those with permanent disabilities. It harms those workers. You're not adding efficiency in any way, and I don't see any balance here. This seems to be something intended to punish people who have long-term injuries.

What I heard you say is that you don't want people getting more than 100% of their compensation. But let's say somebody is in a precarious workplace. They're in their early twenties, and they break their back, and they are permanently injured. So when the minimum wage goes up, they are not going to get that increase, or if they get child care benefits, they're not going to get that increase. That's going to be clawed back because that's more than 100%. And then you have unionized workers who actually have it in their agreements that they are going to get pensions. Well, pensions are deferred wages.

Yet the bill reads that they're going to take that back from workers because, supposedly, now they are not allowed to have anything more than that most basic compensation, which we know the WSIB will minimize at every possible opportunity.

Hon. Andrea Khanjin: My question of clarity for you: Do you not think that we need to be able to allow, to include the increased loss-of-earnings benefit? What we're doing here is moving the benefit from 85% to a maximum of 100% for pre-injury earnings—

MPP Lise Vaugeois: Ninety per cent.

Hon. Andrea Khanjin: And just speaking with folks—I had the ability to have lunch with Minister Piccini and some SEIU workers. One lady said thanks to this change, now she will be covered, and we shouldn't be punishing people who want to continue mentoring others in that profession. Especially, you think about health care workers: now they're going to be covered for longer, and there is not going to be loss of earnings if they choose to work longer—

MPP Lise Vaugeois: Well, first of all, it's extremely difficult—

Hon. Andrea Khanjin: —and this was a welcomed change by our SEIU. Are you opposing what SEIU is saying?

MPP Lise Vaugeois: No, they should get that 90%—

The Chair (Hon. Ernie Hardeman): If I could have all comments go through the Chair. This is not a debate. It's asking questions to the minister.

MPP Lise Vaugeois: Sure, Mr. Chair—asking questions, right.

We have no problem with raising that to 90%, of course. Is the minister aware that—

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

MPP Lise Vaugeois: —that 90% was stolen? It used to be 90%, but that difference was paid entirely by workers. My question is, does the minister intend to make that retroactive to the workers who lost that 5% when the Mike Harris government took it away? Because workplaces did not do anything to make up—this was the unfunded liability. Workplaces did nothing, but all the money that was taken to address that unfunded liability was taken from the backs of workers. Is the minister aware of that?

1340

Hon. Andrea Khanjin: A question to you: Are you going to finally support a bill that supports workers? Because all along, I hear the advocacy from you to support workers. I don't quite see you voting in that particular direction, but perhaps this will be the time where, with all the supports we have first-hand from workers in this piece of legislation, when we talk about supporting unions and workers—

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

We'll go to MPP Fraser.

Mr. John Fraser: Thank you to my colleague. She laid it out there very clearly about the things that are going to make it harder for injured workers.

There is a piece in this bill that I like, and that's the extension of WSIB to residential workers in both private care and in group homes. I have introduced a bill with regard to that six times. I debated it twice. I learned that from the Chair, who did that similar thing with a bill on

carbon monoxide: didn't let it go. So I'm pleased that the government has done it.

I am a little concerned though, because I heard—and I had known in the past from who was resisting this bill—that ORCA, the Ontario Retirement Communities Association, is heavily lobbying the government right now to withdraw that, or to minimize it, or to shrink it. And I just want to put on the record right now that that would be the wrong thing to do.

These workers are workers who care for the people who we care for most. They work hard. They work multiple jobs. They need the coverage of WSIB. As I said, I'm very pleased that it's there. The government too knows it has an obligation to those workers who work in group homes, who are contractors to the province, to make sure that they backfill, that they don't put all the burden and still give those agencies the same amount of money.

Now, I will say that it would be a good thing to take a hard look at what's happening in the retirement homes in the province with regard to their injury rates. That would help them get the premiums down. I also think that there's—I'll get to a question eventually.

Interjections.

Mr. John Fraser: No, listen, this is really important. These workers have been asking for this for more than 25—to be a schedule 1 employee. They don't make a lot of money. They're mostly women. They work two, three jobs. So this is really important. It's not the biggest thing in government, but it's really important. So it is really good.

Although I can't support other measures in this bill—I'm not going to vote against the bill. I'm just not going to vote, because I can't vote against this in conscience. But I also want to know that the government is going to stick to its guns.

The other piece I'd like to put in is: Often, surpluses have benefited employers without benefiting employees. They've gone largely back to employers—almost all back to employers. This is the first instance where the government is saying, "Yes, we're going to take that money and spread it out a little bit." Use those surpluses in a way that will help workers. If that means saying to the retirement communities—giving them goals and saying, "We're going to use the surplus if you can reach this accident rate" or "if you drop your risks" or whatever needs to be done there to help those workers. I don't object to those rates being dropped in those homes if there's an incentive to make sure those workers are safe and taken care of.

If you'd like to comment on that, and if you agree, that would be great.

Hon. Andrea Khanjin: As you've read in the section of this bill, we're opening up that door. I mean, obviously the devil is in the details of the consultation, so I appreciate your feedback and we'll continue consulting on this particular item.

Mr. John Fraser: Was that a yes?

The Chair (Hon. Ernie Hardeman): You have 1.4.

Mr. John Fraser: One point four seconds?

Interjection: Minutes.

The Chair (Hon. Ernie Hardeman): Yes.

Mr. John Fraser: One point four minutes?

The Chair (Hon. Ernie Hardeman): One minute point four.

Interjections.

Mr. John Fraser: Okay, there we go. "One point four"—I thought it was a second. I thought, "Is it over now, folks?"

Look, we won't talk about that any more, because I'm going to try to work on you to get you to agree to that.

It would have been helpful—I'm really pleased that Mr. Piccini put it in here, and I really appreciate all the work you're doing to put forward the government's—but some labour folks around the table who could respond to any of these questions would have been good, but I'm not going to complain, because you're here.

Hon. Andrea Khanjin: Great. Happy to be here.

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

Mr. John Fraser: The removal of the 72-month cap is not good for workers. It's not good at all for workers. It's not good for workers who are injured or permanently impaired. You shouldn't have to be dragged through it again. You're trying to reduce red tape, but you just said to a whole bunch of people, "That thing that you didn't have to go through because you were past 72 months? Now you do. Now you have to do it again and again and again."

People aren't intentionally off work. We know that. People want to work. That should be removed from the bill. Do you agree?

Hon. Andrea Khanjin: The objective of the changes when it comes to WSIB is to ensure that we have a system that is supporting workers today, but also tomorrow, into the future. That is exactly what this change does—

Mr. John Fraser: I'm asking you again—

Interjections.

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

We will now go to MPP Brady.

Ms. Bobbi Ann Brady: When I look at Bill 105, I am afraid that red tape reduction, to this government, means just moving decisions out of legislation and moving it into regulation. I see a lot of shifting, but I don't see a whole lot of elimination of red tape and bureaucracy.

I'm just wondering if the minister can point to one schedule in Bill 105 that clearly removes and eliminates bureaucracy, instead of simply relocating it?

Hon. Andrea Khanjin: Great. I really appreciate that question because it actually allows me to speak about my specific section of the bill, and that's the permitting. You will recall the last red tape reduction bill gave us the green light to start the permitting work. As I mentioned in my opening remarks last summer, we went through and identified over 350 economic permits.

We are now, with this part of the bill—this section has to do with permitting—at the point where five permits have been eliminated and a total of 12 have been transformed. That shows you that that particular part of the government's progress report to eliminate red tape is

working, and now proponents are going to actually see those results. As we do that, you are seeing the results of the permitting work with the 1P1P projects that Minister Lecce is doing to try to unlock more of our critical minerals, so that is working.

We have also deployed, when it talks to updating technology—we're able to use this thing called Regie.ai that we have deployed in different ministries, whether it's helping Minister Fedeli with some of the interprovincial trade identification of duplications through different provincial trade barriers—we've been able to use Regie in real-time there. Next, we are going to be deploying it to the Ministry of Mines for the 1P1P work to identify complex regulation. But these are tools that we have that are working in real-time. So whether it's using AI technology in our benefit to reduce regulatory burden or the permitting work, we're seeing the results of it.

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

Ms. Bobbi Ann Brady: Okay. Thank you. I still fail to see that we're removing it, instead of just relocating it.

I have concerns with schedule 4 in Bill 105 and the fact that it does not define what an "Ontario connection" is. Can you define "Ontario connection" for me, please?

Hon. Andrea Khanjin: Sorry, in which section?

Ms. Bobbi Ann Brady: Schedule 4.

Hon. Andrea Khanjin: I will defer to our policy representative there, either David Lamb or Gerry, because I know they're here with the Ministry of Health.

The Chair (Hon. Ernie Hardeman): Who are we waiting for?

Hon. Andrea Khanjin: David Lamb or Gerry Slavin from the Ministry of Health.

Mr. David Lamb: Hello. Good afternoon. My name is David Lamb, director of capacity and health workforce planning here at the nursing and professional practice division of the Ministry of Health and Long-Term Care—

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the time for that question.

Ms. Bobbi Ann Brady: I lost a lot of time there.

The Chair (Hon. Ernie Hardeman): Sorry about that, but that's how life goes.

MPP Rosenberg.

MPP Bill Rosenberg: Thank you, Minister, for your presentation here today.

As we see our economy grow, we also see the need for a strong, skilled labour force. Minister, protecting workers also means making sure Ontario rules keep pace with the modern, mobile workforce. Can you explain how the occupational health and safety changes in this bill will support labour mobility, reduce duplication and still maintain strong protections for our workers?

1350

Hon. Andrea Khanjin: I will say that I do want to commend Minister Piccini and his whole team—I know, his deputy minister as well—for the work they've done on this.

I know, just talking to constituents in my riding on the labour front, they do really feel like they see themselves in the legislation that we introduced and that we're actually meeting them where they're at and it reflects the faces of Ontario. This is no different. When we talk about having access to either lost earnings or getting the proper protections, whether it's the hard hat changes in the particular bill, all these things came from—whether it's the shop floor to the construction site—the feedback we received.

But what I'll tell you is, in terms of the employment standards system, we're also focusing more on enforcement so that there's actually greater impact for workers as well. As you may recall, there are certain non-monetary, non-employee-specific matters that could be addressed more effectively and efficiently through inspections, especially things like unpaid wages, monetary claims and employment-specific complaints. They will obviously still continue to receive the full protections, but what this bill does is it gives the director limited authority to actually refuse things that are in bad faith or insufficient complaints etc., but actually not weakening protections.

We're able to do both in the legislation. Both, again, protecting a system so it's there for the long term, but also meeting workers—in terms of making sure that the claims that they file, there's turnaround there; that if they decide to stay in the workforce longer, it's not punitive, it is rewarding, especially in health care.

As I mentioned—I don't think I had the opportunity to fully answer. But just meeting with some of the SEIU workers—they really want to have that continuity in the workplace so that the transition into today's health care environment is a little bit more smooth. They're learning from folks who have been in the profession a long time. But it was a system where, if you did decide to stay on in a mentor setting or continue working, you didn't get that same coverage. It clocked out at a certain age.

So recognizing that people are choosing to maybe work longer because we're living longer or they enjoy their profession, they want to give back, we need to have an updated system that recognizes that, and that's what the bill does.

MPP Bill Rosenberg: Thank you, Minister.

The Chair (Hon. Ernie Hardeman): MPP Kanapathi.

Mr. Logan Kanapathi: How much time?

The Chair (Hon. Ernie Hardeman): You have 2.2.

Mr. Logan Kanapathi: Thank you, Minister, for your presentation and the great work you've been doing for many, many months. You connected cross-ministry with my ministry to bring this good news story. Thank you for your leadership and your vision for Ontarians.

Through you, Chair, as the parliamentary assistant to the Minister of Red Tape Reduction, I'm proud that Ontario now has the lowest regulatory burden per capita in Canada. We are saving businesses and families $1.3 billion and also 1.8 million working hours annually by cutting this red tape. That is kudos to you and your leadership and the Premier's.

Also, I'd like to thank—I know that MPP Saunderson asked that question. Another wonderful thing in this bill is how we are accommodating our own Ontarians going out and doing their medical degree and coming back here to start all over again. It's been going on for decades and

decades. We're changing that game. We are giving hope and optimism to Ontarians who are studying a medical degree. It's called IMG—international medical graduate, or foreign-trained graduates. They're coming back and we're giving them a special path. We're giving priority through the CaRMS program.

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

Mr. Logan Kanapathi: This is a good news story for a lot of patients who don't have a family doctor in Ontario. Please explain a little bit more.

Hon. Andrea Khanjin: I thank you and I appreciate the work that you're doing specifically in this field as well.

I think this change, in this bill, when it comes to recognizing medical students who have a footprint in Ontario and dedicated their time here and want to continue to practise here, complements other changes too when it comes to interprovincial mobility rights. If you're a doctor in Saskatchewan and you want to come to Ontario, we have a system now, thanks to the work of the health care minister, to recognize them within two to three business days.

So this is real—we talk about burden reduction, red tape reduction. We should be able to welcome all health professionals here, so this is a start and—

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the time for that question.

We will now go to MPP West.

MPP Jamie West: Thank you, Minister, for coming today. I appreciate when you said that we're building a "tell us once" culture because the section of this bill, when I first saw it, when I saw the changes to WSIB, it felt like a positive, small step forward.

But I have to tell you, even on this page alone, I would say there's half a dozen groups who are going to ask for changes to this section of the act. There are some major concerns with it. We've heard from two people already this morning—I think there'll be others this afternoon—as well as the written feedback. I'm just basing this on letters and conversations that I've had connecting to me.

I'm wondering if you're open to the amendments that will change schedule 9 on this. To reflect—you talked to us about a "tell us once" culture. This would be several people telling you multiple times that there are real concerns and issues with this. I'm willing to listen to them and change my opinion on what I thought initially of the bill. I'm wondering if you'll join me.

Hon. Andrea Khanjin: I think you know very well, because you've worked in this space for some time—you know, as I do, just from an MPP perspective, when we get constituents walking in and doing some of the case files we do in our day-to-day life, every injury is different. Every worker is different. Treating them the same on an arbitrary basis isn't fair. This is what we're talking about here. We're setting out a 100% total cap on benefit entitlements. What you're seeing here is that the total income from WSIB, plus prescribed collateral benefits, as you know, can't exceed 100% of the worker's indexed pre-injury earnings. That's the ceiling.

What we don't want is to create a system where workers can earn more on WSIB than they were at work. That actually disincentivizes people to return to work. So when we talk about fairness, you have to understand it's a supplement for other income. The change we're talking about here in regulations, when we talk about prescribing it and the frequent review of the limits, the conditions etc.—

MPP Jamie West: Just in terms of the time: I get what you're saying. I think my colleague had mentioned earlier that someone on minimum wage, as minimum wage climbed up, would not be able to make the same amount they did on minimum wage. It's the perfect example.

I agree that at a glance, these seem like good ideas, but after hearing from—I'm not talking about individual workers; I'm talking about people who represent injured workers in vast numbers saying there are major flaws with this.

The number one concern I've heard, just this morning alone, was about the changes to section 44.1: "If a material change in circumstances occurs, the board may review payments to a worker for loss of earnings for any period beginning on or after the specified date and may confirm, vary or discontinue the payments."

We heard this morning about how not only is this going to cause real issues with workers who had to fight to get compensation in the first place, but it's going to cause a major financial burden for the WSIB and major paperwork. I mean, you're the Minister of Red Tape Reduction. This is going to increase red tape for the WSIB.

I'm not saying the intent, originally, was wrong; what I'm saying is that there will be amendments coming up next week and I think we need to listen to what the people are telling us to make this bill even better—just getting back to you saying the "tell us once" culture.

I'll go on to the next question. You also said, "Worker protection and economic" importance "must move forward together," and "Worker health and safety remains a top priority."

I don't know if you had the opportunity to listen in, because I know you're busy with your schedule as a minister, but the Steelworkers were here, talking about mine injuries and occupational disease. We all know the importance of critical minerals; we're all united, every different party, about the importance of it. But some of the information they shared was pretty shocking: lung cancer being 55% higher than the general population; COPD, 165% higher. The recommended level of respirable silica is 25 micrograms; Ontario allows 100 micrograms—four times higher. Diesel engine exhaust is recommended at 20 micrograms; Ontario is at 120—five times higher.

I made the comparison to, if the individual in the back corner decided to light a cigarette, we would fine him for smoking indoors because it would be affecting all of us—and that's a single cigarette. But miners underground are allowed to breathe diesel fumes at a higher level than recommended for safety.

So, when you talk about the importance of worker health and safety being a top priority, are you going to actually reflect back on the mining industry as well?

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

Hon. Andrea Khanjin: I appreciate the question, but I'd like to clarify that we have implemented the most protective diesel-emission-exposure limits in North America. In fact, they're 0.12 milligrams per cubic metre, which actually demonstrates our ability to act on scientific evidence.

I will also say that, in the previous red tape reduction bill, we did pass measures that embrace modernized technology when it comes to drones and our safety hazard exposure to diesel exhaust so that we can keep workers out of danger. That's something we had in our—

MPP Jamie West: You may want to check your statement. It's not the lowest in North America. It's not even the lowest in Canada. Ontario is not the lowest.

1400

What I'm saying is that—I love mining. I come from a mining background; most of my friends and family work in mining. I want people to be excited to be in mining, but I don't want parents, grandparents who worked in mining telling their kids, "Do not go in this field because your level of dying from occupational disease"—

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the time for that question, and it also concludes the time we have, Minister Khanjin, for your presentation. We thank you very much for being here this afternoon to tell us the things that you're trying to accomplish here. We very much appreciate your time.

SEIU HEALTHCARE
ONTARIO NETWORK OF INJURED WORKERS GROUPS
PROVINCIAL BUILDING AND CONSTRUCTION TRADES COUNCIL OF ONTARIO

The Chair (Hon. Ernie Hardeman): With that, we will now go to the next panel. In the next panel, we will hear from SEIU Healthcare Canada, Steve Mantis and the Provincial Building and Construction Trades Council of Ontario. I believe Steve Mantis is virtual.

As we've said before, you will have seven minutes for your presentation. At the end of six minutes, I will say, "One minute," and at seven minutes, I will say, "Thank you." Then we will have two rounds of questions for all the panellists at five and a half minutes for each party.

With that, we will start with the first one, SEIU Healthcare Canada. If you would introduce yourself as you start to make sure we can attribute comments to the right person.

Mr. John Klein: Absolutely. Good afternoon, Chair and members of the committee. My name is John Klein. I'm the secretary-treasurer of SEIU Healthcare, a union proudly representing more than 75,000 front-line health care workers across Ontario. On behalf of SEIU, my fellow officers—president Tyler Downey and executive vice-president Jackie Walker—I want to thank the committee for the opportunity to speak today in support of Bill 105.

Let me start where this story begins, with workers: a personal support worker delivering home care alone in Scarborough, repeatedly lifting the weight of other human beings day in and day out; a developmental support worker in a Hamilton group home responding to behavioural incidents that put her at real physical risk; a registered practical nurse in a Thunder Bay retirement home doing the same work as a colleague in a hospital who, until now, would do so without the same protection if she was injured on the job—this is the daily reality of tens of thousands of Ontario workers. They respond to emergencies, they manage complex care and they often work alone on overnight shifts far from teams of people who populate formal institutional care settings.

Care work is essential, and worker protection should be too. We protect the workers who protect the vulnerable or we are not serious about either.

The committee already knows what serious looks like. Since 2021, this government has passed seven Working for Workers acts. Bill 105 is the next chapter in that record, and for health care workers, it may be the most important one yet.

I want to thank Premier Ford personally. Bill 105 is what happens when you never forget where you came from or who sent you to Queen's Park: the workers of this province. "For the people" is more than a slogan; it is a commitment. Bill 105 shows what that commitment looks like in practice. It is legislation that big corporations may not love but protects workers who do the lifting, the caregiving and the cleaning for a humble hourly wage. The Premier and Minister Piccini heard the stories of workers like our member Sandee Green, engaged directly and acted.

For more than a decade, our union has advocated for what Bill 105 finally delivers: mandatory WSIB coverage for front-line care workers in privately operated residential care, retirement homes and group homes. Our members have shared their experiences, met with more than 60 MPPs of all parties and kept hope for stronger protections alive through unwavering advocacy.

I want to recognize one of those workers, Sandee Green, a developmental support worker and tireless champion for a basic bargain. A workplace injury should not become a family's financial crisis. I also want to recognize MPP John Fraser for his years of steady support for care workers across multiple Parliaments.

Let me be clear about what Bill 105 means:

(1) Nearly 30,000 front-line care workers gain mandatory WSIB coverage, meaning timely income replacement instead of unreliable private insurance, and a clearer, fairer system when workers get hurt doing what Ontario asks of them;

(2) The bill raises loss-of-earning benefits from 85% to 90% of pre-injury net earnings, the first meaningful increase in nearly 30 years. For workers living paycheque

to paycheque, that 5% can be the difference between stability and poverty;

(3) The bill allows WSIB to extend benefits beyond age 65 for workers who intend to keep working. Ontarians are working longer, and the system should reflect that reality.

Taken together, these are the most significant improvements to Ontario's worker compensation system in a generation, and they do not come at the expense of residents or operators.

WSIB coverage is already the standard across most Ontario workplaces. Bill 105 simply closes the fairness gap created decades ago when care moved from institutions into the community. When workers are supported, they recover better, return to work sooner and keep providing care. That stability benefits everyone: workers, employers and the people in their care.

Let me address the question of cost directly, because the committee may hear it raised. The numbers do not support the alarm. The gross annual premium represents less than a half of 1% of sector operating expenses. In 2026, the WSIB average premium rate is the lowest it has been in more than 50 years. In 2025, WSIB returned a $4-billion surplus rebate to employers, a rebate that newly registered operators will become eligible for. This is an over-capitalized system, not one that will be destabilized by adding WSIB for care workers.

This is also not an industry that cannot absorb the change. Ontario has more than 700 licensed retirement homes, and the vast majority of suites are concentrated among a small number of large operators. These are publicly traded real estate investment trusts and pension-fund holdings, not small family businesses. The sector is targeting 40% operating margins and double-digit annual growth. Operators are paying more than $400,000 per suite to acquire these properties. They are not paying those prices for assets they believe cannot absorb a fraction of 1% in expenses.

We as organized labour have been here before, when Ontario extended mandatory WSIB coverage to the construction industry in 2008. Operators fearmongered in the same fashion: costs would rise, bidding would be distorted, consumers would absorb the increase. The expansion proceeded. The sector grew strongly through the decade that followed. The warnings did not come true then, and there's no reason to expect they would now.

Taken together—and I want to be clear about this—those who oppose this strong pro-worker move by this government do so for one reason: They do not want to provide the health care workers of this province with a safe, insured workplace.

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

Mr. John Klein: In closing, Bill 105 is a meaningful and necessary step forward. Our union will never give up on our members. We urge this committee to join us in supporting the members of our union and the workers like them who will benefit from Bill 105.

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

Our next presenter will be Steve Mantis, and this will be virtual.

Mr. Steve Mantis: Thank you to all the committee members for allowing me to present. I'm presenting on behalf of the Ontario Network of Injured Workers Groups, our research action committee. The Ontario network is made up of 22 local groups from across Ontario that provide information and support for workers when they become injured or ill resulting from exposures at work.

My own history, I think, is valuable in terms of the perspective I bring. I lost my left arm in 1978 when I was working in construction, and I've been able to see the system from a number of different perspectives. After I lost my arm, I started my own construction company because I didn't see anyone willing to hire a one-armed carpenter. So I've been an employer for many years.

I then went to work for the Ontario March of Dimes, managing their rehabilitation and re-employment and training operations. I was appointed to the corporate board of the Workers' Compensation Board in the early 1990s. I was subsequently appointed to the Workers' Compensation Board research advisory committee, where we started doing research on what really happens to workers and how to promote good outcomes and health and safety. And our research action committee has really followed on that. For the last 25 years, we have been partnering with academics at universities all across Ontario to study what are the consequences of work injury.

1410

I just listened to the minister's submission earlier today. She talks about removing red tape and protecting workers. I can tell you clearly, from almost 50 years of experience, this will not remove red tape. The only thing that is secure is that increase from 85% to 90% in terms of the level of benefits.

The other positive, of course, is, as our friend at SEIU mentioned, the extension of coverage to workers in the home care sector. We would say we would like to see coverage extended to all workers. They all have risks at work and should be protected.

But I have to tell you that when a worker comes to me—it might even be a family member—who says, "Well, I got hurt at work; what should I do?" I am really conflicted about whether they should actually go through the workers' compensation system because of how egregious it can be and how it can wear on you in terms of your mental health.

One of our members, Lisa, is one of those home care workers. Luckily, she was in the public sector, and she was covered by WSIB. But in no time at all, she was deemed to be able to go back to work. She was a hard worker. She worked double time often times. She is now on social assistance. All of her medical is saying she's not able to work. I can testify myself to how overwhelming her injury and disability is. But the compensation system says, "No, you don't deserve any money." That is kind of how the system is working today.

I've seen the system change—and we talk to workers both active at the WSIB and those recently retired. And

they say, "When we started work, we were trained to look to allow—not indiscriminately, but to gather the information and see whether that weighed in the worker's favour to allow a claim." Now they're saying that workers are trained to look to deny. And so people going into the system are at a greater risk day by day of, number one, not having their claims allowed, and then, if they do have it allowed, having to fight the system over and over in order to maintain their benefits as long as the disability lasts.

It's really important to understand how the system works when bringing in legislative and policy changes. When we heard the announcement of increasing benefits from 85% to 90%, one of our members, Charlene, said, "I'm going to get another $1 per week." She had a head injury. She was unable to navigate life going forward. She was working in retail, so it was a low-wage worker. She gets $5 a week. She thinks maybe now she'll get $6.

So is that the kind of way we support our workers, when they're so disabled they need occupational therapists to go shopping with them? I don't think that that's the way to go.

Teddy, another one of our members, had to fight for 10 years to get his disability recognized. He lost his family.

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

Mr. Steve Mantis: He had to go on social assistance. This is how the system has really been playing out.

And then what we see is that the government prioritizes the kickbacks to corporations. According to the WSIB's own figures, a figure of $21.5 billion has been gifted to corporations since this government took office. So to believe that they have in mind that they're really protecting us along the way, I think, is something that really is in dispute.

I'd be pleased to talk more about the specific issues in schedule 9, if we have time during the question period. Again, thank you so much for allowing me to appear before you today.

The Chair (Hon. Ernie Hardeman): Thank you very much for that presentation.

We now will go to the Provincial Building and Construction Trades Council of Ontario.

Mr. Carmine Tiano: Good afternoon, Chair, members of the committee. My name is Carmine Tiano and I'm the director of occupational services for the Ontario building trades. We have 150,000 members in this province who build the transportation and the hospitals, and are moving Ontario to the next section of energy development.

I'm going to speak specifically to schedule 5 and schedule 9. I first want to go to what we support in schedule 9. We thank the government for increasing benefits from 85% to 90%. Finally, after years of lobbying, we got that. That's a fantastic thing. We also think that it's positive to extend benefits past the age of 65, because our members continue to work past the age of 65. Although we have some concerns on the logistics, that is a positive.

We also commend the government for mandatory coverage—finally, workers in the home care and residential sectors are being compensated—and entitlement to benefits.

Now, I want to start with schedule 5, and then I'll talk about schedule 9. The building trades do support in principle a voluntary registry, but what I want the committee to understand, especially for construction, is that all workers have multiple employers over a career. If I would show you an average construction worker's work history, it will be 13 pages. Our workers could have seven or eight T4s. A voluntary registry is very difficult for Carmine to indicate what type of exposures he had. It is a good step; however, what we think you need to do is supplement the voluntary registry by the following.

Ontario used to have a medical surveillance unit from 1981 to 1996. What this unit used to do is it used to go around and take exposure assessments in various workplaces. It would be put into a database and then if Carmine has a problem in the future, the database would say, "Hey, we know Carmine worked in these industries; the anticipated exposure from 1981 to 1996 was X. What Carmine is saying in his voluntary exposure actually makes sense." So I think if you want to really improve the voluntary exposure, go back to creating a mandatory exposure surveillance unit.

The other thing, if you really want to deal with occupational disease, is I think we need to look at our friends at the Steelworkers. Some people said, "Look at where we're at in Canada on occupational exposure limits," and if we are moving to harmonization and we are moving with—Minister Piccini said we want the highest standards. Let's bring it up to the highest standards.

For the committee's benefit, if you want to get some other information, because after this, you're going to be consulting, I ask you to look at a report that was written for the Ministry of Labour in October—it came out in 2023—by Dr. Linn Holness and Janet Brown. It's called the Occupational Disease Landscape Review. Dr. Holness talks about what occupational disease is and there needs to be multiple [*inaudible*] to prevent [*inaudible*] sick. I ask [*inaudible*]. The other thing [*inaudible*] which talks about scientific evidence in occupational disease. That will give you an idea if you are going to be looking at a robust system, what you need to look at.

Now, I want to talk about the 72 months. Our central concern with the 72 months and schedule 9 is that we've had this type of lock-in since January 2, 1990, which provided a worker with security and benefits after a period of time.

1420

Now, section 44: What I find interesting about section 44 is there's a misconception. When I looked at this, I'm saying, "Okay, where did this come from?" First, I looked at the WSIB's own reports. In 2024, only 2.4% of workers were being locked in.

Then what I did, I'm saying, "Okay, since 2010, there's been multiple reviews in the system." In 2010, Professor Harry Arthurs looked at funding fairness. Professor Arthurs never brought up this being a concern. In 2016, Jim Thomas looked at the benefits—never a concern. This government brought in Linda Dykeman and Sean Speer in

2020 who looked at the administrative process of WSIB—never a concern.

So where did this come from? Where I think this came from is schedule 2 employers. As you're familiar, schedule 1 pays premiums, 2 doesn't. The schedule 2 employers have said there's this boogeyman that, "If Carmine is injured, we can't accommodate. Carmine gets locked-in, and then after a period of time, Carmine is making more money, possibly." However, the reality is most workers are capped. The cap now is $121,000. I haven't seen any evidence provided by WSIB in their reports, any of the various studies I've referenced, that shows it's a problem.

What I think is happening that I want to bring up that may or may not be popular, I think if we go ahead and do this—

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

Mr. Carmine Tiano: —especially in schedule 2, you're going to create a cottage industry. You are going to have consultants going to the schedule 2 employers and saying, "Give me all your lock-ins. Let me go in and see what I can save you. For every dollar I save you, you give me 50%." That is not what the system should be.

I think what we need to look at is this: There's a lot of good in our system. We were the first in Canada that had the right to refuse unsafe work. We were the first system in Canada that had vocational rehabilitation in workers' compensation. We're the first system that accepted chronic pain. We are the first system that had the tribunal. Let's take the good in the system and try to fix the problematic areas in the system.

So I'm asking, when you're looking at section 44, look at the reality that there's no evidence that it is a concern.

The Chair (Hon. Ernie Hardeman): Thank you very much for the presentation. That concludes the presentations.

We'll start with the first round of questioning with the government. MPP Racinsky.

Mr. Joseph Racinsky: Thank you to the presenters for coming and sharing your perspectives on Bill 105. It's very much appreciated.

I'll start with the SEIU with Mr. Klein. How many workers do you estimate this change in coverage will benefit?

Mr. John Klein: I think there's a couple of answers to that; firstly, about 30,000 in terms of the expanded coverage. When you think about the expansion of eligibility on age, that gets a lot larger. I wouldn't be able to estimate it, but perhaps hundreds of thousands of workers.

Mr. Joseph Racinsky: Right, so this is significant. Thank you for your support of that change and for the member opposite and all of his work as well. This is a very positive thing.

Going to Carmine—a couple of things that you didn't mention and I wanted to get your thoughts on in the bill. One is the harmonization of health and safety certifications across the country, matching other provinces with the hope of increasing labour mobility. Our government has a massive capital project plan to build this province, build the infrastructure that we need, and the federal government is on the same page with that. What kind of impact would that change have for your members?

Mr. Carmine Tiano: I think the positive on that is finally we're looking at, if Carmine is an employer in British Columbia or Carmine is an employer in Ontario, he does not have to duplicate certain training—working at heights. You take the higher standard. Carmine trains his members. Our unions train our members. They can work anywhere else.

That would be huge multiplier effect because, right now, everybody that comes in to the different provinces have to look: "Does Carmine have these standards?" "Does Carmine have these certificates?" If everybody knows what the rules of the game are, automatically that's going to be more productive. It would be ridiculous not to say that.

But at the same time, when you're doing harmonization, if we are going to the highest standards, the same approach should be taken for workplace insurance.

I know someone's going to say to me, "Carmine, Ontario's the only one that has this lock-in." Guess what? Ontario has always been the leader. Ontario doesn't take from the worst; we take from the best. Alberta, a few years ago, didn't have mandatory joint health and safety committees. You've got to compare like provinces, like economic sophistication.

All we're saying, we agree with the harmonization, but at the same time, if a worker gets injured, there should be the protections that our system has already given them.

Mr. Joseph Racinsky: I think you brought up a really good point about taking night classes for that certification. Your workers, they can't wait on the job. The job is there and they have got to go. They have to get that certification no matter what and that means doing it at night or that sort of thing. That's a great point.

Bill 105 also recognizes CSA-approved respirators in regulation. I'm just wondering if this will give the contractors and workers your council represents more supply options, stronger flexibility in respiratory protection.

Mr. Carmine Tiano: Definitely. The way it is now, the way it's written, it's NIOSH. All we did, we added CSA or another respirator from a comparable jurisdiction. I think what it does, it actually creates our own supply chain for respirators now, made in Canada. That's a good thing.

Things like that are positive. If you're looking at red tape, that's the kind of things you look at to better what we have, not to lessen it. That's the building trades perspective—as a matter of fact, every union or every employer's perspective. That is definitely a positive.

Mr. Joseph Racinsky: Thank you, Chair.

The Chair (Hon. Ernie Hardeman): One minute three: MPP Smith.

Mr. Dave Smith: John, if you don't mind, I'm going to come to you. I'm curious, do you have any idea what the average age of retirement is for your union members?

Mr. John Klein: The average age of our members?

Mr. Dave Smith: Yes.

Mr. John Klein: Not off the top of my head. It's aging. I can get you that information after, though, for sure.

Mr. Dave Smith: The retirement age is really what I'm looking for. How old would they be when they retire?

Mr. John Klein: I would have to get that information for you after, but that is increasing, I can tell you that.

Mr. Dave Smith: I appreciate that. One of the things that Bill 105 is looking to do is address the coverage gap directly. From your front-line experience, what gaps exist today for long-term-care workers who are not fully covered by WSIB?

Mr. John Klein: I think there's a lot of private insurance that exists in the space. Private insurance in the space is geared towards the operator and denial rather than really supporting injured workers.

What a change like this means is levelling the playing field and making it fairer and putting people like retirement home workers on the same level as other health care workers who enjoy mandatory WSIB coverage. And what that means is a fair, more transparent system that gives them better access to the supports they need if they are, God forbid, injured on the job.

Mr. Dave Smith: Thank you.

Chair, how much time?

The Chair (Hon. Ernie Hardeman): Thank you very much. The time is up.

MPP Vaugeois.

MPP Lise Vaugeois: I've got a few comments and then a question for Steve.

First of all, we've very happy that this coverage is coming. What we would also like to see is people in those—PSWs, DSWs, RPNs and so on—that the pay, no matter where they're working, is actually equalized. I do have concerns that there are people who are not covered, who are in health care, including some CUPE workers, some people doing home care as opposed to being inside a residential setting. But it's a very, very important, positive move forward that we support, and thank you for being so clear about that.

Carmine, thank you for telling us about these surveillance units. I hope to learn more about it because it's clear why we need something that is not just a one-off here and there for those workers.

Steve, I wanted to come back to you because I don't think you finished everything you wanted to say to the committee.

Mr. Steve Mantis: Thank you very much, MPP Vaugeois. Addressing the age discrimination is an issue that we have been lobbying the government for some time. As we know, the government is now saying if you can show us that you would be working past age 65 and—as the minister just said—if you're actually working past age 65, then it could be reviewed by the WSIB whether you can continue to have benefits or not. Again, as we know, the system is focusing now on not spending money, especially for those on long-term disability. Our concern is that workers will be forced into perpetual probation where they can't really trust that they'll be dealt with fairly in the system.

1430

Our recommendation is that we move that age 65 to age 70, where an increasing number of workers are working up until the age of 70 and beyond, and then also allow for workers to be able to opt in to benefits past the age of 70. This will reduce the red tape; it will reduce the administrative burden that the minister was so keen on doing.

The issue of the lock-in is really one that we take very seriously. What we have seen through independent research is that workers who are dealing with the WSIB are experiencing, more and more often, psychological injuries, because they're dealing with a system that they feel is not treating them fairly, that doesn't believe them and is looking for ways to reduce their benefits. The longer that people are on benefits, the worse this gets. These are the workers who are most vulnerable, who have the most serious injuries, who have lifelong disabilities recognized by the WSIB, but they're still subjected to the cost-control issue.

Presently, after six years of going through all of this, they can then go, "Okay. Finally, I can now go forward with some security that, the benefits I'm now entitled to, I can count on that." By removing that, we're now creating a bigger level of insecurity for these workers and their families. Oftentimes, the families are totally ignored in the workers' compensation systems. They would say, "We don't care what happens to your family. All we care about is whether you're receiving your appropriate level of benefits." And even then, we question whether in fact they do.

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

Mr. Steve Mantis: The idea that this is going to help workers when, as Carmine said, there's just a very, very small group of workers—maybe 300 a year—who might be locked in at full benefits. The government is using a sledgehammer to nail in a finishing nail. It's going way overboard in terms of trying to address a very small issue with a very big hammer.

And of course, coverage for all is a key component. Yes, it's really great that the government is moving for home care workers, but why not for all workers? The same reasoning that applies to those home care workers should apply to all workers right across the province for sure.

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the time for that question.

We'll now go to the third party. MPP Fraser.

Mr. John Fraser: I want to thank all the presenters for your presentations. It's very informative for us. I think we all learned things.

John, I want to apologize; we're a little short today, so I've got to be in two places at one time, so I missed your presentation. But I'm pretty familiar with the work that you've been doing and I want to thank SEIU, CLAC, CUPE and a whole bunch of people for continuing to keep pushing this work. It took a whole bunch of people. I'm going to shout-out to Sandee Green too—who you may know as well—who has been at this for a long time.

I do want to ask you about—we talk about retirement home workers, but we really haven't mentioned develop-

mental service workers and the importance of their work. I didn't know if you'd like to tell the committee what they do and why it's important that we cover them.

Mr. John Klein: Yes, I think it's a really important question. Look, developmental support workers do some of the hardest work in the community care industry. They're taking care of our most vulnerable people, people with developmental disabilities. They're helping empower those people to live their best lives. And they're doing that in an environment where that can, because of behavioural incidents, come at risk to their physical self. WSIB coverage for members like Sandee Green, who I talked about in my comments, is critical and life-changing. Because should an injury occur, we want a level playing field that drives fairness and transparency and ensures they get access to the support they need.

I said in my comments, Sandee's belief is a basic bargain that a workplace injury shouldn't become a financial crisis for a family. This bill will, for those folks, ensure that that is less of a likelihood.

Mr. John Fraser: That's great. Thank you very much. I mentioned earlier—I don't think you were in the room at the time—I've been following this bill for a while. It's something that's really important to me because it is about fairness.

There was resistance in government because it affects government revenues, your agencies and contractors you should be backfilling and supporting. I know the government has, I think, got a commitment to do that, or at least we'll hold them to one, but I believe there's good will there.

The retirement community association—I've known them for a while. There's resistance there to something that I think is really beneficial for their workers. I'm concerned that the same thing that was happening for the last 10 years, or longer, is happening again. There's a resistance and there's kind of a claim that, "Hey, this is going to bankrupt us."

Can you describe what the retirement community—are they small businesses? Are they corporations? What are they?

Mr. John Klein: Yes. I talked about this in my comments.

A couple of things: There are about 700 licensed retirement homes in this province. Most of them are concentrated with a large number of large, for-profit operators. These are enormous companies that are charging enormous funds—in some cases, tens of thousands of dollars a month—for people to live in these communities. And so yes, there's resistance to it.

That's unfortunate, because I think it is for the benefit of the worker and ultimately for the benefit of their residents. Some of the numbers that I talked very briefly about—when you think about that particular industry here, the numbers don't support the alarm that you're describing. The gross annual premium for WSIB here represents less than a half of 1% of operating expenses. This is an industry that's targeting 40% operating margins and double-digit annual growth. They're paying $400,000 per unit. They're not going to be investing that kind of money per unit if they are hard up for cash.

I hear you that there's alarm from the industry, but I think that kind of fearmongering is expected. It's unfortunate, and I'm hoping that we're able to overcome it.

Mr. John Fraser: I'm just concerned that this focus on the bottom line—they're exceptionally profitable and we need to ensure that the people—I've had some family members, my in-laws, in a retirement home. There are great workers there, but you know, when I think of them—and I knew they worked more than one job. They might work in home care. They might work three jobs.

This is why it's important: When you get covered generally by insurance—it's private insurance—you're covered for one job. So you get hurt at work—

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

Mr. John Fraser: —you're not getting two thirds of your income, or whatever part that is, and that's not fair or right when there are people doing the same work, but because of their employer, they get that benefit.

That's why this is really important, and the government should resist the pressure that's there. There's an ability to pay. There's an ability to do the right thing on behalf of the retirement homes, and they need to do it.

Mr. John Klein: Yes. And I just want to say, on behalf of our union, we appreciate your tireless advocacy on this expansion over the years. We really do. Thank you.

Mr. John Fraser: Thank you.

The Chair (Hon. Ernie Hardeman): MPP Smith.

Mr. Dave Smith: Steve, I'm going to come to you, if you don't mind.

Right now, we're looking at our current 72-month lock-in on loss-of-earning benefits. It's a feature that's pretty much unique to the province of Ontario, to our workers' compensation program. Most other Canadian jurisdictions don't do something like this. Of the workers' compensation systems across all of Canada, are we an outlier in that? Does anyone else have it? Do you have any statistics on what other provinces are doing it that way?

Mr. Steve Mantis: Thank you so much, David, for the question.

I think it's important to have a historical perspective here. As Carmine talked about, Ontario was the lead in forming a number of things, including the first workers' compensation system. And it was Sir William Meredith, a leader of the Conservative Party and Chief Justice of Ontario, who brought in the system. He had a number of key principles. One of those was compensation as long as the disability lasts. I was fortunate—I don't know if "fortunate" is the right word, but when I lost my arm, it was when the system provided a pension for life. It was not a big amount of money, but it gave me financial security that my family would not suffer, that I'd be able to feed them.

1440

Nowadays that has been changed so that your loss of earnings, which replaced that permanent pension, is under review for that first six years, and now the idea is to have it reviewed for life, when, in fact, the compensation system

itself has already certified you've got a disability. So it's really saying. "Hey, those fundamental principles of the compensation system—we don't care about them anymore." That was part of the historic compromise where workers gave up the right to sue. If I was able to go back and sue, I'd be making way more money than what the compensation system gives. So we think that we really need to respect those founding principles, and that one is compensation as long as the disability lasts.

The minister talked about, "We're going to make sure that workers actually get compensation for their lost wages." That happens in a very, very small number of instances. The compensation system finds a number of ways to say, "No, you no longer need benefits," or, "We're going to deem you to have a job when you don't, when no employer will hire you, and we're going to subtract that from your benefits." This causes so much stress for workers. If the government really cares about the health of the workers, their family and their community, they will then say, "Let's give financial security to those workers who have lifelong disabilities." We know that people with disabilities are already disadvantaged in our society in terms of employment. They have the highest rate of unemployment across the system, and that's a situation people are in. Employers don't want to hire you once you become disabled. So now making it more and more difficult to be able to look after your family at the six-year mark, when at least there you start to feel secure, I think is really an abandonment of looking after workers that the system is supposed to be there for in the first place.

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

Mr. Dave Smith: Thanks. I appreciate that. I'm going to come back to you with a follow-up question.

One of the challenges we have with WSIB and the design of it is that we have to take into account so many different types of industry. Obviously, the mining industry has different types of challenges for potential for injury than someone who perhaps was a custodian at a school or even an investment banker on it.

How would you suggest, then, that we take a look at how we deal with this when we have such a broad base of types of workers and different types of injuries? Should it just be a blanket across the board, say, 90% of the income, or should we be looking at it more granularly than that?

Mr. Steve Mantis: I think that the more we make the system simpler to navigate, it will be a system that is more likely to support—

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the time for that question.

We'll now go to MPP West.

MPP Jamie West: Steve, if you want to finish your reply, go ahead.

Mr. Steve Mantis: Thanks so much, Jamie. Yes, so the system has become more and more complex, creating more and more barriers for workers. In fact, what we're seeing is that many, many workers—thousands and thousands of workers—are no longer even putting in a claim for compensation.

I'm presently involved in a research project on claim suppression. Pre-existing research that has been done is identifying that maybe 40% of the workers who experience an injury or illness don't report, because they don't trust that the system will deal with them fairly; they may have negotiated benefits at work that are much easier to access, and they go with that; or they're in precarious work where they are risking their job if they report injuries. We have big employers—national employers—that say, "Don't report your injury. Come to work and we'll just pay you. Don't worry; we'll look after you," but in fact, that's only a short-lived point.

So really, having consistency, where workers are able to have financial security when they need it—when they get the support, and not the constant harassment that oftentimes happens from the system that's trying to cut costs—we end up with workers who are able to recover more fully, who are able to engage in productive employment going forward. And really, it will save money for everyone, as opposed to fighting, fighting, fighting, and then people end up with further disabilities, making it much more difficult to maintain or regain employment going forward.

MPP Jamie West: Right. I think that leads into something else I was thinking about with Carmine. I don't want to put words in your mouth, but I assume that in your industry, you have a lot of people who are making decent wages in the trades. I come out of the mining industry; we have a similar thing, and when those workers are injured, they can't afford to be on WSIB. The wage cap reduces their wages a lot. There's a lot of financial stress, then it becomes familiar stress about how to maintain the house, how to keep the kids in soccer and all those things.

And I know, from nearly two decades of working in the mining industry, that we would have workers who would self-medicate to cover the pain, and then we'd be dealing with the injury and we'd also be dealing with addiction issues. I wonder if you'd want to broadly comment on that.

Mr. Carmine Tiano: Sure. I mean, if you really want to make this system fair—and I heard the word "fairness"—why don't we do this: Just get rid of the artificial cap.

If you would go and you would look at where Ontario is on their earnings maximum, it's 175% of the average industrial wage. Go to the Association of Workers' Compensation Boards of Canada and just type in "earning basis;" it will come up with every province. Considering we're the biggest province, we're at $121,000. So if we would go to 250% of the average industrial wage, what Professor Paul Weiler talked about in Refocusing Workers' Compensation: A Challenge for the 1990s—jack up the maximum average earnings, and Godspeed. Get rid of the blocking. Let's do that.

Now, the other thing that we need to really have a consideration of, and this is not going to be popular: Reality is reality. Employer lobbying over the last 10 years has made it really hard for workers to go on benefits, as Steve said. If you look at the studies in construction from De Novo Treatment Centre, most of our workers have ongoing chronic musculoskeletal pain. Our workers don't

want to go on WSIB. Why? They get pigeonholed into artificial return-to-work. They get targets on their back. Carmine puts in a claim; Carmine is done.

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

Mr. Carmine Tiano: So we need to look at that, when it comes to artificial claims management and artificial numbers, if we want fairness.

MPP Jamie West: Yes. Thank you for that.

Really quickly: I won't have time to ask a question, but I want to congratulate John on the work and compliment MPP Fraser. Every single labour bill he's brought this far is an amendment, so congratulations to the Conservatives for adopting it. It's a positive thing. I know that you would join me in encouraging it to be applicable to CUPE workers and child care workers and everyone across the board.

A final thing, just maybe for Steve or Carmine: I think, Steve, you had said $21.5 billion is given back to the employer. That's money that workers aren't getting. I feel like with $21.5 billion we could invest in this and actually take care of workers as well. Am I right, or am I wrong?

1450

Mr. Steve Mantis: You're totally right. The system is flush with cash. This is not an issue of not having the resources to help workers—

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

We'll now go to MPP Fraser.

Mr. John Fraser: You can go ahead and finish—finish your sentence.

Mr. Steve Mantis: Thank you so much. One of our researchers coined the phrase the "discourse of abuse," where workers are continually challenged in terms of their personal integrity, really in a way to try to force them to accept less than what their due really is.

With all the money that the WSIB has accumulated over time and continues to—okay, they give that back to corporations, but what is the real fallout here? The fallout is that those costs don't go away, that they end up on the families of workers who most need the help from workers' compensation. They end up on the public purse because now workers end up going to social assistance.

We have data from the ministry that almost 3,000 workers last year went to social assistance because the WSIB cut them off benefits. Our health care system is now covering costs that should be covered by the compensation system and by the employers who pay for that system and—

Mr. John Fraser: Thanks, Steve. I'll have to cut you off there because I want to get a little bit of time with Carmine here.

Mr. Steve Mantis: Thank you so much.

Mr. John Fraser: But I want to thank you for just the historical context of workers' compensation, that it has a dual purpose: It's to save employers litigation and costs and to protect workers. Well, when you give all the money back to employers, the scale is tipping in the wrong direction. You explained that very clearly.

Carmine, I want to tell you that I really do appreciate the idea that a surveillance unit—you can't just make it voluntary, and they should be looking at what's going on. I think that's a recommendation I hope the government heard and the minister has probably heard before.

Mr. Carmine Tiano: And to be fair to the government, these are comments we've made before, and it's not that the answer has been no, it's, "We're moving this way. We're looking at occ disease."

Mr. John Fraser: It's a suggestion. I'm not being critical in that sense.

How much time do I have?

The Chair (Hon. Ernie Hardeman): Two point four.

Mr. John Fraser: Two point four, okay—not 1.4.

Interjection.

Mr. John Fraser: Sorry, I had to do it.

The other piece I wanted to mention is your explanation about the 72 months, removing the cap, which is like removing the cap and adding red tape for those workers. When you started to talk about a cottage industry and shaving down costs, it's going to happen. It's like if somebody comes up to you and says, "If I can save you"—I'll give you an example. My wife's uncle did the same thing: construction industry across the provinces. You only pay one tax. Often construction companies pay two taxes, a federal tax and a provincial tax. He could get one back, and he said, "If I can save you literally $500,000, will you give me 10% of that?"

That's what's going to happen. I don't want to say anything else about that, but it will happen.

Mr. Carmine Tiano: I say this not because "Well, Carmine is against this." No, I'm saying this is the reality because if I look at funding fairness from Arthurs, it was never there. If I look at Jim Thomas, it wasn't a concern. Speer and Dykeman: It wasn't a concern. It's coming from schedule 2. Schedule 2, in many ways, is going to government, "Hey, government, we can't manage our WSIB cost, can you do this?" That's not what government is there for. Government doesn't pick winners and losers. Government writes legislation.

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

Mr. Carmine Tiano: This is a real concern. Schedule 2 is going to go, "Carmine is out to lunch." It's the employer lobby that wants this, and they're going to get cash out of it. That's the reality.

Mr. John Fraser: Why not just give them the cash back? There seems to be a massive surplus—I'm not suggesting that—they keep giving back. It should go back to workers. Why not just save the workers having to come back year after year? Think about it: You're hurt, you're injured, you got a brain injury, and then you got to go back.

Mr. Carmine Tiano: I don't write policy.

Mr. John Fraser: You've got to go back time and time again because, "We don't believe you. You've got to prove it." Come on.

Thank you. I'm done.

The Chair (Hon. Ernie Hardeman): Then that concludes the time now at seven seconds left. Thank you for the time.

It concludes the time for this panel, too. We thank all three of you immensely for the time you took to prepare and so ably present to us and help us with our deliberations on this bill. Thank you very much.

MS. PRIYA POPURI
ONTARIO FEDERATION OF LABOUR
ONTARIO COMPENSATION EMPLOYEES UNION

The Chair (Hon. Ernie Hardeman): Our next panel is Priya Popuri, the Ontario Federation of Labour and the Ontario Compensation Employees Union, CUPE Local 1750.

As they're coming forward, as with the others, you'll have seven minutes to make your presentation. At the six-minute mark, I will say, "One minute." At seven minutes, I will say, "Thank you very much."

The first one and the second one are both virtual. We start with Priya Popuri.

Ms. Priya Popuri: Good morning, Chair and members of the committee. Thank you for the opportunity to speak today. My name is Priya Popuri. I'm a Canadian citizen and an Ontario-connected medical student, currently studying medicine in Ireland in the six-year direct entry medicine program at University College Dublin. Today, I'm speaking in support of the proposed changes to the Canadian residency matching system under Bill 105.

I want to begin by making some things clear. Students like me didn't leave Canada because we wanted to leave permanently. We left because we wanted to become doctors.

In my case I had strong options in Canada, including being accepted into McMaster health sciences, one of the most competitive undergrad programs in the country for students pursuing medicine, along with other strong pre-medical undergraduate programs. But I ultimately chose a direct entry medical program in Ireland because I knew I wanted to become a physician and this pathway allowed me to begin training immediately.

That decision was not a rejection of Ontario; it was a commitment to medicine. Ontario is still my home. My family is there, my community is there and my long-term goal has always been to return to Ontario, complete residency training here and practise here.

Under the current system, Canadian citizens who study medicine abroad are treated as international medical graduates. That means we compete for match specialities at a much smaller set of residency programs, even though we have stronger ties to Ontario and a clear commitment to returning.

This creates some practical problems. Ontario needs doctors and communities across the province need family physicians, specialists and long-term health care capacity. At the same time there's a group of Canadian citizens training abroad who are ready and motivated and committing to coming home. Bill 105 recognizes this group should not be ignored.

I support the proposal to prioritize IMGs who have a real connection to Ontario. This is not about lowering standards. Ontario-connected IMGs should still meet the requirements with exams, clinical assessments, interviews and licensing requirements and residency program expectations. This is about creating a fair pathway for qualified students who have already demonstrated a connection to the province.

Students in programs like mine, who are completing rigorous medical training—many of us prepare for Canadian requirements through medical school. We follow CaRMS closely, we write Canadian exams, we seek Canadian clinical experiences where possible and we plan years in advance for the hope of returning home, but the current system makes that path extremely difficult. For students like me this is not just a policy issue; it affects where we will train, where we will live and where we will be able to serve our communities that raised us.

I also think this proposal makes sense from a workplace planning perspective. A student with deep Ontario roots is not simply looking for any residency seat. We are trying to come home. If we train here, we are more likely to build our careers here, serve patients and remain a part of the Ontario health care system long-term.

I would respectfully ask the committee to ensure that the final framework is broad, fair and practical. A connection to Ontario should include people who completed high school in Ontario, attended university in Ontario and lived there for a meaningful amount of time and who have strong family and community ties here. The definition should not be so narrow that it excludes the very students that this legislation is intended to help.

1500

I would also ask that the process be transparent and communicated early. Medical students abroad make decisions years in advance about exams, electives, finances and applications. Clear rules should allow students to prepare responsibly and fairly.

Finally, I ask the committee to remember that behind this policy are students who want to serve. We are not asking for Ontario to lower standards. We are asking for Ontario to recognize our commitment. I chose medicine abroad, but I did not choose to leave Ontario behind. I'm a committed Canadian citizen and an Ontario student and I'm training to become a physician hoping to return home. Thank you for your time.

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

Our next presenter will be the Ontario Federation of Labour, and it's also virtual.

Ms. Laura Walton: Thank you for the opportunity to speak to committee today, virtually, on Bill 105. My name is Laura Walton, and I am the president of the Ontario Federation of Labour, which represents 54 unions and more than one million workers here in Ontario. I am joined here today by Natasha Luckhardt, our director of health and safety.

Today, we would like to focus our response on the changes that Bill 105 proposes to the Workplace Safety

and Insurance Act, as well as the Occupational Health and Safety Act. While there are many good first steps in this bill, there are also some significant land mines that are problematic for workers.

We appreciate that government is increasing the loss-of-earning benefits from 85% to 90%, after the Conservative Harris government slashed it back in 1998. We also appreciate that the government is expanding mandatory WSIB coverage to residential care facilities operated by private employers, as well as to group homes.

We encourage the government to consider retroactivity on both fronts, as the previous cuts and disqualification of workers amounts to both wage theft and claim suppression. We know that the government empowered WSIB to give a total of $21.5 billion to employers through rate reductions and so-called reimbursement since 2017. In comparison, retroactivity is a mere drop in the bucket, but it will support workers who were injured while only doing their job.

We also ask that coverage be extended to all workers in Ontario. Currently, as you will hear from our friends at CUPE 1750, Ontario significantly lags behind other provinces in terms of its coverage. Where BC is at 93% and even Alberta is at 92%, Ontario is in the bottom three regions across Canada, at roughly 75%. In fact, of the close to three million workers not covered in Canada, Ontario alone accounts for over half of these.

The silly part is, the more expansive the coverage, the cheaper it would be for employers, which would certainly be a win on their balance sheets. It would also lessen the pressures on the public purse as workers without WSIB coverage often rely on OHIP, social assistance and disability support programs.

We are excited to see the Occupational Exposure Registry. The labour movement and occupational disease advocates were the ones pushing for a registry, so we appreciate its introduction. However, we need to have a say in its construction and usefulness. Currently, it's a voluntary one-way system where workers enter their exposure, unknowing of the outcome or even the purpose of the report.

What we need is a dynamic system that enables workers to build a fulsome profile of their exposures with relevant documents such as exposure reports, ministry inspection reports and ministry testing. It also needs to be clear that this is not a registry simply limited to chemical hazards, but it can, in fact, be used by sectors like education and health care to report workplace violence, as we know that is so widespread and needs to be measured accurately.

All of this data must be then used through ministry prevention and enforcement activities, and workers should be encouraged to report formally, as is their duty. Our suggested improvements will make this registry meaningful rather than a mere exercise.

We appreciate the step that the government has taken to acknowledge that the current cut-off of workers benefits at 65 is both discriminatory and arbitrary. However, we implore this government not to put the onus on workers to appeal the decision. The proposed expectation is cumbersome, confusing and often convoluted. On the face of it, it appears that the intent is to frustrate workers from actualizing the opportunity to access benefits beyond age 65.

We are also extremely worried about the unchecked discretionary power that the WSIB would have in these instances, as well as the burden of appeals that the WSIB, employers and unions will constantly encounter in an already appeal-burdened system.

To avoid legal challenges, our suggestion would be to increase the age to 71, in line with when Canadians are generally required to convert RSP savings into retirement income vehicles according to the Income Tax Act. The number reflects both legal parameters as well as the reality that all workers, injured or not, are working more years just to make ends meet.

There's one big, giant pitfall: the proposed removal of the ability for workers to be locked into benefits at 72 months, or six years. This removal would be a grave injustice to the most precarious injured workers—those with long-term severe injuries from their work. It could put them in a perpetual state of proving that their injuries be recognized for what they are: permanent and life-altering. It could put them under constant surveillance by both the WSIB and their employer, potentially for their entire life, and force them into needless and injurious return-to-work efforts.

It is also worth mentioning that the current locked-in framework already anticipates that a claim can be deferred for up to two additional years when certain criteria are met to make sure workers are not prematurely locked in. In fact, currently, those locked in only amount to 2% of injured workers, likely a fraction of the workers who should be recognized for their permanent injuries sustained while doing their job.

We beg the government to please leave this 2% of workers who are permanently disabled from their jobs alone. They need stability, they need security and, most of all, they have a right to their due compensation.

We want to acknowledge the good work that has been done so far in this proposed legislation and are confident that with the inclusion of our suggestions, the legislation will be meaningful for workers across the province.

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

We now go to the Ontario Compensation Employees Union, CUPE Local 1750.

Mr. Harry Goslin: Thank you to the committee.

The Chair (Hon. Ernie Hardeman): The floor is yours.

Mr. Harry Goslin: It's a pleasure to be here today. I am Harry Goslin, president of the Ontario Compensation Employees Union, which represents the 3,800 members employed by the Workplace Safety and Insurance Board and the Infrastructure Health and Safety Association.

I do want to recognize the positives in this legislation, the proposed changes: the 5% increase of loss-of-earning benefits—a long time coming since that was cut back in 1998—conditional access to loss-of-earning benefits beyond age 65 and the mandatory coverage for all the private

residential care facilities and group homes. These are positive steps.

However, there are gaps that remain both in the coverage and the benefit adequacy. My presentation today will focus on coverage in Ontario, and the OCEU submission includes feedback on some benefit changes.

I'll start off with a coverage gap. Ontario currently covers 5.6 million workers in Ontario. That's 330,000 workplaces that are covered. It is one of the largest, if not the largest, insurance frameworks in North America.

Bill 105's expansion to include the residential care facilities and group homes only adds about 29,000 workers. Despite the improvement, Ontario will continue to lag behind Canadian jurisdictions. Roughly one in four Ontario workers, who this government often refers to as the "little guys," does not have WSB coverage. Ontario falls behind Newfoundland, PEI, New Brunswick, Quebec, Manitoba, Alberta, BC, the Northwest Territories, Yukon. Most of those provinces and territories exceed 90% coverage, versus Ontario at around 76%.

The OCEU has studied the universal coverage extensively. An Ontario government—a previous Conservative government—also studied universal coverage back in 2002 and 2003. The review was conducted by Brock Smith, commissioned by the previous Conservative government. It recommended a model where all workers are covered unless explicitly exempted.

The WSIB board of directors endorsed these recommendations in 2003, and legislation was moving forward, but then there was a provincial election. The Conservatives were not re-elected, and the study was shelved, sadly.

The report also recommended the merging of schedule 1 and schedule 2 to create one shared risk model, create a level playing field between private and government agencies.

The last study that was done was done in 2023. It was commissioned by OCEU. We've done this a few times. We've hired three different groups of economists to study this issue. Each have come up with very similar findings wherein around 1.56 million to 1.86 million workers are not covered in Ontario.

If all workers were covered, they would add $75 million toward WSIB legislative requirements. It would also add $170 million to WSIB's administrative overhead. The total—about $245 million—added revenue would have the effect of reducing rates for currently covered employers by 6.2%. That means $205 million would stay in Ontario's economy. The recent premium rate reduction from $1.25 to $1.23 per $100 of insurable earnings generated a savings for Ontario employers of $60 million. This is approximately three and a half times less than savings that would arise if all Ontario employers were fully covered.

1510

There would also be savings for Ontario's health care. Currently, when you are not covered by WSIB, the taxpayers pick up the bill for those workplace injuries. Some $107 million would begin to offset OHIP costs, resulting in relief for OHIP because that money would be paid by WSIB as part of the employer assessments, resulting in direct tax relief, and the funds could be used to help end hallway medicine.

When we talk about prevention, the 76% of employers that are covered under the Workplace Safety and Insurance Act carry 100% of the over $260 million to fund the other legislative obligations, like the occupational health and safety legislation, the appeals tribunal, the Office of the Worker Adviser, to name a few, and health and safety associations. If we had full coverage, we would have a rate reduction of 6.2%; $75 million of the $260 million or so to fund those obligations would be covered, and rightfully covered, by the newly covered employers.

It is unacceptable that one in four Ontario workers remains without WSIB protection. Past Conservative governments recognized this and initiated reforms to achieve universal coverage. The evidence is clear and consistent and compelling: Ontario must adopt universal coverage under the Workplace Safety and Insurance Act.

For the brief bit of time that I have, I'll just comment on some of the benefit entitlement improvements. I do recognize the positive improvements, but there is still more work to be done. The past reductions in loss-of-earning benefits and loss of retirement investment were harmful to workers, so the restoration to 90% of net average earnings should be retroactive to 1998. We are talking about an organization that is 117.5% funded as of 2025—at the end of fourth quarter of 2025—and has over $36.5 billion—

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

Mr. Harry Goslin: —in investments through IMCO. Can this organization afford to give some of that windfall back to our workers? I would say yes. At a very minimum, the retroactivity should be applied to when the refund started for Ontario employers in 2018.

The loss of retirement income that's not in the legislation was cut by 50% back in 1998. It is only, at best, when it was fully enforced, at 10%, which helps workers with their retirement who have lost their workplace pension.

Coverage past age 65: We are recommending that we do not put the onus on workers to prove that they have an intent to work past age 65 and that we do align with the Income Tax Act, the age 71 rule, where a person can no longer contribute to workplace pension plans past age 71.

In the 72-month lock-in—

The Chair (Hon. Ernie Hardeman): Thank you very much, and hopefully we can put the rest in the question period.

We now will start with MPP West.

MPP Jamie West: I think I'm going to start with President Walton—actually, Harry Goslin and Laura Walton said similar things about increasing the age to 71, and I think it's a reasonable argument. It's the sort of thing that when you just see it at a glance when you are not familiar with WSIB, one age seems like any other age, but I think the argument over RSPs makes it a relevant thing. I think that as well, when I think about having to advocate, that I wasn't planning to retire. For someone like me who

benefits from a decent job—I have a mortgage that will not end when I am 65. I have kids that will likely still be in school at 65. We had some RSP savings. We have three kids; they burned through most of that. But even with that, WSIB could say, arbitrarily, "No, you don't have enough proof." But I don't know how I'd prove earlier in my life, when I had two or three minimum wage jobs, and my plan to help my kids for school was that I was going to keep working and give them whatever leftover money I had.

So I just wonder if one of you wants to comment on this idea that the worker has to prove that they planned to work longer and the arbitrary decision-making WSIB has in that way.

Ms. Laura Walton: Yes, definitely. Off the top, I think any time that we have a proposal where we're going to put the onus on the worker to try to justify what they were going to do many, many moons down the road, it just becomes another form of suppression. If it's too cumbersome, if it's too convoluted, if it's too confusing, then people just aren't going to do it.

And you're right: Even the Income Tax Act is recognizing that people are working longer, for many different reasons. Yes, it is, like many of us, that we don't have the savings, we don't have the pension plans, we don't have what we need, but then there's also the fact that as healthy people, we are working longer because we want to be working longer, as well, and I don't want to take away from that as well. This is often a choice that people make because they're happy in the workplace. They are gathering satisfaction from the workplace, and they want to be there.

So, definitely, we think that if we can align it with cutoffs that are already in existence, that aren't arbitrary, that make sense, that have been working, that makes so much more sense than putting the onus on a worker who has already suffered a devastating loss—the fact that they're unable to work, and now we're going to ask them to justify that they plan to work even longer.

I think it makes really simple sense. I think it's easy for people to understand. I think it's going to be easy for workers and for employers to explain, and the WSIB. It's a really clear path and an easy path to make that happen.

But I would defer over to my brother Harry, who has far more experience with these things.

Mr. Harry Goslin: We know the world has been changing. People have been working well past the age of 65. We know that the actuaries in Canada and the US have just recently updated mortality tables that once again say that people are living another six months longer, same as the last update that was done around 2017, so we know that people are working past age 65. At the WSIB, claims for workers aged 63-plus have increased by 279% since 1994, and we know that 421,000 Ontarians aged 65-plus remain actively employed.

So putting the onus on the workers to demonstrate that they're going to be able to work or intend to work beyond age 65 is going to create a subjective system that will create more of a problem for a workplace that already has one of the worst workload problems in the nation. We know this because of a peer-reviewed Copenhagen psychosocial survey that assesses workloads across the nation. Sadly, the WSIB workplace has come out as the number one worst workplace two years running, so anything that's going to add to the workload is not going to be helpful for workers.

MPP Jamie West: I think something that's also important to echo, if you weren't able to join earlier—the minister was here starting at 1 o'clock and promised a "tell us once" culture. That means that the things that you have said and echoed to each other, and that other people today have said about the problems with these schedules, the minister has heard more than once. So I'm hopeful that when we have the amendments next week, she'll listen to the amendments and make the proper changes to adjust the bill to reflect that.

The number of workers that you represent in Ontario, Laura but injured workers as well—

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

MPP Jamie West: —so I'm looking forward to that.

I think, Harry, you talked about your members, their workplace and the frustration. I know the labour dispute that was happening last year. There was a lot of frustration from injured workers who were mad at your members for following a broken WSIA system. I think there's a real opportunity here for the government to fix this program, to help the bottom line of current employers who are contributing to lower health care costs to make work conditions better for your members. I just wonder if you'd comment on that.

Mr. Harry Goslin: I think the government could start by removing their arbitrary hiring freeze at the WSIB.

MPP Jamie West: Great idea.

Mr. Harry Goslin: From what I understand, for the first time ever, the government Treasury Board has imposed a cap on the number of employees. That information, the government has refused to disclose, as has the WSIB, but it is creating a greater workload problem at the WSIB, which directly impacts the service delivery to injured workers.

The Chair (Hon. Ernie Hardeman): We'll now go to MPP Fraser.

Mr. John Fraser: I want to thank everybody here for presenting.

I'm going to start, though, with Ms. Popuri. I want to thank you for your presentation. You spelled it out very clearly and very well.

I do want to mention one thing. We're talking about how we need physicians here in Ontario. There was something that has been reinstituted, that was cut just after the government won power, which was called the physician readiness program, which helped train physicians who are here and had been trained outside of the province to practise here. Thankfully, it's back. It was six years it wasn't here. It put us further behind.

1520

But I have a very specific question for you. Part of the discussion around this is repatriating Ontario residents to come back to be in their home province. My cousin is a

physician, because she went through the Canadian Armed Forces. She made a commitment to them to stay in the Armed Forces for a certain period of time. I don't know how the mechanism would work, but I think it would bolster the basis for the program, which is to build a workforce in health care that would remain here. She had to commit to, I think, five years in the Canadian forces.

Now, mind you, it wasn't just residency; it was obviously training and everything like that afterwards.

So what do you think of that, just as a question?

Ms. Priya Popuri: I think that definitely is one of the major reasons I think this bill should be passed: keeping Ontario doctors in Ontario. I think that would be a good idea, having some sort of agreement that after they finish their training, they have to serve the Ontario health care system for a certain number of years.

But that being said, I think the bill would also have to take that into account when including which spots get raised, not only increasing primary care but also specialties too, just so the people who the bill would benefit would get the right opportunity to match to a specialty that's best for them.

Mr. John Fraser: So what you're saying is that the match wouldn't be solely based on the matching to primary care, which is not our only need, but it's the most—one in six people don't have access to a family doc. That's not good.

Ms. Priya Popuri: Yes, definitely. I think, primary care, there should be more spots, of course. But also, there is a need for specialists too. The majority of people matching back as IMGs now are going into primary care, which is a great way to return and a really strong way to serve your community. But if something were to be implemented like a clause where you had to serve for a certain amount of years, I think it would be a bit more fair to also include those specialty positions.

Mr. John Fraser: Okay. Great. Thank you very much.

I'll start with Laura and then we'll move on. I've heard throughout the day we have a workers' compensation system that was set up not just to compensate people for being injured at work, but to protect employers and put their costs in a box so they couldn't be sued. Now, we have a system where—and you see in this bill, with the removal of the cap—we're just making it harder and harder and harder for workers.

Yes, the benefits are going up. They should have gone up.

Laura, how is that removing any red tape? There are things here that are happening that sound really good, and then there are these things being slid in that are like, you are making it harder for workers, and the workers are making the decisions.

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

Ms. Laura Walton: Absolutely. The creation of our WSIB program was supposed to be the great compromise, right? We would protect workers, but we would also, you know—it was so that we wouldn't sue the employers.

I think the only people right now, it feels to me, who are making the compromises are the workers. We've got claim suppression on the rise. We are seeing all of this happening at the same time that the employers are getting healthy cheques sent out by the WSIB.

I think what's really encouraging to me is that you're hearing from so many people that there are ways to fix it, and the proof is always in pudding. You've heard me say this so many times. It's really what we see come to play into this. But I think what I heard from my colleague today—from Harry, who I worked with for a long time—we have answers that will actually make it so that that great compromise that we've all grown up under is actually working for workers. We're showing you a way to do that so that it doesn't impact the public purse and it will be actually working for—

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the time for that question.

We go to MPP Racinsky.

Mr. Joseph Racinsky: Thank you to all the presenters for coming this afternoon.

I'm going to focus my questions to you, Priya. First of all, are you joining us virtually from Ireland?

Ms. Priya Popuri: Yes. I am right now, yes. I'm still in school.

Mr. Joseph Racinsky: That's great. I appreciate that. I know the time difference is five hours. It's probably after 8 p.m. there. My mother was born in Fermanagh county in Northern Ireland, so I've had the pleasure of visiting a couple of times. Thank you for taking the time to speak to the bill and to the committee today.

My first question is, do you feel that in the past, Ontario's students studying abroad were treated fairly by our existing CaRMS rules? Do you think that the system we had before was fair for Ontario's students studying abroad?

Ms. Priya Popuri: I don't particularly think it was fair. I think there should definitely be an alternate path for students who have resided in Ontario for extended amounts of time.

I know other provinces have a similar incentive. For example, BC has something where they have an additional pathway for BC residents.

It's important to have not only for the students but for the residents of Ontario, making sure that they have enough doctors staying in the province. So I think these adjustments are well necessary and overdue.

Mr. Joseph Racinsky: Absolutely, it's very important. For a long time in Ontario's history, we didn't have medical schools being built. Our government is building three new ones in Scarborough, Vaughan and Brampton, but we didn't have that for a long time. People like yourself had to go to other places to get that education, and we shouldn't be punishing people like you. We need you back here in Ontario.

Is residence matching on the mind of Ontario students studying in Ireland that are looking to return to Ontario? Have you heard that from other people in your situation?

Ms. Priya Popuri: Definitely. Even before you start medical school, it's something that everybody talks about and asks about because there is such a disadvantage going

abroad. Your match rates are much lower. Even within first year, people were stressing about getting research placements and building up their portfolio to even have a shot of competing for the specialty that they want.

So, definitely, it's something that's always on every student's mind. You could ask anybody here, and they'll say it's probably one of their biggest worries.

Mr. Joseph Racinsky: How much would it mean to you to be able to practise here in Ontario?

Ms. Priya Popuri: It would mean so much. I grew up benefiting from the Ontario health care system, and it would mean everything to be able to go and train under those doctors that helped me before. Even before leaving, in high school, I would volunteer at the hospitals there.

Just being able to return not only to serve my community but also to return to my family and to my friends to really build a life where I grew up would mean so much.

Mr. Joseph Racinsky: Thanks for that. I had the opportunity to announce $4.5 million for Wellington county primary care. The health teams were trying to connect everyone to family doctors here. It's a big issue. It's something I hear from people at the doors all the time, and so we need people like you coming back to Ontario. That's great to hear.

Priya, do you represent an organization, or are you presenting as an individual? A lot of the times at this committee, when we sit—Laura is here today. I think I've been able to chat with Laura on this committee multiple times. Are you coming as an individual, or representing a group?

Ms. Priya Popuri: Individually, yes.

Mr. Joseph Racinsky: That's great. That's really, really important. Thank you again for taking the time and caring about this issue to come and speak to the legislation.

How do you see the change in this bill, Bill 105? What is that going to impact for you individually?

Ms. Priya Popuri: I think it would take a lot of stress off, first, to really be given that fair chance. I know a lot of my peers here will also be very excited to hear something like this being put into place as a lot of us do feel it's very unfair that we don't get equal shots as some of the other provinces, being Ontario residents. So definitely, it would mean so much.

It would take a lot of stress off and maybe allow me to explore more specialties rather than just being confined to the ones that were previously expected of IMGs.

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

Mr. Joseph Racinsky: Thank you, Priya.

Laura, I just have a quick question for you and the Ontario Federation of Labour. I've asked a few of the presenters today about standardization of health and safety certifications across the province to help with labour mobility. Can you speak to any thoughts on that change in this legislation?

Ms. Laura Walton: I would love to. About a year ago, I spoke on Bill 2. I think at the time I was quoted saying, "Ontario's health and safety act is, you know, about yea thick, and it's written in blood, and that's written in blood by the workers who have been injured and died on the job."

1530

In comparison, Alberta's health and safety act is written on a beer coaster. It's just not as fulsome. It's just not as good, and it's because in Ontario, we have top-notch workers who are fighting, who are advocating with governments such as yourselves or previous governments to make sure that we have the best health and safety regulations. Case in point: our working at heights. I'm fine if we want to try to harmonize—

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the time for that question.

We now go to MPP Vaugeois.

MPP Lise Vaugeois: Harry, I remember the strike last year very well, and we did stand alongside those workers. What really jumped out at me at the time, based on the report that you referred to earlier, is that suicidal ideation and successful suicide is high on both sides of the equation, so for injured workers and for people working at WSIB serving injured workers. I think it's important that everybody here be aware of the stresses on the people working at the WSIB, and part of that maybe is from the extreme workload.

You have a hiring freeze. Do you see the cap on the 72 months as adding to those burdens? Because I certainly see it as increasing red tape enormously, and we know that it's going to have a very negative effect on injured workers, being in permanent instability. How is that going to affect workers at the WSIB?

Mr. Harry Goslin: Going back to what you started with the anxiety, depression levels for people working at the WSIB, I can tell you that the people that I represent care passionately about the workers that they're here to help and they're here to serve. If they can't get to the workload through the day and make a positive change to somebody's life, they carry that. They take that home with them, they have sleepless nights, they wake up early with anxiety over this and they come back to do it all over again. They're trying to make things work as best as they can with the under-resourcing in the organization.

Removing things like the cap on the 72-month lock-in, depending on how that's implemented, I would anticipate that it's going to drive up workload particularly for the appeals branch and for the Workplace Safety and Insurance Appeals Tribunal, which are already overtaxed as it is. We are talking about a very small portion of workers that are into that locked-in world, about 2.4% of those with their claims that are into that world.

If it is reopened, I think the organization, the government should re-adjudicate all the cases that have been locked in with deemed earnings that have not been able to match to actual jobs in the areas in which they reside. There should be no re-looking at anybody for the maximum medical recovery. They shouldn't have to continue to go through hoops on proving that they are disabled. Once they've hit their maximum or, I think, only if there has been a permanent worsening of their condition should that be revisited.

There are ways to go about this, but I'm very concerned that with the legislation as it is drafted now and the lack of any clarity or policy from WSIB, we're talking about a world of hurt for people that are in the most precarious of situations. We do talk about the little guy. There's no more little guy than those with permanent injuries that are languishing in a system that has its flaws.

The Chair (Hon. Ernie Hardeman): MPP West.

MPP Jamie West: Thank you, Harry, for that.

Laura, earlier this morning, Sean Staddon and David Lisi were here from Local 6500 talking about occupational disease for miners underground. I know a couple of weeks ago that you and Minister Piccini were underground with—I think they were both there as well—other members of 6500.

When they talk about these particulates—silica, dust, other things in the air, respirables that lead to occupational disease for miners—I wondered if you could share some of that first-hand experience and what you saw.

Ms. Laura Walton: Yes. First of all, it was an honour to be able to go down and meet with the workers where they are in that mine in Sudbury. Listen, you can see it in the air. You can taste it in the air. You know it's in the air. I was down there for a day; these are miners that are down there.

When we're talking about really focusing Ontario's economy around mining—

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

Ms. Laura Walton: —it's really important that we understand that we need to deal with the silicosis. We need to deal with those exposure pieces because if you're going to put the economy based in mining, then we need to make mining safe.

We know from what we're seeing right now with steel, with the work that we're seeing at 6500, we have a long way to go to make mining safe. But we also need to make sure that when these workers are injured on the job through exposure or whatever happens, they are compensated. Those two things need to be key as we continue to promote mining in Ontario.

MPP Jamie West: Priya, I apologize for not having time to ask you questions. I appreciate my colleagues from the other parties asking questions to help better inform me.

Thank you, Chair.

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

Mr. Logan Kanapathi: Thank you to all the presenters for coming out today, making your presentations and making your voice heard at the committee. This is the right place to put your input.

My question goes to Priya. Congratulations on your medical admission in Ireland. This is your second year of MBBS, or third year?

Ms. Priya Popuri: Second year.

Mr. Logan Kanapathi: Thank you for your passion and also patriotism to come back and work in Ontario, in Canada. It's truly commendable. You could work in the UK, you could make money, but you're a patriot, so you come back, save our people and improve their quality of life.

Tell me: Would these proposed changes to the matching process in Ontario make it easier for Ontarians studying medicine abroad to come back and practise? I know all these years—decades and decades, I could talk about this—we're passionate about this IMG program and international medical graduates coming here. Getting into the system in Ontario, getting licensed and practising is like winning the lottery compared to the other provinces. Other provinces are also tough, but Ontario is more tough for decades and decades.

That's why our government is opening the door—widening the door; we opened the door already—more and more to people like you, students like you. You are our children, our kids.

Tell me how you'd explain how this medical residency change in this bill helps you make your hopes and dreams into reality.

Ms. Priya Popuri: Ever since coming to Ireland, my main goal has always been to come back to Canada. I want to be an OB/GYN, and I saw first-hand how much the Ontario medical system is expanding, growing and becoming more progressive, especially when it comes to health care towards women. That's one of the main reasons I want to come home, and I know that's another reason why so many of my fellow students and peers here also want to come home. There's just a lot of advantage with training in Ontario.

And again, like I mentioned before, I really want to come back to my family. I miss them a lot, and I want to be able to, again, build a life, just come home, be able to live there and start a family in Ontario.

Mr. Logan Kanapathi: You know that IMGs are required to do five years' return of service in Ontario? You are aware about that?

Ms. Priya Popuri: Yes.

Mr. Logan Kanapathi: Do you have any idea how many IMGs, Ontarian students or Canadian students, are studying in Ireland or the UK? Do you have any rough idea? I'm just curious.

Ms. Priya Popuri: There are around 20 Canadians in my school, and I know there are about five schools within Ireland within the same range, but RCSI has a few more. So, honestly, I'm not completely sure exactly how many.

Mr. Logan Kanapathi: Yes. It's quite a big number. Thank you for your passion.

Also, my question to Laura Walton: Across the OFL affiliates, do you typically see workers continue to work past the age of 65?

Ms. Laura Walton: Yes, we do see workers working past age 65. I'm going to tell you: My mom is a health care worker. She's a nurse, and she's still working. She's going to be turning 75 this year. So it is very common for workers to continue working and for many different reasons. That's why even the Income Tax Act has changed, to be able to reflect that increase in age.

1540

We shouldn't be limiting people. It's arbitrary. It's discriminatory. It's ageism. We need to be addressing it, and this is an opportunity to address it.

I think anywhere you go in any community, you're seeing people work past that age for many reasons. Maybe it's because they need to make ends meet. Maybe it's because they enjoy the interaction. I'm not going to comment on the many reasons. I myself probably will do the same to keep myself busy.

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

Ms. Laura Walton: It is not uncommon, and it is quite frequent. We hear that not just from our retirees committee but from our active workers committees that we have. We're seeing older and older workers for a variety of reasons.

Mr. Logan Kanapathi: Thank you, Laura.

The Chair (Hon. Ernie Hardeman): MPP Smith, you have 43 seconds.

Mr. Dave Smith: I'm going to jump to Priya. One of the things that has been brought up consistently is that, when we talk about internationally trained doctors, we're not looking at the same quality of training.

You're in Ireland. Is Ireland significantly different in terms of quality of life than Ontario is?

Ms. Priya Popuri: In terms of quality of life, I wouldn't say at all. There are definitely its differences, of course, with the way of life, but I wouldn't say quality of life is any different.

In terms of the concern of not getting adequate education here, I wouldn't say that's a major issue. We get really good education, and most of the things we are learning are things that would come up in our exams, not only for USMLE but—

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

We'll now go to MPP Fraser.

Mr. John Fraser: Mr. Goslin, I wanted to get back to you about ending the 72-month cap. We know that it's unfair to workers to make them again and again and again prove something that we've already accepted. This is something that's being done for employers, but I'm as concerned that the service levels for all workers is going to be impacted. Can you give a lay of the land?

Mr. Harry Goslin: Sure. With the surveys that we've done to assess workload, we've invited WSIB to partner with us. They've opted not do that.

So we went alone with this world-renowned survey that shows that workload is in a dire situation. As they mentioned earlier, we have significant rates of anxiety and depression: more than double the national average. The lead researcher and scientists that worked on the study, independent from us, advised us and the workplace that they have employees that are at risk of losing their lives to suicide. A lot of that is tied to the workload problem.

So as we contemplate changes in legislation that would open up the 72-month lock-in and cause re-adjudication, it will only add to that problem for a system that is already overburdened. We do have a high number of employees that end up on disability leaves—unusually high for an organization of its size—and a lot of that is directly related to the workload problem.

Anything that does open this up will be a problem. I think putting the onus on workers to demonstrate their intent to work past age 65 will also add to the workload problem.

That's why we're advocating for a system that adopts one that's already been well researched by the nation and incorporated into the Income Tax Act and the pension plans across the nation—that you can contribute to a pension plan as long as you're working right up to age 71 and then it ends. At least then, we have a much more peer-reviewed system that would be in place and wouldn't have the onus of burden put on the workers.

That, combined with the removal of the 72 months, I think, are key issues. We need to closely monitor how they're going to be implemented.

Mr. John Fraser: If that applied to everybody in Canada but around our pension savings—you were told you had to take your pension at age 65 or prove that you had to work, not just that you went to work, not that just you decided to work.

I mean, walk into a Home Depot. Walk into a Walmart. Walk into a Loblaws. Walk into a Tim Hortons. What do you see? A lot of people with this colour of hair—there's a lot of that here too, but we're not covered by WSIB. We can relate—the Chair and I can relate.

It's just not right.

Mr. Dave Smith: Bill can't.

Mr. John Fraser: Don't pick on him, you guys.

I guess it's like—you're doing something good in here by increasing the benefits. It's a good thing, but why do you do a good thing and then make it harder for people? Is the good thing covering for the thing—do they have to pay for the good thing that they really should've had?

What happens when you can't work? I mean, just think about it: What would happen if you couldn't come to work tomorrow? How would you feel about that? How would you feel about not coming here and sitting in committee, not being able to be mobile and to be here or not being able to sit down in your chair? How would we feel if we couldn't come to work? I don't think anybody around this table would be saying—

The Chair (Hon. Ernie Hardeman): Some people sitting around this table are thinking, "Where are you going with this?"

Mr. John Fraser: I'm going. I'm going to get there. I'll get to a question; I always do. I'm just not quite sure what it is.

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

Mr. John Fraser: But just think about it: The people he represents are talking to people every day who can't go to work and don't have enough money. How does that make you feel, when you're trying to say no to somebody who's just hurting? That's the question.

Mr. Harry Goslin: I can tell you that when I started in the organization, one of the tenets that we were taught is to do everything we can to support that injured worker: to

help them if they're having trouble navigating the health care system, assist them with that, call their physician, work with that physician, even suggest some of the medical treatments that should be there—

The Chair (Hon. Ernie Hardeman): Time's up for that question.

With that, the time is up for this panel, so, Mr. Fraser, you have lots of time to think about it.

We do want take a short break, because we're slightly ahead of time for the next panel.

The committee recessed from 1548 to 1559.

FILMONTARIO
IAVGO COMMUNITY LEGAL CLINIC
WORKERS' HEALTH AND SAFETY LEGAL CLINIC

The Chair (Hon. Ernie Hardeman): I call the committee back to order.

We'll go on to the next panel. We have FilmOntario, IAVGO Community Legal Clinic and Workers' Health and Safety Legal Clinic. I believe we have—FilmOntario and the Workers' Health and Safety Legal Clinic are both here at the table, and the IAVGO Community Legal Clinic is virtual.

With that, as with the others, each one will have seven minutes to make your presentation. At six minutes, I will give you notice that there's one minute left. Don't stop then because the punchline goes between that and saying, "Thank you."

With that, we will start with FilmOntario.

Ms. Cynthia Lynch: Thank you, Chair, and thank you to the committee for having us here today.

My name is Cynthia Lynch, and I am the managing director and counsel for FilmOntario. We are an industry association representing all of the Ontario-based unions, producers, studios, visual effects and post-production houses, equipment suppliers, financial and legal aid, legal service providers in the province's $2.6-billion film and television sector. Altogether, our members provide employment for 4,500 workers in Ontario.

With me virtually today is FilmOntario board member Gail Haupert, the director of contracts and production at ACTRA Toronto.

We are here today to speak in support of schedule 8 to Bill 105, the Strengthening Talent Agency Regulation Act, or STAR Act. If passed, this act will provide a much-needed framework for protecting the wages paid to entertainment workers in Ontario. Talent agents are a key part of the province's film and television production ecosystem. For the most part, these agents operate with integrity and professionalism to the benefit of employers and workers alike.

Unfortunately, a small number of individuals behaving inappropriately can have a detrimental financial impact on their clients, on those workers' families and on the reputation of Ontario's industry overall. The type of regulation envisioned by the STAR Act balances the very real need to protect screen industry workers, while keeping red tape to a minimum. We are pleased to see that the act will apply to performers, but also to other workers in the film and television industry who may rely on talent agents to secure them employment and opportunities. We look forward to seeing the accompanying regulations for further detail on who such workers will be.

Gail is now going to talk about a few more items in the act that we look forward to exploring more fully in the regulations. Over to you, Gail.

Ms. Gail Haupert: Thank you. As Cynthia noted, I am Gail Haupert, director of contracts and production at ACTRA Toronto. We represent over 15,000 professional performers working in film, television, commercials, animation, voice and digital media. These performers rely on timely payments for the work they have done in order to pay their rent, feed their families and maintain a sustainable career.

The act's provision for payment within 10 business days of being received by the agent is crucial for performers' livelihoods. It is also crucial that performers and other entertainment workers have the monies paid to them protected, and to receive a clear accounting of what has been paid and when. While most agencies operate in good faith, the recent criminal case involving Compass Artist Management, where performers were allegedly defrauded over $800,000, illustrates the worst-case scenario where the money owed to workers was not protected.

That is why ACTRA Toronto's original comments during the consultation for this bill called for workers' funds to be held in a regulated trust account, separate from the agency's funds. The act's requirement for a separate bank account to be used exclusively for the funds owing is the bare minimum in this regard.

Clear and timely statements of what has been paid, what has been deducted as commissions or other fees and when fees are paid are important to give performers and other entertainment workers the information they need about the wages they are owed. Making these records mandatory and available to workers and, most importantly, compliance officers under the act will bring the needed transparency to the process.

In addition, we support the prohibition against charging additional fees, direct or indirect, in section 6 of the act. Extra fees and inflated commissions reduce the wages paid to entertainment workers, and we are pleased to see a mechanism for capping these fees in the act.

The caps on commissions and restrictions on other fees are a key part of protecting workers, and since they are so crucial, we urge the government to move quickly to enact the relevant regulations under the act. The certainty of knowing what fees can be charged and how high they can be is important to creating a stable work environment for entertainment workers.

And while we understand that regulations often provide a nimbler solution that can be adapted more easily than legislation as business conditions evolve, any delay in implementing the regulations outlining these caps means a further delay in protecting workers. We are ready to work

with the government on finalizing the regulations as soon as possible.

Ms. Cynthia Lynch: We are pleased to see an enforcement structure with a simple mechanism to lodge and investigate complaints about regulatory infractions embedded in the legislation.

As we have repeatedly stated, the vast majority of talent agents act with integrity on behalf of their clients. But when a client has the misfortune of coming across an agent who does not behave this way, it is difficult for them to know where to turn. We therefore appreciate that the act sets up a clearly identifiable individual to receive complaints and empowers that individual to investigate said complaints.

As written, it does not seem to be an onerous process, and we hope that as the legislation and regulations are implemented, it stays that way. It is important to Ontario's competitiveness as a filming jurisdiction that our regulatory environment is no more onerous than any other province or state in this regard, while at the same time doing all it can to protect workers.

Again, we would like to thank you for having us here today to speak in support of the STAR Act, and we look forward to any questions you may have.

I landed it in time, Chair.

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

We now will hear from the IAVGO Community Legal Clinic, and I believe that's virtual.

Mr. David Arruda: Yes. Good afternoon.

The Chair (Hon. Ernie Hardeman): There we go. The floor is yours.

Mr. David Arruda: Thank you for the opportunity to speak. My name is David Arruda. I'm a community legal worker with IAVGO Community Legal Clinic. I'm joined by Alicia, an injured migrant worker who is a member of Injured Workers Action for Justice and a board member at IAVGO. My colleague Maryth, a lawyer at IAVGO, is also present and is here to assist with any questions.

We are here to address the proposed changes to section 44 of the Workplace Safety and Insurance Act under Bill 105, schedule 9. Put simply, these changes replace stability for permanently injured workers with lifelong uncertainty—what can only be described, essentially, as perpetual probation. We urge you to recommend that these amendments be struck.

Essentially, what is the core issue with this amendment? Right now, the system includes a 72-month lock-in period. After six long years, injured workers finally reach a point where their benefits become stable. That stability is critical. It allows people to rebuild their lives.

Bill 105 removes that protection. Without it, injured workers can be reviewed, reassessed and have their benefits reduced or cut indefinitely. After six years, workers finally get some certainty, but this bill takes that away. It transforms the system from one that supports recovery into one of continuous monitoring. It's the difference between being able to rebuild your life after the injury and constantly looking over your shoulder.

The government has framed this as reducing red tape, but in reality, it does the opposite. It creates lifelong reporting requirements, constant reassessments, more appeals, slower access to justice and a higher administrative burden on the WSIB. It also increases poverty.

It's important to be clear about who this will affect. Only about 2% of injured workers remain on benefits after six years. This amendment targets a very small group, the most seriously injured workers, and removes the only stability they have.

At the same time, the WSIB is in a strong financial position. The government has stated time and again that employer premiums are at historic lows. Simply, there is no financial justification for taking this stability away from injured workers.

We are also deeply concerned about proposed clawbacks. WSIB benefits are meant to compensate for workplace injuries. Other supports like Canada Pension Plan benefits or housing benefits serve entirely different purposes. Clawing those back is effectively penalizing people for trying to survive.

Whatever the intention of these amendments, the 100% cap is likely to hit the most precarious low-wage workers the hardest. For many precarious workers, even when the WSIB says that they've restored 100% of their pre-accident earnings, they remain impoverished. This happens because the WSIB flattens the pre-accident earnings of precarious workers by using their earning patterns years before the injury rather than their actual wages when injured. This hits migrant workers, temporary workers, part-time workers and seniors the hardest.

As a result, many workers have full loss-of-earning benefits that leave them below the poverty line and, in some cases, below welfare rates. These workers rely on other public benefits to survive, and Bill 105 will allow the WSIB to deduct other income supports that low-income families depend on to meet basic needs.

Now I'll turn over to Alicia, who will speak to the real-life impact of these changes.

Ms. Alicia Cunningham: Thanks, David. Good evening, everyone. Thank you for having me. As David said, my name is Alicia, a migrant injured worker.

1610

First, I want to just ask that Bill 105, the 72 months be stopped. We don't want any more stress and trauma. It is the only thing that is left that has any kind of stableness after six long years going through this trauma and the stress of dealing with WSIB—which is very difficult for workers because we are not taken seriously. We are not seen as—we are showing them the medical information. They don't want to hear about it. As they would say, they don't care about that. It's what the employer says, the liaison says, but not what the workers say. And we're saying that if you remove this thing, the 72-month lock-in, then we have nothing left.

We come as migrant workers to Canada to work and to support our families, and when we are injured, we are no longer able to do that. I don't believe that we should be sent back home without getting proper treatment. I believe

that a place should be prepared here for housing and for medical—

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

Ms. Alicia Cunningham: We are asking for medical to be done here, for migrant workers' housing to be put in place and everything to be paid because we are all paying in the system here, and for the perpetual stress and depression that WSIB has been putting on injured workers to stop. They were put there to give compensation as long as injury lasts, and this has not been done. Most workers are not getting compensation, and the time that it takes for them to get access to anything is very long. So we are asking—

The Chair (Hon. Ernie Hardeman): Thank you very much. That does conclude the time for this presentation.

We will now hear from the Workers' Health and Safety Legal Clinic.

Mr. John Bartolomeo: Chair, committee members, thank you for the opportunity to speak today. My name is John Bartolomeo. I'm a lawyer/co-director of the Workers' Health and Safety Legal Clinic. Our clinic is a specialty clinic with a province-wide mandate to assist non-unionized workers with occupational health and safety issues.

Turning to the matter at hand, when the government announced initially the intention to increase loss-of-earning benefits and allow benefits to potentially continue beyond 65, I was looking forward to making this deputation. These are positive changes. I'm not denying that, beside the need for initial suggestions, but credit where credit is due.

However, after first reading of Bill 105 and looking closely at schedule 9, the amendments to the Workplace Safety and Insurance Act, that initial euphoria turned to dread. All too often, I find experience teaches me in employment legislation that when workers receive legislative benefit, there's some unwritten universal rule that balance is required and employers must receive some kind of benefit, and in the legislation that we're here to discuss today, that benefit is the removal of the 72-month lock-in to compensation benefits.

While there's much to speak to in schedule 9, I am obliged to focus the entirety of my time on imploring that the proposal to remove the 72-month lock-in be deleted from the legislation and paused, at least for further consideration of alternatives and sober second thought.

I represent predominantly non-unionized, low-wage-earning workers. They don't have other resources or potential employer benefits to rely on; they only have the compensation system. The end of the 72-month lock-in is, as I think you've already heard several times, probably, throughout the course of the day, living on perpetual probation—the probation that the WSIB, be it yearly or monthly, will be asking them to demonstrate what they have been earning and potentially claw back whatever extra money that comes their way through whatever fashion.

I'd like you to consider what happens during those 72 months, or longer in some cases. For six years, workers are under the watchful eye of the WSIB. If I were to put it ideally, for those six years, the WSIB is supposed to be there to help, to provide health care, referrals to treatment and rehabilitation. The WSIB is supposed to help with employment, either negotiating a return to work or a modified work and, failing that, retraining—though not too much retraining. The WSIB needs only to return a worker to their pre-injury earnings; in rare circumstances, more than that.

The reality, however, is far different. Our system is all too quick to find workers capable of returning to work far sooner than I would, or their doctor would say so. And workers are effectively deemed to be capable of employment whether or not it exists.

The six-year point, though, is effectively the light at the end of the tunnel, where workers need not be fearful of the WSIB. This legislation changes that.

And I reiterate the phrase, "workers on perpetual probation." Unless a prescribed maximum frequency is established, the board is effectively given a free hand to review workers' benefits as often as it sees fit.

While those first six years are about recovery and rehabilitation, the end of the lock-in is not for the workers' benefit. It is effectively what I will call an ideological standpoint that turns workers' compensation to effectively the last payer, where everything else is deducted out before compensation benefits. If a government—this one or a future one, or another level of government—offers some kind of financial benefit in the future, the WSIB will be there to claw back in a no lock-in world. When I think what the historic compromise was supposed to be—surrendering of the right to sue in return for a no-fault compensation system—it wasn't a no-fault compensation system if no one else pays.

I think it's better to frame this issue, or help explain it, if we play out the entire regime and consider what the proposed legislation has. Imagine a worker aged 30, 30 years ago, on minimum wage. What was minimum wage back then? Something like $6 or less, and they're stuck on that. And every time a government comes by and says, "Okay, we'll create a benefit for you," or something, the WSIB will be there to claw it back.

Any wage you compare in any employment sector would be far different in 30 years, and this is why I say perhaps it's something to discuss and consider. If we were going to say to the WSIB, "You aren't just freezing those wages. Those wages will also be factored in," a worker whose benefit is based not on their employment wage at the time of the injury, but, in my example, 30 years from then, would see more money in their pocket and there would be a benefit to that.

Loss of earnings tied to a wage decades ago will slowly be whittled down only for the benefit of employers. That's where I have extreme difficulty with this, because for every dollar that is taken away from a worker, it goes back into the surplus funds of the WSIB.

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

Mr. John Bartolomeo: The surplus funds eventually will reach a point for a payout to employers as a benefit to them, so to add insult to injury, after the WSIB has recouped whatever money you could potentially have, it will

go to that surplus and then eventually back to the employers because that's the way the act is written.

I understand that there may be a need to review the lock-in, but it has to be done factoring all issues. I could spend some time here talking about schedule 2. I could talk about how maybe it's time to promote workers by giving them ongoing benefits based on current wage levels for the job they had at the injury. But my point is that we need to make sure that the compensation level is keeping with the here and now and not frozen to 30 years ago where we invalidate the seriousness of injured worker poverty. I would invite a consultation to see the extent of the—

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the time. Hopefully, the rest of the presentation can come through in our questions.

1620

We will start with MPP Blais.

Mr. Stephen Blais: Why don't you go ahead and finish your thought there, by all means, please.

Mr. John Bartolomeo: I was just going to say the concept of removing a lock-in deserves further consultation, and I would look forward to having an open and honest discussion about recognizing what a fair wage is for workers in the compensation system.

Mr. Stephen Blais: Thank you very much. Thank you, everyone, for your presentations.

Mr. Bartolomeo, could you expand on the review powers in Bill 105 from the point of view of—do you think this might create pressure on injured workers to accept unsafe return-to-work arrangements in order to avoid reductions in their benefits?

Mr. John Bartolomeo: The difficulty I find with the act and what the powers given to the board are something I've seen in past legislation. A government makes a pronouncement—and it's a government of any stripe. The difficulty is the board is the one to implement it, and we're left picking up the pieces of the disaster that comes out of that.

One example a prior government implemented was allowing chronic mental stress and traumatic mental stress claims. I use that as an example because, even though the government allowed those claims to exist, only 9% are allowed, generally, by the board. That compares to 20% or 25% for all claims.

So my answer is, I can't trust the board to implement this fairly, and that's why I think further consultation is necessary to hammer out those details as opposed to be prescribed at a later date.

Mr. Stephen Blais: You discussed, towards the end of your presentation, basically, the lack of inflation adjustment, for lack of a better description. Has there ever been any kind of detailed conversation about going there, or has it always been a no-go?

Mr. John Bartolomeo: There is a cost-of-living adjustment, and I believe that's being litigated still before the compensation system. Because worker compensation benefits are tied to your pre-accident wage, we don't have a conversation of saying, "Okay, what would your wage be 10 years from now?" We don't have a conversation to say, "Let's compensate that worker for the loss of opportunity." If we had this legislation implementing an onerous 2026 regime on wages from 30 years ago, that simply doesn't reflect the reality that a worker can live on that.

Mr. Stephen Blais: You're basically talking about upward mobility. How would you calculate or even begin to assume what someone's upward mobility might have been, had they not been injured?

Mr. John Bartolomeo: StatsCan, I think, has an effective resource available for demonstrating what the average earning is per occupation, and that can be used to demonstrate how wages have increased in the past 30 years. I'm sure MPPs are making more now than they were 30 years ago, and I think the same can be said for any occupation.

Mr. Stephen Blais: Sure, yes. Fair point.

As you discussed, your clinic deals with many vulnerable, non-unionized workers. Based on your experiences, could you share which provisions in the bill are most likely to disadvantage workers that don't have those protections that a unionized worker might have?

Mr. John Bartolomeo: I think it applies equally, notwithstanding my limitations on who I can represent. But I think the removal of the lock-in, first and foremost, would be the first on my Christmas list to be removed.

Mr. Stephen Blais: Sure. What's second and third on your list?

Mr. John Bartolomeo: Second and third would be the expansion of benefits beyond 65.

I alluded to it earlier: The government can legislate and then I have to trust WSIB to do it. If I said, "Okay, I want to stay employed long enough so my child can get a bachelor's degree," and then my kid decides they want to do a master's and a PhD after that, and WSIB said, "Well no, John, you were just going to stay to the bachelor's, so, sorry, we're not going to let you stay on WSIB while they're doing their MA and PhD."

This is what I'm always left with, whatever the stripe of the government. It's legislation, and then I have to trust the WSIB to do it right, and that rarely happens.

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

Mr. Stephen Blais: You might recall, about a decade ago, the Conservative government federally tried to increase the retirement age to 67 or 68. This is obviously not the same as that, but you're talking about pushing work life beyond 65, which is generally the view most people have. Is there not a risk that if we push it further out in this arena, it might cause governments to think it's okay to increase the retirement age to 67, 68 or 70 as it relates to other retirement benefits?

Mr. John Bartolomeo: Given that my clients are still working to maintain their own existence, I can't say that fear—I'd say that fear already exists, if not implicitly, explicitly.

Mr. Stephen Blais: Are the majority of your clients forced because of economic situations to work beyond 65?

Mr. John Bartolomeo: Those of that age, yes.

Mr. Stephen Blais: Okay. I have other questions, but I'm going to run out of time, so I will come back to you next time. Thank you.

The Chair (Hon. Ernie Hardeman): Now we'll go to MPP Saunderson.

Mr. Brian Saunderson: I want to thank all our presenters for taking time this afternoon to come and share your thoughts and your expertise. I'm going to focus my questions on FilmOntario.

In my riding up in Simcoe–Grey on the shores of Georgian Bay, we actually have a budding film industry, and just recently I was presenting Teza Lawrence with an Ontario grant. She's famous for the Saint Ralph film, and her company, Amaze film and TV, is also doing some Netflix and streaming TV programs.

So in reading about the STAR Act in schedule 8—and I know you spoke about this in your presentation. I'm just wondering if you could highlight for us how these issues happen on a day-to-day basis, how they're impacting the industry and how you think these proposed changes will help to preserve the industry, let it grow and protect our budding sector and all our actors and people that help in the productions?

Ms. Cynthia Lynch: I love to hear about production outside of Toronto, so thank you for that. I think I'll start generally, and maybe Gail, who represents performers directly, can provide some more specifics.

Generally speaking, a producer or production company—the employer—if they have engaged someone who has the services of an agent, their salaries or wages will be directed towards the agent, and then the agent is responsible for passing those wages on to the worker. As I said, the vast majority of agents do this as a regular course of business with great integrity. They do have their own industry code of ethics, which the vast majority of them follow. But we have had cases—and this is where I'll ask Gail to weigh in—where that didn't happen, and—I'm not trying to get myself in trouble—fraud was allegedly committed, and those wages went elsewhere. I think Gail can speak about how that impacted some of her members' lives.

Ms. Gail Haupert: So in a situation where a performer hasn't been paid, the union doesn't have a contractual relationship with the talent agent, so having something like this in place gives the performer a mechanism in order to file a complaint. It just gives that additional layer of protection and security to the performers, knowing that they're working in an industry where they are protected and will get their monies paid to them on time.

Mr. Brian Saunderson: I appreciate that answer. You talked as well in your presentation about working on the commission cap, and making sure that there are ways to enforce it. I think their payment is a 10-day period. What are you seeing as the standard now in the industry? How long does payment take, and what are the abilities to enforce those payments?

Ms. Gail Haupert: I can answer that question as well. Thank you.

In our collective agreement with ACTRA Toronto, under the independent production agreement there is a 14-business-day period for production to pay the monies to either the performer or the agent. So having that 10-day period for the agent to then pay the performer is quite crucial because we don't always see that payment making it from the agent to the performer in a timely manner in some of these circumstances.

Mr. Brian Saunderson: And the cap on commission? The actors and the background performers, what is their bargaining position with their agencies?

Ms. Gail Haupert: I can expand more on this in the written statements, but we have seen percentages vary anywhere from 15% to 25%, just based on their category of work and based on their membership status within the union. So seeing something standardized would be beneficial for all performers.

Mr. Brian Saunderson: And what do you see as the potential impacts in terms of the growth of your industry and the health of the industry and making sure your performers and background performers and dancers get paid? What do you think the long-term impacts are going to be?

Ms. Gail Haupert: Again, I'm happy to expand on this more in the written comments, but we will see more performers come back. There are some performers who have had hesitation just, I suppose, after the wake of COVID and then having the allegations against Compass Artist Management, kind of take a step back from the industry because they don't feel that there's that level of protection there for them against agencies that do happen to do things like this. So having that layer where they can report things like this to the government will give that security for them to come back and have faith in the industry that they work in, and we will see it grow in that regard.

1630

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

Mr. Brian Saunderson: I'll continue then with you. What do you think are the net benefits then, more from the ACTRA perspective, for your industry, not just in Toronto but across the province, in rural areas? How do you see that impacting your business case?

Ms. Cynthia Lynch: I can take that, Gail.

As Gail mentioned, it's not a guaranteed 9-to-5 industry to begin with, but any layer of certainty that we can add to that is always helpful.

Premier Ford, when he was first elected, said he wanted this to be a $5-billion industry. We're not there yet. But any time we can keep workers—one of the things that makes Ontario so attractive as a jurisdiction is not just our many talented performers, but also our talented behind-the-camera crew, some of whom also engage agents. So any kind of—I don't want to say long-term stability, but extra layer of stability on their employment prospects will help keep them in the industry and make us shine.

Mr. Brian Saunderson: That's great. Hopefully we're going to get you that $5-billion mark.

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

MPP West.

MPP Jamie West: To my friends at FilmOntario, I may not have an opportunity to get around to asking you questions because of how tight our timelines are, but I want to

let you know that we're supportive of the changes that are happening here. We think they're very important and overdue.

I think I'm going to start with John from the Workers' Health and Safety Legal Clinic. I was thinking about the things that you were saying—lots of really well-articulated things. There have been $21.5 billion in employer payouts back to the employers. So I was considering that with this great compromise that founded workers' compensation and then now WSIB, you must be incredibly bored in your workplace because the workers must automatically get WSIB, be fairly compensated and move on with their lives. Am I correct?

Mr. John Bartolomeo: Sadly, you are not. I am kept very busy with the compensation scheme in addition to occupational health and safety reprisals.

It's fascinating when I read the legislation and it's like, who are these workers who are compensated to such a degree? I've never had the WSIB be so helpful for my clients.

MPP Jamie West: Perhaps, David—the minister I think is going to regret saying this, but earlier today when the minister spoke, she had described herself as a "tell us once" ministry.

Today, I heard from United Steelworkers Local 6500, the Carpenters' Regional Council, Steve Mantis, the Provincial Building and Construction Trades Council of Ontario, the Ontario Federation of Labour, the Ontario Compensation Employees Union, IAVGO and Workers' Health and Safety Legal Clinic, saying, "Don't remove the 72-month lock-in period."

Could I just confirm with people from the Workers' Health and Safety Legal Clinic and IAVGO Community Legal Clinic that that is the thing that you really want to make sure that the minister hears, so that when we bring this in and appeal to have it removed, our members from the Conservative Party will vote with us to have this section removed?

David, do you want to go first—or John—if you're muted?

Mr. John Bartolomeo: Most definitely. I think I said earlier, that's the first and foremost thing on my Christmas list, and it's only May.

MPP Jamie West: And then if somebody from the—

Mr. David Arruda: Sorry. I'm unmuted now.

And yes, I agree with John; that's the first thing that we'd like to see.

MPP Jamie West: Now, sometimes I hear from people—and I don't have a lot of involvement with people in WSIB—anecdotally, but not to the extent that you do in these fields. I'll hear sometimes about, "Why would they make more than 100%?" And I don't think they fully understand that people on WSIB, especially long-term WSIB, are living in poverty. There's a sense out there that, if you're making more than 100%, somehow you're scamming the system. Could any of you expand on what it means to be on WSIB long-term? What is your lifestyle? What sort of income are you making? What does that mean for you?

Mr. John Bartolomeo: I'm going to jump in.

MPP Jamie West: Sure.

Mr. John Bartolomeo: I was just going to say, it's a fascinating thing to hear because there are six years where the WSIB is on you to go back with the employer, to find a modified job with the employer—be willing to train you.

I've had, in my prior practice before entering the clinic system, high-wage earners, and the board was willing—and this is more than a decade ago—to pay for an undergraduate degree, to even pay for a master's of business administration just to reduce the amount of LOE. To somehow be able to evade the WSIB for six years—I say, partly in jest, I'd like to meet these people to learn from them, because I don't see it as possible.

Interruption.

The Chair (Hon. Ernie Hardeman): I just want to tell the public that there's no participation from the audience.

MPP Jamie West: Someone online, Chair, is responding.

Ms. Maryth Yachnin: Yes. Thank you.

I just wanted to say a little bit more about the long-term wages and realities facing migrant injured workers.

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

Ms. Maryth Yachnin: One of my first clients as a young lawyer was actually a worker who'd been injured in a terrible accident in a chicken factory, an accident that fully disabled her, and she got full loss-of-earnings. But in her home country, she was a doctor, and she was therefore faced with a life of living on very low wages that she had made in the factory, far below her earnings potential. That was a life of poverty for her, and that's what she got for workplace injury. I suppose that was a good case because at least she got actual benefits.

Many of the clients we see get nothing. Many of the clients we work with were so low wage, in the board's view, because they were injured while making minimum wage, but they had precarious employment—it was a temp job. The board will average out their earnings and say that they actually—

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the time for that question.

We'll now go to MPP Blais.

Mr. Stephen Blais: For the FilmOntario folks, thanks for being here today. Did I understand correctly that the agencies receive the paycheque, and then they pay the performers? Is that typical for everyone?

Ms. Cynthia Lynch: Where there is a relationship between an agent and a worker, it is typical that the payment goes to the agent, and the agent deducts their commission owing and pays out to the performer or entertainment worker.

Mr. Stephen Blais: Is that at all regulated in any way?

Ms. Cynthia Lynch: Only by contract law.

Mr. Stephen Blais: It seems to me like when I need a service, I get paid by my employer and then I pay the person providing me the service. My employer doesn't pay the service provider and hope that the service provider then gives me the rest.

Ms. Cynthia Lynch: Our industry is unique in many ways, and that is just one of them. As I said, it does tend

to work most of the time, and it is to ensure that the talent agents also get adequate compensation for the work they do on behalf of those performers. Those performers or other entertainment workers enter into those arrangements with the agents by their own free will.

Mr. Stephen Blais: No, I understand that part. But I guess if there was a performer who didn't pay their agency, it would be one performer who I presume would then get blacklisted from agencies as opposed to an agency who has hundreds, if not thousands, of performers not getting paid. Anyway, this is maybe an ideological question. I think the performer should get paid, and if they have bills to pay, they should pay their own bills. That's how it should work, and it seems to me that would be a lot cleaner.

Also, did I hear that the typical wetting of the beak, so to speak, is 20%? Is that really where we are these days?

Ms. Cynthia Lynch: I'll ask Gail to weigh in on that. I think the range can vary. Go ahead, Gail. I think it's closer to 15%.

Ms. Gail Haupert: Thank you.

It is anywhere between 15% and 25%. We have sometimes seen it on the higher end; we've sometimes seen it on the lower end. It depends on the agent and it depends on how they have structured their business.

Mr. Stephen Blais: Is that negotiated between the talent agency and their performer, or is there a union agreement that regulates or oversees those rates?

Ms. Cynthia Lynch: The union agreement regulates what the production company or the producer needs to pay the performer or other worker.

Mr. Stephen Blais: The hourly wage, basically?

Ms. Cynthia Lynch: The hourly wage, plus overtime, other benefits. The agreement between the agent and the entertainment worker would be negotiated between them.

Mr. Stephen Blais: I find that interesting because major sports leagues actually have caps on what the agent can claim from the wage portion of an athlete's compensation. In the NFL, it's 3%; in the NHL, it's 5%. They basically all range in that 3% to 5%. I'm wondering why actors and performers in your industry would have a drastically different scale than professional athletes, especially given the drastic difference in pay that we're talking about.

1640

Ms. Cynthia Lynch: I'm not sure if I'm equipped to answer a why question. I think the industries do work very differently. The range of services that an agent may provide in a different industry differ from industry to industry.

Mr. Stephen Blais: There's one thing you mentioned in your deputation that I didn't quite understand or maybe I missed something. You said that there was some kind of list of workers that needed to be refined in the regulations.

Ms. Cynthia Lynch: In the definitions section of the act, it outlines who it would apply to. It very clearly says that it would apply to performers, but then it also says that it may apply to entertainment workers who would be performers and other prescribed individuals. I'm assuming the prescribed individuals would be prescribed by legislation. There are other people in the film and TV industry who use agents such as screenwriters, directors, hair and makeup people, things like that, so we're looking forward to consultation on the regulations to work that out.

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

Mr. Stephen Blais: Fair enough. I don't have enough time to get into other things, so thank you, Mr. Chair.

The Chair (Hon. Ernie Hardeman): MPP Racinsky.

Mr. Joseph Racinsky: Thank you to the presenters for coming this afternoon. I also have a great film industry in Halton Hills and Wellington county; Scotsdale farm is definitely a key location where of a lot of filming takes place.

I want to start my questions with FilmOntario or ACTRA. Gail, you mentioned the 10-day payment window that's contemplated in Bill 105. Do you think a 10-day payment window is realistic?

Ms. Gail Haupert: I think it definitely should be realistic because, as I mentioned, we have 14 calendar days under our agreement for the producer to get the payment out to the agent or the performer. The agent should then be able to turn it around and direct deposit it to their client.

Mr. Joseph Racinsky: Great. Thank you for that.

Cynthia, could you provide some stories of workers who've suffered under the lack of regulation in the sector who now would be protected by the STAR Act if it came into place? Do you have some examples for the committee?

Ms. Cynthia Lynch: I would say Gail is better at examples than I am, if I may defer that to her, but, certainly, we have examples of performers who did suffer financial loss due to the Compass management situation.

Gail, I don't know if you want to talk about that while protecting confidentiality.

Ms. Gail Haupert: I don't want to quite speak out of turn because I know I've been sitting in the hearings for the case that is currently being heard, but there have been stories of performers. There was one that really resonated with me of a child performer: their first time in the industry, they were excited to work with this particular agent and then they didn't receive their money from their very first paycheque. Because of that, they don't want to ever return to the film industry.

It's stories like that, hearing children that are impacted—as Cynthia mentioned, we work in a very unique industry where children can participate in filming. To hear a story like that and hear that they are just turned off completely from the film industry—this is our future and this is who we are fighting to protect, to grow the industry and bring people like that into it.

Mr. Joseph Racinsky: Absolutely. Thank you.

The STAR Act establishes Ontario as one of the first Canadian jurisdictions to legislate talent agency regulation. From FilmOntario's perspective, what does Ontario taking the lead on this question mean for the province's competitive position as a North American production hub for film?

Ms. Cynthia Lynch: I'll offer a slight correction: British Columbia also does regulate talent agents. They go a little bit further and also license talent agents.

I think what we like about the STAR Act is that Ontario has chosen that balance between an overly onerous regulatory system and something that balances the interests of workers.

California as, of course, the leading entertainment jurisdiction also has regulation for talent agents, but again, where Ontario is leading is striking that right balance between oversight with a light touch.

Mr. Joseph Racinsky: I think it's important that we remain competitive with British Columbia for this.

Ms. Cynthia Lynch: Absolutely.

Mr. Joseph Racinsky: Thank you.

Another question I have about the changes that we've seen over the last five years: In the industry, you've got streaming popularity really skyrocketing; there's the influencer economy with social media. Could you describe how the agency-performer relationship has evolved over the last few years and why it's so important to bring forward something like the STAR Act, in light of that?

Ms. Cynthia Lynch: So most of FilmOntario's members and most of Gail's members don't fall into the influencer space per se, although that might be another activity for them. We are talking in terms of—the entertainment workers who would enjoy protection under the act would be those by professional companies, engaged by streamers or local, Ontario-owned companies—sorry, I've lost the thread of the question.

Mr. Joseph Racinsky: I think there's competition there, so to keep the protection of what's unique about your industry is kind of what I'm driving at.

Ms. Cynthia Lynch: Absolutely. I think it is important to note that every part of the industry works a bit differently, but those who are engaged in professional productions, who receive payment under professional guidelines, should get that payment that is remitted to them by the business owner, to make sure it ends up in their pocket.

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

Ms. Cynthia Lynch: Gail, you have 30 seconds to say anything about that if you want.

Ms. Gail Haupert: Just in general and bringing it up again: Some of these performers that we have make minimum wage under the terms of our agreements, so taking commissions on top of minimum wage gives them less than standard-of-living—I think I might be at my 30 seconds. My apologies.

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

MPP Vaugeois.

MPP Lise Vaugeois: I'll just say, first of all, that we support the STAR Act. I could have a lot of questions. In another life, I was a touring performer and was ripped off by an agent that never paid us for performances that we were booked for, so I appreciate the issues that you're dealing with. I will leave it there: that you have our support and I actually look forward to seeing how it plays out, how you regulate it.

I guess the one question I have is, if somebody doesn't pay, doesn't come through, are there consequences? You can make a complaint, but will—for example, the musicians' union has a paper that publishes those who don't pay. They are in violation of their contracts. I don't know that you have to go into that right now, but I hope that there will be consequences for those who violate their agreements with performers or with the whole range.

Ms. Cynthia Lynch: Thank you for that. You're stretching my memory, but the provisions in the act do provide for some publicity around that, but none of my members that I know of—Gail, you can correct me if I'm wrong—published a list of bad actors, in terms of agents. There are, of course, employers that have been deemed unfair engagers, but unions are sort of a separate process.

MPP Lise Vaugeois: Okay, thank you.

I'd like to go to IAVGO and just look a little bit—I think the word I was looking for earlier was "purgatory" to go along with the idea of probation; when you've got six months of being in purgatory while the WSIB is continually coming back at you to say, "Did you still lose your arm? Is your back still broken?" And then, on top of that, there's the practice of using paper doctors, so not believing the doctors who are actually treating you in your home location but having doctors overruling your medical reports without ever having to meet you.

This is one of the things that we put forward in the Meredith Act, Bill 86, where we were asking that that be eliminated, that a proper doctor-patient relationship be there and that, if you're going to see a second doctor, that that actually be a real doctor who has an interest in the well-being of the injured worker.

I just wondered if John or David or Alicia want to weigh in on how torturous those six years are until you come to some closure. Right now, Bill 105 removes even that six-year limit, that six-year lock-in, so that you could actually be in purgatory for the rest of your life and watching your benefits gradually be clawed away—clawed away until you have absolutely nothing. And frankly, again, this is why we see such high suicide rates and suicide ideation amongst people who have severe workplace-related injuries.

Would either of you—David, it looks like you're ready to step in.

Mr. David Arruda: Yes, I see Alicia is also ready, so I'll let her speak to it as she has the real-world experience.

Ms. Alicia Cunningham: The reality is like pulling out a chair from under someone that is not able to stand. You have no footing. You are dangling in the air at all times, and you can't function dangling in the air. There is no stableness in your life.

You imagine, as a worker, you come to take care of your family—and then getting injured and being treated like you committed a crime.

When you try to reach out, and for me—I mean for us as migrant workers, we don't even get an opportunity, actually, to make the claim ourselves.

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

Ms. Alicia Cunningham: It is the employer, who is not there when we get injured, or delays and is not there when we get injured. They are the one that is making decisions on our behalf, and so we are not getting any kind of fairness whatsoever.

We are just being sent home. Most of us don't even get to go to the hospital, and we are just plunged into poverty, not being able to feed our families, and, well, it's just downhill from there. The mental strain, the depression, the stress, the trauma, it just continues to—it's never ending. And so we are just saying, "Please, do not remove the one little spot that we're kind of tipping our toe on to just stay afloat." And most of us don't even have that little point to tip our toe on. We don't have it because most of us don't even get there. So we are asking that they do not remove the 72 months from under our toes—

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the time for that question. It concludes the time for this panel.

I want to thank all the panellists for their participation and the time you took to prepare to be here and the great way that you presented it to us. Thank you very much, and I'm sure it will be quite helpful.

We are slightly ahead of time again, so we will recess until 5 o'clock.

The committee recessed from 1653 to 1701.

TALENT AGENTS AND MANAGERS ASSOCIATION OF CANADA

INJURED WORKERS COMMUNITY LEGAL CLINIC

CANADIAN UNION OF PUBLIC EMPLOYEES

The Chair (Hon. Ernie Hardeman): We'll call the committee back to order.

I'll introduce the next panel: It's the Talent Agents and Managers Association of Canada, the Injured Workers Community Legal Clinic and the Canadian Union of Public Employees. As with the other ones, you each will have seven minutes to make your presentation. I will let you know when we arrive at six minutes. Don't stop; finish it off and make sure we get it all in the record.

We ask each person, as you start your presentation, to make sure you introduce yourself to make sure we attribute the great comments to the great person that said it.

So with that, we'll start with the Talent Agents and Managers Association of Canada.

Mr. Glenn Cockburn: Perfect, thank you very much. My name is Glenn Cockburn. I am joined virtually by my colleagues Pam Winter, Jennifer Goldhar and Perry Zimel. We are all agency owners in Ontario, and today we are here representing the Talent Agents and Managers Association of Canada, or TAMAC. We are a nationwide, not-for-profit, volunteer organization of 45 talent agencies representing over 25,000 entertainment workers.

TAMAC was founded in 1990 with the same intentions as Bill 105: to establish professional standards for talent agencies that would protect our country's performers from nefarious companies looking to exploit and capitalize on our entertainment workers.

Our member agencies adhere to a business code of ethics that sets industry-standard commission caps and strict rules against upfront fees. We keep long-term financial records and maintain reporting for each client and each deposit. Payments are processed and paid within five business days of clearing our bank accounts, and all members are required to keep money in an interest-free clearing account, separate from the agency's operating account. Elements of all these policies are now in Bill 105.

Over the last 36 years, TAMAC's business code of ethics has been the gold standard in our area of the industry, providing our clients with assurances that they are represented ethically and professionally. We look forward to contributing our decades of experience as Bill 105 is implemented.

While we recognize that some details—including commission caps, fee definitions and exemptions—will be set through future regulations, today we wish to highlight a few of the provisions already written into the bill that concern us the most.

(1) The bill refers to "a bank account used exclusively for funds owing to ... entertainment workers." TAMAC calls this a "client clearing account." That term should be included in the definitions within the bill, as it will be at the centre of most investigations and audits. Additionally, the bill should specify that the client clearing account is interest-free. Agencies should not profit on funds being held for performers and clients.

(2) The definition for "entertainment worker" is perhaps broader than the Ministry of Labour has contemplated. Unless the bill is looking to regulate and oversee music, modelling and publishing agencies, to name a few, the bill should reference "film and television agents" to ensure the scope is clearly defined.

(3) The bill defines a talent agency as a person who, for a fee, represents an entertainment worker. However, "fee" is a defined term, and subsection 6(1) forbids fees from being collected. TAMAC agents and managers do not charge fees; we work on a commission system, earning only when our clients do.

(4) Section 8(b) requires that the agency "pay the amount to the entertainment worker within 10 business days of receiving the payment." The requirement should be 10 days from payment clearing our bank accounts, as payments do not always clear and are often miscalculated.

(5) Schedule 8 introduces a director of talent agencies with extraordinary broad discretion and puts the liability for production payments onto the agency. However, talent agencies are not the payees; we are the facilitators. We cannot be held liable for productions not generating complete payments on time.

Many of these issues are technical, practical and, we believe, critical. Rather than commenting on them in a review, they would have been best addressed in the bill being drafted.

As soon as TAMAC was aware that the Ministry of Labour was considering legislation, we reached out to help. TAMAC was seen and did provide input; however, much of what we shared does not appear in the bill as currently written.

Moving forward, given our 36-year history administering practical standards in this exact area, we believe the regulation-drafting stage would benefit from a far more formal and sustained consultation process with TAMAC and other industry stakeholders. This will ensure that the historical lessons are heard, core definitions are accurate and enforcement powers are informed and proportionate.

TAMAC is not seeking to weaken performer protections; rather, we are seeking to ensure that those protections are practical, enforceable and focused on the bad actors that this legislation is intended to address.

Including TAMAC at the table throughout the decision-making process is an asset. Our industry knowledge and front-line expertise can help ensure the legislation achieves its goals in a way that works effectively in practice for performers, representatives and the industry as a whole.

TAMAC is seeking a commitment from this committee: We must be involved in shaping the policy and practical regulation for this bill. We are not asking for exclusive access; rather, we propose the formation of a commission comprised of industry stakeholders across various sectors of the industry who would consult on the numerous regulations of the bill that are yet to be prescribed, all of which TAMAC already has experience with.

As small businesses come under these new regulations, TAMAC is a vital voice in discussing schedule 8 of Bill 105. It is the government's obligation to ensure our expertise is represented at the table.

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

Our next presenter is the Injured Workers Community Legal Clinic.

Mr. Marvin Mulder: Good afternoon. My name is Marvin Mulder. I'm here today not just as an injured worker, but as a father and a grandfather who has 16 years' experience dealing with our compensation system. I'm here to warn you about the devastating and life-altering impact of schedule 9 of Bill 105.

The most terrifying part of this legislation is the uncertainty it will create for injured workers if the 72-month lock-in is removed. Let me tell you about the psychological effect this would have.

I also suffer from major clinical depression, which WSIB accepted as secondary to my work injury because of the treatment by WSIB. While I was in the WSIB's return-to-work program, I visited the emergency room three times over a four-month period because my body could not handle going to school.

My last time in the emergency room, I had reached my mental breaking point. I had made the decision to end my life because I was told by WSIB, if I could not do the return-to-work program, they were going to deem me and find me a job and cut my benefits as if I had that job.

I was, in fact, deemed, although eight years later that decision was reversed and WSIB accepted that I could no longer return to work. If it wasn't for the fact that, while in the emergency room, we got a call that my granddaughter was going to be born, I would not be here today.

After being deemed, my 72-month lock-in period came into effect. This was such a mental relief, knowing that the WSIB could no longer punish me, and my financial situation remained stable.

Eliminating the lock-in would destroy that peace of mind. It will keep us in a permanent state of fear. When you take away a person's financial stability and their hope for a dignified retirement, you are pushing injured workers to the brink.

I'm telling you today and speaking from experience: Injured workers are considering ending their lives because they see no other way out of debt and the bureaucracy. I'm pleading with you to reconsider section 9 of Bill 105. Do not trade our long-term security and dignity in order to save employers a few dollars.

Another proposal of Bill 105 is that injured workers can prove that they can work past the age of 65 to continue benefits.

1710

Let's look at my situation. At the age of 40, I incurred a crippling spinal cord injury. My question is, how can I prove I intended to work longer than 65 when, since 40, I have not been able to work? I have a mortgage that is larger than the original purchase price of my house because of my reduced income since the workplace injury.

If WSIB ends my benefits when I turn 65, I have a decision to make: either lose my home because I can't afford the mortgage or end my life because I'd be worth more to my wife dead than alive. I don't know about you, but I would not be able to bear seeing my wife unable to retire and carrying the financial burden of my workplace injury.

On a final note, I would like to ask you to ask yourselves: If you had a spouse or a loved one sitting here where I am today, would this legislation, as it stands, take care of them and guarantee them a basic standard of living?

Thank you.

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

Mr. Orlando Buonastella: Hi. My name is Orlando Buonastella. It's a pleasure to be here.

I want to, first of all, very quickly address a question that was asked before. Do the other provinces have a 72-month provision? I'm not aware of it, and my first answer would be, what's wrong with Ontario being a leader? But looking at it more carefully, I can tell you that, if not in the law, other provinces have got similar measures in practice.

I'm helping an injured worker from Ontario who was injured in BC. Here is a decision by the BC board: "You are considered competitively unemployable. In the future, you are more than welcome to seek out employment that is suitable to you. Obtaining employment in the future will not impact this claim."

It's pretty well the same. Very, very few cases who are found to be unemployable end up with employment. The majority, though, are undercompensated at the six-year lock-in.

Who are these people? Who are the locked-in injured workers? Well, they were described by the KPMG report as people with more complex cases, several injuries, lots of appeals that have been scrutinized already many times, a lot of chronic pain cases and psychiatric cases, and they're older. This is a very vulnerable population that, at the six-year mark, is exhausted physically and mentally.

Are they overcompensated or undercompensated? Well, you tell me. We have official stats from the WSIB that tell us that only a minority of the locked-in population receives so-called full compensation: 15% of them. Full compensation is 85% of net, so even the "elite" are undercompensated. But the majority of them, 85% of them, are receiving much less than they were making before. These are the people that are in relative or absolute poverty, and Marvin talked a little bit about that.

Injured Workers Day is coming. We have April 28—

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

Mr. Orlando Buonastella: So why would you not honour the contribution of injured workers?

Ms. Kathrin Furniss: The improvements as currently proposed are only half measures and are overshadowed by the changes that will create permanent insecurity for some of the most vulnerable workers.

WSIB finances are currently the strongest they've been in decades. Meanwhile, injured workers are still living with the consequences of the cuts to benefits in 1998, when LOE was reduced from 90% to 85% and the LRI benefit was reduced from 10% to 5%.

We urge you to restore benefits to pre-1998 levels for both LOE and the loss-of-retirement income, and apply that change retroactively to 1998. Doing so would cost less than any of the three $2-billion rebates the WSIB has paid to employers in the last 18 months alone.

We also urge you to increase the base retirement age to 70 or 71, in addition to the bill's proposal to allow injured workers to show a later retirement date—

The Chair (Hon. Ernie Hardeman): If I could stop you there—the time is up. But you also neglected to mention who was speaking, so if you would introduce yourself to make sure we can get it right in Hansard.

Ms. Kathrin Furniss: Of course. My name is Kathrin Furniss, and I'm also with Injured Workers Community Legal Clinic. Because we were splitting our time with an injured worker and a couple of colleagues, it was very quick.

The Chair (Hon. Ernie Hardeman): Yes, well, very good. Hopefully we can get the rest of your presentation during the question period.

So with that, our next presenters will be Canadian Union of Public Employees. I believe they're virtual.

Mr. Alexander Medley: Yes. Good afternoon. Thank you to the committee for the opportunity to appear today on behalf of the Canadian Union of Public Employees. My name is Alexander Medley, and I'm a workers' compensation lawyer for CUPE.

Ms. Nikki Sheppard: And I'm Nikki Sheppard. I'm a licensed paralegal for CUPE.

Mr. Alexander Medley: We represent injured workers in their appeals at both the WSIB and the Workplace Safety and Insurance Appeals Tribunal at no cost to CUPE members. CUPE represents more than 290,000 public sector workers across Ontario, including workers employed in hospitals, school boards, municipalities, long-term care, transit, social services and emergency services. We are here today to discuss schedule 9 of Bill 105, which proposes some of the most major changes to the Workplace Safety and Insurance Act in decades.

CUPE appreciates and welcomes portions of Bill 105, particularly the increase to loss-of-earning benefits and the recognition that workers should not automatically lose compensation at 65. However, beneath these headline-grabbing improvements, schedule 9 introduces some cruel changes that will make workers' compensation significantly more adversarial for older and permanently injured workers.

Our primary concern is the elimination of the 72-month lock-in. The workers affected by this change are a small minority of injured workers, but they are among the most seriously impaired. They are often living with chronic pain, traumatic psychological injuries, permanent disabilities, and thus facing profound barriers to returning to work.

For these workers, the lock-in has represented one of the only forms of long-term stability available within the system. Schedule 9 removes that stability and replaces it with the possibility of indefinite reassessment years after injuries have stabilized.

This issue is especially serious in the public sector. Schedule 2 employers, including hospitals, school boards and municipalities, directly reimburse the WSIB for the full cost of claims. This creates a direct financial incentive to minimize the duration and cost of long-term benefits, which can translate into pressure to contest or seek reductions in entitlement through the WSIB process. Removing the lock-in risks creating a system where permanently impaired workers can be pulled back into indefinite, repeated disputes over earning capacity, employability and medical status.

Some may argue, "If they're not doing anything wrong, what's the problem with monitoring them?", the implicit assumption being that workers are using the lock-in to unjustifiably extend their benefits indefinitely. That may very well be the concern of this government. However, it is treating a small, permanently impaired group of injured workers as if they are engaged in fraud rather than workers whose impairments have been already thoroughly adjudicated over the years.

A worker with chronic pain or PTSD should not have to spend decades wondering whether another reassessment, another surveillance investigation or another allegation of improvement could suddenly place their livelihood back in dispute. For permanently injured workers,

especially those with psychological injuries, that constant uncertainty becomes a source of harm in and of itself.

The committee should recognize that these are not abstract policy choices. For some permanently impaired workers struggling with serious psychological conditions, prolonged instability and hopelessness, this situation could lead to self-harm and ultimately suicide, as you've heard already today.

CUPE is also deeply concerned about the proposed framework for workers over age 65. We support extending entitlement beyond age 65, but we strongly oppose forcing older injured workers into a new adjudicative process where, in order to receive loss of earnings, they must effectively prove that they would have continued working if not for their workplace injury. After years in the compensation system, these workers should not suddenly have to prove that they would have kept working to receive benefits.

This proposal effectively creates two classes of injured workers: those with stable jobs who can easily prove continued employment and those with precarious or irregular work who cannot. That disparity will fall hardest on women, racialized workers and workers with lower levels of education or literacy, who are more likely to be in insecure or non-standard work.

The process of proving future employability will inevitably be speculative, inconsistent and deeply stressful for workers already living with permanent impairments. We therefore recommend that entitlement to loss of earnings be raised to age 71 without any requirement to prove intention to continue working.

We are also concerned by the proposed offset framework that would allow the WSIB to reduce loss-of-earning benefits based on other government or employer-funded payments. Workers' compensation exists to compensate for workplace injury. It should not become a mechanism for shifting those costs onto retirement income, negotiated employment benefits or other public assistance and support systems workers have earned or rely upon for entirely separate reasons.

1720

Contrary to this government's commitment to reducing red tape, the proposals in schedule 9 will actually create more red tape, not just for injured workers, but for businesses and those employed for and working within the workers' compensation system. The proposals risk overwhelming an already strained workers' compensation system by generating more disputes, more objections and more appeals. Schedule 9 will also add some very medically and legally complex long-term entitlement disputes into the system.

And importantly, from a financial perspective, these trade-offs are completely unnecessary because Ontario's workers' compensation system is currently in an exceptionally strong financial position. Since 2024 alone, the government and WSIB have announced three separate $2-billion surplus distributions to employers. In that same year, the WSIB announced that cumulative savings to business through premium reductions and surplus rebates have exceeded $21.5 billion since this government came to power in 2018.

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

Mr. Alexander Medley: Meanwhile, premium rates in 2026 are now at their lowest level in more than 50 years, at a mere $1.23 per $100 of insurable earnings. There is no financial crisis requiring Ontario to reduce long-term stability for permanently impaired injured workers in order to fund benefit improvements elsewhere. Ontario can improve benefits for injured workers without making the system harsher for the people who depend on it most.

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the presentation.

We'll start the first round of questions with the government side: MPP Kanapathi.

Mr. Logan Kanapathi: Thank you to all the presenters for your presentations, and thank you for being here—some of them in person, some of them virtual.

My questions start with, from TAMAC, Glenn Cockburn. I like you artists. I like film. Thank you for stimulating Ontario, Canada, through your art and culture. It's just amazing.

Your résumé speaks for itself. You've been around for a long time. You are one of the iconic long-term figures in the Canadian entertainment industry, and you bring a lot of talent to Ontario. Thank you for being the leader for the arts industry in—not only Ontario: It's Canada as well.

Mr. Glenn Cockburn: Thank you.

Mr. Logan Kanapathi: My question to you: Talent representation in Canada has changed significantly over the past two decades, from the rise of streaming services to international production to the influencer economy. Could you describe for the committee how the agency-performer relationship has evolved against that backdrop, and the standard that TAMAC has implemented?

Mr. Glenn Cockburn: I have three colleagues with me; I don't know if you can see. Pam is raising her hand, so I'm actually going to let Pam answer that question.

Thank you so much.

Ms. Pam Winter: Thank you, Glenn. Yes, I'm Pam Winter. I own and operate an agency in Ontario—as do my colleagues here—the Gary Goddard Agency.

It's very true that the industry is evolving, more so than ever in the last decade with all-new creative works. But the core of the relationship between an agent and his or her client essentially remains the same. What we do is we essentially serve as strategic business partners for our clients. We guide and manage a broad spectrum of responsibility from career planning and relationship building to negotiating agreements and ensuring that those agreements are properly executed and upheld. The foundation of the relationship has been always based on mutual respect and shared objectives and collaboration and, most importantly, trust.

If anything, with the growing complexity of the entertainment industry as it has been and will continue to be, the partnership is even more essential than ever. So if you think of us as business partners to these creative personnel

in all various areas, that is the function that we basically fill.

Mr. Logan Kanapathi: Thank you for that answer.

As a follow-up question: Performer awareness is essential to their protection. How can performers be educated about their rights under the new system?

Ms. Pam Winter: I think the best way to inform is to promote. When the bill goes through, presumably there are—PR is a big part of things, letting people know. I know that the various organizations, guilds and unions will make their membership aware. We certainly make our clients aware, as we do on all aspects of the business, internal and external, so it would be an ongoing education.

Mr. Logan Kanapathi: How much time is left?

The Chair (Hon. Ernie Hardeman): One point three.

Mr. Logan Kanapathi: I'll ask an open-ended question: We are facing a lot of economic challenges because of, south of the border, the Trump administration putting a lot of tariffs on the film industry. How is this impacting your agencies these days?

Mr. Glenn Cockburn: That's actually a great question. The short answer is, it's been relatively good for the talent pool because a number of Canadians don't want to be in America anymore, so we are seeing a resurgence of people coming back to Canada, which is good for the Canadian entertainment industry. It's also good for the agencies because we get to represent them here.

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

Mr. Glenn Cockburn: But in terms of just the general economics of the industry, the industry is under compression from various forces—streaming and other things that are going on—more so than Trump. The tariffs have not really affected us at all. In that way, the Canadian business continues to thrive, as do our relationships with American entertainment companies.

Mr. Logan Kanapathi: Film is not produced in one country. Film has to be produced in many countries.

Mr. Glenn Cockburn: Sorry, I misunderstood.

Mr. Logan Kanapathi: A film is produced in not only one country. You have to travel across the globe to make a film. The Trump tariffs are impacting the film industry in Canada and Ontario. That is a huge impact on the film industry.

Mr. Glenn Cockburn: Right. I don't know if I can answer that question to be honest. It's not really, I think, a field that—

The Chair (Hon. Ernie Hardeman): Well, you can think about it until the next round. Time is up.

MPP Vaugeois.

MPP Lise Vaugeois: First, as a comment to you, Glenn, about the importance of having a process where you will be actually involved in working out the details, I want to say I think that's very important. I hope that that is what comes out of these meetings. It's kind of a reminder of this problem with omnibus bills, and also that consultation—when you set something up and governments will do consultation, they don't necessarily know everybody who needs to be consulted. But you have come here and made us aware that there are a number of issues that haven't been addressed as of yet in the legislation, so I want to give you my support and say that I hope very much that that comes to pass.

Mr. Glenn Cockburn: Thank you.

MPP Lise Vaugeois: Marvin, thank you. We've met before, and we have heard the same message again and again and again today about the harms caused by removing the lock-in on those 72 months.

I hope that by hearing Marvin's story that you have a sense of the reality of the real people who have been harmed by the WSIB over a long period of time and will be severely harmed if that lock-in is removed.

I wondered actually, Orlando, if you might want to talk about the history about how that loss of earnings was moved from 90% to 85% and the fact that the loss-to-retirement percentage income has not been addressed in this bill, but that still represents a significant loss to people with severe injuries.

Mr. Orlando Buonastella: From 90% to 85%? Well, the history of the reduction of compensation from 90% to 85% goes back to the Harris era, to the Harris government. It was argued by the government that there was an unfunded liability, that injured workers needed to be cut back so that there would be enough money in the board's bank. We argued about the unfunded liability, but, in any case, since then, other cuts took place, including the retirement income. Since then, the board has become very, very, very rich and has decided to put money back to employers.

1730

So I think there should be restitution to injured workers. It's happening, but it should affect the workers that sacrificed themselves. Workers from 1998 to today bear the brunt of the cuts. They're the ones who were the sacrificial lambs, if you will. They're the ones who should be receiving restitution. It would be very unfair to begin the process now and tell all those workers, "Well, you sacrificed but thank you very much. Bye."

MPP Lise Vaugeois: Thank you very much, Orlando.

Is there any time left?

The Chair (Hon. Ernie Hardeman): Two point one.

MPP Lise Vaugeois: Oh, my goodness, two more. Do you have something, Jamie?

The Chair (Hon. Ernie Hardeman): MPP West.

MPP Jamie West: With the limited time—and there will be another round coming through—Glenn, I want to recognize what you said. We heard earlier from the Carpenters' Regional Council that there are good things in this bill and it could be improved if they had connected earlier, listened earlier.

My colleague Gilles Bisson, who is retired now, often described this as "ready, fire, aim" legislation; that the intent is good, but because you're not listening to stakeholders—even this meeting that we're having right now. The bill passed; the next morning at 9 a.m., there was a committee to determine who was going to be able to come to speak to us and you had to reply by 4 p.m. that day. This doesn't feel like an opportunity to really be heard and make major changes in this.

I hope that people are listening to this. It's not really to embarrass my colleagues, but it's like, this is our role. We don't really know—I don't know your industry as well as you do.

In terms of a question—I know you had said it, but how long has TAMAC been in business? How much knowledge would you bring to the table?

Mr. Glenn Cockburn: Thirty-six years.

MPP Jamie West: So, 36 years, and you got a short couple of minutes to describe to us how to make this better. We'd be better served by listening to you and your feedback, to ACTRA and their feedback, before writing this bill and putting pen to paper.

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

MPP Jamie West: Marvin, I want to thank you for sharing your story. It's impactful. It's the sort of thing, as politicians, we'll remember. It's the sort of thing that, even if you think there's no problem with WSIB, when you hear a statement like that, it makes you think twice that we need to do better for injured workers. So I want to thank you for making the journey coming down here. I know you talked about depression and things like that, but thank you for being the voice of other workers who can't do this. It means a lot.

The Chair (Hon. Ernie Hardeman): MPP Blais.

Mr. Stephen Blais: Thank you, everyone, for being with us this afternoon.

Kathrin, I appreciate you got cut off by our very efficient Chair, so if you wanted to finish your thoughts, by all means, there's an opportunity to continue.

Ms. Kathrin Furniss: Thank you so much. We wanted to give most of our time to an injured worker like Marv because we think that hearing the direct impact is so important.

Really, I know you guys have been listening to these comments all day, and you've heard from a lot of different injured workers organizations. So I'm probably repeating what you've heard before, but our position is that we like the government recognizing that automatically cutting off benefits at age 65 is not the right move. Allowing injured workers to prove that they wanted to work later—we actually support maintaining that, but we'd also like you to increase the base retirement age to 70 or 71 while also allowing injured workers to prove that they wanted to work later.

Placing a burden on injured workers to prove that they wanted to work longer than 65 just puts that burden on low-wage precarious workers and workers who are older. A lot of them won't have a formal retirement plan or written proof, and individualized adjudication will just create extra administrative burdens on the WSIB and backlogs to the appeal system, which is already overburdened.

We heard earlier from the union representing WSIB workers who told us that their workload and the pressure at work is already a lot, so adding more adjudication doesn't seem like the right move.

Increasing the default retirement age and protecting the six-year lock-in would not threaten the sustainability of the system. Injured workers are only asking for restitution for what was taken from them in 1998, as my colleague Orlando explained. We think that the loss-of-retirement income benefit increase should also be included in addition to the loss-of-earnings increase, and it should be retroactive to 1998 to all those injured workers who were asked to tighten their belts.

Injured workers are asking for security and fairness and to not spend the rest of their lives repeatedly proving that their disability still exists.

Mr. Stephen Blais: I think that's a perfectly fair point. I recall, actually, a story from when John Baird was the minister responsible for ODSP. In replying to someone who wrote his office about ODSP payments—I believe the person who was disabled had amputations of some kind—his response was that a review had to take place because they weren't sure if the disability was permanent or not. So I can appreciate that being told your disability isn't permanent when it's something as severe as spinal cord injury—or really most anything—is obviously quite frustrating and just adds to the burden that you're already facing as a result of your injury.

Marvin, I want to thank you very much for telling your story today. I know it's not easy to relive stories like that. I have nothing close to you, but I've experienced some health issues; talking about them is very challenging and so I can appreciate what you've had to go through to prepare your statements and then to come and speak to those publicly. So thank you very much for doing that.

What else would you like the government to know about the challenges that someone such as yourself, being part of this system, has had to face over the years?

Mr. Marvin Mulder: There's just so much. Let's address the 85% to 90%, because it kind of rolls into the retirement part. When I was working in 2010, I was making $9 above minimum wage. Now, on WSIB, I make about $12 an hour.

Mr. Stephen Blais: In total?

Mr. Marvin Mulder: Yes, in total. That's the way they do the figures. I don't know; I don't go that route. But over time, we just sink into poverty. You have to rely on friends and family to help support you.

Like I said, we bought our house and we've had to remortgage it. The only reason we could remortgage it is because houses have gone up. The bank says we have equity in the thing, but realistically, we'll never pay off our house because the thing is just such a hard climb.

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

Mr. Marvin Mulder: So this is why we're stuck. Both our wages are frozen. At least let us live the end of our lives on these frozen wages, please, because like I said, at 65, I don't have a choice. It's homelessness or death—sorry.

Mr. Stephen Blais: Hopefully, some people who are sitting around the table can hear that from you and take it back to their bosses and make some improvements. Thank you very much. I appreciate you.

The Chair (Hon. Ernie Hardeman): MPP Vickers.

MPP Paul Vickers: My question is to the CUPE representatives. Bill 105 prohibits employer charges for required uniforms and equipment. CUPE represents many workers who wear uniforms: PSWs, custodians, transit workers, school board staff. I'd like to know: Is the elimination of these charges a meaningful protection for your membership?

Ms. Nikki Sheppard: Thank you for your question, MPP Vickers. Yes, definitely. Only some of the collective agreements that cover many locals have reimbursements for PPE or other types of equipment, so having anything removed is definitely not in the injured worker's, or any worker's, interest. So yes, it would definitely have an impact.

MPP Paul Vickers: Thank you.

The Chair (Hon. Ernie Hardeman): MPP Smith.

Mr. Dave Smith: I'm going to come to TAMAC again. I think everybody around the table here understands the typical type of job where, for lack of a better term, you punch a time clock, you come in at a certain time and you get paid an hourly wage or you get paid a salary. But with the exception of probably MPP Vaugeois from Thunder Bay—I truly do not understand how the payment is actually supposed to work for your industry, and I'm sure I'm not alone in that.

Could you walk me through so that we have a better understanding, then, of the typical payment process when someone gets hired?

Because as I look at it, it would appear to me that you're definitely not like Ford, where they hire a whole bunch of people, those people come into work in the morning, they finish their shift and go home. To me it seems like there's a whole other process that I truly do not understand.

1740

Mr. Glenn Cockburn: I would love to answer your question, but I have colleagues on—I think you're looking at me. I just want to make sure we give—I don't know if Perry or Jennifer want to take a shot at that.

Jennifer put up her hand first.

The Chair (Hon. Ernie Hardeman): Go ahead.

Mr. Glenn Cockburn: Jennifer, go ahead.

Ms. Jennifer Goldhar: Yes, thank you. Hi, Jennifer Goldhar from the Characters Talent Agency and TAMAC representative.

The way it works is that the performers work on a production, and then the production then has, from the first day of working, 14 business days to send the payment—

Mr. Dave Smith: I'm going to interrupt you just for one second. So I get someone has started working—how does it work to get the person actually hired? What happens in the contract negotiation beforehand on all of this? Because I would imagine that, especially with performers, it's not a preset amount every time; it's something that's negotiated depending on the production, depending on their level of talent.

Ms. Jennifer Goldhar: Excellent question. I won't get into how they get hired, but once they are hired and we start negotiating their contracts, depending on the level of the performer, there are minimum rates that are negotiated by the union. And then our job is hopefully to improve upon those rates, and depending on the status of the client—some people have a lot more pedigree, and so you're negotiating much bigger contracts for them. But in any case, no one will make less than scale. That's how it works.

If you have a production that has a minimal budget, they might be paying scale to their performers, and there are minimum day rates and minimum overtime rates that must be adhered to.

We would then, at that point in time, get their payments. We check all the paperwork. We make sure everything has been paid properly. We cross the t's, we dot the i's, and then we process their payments, take out our commission and send them their payments.

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

Ms. Jennifer Goldhar: Most agencies, just so you know—let me reframe that: All TAMAC agencies process their clients' payments within one to three times a week. So all our payments are being sent out very quickly, as soon as those payments have cleared our bank accounts.

Mr. Dave Smith: In a different life, well before I was ever in politics, I managed a bar. For me, when I was bringing in the musical talent, I'd negotiate, sometimes with an agent, sometimes with the band directly, but the payment went directly to the band. They did something different if there was an agent; I had no interaction with that. But it doesn't sound like that's the case when we're talking about actors and actresses.

Ms. Jennifer Goldhar: No, it's an industry standard that those payments across the board come to the agencies and get processed from that end of things.

Mr. Dave Smith: Thank you. I appreciate that. I'm sure I don't have any time left.

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

MPP Vaugeois.

MPP Lise Vaugeois: Thank you very much. In the Meredith Act, which was our private member's bill that many, many injured workers' organizations contributed to, there was a section about representation.

So, right now, the commission is made up of—I'm not sure how many directors, but they're all appointed, and there's no representation from injured workers at all, although the WSIA was created to support injured workers.

I'm thinking, Orlando, you probably have a lot to say on this. Apologies, Alexander and Nikki, if you also want to speak to this. But, Orlando, could you talk about the significance and the importance of representation and changing that formula?

Mr. Orlando Buonastella: We've had a concrete example tonight. By hearing Marvin, we have had a different view, a very practical, lived-experience view. So that's why it is important for injured workers to have meaningful representation at the board, in the decision-making room, not only below. So I think we can learn from our experience tonight and apply it to that concept.

MPP Lise Vaugeois: Thank you very much.

The Chair (Hon. Ernie Hardeman): MPP West.

MPP Jamie West: I had said this earlier, and I want to review it again. Earlier today the minister said that she's building a "tell us once" culture. Now, I have heard today from the Steelworkers, the carpenters, Steve Mantis, the Provincial Building and Construction Trades Council of Ontario, the Ontario Federation of Labour, the Ontario Compensation Employees Union, IAVGO Community Legal Clinic, Workers' Health and Safety Legal Clinic, Injured Workers Community Legal Clinic, the Canadian Union of Public Employees—that's 10 out of 16 people that spoke today; and two people spoke about talent, specifically; two people spoke about the medical side, specifically—so just about everyone here said that section 44.1 that removes that 72-month lock-in period needs to be removed from this bill.

Is there anyone on the call who disagrees with me—so that the minister and my colleagues from the Conservative Party can know that in a "tell us once" culture, having this removed is really, really important to the people who represent injured workers in Ontario.

Chair, I just want to recognize that nobody came forward.

My question, I think—and Marvin, I appreciate you standing up. It reminds me of my time at the smelter, where people with injuries wouldn't be able to sit for very long or stand very long. Feel free to make yourself comfortable.

I'm curious: Why does section 44.1 even exist in this bill? What would be the opportunity? Why would the government want to have this in the bill? And when we bring this forward next week for amendments to have it removed, is there any argument they would have that this is an important section of the bill to maintain?

Mr. Marvin Mulder: You'll have to refresh my memory.

MPP Jamie West: Sorry, this is section 44.1. It's where they can make the changes after the 72-month lock-in period and removing that part of it.

Mr. Marvin Mulder: The biggest part is, mentally, the stability. Like I said, I was unfairly deemed. WSIB even apologized; they made a mistake.

But the mental, you don't have to—if I wasn't locked in, I wouldn't be here today because I'm so afraid: "Oh, you showed up today. Guess what? You can go to work. I'm going to deem you." I'm going to think that because they did it to me. So the big thing is the mental stability.

I've talked to so many injured workers, and the pressure that is put on us—I'm going to tell you, I knew an injured worker. He is a firefighter. I met him just as my case started, and he told me that he was fighting just to get compensation. I learned a few months later that he hung himself because—and I knew, after I was having a conversation that it was the pressure.

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

Mr. Marvin Mulder: And the even worse thing about it is his two children were the ones that found him.

So, like I said, I've been here. I've helped other injured workers. I've worked with the Hamilton injured workers group, which is going to get ripped off and nobody's going to have support. I use that as a support for myself. I feel like a human being helping other injured workers. I would just tell you, it's through the system.

I don't know what else to say; I'm sorry.

MPP Jamie West: Thank you, Marvin.

Alexander and Nikki from CUPE, any thoughts on why this section of schedule 9 exists?

Ms. Nikki Sheppard: Yes. I mean, I just want to say, there's real human consequences to the words, right? There's a lot of words in these bills and a lot of ideas, but there's real human consequences behind it, so it's imperative to have injured workers share their lived experience and the impact. So—

The Chair (Hon. Ernie Hardeman): Thank you very much. That concludes the time for that question.

I'll go to MPP Blais.

Mr. Stephen Blais: I have a question. I'm sorry; I can't read the names on the screen, but the lawyers from CUPE. A lot of the presentations throughout the day today have related to, as people were to approach retirement age, the 65 issue etc. Obviously, I can understand why there's a lot of concern about that.

I'm wondering, in an environment where you represent, or other environments, how do pension contributions or pensionable years etc. work for someone who is on WSIB? Do you continue to build pensionable years of service, or are you kind of hung out to dry?

Ms. Nikki Sheppard: Thank you; great question. Again, I hate to say it because legal reps always give the "it depends" answer, but it does; it depends. A lot of the time, there is language in specific collective agreements that does supplement some WSIB income—sorry; when they're on WSIB, pensionable contributions are supplemented—but again, it's not always. Because there is local autonomy, it is specific to each collective agreement.

1750

Mr. Stephen Blais: It's agreement-specific?

Ms. Nikki Sheppard: Yes.

Mr. Stephen Blais: For the folks from the film industry or talent groups—

Mr. Glenn Cockburn: The frivolous stuff.

Mr. Stephen Blais: Well, no, it's not frivolous at all. It's an important part of our economy. But I appreciate why you said that in the context of the other things we've been talking about.

I don't understand the whole "you guys get paid and then you transfer the money" thing; I think that's kind of silly. If the production company has 14 days to pay you and then you have 10 days to pay the client, then the client can go almost the entire month without seeing their pay. I don't understand why you think that's a problem.

Mr. Glenn Cockburn: Can I take a shot at this, everybody? Is everybody good with that? Unless Perry wants to take it.

Mr. Perry Zimel: Glenn, you go ahead.

Mr. Glenn Cockburn: I think the answer you're looking for is that the percentage we take is for a suite of services. It starts with discovering that talent, then developing that talent, finding that talent work, navigating their career, continuing to maintain their industry relationships, feedback after gigs, all that kind of stuff. It also includes doing their contracts, negotiating for them, da-da-da, so you can add whatever you want—

Mr. Stephen Blais: I have other concerns about the percentage you take. I'm talking about the amount of time it takes for people to get their money.

Mr. Glenn Cockburn: When you get to the processing, I will tell you that at Meridian Artists, we have two full-time bookkeepers for 250 clients to process cheques. The reason we have that is because a large number of payments do not come within those 14 days, so (a) we have to create invoices and (b) we have to then chase that money with regular follow-ups to get it.

Often when that money arrives, it is incorrect and we have to go back and do all these kinds of things, so there are problems with the payment system that have nothing to do with the agency at all.

But then you have the clients, and if they are out working in the industry, in production, working 12- or 14-hour days, they don't want to come home and do their own bookkeeping, to then get us our commission within a certain amount of time that would also then have to be regulated. So the majority of people—and I would say in my case, and I think I'd speak for most TAMAC agencies—our clients like that we take care of their bookkeeping for them. They like that they don't have to chase money. They like that they don't have to invoice. And then you can take whatever sliver of the percentage that we charge and attribute it to that.

That is just one of the suites of services that we provide in making their life easier, so they can focus on being artists and proceeding to develop their careers.

Mr. Perry Zimel: Could I also add to that? Hi. Perry Zimel of Oscars Abrams Zimel. I am also a founding member of TAMAC.

A bunch of the questions, I'd answer in the same way. A lot of our clients are on location, so they actually can't receive the money. We are, in a way—think like this—real estate agents. We close on houses so the money comes to us and then we divvy it up to the appropriate people.

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

Mr. Perry Zimel: There was also a question about percentages. Sports agents make 3% to 5%—you're talking about hundreds of thousands of dollars to millions of dollars per athlete—where most actors make $700 a day, so the percentage for us to make a living has to be higher on that reason as well.

But our money—TAMAC has been around for 36 years. Compass is somebody who came to us and we refused entry and did not give them membership, because they would not live up to our code of ethics and rules and regulations. We have never had a problem with any TAMAC agencies.

Mr. Stephen Blais: In California, the unions have a cap at 10% for union work, right? SAG and all the big unions in California have built that into their agreements at 10%. And then we hear that in Ontario, 15%, 20%, 25% depending. I appreciate you're doing a lot for your clients; that seems like a pretty big take.

I don't buy into the idea that because they're paid less, they should pay a higher percentage—

The Chair (Hon. Ernie Hardeman): That concludes the time for that question and that also concludes the time for this panel. We want to thank all the panellists for the time you took to prepare and the great way you presented it. It will be helpful as we move forward to report on the public hearings that we have conducted here today. Thank you very much for being here.

That concludes the public hearings on Bill 105. I would like to thank again all the presenters for their participation. As a reminder, the deadline for written submissions is 6 p.m. on May 14, 2026. The deadline for filing amendments to the bill is noon on Friday, May 15, 2026.

With that, the committee now stands adjourned until 10 a.m. on May 21, 2026, when we will begin clause-by-clause consideration of Bill 105.

The committee adjourned at 1756.

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Chair / Président
Hon. Ernie Hardeman (Oxford PC)

First Vice-Chair / Première Vice-Présidente
Ms. Jessica Bell (University–Rosedale ND)

Second Vice-Chair / Deuxième Vice-Président
Mr. Rob Cerjanec (Ajax L)

Ms. Jessica Bell (University–Rosedale ND)
Ms. Bobbi Ann Brady (Haldimand–Norfolk IND)
Mr. Rob Cerjanec (Ajax L)
Hon. Ernie Hardeman (Oxford PC)
Mr. Logan Kanapathi (Markham–Thornhill PC)
Mr. Joseph Racinsky (Wellington–Halton Hills PC)
MPP Bill Rosenberg (Algoma–Manitoulin PC)
Mr. Brian Saunderson (Simcoe–Grey PC)
Ms. Sandy Shaw (Hamilton West–Ancaster–Dundas / Hamilton-Ouest–Ancaster–Dundas ND)
Mr. Dave Smith (Peterborough–Kawartha PC)
Ms. Effie J. Triantafilopoulos (Oakville North–Burlington / Oakville-Nord–Burlington PC)

Substitutions / Membres remplaçants
Mr. John Fraser (Ottawa South / Ottawa-Sud L)
Hon. Laurie Scott (Haliburton–Kawartha Lakes–Brock PC)
MPP Lise Vaugeois (Thunder Bay–Superior North / Thunder Bay–Supérieur-Nord ND)
MPP Paul Vickers (Bruce–Grey–Owen Sound PC)
MPP Jamie West (Sudbury ND)

Also taking part / Autres participants et participantes
Mr. Stephen Blais (Orléans L)

Clerk / Greffière
Ms. Lesley Flores

Staff / Personnel
Mr. Alex Alton, research officer,
Research Services
Mr. James Beange, research officer,
Research Services
Ms. Heather Conklin, research officer,
Research Services