



KEEP UP THE FIGHT FOR FAIRNESS

The labour movement used to be proud of saying, “Unions brought you the weekend.” It was a vivid way to explain our success in raising standards for Canadians, which might otherwise be taken for granted. But today employers and their political cronies have succeeded in driving down the living standards of most Canadian workers, part of an international trend of neoliberalism.

The recently-published Changing Workplaces Review shows that globalization, technology change and a shift from manufacturing to services took place at the expense of workers and the communities they live in. Unions are weaker and union density is lower. Median hourly rates for part-timers are \$13.00 an hour, which is half the rate of full-timers. An estimated 30-32% of workers are “vulnerable” – supporting families on part-time, contract, temporary or minimum wage work. All this at a time when the economy is said to be booming.

Now the Ontario Government plans to increase minimum wage to \$15 an hour by 2019, raise employment standards and tighten enforcement, and make important changes to the Labour Relations Act. The government promises to pass legislation by the end of the year so better standards are enshrined before the 2018 election.

How did these significant wins happen? While the government’s language suggests they realized the status quo just isn’t fair, working people and their allies across Ontario deserve the real credit. Their struggles showed what precarity and exploitation under weak labour and employment laws looks like, often publicly challenging these conditions and achieving workplace gains.

The \$15 and Fairness Campaign has worked relentlessly with partners from across Ontario to show the face of poverty and bust the myths about minimum wage earners being people working for pocket money. Through that campaign, the government and MPPs came face-to-face with workers who suffered because of outdated employment standards and weak enforcement. Grocery workers took up the cause of a starting wage of \$15, a number of high profile strikes made that a clear goal, and the precedents of victories in New York, California and Alberta showed it could be done.

Recent strikes by outsourced food service workers at York University and the University of Toronto made clear that gains achieved by low-income workers in fissured workplaces are fragile if the contract can just be flipped. In the home care sector, the Sweet 16 strike in 2013 not only resulted in a higher minimum wage for home care workers, but also made the point that those successes could be fleeting if contracts changed. The result? A proposal by the Ontario government to enshrine successor rights to stop contract flipping.

In 2015, Crown Metal employees struck for 22 months to achieve a new collective agreement. Under Ontario’s current labour laws, striking workers lose their right to automatically return to their jobs after six months on the picket line. Crown workers had to bargain for the right to return to their jobs, making other concessions along the way. The relentless pressure by all affiliates on the Minister of Labour

highlighted the problem. The proposed changes would remove the six-month limitation so that *all* striking workers have the right to return.

After a four year effort, Legal Aid Ontario agreed to come to the bargaining table for negotiations with the union chosen by LAO staff lawyers, despite the Labour Relations Act saying lawyers are not “employees”. This fight for recognition of the union, including through a constitutional challenge, helped achieve a commitment to review exclusions under the LRA. Let’s change that commitment to one that will *remove* exclusions, not just review them.

The government went beyond the Changing Workplace Review in proposing card-based union certification for temporary agencies, building services, and the home care and community services industry. We need to make the case for extending this in every sector and to all workplaces.

There are no government plans to prohibit the use of strike-breakers. Recognition of the constitutional right to engage in collective bargaining is important. But we must make the government understand that if the use of replacement workers can undercut workers who are fighting for decent work, this constitutional right cannot be fully realized.

This is only a partial list of government proposals – and labours’ response – for improvements in employment standards and labour law. It didn’t happen by accident. One of four pillars in Labour Council’s strategic plan for 2016-2019 is the fight for good jobs: “We must seize the opportunity to win improvements in Labour Law, employment standards and minimum wage.”

What’s the next step? We need to counter the intense business backlash that will unfold in the coming months. We have to lobby hard with MPP’s, but just as importantly, be out in the public and in our workplaces showing why the laws need to be fixed, and challenging the corporate myths and threats. And we need to paint a picture of why the wins have not gone far enough and press for filling in the gaps.

The Executive Board recommends that Labour Council:

1. Acknowledge the first step of this victory and recognize the importance of the proposed reforms, while putting the government on notice that we will press for more.
2. Continue working with the Ontario Federation of Labour to fully evaluate the wins and gaps and be ready to counter backlash by employer groups and media.
3. Work with affiliates and diverse worker networks to collect postcards, mobilize members to participate in consultations, talk shows and public events and show why proposed changes should proceed and further changes are needed.
4. Where bargaining or strikes are in play, ensure that any alignment between those struggles and the desired reforms are publicized
5. Work with community partners and the \$15 and Fairness Campaign to support proposed changes and press for improvements.

June 2017

Cope343