

Submission to the Changing Workplaces Review

October 14, 2016

Contact

Jessica Mustachi
Coordinator, Ontario Campaign 2000
Family Service Toronto
128A Sterling Rd. Unit 202, Toronto ON M6R 2B7
416-595-9230 x.241
JessicaMu@familyservicetoronto.org

Campaign 2000

Campaign 2000 is a national, non-partisan network of 120 national, provincial and community partner organizations committed to working together to end child and family poverty in Canada. Ontario Campaign 2000 is a provincial partner with over 70 member organizations across the province.
www.campaign2000.ca

Introduction

Ontario Campaign 2000 is a provincial coalition of 70 active partner organizations committed to eradicating child and family poverty in Canada. Our membership is broad and diverse. It includes faith groups, educators who belong to ETFO, OSSTF and OECTA, the health and community sectors serving children and families, labour and academics and low income and working families from Thunder Bay to Peel Region to Windsor. For 19 years, Campaign 2000 has carefully monitored poverty and related social policies at the federal and provincial levels through our annual report cards on child and family poverty.

We are encouraged that the Ontario government has taken steps to improve and update the Labour Relations Act (LRA) and the Employment Standards Act (ESA) as many low income families are engaged in low-wage, precarious work. Low income families have limited access to collective bargaining and many are not fully covered under the ESA due to various exemptions, exclusions or limited ability to assert the ESA rules due to the power imbalance they experience as employees in relation to their employers, for fear of reprisal or job loss. Raising the minimum standards within the ESA will help to ensure all families and children will have a more prosperous and healthy future that is free from poverty.

Ontario Campaign 2000 supports and endorses the submission by the Workers' Action Centre and Parkdale Community Legal Services, entitled "Building Decent Jobs from the Ground Up," which provides a full review of the Advisors' Interim Report. Improving working conditions for all workers across the province will assist in the province's Poverty Reduction Strategy.

Child and Family Poverty and the Working Poor

Ontario Campaign 2000 is troubled by the persistence of high poverty rates in Ontario. In 1989, all parties in the House of Commons voted unanimously to end child poverty in Canada by the year 2000. In 2015, one in five children (20%) and 15.4% of Ontario families with children were living in poverty.¹ With increasing costs of basic necessities such as housing, food, and child care, the ability for parents to find and keep good jobs is essential.

Families with low income struggle to make ends meet as neither work nor income security programs provide assured pathways out of poverty. In 2011, 40% of children in poverty lived in a family with full-time, full year

¹ <http://campaign2000.ca/wp-content/uploads/2016/08/Ontario2015Report.pdf>

Campaign 2000, c/o Family Service Toronto
128A Sterling Rd. Unit 202, Toronto M6R 2B7
Phone: 416-595-9230, ext. 241

Email: jessicamu@familyservicetoronto.org

www.campaign2000.ca & www.familyservicetoronto.org



FAMILY SERVICE TORONTO
For People. For Change.

work.² The inability of parents to provide for their families even though they are engaged in full-time full year work has coincided with the increase of precarious work in the province where there has been an increase in contract, short-term, shift-based, part-time or full-time minimum wage jobs. This leaves families unable to provide for their basic necessities, such as housing, food and school costs.

Certain groups also face higher rates of engagement with precarious work. Families who are racialized, new immigrants or led by women are more likely to work in precarious and low-wage work and experience higher rates of poverty. As noted in Ontario Campaign 2000's 2015 Report Card on Child and Family Poverty, racialized, new immigrant and women workers are more likely to work in low-paying jobs without paid leave and with unpredictable work schedules.

Positive changes to the LRA and ESA, addressing workplace standards and precarious work, are central to the effective reduction of child and family poverty. This fact cannot be overstated.

Families rely on good jobs and work to sustain them and provide the basic necessities for their families. When families face job instability, and low and insecure wages, they are placed in precarious situations leading to further marginalization and poverty.

4 Labour Relations

Many low income families work in precarious, low wage jobs, temporary and part-time work. This makes it very difficult for workers to organize for their rights as workers to ensure that their employers are following the ESA. It is imperative that all employees with the exception of managers have access to unionization.

5 Employment Standards

5.3.1 Hours of Work and Overtime Pay

Raising a family is difficult and employees who are parents have many commitments. Having to negotiate overtime hours above regular scheduled hours with employers can be incredibly stressful. Parents are forced to decide to work overtime shifts and find other childcare accommodations or possibly experience negative consequences at work including job loss. This is more nuanced when someone works in a part-time or temporary job, and when hours of work do not match up with child care providers' hours. In addition, having a work life balance is incredibly important, especially for families of young children as it has been proven that the first 1000 days of a child's life are key in the child's lifelong development. Thus the ability of families to

² Campaign 2000. 2014 Report Card on Child and Family Poverty in Canada.

Campaign 2000, c/o Family Service Toronto
128A Sterling Rd. Unit 202, Toronto M6R 2B7
Phone: 416-595-9230, ext. 241

Email: jessicamu@familyservicetoronto.org
www.campaign2000.ca & www.familyservicetoronto.org



FAMILY SERVICE TORONTO
For People. For Change.

spend quality time with their children is highly important. Furthermore, having employees constantly prove their family related commitments in order to be approved not to work over-time places an extra burden and stress on employees with families which could create an unhealthy work environment. This is especially difficult when other workers who might not have family commitments may then be forced to work overtime hours by employers.

5.3.2 Scheduling

Employees with children need predictable and stable schedules. This is incredibly important for families who need to arrange child care and school outings, or if a child becomes sick or a parent has a second job, training or education program they need to attend. The need for predictable and stable schedules is also especially important for employees who choose to work part-time because they have care-giving responsibilities.

Families with low incomes need advance notice of scheduling so they can better predict monthly incomes, particularly when working part-time flexible hours, and if they need to find other work. Providing predictable scheduling and minimum shift requirements would provide some economic security to assist low income families to move out of poverty.

5.3.3 Public Holidays and Paid Vacation

Providing paid and public holidays and vacation are key components of having a good work life balance. As previously mentioned, families need quality time with their children to ensure healthy development. Providing paid holidays and vacation would ensure that employees would take this time off. If these days are not paid and not explicitly provided for within the ESA many families on low income would not be able to take these days off as it would greatly affect their ability to provide for their families.

5.3.4 Personal Emergency Sick Leave

Previously submitted.

5.3.5 Paid Sick Days

Providing paid sick days within the ESA would significantly assist low income families in the province. Low income families have very constrained budgets and most are unable to afford taking an unpaid sick day. Employees in precarious work may also fear possible job loss for taking a sick day. As a result of not having paid sick leave, many people may decide to go to work sick. This could create a public health concern since many low wage workers are employed in the service industry with the potential to spread of communicable

Campaign 2000, c/o Family Service Toronto
128A Sterling Rd. Unit 202, Toronto M6R 2B7
Phone: 416-595-9230, ext. 241

Email: jessicamu@familyserVICEToronto.org

www.campaign2000.ca & www.familyserVICEToronto.org



FAMILY SERVICE TORONTO
For People. For Change.

diseases, further increasing health care costs. In addition, people with low income face great health inequities and lower health outcomes. As noted in the “Income and Health: Opportunities to achieve health equity in Ontario” Report, the poorer you are, the worse your health outcomes.³

The Ontario Medical Association (OMA) also encourages people to stay at home when sick. OMA also encourages employers not to ask for sick notes for simple health concerns, as it is costly and puts a strain on the medical system. Providing paid sick days would result in lower costs to the healthcare system and a healthier workforce. As well it provides workers the possibility to take measures to prevent illness, reducing overall provincial health costs in the long run.

5.3.6 Other Leaves of Absence

Leaves of absence is an important aspect of the ESA for all families in Ontario. The possible inclusion of the new paid leaves of absence for Domestic or Sexual Violence and Death of a Child would be especially important for low income families in the province.

A majority of people who experience domestic and sexual violence are women, and women make up a majority of lone parent families in the province (84.3%). Lone parent families headed by women face a greater risk of living in poverty due to the wage gap in Ontario and higher rates of women being employed in precarious work. Providing a leave of absence for people leaving domestic or sexual violence would allow parents, specifically women, to be able to secure their job while ensuring their safety and that of their children. A paid leave of absence would also assist low income families to sustain themselves economically while finding and paying for housing when fleeing a violent situation, helping to ensure that families do not become destitute.

5.3.7 Part-time and Temporary Work – Wages and Benefits

Many low income families work in precarious low wage part-time or temporary jobs without benefits. As previously mentioned, families that are racialized, new immigrants and women face even greater precarity. Employees receiving lower wages and no benefits due to the designation of a job as part-time, casual or temporary struggle to pay for basic needs. All employees performing the same job with the same qualifications as full-time staff should be paid the same rate of pay and have benefits.

³ <http://www.hqontario.ca/Portals/0/documents/system-performance/health-equity-report-en.pdf>

Campaign 2000, c/o Family Service Toronto
128A Sterling Rd. Unit 202, Toronto M6R 2B7
Phone: 416-595-9230, ext. 241

Email: jessicamu@familyserVICEToronto.org

www.campaign2000.ca & www.familyserVICEToronto.org

5.3.9 Temporary Help Agencies

Many low income families who face greater marginalization due to low education or because they are racialized, new immigrants or include older workers engage in work administered by temporary help agencies. The complexities around the rules pertaining to the agency and the employer/client can lead to ESA regulations not being fully respected, leaving employees with low wages and engaged in more precarious and dangerous work. It is important for the ESA to ensure that employees who receive work through temporary help agencies are fully protected under the ESA.

5.5 Enforcement and Administration

Workers in precarious work situations, without access to a union face incredible hurdles to ensure that their rights under the ESA are enforced. Adjustments to enforcement of the ESA are a key step forward to ensure that all workers, but especially low wage workers who are non-unionized, are able to have their workplace rights asserted.

Recommendations

Given the Ontario government's commitment to eliminate poverty through its Poverty Reduction Strategy, Ontario Campaign 2000 recommends that all changes to the LRA and ESA be aligned with the goal of eradicating poverty among all Ontarians. The realities experienced by low-income workers must be taken into account to provide them with greater income security, job stability, and freedom to organize collectively for their rights as workers.

Ontario Campaign 2000 supports and endorses the submission by the Workers' Action Centre and Parkdale Community Legal Services, entitled "Building Decent Jobs from the Ground Up," which provides a full review of the Advisors' Interim Report. Improving working conditions for all workers across the province is vital to reducing inequities and eradicating poverty to build a strong Ontario.

