

EMPLOYMENT STANDARDS ACT

For the majority of workers, the Employment Standards Act (ESA) is only source of protection for unfair labour practices and unsafe workplace environment.

This law sets out the minimum standards that employers and employees must follow. It sets standards for things like hours of work, minimum wage, overtime, vacation, public holidays, family leave, pregnancy and parental leave.

LABOUR RELATIONS ACT

This law covers the relationship between employers and workers who want to join a union or already have one; It lets workers know what to do if they want to establish a union in their workplace. It also covers the collective bargaining process, conciliation, arbitration, strikes, and, lock outs.

It used to be much easier for workers to unionize, and harder for employers to replace striking workers. But Conservatives weakened workers rights, including successor rights. People are no longer guaranteed to keep their jobs and wage levels when contracts change and a service is awarded to a new employer\company.

**Workers, let's get our
"ACTS" together!**

TAKE ACTION!

Add your voice so that we can have better labour laws and employment standards. Have your say as a worker and get in touch with people who can make changes happen.

- 1** The Employment Standards Act and the Labour Relations Act are governed and enforced by the Ontario government. Find your **Member of Provincial Parliament** (MPP) here: <http://tinyurl.com/TYRLC-MPP>
- 2** The Minister of Labour is in charge of the Changing Workplace Review.
Kevin Flynn, Minister of Labour
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ON L6L 1H3
Email: kflynn.mpp.co@liberal.ola.org
Phone: 905-827-5141 Fax: 905-827-3786
- 3** Talk to your **family, friends and neighbours** about their opportunity to make the labour laws work for workers.



The Toronto and York Region Labour Council is a central labour body that combines the strength of hundreds of local unions representing 205,000 working men and women and their families. Its mandate is to organize and advocate on issues that are vital to working people throughout the region.

Toronto & York Region Labour Council
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Work Has Changed- Let's Make it Fair



Did you know?

That the Ontario government is now conducting the "Changing Workplace Review". This process will make changes to existing labour laws which are in urgent need of updates. The Employment Standards Act (ESA) and the



Labour Relations Act (LRA) poorly reflect the realities of workers today.

Why is this important to you?

The ESA and the LRA tells employers how workers should be treated and lets workers know their rights. How you work and get paid have changed, but employment laws are out of date.

What's at stake?

Better working conditions that can enable you to keep a roof over you and your family's heads, and your child's future as a worker. The government will hear from employers who may tell them things are fine the way they are. You need to act if we are to make improvements to the employment laws.

HOW WORKERS ARE PROTECTED

All workers of Ontario are protected by the Labour Relations Act (LRA) or the Employment Standards Act (ESA).

It is many years since the LRA and ESA were updated. Since that time many good jobs were replaced by precarious low wage jobs. Meanwhile employers have abused the system by:

- driving down wages,
- replacing full-time work to part-time,
- classifying employees as self-employed contractors,
- implementing two tier wage rates.



Workers Losing Ground

Workers are struggling, because we don't have strong labour laws to protect us. Do these scenarios sound familiar to you?

My partner and I scrambled to make childcare arrangements, but my boss gave my shift away because I wasn't able to confirm fast enough.

We're going to be late with the rent again.

A friend changed to another temp agency, because the last one didn't pay him for a month.

My oldest is barely making a dent in her loan, because at her job all new hires are paid less.

A neighbour thought he would retire in 5 years, but the company where he works lost their cleaning contract to a competitor. Now he needs to reapply for his old job with the new company and possibly earn half of what he used to get.

It wasn't always like this.

We want to form a union. I know our boss is going to harass us.

Let's Fix it!

The Changing Workplace Review started in the spring of 2015. Since that time workers, community groups, and unions have made deputations. These groups have made some really great recommendations. The top ten are listed below followed by the Act they belong: Employment Standards Act (ESA) or the Labour Relations Act (LRA).

Top 10 Recommendations

1. Set minimum hours for part-timers. ESA
2. Reasonable advance notice in scheduling work hours. ESA
3. Stop two-tier wages for new hires, part-time and temporary workers. ESA
4. Demand a living wage in the service sector. ESA
5. End the misclassification of workers as "independent contractors" or "self-employed". ESA.
6. Make client companies responsible for wage theft by temp agencies and sub-contractors. ESA
7. Strengthen the rules to ensure workers can get a fair first contract. LRA
8. Create a proactive enforcement team with staff who are culturally and linguistically competent to speak directly with diverse workers. ESA
9. Reinstate successor rights to maintain standards when new companies win contracts in cleaning, security, homecare and food services. LRA
10. Restore card checking so that workers can unionize with less employer intimidation. LRA

Other suggestions were:

- Have sick days covered under ESA
- Stop companies from chopping up full-time positions into part-time jobs to avoid paying benefits. ESA
- Stop companies from using labour disputes or restructuring to take away workers' jobs. LRA

Pick your battles!

The top 10 recommendations are important to the ongoing fight for good jobs and decent work. The strongest voice on these issues will be yours as workers who are most affected by these problems.

WE'RE ALL IN THIS TOGETHER! Restoring card check for workers who are in a fulltime, permanent AND unionized positions will benefit all forms of work.

Add Your Voice

We can make changes in labour laws, if we come together and make our voices heard. Politicians and other workers need to hear from you. Below is a rough template for you to start.

Dear Minister Flynn (Don't forget to send a letter to your MPP. See back panel to find yours.),

I'm writing as a (worker/ parent/ member of the XXXX community,) to urge to change the ESA (and/or) LRA. Specifically I want to see (name the top 3 Fix It items to you).

These changes are necessary to address the issues of (what were three outcomes and issues).

I speak from experience when I (give your scenario)

OR

I've seen firsthand when my son/daughter/neighbours/community members go through (give their scenario).

I would be happy to meet with you and look forward to your response.

Do you need help putting your letter together?

We can help. Please contact:
416-441-3663, ext. 223