

OCTOBER 2018

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All articles by Ian Cunningham, COCA President

### **Ford Government to Wind Down College of Trades and Develop New Model**

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Very little is known about our government's plan to wind down the Ontario College of Trades and to replace it with a new and modernized apprenticeship system. The legislation that winds-down of OCoT is part of Bill 47 Making Ontario Open For Business Act, 2018. While there is lots of speculation, conjecture and rumour, all that we know for sure is what's contained in various news releases and communications from the government.

The government's news release announcing Bill 47, Making Ontario Open for Business Act 2018, stated the following, "The Making Ontario Open for Business Act, if passed, will also address the backlog in Ontario's skilled trades by replacing Ontario's outdated model with a one-to-one journey-person-to-apprentice ratio for every trade for which ratios apply, thereby better aligning Ontario with other provinces and territories. The legislation, if passed, will also modernize the apprenticeship system by initiating an orderly wind-down of the Ontario College of Trades, which remains a source of unnecessary and burdensome complexity for skilled trades' employment in the province."

In the news release, the Minister of Training Colleges and Universities was quoted as saying, "There are many tremendous and vibrant opportunities available in the skilled trades in Ontario. In fact, one in five new jobs in the next five years will be trades-related. But in Ontario today, employers can't find apprentices and apprentices can't find jobs." She went on in the news release to add, "As far as we're concerned, if you are prepared to do the work then you deserve a shot at the job."

In a communication to apprenticeship system partners about Bill 47, Minister Fullerton stated the following,

"This legislation would, if passed, make it easier for Ontario employers to hire, and make it easier

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for workers to find jobs and grow their careers in Ontario by reducing the regulatory burden on businesses, helping to cut red tape and modernizing Ontario's skilled trades and apprenticeship system.

We are taking action to make Ontario open for business, better support employers to take on apprentices and reduce their regulatory burden. If passed, the proposed legislation would:

- Lower journey person-to-apprentice ratios to 1:1 for all trades subject to ratios;
- Establish a moratorium on trades classification and reclassification;
- Wind down the Ontario College of Trades.

Should the legislation pass, the changes would reduce complexity in the system and cut red tape. This would allow Ontario businesses to hire more apprentices, encourage more young people to develop a career in the trades, and bring quality jobs back to the province.

Throughout this fall, we will be working to develop a more modernized apprenticeship system, including introducing legislation for a replacement model for the regulation of the skilled trades and apprenticeship system in Ontario by early 2019."

Let there be no mistake, the Ontario College was far from perfect. It had an enormous, some would say impossible, mandate covering all trades in four sectors. It had a cumbersome and overly representative governance structure. At the outset it was dominated by the compulsory trades who were paying the freight. Many would contend it was consumed with union interests. It focused on enforcement of scopes of practice, pitting union against union. It lacked executive leadership. It failed to promote the trades as a first choice career option for young people in the way it was intended. And these are only some of the many shortcomings of the College. However from its tumultuous and controversial beginnings in April 2012, the College slowly evolved and found its way. When former Construction Sector Council Executive Director and former Chief Prevention Officer, George Gritziotis, was hired as Registrar & CEO in October 2017, the College had its first truly qualified and experienced organizational leader and he was passionate about apprenticeship.

Gritziotis put very significant reforms in motion that truly transformed the College. At that same time, there were significant changes to the Board of Governors with seven new members and GVCA and COCA past chair, Don Gosen as its chair. Interestingly, the two construction employers' seats on the board of governors were filled by two non-union contractors, one being the chair.

Going forward, COCA's role will be to work with other stakeholders and the government to help create the new replacement model for the regulation of the province's skilled trades and apprenticeship system. We will work with our member contractors who hire apprentices, who are passionate about apprenticeship and who are committed to training the next generation of highly skilled journeypersons on this initiative.

To get the conversation started, here are some of my own thousand foot level thoughts about what the new modern, streamlined and efficient apprenticeship system might look like:

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- For ease of entry, there should be only one window into the apprenticeship system
- The apprenticeship system should have a single regulator
- To address the looming skills gap, the system should promote careers in the trades such that it attracts large numbers of highly qualified applicants who compete for positions as apprentices.
- Only applicants that stand a chance of completing their C of Qs should be accepted as apprentices
- The number of apprenticeship spaces available in the various trades must be determined using the best, up-to-date and most reliable labour market information; there must be a much stronger focus on developing reliable labour market information
- Learning standards and curricula for apprenticeships will reflect the needs of the workplaces of today and tomorrow and will be reviewed and updated regularly to ensure relevancy in an ever changing environment
- Consideration should be given to a skills-based approach to apprenticeship; there should be a robust discussion among stakeholders on this subject
- The system should provide apprentices and their employers with supports to ensure safe and high quality training
- Employers of apprentices must take on greater responsibility for training and for ensuring their apprentices complete their C of Qs
- When the employer of an apprentice experiences a work slowdown causing the laying off of the apprentice, there should be a mechanism that allows an apprentice to move easily to another employer who has work
- Apprentices complete their C of Qs in the normal specified time
- The completion rate should be very high
- The hard skills and soft skills of graduate apprentices will allow them to compete with the best in the world.
- Employers of apprentices must have a strong role to play in the new system; it should not be the exclusive domain of the community college system

Your feedback is invited and welcomed.

## **Environment Ministry Consults on Climate Change Plan**

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The Ministry of the Environment is seeking public input to inform the development of a plan to combat climate change. Our new government repealed the cap-and-trade system without replacing it with other measures to combat climate change and to incent emissions reduction. This has produced significant opposition in the legislature and from the public.

Whether you believe in climate change or not, whether you believe human behaviour has an impact on the changing global climate or not, the cancellation of the cap-and-trade system has serious consequences on the financial health of the province.

“The FAO (Financial Accountability Officer) estimates that the Province’s annual budget balance will worsen by a total of \$3.0 billion over fiscal years 2018-19 through 2021-22 due to the cancellation of the cap and trade program. For the fiscal year 2018-19, the Province’s budget balance is expected to deteriorate by \$841 million, followed by a drop of \$615 million in 2019-20, \$771 million in 2020-21 and \$787 million in 2021-22.” The FAO’s report can be found by clicking on the following link: <https://www.fao-on.org/en/Blog/Publications/cap-and-trade-ending>

There are four areas of enquiry in the consultation:

- Creating an understanding of the effects that climate change is having on our households, businesses, communities and public infrastructure to better prepare and strengthen our resiliency;
- Ensuring polluters are held accountable and creating dedicated measures that will efficiently reduce greenhouse gas emissions;
- Improving Ontario’s business climate by unlocking the power of the private sector to finance and drive innovative climate solutions. This will include an emissions-reduction fund to invest in technology-based and other solutions to reduce emissions in Ontario;
- Finding a balanced solution that puts people first, makes life more affordable for families, and takes Ontario’s role in fighting climate change seriously.”

To participate in the consultation go to [https://www.ontario.ca/form/tell-us-your-ideas-climate-change?\\_ga=2.31940726.912004737.1540831251-1287088320.1531396451](https://www.ontario.ca/form/tell-us-your-ideas-climate-change?_ga=2.31940726.912004737.1540831251-1287088320.1531396451) before the November 16th deadline.

## **Government Announces Repeal of Bill 148; Good News for Construction**

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On October 23rd the Ontario government introduced legislation to repeal amendments made by the Fair Workplaces Better Jobs Act 2017 (Bill 148) that place an unnecessary burden on employers. The legislation, if passed, will amend the Employment Standards Act (ESA) and the Labour Relations Act (LRA). The new legislation is called the Ontario Open for Business Act 2018.

COCA applauds the government’s actions to repeal amendments to the ESA that were made by the former government and which were unnecessarily burdensome and impractical for the construction industry. These specific amendments were made without consideration for the

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unique nature of employment in the construction industry. In particular, COCA sought relief from the scheduling requirements and the personal emergency leave obligations contained in Bill 148 from the former government and more recently from officials in our new government.

COCA met recently with Minister Scott and with senior officials in Minister Wilson's Office to press for relief from a number of specific provisions contained in the Bill 148 amendments to the Employment Standards Act that are onerous and unworkable for the construction industry. Our new government listened to our reasoned requests and they took the appropriate actions.

The Ontario Open for Business Act will repeal the following scheduling provisions that will come into force on January 1, 2019:

- Right to request changes to schedule or work location after an employee has been employed for at least three months.
- Minimum of three hours' pay for being on-call if the employee is available to work but is not called in to work or works less than three hours.
- Right to refuse requests or demands to work or to be on-call on a day that an employee is not scheduled to work or to be on-call with less than 96 hours' notice.
- Three hours' pay in the event of cancellation of a scheduled shift or an on-call shift within 48 hours before the shift was to begin.
- The record-keeping requirements that relate to the above-noted scheduling provisions.

The Ontario Open for Business Act will amend the Personal Emergency Leave provisions as follows:

- Replacing the Personal Emergency Leave provisions with a straightforward package of annual leave days for every worker.
- Providing every worker with the right to take up to three days for personal illness, two for bereavement and three for family responsibilities.
- Preserving the right of every worker in Ontario to receive three weeks of paid vacation after five years.
- Protecting current paid leave provisions for cases of domestic and sexual violence affecting an employee or an employee's child.
- Giving employers the right to require evidence of entitlement to sick leave that is reasonable in the circumstances

## **Government Consults on Sex Education – Finally**

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Remember the biggest consultation ever conducted in the history of Ontario that was promised by the Tories in the lead-up to the June 7th provincial election? Remember, it was to be about the province's sex education curriculum? Well it's now underway. There are three ways to participate:

1. Open Submission: Use the private and confidential on-line submission form or email your written submission to [fortheparents@ontario.ca](mailto:fortheparents@ontario.ca)
2. Online Survey: Send your feedback through an on-line survey.
3. Telephone Town Hall: Register for a telephone town hall by clicking here.

For more information, check out the website <https://www.ontario.ca/page/for-the-parents> All readers who are interested in the safety and education of our school aged children should participate

## **Tory Faithful to Gather for Policy Conference**

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Members of the Ontario PC Party will gather at the Toronto Congress Center from the evening of Friday, November 16th until noon on Sunday, November 18th to celebrate their recent election victory, to elect party officials, to consider amendments to the party's constitution and to debate policy resolutions. This will be the first gathering of the party since the Doug Ford-led PCs' election victory on June 7th.

In all, 35 policy resolutions under the headings "provincial affairs", "finance", "health & environment", and "education & community safety", will be debated. The full list of policies is available go the PC Convention website ( [https://convention.ontariopc.ca/key\\_documents](https://convention.ontariopc.ca/key_documents) ) and click on recommended policy resolutions.

As we would for members of all political parties, we encourage members of the Ontario PC Party to register to attend this convention and actively participate in our democratic process. Make sure the construction industry has a voice.

To register, go to the following link: <https://convention.ontariopc.ca/>