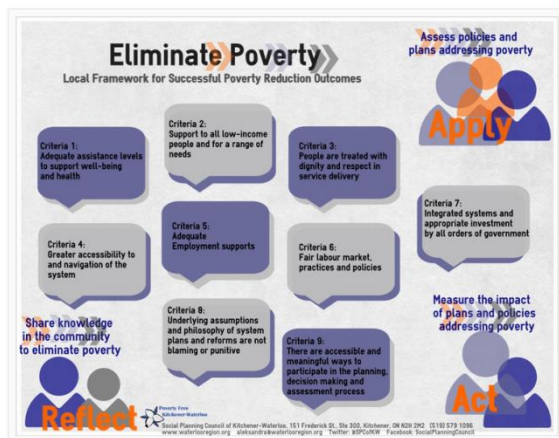


Changing Workplace Review
Special Advisors
C. Michael Mitchell
The Honourable John C. Murray

Sent by email: CWR.SpecialAdvisors@ontario.ca

**Submission by the Poverty Free Kitchener-Waterloo Action Group
The Changing Workplace Review
Based on the Poverty Elimination Criteria Framework**



The Poverty Free Kitchener-Waterloo Action Group has been bringing together low-income people experiencing poverty and their allies since 2011. We have been developing a set of local criteria to measure the impact of poverty reduction policies and plans in people’s day to day lives. Based on the criteria in this framework, we have analysed many plans and strategies, and contributed to consultations regarding the Social Assistance Review, Poverty Reduction Strategy, Bill 18, Minimum Wage, etc.¹. We have firmly said that people in vulnerable conditions need adequate income, and a range of supports to become healthy and then enter

work places. They need help in navigating different systems of supports and in taking a central place in decision-making for matters that affect them directly. Labour law review is extremely important from the perspective of workers, particularly those who work in precarious jobs or those who face stigma and other challenges in getting and keeping jobs because of a disability.

We see the economy not through a profit-making lens, but first and foremost through the eyes of the people that make our country’s economy work. The greatest value is not in globalization trends or competitiveness through exploitative practices. The greatest value is in the workers, their health, education and adequate earnings to ensure decent lives for themselves, their families and their communities today and in the future.

We support the Worker’s Action Centre recommendations published in “\$15 and Fairness” documents to improve the Employment Standards Act, 2000. We align ourselves with the submission made by the

Social Planning Network of Ontario and we support with the recommendations made by the Ontario Federation of Labour regarding the Labour Relations Act, 1995.

We think there are practices and policies that should be addressed through government regulation:

- Proactive rather than complaint-based enforcement
 - Better compliance training and accountability of employers
- 1) Complaint-based enforcement is not adequate in low-wage and precarious employment work-places. Due to the lack of employment options workers are often forced to take any job that is offered. They work under constant stress due to instability of work and the stigma of poverty. Many employers create precarious workplaces through practices that include intimidation, discrimination and threats. Decent jobs require workplaces that comply with all regulations and that have good pay and benefits.

When workers face wrongful dismissal, discrimination or harassment, they are at their most vulnerable and often not able to seek redress on their own. Workers need the support of third party organizations such as Workers' Action Centre, Community Legal Services, local Social Planning Councils or Community Information Centres. Government enforcement must collaborate with such third party organizations and make sure that complaints are followed up on.

Community based organizations have already developed checklists and tracking tools to monitor trends and the behaviours of certain employers in certain industries. These organizations are already committed to providing information and education for employees and employers.

Legal clinics must be recognized as invaluable partners in the enforcement process. Enforced labour laws will ensure that people work in healthy and productive environments and that profitability cannot take precedence over basic human rights.

- 2) In far too many cases, we hear examples of workplaces where performance expectations are not clear. We hear testimonials of wrongful dismissals, subtle discrimination in the work place, layoffs of senior staff that cost too much, etc. Supervisors and managers must have mandatory Employment Standards Act and Human Resource Training.

Self-reporting from employers is not good enough compliance with the Employment Standards Act.

It is not enough for employers to merely print and distribute Employment Standards Act posters that have a general overview of the Act. They must take full responsibility for the work of the supervisors and management staff they employ to ensure healthy and efficient workplaces. Workers need to be able to trust the management structure in their workplaces and be able to negotiate with management when their rights are being infringed. Employers and supervisory staff must also be held responsible in cases where the employment standards or the worker rights to organize are not respected.



Poverty Free Kitchener-Waterloo
c/o Social Planning Council of Kitchener-Waterloo
151 Frederick Street, Kitchener

Thank you for taking the time to read our submission.

We trust that you will take action as appropriate.

Catherine Stewart Savage
on Behalf of the Poverty Free Kitchener-Waterloo

i Poverty Free Kitchener Waterloo Submissions

Response to the First Discussion Paper, Social Assistance Review, August 2011

http://www.waterlooregion.org/sites/default/files/SocialAssistanceReviewPFKW%20Submisssion_Aug_11.pdf

Response to the Second Discussion Paper, Social Assistance Review, March 2012

<http://www.waterlooregion.org/sites/default/files/Social-Planning-Council-of-Kitchener-Waterloo.pdf>

Ontario Poverty Reduction Strategy Consultation October 2013

<http://www.waterlooregion.org/reducing-poverty-for-everyone-message-from-kitchener-waterloo>

Minimum Wage Advisory Panel Consultation October 2013

http://www.waterlooregion.org/sites/default/files/PFKW_MinimumWageAdvisoryPanel_Oct18_2013.pdf

Ontario Poverty Reduction Strategy "Realizing Our Potential" Response, September 2014

<http://www.waterlooregion.org/poverty-reduction-strategy-being-heard-and-involved>

Analysis of Bill 18, an Act to Amend Various Statutes with Respect to Employment and Labour, October 2014

http://www.waterlooregion.org/sites/default/files/PFKWBill18Analysis_Oct31_2014.pdf