

The Honourable Peter Milczyn,
Chair, Standing Committee on Finance and Economic Affairs
Room 1405, Whitney Block
Queen's Park, Toronto, ON M7A 1A2

July 18, 2017

Dear Mr. Milczyn,

On behalf of the Ontario Public Health Association (OPHA) and the Association of Local Public Health Agencies (alPHa), we are writing to provide you with our response to Bill 148, *The Fair Workplaces, Better Jobs Act, 2017*.

Together, our two associations have over 80 years of experience providing leadership in the provincial public health system. As not-for-profit member-based organizations, we represent 36 local boards of health and hundreds of public and community health professionals in Ontario. Our associations have come together to form a single 'Health Equity Work Group'(HEWG) to address inequities in the health of Ontarians from a systems perspective. The HEWG developed the following responses to the amendments to the *Labour Relations Act* (1995) and the *Employment Standards Act* (2000) specified in Bill 148.

We strongly support the language in the proposed legislation that addresses the need to create more security and stability for workers—both financially and in their employment and working conditions. A large body of research indicates that employment security and working conditions are critical determinants of health. Employees who are already most vulnerable to poor health outcomes due to lower income and education are also most likely to experience adverse working conditions.ⁱ

In particular, we are pleased to see specific changes in Bill 148 related to pay equity for all workers performing the same work, personal emergency leave days for all employees including two paid days, vacation days for long-term employees, more stringent regulations around scheduling and better protections for temporary help agency workers. These measures will go a long way towards providing a better job experience for workers, and by extension, improve their health outcomes.

In addition, we also welcome the proposed increases to minimum wage in the legislation. Public health research shows very clearly that raising income levels is the best way to improve people's health.ⁱⁱ Having said this, there are three additional recommendations arising from the *Changing Workplaces Review* that we would request the government consider including in the final version of Bill 148.

First, the final report from the *Changing Workplaces Review* recommended that “the government initiate an urgent study focusing on how at least a minimum standard of insured health benefits can be provided across workplaces, especially to those full-time and part-time employees without coverage, the self-employed and small employers.”ⁱⁱⁱ We support this recommendation in its entirety. The provision of a minimum floor of insured health benefits for all would certainly improve the health and well-being of our community.

Second, we are very concerned about the health and safety of temporary help agency employees and we support the recommendation from the Review that “...in the context of workplace safety for assignment employees, all aspects of the risk and liability, including the responsibility for injuries suffered in the workplace, should be with the client employer, and not the agency.”^{iv}. Temporary workers are often called in during high demand times and are “unfamiliar with equipment, processes, staff and specific conditions of the workplace.”^{iv}. Their supervisor from the temporary help agency is not on site to ensure the health and safety of that employee. Only the client employer knows what the best practices are within their workplace. Given that any potential injury to a temporary worker would happen while on their premise the client employer should be held responsible.

Third, the Review recommended the creation of an Ontario Workplace Forum that would convene key employment stakeholders to discuss emerging issues and to strategize responses. Providing an opportunity for on-going, respectful and collaborative dialogue would improve a system that is essential to the health and well-being of our province. If such a forum were to be formed, we strongly suggest that it include representatives from public health. As the key associations representing the public health sector in Ontario, we have a strong interest in ensuring that the employment and working conditions of Ontario residents are the best they can be.

We hope that you find our recommendations to be helpful, and we would be happy to answer any questions you have about our suggestions. Please contact us by telephone by calling Pegeen Walsh at 416 367-1281 or Linda Stewart 416-595-0006 ext. 22 or by e-mail at pwalsh@opha.on.ca or linda@alphaweb.org if we can assist you in any way.

Yours sincerely,



Carmen McGregor
alPHA President



Ellen Wodchis
OPHA President

CC. Kevin Flynn, Minister of Labour
Eric Rennie, Clerk, Standing Committee on Finance and Economic Affairs

ⁱ Smith, P. & Polanyi, M. (2009). ‘Understanding and Improving the World of Work’. In D. Raphael (Ed.), *Social Determinants of Health: Canadian Perspectives* (pp. 114-127). 2nd edition. Toronto: Canadian Scholars’ Press.

ⁱⁱ Marmot M, Friel S, Bell R, Houweling TA, Taylor S, (2008) “Closing the gap in a generation: health equity through action on the social determinants of health”. *The Lancet*;372:1661-9.

ⁱⁱⁱ Mitchell, C. M. & Murray, J. C. (2017). *The Changing Workplace Review. An Agenda for Workplace Rights. Summary Report.* p. 17.

^{iv} Ibid., p. 19.

^v MacEachen, E., Carrasco, C. and Moser, C. (2013). Understanding the management of injury prevention and return to work in temporary work agencies. Summary of study findings and policy implications. Institute for Work and Health. Retrieved on August 19, 2015 from <http://www.iwh.on.ca/temp-agency-study-summary-of-findings-and-policy-implications>.