

## **The Changing Workplaces Review: Public Consultations to Strengthen Ontario Labour Laws**

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The *Changing Workplaces Review* (“Review”) involves a series of public consultations to solicit views on reforming Ontario’s labour and employment law regime, including the *Employment Standards Act, 2000* (“ESA”) and *Labour Relations Act, 1995* (“LRA”).

Two Special Advisors have been appointed to lead public consultation and provide the Ministry of Labour a final written report and recommendations: Michael Mitchell, formerly of Sack Goldblatt Mitchell LLP, and the Honorable John C. Murray, formerly a management-side labour lawyer and of the Ontario Superior Court.

### **Review Mandate and Scope**

The mandate of the Review is to determine how the *ESA* and the *LRA* can be reformed to **better protect workers while supporting business in our changing economy.**

The Review will not address:

- The construction industry provisions of the *LRA*
- Minimum wage
- Matters for which an independent review has already been initiated, such as: gender wage gap; migrant workers; compulsory interest arbitration for groups such as police, firefighters and hospital workers; and broader public sector bargaining

### **Context for the Review**

Public consultation will consider the following factors:

#### **The 21<sup>st</sup> Century Workforce**

The growth of Ontario’s labour force is primarily from immigration, making today’s workforce more diverse than when labour and employment legislation was first introduced in the 1950s and 1960s.

#### **The Global Economy**

Globalization, resulting in heightened competitive pressure on employers and workers to innovate and boost productivity. Fostering an innovative, globally-competitive economy is a top priority.

### **Technological Change**

The increasing demand for highly-skilled workers who can perform tasks that require problem solving, intuition, persuasion, motivation, people skills, and creativity.

### **Restructuring in the Service Economy**

The increase in private-sector employees working in service-producing industries from 51% in 1993 to 59% in 2014.

### **Non-Standard Employment**

The rise of “non-standard employment”, including for example, temporary employment, involuntary part-time employment, on-call, telecommuting, and employment characterized by multiple jobs with total earnings below the median wage.

### **New Forms of Work Organization**

The shift away from highly delineated jobs and rigid organizational structure, to organizations that feature participative decision-making, skill-based or knowledge-based pay, open flows of information, and flat structures, *etc.*

### **Collective Representation**

The decline of unionization primarily in the private sector, primarily for young workers, blue collar workers, men, and those without post-secondary education.

### **Opportunity to Provide Input**

There is an **immediate and time-limited opportunity** to provide your input into the Review. Public consultations are being held across Ontario between **June 16, 2015 and September 18, 2015**, and written submissions will be accepted until **September 18, 2015**. For more information visit: <http://www.labour.gov.on.ca/english/about/workplace/consultation.php>

**For more information and for assistance participating in the Review, contact Sherrard Kuzz LLP.**

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