

CECCO

Construction Employers Coordinating Council of Ontario

Council Meeting
Thursday, April 4, 2019 – 8:30 am
6299 Airport Road, Suite 303

AGENDA

1.	QUORUM		Chair
2.	MINUTES		Chair
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	• Cash and Investments	10	
4.	LEGISLATION		Exec
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	• Bill 66		
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	○ Email from Minister Scott		
	○ <i>Passed Second reading (Committee Hearings)</i>		
	○ Request for hearing status	19	
	○ <i>List of those receiving status</i>		
5.	ONTARIO CONSTRUCTION SECRETARIAT		Exec
	• <i>Release of 2019 Contractors Survey</i>		
	• <i>Underground Economy Update</i>		
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	• Council General Meeting June 13, 2019		
11.	ADJOURNMENT		

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- | | |
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| 4. LEGISLATION <ul style="list-style-type: none">• Bill 47<ul style="list-style-type: none">○ Letter to Minister○ Response Policy Assistant• Bill 66<ul style="list-style-type: none">○ Letter to Minister's Smith & Scott○ Notes Telephone Discussion M. Bonner MOL Senior Policy Advisor○ Email from Minister Scott○ Passed Second reading (Committee Hearings)○ Request for hearing status○ List of those receiving status• Upcoming Meetings<ul style="list-style-type: none">○ Leaf Malling Ministry of Labour - Chief of Staff○ Mike Harris MPP Kitchener-Conestoga | Exec |
| 5. ONTARIO CONSTRUCTION SECRETARIAT <ul style="list-style-type: none">• Release of 2019 Contractors Survey• Underground Economy Update | Exec |
| 6. ONTARIO CONSTRUCTION USERS COUNCIL (OCUC) <ul style="list-style-type: none">• Minutes December 14, 2018• Agenda February 15, 2019 | Exec |

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CECCO

COUNCIL MEETING MINUTES

Thursday, December 13, 2018 - 8:30 A.M. TO 11:30 A.M.
6303 AIRPORT ROAD, 1ST FLOOR CONFERENCE ROOM

MEETING ATTENDANCE:

PRESENT

VICE CHAIRMAN	DON MARKS
EXECUTIVE DIRECTOR	WAYNE PETERSON

ABSENT

CHAIRMAN	BRYAN ARNOLD
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CECCO MEMBERS:

BOILERMAKER	LESLIE MULLALY	BRICKLAYER	JOHN BLAIR
DEMOLITION	MARGARET TAYLOR	CEMENT MASONS	ANDREW KINNEY
CARPENTERS(PROXY)	JOE KEYES	PRECAST	TONY BOMBINI
ELECTRICAL	JODI TRAVERS		
ELEVATOR(PROXY)	JOE KEYES		
GLAZIERS	NOEL MARSELLA		
IRONWORKERS	JACK MESLEY		
LABOURERS(PROXY)	JOE KEYES		
MECHANICAL(PROXY)	BRANDON PAGEAU		
OP. ENGINEERS(ALT) (PROXY)	JOE KEYES		
PAINTERS	ANDREW SEFTON		
PLASTERERS (ALT) (PROXY)	JOE KEYES		
REFRIGERATION	MIKE VERGE		
RODMEN(PROXY)	JOE KEYES		
ROOFERS	DON MARKS		
SHEET METAL(PROXY)	BRANDON PAGEAU		
TEAMSTERS (PROXY)	JOE KEYES		
TERRAZZO, TILE	DAVID ST. LOUIS		

GUESTS:

EPSCA	CAITLIN GASCON
HEAVY CONSTRUCTION	PETER J. SMITH
INDUSTRIAL	JASON CAMPBELL

1. QUORUM

The Chair advised that we have a quorum.

2. MINUTES

The Council Meeting Minutes from September 13, 2018 were reviewed and on a motion duly moved and seconded, approved them as presented.

3. FINANCES

The Statement of Revenue and Expenditures was received and found to be in order. It was mentioned that the office renovations and meeting costs were higher due to office renovations and offsite meetings. It was mentioned that the executive approved a \$30K investment transfer in the form of bonds.

Cash and investments position as of November 30, 2018 is comprised of the following:

Cash	\$ 52,143
Investments (Market Value)	\$426,545

A motion duly moved and seconded, approved this proposal as presented.

There was a discussion relating to Bulletin # 14-18 on 2019 Membership Dues which was sent out to all members, with their individual preferences for the payment of fees starting January 2019 (Yearly, Quarterly, Monthly)

4. LEGISLATION

A lengthy discussion ensued about Bill 47, Making Ontario Open for Business Act, 2018 which received Royal Assent on November 21, 2018. CECCO along with the OCS, met with the Ministry of Training, Colleges and Universities relating to the section of the bill involving training and apprenticeship. The ministry has asked for input with regard to these items. It was agreed that CECCO would forward a letter to the ministry advising them of our concerns.

Bill 66, an Act to restore Ontario's competitiveness. Schedule 9 relates to the Labour Relations Act, 1995 letting public bodies out of their construction collective agreements. It was agreed that CECCO would present its position to the government on this bill.

It was agreed that CECCO must keep its profile raised and be the voice of the unionized ICI construction industry.

5. **ONTARIO CONSTRUCTION SECRETARIAT**

Collective Bargaining Tool Kit

Collective Bargaining tool kit is included in the meeting package for Information Purposes only.

Project Dashboard

The OCS Dash Board was reviewed highlighting the programs to be developed for 2019 including the use of more social media, news releases and study releases.

Research & Marketing Grant Guidelines

Research & Marketing Grant Guidelines were included in the meeting package for your perusal and it was mentioned that labour management should utilize the funding that is available to them.

Union Construction works Campaign 2019

Union Construction works Campaign 2019 is included in the meeting package for Information Purposes only.

6. **ONTARIO CONSTRUCTION USERS COUNCIL (OCUC)**

Included in the meeting package for your perusal are the Minutes of Council Meeting held on September 14, 2018 and the Minutes of the OCUC Council Meeting held on Friday, June 8, 2018.

7. **NATIONAL CONSTRUCTION LABOUR RELATIONS ALLIANCE**

Included in the meeting package are the Minutes of Council Meeting held on October 12, 2018 for your review.

8. **NEGOTIATIONS COORDINATION**

Coordination Plan

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The council was asked to develop recommendations on ideas to improve negotiations coordination. During a roundtable discussion each member provided an update on the status of their negotiations progress.

Negotiation Activity Chart (new activity roundtable)

The Negotiation Activity Chart was included in the meeting package for your perusal.

9. OTHER BUSINESS

Dispatch

Dispatch Newsletter Winter 2018 - 2019 was included for review in the meeting package.

Draft 2019 CECCO meeting calendar

Draft 2019 CECCO meeting calendar was included for review in the meeting package.

Labour Pre-Bargaining Seminar Post Mortem

The council reviewed a summary regarding the Labour Pre-Bargaining Seminar held on November 8, 2018 at the Mississauga Convention Centre.

10. NEXT MEETING

Council – March 21, 2019 – 6299 Airport Road, Suite 303

11. ADJOURNMENT

The meeting was adjourned at 11:15 a.m.



CONSTRUCTION EMPLOYERS COORDINATING COUNCIL OF ONTARIO

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EXECUTIVE COMMITTEE MEETING MINUTES

Friday, March 15, 2018– 8:34 a.m.
6299 Airport Road, Suite 708

MEETING ATTENDANCE

Present:

Present

Bryan Arnold
Tony Fanelli
Alex Lolua
Don Marks
Mike Verge

Wayne Peterson

Absent

Tom Lachance
Andy Pilat

1. MINUTES

The Executive Committee minutes of the November 28, 2018 on a motion duly moved and seconded were approved as presented.

The Committee perused the Council meeting minutes of December 13, 2018 and agreed to recommend their approval.

2. FINANCE

Revenue & Expense

The Statement of Revenue and Expense dated February 28, 2019 was reviewed. The secretary advised that with only two month into the year it was early but everything was on track.

Investment Statement

The Investment Statement dated February 28, 2019 was reviewed. It was noted that the market value of our portfolio displays a \$6560 positive variance from December 31, 2018. It was again noted that all our investment are bonds and if held would pay their purchase value plus the defined interest



Aging Report

The account receivables aging summary dated February 28, 2019 was perused and found to be in order.

Investment Policy

Discussion ensued relating to an email received from our financial advisor recommending moving some of our investment into perpetual preferred shares. It was stated that if this was considered it would require a revision to our current investment policy. Moving some of the investments from a bond position to perpetual preferred shares related to a bank could see an interest gain of as much as 4% which could be a gain with some risk of \$5800 based on a third of our portfolio. The secretary was directed to contact our adviser for a formal recommendation and a risk assessment.

Membership Dues 2019

The secretary advised that a few members commenced the year paying dues on past assessments and not based on the invoiced they received. He advised that corrections have been made.

2018 Draft Audit

The 2018 draft audit was perused with the committee comparing the audit numbers to the 2017 audit and the 2018 budget. It was noted that we a net revenue gain \$9,109 higher than budget greater meeting expenses relating to the pre-negotiation seminar. This was attributed to ECAO returning as member's mid-year.

Cheque Signing

The secretary raised the issue of our requirement to have two signatures on all cheques and suggested a change for government cheques relating monthly burdens and quarterly HST where penalties are incurred if the payment is late. After extended discussion it was noted that there were enough signing officers and two should be available when required. It was agreed that the cheque signing policy would remain.

3. EXECUTIVE DIRECT ACTIVITY REPORT

The Executive Director's activity report was perused without comment.

4. 2019 Calendar

A draft of the 2019 meeting calendar was perused. Due to negotiations the next Council Meeting was revised to April 4th and it was recommended we move the Post Negotiation Symposium to September 5th.

5. LEGISLATION

- **Bill 47**

The committee reviewed the notes of the ad-hoc meeting held on January 21, 2019 to discuss our response to the Ministry of Colleges, Trade and Universities (MTCU). The letter to the

ministry was perused as well as the voting on sending of a letter. The secretary noted that while our By-laws call for an eighty percent approval from responding members it was more prudent to ensure we had a quorum of member responses before determining the eighty percent.

It was noted that we had sixteen responses (15 – 1) which gave us quorum with ninety four percent approval to forward the document.

The secretary advised that via email from the MTCU that they noted our concerns and they would be kept on file as they moved forward in the process.

- **Bill 66**

The committee reviewed the letter relating to Bill 66, Schedule 9 sent to the Minister of Economic Development. It was noted that we have a quorum approving the sending of a letter and a hundred percent of the members responding in favor of forwarding the document.

It was noted that we received a telephone call from the Ministry of Labour relating to our letter advising it was in the name of principle not financial that this piece of legislation was being proposed. They also advised that there were unions lobbying for this legislation.

The secretary advised that we had received notice for application of standing with the Bill 66 Standing Committee. He advised that we applied for standing and the ability to present or position. He also noted that the only construction related group to receive standing was the Ontario Building Trades and they had six minutes to present and fourteen minutes for questions.

6. ONTARIO CONSTRUCTION SECRETARIAT (OCS)

The committee perused the OCS December 10, 2018 Board minutes as well as the agenda for the January 31, 2019 Board meeting without comment.

The recently held State of the Industry Economic Conference was discussed with all who attended agreeing it was a well-run function with good content.

7. CECCO NEWSLETTER

CECCO's Dispatch spring newsletter content was reviewed.

8. 39th ANNUAL MEETING

The agenda for CECCO's 39th Annual meeting and the minutes of last year's Annual Meeting were reviewed. It was noted that there were no recommended by-law revisions.

9. 2019 POST NEGOTIATION SYMPOSIUM

It was agreed that a post negotiation symposium would be held. The suggested date was in the first week of September. Various content such as 2019 negotiation stumbling blocks, a three person panel

discussion, MOL's take on this round, a speaker providing an outsiders overview of the process, the possible need to engage an outside facilitator to conduct an open forum period were discussed.

It was mentioned that it would be beneficial to have the other sectors of the industry attend.

10. NATIONAL CONSTRUCTION LABOUR RELATIONS Alliance (NCLRA)

It was noted that the next meeting of the NCLRA would be held in Ottawa on April 29, 2019, tying in with the Canadian Building Trades meetings there at that time

It was noted that Bob Blakely had retired from the Canadian Building Trades and has been replaced by Arlene Dunn.

11. OTHER BUSINESS

CECCO Chair

The committee was reminded that our Chair Bryan Arnold was resigning after the Annual Meeting. It was noted that a search had commenced for a new chair. It was agreed that if possible the new chair would come from the trade contractor segment of our industry.

Daily Commercial News / Government Contact

The secretary advised that CECCO was gaining in recognition with the Daily Commercial News calling seeking information for an upcoming story and the Provincial Government calling seeking further information on our position of Bill 66 and requesting us to come in for a discussion on the unionized construction industry in general.

It was suggested that during these meetings we endeavor to setup a regular semi or quarterly meeting schedule with the Ministry of Labour

Training Funds

There was a brief discussion relating to the training funds that are in many of the trade's agreements and while the contractor is paying the money how little say they have over the funds. Also how the use of the funds varies within the same trade across the Province and the need for each trade to have a provincial training coordinator.

12. ADJOURNMENT

The meeting adjourned at 10:40 am

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CECCO

STATEMENT OF REVENUE AND EXPENDITURES
JANUARY 1, 2019 - FEBRUARY 28, 2019

	Year	Projected	Projected	Annual	Actual
	To Date	To Complete	TOTAL	Budget	2018
	2019	2019	(12 mos)		
REVENUES					
Assessments	\$ 69,192	\$ 82,727	\$ 151,919	\$ 151,919	\$ 161,550
Rent Recovery (NEEA)	\$ 3,891	\$ 20,798	\$ 24,689	\$ 24,689	\$ 23,348
Interest	\$ -	\$ 1,000	\$ 1,000	\$ 1,000	\$ -
Part-Time Salary Recovery (NEEA)	\$ -	\$ 5,249	\$ 5,249	\$ 12,550	\$ 9,039
Other Income (NEEA)	\$ -	\$ 2,205	\$ 2,205	\$ 2,205	\$ 2,205
Sponsorship	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL REVENUES	\$ 73,083	\$ 109,774	\$ 182,857	\$ 192,363	\$ 196,142
EXPENDITURES					
General					
Audit	\$ -		\$ -	\$ 1,850	\$ 1,750
Consulting	\$ 11,700	\$ 60,500	\$ 72,200	\$ 72,200	\$ 64,999
Fire & Officer & Director Liability Ins.	\$ 2,212	\$ 288	\$ 2,500	\$ 2,500	\$ 2,189
Legal	\$ -	\$ 2,500	\$ 2,500	\$ 2,500	\$ -
Meetings	\$ 92	\$ 4,298	\$ 4,390	\$ 4,390	\$ 9,039
Memberships	\$ 5,450	\$ -	\$ 5,450	\$ 5,450	\$ 5,450
Office Equipment Rental, Stationary & Other	\$ 1,108	\$ 8,092	\$ 9,200	\$ 9,200	\$ 15,170
Office Rent & Utilities	\$ 7,959	\$ 41,420	\$ 49,379	\$ 49,379	\$ 48,539
Government Relations/Marketing	\$ 481	\$ 6,119	\$ 6,600	\$ 6,600	\$ 3,986
Salaries & Employee Benefits	\$ 1,316	\$ 23,783	\$ 25,099	\$ 25,099	\$ 18,077
Telephone	\$ 1,333	\$ 2,322	\$ 3,655	\$ 3,655	\$ 1,800
Travel & Conferences	\$ 477	\$ 4,523	\$ 5,000	\$ 5,000	\$ 3,879
	\$ -	\$ -			\$ -
Total General	\$ 32,128	\$ 155,695	\$ 185,973	\$ 187,823	\$ 174,878
Net Revenue (Expense)	\$ 40,955	\$ (45,921)	\$ (3,116)	\$ 4,540	\$ 21,264

✓

CECCO Investment Statement

Investment	Book	Market Value	Market Value	Variance
Fixed Income	Value	31-Dec-18	28-Feb-18	
Cash		\$ 1.51	\$ 1.51	\$ -
NFLD & Labrador Hydro	\$ 50,000	\$ 50,943	\$ 51,235	\$ 292
Province of Nova Scotia	\$ 147,999	\$ 147,497	\$ 149,241	\$ 1,744
Province of Manitoba	\$ 121,053	\$ 120,694	\$ 122,647	\$ 1,953
Province of Quebec	\$ 118,000	\$ 117,683	\$ 120,254	\$ 2,571
Total	\$ 437,052	\$ 436,819	\$ 443,379	\$ 6,560

Construction Employers Coordinating Council of Ontario

January 28, 2019

Ministry of Training, Colleges and Universities
Mowat Block, 3rd Flr, 900 Bay Street
Toronto, ON M7A 1L2

Attention: Mr. Devon Cuddihey Policy Assistant, Office of the Ministry Training, Colleges & Universities

Reference: Ontario Apprenticeship Trades Framework

Dear Sir:

The Construction Employers Coordinating Council of Ontario (CECCO) is a Council that represents twenty-one trade employer bargaining agencies in the I.C.I. construction sector, totalling 8,000 trade and general contractors, employing in excess of fifty-three thousand journeyperson and apprentices.

We write relating to Bill 47's Modernizing Ontario's Apprenticeship System. This is a major undertaking and to get it right, ensuring all the issues and nuances of all the trades have been addressed, the members of CECCO respectfully encourages the government to establish a formal consultation to allow for the varied stakeholders, many with numerous years of industry related educational delivery experience, to provide input within reasonable timelines in a manner that ensures transparency.

Since 1976 and the introduction of province-wide bargaining in the Industrial, Commercial and Institutional (I.C.I.) construction sector the established past practice has created a sophisticated and functional model that ensures optimal productivity. That said, it does not need a complete overhaul but tweaking some of its parts is certainly in order.

Relating to our meeting held on December 4, 2018 and the issues that arose from that meeting we offer the following:

Governance:

Reviewing the latest two models for the oversight and administration of the apprenticeship system, the system under Ministry Training Colleges and Universities MCTU) and under Ontario College Trades (OCoT) both had their pros and cons. We believe what-ever model the Government choses to move forward with, the entire system should be under one control body and within the new system there must be subgroups containing like industries, one being construction.

The control body's primary function would general administration, finance, trade promotion etc. The subgroup would be responsible for their specific trade group encompassing such items as: trade entry educational requirements, contract of apprenticeship, CoQ exam, curriculum, seat purchases, retention of apprentices, apprentice ratios, etc.

Within these subgroups the individual specific trades must be represented by an advisory board with representatives being from labour and management and encompassing union and non-union.

A prime concern in the past has been funding for the apprenticeship system. It is paramount for what-ever governing structure the province choses to enact, it must have sufficient funding and the required resources.

Apprentice Ratios:

With apprentice ratios one size does not fit all and the determination of the appropriate ratios for the trade should rest with the applicable sub group and its trade advisory board. This board with a diversified composition of labour, management, union and non-union has the ability to determine the trade's apprentice needs based on a long range workload outlook and demographics.

Enforcement:

Enforcement is a key component in guaranteeing our province has a successful apprenticeship system. It is required to maintain a strong, well trained, safe construction force. The construction industry needs a knowledgeable stand-alone enforcement group, ideally under the MTCU umbrella to enforce mandated apprentice ratios as well as the life safety aspects for the root scope of trades covered by the Trades Qualification and Apprentice Act (TQAA).

While the enforcement needs to be broad based in its coverage in all sectors of the construction industry priority should be given to areas that are not currently being self-monitored.

Promotion of the Trades:

Promotion of the trades as a career choice is extremely important and both the government and industry should focus on this endeavour. While there are currently a number groups such as Skills Ontario and the Ontario Construction Secretariat doing an admirable job in the promotion of the construction trades, we need to engage with the secondary school system and get a buy-in from the teachers and guidance councillors to ensure that they are promoting the trades as a viable career option for all students. It is our belief that most educators in the secondary school system do not appreciate the standard of living achievable in the trades or recognize the level of education and required competency needed to be a successful in most trades today.

A comprehensive program must be instituted to educate the educators on all benefits of working in the trades.

Ensuring employment of apprentices:

It is critical for the retention of apprentices that there are jobs available. Flooding the market with available apprentices would curtail the sustainable employment opportunities.

Currently in place, there are incentives for employers to hire apprentices and incentives for apprentices to assist in ensuring completion, while these are beneficial, the bureaucracy in applying for these incentives cannot outweigh and curtail the employing of an apprentice.

It is recommended that all projects with any level of Government funding have mandated apprentice ratio requirements that will assist in sustaining apprentice's employment.

Curriculum standards and curriculum review:

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Curriculum standards should be determined by the trade itself through a working group comprising labour and management. A management component is extremely important to this process as the management representatives would have a better insight into proposed new technical standards, potential revisions to building codes and new equipment, all affecting the industry and its need to revise its standards and training curriculum.

A review of the trade's standards and curriculum should be undertaken at a maximum window of every five years.

We acknowledge that the province cannot independently make revisions to a red seal trades curriculum but the province must insist on management representatives being involved in curriculum reviews for the reasons provided above.

The government should consider a merit-based approach for Training Delivery Agencies:

We firmly believe that the government should have a merit based approach to overall funding and seat purchase funding for TDA's. Some of the criteria that should be considered is: the facilities commitment to the apprentices, employer retention and completion rates of apprentices passing through specific Training Delivery Agency's facility, passing rates achieved by apprentices on first writing of the Certificate of Qualification exam.

Modular/stackable training and whether this can assist labour mobility:

Modular or stackable training may have its place with non construction trades. Within the construction trades we acknowledge there is a common core for some items in each trade and perhaps a basic program could be instituted with these items. It is extremely important for employment opportunities and hence apprentice completion rates that an apprentice have the well-rounded training on all aspects of a trade to guarantee they can move from one employer to another and have the ability to perform all disciplines within the trade.

Using the sheet metal industry for example, an individual must be proficient in all the aspects of the trade as today he/she may be employed by a large firm and is required to do only one aspect of the trade but next week he/she could be employed by a small ma and pa shop and required to perform all aspects of the trade.

In conclusion we appreciate the opportunity to comment further on the issues raised at our previous meeting but as stated previously we encourage the Ministry to hold formal consultations on the issue. Having a well-trained, safe, productive workforce is a major factor in ensuring Ontario is open for business again and having a proficient apprenticeship system in place will guarantee this outcome.

Please be assured that replacing the Ontario College of Trades is of paramount interest to the construction industry. We are available at your convenience to discuss any issues relating to this undertaking. Please keep us informed.

Sincerely



Wayne Peterson
Executive Director

From: Cuddihey, Devon (TCU) <Devon.Cuddihey@ontario.ca>
Sent: January 31, 2019 10:25 AM
To: Wayne Peterson
Subject: RE:

Hi Wayne,

Thanks for sending us this information. We've noted your concerns and will keep them on file as we continue to move forward in this process. I hope to keep an open dialogue so we can leverage your industry expertise to inform the new trades framework.

We'll be in touch,

Devon Cuddihey

Devon Cuddihey, Policy Assistant
Minister of Training, Colleges, and Universities
Third floor, Mowat Block, 900 Bay Street, Toronto
Office: (416)325-2502
Cell: (437)217-5546

From: Wayne Peterson [mailto:wpeterson@cecco.org]
Sent: January 30, 2019 10:27 AM
To: Cuddihey, Devon (TCU) <Devon.Cuddihey@ontario.ca>
Subject:

Hi Devon sorry for the tardy response. Our members consider this an extremely important topic and would like to ensure that the systems put into place meets all the trade's needs.

Thank you for your consideration

Wayne Peterson
Executive Director
Construction Employers Coordinating Council

February 13, 2019

Ministry of Training, Colleges and Universities
Mowat Block, 3rd Flr, 900 Bay Street
Toronto, ON M7A 1L2

Attention: Hon. Todd Smith, Minister of Economic Development, Job Creation and Trade

cc. Hon. Laurie Smith, Minister of Labour
Mr. Mark Lawson, MEDJCT Senior Director of Policy
Ms. Ananda Philip, MEDJCT Chief of Staff
Mr. Lief Malling, MOL Chief of Staff
Mr. Gary Rygus, MOL Director of Policy

Reference: Bill 66, An Act to Restore Ontario's Competitiveness, Schedule 9

Dear Minister Smith:

The Construction Employers Coordinating Council of Ontario (CECCO) is a Council that represents twenty-one trade employer bargaining agencies in the I.C.I. construction sector, totalling in excess of fifty-three thousand journeyperson and apprentices.

While we are not privy to the reasons for this legislation, we are working on the hypothesis that the Government assumes this would be a cost savings endeavour. We are aware of outside lobbying efforts that while not fact based show perceived major cost savings in eliminating the required building trades' union procurement by the public body. This is simply not so.

In a competitive marketplace environment where a one or two percent price differential between union and non-union trades is the norm and either could be the low price depending on the circumstances. Price should not be the public body's only concern. Other criteria that should be considered in procurement are:

- Safety
- Life cycle costs
- Quality of workmanship
- Ability to meet schedules

Another consideration for the public bodies listed in schedule nine are the direct hires these bodies employ from the trade unions. The public bodies whether voluntarily or by a certification became party to some of the Building Trades Unions' agreements because they chose to self-perform construction projects. These unions make available as needed a pool of trade certified, safe, productive, work ready and work fit journeypersons. This allows the public bodies to easily manage their workforce, eliminating the need for training and being required to follow the Employment Standards Act and the Labour Relations Act on layoff as they would a regular staff member. This provision in itself is a significant cost savings to those municipalities with direct hires.

Earlier I mentioned that these public bodies were bound to some of the Building Trades Unions this is an important detail as when the public body is procuring construction services they are required to use only the trades they are bound to.

When purchasing the services of a prime contractor they must use a prime bound to the same trades as the public body. If the prime contractor is not bound to other trades at their discretion they may sub-let portions of the work to either union or non-union sub-contractors.

It also must be understood that outside the cost of a project there are a myriad of other items a healthy unionized construction industry brings to the Province that reflects on the social wellbeing of the Province

In closing, if cost is the driving factor behind this legislation we ask that the passing of this portion of the legislation be delayed. It behoves the government not to follow inaccurate data and self-serving articles. Before passing this legislation an independent multi faction procurement study be conducted considering like projects to determine the total union/non-union benefits.

Sincerely

A handwritten signature in black ink, appearing to read 'Wayne Peterson', written over a horizontal line.

Wayne Peterson
Executive Director

Wayne Peterson - CECCO

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From: Bonner, Michael (MOL) <Michael.Bonner@ontario.ca>
Sent: February 14, 2019 1:11 PM
To: Wayne Peterson
Subject: RE: Call?

In about five minutes? M.

From: Wayne Peterson [mailto:wpeterson@cecco.org]
Sent: February 14, 2019 1:10 PM
To: Bonner, Michael (MOL) <Michael.Bonner@ontario.ca>
Subject: Re: Call?

Mr. Bonner
Is there a good time to call?

Wayne Peterson

[Get Outlook for Android](#)

From: Bonner, Michael (MOL) <Michael.Bonner@ontario.ca>
Sent: Thursday, February 14, 2019 12:49:42 PM
To: Wayne Peterson
Subject: Call?

Mr Peterson,

Do you have a moment for a call, please?

I'd like to speak to you about your recent letter to the Minister.

Thanks,

Michael Bonner, HonBA (Toronto), MPhil (Oxon), DPhil (Oxon)
Senior Policy and Communications Advisor
The Office of the Honourable Laurie Scott
Minister of Labour
14th Floor, 400 University Ave,
Toronto, Ontario
M7A 1T7
437 220 4079



February 14, 2019

Telephone Discussion Michael Bonner, Senior Policy Advisor Ontario Ministry of Labour (MOL)

Reference: MOL Requested Conversation Re: CECCO Letter relating to Bill 66

- Bonner advised that cost is not the issue for the Bill but it is about principle.
- After discussion Bonner advised that no municipality pushed for the legislation but it relates to fairness in bidding
- Bonner advised that other unions had pushed for the legislation
- Peterson mentioned CLAC with Bonner advising no it was another trade union that would like to open the bidding so as there various unions could bid on the work.
- Bonner had no response as to the fate of contractors who became union so as they could bid this work.
- Peterson raised the issue of municipalities who currently draw manpower and directly employ building trade union members.
- Bonner advised that they were exploring ways to grandfather municipalities who desired to maintain their current agreement relationships.
- Peterson lobbied for a delay in the passing of Bill 66, Schedule 9 and received no positive reponse.

Wayne Peterson

From: Minister of Labour (MOL) <MinisterofLabour@ontario.ca>
Sent: March 19, 2019 1:46 PM
To: Wayne Peterson
Subject: Ontario Minister of Labour's response

Mr. Wayne Peterson
Executive Director
Construction Employers Coordinating Council of Ontario
wpeterson@cecco.org

Dear Mr. Peterson:

Thank you for your correspondence to me and the Honourable Todd Smith, Minister of Economic Development, Job Creation and Trade. I appreciate receiving the views and concerns of the Construction Employers Coordinating Council of Ontario regarding Schedule 9 of Bill 66, the proposed Restoring Ontario's Competitiveness Act, which our government introduced on December 6, 2018.

We are committed to working cooperatively with the people of Ontario, including small businesses, to reduce the burdens they face. As you are aware, the *Labour Relations Act, 1995 (LRA)* includes specialized provisions that apply to the construction industry. These provisions are intended for the unique employment relationships that exist in the construction industry and for the unions and employers that operate in the industry. The provisions are poorly suited to entities that are not engaged in business in the construction industry.

As you and your members know, the construction industry has many unique features. Work is project-based with competitive bidding and complex subcontracting arrangements. Employment is generally short-term and cyclical, and workers are regularly assigned to different work sites. Contractual arrangements and employment relationships reflect this reality.

Employers in the broader public sector are not typically vendors of construction services and arrange their affairs differently. The bargaining structures established under the *LRA*'s construction industry provisions do not reflect the interests of these employers. In the late 1990s, the current "non-construction employer" provisions were added to the *LRA*. These provisions were intended to ensure that only those employers engaged in the construction business (as actual vendors of construction services) were covered by the construction industry provisions of the *LRA*.

Some stakeholders have expressed concern that the non-construction employer provisions are not sufficient in achieving this intent, and that the existing provisions lead to extensive litigation and uncertain results. With schedule 9 of Bill 66, our government proposes to amend the *LRA* to clarify the existing non-construction employer provisions of the act.

If passed, these amendments would explicitly deem certain broader public sector entities to be non-construction employers. The amendments would effectively remove these entities from the construction industry provisions of the *LRA*, which are not well-suited to them, while avoiding the need for litigation at the Ontario Labour Relations Board. Any employees affected would continue to be able to exercise their right to collective representation. These employees would be able to unionize and freely negotiate a collective agreement under the general provisions of the *LRA*.

Again, thank you for taking the time to write. I look forward to working with you in the future.

Sincerely,

[Original signed by]

Laurie Scott
Minister of Labour

c: The Honourable Todd Smith, Minister of Economic Development, Job Creation
and Trade

Confidentiality Warning: This email contains information intended only for the use of the individual named above. If you have received this email in error, we would appreciate it if you could please advise us through the Minister's website at <http://www.labour.gov.on.ca/english/feedback/index.php> and destroy all copies of this message. Thank you.



MINUTES OF COUNCIL MEETING December 14, 2018

Location: 5110 Creekbank Road, Mississauga, ON

Member:

Eric Hopkins	Metrolinx
Michael Nieznalski	Toronto Transit Commission
Danny Chui	Exhibition Place, City of Toronto
Robin Granger	Retiree (OPG)
Harry Banikin	H Banikin & Assoc.
Ian Worté	Ontario Construction Secretariat
Ian Cunningham	Council of Ontario Construction Associations
Brian Asselin	Ontario Power Generation
Tracey Smith	Ontario Power Generation
Keistine Lampman	The State Group Inc.
Gino Squeo	E S Fox Ltd.
Paul Casey	Infrastructure Health and Safety Assoc.
Cleavon Emilio-Luis	Dumas

Guest:

Vince Iacolino	Ministry of Labour
Douglas Randall	Black & McDonald
Tim Trerillock	Ontario Power Generation
Joseph Nimako	Ontario Power Generation
Mike DeMontis	Hines
Arash Sjahi	University of Toronto
Michael Zork	MOL
Robin Senzilet	MOL

1. Opening Remark by the Chair, Introduction and Safety Moment

Eric Hopkins started the meeting at 8:46 AM and he asked the group to introduce themselves. Michael cited that this is the month of October, celebrating as month of global economic. Economic is ultimately good for business and good for the people.

2. Approval of Agenda

The agenda, as presented to the December 14th meeting, be approved and the Chair be authorized to suspend the regular order of business.

Motion to approve the Council agenda; Moved by Robin G and Seconded by Michael N. Motion carried.

3. Approval of Council Minutes October 26, 2018

Minutes were sent to all members by emails over a week ago and no comment was received.

Motion to approve the Council minutes; Moved by Harry B and Seconded by Gino S. Motion carried.

4. Approval of:

a) Proposed 2019 Executive Committee Members as presented (see attached)

One new member, Douglas Randall, was nominated by Robin G from the floor as Director at Large and Douglas Randall agreed to join the committee.

Moved to approve the proposed slate of candidates for the 2019 Executive Committee; Moved by Tracey Smith; and seconded by Cleavon Emilio-Luis. Motion carried.

b) Proposed 2019 Operating Budget as presented (see attached)

A couple of questions were raised regarding non-paid memberships in 2018 and if they will pay all back the 2018 fees in 2019. The answer was yes and the council member was satisfied with the answer. A question about the proposed new scholarships expenditure was also discussed. It was noted that the scholarship white paper is still being completed and the executive committee may not necessary have sufficient time to award it in 2019.

Moved to approve the proposed 2019 Operating Budget; Moved by Brian A and seconded by Gino S. Motion carried

5. Presentation I: The OPG UAV Centre of Excellence - Tim Trebilcock – Operation Manager and Joseph Nimako – UAV Pilot, Ontario Power Generation

Tim Trebilcock is a Scientist and Technical Officer in Ontario Power Generation's Inspection and Reactor Innovation division. For the past 10 years, Tim has been responsible for innovation initiatives to support the ongoing inspection and maintenance activities for OPG's power generation fleet. In his current role, Tim is the Operations Manager for OPG's UAV Centre of Excellence, a highly trained team of UAV pilots operating a diverse fleet of aircraft. Under Tim's leadership, UAVs have been successfully deployed throughout OPG's fleet of nuclear, hydroelectric and thermal generating stations to provide unprecedented access to OPG's assets. Tim is passionate about safety and the potential of UAVs to reduce risk to the public, employees, and assets. Tim started his career at the Pickering Nuclear Generating Station during construction. During his career, he has worked on some of the most specialized high hazard maintenance activities at the station including large scale fuel channel replacement program, flux detector upgrades, single calandria tube replacement, and the liquid zone recovery. Tim has been recognized with two lifetime achievement awards and CEO recognition for outstanding performance.

Please refer to the OCUC website for the slid presentation

6. Subcommittee Report

6.1 Education

Eric H mentioned that the Executive Committee will start looking into the scholarship program and further discussion is necessary. Therefore, the program may or may not be up and running by the end of this year. However, a budget is set for this purpose.

6.2 Health and Safety

Provincial Coordinator of Construction Health and Safety Program Vince Iacolino (vince.iacolino@ontarion.ca) read out the report from his written Provincial Coordinator's Comments section and gave out the following MOL report:

Update on the 2018 MOL report to PLMHSC - MOL REPORT TO LABOUR-MANAGEMENT NETWORK – for the period from October 1- October 31, 2018, 2018 as follows

Section 1: Month Fatality was 3; Critical Injury was 37; total 40 for the period as compared to the same period last year of 1 and 26 total 27 respectively.

Section 2: What's New: Ministry launches Collective Bargaining Ontario; Employment standards initiative in construction; Health and safety initiatives in mining and construction; "It's Your Job" student video contest now open; Send your WSIB claims through a convenient, new tool; and Reminder: Working at heights training.

Section 3:

Court Bulletin 1 – Company Director Fined for Worker Fatality - On February 15, 2017, a worker who was a machine operator was responsible for overseeing the operation of screw machines, including loading stock into the machines and checking product for quality control. One of the machines used in the plant was a five-spindle automatic screw machine. It had an exposed stock reel composed of a bundle of five tubes into which thin 12-foot rods of brass stock were placed. The stock was inserted into the machine and the machine would fabricate threaded inserts from the stock. The stock reel would complete a partial rotation at fixed intervals to accommodate the insertion of different bars of brass stock into the machine. The stock reel was held together with two locking collars, each of which had five bolts, the heads of which protruded from the collar. During the shift, the worker sat down on a wooden crate near the exposed stock reel. The wooden crate was not a designated seating area. The worker's back was to the bundle. As the stock reel rotated, the exposed bolt heads of one of the collars grabbed the worker's shirt collar and pulled the shirt into the rotation of the stock reel, which fatally injured the worker. The cause of death was determined to be neck compression. Following a guilty plea, the company director was fined \$22,000. The court also imposed a 25-per-cent victim fine surcharge as required by the Provincial Offences Act.

Court Bulletin 2 – A child was killed in a factory when bundles of steel tubing fell. Following a guilty plea, the company was fined a total of \$150,000 together with a surplus of 25% victim fine surcharge. A worker/supervisor for the company was attending at the facility, accompanied by two children. One of the children was moving freely through the aisles of the facility unaccompanied. The worker used a crane to place three bundles of steel tubing on top of a stack of similar bundles. The three bundles had been left over from the day's work. Each bundle of tubing weighed approximately 2,140 pounds. The total weight of the stack was estimated to be 15 tons. The stack of bundles dropped and collapsed. The stack fell onto the child who had been moving about and the child was killed instantly. The other child was far enough away as not to be harmed. A Ministry of Labour engineer determined during the investigation that the use of softwood spacers between the bundles and the use of insufficient numbers of bands to hold the tubes together contributed to the collapse. There may have been other factors as well.

Section 4 - Fatality & Critical Injury Year-to-Date Overview - Construction Sector – for the period January 1 to October 31 of 2018, the fatality was 21 and critical injury 215 compared to 14 and 231 in the same period of 2017.

6.3 Labour Relations

ICI group negotiation has started and the deadline for formal union agreement is April 30, 2019. Boiler makers are looking at having their contract length extended to 2025.

6.4 Recruitment and Board Report

Eric H reported that the Executive committee was pleased with the work the committee had done this year and is looking forward to 2019.

7. Presentation II – 81 Bay & 141 Bay Commercial Development - Michael DeMontis – Construction Manager - Hines

Michael DeMontis is a member of Mechanical Engineering & Management in Hines. He has over 8 year in the construction industry. His previous projects include Union Station 2nd Platform Expansion and York University Station.

Please refer to OCUC website for the slid presentation

8. Presentation III - Major changes to workers' compensation in Ontario - Michael Zacks - Director and General Counsel - Office of the Employer Adviser – MOL

Michael Zacks is the Acting Director of the Office of the Employer Adviser and has been the OEA's General Counsel since 1993. Previously he was the Director of Legal Services at the Workers' Compensation Board, and the General Counsel and Director of Legal Services for the Ontario Ombudsman's Office. Michael is a former Chair of the Ontario Bar Association Workers' Compensation, a regular presenter at legal education conferences on workers' compensation and many groups on a variety of workers' compensation and related topics.

Please refer to OCUC website for the slid presentation

9. New Business

Professor Arash Sjahi of University of Toronto encouraged members of OCUC to participate in the survey and research project on health and safety benchmark performance study now currently on going. The study started jointly with OCUC in 2017 with the funding from WSIB.

10. Next Meeting – February 15, 2019

11. Adjournment – Council meeting was adjourned at 12:10 PM

NOTE: The above minutes were intended to reflect only the general discussions at the time in the meeting. However, they may not necessary had been recorded fully and exactly what were discussed. Please contact Danny Chui within 72 hours to report any discrepancy after receiving these minutes. Minutes are generally posted on the OCUC website www.theocuc.com after they were approved.

Minutes prepared by:

Danny Chui, P. Eng., FEC

Executive Director

Tel: 647-376-6118; Email – dchui.ocuc@outlook.com



Ontario Construction Users Council

COUNCIL MEETING

Agenda, Friday February 15, 2019

**Board Room E, Centre for Health and Safety Innovation
5110 Creekbank Road, Mississauga, ON; L4W 0A1**

- Breakfast available (All Welcome)* **8:00 AM**
1. Opening Remark by the Chair, Introduction & Safety Moment **8:30**
 2. Approval of Agenda (The Chair be authorized to suspend the regular order of business) **8:35**
 3. Approval of Minutes – December 14, 2018 **8:40**
 4. Presentations I: Construction of Union Station
Ralf Altenkirch & Craig Wadsworth **8:45**
RJC Engineers
 - BREAK** **9:45**

5. Subcommittee reports:
 - 5.1 Education **10:00**
 - 5.2 Health & Safety
 - 5.3 Labour Relations
 - 5.4 Recruitment and Board Report

BREAK **10:30**
 6. Presentation II: Helping companies manage risk and strengthen relationships
Kim Ritchie, Amanda Gormley & Michel Guney **10:45**
ISNETWORLD
 7. New Business and Next Meeting – April 5, 2019 **11:45**
 8. Adjournment and Lunch (*All Welcome*) **12:00 PM**

2019 Council Meeting Dates: Apr 5, Jun 7, Sept 13, Oct 25, & Dec 13.

**Danny Chui, P. Eng., FEC. Executive Director, Tel: 647-376-6118
E-mail: dchui.ocuc@outlook.com**

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NEWS AND EVENTS

NORTH AMERICA'S BUILDING TRADES UNIONS THANK ROBERT BLAKELY FOR LIFETIME OF WORK

Mar 2, 2019

-ARLENE DUNN NAMED DIRECTOR OF CANADA'S BUILDING TRADES UNIONS-

March 1, 2019 – We are pleased to congratulate Robert (Bob) Blakely, Director of Canada's Building Trades Unions (CBTU), on his upcoming retirement. Since 2000, Robert has played a critical role in the growing influence of Canada's Building Trades Unions in shaping public policy and giving skilled trades workers across this country a strong voice. From project negotiations to advocating for pensions, benefits and training, Robert has tirelessly worked to build relationships amongst unions, contractors, end users, and elected officials alike.

With Robert at the helm, CBTU has greatly increased its impact on workers' rights including banning asbestos, expanding CBTU's workforce development programs to support women and underrepresented groups in the trades through the establishment of 'Build Together', and countless other accomplishments. Robert was a driving force behind the establishment of the Canadian Building Trades Monument in Major's Hill Park in Ottawa, Ontario. The Monument serves as a reminder of the significance and impact of the construction industry in Canada and a way to honour construction workers killed or injured on the job. Aside from the building trades family, Robert's accomplishments would not have been possible without the love and support of his family, Geraldine Rajotte and children Andrew Blakely, Nicola Dakers and Douglas Dakers.

"Bob is a personal friend and staunch supporter of skilled trades workers across Canada. Without his vision and tireless commitment working with the Canadian Executive Board as well as Provincial and local councils, the building trades would not be who they are today," said Sean McGarvey, President of North America's Building Trades Unions. "Bob has devoted his entire adult life to construction workers and all workers in Canada. His impact will be felt for generations to come and all workers, whether they were a friend or never knew his name, benefitted from his life's work. Bob will now assist in a smooth leadership transition because with every end comes a new beginning, and with Bob's support and guidance, I am very pleased to announce Arlene Dunn as the new Director of CBTU, effective March 4th."

Arlene Dunn has worked for over 25 years in the building trades, starting with the Labourers' International Union of North America.

<http://buildingtrades.ca/2019/03/02/north-americas-building-trades-unions-thank-robert-blakely-for-lifetime-of-work/>

Arlene in New Brunswick. Looking to broaden and diversify her labour relations perspective, she moved to the province of Newfoundland and Labrador to assume the role of Executive Director of the Hebron Project Employers' Association. Arlene later went on to serve as the Executive Director of the Newfoundland and Labrador Building and Construction Trades Council. For the past three years, Arlene has served as the Deputy Director of the CBTU, working with affiliates across the country to further issues important to the building trades.

"It is my pleasure to announce Arlene as the new Director of Canada's Building Trades Unions, making her the highest-ranking female in not only the unionized sector but in all of construction world-wide" said McGarvey. "Arlene will no doubt build on Bob's legacy to grow and strengthen CBTU and I look forward to her participation, guidance and counsel in all operations of North America's Building Trades Unions."

Arlene is a graduate of the University of New Brunswick and recently completed Women in Leadership studies at Cornell University. She diligently represents active and retired building trades members and works with CBTU affiliated unions to provide equal opportunity to under-represented groups and the next generation of apprentices who have an interest in the skilled trades. Arlene brings her passion for people and their quality of life to her work every day. In furtherance of her life's work, Arlene has worked to establish a fully comprehensive Substance Dependency Rehabilitation Program for the members of the Newfoundland and Labrador building trades, currently serves on North America's Building Trades Unions Opioid Task Force, and is working with Health Canada on a national initiative to raise awareness, reduce stigma and educate the public about the opioid epidemic.

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Media Contacts:

(US) Betsy Barrett (202) 756-4623 | bbarrett@nabtu.org (Canada) Kate Walsh (613) 298-0652 | kwalsh@buildingtrades.ca

North America's Building Trades Unions: North America's Building Trades Unions (NABTU) is an alliance of 14 national and international unions in the building and construction industry that collectively represent over 3 million skilled craft professionals in the United States and Canada. NABTU is dedicated to creating economic security and employment opportunities for construction workers in North America by safeguarding wage and benefits standards, promoting responsible private capital investments, investing in renowned apprenticeship and training, and creating pathways to the middle class for women, communities of color and military veterans in the construction industry.

Wayne Peterson

From: Warren Douglas <WDouglas@clrs.org>
Sent: February 25, 2019 4:46 PM
To: Alex Lolua (EPSCA); Bob Shepherd (NSCLRA); Clyde Scollan; Jason Campbell (Aecon); Marty Albright; Neil Lane (PLCAC); Neil Tidsbury; Peter Wightman; Stephen Beatteay; Terry French; Tony Fanelli; Wayne Hodgins; Wayne Peterson
Subject: Medical Cannabis Decision upheld
Attachments: Lower Churchill Medical Cannabis NFLDLB Supreme Court Decision.pdf

Good afternoon NCLRA members,

Some of you may be aware, but the "Valard" Case in Newfoundland & Labrador has recently been upheld on Judicial Review.

This is the case where it was found that the lack of reliable testing for impairment of THC was seen as support for the employer declining to employ a medical cannabis user...

Attached is the decision.

Cheers,

Warren Douglas

Executive Director
CLR Construction Labour Relations Association of Saskatchewan Inc.
P. O. Box 3205,
Suite 600, 4010 Pasqua Street
Regina, SK S4P 3H1
Phone: 306-352-7909



**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
GENERAL DIVISION**

Citation: *International Brotherhood of Electrical Workers, Local 1620 v. Lower Churchill Transmission Construction Employers' Association Inc.*, 2019 NLSC 48

Date: February 22 2019

Docket: 201801G4330

BETWEEN:

**INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS, LOCAL
1620**

APPLICANT

AND:

**LOWER CHURCHILL
TRANSMISSION CONSTRUCTION
EMPLOYERS' ASSOCIATION INC.
AND VALARD CONSTRUCTION LP**

RESPONDENT

Before: Justice Daniel M. Boone

On Judicial Review From: A Decision of a consensual arbitral tribunal (John F. Roil, Q.C., Sole Arbitrator) dated the 30th day of April, 2018.

Place of Hearing:

St. John's, Newfoundland and Labrador

Date of Hearing:

January 21, 2019

Construction Employers' Assn. Inc., 2016 NLTD(G) 192 and *Calgary (City) v. CUPE, Local 37 (Hanmore) Re*, 2015 CarswellAlta 1834, 261 L.A.C. (4th) 1).

[42] The Arbitrator considered the expert evidence adduced by both Union and Employer, as summarized earlier in this decision. He properly considered the issues before him on the basis of the evidence, which had been adduced in this case noting that the evidence may have been different in those cases cited where the outcomes were different. He concluded from the evidence that the use of marijuana can impair the ability of a worker to function safely in a safety-sensitive workplace, that this impairment can last up to 24 hours after use, that the impairing effects may not be known to the user, and that there was no available means or method for accurately testing impairment from cannabis use in the workplace.

[43] After having stated those conclusions from the evidence, the Arbitrator found, at paragraph 181:

181 The safety hazard that would be introduced into the workplace here by residual impairment arising from the Grievor's daily evening use of cannabis products could not be ameliorated by remedial or monitoring processes. Consequently, undue hardship, in terms of unacceptable increased safety risk, would result to the Employer if it put the Grievor to work. As previously stated, if the Employer cannot measure impairment, it cannot manage risk.

[44] I find that the Arbitrator accurately identified the issue before him in this case as a question of the Employer's duty to accommodate use of medical cannabis by a worker in a safety sensitive position. He found that the duty to accommodate did not extend to a requirement that the Employer accept a risk resulting from the possibility of impairment. He concluded that the evidence of possible impairment adduced by the Employer (and not contradicted by the Grievor's treating physician who conceded the possibility of residual impairment beyond the initial four hours from use) met its onus to demonstrate undue hardship which displaced its acknowledged duty to accommodate.

DMB

CECCO - I.C.I. STATUS OF NEGOTIATIONS 2019

As of: March 20, 2019

<< Please See Disclaimer At End >>

See Footnote

See Footnote

#1 at end

#2 at end

EBA	Initiated Prov.	Propoasl	Meeting	Concilation		Strike / Lockout		Memorandum of Agreement			Notes
	Discussions	Exchange	Dates	Status	Officer	Began	Ended	Signed	Monitary	Ratification	Clarifications
									Details	Date	
Boilermakers			Apr 8 - 10								
Bricklayer											
Carpenter			Mar 21 & 22								
			Mar 28 & 29								
Cement Masons			TBD								Will follow after labourer's meetings
Demolition		07-Feb	Apr 8-10	Appointed	E. Tontallato						
Electrical	Agreed to Protocol	20-Jan	11-Feb						Yr. 1: \$1.25, Yr. 2 \$1.40, Yr. 3: \$1.40	Feb 13/19	Kept in line with Economist inflation 6.2% over next 6 yrs. PNWA cap \$1.00 - 8 trades. Meaningful changes locally. No prov. language revisions
Elevator			Mar 7 & 8	Appointed	G. Loranger						
Glaziers			21-Mar								
Insulators			Meeting in Progress								
Ironworkers			27-Mar								
Labourers			Apr 11 & 12								
Mechanical		13-Feb	Feb 27 & 28								
Millwrights			21-Mar								
			01-Apr								

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Operating Engineers			04-Feb								Tough sledding
			Mar 18-19								
			Apr 1-3								
EBA	Initiated Prov.	Propoasl	Meeting	Conciliation		Strike / Lockout		Memorandum of Agreement			Notes
	Discussions	Exchange	Dates	Status	Officer	Began	Ended	Signed	Monitary	Ratification	Clarifications
									Details	Date	
Painters			TBD								Nothing set as yet
Plasterers											
Precast			Wk Mar. 25	Requested							
Refrigeration			03-Apr								
Roofers			Mar 21 & 22 Apr. 3 & 4	Appointed	E. Tontallato						
Rodman			Mar 25 & 26								
Sheet Metal			20-Mar	Appointed	E. Tontallato						
Sprinklers			Apr 22-26								
Steeplejack											
Teamsters			TBD								Will follow after Carpenters Settle
Terrazo & Tile			TBD								Preliminary discussions only

DISCLAIMER:

In compiling this update CECCO is entirely reliant on information provided by the trade representatives. CECCO endeavours to confirm the accuracy of the information but cannot guarantee the accuracy nor accept responsibility for any errors. If any information is pertinent to any trade negotiations, it is



suggested that the specific trade(s) be contacted directly to confirm the information.

FOOTNOTE #1

Questions arise from time to time about dates of Application for Conciliation and dates of Appointment of Conciliation Officers (and scheduled meeting dates). Further, Officers may schedule single or multiple meetings. We receive information in various forms and we try to be as specific as possible with dates. If you have any questions, about what the date means, it is best to clarify.

FOOTNOTE #2

Legal Strike/Lockout dates are determined by the release date of a formal "No Board Report" letter from Conciliation. The meeting date which led to the formal Report is not normally important. Also, the Legal Strike/Lockout Date is, as it suggests, the earliest date that a legal strike or lockout can occur but it does not mean that a strike/lockout must occur on that date. That is why there is a separate column for that information.

DISPATCH

Management's Voice for Unionized T.C.T. Construction

Message from the Executive Director

New Government Moving Too Quickly?

While reflecting on past negotiations, it appears this session has commenced at a turtle's pace with most trades not holding initial formal meetings until well past mid-February. I can foresee that it's going to be an extremely busy time as we move into late March and April.

Through our various group discussions, we have determined that managements' main concerns revolve around the new cannabis legislation and how employees report "fit for work," alleviating ongoing labour shortages by allowing personnel to move from one area of the province to another in a timely and economical fashion, and ensuring any wage increase will not cripple the unionized contractor's ability to secure work. I believe the labour hierarchy understands the need for fair and equitable contracts, but may need to be reminded of the aggressive approach being taken by the non-union and alternate sectors. We must all lobby for legislative change and work hand in glove for the advancement of the unionized contractor.

Reviewing the first six months of our new Ontario Government at the helm, I wonder if they are moving forward with legislation at too rapid a pace? We understand the need to repeal a number of items instituted by the past Liberal Government, but we question the implementation of other initiatives. For example, the recently introduced Bill 47 – *Making Ontario Open for Business Act, 2018*, repealed a number of sticking points from Bill 148 – *Fair Workplace, Better Jobs Act 2017*, namely the personal emergency leave (PEL) issue and the scheduling clauses that were to come into effect on January 1, 2019. However, the move to disband the Ontario College of Trades (OCoT) in the same Bill without full and formal consultation with the industry, or the provision of an industry-approved replacement, certainly raises the question of the government's competency with regards to understanding our industry's needs.

Then there is Bill 66 – *Restoring Ontario's Competitiveness Act, 2018*. Specifically, Schedule 9 of that Bill which is another questionable piece of legislation. We do not know the reasoning behind this legislation, but on

... continued on page 2

Let the Negotiations Begin...

Many Employer Bargaining Agencies are just getting started with their negotiation process. The following is an excerpt from the widely-acclaimed book *"Getting to Yes"* (1983), which offers some helpful suggestions to ensure negotiations proceed meaningfully.

The writers – Roger Fisher, William Ury and Bruce Patton – identified four fundamental principles of negotiation that will serve you well if you keep them in mind as you move forward:

- Be hard on the problem and soft on the person.
- Focus on needs, not positions.
- Be inventive about win-win options.
- Make clear agreements.

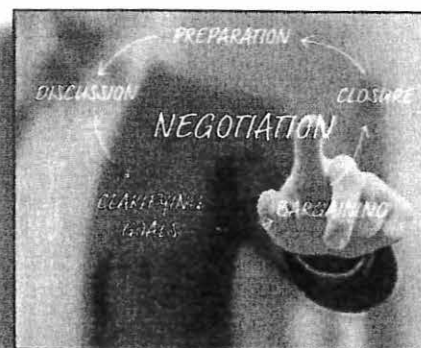
These basic principles have been further developed into a set of 12 skills by the Conflict Resolution Network. Where possible, prepare in advance and consider what your needs are, as well as the needs of the other party involved. Consider outcomes that would address more of what you both want, and commit yourself to a win/win approach even if the tactics used by the other person seem unfair. Be clear that your task will be to steer the negotiation in a positive direction. To do so, you may need to do some of the following:

REFRAME – Sometimes it's necessary to step back and reframe escalating conversations. Ask a question such as "If we succeed in resolving this problem, what difference would you notice?" This could potentially reframe the issue. Ensure complete understanding of the discussion at hand and if any party is unsure ask them what they if they grasp what is being said. If necessary, re-state a comment in a more positive fashion or as an "I" statement. If matters escalate, re-interpret an attack on the person as an attack on the issue.

RESPOND NOT REACT – It is essential that everyone involved in the negotiations manage their emotions and go above and beyond to let accusations, attacks and threats of ultimatums pass. By utilizing positive tactics, you make it possible for the other party to back down without feeling humiliated and change the circumstances which could justify a changed position on the issue.

REFOCUS ON THE ISSUE – Maintain the relationship and try to resolve the issue by determining what is fair for both parties. Summarize how far you've come, and review common ground and agreements achieved thus far. Focus on being partners resolving a problem, as opposed to opponents on different sides of the fence. Divide any issues into smaller parts and address the less difficult aspects when obstacles arise. Invite trading, and explore best and worst alternatives in order to negotiate an acceptable agreement between both of you.

IDENTIFY UNFAIR TACTICS – Name the behaviour as a tactic and address the motive for using the tactic. If unfair tactics come into play, change the physical circumstances. If necessary, take a break, change locations or seating arrangements, or go into smaller groups. If no resolution can be achieved, call for the meeting to end and resume at a later time in order to provide "an opportunity for reflection." If it is an option, perhaps meet privately.



... continued on page 2

Message from the Executive Director ... continued from page 1

the surface, it appears that it is the result of lobbying efforts by non-union and alternate union forces. The government appears to be enamored with the propaganda released by CARDUS, a relatively small, faith-based research group. Their propaganda advises that open bidding would save the government as much as 40 per cent of a project's cost. We know this is to be extremely inaccurate. The Provincial Government needs to slow down and do a proper investigation into cost differences, and take all aspects of a completed, well-performed project into account before enacting new legislation.

CECCO lobbied for the positive changes that came with Bill 47, and we will continue to lobby in order to have a say in the Ministry of Training, Colleges and University's structural governance and the replacement for the OCoT that will meet our needs. Additionally, we will lobby to have Schedule 9 removed from Bill 66 to ensure the health of the unionized sector is maintained.

— Wayne Peterson

CALENDAR OF EVENTS

April 4 – CECCO Council Meeting

April 4 – CECCO Annual Meeting

April 12 – Council Negotiation Status Meeting

April 26 – Council Negotiation Status Meeting

May 6 – Council Negotiation Status Meeting

May 14 to 16 – OCS Future Building 2019.
Ottawa, ON

For more information and /or meeting location, please contact CECCO at (905) 677-6200.

THE CONSTRUCTION EMPLOYERS COORDINATING COUNCIL OF ONTARIO

DISPATCH

The Construction Employers Coordinating Council of Ontario (CECCO) DISPATCH newsletter is published two times per year and spearheads the association's communication efforts. It is designed to ensure members are kept abreast of current CECCO undertakings, as well as relevant educational opportunities and industry news.

CECCO

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ATTRIBUTES FOR SUCCESSFUL NEGOTIATING – There are a number of attributes and competences that help us to influence positively and negotiate successfully. Here we have sought to group them in a number of key areas and phrases. As with many things in life, up-front planning can prove beneficial.

To review the 12 conflict resolution skills, please visit the Conflict Resolution Network.

CECCO MEMBER PROFILE

Geoff Kinney Jr. Cement Finishing Labour Relations Association

For the Kinney family, the concrete floor industry forms a solid foundation that runs in the blood. Following in the footsteps of his father, Geoff Kinney Sr., Geoff Jr. also started in the industry at a young age and moved through the ranks to his current role as Executive Director of the Concrete Floor Contractors Association of Canada and President of the Cement Finishing Labour Relations Association (CFLRA).

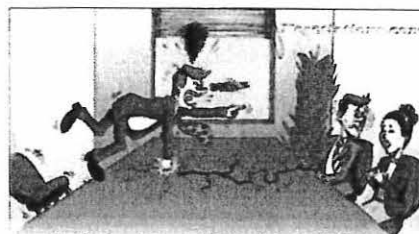
"My father contributed to the establishment of the original concrete floor association in 1971 and was a respected industry leader," Kinney said. "It was only natural for me to follow."

Kinney Jr. was introduced to the industry by his father in 1977 at the age of 16 when he started as a labourer performing concrete, waterproofing and epoxy work with the family-business, Duron Ontario. After taking some time to complete his Business Marketing degree at Ryerson University, Kinney found his way back to the industry in 1985. However, his return wasn't one of joyful reunion, but was instead brought on by the death of his father from cancer in 1985.

Kinney took the knowledge he gained from his father and applied it to carrying on the successful concrete business established by Duron, for the next 21 years. Starting out as junior estimator, he quickly advanced to manager and then to vice president. In addition to the time spent growing the business, Kinney branched out and started volunteering as a labour relations representative in 1992, and progressed into the role of director, chairman, and later, executive director of the Concrete Floor Contractors Association of Canada and President of the Cement Finishing Labour Relations Association (CFLRA).

"I took a pay cut and left my successful career at Duron at the end of 2006 to fix our trade industry," Kinney explained. "As volunteers, we attempted to advance our interests, but I quickly recognized that what was required was a sustained effort to organize and fix the problems moving forward."

Since that time, Kinney has worked diligently to build the industry and create more professionalism at all levels. With a motto of



"Don't worry, I've seen this negotiation tactic before"



"Safety, Quality and Integrity," the Concrete Floor Contractors Association (CFCA) has gone on to establish itself as an advocate for the concrete floor industry, nationally. In

particular, the CFCA has been a long-time contributor to the Canadian Standard CSA A23.1/2 "Concrete Materials and Methods of Concrete Construction," where the association established a concrete mix for floors, and an improved 120mm concrete slump workability to reduce injuries and improve productivity.

With his passion for the trade, Kinney has also made efforts to formalize the establishment of the Ontario College of Trades' Concrete Finisher Trade Board and harmonizing with the national Red-Seal "Concrete Finisher" program.

The CFLRA led the establishment of the Infrastructure Health & Safety Associations Concrete Floor Labour-Management Safety Committee where it has committed to raise the health and safety bar through industry-wide initiatives. In 2016, the CFLRA purchased and distributed 180 carbon monoxide monitors to 40 employers across Ontario to comply with the new Carbon Monoxide regulations. A Canadian first came in 2017, when the CFLRA distributed printed copies of the new IISA Concrete Finishers Health & Safety Manual to all of its concrete finishers. And last year, CFLRA distributed ear-muff hearing protection to comply with noise regulations too. The CFLRA is proudly taking action on safety to make a better future for its workers.

What does the future hold?

"There are always new and emerging challenges in front of us but, as an association, we are increasingly focused on the sustainability of our work activities and the impact on the environment," said Kinney, whose 24-year-old son Andrew has been working with him for the past three years. "It is really up to the next generation to carry forward these efforts to promote safety, quality, integrity & sustainability in our trade work."

January		February		March	
Date	Function	Date	Function	Date	Function
TBD	Trade Group 1	7	Council Negotiaion Status	4	Council Negotiaion Status
TBD	Trade Group 2 & 3	18	Family Day	15	CECCO Executive Committee
		28	Council Negotiaion Status		
		28	CECCO Executive Committee		
April		MAY		JUNE	
Date	Function	Date	Function	Date	Function
4	CECCO Council Meeting	3	Council Negotiaion Status	13	CECCO Council Meeting
4	CECCO Annual Meeting	20	Victoria Day		
4	Council Negotiaion Status	30	CECCO Executive Committee		
12	Council Negotiaion Status				
18	Council Negotiaion Status				
19	Good Friday				
26	Council Negotiaion Status				
JULY		AUGUST		SEPTEMBER	
Date	Function	Date	Function	Date	Function
1	Canada Day	5	Civic Holiday	2	Labour Day
		22	CECCO Executive Committee	5	Negotiation Post Mortum Session
				12	CECCO Council Meeting
OCTOBER		NOVEMBER		DECEMBER	
Date	Function	Date	Function	Date	Function
14	Thanksgiving	26	CECCO Executive Committee	10	CECCO Council Meeting
				25	Christmas Day
				26	Boxing Day

CECCO Council
CECCO Executive

Negotiation Related
STAT Holidays

2019 POST NEGOTIATION SYMPOSIUM

When: Suggested Thursday, September 5, 2019

Where: Mississauga Convention Centre

Time: 7:30 am – 12:30 pm

Agenda Considerations:

- Negotiations 2019 stumbling blocks
- Panel Discussion 1 mesh, 1 civil, 1 finishing
- ECAO Thoughts on mediation a regional level
- MOL's Take on this round of bargaining
- Moderated round table discussion on takeaways
- ?
- ?