

MEMBER BULLETIN

November 22, 2018

Bill 47 Receives Royal Assent, Dissolves College of Trades and Repeals Bill 148 Reforms

Updating the October 25, 2018 Bulletin, Bill 47, *Making Ontario Open for Business Act*, has received Royal Assent. The Bill officially dissolves the Ontario College of Trades (gradual wind down over six months), repeals the Bill 148 reforms that were impacting the construction industry, and makes a number of additional changes to the *Ontario Labour Relations Act* (OLRA) and *Employment Standards Act* (ESA).

Key Highlights of interest in the Bill include:

- Repeals the two paid “Personal Emergency Leave” days provided under Bill 148, but leaves in place the eight **unpaid** days of leave as follows: three days for personal illness, two for bereavement and three for family leave;
- Employers may now once again ask employees for a sick note;
- Keeps the provision for three weeks’ vacation for employees with five years of service with the same workplace
- Repeals the provision that extended card-based union certification to the temporary help agency industry (among other non-construction sectors) and returns to the secret ballot process;
- Dissolves the Ontario College of Trades, after a “wind-down” anticipated to take 6-9 months;
- Immediately reduces *all* journeyperson-to-apprenticeship ratios 1-to-1;
- Places an immediate moratorium on all trade classifications;
- Repeals section 6.1 of the OLRA, which previously allowed a trade union to obtain a list of employee names and contact information if the union obtains membership cards from 20% of affected employees;
- Reduces the maximum amount of a fine upon conviction for an offense under the OLRA from \$5000 to \$2000 for an individual and from \$100,000 to \$25,000 for corporations; and

- Repeals the averaging public holiday pay formula prescribed by Bill 148, returning it to the previous prorating public holiday pay formula.

Additional changes can be found on the Government of Ontario website at: <https://news.ontario.ca/mol/en/2018/10/open-for-business-removing-burdens-while-protecting-workers.html>

For the last seven years, OSWCA has been working with several construction Associations through the Ontario Skilled Trades Alliance – [@SkilledTradesON](#) – (OSTA) to challenge and limit the negative impact of the Ontario College of Trades (OCOT) on our construction sector. Our advocacy work on this file has finally paid off. There has been a lot of attention paid to this Bill in recent weeks, and OSWCA has been front and centre, advocating on behalf of the industry. Patrick McManus appeared before the government Standing Committee on Finance and Economic Affairs on November 15 to support passage of the Bill on behalf of the Ontario Skilled Trades Alliance.

Below are links to videos, articles, and promotional pieces detailing OSWCA activities on this file over the last month.

- Daily Commercial News Op-ed detailing why we support Bill 47: <https://canada.constructconnect.com/dcn/news/labour/2018/11/industry-perspectives-op-ed-fixing-ontarios-skilled-trades-system>
- Our support being recognized by Minister Fullerton in the Legislature: <https://twitter.com/lparkpc/status/1058447576838459392?s=12>
- Appearing on Ontario News Now: <https://twitter.com/PaulCalandra/status/1055977557454016512>
- Promotional item being used by the government to promote Bill 47: <https://twitter.com/SkellyHamilton/status/1055549964670111745?s=09>

If you have any questions about the *Make Ontario Open for Business Act* or any other government policy work presently being undertaken by the OSWCA, please contact Patrick McManus (905-629-7766 ext. 222 or patrick.mcmanus@oswca.org).