



Statement from the Carpenters' District Council of Ontario regarding Bill 31

April 13 – TORONTO, ON – Today, the Carpenters' District Council of Ontario (CDC) is setting out the facts on Bill 31, which addresses formwork in the Industrial, Commercial and Institutional (ICI) Sector in Ontario.

"Though we did not get everything we wanted in this legislation, these balanced changes will ensure the provincial bargaining regime and stable relations in the ICI sector of the construction industry are preserved and protected to the greatest extent possible," said Tony Iannuzzi, Executive Secretary Treasurer of the Carpenters District Council of Ontario.

In 2016, following calls from contractors and unions to review the formwork exemption in the ICI construction sector, the government appointed expert labour mediator Kevin Burkett to investigate and make recommendations. Mr. Burkett's appointment was agreed to by all parties and all parties participated in the review.

Mr. Burkett's final report noted: *"The mandated system of single trade province wide collective agreements in the ICI sector of the construction industry (which recognizes the affinity of trades employees for their craft union) serves an important public policy objective – stable labour relations in the ICI sector of the construction industry – and should be preserved and protected to the greatest extent possible."*

The Minister of Labour then appointed Michael Mitchell – an expert agreed upon by both parties - to advise him on implementing the Burkett recommendations. That led to the specific legislation currently before the Ontario Legislature.

"There were two separate experts who undertook reviews to advise the government on how to move forward," said Mr Iannuzzi. "It's disappointing to see certain unions who disagree with Bill 31, engaging in bullying and fear mongering in an attempt to maintain their unfair advantages."

"A union's role is to fight for the best working conditions and wages possible, Mr. Iannuzzi added. "We will continue to advocate for positive changes and fairness for workers in Ontario, no matter where their union affiliations lie."

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About the Carpenters' District Council of Ontario (CDC)

The Carpenters' District Council of Ontario ("CDC") is composed of 16 affiliated Local Unions of the United Brotherhood of Carpenters and Joiners across the province. In total, we represent over 26,000 women and men working in a wide range of skilled trades, including carpentry, drywall, resilient flooring, concrete formwork, underwater construction, welding, scaffolding, and a long list of other construction-related work.



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Backgrounder

What does Bill 31 say?

Bill 31 follows Mr. Mitchell's recommendations and provides the Minister with the legal authority and flexibility to put the Burkett Report recommendations into place. The Bill does this in two ways:

1. It allows the Carpenters to obtain bargaining rights, and to represent, all employee concrete-forming ICI bargaining units in southwestern Ontario, mirroring the bargaining rights of LIUNA in that area, and;
2. It also allows the Minister flexible discretion to protect the Provincial ICI Bargaining System in the GTA, without disturbing the status quo in other parts of the province.

Does Bill 31 Deny Access to Collective Bargaining?

The simple answer is no. Under this Bill, members of LIUNA will have exactly the same rights as all other construction workers in the province of Ontario. Specifically, at the request of the government, Mr. Mitchell, proposed draft language to make sure that **every** single worker's charter right to collective bargaining was protected as required by the Supreme Court of Canada.

Does this open the floodgates and expand the Carpenters' scope of work?

Bill 31 does not create any bargaining rights for the Carpenters. Further, this Bill does not require any worker to join the Carpenters Union. Bill 31 offers a minor correction to make labour relations fairer in the ICI sector in Ontario. Bill 31 makes absolutely no changes to existing collective bargaining in the residential sector.

Isn't this expanding the Minister's power to make decisions that are best made by the Ontario Labour Relations Board?

The power to issue ICI designations and exemptions from those designations has always rested with the Minister of Labour under the *Labour Relations Act, 1995*. Conversely, the Ontario Labour Relations Board has never had such powers.

Is one group gaining an advantage here?

The Burkett Report represents a middle-ground between the positions of the Carpenters and LIUNA. Neither side got everything it wanted.