

Results-based Plan Briefing Book 2010-11

Ministry of Labour

ISSN #1718-6811

Ce document est disponible en français

TABLE OF CONTENTS

PART I: PUBLISHED RESULTS-BASED PLAN 2010-11	6
MINISTRY OVERVIEW	6
Organizational Chart 2010-11	19
Legislation	20
Agencies, Boards and Commissions	21
MINISTRY FINANCIAL INFORMATION	22
Table 1: Ministry Planned Expenditures 2010-11	22
Table 2: Operating and Capital Summary by Vote	24
APPENDIX ANNUAL REPORT 2009-10	26
Table 1: Ministry Interim Actual Expenditures 2009-10	32

Part I: Results-based Plan 2010-11

Ministry of Labour

ISSN #1718-6811

Ce document est disponible en français

PART I: Published Results-based Plan 2010-11

MINISTRY OVERVIEW

Ministry Vision

Safe, fair and healthy workplaces that create productive relationships between employers and employees and a competitive economy that generates widespread benefits for all Ontarians.

Ministry Mission

The Ministry of Labour is committed to the advancement of safe, fair, healthy and productive relationships in the workplace and the broader community. The ministry values the contributions and dedication of its employees in fulfilling its mission and strives to lead by example, ensuring a safe, fair, healthy and productive working environment for all ministry staff.

Ministry Contribution to Key Priorities and Results

The Ministry of Labour supports three of the government's key priorities:

- A More Prosperous Ontario
- A Healthier Ontario, and,
- Poverty Reduction

The ministry contributes to these priorities by providing efficient public services through its three main areas of responsibility:

- Occupational Health and Safety
- Employment Rights and Responsibilities
- Labour Relations

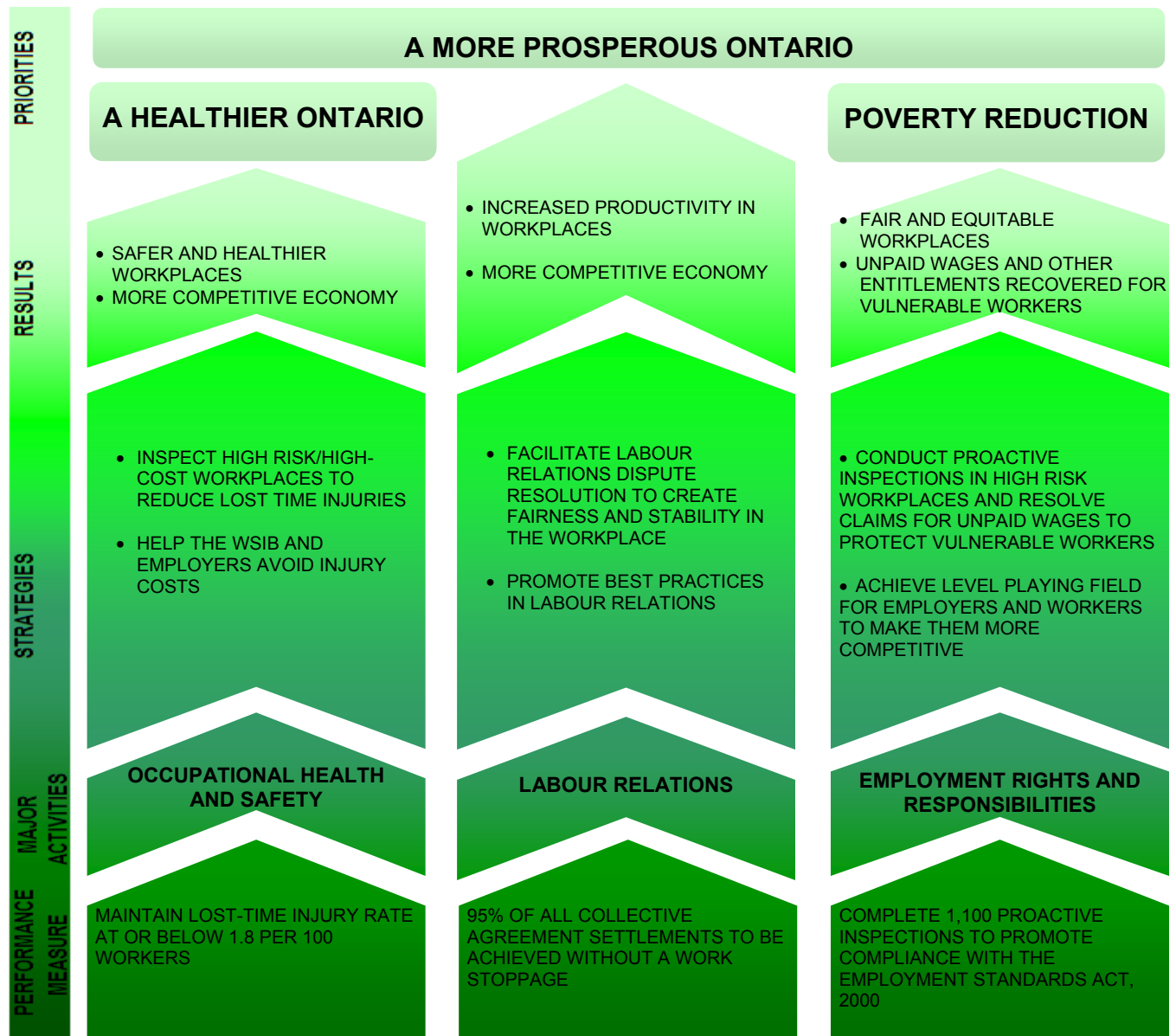
The **Occupational Health and Safety Program** supports a competitive Ontario economy by making it more attractive to jobs and investment as a result of higher productivity and lower employer costs resulting from fewer workplace injuries. Through its efforts to reduce illness and injury in Ontario workplaces, with other partners such as the Workplace Safety and Insurance Board and Health and Safety Associations, this program also contributes to a healthier Ontario.

The **Employment Rights and Responsibilities Program** supports fair workplaces, which promotes higher productivity and creates a level playing field for employers, thus reinforcing a competitive business environment that will attract jobs and investment to Ontario. The program and the work of the Pay Equity Office also support the Poverty

Reduction Strategy by helping to protect the province's most vulnerable workers.

The **Labour Relations Program** facilitates effective labour relations dispute resolution, thereby supporting fair and stable workplaces and increasing productivity, making Ontario an attractive place for investors.

The following diagram shows how the Ministry of Labour's key strategies support three of the government's key priorities.



MINISTRY ACTIVITIES

Occupational Health and Safety

Prevent Workplace Illness and Injury

The key goal of the Occupational Health and Safety (OHS) program is to protect the health and safety of workers by preventing workplace illness and injury. The program does this by setting, communicating and enforcing standards set out in the *Occupational Health and Safety Act (OHSA)* and related regulations. The Ministry works closely with its workplace health and safety system partners to improve occupational health and safety across the province.

The Act establishes procedures for dealing with workplace hazards to minimize the risk of injuries on the job, and provides for enforcement of the law where compliance has not been achieved voluntarily. The Ministry of Labour has exclusive authority for enforcement of the *OHSA*. Ministry of Labour health and safety inspectors have broad powers to inspect any workplace, investigate any potential hazardous situation and work refusal, order compliance with the Act and related regulations, and can recommend prosecution to the ministry's Legal Services Branch.

The workplace internal responsibility system is the foundation of Ontario's approach to occupational health and safety, and workers and employers share this responsibility. This means that employers and workers who are closest to and most familiar with workplace conditions and requirements are responsible for identifying and controlling hazards in their workplaces and preventing injury and illness. Preventing illness and injury supports the government's goal of a healthier Ontario as well as creating a work environment that is productive and competitive, thereby contributing to a more prosperous Ontario.

Safe At Work Ontario

In June of 2008, the ministry launched its enforcement strategy ***Safe At Work Ontario***. The ministry is currently in year two of the strategy which emphasizes both the safety of Ontario workers and the increased productivity that safe workplaces bring to Ontario's economy. The strategy's foundation is based on the three pillars - enforcement, compliance and partnership. The first pillar involves enforcement of the Ontario's *Occupational Health and Safety Act* using proactive inspections as the main tool. The second pillar is focused on compliance and the provision of information to assist workplaces to become compliant. The third pillar is partnership where the ministry works closely with stakeholders in development of annual sector-specific enforcement strategies.

The goal of the strategy is to enforce the *Occupational Health and Safety Act*, while educating workers about the importance of workplace health and safety and lessening the burden of workplace injuries and illnesses on Ontario's health care system. The ministry's health and safety inspectors work proactively with employers to develop a stronger health

and safety culture that protects workers from hazards in the workplace and prevents injuries.

Safe At Work Ontario allows ministry health and safety inspectors to be flexible and strategic in determining which businesses require their attention. Selection is based on a number of factors, such as:

- Injury rates and associated costs
- A company's health and safety compliance history
- The presence of new, young or otherwise vulnerable workers
- Hazards inherent to the business or workplace

Another key component of **Safe At Work Ontario** is the implementation of enhanced enforcement activity (Safety Blitzes) to create awareness of hazards including fall hazards, electrical safety in construction and in mines, chemical hazards, concrete formwork, handling of hazardous materials, young and new workers safety, forklifts and lifting devices in industrial workplaces, etc.

The program is also involved in initiatives dealing with the underground economy, improved awareness around musculoskeletal injuries resulting from improper attention (Pains and Strains campaign), education of young workers, compliance with occupational exposure limits of hazardous substances, and the prevention of workplace violence, among others.

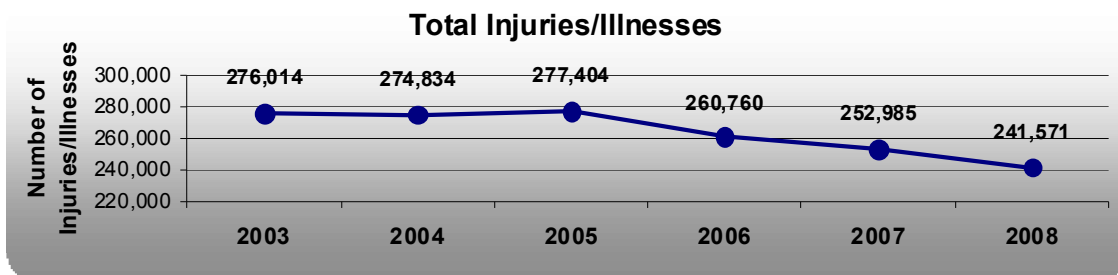
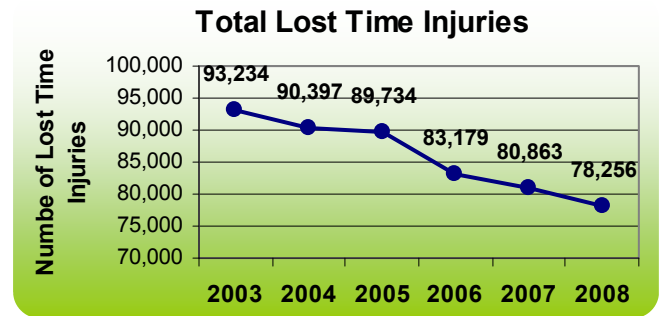
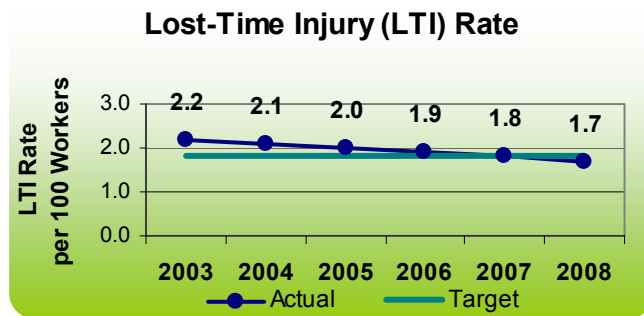
On January 1, 2010, updates to the regulation for Construction Projects came into effect, including a number of changes affecting guardrail systems, marine safety equipment, use of stilts, etc. to strengthen worker and public protection from accidents.

Beginning on July 1, 2010, new or revised occupational exposure limits for 36 hazardous substances, which were the subject of consultations in 2008 and 2009, will become effective. Also, beginning on July 1, 2010, the use of safety engineered needles will become mandatory in doctors' and dentists' offices, community health centres, family health teams, independent health facilities, home care services, and public health programs.

To support the partnership pillar of **Safe At Work Ontario**, the Ministry of Labour continues to build on its strong partnerships within Ontario's occupational health and safety system partners, including the Workplace Safety and Insurance Board (WSIB), Health and Safety Associations (HSAs), and the Institute for Work & Health (IWH). Ontario's **health and safety associations** are funded by the WSIB and provide training programs, products and services to the province's employers and workers. Firms with poor health and safety records may be identified for inspection by the Ministry of Labour and engaged by an HSA for health and safety education and training.

Through its efforts and those of its partners, the Ministry of Labour has helped reduce the Lost-Time Injury (LTI) rate in Ontario to 1.7 per 100 workers, (from a rate of 2.2 in 2003).

Total injuries (lost-time and non lost-time) have also been reduced substantially during this period. Further information on Ministry of Labour initiatives to protect workers can be obtained from the ministry's web site.



Prevention of Workplace Violence (Bill 168)

In December 2009, the *Occupational Health and Safety Act* was amended by Bill 168, which was proposed by the Ministry of Labour, to protect workers from workplace violence and to address workplace violence and harassment in Ontario. The new amendments will come into effect on June 15, 2010 and will add definitions of workplace violence and harassment to the Act, require employers to develop policies and programs to help prevent workplace violence, address workplace harassment and assess the risk of workplace violence. A new provision specifies an employer's duty to take reasonable precautions to protect workers at risk of physical injury from domestic violence that the employer is, or ought to be, aware may occur in the workplace. Workers will be allowed to refuse work if they believe that they are at risk of physical injury due to workplace violence. These amendments will apply to all workplaces to which the *Occupational Health and Safety Act* currently applies.

Open For Business

The Ministry of Labour continues to work to improve service delivery not only in its Occupational Health and Safety program but across the ministry as a whole. As part of the government's Open For Business initiative, the ministry is participating in the Single Business Number implementation that will have a connection with the Ontario Business Directory, enabling a Business Number to be assigned to Ministry of Labour clients through

the Canada Revenue Agency (CRA). Once implemented, every business will have a Single Business Number that will be recognized by federal and provincial partners, resulting in faster, smarter, streamlined government-to-business services and a modern regulatory system that delivers results for Ontario's businesses while protecting the public. The Open for Business initiative will transform how service delivery is conducted across every ministry and organization that interacts with business.

Expert Advisory Panel on Occupational Health and Safety

An Expert Advisory Panel, under the direction of Tony Dean, was established in the spring of 2010 to conduct a comprehensive review of the province's occupational health and safety system. The panel will research best practices that improve workplace safety in national and international jurisdictions and look at a range of issues including:

- Safety practices in a workplace and entry-level safety training
- Impact of the underground economy on health and safety practices
- Legislation and how it serves worker safety.

The Expert Advisory Panel will report back to the Minister of Labour in Fall 2010 with recommendations and options for operational, policy and structural improvements for consideration.

Employment Rights and Responsibilities

Protect Vulnerable Workers and Support Poverty Reduction

The key goal of the ministry's Employment Rights and Responsibilities program is to continue to improve the protection of vulnerable workers by ensuring Ontario employees are protected by minimum standards of employment covering wages and some working conditions.

The program works to improve fairness in the workplace through the administration of the *Employment Standards Act, 2000 (ESA)* and its regulations, and the *Employment Protection for Foreign Nationals Act, (Live-in Caregivers and Others), 2009*. The program promotes compliance through activities focusing on prevention (education, outreach and partnerships), inspections, investigations and enforcement, encouraging self-reliance through prevention efforts.

Specific services include the provision of information to employers and workers through various sources that explain respective rights and responsibilities under the Act. Much of this information is available in 23 languages. Program services are delivered through regional/field offices, with enforcement staff who investigate and try to resolve employment standards complaints against employers who have not complied with their obligations under the Act. Field staff also conduct inspections of payroll records and workplace practices to enforce and promote compliance.

There are more than 350,000 employers in Ontario who are regulated by the *ESA*. The challenge for the Employment Standards Program is to provide employers and workers with the flexibility they need to develop fair and productive workplaces in an increasingly competitive environment, while maintaining an underlying set of minimum standards. At the same time, the program must focus enforcement activity where it is needed most to ensure the most vulnerable workers are protected.

In delivering its mandate, the Employment Standards program supports Ontario's Poverty Reduction Strategy, which is focused on low-income families, children and youth. The overall goal of the Poverty Reduction Strategy is to break the cycle of poverty through housing support, fair wages and working conditions, community empowerment and improving the success of children in school. The Poverty Reduction Strategy includes indicators to measure progress and sets a target of reducing the number of children living in poverty by 25 per cent over the next 5 years.

The Employment Standards program is engaged in the following initiatives to support vulnerable workers and the government's Poverty Reduction Strategy.

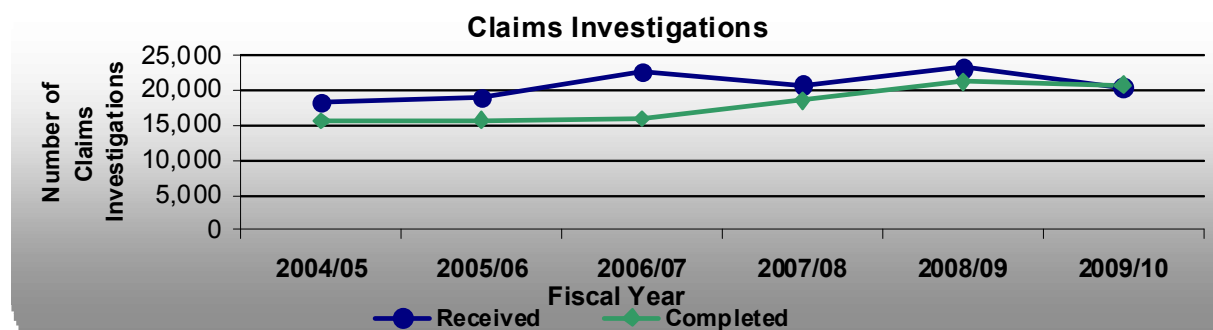
Claims Management

Under the *ESA*, employees who have not been paid wages or provided with other entitlements owed to them by their employer can file a claim with the Ministry of Labour against their employer. Employment Standards program staff investigate these claims to determine if monies are owed. Where an Employment Standards Officer determines that there has been a violation and monies are owing, an order to pay may be issued to the employer when voluntarily payment has not been made.

Since 2003-04, the number of claims filed with the Ministry of Labour against employers has increased by 44%. Much of this increase can be attributed to the program's enhanced outreach activities to improve awareness of employee and employer rights and responsibilities and the introduction of online internet filing of claims. Since March 2006 the public has been able to file employment standards claims online 24/7, as well as at 70 locations throughout the province.

The increase in claims during this period has resulted in a large number of claims being carried over into the following year(s), i.e., not being resolved within the year it was received. With improvements to claims processing, the program is now able to resolve more claims each year enabling the program to keep pace with the new claims. A number of important changes have been made to the program in recent years to manage the increased caseload, including the centralization of all claims intake within the Provincial Claims Centre in Sault Sainte Marie which triages the claims to available staff across the province, and the development of a new automated system to improve claims management. However, the challenge of permanently eliminating the backlog and

improving service delivery requires a concerted effort and investment and as such, a multi-year plan to modernise the program is being launched in 2010-11.



Employment Standards Modernization

To modernize Employment Standards, a Task Force is being set up in tandem with the Employment Standards Program to eliminate the accumulated backlog of claims within 2 years and to introduce improvements to the program which will expedite the resolution of claims for Ontario's vulnerable workers.

The Task Force will undertake changes that will include expedited processes to resolve claims. Parties will be encouraged to enter into voluntary settlements to resolve their disputes. Unresolved claims will be decided through a review of written submissions, if appropriate, or at a facilitated settlement/decision-making meeting. At the same time, program changes will be introduced to modernize the program's intake and investigation/decision-making processes to aid in early claims resolution, improved service delivery, shorter wait times, clearer rules and procedures and prevent the recurrence of a backlog.

In the longer term, best practices identified by the Task Force, through process changes and ongoing policy and program design, will allow the program to shift some resources from claims resolution to focus primarily on workplace inspections, education and outreach, as well as building awareness of the responsibilities of workplace parties. This will assist the ministry to achieve its compliance goals.

This new business model will include improvements that support the government's Open for Business initiative. Employers and workers will both benefit from faster, more streamlined government-to-business services with expedited claims resolution and a focus on resources to assist employers in better understanding and complying with the legislation without costly proceedings. It will also create a level playing field for businesses in Ontario as non-compliant employers will no longer be able to delay or avoid their responsibilities under the *ESA* due to the lengthy time it historically has taken to address an employee's claim.

Proactive Inspections

Proactive inspections are an important part of the Ministry's efforts to enforce compliance of the *ESA*. In 2009-10, the ministry completed more than 2,245 proactive inspections. These proactive inspections will continue with a more focused approach to ensure compliance with legislation regarding the temporary help agencies and protection for foreign national workers during the implementation of the Employment Standards Modernization strategy, as the program focuses most of its resources on claims management. Once the backlog has been eliminated, resources will be redirected to conduct more proactive inspections. The ministry's long term plan is to improve employer education and awareness, and through greater compliance, reduce the number of claims.

Education, Outreach and Partnership

The Employment Standards program has developed a new education, outreach and partnership campaign for employers across different sectors. The program is also developing supports and services for employers and employees to be more self-reliant in resolving employer-employee issues as they arise. Some of these supports include web-based tools to calculate entitlements to various wages (e.g. severance and termination, holiday pay, etc.)

The Employment Standards Call Centre is available to respond to general queries from employees and employers regarding their rights and responsibilities under the *Employment Standards Act, 2000* and the *Employment Protection for Foreign Nationals Act (Live-in Caregivers and Others), 2009*. The Centre receives from 30,000 to 35,000 calls per month.

Temporary Help Agency Employees and Foreign National Workers

As part of the government's strategy to reduce poverty and enhance fairness for lower income employees, the Minister of Labour introduced a bill to amend the *Employment Standards Act, 2000 (ESA)* and a stand alone piece of legislation.

- Bill 139, the *Employment Standards Amendment Act (Temporary Help Agencies), 2009*, aims to protect employees of temporary help agencies. The legislation came into force November 6, 2009 and aims to ensure that these employees are not unfairly prevented from accessing permanent jobs when employers wish to hire them from agencies. The Act requires that employees have proper information about their assignments, as well as their rights under the *ESA*; and, prohibits temporary help agencies from charging fees to employees. The legislation also creates industry-specific rules regarding notice of termination (or payment in lieu) and severance pay.
- Bill 210, the *Employment Protection for Foreign Nationals Act (Live-in Caregivers and Others), 2009*, aims to protect foreign live-in caregivers. This legislation came into force March 22, 2010 and prohibits recruiters from charging fees to foreign live-

in caregivers; prohibits employers from recovering recruitment or other placement costs they may have incurred in the hiring of foreign live-in caregivers; gives employment standards officers the ability to enforce the legislation; and, prohibits reprisals against foreign live-in caregivers.

Minimum Wage

Part of the ministry's commitment to protect the province's most vulnerable workers is to raise the living standard for the lowest paid employees. The minimum wage has been increased every year since 2004. Most recently, the minimum wage was increased to \$10.25 per hour on March 31, 2010. This is the seventh increase since 2004 and represents a 50% overall increase.

Labour Relations

The ministry's objective in the area of labour relations is to foster, support and maintain a balanced and stable labour relations environment throughout the Province. Activities in this program involve developing and implementing policies, strategies and services that promote fair, balanced and productive labour relations in Ontario workplaces. The key activity is the effective delivery of neutral dispute resolution and education services to the unionized sectors of the province.

Stable labour relations are critical to the economy as well as to the government's ability to deliver results in its key priorities of health care, education and other public services.

Dispute Resolution

Dispute Resolution Services focuses on the settlement of workplace disputes under various employment-related statutes, assists in the settlement of collective agreements, and collects and analyzes collective bargaining information to report on trends in labour relations.

In promoting a stable and constructive labour relations climate, the program helps to foster productive workplace relationships throughout Ontario by making neutral information available to bargaining parties and providing assistance with collective bargaining negotiations that have reached an impasse.

It is expected that 2010-11 will be another challenging year for collective bargaining in Ontario with more than 4,000 collective agreements expiring, mostly concentrated in construction, healthcare, social services, and municipal administration, including the Toronto Transit Commission and various utilities. The construction industry may account for more than half of all collective bargaining in 2010-11.

Bargaining during difficult economic periods is an added challenge to parties in trying to achieve a settlement of their collective agreement. Despite these challenges the program continues to support a 95% or better collective bargaining settlement rate without a work stoppage. The Dispute Resolution Services (DRS) program will continue to provide expert labour relations advice and neutral collective bargaining dispute resolution services to facilitate settlements without a work disruption.

Interactive Solutions

DRS's Interactive Solutions program is an initiative that assists participants in improving their relationship with their counterparts through relationship building programs, joint training and facilitation. Training in interest-based approaches builds problem-solving skills, not only for collective bargaining purposes, but also for the day-to-day administration of collective agreements.

Dispute Resolution Services is promoting best practices in labour relations by extending the Interactive Solutions Program in two ways:

- (1) expanding DRS's Annual Collective Bargaining Conference by adding a second day for an interactive workshop on best practices in collective bargaining; and
- (2) re-introducing a Grievance Mediation Service using a service cost recovery model.

In 2009-10 DRS facilitated 12 interactive solutions programs, including relationship building and customized problem-solving programs, and held its 2009 Annual Collective Bargaining Conference with more than 200 labour relations practitioners in attendance.

Several regional workshops have been introduced as a result of growing interest in labour relations dispute resolution, including Ottawa, London, Sudbury, Toronto and the Niagara region. DRS has also begun receiving requests for Grievance Arbitration assistance which is being offered on a cost recovery basis.

Construction Industry

The Minister's newly-created Construction Industry Joint Advisory Panel will have its inaugural meeting in the first quarter of 2010. The Panel's purpose will be to bring together senior union and management officials and have them identify and explore emerging issues that are in need of attention. The Panel will attempt to find consensus solutions that contribute to the stability and prosperity of the construction industry in Ontario. This is particularly timely as it coincides with the latter half of construction industry bargaining, maintaining stability in this key sector of the economy, especially given the number of infrastructure initiatives across the province.

Ministry Agencies

The ministry remains committed to supporting the government's priority of a More Prosperous Ontario by contributing to a more competitive economy through its Occupational Health and Safety, Employment Rights and Responsibilities, and Labour Relations programs. The work of the ministry is supported by the following agencies:

Occupational Health and Safety:

Office of the Worker Adviser - The Office of the Worker Adviser (OWA) provides advisory, representation and educational services to non-unionized injured workers and survivors, and represents them before the Workplace Safety and Insurance Board and the Workplace Safety and Insurance Appeals Tribunal.

Office of the Employer Adviser - The Office of the Employer Adviser (OEA) provides advisory and educational services to all Ontario employers and representation services primarily to smaller employers, with fewer than 100 employees, with regard to workplace safety insurance matters before the Workplace Safety and Insurance Board and the Workplace Safety and Insurance Appeals Tribunal.

Employment Rights and Responsibilities:

The Pay Equity Commission is comprised of the Pay Equity Office and the Pay Equity Hearings Tribunal.

Pay Equity Office - The Pay Equity Office (PEO) administers and enforces Ontario's *Pay Equity Act*, which is intended to eliminate systemic gender discrimination in the compensation of work primarily performed by women. To carry out this mandate, the PEO provides education and advice to employers, employees and bargaining agents in the public and private sectors in achieving and maintaining pay equity in their workplaces. The PEO also investigates complaints, monitors workplaces for compliance, attempts to effect settlements of pay equity issues between the parties and issues Orders for compliance where necessary.

The Pay Equity Office (PEO) also supports the government's Poverty Reduction Strategy by helping to improve women's economic well-being which contributes to reducing poverty affecting children and seniors.

Pay Equity Hearings Tribunal - The Pay Equity Hearings Tribunal (PEHT), a quasi-judicial tri-partite administrative tribunal, is responsible for adjudicating disputes arising under the *Pay Equity Act*.

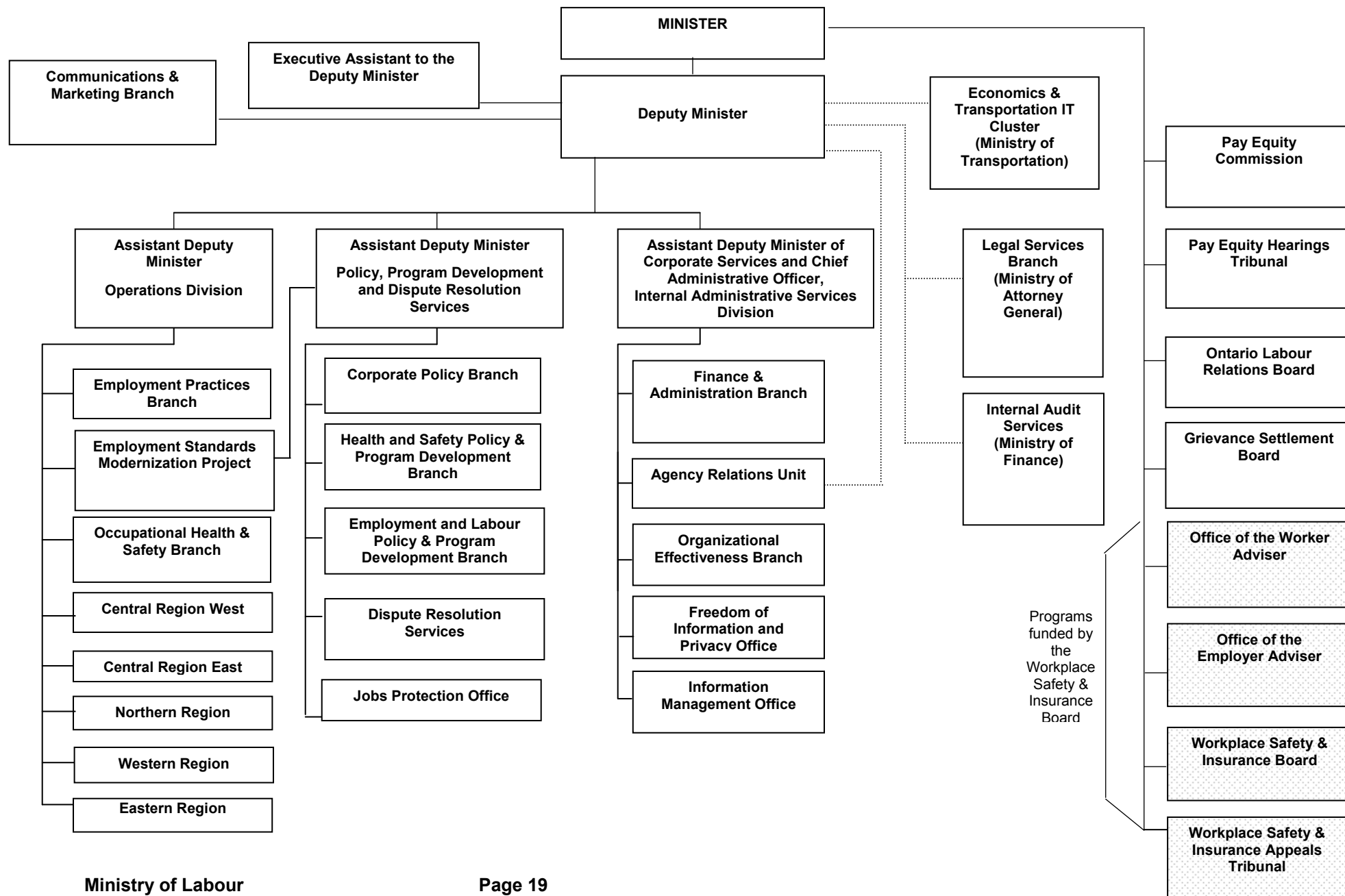
Labour Relations:

Ontario Labour Relations Board - The Ontario Labour Relations Board (OLRB) is an independent, quasi-judicial tribunal which mediates and adjudicates a variety of employment and labour relations-related matters under various Ontario statutes, including appeals of decisions of employment standards officers and occupational health and safety inspectors.

Crown Employees Grievance Settlement Board - The Crown Employees Grievance Settlement Board (GSB) is an independent quasi-judicial tribunal that mediates and adjudicates labour relations rights disputes of Ontario Crown Employees. The GSB also provides financial and administrative services to the Public Service Grievance Board, an agency of the Ministry of Government Services.

Two other agencies, the Workplace Safety and Insurance Board (WSIB) and the Workplace Safety and Insurance Appeals Tribunal (WSIAT), report to the Minister of Labour but are not included in the ministry's Expenditure Estimates.

MINISTRY OF LABOUR– ORGANIZATIONAL CHART 2010-11



ACTS ADMINISTERED BY THE MINISTRY OF LABOUR: 2010-11

Ambulance Services Collective Bargaining Act, 2001

Crown Employees Collective Bargaining Act, 1993

Employment Standards Act, 2000

Employment Protection for Foreign Nationals Act (Live-in Caregivers and Others), 2009

Hospital Labour Disputes Arbitration Act

Labour Relations Act, 1995

Ministry of Labour Act

Occupational Health and Safety Act

Pay Equity Act

Public Sector Dispute Resolution Act, 1997

Public Sector Labour Relations Transition Act, 1997

Regulatory Modernization Act, 2007

Rights of Labour Act

SARS Assistance and Recovery Strategy Act, 2003, Part I (SARS Emergency Leave)

Workplace Safety and Insurance Act, 1997

THE MINISTRY OF LABOUR ALSO HAS ADMINISTRATIVE RESPONSIBILITIES UNDER THE FOLLOWING ACTS:

Colleges Collective Bargaining Act, 2008

Fire Protection and Prevention Act, 1997, Part IX (Firefighters: Employment and Labour Relations)

SUMMARY OF EXPENDITURES: AGENCIES, BOARDS AND COMMISSIONS

<u>VOTE/ITEM</u>		2009-10 INTERIM ACTUAL REVENUE	2009-10 INTERIM ACTUAL EXPENDITURE	2010-11 ESTIMATES
1602-1	Pay Equity Office	0	3,180,700	3,568,000
1602-2	Pay Equity Hearings Tribunal	0	567,800	779,100
1603-1	Ontario Labour Relations Board	410,000	12,479,200	12,964,100
1603-2	Grievance Settlement Board (see note 1)	1,297,800	2,579,300	2,756,100
1604-3	Office of the Worker Adviser (see note 2)	0	11,104,200	11,083,900
1604-4	Office of the Employer Adviser (see note 2)	0	3,259,300	3,720,700

Notes: 1 All costs of the Grievance Settlement Board are fully recovered from government ministries as expenditure recoveries and from crown employers and trade unions as revenue:

	2009-10	2010-11
Recoveries - Government Ministries	1,281,500	1,271,100
Revenue - Crown Employers and Unions	1,297,800	1,485,000
Total Recoverable	2,579,300	2,756,100

2 The amounts shown are gross amounts and are fully recoverable from the Workplace Safety and Insurance Board.

The Workplace Safety and Insurance Board and the Workplace Safety and Insurance Appeals Tribunal report to the Minister of Labour but are not included in the ministry's Expenditure Estimates

MINISTRY FINANCIAL INFORMATION

Table 1: Ministry Planned Expenditures 2010-11 (\$M)

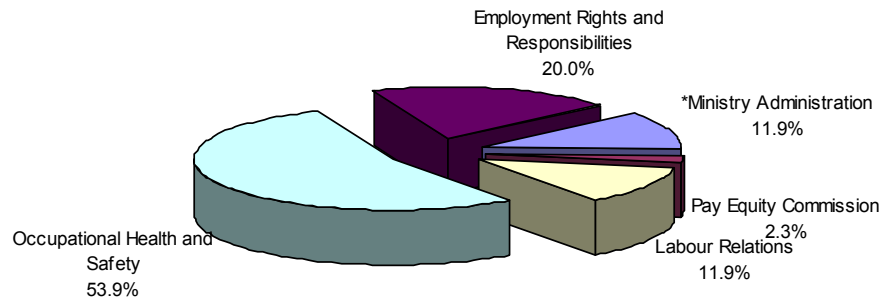
	Ministry Planned Expenditures (\$M) 2010-11
Operating Expense	\$191.9
Capital Expense	\$0.2

Ministry Planned Expenditures by Program Name 2010-11

Program Name	Ministry Planned Expenditures (Operating Expense) (\$M)
Ministry Administration Program	\$22.9
Pay Equity Commission Program	\$4.3
Labour Relations Program	\$22.9
Occupational Health and Safety Program	\$103.3
Employment Rights and Responsibilities Program	\$38.5

Note: All Planned Expenditures include adjustments/consolidations as per Ministry of Finance direction

MINISTRY ALLOCATION OF 2010-11 BASE SPENDING (\$192.2M)



* Includes Main Office 21.6%; Financial and Administrative Services 13.1%; Organizational Effectiveness 6.0%; Communications Services 13.6%; Legal Services 35.7%; Audit Services 1.1%; and Information Systems 8.9%

MINISTRY OF LABOUR
Table 2: Operating and Capital Summary by Vote

The Ministry's key activities are: Occupational Health and Safety, Employment Rights and Responsibilities and Labour Relations. In this context, the Ministry provides advice and information to the government on labour and workplace issues; develops policies; sets and enforces standards and legislation; carries out investigations; informs employers and workers about their workplace rights and responsibilities; ensures the provision of assistance in negotiating collective agreements and establishing arbitration boards; assists in building cooperative workplace relationships, and administers, interprets, and applies relevant labour legislation.

Votes/Programs	Estimates 2010-11	Change from		Interim		
		Estimates 2009-10	Change	Estimates 2009-10	Actuals 2009-10	Actuals 2008-09
	\$	\$	%	\$	\$	\$
OPERATING AND CAPITAL EXPENSE						
Ministry Administration	22,799,800	(320,100)	(1.4)%	23,119,900	22,494,000	22,117,952
Pay Equity Commission	4,347,100	(129,600)	(2.9)%	4,476,700	3,748,500	3,746,292
Labour Relations	22,855,000	(1,470,200)	(6.0)%	24,325,200	21,892,300	21,829,176
Occupational Health and Safety	87,883,800	(999,500)	(1.1)%	88,883,300	85,983,300	85,220,065
Employment Rights and Responsibilities	38,406,400	5,189,600	15.6%	33,216,800	34,287,700	29,504,283
Total Including Special Warrants	176,292,100	2,270,200	1.3%	174,021,900	168,405,800	162,417,768
Less: Special Warrants	-					
Total Operating and Capital Expense to be voted	176,292,100	2,270,200	1.3%	174,021,900	168,405,800	162,417,768
Special Warrants	-					
Statutory Appropriations	274,614	207,600	309.8%	67,014	64,000	66,240
Ministry Total Operating and Capital Expense	176,566,714	2,477,800	1.4%	174,088,914	168,469,800	162,484,008
Operating Expense Adjustment	15,590,400	0	0.0%	15,590,400	15,102,100	14,769,406
Total Including Consolidation and Other Adjustments	192,157,114	2,477,800	1.3%	189,679,314	183,571,900	177,253,414
CAPITAL ASSETS						
Ministry Administration	1,000	0	0.0%	1,000.00	-	-
Occupational Health and Safety	2,686,500	2,685,500	268550.0%	1,000.00	140,000	-
Total Capital Assets to be Voted	2,687,500	2,685,500	134275.0%	2,000	140,000	0

APPENDIX

MINISTRY OF LABOUR Annual Report 2009-10

2009-10 ANNUAL REPORT

In 2009-10, the Ministry of Labour continued to contribute to the government's priorities of creating A More Prosperous Ontario, A Healthier Ontario and Poverty Reduction, through safe, fair, and healthy workplaces. The Ministry of Labour helps create and sustain productive relationships between employers and employees and a competitive economy that generates widespread benefits for all Ontarians. In this regard, progress was made toward the ministry's specific goals of:

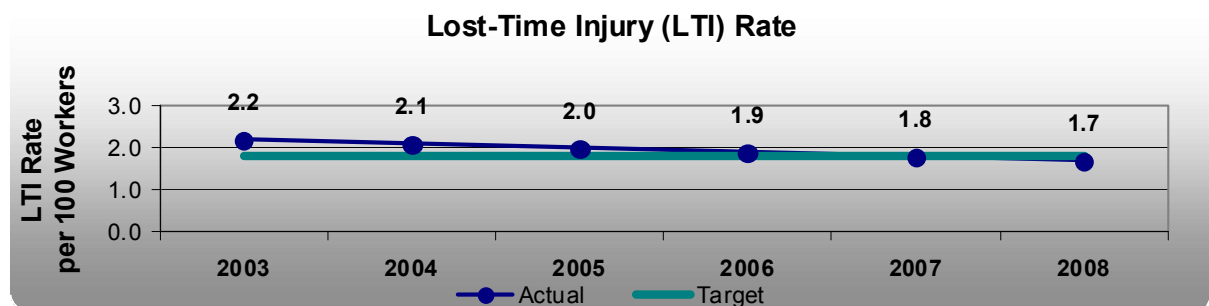
- Making workplaces safer and healthier, by focusing proactive inspections on firms with a poor health and safety compliance record. The Ministry of Labour assesses risks by inspecting businesses with high injury rates and associated costs and factors such as the presence of hazards inherent to the activities of the business and the presence of new, young or otherwise vulnerable workers;
- Protecting vulnerable workers and making workplaces fairer through use of proactive employment standards and pay equity inspections, improvements in employment standards claims management, enhanced community outreach to ensure everyone knows their rights and responsibilities; and
- Creating and maintaining a stable labour relations environment through effective delivery of neutral dispute resolution and education services, and a high quality Ontario Labour Relations Board, to foster increased productivity in workplaces.

Creating safe, healthier, fair and stable workplaces increases productivity, protects vulnerable workers and creates a more competitive economy that will attract jobs and investment to Ontario.

Making Workplaces Safer and Healthier

In 2009-10, the ministry made further progress in its enforcement intervention strategy by:

- Achieving a Lost-Time Injury (LTI) rate of 1.7 per 100 workers, exceeding the target of 1.8 per 100 workers.



- Continuing to reduce the number of injuries among young workers.
- Conducting 10 province wide health and safety blitzes in 2009/10 as compared to 7 in 2008/09.

- Conducting over 65,000 field visits, visiting over 31,000 workplaces and issuing over 106,000 orders (as of December 2009); including visiting over 25,430 workplaces proactively and issuing 85,966 orders through the **Safe At Work Ontario** strategy.

The Ministry of Labour also modernized many components of health and safety regulation by:

- Enforcing the *Occupational Health and Safety Act* through the **Safe At Work Ontario** strategy while educating employers and workers about the importance of workplace health and safety. The strategy is designed to strengthen the workplace health and safety culture, thereby decreasing injuries and employer costs, increasing productivity for Ontario's economy and reducing strain on the health care system. This risk-based, sector-focused approach is based on three pillars: Enforcement, Compliance and Partnership.
- Passing legislation and providing information on how to protect workers from workplace violence and address workplace harassment. *Bill 168, Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) 2009*, which will come into force on June 15, 2010, will amend Ontario's *Occupational Health and Safety Act* to strengthen protection for workers by requiring employers to:
 - Develop workplace violence and workplace harassment policies and programs, and provide information and instruction to workers on the contents of these policies and programs,
 - Assess the risks of workplace violence, and
 - Take every precaution reasonable in the circumstances to protect a worker at risk of physical injury from domestic violence that may occur in the workplace.
- Developing, implementing and posting online sector-specific enforcement plans on an annual basis. The plans feature each sector's key hazards and health and safety issues specific to workplaces in different economic sectors, outline the enforcement focus for each year and identify planned blitzes.
- Implementing integrated service delivery between the Ministry of Labour, the Workplace Safety and Insurance Board, and Health and Safety Associations to ensure that the correct system partner was engaging the appropriate workplace to address that workplace's health and safety needs, including employer training to improve awareness of Occupational Health and Safety.
- Making it easier for constructors, employers and individuals engaged in construction projects in Ontario to meet the regulatory compliance requirements through the use of a new and free electronic Notification of Project (e-NOP) application form that is available on-line.
- Working collaboratively with the Workplace Safety and Insurance Board, Ontario government ministries, agencies, and the municipal and federal governments to target underground economy activities in the construction industry.
- Working to implement the Single Business Number (SBN) as part of the government's Open for Business initiative. The SBN will be assigned by the Canada Revenue Agency (CRA) and will be connected to the Ontario Business Directory.

This will enable the assignment of a Single Business Number that will be recognized by federal and provincial partners, resulting in faster, smarter, streamlined government-to business services.

- Establishing an Expert Advisory Panel to conduct a comprehensive review of the province's occupational health and safety and injury prevention system.

Protecting Vulnerable Workers and Making Workplaces Fairer

In 2009-10, the ministry made further progress in enforcing employment standards by:

- Conducting more than 2,245 proactive inspections in high risk workplaces.
- Launching a new toll free telephone hotline (operational April 2009), outreach team, and information fact sheet, which help employees who are part of the federal Live-In Caregiver Program address issues regarding their employment rights. Assistance was provided to over 1,500 callers through the hotline.
- Expanding protection for some of the province's most vulnerable workers with the introduction and implementation of two pieces of legislation:
 1. The *Employment Protection for Foreign Nationals Act (Live-in Caregivers and Others)*, 2009, which came into force March 22, 2010, amends the *Employment Standards Act, 2000 (ESA)* to:
 - minimize the potential for temporary foreign worker exploitation by employers and third-party agents;
 2. The *Employment Standards Amendment Act (Temporary Help Agencies)*, 2009, which came into force November 6, 2009, aims to:
 - ensure temporary workers are not unfairly prevented from accessing permanent jobs when employers want to hire them from agencies;
 - guarantee employees have proper information about their assignments and rights under the *ESA*;
 - prohibit temporary help agencies from charging fees to workers; and
 - entitle temporary workers to termination notice (or pay in lieu) and severance pay.

In 2009-10, the ministry supported the government's Poverty Reduction Strategy, continued to improve service delivery and increased enforcement by:

- Conducting proactive Employment Standards (ES) inspections and expanding investigations of employers in high risk sectors, who have a history of non-compliance, or who are suspected of being non-compliant;
- Realigning resources to manage and reduce ES claims inventory/case backlogs and transforming the claims management process with the upcoming establishment of a two-year Task Force;
- Providing education and outreach to improve compliance, as well as multi-channel access to information, including provision of multi-language materials;
- Improving claims intake and claims management services through the centralization of claims intake and commencement of a backlog reduction strategy;

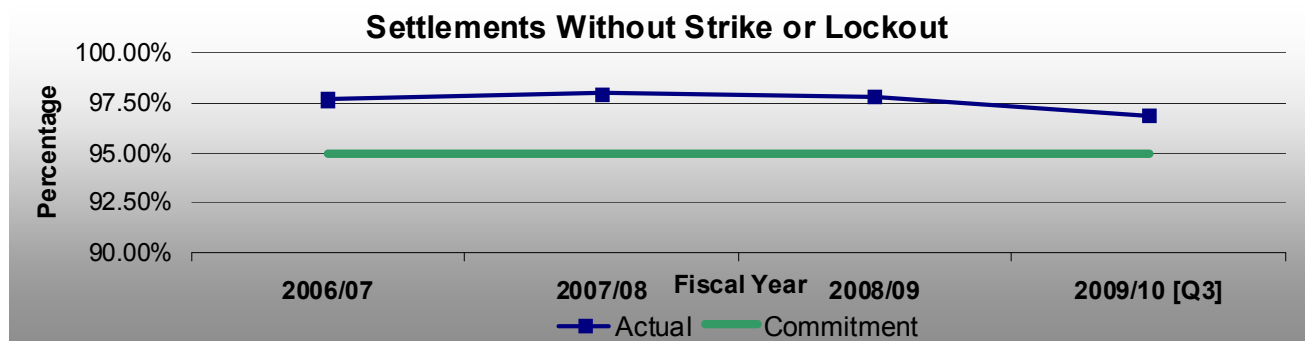
- Enhancing information systems to improve e-access and management of claims; reviewing and updating procedures and policies; and developing and implementing data management and reporting processes; and
- Raising the general minimum wage from \$6.85 in 2004 to \$10.25 as of March 31, 2010, the seventh increase since 2004.



Creating and maintaining a stable labour relations environment

In 2009-10, the ministry promoted fair, balanced and productive labour relations in Ontario workplaces by:

- Providing neutral dispute resolution services in the negotiation of collective agreements, resulting in the settlement of 1,237 collective agreements and a settlement rate of 96.9 per cent without a strike or lockout (as of December 2009), continuing to surpass the target rate of 95 per cent.



In 2009-10, the ministry continued to provide effective delivery of neutral dispute resolution and education services to the unionized sectors of the province by:

- Working with the construction industry, retail food sector, and broader public sector during a difficult economic period in regard to labour relations best practices.
- Supporting other ministries, the private sector, municipalities and the education and health sectors, by providing mediation and arbitration services, neutral collective bargaining information, and by assisting parties through its Interactive Solutions programs.

- Developing the Construction Industry Joint Advisory Panel to find ways to promote a stable and prosperous construction industry in Ontario.

Table 1: Ministry Interim Actual Expenditures 2009-10

	Ministry Interim Actual Expenditures
Operating	\$183.6 M
Capital	\$0.1 M
Staff Strength (as of March 31, 2010)	1,459