

Results-Based Plan 2011-12

Ministry of Labour

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PART I: PUBLISHED RESULTS-BASED PLAN 2011-12

MINISTRY OVERVIEW

Ministry Vision

Ontario's workplaces are safe, healthy, fair and harmonious and balanced with the need to support a competitive and sustainable economy.

Ministry Mission

To advance safe, healthy, fair and harmonious workplace practices that are essential to the social and economic well-being of the people of Ontario.

Ministry Contribution to Key Priorities and Results

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

- Jobs and Economic Growth, and
- Poverty Reduction and Effective Supports for the Most Vulnerable

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

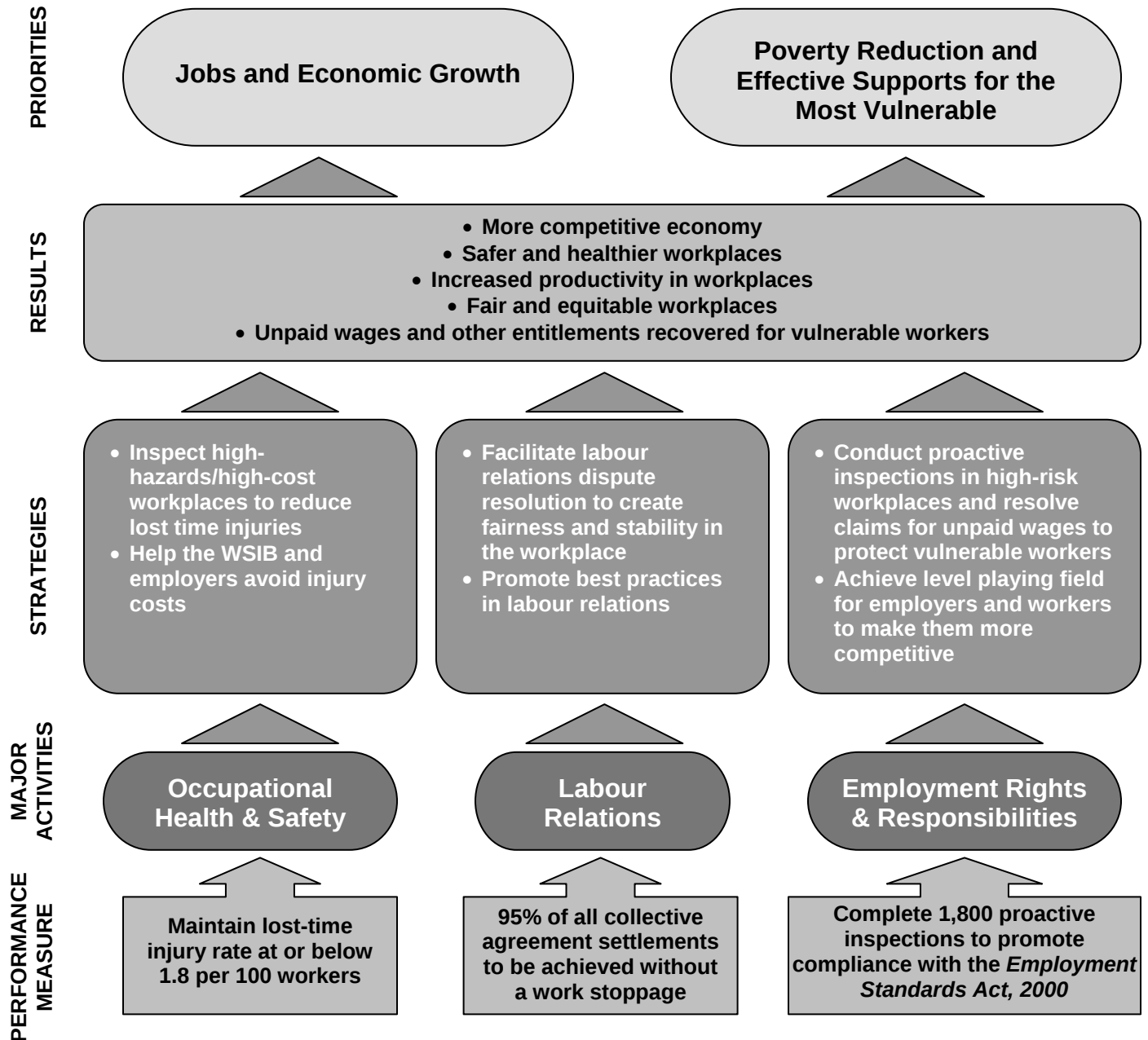
The **Occupational Health and Safety (OHS) Program** works to reduce illness and injury in Ontario workplaces, and helps create safe workplaces with other partners such as the Workplace Safety and Insurance Board and Health and Safety Associations. Safe workplaces attract jobs and investment to Ontario as a result of higher productivity and lower employer costs. This, in turn, creates a growing, competitive economy.

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 also supports the Poverty Reduction Strategy by helping to protect the province's most vulnerable workers, through the enforcement of the *Employment Standards Act, 2000*.

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 two 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 reduce or eliminate workplace injury and illness 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 on coordinated strategies to improve occupational health and safety across the province.

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

The foundation of Ontario's approach to occupational health and safety is the workplace Internal Responsibility System. Through this system, 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.

Safe At Work Ontario

In 2011, the Ministry will continue its **Safe At Work Ontario** 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 following three pillars:

- 1) **Enforcement:** The first pillar involves enforcement of the *OHSA* using proactive inspections as the main tool.
- 2) **Compliance:** The second pillar is focused on compliance and the provision of information to assist workplaces to become compliant.
- 3) **Partnership:** 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 *OHSA*, while educating workplace parties 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 the flexibility to determine which businesses require their attention. Strategic 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, or **Safety Blitzes**. In 2011-12, the Occupational Health and Safety Branch (OHSB) will be leading 13 blitzes. This is the fourth year the Ministry of Labour has conducted enforcement blitzes to raise awareness of common workplace hazards, educate employers and the public on mitigating against these hazards and ensure workplace parties are complying with the *OHSA*. The blitzes have been well received by the Ministry's employer and labour stakeholders.

The **Safe At Work Ontario** strategy builds on what the Ministry has learned from previous enforcement activities, integrating an increased level of transparency to the public:

- Sector specific plans are now posted on the Ministry of Labour's website.
- Annual consultations provide an opportunity for stakeholders to shape future strategies and initiatives.
- Videos such as *Fall Hazard Safety in Low Rise Construction*, *Workplace Violence and Harassment*, *Forklift Safety Inspection*, and *Auto Body Repair Shop Safety Inspection* provide insight for employers on inspections.
- All blitz activities are posted on the Ministry of Labour's website in advance and results are posted within 90 days of the end of the blitz.

The program is also involved in protecting Ontarians from workplace violence and harassment. On June 15, 2010 amendments to the *OHSA* came into force. The amendments included new legislation that requires employers to have workplace violence and harassment policies in place and programs to implement those policies. In 2011-12, the Ministry of Labour will continue to help businesses achieve compliance with the legislative requirements using a variety of guidance materials available online. Ontario's health and safety associations also have additional resources available for employers in specific sectors and types of workplaces.

The Occupational Health and Safety program is also focused on health and safety promotion. Some ongoing initiatives that support this priority include the following:

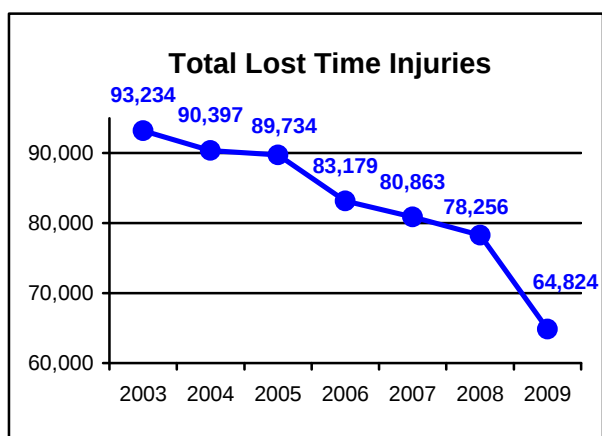
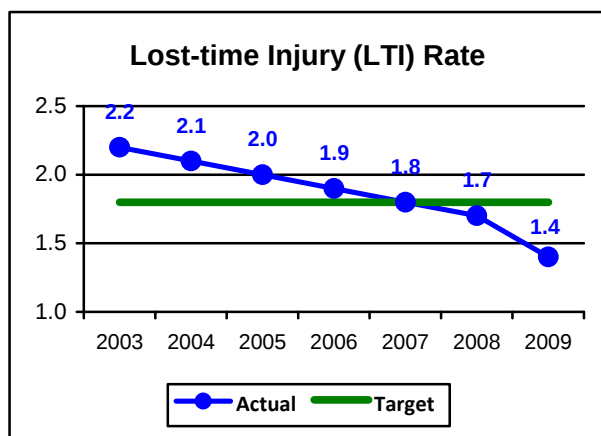
- In November 2010, new web-based tools were launched to help raise awareness on workplace slips, trips, and same level fall hazards.

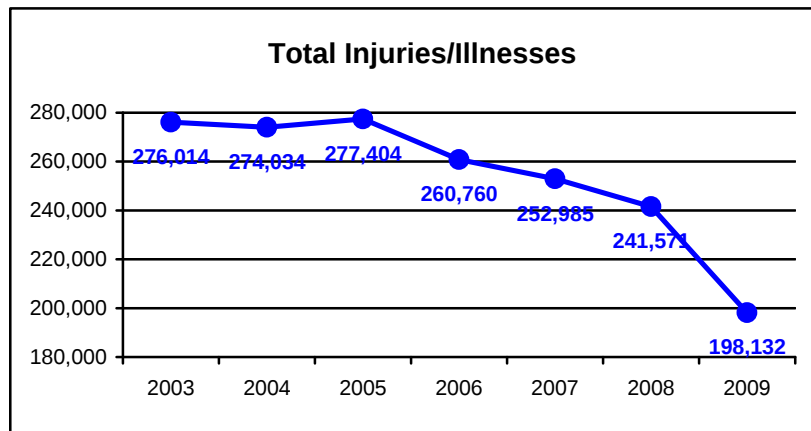
- In January and February 2011, the Ministry held its annual stakeholder consultation sessions to obtain feedback and ideas to improve our occupational health and safety compliance strategy.
- The increased presence of easy to understand communications (such as posters, brochures, newsletters, webinars and videos) will help to increase awareness on workplace hazards.
- The development of more tools for health and safety inspectors will help promote consistency in enforcement.

Looking to 2011-12 and onwards, the occupational health and safety program will be focused on raising awareness and publishing more material to support employers in developing and maintaining an effective Internal Responsibility System.

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 and Health (IWH). Ontario's HSAs are currently 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 1.4 per 100 workers in 2009, a reduction of more than 30% since 2003. Total injuries, including both lost-time and non lost-time, have also decreased substantially during this period. Further information on Ministry of Labour initiatives to protect workers can be obtained from the Ministry's [website](#).





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 researched best practices that improve workplace safety in national and international jurisdictions and examined 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

On December 16, 2010, the Minister of Labour received the *Expert Advisory Panel on Occupational Health and Safety Report and Recommendations to the Minister of Labour*. The Ministry has accepted the panel's recommendations and, going forward, will determine how best to implement them. Key recommendations include:

- **New Prevention Organization:** The Ministry of Labour should assume responsibility for the co-ordination of prevention program delivery. This is currently the responsibility of the Workplace Safety and Insurance Board and other partners.
- **New Chief Prevention Officer:** Appoint a Chief Prevention Officer, reporting to the Minister of Labour, to coordinate and align prevention system strategies, priorities and programs, and oversee Ontario's Health and Safety Associations. The officer will report annually to the Minister on the state of the system and work collaboratively with all parts of the Ministry as well as with the Prevention Council to redesign injury prevention systems and integrate them with the Ministry's enforcement mandate.
- **Prevention Council:** The new prevention system should feature an appointed multi-stakeholder Prevention Council. This Council would advise the Chief Prevention Officer and the Ministry with respect to setting strategic priorities and measuring the system's progress. An Interim Prevention Council has been appointed to help implement the key recommendations and the new system structure.

- **Mandatory Basic OHS Awareness Training and Education:** Require mandatory basic health and safety awareness training for all workers, supervisors (free of charge to employers). Improve integration of occupational health and safety training into school and educational programs.
- **Training for High-Hazard Work:** Identify and develop mandatory training requirements for high-hazard work, particularly construction work and work at heights.
- **Internal Responsibility System:** Require mandatory training for workplace health and safety representatives.
- **Better Protection for Vulnerable Workers:** Expedite the resolution of reprisal complaints under the *Occupational Health and Safety Act (OHSA)* and improve protection for new workers, youth, recent immigrants and foreign temporary workers through mandatory training, greater availability of multilingual and web-based health and safety resource materials, and the establishment of a committee to advise the minister on issues related to vulnerable workers.
- **Better Support for Small Business:** Improve support for small business by appointing a committee to advise the Minister.

On March 3, 2011 the Minister of Labour introduced Bill 160, which proposes amendments to the *Occupational Health and Safety Act* and the *Workplace Safety and Insurance Act, 1997*. If passed, the Bill would establish a broad framework to allow for the implementation of key recommendations and ensure that the Ministry and its partners are better able to help businesses be compliant with occupational health and safety requirements, while achieving efficiencies and producing better health and safety outcomes for workers.

Employment Rights and Responsibilities

Protect Vulnerable Workers and Support Poverty Reduction

The Ministry of Labour's Employment Rights and Responsibilities program is a key contributor to the creation and maintenance of fair workplaces that promote a competitive business environment through higher productivity, a more engaged workforce, and a level playing field for employers. The program's activities ensure that Ontario employees, including vulnerable workers, are protected by minimum workplace standards and equity in respect to wages and working conditions.

The program works to improve fairness in the workplace through the administration of the *Employment Standards Act, 2000 (ESA)* and its regulations. 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.

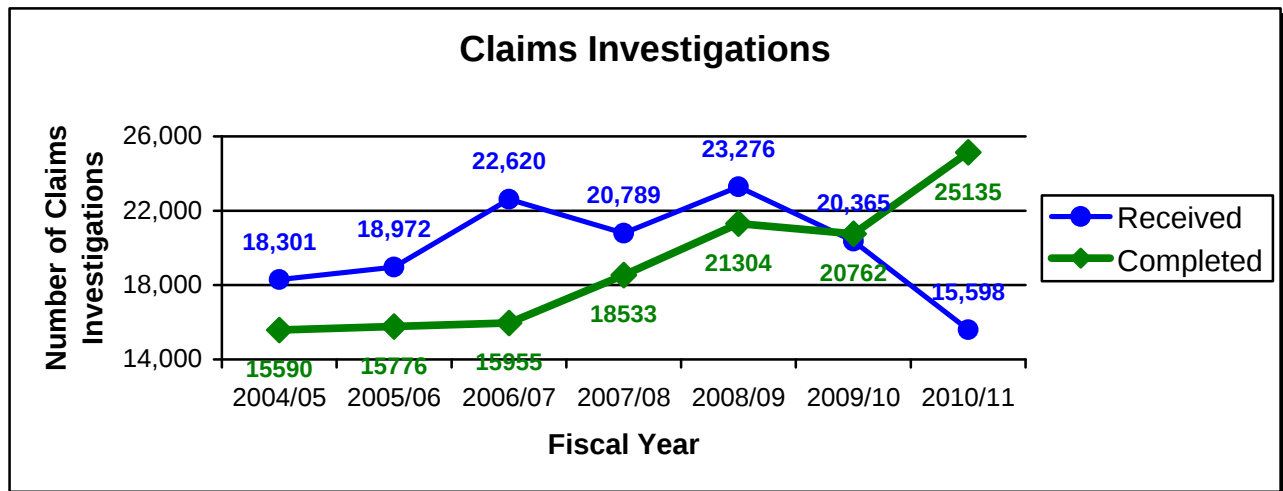
The Employment Standards program is engaged in the following initiatives that support vulnerable workers and the government's Poverty Reduction Strategy.

Employment Standards Modernization

The Employment Standards Modernization strategy aims to establish services that achieve fairness for employees, while helping businesses to be increasingly competitive in the global economy. The key priorities of the long-term strategy are to:

- Address all outstanding Employment Standards claims
- Shorten wait times for new and future claims investigations
- Better assist employers to comply with their obligations through education and awareness:

In 2010, a temporary Task Force was established to work in tandem with the Employment Standards Program to eliminate the backlog of Employment Standards claims and to introduce improvements to the program which will expedite the resolution of claims for Ontario's vulnerable workers. On August 30, 2010 the Task Force became operational and is currently on track to eliminating the claims backlog by March 31, 2012.



The Task Force will continue to undertake changes in 2011-12 that will include expedited processes to resolve claims. Parties are encouraged to enter into voluntary settlements to resolve their disputes. Unresolved claims will be decided through an investigation, if appropriate, or at a facilitated settlement/decision-making meeting. At the same time, changes continue to be introduced that will 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 prevention of a recurrence of the backlog.

Best practices identified by the Task Force and ongoing policy and program design changes 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.

Through the modernization strategies identified above and by providing new, online, interactive tools and multilingual resources to help Ontarians understand their employment rights and responsibilities, the Ministry of Labour is making great strides in advancing fairness in the workplace.

Proactive Inspections

Proactive inspections are an important part of the Ministry's efforts to enforce compliance of the *ESA*. In 2011-12, the Ministry's dedicated inspection team will conduct a minimum of 1,800 proactive inspections and will target repeat violators and high risk sectors.

These proactive inspections will continue with a more focused approach to ensure compliance with legislation during the implementation of the Employment Standards Modernization strategy as the program focuses most of its resources on claims management. Once the claims 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 an 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. Among these supports are web-based tools available 24/7 that will supplement existing employment standards tools. Customer satisfaction surveys will be attached to all web-based tools.

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*. The Centre receives from 30,000 to 35,000 calls per month and provides information in 23 languages.

Open For Business

Through the government's ***Open For Business*** initiative, which is part of the province's ***Open Ontario*** plan, the government is taking steps to support economic growth and foster simpler, better and faster interaction between government and business. The Open for Business Act addresses business priorities while protecting the public interest.

The Ministry of Labour's Open for Business strategy includes the following initiatives:

- *Single Business Number* to reduce the quantity of client numbers that businesses need when dealing with government and the Ministry. A Single Business Number would be linked with the Ontario Business Directory, enabling a Business Number to be assigned to many Ministry of Labour clients through the Canada Revenue Agency (CRA). Many businesses would have a Single Business Number 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.
- A review of laws and regulations to identify outdated or unnecessary legislation, regulations or requirements that should be eliminated.

The Open for Business initiative will transform how service delivery is conducted across every Ministry and organization that interacts with business.

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 (DRS) 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.

The program continues to support other ministries, the private sector, municipalities and the education and health sectors, by providing mediation and arbitration services, and neutral collective bargaining information. The program is seeking to maintain a settlement rate of 95% or better of collective bargaining disputes resolved without a work stoppage and will continue to provide expert labour relations advice and neutral collective bargaining dispute resolution services to facilitate settlements without a work disruption.

Bargaining during difficult economic periods is an added challenge to parties in trying to achieve a settlement of their collective agreement. As of March 1, 2011, over 1,826 disputes covering more than 95,840 employees require DRS assistance to finalize new collective agreements. In addition, another 2,045 new collective agreements, including 850 new Broader Public Sector (BPS) agreements, covering 321,525 employees will be expiring in 2011-12. As a result, it is expected that the upcoming year will require long bargaining of contentious issues such as the deficit reduction strategy of freezing compensation for two years in the BPS.

In its attempt to look at other models of bargaining and restructuring sectoral bargaining, DRS has commenced a provincial discussion table with the Developmental Services sector and is currently exploring this possibility with Children's Aid agencies.

In addition, DRS is partnering with Ryerson University to organize and host a conference on June 9th and 10th, 2011 on “Collective Bargaining Strategies” for labour relations practitioners.

In 2011-12, DRS will complete the modernization of its technology systems which will enhance DRS client services. This will include the ability to reflect back to the community those indicators that will identify areas that could use more assistance in order to create a better labour relations environment.

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. The objective is to improve relationships between workplace parties which will lead to a more stable labour relations environment with fewer or shorter workplace disputes.

Dispute Resolution Services extended the Interactive Solutions Programs and reintroduced a Grievance Mediation Service using a cost recovery model. This has resulted in twelve different groups of employers and unions mutually agreeing to ask DRS for assistance through this service. Supplemented with several regional workshops that focussed on effective grievance administration and problem-solving, DRS is viewed as a leader in best practices in labour relations. In addition, DRS has facilitated eight various interactive solutions programs including interest-based bargaining facilitation, customized problem-solving programs, and held 5 regional workshops in London, Sudbury, Niagara Falls and Toronto. DRS will continue to offer Grievance Mediation as an informal process for the resolution of workplace disputes, which serves to preserve or enhance relationships between the disputing parties and contributes to a more stable labour relations environment.

In 2011-12, DRS will also work on developing a training package for OPS Managers, encompassing Labour-Management Committee Effectiveness and Collective Agreement Administration, with an OPS focus. DRS will continue to develop workshops for private and public sectors that assist workplaces in meeting the challenges they encounter in these difficult economic times.

Construction Industry

The Construction Industry Joint Advisory Panel (C.I.J.A.P.) held its inaugural meeting in the first quarter of 2010 with a welcome by the Minister of Labour. The Panel’s purpose is 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. To date, the Panel has met on 3 occasions and is scheduled to meet again this spring with the Minister of Labour in attendance.

Ministry Agencies

The Ministry remains committed to supporting the government's priorities of promoting jobs and economic growth in Ontario by contributing to a more competitive economy, poverty reduction and effective supports for the most vulnerable 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.

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*.

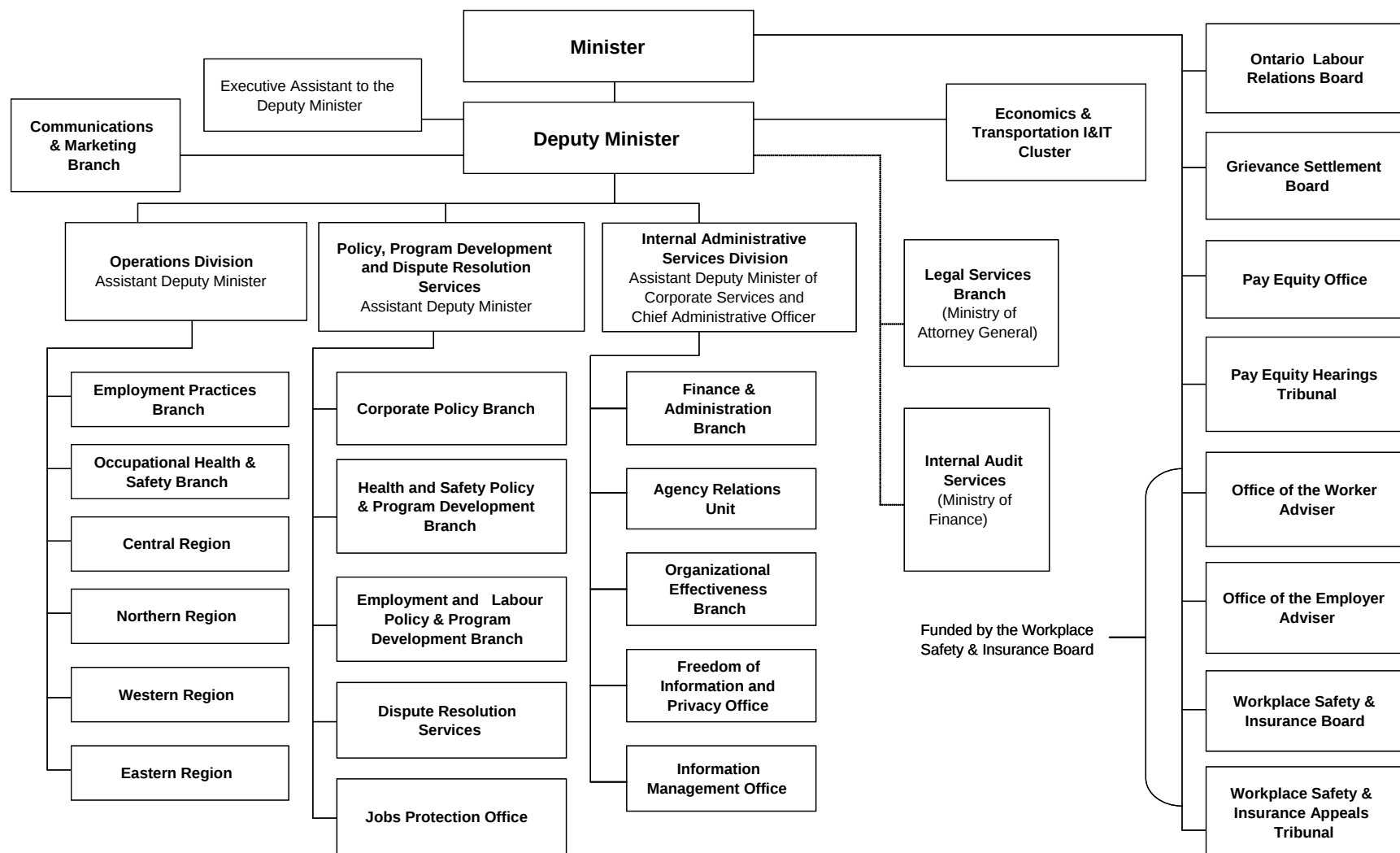
Labour Relations:

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 - Organization Chart 2011-12



Legislation

ACTS ADMINISTERED BY THE MINISTRY OF LABOUR: 2011-12

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)

Toronto Transit Commission Labour Disputes Resolution Act, 2011

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)

Agencies, Boards and Commissions (ABC's)

SUMMARY OF EXPENDITURES: AGENCIES, BOARDS AND COMMISSIONS

<u>VOTE/ITEM</u>		2010-11 INTERIM ACTUAL REVENUE	2010-11 INTERIM ACTUAL EXPENDITURE	2011-12 ESTIMATES
1602-1	Pay Equity Office	0	3,113,000	3,550,500
1602-2	Pay Equity Hearings Tribunal	0	614,100	775,600
1603-1	Ontario Labour Relations Board	420,000	12,638,900	12,896,600
1603-2	Grievance Settlement Board (see note 1)	1,315,000	2,528,200	2,747,900
1604-3	Office of the Worker Adviser (see note 2)	0	11,167,900	11,083,900
1604-4	Office of the Employer Adviser (see note 2)	0	3,427,600	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:

	2010-11	2011-12
Recoveries - Government Ministries	1,213,200	1,271,100
Revenue - Crown Employers and Unions	1,315,000	1,476,800
Total Recoverable	2,528,200	2,747,900

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

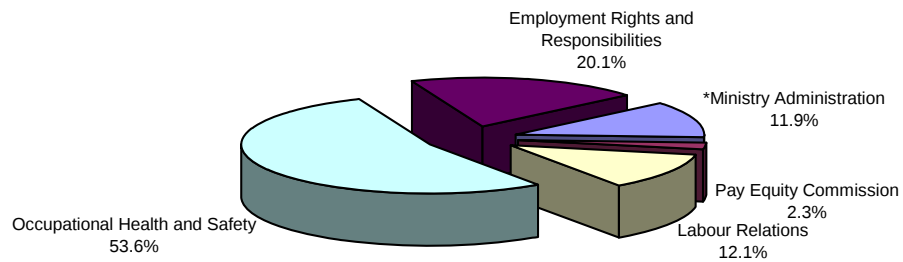
Table 1: Ministry Planned Expenditures 2011-12 (\$M)

	Ministry Planned Expenditures (\$M) 2011-12
Operating Expense	\$190.3
Capital Expense	\$0.5

Ministry Planned Expenditures by Program Name 2011-12

Program Name	Ministry Planned Expenditures (Operating Expense) (\$M)
Ministry Administration Program	\$22.7
Pay Equity Commission Program	\$4.3
Labour Relations Program	\$23.2
Occupational Health and Safety Program	\$101.8
Employment Rights and Responsibilities Program	\$38.3

Ministry Allocation of 2011-12 Base Spending (\$190.8M)



** Includes Main Office 20.8%; Financial and Administrative Services 13.3%; Organizational Effectiveness 6.0%; Communications Services 14.1%; Legal Services 35.8%; 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 2011-12	Change from Estimates		Interim		Actuals
		2010-11	Change	Estimates 2010-11	Actuals 2010-11	Actuals 2009-10
	\$	\$	%	\$	\$	\$
OPERATING AND CAPITAL EXPENSE						
Ministry Administration	22,682,100	(117,700)	(0.5)%	22,799,800	22,588,300	21,939,935
Pay Equity Commission	4,326,100	(21,000)	(0.5)%	4,347,100	3,727,100	3,685,427
Labour Relations	22,936,800	81,800	0.4%	22,855,000	22,359,900	21,366,823
Occupational Health and Safety	86,354,600	(1,529,200)	(1.7)%	87,883,800	86,550,100	84,383,660
Employment Rights and Responsibilities	38,221,600	(184,800)	(0.5)%	38,406,400	39,562,100	33,337,251
Total Including Special Warrants	174,521,200	(1,770,900)	(1.0)%	176,292,100	174,787,500	164,713,096
Less: Special Warrants	-					
Total Operating and Capital Expense to be voted	174,521,200	(1,770,900)	(1.0)%	176,292,100	174,787,500	164,713,096
Special Warrants	-					
Statutory Appropriations	513,514	238,900	87.0%	274,614	139,600	73,371
Ministry Total Operating and Capital Expense	175,034,714	(1,532,000)	(0.9)%	176,566,714	174,927,100	164,786,467
Operating Expense Adjustment	15,747,900	157,500	1.0%	15,590,400	15,411,600	14,722,005
Total Including Consolidation and Other Adjustments	190,782,614	(1,374,500)	(0.7)%	192,157,114	190,338,700	179,508,472
CAPITAL ASSETS						
Ministry Administration	1,000	0	0.0%	1,000	-	-
Occupational Health and Safety	4,611,400	1,924,900	71.7%	2,686,500	2,375,500	136,652
Total Capital Assets to be Voted	4,612,400	1,924,900	71.6%	2,687,500	2,375,500	136,652

APPENDIX: ANNUAL REPORT 2010-11

MINISTRY OF LABOUR

2010-11 ANNUAL REPORT

In 2010-11, the Ministry of Labour supported the government's priorities of creating a *Strong Economy*, a *Healthier Ontario* and *Poverty Reduction*, by working to create safe, fair, healthy and stable workplaces. Safer, healthier, more fair and stable workplaces increases productivity, protects vulnerable workers and creates a more competitive economy that will attract jobs and investment to Ontario and generates widespread benefits for all Ontarians.

Key areas of progress in 2010-11

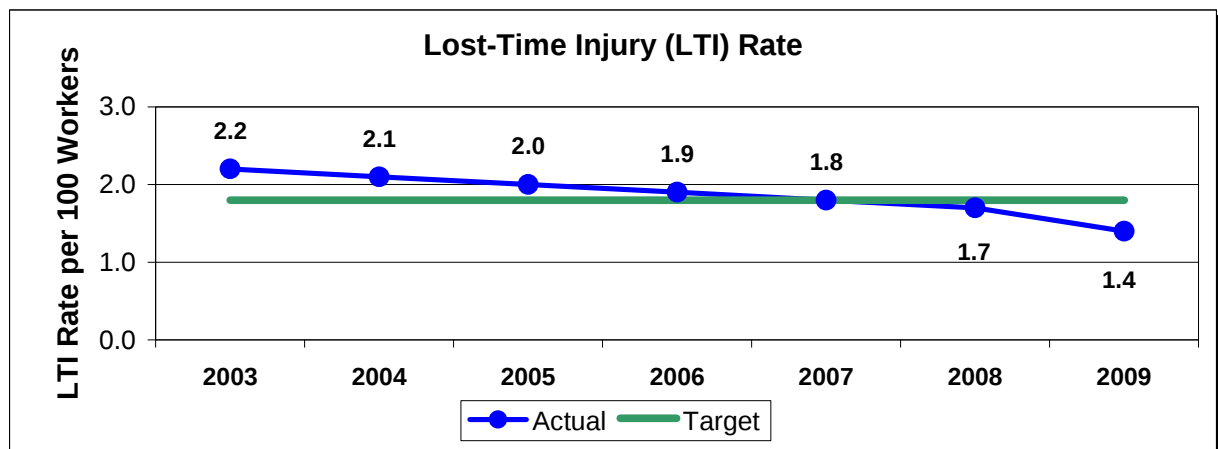
- The Ministry's ***Safe at Work Ontario*** strategy has successfully made workplaces safer and healthier, by working with workplace health and safety partners such as the Workplace Safety and Insurance Board and the Health and Safety Associations to focus on firms with a poor health and safety compliance record.
- The Employment Standards Modernization initiative has worked to protect vulnerable workers and make workplaces fairer through use of proactive employment standards, improvements in employment standards claims management, and enhanced community outreach to ensure everyone knows their rights and responsibilities.
- The Ministry's Labour Relations activities have created and maintained a stable labour relations environment through effective delivery of neutral dispute resolution and education services, to foster increased productivity in workplaces.

Making Workplaces Safer and Healthier

In 2010-11, the Ministry made further progress on its ***Safe at Work Ontario*** strategy with the following achievements:

- Conducting 10 province-wide health and safety blitzes between January 2010 and March 2011 that address various specific hazards across numerous industries including:
 - Construction fall hazards
 - Forklift and lifting devices
 - New and young workers
 - Industrial fall-related hazards
 - Heavy and light equipment
 - Mobile equipment for surfaces and underground mines
 - Musculoskeletal disorders
 - Personal Protective Equipment
 - Conveyor guarding
 - Loading docks

- Carrying out more than 62,400 field visits, visiting over 30,300 workplaces and issuing over 98,500 orders (as of December 31, 2010).
- Continuing to reduce the number of injuries among young workers by providing stakeholders with occupational health and safety tools and resources for young worker safety, such as Young Worker Tip Sheets for parents, employers, supervisors, and young workers; curriculum resources and supports for teachers teaching the health and safety elements in Ontario's elementary and secondary school curricula; and the WorkSmartCampus e-learning tool for post-secondary students.
- Conducting province-wide and regional visits to construction projects in high-risk sectors focusing on workplaces that had higher than average rates of LTIs, chronic violators or serious repeat violators, and paying particular attention to the following matters: falls, use of equipment, occupational illness and disease, "struck by" construction vehicles/equipment and non-construction vehicles, formwork and demolition, siding and outside finishing, masonry, residential, roofing, heavy civil construction, and mill-wrighting and welding.
- Visiting over 2,800 construction sites as part of the 90-day fall hazards blitz, through the **Safe At Work Ontario** strategy, during which inspectors found a volume of violations such as missing or inappropriate use of guardrails, scaffolding and fall protection systems, and inadequate supervisor and worker training.
- Achieving a Lost-Time Injury (LTI) rate of 1.4 per 100 workers, exceeding the target of reducing the LTI rate from 1.8 per 100 workers. This is a result of combined efforts of the Ministry of Labour and our system partners – the Workplace Safety and Insurance Board and the Health and Safety Associations.



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 based on three pillars: Enforcement, Compliance and Partnership and 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.
- Launching a single, dedicated toll-free number (**1-877-202-0008**) which is available 24 hours a day, seven days a week. By calling this number anyone can report anything that appears unsafe at any worksite, work refusals, incidents, critical injuries or fatalities. The public can also call the number with general workplace health and safety inquiries.
- Sponsoring 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 came into force on June 15, 2010, amends 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 under 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.
- Partnering with the Ministry of Revenue, Ministry of Training, Colleges and Universities and the WSIB to launch an Underground Economy Compliance pilot project to test the elements of a compliance framework within the underground economy in Ottawa and York Region.

Expert Advisory Panel on Occupational Health and Safety Recommendations

In December 2010, the Minister of Labour accepted the recommendations of the Expert Advisory Panel on Occupational Health and Safety, which conducted a comprehensive review of the province's occupational health and safety and injury prevention system.

Proposed amendments to the *Occupational Health and Safety Act* and the *Workplace Safety and Insurance Act* were introduced on March 3, 2011 to facilitate the implementation of the panel's recommendations. If passed, the proposed amendments will enhance the province's health and safety system and support better protection for working Ontarians.

- An Interim Prevention Council has been appointed to help the province implement the key recommendations of the panel, including:
 - Creating a new Prevention Organization by transferring responsibility for the co-ordination of prevention program delivery to the Ministry of Labour. This is currently the responsibility of the Workplace Safety and Insurance Board and other partners.
 - Improving protection for vulnerable workers (i.e. new workers, youth, recent immigrants and foreign temporary workers) against employer reprisals for raising health and safety concerns through mandatory training and greater availability of multilingual and web-based health and safety resource materials.
 - Improving support for small businesses by providing greater access to health and safety resources and support.
 - 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.
- The new organization would be headed by a new Chief Prevention Officer (CPO) responsible for the prevention of workplace injury and disease in Ontario. The CPO would report to the Minister of Labour on strategic priorities, and provide advice and recommendations on the prevention of workplace injury and occupational diseases.

Protecting Vulnerable Workers and Making Workplaces Fairer

In 2010-11, the Ministry supported the government's ***Poverty Reduction Strategy***, continued to improve service delivery and increased enforcement by:

- Establishing a two-year Employment Standards Task Force to manage and eliminate backlog of employment standards claims, shorten wait times for new and future claims investigation, and better assist employers to comply with their obligations through education and awareness.
- Making changes to the current ES program to improve and expedite the intake, investigation and decision-making processes for new claims.
- Resolving claims faster (over 3,900 claims resolved by the Task Force as of March 31, 2011) and preventing the recurrence of a backlog by centralizing the intake of

claims, and using new inspection, education and outreach activities. As of March 31, 2011, the Task Force has closed about 54% of the claims assigned to them.

- A facilitated settlement pilot was completed and will be considered for expansion to the program.
- Maintaining Ontario minimum wage at \$10.25 per hour, the second highest provincial minimum wage in Canada. The Ontario minimum wage has increased by 50 percent with annual increases in the last seven years.



- 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.
- Creating and making available online a new Before You Start package to support the public with the employment standards claims process.

In 2010-11, the Ministry made further progress in enforcing employment standards by:

- Conducting more than 690 proactive inspections (as of December 2010) of employers in high risk sectors who have a history of non-compliance, or who are suspected of being non-compliant.
- Launching a multi-faceted Employment Standards campaign in January 2011 to reach out to ethnic communities in the province. As part of this campaign, the services of Employment Standards Information Centre were expanded to include service in 23 languages, including English and French.
- Launching “Know Your Rights” and “Filing an Employment Standards Complaint” videos which are available in 8 different languages in addition to English and French.
- Expanding protection for some of the province’s most vulnerable workers with the Multilingual Ethnic Awareness Campaign that included running advertisements in 59 ethnic news publications, distributing colour posters in 23 languages to 71 organizations that deal with immigrant worker issues, sending information bulletins

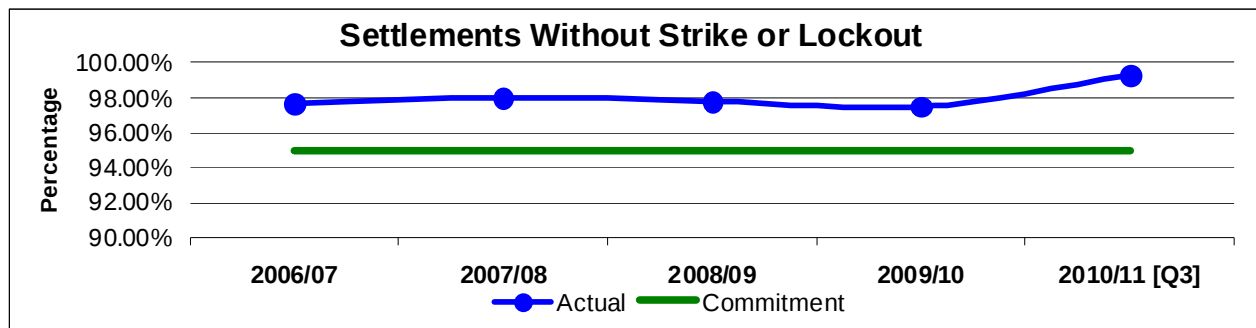
to nearly 150 ethnic news and trade publications. The posters are also available free of charge from the Ministry website.

- Facilitating faster resolution of employment standards claims, improving service delivery and supporting the modernization agenda as a result of amendments made to the *Employment Standards Act, 2000* through the *Open for Business Act, 2010* which came into effect on January 19, 2011. The changes to the ESA include:
 - Allowing the Director of Employment Standards to require claimants to take specified steps before an employment standards claim is assigned for investigation. Such steps could include requiring that claimants inform their employer of the alleged claim and the amount of wages claimed (if any) before the claim is assigned to an employment standards officer for investigation. The Director of Employment Standards has the discretion to make exceptions to this requirement;
 - Permitting a Ministry of Labour Employment Standards Officer, Labour Relations Officer, or Dispute Resolution Services representative to attempt to facilitate settlement of employment standards claims; and
 - Giving Employment Standards Officers the explicit legislative authority to make decisions based on the best information available, regarding whether an employer has contravened or is contravening the Act in situations where a party fails to attend a meeting or fails to bring or make available records or documents requested by the officer.

Creating and maintaining a stable labour relations environment

In 2010-11, the Ministry continued to promote fair, balanced and productive labour relations in Ontario workplaces by:

- Providing neutral dispute resolution services in the negotiation of collective agreements, resulting in a settlement rate of 99.3 per cent without a work stoppage (as of January 31, 2011), continuing to surpass the target rate of 95 per cent.



In 2010-11, 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 broader public sector, the construction industry and the retail 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.
- More than 4,000 collective agreements expired in 2010-11, mostly concentrated in construction, healthcare, social services, and municipal administration and various utilities. The construction industry, which accounted for more than half of all collective bargaining in 2010-11 with more than 2,440 requests for conciliation.
- The top sectors of expiring collective agreements for 2010-11 were Health and Social Services, Municipal, Communications, Education, Construction, Utilities, Retail, and Accommodation and Food Services.
- DRS had a very successful construction bargaining round with only 1 work stoppage.

Table 1: Ministry Interim Actual Expenditures 2010-11

	Ministry Interim Actual Expenditures (\$M) 2010-11
Operating	\$190.3M
Capital	\$0.1M
Staff Strength (as of March 31, 2011)	1,481