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Results-based Plan 2012–13

ISSN: 1718-6811
Issued: November 2013
Content last reviewed: November 2013

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Ministry Overview

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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

Ministry of Labour’s mission is to advance safe, 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 priorities:

- Strengthening Jobs and the Economy, and
- Poverty Reduction and Effective Supports for the Most Vulnerable

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

- Occupational Health and Safety (Enforcement and Prevention)
- Employment Rights and Responsibilities
- Labour Relations

The **Occupational Health and Safety (OHS) Program**, in collaboration with system partners such as the Workplace Safety and Insurance Board and the Health and Safety Associations, works to prevent and reduce illness and injury in Ontario workplaces and helps create safe workplaces that attract jobs and investment to Ontario as a result of higher productivity and lower employer costs. This supports a strong and competitive economy and job market.

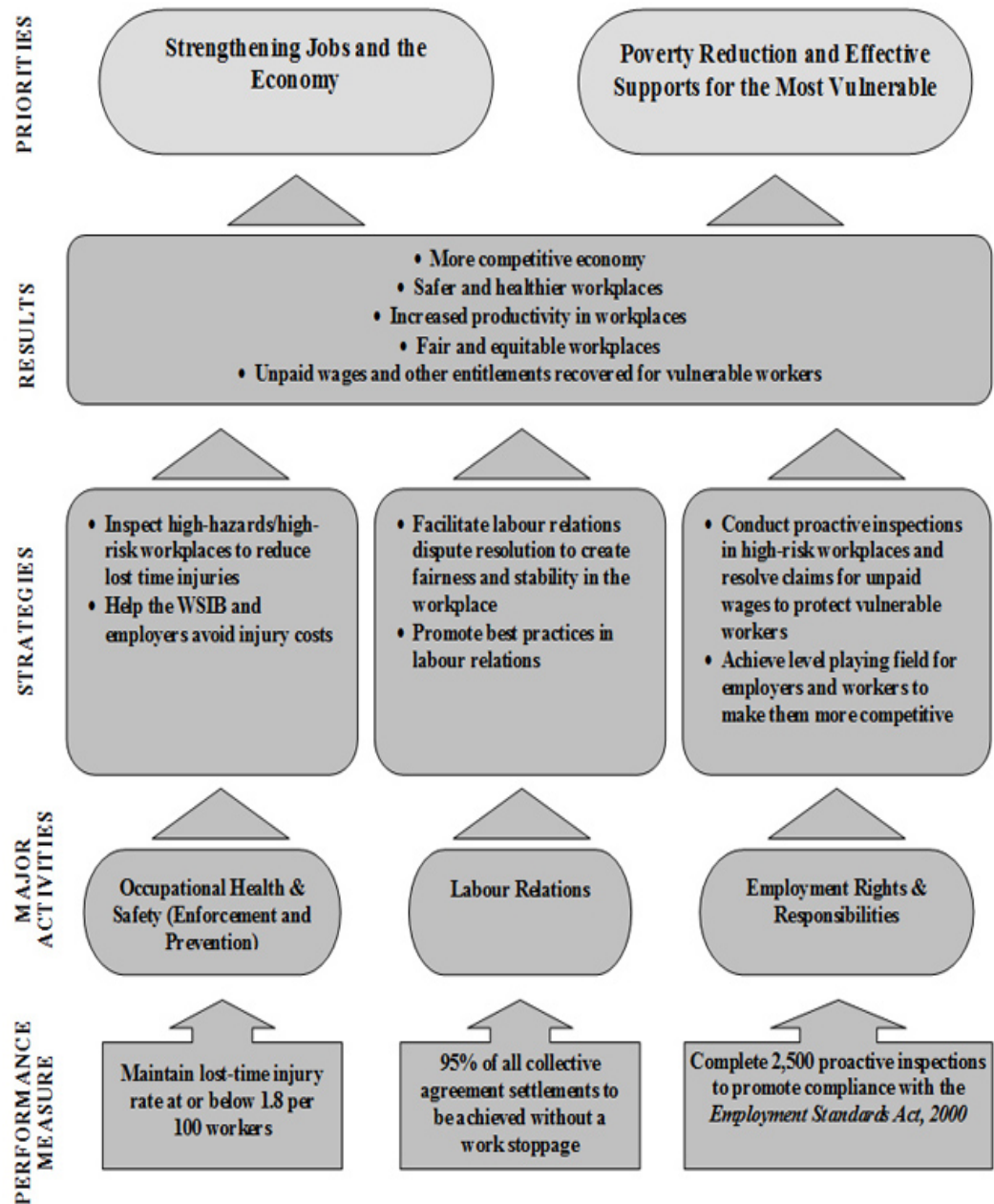
The **Employment Rights and Responsibilities Program** helps reinforce a competitive business environment that attracts jobs and investment in Ontario by supporting fair workplaces and creating a level playing field for employers.

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

The **Labour Relations Program** supports fair and stable workplaces and increases productivity by facilitating effective labour relations dispute resolution, making Ontario an attractive place for investment.

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

http://www.labour.gov.on.ca/english/about/pubs/rbp/2012/rbp_1.php[6/10/2014 3:14:45 PM]



Text description of the diagram

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Ministry Activities

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Occupational Health and Safety

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 program is comprised of two distinct activities: prevention and enforcement.

Prevention of Workplace Illness and Injury

Prevention activities include oversight of educating employers, workers and other persons about occupational health and safety, fostering a commitment to the prevention of occupational illness and injury, and the authority to make grants to support occupational health and safety activities.

To carry out the prevention function, the Chief Prevention Officer (CPO), will lead the Prevention Office and will be responsible for preparing an annual report on occupational health and safety, developing a provincial health and safety strategy and implementing that strategy with the Ministry's health and safety system partners - the Workplace Safety and Insurance Board and the Health and Safety Associations.

With the Health and Safety Associations the Ministry will:

- Provide mandatory occupational health and safety training to employers and workers;
- Ensure that employers, particularly small businesses, receive new and better supports to understand and meet health and safety standards;
- Establish new programs that provide greater recognition to employers that exceed occupational health and safety standards; and,
- Emphasize and work to meet the needs and realities of both vulnerable workers and small business across 23 linguistic groups in products and outreach efforts.

Enforcement Activities

Enforcement activities include working with system partners, stakeholders and in some cases the public, to identify high hazardous workplaces for inspection to ensure compliance with the OHSA before injuries occur, and to conduct workplace investigations that may result from a work refusal, injury, illness or fatality.

Standards set out in the OHSA are designed to protect the health and safety of Ontario workers. They apply to all workplaces in all business sectors in Ontario except for work activities of owners/residents in their own homes, farming operations operated by a self-employed person without any workers, and workplaces regulated by the federal government.

The Occupational Health and Safety Act (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 (MOL) health and safety inspectors have broad powers to

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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, recommend prosecution of non-compliant employers 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 2012, the Ministry will continue *Safe At Work Ontario*, MOL's occupational health and safety compliance strategy, designed to:

- Improve the health and safety culture of workplaces;
- Reduce workplace injuries and illness;
- Lessen the burden on the health care system;
- Reduce the burden on Ontario's health care system;
- Avoid costs for employers and the Workplace Safety and Insurance Board (WSIB); and,
- Provide a level playing field for compliant companies.

The compliance strategy's foundation is based on the following three pillars:

1. **Enforcement** of the OHSA primarily through proactive inspections as the main tool.
2. **Compliance** and the provision of information to assist workplaces to become compliant.
3. **Partnership**, where the ministry works with stakeholders in the development of annual sector-specific enforcement strategies.

Safe At Work Ontario allows the ministry's health and safety inspectors the flexibility to determine which businesses require their attention. Strategic selection of workplaces for targeted inspection 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; and,
- Hazards inherent to the business of the workplace.

A key component of the *Safe At Work Ontario* strategy are the Safety Blitzes. In 2012-13, the Occupational Health and Safety Branch (OHSB) will be leading 11 expanded compliance blitzes, targeting more sectors than previous years.

This is the fifth 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 Occupational Health and Safety Act (OHSA). The blitzes continue to be well received by employer and labour stakeholders.

The *Safe At Work Ontario* strategy builds on what the ministry has learned from previous enforcement activities and, increases the level of transparency to the public:

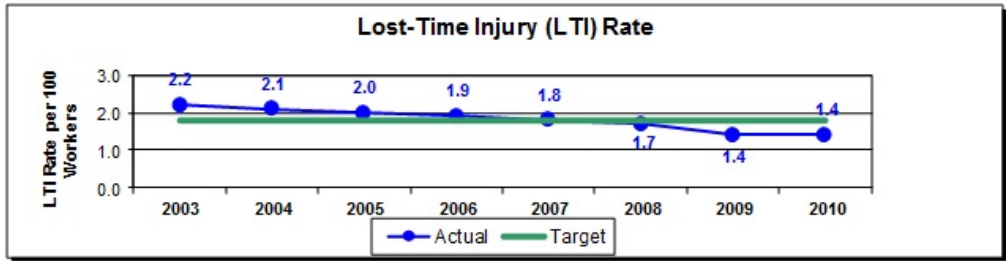
- Sector specific plans are posted on the Ministry of Labour's website;
- Annual consultations provide an opportunity for stakeholders to shape future strategies and initiatives;
- Videos such as Fall Hazard Safety in Low Rise Construction, Workplace Violence and Harassment, Forklift Safety Inspection,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

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, including the Workplace Safety and Insurance Board (WSIB), Health and Safety Associations (HSAs), and the Institute for Work and Health (IWH). Ontario's HSAs provide training programs, products and services to the province's employers and workers. These key services support the Ministry's prevention mandate and increase compliance. 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.

The Ministry’s commitment is to maintain the Lost-time Injury rate at or below 1.8 per 100 workers. Through its efforts and those of its partners, the Ministry of Labour has helped maintain the Lost-Time Injury (LTI) rate in Ontario at 1.4 per 100 workers in 2010, for the second year, a reduction of more than 30% since 2003.

Lost-Time Injury (LTI) Rate

Lost-Time Injury (LTI) Rate



Data Table: Lost-Time Injury (LTI) Rate

Year	Actual	Target
2003	2.2	1.8
2004	2.1	1.8
2005	2.0	1.8
2006	1.9	1.8
2007	1.8	1.8
2008	1.7	1.8
2009	1.4	1.8
2010	1.4	1.8

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.

Implementation of Bill 160 - Recommendations of the Expert Advisory Panel on Occupational Health and Safety

On December 16, 2010, the Expert Advisory Panel on Occupational Health and Safety Report and Recommendations to the Minister of Labour was received. The Ministry accepted the panel’s recommendations. On March 3, 2011 the Minister of Labour introduced Bill 160, which introduced amendments to the Occupational Health and Safety Act (OHSA) and the Workplace Safety and Insurance Act, 1997 (WSIA).

Bill 160 received Royal Assent on June 1, 2011, transferring the WSIB’s responsibility for workplace illness and injury prevention to the Ministry, effective April 1, 2012 (prevention was previously the responsibility of the WSIB). The amendments also facilitate the implementation of the Expert Advisory Panel’s recommendations. These amendments will enhance the province’s health and safety system and support better protection of working Ontarians.

As part of implementing Bill 160 and the Expert Advisory Panel recommendations, the Ministry has established a Prevention Office led by the Chief Prevention Officer (CPO) to oversee the prevention mandate in the Province of Ontario to coordinate and align prevention system strategies, priorities and programs and oversee Ontario’s Health and Safety Associations. The CPO will be responsible for developing a provincial occupational health and safety strategy and will report annually to the Minister on the state of the occupational health and safety system.

The new prevention system will feature an appointed multi-stakeholder Prevention Council. This Council will advise the Chief Prevention Officer and the Ministry with respect to setting strategic priorities and measuring the system’s progress.

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 more competitive business environment, 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 and enforcement 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.

The program provides 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 about employers who may not be complying 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 Rights and Responsibilities 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 be increasingly competitive in the global economy. The key priorities of the long-term strategy are to:

- better assist employers to comply with their obligations through education and awareness;
- address all Employment Standards claims;
- shorten wait times for claims investigations; and,
- increase proactive inspections.

Claim Investigations

Claims Investigations



Data Table: Claims Investigations

Fiscal Year	Received	Completed
2004-2005	18,301	15,590
2005-2006	18,972	15,776
2006-2007	22,620	15,955
2007-2008	20,789	18,533
2008-2009	23,276	21,304
2009-2010	20,365	20,762
2010-2011	17,080	27,637

2011-2012 3Q	15,978	19,032
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Numbers include total of backlog and new claims

The Ministry has modernized the employment standards program with increased availability of online compliance tools and multilingual resources providing wider dissemination of information and awareness of rights and responsibilities under the Employment Standards Act.

Changes were introduced to modernize the program’s intake and investigation processes to aid in early claims resolution, improved service delivery, and shorten wait times.

Program design changes have enabled 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.

Employment standards claims are received at a central claims processing centre in Sault Ste. Marie. Claims can be filed online 24/7, by mail or by fax. As part of the initial investigation process, the Provincial Claims Centre processes over 16,000 Employment Standards claims per year and handles over 36,000 telephone calls and thousands of documents. Claims can also be faxed from ServiceOntario Centres.

The Employment Standards Trust Fund Services Unit holds in trust and disburses funds related to orders to pay and notices of contravention as well as entitlements in bankruptcy and receivership cases. Relationships with collection agencies when employers fail to comply with orders and notices are managed by this unit. Overall, the Trust Fund Unit administers \$12 - \$15 million a year in trust monies as required by the legislative provisions of the program. Since 2004, the program has recovered more than \$90 million in wages and other monies owed to employees.

Proactive Inspections

In addition to Employment Standards Officers (ESOs) in the regional offices who investigate claims, the program also has officers who conduct proactive inspections. A total of 30 Employment Standards Officers will be active in the field in 2012-13.

Proactive inspections are an important part of the Ministry’s efforts to enforce compliance of the Employment Standards Act (ESA). These officers will conduct a minimum of 2,500 proactive inspections in 2012-13 (up from 1,800 in 2011-12 and 1,100 in 2010-11) and will continue to focus on employers and sectors with a history of non-compliance and those that employ the most vulnerable workers.

The Ministry will continue to develop new tools and materials to improve education and awareness to achieve greater compliance and reduce the number of claims.

Education, Outreach and Partnership

The Employment Standards program has developed an education, outreach and partnership campaign across different sectors. The program is developing supports and services for employers and employees to be more self-reliant in resolving employer-employee issues. Among these supports are six web-based tools which are available on the Ministry of Labour website.

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 about 30,000 calls per month and provides information in 23 languages.

Labour Relations

Stable and Fair Workplaces

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

The Dispute Resolution Services (DRS) of the Ministry of Labour has a fundamental role in supporting a strong economy by fostering stable labour relations in Ontario. DRS provides a number of services to employers and unions including neutral, third party conciliation and mediation services for parties in collective bargaining; appointment of arbitrators in rights and interest arbitrations; providing up-to-date, accurate collective bargaining information in all industries and sectors; and, using a cost recovery model to provide grievance mediation services, workshops and training to employers and unions in “best

practices” for collective bargaining and building effective relationships in the workplace.

DRS Mediators assist employers and unions in negotiating collective agreements under various labour related statutes, including the [Labour Relations Act, 1995](#), [Hospital Labour Disputes Arbitration Act, Fire Protection and Prevention Act, 1997](#), [Ambulance Services Collective Bargaining Act, 2001](#), [Crown Employee Collective Bargaining Act, 1993](#), [Colleges Collective Bargaining Act, 2008](#), [Education Act](#) and [Toronto Transit Commission Labour Disputes Resolution Act, 2011](#). This legislation relates to 11,500 collective bargaining relationships in Ontario covering approximately 1.5 million workers. Of those, DRS provides conciliation and mediation assistance in 2,000 - 2,500 collective bargaining relationships each year. In recent years, DRS has reported settlements without a work disruption in more than 97% of these negotiations.

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. DRS provides employers, unions, members of the public and government with statistics, analysis and information on patterns and trends in collective bargaining. It also maintains copies of over 11,500 collective agreements covering unionized employees in Ontario and all rights and interest arbitration awards, which are available to assist workplace parties in bargaining and administering their collective agreements.

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.

Arbitration

Annually, DRS receives and processes more than 1,250 requests for the appointment of interest and rights arbitrators. Appointments of arbitrators are made from a list of individuals who are qualified to act under Ministerial appointment. This roster is maintained in association with the Labour-Management Advisory Committee which advises the Minister on matters pertaining to arbitration, thus ensuring that experienced and acceptable persons are available for appointments.

Collective Bargaining Outlook

Collective bargaining negotiations in Ontario in 2012 will include significant employers and a vast number of employees in the auto industry, food and beverage industry, municipal sector, health sector, education and university sector and the provincial government. Examples of major employers include General Motors, Chrysler Canada, Ford Canada, Brewers Retail, Food Basic Franchises, and Bombardier Aerospace – DeHavilland Aircraft. In the municipal sector, examples include the City of Toronto and Toronto Firefighters. In the healthcare sector, collective agreements in developmental services, community living, and children’s aid societies need to be finalized.

Canadian Blood Services and numerous Nursing Homes and Homes for the Aged will be up for renewal. In education, all collective agreements between the district school boards and elementary and secondary teachers will be up for renewal and a number of universities will also be negotiating with various bargaining units. Collective agreements for employees of the Ontario government will also be up for renewal. In 2013, all sectors in the construction industry will be negotiating renewed collective agreements which will represent more than 1,500 separate files.

Bargaining during difficult economic periods is an added challenge to parties trying to achieve settlement of their collective agreement. As of March 13, 2012, over 931 disputes covering more than 271,700 employees still require Dispute Resolution Services (DRS) assistance to finalize new collective agreements. An additional 2,499 collective agreements covering 574,322 employees will be expiring in 2012-13. Approximately half of these (1,246) represent Broader Public Sector (BPS) agreements, including all teacher and non-teacher bargaining with all school boards, College faculty and the Ontario Public Service agreements with the Ontario Public Sector Employees Union (OPSEU) and the Association of Management, Administrative and Professional Crown Employees of Ontario (AMAPCEO).

A number of municipal sector agreements (Cities of Windsor, Brampton, and Sudbury) and agreements in the University sector (York, Western) will also continue and remain outstanding. In 2012-13, the collective bargaining climate will continue to be challenging and extensive with contentious issues due to the lingering economic conditions and deficit restraint.

Promoting Best Practices

Part of the DRS mandate is to promote best practices in labour relations and dispute resolution. The implementation of DRS’s new information technology systems in 2012-13 will enhance DRS client services. Improved data management and reporting capabilities will provide indicators that will identify areas in the community that could use more assistance in creating 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.

DRS extended the Interactive Solutions Programs and reintroduced a Grievance Mediation Service using a cost recovery model. This has resulted in nineteen different groups of employers and unions mutually agreeing to ask DRS for assistance through this service. Supplemented with several regional workshops that focused on effective grievance administration and problem-solving, DRS is viewed as a leader in best practices in labour relations.

In addition, DRS provided 10 custom-designed programs and developed a new workshop to assist parties to collective bargaining, entitled "The Bargaining Table and Beyond..." An employer-accreditation organization retained Dispute Resolution Services (DRS) to deliver a module of its Labour Relations Certificate program, and DRS delivered presentations at two trade union conferences and the conference of one confederation of trade unions.

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, while providing a cost-effective alternative to resolving workplace issues.

Using a full cost recovery model, DRS provides training, conferences and workshops to employers and unions promoting labour relations best practices by using alternative dispute resolution and relationship building. Training such as Interest-Based Problem Solving, Relationship Building, Grievance Mediation, and Effective Collective Bargaining have proven to be very successful and welcomed by employers and unions.

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. As of April 1, 2012, the OWA will also provide support to non-unionized workers in Section 50 (Occupational Health and Safety Act) reprisal cases being heard at the Ontario Labour Relations Board.

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 As of April 1, 2012, the OEA will also provide support to small employers in Section 50 (Occupational Health and Safety Act) reprisal cases being heard at the Ontario Labour Relations Board.

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, as they are not funded through the Consolidated Revenue Fund (CRF).

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Ministry of Labour: Organizational Chart 2012–13

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Through the ministry's key areas of occupational health and safety, employment rights and responsibilities, labour relations and internal administration, the ministry's mandate is to set, communicate and enforce workplace standards while encouraging greater workplace self-reliance. A range of specialized agencies, boards and commissions assist the ministry in its work.

The following positions report to the Minister:

- Deputy Minister
- Chief Prevention Officer and Associate Deputy Minister

The following positions report to the Deputy Minister:

- Assistant Deputy Minister and Chief Administrative Officer, Internal Administrative Service Division
- Assistant Deputy Minister, Operations Division
- Assistant Deputy Minister, Policy and Dispute Resolution Services Division
- Chief Prevention Officer and Associate Deputy Minister
- Communications and Marketing Branch
- Executive Assistant to the Deputy Minister
- Economics & Business IT Cluster
- Legal Services Branch (Ministry of the Attorney General)
- Internal Audit Services (Ministry of Finance)

The following positions report to the Chief Prevention Officer:

- Strategy & Integration Branch
- Training & Safety Programs Branch
- Stakeholder & Partner Relations Branch

The Prevention Council advises the Minister of Labour and the Chief Prevention Officer on a wide range of occupational health and safety issues.

The following positions report to the Assistant Deputy Minister, Operations:

- Employment Practices Branch
- Occupational Health and Safety Branch
- Central Region
- Northern Region
- Western Region
- Eastern Region

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The following positions report to the Assistant Deputy Minister, Policy and Dispute Resolution Services:

- Employment, Labour & Corporate Policy Branch
- Health and Safety Policy Branch
- Dispute Resolution Services
- Jobs Protection Office

The following positions report to the Chief Administrative Officer:

- Organizational Effectiveness Branch
- Finance & Administration Branch
- Freedom of Information and Privacy Office
- Information Management Office

While they operate at arms-length from the Ministry for their quasi-judicial functions. The following agency heads report to the Minister for operational and policy purposes, and most report to the Deputy Minister for administrative purposes.

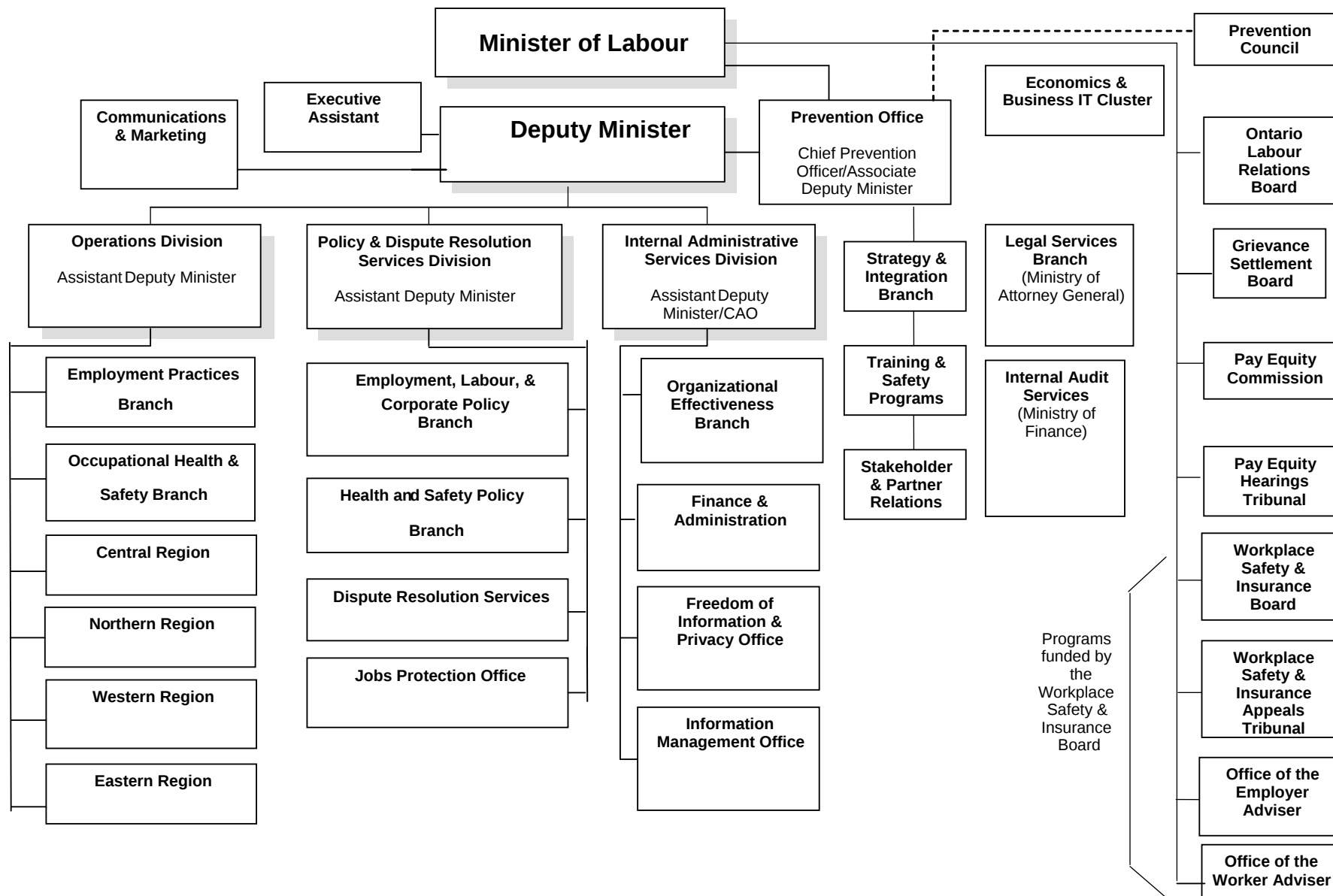
- Ontario Labour Relations Board
- Grievance Settlement Board
- Pay Equity Office
- Pay Equity Hearings Tribunal
- Office of the Worker Adviser
Funded by the Workplace Safety & Insurance Board
- Office of the Employer Adviser
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- [Ministry of Labour 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 responsibilities under the following acts administered by other ministries:

[Colleges Collective Bargaining Act, 2008](#)

- Administered by the Minister of Training, Colleges and Universities. However, the Ministry of Labour has a role in the conciliation process, and the Ontario Labour Relations Board also has functions and responsibilities under this Act.

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

- The remainder of the Act is administered by the Minister of Community Safety and Correctional Services.

Supplementary List

“Back to Work” acts administered by the Ministry of Labour

- [Fairness for Parents and Employees Act \(Teachers' Withdrawal of Services\), 1997](#)
- [Toronto Public Transit Service Resumption Act, 2008](#)
- [York University Labour Disputes Resolution Act, 2009](#)

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Agencies, Boards and Commissions (ABCs)

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Summary of Expenditures: Agencies, Boards and Commissions

Vote / Item	Agencies, Boards and Commissions	2011-2012 Interim Actual Revenue	2011-2012 Interim Actual Expenditure	2012-2013 Estimates
1602-01	Pay Equity Office	0	3,210,500	3,438,200
1602-02	Pay Equity Hearings Tribunal	0	540,600	778,800
1603-01	Ontario Labour Relations Board	525,000	13,458,600	13,840,700
1603-02	Grievance Settlement Board (see note 1)	0	2,466,700	2,786,600
1604-03	Office of the Worker Adviser (see note 2)	0	11,082,900	11,400,600
1604-04	Office of the Employer Adviser (see note 2)	0	3,467,800	3,844,100

Note :

[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:

	2011-2012	2012-2013
Recoveries - Government Ministries	1,239,900	1,271,100
Revenue - Crown Employers and Unions	1,226,800	1,515,500
Total Recoverable	2,466,700	2,786,600

[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 because they are not funded through the Consolidated Revenue Fund (CRF).

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Ministry Financial Information

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Ministry Planned Expenditures 2012-13 (\$M)

Table 1a: Ministry Planned Expenditures 2012-13 (\$M)

	Ministry Planned Expenditures 2012-13 (\$M)
Operating	\$299.1
Capital	\$0.6
Total	\$299.7

Ministry Planned Expenditures by Program 2012-13 (\$M)

Table 1b: Ministry Planned Expenditures (Operating Expense) (\$M)

Program Name	Ministry Planned Expenditures (Operating Expense) (\$M)
Ministry Administration Program	\$23.2
Pay Equity Commission Program	\$4.2
Labour Relations Program	\$24.6
Occupational Health and Safety Program	\$213.6
Employment Rights and Responsibilities Program	\$33.5
Total	\$299.1

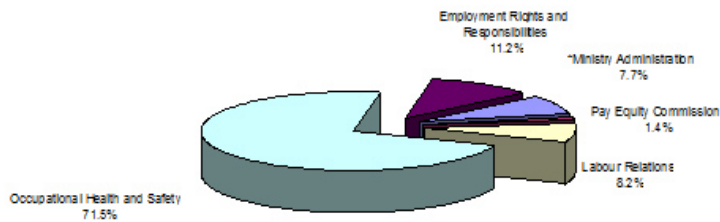
Table 1c: Ministry Planned Expenditures (Capital Expense) (\$M)

Program Name	Ministry Planned Expenditures (Capital Expense) (\$M)
Ministry Administration Program	\$0.0
Occupational Health and Safety Program	\$0.6
Total	\$0.6

Note: All Planned Expenditures include operating expense adjustments.

Ministry Allocation of 2012-13 Base Spending (\$299.7M)

Ministry Allocation



* Includes Main Office 22.0%; Financial and Administrative Services 12.6%; Organizational Effectiveness 6.0%; Communications Services 14.1%; Legal Services 35.3%; Audit Services 1.1%; and Information Systems 8.9%.

The ministry's key activities are: Occupational Health and Safety Enforcement and Prevention, Employment Rights and Responsibilities and Labour Relations. In this context, the ministry provides advice and information to the government on labour and workplace issues; establishes and implements a provincial occupational health and safety strategy to ensure the alignment of health and safety activities across all system partners; designates, funds and maintains oversight over Health and Safety Associations; establishes standards for training programs, training providers, as well as training and other requirements for certification of joint health and safety committee members; 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.

Operating and Capital Summary by Vote

Table 2: Operating and Capital Summary by Vote

Votes / Programs	Estimates 2012-2013 \$	Change from estimates 2011-2012 \$	%	Estimates 2011- 2012 [1] \$	Interim Actuals 2011- 2012 [1] \$	Actuals 2010- 2011 [1] \$
Operating And Capital Expense						
Ministry Administration	23,069,600	387,500	1.7	22,682,100	22,614,100	22,124,201
Pay Equity Commission	4,217,000	(109,100)	(2.5)	4,326,100	3,751,100	3,582,623
Labour Relations	24,157,000	1,220,200	5.3	22,936,800	23,438,800	21,923,065
Occupational Health and Safety	198,373,900	112,019,300	129.7	86,354,600	86,051,200	85,166,702
Employment Rights and Responsibilities	33,452,400	(4,769,200)	(12.5)	38,221,600	37,161,600	39,031,685
Total Including Special Warrants	283,269,900	108,748,700	62.3	174,521,200	173,016,800	171,828,276
Less: Special Warrants	0	0	0	0	0	0
Total Operating and Capital Expense to be Voted	283,269,900	108,748,700	62.3	174,521,200	173,016,800	171,828,276
Special Warrants	0	0	0	0	0	0
Statutory Appropriations	88,187	(430,327)	(83.8)	513,514	526,100	101,043

Ministry Total Operating & Capital Expense	283,353,087	108,318,373	61.9	175,034,714	173,542,900	171,929,319
Operating Expense Adjustment	16,310,000	562,100	3.6	15,747,900	15,347,280	15,099,641
Total Including Consolidation & Other Adjustments	299,663,087	108,880,473	57.1	190,782,614	188,890,180	187,028,960
Capital Assets						
Ministry Administration	1,000	0	0	1,000	0	0
Occupational Health and Safety	1,000	(4,610,400)	100.0	4,611,400	0	2,217,178
Total Capital Assets to be Voted	2,000	4,610,400	(100.0)	4,612,400	0	2,217,178
[1] Estimates for the previous fiscal year are re-stated to reflect any changes in ministry organization and/or program structure. Interim actuals reflect the numbers presented in the 2012 Ontario Budget.						

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Appendix: Annual Report 2011-12

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In 2011-12, the Ministry of Labour supported the government’s priorities of *Jobs and Economic Growth and Poverty Reduction and Effective Supports for the Most Vulnerable* by working to create safe, fair, healthy and stable workplaces that increase productivity, protect vulnerable workers and create a competitive economy that attracts jobs and investment to Ontario.

Key areas of progress in 2011-12:

- Through its focus on firms with a poor health and safety compliance record, the ministry’s [Safe At Work Ontario](#) strategy has successfully made workplaces safer and healthier.
- The Employment Standards Modernization initiative has worked to protect vulnerable workers and make workplaces fairer through use of proactive employment standards inspections, eliminating the employment standards claims backlog and making improvements in employment standards claims management, and enhanced community outreach to ensure everyone knows their rights and responsibilities; and,
- 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

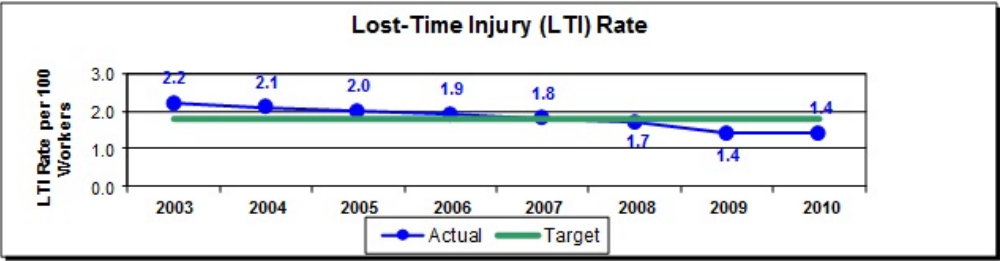
In 2011-12, the ministry made further progress on its *Safe At Work Ontario* enforcement strategy with the following achievements:

- Conducted 13 province-wide health and safety blitzes that address specific hazards across numerous industries including:
 - Industrial Tower Crane Suppliers
 - Construction Home Builders/Low Rise Construction
 - Construction Tower Cranes (GTA/Mississauga)
 - Mining Diamond Drilling
 - Mining Pits and Quarries, Sand and Gravel Pits
 - Construction Access Equipment
 - Industrial and Health Care New and Young Workers
 - Industrial and Health Care Personal Protective Equipment
 - Underground Mining Ventilation
 - Health Care Infection and Prevention Control
 - Industrial Racking and Storage
 - Cross-program Musculoskeletal Disorders
 - Construction Trade Specific (concrete, masonry, siding and built up roofing)
- Carried out more than 59,000 field visits, visiting over 32,400 workplaces and issuing over 103,900

orders (as of December 31, 2011).

- Achieved 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;

Lost-Time Injury (LTI) Rate



Data Table: Lost-Time Injury (LTI) Rate

Year	Actual	Target
2003	2.2	1.8
2004	2.1	1.8
2005	2.0	1.8
2006	1.9	1.8
2007	1.8	1.8
2008	1.7	1.8
2009	1.4	1.8
2010	1.4	1.8

- Engaged several large municipalities to develop information sharing agreements to share building permit information in order to extend outreach to construction projects where notification to the Ministry has not occurred;
- Worked with the Health and Safety Associations and the Section 21 Advisory Committees to ensure integrated planning, the development and availability of more health and safety guidance material for stakeholders to deal with the ten most common Occupational Health And Safety Act contraventions;
- Provided technical oversight and input in collaboration with the Construction Legislative Review Committee (CLRC), the Provincial Labour-Management Health and Safety Committee (PLMHSC) and its network of trades committees, the Ministry of Labour's (MOL) Health and Safety Policy and Program Development Branch, and the Ministry's Legal Services Branch on amendments to the Construction Regulation, and the drafting of proposed, new regulations on carbon monoxide, noise, suspended access equipment, suspended work platforms, tower cranes, and occupational illness;
- Established an enhanced field support liaison system with the Ministry of Training, Colleges and Universities (MTCU) and the Jobs Protection Office to ensure better and more timely resolution of Ontario Regulation 572/99 and Ontario Regulation 213/91 enforcement matters, including the use of the MTCU's "Employment Ontario Information System – Apprenticeship (EOIS-APPR)" system to confirm authorization to work in the compulsory trades, and the establishment of an MTCU Hotline/Helpdesk;
- The Health Care Unit (HCU) launched an initiative on Magnetic Resonance Imaging (MRI) Ventilation of Cryogenic Gases in health care facilities. MOL hygienists visited health care workplaces and reviewed MRI ventilation issues and continued to make these visits for the 2011- 2012 fiscal year;
- The Health Care Unit (HCU) initiated discussions with Public Health Ontario (PHO) to work collaboratively on identifying approaches to develop and implement a program that will assist physicians understand their responsibilities under the Occupational Health and Safety Act (OHSA);
- The Industrial Health and Safety Program (IHSP) carried out a new initiative in 2011-2012 that focused on the registration of new businesses. Inspectors provided these firms with a CD-ROM that contained information on developing and maintaining an Internal Responsibility System (IRS) in their workplace as well as other relevant MOL information;
- Provided professional and technical engineering input for revisions to the Regulations for Construction Projects for the design, testing and inspection of suspended work platforms;
- Provided input into technical standards such as Canadian Safety Association (CSA) Standards on "Safety Standard for Lift Trucks", "Fall Protection Systems", "Machinery Lockout and Hazardous Energy Control", "Industrial Robots and Robot Systems", "Mobile Cranes" and "Suspended Scaffold";

- The Specialized Professional Services team provided technical input and support to ministry inspectors and to various committees across the province including:
 - Provided technical expertise on CSA technical sub-committee – Workplace Ergonomics Standard;
 - Provided professional and technical engineering input for the revisions to the Regulations for Construction Projects for the design, testing, inspection and certification of Tower Cranes;
 - Engaged with Federal / Provincial / Territorial jurisdictional partners and external stakeholders through initiatives such as committee work with the National Office of WHMIS (NOW) on WHMIS regulatory and enforcement and Globally Harmonized System (GHS) harmonization and implementation issues; and,
 - Provided input into technical standards such as CSA Standards on: Management of Work in Confined Spaces; Nano-Occupational Health and Safety; Eye and Face Protection; Protection of first responders from Chemical, Biological, Radiological, and Nuclear (CBRN) events; and Hearing Conservation.

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

- Developing 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; and,
- Partnering with the Ministry of Revenue, Ministry of Training, Colleges and Universities and the Workplace Safety and Insurance Board 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. The pilot proved to be very successful and clearly illustrated that the compliance framework is highly viable. Plans to extend the work beyond the pilot areas are in progress.

Implementing the Recommendations of the Expert Advisory Panel on Occupational Health and Safety

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.

The *Occupational Health and Safety Statute Law Amendment Act, 2011 (Bill 160)*, received Royal Assent on June 1, 2011 and establishes the legislative authority for the Ministry to oversee the workplace illness and injury prevention mandate. The amendments to the Occupational Health and Safety Act and the Workplace Safety and Insurance Act, 1997, facilitate the implementation of the Expert Advisory Panel’s recommendations. These amendments will enhance the province’s health and safety system and support better protection for working Ontarians.

In 2011-12 an Interim Prevention Council was appointed to provide advice and guidance to the Minister of Labour in implementing the key priority recommendations which included hiring the Chief Prevention Officer and laying the ground work for the establishment of a Prevention organization within MOL.

A new prevention organization within the Ministry of Labour will assume prevention responsibilities transferred from the Workplace Safety and Insurance Board to the Ministry as of April 1, 2012. The Prevention Office is led by the Chief Prevention Officer (CPO) who is responsible for developing an Occupational Health and Safety Strategy to coordinate and align Ontario’s workplace health and safety system. The CPO reports to the Minister of Labour on strategic priorities, and provides advice and recommendations on the prevention of workplace injury and occupational diseases.

Transfer Payment Agreements have been signed with six Health and Safety Associations which now come under the Ministry of Labour’s oversight and will deliver a key component of the prevention mandate by providing training and consulting services to employers and workers across Ontario.

The new Prevention Office will not only improve the coordination of Ontario’s occupational health and safety and illness protection, but will also develop a province wide strategy that will contribute to:

- Improving protection for vulnerable workers (i.e. new workers, youth, recent immigrants and foreign temporary workers) 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;
- Protecting workers against employer reprisals for raising health and safety concerns, by making available the services of the Office of the Worker Adviser to support employees facing reprisals.

Protecting Vulnerable Workers and Making Workplaces Fairer

In 2011-12, the ministry supported the government’s *Poverty Reduction Strategy*, continued to improve service delivery and increased enforcement by:

- Eliminating the backlog of employment standards claims, shortening wait times for new and future claims investigation, and assisting employers to comply with their obligations through education and awareness;
- Making changes to the current Employment Standards (ES) program to improve and expedite the intake and investigation of claims;
- Resolving claims faster (approximately 27,640 claims resolved in 2010-11 and just over 19,000 in 2011-12) and preventing the recurrence of a backlog by centralizing the intake of claims, and using new inspection, education and outreach activities; and,
- 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.

In addition, the ministry made further progress in enforcing employment standards by:

- Conducting just over 2,200 proactive inspections of employers in high risk sectors who have a history of non-compliance, or who are suspected of being non-compliant;
- Providing service in 23 languages at the Employment Standards Information Centre (1-800-531-5551);
- Having posters in 23 languages and information in more than 50 ethnic news publications in Ontario;
- Introducing two new on-line tools, bringing the total to 6, that are assisting employers and employees to better understand their rights and responsibilities under the Act;
- Posting three employment standards videos on YouTube and the Ministry of Labour website about complying with the Employment Standards Act, 2000, how to file a complaint and what to expect during an inspection. The Employment Standards “Know Your Rights” video has had more than 20,000 views and the “How to file a Complaint” video has had over 9,000 views.

Creating and Maintaining a Stable Labour Relations Environment

In 2011-12, 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 98.3 per cent without a work stoppage (as of March 5, 2012), continuing to surpass the target rate of 95 per cent.

Figure 1: Settlements without Strike or Lockout

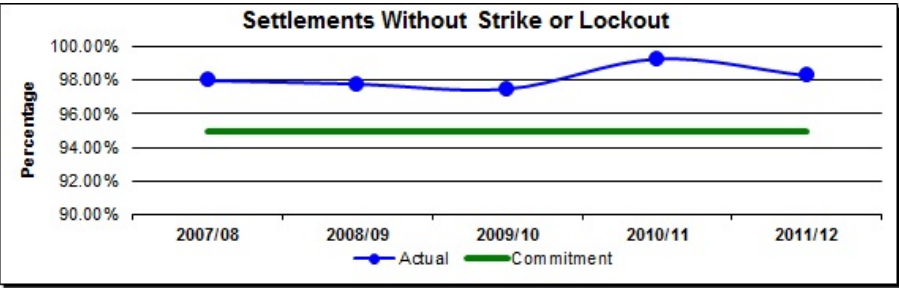


Figure 1 Data Table: Settlements without Strike or Lockout

Year	Actual	Commitment
2007-2008	98.0	95
2008-2009	97.8	95
2009-2010	97.5	95
2010-2011	99.3	95
2011-2012	98.3	95

In 2011-12, 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, social services 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;
- As part of the Interactive Solutions program, Dispute Resolution Services (DRS) provided 10 custom-designed programs and developed a new workshop to assist parties to collective bargaining, entitled "The Bargaining Table and Beyond..." This workshop has been offered three times: in Mississauga, London and Toronto, and was sold out twice. Additional sessions are being scheduled as there is currently a waiting list of individuals interested in participating in the workshop;
- Dispute Resolution Services (DRS) partnered with Ryerson University to organize and host a successful conference on "Collective Bargaining Strategies" for labour relations practitioners;
- DRS entered into provincial discussion tables with the developmental services sector and with the children's aid agencies. This laid the groundwork for central discussions and full bargaining;
- DRS assisted parties in over 19 grievance mediations on a cost recovery basis;
- More than 2,500 collective agreements expired in 2011-12, mostly concentrated in healthcare, social services, municipal, education and related services, transportation, retail trade, management services and communications; and,
- In 2011-12, DRS processed more than 1,270 requests for arbitration assistance and over 2,400 new requests for conciliation assistance.

Ministry Interim Actual Expenditures 2011-12

Table 1: Ministry Interim Actual Expenditures 2011-12

	Ministry Interim Actual Expenditures (\$M) 2011-12
Operating	\$171.1
Capital	\$0.4
Staff Strength (as of March 31, 2013)	\$1,394.89

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