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Archived - Published plans and annual reports 2017-2018: Ministry of Labour

Plans for 2017-2018, and results and outcomes of all provincial programs delivered by the Ministry of Labour in 2016-2017.

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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

Ministry of Labour's (MOL) 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 priorities and results

MOL supports a number of key priorities and is particularly aligned with the government's plan to provide greater opportunities and security for Ontarians and to help Ontario businesses succeed.

MOL contributes to these priorities through the efficient delivery of public services in its three primary areas of responsibility:

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

The **Occupational Health and Safety (OHS) Program**, in collaboration with system partners such as the Workplace Safety and Insurance Board (WSIB) and the Health and Safety Associations (HSAs), aims to reduce and prevent fatalities, illness and injuries across Ontario workplaces. A safe work environment is a vital part of protecting the well-being of Ontario workers. Through OHS activities, MOL also contributes to higher productivity and lower employment costs – in doing so the Ministry not only supports Ontario businesses, it also supports the government's efforts to attract jobs and investment to Ontario.

The **Employment Rights and Responsibilities Program** helps protect vulnerable workers by creating fair workplaces, thereby supporting the government's priority of providing greater opportunities and security for all Ontarians.

The **ES Program** also creates a level playing field for employers, thereby reinforcing a competitive business environment that attracts jobs and investment to Ontario.

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. Since 2016-17, the Ministry also provides legislative oversight for the Ontario College of Trades.

MOL continues to support Ontario's commitment to meet its fiscal targets and maintain a balanced budget in 2017-18. It does this by reviewing its programs and services regularly to ensure resources are allocated appropriately to get maximum value and to deliver the important work that Ontarians expect in an effective and efficient manner.

How MOL's key strategies support the government's key priorities\$

Priorities

- Providing Greater Opportunities and Security
- Helping Ontario Businesses Succeed

Results

- More competitive and attractive economy
- Increased productivity in workplaces
- Strong workplace culture of health and safety
- Safer and healthier workplaces
- Fair and equitable workplaces
- Fair working conditions and paid wages for vulnerable and young workers
- A strategy to help close the gender wage gap
- Protection from sexual violence and harassment in the workplace
- Improved labour relations stability in the Broader Public Sector
- A highly skilled workforce

Major activities and strategies

Occupational Health and Safety

- Province-wide Healthy and Safe Ontario Workplaces strategy.
- Inspect workplaces with high-risk hazards to reduce lost time injuries.
- Review and update health and safety legislation and regulations to enhance health and safety.
- Develop and implement health and safety awareness and training programs.
- Work with the WSIB to ensure its long-term sustainability while balancing interests of injured workers and employers.

Labour Relations

- Facilitate labour relations dispute resolution to create fairness and stability in the workplace.
- Update and promote best practices in labour relations.
- Review and update labour laws to reflect the changing economy and workplaces.
- Work with the Ontario College of Trades to Implement the recommendations of the Premier's Highly

Skilled Workforce Expert Panel.

Employment Rights and Responsibilities

- Conduct proactive inspections in high-risk workplaces.
- Resolve all claims filed.
- Consistent application of relevant legislations will facilitate a level playing field for employers and employees to ensure competitiveness.
- Review and update employment laws to reflect the changing economy and workplaces.

Ministry Programs and Activities

Occupational Health and Safety

The aim of MOL’s Occupational Health and Safety (OHS) program is to reduce or eliminate workplace fatalities, injuries and illness through prevention and enforcement. MOL works closely with workplace health and safety system partners to improve occupational health and safety across the province.

The legislative foundation of MOL’s OHS program is the *Occupational Health and Safety Act (OHSA)* and its regulations, which establish rights and duties of workers, employers, and key institutions. Among other things, the OHSA requires compliance with minimum standards to protect the health and safety of Ontario workers. The OHSA applies to all workplaces across all business sectors of Ontario except for work activities undertaken by an owner/resident or a servant of an owner/resident, in a private residence, or workplaces regulated by the federal government.

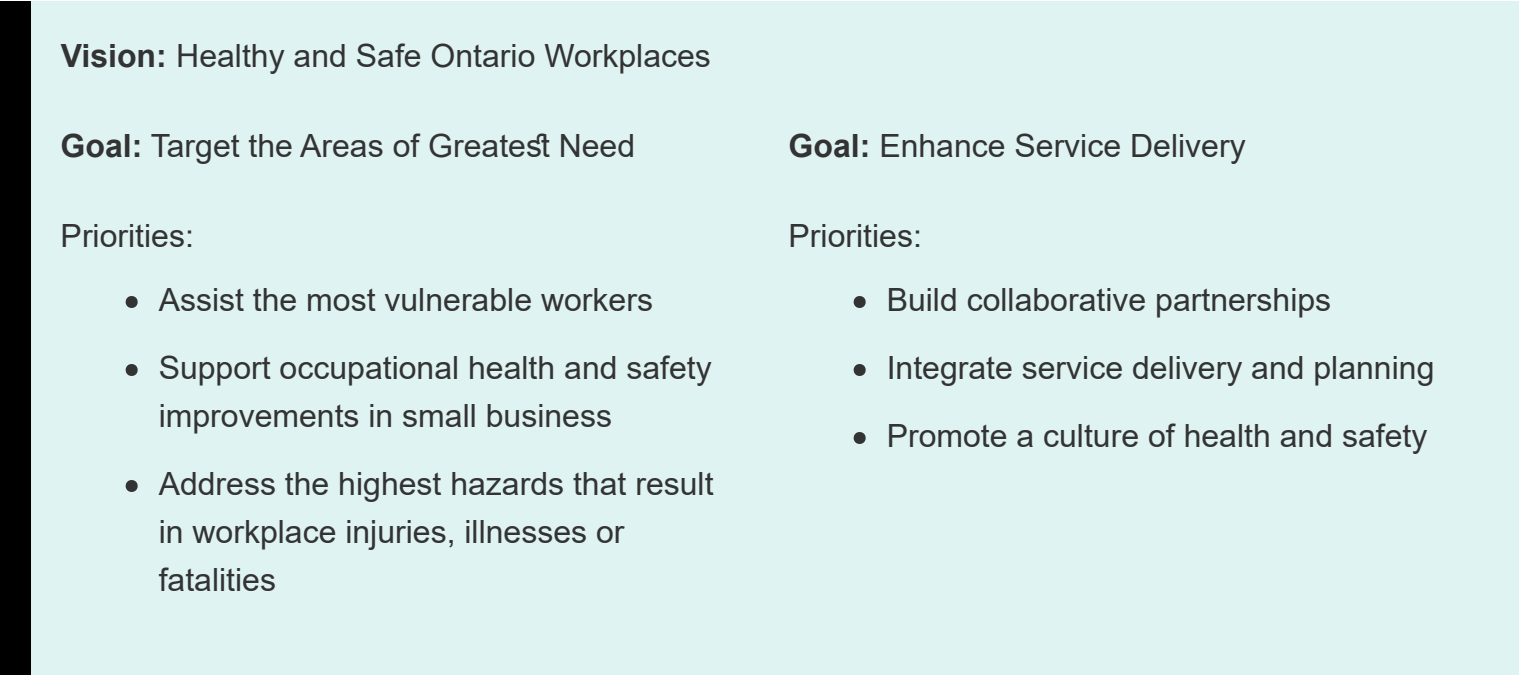
Healthy and safe workplaces can only be achieved with the joint commitment of workers, supervisors and employers, which is embodied in the concept of the “Internal Responsibility System” or “IRS”. The IRS means that everyone in the workplace has a role to play in keeping workplaces safe and healthy, to the extent that each party has control over it. Workers in the workplace who see a health and safety problem such as a hazard or contravention of the OHSA in the workplace have a statutory duty to report the situation to the employer or a supervisor. Employers and supervisors are, in turn, required to address those situations and acquaint workers with any hazard in the work that they do. The MOL continues to work with system partners and stakeholders to develop ways to improve the IRS.

The OHS program in MOL is split into two major streams – OHS Prevention and OHS Enforcement.

Occupational Health and Safety Prevention

Prevention activities are guided by the province-wide integrated occupational health and safety strategy. Under this strategy, MOL works with business, worker groups and the provincial health and safety system

partners to create a culture where occupational health and safety is at the centre of the workplace. The six priority areas of the OHS strategy are shown in the diagram below.



Prevention activities guided by the OHS strategy are carried out by the OHS system partners under the leadership of the Chief Prevention Officer (CPO), the Prevention Office and advice from the Prevention Council. These activities include:

1. Funding and oversight of the six Health and Safety Associations (HSAs) that offer OHS training, education, awareness and specialized clinic services.

The HSAs are comprised of:

Sector-focused Safe Workplace Associations (SWAs):

- Infrastructure Health and Safety Association (IHSA)
- Public Services Health and Safety Association (PSHSA)
- Workplace Safety North (WSN)
- Workplace Safety and Prevention Services (WSPS)

Medical clinics:

- Occupational Health Clinics for Ontario Workers (OHCOW)

A training centre:

- Workers Health and Safety Centre (WHSC)

2. Funding OHS research and prevention/innovation grants, including:
 - Funding and administering the Research Opportunities Program that delivers OHS research

funding and oversight of the Specialized Research Centres.

- Funding and administering the Occupational Health and Safety Prevention Innovation Program that delivers grant funding to applicants focused on OHS prevention activities.

3. Establishing and implementing rigorous standards for specialized OHS training that is required to be taken through a provider and a program that has been approved by the CPO

The multi-stakeholder Prevention Council provides strategic advice to the CPO on OHS funding decisions, policy and program developments, and other key initiatives.

Details of prevention achievements are set out in the Occupational Health and Safety in Ontario [2014-15 Annual Report](#).

Promoting Occupational Health and Safety

The September 2016 Mandate Letter to the Minister of Labour outlined the requirement for Ministry of Labour to further advance the safety of workplaces that are essential to the social and economic well-being of the people of Ontario, with specific priorities that will enhance the promotion of health and safety.

One of the ways that MOL is delivering on this commitment is through collaboration with the Ministry of Health and Long-Term Care and the Ministry of Education in developing new strategies to address workplace violence in health care and education.

The Workplace Violence Prevention in Health Care Leadership Table

The Leadership Table was tasked with developing recommendations to improve conditions for Ontario's health care workers, and completed its Phase One review that resulted in 13 hazard prevention products and 23 recommendations. In 2017-18, MOL is building on the work of the Leadership Table by investing in the Collaborating on Workplace Violence project – an initiative which will advance health and safety in the health care sector through education, development and implementation of best practices, and development of toolkits and other resources. The project will also involve collaboration across the Leadership Table, including the Ontario Nurses' Association, Ontario Hospital Association, and other stakeholders from across the healthcare and health and safety community, both public and private.

The Workplace Violence Prevention in Education Sector

In 2017-18, MOL will also continue to work with Ministry of Education through the Provincial Working Group for Health and Safety to provide technical support and clarify issues pertaining to workplace violence requirements under the OHSA. The Ministry of Labour also funds and provides technical support to partners that engage government, labour, and management stakeholders in the development of resources to address workplace violence in schools including a risk assessment tool, safety plan guide and training program for principals to understand their responsibilities.

Workplace accident prevention - mining sector

The Ministry is working towards strengthening workplace accident prevention with targeted efforts towards the construction and mining sectors. Work will commence in 2017-18 to modernize and support the sustainability of the Ontario Mine Rescue (OMR) program, and to implement the recommendations of the Mining Health, Safety and Prevention Review carried out by MOL, including:

- Supporting high-hazard work;
- Strengthening mining occupational health and safety;
- Creating new training requirements to tackle new challenges for mine rescue. These challenges are a result of advancing mining technologies and production processes, coupled with more remote, deeper and expanded mines; and,
- Developing appropriate emergency response plans for an expanding range of work sites.

Workplace accident prevention – construction sector

In Spring 2017 MOL, with advice from the Construction Health and Safety Advisory Group, released the Construction Health and Safety Action Plan (CHSAP) aimed at decreasing the number of injuries, accidents and fatalities in the construction sector. The CHSAP focuses on several key priority areas, such as:

- Enhancing training and education of the sector;
- Increasing access to new and updated resources;
- Enhancing IRS by strengthening values and attitudes towards health and safety;
- Conducting strategic enforcement initiatives focused on priorities;
- Ensuring appropriate penalties and incentives to motivate compliance; and,
- Ensuring regulatory requirements are up to date and effectively communicated and understood.

Fair and equitable system for injured workers

Supporting vulnerable populations remains a key focus for MOL and remains a priority articulated in the 2016 September Mandate Letter that directed the ministry to ensure that a fair and equitable compensation system is in place for injured workers in Ontario. One of Ontario's most vulnerable workers is injured workers, those who are new to Ontario, and workers in precarious areas of work. As a result, the Ministry of Labour is investing in Secondary Prevention – an initiative that is focussed on preventing workplace injury and illness among injured workers who have returned to work and protecting workers from suffering long-term effects of a work-related injury.

OHS Enforcement

OHSA Enforcement activities are focused on ensuring compliance with the OHSA and its regulations, particularly in high hazard workplaces.

The OHSA and its regulations impose requirements and duties on workplace parties to minimize the risk of injuries on the job and provides for the enforcement of the law where compliance has not been achieved voluntarily. Ministry health and safety inspectors have broad powers to enforce the OHSA. This includes the power to inspect any workplace; investigate any potential hazardous situation and/or work refusal, complaint, injury, illness or fatality; order compliance with the OHSA and its regulations; and/or, commence a prosecution, when warranted.

Safe At Work Ontario

As part of the Healthy and Safe Ontario Workplaces strategy, Safe At Work Ontario focuses on compliance, through enforcement and monitoring, and is designed to:

- Reduce workplace injuries and illness;
- Bring improvement to the health and safety culture of workplaces;
- Reduce the burden on Ontario's health care system;
- Avoid costs for employers and the WSIB; and,
- Provide a level playing field for compliant companies.

Most often workplace incidents that lead to injury or death are preventable or avoidable. That's why Safe At Work Ontario takes a proactive approach to health and safety inspections.

The foundation of the compliance strategy consists of three pillars:

1. **Enforcement** of the OHSA primarily through proactive inspections under safe at work blitzes as well as provincial and regional initiatives.

Through proactive enforcement blitzes, MOL inspectors focus on raising awareness of key workplace hazards and identify and inspect high risk workplaces where these hazards might be present. In 2017-18, the Ministry of Labour will be conducting approximately ten blitzes across four main sectors in Ontario: the construction, industrial, health care, and mining sectors. The blitzes continue to be well received by employer and labour stakeholders.

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. Results are generally posted within 90 days of the end of the blitz.

2. **Enabling compliance** through the provision of information, resources and tools to assist workplaces in meeting legislative requirements. MOL publishes sector specific enforcement

strategies and provides workplaces with compliance tools and other supports for health and safety blitzes and initiatives. Annual consultations provide an opportunity for stakeholders to shape future strategies and initiatives.

Examples of compliance supports which provide insight for employers on inspections include videos on Fall Hazard Safety in Low Rise Construction, Health and Safety in Veterinary Clinics, Forklift Safety Inspection, and Auto Body Repair Shop Safety Inspection.

3. **Partnership**, where the ministry 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), approved training providers, and the Institute for Work & Health (IWH), to refine ministry enforcement efforts. Ontario's HSAs 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.

Safe At Work Ontario focuses on businesses with high risk factors, such as a company's health and safety compliance history and whether they have significant injury rates and/or significant injury claims costs. The ministry also looks at the size of the workplace, age of a business, whether hazards are inherent to the business of the workplace and the presence of new, young or otherwise vulnerable workers.

Employment Rights and Responsibilities – Employment Standards Program

Protect vulnerable workers and support poverty reduction

The Ministry of Labour's Employment Standards Program is part of the Ministry's Employment Rights and Responsibilities mandate and is a key contributor to the creation and maintenance of workplaces that promote a more competitive business environment, fair and equitable workplaces, a more engaged workforce, and a level playing field for employers.

The program administers and enforces the *Employment Standards Act, 2000* (ESA), the *Employment Protection for Foreign Nationals Act, 2009* (EPFNA) and the *Protecting Child Performers Act, 2015* (PCPA). Compliance with these laws and Regulations is promoted through activities focusing on prevention (education, outreach and partnerships), inspections, investigations and enforcement.

Program services are delivered through regional/field offices with enforcement staff (employment standards officers (ESOs) that investigate and resolve complaints about employers who may not be complying with their obligations under the ESA and the EPFNA or the PCPA. Field staff also conducts proactive inspections of workplaces to enforce and promote compliance.

The program's activities ensure that Ontario employees, including vulnerable workers, are protected by

minimum workplace standards, such as minimum requirements for employment; provisions to assist employees with family responsibilities; increased flexibility in work arrangements; and, mechanisms for compliance and enforcement.

Proactive inspections

In addition to claims, employment standards officers also conduct proactive inspections of employers.

The goal of proactive enforcement through workplace inspections is to support and ensure overall education and compliance to make employers aware of their responsibilities under the ESA, the EPFNA and the PCPA; help identify and deter non-compliance before violations and complaints arise; and, to make the Ministry of Labour's presence known in high-risk sectors.

A total of 3,334 inspections were completed in 2016-17, including 898 compliance check inspections. The program will conduct a minimum of 3,000 proactive inspections in 2017-18 and increase the levels of unpaid wages recovered for higher numbers of vulnerable workers.

The focus of proactive inspections will be sectors with the highest risk of precarious and non-standard employment. Sectors known to employ the most vulnerable workers and with a history of non-compliance will be targeted for proactive enforcement efforts. By focusing enforcement on high risk sectors, the Ministry of Labour will achieve better protection for the employees under the ESA.

Education, outreach and partnership

Education, Outreach and Partnership (EOP) is part of MOL's strategy to create an environment where employers and employees understand their rights and obligations under the *Employment Standards Act, 2000* (ESA).

Annual stakeholder consultations are held as part of the EOP strategy. The advice and recommendations gleaned from these annual consultations feed directly into proactive enforcement and education/outreach planning for the following fiscal year. The program held its fifth annual stakeholder consultation in December 2016, where over 30 external stakeholder representatives and dozens of field staff participated.

The program has developed a series of [web-based tools](#). These tools are a key part of the supports and services available to help employers and employees be more self-reliant in resolving employer-employee issues and be more compliant with the ESA. The tools have been used more than nine million times to date. As a result of enhanced promotion of the tools, there was a 13% increase in tool use compared to the previous year. Over 80% of users that completed the satisfaction survey say they find the tools to be helpful. In addition, in 2016-17, through its WebES mailbox the ministry has responded to over 9,700 internet inquiries (as of December 31, 2016).

The EOP conducts ongoing outreach efforts throughout the year focusing on three key groups: small business employers, young workers, and newcomers. Outreach efforts involve forming partnerships with key employer and employee advocacy groups.

The Employment Standards Information Centre is available to respond to general queries from employees and employers regarding their rights and responsibilities under the ESA. The centre received 166, 293 calls between April 1, 2016 and March 31, 2017, and provides information in multiple languages.

Reflecting the Changing Workplace

In the 2017 Budget, the Ontario Government committed to considering the recommendations from the Changing Workplaces Review (CWR). This review involves developing reforms that reflect the realities of this modern economy and these recommendations will address fundamental issues including:

- Whether more employees should be covered by labour relations protections and minimum standards;
- How “employee” and “employer” are defined under employment and labour laws;
- How to deal with the differential treatment of part-time and full-time employees;
- What minimum standards should be in place for personal emergency leave; and,
- Whether changes need to be made to better calibrate the protections for bargaining rights enshrined in the *Labour Relations Act*.

MOL’s September 2016 Mandate Letter also highlighted the importance of strengthening enforcement of employment standards, through further resources if necessary, ensuring employers who do not respect protections for workers are held to account.

With the Final Report from the Changing Workplaces Review set to be published in Spring 2017, the Ministry of Labour is preparing to support recommendations, including anticipated key legislative amendments to the *Labour Relations Act, 1995* and the *Employment Standards Act, 2000*.

Developing a Gender Wage Gap (GWG) Strategy

In 2015, the Ministry of Labour appointed an external steering committee with a mandate to assess Ontario’s gender wage gap and make recommendations to help close the gap. The steering committee consulted with over 170 diverse stakeholders across the province and received more than 1,400 online contributions. The consultation summary was released in spring 2016, and the final report and recommendations were publicly released in August 2016 with a focus on five key areas:

- Balancing work and caregiving;
- Valuing work;

- Workplace practices;
- Challenging gender stereotypes; and,
- Other ways government can close the gender wage gap.

In response, the Ministry of Labour working with the Ministry of the Status of Women, formed Ontario's Gender Wage Gap Strategy Working Group ("the Working Group"). The Working Group comprised of women's advocacy groups, labour organizations, human resources and business. The Working Group members will participate in five targeted meetings held up to the fall of 2017, had its first meeting in April 2017, to provide practical input on specific issues and initiatives, including:

- Share the care: supporting family friendly workplaces
- Social awareness opportunities
- Workplace practices (such as transparent pay and gender workplace analysis)
- Pay equity

The overall objective of the group is to provide input on behalf of diverse stakeholders and partners to inform the government's efforts to close the gender wage gap and assist the Ministry of Labour in developing a Gender Wage Gap Strategy based on the final report and recommendations of the Gender Wage Gap Steering Committee by Spring 2018.

The Ministry of Labour is working closely with several partner ministries, including the Ministry of the Status of Women, which is leading work to support women's economic empowerment, and including the Ministry of Education, which is currently developing a Renewed Early Years and Child Care Policy Framework and Expansion Strategy. As a component of this strategy, Ontario will expand access to licensed child care by creating an additional 100,000 spaces for children aged 0-4 within the next five years, starting in 2017.

In addition to the working group and the development of a GWG strategy, on April 11, 2017, Ontario recognized Equal Pay Day 2017 to raise awareness of the earnings gap between men and women in Ontario and to acknowledge women's contribution to the economy.

Labour Relations

Stable and fair workplaces

The Ministry's objective in the area of labour relations is to foster, support and maintain a balanced, stable, and productive labour relations environment throughout the province. The key activities in this program are the effective delivery of neutral dispute resolution and education services to the unionized sectors of the province, and the provision of neutral, credible and authoritative collective bargaining information to stakeholders.

Stable labour relations are critical to the economy as well as to the government's ability to deliver results in its key services of health care, education and other public services. The Premier has specifically expressed that the Ministry is to uphold and respect the collective bargaining process with the goal of maintaining a respectful labour relations climate for both employers and unions.

To this end, MOL is focusing on maintaining stability in the broader public sectors (BPS) and private sectors. In the upcoming year, the Ministry will support collective bargaining in key BPS. These include hospitals, the Government of Ontario, the Liquor Control Board of Ontario, long-term care homes, universities and colleges, and various municipalities.

MOL has also launched an e-Library collective agreement portal, which hosts its entire collection of collective agreements in the province. It is a resource that is the first of its kind, where Ontarians can access the online database at no charge in order to support their activities in research, bargaining preparation, and bargaining. This is part of a larger strategic plan to develop a Labour Relations Information Bureau (LRIB) as the centre of excellence for labour relations information in Ontario.

Dispute Resolution Services (DRS)

Through the delivery of dispute resolution services, MOL supports employers and unions by providing neutral, third party conciliation and mediation services for parties in:

- Collective bargaining;
- Appointment of arbitrators in rights and interest arbitration;
- Up-to-date, accurate and authoritative collective bargaining information to support transformation in collective bargaining information; and,
- Grievance mediation services, workshops, conferences, facilitation and training to employers and unions on "best practices" for labour relations and collective bargaining, and building effective relationships in the workplace.

Mediators in this program assist employers and unions negotiating collective agreements under various labour related statutes. The various statutes relate to over 16,000 collective bargaining relationships in Ontario covering approximately 1.8 million workers. As of April 26, 2017, MOL provided assistance to more than 4,800 new requests for conciliation and mediation assistance, in addition to the ongoing cases carried over from the previous fiscal year. In recent years, MOL has consistently reported settlements without a work disruption in more than 99% of these negotiations.

Arbitration

MOL receives and processes approximately 1,500 requests for the appointment of interest and rights arbitrators each year. 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 (LMAC) 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 include major employers and a vast number of employees. A total of approximately 2,111 collective agreements covering 324,046 employees will be expiring in 2017. In Ontario's education sector, collective agreements under the *School Boards Collective Bargaining Act, 2014* (SBCBA) were originally set to expire on August 31, 2017. After successful negotiations and SBCBA amendments, extensions of two year agreements have been reached with all education workers' unions and teachers' federations. All nine agreements have been ratified, and take effect from 2017 to 2019, and will provide two additional years of stability in schools across the province. Any terms not included in the 2017-2019 agreements from central or local terms from the 2014-17 agreements have remained status quo. MOL will continue to support the completion of this round of local education bargaining.

Other BPS which will require MOL expertise include hospitals, the Government of Ontario, the Liquor Control Board of Ontario, long-term care homes, universities and colleges, and various municipalities. In the private sector, some key negotiations include Metro Ontario and Bruce Power. Under federal jurisdiction, some key expiries include the Association of Canadian Advertisers (ACA) and the Institute of Communications Agencies, Bell Canada, and Canada Post.

With significant collective bargaining in key BPS and private sectors, the LRIB provides authoritative and neutral collective bargaining information, and rigorous reporting and analysis to support information needs before, during, and after the collective bargaining process. MOL has already made enhancements to the LRIB. It recently revamped its collective bargaining publications, and will be working on providing interactive and self-serve access to reporting and analysis. MOL solicited input from its stakeholders, and has launched an advanced search feature on its e-Library Collective Agreements Portal (e-Library). It will continually introduce new features to the e-Library to provide a more efficient and effective way to find information and provide information, such as introducing a form that would allow bargaining parties to submit a copy of their collective agreements in order to satisfy their obligations under section 90 of the *Labour Relations Act*.

MOL will also explore developing and supporting a skills enhancement program for the resolution of interest disputes by partnering with a prominent arbitrator who led its last two Arbitrator Development Programs. Goals of the program include increasing the number of skilled neutrals to resolve interest disputes and provide timely resolutions in the public sector; advancing the delivery of effective and principled resolutions; providing a forum for discussion between stakeholders and arbitrators; and advancing the skill sets of proven neutrals on the ministry's list of approved arbitrators to enhance their acceptability with the parties.

Interactive Solutions

To promote best practices, MOL's Interactive Solutions program assists and supports parties' efforts to improve their relationship with their counterparts through customized in-house programs and regional workshops and conferences. Interactive Solutions offers innovative and responsive training and workshops in a variety of areas to parties in unionized workplaces, including committee effectiveness training, joint steward-supervisor training, interest-based bargaining training and facilitation, joint workplace problem-solving, effective union-management grievance administration, and repairing, restoring and improving union-management relationships. Regional workshops consistently attract a broad cross-section of labour and management representatives in significant numbers. Themes have included effective grievance administration, collective bargaining, and workplace problem-solving and relationship-building. All of the regional workshops may be adapted for delivery 'in-house' to workplace parties.

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. The OWA also provides 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 and insurance matters before the Workplace Safety and Insurance Board and the Workplace Safety and Insurance Appeals Tribunal. The OEA also provides support to employers with fewer than 50 employees 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 redress 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.

Public Service Grievance Board

The Public Service Grievance Board is an independent, adjudicative tribunal that provides dispute resolution services to certain management and excluded members of Ontario's public service and broader public sector employers.

Workplace Safety and Insurance Board and Workplace Safety and Insurance Appeals Tribunal

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).

College of Trades Appointments Council and Classification Roster

The Ministry provides legislative oversight for the *Ontario College of Trades and Apprenticeship Act, 2009*,

which establishes the Ontario College of Trades as a professional regulatory college responsible for promotion and regulation of the skilled trades. Ministry staff provide administrative support to the College of Trades Appointments Council and Classification Roster (COTACCR) to support its mandate to appoint members of the governing boards of the Ontario College of Trades and appoint panels to make determinations on trade classifications or reclassifications.

Advisory Agencies

Prevention Council

The Prevention Council provides advice to the Minister on the appointment of a Chief Prevention Officer and any other matter as specified by the Minister. Further, the Prevention Council also provides advice to the Chief Prevention Officer on the prevention of workplace injuries and occupational diseases, for the purposes of the provincial occupational health and safety strategy and the annual report under section 22.3 of the *Occupational Health and Safety Act*, and on any significant proposed changes to the funding and delivery of services for the prevention of workplace injuries and occupational diseases.

Labour-Management Advisory Committee

The Labour-Management Advisory Committee advises on grievance arbitration matters and about individuals qualified to act as grievance arbitrators under the *Labour Relations Act, 1995*.

Acts Administered by the Minister of Labour: 2016-2017

- [*Ambulance Services Collective Bargaining Act, 2001*](#)
- [*Crown Employees Collective Bargaining Act, 1993*](#)
- [*Employment Protection for Foreign Nationals Act, 2009*](#)
- [*Employment Standards Act, 2000*](#)
- [*Fire Protection and Prevention Act, 1997, Part IX \(Firefighters: Employment and Labour Relations\)*](#)
- [*Hospital Labour Disputes Arbitration Act*](#)
- [*Labour Relations Act, 1995*](#)
- [*Ministry of Labour Act*](#)
- [*Occupational Health and Safety Act*](#)
- [*Ontario College of Trades and Apprenticeship Act, 2009 \(except in respect of apprenticeship\)*](#)
- [*Pay Equity Act*](#)
- [*Protecting Child Performers Act, 2015*](#)

- [*Public Sector Dispute Resolution Act, 1997*](#)
- [*Public Sector Labour Relations Transition Act, 1997*](#)
- [*Public Service of Ontario Act, 2006 \[only in respect of the Public Service Grievance Board\]*](#)
- [*Registered Human Resources Professionals Act, 2013*](#)
- [*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*](#)
- [*Workers Day of Mourning Act, 2016*](#)
- [*Workplace Safety and Insurance Act, 1997*](#)

The Ministry of Labour also has responsibilities under the following Act administered by another ministry:

- [*Colleges Collective Bargaining Act, 2008*](#)
 - Administered by the Minister of Advanced Education and Skills Development. 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.

“Back To Work” Acts Administered by the Ministry of Labour:

- [*Fairness for Parents and Employees Act \(Teachers’ Withdrawal of Services\), 1997*](#)
- [*Protecting the School Year Act, 2015*](#)
- [*Toronto Public Transit Service Resumption Act, 2008*](#)
- [*York University Labour Disputes Resolution Act, 2009*](#)

Ministry Financial Information

Ministry allocation of 2017-18 base spending (\$311.8M)

- \$224.2 (72%) – Occupational Health and Safety
- \$38.6 (12%) – Employment Rights and Responsibilities
- \$24.3 (8%) – Labour Relations
- \$21.2 (7%) – Ministry Administration ^[1]
- \$3.6 (1%) – Pay Equity Commission

Ministry planned expenditures 2017-18 (\$M)

- Operating: \$310.4 million
- Capital: \$1.4 million
- Total: \$311.8 million

Ministry Planned Expenditures by Program 2017-18 (\$M)	
Program name	Ministry Planned Expenditures (Operating Expense) (\$M)
Ministry Administration Program	\$20.3M
Pay Equity Commission Program	\$3.6M
Labour Relations Program	\$24.3M
Occupational Health and Safety Program	\$223.7M
Employment Rights and Responsibilities Program	\$38.6 M
Total	\$310.4M

Capital expense: Ministry planned expenditures by program 2017-18	
Program name	Planned expenditures (capital expense)(\$M)
Ministry Administration Program	\$0.90M
Occupational Health and Safety Program	\$0.49M
Total	\$1.4M

Detailed financial information

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, legislation and regulations; 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.

Combined operating and capital summary by vote

Operating and capital expense						
Votes/Programs	Estimates 2017-18 (dollars)	Change from estimates 2016-17 (dollars)	Change from estimates 2016-17 (percentage)	Estimates in 2016-17 (dollars)	Interim actuals ^[2] 2016-17 (dollars)	Actuals 2015-16 (dollars)
Ministry Administration	21,132,500	(532,200)	(2.5)	21,664,700	21,664,700	20,701,849
Pay Equity Commission	3,596,000	(2,000)	(0.1)	3,598,000	3,598,000	3,403,717
Labour Relations	24,271,100	965,900	4.1	23,305,200	23,305,200	23,351,029
Occupational Health and Safety	224,170,000	2,457,000	1.1	221,713,000	221,713,000	217,576,512
Employment Rights and Responsibilities	38,565,600	(592,300)	(1.5)	39,157,900	39,157,900	39,850,839
Less: special warrants	0	0	0	0	0	0
Total operating and capital expense to be voted	311,735,200	2,296,400	0.7	309,438,800	309,438,800	304,883,946

Special warrants	0	0	0	0	0	0
Statutory appropriations	68,014	1,000	1.5	67,014	67,014	93,228
Ministry total operating and capital expense	311,803,214	2,297,400	0.7	309,505,814	309,505,814	304,977,174
Consolidation and other adjustments	0	0	0	0	0	0
Ministry total operating and capital expense	311,803,214	2,297,400	0.7	309,505,814	309,505,814	304,977,174

Operating and capital assets						
Votes/Programs	Estimates 2017-18 (dollars)	Change from estimates 2016-17 (dollars)	Change from estimates 2016-17 (percentage)	Estimates in 2016-17 (dollars)	Interim actuals 2016-17 (dollars) ^[3]	Actuals 2015-16 (dollars)
Ministry Administration		(1,000)	(100.0)	1,000	1,000	0
Occupational Health and Safety	1,000	0	0	1,000	1,000	0
Employment Rights and Responsibilities	1,000	1,000		0	0	0
Less: special warrants	0	0	0	0	0	0
Total capital assets to be voted	2,000	0	0	2,000	2,000	0

Special warrants	0	0	0	0	0	0
Total assets	2,000	0	0	2,000	2,000	0

Highlights of 2016-17 Achievements

- A new strategy, including legislative amendments, was announced on February 1, 2016 to help prevent or mitigate the risk of post-traumatic stress disorder (PTSD) among first responders.
- MOL took over regulatory and administrative oversight of the Ontario College of Trades (the College) and the College of Trades Appointments Council and Classification Roster (COTACCR).
- MOL conducted nine occupational health and safety blitzes and eight employment standards blitzes in 2016-17.
- MOL continued to lead the second year of the Underground Economy Residential Roofing Pilot to increase compliance with OHSA.
- Health and Safety Inspectors carried out more than 79,800 field visits and issued over 118,000 orders.
- MOL implemented its portion of the government’s Sexual Violence and Harassment Action Plan.
- The Prevention Office published the Occupational Health and Safety in Ontario 2015-16 Annual Report.
- New Joint Health and Safety Committee (JHSC) Certification Training Standards came into effect March 1st 2016.
- WHMIS adopted new international standards that are part of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS).
- The ministry successfully completed a consultation on Construction Hazard Awareness Training (CHAT).
- As of March 31, 2017, approximately 300,000 learners have successfully completed the approved Working at Heights (WAH) training.
- Work commenced on the implementation of recommendations from the Mining Health, Safety and Prevention Review.
- MOL implemented the *Protecting Child Performers’ Act, 2015*, and the *Protecting Employees’ Tips Act, 2015*.
- Personal Emergency Leave was amended for the auto sector.
- The minimum wage increased from \$11.25 to \$11.40.

- MOL achieved a settlement rate of 99% through the provision of neutral dispute resolution services to conclude collective agreements without a work stoppage.
- The ministry achieved major transformation with the release of the [e-Library Collective Agreements Portal](#) in April 2016.

Please see the [Annual Report](#) for additional details and achievements.

Ministry of Labour – Organization Chart

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
- Associate Deputy Minister and Chief Prevention Officer

The following positions report to the Deputy Minister:

- Assistant Deputy Minister of Internal Administrative Service Division and Chief Administrative Officer
- Assistant Deputy Minister, Operations Division
- Assistant Deputy Minister, Labour Relations Solutions Division
- Assistant Deputy Minister, Policy
- Associate Deputy Minister and Chief Prevention Officer
- Director, Communications and Marketing Branch
- Labour and Transportation I&IT Cluster (Ministry of Transportation)
- Legal Services Branch (Ministry of the Attorney General)
- Internal Audit Services (Treasury Board Secretariat)

The following positions report to the Chief Prevention Officer:

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

- Risk Initiative
- Planning and Resource Management Secretariat

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

- Employment Practices Branch
- Occupational Health and Safety Branch
- Central East Region
- Central West Region
- Northern Region
- Western Region
- Eastern Region
- Operations Integration Unit and Coordination Unit

The following positions report to the Assistant Deputy Minister, Labour Relations Solutions Division:

- Dispute Resolutions Services
- Labour Relations Information Bureau

The following positions report to the Assistant Deputy Minister, Policy Division:

- Employment, Labour and Corporate Policy Branch
- Health and Safety Policy and Program Development Branch
- Corporate Policy and Special Projects Branch
- Gender Wage Gap

The following positions report to the Chief Administrative Officer:

- Strategic Human Resources Branch
- Finance & Administration Branch
- Corporate Services Branch

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 Employer Adviser
(Funded by the Workplace Safety and Insurance Board)
- Office of the Worker Adviser
(Funded by the Workplace Safety and Insurance Board)
- Workplace Safety and Insurance Board
- Workplace Safety and Insurance Appeals Tribunal
(Funded by the Workplace Safety and Insurance Board)
- College of Trades Appointment Council & Classification Roster
- Public Service Greivance Board

Agencies, Boards and Commissions (ABCs)

Summary of expenditures: Agencies, boards and commissions

Agencies, boards and commissions	2016-17 interim actual revenue	2016-17 ^[4] interim actual expenditure	2017-18 estimates
Pay Equity Office	0	3,099,700	3,097,700
Pay Equity Hearings Tribunal	0	498,300	498,300
Ontario Labour Relations Board	0	12,775,000	12,596,200
Grievance Settlement Board (see note 1)	0	1,483,600	1,482,100
Office of the Worker Adviser (see note 2)	0	11,401,900	11,390,000
Office of the Employer Adviser (see note 2)	0	3,825,500	3,675,500

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:

Grievance settlement board recoveries		
Ministry recoverables	2016-17 Interim	2017-18 Estimates
Recoveries - Government ministries	1,271,100	1,271,100
Revenue - Crown employers and unions	1,483,600	1,482,100
Total recoverable	2,754,700	2,753,200

Note 2

The amounts shown 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.

Annual Report 2016-17

In 2016-17, the Ministry of Labour (MOL) supported the government’s priorities of Investing in People, Supporting a Dynamic and Innovative Business Climate and the Poverty Reduction Strategy 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 2016-17:

- The Ministry continued to enhance prevention of occupational injury and illness in the province by collaborating with system partners and leveraging existing expertise
- Along with system partners, the Safe At Work Ontario strategy continued to focus on high risk firms and those that have a poor health and safety compliance record in order to improve health and safety in Ontario workplaces.
- The Employment Standards program introduced further changes to protect vulnerable workers and make workplaces fairer by making strategic investments that will significantly increase the number of proactive employment standards inspections conducted in the coming years.
- The Ministry’s Labour Relations activities have supported stable and balanced labour relations to foster increased fairness and productivity in Ontario’s unionized workplaces through effective delivery of neutral dispute resolution and education services.

Prevention of workplace fatalities, injuries and illness

- The Prevention Office published the Occupational Health and Safety in Ontario 2015-16 Annual Report, which highlights the work done to-date to implement the integrated occupational health and safety strategy, “Healthy and Safe Ontario Workplaces”. The Annual Report discusses the work of the entire health and safety system in Ontario, including the implementation of action plans on Small Business, Falls from Heights Prevention and Ergonomics. Other strategies to address emerging issues and updated Ministry Mandate letter priorities have been implemented or are under development.
- The Occupational Health, Safety, and Prevention Innovation Program provided 15 grants totaling \$1.89M in funding to a diverse group of not-for profit organizations delivering innovative prevention programs and projects.
- The Research Opportunities Program successfully conducted its third annual call for proposals in 2016-17. Thirteen single and multi-year proposals were funded, for a total of \$2.48M.
- December 8, 2016, the *Occupational Health and Safety Act* was amended to provide the Chief Prevention Officer (CPO) with the authority to create an Accreditation and Employer Recognition program that will both incent and recognize employers who go above and beyond minimum OHSA compliance by implementing occupational health and safety management systems.
- New Joint Health and Safety Committee (JHSC) Certification Training Standards came into effect March 1, 2016. All existing and new training providers and programs must be approved by the Chief Prevention Officer (CPO) under the new Standards in order to deliver the new JHSC training. Over 22,000 learners have completed the new training provided by 30 CPO approved providers.
- The Health and Safety Training and Certification Unit (HSTACU) in the Training and Awareness Branch (TAB) successfully administered the training standard approval process for the Ministry and the Chief Prevention Officer.
 - Total number of training standards field assessments: 127
 - Total number of phone calls answered: 8,700
 - Total number of emails answered: 7,285
 - Total number of Training Providers:
 - Approved: 226
 - Rejected or Withdrawn 30
- Since April 1, 2015, employers must ensure that workers on construction projects who may use certain methods of fall protection successfully complete 'working at heights' (WAH) training that meets training program and provider standards established by the Chief Prevention Officer (CPO). As of March 31, 2017, approximately 300,000 learners have successfully completed the approved

Working at Heights (WAH) training through 165 different WAH providers that been approved by the CPO. All CPO approved Working at Heights training providers are listed on the MOL website.

- The ministry successfully completed a consultation on Construction Hazard Awareness Training (CHAT). The consultation focused on the content of the Construction Health and Safety Awareness Training Program Standard and the Construction Health and Safety Awareness Training Provider Standard. The consultation also outlined a regulatory proposal to make the CHAT initiative mandatory.
- The ministry established an advisory group to assist the government in the development and implementation of a Construction Health and Safety Action Plan that will work to strengthen workplace injury and illness prevention for construction workers across the province. By the end of 2016-17 the group was finalizing a set of recommendations to be included in the final report that would be released in Spring 2017.
- Several initiatives were funded that promoted OHS enhancements in the workplace. One example is the “Management of Aggressive and Responsive Behaviors in Healthcare” led by MOL’s TP-partner, Public Services Health and Safety Association (PSHSA).
- The Small Business and Vulnerable Worker Task Groups developed recommendations to help the system increase occupational health and safety outreach and awareness to employers, vulnerable workers and small businesses.
- MOL is supporting the Ontario Government’s Stepping Up – A Strategic Framework to Help Ontario’s Youth Succeed initiative by collaborating with 17 other ministries to improve outcomes for vulnerable youth, including occupational health and safety outcomes.
- In partnership with the Ministry of Education, collaborative work continues to support improved safety education in elementary schools, expand current levels of safety education for secondary school students and to continue support for teachers in delivering safety education in their classrooms.
- MOL participated in an annual video contest for students called “It’s Your Job...Prevention Starts Here”. This is a workplace safety video contest for secondary school students to both raise awareness and to allow youth to showcase their talent by producing videos to be used in our own young worker outreach campaigns.
- MOL began the implementation of recommendations from The Mining Health, Safety and Prevention Review that was launched to conduct consultations with mining sector stakeholders to find better ways of bringing mine workers home safely at the end of every shift, while ensuring a productive and modern mining industry across Ontario. The review looked at a wide range of areas of relevance to the health and safety of miners. The government has accepted all of the report’s 18 recommendations.
- To expand mental health protections for Ontario’s workers the ministry has implemented a strategy to reduce or prevent Post-Traumatic Stress Disorder (PTSD) in first responders. MOL’s

comprehensive approach to support mental health in the workplace also includes:

- A radio and digital campaign aimed at increasing awareness about PTSD amongst first responders, their families and communities and eliminating the stigma that too often prevents those in need from seeking help;
- An annual leadership summit to be hosted by the Ministry of Labour to highlight best practices, recognize leaders, and monitor progress in dealing with PTSD;
- A free online toolkit with resources on PTSD tailored to meet the needs of employers and each of the first responder sectors; and,
- Grants for research that supports the prevention of PTSD.
- Legislative amendments to better support first responders suffering from PTSD, including a presumption that PTSD diagnosed in first responders is work-related and the provision of authority for the Minister of Labour to require employers of first responders to provide PTSD prevention plans and make those plans publically available.

Key statistical data for HSAs

The Prevention Office continues to work with the Health and Safety Associations (HSAs) to enhance Occupational Health and Safety Prevention in Ontario.

Key statistical data for HSAs (training)		
Training	2015-16 actual number of participant hours of training	2016-17 Q3 actual number of participant hours of training
Infrastructure Health and Safety Association (IHSA)	590,798	574,966
Workplace Safety and Prevention Services (WSPS)	204,326	122,297
Public Services Health and Safety Association (PSHSA)	167,978	259,524
Workplace Safety North (WSN)	61,104	82,787
Occupational Health Clinics for Ontario Workers Inc. (OHCOW)	1,766	1,091
Workers Health and Safety Centre (WHSC)	300,360	300,215

Key statistical data for HSAs (consulting)		
Consulting	2015-16 actual number of consulting hours	2016-17 Q3 actual number of consulting hours
Infrastructure Health and Safety Association (IHSA)	24,209	20,159
Workplace Safety and Prevention Services (WSPS)	34,162	30,674
Public Services Health and Safety Association (PSHSA)	21,938	25,916
Workplace Safety North (WSN)	7,107	4,695

Making workplaces safer and healthier

In 2016-17, the ministry achieved the following in support of the Safe At Work Ontario strategy:

- MOL conducted 9 blitzes across numerous sectors to address concerns and raise awareness of occupational health and safety hazards which included:

Blitzes completed across sectors		
Blitz Focus	Sector	Date
Falls	Construction	May – July 2016
Falls	Industrial	May – July 2016
Falls	Mining	May – July 2016
New and Young Workers	Industrial	July – September 2016
Mobile Cranes and Material Hoisting	Construction	August – September 2016
Safe Material Tramming Underground and Surface	Mining	September – October 2016
Chemical Handling	Industrial	September – October 2016
Electrical Hazardsy	Construction	November – December 2016

- All blitz activities and support material for employers, such as fact sheets, are posted on MOL’s website in advance. Results are generally posted within 90 days of the end of the blitz.
- In 2016-17, Health and Safety Inspectors carried out more than 79,800 field visits and issued over 118,000 orders.
- MOL facilitated six Safe At Work Ontario Consultations across the province to obtain feedback and input from stakeholders on the OHS enforcement strategy for 2017-18.
- MOL implemented its part of the *Sexual Violence and Harassment Action Plan Act, 2016* which was introduced by the government in October 2015 as Bill 132 and received Royal Assent on March 8, 2016. The amendments to the *Occupational Health and Safety Act* came into force on September 8, 2016. The amendments enhanced employer duties with respect to workplace harassment and included:
 - Providing a new definition of workplace sexual harassment;
 - Requiring additional measures and procedures in workplace harassment programs;
 - Adding specific new employer duties to address workplace harassment;
- As part of the Sexual Violence and Harassment Action Plan, MOL also
 - Established a dedicated enforcement team to respond to sexual violence complaints and to determine employer compliance, and enforce the OHSA workplace harassment provisions;
 - Developed a Code of Practice under OHSA to help employers in developing their own workplace-specific harassment policies and programs to comply with the law; and
 - Updated the guideline: Workplace Violence and Harassment: Understanding the Law to speak to the new legislation on workplace harassment
- MOL continued to work with ministry, federal and private sector partners, including Ministry of Finance, Ministry of Government and Consumer Services, Canada Revenue Agency, and the Infrastructural Health and Safety Association on the Underground Economy Residential Roofing Pilot. This pilot is focused on increased compliance with the OHSA, the *Consumer Protection Act* and Taxation Legislation as well as education and outreach to consumers in an effort to educate them on the hazards of hiring a contractor operating in the Underground Economy. The pilot resulted in over 100,000 interactions with the public, 716 field visits and 1,678 orders issued.
- The WSIB reported a Lost-Time Injury (LTI) rate for Schedule 1 employers of 0.85 for 2015 – down from 0.92 for 2014. The 2016 LTI rate will be available by July 2017.

Lost-Time Injury (LTI) rates – Schedule 1 employers

Year	LTI rate per 100 workers
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2004	1.88
2005	1.81
2006	1.61
2007	1.55
2008	1.51
2009	1.27
2010	1.15
2011	1.05
2012	1.01
2013	0.95
2014	0.92

- MOL worked collaboratively with Health and Safety Associations to ensure stakeholders were aware of the ministry’s blitzes in each sector and other occupational health and safety initiatives, and to develop tools (such as webinars) in support of the blitzes.
- MOL facilitated consultations with stakeholders through Section 21 Advisory Committees to advise the Minister of Labour on specialized occupational health and safety matters including: mining, construction, electrical/utility sectors, fire services, health care (emergency medical services as a subcommittee of health care), police services, film and television, as well as through a live performance committee, and Technical Advisory Committee for farming.
- Between April 1, 2016 and January 31st, 2017, the Materials Testing Laboratory (MTL) tested 602 samples according to the CSA G-4 standard.
- The MTL is now accredited under the ISO 17025 international standard for laboratories and has undergone a successful performance audit on January 21, 2016.
- The Radiation Protection Monitoring Services (RPMS) team:
 - Collected 1,418 samples and performed 3,576 analysis in support of the Ontario Reactor Surveillance Program (ORSP).
 - Analyzed 226 drinking water samples, resulting in 904 analysis performed in support of the Ontario Drinking Water Surveillance Program (DWSP).

- Completed a total of 597 x-ray registration and x-ray installation approvals, and 598 field visits as of March 31, 2017.
- Was involved in two nuclear emergency exercises involving provincial and federal partners in October 2016.
- In addition to completing legislative amendments to support the prevention of PTSD in first responders and as part of the Sexual Violence and Harassment Action Plan, a number of regulatory amendments were made to better promote occupational health and safety, including:
 - Amendments to the *WHMIS Regulation (R.R.O. 1990, Regulation 860)* made under the *Occupational Health and Safety Act (OHSA)* came into effect on July 1, 2016 to adopt new, international standards that are part of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS).
 - MOL worked with the Workplace Safety and Insurance Board (WSIB) to update its employer premium rate framework, and the regulation amending *O. Reg. 175/98* (the General Regulation made under the *WSIA*) was gazetted December 31, 2016.
 - A new noise regulation under the *Occupational Health and Safety Act (OHSA)* came into force on July 1, 2016 that extends noise protection requirements to all workplaces in Ontario (previously applied to only industrial, mining, and oil and gas off-shore workplaces). MOL has also released a guideline on the noise protection requirements for workplaces.
 - Amendments to the *Construction Projects Regulation* to strengthen and clarify existing requirements relating to the use of suspended access equipment came into effect in January 2017.
 - Amendments to the *OHSA* to strengthen requirements regarding high visibility safety apparel, an issue raised in the Mining Review's Interim Report. MOL also updated guidelines on this topic.
 - Other amendments to the *OHSA* resulting from the findings of the Mining Review came into effect including:
 - Strengthened requirements for conveyors
 - Revised training requirements for surface diamond drill operations
 - New requirements for mandatory risk assessments and traffic management programs
 - Enhanced requirements for water management and recording of seismic events.
- The Ministry of Labour had a number of achievements in advancing occupational health and safety in Ontario's industrial, health care, mining and constructions sectors:
 - Collaborated with the Canadian Standards Association to update construction standards on protective headwear and high visibility garments.
 - Participated in the Safety and Loss, Ground Control and the Working Environment

committees facilitated by the mining HSA Workplace Safety North (WSN).

- Provided industrial technical expertise to:
 - The Canadian Association of Provincial Cancer Agencies and Cancer Care Ontario for the development of the recommendations for the safe handling of oral anti-cancer drugs;
 - The Ministry of Health and Long Term Care's Emergency Health Services Branch, on the Provincial Equipment Standards for Ontario Ambulance Services.
- Developed an information bulletin called Liquid Nitrogen in Food and Beverage Industry.
- Developed a video on health and safety for veterinary clinics showing what inspectors look for.
- Facilitated and participated in various healthcare committees including:
 - Provincial Infectious Diseases Advisory Committees;
 - Occupational Disease Action Plan;
 - Occupational Disease Surveillance System Project Committee;
 - Ontario Medical Association/Ontario Hospital Association ;committee on communicable diseases surveillance protocols;
 - Public Services Health and Safety Association Advisory Council; and,
 - Ministry of Health and Long Term Care (MOHLTC) Emergency Management Committee.
- Liaised with MOHLTC, Public Health Ontario and other health organizations to develop responses to emergent situations, such as the Building a Ready and Resilient Health System: Ebola Step-Down and Provincial Baseline for Infectious Disease Threats – July 2016
- Facilitated the Safe At Work Ontario (SAWO) consultations, developed and published SAWO 2016-2017 industrial, mining, construction and health care sector plans as well as a Specialized Professional Services (SPS) work plan.
- Made progress with the 2014-17 Health Care Enforcement Initiative. To promote healthy and safe environments in health care workplaces this initiative placed priority on:
 - Internal Responsibility System (IRS) Evaluation including compliance with the Occupational Health and Safety Awareness and Training Regulation and;
 - 'Inspection of the workplace' with a focus on the five most serious occupational hazards in health care:
 - Musculoskeletal disorders;
 - Exposures to hazardous biological, chemical and physical agents;

- Slips, trips and falls;
- Contact-with/struck by injuries; and,
- Workplace violence
- Developed numerous hazard alerts including:
 - Falling Ice on Construction Projects;
 - Elevating Work Platform Crushing Hazard;
 - Collapsible Bulk Containers;
 - Meat Mixer/ Grinder; and,
 - Thermal Spray Aluminum Coating Process.

Protecting vulnerable workers and making workplaces fairer

In 2016-17, the ministry enhanced its service delivery, expanded enforcement activities and supported the government’s Poverty Reduction Strategy with the following achievements:

- Delivered education, outreach and partnership activities to increase awareness of the *Employment Standards Act, 2000*.
- MOL conducted eight employment standards blitzes, including three provincial blitzes focused on young workers, temporary foreign workers and repeat violators and five regional blitzes for the following sectors: Child day-care services, small and large manufacturing, fitness centres, and tow truck companies.
- In the Employment Standards program, as of March 31, 2017:
 - Employment Standards Officers conducted 3,334 proactive inspections including 898 compliance check inspections with a continued focus on repeat violators and sectors with a history of non-compliance;
 - A total of 726 Part I tickets and 802 Notices of contraventions (NOCs) were issued to employers;
 - 16,813 claims were received and 15,498 claims were completed; and,
 - A total of 133 Part III prosecutions were initiated.

Claims investigations		
Fiscal year	Claims investigations received	Claims investigations completed
2012-13	15,050	12,345
2013-14	15,507	14,657

2014-15	14,852	17,634
2015-16	16,398	15,553
2016-17	16,813	15,493
2015/16	15,588	14,352

Note: 2012-13 completed claims investigations reflect reduced number of staff working on claims as modernization strategy focuses on a more proactive approach to enforcing the ESA and timing of recruitment and training of new ESOs to replace retiring staff.

Additionally, the ministry promoted compliance with the *Employment Standards Act, 2000* by:

- Publishing an updated and letter-sized Employment Standards Poster, which can be downloaded from the MOL website and is available in English, French and 10 other languages.
- Launching the Know Your Rights video in the spring of 2016. This video provides an overview of core employment standards and directs the audience to where they can go for additional information on each standard. To date, the video has been viewed over 11,300 times on YouTube.
- Increasing the interactive web tools to help employees and employers learn about their rights and obligations under the ESA by adding a new Pay Calculator Tool.
- Conducting a number of education, outreach and partnership initiatives throughout the year. Examples include:
 - On February 5, 2016, the *Protecting Child Performers Act, 2015*, a new stand-alone piece of legislation came into force, which promotes best interests of and provides certain protections for children in the live and recorded entertainment industries. Introduction of these changes will increase protection for vulnerable workers and create a level playing field for employers that follow the rules.
 - The *Protecting Employees’ Tips Act, 2015* came into force on June 10, 2016, amending the *Employment Standards Act, 2000* (ESA) to protect employees’ tips and other gratuities. These amendments prohibit employers from withholding or making deductions from tips or other gratuities from employees. These changes affect employers and employees covered by the ESA in workplaces where tips and gratuities are received (e.g., hair/nail salons, catering firms, taxi drivers, etc.). MOL also developed and interactive training module for staff and a new information video for the public.
- Effective January 1, 2017, Personal Emergency Leave was amended for the auto sector. Employees who are covered by the regulation are entitled to up to 7 days of unpaid, job-protected leave within each calendar year, as well as, up to 3 days of unpaid, job-protected leave because of

the death of any individual named in section 50(2) of the ESA. This is a pilot project, which will inform whether the legislation should be changed in all sectors.

- The minimum wage increased from \$11.25 to \$11.40 effective October 1st, 2016 and future minimum wage increases are indexed to changes in the Ontario Consumer Price Index. Ontario is continuing to boost income for workers across the province by increasing the general minimum wage for the fourth consecutive year, which will bring the wage up to \$11.60 in fall of 2017.
- Ensuring existing online educational resources are kept current in response to a number of legislative amendments including the October 2016 minimum wage increase; implementation of Bill 12 which amended the ESA to prohibit employers from withholding tips or other gratuities from employees, making deductions from employees' tips or other gratuities, or causing employees to return or give their tips or other gratuities to their employers except as authorized under the ESA; and legislative changes regarding Personal Emergency Leave
- Conducting a number of education, outreach and partnership initiatives throughout the year. Examples include:
 - Promoted awareness of Bill 12 provisions via media relations and stakeholder outreach, including the updated Employment Standards Poster and a new version of the Employment Standards Claim form. Additionally, the ministry launched an advertising campaign to promote awareness of the new rules around tips and gratuities in the workplace. The campaign ran from November 24, 2016 to January 9, 2017 and ads were featured on public transit, social media and a variety of ethnic/multilingual outlets.
 - Partnering and consulting with key stakeholders to jointly develop and promote new resources. The advice and recommendations gleaned from the consultations were essential to the development of the Tips and Other Gratuities Guideline and the Tips and Other Gratuities Animated video. To date, the video has been viewed over 6,500 times on YouTube.
 - Promoted educational resources to assist training service providers and consultants who work with immigrants to become familiar with MOL resources.
 - Continue to partner with the Ministry of Training, Colleges and Universities to further promote ES information and tools to Employment Ontario service providers.
 - Supported provincial enforcement blitzes by coordinating stakeholder presentations in advance of each blitz; distributing educational resources to employers during blitz inspections; and, sharing the results of each blitz with stakeholders.

Creating and maintaining a stable labour relations environment

The ministry continued to foster, support and maintain a balanced and productive labour relations climate in Ontario by:

Achieving a settlement rate of 99% in 2016 by providing neutral dispute resolution services to conclude collective agreements without a work stoppage. The ministry continues to meet its settlement target rate at or above 95%.

- The ministry was able to achieve a 33% decrease in strikes and lock-outs, and a 27% decrease in persons days lost in 2016. In 2016, there were 31 strikes and lock-outs in Ontario resulting in 244,800 person-days lost. In 2015, 46 strikes and lock-outs occurred, resulting in 337,470 person-days lost.
- Some notable settlements include:
 - In education, the ministry played a pivotal role in providing neutral advice in order to:
 - Secure SBCBA amendments which allowed for extensions of two year agreements with education workers' unions and teachers' federations, which provided for two additional years of stability in schools across Ontario
 - Facilitate discussions on remedy solutions after the Ontario Superior Court of Justice ruling last April that the government violated teachers' Charter rights in 2012 with the implementation of Bill 115
 - Conclude outstanding collective agreements at local school boards (e.g. Niagara/Thunder Bay)
 - Secure key university sector renewal agreements, such as Guelph, Brock, Carleton, and Queens Universities
 - In the health sector:
 - Several arbitration awards were reached between Participating Hospitals and the Ontario Nurses' Association and OPSEU; and Participating Nursing Homes with Service Employees International Union (SEIU)
 - In public administration:
 - The City of Toronto and the Canadian Union of Public Employees reached four, four-year term settlements
 - The correctional services bargaining unit of the Ontario Public Service Employees Union reached a two-year renewal agreement with the Provincial Government, and a major factor was the granting of the 'essential services designation' to direct future labour disputes to binding interest arbitration
 - In manufacturing, the three automakers: General Motors, Fiat Chrysler Automobiles Canada Inc. and Ford Motor Company, each concluded four-year settlements with similar terms with Unifor
 - In the construction industry, a large number of major settlements in both the Industrial, Commercial and Institutional (ICI) and non-ICI sectors were renewed
 - In the trade sector, the No Frills Franchise Owners and the United Food and Commercial

Workers (UFCW) reached a six-year agreement, and The Beer Store and UFCW reached a five-year agreement

- Achieving a settlement rate of 99% in 2016 by providing neutral dispute resolution services to conclude collective agreements without a work stoppage. The ministry continues to meet its settlement target rate at or above 95%

Settlements without strike or lockout	
Year	Actual
2007	98.4%
2008	97.3%
2009	98.4%
2010	99.2%
2011	99.0%
2012	97.7%
2013	98.2%
2014	99.0%
2015	98.9%
2016	99.0%

- MOL provided mediation and arbitration services, neutral collective bargaining information to support decision-making and collective bargaining, and training in labour relations best practices
- Its Interactive Solutions Program provided assistance to parties through:
 - customized programs to 24 employers and 26 unions, including workplace relationship restoration and intensive relationship-building, and consultation with other employers and trade unions
 - facilitation expertise at the Post-Traumatic Stress Disorder (PTSD) Summit in October 2016, which brought together workers, employers, experts, and advocates from a wide range of sectors to share their experiences and best practices in order to help mitigate and prevent PTSD
 - 145 grievance mediations on a cost-recovery basis

- MOL played a leadership role in the National Mediator Training and Development Workshop delivered in May, 2016
- MOL created opportunities for MOL and ministries to work collaboratively, such as the MOL and Treasury Board Secretariat (TBS) joint initiative to better support the collective bargaining process and its outcomes through the development of a Labour Relations Information Bureau. Working across ministries provided an opportunity to explore synergies and efficiencies through the benefits of procurement, IT clusters and administration
- MOL monitored bargaining activity for expired collective agreements and new settlements in order to maintain an updated collection of collective agreements and related settlement data and trends. Approximately 2,000 collective agreements expired in 2016-17, concentrated in the health and social services, manufacturing, and construction sectors
- MOL provided assistance in response to over 1,500 new requests for arbitration and over 4,800 new requests for mediation and conciliation assistance, while closing or completing over 1,200 arbitration and 6,000 conciliation and mediation files
- The e-Portal has been accessed from all over the world — from 85 countries to date, including Zimbabwe, Israel, and Vietnam — and is growing continually. This initiative establishes Ontario as a leader of collective bargaining information, in addition to providing modernized service to bargaining parties
- The ministry has been a leader in supporting the government’s initiative on Open Government. The launch of the e-Library portal was one of the largest Open Information endeavours in the government by opening up over 40,000 documents. MOL also supported Open Data through the opening of “Inventory of Employer and Union Relationships”, which is available on the Open Data Portal for public access. MOL proactively engaged in open dialogue with its stakeholders by surveying user experience feedback to garner input on effective ways of providing relevant information

Ministry Interim Actual Expenditures 2016-17

Ministry resources	Ministry interim actual expenditures (\$M) 2016-17 ^[5]
Operating	\$308.4M
Capital	\$1.1M
Staff strength(as of March 31, 2017)	1,454.05

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Related

Footnotes

- [1] ^ Includes Legal Services 37.4%; Communications Services 15.6%; Main Office 14.6%; Financial and Administrative Services 11.7%; Strategic Human Resources 7.1%; Corporate Services 6.4%; Information Systems 1.5%; and Audit Services; 1.2%.
- [2] ^ Interim actuals reflect the numbers presented in the 2017 Ontario Budget.
- [3] ^ Interim actuals reflect the numbers presented in the 2017 Ontario Budget.
- [4] ^ Interim actual expenditures reflect the numbers presented in the 2017 Ontario Budget.
- [5] ^ Interim actuals reflect the numbers presented in the 2017 Ontario Budget.

Ministry of Labour

The Ministry of Labour advances safe, fair and harmonious workplace practices that are essential to the social and economic well-being of the people of Ontario.

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