Sector Overview:

Labour Relations and Compensation

Treasury Board Secretariat

May 2018

SECTION 1: OVERVIEW

Ontario's labour relations system is governed by the interactions and relationships between unions, employees and employers, as well as the evolving policies and priorities of the government with respect to labour relations and the collective bargaining process. Focusing on public sector labour relations, this sector overview provides an overview of both the scope and characteristics of this system, as well as the key trends that are currently shaping it. With these trends in mind, the sector overview poses some key policy questions and considerations that will be integral to thinking about what public sector labour relations in Ontario might look like in the future.

Ontario's Public Sector Workforce

Compensation is estimated to represent approximately half of all government spending.[1]

In total, public sector employees represent approximately 1.2 million employees or about 17% of the total labour force. Of this total, 71% are unionized, or about 13 per cent of the province's entire labour force:[2]

Table 1.1 Public Sector Workforce Populations by Sector

The Role of Government

The Ontario Public Service

As the employer of approximately 67,000 employees, the government plays a direct role in managing compensation and labour relations in the Ontario Public Service (OPS). Through this role, the government collectively bargains with unionized OPS staff through the following bargaining agents:

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Consider if updates are required to information/facts/figures throughout the sector overview.

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Consider stating upfront in this section (Section 1) the focus of this sector overview – e.g. public sector labour relations and compensation (with some comparisons to private sector) or public and private labour relations and compensation. Depending on focus, suggest this section include information on both the public and private sectors as context for rest of sector overview. For example, is there any information re: private sector or broad workforce information to include in this section? Could information be included re: role of government with respect to private sector similar to information re: role of government with respect to OPS and BPS and refer to appendices for more information on applicable legislation?

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[1] This proportion is consistent with estimates for industrialized nations. Retrieved from OECD Database (2015). "Government Production Costs"
[2] Ministry of Labour's Collective Agreements Database (2017). OPS employee count 66,569 as of March 31, 2018.

- **Ontario Public Service Employees Union** (OPSEU): both the unified and corrections bargaining units, representing approximately 28,000 and 7,900 employees, respectively
- **Association of Management, Administrative and Professional Crown Employees of Ontario** (AMAPCEO): representing approximately 12,100 employees
- **Ontario Provincial Police Association** (OPPA): representing approximately 8,900 employees
- **Professional Engineers Government of Ontario** (PEGO): representing approximately 600 employees
- **Association of Law Officers of the Crown and the Ontario Crown Attorneys' Association** (ALOC/OCAA): representing approximately 1,700 employees
- **Association of Ontario Physicians and Dentists in the Public Service** (AOPDPS): representing approximately 13 employees.

In total, compensation for all OPS employees represents a $6.2 billion annual expense.

The Broader Public Sector

With regards to the broader public sector (BPS) — which includes service delivery partners who are recipients of government funding (e.g., hospitals, school boards, universities, colleges, and children's aid societies) — the government has choices about the level of involvement that it may want in managing labour relations and compensation. Historically, the government's overall level of involvement has been less direct in comparison to its role in managing labour relations and compensation in the OPS. For example, line ministries are able to steer bargaining outcomes in their respective sectors through their role in managing funding relationships with BPS service delivery agents. Through these avenues, the government's current ability to influence outcomes is highly varied across sectors. For example, in the education sector the government is currently a participant in negotiations between school boards and the unions as specifically set out in the School Board Collective Agreement Bargaining Act. On the other hand, in sectors like social services where bargaining is highly fragmented (i.e., mostly occurs on an individual employer-union basis) and where provincial government funding may only represent a small portion of a given organization's total budget, the government has been less readily able to influence outcomes. In addition to these relationships, the government has been able to influence collective bargaining outcomes through legislative measures (e.g., wage constraint, changes to minimum standards and labour relations frameworks), and by providing leadership and direction to the BPS through key policy documents such as the Fall Economic Statement and the Budget.

Labour Relations in the Private Sector

Traditionally, the government has had next to no involvement in private sector collective bargaining. Rather, the government's role in this case is limited to establishing minimum legal standards and procedures which govern the labour relations framework for private sector employers, employees and unions. As an example, the government is able to influence unionization rates through changes to the rules and thresholds for establishing or dissolving a union (for a detailed breakdown of applicable legislation see *Appendix A*). [3]

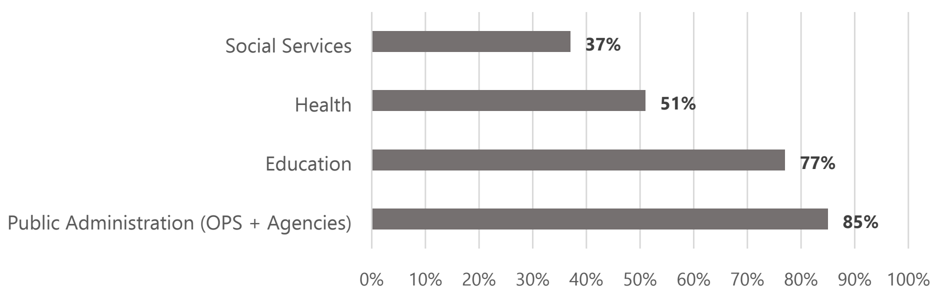
[3] Ministry of Labour's Collective Agreements Database (2018).

SECTION 2: KEY FACTS AND TRENDS

Rates of Unionization Vary Across the Public and Private Sectors

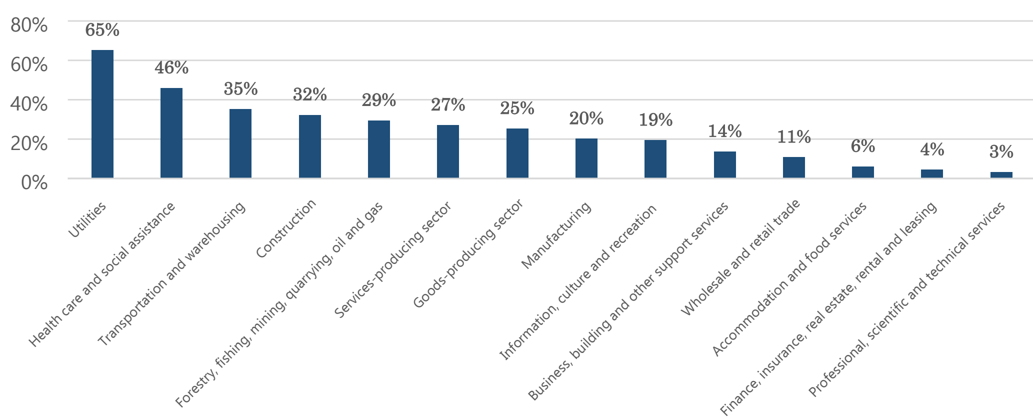
Rates of unionization vary widely across key areas of the public sector, ranging from 85 per cent in the OPS and provincial agencies to 37 per cent in the social services sector.[4]

Table 2.1 Public Sector Unionization Rates (2017)



In the private sector, unions are primarily concentrated in the utilities, health care/social assistance, and transportation sectors, but lack a strong presence in sectors such as hospitality, finance and professional/technical services:[5]

Table 2.2 Private Sector Unionization Rates in Ontario (2017)



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Consider updating headings/titles to "insight titles" to draw out key trends in this section, etc. For example: a possible "insight title" for the first heading is: "Rates of unionization vary across the public sector".

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Some of the sectors/industries could include public components / sub-sectors; suggest considering how this could impact #s.

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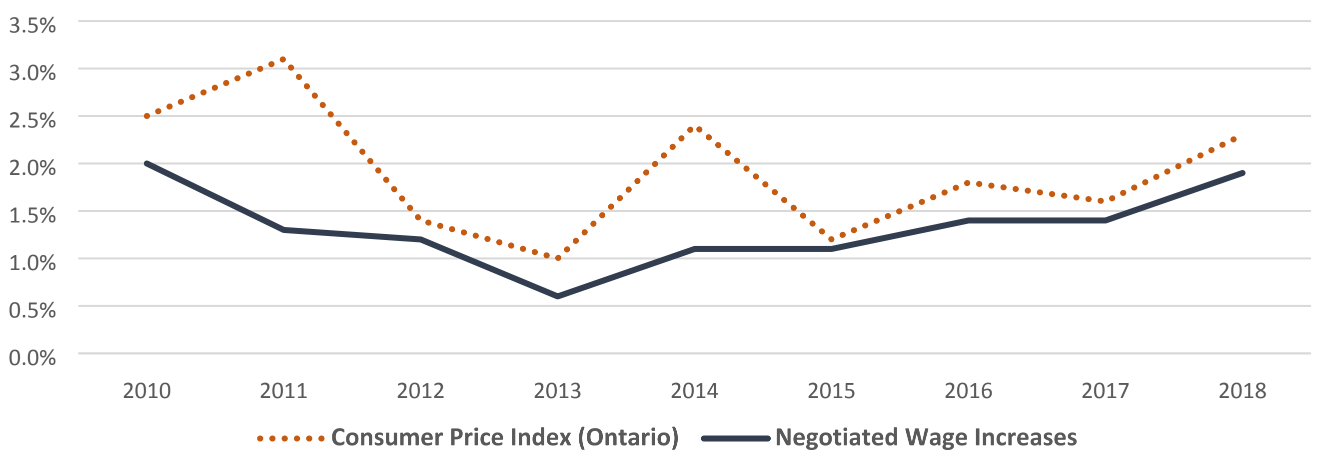
[4] Statistics Canada's Labour Force Survey (2017).
[5] Statistics Canada's Labour Force Survey (2017).

Over the Past Few Years Negotiated Wage Outcomes Have Been Lower Than Increases in the Cost of Living

Since 2010, annual wage increases for unionized workers in the provincial public sector have been below cost of living increases (as measured by the consumer price index) and trends set by other public and private sector comparators:[6]

Table 2.3 Negotiated Wage Outcomes Compared to CPI (2018)



Looking ahead, based on the settlement patterns set by recently negotiated agreements, wage outcomes in the provincial public sector are expected to align more closely with cost of living increases as well as negotiated increases reached in other sectors.

With this broader trend in mind, a number of large collective agreements have recently been negotiated and settled in the provincial public sector, including those with AMAPCEO and the unified bargaining unit of OPSEU. These two bargaining agents represent the majority of employees who are directly employed by the government in the OPS. Recent agreements were also reached with key BPS bargaining groups, including teachers, college support staff and workers employed by the Liquor Control Board of Ontario (LCBO).

The outcomes of these agreements provide workers with wage increases that align with recent wage trends. In total, these new agreements cover approximately 340,000 workers, or about 35 per cent of Ontario's unionized public sector workforce.

Labour Disruptions in the Public Sector Tend to Be Cyclical

On average, the percentage of the unionized workforce involved in a work stoppage in a given year is around 2 per cent. In the public sector, rates tend to be more volatile, with peaks around 7 per cent in 2002 and 2012, while in the private sector the historical trend appears to be more stable:[7]

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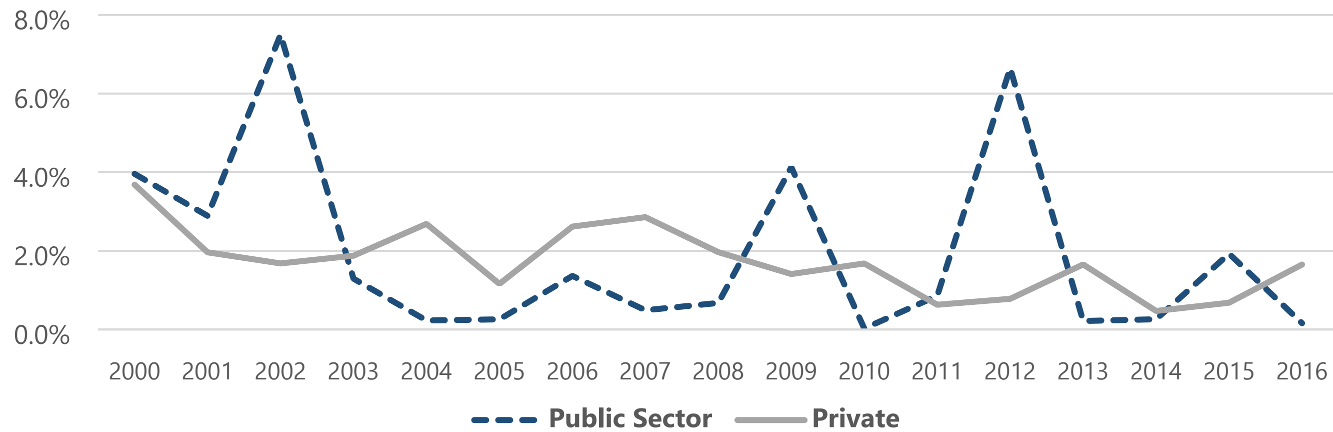
[6] Wage data obtained from the Ministry of Labour's Collective Agreement Database. CPI data obtained from Statistics Canada (2018).

[7] Statistics Canada (2017).

Table 2.4 Percentage of Workforce Involved in a Work Stoppage (Strike/Lockout) (2000-2016)



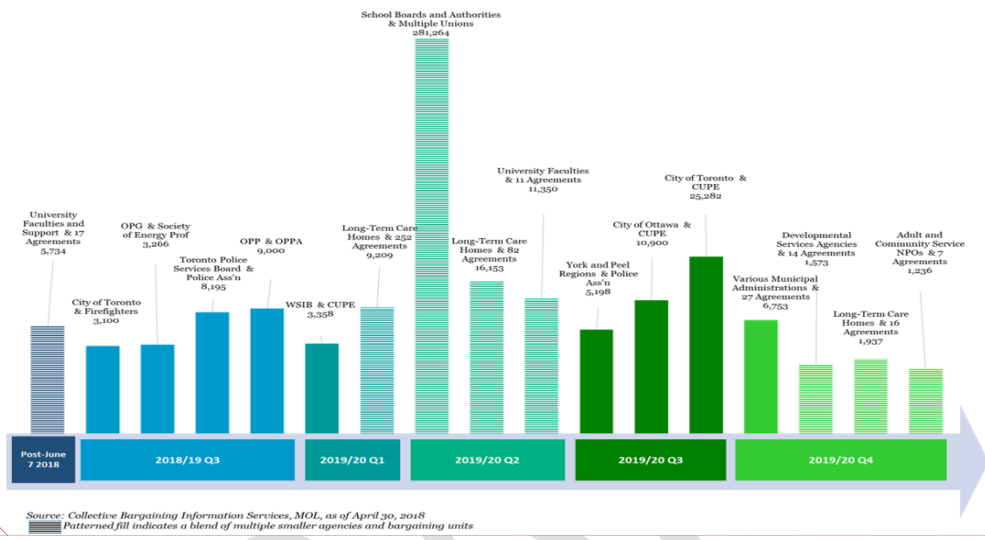
It is important to note that strikes in the public sector — when they occur — typically involve a large proportion of the workforce, given that public sector negotiations are more consolidated (i.e., they are more likely to involve large numbers of employees across multiple employers) in comparison to the private sector where negotiations are generally more fragmented and more likely to be conducted on an individual union-employer basis.

The Upcoming Bargaining Cycle is Heavy

The upcoming bargaining cycle includes 2,168 agreements representing 626,000 employees that are already expired or set to expire over the next year. Below is a summary of large agreements that are set to expire in between January 2018 and December 2019.[9]

[9] Statistics Canada (2017).

Table 2.5 Upcoming Expiries by Employer/Bargaining Agent (June 2018 to March 2019)



Source: Collective Bargaining Information Services, MOL, as of April 30, 2018
Patterned fill indicates a blend of multiple smaller agencies and bargaining units

In the OPS, significant activity on a number of key negotiations is expected over the next two years. Currently, the government, as an employer, is involved in negotiations/interest arbitration with ALOC/OCAA and the correctional bargaining unit of OPSEU. With respect to ALOC/OCAA, interest arbitration began in late April 2018, with a decision expected to be awarded in mid-to-late 2018. For OPSEU Corrections, negotiations reached an impasse in early May 2018, and the parties are now proceeding to interest arbitration.

Additionally, with the OPPA and PEGO collective agreements set to expire on December 31, 2018, the government would need to develop bargaining mandates for both of these groups in order to begin the negotiations process before the end of the term of the existing collective agreements. Through negotiations with the OPPA, the government could potentially influence outcomes in the policing sector more broadly, by establishing a wage trend for smaller municipal jurisdictions to follow.

Pensions

On average, public sector workers are about twice as likely to be covered by a registered pension plan in comparison to their private sector counterparts. This gap has grown over the past 25 years, where the overall rate of private sector participation decreased from 37 per cent to 28 per cent, while coverage in the public sector has remained stable at around 80 per cent.[10]

[10] Statistics Canada (2017).

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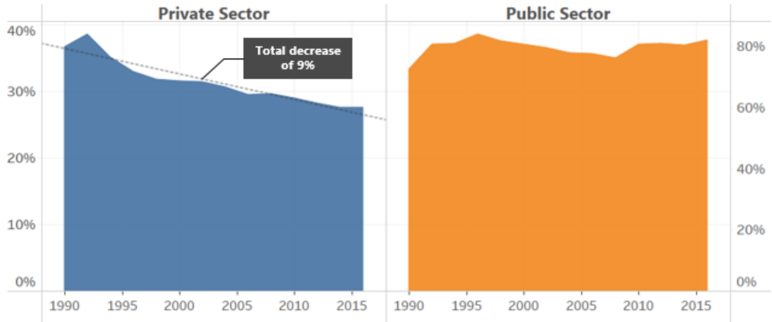
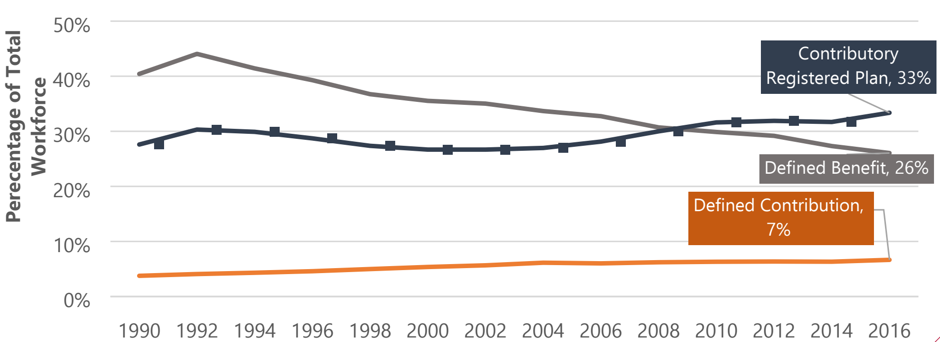
- "University Faculties &11 Agreements" reference on the chart – the spelling of "agreements" requires correcting
- Suggest noting if all agreements relate to public sector

Table 2.6 Public and Private Sector Rates of Pension Participation in Ontario (1990-2015)



In addition to the declining overall rate of private sector pension coverage, there has also been a shift in the structure and type of pension coverage. Increasingly, employees are now much more likely to be covered by a plan where they bear the majority of the investment risks, as opposed to single-employer defined benefit plans where benefits are guaranteed and the employer bears a greater proportion of the risks.[11]

Table 2.7 Employee Coverage in Ontario By Pension Type (1990-2016)



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- Is this Ontario or Canada-wide data?
- Is this information available by public or private sector similar to above?

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In the OPS, the Public Service Pension Plan (PSPP) and the OPSEU Pension Plan are responsible for administering pension benefits to the majority of OPS employees. The PSPP is a single employer pension plan (SEPP) that is sponsored by the Government of Ontario and administered by the Ontario Pension Board (OPB). Its assets are invested by the Investment Management Corporation of Ontario (IMCO) under the guidance of the OPB. The OPSEU Pension Plan is a jointly sponsored plan (JSPP) — meaning that both the government and OPSEU sponsor the plan and any changes to the plan require the joint consent of the government and the bargaining agent. This plan is administered and invested by OPSEU Pension Trust (OPTrust). It is important to note that historically speaking, pension changes are a particularly sensitive labour relations issue, and disputes on this matter are highly likely to result in labour conflict.

[11] Statistics Canada (2017).

At this time, both plans are fiscally sustainable. The Benefits Canada Top 100 Pension Plans Report from June 2017 ranked the PSPP and the OPSEU Pension Plan 10th and 16th respectively in terms of their overall health. Based on current actuarial valuations, which assume a pension plan will continue to operate indefinitely, the PSPP is 97 per cent funded and the OPSEU plan is 100 per cent funded.

SECTION 3: KEY STRATEGIC QUESTIONS, OPTIONS AND POSSIBLE DIRECTIONS

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Per comment/question at beginning of sector overview, depending on focus of sector overview (e.g. public/private), suggest considering if any updates are required to this section.

Key Considerations

Recent Changes to Managing Compensation

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- Consider including reference to BPSAA around 2012, which also dealt with executive compensation.
- Suggest noting this part of section relates to public sector.

In 2009, measures were introduced to constrain compensation growth in the public sector, which included salary freezes for OPS executives, managers and non-bargaining staff. Executive compensation in the BPS has been subject to restraint under the *Broader Public Sector Accountability Act, 2010* (BPSAA) since 2012 for designated executives at hospitals, universities, colleges, school boards and certain hydro entities. Subsequently, in 2014, a net-zero bargaining mandate was implemented for unionized employees and efforts were made to allow the government to take an active role in managing executive compensation in the BPS through the introduction of the *Broader Public Sector Executive Compensation Act, 2014* (BPSECA). Under the net-zero framework, any negotiated wage increases had to be offset through savings of equivalent value found elsewhere in the collective agreement, so that the outcomes of an agreement would be fiscally neutral.

With respect to executive compensation, the creation of the BPSECA authorized the government to create compensation frameworks for designated employers and executives in the BPS. Under the Act, the Executive Compensation Framework Regulation (the "Regulation") was brought into force on September 6, 2016. The Regulation applies to approximately 310 designated broader public sector employers. The Regulation established a set of standards that broader public sector employers are required to meet when making executive compensation decisions. This includes capping salary and performance-related payments for designated executives at no more than the 50th percentile of appropriate public sector comparators, and prohibitions on unreasonable elements such as signing and retention bonuses and pay in lieu of perquisites. Each designated employer is also required to engage in public consultations on their compensation program before it is finalized.

More recently, there has been a shift away from the previous net-zero framework. As part of this shift, a gradual approach was taken to remove the freeze on OPS executives, managers and non-bargaining staff salaries in order to ensure fairness between unionized employees and their non-bargaining counterparts. The lifting of this freeze is being phased in over a multi-year period, concluding in 2019. Additionally, there have been efforts made to align collective bargaining outcomes across all key areas of the public and broader public sector with current public sector wage trends.

The Fair Workplaces, Better Jobs Act

The most recent and significant change to public sector compensation, and Ontario's labour relations landscape more broadly, includes reforms to both the Employment Standards Act and the Ontario Labour Relations Act through the Fair Workplaces, Better Jobs Act, 2017. Overall, these legislative changes were designed to enhance labour standards and improve working conditions, especially for vulnerable groups of employees such as part-time and temporary workers. Some of these amendments include: eliminating exclusions for Crown employees (impacting the OPS, colleges, and some provincial agencies), expanding unpaid and paid leave provisions, requiring employers to compensate part-time and temporary employees at the same rate as full-time permanent employees, and increasing the province's minimum wage to $14.00 (since January 1, 2018) and to $15.00 per hour by January 1, 2019. Sectors such as long-term care, homecare, social services, and child care — where a sizable portion of the workforce is non-unionized, employed on a part-time basis, and/or earning wages close to the minimum — are expected to be impacted most by these provisions.

Commented [AM(12]: Comment/question for TBS follow-up as appropriate:
Consider including interim step of $14.00 per hour by January 1, 2018.

Key Policy Drivers Shaping Future Policy Direction

Public Service Renewal

Going forward, a key challenge for the government will be the need to ensure that public sector compensation and benefits continue to attract and retain a modern and agile workforce.

The Changing Legal Framework with Respect to Collective Bargaining and Employee Representation

Over the past few years, a number of Supreme Court decisions have affirmed the constitutional right of workers to join and be meaningfully represented by a union. This means that, going forward, any future government policy or direction with respect to collective bargaining and compensation will need to ensure that it does not unintentionally infringe on these rights. For example, in 2016, the Ontario Superior Court of Justice found that the Putting Students First Act breached this right by substantially interfering with the collective bargaining process through the government's unilateral imposition of collective agreement terms without consultation with the impacted bargaining agents. This resulted in the need for a remedy to be jointly determined by the parties, or if they are unable to agree, then they must return to court for a determination.

Continuing to Balance Fiscal Objectives with Employees' Expectations

As a result of the earlier wage restraint measures, an expectation was established amongst public sector employees that, going forward, new agreements would include a "catch-up" component — meaning that increases would be higher than the current trend in order to make up for the lack of wage increases awarded during the 2009 to 2016 period.

The Changing Nature of the Labour Market

The rise of precarious employment (i.e., temporary, low-paid and part-time work), the sharing economy, and the displacement of traditional occupations and industries, combined with the increasing risk of automation (it is estimated that approximately 42 per cent of work tasks can already be automated using existing technology)[8], means that the labour market has been and will continue to be subject to rapid change. As a result, a key challenge for the government will be the need to ensure that the public service is able to keep pace with these broader labour market changes — this will require examining opportunities for enhancing workforce flexibility throughout the upcoming bargaining cycle.

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Suggest including source of information in footnote.

<u>Lessons from Other Canadian Jurisdictions</u>

BPS Executive Compensation

With respect to BPS executive compensation, examples from other jurisdictions, including Alberta, British Columbia, Saskatchewan and the federal government, could be considered to make potential revisions in policy direction. In other provinces, current executive compensation policies range from enhanced disclosure and

[8] Brookfield Institute (2016). "The Talented Mr. Robot: The Impact of Automation on Canada's Workforce."

transparency requirements to government establishing sector-specific compensation frameworks with tiered salary bands.

Based on the frameworks employed in other jurisdictions, a number of themes emerge, including:

- General reliance on tiered levels/categories of organizations based on various economic variables. These levels in turn drive tiered executive compensation structures.
- The Saskatchewan and British Columbia frameworks extend to all executive levels, while the Alberta and Federal frameworks generally apply only to executive heads.
- Each of the jurisdictional government frameworks are distinct and administered separately from other sub-sector frameworks in those jurisdictions (e.g., health care).

Policy governance of the Saskatchewan framework is done by a holding company. The frameworks in the Alberta, British Columbia and Federal jurisdictions are governed by the public service. For example, the Public Sector Employer's Council Secretariat in British Columbia supports the government in setting and coordinating strategic directions in human resources management and labour relations for the broader public sector. This includes approving compensation plans for BPS executives, and tracking labour and compensation trends.

Lastly, the scope of the elements of executive compensation packages that are covered by these frameworks vary across jurisdictions. For example:

- The Alberta model sets CEO salary ranges and specific limits on certain other elements of compensation.
- The British Columbia model is the most comprehensive, and includes most elements of the total compensation package.
- The federal model includes base salary ranges and maximum variable pay performance awards.
- The Saskatchewan model includes base salary, maximum variable pay performance awards, and benefits.

The Level of Government Involvement in Collective Bargaining

In similar fashion to Ontario's current system, across most other provincial jurisdictions, the level of government involvement in BPS collective bargaining varies by the type of public service in question. For example, provincial governments tend to be more directly involved in health and primary education bargaining, but are typically less involved in sectors such as social services. In contrast, the British Columbia and Quebec models stand out as being unique in comparison to other provinces given their high level of coordination and level of direct government involvement in the collective bargaining process across all areas of the BPS.

Chart 3.1 Jurisdictions with Existing Models of Centralized Bargaining

The BPS in BC is governed by the Public Sector Employers' Act (PSEA). The Act establishes a framework to manage collective bargaining, non-bargaining employees' compensation, and pensions through the Public Sector Employers' Council Secretariat, which reports to the Minister of Finance. Through this Act, bargaining mandates are established for the entire public sector through a fixed fiscal envelope. For example, in 2014, the government instituted the Economic Stability Mandate, which prescribes annual public sector wage increases of up to 0 per cent (2014), 1 per cent (2015), 1.5 per cent (2016), 1.5 per cent (2017), 1.5 per cent (2018), and provides bargaining agents with the opportunity to receive increases above this baseline if economic growth is higher than expected.

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Suggest noting the years related to the percentage increases.

<u>**Opportunities for Setting Future Policy Direction**</u>

Based on the current trends that are actively shaping Ontario's public sector labour relations and compensation landscape, there are a number of key policy questions that could be explored as part of any potential future policy direction with respect to managing compensation:

1) *What should the government's role be with respect to BPS collective bargaining; should the government maintain or expand its oversight role?*

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- Have suggested some revisions for consideration to capture broadly the question of the government's role and related considerations.
- In addition to fiscal planning, consider relation to government service delivery objectives.

For example, enhanced oversight could allow the government to better ensure that bargaining outcomes are consistent with its service delivery and fiscal planning objectives. Conversely, enhanced oversight may disrupt existing relationships with BPS service delivery partners and the government's current avenues of informal influence.

2) *With respect to setting executive compensation in the BPS, how should the government ensure that this is done in a fair, affordable, transparent and sustainable manner?*

Across other jurisdictions in Canada, public sector executive compensation policies vary based on their application (e.g., some focus on all executives, while some apply only to executive heads) and the scope of the elements of executive compensation packages covered by these frameworks (e.g., base salaries, benefits and performance pay). As part of Ontario's current framework for managing BPS executive compensation, there is a requirement that the government evaluate the effectiveness of the framework by June 7, 2019 — this provides an opportunity to explore alternative models and potentially address stakeholder concerns with respect to the current policy.

3) *Given that benefits and pensions represent a key component of overall compensation costs, what steps should the government take to ensure that these entitlements are sustainable in the long-term?*

There are a number of opportunities to contain costs and reduce the government's long-term liability and risk by streamlining existing benefits and pension plans in order to achieve economies of scale. Additionally, with respect to benefits, there is an opportunity to realize further efficiencies by offering greater flexibility in our program design to better align with the diverse needs of a changing workforce.

APPENDIX A: CURRENT LEGISLATIVE CONTEXT

Minimum Standards

The Employment Standards Act (ESA), the Human Rights Code, the Pay Equity Act, and the Occupational Health and Safety Act (OHSA) establish minimum standards with respect to working conditions in Ontario. The ESA sets out minimum criteria with respect to wages, hours of work, overtime, termination, vacation and leaves of absence. The Human Rights Code prohibits discrimination in employment or membership in a trade union. The Pay Equity Act sets the minimum requirements for ensuring that employers compensate female employees and job classes at an equivalent comparator rate to their male counterparts. The OHSA is focused exclusively on workplace safety and outlines the responsibility of both employees and employers with respect to workers' wellbeing, including the rights of employees to refuse unsafe work as well as the responsibility of employers to protect employees by providing them with the necessary training and resources (e.g., helmets and safety glasses).

Bargaining Rights

With respect to unionization and collective bargaining, the Ontario Labour Relations Act (OLRA) outlines procedures for employees to form or dissolve a union, sets out the types of issues that can be collectively bargained, defines unfair labour practices (e.g., illegal strikes and lockouts), and establishes the Ontario Labour Relations Board to interpret and enforce the OLRA. Variations on the framework established by the OLRA are set out in specialized legislation that pertain to specific sectors of the labour market.

In the private sector, unique bargaining rights are established for the agricultural sector through the Agricultural Employees Protection Act and the construction industry under the OLRA, which enables a centralized bargaining framework for the industrial, commercial and institutional sectors — currently employers bargaining province-wide agreements for each trade (e.g., carpenters, labourers and bricklayers).

In the public sector, there is a body of specialized legislation that establishes bargaining and dispute resolution practices. For example, the Crown Employees Collective Bargaining Act (CECBA) sets parameters around the use of arbitration, work stoppages, essential services, and establishes a framework for dispute/grievance resolution in both the Ontario Public Service (OPS) and Crown agencies (e.g., Metrolinx and the Liquor Control Board of Ontario). For the BPS, legislation such as the Colleges Collective Bargaining Act and the School Boards Collective Bargaining Act enable centralized bargaining structures; while instruments such as the Hospital Labour Disputes Arbitration Act and the Police Services Act provide access to interest arbitration as a final form of dispute resolution in place of the right to strike for hospital and police sector employees (for a detailed list of all labour relations legislation, see Appendix B).

APPENDIX B: KEY PIECES OF LABOUR RELATIONS LEGISLATION

Statute	Scope	Description
Type: Collective Bargaining Rights		
Labour Relations Act, 1995	Public/Private Sector	Regulates various aspects of labour relations for most Ontario workplaces. Matters dealt with include the certification and decertification of unions, the collective bargaining process, mandatory grievance arbitration, strikes and lockouts, unfair labour practices, the Ontario Labour Relations Board (OLRB) and special rules with respect to the construction industry. This Act facilitates the certification/de-certification and collective bargaining relationship of employers and unions in the province of Ontario.
Colleges Collective Bargaining Act, 2008	Public Sector	Sets out the collective bargaining framework for Ontario's colleges of applied arts and technology. The Act also establishes the College Employers Council as the employer bargaining agent for all of Ontario's 24 colleges.
School Boards Collective Bargaining Act, 2014	Public Sector	Sets out the collective bargaining framework for employers/school boards and unions within the education sector. The term "strike" is a defined term under the Act and distinct from the Labour Relations Act definition. In addition, the Act specifies the terms of collective agreements in line with the school year.
Ontario Provincial Police Collective Bargaining Act, 2006	Public Sector	Provides a collective bargaining framework for public servants employed under Part III of the Public Service of Ontario Act, 2006, as Ontario Provincial Police (uniform or civilian) employees. The Act also designates the Ontario Provincial Police Association as the exclusive bargaining agent.
Public Sector Labour Relations Transition Act, 1997	Public Sector	Provides a framework for the resolution of labour relations issues arising from restructurings and amalgamations of municipalities, school boards, hospitals, certain types of integration in the health sector and other prescribed events. The Act encourages negotiation between employers and unions on reconfiguration of bargaining units, and addresses union representation following an amalgamation and the application of existing collective agreements. The Act also sets out mandatory rules governing the determination of seniority during the restructuring process.
School Boards Collective Bargaining Act, 2014	Public Sector	Creates two tiers of bargaining. At various central tables, the government and the trustee associations form a management team to bargain central agreements with unions representing teachers and support staff. Local school boards and their employees bargain local agreements. The Act also: • Creates a formal role for the government "at the table." • Establishes trustee associations as the statutory central employer bargaining agents. • Creates a three-way ratification of central agreements between the government, trustee associations, and unions. • Permits strike/lockout centrally on central issues and locally on local issues.

Statute	Scope	Description
Agricultural Employees Protection Act, 2002	Private Sector	Protects the rights of agricultural employees to associate. It also recognizes certain rights of employers and the unique characteristics of agricultural production.
Type: Dispute Resolution		
Ambulance Services Collective Bargaining Act	Public Sector	Covers ambulance service workers. When a collective agreement covering ambulance workers is being negotiated, the statute requires that the parties have an essential ambulance services agreement before ambulance workers in the bargaining unit can engage in a strike or be locked out. Where the OLRB determines that the proportion of employees designated as essential results in no meaningful ability to strike or to lockout, the OLRB may order binding interest arbitration.
Crown Employees Collective Bargaining Act, 2006	Public Sector	Provides a collective bargaining framework for public servants employed under Part III of the Public Service of Ontario Act, 2006, (i.e., Ontario Public Service and Commission Public Body employees) and agency employees prescribed by the regulation under the Act. The Act requires an essential services agreement to be in place before any employee in a bargaining unit can strike or be locked out. In addition, the Act establishes the Grievance Settlement Board (GSB) as the final arbiter of grievances for employees covered by the statute.
Fire Protection and Prevention Act, 1997	Public Sector	Sets out an employment and labour relations framework for all firefighters in Ontario. The Act also expressly prohibits the right to strike and prescribes an arbitration process for collective agreement dispute resolution. The Act was amended in 2011 to prescribe a mandatory retirement age of 60 for firefighters regularly assigned to fire suppression duties.
Hospital Labour Disputes Arbitration Act, 1990	Public Sector	Prohibits strikes and lockouts where collective bargaining involves employees of the "hospital sector"; if these parties are unable to reach a negotiated settlement, their bargaining impasse is resolved by binding arbitration.
Police Services Act	Public Sector	Sets out the labour relations and dispute resolution framework for police organizations (other than the Ontario Provincial Police) and their municipal employers. The Act also prescribes the arbitration process and composition of arbitration boards.
Public Sector Dispute Resolution Act, 1997	Public Sector	Sets out a framework for arbitrators who are engaged with police, firefighters and hospital employees collective agreement disputes. The Act provides direction to arbitrators to ensure expeditious resolution of disputes during collective bargaining, to encourage the settlement of disputes through negotiation, and to encourage best practices that ensure the delivery of quality and effective public services.
Toronto Transit Commission Dispute Resolution Act, 2011	Public Sector	Applies to the Toronto Transit Commission (TTC), bargaining agents who represent TTC employees under the Labour Relations Act (LRA), and TTC employees represented by those bargaining agents. The parties follow the collective bargaining process under the LRA; however, strikes or lockouts are not permitted. Should the parties fail to reach a negotiated agreement, matters would be referred to compulsory interest arbitration.

Statute	Scope	Description
Public Service Act of Ontario, 2006		Governs employment and ethical frameworks in the public service and helps ensure that the public service conducts itself with integrity and impartiality. The Act is divided into seven parts that establish the roles and responsibilities of the Public Service Commission, which makes governance decisions related to employees' working conditions, ethical conduct, restrictions on political activity, and disclosures of wrongdoing.
Type: Minimum Standards		
Employment Standards Act, 2000	Public/Private Sector	Sets out minimum standards for conditions of employment that employers and employees must follow in the province of Ontario. The Employment Standards Act (ESA) provides for the protection of certain basic employee interests such as hours of work, overtime pay, termination pay and vacation pay. Employees of the Crown are excluded from some (but not all) provisions of the ESA.
Human Rights Code	Public/Private Sector	Sets standards for equal rights and opportunities without discrimination in the social areas of employment; accommodation; goods, services, and facilities; and membership in vocational associations and trade unions. The Code's goal is to prevent discrimination and harassment because of: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex (including pregnancy and gender identity), sexual orientation, disability, age (18 and over, 16 and over in occupancy of accommodation), marital status (including same sex partners), family status, receipt of public assistance (in accommodation only) and record of offences (in employment only).
Pay Equity Act	Public/Private Sector	Describes the minimum requirements for ensuring that an employer's compensation practices provide pay equity for all employees in female job classes. Pay equity requires employers to identify and correct the gender discrimination that may be present in their pay practices and to adjust the wages of employees in female job classes so that they are at least equal to the wages of employees in male job classes found to be comparable in value based on skill, effort, responsibility and working conditions. According to the Act, all employees — both men and women — in undervalued female job classes would receive pay equity wage adjustments.
Occupational Health and Safety Act	Public/Private Sector	Determines minimum standards and assigns employees and employers with rights and responsibilities with respect to workplace safety.
Workplace Safety and Insurance Act	Public/Private Sector	Provides a framework for ensuring that workers' living standards are maintained during a workplace injury. These entitlements are funded through employer and employee contributions. As part of a proposed set of amendments to the Act, the possibility of expanding presumptive coverage to nurses, probation and parole officers, auxiliary officers, special constables, and bailiffs diagnosed with Post-Traumatic Stress Disorder (PTSD) is currently being considered.