Harmony Understanding Acceptance Service

TAIC

Toronto Area
Interfaith Council

6 April 2022

Subject: **Input to *Schedule 7 of Bill 106, Supporting Retention in Public Services Act, 2022***

Members of the Finance and Economic Affairs Legislative Committee,

The Toronto Area Interfaith Council is a multi-faith Council in Toronto that is concerned with the spiritual and material wellbeing of the residents of the City and especially those who live at the margins. This includes the recipients of health care including residents of long term care homes and retirement homes and the front line and auxiliary staff who care for them.

There is a clear consensus that we are not treating the heroes of the pandemic properly and that wage compensation for these care providers is insufficient. We applauded the government's initial granting of a $4 an hour enhancement to most care providers. We were disappointed that this enhancement wasn't folded into the employee's base wages and not made permanent. Our concerns materialized when the amount of the enhancement was reduced and taken away from most health care workers.

Schedule 7 attempts to correct at least one of these deficiencies by allegedly making the enhancement permanent. However that is not really the case. The extension is subject to regulation and can be ended at any time with little notice. Moreover it doesn't return the enhancement to the previous level or even return it to the classifications that received it initially. And even for those who will continue to receive it in some amount, it doesn't fold it into base wages so it may not count for the purposes of pension or other compensation benefits.

We therefore urge you to make the following amendments to Schedule 7

1. Section 3(1) change "may provide for temporary or permanent compensation enhancements" to "**shall** provide for permanent compensation enhancements".
2. Add new subsection Section 3(1.1) "the program must provide for enhancements for all front line health care classifications as well as auxiliary classifications in health care in dietary, laundry and housekeeping, where the turnover in staff is greater than 10% in the previous calendar year".
3. Add new subsection 3(1.2) "the enhancement shall not be less than was provided during the period April 24, 2020 and August 13, 2020 and not withstanding subsection 3(1.1), shall be provided at least to those classifications receiving the enhancement during that period".
4. Add new subsection Section 3(3) "Health Care Employers shall comply with subsections 3(1.1) and Section 3(1.2) whether or not they receive funding under Section 2". This amendment will ensure that the enhancement will be payable to groups like staff of Retirement homes which receive on a regular basis no provincial public funds. Retirement homes are very profitable operations who have benefits from the federal CEWS program and there is no reason they should not improve the compensation for the staff who are performing the services which generate the profits for the operators.

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5. Delete Section 5(1)2 and replace it with the following; "At the notification to the Employer from the certified bargaining agent, the collective agreement is deemed amended to incorporate the enhancements mandated by Section 3 and the parties shall add to the collective agreement a revised wage schedule containing these rates". The wording as currently written may provide employers with an argument that arbitrators are prohibited from remedying any inappropriate wage gaps because some classifications are denied the statutory wage enhancement.
6. Delete Section 6. Existing pay equity obligations should not be truncated by the extension of the enhancement. Why should these public funds be used to reduce the pay equity obligations of employers, whether the Employers are public entities or private operators?
7. Section 8(1)(b) Change "as a direct or indirect result of the making, amending or revoking of any provision of a regulation or of a compensation enhancement program incorporated by reference in a regulation; or" to " (b) "as a direct or indirect result of the making, **or the improving** of any provision of a regulation or of a compensation enhancement program incorporated by reference in a regulation; or". Workers shouldn't be barred from challenging any reduction in this statutory enhancement.
8. Section 9 change to Change 9(1) and add new section 9(1.1) "Compensation under the enhancement plan is to be treated as wages for all purposes under the Employment Standards Act and collective agreements under the Labour Relations Act". If we seriously want to move towards economic and social justice for these workers, then the enhancements should be considered ad wages for all purposes.

We look forward to your favourable response to our submissions.

Sincerely,

Zul Kassamali

President

Toronto Area Interfaith Council

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