CLAC'S COMMENTS AND RECOMMENDATIONS ON THE *SUPPORTING RETENTION IN PUBLIC SERVICES ACT, 2022*

better together

Submission to the Ontario Government

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INTRODUCTION

CLAC is pleased to offer comments regarding Bill 106, *Pandemic and Emergency Preparedness Act, 2022*. Our submission is singularly focused on Schedule 7 – *Supporting Retention in Public Services Act*.

Formed in 1952, CLAC (Christian Labour Association of Canada) is a national union representing over 60,000 workers in almost every sector of the economy. Based on values of respect, dignity, and fairness, CLAC is committed to building better workplaces, better communities, and better lives. CLAC is an affiliated member of the World Organization of Workers.

In Ontario CLAC represents approximately 9,000 front-line healthcare workers. CLAC is an active advocate for policies that will impact fairness, talent attraction and retention, workplace safety, and economic dignity.

It is impossible to fairly convey what front-line healthcare workers have endured during these last two years. Whether in home care, long term care facilities, hospitals, private sector retirement homes, or community care, these workers were thrust into life-threatening and life-altering work experiences during the global pandemic. Serious cracks in our healthcare system were evident pre-pandemic; but the pandemic underscored the reality—as many sector advocates had long warned—that the investments of public dollars into the healthcare system were wholly inadequate.

As this crisis abates, the lessons and the deprivations experienced by workers and the people in their care must not be forgotten.

A summary of CLAC's recommendations are as follows on page 4.

SUMMARY OF RECOMMENDATIONS

Recommendation 1
Ensure a long term, permanent adjustment for staff. Remove reference to or suggestion that this wage adjustment might be temporary.

Recommendation 2
Make clear that the wage adjustment must increase base hourly wages, so that the enhancement impacts total compensation.

Recommendation 3
Commit to future funding that will guarantee that wages can keep up with the increasing cost of living.

Recommendation 4
Expand the wage enhancement to all frontline healthcare workers in the broader public sector.

Recommendation 5
Issue a one-time, lump sum pandemic pay adjustment to workers in the retirement home sector as consideration for pandemic working conditions between August 2020 to present.

BILL 106, SCHEDULE 7 RECOMMENDATIONS

While the healthcare crisis captivated the attention of the public, the province has responded with significant new investments. In many ways, the commitments to increase hospital beds, long term care beds, and a seismic shift in nursing and personal care hours in long term care (from 2.75 hours to 4 hours per day) are needed and significant improvements. CLAC has also commended the government for introducing an array of programs and supports designed to remove barriers to learning and credentialing for current and future workers.

With this new act, the province promises a permanent wage adjustment for PSWs and DSWs in the broader public sector. These are significant and necessary wage adjustments. In long term care alone, the province will require 50,000 new PSWs and RPNs to meet the staffing needs that result from promises to increase personal care hours, increased beds, and to deal with high attrition rates in the sector. CLAC welcomes this historic investment into wages that recognizes the value of the work performed by these essential workers.

But, while the wage increase provided to PSWs is a step forward, it is with great concern for the future that we offer recommendations that address wage issues in the healthcare sector at large. The degradation and suppression of wages, which has in large part fueled the current and pre-pandemic staffing crisis, was years in the making. Through most of the last 15 years, healthcare workers in Ontario have been subjected to continued and repeated wage freezes and wage caps that fail to keep up with the cost of living. Bill 124 is the most recent example in a long line of wage suppression measures.

Permanent Wage and Compensation Adjustments

To counteract the wage suppression trend, the commitment made to PSWs in this legislation should be strong and lasting. Any indication that these adjustments are temporal could be inferred to mean that these adjustments may be removed.

To date, the temporary wage enhancement has been treated as a separate type of premium that does not form part of the employees' base wage rates. These permanent adjustments should form part of the employees' base earnings so that premiums (such as overtime, weekend premiums, responsibility premiums, etc.), vacation pay, and pension plan earnings are also proportionately and positively impacted.

Recommendation 1

In section 3(1), change "may provide for temporary or permanent compensation enhancements" to "shall provide for permanent compensation enhancements."

Recommendation 2

Amend section 9 to read as 9(1) and add a new section 9(2), which provides "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*".

BILL 106, SCHEDULE 7 RECOMMENDATIONS

Future Wage Protection

We urge the province to make a permanent commitment to provide base level funding adjustments that will, at a minimum, ensure workers receive wage increases that match or exceed annual cost of living increases.

As we have noted, wages in the healthcare sector are declining relative to the cost of living. The staffing crisis that preceded the pandemic was in large part due to an inability to attract and retain staff. This reality was directly tied to wages that eroded in value due to the recurring efforts of successive governments to contain salary costs in the broader public sector. To address this long-standing issue, CLAC proposes a bold but important step—legislate and fund a minimum annual healthcare wage increase for hospital, home care, and long-term care workers.

The methodology for calculating this increase would be the same as that used in the *Employment Standards Act*, Part IX, section 23.1 (4) (5), for calculating the annual increase in the minimum wage.

To be clear, this change is not intended in any way to replace, restrict, or curtail collective bargaining. Healthcare bargaining agents must retain the ability to negotiate wage increases for healthcare workers that go beyond our proposed baseline annual wage increase. Interest arbitration, as provided through the *Hospital Labour Disputes Arbitration Act, 1990* must also remain an option when the parties cannot agree on the terms and conditions of employment.

> ### Recommendation 3
> Add a new section that commits to providing sufficient funding to achieve a minimum annual healthcare wage increase. The method for calculating this wage-targeted funding increase would be the same as that used in the *Employment Standards Act*, Part IX, section 23.1 (4) (5).

Enhancements for All Workers in the Hospital, Home Care, and Long Term Care Fields

As the voice of many healthcare workers in the province, we offer here, in the loudest possible terms, the frustration, despair, and exhaustion of many, many more workers who have been left behind by this announcement.

As CLAC has repeatedly made clear to the Ministry of Heath, Ministry of Long-Term Care, and the Treasury Board, these promised enhancements are owed to *all* front-line workers who toiled to care for our society's most vulnerable citizens during this pandemic. While one class of workers receives a wage increase, other healthcare workers who have endured the same working conditions and wage suppression receive none. This disparity is frustrating and discouraging for these workers. They also struggled and persevered through the pandemic. They too were called on to go the extra mile every day in the most trying of circumstances.

BILL 106, SCHEDULE 7 RECOMMENDATIONS

In our view, extending a wage increase only to PSWs will have unintended negative consequences on the entire healthcare sector. Such an approach will, in effect, devalue the work performed by RPNs. Furthermore, the exclusion of aides, cooks, attendants, and housekeepers unfairly penalizes low wage workers who desperately need a wage increase. Many of these workers' wages are barely more than minimum wage, yet they work in environments that demand immeasurably more than comparably paid fast-food or entry-level retail workers. All of these workers have earned and deserve the wage adjustment that is being given to PSWs. Therefore, CLAC makes the following recommendation:

Recommendation 4

That the province commit to wage enhancements for all front-line healthcare classifications as well as auxiliary healthcare classifications in dietary, laundry, and housekeeping."

Consideration for the Retirement Home Sector

As the province demonstrated with its first iteration of pandemic pay ($4.00 per hour in 2020) and with its recent $5,000 retention bonus for RPNs, it is reasonable and appropriate to extend support to workers beyond the broader public sector, namely those in retirement homes. While long term and sustained adjustments for workers in this environment are rightly the responsibility of private sector employers, who will be forced to respond to labour market realities, we urge the government to extend a one-time lump sum adjustment for workers in this sector of no less than $3.00 per hour for all hours worked from August 12, 2020 to present.

Recommendation 5

That the province commit to a one-time funding adjustment, payable to all licensed retirement homes for all non-management employees working on site in licensed retirement homes, excluding hours directly paid for as extra care services that have been purchased privately.

CONCLUSION

CLAC appreciates the opportunity to comment on this legislation. We urge the government to adopt the recommendations put forward in this submission.

If you have any question, please reach out Ian DeWaard, CLAC Ontario director, at idewaard@clac.ca.