

Submissions to the Standing Committee on
Finance and Economic Affairs

**ONTARIO SHEET METAL WORKERS'
AND ROOFERS' CONFERENCE**

**Bill 288
Building Opportunities
in the Skilled Trades Act, 2021**

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Ontario Sheet Metal Workers' and Roofers' Conference

Outline of Submissions to the Standing Committee on Finance and Economic Affairs regarding
Bill 288, Building Opportunities in the Skilled Trades Act, 2021

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Introduction

The Conference is comprised of 12 Ontario local unions that are affiliated to the International Association of Sheet Metal, Air, Rail, and Transportation Workers.

It is the designated Employee Bargaining Agency under the *Labour Relations Act* for the Sheet Metal and Roofing trades in the industrial, commercial, and institutional (ICI) sector of the Construction Industry. We also represent Sheet Metal and Roofing trades in the electrical power systems sector.

A majority of the members of the unions with the Conference are Sheet Metal Journeypersons or Registered Apprentices working in the ICI and Residential Sectors of the Construction Industry.

Together with our employer partners Sheet Metal and Roofing Local Unions operate several training centres throughout Ontario to assist in the training and education of registered apprentices. These training centres operate classroom and applied training courses. In the Greater Toronto Areas, there are two training centres that serve as Training Delivery Agents for Apprenticeship training and education.

The Sheet Metal Trade was established as a Compulsory Trade in Ontario in 1965. Sheet Metal Journeypersons and Apprentices are actively engaged in the fabrication and installation of complex air handling and mechanical systems on construction job sites throughout Ontario. The Sheet Metal Trade is unique in the construction industry as it is one of the only trades that designs, manufactures, and installs the fabricated items made by its tradespeople. A significant amount of the work of a Sheet Metal Construction worker can be performed off-site in fabrication shops throughout Ontario.

The term "sheet metal" refers to any metal that can be formed into flat pieces of varying thicknesses. Sheet metal comes in flat pieces or coils and are measured by their thickness or gauge. Very thin pieces of metal are called foil or leaf; thick metals are called plate. Using specialized tools, sheet metal workers cut, roll, bend, and shape these pieces to fabricate complex systems such as ductwork; dust collectors, paint shops for industrial manufacturing, refrigeration units; medical tables and storage units; building facades; steel sheets; tubing; and signs. Metals used in

the sheet metal industry include cold rolled steel, mild steel, tin, nickel, titanium, aluminum, brass, and copper.

Earlier Consultations and Legislative Evolution

The Conference has actively participated in the consultations that generated Bill 288 and the predecessor legislation Modernizing the Skilled Trades and Apprenticeship Act, 2019, SO 2019.

The Minister of Labour, ministry officials and members of the legislative assembly deserve recognition and thanks for consulting with stakeholders in developing Bill 288 and supporting compulsory trade recognition in Ontario.

The Conference submits that Bill 288 can be improved with the further amendments.

PROPOSED AMENDMENTS TO BILL 288:

Practice, Compulsory Trades

Section 6

Section 6 prohibits “engaging in the practice” of a compulsory trade unless the individual holds a Certificate of Qualification (C of Q), a Provisional C of Q, or is a registered apprentice.

But section 6(c) says that a regulation can exempt anyone from this prohibition, which severely weakens compulsory trade licensing.

Amendment: Section 6(c) should be removed to ensure that compulsory trade licenses are unambiguously protected at the outset.

Work of compulsory trades

Section 7

Section 7 is a companion prohibition that requires employers to only hire employees that hold a C of Q, a Provisional C of Q, or are a registered apprentice to perform the work of the designated trade.

But section 7(c) says that a regulation can exempt anyone from this prohibition, which severely weakens compulsory trade licensing.

Amendment: Section 7(c) should be removed to ensure that compulsory trade licenses are unambiguously protected at the outset.

APPEALS TO THE ONTARIO LABOUR RELATIONS BOARD:

Section 28(10) explains the criteria that the Ontario Labour Relations Board (OLRB) will consider when adjudicating an appeal from inspection notices of contravention. These criteria are:

Section 28(10)(c) gives unfettered power to the OLRB to consider anything beyond what an inspector can consider and is unheard of for an appeal body.

Amendment: Section 28(10)(c) should be removed to ensure compulsory trades and their scopes of practice are not eroded through the appeal process.

BOARD OF SKILLED TRADES:

Section 42(2) says the Board of Skilled Trades Ontario (STO) “may” establish committees.

This is a significant downgrade from the previous legislation that included the clear establishment of industry specific boards to review curricula and other industry specific issues.

Amendment: Section 42(2) should be amended to include clear direction that the Board will establish industry specific committees for construction and others.