

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

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

Summary of Recommendations

May 26, 2021

Legislative Research

Information and Technology
Services Division
416-325-3675

Recherche législative

Division des services de l'information
et de la technologie
416-325-3675

Prepared by:

Alex Alton, Sandra Lopes and Heather Conklin
Research Officers
Legislative Research

100253

- * Projects prepared by Legislative Research are designed in accordance with the requirements and instructions of the Committee making the request. The views expressed should not be regarded as those of Legislative Research or of the individual preparing the project.

TABLE OF CONTENTS

INTRODUCTION	2
MINISTER'S REMARKS	2
SUMMARY OF RECOMMENDATIONS TO AMEND BILL 288	3
Practice, compulsory trades (s. 6)	3
Work of compulsory trades (s. 7)	3
Ratio (s. 8)	3
Apprenticeship program (s. 14)	4
Provisional certificates of qualification (s. 17)	4
Compliance and enforcement framework (s. 24)	4
Review (s. 28)	4
Objects (s. 40)	5
Board of directors (s. 41)	5
Powers and duties of the board (s. 42)	5
Limits on collection, use and disclosure (s. 63)	6
Regulations, Minister (s. 65(1)(d))	6
Regulations, transitional (s. 65(2))	6
OTHER RECOMMENDATIONS	7
Underrepresented groups	7
Northern Ontario	7
Enforcement	8
Promoting the Trades	8
General	9
WITNESS LIST	11

INTRODUCTION

This document summarizes recommendations presented to the Standing Committee on Finance and Economic Affairs during its public hearings on Bill 288, the *Building Opportunities in the Skilled Trades Act, 2021*, held in Toronto and virtually on May 21 and May 25, 2021. It also summarizes written submissions received by the Committee Clerk as of 6 PM on May 25.

The summary is organized according to the relevant sections of the Act. Witnesses are identified by abbreviations or their last names, which are listed in alphabetical order at the end of the summary.

This document is intended as an aid to Members in their deliberations. It is not a complete historical record of all the evidence received by the Committee, or a comprehensive review of the arguments made by witnesses. Comments have been abbreviated and arguments summarized. Submissions expressing substantially the same point have been grouped together.

For a full account of the evidence presented to the Committee, reference should be made to *Hansard* and the briefs themselves. Please note that draft *Hansard* was not available as this summary was being prepared.

MINISTER'S REMARKS

The Honourable Monte McNaughton, Minister of Labour, Training and Skills Development, appeared as the Committee's first witness. He explained that tradespeople play a vital role in the economy, expanding access to broadband and natural gas, building hospitals, bridges, roads and homes. The work they do can be well-paid and offers independence for those who want to run their own business. But young people find the current system confusing, and since the establishment of the Ontario College of Trades (OCOT), the number of new people signing up as apprentices dropped by over 17,000, or 40%. The average age of skilled tradespeople is 55 years and before the pandemic 200,000 jobs went unfilled.

As outlined by the Minister, Bill 288 is part of the government's new skilled trades strategy building on three principles: removing the stigma and attracting more youth to the trades; simplifying the apprenticeship system; and encouraging employer participation in apprenticeships. If passed, the legislation would replace OCOT with a new Crown agency called Skilled Trades Ontario, led by a smaller, competency-based board of governors. The new agency would create a clear path from apprenticeship to certification, with a new digital system replacing paper-based processes. The agency would also set curriculum, trade standards, and certification requirements. Responsibility for inspections, compliance, and enforcement would remain with the Ministry.

SUMMARY OF RECOMMENDATIONS TO AMEND BILL 288

Practice, compulsory trades (s. 6)

Delete s. 6(c) — it severely weakens compulsory trade licensing.

(HBBCTC, OPTC, OSMWRC, PBCTCO, QSLBT, WWDGBCTC)

Add a new section to clarify that “engage in the practice of a compulsory trade” includes the performance of any practice within the scope of practice of the compulsory trade.

(HBBCTC, OPTC, PBCTCO, QSLBT, WWDGBCTC)

Include criteria for classifying a trade as compulsory or voluntary, and establish a process for a prescribed trade to apply for compulsory status or to review existing status.

(GCAT, IUOE)

Transfer all construction trades in the current system—with their full scopes of practice and classification as compulsory or non-compulsory—into the new system, without change.

(COCA)

Ensure that young workers employed in compulsory trades are registered with an active training agreement and their employer, prior to engaging in compulsory work.

(McCollum)

Work of compulsory trades (s. 7)

Remove s. 7(c) to ensure that compulsory trade licenses are unambiguously protected.

(OSMWRC)

Ratio (s. 8)

The purpose of apprenticeships is to provide training, not labour. One-to-one ratios are not supported by the evidence. The number of completions goes down dramatically when you do not set journeyman to apprentice ratios at more than one-to-one.

(OSMWRC)

Establish Northern Ontario pilot projects to allow small and medium-sized employers to request exceptions from the one-to-one ratio on a trade- and site-specific basis. This will help promote employer engagement in small, rural and remote communities.

(NSWPB)

Apprenticeship program (s. 14)

Mandatory curriculum content should be defined within the Ministry of Education, to ensure robust, effective, and pervasive respect for the skilled trades.

(PRO)

Provisional certificates of qualification (s. 17)

Remove s. 17(3). The extension of provisional Certificates of Qualification (CofQ) devalues the Red Seal program within Ontario and across the country.

(HBBCTC, OPTC, PBCTCO, QSLBT, WWDGBCTC)

Compliance and enforcement framework (s. 24)

The risk of harm associated with workers performing certain tasks should be an important consideration when enforcing the Act.

(LiUNA, OSTA)

Review (s. 28)

We support provisions that allow individuals to apply to the Ontario Labour Relations Board.

(OSWCA)

Remove s. 28(10)(c). It provides the Ontario Labour Relations Board with unfettered powers.

(HBBCTC, OPTC, PBCTCO, QSLBT, WWDGBCTC)

Remove s. 28(10)(c) to ensure compulsory trades and their scopes of practice are not eroded through the appeal process.

(OSMWRC)

Objects (s. 40)

Raising awareness of trades and apprenticeship among youth should be a strategic priority of the new agency.

(OSWCA)

Tradespersons must be the central focus of Skilled Trades Ontario. The agency must provide a clear pathway to get more Ontarians into these in-demand trades and to get people into their new careers faster and with more confidence.

(OHBA)

Board of directors (s. 41)

Reserve a seat on Skilled Trades Ontario's board of directors for a representative from the Ontario Council for Technology Education executive. This would ensure that Skilled Trades Ontario has direct insight into elementary and high school classrooms.

(OCTE)

Ensure diversity at Skilled Trades Ontario and other advisory boards to help increase Indigenous participation in the trades.

(ABPA)

Powers and duties of the board (s. 42)

Add a new s. 42:

42. Trade committees composed of an equal number of persons qualified in a trade and employers of persons in that trade will be established for each trade. The trade committee will review curricula and provide advice on trade specific areas.

(HBBCTC, OPTC, PBCTCO, QSLBT, WWDGBCTC)

Amend s. 42(2) to require the Board to establish industry-specific committees for the construction and other sectors.

(OSMWRC)

Limits on collection, use and disclosure (s. 63)

Draft a disclosure provision targeted to the types of disclosures that the Minister and Skilled Trades Ontario (STO) would need to make to fulfil their functions under the legislation and which would not already be covered by *Freedom of Information and Protection of Privacy Act*. This would reflect current practice under the *Ontario College of Trades and Apprenticeship Act, 2009*.

(IPC)

Specify that disclosure of personal information by the Minister and STO must be for the purpose of administering the Act, or achieving its purposes.

(IPC)

Specify that disclosure of personal information by the Minister and STO must be in the public interest, or in the interest of the individual whose information is to be disclosed.

(IPC)

Regulations, Minister (s. 65(1)(d))

LiUNA welcomes the province's efforts to identify scopes of practice for trades. Scopes of practice must be clearly connected to tasks that involve a risk of harm.

(LiUNA)

Regulations, transitional (s. 65(2))

Add the following transitional provision to ensure that trades currently designated as prescribed trades or compulsory trades do not lose their status under the new system:

Every trade that was prescribed as a trade that belongs to the construction sector under the *Ontario College of Trades and Apprenticeship Act, 2009* shall be deemed to be as prescribed by a Minister's regulation as a trade under this Act and every construction sector trade classified as compulsory under the *Ontario College of Trades and Apprenticeship Act, 2009* shall be deemed to be classified by a Minister's regulation as compulsory under this Act until such time as a new regulation is made.

(HBBCTC, OPTC, PBCTCO, QSLBT, WWDGBCTC)

Amend Bill 288 to give status to the existing Trade Boards and to recognize their essential role in providing informed advice to Skilled Trades Ontario.

(IUOE)

OTHER RECOMMENDATIONS

Underrepresented groups

Develop strategies for addressing stigmas about careers in construction. Reaching out to equity-seeking groups such as women and Indigenous communities will be the most important recruitment effort we make.

(LiUNA)

Co-develop creative solutions with Indigenous groups to identify and remove barriers to the skilled trades. This includes addressing barriers to readiness for learning, access to housing, access to clean water, and other basic needs.

(ABPA)

Enact legislation that ensures funding for Indigenous skilled trades apprenticeships, including local training and local supports, and assistance related to health and well-being.

(ABPA)

Ensure that traditionally underrepresented groups, including Indigenous people, women, and people of colour, have access to supports (funding, training, and other support) while pursuing a career in the skilled trades.

(NSWPB)

Continue to fund the Ontario Youth Apprenticeship Program and the Specialist High Skills Major programs, expand relevant opportunities for students to begin to earn apprenticeship hours while in secondary school, and address the lack of skilled trades' education and apprenticeship options for Indigenous students in Indigenous communities.

(OPSBA)

Northern Ontario

Support learners in northern Ontario communities (small, rural and/or remote) using the most appropriate and available infrastructure (i.e., on-site delivery, distance technology, broadband and e-learning).

(NSWPB)

Review the allocation of apprenticeship training seats and consider ways to increase training capacity, including flexible training schedules that make it easier for northern Ontario apprentices to access training and for employers to release apprentices for training.

(NSWPB)

Expand funding, tax incentives, and policies that support employers and apprentice training in northern Ontario and increase funding to support increased participation in employment services, recognizing that clients and/or service providers may need to travel long distances between service delivery sites and satellite locations.

(NSWPB)

Enforcement

Occupational health and safety inspectors should have sufficient resources and training to deliver on the compliance and enforcement objectives of the Act.

(OSWCA)

Protect the health and safety of workers through a proactive regime. Workplaces need to carefully monitor the effects of the prescribed one-to-one ratio to ensure that it is not contributing to workplace injury.

(DCLC)

Promoting the Trades

Create a targeted marketing and communications plan, specifically directed at parents, students, educators and employers, to promote the skilled trades as a respected career path.

(OPSBA)

Revise Ontario's curriculum to include more technology education and make technological education a compulsory credit in high school.

(OCTE)

Encourage provincial, national and global employers, unions and associations to educate schools and the community about the opportunities for students in the skilled trades.

(OCTE)

Re-assess the Ontario Youth Apprenticeship Program (OYAP) and the School College Work Initiative Dual Credit/Accelerated OYAP programs to determine if this funding is generating the desired results.

(OCTE)

Introduce a program that allows secondary schools to apply and become Training Delivery Agents (TDA) for Level 1 Apprenticeship (without the need for college oversight), if they meet programming, facilities, and teaching requirements.

(OCTE)

Create a Regional Industry Council to provide a forum for large industrial employers, colleges and universities, unions, and local stakeholders to plan the training and build the skill sets needed to fill regional employment opportunities.

(CME)

Make substantial Investments in high school technological education programs, including tools, equipment, facilities, and programming.

(OCTE)

Provide dedicated funding for renovations in secondary school facilities and for new construction to provide shop programs to support careers in the trades (Grades 7 to 12).

(OPSBA)

Change the journey person-to-apprentice ratio for all trades to increase student access to these career opportunities.

(OPSBA)

General

We support Bill 288. It streamlines the apprenticeship and certification process, promotes the trades to young people, and eliminates red tape and bureaucracy. Making the new agency responsible for training and certification, and the Ministry for compliance and enforcement, is appropriate.

(CDCO, CLAC, CME, Dunlop, GCAT, LiUNA, MO, OCCA, OCTE, OEL, OGCA, OSTA, OSWCA, PRO, RCCAO, RESCON, SO, TADA)

COCA applauds the government for moving forward with this bill. It is a compromise that all stakeholders can live with.

(COCA)

A clearly articulated process that individuals can navigate will make employment opportunities more accessible to low-income and immigrant workers. These opportunities offer a pathway out of poverty.

(DCLC)

Use in-person learning. Online learning is ineffective for a predominately hands-on occupation and risks excluding vulnerable and marginalized youth.

(DCLC)

Include a “purpose” clause in the Act to provide guidance on how to apply and enforce the new legislation. This is particularly important to clarify how the Ontario Labour Relations Board will adjudicate compliance and enforcement disputes.

(IUOE)

Continue to implement the recommendations of the Dean report through regulations related to this bill.

(DCLC)

We do not support portable skill sets, particularly in the construction trades.

(COCA)

Invest in Ontario’s apprentices. It is critical that apprentices learn the most up-to-date practices on modern equipment.

(LiUNA)

Commit to offering equal supports for all college and non-college training providers.

(LiUNA)

Engage contractors and the construction industry when creating Community Benefit Agreements to ensure open competition.

(MN)

Competition should be based on price and productivity, regardless of union status. Do not exclude or restrict economic opportunity for qualified contractors and workers.

(MN)

WITNESS LIST

Abbreviation	Organization/Individual	Date of Appearance
ABPA	Anishnawbe Business Professional Association	May 25, 2021
CDCO	The Carpenters' District Council of Ontario, United Brotherhood of Carpenters and Joiners of America	May 21, 2021
CLAC	Christian Labour Association of Canada	May 21, 2021
CME	Canadian Manufacturers and Exporters	May 21, 2021, written submission
COCA	Council of Ontario Construction Associations	May 25, 2021, written submission
DCLC	Durham Community Legal Clinic	May 21, 2021, written submission
Dunlop	Garfield Dunlop	May 21, 2021
GCAT	General Contractors' Association of Toronto	May 21, 2021
HBBCTC	Hamilton-Brantford Building and Construction Trades Council	written submission
IPC	Information and Privacy Commissioner of Ontario	written submission
IUOE	International Union of Operating Engineers, Local 793	May 21, 2021, written submission
LiUNA	Labourers' International Union of North America	May 25, 2021, written submission
McCollum	John McCollum	written submission
MN	Merit National	written submission
MO	Merit Ontario	May 21, 2021
NSWPB	North Superior Workforce Planning Board	written submission
OCCA	Ontario Construction Careers Alliance	written submission

Abbreviation	Organization/Individual	Date of Appearance
OCTE	Ontario Council of Technology Education	May 21, 2021, written submission
OEL	Ontario Electrical League	May 21, 2021
OGCA	Ontario General Contractors Association	May 25, 2021
OHBA	Ontario Home Builders' Association	May 25, 2021
OPSBA	Ontario Public School Boards' Association	written submission
OPTC	Ontario Pipe Trades Council	written submission
OSMWRC	Ontario Sheet Metal Workers' and Roofers' Conference	May 25, 2021, written submission
OSTA	Ontario Skilled Trades Alliance	May 25, 2021
OSWCA	Ontario Sewer and Watermain Construction Association	May 21, 2021
PBCTCO	Provincial Building and Construction Trades Council of Ontario	May 21, 2021, written submission
PRO	Promation	May 21, 2021, written submission
QSLBT	Quinte St. Lawrence Building Trades	written submission
RCCAO	Residential and Civil Construction Alliance of Ontario	written submission
RESCON	Residential Construction Council of Ontario	May 21, 2021, written submission
SO	Skills Ontario	May 21, 2021
TADA	Trillium Automobile Dealers Association	May 25, 2021
WWDGBCTC	Waterloo, Wellington, Dufferin and Grey Building and Construction Trades Council	May 21, 2021