

# Queen's Park Report



**Noel Duignan MPP**  
Halton North

As you've probably heard, Ontario is one step closer to having updated labor laws. The reforms received third reading in the Legislature earlier this month and they become law on January 1/93.

The process around bill 40, though, began more than 18 months ago. It formally started with the release of a discussion paper, followed by public hearings which were attended by more than 300 organizations.

When Labor Minister Bob Mackenzie finally introduced legislation on June 4/92, the package included a number of substantive changes to reflect the public input. Another five weeks of public hearings were held during the summer recess and the government introduced another 55 new amendments to Bill 40.

The end result is a package that is reasonable and necessary. More importantly, it reflects our current workplaces and meets our changing needs.

Our workforce has changed dramatically over the last 17 years. There are one million more women in the workforce today and one million more people employed in the service sector as our economy shifts away from the industrial sector. And the number of part-time workers has doubled.

Yet the last time any significant changes were made to the labor laws was back in 1975.

Our reforms are designed to do a number of things. They aim to reduce conflict by reducing confrontation on picket lines and defusing hostilities that linger for years.

They streamline administrative procedures to alleviate costly and cumbersome delays. Our goal has been to promote greater dialogue, discussion and problem-solving between workers and employers. Clearly, during these tough economic times, labor and management have to work together for the benefit of everyone.

During the past few months, I've

heard comments from several of you about Bill 40.

What has become clear is that there are many misconceptions and much misinformation being circulated. I'd like to briefly talk about some of these.

The reforms do not make it easier for unions to organize. Instead, what we've done is removed some of the hurdles that impede employees from making a choice.

There have been a lot of references to allowing secret ballots. Since 1950, unions have been permitted to be certified through the card system. The Labor Relations Act was created to permit automatic certification where more than 55 per cent of the bargaining unit had signed cards. Bill 40 doesn't change this.

A secret ballot must be taken where membership support is below 55 percent but above 40 percent. Similarly, the right of workers to vote on an employer's final offer before a strike already exists.

There is also much misinforma-

tion about the use of replacement workers. Employers will still be able to use managers, supervisors and other non-striking employees to do the work of striking employees. Similarly, employers will be able to shift these employees from one struck or locked out location to another.

Bill 40 also ensures that essential services won't be jeopardized. These services can be continued by members of the bargaining unit on strike, on condition of an agreement of the unit.

If an agreement can't be reached, an employer can use newly hired personnel or shift workers from other locations to the struck location. Our legislation also allows the Ontario Labor Relations Board to hear applications, in advance of a strike or lockout, under the essential services provisions.

If you want more information about Bill 40, please call my Milton office at 878-1729 or the Ministry of Labor at 1-800-267-9517.

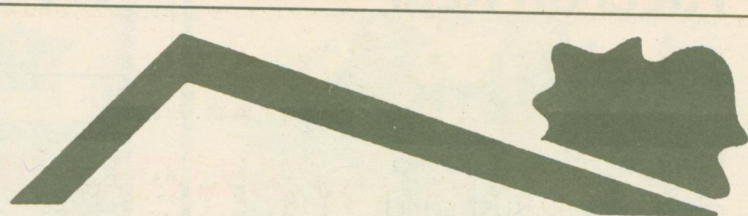
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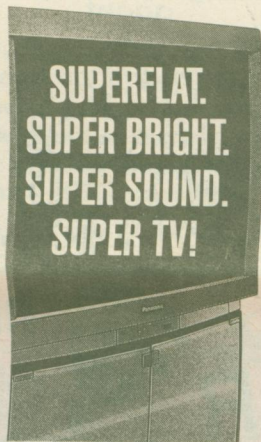
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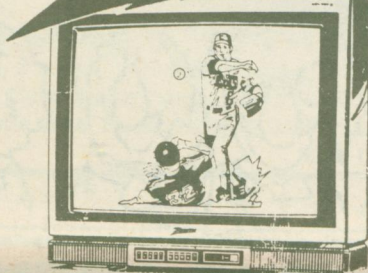
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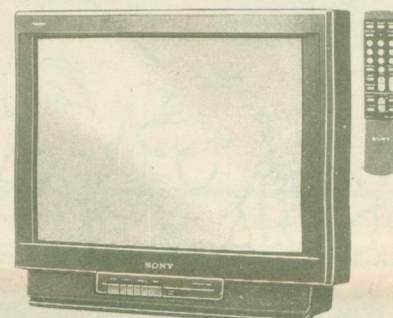
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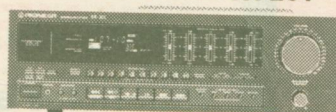
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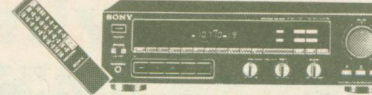
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