



Labour Relations Update  
October 2012

### **Ministry of Labour Requirement**

As part of the Ministry of Labour's ongoing campaign to increase safety in the workplace, effective **October 1, 2012**, employers must display a new workplace poster entitled "[Health & Safety at Work: Prevention Starts Here](#)". The Occupational Health and Safety Act (OHSA) requires employers to post a copy of the Act and any explanatory material, such as this poster, prepared by the Ministry outlining the rights, responsibilities and duties of workers, in the workplace. For more information, please visit: <http://www.labour.gov.on.ca/english/hs/pubs/posterinfo.php>.

### **Operating Pressures Survey**

The results from the Operating Pressures Survey conducted in June have been collated and will be presented to the OASIS Board of Directors at their November meeting. It is anticipated that the report will be released shortly thereafter. The full report will be shared with all organizations that participated in the survey. The report was the focus of a discussion with the Assistant Deputy Minister of MCSS by OASIS representatives in October.

### **PSHSA Group Home Initiative**

On June 25, 2012 the Public Services Health & Safety Association (PSHSA) hosted a focus group on Advancing Safety in Group Homes where care is provided to adults with developmental disabilities. This focus group, which was attended by clients, stakeholders and partners with interest, expertise or experience in the group home sector, focused on examining the challenges and opportunities to advance safety in this sector. This focus group meeting is the first in a series of collaborative discussions and actions focused on the challenges in the group home sector hosted by PSHSA.

The primary goal of the focus group was to examine the challenges and opportunities to advance safety in this sector.

Focus group participants were asked to discuss the following questions:

*From your perspective, what are the key issues facing the sector today that have an impact on health & safety?*

*What barriers do you see to advancing health and safety in group home organizations? In the sector as a whole? What do you see as potential opportunities?*

*Where would you like to see the sector focus in 2012? Beyond?*

*Given this discussion, what do you think we can accomplish together in the next 12 months? 24 months?*

*What are the practical things that can be done to get us started?*

## **Pay Equity Survey**

The results of the Pay Equity Survey conducted last spring will be presented at the Information Session noted below. Work continues on this issue.

## **Information Session November**

The OASIS Labour Relations Committee will be hosting an Information Session focusing on three main topics: **Pay Equity**, an update from the committee and next steps discussion; **Operating Pressures Survey** overview; **Ministry of Labour Blitz and MOL Reporting Requirements**. The session is intended for senior management, E.D.'s and Board members only. The Session will be held on November 22<sup>nd</sup>, at the Holiday Inn Toronto Airport. There will also be an evening networking event on November 21<sup>st</sup> from 7:30pm to 10:30pm for those registered to attend. The cost for OASIS members is \$125 and \$175 for non-members, continental breakfast and lunch will be included. Please note, the registration deadline is November 16, 2012. More details can be found on the flyer posted on the OASIS website.

## **Fire Marshal Technical Advisory Committee**

Over the past several months, the Deputy Fire Marshal hosted a number of meetings with the purpose of identifying fire safety improvements in residences for seniors, people with disabilities and other vulnerable Ontarians. A large representative group, which included representation from the developmental service sector, explored options to meet this goal. Four sub-committees were established to take an in-depth look at the existing regulations and make recommendations for the future.

There has been and will be discussions relating to the potential impact of these recommendations which may result in a significant funding requirement that government will need to address. The work of this committee will be finalized over the next few months and a report will be distributed through a series of public consultations scheduled for January and February 2013, with the preparation of a technical draft in April 2013.

## **Human Rights Complaints by People Whose Homes were Picketed**

### **Dismissed by Tribunal**

On July 16<sup>th</sup>, the Human Rights Tribunal of Ontario released a decision by its Associate Chair, David Wright, dismissing the Applications filed on behalf of Barbara Kacan of Tillsonburg and Dalton Yuill of Lanark County. These claimants had asked the Tribunal to rule that the labour unions representing the strikers who picketed their homes during strikes in 2007 and 2009 (OPSEU in Tillsonburg and CUPE in Lanark) had violated the Ontario Human Rights Code. The Applications alleged that Ms. Kacan and Mr. Yuill had been discriminated against by the unions with respect to services and the occupancy of accommodation because of their disability. Both Ms. Kacan and Mr. Yuill were represented by lawyers from the Human Rights Legal Support Centre. People First of Ontario was given standing as an intervener, and was represented by lawyers at the ARCH Disability Law Centre.

Associate Chair Wright's reasons for the decision to dismiss the Applications were two-fold. First, he found that, even if the claimants were able to prove the facts that gave rise to the Applications (such as causing confusion and distress to the occupants of the homes and, in the words of the Associate Chair himself, "feeding negative community attitudes that continue to be a barrier to social inclusion"), those facts would not amount to a violation of the Human Rights Code. The unions were not providers of services or housing. In the words of the decision, "The Code does not govern the relationship between a union and those using or seeking to use the services at a place the union's members are picketing. Therefore, I conclude that the Applications should be dismissed on the basis that they have no reasonable prospect of success". The Human Rights Tribunal's full decision is available at:

<http://www.canlii.org/en/on/onhrt/doc/2012/2012hrto1388/2012hrto1388.html>.

Labour Relations Committee Members:

Dave Ferguson, Chair

Marion Peck

Judy Pryde

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