

Injured Workers' Consultants

Representing injured workers free of charge since 1969

October 14, 2016

Mr. Mitchell and Honourable Murray
Special Advisors
Changing Workplaces Review
ELCPB 400 University Ave., 12th Floor
Toronto, Ontario M7A 1T7

Dear Mr. Mitchell and Hon. Murray:

Re: Submission to the Changing Workplaces Review on the Interim Report

Injured Workers' Consultants is a community legal clinic that has been serving injured workers free of charge since 1969. Through our work with injured workers, we see first-hand how gaps in legislation and a lack of enforcement mechanisms can leave workers vulnerable to exploitation. While our most direct experience is with the workers' compensation system and the *Workplace Safety & Insurance Act*, we are also keenly aware that similar gaps exist with the legislation that falls directly under the Changing Workplaces Review.

Too often, it is the workers who are already in the most precarious positions who receive the least protection from the legislation. A case in point, migrant workers work in some of the most dangerous and difficult jobs in Ontario, and have some of the lowest wages and protections.

It's no accident that many of the industries that are primarily made up of migrant workers are exempted from the Employment Standards Act. To the extent that workers with status have other options, they can move to work with better legal protections. This leaves the most vulnerable workers in the least regulated/most exploitative workplaces. As a result, migrant workers are denied basic protections under the law, such as minimum wages, hours of work and more.

Migrant workers are part of our communities, where they live, work, shop and build relationships. They are not "foreigners", they are part of Ontario's workforce, and they are part of our labour market. As a result of their temporary immigration status, migrant workers are particularly vulnerable to abuse and require specific protections.

As the appointed Advisors to the Changing Workplaces review, you have the opportunity to make these changes. We are calling on you today to reject options that will introduce more precarity to Ontario's labour market and instead recommend:

1. That migrant workers get the same rights, and protections, including collective bargaining rights as other workers in Ontario;
2. That migrant workers get specific anti-reprisals protections, and that proactive enforcement be expanded; and
3. That migrant workers are protected from recruitment fees through proactive licensing and regulation of recruiters.

The Migrant Workers Alliance for Change has developed recommendations to further migrant worker rights - *Ensuring Migrant Worker Fairness* - our organization endorses those recommendations.

Further, our organization also supports the submissions by Workers' Action Centre and Parkdale Community Legal Services.

Yours truly,

INJURED WORKERS' CONSULTANTS

Per:

Aidan Macdonald
Community Legal Worker