PROVINCIAL BUILDING & CONSTRUCTION TRADES COUNCIL OF ONTARIO

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Working for Workers Act, 2021

Submission by the Provincial Building and Construction Trades Council of Ontario

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INTRODUCTION

The Provincial Building and Construction Trades Council of Ontario (Ontario Building Trades) is made up of 12 skilled trades craft unions in the construction sector. We represent 150,000 tradespeople and apprentices who are employed on publicly and privately financed projects.

Our industry partners and workforce have built our cities' skylines, power generation stations, subway and light rail systems, schools, hospitals, and other pieces of infrastructure that Ontarians depend on every day.

We have a long history of working with governments of all political stripes to help ensure that workers are well-trained to meet industry needs and promote healthy and safe workplace conditions. The Ontario Building Trades will partner with any government or industry organization that is committed to meeting the needs of the Construction sector.

That said, we welcome the opportunity to provide input and recommendations on how to strengthen Bill 27, also known as the *Working for Workers Act*, 2021.

For clarity, we will comment and provide recommendations on the following sections of Bill 27.

- Requirement for a "Disconnecting from Work" Policy
- Prohibiting Non-Compete Agreements
- Eliminating Barriers to Non-Health Professions and Trades
- Regulating Recruiters and Temporary Agencies
- Delivery Worker Access to Washrooms
- Changes to the Workers' Safety and Insurance Board

Schedule 2 **"Employment Standards Act"**

> **Disconnecting from work:** Requiring employers with 25 or more employees to have a written policy about disconnecting from their job at the end of each workday. The term "disconnecting from work" is proposed to mean "not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, to be free from the performance of work."

- **ONTARIO BUILDING TRADES POSITION**

We agree with the proposed changes as the right to disconnect from work will allow for a better work-life balance, especially in the post-pandemic work environment where many workers will be continuing to work from home. The pressure of an increasingly demanding work culture is one of the biggest challenges to society's mental health.

However, the Bill is lacking in the following areas:

- The Bill defines "disconnecting from work" to mean "not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, so as to be free from the performance of work."
- The Bill has no other requirements, such as setting minimum standards for how long in each workday workers have the right to disconnect. It leaves such details to be determined at some point in the future by regulation.

Recommendation

1. Include language setting minimum standards for how long during each workday workers have the right to disconnect.
2. The Ministry of Labour, Training and Skills Development (MLTSD), along with the office of the Chief Prevention Officer, support the promotion and the establishment of "psychologically safe" workplaces.

Schedule 2 **New "Employment Standards Act"**

No more non-compete agreements: Banning the use of non-compete agreements, with one significant exception. In the context of a sale of business or part of a business, where the seller becomes an employee of the purchaser, they would be permitted to enter into an agreement that prohibits the seller from engaging in any business, work, occupation, profession, project, or other activity that is in competition with the purchaser's business after the sale.

- **ONTARIO BUILDING TRADES POSITION**

We agree with the proposed changes as non-compete agreements —which have already come under scrutiny in the Canadian court system—would officially receive the legislature's disapproval. Moreover, the changes would still empower employers to draft narrower clauses that protect intellectual property.

Schedule 2 **"Employment Standards Act"**

- **Licensing recruiting and temporary employment agencies (TEA):** Requiring recruiters and temporary help agencies to have a license to operate in the province. Licenses would be issued by the Director of Employment Standards and would be for a term of one-year at a time. Bill 27 proposes a regime for license suspension, revocation, and review for any suspension or revocation, including by way of proceeding before the Ontario Labour Relations Board.

- **ONTARIO BUILDING TRADES POSITION**

We agree with the proposed changes. However, Bill 27 still has areas that require strengthening.

Recruitment Fees

When it comes to illegal conduct by recruiters, the Bill does not make *employers* liable for recruitment fees. To really ensure workers can get back the illegal fees they paid, the employer must be held liable. If employers are responsible, they will have an incentive to make sure they use recruiters that do not charge illegal fees.

Barriers Migrant and TEA Workers have to Unionize

Bill 27 does nothing to address the serious barriers migrant and TEA workers face to unionizing. Without the collective power gained through unionization, it will be difficult for workers in such precarious situations to enforce what minimal rights they have.

Making the Host Employer Financial Responsible and Liable for the Injuries and Deaths of TEA Workers

With respect to TEA workers, the Workers Action Centre and Parkdale Community Legal Services argue that effective protections for temporary agency workers will require steps such as: making companies financially responsible under WSIB for the death and injuries of temporary agency workers and ensuring all temporary agency workers earn the same wages as directly-hired workers when they do the same work.

A 2014 report by the Institute for Work & Health examining injury prevention and return to work in temporary work agencies concluded Ontario's compensation system had built-in legal incentives to encourage outsourcing of hazardous work, which puts worker health and safety at risk. Along with closing policy loopholes**,** the report also recommended that joint health and safety committee requirements be applied to temporary agencies and more proactive Ministry of Labour inspections of workplaces known to employ many temp agency workers. A 2012 report by the Law Commission of Ontario on Vulnerable Workers and Precarious Work came to many of the same conclusions.

The use of TEA has risen dramatically in recent years and are effectively a shield. The TEA is the employer and thus responsible for the WSIB premiums and if there is an injury and fatality, they take the experience rating hit for the injury. This in spite of the reality that the host employer which receives TEA workers has full control over working conditions in the workplace.

In 2014, the previous government introduced Bill 18 "Stronger Workplace for a Stronger Economy Act." On first reading, the Bill had a provision to transfer the claim costs for a TEA employee to the placement employer if the accident happened at the placement employer.

At the committee, this got replaced with the ability to do this by regulation at a later date. The then Minister of Labour, the honorable Kevin Flynn explained the changes during Third Reading:

> Additionally, we originally proposed changes to the Workplace Safety and Insurance Act experience rating system. However, Speaker … time has passed since this bill was first introduced; At committee this got replaced with the ability to do this by Regulation at a later date…
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> It was almost a year ago. It did not pass in the last parliament due to delays. The situation has changed since then. The WSIB is currently undertaking a rate framework review, which also includes of the same experience rating system. We expect the WSIB will make decisions regarding these changes just around the same time next year.

On April 6th, 2018, Schedule 5 amendments to the Workplace Safety and Insurance Act were proclaimed, which would have allowed for the development of a regulation requiring the WSIB to impose the costs of an injury suffered by a TEA worker to the host/client workplace employer.

Unfortunately, there was never any regulation created and the WSIB still has no ability to impose injury costs on the placement employer as the TEA is deemed to be the "employer." As it stands, if a TEA employee is critically injured or dies while working at a placement/ host employer, only the TEA will be responsible for the WSIB claim costs even if there are changes and or convictions against the placement employer.

Moreover, the placement/ host employer can still get a WSIB experience rating refund and or premium rate reduction. This loophole allows the placement/ host, despite having high accidents and or fatalities, in still being able to benefit financially.

Other Tools to Increase Deterrence and Make Host Employers of TEA Workers and all Employers More Accountable: "*The Concept of Embedded Safety Auditor.*"

In circumstances, when a workplace is a repeat offender and there is history of serious injuries and or work-related traumatic fatalities, the MLTSD- in addition to fines- needs to explore other tools to increase deterrence.

In our opinion, the use of an embedded safety auditor not only can achieve further deterrence, but also improve safety where workplaces fail to observe the obvious when it comes to dangerous situations or practices.

The embedded auditor is a relatively new concept. Archibald, et al 2007 in their book "*Profiting from Risk Management and Compliance"* address the concept to have a "state" auditor embedded in the offender corporation at the corporation's expense to monitor compliance and provide reports with the regulatory agency that would be privileged.

Archibald, et al 2007 suggested that the expense of the embedded auditor to the corporation was to replace the fine which would otherwise have been levied. They stated:

> The proposal would be superior to the imposition of fines in several respects. First, at present, fines go into the general revenue fund. There is no guarantee that a government will allocate these funds toward the increased enforcement in a particular area, whether it be securities, occupational health, or the environment. Second, corporations would obviously abhor the prospect of the loss of privacy by being forced to have a State auditor on their premises. The presence of a State auditor would be the equivalent of a form of house arrest now used in the criminal justice system as part of a conditional sentence. Corporations might even challenge this order as constituting a violation of rights, but this challenge would likely fail. Our proposal would have a collateral benefit as a significant specific deterrent and as a general deterrent to other corporations.

In Ontario, Ministry of Labour v. Lafarge Canada Inc[1] Justice of the Peace M A Cuthbertson explores the concept of embedded auditors:

> [72] This is a concept which is available in the Criminal Code of Canada (see s. s. 732.1(3.1)(b). In R v. Maple Lodge Farms, [2014] O.J. No. 2085, Justice Kastner ordered (see para 18 of the Probation Order in Appendix "C" of Maple Lodge Farms) an independent expert (an embedded auditor by another name) "to oversee and report to the Court in relation to both expenditures and compliance with this Probation Order…".
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> [73] The embedded auditor concept has not yet expressly been set out in the Provincial Offences Act (POA). However, it has been ordered under s. 72 (3)(c) of the probation provisions of the POA in R. v. Quantex Technologies Inc, [2018] O.J. No. 4259; 2018 ONCL 546, a previous decision of mine.
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> [74] In crafting the probation order for an embedded auditor in Quantex, I recognized (with the agreement of counsel) that Ministry of Labour inspectors are not available to be seconded to corporations as State embedded auditors. Instead, the order designated a professional in private practice with the appropriate credentials, as the auditor. In addition, the sentence imposed did not eliminate the fine in lieu of the embedded auditor. Rather the cost to the corporation of the embedded auditor was in addition to a fine. In my view, this added to specific and general deterrence.
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> [75] Worth reading on the concept of an embedded auditor within the realm of the POA is His Honour Rick Libman's (Ontario Court of Justice) 2018 paper titled "No Body to Punish, No Soul to Condemn": Recent Developments in the Sentencing of Corporations under the Provincial Offences Act of Ontario (Humber Journal 2018): RegQuest, October 2018.
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> [76] It has been my experience that MOL prosecutors favour fines as sentences and have not yet appreciated the benefits of additional sentencing tools. However, in my opinion, Cotton Felts specifically contemplates additional sentencing options in para 19 when the Court of Appeal stated" To a very large extent the enforcement of such statutes is achieved by fines imposed on offending corporations". Significantly, the Court did not state that the only option is a fine.
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> [77] In addition, as Carthy J.A. stated in para 93 of Ellis-Don (see para 27 above), an increase in the then maximum fine "makes it even more evident that the deterrent influence is intended to be in the pocketbook". Using both fines and an embedded auditor paid for by a corporation increases the costs to the corporation, thereby creating even greater deterrence. Of course, the benefits flowing from an embedded auditor's work and implementation of the actions needed to enhance safety, meet the previously discussed objectives of the OHSA.
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> [78] Consideration may need to be given by a sentencing justice as to whether a maximum fine, as set by the legislature, and an embedded auditor could be ordered together since it would increase the costs to the corporation above the maximum fine. However, imposing both may be appropriate where, in the justice's view, it is necessary to achieve the goals of sentencing (general and specific deterrence, protection of workers, rehabilitation, etc.) and were bearing the costs of doing so would not be disproportionate.

We understand and appreciate why the concept of the embedded auditor would meet resistance from the employer lobby. However, we do not understand why the MLTSD has not embraced its obvious benefits as described by Archibald et al 2007, in favor of a continued reliance solely on fines.

It is important to state that in most cases where employers/companies are charged, there still not has been a joint submission following a plea that has ever reached the maximum fine in Ontario, regardless of the total number of deaths in a corporation's workplaces.

[1] 2019 ONCJ 748 2019·09·20

Recommendation

1. Make the host employer liable for illegal recruitment fees. If employers are responsible, they will have an incentive to make sure they use recruiters that do not charge illegal fees.
2. Introduce amendments to the ESA that will require all employers/workplaces that utilize the services of TEA workers to provide information about their company and the types of positions for which they are recruiting to the Director of Employment Standards.
3. Introduce amendments to the Workplace Safety and Insurance Act or create a regulation allowing the WSIB to automatically transfer costs for an injury or fatality of a TEA employee to the host/client workplace employer.
4. Amend the **Provincial Offences Act (**sentencing regime) to include something similar to the detailed provisions which address probation for corporations and other organizations under the **Criminal Code**.
5. Alternatively, Ontario may adopt the **Criminal Code** model for deferred prosecution agreements or "remediation agreements," which allows for charges to be withdrawn against a corporation in exchange for the corporation meeting certain strict conditions that are similar to what could be imposed in a probation order.
6. Have the Minister of Labour, Training and Skills Development appoint an Advisor to examine Temporary Employment Agencies' (TEA) role within the construction and manufacturing sectors, with a distinct focus on the particular needs and dynamics of those sectors separately from the clerical services sector where many TEAs operate.

Schedule 3

- **Removing Canadian experience requirements:** Removing barriers, such as Canadian experience requirements, for internationally trained individuals to get licensed in certain regulated professions and get access to jobs that match their qualifications and skills, through amendments to the *Fair Access to Regulated Professions and Compulsory Trades Act, 2006*. However, regulated professions would still be required to ensure they comply with any regulations respecting English or French language proficiency testing requirements.

➢ ONTARIO BUILDING TRADES POSITION

The Ontario Building Trades supports the proposed amendments to the Fair Access to Regulated Professions and Compulsory Trades Act, 2006. The current procedures used by the Ontario College of Trades are fair and fully compliant with the Act. Establishing maximum timelines for evaluating an application is a reasonable provision which our Council fully supports.

Additionally, we want to use the opportunity of this Bill 27 submission to raise related issues and also to advise the MLTSD of constructive initiatives that are underway. The Minister's support for these initiatives would be welcome.

1. Canada's Building Trades Unions (CBTU) are seeking to incorporate into the federal Income Tax Act a reasonable deduction for travel and accommodation expenses when a worker travels to secure construction work. So-called "independent operators" who work as self-employed sub-contractors, rather than as employees, are able to deduct these expenses. Up to a limit, employers can deduct the travel and accommodation benefits that they provide to their employees. However, an ordinary worker in (say) New Brunswick who comes to Ontario to work on an Infrastructure Ontario project is not entitled to a reasonable tax deduction for his or her travel and accommodation expenses. This discourages mobility and aggravates skills shortages. It needs to be changed. Support from the Minister for this initiative would be appreciated.
2. We believe that the current process used by the College of Trades for a Trade Equivalency Assessment (TEA) could be streamlined without undermining standards. The current TEA process relies on a worker documenting his or her experience. In many cases, this is feasible. Yet for many workers, such documentation is impractical, or if feasible, costly to undertake since the worker must have the documentation translated by an officially accredited translator. We propose, for those who choose it, that a Building Trades training provider Examining Committee be established and designated to assist as an assessment mechanism and precision evaluation process.

Schedule 5 "Occupational Health & Safety Act"

Requiring washroom availability for delivery workers: Requiring business owners to allow delivery workers to use a company's washroom if they are delivering or picking up items by way of amendment to the *Occupational Health and Safety Act*. Proposed exceptions to the rule are: if providing access would not be reasonable or practical for reasons relating to the health or safety of any person at the workplace, including the worker who requests to use a washroom; if providing access would not be reasonable or practical having regard to all the circumstances, including, but not limited to, the nature of the workplace, the type of work at the workplace, the conditions of work at the workplace, the security of any person at the workplace and the location of the washroom within the workplace; or if the washroom is in or can only be accessed through a dwelling.

- **ONTARIO BUILDING TRADES POSITION**

Recommendations

1. Make amendments to the Occupational Health and Safety Act to include that owner client/ and employer allow Building Trades Workers access to washroom facilities.

Schedule 6 "Workplace Safety & Insurance Act"

Using WSIB surpluses to assist in COVID-19 recovery: Allowing surpluses in the Workplace Safety and Insurance Board's ("WSIB") Insurance Fund to be distributed over certain levels to businesses, which will help businesses cope with the impacts of COVID-19. Bill 27 provides that in

certain circumstances, the WSIB is permitted or required to distribute amounts in the insurance fund in excess of prescribed amounts to qualifying employers.

Streamlining employer remittances: Enabling the WSIB to work with entities, like the Canada Revenue Agency, to streamline remittances for businesses, enabling an efficient way for submitting premiums and payroll deductions.

➢ ONTARIO BUILDING TRADES POSITION

The Ontario Building Trades is not opposed to the WSIB providing appropriate assistance to employers to recover from the COVID-19 pandemic. However, we are opposed to any program which simply rewards employers with no objective improvements to workplace health and safety.

The Board's previous experience rating (ER) program refunded billions of dollars to employers with no objective evidence that ER had any positive effect on safety. Since **1984, almost $3 billion have been returned to employers in the form of rebates**.

Some employers have been more interested in maximizing their potential experience rating rebate and, in turn, have diverted resources to seek immediate gains through claims management strategies, rather than by investing in long-term, effective prevention.

All experience rating has done is create an artificial safety climate and helped drain the WSIB Accident Fund by employers who know how to game the system. Both the *Expert Advisory Panel on Occupational Health & Safety (Dean 2010)* and Professor Arthurs *"Funding Fairness" (2011)* raise serious concerns by relying on claims experience to calculate premium rates.

A reasonable approach to ensuring worker fairness would be to partially allocate the WSIB surplus funds to employers, but also towards injured worker benefit improvements and towards *bona fide* Prevention efforts that deliver demonstrably improved health and safety outcomes in the workplace.

Employer Premium Relief

Since 2018, employers have been granted the following financial relief:

- a 47% reduction in premium rates which has already saved them billions of dollars.
- In 2016, the average premium rate was $2.59, whereas in 2020, it was $1.37.
- Since 2016, the average construction premium has dropped by 63%.
- Manufacturing, since 2016, has seen a 43% reduction in average premium rates.
- The 2021 premium rate will remain at $1.37 with no increase.
- In its annual general meeting on Oct. 6, the WSIB announced the average premium rate would be reduced by 5.1 per cent in 2022, from $1.37 to $1.30.

Construction Deaths & Critical Injuries Still High

The decrease in employer premiums has not been the result of improved safety records or reductions in deaths or critical injuries. For instance, statistics on construction deaths and injuries from 2020 indicate that since 2014, construction has had on average 22 deaths per year.

2020 Critical Injuries in Construction

2020 was the worst of the past four years for critical injuries in the construction sector, with 355 documented critical injuries. The totals from the previous three years were:

2019	304
2018	324
2017	314

Despite the high number of deaths and critical injuries since 2016, the average construction premium has dropped by 63%. How is this a balanced and fair approach? These successive premium rate reductions continue to be funded by a downgrade in injured worker entitlements.

- After 2009, the WSIB cut spending on drug benefits by one third.
- In 2011, the WSIB began rigidly implementing its "Better at Work" initiative, causing consternation among treating physicians – that workers were being forced back to work before they were ready.
- In 2010, the WSIB paid out $126 million in permanent impairment settlement benefits to injured workers. By 2015, that number was $43 million – a 65% reduction in five years, with no matching reduction in injury rates.
- The WSIB claims to have simply improved the permanent injury outcomes of workers in Ontario. It is simply not believable that they have eliminated permanent injury in two out of every three cases in a five-year period with better case management alone, especially given that this same period saw a 10% reduction in spending on healthcare as well.
- For workers unable to return to their employer where they got injured, the WSIB reduced the amount of time it allowed for job search training in its labour market re-entry/work transition programs.
- In 2012, the WSIB began routinely using asymptomatic pre-existing conditions as grounds to reduce, or terminate, workers' LOE and NEL benefits.
- In 2014, the WSIB imposed, through an updated policy, new restrictions on entitlement to LOE benefits for recurrences.
- The WSIB's own Annual Financial Reports reveal that between 2010 and 2015 alone, the benefits paid out to injured workers were cut in half, from $4.8 to $2.3 billion.
- In 2016, injured workers won a huge victory when the legislation relating to the WSIBs coverage of work-related chronic mental stress injuries changed, requiring the Board to cover these types of injuries the same way it is required to cover others. This change was the result of several tribunal decisions finding the previous restrictions on entitlement to be contrary to the Charter of Rights. Despite the change in the law, actual policies and practices remain inadequate and discriminatory.
- WSIB's own audits have shown that since the inclusion of work-related chronic mental stress injuries in 2016, the WSIB has only single digit fractions of chronic mental stress cases, compared to 78% of physical injuries.[2]
- WSIB has only been willing to recognize around 170 of the 3000 occupational cancer cases annually in Ontario (as documented by the January 2019 Paul Demers report).

Princess Margaret Mesothelioma Screening Program

As documented in Dr. Paul Demers January 2019 report, "using scientific evidence and principles to help determine the work-relatedness of cancer," the WSIB has only been willing to recognize around 170 of the 3000 occupational cancer cases annually in Ontario. Implementing Dr. Demers recommendations would be the first step in providing fair and just compensation to the victims and the families of those workers who die each year as a result of workplace disease. Directing a majority of any surplus to compensating the victims of occupational disease should be a priority.

[2] https://www.thestar.com/news/gta/2018/12/04/workers-compensation-board-denies-over-90-per-centof-chronic-mental-stress-claims-audit-shows.html

Additionally, the MLTSD should allocate additional funding for the prevention and research in the area of occupational disease. This would include additional monies to:

- Health and Safety Associations,
- Occupational Health Clinics for Ontario Workers (OHCOW),
- Occupational Cancer Research Centre (OCRC) and Centre for Research Expertise in Occupational Disease (CREOD).

Mesothelioma Program University Health Network: Princess Margaret Cancer Centre

The other area that any excess surplus needs to be directed towards is for other research/medical institutions that are currently specific to occupational diseases. One institution that the WSIB over the years has historically underfunded or outright denied funding specific programs to is the "Mesothelioma Program University Health Network: Princess Margaret Cancer Centre" (Princess Margaret Mesothelioma Program).

Princess Margaret Cancer Centre and Toronto General Hospital is home to the premier Mesothelioma Research and Treatment Program in Canada and in general is a global leader in the treatment of advanced lung diseases. Their surgeons and scientists have pioneered many world firsts in the treatment of Mesothelioma.

Mesothelioma is a rare form of cancer in the general population but is very common among individuals and their family members who have worked in the Building Trades, manufacturing and other occupations who have been directly or indirectly exposed to asbestos. The most common form is Malignant Pleural Mesothelioma, which is a cancer of the lining of the lungs.

Less common are Peritoneal and Testicular Mesothelioma. Malignant Pleural Mesothelioma is most often diagnosed in the advanced stages when treatment options are limited. The Princess Margaret program's objective is to detect it early, when patients will have the best treatment outcomes, improve time to diagnosis and have those treatment options available and accessible in a timely fashion to all those who have been exposed to asbestos.

The biggest problem with mesothelioma — and it is an obstacle to finding a cure — is that too often doctors don't get a chance to treat a patient in an early stage of the disease. The insidious nature of the disease is that symptoms many times are not painful or even noticeable during an early stage. Early symptoms also too often mimic those of less serious health issues, slowing the diagnosis while the disease is spreading. Because most patients do not exhibit symptoms of mesothelioma until 20 to 50 years after initial exposure to asbestos, mesothelioma is often not top of mind as symptoms emerge.
Components of the Mesothelioma Program include:

1) The Rapid Assessment and Management Program
2) The Early Detection of Mesothelioma and Lung Cancer in Prior Asbestos Workers Using Low-Dose Computed Tomography (LDCT) Study
3) S.M.A.R.T. (Surgery for Mesothelioma After Radiation Therapy) Accelerated hemi thoracic radiation followed by extra pleural pneumonectomy for malignant pleural mesothelioma
4) Immunotherapy with adoptive cell transfer of tumor infiltrating lymphocytes for malignant pleural mesothelioma
5) Immunotherapy targeting mesothelioma cell repopulation during breaks of chemotherapy treatments in mouse models

In 2015, Princess Margaret approached the WSIB with a proposal totaling $4 million to sustain and expand its programs. The WSIB denied the request under the guise that it had no mechanism to fund such a program. Although not explicitly stated, we suspect the main reason was that the Board, at the time, was more preoccupied with the Unfunded Liability (UFL) and had no interest to expand/fund additional programs outside of its statutory obligations. (OWA, OEA, Prevention Office etc.)

Currently and in the past, the Ontario Building Trades and local unions and employer partners have contributed to the Princess Margaret screening and research program. Over the years, this has amounted to millions of dollars, and this level of contributions is no longer sustainable. It's perversely ironic that individual member contributions are going to help find a cure for a disease (Mesothelioma) that only has workplace etiology. In a way, the members are funding a cure for their own treatment – while the WSIB, who is in a position to fund the Princess Margaret program, sits back and refuses to engage.

Since 2015, the WSIB's financial position has dramatically changed and currently there is no reason that they could not provide ongoing long-term funding to Princess Margaret.

Recommendations

1. Any disbursements of funds to employers needs to be tied directly to objective and verifiable health and safety investments and improvements.
2. The MLTSD undertake an external review of how the WSIB continues to downgrade workers benefits. The surpluses are a direct result of the WSIB continuing its systematic austerity measures.
3. The premium surpluses be redistributed for better prevention of workplace injuries and especially occupational diseases and their entitlements.
4. The MLTSD should immediately implement all of Dr. Demers recommendations.
5. The MLTSD should direct the WSIB to enter into a multi-year funding arrangement with "Mesothelioma Program University Health Network Princess Margaret Cancer Centre, Toronto General Hospital."
6. Establish a Centre of Research Excellence (CRE) "Workplace Mental Health." The WSIB, through a direct transfer to the Prevention Office, already funds similar research centres.
7. Increase funding to all Centers of Research Excellence.