

Change in government Ontario's top 2018 newsmaker

Angela Gismondi December 31, 2018



BRUCE REEVE/WIKIMEDIA COMMONS — Doug Ford captured a Progressive Conservative majority government in the June 7, 2018 Ontario election. The NDP under Andrea Horwath formed the Official Opposition. Construction industry stakeholders have named this the top story of the year.

Leaders of provincial construction associations agree 2018 has been a year of great change, with the biggest being the election of a new government in Ontario.

Led by Premier Doug Ford, the Conservative government was elected in June, replacing Kathleen Wynne's Liberal government. Since then, many changes have occurred and quickly, industry stakeholders say.

"They ushered in a new direction, the whole, out with the old in with the new, opening up Ontario for business and the reduction of red tape," explained Giovanni Cautillo, executive director of the Ontario Sewer and Watermain Construction Association.

"It's not just rhetoric and lip service, they are actually engaging with the stakeholders and getting things done. They are making decisions and doing so in such a rapid manner that it is mind-boggling at times. I think this government is trying to move at the pace of construction and it's actually refreshing."



FILE PHOTO — In late 2018, the Doug Ford government announced it intended to “wind down” the Ontario College of Trades as “persistent challenges” had become apparent in how the skilled trades in Ontario were regulated. With that announcement also came changes to the apprenticeship ratio system.

He pointed out one of the first things the government did was announce the winding down of the Ontario College of Trades (OCOT), something a number of associations had been advocating for years.

“A decade of fighting and it’s gone. From our standpoint that was a huge slam dunk,” said Cautillo. “It was unbelievable how they were able to eliminate something that had been an irritant to the industry and a layer of bureaucracy that was unnecessary from the start.”

Ontario General Contractors Association (OGCA) president Clive Thurston echoed his comments.

“We think there are four things the government has to do and by getting rid of OCOT they’ve just addressed one of them,” he said. “They need to elevate and promote the perception of the trades; they need to identify flexible solutions to training; and they need to identify and respond to opportunities. The last one is they have to break down barriers and OCOT presented barriers.”

Ian Cunningham, president of the Council of Ontario Construction Associations (COCA), said the change in government required reintroducing themselves and establishing new relationships with ministers.

With the legalization of recreational cannabis in October, the association has been helping construction employers to put in place appropriate policies. COCA has also been focused on implementation of the Construction Act, the first phase of which came into effect July 1.

“Our highest priority is keeping the pressure on the Ministry of the Attorney General to make sure the rest of the new Construction Act, those sections of the act that address the adjudication system and the payment regime, are implemented on Oct. 1, 2019 as they are scheduled to be introduced,” said Cunningham.



DAVID CHANG PHOTOGRAPHY — As of July 1, 2018, various modernization rules came into effect to reflect changes to the former lien act legislation that dated back to the early '80s as part of Ontario's new Construction Act. Lawyers Sharon Vogel and Bruce Reynolds were key players driving Construction Lien Act reform in Ontario.

In addition to working with various ministries on legislation to protect the construction industry, COCA is also working with the Ministry of Labour to improve health and safety across the province.

“This year was a particularly bad year for fatalities, which were up about 50 per cent. There were 21 fatalities in construction this year and there were 15 at this point last year,” said Cunningham.

Richard Lyall, president of the Residential Construction Council of Ontario, is confident the new government will fix some of the fundamental issues he views are plaguing the province: infrastructure, housing and transit. The establishment of the Housing Supply Action Plan is a positive sign and a step in the right direction, he noted.

“How we build, the environment we build in and who is doing the work — those are the three legs of our stool and we had major developments in 2018 on all three which I think will really help us to advance systemically to where we can fix some of these longstanding problems and get stuff done,” said Lyall. “For our part in the industry, we’re undertaking some really good research and policy initiatives with respect to streamlining the housing supply process.

“We want to transform and reform the process through which we approve new development without undermining any needed regulations and standards. We do want to eliminate duplication where it exists and unnecessary time wasted in the process by introducing a degree of transparency and accountability in certain areas.”

Andy Manahan, executive director of the Residential and Civil Construction Alliance of Ontario, said movement on the reuse of excess soils may be the story of the year for the alliance as it was recently included in the “made-in-Ontario” Environment Plan announced by the Ministry of the Environment.

“That never happened under the previous Liberal administration,” said Manahan. “Due to our advocacy efforts with the new government, they did recognize what we are trying to do to reuse soils.”

Streamlining and cutting red tape seems to be a priority for the new government, he noted, adding he hopes to make some headway on streamlining the Class Environmental Assessment (EA) process.

For our members the biggest stories of the year were Bill 47 and Bill 66, reducing (apprenticeship) ratios to one to one,

— **Sean Reid**

Progressive Contractors Association of Canada

“There is a deputy minister who is responsible for regulatory burden reduction and cutting red tape. I did speak with him in early November about Class EA,” said Manahan. “We do anticipate changes early 2019.”

David Frame, director of government relations for the OGCA, said a number of government agencies such as the Workplace Safety and Insurance Board, Infrastructure Ontario and Metrolinx will undergo reviews in the new year and that will likely result in more changes.

“The last government had very aggressive plans in terms of infrastructure,” said Frame. “This government has come in and they are saying much the same...but they are clearly not convinced that the old methods are getting value for money. Many of these projects are being reviewed and the processes to which we procure and assign these projects are being totally reviewed. We expect there will be some pretty significant changes come out in the new year on how we do business with government and how they do procurement.”

The legalization of cannabis was cited as another major headline in 2018.

“Impairment is a huge issue,” said Frame, adding they have been working with the Ministry of Labour to get more information and develop regulations to protect workers and employers. “We have very little information and very little data on it. We need to do things to be able to address the issue to help keep our workers safe.”

2018 was a good year for the Progressive Contractors Association of Canada (PCA), said Sean Reid, vice-president and regional director.

“For our members the biggest stories of the year were Bill 47 and Bill 66, reducing (apprenticeship) ratios to one to one, winding down the Ontario College of Trades, halting compulsory trade certification and, of course, introducing a bill to usher in fair and open tendering,” Reid stated. “Those are the four issues at the top of our agenda and the new Ford government has made good on all of those items.”

As for the association’s top priorities in 2019, they include seeing the open tendering legislation receive royal assent and working closely with the government to develop a new system for apprenticeship in the province.

Patrick Dillon, business manager of the Provincial Building and Construction Trades Council, said he is not pleased with the government’s approach, alleging they won’t meet or consult with the Building Trades.

“One thing that was startling for me, with the past government and this government, is the ease that they seem to approach undermining free collective bargaining for workers,” said Dillon. “That is an area of real concern to us. We will start to deal with that as we go forward in the new year.”

The Workplace Safety and Insurance Board paying off its unfunded liability has been lauded by many, but he said it is at the expense of the injured worker community.

“The unfunded liability was always a red herring that was put out there by the employer groups as rationale as to why injured worker benefits should be cut,” said Dillon. “I think that’s wrong headed.”