

What's Inside

Ontario WSIB Strike: Employees and
Management Navigate Ongoing Labor Dispute

Ford Advisor Broke Lobbying Law

Bill If Passed Will Require AEDs on Construction
Sites

Government Invests in Forest Industry in
Northeastern Ontario

Bill 5 Draws Opposition

Ontario and Manitoba Initiate Free Trade

Plan to Meet With Your Local MPPs During the
Summer Recess

Competition Act Limits on Discussions at
Meetings of Construction Associations

ONTARIO WSIB STRIKE: EMPLOYEES AND MANAGEMENT NAVIGATE ONGOING LABOR DISPUTE

As previously reported, A significant labor action is underway in Ontario as Workplace Safety and Insurance Board (WSIB) employees stage a strike over working conditions and compensation concerns. This marks the first strike in WSIB history, with employees seeking adjustments to wages and workload management.

Workers represented by the Ontario Compensation Employees Union (OCEU) and CUPE 1750 have walked off the job across cities such as Hamilton, Toronto, Windsor, and Ottawa. The union highlights concerns about workload pressure and understaffing, stating that the proposed wage increases—2% in the first year, 1.5% in the second, and 1% in the third—do not adequately address these issues.

From COCA Associate member Sherrard Kuzz LLP

What You Should Know

Despite the strike, an employer is still required to meet the 3-business day requirement to file a Form 7 to report an accident in the workplace. You may use online services to report an injury or illness, monitor and manage your claims or accounts and submit documents.

With reduced resources, initial entitlement decisions and payments may be delayed. The WSIB will prioritize fatalities and serious injuries, workers who are off work and not being paid, and workers who require access to healthcare. Any worker who in receipt of loss of earnings payments or healthcare will continue to receive those benefits.

For employer services, WSIB will focus on premium reporting, clearances and time sensitive registrations. The appeals process and related decision-making will be suspended for the duration of the strike. The time limit for an objection and full access to a claim file will also be suspended for the duration of the strike. We recommend filing any objection and/or documents on time through online services.

FORD ADVISOR BROKE LOBBYING LAW

Ontario's Integrity Commissioner determined recently that Premier Ford's former principal secretary and former deputy chief of staff, Amin Massoudi, did not comply with the province's Lobbyist Registration Act when he failed to register as a lobbyist and lobbied on behalf of a client with a public office holder.

Massoudi has a long history serving the Ford family. According to his LinkedIn page, he served as Doug Ford's executive assistant when Ford was a Toronto City Councillor from December 2010 to May 2013 and then served as the late Mayor Rob Ford's director of communications from May 2013 to December 2014.

BILL IF PASSED WILL REQUIRE AEDS ON CONSTRUCTION SITES

On May 23 the government announced that it will introduce another full package of legislation under the Working for Workers banner. It will include amendments to the Occupational Health and Safety Act which, if passed, will require automatic external defibrillators (AEDs) on construction sites where the construction project is expected to last three months or longer with 20 or more workers.

According to the Ministry of Labour, more than 15% of inspection reports associated with cardiac or “heart attack” are in the construction sector.

The legislation will propose that the cost of AEDs, which is approximately \$2,300, will be reimbursed by the WSIB from its insurance fund.

COCA supports the AED requirement but finds the funding support from the WSIB’s Insurance Fund questionable.

For more information see the News release: <https://news.ontario.ca/en/release/1005949/ontario-protecting-workers-on-construction-sites>

GOVERNMENT INVESTS IN FOREST INDUSTRY IN NORTHEASTERN ONTARIO

On May 21st the Government of Ontario announced that it will be investing \$11.3 million from the Forest Biomass Program in five research, innovation and modernization projects in northeastern Ontario. The projects are:

Hornepayne Power Inc., who are receiving \$7,500,000 to increase regional energy production by modernizing and upgrading power generation equipment. The funding will also support research into on-site green hydrogen production.

GreenFirst Forest Products Inc., who are receiving nearly \$3 million to boost productivity, cut costs and improve product quality by upgrading the company’s biomass cogeneration plant, and an additional \$130,000 to research the use of mill by-products for torrefied pellets, a green alternative to coal.

Circular Carbon Canada Inc., who are receiving \$500,000 to study northeast sawmills as potential sites for pyrolysis plants, which use forest biomass to produce biochar, which is a substance used in power generation, soil amendment and water filtration.

Wikwemikong Development Commission, who are receiving \$200,000 to support the development of a combined wood pellet and biocoal facility by assisting with permitting, contracting, business development and community engagement.

For the full details, click on the following link:

<https://news.ontario.ca/en/release/1005926/ontario-protecting-forest-sector-jobs-and-workers>

BILL 5 DRAWS OPPOSITION

Bill 5, Protect Ontario by Unleashing our Economy Act, 2025 was tabled and passed 1st Reading in the Ontario legislature on April 17th. It was debated and passed 2nd Reading on May 6th. The Bill was then referred to the Standing Committee on the Interior for public hearings scheduled for May 22nd and 26th and clause-by-clause review on May 28 before it presumably will come back to the House for 3rd Reading and Royal Assent.

The Bill is intended to accelerate the development of important mineral extraction projects. If passed, among other provisions, it will:

- Create a one window approval approach for mining projects
- Give cabinet the power to designate an area a “special economic zone,”
- Exempt selected proponents and projects from requirements under any provincial law or regulation, including bylaws of municipalities and local boards, that would otherwise apply in that zone.
- Make changes to endangered species laws
- Allow cabinet to exempt projects from archeological assessments

The Bill has drawn support from the mining industry and opposition from First Nations groups and municipalities.

I guess the question is, “How much longer can Ontario and Canada afford to wait for the development of the Ring of Fire?”

ONTARIO AND MANITOBA INITIATE FREE TRADE

On May 14th Ontario Premier Doug Ford and Premier Wab Kinew of Manitoba signed a Memorandum of Understanding (MOU) to support the removal of barriers to free trade between their two provinces.

- Ontario and Manitoba agreed to boost the flow of goods, services, investment and workers, including through direct-to-consumer sales of alcohol and improved interprovincial labour mobility.
- In 2021, the value of total interprovincial trade between Ontario and Manitoba stood at \$19.5 billion
- Among Manitoba’s top exports to Ontario are canola oil products and conventional crude oil; among Ontario’s top exports to Manitoba are household goods, food and beverages.
- In 2023, Ontario exported \$183.9 billion of goods and services to other provinces and territories and imported \$142.7 billion, resulting in two-way trade of \$326.6 billion and a trade surplus of \$41.2 billion.

Ontario recently signed similar MOUs with Nova Scotia and New Brunswick.

For the government’s News Release, click on the following link:

<https://news.ontario.ca/en/release/1005911/ontario-and-manitoba-sign-memorandum-of-understanding-to-tear-down-interprovincial-trade-barriers>

PLAN TO MEET WITH YOUR LOCAL MPPS DURING THE SUMMER RECESS

Following their elections in the Ontario general election held on February 27th, the members of Ontario's 44th Parliament met on April 14th to elect their Speaker and then again on April 15th to receive the Speech from the Throne that outlined the newly elected government's legislative program. By the time the legislature adjourns for its 13-week summer recess on June 5th, it will have sat for a total of 23 days including the truncated sittings on April 14th and 15th.

The summer recess is a perfect time to meet with your local MPP(s) and advance such issues as:

- How to streamline local approval processes to get construction projects started faster
- A local solution to address shortages of skilled labour in your community perhaps using funding from the Skills Development Fund
- The need to proclaim the Bill 216 amendments to the Construction Act in a timely way
- Encourage the government to engage an independent third-party research organization to conduct a benefits adequacy study to ensure that injured workers are being compensated fairly by the WSIB, not under compensated and not overcompensated, before any adjustments to benefits are contemplated. The WSIB provides workers with income replacement insurance in the event of a workplace injury or illness, nothing more, nothing less. Currently, loss of earnings (LOE) benefits are 85% of net pre-injury earnings. The government may deliver on an April 2022 announcement to consider increasing LOE benefits to 90%.

COMPETITION ACT LIMITS ON DISCUSSIONS AT MEETINGS OF CONSTRUCTION ASSOCIATIONS

In the centre of every table at the recent annual conference of the Canadian Farm Builders Association (CFBA) was a tent card that read, "CFBA Competition Statement: As participants in this meeting, we must be mindful of the constraints of the Competition Act. There shall be no discussion of agreements or actions that may restrain competition. This prohibition includes the exchange of information concerning individual company prices, costs, margins, sales and operating plans, rates, market practices, claims, settlement practices or any other competitive aspect of a company's operation. Each participant is obliged to speak up immediately for the purpose of preventing any discussion falling outside these bounds."

It's our understanding that other construction associations have taken similar steps to demonstrate their desire to operate in compliance with the Competition Act.

If your association has not already done so, we recommend you consult your legal advisor as to what steps your association should take to protect itself.