

3

## EXHIBITION PLACE

May 24, 2007

To: The Board of Governors of Exhibition Place

From: Dianne Young  
Chief Executive Officer

Subject: **Workers' Action Centre – May 2007 Update**

Purpose:

This report is submitted for the consideration of the Board of Governors.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

**Recommendation:**

**It is recommended that the attached report from the General Manager of the CNEA dated May 8, 2007 with respect to the Workers' Action Centre, be received for information.**

Background:

The attached report was received for information by the Board of Directors of the CNEA at its meeting of May 24, 2007.

Comments:

This report provides an update on the Worker's Action Centre.

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Dianne Young

Chief Executive Officer



May 8, 2007

To: The Executive Committee and Board of Directors of the CNEA  
The Board of Governors of Exhibition Place

From: David Bednar  
GM, Canadian National Exhibition

Subject: Workers Action Centre - May 2007 Update

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Purpose:

This report is submitted for the information of the Executive Committee and the Board of Directors of the CNEA, and the Board of Governors of Exhibition Place. This report provides information regarding issues raised by the Workers' Action Centre (WAC) concerning students hired by third party contractors during the CNE period.

Background:

At its meeting of December 2, 2005, the Board of Governors received a deputation from WAC regarding workers rights issues at the CNE and resolved that this matter be referred to CNEA staff and the Exhibition Place Director of Human Resources to meet with WAC Representatives and any others, and pursue the matter and report back to the Board of Governors through the CNEA Board.

On January 26, 2006, WAC made a deputation to the CNEA Board of Directors following correspondence with the CNEA Executive and David Bednar. At this meeting, the CNEA Board of Directors resolved that the January 20<sup>th</sup> report from David Bednar be received for information.

The Board of Governors, at its meeting of January 27, 2006, received David Bednar's January 20<sup>th</sup> report and resolved that it be received for information and further that:

- (1) the CNEA President send an information letter to Mayor David Miller with respect to this issue;
- (2) the CNEA affirm and ensure that every contractor it engages is aware of its student hiring policy,
- (3) a copy of the CNEA's new Orientation Package be circulated to the Board for information; and
- (4) the Board be kept updated on this issue.

At its meeting of March 10, 2006, the Board of Governors, received information, a further report dated February 24<sup>th</sup> from David Bednar.

At its meeting of the Board of Governors of April 20, 2006, Ms. Singh, from WAC presented a communication dated April 19, 2006 which had two recommendations (attached as Appendix "A"). The Board of Governors referred the matter to staff for review and response to the June 9, 2006 meeting and advised Ms. Singh that her deputation would be received at 9:00 a.m. on June 9<sup>th</sup>. Councillor Giambrone requested that Exhibition Place staff facilitate the process even though the issues are related to the CNEA.

At meetings in June 2006, the CNEA and the Board of Governors directed staff to :

- (1) Make available to all Exhibition Place and CNEA staff working in Human Resources, Visitor Relations, Summer Staffing Office, the phone numbers of WAC and the Ministry of Labour ("MOL") in case they are approached by students who have an employment issue with a contractor.
- (2) Contact the Human Resources Canada office on site to request that they also provide the phone numbers of WAC and the MOL to students hired through their offices.
- (3) Ensure that the CNE Employee Handbook makes specific reference to the availability of MOL literature (see above) and is provided to all employees.
- (4) Verify with North American Midway Entertainment ("NAME") the method of communicating with persons they employ (e.g. employee handbook or other method).
- (5) Through the *Freedom of Information Act* process for the Ministry of Labour, request information to determine whether violations have been reported for any contractors operating during the CNE season.
- (6) In any future consideration of renewals of agreements, information obtained from the MOL about violations of the *Employment Standards Act* by third party contractors be considered by staff and the CNEA be informed of these violations in any report to the Board of Directors.

#### Discussion:

Staff of both the CNEA and Exhibition Place have acted on some requests made by WAC but, on the advice of legal counsel, have rejected others. Common resolutions were reached which focused not on the CNEA assuming the duties and liabilities of its third party contractors, but rather on the education of young workers about matters including employment rights and health and safety issues. It was further acknowledged that CNEA staff and the CNEA Board take into account any reliable information which may be available on any actions or employment violations committed by third party contractors prior to contract negotiations, so as to be fully informed as to the ability of the contractor to undertake properly the work in accordance with all applicable laws and preserve the public reputation of the CNE and Exhibition Place.

The six recommendations in the June 2006 report (noted above at the end of the "Background" section of this report) reflect the agreement reached in meetings with Ms. Singh on behalf of WAC. Accordingly, we worked diligently over the past year to ensure that our existing procedures, along with the recommended additional actions, would achieve the intended results in supporting a good working experience for all youth at this and future CNE's.

With regard to points 1 through 4, the CNE and Exhibition Place ensured that these actions were taken prior to the commencement of the 2006 CNE and notified Ms. Singh of these actions at the time. To the best of my knowledge, the CNE had no communications from Ms. Singh or any other representative of WAC after the 2006 CNE. These 4 items will be repeated in 2007.

With regard to point 5, we have submitted a Request for Information to the Ministry of Labour with a selection of 10 food concessionaires and 10 exhibitors to determine whether violations have been reported for these contractors. By way of verbal communications with the Ministry of Labour, we have confirmed no negative comments were reported, and are awaiting their formal written report. Point 6 is only valid if we have found some complaints against the companies we checked and therefore is not relevant at this time. Each year we will submit a Request for Information for another 20 contractors operating during the previous year's CNE and will take any violations into consideration when renewing an agreement.

Conclusion:

This report provides an update to the CNEA and Board of Governors regarding issues raised by the Workers' Action Centre (WAC) concerning students hired during the CNE period by third party contractors.

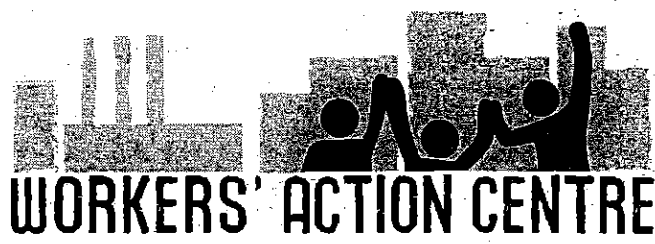
Respectfully submitted,



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David Bednar  
General Manager, CNE

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April 19, 2006

**To:** The Board of Governors of Exhibition Place  
**From:** Sonia Singh, Workers Action Centre  
**Subject:** Workers Rights Issues

**Purpose:**

This report is submitted for the consideration of the Board.

**Recommendation:**

The Workers' Action Centre asks the Board of Governors to receive this report for information and FURTHER that the Board pass the following motion:

- (1) The CNEA affirm and ensure that every employee hired by either the CNEA, or any contractors it engages with, are aware of Employment Standards protections;
- (2) The CNEA ensure that all contracts with all contractors it engages with articulate a series of consequences for Employment Standards or Health and Safety violations, culminating in non-renewal of contract.

**Background:**

At its meeting of December 2, 2005, the Board received a deputation from the Workers Action Centre regarding workers rights issues at the CNE and adopted the following motion:

On motion duly made by, seconded and CARRIED, it was RESOLVED that this matter be referred to the CNEA Staff and the Exhibition Place Director of Human Resources to meet with the Workers' Action Centre Representatives and any others, and pursue the matter and report back to the Board through the CNEA Board.

On January 26, 2006, the Workers Action Centre made a deputation to the **CNEA BOARD OF DIRECTORS** following correspondence with the CNEA Executive and Mr. David Bednar, General Manager of the CNE. At this meeting, the CNEA Board of Directors adopted the following motion:

On motion duly made by John Downing, seconded by Kan Vigneswaran, and **CARRIED**, it was **RESOLVED** that Report No. 8 dated January 19, 2006 from the General Manager with respect to the Workers' Action Committee – January 2006, be received for **INFORMATION**, as referred by the Executive Committee.

The Board of Governors, at its meeting of January 27, 2006, received Mr. Bednar's report dated January 20<sup>th</sup> and adopted the following motion:

On motion duly made by John Weatherup, seconded by Rene Foisy-Marquis and **CARRIED**, it was **RESOLVED** that Report No. 7 dated January 20, 2006 from the General Manager and CEO with respect to the Workers' Action Committee, be received for **INFORMATION**, and **FURTHER** that:

- (1) the CNEA President send an information letter to Mayor David Miller with respect to this issue;
- (2) the CNEA affirm and ensure that every contractor it engages is aware of its student hiring policy;
- (3) a copy of the CNEA's new Orientation Package be circulated to the Board for information; and
- (4) the Board be kept updated on this issue.

The Board of Governors, at its meeting of March 10, 2006, received Mr. Bednar's report dated February 24<sup>th</sup> and adopted the following motion:

On motion duly made by Rene Foisy-Marquis, seconded by Jim McMillen, and **CARRIED**, it was **RESOLVED** that Report No. 6 dated February 24, 2006 from the General Manager & CEO with respect to the Workers' Action Committee, be received for **INFORMATION**.

At this meeting John Weatherup asked that the Hiring Policy circulated to Board Members be checked with the CNEA Solicitor. The Chair also advised that representatives from the Workers Action Centre had not received these materials, and would be invited to comment at them at the April 20<sup>th</sup> Board meeting.

#### **Discussion:**

- The Workers Action Centre has received 14 complaints during the 2004 and 2005 season of Employment Standards violations from young workers employed during the CNE. These complaints included **unpaid hours of work** and **illegal deductions of wages**, and represented a total of **\$1,686.43**. While some of these complaints have been resolved,

there is over \$1,000.00 still outstanding from the 2005 season.

- The Workers Action Centre is concerned these violations will continue in future years unless pro-active measures are taken. Specifically, young workers must be made aware of their rights, and contractors must face some consequence if they violate labour laws.
- The Workers Action Centre is pleased to see that the CNE will be distributing Ministry of Labour Employment Standards information to all contractors in the 2006 season, however, this information must also be distributed to **all employees** of contractors in order to have maximum impact. The CNE should require contractors to distribute this information to employees, and/or should take its own measures to ensure that this information is made available to **all employees**, including those employed by the CNEA.
- One of the major violations reported in 2004 and 2005 was **illegal deductions** of wages, however this topic is not specifically covered in the Ministry of Labour information circulated to the Workers Action Centre. The CNEA should ensure information about this issue is distributed to all contractors and employees.
- In its Rules and Regulations, which forms part of the contract with CNEA partners, the CNEA makes the following requirement:

“That it will comply with the Employment Standards Act governing employers and employees performing services at the CNE. A short synopsis of the Employment Standards Act will be provided to you by the CNEA.”

However, in order to be effective, this contract must also stipulate consequences for violation of this clause. This could be done in a step-wise approach, for example, a first reported violation of the Employment Standards Act would result in a fine, a second violation would result in the contractor being put on a probationary status, and a third violation would result in non-renewal of the contract.

- The Workers Action Centre would be happy to meet with CNE staff to develop a strategy plan to ensure effective implementation. For example, this could involve the CNE doing random checks with the Ministry of Labour on Employment Standards Orders against contractors. Please note this information can be provided to the public as a “Brief Employment Standards Summary” through the Freedom of Information Office of the Ministry of Labour.

### **Conclusion:**

The Workers' Action Centre asks the Board of Governors to receive this report for information and FURTHER that the Board pass the following motion:

- (1) The CNEA affirm and ensure that every employee hired by either the CNEA, or any contractors it engages with, are aware of Employment Standards protections;
- (2) The CNEA ensure that all contracts with contractors it engages with articulate a series of consequences for Employment Standards or Health and Safety violations, culminating in non-renewal of contract.

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