



## **Withdraw Bill 128 – the Social Housing Reform Act**

A deputation to the  
Standing Committee  
on the Administration of Justice

Room 151 Queen's Park  
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President,  
Ontario Public Service Employees Union

My name is Leah Casselman,  
I am President of the Ontario Public Service Employees Union. I want to thank you for the opportunity to present our views on Bill 128.

Suzanne Kelly, president of OPSEU Local 592 at the Metro Toronto Housing Authority, who is directly affected by Bill 128, joins me.

OPSEU represents more than 1,000 members who work in social housing. Each day they labour to ensure low-income tenants in this province have decent and safe social housing.

OPSEU members provide professional, technical and administrative support at the Ministry of Municipal Affairs and Housing and assistance to the Ontario Housing Corporation. OPSEU represents the professional, administrative, clerical and security staff at the Metro Toronto Housing Authority. OPSEU members work in many non-profit housing providers in municipalities across the province.

The Minister of Municipal Affairs and Housing suggests that Bill 128 *the Social Housing Reform Act* is a simple administrative transfer. This is no administrative transfer.

Bill 128 is an attack on the quality of life for low-income tenants. Bill 128 creates the conditions to ensure the privatization of one of our province's most important assets – our public housing.

And, if that's not enough, Bill 128 is a vicious attack on our members and their rights. Bill 128 rips up our collective agreement. Bill 128 takes away union representation and it wipes out more than 20 years of decent labour relations.

Bill 128 is bad housing policy and it is bad for the workers.

Bill 128 should be withdrawn and the downloading reversed. Instead, the government should upload the province's public and social housing stock back from the municipalities. The government should make a real commitment to end the housing crisis in Ontario.

OPSEU is not alone in saying Bill 128 doesn't make sense. Tenants, co-ops, non-profit housing providers and many others are calling for the province to reverse the download.

Take a hard look at the depth of the housing crisis.

Here is one example from the hundreds of stories available. An OPSEU member called our local union office a couple of months ago.

She recently had to leave an abusive relationship and was forced to leave her apartment. She was living in a shelter when she called our office. She works in a full-time job and has two children. She needed affordable housing. She found long waiting lists and nothing affordable in her neighbourhood. Her kids could not continue to go to their school. She spent 6 long months staying with friends trying to find a decent and affordable unit.

We hooked her up with the housing organizations. We represented her when her boss tried to discipline her because her concentration had been affected by the ordeal.

Her life was in turmoil thanks to the way this government deals with housing.

The government has abdicated its role in providing decent and affordable housing. It stopped building social housing in 1995. Then, it turned rent controls into the cash grab of the decade for landlords.

Next the download started with Bill 152. We said it in 1997, and we say it again today, downloading housing doesn't make sense.

Social and public housing should not depend on the local property tax base. The shift puts a huge financial strain on municipalities. This strain led directly to the privatization of 4,500 units of public housing in Toronto in 1998. You called Bill 152 "The Act to Improve Services." We called it yet another gift to the private sector and a cutback on public housing.

OPSEU offices across Ontario are getting more calls from members every day who are searching for affordable housing. It's a growing phenomenon thanks to this government's approach to housing. More and more working people are homeless or living on the edge searching for affordable housing.

So, why repeat your mistakes with a policy headed in the wrong direction? And Bill 128 does just that. Why do you create and exacerbate a housing crisis?

Bill 128 will mean less public housing in the province because cash-strapped municipalities cannot afford the liability for capital repairs and up-grades in the older housing stock. You have forced municipalities to look for ways to cut corners and save costs. You have provided no new money for social housing in this Bill.

Municipalities simply can't afford to carry social housing.

Bill 128 will force municipalities to further privatize public housing. And Section 5 in the Act gives them the power to do so.

It will force municipalities to limit who gets into public housing. Municipalities will be able to set new rules on Rent-Geared-to-Income and the size of the units for low-income households. Bill 128 lets the Minister set targeting plans. Where is the protection that the new plans must be based on current levels?

Bill 128 also has a direct impact on our members who work for the local housing authority.

They were promised a smooth and seamless transfer. The government suggests that it is business as usual. The facts show otherwise.

Bill 128 will mean lay-offs. As your government bails out of social housing, our members will be laid-off.

Our members at public housing authorities will be laid off as the services they provide are cut back and privatized.

The Ministry claims Bill 128 S. 51 protects the terms and conditions of our members when they transfer to the new employer. That's just simply wrong.

In fact, Bill 128 says that new employers can change terms and conditions of employment as they see fit. Bill 128 **could** protect terms and conditions of work, but it doesn't. You chose instead job instability and lower wages.

Under this law, our members lose their right to take their union with them. You ripped that away with Bill 7 and you have done it again with Bill 128.

You treat OPSEU crown employees differently. You consistently single them out and deny them the rights of other unionized workers enjoy. Other employees in other sectors get to carry their union with them. You could have provided for successor rights in Bill 128. You did not.

Bill 128 also tells our members that they have a supposed "choice". They can either quit or accept the transfer. In S. 51.8 unionized employees are treated differently and are hit just for being union employees.

First, if our members quit, Bill 128 denies them access to Employment Insurance, unlike non-union employees.

Second, Bill 128 overrides their collective agreement and denies them termination pay as they leave the Ontario Public Service.

Bill 128 should give our members a **real** choice in the midst of this massive upheaval. They should have the same choices as the non-union employees. They should have the choice to go with a severance package or to accept the transfer. The government should

treat these loyal employees with the respect and professionalism they deserve.

Bill 128 claims to transfer our members' rights to severance pay under the Employment Standards Act. But at what rate of pay, when the new employer can change the terms and conditions of employment?

There are even more ways our members' rights are ripped up.

Bill 128 takes away their grievance procedure and ends any possible retroactive remedies on outstanding grievances. Their benefits plan is gone and transferred without negotiation. Their personnel files are transferred without consent.

Their pensions are moved to a different plan with fewer benefits and entitlements without any discussion or negotiation. One of our members has a seriously ill wife who needs daily medical attention. He is 6 months short of his eligibility for retirement benefits under the OPSEU Pension Plan. But Bill 128 takes this away. He has paid for his benefits through his pension contributions. That's just plain stealing.

As Bill 128 is drafted, it overrides the Pension Benefits Act so that other members would not be able to claim access to their benefits in the OPSEU plan.

## **Final Comments**

The government has choices.

You can do what is right. You can take action to benefit all people (not just the rich with their tax cut).

With Bill 128 you chose not to invest in new affordable housing.

You could have consulted with front-line workers and tenants to develop a comprehensive approach to the housing crisis and to improve social housing. You chose not to.

You must ask yourselves what will happen 2 or 3 years down the road. I believe the housing crisis will be worse because of your actions..

In the short term, you need to amend this legislation. Minister Clement said he was holding public hearings to get it right. These amendments are urgently needed.

Even better, you can withdraw Bill 128 and begin a new direction for housing in Ontario. You can start to solve the province-wide housing crisis. You can start to build housing. You can improve social housing programs. You can respect the workers' collective agreements. You can give people real options and not simply a \$200 cheque.

Thank you for this opportunity.  
I look forward to your questions.