



January 29, 2008

Dalton McGuinty
Premier, Province of Ontario
Legislative Building, Queen's Park
Toronto, Ontario
M7A 1A1

Dear Premier McGuinty:

First, I would like to thank you for proclaiming the third Monday of February as Family Day under the Ontario Employment Standards Act. This holiday will come as welcome relief to many workers in the Province of Ontario.

We believe the intent of your legislation is to ensure that all workers get an additional day off. As you have stated, "Ontarians work very hard and they deserve more time to spend with the people they love." Sadly, for many workers, this will not be the case.

Many of our members will be exempted from receiving Family Day because they receive more than the minimum number of paid holidays provided by the Employment Standards Act (ESA). These extra holidays did not happen by accident, or through the generosity of employers. These unionized workers have bargained for additional holidays over a number of years, often sacrificing other gains to receive them. In some cases, our members have suffered through strikes or lockouts to achieve these benefits.

Many employers are now using the loophole in the ESA to either ignore the new holiday or take a holiday away from our members and replace it with Family Day, unless they have specific contract language preventing it. Taking away a day chosen by our members through collective bargaining does not result in a benefit to our members, but a loss.

If you truly believe that workers in Ontario deserve an extra day off, then that day off should apply to all workers in Ontario. We ask that you reaffirm that intention, and take steps to amend legislation, such as the ESA, to make that happen.

In the meantime, we ask that you send a strong and unequivocal message to all Ontario employers that Family Day is additional time off, just as your legislation intended.

I await your reply, and look forward to working with you to ensure that Ontario workers receive the recognition they justly deserve.

Sincerely,

Warren (Smokey) Thomas
President
Ontario Public Service Employees Union