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Potential hiring quotas overshadow infrastructure act

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Potential apprenticeship hiring quotas are cause for concern for some Ontario construction industry leaders about the otherwise positive long-term infrastructure planning legislation released recently.

If passed, Bill 141, Infrastructure for Jobs and Prosperity Act, 2013, would require the province to regularly table a long-term infrastructure plan in the legislature covering a period of at least 10 years. The legislation also requires that "certain numbers of apprentices be employed or engaged in the construction or maintenance by the government of infrastructure assets," reads the act.

Sean Reid, Ontario and federal director of the Progressive Contractors Association of Canada, said the inclusion of hiring quotas in the act "unnecessarily pits worker against worker."

"We believe that's going to be a barrier, not an incentive, toward the government's actual goal of increasing our skilled trades workforce."

He hopes to work with government to create amendments that will meet the objective of increasing the use of apprentices.

"We think the government should focus on recognizing the broader investments that contractors make in skills training and development of the skilled trades workforce," he said.

Andrew Regnerus, provincial construction coordinator at the Christian Labour Association of Canada, is supportive of putting more emphasis on apprentices, but says the government should look at a participation-based approach.

"It appears to us that it's most fair to all of the different labour relations models out there," he said.

"Workers that are non-union won't have the same access (as unions) to these projects if they don't work for contractors who have as fluid a workforce available."

Patrick Dillon, business manager of the Provincial Building and Construction Trades Council of Ontario, said this clause will help boost apprenticeship.

"The apprenticeship completion rate should be part of this evaluation of an employer that's going to bid public sector work."

He noted that municipal and federal governments should also have to include apprentices in their procurement policies.

Ontario General Contractors Association president Clive Thurston interprets it as more of an enabling clause to allow government to work with the industry on the best way to deal with apprenticeships, rather than it prescribing quotas.

The Construction Design Alliance of Ontario, which Thurston chairs, has made a proposal that one of the best ways to better understand the impact of apprentices on projects is to conduct a study on a couple of upcoming projects.

“Let’s get some facts and figures on the table,” he said.

“Apprenticeship is a huge issue that as employers we have very little control over. So it makes very little sense to impose regulations on employers to hire apprentices when we don’t have any control over it.”

Besides the apprenticeship clause, the construction industry responded very favourably to the proposed legislation.

The act will involve architects and other design professionals in the design of certain infrastructure assets, a move welcomed by the Ontario Association of Architects (OAA).

OAA executive director Kristi Doyle said design is more than making a building look pretty.

“This is going to allow a look at a bigger picture and to be able to say ‘what happens when you build innovation in and when you build sustainability in.’ It contributes to society, there’s greater value. The goals of the end user are met. There’s a lot of good things that will come out of this that aren’t just about what the building looks like,” she said.

Architects are trained to be innovative and forward thinkers, she said.

“They’re trained to address the issues and the needs of the end user, of society, to contribute to society. That’s what they train for through their career.”

The bill would also take the politics out of awarding projects or deciding which projects go forward, said Thurston.

“That would be very positive if we start laying out projects based on need rather than political ribbon cutting.”

Residential and Civil Construction Alliance of Ontario executive director Andy Manahan said it is refreshing that the plan would cross electoral cycles.

“Although you’ll never take politics completely out of the process, hopefully this kind of long-range planning will take some of the unnecessary political interference out.”

He noted that it can be debated that 10 years is not long enough, that some say they should have 20 or 50 year plans, but said the plan is welcome nonetheless.

The act says the government would consider giving priority to infrastructure proposals that align with provincial plans.

Other elements that would be considered when prioritizing plans include project proposals that demonstrate: a full consideration of all related capital and life cycle costs, a long-term return on investment, maximized tax-base growth and stimulated productivity and economic competitiveness.

Ian Cunningham, president of the Council of Ontario Construction Associations, looks forward to what long-term infrastructure planning can accomplish.

“I presume this will counter what has been a habit of governments over decades of tightening up when money is tight and sometimes not even making up the infrastructure deficit when the economy is good,” he

said, pointing out that Toronto has been “stuck” with no transit expansion for years.

“It’s clear from this bill that the plan has to be information-based.”

All the stakeholders look forward to working with government as the bill moves forward. It had its first reading at Queen’s Park on Nov. 26.