

URBAN WORKER

PROJECT



WORK HAS CHANGED. LET'S MAKE IT WORK FOR US.

FAIRNESS FOR CONTRACT WORKERS

Submission to the
Changing Workplaces Review
on the Interim Report

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INTRODUCTION

The Urban Worker Project was created in the spring of 2016 to give a stronger voice to the growing number of freelance, self-employed and contract workers across Canada.

The principle that underpins the Urban Worker Project is that by coming together and taking collective political action on issues affecting all workers in non-traditional employment a better future can be built for urban workers. Some of these issues include improved access to health and dental benefits and better legal protections for contract and freelance workers.

To date the Project has engaged over 5,000 urban workers across the country.

WORK IN THE NEW ECONOMY

As the title of the Ontario government's review underlines, work has indeed changed. Recent studies show that over 50% of all new Canadian jobs are part-time, temporary, on contract, freelance, self-employed or unpaid positions. That means that more and more Ontarians are working outside of traditional full-time, employment relationships. Most of these jobs come without benefits those in conventional employment can sometimes access: parental leave, health and dental benefits, employment security measures or workplace protections.

With fewer and fewer workers in non-traditional work arrangements, more are working on contract to earn a living. Some have revolving contracts with big organizations, while others are solopreneurs or freelance workers with multiple clients.

- **We need to make sure the rules are fair for all workers.**

Many employers misclassify workers as independent contractors when by all definitions they are employees. The result of this practice is less pay, lack of workplace benefits and lack of rights and protections.

- **For solopreneurs, freelance and contract workers, there are very few protections and benefits that can be accessed.**

There's no sign of this trend slowing down. In the arts and culture, tech, knowledge, not-for-profit and service sectors this is the new normal. However the true scope and nature of the changes workers are experiencing today cannot be accurately gaged due to inadequate statistical tracking.

STORIES FROM REAL URBAN WORKERS

There are many misconceptions about what life is like for those working in the gig economy. Walking by a coffee shop and seeing young people working on their laptops, one may be tempted to think that all is well with this cohort of workers. But what isn't seen at a glance is the crushing student debt; the too expensive housing; the lack of access to skills, career and financial training; the struggle to find affordable child care; and the fact that the parents of many urban workers are themselves struggling in low waged precarious work. All of this is incredibly stressful when you can't predict your income month to month. As one urban worker put it:

"I'm just a bicycle accident away from the financial abyss"

The following stories are from actual workers who are active in the Urban Worker Project. They highlight some of the key issues faced by those who are working on contract, freelance or piecing together multiple jobs.

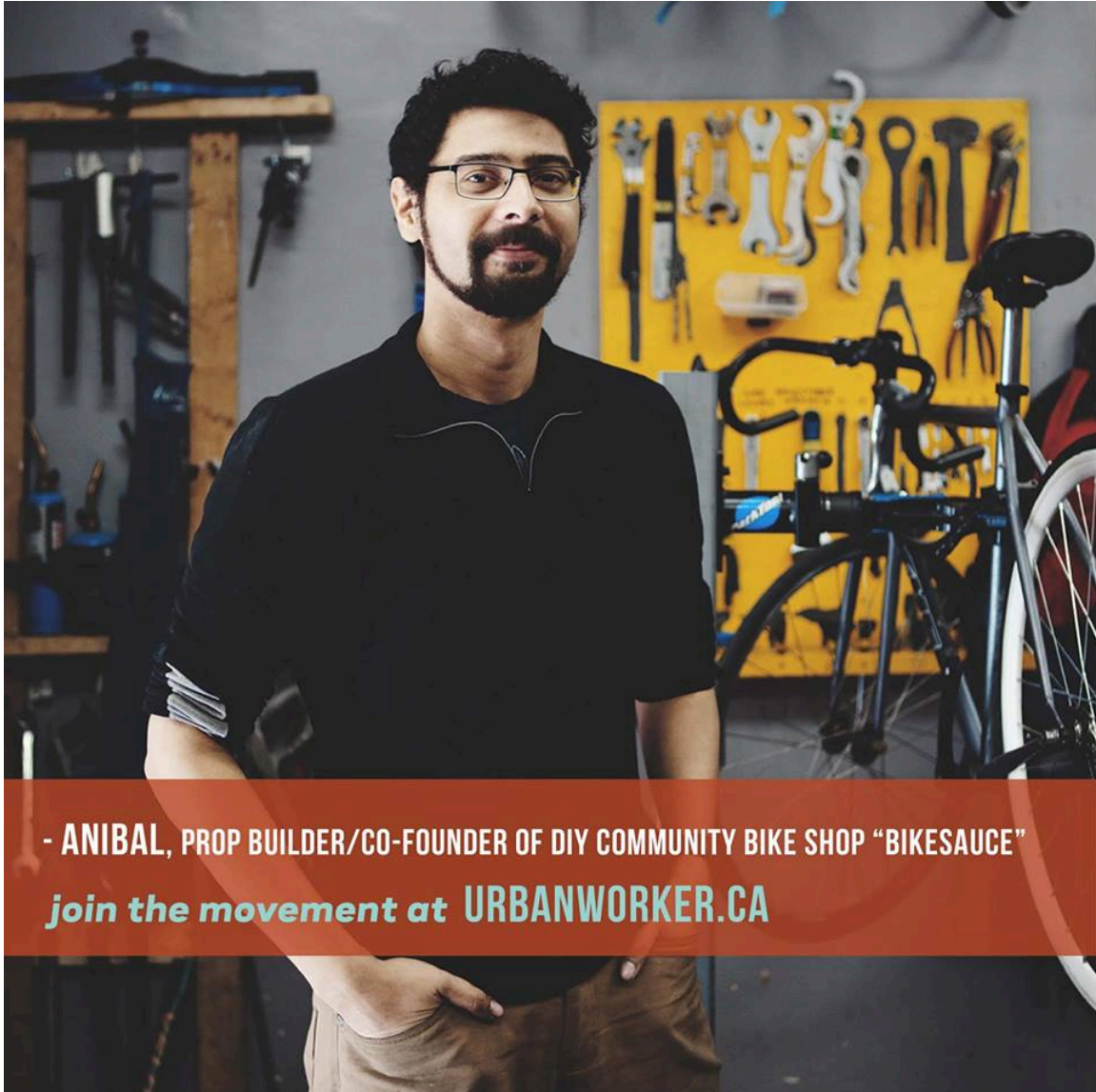


- JOAN, COMMUNICATIONS SPECIALIST/ PHOTOGRAPHER/ CURATOR/ FEMINIST/ ACTIVIST

join the movement at **URBANWORKER.CA**

Joan, communications specialist/
photographer/curator/feminist

Joan moved to Toronto from small town Ontario almost 10 years ago to study art. It has been difficult for her to find full time work since graduating. For most of the last year she worked on contract doing design work for a community newspaper as well as freelancing elsewhere to make ends meet every month. She feels lucky to be able to make a living doing creative and community work but there are definitely challenges that come along with that - like not qualifying for health benefits, vacation time and sick pay. She believes contract work shouldn't mean not being entitled to equal pay, benefits and protections enjoyed by those with full-time employment.



- ANIBAL, PROP BUILDER/CO-FOUNDER OF DIY COMMUNITY BIKE SHOP "BIKESAUCE"
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Anibal, prop-builder and co-founder of
DIY community bike shop "BikeSauce"

Anibal loves the freedom that comes from his schedule as a prop builder. He says: "I couldn't have helped start Bikesauce or make my stop motion animation movie if I didn't have the flexibility with my other work." There are a number of huge stresses that come from working this way however. Health benefits and disability protection being the big ones. He hasn't had his prescription renewed for the last three pairs of glasses and can't go to the dentist as often as he should. If he gets injured and cannot work he has no access to income protection. In his entire working life Anibal has had only one job—a three month contract—which offered extended health benefits.



Samantha, self-employed home and office cleaner

She loves that she works independently and sets her own schedule so she can be with her kids after school. The financial insecurity that comes from working this way can be stressful though. She told us: "If financial circumstances change with my clients, my service is the first to go. I don't have a safety net. I don't have a retirement fund."

THE URBAN WORKER PROJECT SURVEY AND PETITION

The Urban Worker Project is currently conducting a survey asking urban workers to identify their top issues among the following choices: getting paid on time; access to parental leave; access to health and dental benefits; access to income security between jobs. To date over 800 urban workers have completed the survey with 81% indicating better access to health and dental benefits as the top issue.

It is also important to note that over 1,100 urban workers have signed the Urban Worker petition for governments to recognize the changing nature of work and to broaden who is covered under employment standards legislation so that solo self-employed, freelance and contract workers can access better pay, benefits and protections.

RECOMMENDATIONS FOR CHANGES TO THE EMPLOYMENT STANDARDS ACT

The Ontario government needs to develop a new policy framework that reflects the reality of work today and in doing so it must consider the unique challenges and experiences facing contract, temporary and freelance workers who currently work outside the traditional employer/employee framework.

The Urban Worker Project supports the following recommendations as outlined in the Changing Workplaces Review interim report:

1) Expand the definition of employee to include dependent contractors

(OPTION IN SECTION 5.2.1 OF THE INTERIM REPORT)

The Urban Worker Project supports broadening the definition of who is covered under employment standards legislation to include dependent contractors. This measure would ensure that more self-employed, freelance and contract workers are covered under the Employment Standards Act and therefore have access to better pay, benefits and protections. This measure could also result in fewer workers being misclassified as independent contractors.

2) Require that part-time, temporary, and casual employees be paid the same as full-time employees in the same establishment unless objective factors justify the difference

(OPTION IN SECTION 5.3.7 OF THE INTERIM REPORT)

3) Provide access to benefits to part-time, temporary, and casual employees in establishments where they are provided to other workers

(OPTION IN SECTION 5.3.7 OF THE INTERIM REPORT)

We believe that we should also work towards a system where extended health and dental benefits are provided to all workers across the province and the country.

The Urban Worker Project supports the submissions made by the Ontario Federation of Labour and the Workers' Action Centre "Building Decent Jobs from the Ground Up."

The Urban Worker Project supports raising workplace standards for all workers, and making it easier for precarious workers to organize in a union and to collectively bargain.