

What does the McGuinty government have against home care workers?

Deliberate exclusion from new temp worker Bill continues low wages & exploitation of home care workers

TORONTO – Bowing to pressure from corporations that employ home care workers, the McGuinty government has resumed the home care competitive bidding system and is now deliberately excluding home care workers from new legislation that would have provided them with severance and termination pay, says the Canadian Union of Public Employees (CUPE).

Under proposed changes to the Employment Standards Act 2000 in Bill 139 – legislation that extends protection for other agency workers – home care workers are being denied termination and severance pay when they lose employment. Clause 74.2 of the Bill explicitly excludes workers such as home care workers.

“The ugly truth is that this government relies on the pitiless exploitation of the women who provide home care even as it cuts hospital services,” says Michael Hurley, President of the Ontario Council of Hospital Unions (OCHU/CUPE). “These women are paid as little as \$12.50 per hour and they have no full-time employment, no pensions, no benefits, often no mileage and no paid travel-time to clients. Conditions are so bad that the annual turnover rate of caregivers is 57 per cent.”

Competitive bidding means that home care workers lose employment much more frequently than other workers because agencies and companies are always losing contracts.

“Bill 139, as currently written, doubly punishes home care workers,” says Steven Barrett, labour and constitutional lawyer with Sack Goldblatt Mitchell. “First, they lose employment frequently because of contract turnover under competitive bidding. Second, Bill 139 would exclude them from even receiving termination and severance pay.”

Even a Liberal government-commissioned report on home care competition, written by former health minister Elinor Caplan, recommended that home care workers receive termination and severance.

“It is hard to understand why the McGuinty government would allow for-profit home care companies to continue to avoid such basic employment standards obligations,” says Barrett.

OCHU/CUPE is calling for public hearings on the Bill. The union is also demanding amendments to Bill 139 to immediately extend termination and severance pay to homecare workers. Bill 139 passed first reading in early December 2008, and second reading earlier this month.

“If ever an industry needed severance pay, it’s home care,” said Kelly O’Sullivan, President of CUPE 4308, home care workers in Toronto. “Workers are constantly losing their jobs through contract competition and scrambling to find new work. There is a fundamental unfairness here. The exploitation of home care workers must stop. We must be included in new protections in Bill 139.”

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