

# You Ought To Know

## How do we compare with CLAC contractors?

We often get questions from our members about contractors who are signatory to CLAC (the Christian Labour Association of Canada). How do our wage rates and hours of work compare? Members have recently raised questions about a few CLAC contractors since being challenged in bids against them. We expect you'll agree that the numbers speak for themselves. While our members understand that you get what you pay for, the challenge to be competitive is real.

Journeyman - ICI	ECAO average	CLAC contractor
Hours of work - regular	37.5	44
Overtime	2x	1.5x
Total Package	\$68.85	\$48.13
Weekly rate based on 37.5 hours/week	\$2,581.88	\$1,804.88
Weekly rate based on 44 hours/week (OT for IBEW after 37.5 hours)	\$3,476.93	\$2,117.72

## What do you know about Clause 706 Older Employees?

Did you know that Clause 706 of the Principal Agreement, which reads, "where five or more journeypersons are employed, every fifth journeyperson shall be 50 years of age or older, where available," was found to contravene the Ontario *Human Rights Code*?

In 2010, a grievance was filed against one of our members following the layoff of an electrician who was over 50 years of age. The union alleged that the layoff contravened this clause. The employer argued that the clause was discriminatory. At the time, the union argued that the provision provided a benefit to a disadvantaged group and was therefore permitted by the Ontario Human Rights Code special programs language. However, the union was unable to prove that electricians over the age of 50 were a disadvantaged group. The OLRB Vice-Chair found that the contractor did not violate the Principal Agreement because they could not be "compelled to engage in conduct contrary to section 9 of the Code." [1]

## What is Final Offer Selection?

Final Offer Selection has been a component of the Joint Proposal since its inception back in 1991. During provincial bargaining, if the parties are unable to reach an agreement on wage and travel changes, a Final Offer Selector, a neutral third party agreed upon by the parties, decides which proposal is the most reasonable. There is no opportunity for the Final Offer Selector to consider alternative amounts.

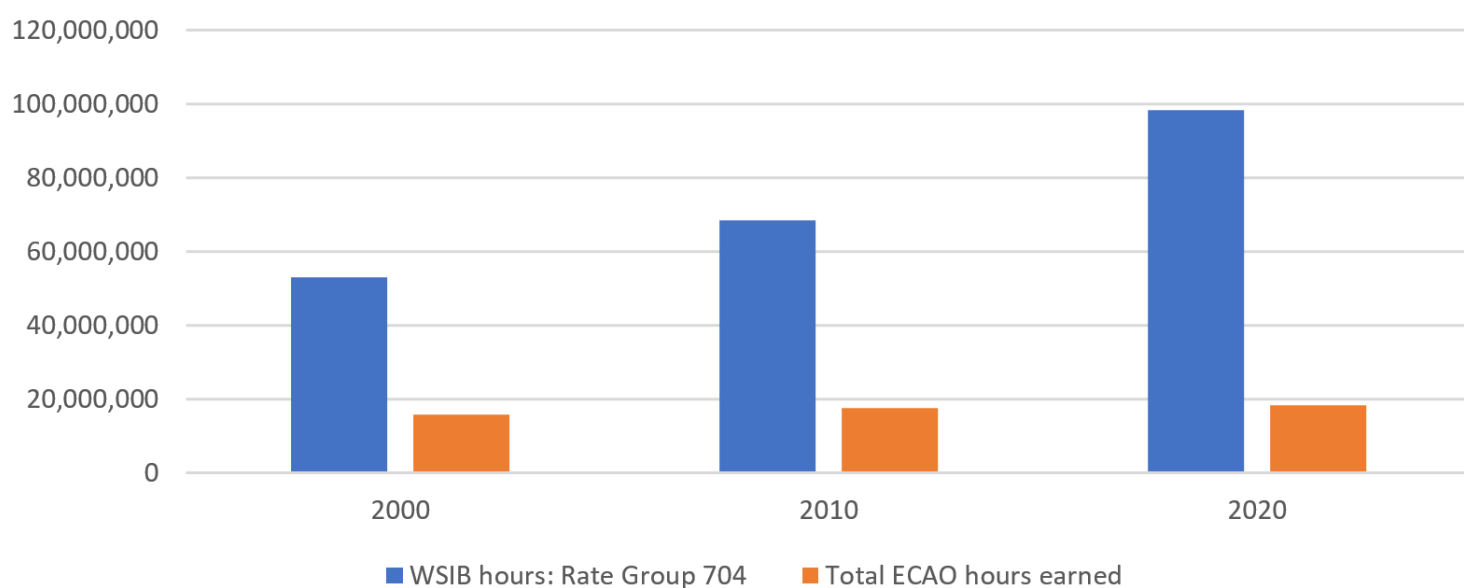
This is the reason we, at times, end up with an increase in wages even if we are unable to negotiate meaningful changes to the Principal Agreement during provincial negotiations. Since 1991, the parties have gone to Final Offer Selection four times, which means that the parties were able to reach their own agreement during the other six rounds of bargaining.

## Do you know the facts on WSIB hours?

On occasion, we get questions about market share. How much market share do our members have within the electrical sector in Ontario? This is not easy information to gather provincially; however, we do have access to WSIB hours for the electrical rate group and, as the following chart and table show, the hours contributed under the electrical rate group to WSIB have almost doubled since 2000. Yet, ECAO's hours earned have not.

We have not yet been able to work together provincially to determine the reasons our hours earned have been relatively stable while the electrical hours overall have been increasing. As such, ECAO and ETBA encourage the local areas to have candid discussions about market share and work together to make ECAO contractors more competitive in their areas.

WSIB rate group 704 vs. ECAO hours earned



Year	2000	2010	2020
WSIB hours: Rate Group 704	53,100,000	68,356,818	98,389,185
Total ECAO hours earned	15,858,523	17,577,085	18,266,958
Difference	37,241,477	50,779,733	80,122,227
ECAO % of WSIB hours	29.9%	25.7%	18.6%

## Stay tuned for more!

We'll be publishing You Ought To Know on a regular basis over the next few months – there's a lot more relevant, timely information coming your way. We welcome your questions and content ideas anytime. Contact Jodi Travers, ECAO's Labour Relations Manager, at [jtravers@ecao.org](mailto:jtravers@ecao.org).