



Toronto & York Region Labour Council

Submission to Toronto City Council – May 9, 2023

EC3.17 - Tourist Area Exemptions for Holiday Shopping for Yorkdale Shopping Centre

Since 1871, the Toronto & York Region Labour Council has championed principles which improve the lives of our members and their communities. Today, we work for justice in our workplaces, in our communities, and in our world. We have four pillars of justice: economic, social, racial and climate justice. We represent over 150 unions and locals, and over 220,000 working people in every sector and occupation, including some in the retail sector. We also aim to speak out about issues affecting non-union workers as well.

This week, Toronto City Council will consider allowing some specific commercial shopping areas to open on statutory holidays. Many retail workers can only count on these nine days of rest with their families. Some of those workers are unionized, while others are not.

In the recommendation before you from the Economic and Community Development Committee, consideration was given to the business impact of opening up shopping on public holidays, but it does not appear that any consideration has been given to the effects on workers.

There have been ongoing struggles by working people to exert some control over our hours of work. In Toronto in 1871, Globe newspaper printers struck for a nine-hour day and faced criminal charges. That strike was a catalyst for shorter working hours for many workers. Through the ongoing struggles of workers, overtime pay, vacations, and public holidays were added to employment regulation. By the 1960s, employees were entitled to four public holidays annually and more public holidays were added in the decades that followed. We began to take regulated hours and guaranteed public holidays for granted.

We expected that laws protecting working people would continue to improve over time as productivity increased and our society became more affluent. And for many years, that was the pattern. But along came Sunday shopping, when the provincial government allowed retail stores to be open for shopping on Sundays. At first, employees could decline to work on Sunday if their employer's store was open, but that right to refuse was whittled away for anyone hired after 2001. On the public holiday issue, there have been various attempts in Toronto by wealthy store owners and their City Council allies to open up retail on most or all public holidays. Workers have resisted this before, with the support of organizations that represent them.

There are only nine days a year when retail stores are not open in Toronto, including New Years Day, Good Friday, Canada Day, Thanksgiving and Christmas. The importance of public holidays is not simply that people should have time off for rest. It is also a *common* day of rest.

Workers should be able to spend time with family and friends if they choose, not be forced to work, and either be given another day off in lieu or be paid a bit more.

Some will argue that working on public holidays can help workers make more money, but they should instead be pressing for fairer wages, work scheduling rules that offer some predictability, and procedures that allow workers to bargain collectively without placing enormous hurdles in their way.

Instead, in recent years the retail sector has faced the loss of higher paying full-time jobs replaced by part-time jobs with fewer benefits and less security.

The item before you would open up shopping at Yorkdale Shopping Centre, at Scarborough Town Centre, and in the St. Lawrence Market Neighbourhood. This is bad enough, but if this move is encouraged, other shopping centres will continue lobbying to get an exemption for themselves, and before we know it, big corporations will be pressing to get rid of more rules.

Smart Centres and Yorkdale's owner, Oxford Properties, have been heavily lobbying city politicians to pressure them to overturn parts of the City bylaw. Oxford Properties has done this for years. This wealthy real estate company would like Toronto to overturn bylaws or make exemptions so more of Oxford's shopping centres can stay open on public holidays.

We all understand that some work must be done on public holidays, especially care and service work. Those essential jobs should be well paid, have decent working conditions, and there should be alternative ways for those workers to get days of rest and the opportunity to be with their families. But surely few people want a new pair of shoes, a load of groceries, or a new set of sheets so badly that they want to make others work on public holidays.

Whether in a so-called "tourist area" or not, retail workers deserve to have nine guaranteed days off a year. In 2018, Toronto City Council soundly defeated an attempt to open this issue up. **We urge you to reject any attempt to open up public holiday shopping in Toronto.**



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