

TORONTO MUNICIPAL CODE
CHAPTER 67, FAIR WAGE
SCHEDULE B, LABOUR TRADES CONTRACTUAL OBLIGATIONS
IN THE CONSTRUCTION INDUSTRY

SCHEDULE B

**LABOUR TRADES CONTRACTUAL OBLIGATIONS
IN THE CONSTRUCTION INDUSTRY**

§ 67-B1. Legislative applicability of labour trades obligations.

§ 67-B2. Current labour trades contractual obligations in the construction industry.

§ 67-B3. Guidelines for prospective bidders.

§ 67-B4. Decisions, Fair Wage Policy.

§ 67-B1. Legislative applicability of labour trades obligations.

- A. The mandatory labour trades provisions for municipalities bound by Province-wide collective agreements are separate from Fair Wage Policy established, monitored and enforced by the City. Central to any understanding of municipal obligations to labour trades is that the City has no discretion in setting wage rates or in using union labour for certain trades performing work for the City. This is by virtue of the Province-wide collective agreements applicable to trades in the industrial, commercial and institutional (ICI) and residential sectors and other negotiated collective agreements in other sectors of the construction industry.
- B. The Province-wide collective agreements are binding on all employers in the sector. The former City of Toronto was first considered an "employer" when the relevant unions obtained bargaining rights beginning in 1978. As a result, subject to the jurisdiction of the collective agreements, union workers must be used for contracted-out work. The use of union sub-contractors for municipal building projects is also required in most cases.

§ 67-B2. Current labour trades contractual obligations in the construction industry.

- A. The City of Toronto is bound by the current Province-wide collective agreements with respect to the industrial, commercial and institutional sectors of the construction industry between:
- (1) The Carpenters' Employer Bargaining Agency and the Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America.
 - (2) The Mechanical Contractors Association of Ontario and the Ontario Pipe Trades Council of the United Association of Journeymen and Apprentices of the Plumbing and Pipe-Fitting Industry of the United States and Canada.

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- (3) The Electrical Trade Bargaining Agency of the Electrical Contractors Association of Ontario and The International Brotherhood of Electrical Workers and the IBEW Construction Council of Ontario.
- (4) The International Union of Bricklayers and Allied Craftsmen and the Ontario Provincial Conference of the International Union of Bricklayers and Allied Craftsmen, and The Masonry Industry Employers Council of Ontario.
- (5) The International Association of Heat and Frost Insulators and Asbestos Workers and The Master Insulators' Association of Ontario, Inc.
- (6) The International Brotherhood of Painters and Allied Trades and The Ontario Painting Contractors Association.
- (7) The Ontario Glazier Agreement between The Architectural Glass and Metal Contractors Association and The International Brotherhood of Painters and Allied Trades. **[Amended 2006-02-14 by By-law 175-2006]**
- (8) The Environmental Sheet Metal Association and the Sheet Metal Workers' International Association and the Ontario Sheet Metal Workers' Conference. **[Amended 2006-02-14 by By-law 175-2006]**
- (9) The Ontario Erectors Association, Incorporated and the International Association of Bridge, Structural, Ornamental and Reinforcing Ironworkers and Ironworkers District Council of Ontario. **[Added 2006-02-14 by By-law 175-2006]**
- (10) The Labourers' International Union of North America subject to the requirements contained in City Council Item 2019.MM8.51. **[Added 2023-10-12 by By-law 914-2023¹]**

B. Exhibition Place is bound:

- (1) By collective agreements in all sectors of the construction industry between:
 - (a) The Carpenters' Employer Bargaining Agency and The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America.
 - (b) The Mechanical Contractors Association of Ontario and The Ontario Pipe Trades Council of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada.

¹ Editor's Note: By-law 914-2023 came into force on November 1, 2023.

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- (c) The Electrical Trade Bargaining Agency of the Electrical Contractors Association of Ontario and The International Brotherhood of Electrical Workers and the IBEW Construction Council of Ontario; and
 - (2) By Letters of Understanding between the Board and, respectively, Local 506 of the Labourers International Union of North America and The International Brotherhood of Painters and Allied Trades.
- C. Any non-maintenance part(s) of the work that is the work of union members for whom the said Council, Brotherhood, Association or Local is the collective representative under the provisions of any one of the said collective agreements or the said letters shall in each case be performed only by an employer owing contractual obligations to such representative, unless such obligations do not prohibit performance of such part(s) of the work by others.

§ 67-B3. Guidelines for prospective bidders.

This summary is an overview of the current status of trades' certifications and the relevant construction sectors for which firms and workers with the appropriate union affiliations must be used when performing the following work for the City of Toronto and Exhibition Place:

Type of Work I.C.I.*	City of Toronto	Exhibition Place
Asbestos/insulation	X	
Bricklaying/masonry	X	
Carpentry	X	X
Electrical	X	X
Glazing	X	
Labourers		X
Mechanical	X	X
Painting	X	X
Sheet metal	X	
Iron work	X	
[Added 2006-02-14 by By-law 175-2006]		

*NOTE: "I.C.I." means industrial, commercial, institutional sector.

§ 67-B4. Decisions, Fair Wage Policy.

The Fair Wage and Labour Trades Office will make final decisions with respect to:

- A. Work jurisdictions, in consultation with the industry.

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- B. Type of work involved.
- C. Whether or not union firms/workers must be used.
- D. If labour trades contractual obligations apply.