

March 16, 2018

DIRECTIVE TO ONTARIO MEMBERS

**BILL 148 – FAIR WORKPLACES, BETTER JOBS ACT
SUBSTITUTING PAID PERSONAL EMERGENCY LEAVE
EFFECTIVE MARCH 18, 2018**

Bill 148, 'Fair Workplaces, Better Jobs Act', is now in effect and made various amendments to Ontario's Employment Standards Act, Labour Relations Act and Occupational Health and Safety Act.

As of January 1, 2018, under the Employment Standards Act, employees are now entitled to two (2) of the ten (10) Personal Emergency Leave (PEL) days to be paid if they have been employed by an employer for one week or more. The employee is entitled to these two (2) paid PEL days prior to taking the remaining eight (8) unpaid PEL days in a calendar year.

For the construction sector, supporting regulations were passed. The supporting regulation provides that **if a construction employee receives 0.8% or more of his/her hourly rates for PEL pay**, the employee is:

- a) Not entitled to paid days of leave under section 20 of the Act
- b) Is entitled to take a total of 10 days of unpaid leave under section 50 of the Act in each calendar year.

Due to the mobile/transient nature of the Boilermaker workforce and the potential for misuse and requests of PEL days from multiple employers, the BCA is advising contractors that they ought to pay employees 0.8% on the hourly base rate on hours earned effective March 18, 2018. This is in lieu of employees receiving 2 paid PEL days per the supporting regulations for the construction sector. As such on a go forward basis employers will only be obligated to permit ten (10) unpaid PEL days and none of these days will be paid.

In order to comply with the Employer obligations under the Employment Standards Act, the BCA directs its members to pay **employees 0.8% on the hourly base rate on hours earned effective March 18, 2018**. Any justified PEL days taken prior to this March 18, 2018 directive will entitle these employees to be paid for up to two (2) paid PEL days.

This directive will continue in effect until further notice from the BCA and will terminate if regulation or legislation comes into effect that eliminates the requirement for paid PEL.

Attached is a Wage and Benefit Schedule to incorporate the directive of 0.8% on the hourly base rate on hours earned (in lieu of two (2) paid PEL days).

PLEASE ENSURE A COPY OF THIS NOTICE IS PROVIDED TO YOUR PAYROLL DEPARTMENT

**BOILERMAKER CONTRACTORS' ASSOCIATION &
INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIP BUILDERS, BLACKSMITHS,
FORGERS AND HELPERS (LOCAL LODGE 128)**

**APPENDIX: ONTARIO
WAGE AND BENEFIT SCHEDULE**

(REVISED FOR DIRECTIVE BILL 148 - PEL 0.8% - EFFECTIVE MARCH 18, 2018)

Classification	Effective Date	Hourly Wage Rate	Vacation Pay 9%	Statutory Holiday Pay 3%	Employer Contributions (Outside the Total Wage Package)							Employer (Outside TWP)		Employee Deduction			
					(A) Health & Welfare	(A) Pension (1)	(A) Union Promotion	(A) Educational Training	(A) Apprenticeship	(A) National Training (3)	(A) Total Wage Package	(A) Educational Training (4)	(A) Administration & Workforce Planning (5)		(A) De Novo (\$0.04 = \$0.02 from Employer + \$0.02 from Employee)	(A) Bill 148 - PEL 0.8% (6)	(A) Total Cost
General Foreperson	May 8, 2016	48.20	4.34	1.45	2.25	8.74	0.39	0.38	0.08	0.36	66.19	0.45	0.31	0.04	-	66.99	0.01
	May 7, 2017	48.85	4.40	1.47	2.25	8.74	0.39	0.38	0.08	0.36	66.92	0.45	0.31	0.04	-	67.72	0.01
	Jan 7, 2018	48.85	4.40	1.47	2.25	8.74	0.39	0.38	0.08	0.36	66.92	0.45	0.29	0.04	-	67.70	0.01
	Mar 18, 2018	48.85	4.40	1.47	2.25	8.74	0.39	0.38	0.08	0.36	66.92	0.45	0.29	0.04	0.39	68.09	0.01
	May 6, 2018	49.51	4.46	1.49	2.25	8.74	0.39	0.38	0.08	0.36	67.66	0.45	0.29	0.04	0.40	68.84	0.01
Foreperson	May 8, 2016	46.20	4.16	1.39	2.25	8.74	0.39	0.38	0.08	0.36	63.95	0.45	0.31	0.04	-	64.75	0.01
	May 7, 2017	46.85	4.22	1.41	2.25	8.74	0.39	0.38	0.08	0.36	64.68	0.45	0.31	0.04	-	65.48	0.01
	Jan 7, 2018	46.85	4.22	1.41	2.25	8.74	0.39	0.38	0.08	0.36	64.68	0.45	0.29	0.04	-	65.46	0.01
	Mar 18, 2018	46.85	4.22	1.41	2.25	8.74	0.39	0.38	0.08	0.36	64.68	0.45	0.29	0.04	0.37	65.83	0.01
	May 6, 2018	47.51	4.28	1.43	2.25	8.74	0.39	0.38	0.08	0.36	65.42	0.45	0.29	0.04	0.38	66.58	0.01
Assistant Foreperson	May 8, 2016	43.20	3.89	1.30	2.25	8.74	0.39	0.38	0.08	0.36	60.59	0.45	0.31	0.04	-	61.39	0.01
	May 7, 2017	43.85	3.95	1.32	2.25	8.74	0.39	0.38	0.08	0.36	61.32	0.45	0.31	0.04	-	62.12	0.01
	Jan 7, 2018	43.85	3.95	1.32	2.25	8.74	0.39	0.38	0.08	0.36	61.32	0.45	0.29	0.04	-	62.10	0.01
	Mar 18, 2018	43.85	3.95	1.32	2.25	8.74	0.39	0.38	0.08	0.36	61.32	0.45	0.29	0.04	0.35	62.45	0.01
	May 6, 2018	44.51	4.01	1.34	2.25	8.74	0.39	0.38	0.08	0.36	62.06	0.45	0.29	0.04	0.36	63.20	0.01
Journeyman	May 8, 2016	41.20	3.71	1.24	2.25	8.74	0.39	0.38	0.08	0.36	58.35	0.45	0.31	0.04	-	59.15	0.01
	May 7, 2017	41.85	3.77	1.26	2.25	8.74	0.39	0.38	0.08	0.36	59.08	0.45	0.31	0.04	-	59.88	0.01
	Jan 7, 2018	41.85	3.77	1.26	2.25	8.74	0.39	0.38	0.08	0.36	59.08	0.45	0.29	0.04	-	59.86	0.01
	Mar 18, 2018	41.85	3.77	1.26	2.25	8.74	0.39	0.38	0.08	0.36	59.08	0.45	0.29	0.04	0.33	60.19	0.01
	May 6, 2018	42.51	3.83	1.28	2.25	8.74	0.39	0.38	0.08	0.36	59.82	0.45	0.29	0.04	0.34	60.94	0.01
4th Year Apprentice (2) (90%)	May 8, 2016	36.88	3.32	1.11	2.25	8.74	0.39	0.38	0.08	0.36	53.51	0.45	0.31	0.04	-	54.31	0.01
	May 7, 2017	37.47	3.37	1.12	2.25	8.74	0.39	0.38	0.08	0.36	54.16	0.45	0.31	0.04	-	54.96	0.01
	Jan 7, 2018	37.47	3.37	1.12	2.25	8.74	0.39	0.38	0.08	0.36	54.16	0.45	0.29	0.04	-	54.94	0.01
	Mar 18, 2018	37.47	3.37	1.12	2.25	8.74	0.39	0.38	0.08	0.36	54.16	0.45	0.29	0.04	0.30	55.24	0.01
	May 6, 2018	38.06	3.43	1.14	2.25	8.74	0.39	0.38	0.08	0.36	54.83	0.45	0.29	0.04	0.30	55.91	0.01
3rd Year Apprentice (2) (80%)	May 8, 2016	32.56	2.93	0.98	2.25	8.74	0.39	0.38	0.08	0.36	48.67	0.45	0.31	0.04	-	49.47	0.01
	May 7, 2017	33.08	2.98	0.99	2.25	8.74	0.39	0.38	0.08	0.36	49.25	0.45	0.31	0.04	-	50.05	0.01
	Jan 7, 2018	33.08	2.98	0.99	2.25	8.74	0.39	0.38	0.08	0.36	49.25	0.45	0.29	0.04	-	50.03	0.01
	Mar 18, 2018	33.08	2.98	0.99	2.25	8.74	0.39	0.38	0.08	0.36	49.25	0.45	0.29	0.04	0.26	50.29	0.01
	May 6, 2018	33.61	3.02	1.01	2.25	8.74	0.39	0.38	0.08	0.36	49.84	0.45	0.29	0.04	0.27	50.89	0.01
2nd Year Apprentice (2) (70%)	May 8, 2016	28.24	2.54	0.85	2.25	8.74	0.39	0.38	0.08	0.36	43.83	0.45	0.31	0.04	-	44.63	0.01
	May 7, 2017	28.70	2.58	0.86	2.25	8.74	0.39	0.38	0.08	0.36	44.34	0.45	0.31	0.04	-	45.14	0.01
	Jan 7, 2018	28.70	2.58	0.86	2.25	8.74	0.39	0.38	0.08	0.36	44.34	0.45	0.29	0.04	-	45.12	0.01
	Mar 18, 2018	28.70	2.58	0.86	2.25	8.74	0.39	0.38	0.08	0.36	44.34	0.45	0.29	0.04	0.23	45.35	0.01
	May 6, 2018	29.16	2.62	0.87	2.25	8.74	0.39	0.38	0.08	0.36	44.85	0.45	0.29	0.04	0.23	45.86	0.01
1st Year Apprentice (2) (60%)	May 8, 2016	23.92	2.15	0.72	2.25	8.74	0.39	0.38	0.08	0.36	38.99	0.45	0.31	0.04	-	39.79	0.01
	May 7, 2017	24.31	2.19	0.73	2.25	8.74	0.39	0.38	0.08	0.36	39.43	0.45	0.31	0.04	-	40.23	0.01
	Jan 7, 2018	24.31	2.19	0.73	2.25	8.74	0.39	0.38	0.08	0.36	39.43	0.45	0.29	0.04	-	40.21	0.01
	Mar 18, 2018	24.31	2.19	0.73	2.25	8.74	0.39	0.38	0.08	0.36	39.43	0.45	0.29	0.04	0.19	40.40	0.01
	May 6, 2018	24.71	2.22	0.74	2.25	8.74	0.39	0.38	0.08	0.36	39.87	0.45	0.29	0.04	0.20	40.85	0.01

Refer to Footnotes on page 2

(A) = Based on Hours Earned
(B) = Based on Hours Worked

**BOILERMAKER CONTRACTORS' ASSOCIATION &
INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIP BUILDERS, BLACKSMITHS,
FORGERS AND HELPERS (LOCAL LODGE 128)**

**APPENDIX: ONTARIO
WAGE AND BENEFIT SCHEDULE**

(REVISED FOR DIRECTIVE BILL 148 - PEL 0.8% - EFFECTIVE MARCH 18, 2018)

Effective Date	May 8, 2016	May 7, 2017	May 6, 2018
Hours of Work	8	8	8
	(See Article 14.00)		
Shift Premium			
2nd Shift	1 1/5	1 1/5	1 1/5
3rd Shift	1 1/5	1 1/5	1 1/5
Overtime	2	2	2
Transportation Rate	0.54	0.54	Per CRA Rate
Subsistence Southern Ontario	\$119 / Day Worked	\$119 / Day Worked	\$119 / Day Worked
	(Toronto, Sarnia, Hamilton, Kingston Out of Work List Areas)		
Subsistence Northern Ontario	\$125 / Day Worked	\$125 / Day Worked	\$125 / Day Worked
	(Winnipeg, Thunder Bay, Sudbury Out of Work List Areas)		

Summary of Contributions contained in National Training Column (on page 1)	
National Training (NTTF)	\$0.10
Common Arc	\$0.10
IBB/Union Funds	
National Organizing	\$0.04
National Health & Safety	\$0.05
Union Promotion	\$0.03
National Marketing	\$0.04

FOOTNOTES:

- (1) Pension contribution is comprised of two components, a Basic Pension Deduction and a "Special Funding Contribution" of \$2.24. The "Special Funding Contribution" was previously \$3.24 (from 2010 to May 2, 2015).
- (2) Rates for First, Second & Third year Apprentices, and Helper are inclusive of the Collective Agreement Rate plus the "Special Funding Contribution (SFC)" for the Pension Plan. Due to the SFC, Apprentice rates are not a straight percentage of the Journeyman Wage Rate.
- (3) See above for breakdown of National Training.
- (4) (a) Effective June 23, 2013, the Educational Training Fund increased by \$0.30 for the province of Ontario. This increase is outside the total wage package until April 30, 2019.
(b) Effective May 8, 2016, the Educational Training Fund will increase by an additional \$0.15 for the province of Ontario to provide for training expense reimbursements.
Effective April 30, 2019, this additional \$0.15 to Educational Training (outside the total wage package) will be sun-setted and subject to review and discussion at that time.
- (5) Effective June 23, 2013, \$0.01/hour worked will be deducted from each employee and will be directed to Helmets to Hardhats (H2H). This employee deduction can be remitted to the BCA/IBB Administrator (Boilermaker National Benefit Funds).
- (6) Effective March 18, 2018, employee receives 0.8% on their hourly base rate in lieu of two (2) paid Personal Emergency Leave days (Bill 148).
- (7) Effective May 6, 2012, a contribution of \$0.05/hour, directed to the BCA to provide for a Resource Manager/Workforce Planning. **Effective January 7, 2018, this contribution will decrease by \$0.02 to \$0.03/hour.**

NOTES

Employee Deduction
Helmets to Hardhats (H2H) \$0.01 PER HOUR WORKED

(A) = Based on Hours Earned
(B) = Based on Hours Worked

Refer to Footnotes on page 2

(A) = Based on Hours Earned
(B) = Based on Hours Worked