

2020

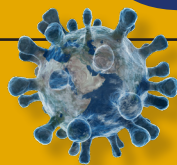
YEAR IN
REVIEW



Council
of Ontario
Construction
Associations



KEEPING OUR MEMBERS PRODUCTIVE AND SAFE



SUPPORTING THE SUCCESS OF ONTARIO'S CONSTRUCTION INDUSTRY

THE STRENGTH OF ONE, THE POWER OF MANY



In this extraordinary year, our report begins with two simple and heartfelt words. . . thank you.

COVID-19 has challenged our members and all front-line workers in ways we never imagined. You have truly inspired us with your strength, resilience and dedication.

This year we’ve seen how individual actions can fuel a powerful force for good. Your actions are a case in point, serving to promote and protect the health and safety of Ontarians and to keep our province moving.

At the same time, we recognize that many have suffered deep personal and economic losses as a result of COVID-19. We extend our sympathies and affirm our commitment to doing our part to stop the spread and help the province recover and rebuild.

Our members and all of Ontario’s front-line workers remind us of what we can accomplish when we focus on our shared priority: the wellbeing of our families, friends, colleagues and communities.

HERE’S TO THE HEROES AMONG US.



REAL HEROES ARE
ORDINARY PEOPLE
WHOSE SELFLESS ACTS
OF COURAGE MAKE THEM
EXTRAORDINARY PEOPLE.



WORKING TOGETHER TO BUILD OUR FUTURE

The Council of Ontario Construction Associations (COCA) is a federation of construction associations, the largest and most representative group of industrial, commercial, institutional (ICI) and heavy civil construction employers in the province.

We bring the concerns of our members to the attention of Queen’s Park and we are committed to working with the government to ensure that Ontario’s legislative landscape is one in which our industry can grow and prosper.



THE BENEFITS OF MEMBERSHIP

COCA was created by the former Premier Bill Davis to act as a single voice for the ICI and heavy civil sectors of the construction industry in dealings with Queen’s Park. In 1985, the growing organization had its own staff, mandate and offices, and changed its name to The Council of Ontario Construction Associations. More than 40 years after its inception, COCA can look back on very significant achievements for the construction industry. The following are a few key benefits experienced by becoming a member of COCA.



GOVERNMENT
RELATIONS



KEY
INFORMATION



EXCHANGE
OF IDEAS



A STRONG
VOICE

STAFF



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Governance

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AGF-Rebar Inc.
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London and District
Construction Association



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Dutch Masters Design &
Construction Services Ltd./
Canadian Farm Builders
Association



Vice Chair
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Madorin, Snyder LLP/
Grand Valley Construction
Association



Vice Chair
Roger Hubbard
AMJ Enterprises Ltd./
Reinforcing Steel Institute
of Canada



Vice Chair
Dan Lancia
Holaco Installations/
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of Ontario



Director
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Interior Systems
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Harold Lindstrom
Construction Association
of Thunder Bay



Director
Margaret Taylor
Ontario Association of
Demolition Contractors

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- Mike Fox**
Canadian Institute of Steel
Construction — Ontario Region
- Harold Lindstrom**
Construction Association
of Thunder Bay
- Dan Lancia**
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Association of Ontario

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Fabricators Association
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Construction Association
- Roger Hubbard**
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of Canada
- Andrew Pilat**
Sarnia Construction Association

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Sault Ste. Marie
Construction Association
- Mike Reasbeck**
Northeastern Ontario
Construction Association
- Romeo Milano**
Toronto Construction
Association
- Simon Clarke**
Utility Contractors'
Association of Ontario
- John Miller**
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Association
- DIRECTOR AT LARGE**
- Ron Johnson**
Interior Systems Contractors
Association of Ontario

COMMITTEES

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- Construction Act Taskforce**
Chair: **Ted Dreyer**
Madorin, Snyder LLP/Grand
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- Skilled Trades Committee**
Chair: **Steve Dietrich**
AGF -Rebar Inc./ London and District
Construction Association
- Youth Apprenticeship Task Force**
Chair: **Margaret Taylor**
Ontario Association of Demolition
Contractors
- Chief Operating Officers
Committee**
Chair: **Harold Lindstrom**
Construction Association of
Thunder Bay

Chair's Report

THROUGH
ADVERSITY,
WE BUILD ON
OUR STRENGTHS.



Steve Dietrich
Chair

At this time last year, the world had not yet heard of COVID-19. Now here we are, less than 12 months into a global pandemic, and we already have a vaccine roll-out. It's a beacon of hope on the horizon that speaks to our collective ability to adapt and persevere.

I've been reflecting on the speed at which so many individuals and institutions have adjusted course in these uncharted waters. The pandemic struck at our weaknesses but, like all storms, unlocked our true strengths.

Having been deemed essential by the Ontario government, the construction industry leveraged a key strength to manage COVID-19 risk: our longstanding focus on workplace safety. This has been proven out by the extremely low number of WSIB claims from the construction classes for workplace-acquired COVID-19: less than one percent of claims at most recent count.

Another strength is our ability to problem-solve and innovate. The processes and procedures we've put in place over the last year—remote visualization, document digitization, new ways of communicating, and others—are new tools in our toolbox that better position our industry to withstand the next crisis.

With so much of our energy and attention diverted by the pandemic, it can be easy to overlook the legislative and regulatory issues that were on our agenda. We have some notable achievements to celebrate—in some cases the culmination of years of work—and I encourage you to read about them in the pages of this report.

I'm particularly proud of COCA's advocacy in two areas: workplace safety, the no. 1 value in our industry; and the

skills shortage, arguably the no. 1 challenge for our industry, excluding the pandemic. I call this the "great enlightenment" period for workplace safety, as government finally moved to eliminate silos and align regulations, while enhancing support and funding. The College of Trades is being wound down, but is still active. We do not yet know what will rise in its place, but it is our hope that it will be a more effective structure that will attract people to the trades.

It's critical to the future of our industry that we dispel the persistent stereotypes and stigma around working in the trades. We need to better communicate the earning potential, wide breadth of opportunity, and career pathways for skilled tradespersons. At the same time, we must continue to take action to ensure safe and inclusive workplaces for all. The responsibility of all industries to address systemic racism was brought into sharp focus this year.

As my term as Chair comes to a close, I extend a sincere thank you to our member associations, Board members and committee members for your valuable insights, active involvement, and commitment to collaboration. Our team of two staff members, Ian and Martin, do an exceptional job of informing our Board discussions and decisions, effectively framing our positions to government and industry partners, and keeping our membership engaged, especially during this most challenging year. It has been a pleasure to work with you.

It will be months, or even years, until the current storm passes, but our industry and our association have what it takes to navigate through adversity. I'm confident that we will emerge stronger than ever to continue building prosperity for our industry and our province.

President’s Report

LOOKING OUT
FOR OUR INDUSTRY.
LOOKING OUT
FOR EACH OTHER.



When we think back in time, most years are just a blur in history. That will not be the case with 2020, a year forever defined by COVID-19.

The global pandemic sideswiped 2020 and put our resilience to the test. We’re not out of the woods yet, but there is reason for optimism now that vaccines are being administered.

Pandemic Response

At the beginning of the pandemic, we lobbied for a short construction shut-down to protect our workers and stop the virus from spreading. The government responded with a six-week partial shutdown of the ICI sector.

As our knowledge of the virus expanded, we learned that with strict precautions construction projects could safely proceed. It certainly helped that our industry is hardwired with a laser focus on the health and safety of our people. In conversations with Minister of Labour, Training and Skills Development Monte McNaughton, we made the case to safely and responsibly re-open construction sites. Minister McNaughton trusted our expertise and judgment, and went to bat for us at the Cabinet table. If not for his trust in our industry, we could very well have found ourselves in a prolonged and painful shutdown.

We also worked with the Prevention Office in the Ministry of Labour, Training and Skills Development (MLTSD) on health and safety protocols to combat the spread of COVID-19 on construction sites and did our very best to keep our members up to date.

Stopping the Spread

Since the onset of the pandemic, the construction industry has done a remarkable job of containing the spread of COVID-19 on worksites. As of December 11, 2020, the WSIB had received a total of 10,386 COVID-19 claims, with fewer than 68 from construction classes. Of those, 36 claims were approved, 16 not approved and 16 were pending a decision. The construction industry really stepped up, embraced the new health and safety protocols, and minimized the spread.

Limitation Periods

In March 2020, the Attorney General issued Order 73/20 under the Emergency Management and Civil Protection Act, which suspended limitation periods in all statutes, regulations and bylaws. We lobbied hard for an exemption for the Construction Act, and won. The original order would have frozen cash flow on construction projects.

Delay Claims

Soon after the pandemic began and part of the ICI sector was shut down, we lobbied the government for relief from delay claims caused by the pandemic. We haven’t yet achieved the result we were seeking, but we will continue to advance this issue with government as dust from the pandemic settles.

Adapting and Innovating

Over the last year, COVID-19 has forced us to work in new ways. Every industry has had to embrace new technology, implement new processes and procedures, modify products and services, or create new ones. From crisis comes opportunity.

At COCA, we used a digital advocacy tool for the first time. This innovation arose because of restrictions around in-person meetings, but it’s one we will continue to use beyond the pandemic.

Like many of you, Martin and I have been working out of our home offices since the start of the pandemic. This has yielded efficiencies that will benefit COCA and our membership even after the pandemic subsides.

Economic Realities

Provincial GDP has declined significantly, but the construction industry has demonstrated its resilience and is firing on all cylinders despite some unexpected speedbumps.

The six-week partial shutdown of the ICI sector in March and April put many projects behind schedule and contractors are still scrambling to catch up. The elevated health and safety protocols have encumbered productivity. The unplanned requirement for new types of PPE has added costs.

Teamwork is the hallmark of our “can do” industry and projects are moving ahead despite these challenges. And yet, we can’t forget the many segments of our economy that have stalled, through no fault of their own. Let’s be sure to share our good fortune and support the local shops and restaurants at the heart of our communities.

Skilled Trades

Towards the end of the year, we made two important submissions that were made possible through the work of dozens of COCA volunteers. The first was to the MLTSD’s Expert Panel on the Skilled Trades. We made a compelling case for a single stewardship organization for the skilled trades, outside of government, to succeed the Ontario College of Trades.

The second was to the MLTSD’s Apprenticeship Youth Advisors. The focus was on promoting skilled trades careers to young people. We compiled all the inspiring initiatives in which our members are involved to attract young people to careers in construction, as well as some creative new ideas to fill the skills shortage.

WSIB

We worked with the Workplace Safety and Insurance Board (WSIB) to usher in its new Rate Framework and to develop and promote their ingenious Health and Safety

Excellence Program. We also offered financial incentives for the Chief Operating Officers of our member associations to nominate qualifying member companies for the WSIB’s Small Business Health and Safety Leadership Awards, which recognize outstanding health and safety achievements in small businesses with fewer than 50 employees. In a well-deserved win, Martha George, the Grand Valley Construction Association and their member Brick & Co. were recognized with the Gold Award.

Health and Safety

It was thought that the heightened attention to health and safety brought about by the pandemic would lead to improved results across all aspects of workplace health and safety. Unfortunately, this wasn’t the case. Injuries and fatalities in 2020 were pretty much on track with 2019 up until the end of November, even with a six-week partial shutdown in the ICI sector and about five percent fewer people at work in the industry, according to Statistics Canada. In December, things got even worse, with a total of eight fatalities on seven different construction sites during the month.

The unfortunate reality is that we can’t seem to move the needle on workplace health and safety, despite major initiatives such as the 2010 Tony Dean Expert Panel Report, the MLTSD’s Prevention Office, the introduction of a Chief Prevention Officer, and the Working at Heights program. Maybe we are ready for a transformational change of the province’s health and safety system.



Special Mentions

The celebrations may have been muted by COVID-19, but three of our members passed impressive milestones in 2020. Congratulations to the Hamilton-Halton Construction Association which celebrated its 100th anniversary, the Canadian Institute of Steel Construction which celebrated its 90th anniversary, and the Canadian Farm Builders Association which celebrated its 40th.

Steve Dietrich completes his third and final year as Chair of COCA at our Annual General Meeting in February 2021. The depth and breadth of experience and wisdom that Steve brought to his role has been invaluable. He provided outstanding guidance to the Board of Directors and to the COCA staff throughout his term, and he serves as a mentor and role model to many. My sincere thanks to Steve for his positive and lasting impact.

A heartfelt thank you also goes out to Immediate Past Chair Gary van Bolderen, who will be stepping off the Board after many years of service. It would be a challenge

to list all of Gary’s contributions. We are a much stronger federation because of Gary.

I would also like to thank the Executive Committee for the faith and trust they have placed in me. They are an outstanding group, they challenge me, and they always put the interests of the membership first.

The backbone of COCA is Martin Benson. My thanks to Martin for making it all work, especially during this extraordinary year.

Supporting Your Success

Martin and I never forget who we are working for— the front-line contractors who are in the trenches, building every day. It is our mission to ensure that the laws, regulations and policies of the Ontario government and its agencies support success in the construction industry and broad prosperity across Ontario. Don’t hesitate to contact us directly or through your own construction association of you have an issue. We are here to serve.



Advocacy

PROTECTING
OUR PEOPLE,
OUR INDUSTRY
AND OUR ECONOMY.



Advocacy and industry outreach are the cornerstones of COCA’s mandate. COCA brings the concerns of our members to the attention of senior officials and decision-makers at Queen’s Park and works with the government to ensure that Ontario’s legislative landscape enables our industry to thrive and the province to prosper.

The emergence of a global pandemic unexpectedly altered everyone’s agenda in 2020. With the support of our members, we quickly shifted our focus to assist our industry in finding a way forward through this challenging new terrain—safely and responsibly. At the same time, COCA did not lose sight of the big picture, and continued to make headway on the many other issues affecting the industrial, commercial and institutional construction industry. Following is a summary of our impact in 2020, a year unlike any other.

COVID-19

COVID-19 has changed the way we all do business, and COCA has been no different. Face-to-face meetings are now being conducted virtually. Technology is now the most important tool in advocacy and industry outreach.

COCA’s response to the pandemic has evolved as more became known about the virus. Initially, in order to protect the safety of workers, COCA advocated and lobbied for a shutdown of the sector – available information suggested that the virus would disappear after a few weeks of lockdown. The government responded with a six-week partial shutdown.

As we learned more about the virus, COCA and other industry stakeholders advocated for construction to be recognized as an essential service. We argued that elevated health and safety protocols would make construction sites safe and that exposure to the virus could be managed. The government, particularly Minister McNaughton, listened to the construction industry and agreed to keep construction open.

The government’s faith in the industry has been rewarded. Since the onset of the pandemic, the construction industry has done a remarkable job of containing the spread of the novel coronavirus on worksites. Going into December, the WSIB had received a total of 10,386 COVID 19 claims from all classes. Of that total, fewer than 68 claims were received from construction classes. As COVID-19 continued to be the lead news story in 2020, COCA continued to advocate for the industry on a number of COVID-related issues:

- COCA provided the government with information and advice regarding the development of the new, elevated health and safety protocols for construction sites.
- COCA successfully secured an exemption for the Construction Act from Emergency Order 73/20, which suspended limitation periods in all statutes, regulations and bylaws and which would have tightened up cash flow in the construction industry.
- COCA actively worked with members to assist the government in the search for personal protective equipment.

- COCA sought relief for contractors from the additional cost burden brought on by the pandemic, including the cost of delay claims, using a digital advocacy tool.
- COCA provided advice to the government regarding opening up the construction industry.
- COCA opposed the cancellation by the government of the shovel-ready Halton Courthouse construction project.

WSIB and Health and Safety

In addition to the pandemic issues, COCA's work with the WSIB and on health and safety issues remained at the forefront of COCA's advocacy efforts. Paul Gunning, Chair of COCA's WSIB/Health and Safety Committee, along with COCA President Ian Cunningham, continue to be actively involved with WSIB's committees and other health and safety groups.

Highlights of COCA's work for 2020:

- COCA provided a letter of support for an application by the province's Prevention Office for an Ontario Public Service Amethyst Award. The award would recognize the Prevention Office's "Supporting Ontario's Safe Employers" program.
- COCA opposed Private Member's Bill 119, which was introduced by Wayne Gates, the NDP MPP for Niagara Falls. If passed into law, the cause of COVID-19 contracted by any essential worker will be presumed to be the workplace and will be compensable by the WSIB. COCA argued that the WSIB has very reasonable policies in place to adjudicate COVID-19 claims to ensure workplace causes and appears to be dealing with these claims thoughtfully.
- The WSIB held its virtual Small Business Health and Safety Leadership Awards in November. At the request of the WSIB, COCA implemented a program to encourage and assist with nominations by member associations. Brick & Co. Restoration Ltd, Kitchener (a GVCA member company) was the Gold level winner, earning a \$5,000 award.

COCA has reviewed The WSIB Operational Review that was conducted by Sean Spears and Linda Regner Dykeman. It was submitted to the government almost a year ago and was finally made public in November 2020. The review makes 25 recommendations, some of which we support, some that the WSIB is already making progress on implementing, some that will require consultation with stakeholders and some that COCA oppose.

Skilled Trades and Apprenticeship

One of the first acts of the PC government, when they came to power, was to abolish the Ontario College of Trades and review the skilled trades and apprenticeship system.

COCA had two significant opportunities in 2020 to advocate and interact with the government on skilled trades and on attracting more youth to the sector:

- On October 7, the government appointed a five-member Skilled Trades Panel to consult with stakeholders and make recommendations to Minister of Labour, Training and Skills Development Monte McNaughton to improve and modernize the skilled trades and apprenticeship system in Ontario.

COCA quickly assembled the Skilled Trades Committee chaired by Steve Dietrich, convened videoconferences to discuss the panel's approach to reforming trades training and to develop responses to the panel's consultation questions.

The Committee met with the panel via video conference on October 30, and the final version of the written submission for phase 1 of the panel's work was submitted before the November 12, 2020 deadline.

- The MLTSD recently appointed three youth advisors to consult with stakeholders and make recommendations to attract more youth, including under-represented groups, to skilled trades careers. COCA mobilized a task force chaired by Margaret Taylor to develop responses to the consultation questions. The task force presented to the youth advisors in early December and followed up with a written submission.

Construction Act

Two years after the passage of Bill 142, COCA has continued to advocate for a fully enacted Construction Act.

The Chair of COCA's Construction Act Task Force, Ted Dreyer, has been maintaining a list of glitches in The Construction Act and meeting with other stakeholders to coordinate our efforts to reform the Construction Act in a way that addresses its flaws and shortcomings.

- In November 2020, COCA took part in a meeting of the OBA's Subcommittee on Construction Act Reform, chaired/co-chaired by Faren Bogach of WeirFoulds LLP and Pay Prompt. A number of the matters on COCA's list of bugs was also on the OBA's list, including:
 - Compelling anyone that breaches the undertaking to adjudicate to pay immediately;
 - Making Prompt Payment and Adjudication apply to design services from the outset of their contract;
 - Streamlining the procedure for liens in Small Claims Court.
- COCA has shared the list of bugs with the Ontario Bar Association, but the OBA has rejected the idea of approaching the government together with COCA.
- COCA has also reached out to the staff leadership of the Ontario General Contractors Association to seek their support to move forward together to pursue fixes to these problems by way of amendment, and they are considering that possible response.
- COCA has urged the Attorney General to ensure that the matter of amendments to the Construction Act is in the government's plan for the sessions ahead.

Other Issues

- Attorney General Doug Downey invited COCA to participate in a consultation on modernizing the processes for notaries public and commissioners to take oaths. COCA responded with a written submission to the Ministry of the Attorney General.
- In January, COCA made a written pre-budget submission to the Legislative Standing Committee on Finance and Economic Affairs. COCA's recommendations included:

- Transfer ministerial oversight of the WSIB from the Ministry of Labour, Training and Skills Development to the Ministry of Finance;
- Support for the WSIB establishing a funding policy with a 95 percent to 110 percent funding level;
- Eliminate the WSIB's 72-month lock-in provision;
- Deliver fully on the government's commitments to investing \$14.7 billion in 2019-2020 and \$144 billion over the next ten years;
- Provide clarity in community benefits clauses in government procurement.

Partnerships

Partnership and collaboration are integral to COCA's government relations strategy: Only in rare circumstances will we win the day on our own. Our voice is stronger when we work with stakeholders in construction and other industries to influence the direction of public policy. To that end, COCA participates in a variety of coalitions, partnerships and committees to further the interests of our members and the construction industry.

In 2020, COCA was actively engaged with no less than 15 coalitions, industry and employer associations and committees that meet regularly to address issues that affect the construction industry. These include:

- Canadian Construction Association
- Provincial Labour-Management Health & Safety Committee (OHS Section 21 committee for construction)
- Construction Legislative Review Committee (CLRC)
- Prevention Employers Partnership
- Ontario Business Coalition
- WSIB Chair's Industry Advisory Committee
- WSIB Chair's Construction Industry Advisory Committee
- Prompt Payment Ontario
- Daily Commercial News by Construct Connect Editorial Advisory Board
- Institute for Work & Health's Knowledge Exchange
- Ontario Construction Users Council
- BuildForce Canada's Ontario Labour Market Information Committee
- Skills Ontario



WHAT DOES THE THE FUTURE HOLD FOR OUR MEMBERS?

In 2020 we learned how resilient and resourceful we can be as individuals, organizations, industries and communities. The year unfolded far differently than anyone expected, and uncertainty prevails as we head into 2021. This year, however, we possess some advantages: new skills, new technology and new ways of working together, developed in response to the global pandemic. COCA looks forward to helping our members navigate another year of challenge and change.

COCA'S VALUED MEMBERS (VISIT MEMBER SITES BY CLICKING ON HELMETS BELOW)

 Acoustical Association of Ontario	 Architectural Glass & Metal Contractors Association	 Association of Millwrighting Contractors of Ontario Inc.	 Barrie Construction Association	 Canadian Farm Builders Association	 Canadian Institute of Steel Construction
 Construction Association of Thunder Bay	 Electrical Contractors Association of Ontario	 Grand Valley Construction Association	 Hamilton-Halton Construction Association	 Interior Systems Contractors Association of Ontario	 London and District Construction Association
 Niagara Construction Association	 Northeastern Ontario Construction Association	 Ontario Association of Demolition Contractors	 Ontario Erectors Association	 Ontario Industrial Roofing Contractors Association	 Ontario Masonry Contractors' Association

COVID-19

COCA's work in this area will remain front and centre until the pandemic is finally declared over. We will continue our close communication with government to ensure that ICI and heavy civil construction is classified as essential in Ontario and to ensure appropriate workplace protocols as the pandemic evolves. We will also continue to update our members to ensure they remain informed and vigilant around protecting workers and preventing the spread of COVID-19 and its variants.

Election Readiness

June 2021 will be the one-year mark before the next Ontario general election in June 2022. As such, we have a short window of opportunity for government to act upon our current issues before turning its focus towards re-election. In the second half of 2021, COCA will explain our issues and policy solutions to all political parties in an effort to have them included in campaign platforms.





Legislative and Policy Issues

We will be examining the operational review of the WSIB and working with government to implement the recommendations that we believe will improve the agency. We will continue our work on the skilled trades file, providing our advice to the government about the organization to succeed the Ontario College of Trades. We will continue to press the government to make investments in infrastructure maintenance and development that are in line with its long-term infrastructure plan. We also anticipate a significant government initiative to address the gaps in Ontario's health and safety system.

Anti-Racism Focus

In addition to the pandemic, the issue that defined 2020 is our collective awakening to systemic, anti-Black racism. Over the next year, we'll work with other organizations to provide our members with information and resources aimed at eradicating racism and racial discrimination from the construction industry.

CORPORATE PARTNERS

 Ontario Painting Contractors Association	 Ontario Sheet Metal Contractors Association	 Ontario Structural Steel Fabricators Association	 Peterborough Construction Association	 HUB International Limited
 Pipe Line Contractors Association of Canada	 Reinforcing Steel Institute of Ontario	 Sarnia Construction Association	 Sault Ste. Marie Construction Association	 Sherrard Kuzz LLP
 Toronto Construction Association	 Utility Contractors' Association of Ontario	 Windsor Construction Association		 TwoGreySuits

KEEPING OUR MEMBERS PRODUCTIVE AND SAFE TOGETHER

SUPPORTING THE SUCCESS OF ONTARIO'S CONSTRUCTION INDUSTRY



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