

Clerk of Committees
Room 251 – 450 Broadway
Winnipeg MB
R3C 0V8

Bill 61 – *The Apprenticeship and Certification Amendment Act*

Winnipeg Construction Association

The Winnipeg Construction Association, established in 1904, represents the commercial construction industry in Manitoba. Our member firms include general contractor, sub-contractors, manufacturers, suppliers, financial institutions, lawyers, insurance and bonding companies and brokers. These members deliver \$2 billion worth of high-quality, cutting-edge industrial, commercial and institutional buildings for Manitoba annually.

WCA has been proudly serving the ICI construction industry in Manitoba for over 115 years with an independent and reasoned approach to policy and government affairs. Our diverse membership base is our strength, delivering policy and advocacy priorities which are member driven and vetted, always with the focus to serve and promote the construction industry in Manitoba.

All policy advocacy positions are developed in consultation with our diverse membership directly and through our Government Relations Committee. Policy positions are then approved and endorsed through our Board of Directors to ensure WCA positions have an ‘all of industry’ perspective.

Bill 61 – The Apprenticeship and Certification Act

The Winnipeg Construction Association is supportive of the efforts this bill is making to improve Apprenticeship Manitoba (AM) governance and its connection with the industries it serves. The only way AM can move forward in a positive manner will be to ensure that all three stakeholder groups (the Apprenticeship Board, the Apprenticeship Department and Industry) are all moving in the same direction.

This bill will make several changes to the act, resulting in significant operational changes. WCA will look at each of these below. There are two themes to our comments. First, there is general support for the attempts to improve the governance of Apprenticeship Manitoba and improve the connection to the industry. Second, while we support many of the amendments to the act, thorough and thoughtful implementation is the only way to be successful.

1. Reducing the Board from 15 to 12 members

WCA supports this change. It did not seem reasonable to have two public interest positions on the board. Also, making a training position rather than an apprentice position seems justified considering the difficulty to fill that apprentice role adequately.

As always, the quantity of the board members is not the most important aspect. There needs to be sufficient consideration of the quality of the board members. Board positions should be awarded based on skills, with the goal of having an identified required skills matrix and the appropriate individuals recruited to fill that matrix.

The roles and responsibilities of the board also need to be clearly defined. The role of the board should not be operational and should rely heavily on the recommendations from subject matter experts – especially those of the established industry sector committees. The primary role of the board should be to evaluate committee recommendations against the established 5-year plan. If the recommendations are consistent, it should progress.

2. Providing for the board to submit strategic plans on five-year intervals instead of one-year intervals;

The need for a five-year strategic plan is obvious, however the process employed will determine if the plan has ‘buy-in’ from industry. Meaningful consultation with industry during the development of the plan is critical. Clearly the breadth of impact Apprenticeship Manitoba can have on Manitoba’s workforce and overall economy is immense; there are 55 trades with 9 of them a compulsory trade. Considering this important role, the stakeholder consultations in the strategic plan need to be comparably broad in scope.

Associations need to be engaged early and **meaningfully**. This goes beyond a simple survey sent out to a large mailing list, it will mean meetings with associations with well prepared discussion documents sent out early. WCA members have a significant interest in the success of many of the voluntary and compulsory trades, as well as designated occupations. Our members have a vested interest in making sure training in trades and occupations suit the needs of the industry as a whole and need to be engaged. This is a valuable resource for the Apprenticeship Board – it’s in their best interest to take advantage of it.

3. Enabling the board to establish committees;

WCA is supportive of the ability to create committees. Since the bill is not prescriptive it does not go into detail on how this ability will be used. We can only reference comments from Apprenticeship Manitoba on how this is envisioned.

We understand that the goal would be to create seven or eight standing sector-based committees with the potential to pull together on an ‘as-needed’ basis a specific industry working group.

Creating sector-based standing committees will be a positive step, if the following advice is followed:

- A clear terms of reference establishing the responsibilities and purview of the committees. These committees should provide advice to the Apprentice Manitoba board on:
 - Changes to training programs (additions and removal of subject material)
 - Impact of proposed regulation or by-law changes
 - Appropriate reference wage for apprentices
- The membership of the sector-based committees should be balanced
- Compensation should be provided to committee members

The ability to call an industry working group is also positive. There will be times that the sector-based committee will not have the detailed knowledge on specific trades to provide sufficiently vetted recommendations.

General Comments on the Activities of the Committees

The activities of the committees need to be transparent. WCA wants to avoid the situation where important decisions are being made or recommendations being advanced to the board without Industry knowledge. Working groups and sector-based committees should be required to report back to industry associations at regular intervals. This reporting requirement will need to happen in real time so WCA is in a position to provide comment on recommendations if required.

It is also imperative that the committee structure is adequately resourced with staff to ensure the committee meeting are held in regular intervals the arising actions are delivered. Without adequate resources the new committee structure will only replicate the current PAC structure.

4. Repealing provincial advisory committees and standing committees;

This is a positive step when linked with the establishment of sector-based standing committees.

5. Enabling the board to establish apprenticeship programs for voluntary trades and certification programs;

The ability to establish these programs is required due to the moving of the regulations governing voluntary trades to by-laws of the board. The most significant impact of the repeal of the regulations relate to the setting of apprenticeship wages, which we will touch on later

6. Enabling the board to establish standards of technical training and practical experience for certification programs;

Added flexibility in the training and certification sector is positive. It's impossible to predict what the next trade or occupation demand may be and adding this flexibility will lead to the industry responding to new needs faster.

The apprenticeship system is very competent at developing skilled tradespeople through a through mix of practical and classroom learning. However, this system can be too rigid for the development of some needed skills. Ensuring there is flexibility built into the training and apprenticeship system will ensure Manitobans have additional opportunities to pursue occupations. Apprenticeship isn't for everybody and an apprenticeship program isn't appropriate for all skills in demand.

7. Labour mobility vs. Red Seal Program harmonisation

We are, as an industry, very supportive of existing trade agreements that encourage labour mobility. We appreciate the importance of the Red Seal program in recognizing skill and ability across provincial lines. We would however encourage discussion of jurisdictional amendments where they make sense. By way of example, we are strong supporters of the National Building Code of Canada, but we also continue to support Manitoba amendments that recognize unique construction conditions in our province. Similar consideration should be given to the Red Seal trade recognition program.

8. The setting of apprenticeship wages

This is a question that will need to be answered – to industry's satisfaction – prior to proclamation of this bill. Currently, apprentice wages are set through a relationship between the general regulations, trade specific regulations and the Construction Industry Wages Act.

The repeal of voluntary trade regulations will create – hopefully unintended – negative consequences for apprenticeship wages in Manitoba. The general regulations state the minimum wages for apprentices as follows:

Apprenticeship Minimum Wage - General Regulations		
	Percent	2021 Actual
Provincial Minimum Wage		\$11.90
First year	110%	\$13.09
Second Year	120%	\$14.28
Third Year	130%	\$15.47
Fourth Year	140%	\$16.66
Fifth Year	150%	\$17.85

So potentially for example, a fourth-year plumbing apprentice would have a minimum wage of \$16.66 versus the current system with a minimum of \$29.60. ***This obviously can not be allowed to happen.*** Not only will provide a massive financial penalty to individuals in the apprenticeship system it creates a significant disincentive to ever enter the apprenticeship program.

WCA would not support changes to regulations that do not guarantee the continuation of existing apprenticeship wages.

The Winnipeg Construction Association appreciates the opportunity to provide comment on Bill 61. As previously mentioned, we are appreciative that the Provincial Government is seeking to improve governance and industry engagement. We look forward to working further with Apprenticeship Manitoba on these issues.