

# Fair Labour Laws Save Lives

WITHDRAW BILL 47



## Four tragic deaths of temp workers at Fiera Foods

### BACKGROUND

**October 25, 2018**

**A man in his 40s was killed when he was pinned between a tractor trailer and the loading dock of a Fiera Foods company.**

This is the fourth death of a temporary agency worker at this large industrial bakery.

**September 2, 2016: Amina Diaby, 23**

Amina Diaby was just 23 when she was killed while working at Fiera Foods through a temp agency. She was strangled when her headscarf became entangled in a machine that was not properly maintained.

Fiera Foods plead guilty under the Occupational Health and Safety Act and was fined \$300,000 for the death of Amina Diaby.

An investigation found that *neither Diaby nor her co-worker had received training* on the location and use of emergency safety buttons.

**December 14, 2011: Aydin Kazimov, 69**

Aydin Kazimov was crushed by a transport truck outside Marmora Freezing, a company of Fiera Foods. He was also hired by Fiera through a temp agency. *Fiera Foods was convicted and fined \$150,000 under the Health and Safety Act.*

**September 26, 1999: Ivan Golyashov, 16**

Ivan Golyashov was just 16 years old when he died while cleaning a Fiera Foods' dough machine.

He was cleaning the machine when it was accidentally turned on by a coworker. Both workers were employed by Fiera through a temp agency.

*Fiera Foods was convicted under the Occupational Health and Safety Act and fined \$150,000.*

**Why is this happening?**

→ **Temporary Agencies**

Temp agency workers are more than twice as likely to get hurt on the job compared to permanent employees.

*Fiera Foods is well known for using temp agencies. In 2017, half of their workforce was hired through temp agencies.*

In 2017, Toronto Star reporter, Sara Mojtehedzadeh, went undercover as a temp worker at Fiera Foods.

She found that most Fiera temp workers received about five minutes of safety training, no hands-on instruction and was paid cash at a payday lender without any documentation or deductions.

A Workplace Safety and Insurance Board audit has found that temp agencies are significantly more likely to misreport their payroll to the board, and more likely not to pay mandatory insurance premiums.

*These are flagrant violations of employment standards and health and safety requirements.*

### → Inadequate health and safety

**Fiera has been slapped with 191 orders for health and safety violations** over the past two decades, for everything from lack of proper guarding on machines to unsafely stored gas cylinders.

It has been repeatedly found fined and convicted under the Health and Safety Act. Yet still, here we are in 2018 bearing witness to another death of a temp agency worker.

### → Impunity for employers

So why does a multi-million dollar food industry giant that produces pastries grocery stores and fast food outlets across North America, continue to violate labour laws?

How is it possible for this company continue to be a model employer in the eyes of the WSIB? At a facility where there are hundreds of people working around the clock, there was just one lost-time injury claim registered in 2016.

This is a company that has received \$4.7 million in government loans and grants to expand capacity and create good jobs.

*These deaths happen because employers know they can violate employment and health and safety laws with impunity.*

### **Ford is repealing our new protections**

By rolling back protections for temp agency and other low wage precarious workers, the government is sending the message to employers that employment rights do not matter.

Removing the requirement for employers to pay temp agency workers the same wage as permanent employees when they do the same job, creates an economic incentive for employers to use temp agency staffing strategies. This promotes the growth of these dangerous jobs.

### **Legislating hardship and precarity**

Not only does the government's Bill 47, *Making Ontario Open for Business Act*, reduce barriers to equality for temp agency workers, it removes equal pay for equal work, paid sick days, fairer scheduling, and freezes the minimum wage. Ontario minimum wage workers will have to wait until at least 2025 for their wages to reach \$15 an hour.

### **Green light to unscrupulous employers**

By rolling back enforcement of employment standards, the government is telling employers not to worry about violating the law. The government has stopped the expansion of employment standards enforcement capacity and reduced the penalties to companies found guilty of breaking the law.

*These moves send a signal to Ontario employers that it is open season for employers like Fiera that continue to flout labour laws.*

### **Withdraw Bill 47**

**Call on Premier Doug Ford to withdraw Bill 47. Every Member of Provincial Parliament must vote against this bill that threatens the health, safety and well-being of millions of workers.**

# **Withdraw Bill 147**

## **Call Doug Ford: 416-325-1941**

**Text FIGHT to 647-360-9457 to join the movement**

**15andFairness.org #WithdrawBill47**