

# **POLICY PRIORITIES FOR ONTARIO'S 2022 ELECTION**

**April 2022**

## **APPROACH**

Cardus believes that governments have an important but limited function that includes enabling other civil-society institutions to thrive. As a non-partisan think tank, we do not advocate for any political party or candidate. In the lead-up to Ontario's 2022 election, we are sharing our existing research with everyone equally and seek to collaborate with all people of goodwill. In this spirit and based on our existing research, we have identified several policy priorities for legislators and voters to consider in this election.

We recognize that the priorities identified here are not an exhaustive representation of all fields of public policy. Cardus continues to engage in research on educational pluralism in Ontario, the implementation of the Canada-wide Early Learning and Childcare Agreements, and the potential for improvements to employment policies for Indigenous people and people with disabilities. This forthcoming work will inform our future recommendations throughout 2022 and beyond.

Our recommendations for Ontario's 2022 election seek to clarify and strengthen the work of society's institutions in specific ways, including the voluntary sector, labour unions, the family, the school, and faith communities. With this lens, our priorities cover four key themes: (1) Strengthening Civil Society, (2) Ensuring Economic Vitality, (3) Supporting Kids and Families, and (4) Upholding Fundamental Freedoms.

## **1. STRENGTHENING CIVIL SOCIETY**

### **Policy Recommendation: Further reduce barriers to volunteering**

The Government of Ontario recently announced a policy to absorb the cost of police record checks for volunteering. However, charities or volunteers will still have to pay for Vulnerable Sector Checks (VSCs). The existing policy should be extended to fully absorb the cost of VSCs.

- VSCs are the most comprehensive type of police check and are required for volunteers who will be working with vulnerable populations. The cost of VSCs for volunteers can range from \$15 to \$35. Fingerprinting is sometimes required for these checks at an additional cost.

- **Why it matters:** The financial burden of VSCs is onerous for smaller charities or volunteers with a low income, especially if each organization requires a separate check. Absorbing these fees would further eliminate barriers to volunteering.
- **Details:** Fully subsidize the cost of VSCs and associated fingerprinting requirements (if needed) when accessed for volunteer purposes. This should go beyond the current legislative elimination of fees. The province should transfer funding to police services based on the number of checks processed each year. This change would cost \$8 million, representing 0.0004% of the province's \$173 billion budget for program expenses in 2021–22.

For more details read Cardus's forthcoming report [Vulnerable Sector Check Costs Remain a Barrier for Volunteers.](#)

## Policy Recommendation: Engage faith communities as partners in policy development

Policies enacted to curb the spread of COVID-19 highlighted how policy-makers may not fully understand the importance of public worship. As such, the government should actively engage with faith communities to better understand the implications of any policies that may limit religious freedom.

- Section 1 of the *Canadian Charter of Rights and Freedoms* acknowledges that rights are not absolute and that certain reasonable limits are inevitable.
- **Why it matters:** Freedom of conscience and religion are the first of our fundamental freedoms and should be afforded special status. Recognizing the inevitability of certain limits on these freedoms, institutional changes should be made to ensure that any limits imposed are reasonable.
- **Details:** Establish permanent faith community advisory boards or appoint faith leaders to government advisory positions.

For more details read Cardus's report [Reasonable Limits: How Far Does Religious Freedom Go in Canada?](#) and [Memo: Evaluating Reasonable Limits on Religious Freedom.](#)

## 2. ENSURING ECONOMIC VITALITY

### Policy Recommendation: Lower the cost of major infrastructure projects by promoting competition

Restrictive tendering policies in Ontario restrict the companies eligible to bid on public construction projects. Bill 66 (2019) contained amendments to the *Labour Relations Act* to remove this restriction. However, by allowing municipalities to opt-out of these provisions, the positive effects of this bill have not been fully realized.

- Restrictive tendering in Ontario means that companies that do not employ unionized workers are ineligible to bid on municipal construction projects. This limits competition and drives up the cost of projects.
- **Why it matters:** Data from the Region of Waterloo showed that Bill 66 had significant positive effects on competition, thereby lowering taxpayer costs for capital projects. However, the City of Toronto opted out of Bill 66. Ontario Power Generation construction contracts are also subject to restrictive tendering. Public entities spend millions of dollars each year on large infrastructure projects. Removing restrictive tendering policies would result in significant savings for taxpayers.
- **Details:** Update the *Labour Relations Act* so that all public employers (including municipalities and crown corporations) currently deemed “construction employers” are regarded as “non-construction employers.” Changes should also be made to ensure that public procurement legislation specifically prohibits the use of union affiliation as a barrier to bidding on public projects.

For more details read Cardus’s reports [Bouncing Back Through Diversity: The Effects of Bill 66 on Construction Competition in the Region of Waterloo](#) and [No Longer the Best: The Effects of Restrictive Tendering on the Region of Waterloo](#).

### Policy Recommendation: Reduce reliance on gambling revenue and meaningfully help problem-gamblers

The Ontario Lottery and Gaming Corporation (OLG) has a monopoly on gambling. Given that the OLG’s revenues are the lowest they have been in years due to the pandemic, the government should act now to reduce its dependence on gambling profits altogether.

- Lucrative profits collected from gambling are channelled into general revenue funds. Unlike progressive taxation where the rich are taxed more heavily than the poor,

gambling acts as a regressive tax. Canadians with the lowest income spend the highest proportion of their money on gambling each year. Problem gamblers are also the main source of gambling revenue.

- **Why it matters:** The profit model of gambling means that gamblers always lose money in the long run. As problem gamblers often come from marginalized communities, the government should reduce its reliance on a system that preys on the poor and vulnerable.
- **Details:** (1) Return annual gambling profits to the poor through cash transfers. (2) Promote asset building through a matched savings program. (3) Work with financial institutions to offer prize-linked savings products, an innovative way to help families build emergency savings funds. (4) Use the OLG's marketing budget to increase funding for problem-gambling research, prevention, and treatment.

For more details read Cardus's report [Turning Aces into Assets](#).

### 3. SUPPORTING KIDS AND FAMILIES

#### Policy Recommendation: Help more families with their child care costs

The provincial Childcare Access and Relief from Expenses (CARE) credit helps parents with their child care fees. The CARE credit should be enhanced by increasing the credit's clawback threshold, indexing it to inflation, and removing two-thirds of the lower-income limit.

- Only one-third of children under the age of 6 use the kind of care covered by the federal-provincial \$10-a-day child care agreement. Given that most families will not benefit from that program, the CARE credit remains an important support for families. Unlike the federal-provincial child care deal, the CARE credit applies to a wide range of child care options for children aged 0 to 17.
- **Why it matters:** The current credit does not go far enough to help the low- and middle-income families who need it most.
- **Details:** The CARE credit is clawed back at a household income of \$20,000 annually. This threshold isn't currently indexed to inflation. Since the purchasing power of \$20,000 isn't what it used to be, the clawback threshold should be increased and tied to inflation. The credit is also limited to two-thirds of the income of the lower-earning parent. As this tends to disproportionately impact lower-income families, the limit for this credit should be removed.

For more details read Cardus's [Policy Brief: Enhancing Ontario's Child Care Tax Credit](#).

## Policy Recommendation: Ensure all kids with special needs get equal funding for their needs

Special education funding unfairly disadvantages students who attend independent schools. Changes should be made to ensure that all students with special needs get the support they require.

- Students with special needs only receive special education funding if they attend a public school. Unlike health funding which is based on a student's needs and follows them regardless of the school type, special education funding is limited based on the type of school the student attends.
- **Why it matters:** The current approach unfairly penalizes the most vulnerable children in our communities.
- **Details:** Special education funding for independent schools should be set at 75 or 50 percent of the per-student allocation for public schools. If funding were at 75 percent, the cost would be between \$78 million and \$195 million, depending on the share of students in the schools that require the funding. If the funding were at 50 percent, the cost would be between \$52 million and \$130 million. The highest level of funding (\$195 million) represents 0.001% of the province's \$173 billion budget for program expenses in 2021–22. This change would greatly benefit vulnerable Ontario students who are currently falling through the cracks.

For more details read Cardus's report [Funding Fairness for Students in Ontario with Special Education Needs](#).

## Policy Recommendation: Give parents direct funding for tutoring

Pandemic school closures and disruptions resulted in learning gaps for students who now need tutoring to catch up academically. The government has taken some steps to address this issue through the Tutoring Supports Program.

- Cardus's initial analysis has found that the [Tutoring Supports Program](#) is underfunded at approximately \$90 per student. Challenges around staffing in public schools and the inflexibility of public-school boards raise questions of whether the program will help with learning gaps.
- **Why it matters:** The pandemic revealed cracks in the public-school system. Low-income families and students with special needs faced additional challenges in responding to school closures and online learning. Given the gaps in the system and the resulting gaps

in student learning, funds should be routed directly to parents to help their kids catch up academically.

- **Details:** In 2020, the federal government provided a one-time top-up of the Canada Child Benefit. This direct transfer of \$300 per child could be used for discretionary expenses including online tutoring. That same year, the provincial government provided a one-time payment to parents of \$200 per child aged 0 to 12 and \$250 for children with special needs. An expanded tutoring supports program should build on these models by providing direct funds to parents, regardless of the type of school their child attends.

For more details read Cardus's [Policy Reaction: Ontario's Tutoring Supports Program and Flexible Education in an Age of Disruption: Embracing Innovation and Diversity in Ontario K–12 Education](#).

## Policy Recommendation: Modernize the regulation of independent schools

Ontario's independent school landscape is diverse in the pedagogical orientations, religious perspectives, and specialties offered. The province should improve the governance of the independent schools by modernizing the sector's regulatory environment and eliminating inefficiencies.

- Independent schools are regulated by the Private Schools Policy and Procedure Manual. The rules that apply to the Notice of Intention to Operate and the Ontario Secondary School Diploma (OSSD) are inefficient and should be updated.
- **Why it matters:** Research shows that graduates of independent schools in Ontario go on to make significant contributions to the common good. Despite the positive contributions made by independent schools, the sector operates within an inequitable policy environment.
- **Details:** Remove burdensome fees, including the one-time Notice of Intention to Operate fee, inspection fees for schools that grant the OSSD, and per-student fees for participating in Education Quality and Accountability Office (EQAO) testing.

For more details read Cardus's reports [Ontario Curriculum Consultation Submission](#) and [Cardus Education Survey 2018: Ontario Bulletin](#).

## 4. UPHOLDING FUNDAMENTAL FREEDOMS

### Policy Recommendation: Ensure places of worship remain open during emergencies

Throughout the COVID-19 pandemic, the restrictions imposed on places of worship were often more stringent than those applied to retail businesses, despite the fact that freedom of conscience and religion is one of the fundamental freedoms in the *Canadian Charter of Rights and Freedoms*. This unequal and occasionally arbitrary treatment failed to recognize the distinct role of faith communities and the essential nature of public worship.

- The sacramental worship of Catholic and Orthodox Christians obliges active, in-person participation in the celebration of the Eucharist (Holy Communion) on Sundays and feast days. For Jews, no worship can take place without a *minyan* (e.g., Orthodox Judaism requires the presence of 10 Jewish men who have had their *bar mitzvah*). Likewise, Sikhism also requires public worship in the presence of the Sikh scriptures (the *Guru Granth Sahib*) which are only found in Sikh temples (*gurdwaras*).
- **Why it matters:** For many religious traditions, communal worship is an absolute necessity, not simply an option that in times of crisis can be abandoned in favour of virtual participation. The consequences of pandemic restrictions included the inability to meet these religious obligations and disconnection within the community.
- **Details:** The *Emergency Management and Civil Protection Act* should be amended to create a distinct category for the treatment of religious services, rites, and ceremonies (including weddings and funerals). This amendment should require emergency orders that restrict religious worship to be the same as, or less restrictive, than the next least-restricted category during an emergency. The amendments should also require that new or extended emergency orders be published with a rationale explaining the rational connection between the order and the policy objective.

For more details read Cardus's [Policy Brief: Keeping Ontario's Places of Worship Open During Emergencies](#).

### Policy Recommendation: Protect freedom of conscience for healthcare workers

Healthcare providers are exempt from directly providing procedures that violate their conscience. However, the standards set out by professional regulators (e.g., College of Physicians and Surgeons of Ontario) may require practitioners to go against their conscientious beliefs through practices such as effective referrals.

- Freedom of conscience is the first fundamental freedom protected by section 2(a) of the *Canadian Charter of Rights and Freedoms*. Ontario lacks meaningful protections of this freedom for health care practitioners.
- **Why it matters:** Health care practitioners have come into conflict with regulatory colleges over the issue of providing effective referrals. The expansion of assisted suicide to include those suffering from mental illness highlights the ongoing need for conscience protections in the sector.
- **Details:** Legislation should be enacted to protect the conscience rights of all healthcare workers including doctors, nurses, and pharmacists. These practitioners should be afforded protection to refuse direct and indirect participation in any procedure (or provision of prescription drug) that violates their conscientious beliefs, without fear of repercussions from their regulator or employer.

For more details read Cardus's [Policy Brief: Protecting Conscience Rights for Ontario Healthcare Workers](#) and [Our Inner Guide: Protecting Freedom of Conscience](#).



## **ABOUT CARDUS**

CARDUS is a non-partisan think tank dedicated to clarifying and strengthening, through research and dialogue, the ways in which society's institutions can work together for the common good.

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