

Continuing the Halton Region Consolidated Courthouse Project: How this will Contribute to Ontario's Economic Recovery



Presented by:

International Union of Operating Engineers, Local 793
Hamilton-Brantford Building and Construction Trades Council
Halton County Law Association
Council of Ontario Construction Associations (COCA)
Oakville and District Labour Council
Provincial Building & Construction Trades Council of Ontario
International Brotherhood of Electrical Workers - Construction Council of Ontario
Ontario Pipe Trades Council
Regional Municipality of Halton
Town of Oakville
Halton Community Benefits Network
United Way Halton & Hamilton

A broad-based coalition partnered in support of the Halton
Courthouse Project

May 29, 2020

Introduction

We write as a broad-based coalition of construction trade unions, labour councils, construction associations, lawyers, politicians, municipalities and stakeholders¹ from across the Halton Region and the Province of Ontario to express our total opposition to the May 8, 2020 decision of the Ontario Government to cancel the construction of the shovel-ready Halton Region Consolidated Courthouse Project ("**Halton Courthouse Project**") in favour of completely undefined virtual justice initiatives. The coalition represents a cross-section of society, from the organizations representing the workers who were slated to build the Halton Courthouse; to the lawyers who use the Courthouse on a daily basis; to the broader Halton community who would benefit in immeasurable ways from this project. The coalition partners are:

- International Union of Operating Engineers, Local 793
- Hamilton-Brantford Building and Construction Trades Council
- Halton County Law Association
- Council of Ontario Construction Associations (COCA)
- Oakville and District Labour Council
- Provincial Building & Construction Trades Council of Ontario
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- Ontario Pipe Trades Council
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The Halton Courthouse Project was anticipated to provide wide-ranging benefits across Halton Region while at the same time ensuring the justice system is no longer neglected. As the entire region grapples with the economic fallout from the COVID-19 pandemic, the Halton Courthouse Project would provide a significant boost to kick-start the economy. The coalition calls on the government to reverse its decision to cancel the Halton Courthouse Project and instruct Infrastructure Ontario to immediately continue the procurement process so construction can begin immediately.

Summary

The COVID-19 pandemic has officially put Canada into a recession. The unemployment rate for Ontario in April hit a 27-year high with over 689,200 jobs lost raising the unemployment rate to 11.3% according to Ontario's Financial Accountability Office.² Canada experienced the largest one-month decline in GDP since record keeping began in 1961 – a decline of 9% in March. The Ontario Government needs to act quickly to kick start and reopen the economy if we are to pull through this recession. This includes investments and spending on shovel-ready infrastructure,

¹Full description of partners of the coalition is attached as Appendix A

² <https://www.sudbury.com/local-news/ontarios-unemployment-rate-hit-a-27-year-high-in-april-2359331>

not slashing projects with knee-jerk reactions like cancelling the procurement of the \$500 million plus Halton Courthouse Project.

The Halton Courthouse Project was the largest shovel-ready project in Canada.³ This is the second substantial public infrastructure project cancelled by the Ontario Government in the region in the past few months, following the cancellation of the \$1 billion Hamilton LRT Project in December 2019. This amounts to more than \$1.5 billion in direct investment lost in the region in the past six months. It is well-recognized that physical infrastructure underlies all economic activity and that the timing of infrastructure investments has been proven to minimize the damage and duration of an economic recession.⁴

The federal government has already targeted investment in infrastructure projects as a cornerstone for economic recovery and has suggested it will bear the costs of this infrastructure.⁵ Infrastructure investments make the most sense during recessions as interest rates are low, substantial amounts of labour and capital remain stagnant, and public investment is unlikely to displace private activity.⁶ Furthermore, the government's investment in infrastructure cannot start and end with meeting the current needs created by the COVID-19 pandemic. The government must recognize the need to "future proof" the fundamental facilities and systems we rely on, including our courts and justice system.⁷

COVID-19 has created a 'new normal' but it has not changed the reasons this project was greenlit in the first place, including crumbling facilities and a lack of physical space. These are not issues that can be addressed by new technology or by modernizing existing processes. They require the construction of new facilities. The government made the decision to procure the Halton Courthouse Project after thoughtful consideration and vital input from stakeholders and it should not now undermine those efforts by having a knee-jerk reaction to the economic constraints caused by COVID-19. Virtual justice cannot replace modern and accessible courtrooms. The Supreme Court of Canada has repeatedly stated that open courts are a hallmark of democratic society: "the open court principle requires that court proceedings presumptively be open and accessible to the public and to the media."⁸ Canada is a democracy where courtrooms are open and accessible to the public, not hidden in the back corners of the internet.

All key stakeholders supported the Halton Courthouse Project from the beginning and continue to do so today. We are unaware of any organization that has lobbied against the continued procurement of the Halton Courthouse Project and we are unaware of any organization that supports the Province's decision to cancel the project. The Province's decision runs counter to

³ <https://infrastructureontario.ca/Projects/>

⁴ <https://www.brookings.edu/opinions/wise-infrastructure-investments-can-stabilize-the-economy-and-reduce-climate-risk/>

⁵ <https://www.theglobeandmail.com/politics/article-mckenna-seeking-shovel-ready-projects-for-post-shutdown-stimulus/>

⁶ <https://www.brookings.edu/opinions/wise-infrastructure-investments-can-stabilize-the-economy-and-reduce-climate-risk/>

⁷ "A Canadian New Deal for COVID-19 Recovery" Presented by Canada's Building Trade Unions

⁸ http://www.slaw.ca/2020/04/17/trial-by-zoom-what-virtual-hearings-might-mean-for-open-courts-participant-privacy-and-the-integrity-of-court-proceedings/#_ftn3

the stated interests of key stakeholders such as Halton Region, the Town of Oakville, the Halton County Law Association, the Halton Regional Police Service, all of the Building Trade Unions, the Provincial Building and Construction Trades Council of Ontario, the short-list of bidders (PCL, Pomerleau, and EllisDon), the United Way Halton & Hamilton and many others including the hundreds of workers who lost the opportunity to work on this four plus year project.

The Government must immediately overturn its decision to cancel the Halton Courthouse Project for the following key reasons:

A) The Halton Courthouse is Urgently Needed

- 1) Exponential population growth in Halton has overwhelmed the courts
- 2) Halton is falling behind other municipalities by not getting appropriate funding for justice
- 3) Security threats continue to grow at the existing outdated courthouses
- 4) Mould and asbestos have created a health and safety crisis situation in the current courthouse
- 5) Virtual justice cannot replace the need for functional and modern court facilities
- 6) The Halton Courthouse Project is supported by all stakeholders

B) Public Infrastructure Investment is Crucial to Economic Recovery from COVID-19

- 1) Infrastructure investment is key to economic recovery from recession
- 2) Public infrastructure investment leads to increases in GDP and employment
- 3) A Community Benefits Agreement would multiply the economic benefits of the Project without increasing its cost
- 4) The costs of cancelling infrastructure projects are substantial

A) The Halton Courthouse is Urgently Needed

1) Exponential population growth has overwhelmed the courts

Halton Region is one of the fastest growing communities in Canada.

The Milton Courthouse, which serves all of Halton Region, was built in 1962. At that time, the population of Milton was approximately 6,000 and the population of Halton Region was approximately 190,000. While there was a small addition to the courthouse in 1979, the courthouse now serves a population exponentially larger. The population of Milton is currently 110,128, or 18 times larger than it was in 1962, and the population of Halton Region is 550,000,

or 3 times larger than it was in 1962.⁹ The pressures placed on the court system by an increased population will only continue to grow as Halton Region remains one of the fastest growing communities in all of Canada. Halton Region is anticipated to grow to a population of 780,000 by 2031 – a 100% increase from twenty years prior.¹⁰

The Milton Courthouse has just six provincial courtrooms. Only two courtrooms actually hear trials and one of the two is frequently used for family law matters.¹¹ No courtroom in all of Halton Region is able to accommodate complex multi-party proceedings.

Because of the lack of courtrooms, criminal cases that are taking too long to get to trial are being thrown out due to delay.¹² Halton judges routinely cite delay as a primary reason cases are being thrown out. Halton based judges have also repeatedly stated in their rulings that there are simply not enough jurists and courtrooms to hear all cases without violating an accused's right to be tried within a reasonable time.¹³ Section 11(b) of the *Charter of Rights and Freedoms* provides that the accused must be tried within 18 months for provincial trials and 30 months for superior court trials. If the Crown cannot meet these deadlines, it must justify the delay on the basis of exceptional circumstances or else the case is dismissed. Since 2016, over 800 cases in Canada have been dismissed due to unreasonable delay¹⁴ and a number of those cases were in Halton Region.¹⁵

In 2012, Ontario Court Justice Stephen Brown who presides in Halton Region sounded the alarm bells in one of his decisions dismissing a case for unreasonable delay: "This crisis has been increasing in my experience since my appointment to this region in 2006. It will not go away. It will only worsen." He also wrote: "This is inevitable considering the explosive population growth of Halton Region. Let the ministries that fund and operate the various arms of our court system be forewarned."¹⁶ As cases become more complex and involve increasing amounts of evidence, this problem is expected to get even worse in the future.¹⁷

2) Halton is falling behind other municipalities by not getting appropriate funding for justice

The importance of maintaining and building new justice infrastructure cannot be overstated, particularly in areas where population growth has far surpassed government investment in those regions.

⁹ <https://tedarnottmpp.com/2015/12/03/mpp-arnott-urges-government-to-commit-to-new-halton-courthouse-in-upcoming-budget/>

¹⁰ <https://www.halton.ca/getmedia/a71a14fb-4a93-4832-935d-cf32e33bbbcf/LPS-sustainable-halton-effect-of-demographic-change-on-halton-region.aspx>

¹¹ <https://www.thestar.com/news/gta/2016/07/23/crumbling-crowded-milton-courthouse-an-unmitigated-disaster.html>

¹² <https://www.thestar.com/news/gta/2016/07/23/crumbling-crowded-milton-courthouse-an-unmitigated-disaster.html>

¹³ R. v. Ibrahim, 2015 ONCJ 140 (CanLII)

¹⁴ <https://globalnews.ca/news/5351012/criminal-cases-thrown-out-r-v-jordan-decision/>

¹⁵ <https://nationalpost.com/news/canada/canadas-courts-are-choking-on-an-increase-in-evidence>

¹⁶ <https://www.thestar.com/news/crime/2015/01/22/halton-courts-stretched-beyond-limits-judges-lawyers-warn.html>

¹⁷ <https://nationalpost.com/news/canada/canadas-courts-are-choking-on-an-increase-in-evidence>

There is no explanation for why Halton Region has not been prioritized by the Ontario government. New courthouses have been built in other municipalities in recent years, including Kitchener-Waterloo and in Oshawa. In Brampton, a six-floor expansion was completed in 2017 in order to meet the projected demand in Peel Region and a further expansion is currently in the works.¹⁸ In Toronto, a massive courthouse expansion began in 2018 and continues through 2022.¹⁹

Ontario Justice Alan D. Cooper has been openly critical of the neglect felt in Halton Region. Cooper has noted that judicial resources have also been neglected. He stated that, "Halton is becoming one of the lost children of the Ontario judicial system" and "For some reason, its obvious needs have been overlooked".²⁰

Even the Ministry of the Attorney General has publicly stated that there are ongoing facility challenges in Halton Region which remain a priority for the Ministry.²¹ In response to a question about whether the construction for a courthouse was considered in 2015, then spokesperson for the Ministry of the Attorney General Brendan Crawley said: 'we recognize that there are ongoing facility challenges in the Halton region, and this remains a priority for the ministry.'²² The recent decision of the Ministry backtracks on this commitment to Halton Region.

3) Security threats continue to grow at the existing outdated courthouses

Limitations of the current physical structure of the Milton Courthouse are at the root cause of a number of security concerns. Halton Regional Police Chief Stephen Tanner has stated that he has "great concern for the overall security of that building and I think the public, my officers and special constables and in-custody accused persons would be better served and safer in a facility which is probably already 15 to 20 years overdue".²³

It has been reported that when elevators break down, as they frequently do in the aging building, officers are required to escort prisoners through public stairwells and public hallways where judges or potential jurors might be found.²⁴ Potential confrontations between jurors and prisoners are increased by the fact that, due to the lack of physical space, citizens attending the courthouse for jury selection often have to sit in the stairwells while they wait to be canvassed.²⁵

One long-time criminal lawyer in Halton, Paul Stunt, who served as head Crown attorney in Milton in the 90s before opening a criminal defence practice, expressed his concerns that the current Milton Courthouse has insufficient confidential spaces for lawyers and mental health workers to speak with their clients, overcrowded holding cells, judges who are at risk as a result

¹⁸ <https://www.thestar.com/news/crime/2015/01/22/halton-courts-stretched-beyond-limits-judges-lawyers-warn.html>

¹⁹ <https://www.infrastructureontario.ca/New-Toronto-Courthouse/>

²⁰ <https://www.thestar.com/news/crime/2015/01/22/halton-courts-stretched-beyond-limits-judges-lawyers-warn.html>

²¹ <https://www.thestar.com/news/crime/2015/01/22/halton-courts-stretched-beyond-limits-judges-lawyers-warn.html>

²² <https://www.thestar.com/news/crime/2015/01/22/halton-courts-stretched-beyond-limits-judges-lawyers-warn.html>

²³ <https://www.thestar.com/news/gta/2016/07/23/crumbling-crowded-milton-courthouse-an-unmitigated-disaster.html>

²⁴ <https://www.thestar.com/news/gta/2016/07/23/crumbling-crowded-milton-courthouse-an-unmitigated-disaster.html>

²⁵ <https://www.lawtimesnews.com/news/general/court-construction-spending-falls-as-halton-nears-crisis-situation/261806>

of walking through public corridors to get to courtrooms and woefully inadequate technological capabilities. He noted that the only other courtroom serving the area was the Burlington Courthouse and it was just as bad.²⁶

The new Halton Courthouse Project was designed to address these very significant concerns. The new design was to include a secure single point of public entry with magnetometers; baggage scanners; separate corridors for judiciary, public and accused; additional elevators; and continuous video surveillance. The current courthouses are not designed to accommodate the safety needs of the modern justice system. Only a newly constructed and well-planned regional courthouse will solve this significant problem.

4) Mould and asbestos have created a health and safety crisis situation

As far back as 2015, the physical condition of the Milton Courthouse has been described as nearing a “crisis situation”. At that time court workers discovered mould in a courtroom and in the walls of the library and in the men’s and women’s robing rooms. While investigating the mould issue, it was discovered that pipework throughout the building was insulated with asbestos. The situation required the closure of one of the few courtrooms serving the region, which contributed to the already significant delays for hearing cases.²⁷

The asbestos found in the walls and ceiling of the building must remain undisturbed so that it does not pose a health risk to the building’s occupants and visitors. Because of this, the presence of asbestos has physically prevented installation of new technologies that could allow for remote hearings. The deficient physical infrastructure in the Milton Courthouse is therefore acting as a barrier to the introduction of the new technologies that the province claims it wishes to pursue.

The presence of asbestos and mould are a barrier to renovating the existing Milton Courthouse. It would be totally cost prohibitive to remediate and remodel the existing structure and doing so would not solve the lack of space and other limitations that exist in the structure. Renovating the existing building would require the entire facility to be closed for an extended period of time and this would only increase the already significant backlog in cases. None of these outcomes are acceptable.

The bottom line, and the only solution to this significant problem, is the construction of a new regional courthouse. Half measures will not suffice, and new technologies cannot be introduced into the existing crumbling courthouses. So long as the Milton Courthouse remains in operation, the presence of asbestos and mould will always pose a health and safety risk.

²⁶ <https://www.thestar.com/news/crime/2015/01/22/halton-courts-stretched-beyond-limits-judges-lawyers-warn.html>

²⁷ <https://www.lawtimesnews.com/news/general/court-construction-spending-falls-as-halton-nears-crisis-situation/261806>

5) Virtual justice is no substitute for real courtrooms

Virtual justice simply cannot replace physical courtrooms. Courtrooms are necessary components of the justice system and plaintiffs, defendants, accused individuals and their legal representatives must attend courtrooms to have their matters heard. Virtual justice may be part of the solution, but it cannot be the only solution.

We do not dispute the fact that the Ontario justice system can benefit from employing new technologies. The current court system is far too reliant on outdated processes and procedures such as filing and serving hard copies of every motion or application, which far too often increase the administrative backlog in the courts. The process is cumbersome for all parties and more costly to litigants. However, the introduction of new technology and even having certain types of more administrative processes and hearings to be done remotely, will not ever replace the need for in-person hearings where a fully functional and modern courtroom are required. The only way Halton Region will move into the 21st century is with the construction of a new courthouse.

It is fundamental to Canadian democracy that justice be open and visible. Canadian justice is premised on being transparent and not hidden in virtual courtrooms in the back corners of the internet where members of the public have no access. The presumption of open courts is a hallmark of a democratic society and court proceedings must be open and accessible to the public and to the media²⁸. It is through open courts that journalists and the public can scrutinize the administration of justice, hold it accountable and maintain confidence that the system is working as it should. It's an old saying: not only must justice be done; it must also be seen to be done.

In criminal matters, an accused has a legal right to face his or her accuser that is subject only to limited exceptions²⁹. Section 650 (1) of the *Criminal Code* requires that the accused shall be present in court during the whole of his or her trial. Exemptions to this rule are rarely granted and must be argued on a case-by-case basis on application by the prosecutor or counsel for the accused.

Physical presence in a courthouse is also necessary to ensure that a witness' credibility can be properly assessed by a judge. A judge must be able to physically observe the demeanor of a witness as part of determining whether they are telling the truth and to ensure that they are not being unfairly assisted in giving their testimony. In recognition of the importance of observing the physical demeanor of a witness giving testimony, Rule 1.08(5)(a) of the Rules of Civil Procedure, RRO 1990, Reg 194 provides that it is a "general principle that evidence and argument should be presented orally in open court". Ontario's Rules of Civil Procedure recognize that virtual testimony is no substitute for testimony given live, in-person, and in open court.

²⁸ https://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rr03_vic1/p4.html

²⁹ Criminal Code, R.S.C., 1985, c. C-46, s. 486.2

In-person hearings in a real courtroom are also essential to ensuring the maintenance of solicitor-client privilege and confidentiality. In order to effectively represent a client, lawyers must have the ability to have confidential conversations with their clients. This involves being able to meet with a client in a private location. During the virtual hearings and meetings held thus far during the COVID-19 pandemic, confidentiality has been seriously compromised. Parties have resorted to imperfect solutions including everyone “putting down their phones for a few minutes or waiting silently while the two parties connected on a different line.”³⁰ These makeshift solutions are simply no substitute for the privacy afforded by a private room at a courthouse, or even the ability of a client to simply whisper to their lawyer without an audience listening in over video conference.

Finally, the in-person hearing process adds a necessary element of humanity into the justice system. When a judge and jury are placed in the same room as an accused, defendant, or plaintiff, they are forced to view that person as a human and can become more aware of the human impacts of their decisions and verdicts. When hearings are moved into virtual settings, there is a real concern that this effect is eroded as a person can seem less like a person when they are viewed behind a screen. This translates to how a judge and jury view the person. This outcome can only be avoided by requiring the physical presence of litigants in a real courtroom.³¹

We encourage the Government of Ontario to continue exploring how technology can improve the justice system, but not to do so at the expense of the Halton Courthouse Project. New technology can certainly improve administrative processes but simply cannot replace the physical courtrooms that are desperately needed in Halton Region.

6) The Halton Courthouse Project is supported by all stakeholders

For all of the reasons set out above, there is universal recognition that a new courthouse is needed to serve the Halton Region. All key stakeholders have supported the Halton Courthouse Project from the beginning and continue to do so today. We are unaware of any organization that has lobbied against the continued procurement of the Halton Courthouse Project and we are unaware of any organization that supports the Province's decision to cancel the Project.³² The Project is supported by stakeholders in the justice system including those who actually work in the existing courtrooms such as lawyers, police, social services providers and politicians—all of whom have been lobbying the province for decades for a new building.³³

Stakeholders have regularly criticized the lack of diversity and the barriers to inclusion and full participation in the justice system experienced by particular marginalized groups. The crumbling Milton Courthouse contributes to this significant problem. Procurement and design of

³⁰ <https://www.thestar.com/news/gta/2020/04/04/can-justice-be-open-in-a-virtual-courtroom-how-the-pandemic-is-shaping-access-to-ontario-courts.html>

³¹ <https://www.theverge.com/2020/4/22/21230022/jury-zoom-trials-court-hearings-justice-system-virtual-transparency>

³² Letters and news releases opposing the government's decision are attached at Appendix B

³³ <https://www.thespec.com/news/hamilton-region/2017/06/21/province-plans-to-build-courthouse-in-oakville-to-replace-milton-building.html>

the new Halton Courthouse Project focused on ensuring the new structure met these needs, including focusing on tools and services for individuals with special needs; the unique needs of the indigenous community; and the needs of families with children. Inclusivity is a key feature of modern justice.

For example, the President of the Halton County Law Association has criticized existing court facilities for having limited capability to host indigenous healing circles or host *Gladue* proceedings.³⁴ These indigenous focused proceedings have become integral components of the justice system and it is inexcusable that Halton Region does not have sufficient facilities to properly carry them out.

All the key stakeholders were completely shocked with the Province's decision to cancel the Halton Courthouse Project and many have expressed their opposition publicly:

- The President of the Halton County Law Association, Ken Kelertas, said “words cannot express our disappointment” in his letter to the Attorney General of Ontario dated May 11, 2020³⁵
- The President of Ontario General Contractors Association, Clive Thurston, said “It is beyond belief.....this is shocking. They were ready to break ground the first week of June.”³⁶
- The mayors of the four municipalities that comprise Halton Region — Burlington, Oakville, Milton and Halton Hills, Mayor Marianne Meed Ward, Mayor Rob Burton, Mayor Gordon Krantz and Mayor Rick Bonnette, said in a letter to the Province of Ontario that “the administration of justice is not where to make cuts, as this is a foundational pillar of democracy.”³⁷
- In IUOE, Local 793’s news release Business Manager Mike Gallagher noted that the “cancellation will only begin to undermine confidence in the province’s infrastructure program at a time when the government wants to get the economy going”. On the issue of virtual justice, Mike Gallagher stated that “It is unfathomable that the Attorney General’s office would cancel the hundreds of jobs needed and a project two years in the planning with the absolutely ridiculous notion that “virtual justice” could replace the real justice that courtrooms with juries, judges and the legal profession bring to ensure that justice is not denied.”³⁸
- Mark Ellerker, Business Manager of the Hamilton-Brantford Building and Construction Trades Council noted in their news release that the Council “strongly believes that the local economy needs the Halton Consolidated

³⁴ Ken Kelertas, President, Halton County Law Association, Letter to the Honourable Doug Downey dated May 11, 2020, Appendix B

³⁵ Ken Kelertas, President, Halton County Law Association, Letter to the Honourable Doug Downey dated May 11, 2020, Appendix B

³⁶ <https://canada.constructconnect.com/dcn/news/infrastructure/2020/05/constructors-shocked-by-cancellation-of-300m-halton-courthouse-project>

³⁷ Letter from Halton Region mayors to Premier Doug Ford and Attorney General Doug Downey dated May 13, 2020, Appendix B

³⁸ <https://www.newswire.ca/news-releases/successfully-reopening-the-economy-means-spending-not-slashing-891254843.html>

Provincial Courthouse project approved by the Ontario Government in order to help sustain local jobs for workers and businesses at a time of great uncertainty”³⁹

- Mayor of the Town of Oakville, Rob Burton wrote in his news release that “Our community was looking forward to both an improvement in access to justice and for the economic stimulus and growth the project promised.”⁴⁰
- The Business Manager of the Provincial Building & Construction Trades Council of Ontario, Patrick J. Dillon has stated that “Under difficult circumstances, the Building Trades and construction contractor community, at a pretty high risk to themselves, supported the government’s decision to keep the construction industry open in an economy that is hurting. Every economist that we have read has recommended public infrastructure investments to strengthen the economy. We find it strange that the government would pull funding from its biggest infrastructure project, and we would urge the government to reconsider its decision.”
- In a letter of support, Executive Secretary Treasurer James Barry noted that “The economic recovery of the Province of Ontario is and will be in critical need of shovel-ready infrastructure projects like the Halton Consolidated Courthouse. The cancellation of this large-scale courthouse will very likely lead to further job loss for Ontarian’s.”⁴¹
- In a letter to Premier Ford, Brad Park, President and CEO of the United Way Halton & Hamilton wrote of the Halton Courthouse Project that “by creating opportunities to introduce new workers from disadvantaged communities, women and newcomers to Canada to careers in the skilled trades, Halton Region would have seen significant benefits beyond those of economic growth.”⁴²
- In a resolution passed by the Regional Municipality of Halton, the Regional Council unanimously approved a resolution calling upon the “Province of Ontario to postpone rather than cancel the Halton Consolidated Courthouse project so it will be ready to go as a federal-provincial infrastructure stimulus project as we continue to reopen and reinvigorate our economy.”⁴³
- The President of the Council of Ontario Construction Associations, Ian Cunningham commented that “The Halton Regional Consolidated Courthouse project is about as shovel ready as they come. The construction of this key piece of public infrastructure, if allowed to proceed, will provide an immediate injection of liquidity into our economy that will help lift us out of recession and get moving again.”

39 <https://www.globenewswire.com/news-release/2020/05/11/2031495/0/en/Hamilton-Brantford-Building-Trades-Deeply-Concerned-About-Courthouse-Project-Cancellation.html>

40 See attached News Release at Appendix B

41 See attached Letter at Appendix B

42 See attached Letter to Premier Ford at Appendix B

43 See attached a copy of the Resolution attached at Appendix B

- The Ontario Pipe Trades Council's Business Manager Jim Hogarth noted that "The unfortunate decision to cancel the Halton Region Consolidated Courthouse project came at a very delicate moment in our economy with the escalating COVID-19 pandemic bringing a great deal of uncertainty. The government should revisit its decision with a view to moving forward in building this important infrastructure asset that will serve the Halton community for decades to come, while providing employment, training, and apprenticeship opportunities for construction workers in the region."
- NDP Finance Critic Sandy Shaw said of the decision that "We're going to need the biggest economic recovery strategy that we could even imagine in our lifetime coming out of the pandemic. And infrastructure is to play a key role in this."⁴⁴
- Green Party Leader Mike Schreiner said: "paying the bill for COVID-19 should not mean that we scrap these important municipal infrastructure projects."⁴⁵
- Ontario Bar Association President Colin Stevenson said "In addition to developing innovative ways to deliver justice, it is also crucial that, where courthouse space is necessary, there is safe space able to serve the needs of justice in the region"⁴⁶
- The Honourable Geoffrey B. Morawetz acknowledged that the cancellation of the Halton Consolidated Courthouse Project is an access to justice issue and underscores the overall lack of functional courtrooms in the Central West Region.⁴⁷
- Halton Police Chief Stephen Tanner commented that "for many years it has been clearly illustrated and proven to all levels of government that the main court facility for Halton Region (in Milton) has been completely inadequate and in fact dangerous."⁴⁸
- Halton Regional Chair Gary Carr referenced passing a resolution "calling on the Province of Ontario to postpone, rather than cancel, the project and use the project to aid economic recovery and further job creation in the Region."⁴⁹

The Halton Courthouse Project is supported by all key stakeholders, and particularly by those who work in and regularly use the existing facilities. The decision by the Province to cancel the project, without formal consultation of any stakeholder, has been met with shock, disappointment, and fierce opposition. The Province should listen to the key stakeholders in the Project and give Halton Region the courthouse it so desperately needs and deserves.

⁴⁴ <https://toronto.ctvnews.ca/ontario-government-cancels-plan-to-build-new-courthouse-in-halton-region-1.4948444?cache=szcuxcmsiqb%3FclipId%3D89925>

⁴⁵ <https://toronto.ctvnews.ca/ontario-government-cancels-plan-to-build-new-courthouse-in-halton-region-1.4948444?cache=szcuxcmsiqb%3FclipId%3D89925>

⁴⁶ <https://www.thelawyersdaily.ca/articles/19154/lawyers-express-frustration-over-cancellation-of-new-courthouse-for-halton-region>

⁴⁷ <http://www.burlingtongazette.ca/region-hopes-to-convince-the-province-to-defer-the-construction-of-a-new-court-house-rather-than-cancel-it/>

⁴⁸ <https://www.insidehalton.com/news-story/9993905--it-is-foolish-halton-police-chief-weighs-in-on-doug-ford-government-s-decision-to-cancel-oakville-courthouse-project/>

⁴⁹ See attached letter at Appendix B

The Bottom Line

The problems plaguing the Halton Region justice system are severe and numerous. There are two issues at the root of all of these problems: crumbling facilities and a lack of physical space. These are not issues that can be addressed by introducing virtual justice, adding some new technology or modernizing existing processes. They require the construction of new facilities.

Half measures and band-aid solutions will not fix the problems. In his letter to the Attorney General dated May 11, 2020, Ken Kelertas, President of the Halton County Law Association, stated that, "Given the age and physical condition of the buildings and the limited footprint of the properties that they sit on, no plan to renovate or expand these two facilities will address these issues. Having been privy to prior technical studies to "fix" the existing Halton courthouses, we suggest to you that any attempt to transform either site into an efficient hub of justice is sheer folly." We are in complete agreement with this statement.

The Halton Region justice system has been neglected by the province for decades. The situation is completely untenable and is quickly approaching disaster. The absolute necessity for a new, consolidated regional courthouse is universally recognized. The province must immediately reverse its wrong and short-sighted decision to cancel construction of the Halton Courthouse Project.

B) Public Infrastructure Investment is Key to Economic Recovery from COVID-19

1) Infrastructure investment is the key to economic recovery

We recognize that Ontario is responsible for balancing its budget and that the COVID-19 pandemic has created significant financial challenges for the province in this respect. However, the key to putting Ontario's economy back on track is through public investment in the economy and infrastructure, not through tightening our financial waist belt. Shovel-ready infrastructure projects will provide immediate employment opportunities and an instant injection of capital into the economy while at the same time addressing the Province's need for infrastructure.

Canada's Building Trades Unions have submitted a comprehensive brief to the federal government asking for immediate priority for federal investment in shovel-ready infrastructure. It is part of their proposed five-pillar plan for economic recovery in the post-COVID-19 era. Their brief titled "A Canadian New Deal for COVID-19 Recovery" is attached (Appendix C).

We fully agree that investing in critical infrastructure like the Halton Courthouse Project must be done to "future proof" our communities and make improvements in areas where they are falling behind. In Halton Region, proper and timely access to justice is a significant problem that will be improved with the construction of a new courthouse.

Investing in infrastructure provides Ontario an opportunity to utilize our highly skilled and trained workforce to build necessary infrastructure that will have immediate and long-term benefits for communities. These kinds of projects often include a community benefit component as well as provide an ideal place for apprentices to gain much needed hours to ensure our skilled workforce needs are met in the coming years.⁵⁰

Investment in new infrastructure should be the central component of any plan for recovery from the economic damage caused by COVID-19. Cancellation of new infrastructure or significant delays will only slow our economic recovery and increase the cost for future generations of Ontarians.

2) Public infrastructure investments increase GDP and employment

Public infrastructure investment provides an immediate boost to economic activity and has a long-term productive value. Investment in the construction of these projects during an economic downturn immediately puts money into the pockets of the local economy. Construction represents 7.4% of Canadian GDP. More than 1.4 million men and women have jobs in a variety of construction trades and professions, representing 1 out of 13 jobs in Canada. For every \$1 spent on construction investments, another \$3 is generated for the local economy.

Investments in public infrastructure result in significant economic and employment benefits. A Broadbent Institute study on the economic benefits of public infrastructure investment in Canada found that in the short term, GDP rises \$1.43 per dollar of spending, 9.4 jobs are generated per million dollars spent, and \$0.44 of each dollar spent by the government is recovered in additional tax revenue.⁵¹

According to the Government of Ontario's own research, investment in government administration infrastructure, which includes projects like the Halton Courthouse Project, increase the value of private investment in the economy by \$6.98 for every \$1.00 spent and leads to an increase in provincial GDP by \$0.16 for every \$1.00 spent. Increasing investment in government administration infrastructure also has the spin off effect of leading to greater private investment, an increase in the amount of capital available in the economy and an overall increase in public sector production.⁵²

This increase in domestic economic activity is particularly important during the Province's economic recovery from COVID-19 when it is expected that economic growth will be slow and there will be external risks to our economy such as low oil prices, uncertain markets for our oil and gas, and concerns with crisis in Europe and uncertainty in the United States.⁵³

⁵⁰ "A Canadian New Deal for COVID-19 Recovery" by Canada's Building Trades Unions, May 1, 2020, Appendix C.

⁵¹ http://www.mhca.mb.ca/wp-content/uploads/2010/11/The_Economic_Benefits_of_Public_Infrastructure_Spending_in_Canada.pdf

⁵² <https://www.ontario.ca/page/economic-impact-infrastructure-investments-across-asset-categories-ontario#section-2>

⁵³ <https://www.fraserinstitute.org/sites/default/files/fiscal-policy-and-recessions-role-of-public-infrastructure-spending.pdf>

The Federal government and provinces including Saskatchewan and Manitoba have all identified infrastructure investments as key elements of their respective plans to rebuild the economy after COVID-19 and have announced specific plans for investment.⁵⁴

The cancellation of multiple projects will undermine confidence in the province's infrastructure program and cause market participants to exit. This will only serve to bring necessary provincial infrastructure to a grinding halt. Pension plans are some of the biggest investors in these projects, including the shovel-ready Halton Courthouse Project. The IUOE Local 793 Pension Fund, the Labourers' Pension Fund of Central and Eastern Canada, and the IBEW Pension Fund were all invested in and supported the development of the Halton Courthouse Project. It is likely that all three Pension Funds have been negatively impacted by the COVID-19 pandemic. Robust pension plans primarily support the middle class. Strengthening the middle class is key to economic recovery from the COVID-19 recession and cancelling the Halton Courthouse Project only results in a significant lost opportunity to immediately assist the middle class and kick-start the economy.

By cancelling construction of the Halton Courthouse Project, the province is foregoing all of the above economic benefits both to the Pension Plans and to the local economy at a time when they are desperately needed as the province seeks to re-open and recover from the COVID-19 pandemic. Local politicians are decrying the impact cancelling construction will have on their local economies.

Mayor of Oakville Rob Burton, has said that "It would be unfortunate for the recovery of the Halton and Oakville economy for the province to completely cancel the shovel-ready Halton Region Consolidated Courthouse project....our community was looking forward to both an improvement in access to justice and for the economic stimulus and growth the project promised...The loss of creation of 600 jobs will harm our local recovery from the pandemic's disruption of our lives and our businesses. The costs of cancelling the new courthouse will further reduce the government's ability to promote economic stimulus and recovery."⁵⁵

We fully agree with Mayor Burton. There is no question that this cancellation will slow down economic recovery from COVID-19.

3) A Community Benefits Agreement would multiply the economic benefits of the Project without increasing its cost

By cancelling the Halton Courthouse Project, the Province is foregoing an immediate opportunity to expand the benefits of its infrastructure investments through use of a Community Benefits Agreement ("CBA").

⁵⁴ <https://regina.ctvnews.ca/sask-increases-infrastructure-investment-by-2b-to-aid-economic-recovery-1.4927863>;

<https://news.gov.mb.ca/news/index.html?item=47957&posted=2020-05-07>;

<https://canada.constructconnect.com/joc/news/associations/2020/05/b-c-construction-leaders-back-federal-covid-19-infrastructure-stream>

⁵⁵ <https://www.thespec.com/news/hamilton-region/2020/05/12/province-cancels-plans-to-build-new-state-of-the-art-courthouse-in-oakville.html>

CBA's are a vehicle for maximizing the social benefits of public infrastructure investments. These benefits often include local job creation; prioritizing training and apprenticeship opportunities for groups that are traditionally disadvantaged in the labour market; social procurement to purchase goods and services from local businesses or social enterprises; improvements to public spaces; or any other benefit identified by the community. CBA's offer a way for governments to pursue important public policy objectives and effectively multiply the impact of their spending without increasing the cost of a project.

The Halton Courthouse Project was selected by Infrastructure Ontario as a CBA Pilot Project. Over the last year, the United Way Hamilton & Halton supported the Halton Community Benefits Network, through the Halton Poverty Roundtable, to conduct extensive consultations with stakeholders and community members in preparation for the Halton Courthouse Project. These consultations revealed strong support for the Project and excitement and enthusiasm for the benefits of a CBA. Business, labour and the non-profit sector are ready to seize this opportunity and are eager to work in partnership with the successful proponent to put a CBA to work.

Brad Park, President and CEO of United Way Halton & Hamilton, wrote to Premier Ford about the work they had been doing in preparing for the Halton Courthouse Project: "over the last six months as we have conducted community consultations in preparation for the build, it was clear that our partners in business, labour and the non-profit sector were ready to seize this opportunity and were eager to work in partnership with the proponent to explore a path forward. The UWHH is committed to advocating for the role of CBA's and of social procurement in general, especially as COVID-19 threatens to ravage the economic foundation of the community. Infrastructure spending is a proven method for stimulating the economy and introducing an equity lenses and addressing barriers to employment would allow the government to simultaneously address post pandemic recovery, encourage and support individuals to enter the work force, and address structural inequalities that prevent marginalized groups from fully participating in society."

As the Province attempts to recover from the pandemic, it should be maximizing the benefit and impact of every infrastructure dollar spent. The \$500 million Halton Courthouse Project offers the Province a ready-made opportunity to do so by exploring and exploiting the benefits of a CBA. By establishing local hiring standards employment opportunities can be provided to community members laid-off due to the pandemic. Social procurement standards can assist in the recovery of local businesses who have been affected by the recession. Environmental, labour, and safety standards ensure that our recovery from COVID-19 is a just one.

In addition to providing immediate social and economic benefits, CBA's ensure that public infrastructure projects create lasting impacts in the community. In particular, by creating training, apprenticeship, and employment opportunities in the skilled trades for workers from disadvantaged communities, CBA's can provide a legacy of experience and employability workers can benefit from for life.

The Halton Courthouse Project, as an Infrastructure Ontario CBA Pilot Project, provides the province with a truly unique and ideal opportunity to maximize economic and social benefits of its infrastructure spending and kick-start the recovery from COVID-19. Rejecting this opportunity with no alternative plan is a disservice to the community of Halton Region and the people of Ontario.

4) The costs of cancelling infrastructure projects are substantial

There are significant costs associated with cancelling public infrastructure projects.

In 2013, Ontario's Auditor General determined that the total bill for cancelling the Oakville gas plant could have reached as high as \$1.1 billion.⁵⁶ We expected the government would have learned a lesson from this catastrophe.⁵⁷ This project demonstrated to the government that there could be significant unintentional costs when major infrastructure projects are cancelled.

The Halton Courthouse Project has gone through years of planning and investment and is currently in a shovel-ready state. The sudden nature of the Ministry of the Attorney General's decision to cancel the project at such a late stage in the procurement process will undoubtedly result in significant costs incurred by the province with absolutely no return on that investment. Lands have been purchased for the project; several phases of environmental studies have been concluded, and technical, architectural, legal, financial, and procurement advisors have been hired and have worked for over 3 years. Furthermore, costs incurred by proponents over the last several months will now be payable by Ontario. Cancelling the project at this stage would be committing exactly the same sort of short-sighted error the government committed when cancelling the Oakville gas plant. We implore the government to learn from past mistakes.

⁵⁶ <https://torontosun.com/2013/10/08/oakville-gas-plant-cancellation-cost-11-billion/wcm/fa3ad27f-cd99-40cc-8bf4-4d285e9c7682>

⁵⁷ <https://torontosun.com/2013/10/08/oakville-gas-plant-cancellation-cost-11-billion/wcm/fa3ad27f-cd99-40cc-8bf4-4d285e9c7682>

Conclusion

We call on the Government of Ontario to immediately reverse its decision to cancel construction of the Halton Courthouse Project. Ontario's reopening during the COVID-19 pandemic must include construction of desperately needed shovel-ready infrastructure projects like the Halton Courthouse Project. Put simply, infrastructure spending is a proven method for stimulating the economy and right now this must be a priority for the Government of Ontario. The fact that the Halton Courthouse Project had a large community benefit component, which would encourage and support individuals entering the workforce and address some of the structural inequalities that prevent marginalized groups from fully participating in society, enhances the economic benefit this type of project will bring to the region.

The current courthouses are inadequate, unsafe and unable to address the concerns of the people of Halton Region. The Halton Courthouse Project is absolutely necessary both to address the crisis in Halton Region's long neglected justice system and to kick-start the battered Ontario economy. For these reasons, construction of the Halton Courthouse Project must move forward as originally scheduled.

APPENDIX A – COALITION PARTNERS

1. International Union of Operating Engineers, Local 793 – Business Manager Mike Gallagher

The International Union of Operating Engineers, Local 793 is a progressive trade union that proudly represents more than 16,000 crane operators, heavy equipment operators, mine workers and industrial employees in Ontario and Nunavut.

2. Hamilton-Brantford Building and Construction Trades Council – Business Manager Mark Ellerker

The Hamilton-Brantford Building & Construction Trades Council is an affiliation of trade union locals to the Hamilton and Brantford area who work together with local union contractors to build and work on construction projects.

3. Halton County Law Association – President Ken Kelertas

The Halton County Law Association is a non-profit corporation with a membership consisting of approximately 200 licensed lawyers who practice in Halton County and the surrounding areas. The purpose of the association is to promote the social, professional, and economic interests of its members, and to administer the facilities of the Association including the Law Library, Barrister Lounge and Robing Rooms.

4. Halton Community Benefits Network (HCBN) – Tyler Moon

The HCBN acts as the community knowledge leader and point of contact for the implementation of Community Benefit Agreements in Halton Region. This group convenes a network of engaged citizens, interested businesses, connected non-profits, as well as individuals with lived experience and collectively engages with local, regional, provincial and federal partners on the implementation of Community Benefit Agreements on large infrastructure projects in the community.

5. Provincial Building & Construction Trades Council of Ontario – Business Manager Patrick J. Dillon

The Provincial Building and Construction Trades Council of Ontario is an organization that represents 12 craft unions in the construction sector, totaling 150,000 workers throughout the province. Their mission is to give construction workers a collective voice in the workplace, to help ensure that workers are well-trained to meet industry needs, and to promote healthy and safe work conditions with decent wages, pensions and benefits.

6. International Brotherhood of Electrical Workers Construction - Council of Ontario (IBEW-CCO) – Executive Secretary-Treasurer James Barry

The IBEW-CCO represents 11 IBEW Locals across Ontario. It serves over 18,000 men and women working in the varied electrical sectors: industrial, commercial and institutional (ICI), maintenance, residential, communications, power transmission, and renewable energy/solar.

7. Ontario Pipe Trades Council (OPTC) – Business Manager Jim Hogarth

The Mission of the Ontario Pipe Trades Council (OPTC) is to promote the many technical, commercial and environmental benefits of the Pipe Trades and maximize their use in the construction industry. The objective of the OPTC is to promote the interest of the Plumbing, Steamfitting, Welding, Sprinkler Fitting, Refrigeration and HVAC industry in the province of Ontario.

8. Council of Ontario Construction Associations (COCA) – President Ian Cunningham

The Council of Ontario Construction Associations (COCA) is a federation of construction associations; the largest and most representative group of ICI and heavy civil construction employers in Ontario. Their member organizations represent more than 10,000 construction businesses and more than 400,000 employees. COCA brings the concerns of its members to the attention of Queen's Park and is committed to working with the government to ensure that Ontario's legislative landscape is one in which the construction industry can grow and prosper.

9. Regional Municipality of Halton – Halton Regional Chair Gary Carr

The Regional Municipality of Halton is composed of the four municipalities of Halton Region: the city of Burlington and the towns of Oakville, Milton, and Halton Hills. It is governed by a Regional Council which consists of an elected Chairman, the mayors of the local municipalities, and regional councilors elected by wards from the local municipalities.

10. Town of Oakville – Mayor Rob Burton

A vibrant and impressive community within the Greater Toronto Area (GTA), the Town of Oakville is a beautiful lakeside town with a strong heritage, preserved and celebrated by residents and visitors alike. Founded in 1857, this striking town has become one of the most coveted residential and business centres in Ontario. Oakville's strong and diversified economic base offers an excellent location for both new and expanding businesses.

11. United Way Halton & Hamilton – President and CEO, Brad Park

The United Way is engaged in nearly 1,800 communities across more than 40 countries and territories worldwide. The United Way is focused on creating community-based and community-led solutions that strengthen the cornerstones for a good quality of life: education, financial stability and health. United Way Halton & Hamilton has a long history of supporting the elimination of poverty in Halton Region and Hamilton by investing in a wide range of programs that target career building, mental health supports, and afterschool programming.

12. Oakville and District Labour Council – President Maureen Weinberger

The Oakville and District Labour Council is a labour council directly chartered by the Canadian Labour Congress (CLC) to help local unions and the CLC carry out policies in the community. It is made up of members of the labour community located within the district.

APPENDIX B – BROAD OPPOSITION TO THE GOVERNMENT’S DECISION TO CANCEL THE HALTON COURTHOUSE PROJECT

A) News Releases:

1. News Release from International Union of Operating Engineers, Local 793 dated May 12, 2020
2. News Release from the Office of Rob Burton, Mayor Town of Oakville dated May 11, 2020
3. News Release from Hamilton-Brantford Building and Construction Trades Council dated May 11, 2020

B) Letters:

1. Letter from Ken Kelertas, President of the Halton County Law Association to the Honourable Doug Downey dated May 11, 2020
2. Letter from Halton Region mayors to Premier Doug Ford and Attorney General Doug Downey dated May 13, 2020
3. Letter from the United Way Halton & Hamilton to Premier Doug Ford dated May 21, 2020
4. Letter from Gary Carr, Halton Regional Chair, Regional Municipality of Halton dated May 28, 2020
5. Letter from James Barry, Executive Secretary-Treasurer of IBEW - Construction Council of Ontario dated May 28, 2020

C) Resolutions:

1. Resolution Passed by the Regional Municipality of Halton Opposing the Decision of the Government of Ontario dated May 20, 2020

D) Statements of Opposition:

1. Ontario General Contractors Association President Clive Thurston,
<https://canada.constructconnect.com/dcn/news/associations/2020/05/cancellation-of-halton-courthouse-project-sends-negative-message-say-stakeholders>
2. NDP Finance Critic Sandy Shaw and Green party Leader Mike Schreiner,
<https://toronto.ctvnews.ca/ontario-government-cancels-plan-to-build-new-courthouse-in-halton-region-1.4948444?cache=szcuxcmsigb%3FclipId%3D89925>
3. Ontario Bar Association President Colin Stevenson,
<https://www.thelawyersdaily.ca/articles/19154/lawyers-express-frustration-over-cancellation-of-new-courthouse-for-halton-region>
4. The Honourable Geoffrey B. Morawetz, Chief Justice of the Superior Court of Justice,
<http://www.burlingtongazette.ca/region-hopes-to-convince-the-province-to-defer-the-construction-of-a-new-court-house-rather-than-cancel-it/>

5. Halton Police Chief Stephen Tanner, <https://www.insidehalton.com/news-story/9993905--it-is-foolish-halton-police-chief-weighs-in-on-doug-ford-government-s-decision-to-cancel-oakville-courthouse-project/>

News Release

For Immediate Release
May 12, 2020

SUCCESSFULLY REOPENING THE ECONOMY MEANS SPENDING NOT SLASHING

OAKVILLE – Local 793 of the International Union of Operating Engineers, one of Ontario's largest construction unions, is extremely disappointed with the Ontario Government's wrongful decision to cancel the procurement for the Halton Region Consolidated Courthouse project and asks that the decision be reversed.

"IUOE Local 793 calls on the Ford Government to reconsider the project right away and invest in the infrastructure and jobs that are a vitally needed shot-in-the-arm stimulus for our economy," Local 793 Business Manager Mike Gallagher said.

Scheduled to begin construction in early June, the shovel-ready project would have an immediate beneficial impact by creating jobs and stimulating the province's economy during the COVID-19 pandemic.

"One could, in the face of uncertainty, find some hope that our government could agree that projects like the \$500 million-plus Halton Courthouse would not only realize all political party recognition of the need for justice facilities in one of the fastest growing communities in Canada, but which timing is perfect to help get jobs moving again," Gallagher said.

He stated that the cancellation will only begin to undermine confidence in the province's infrastructure program at a time when the government wants to get the economy going.

"Canada and Ontario are not some backwater jurisdiction that replaces years of planning and a job rendering process with knee-jerk decisions that make us appear to be so unreliable that no contractors could waste their time and energy on bidding jobs here," Gallagher warned.

The decades-old Milton courthouse has been facing challenges for years. Progressive Conservative MPP Ted Arnott delivered a message in the Ontario Legislature in 2015, stating it was time for the government to commit to building a new Halton courthouse. "The current Halton Courthouse is aging, overcrowded, unsafe, and inadequate to meet the needs of our rapidly growing region."

Ontario Superior Court Justice Peter Daley said on November 19, 2018: "In excess of \$2 million has been spent on mould remediation at the Milton Courthouse thus far, with an additional \$600,000 forecasted to be spent on further mould remediation."

Building a new courthouse is an expensive endeavor but given the age and physical condition of the Milton courthouse, no plan to renovate or expand the facility will address these issues.

News Release

The provincial government said it will direct its resources for the courthouse project toward developing ways of delivering justice remotely and online, which will raise concerns over privacy and transparency.

"It is unfathomable that the Attorney General's office would cancel the hundreds of jobs needed and a project two years in the planning with the absolutely ridiculous notion that 'virtual justice' could replace the real justice that courtrooms with juries, judges and the legal profession bring to ensure that justice is not denied," Gallagher concluded.

Local 793 of the International Union of Operating Engineers represents nearly 15,000 highly-skilled crane and heavy equipment operators across Ontario and Nunavut. The union has a head office, banquet hall and training campus in Oakville, and another training campus in Morrisburg, Ontario. Canadian locals of the International Union of Operating Engineers represent more than 50,000 operators and have hundreds of millions of dollars invested in equipment at training centres across the country.

For additional information contact:

Local 793 Business Manager Mike Gallagher
905-469-9299, ext. 2202

News Release

Office of the Mayor



OAKVILLE

Mayor Burton's Statement on the Province's decision to cancel the Halton Region Consolidated Courthouse project

STATEMENT:

I urge the government to change its decision to cancel this project. Rather, I suggest that the province merely postpone the project so it would be ready to go as a federal-provincial infrastructure stimulus project as we continue to reopen and reinvigorate our economy.

It would be unfortunate for the recovery of the Halton and Oakville economy for the Province to completely cancel the shovel-ready Halton Region Consolidated Courthouse project.

Why throw away all the time and work accomplished already to get the project ready to build?

Our community was looking forward to for both an improvement in access to justice and for the economic stimulus and growth the project promised.

The existing Milton and Burlington courthouses are chronically dysfunctional. The new Halton Courthouse would have lowered barriers to justice through a modern and state-of-the-art facility.

The loss of creation of 600 jobs will harm our local recovery from the pandemic's disruption of our lives and our businesses.

The costs of cancelling the new courthouse will further reduce the government's ability to promote economic stimulus and recovery.

Given how much the current government disliked the cancellation costs for the gas plants in Mississauga and Oakville, it must have been a difficult decision to cancel the courthouse project. Turning cancellation into postponement would avoid making the same mistake.

-30-

For more information contact:

Christine Davis

Community Engagement and Communications Coordinator

Office of the Mayor and Council

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8

Hamilton-Brantford Building Trades Deeply Concerned About Courthouse Project Cancellation

f t in G+ p @ Email Print Friendly Share

May 11, 2020 16:38 ET | Source: Hamilton-Brantford Building Trades

HAMILTON, Ontario, May 11, 2020 (GLOBE NEWSWIRE) – The Hamilton-Brantford Building and Construction Trades Council is very disappointed that the Ontario Government has decided to cancel building the Halton Consolidated Provincial Courthouse P3 Project.

The news comes as a real surprise to the HBBT Council, since the project was planned to be awarded this spring and was already scheduled to start construction in late 2020. The construction costs of the project were estimated to be close to \$500 million while millions of dollars have already been spent to move this project to market over the past couple of years.

This would be the second substantial public infrastructure project cancelled in the region in the past few months, following the cancellation of the \$1 Billion Hamilton LRT Project. Taken together, these cancellations have generated real concerns among the local construction workforce being able to get back to work after the COVID-19 pandemic.

"If the region is losing almost \$1.5 Billion in direct public infrastructure investments, there is a real fear that the local economy will fall into further recession in the midst of the COVID-19 crisis," said Mark Ellerker, Business Manager and Financial Secretary-Treasurer of the Hamilton-Brantford Building and Construction Trades Council.

"It also means that the Ontario Government is sending a mixed message about restarting the local economy for workers and local businesses after the COVID-19 outbreak," noted Ellerker. "When we hear about the local economy losing \$1.5 Billion in direct construction investment, that is only part of the story. When we factor in that every \$1 spent directly on construction locally generates another \$3 for the local economy, the lost opportunities will be devastating for our community."

"Losing these two local projects amounts to the region actually losing \$4 billion in local investments. These are big losses for the community that is already dealing with the consequences of COVID-19," warned Ellerker.

"The Hamilton-Brantford Building and Construction Trades Council strongly believes that the local economy needs the Halton Consolidated Provincial Courthouse project approved by the Ontario Government in order to help sustain local jobs for workers and businesses at a time of great uncertainty," he concluded.

For more information contact:

Mark Ellerker

Business Manager

Hamilton-Brantford Building and Construction Trades Council

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Halton County Law Association

491 Steeles Avenue East
Milton, Ontario L9T 1Y7

May 11, 2020

The Honourable Doug Downey
Attorney General of Ontario
McMurtry-Scott Building
720 Bay Street, 11th floor
Toronto, Ontario
M7A 2S9

Dear Sir:

Re: Cancellation of Halton Region Consolidated Courthouse Project

As President of the Halton County Law Association, I am writing to you on behalf of our membership and the broader community that our members represent.

Last Friday afternoon, we were shocked to learn that you had decided to cancel the Halton Region Consolidated Courthouse Project. Words cannot express our disappointment.

We were assured by you as recently as February 20th that the announcement of a successful proponent for the construction of the new courthouse could be expected this spring. Instead, after countless years of lobbying, negotiation and planning by our Association and our partners in the justice sector in Halton Region to replace the wholly inadequate Milton and Burlington courthouses, we find ourselves blindsided by your decision. We were given no prior notice of your public announcement, and no opportunity to engage with you or your staff to canvass alternatives to a full cancellation of the project.

While the COVID-19 pandemic has exposed many of the structural flaws in our justice system, this is not a valid reason for cancelling this project outright. Halton is in dire need of modern infrastructure through which the citizens of Halton can obtain meaningful access to justice. Halton is one of the fastest growing regions in the province and our courts have been hard pressed to keep up with that growth.

As you know, the existing Milton and Burlington courthouses are chronically dysfunctional:

- There is an inadequate number of courtrooms in the Region to address demand;
- None of our courtrooms can accommodate complex multiple party proceedings;
- Only two courtrooms in Milton can accommodate jury trials;

- A history of mould and the use of asbestos in the walls and ceilings in the Milton Courthouse has physically prevented attempts to provide access to new technologies that could allow for remote hearings;
- There is no dedicated jury room in Milton;
- There are significant concerns regarding court security:
 - Holding cells in the both facilities are wholly inadequate and potentially dangerous.
 - Transport, housing and movement of in-custody defendants is of particular concern.
 - Judicial access to some courtrooms is through public hallways and stairwells.
 - Access between the third floor courtrooms in Milton can only be achieved through the basement.
- Growth in Halton Region has rendered both criminal and family first appearance courts inadequate to accommodate demand;
- There is limited capability to host Indigenous healing circles or *Gladue* proceedings;
- There is inadequate meeting space in either courthouse
 - Very little privacy for lawyers and justice agencies to meet with their clients
 - No meetings rooms in the Burlington Courthouse for defence counsel to meet with clients
- Space for Court Services is cramped and inadequate for the volume of filings and other business that is conducted at the counters;
- Traversing criminal matters between the two courthouses is virtually impossible, leading to delays;
- No direct public transit between the Milton and Burlington courthouses; and
- Inadequate public parking at both courthouses.

Given the age and physical condition of the buildings and the limited footprint of the properties that they sit on, no plan to renovate or expand these two facilities will address these issues. Having been privy to prior technical studies to “fix” the Halton courthouses, we suggest to you that any attempt to transform either site into an efficient hub of justice is sheer folly.

We fully appreciate the strain that the COVID-19 pandemic has placed on the province’s treasury. We also understand that funding our health care sector and the economic recovery of our province is rightly your government’s current priority. We also agree with you that there is an urgent need to invest in innovative technology to modernize our justice system. However, we suggest that a failure to ensure that the justice system in Halton is nimble enough to support not just transformation but also the ongoing needs of our residents until that transformation is complete will surely result in a collapse of that system - a collapse that is foreseeable to those who practice law in Halton.

We therefore ask that you re-consider your decision. We suggest that the Halton courthouse project be revived to allow us and our other justice sector partners in Halton to work with you to revise the project design to better accommodate current and future demand for services and emerging technologies, and to help you address any possible financial restrictions that may delay the project going forward.

Our membership looks forward to working with you.

Yours truly,


Ken Kelertas

President, Halton County Law Association
905-825-4823

cc The Honourable George R. Strathy, Chief Justice of Ontario
 The Honourable Geoffrey B. Morawetz, Chief Justice of the Superior Court of Justice
 The Honourable Lise Maisonneuve, Chief Justice of the Ontario Court of Justice
 The Honourable Leonard Ricchetti, Regional Senior Judge for the Central West Region, Superior Court of Justice
 The Honourable Paul R. Currie, Regional Senior Justice for the Central West Region, Ontario Court of Justice
 The Honourable Kendra D. Coats, Local Administrative Justice, Superior Court of Justice, Milton
 The Honourable Doug Ford, Premier
 Ted Arnott, Speaker of the Legislature and MPP, Wellington-Halton Hills
 Effie Triantafilopoulos, MPP Oakville North-Burlington; Vice Chair, Standing Committee on Justice Policy
 Stephen Crawford, MPP Oakville
 Parm Gill, MPP Milton
 Jane McKenna, MPP Burlington
 Lindsey Park, MPP Durham; Parliamentary Assistant to the Attorney General
 Roman Baber, MPP York Centre; Chair, Standing Committee on Justice Policy
 Andrea Horwath, Leader of the Opposition
 Guratan Singh - Member, Standing Committee on Justice Policy
 Gary Carr, Chair, Halton Region
 Rob Burton, Mayor, Town of Oakville
 Marianne Meed Ward, Mayor, City of Burlington
 Gord Krantz, Mayor, Town of Milton
 Rick Bonnette, Mayor, Town of Halton Hills
 Stephen J. Tanner, Chief of Police, Halton Regional Police Service
 Mike Winward, Chair, Federation of Ontario Law Associations
 Malcolm M. Mercer, Treasurer, Law Society of Ontario



Premier Doug Ford
Legislative Building
Queen's Park
Toronto ON M7A 1A1

The Honourable Doug Downey
Attorney General of Ontario
McMurty Scott Building
720 Bay Street, 11th floor
Toronto, Ontario
M7A 2S9

May 13, 2020

Dear Premier Ford and Attorney General Downey,

We are writing to express our disappointment in the Province's decision to cancel construction of the Halton Region Consolidated Courthouse. While we recognize and understand the tremendous financial burden the COVID-19 relief efforts have put on Provincial and municipal finances, this construction project would help stimulate the economic recovery of Halton Region. The administration of justice is not where to make cuts, as this is a foundational pillar of democracy.

The design and construction of the new courthouse would have resulted in close to 600 jobs for our community, while the estimated \$200 to \$499 million in capital costs would have provided a tremendous economic stimulus for our Regional economy. At a time when we are all looking for ways to stimulate economic recovery, the Province will be left with the cancellation costs of this project, and no economic return.

The community has been awaiting construction of this courthouse facility for many years. The new facility would have brought the Superior Court of Justice and Ontario Court of Justice operations in Milton and Burlington together in one state of the art, accessible and efficient facility in Oakville.

The new building design included innovative technology features that would allow for video conferencing and closed-circuit television to enable children and other vulnerable individuals to appear before the

court from a private room, allowing the court to run more efficiently and help speed up the criminal justice system in Halton Region.

We support the request made to you by the Halton County Law Association and the Halton Regional Police Service to engage and discuss alternatives to the full cancellation of this important project.

We urge you to reconsider your decision and request instead only a postponement of this much needed facility.

Sincerely,

Mayor Marianne Meed
Ward
City of Burlington

Mayor Rob Burton
Town of Oakville

Mayor Rick Bonnette
Town of Halton Hills

Mayor Gord Krantz
Town of Milton

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Mayor's Chief of Staff
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Senior Manager, Strategic
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c.c.

Jane McKenna, MPP, Burlington

Effie Triantafilopoulos, MPP, Oakville North-Burlington

Parm Gill, MPP, Milton

AMO

Gary Carr, Halton Regional Chair

Halton Regional Councillors



May 21, 2020

The Honourable Doug Ford
Premier of Ontario
Queen's Park
Toronto, Ontario
M7A 2S9

RE: Cancellation of the Consolidated Halton Courthouse

Dear Premier Ford;

United Way Halton & Hamilton has a long history of supporting the elimination of poverty in our local community by investing in a wide range of programs that target career building, mental health supports, and afterschool programming. The research is clear, that in order to break the intergenerational cycle of poverty, pathways towards employment for historically disadvantaged and equity seeking groups are crucial.

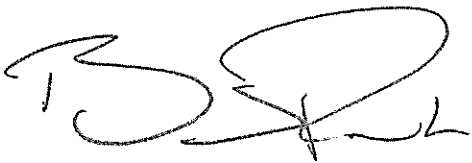
As such, UWHH has been excited to support the global movement to include Community Benefit Agreements (CBA) into infrastructure and public procurement. Community benefits initiatives provide a key opportunity to maximize the benefits from public infrastructure investments by fostering a more equitable and inclusive society. These benefits can include local job creation and training opportunities for those disadvantaged in the labour market; social procurement to purchase goods and services from local businesses or social enterprises; improvements to public spaces; or any other benefit identified by the community. CBA's can offer an opportunity to engage youths, newcomers, and historically disadvantaged and equity seeking populations in a range of quality job opportunities as part of a large infrastructure investment. Community benefits processes offer a way for government to multiply the impact of their spending without increasing the cost of a project.

Over the last year, UWHH has supported the Halton Community Benefits Network conduct extensive consultations through the Halton Poverty Roundtable (HPRT) in preparation for the Consolidated Halton Region Courthouse, which was selected as an Infrastructure Ontario (IO) CBA pilot project. This \$250-500 Million dollar project would have generated hundreds of local jobs and provide an historic opportunity to create meaningful jobs for the local community through targeted hiring and training opportunities which would lead to reducing poverty. By creating opportunities to introduce new workers from disadvantaged communities, women and newcomers to Canada to careers in the skilled trades, Halton Region would have seen significant benefits beyond those of economic growth.

Over the last six months as we have conducted community consultations in preparation for the build, it was clear that our partners in business, labour and the non-profit sector were ready to seize this opportunity and were eager to work in partnership with the proponent to explore a path forward. The UWHH is committed to advocating for the role of CBAs and of social procurement in general, especially as COVID-19 threatens to ravage the economic foundation of the community. Infrastructure spending is a proven method for stimulating the economy and introducing an equity lenses and addressing barriers to employment would allow the government to simultaneously address post pandemic recovery, encourage and support individuals to enter the work force, and address structural inequalities that prevent marginalized groups from fully participating in society.

As an organization, the UWHH strongly supports non-partisan, evidence-based ways for addressing issues such as poverty, social isolation, and mental health. CBAs are a powerful tool in the arsenal of public policy that have been deployed by governments around the world on every part of the political spectrum. COVID 19 is putting significant strains on budgets of all organizations and we hope that CBAs and social procurement will retain a place in the recovery toolbox.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Park', with a stylized, cursive script.

Brad Park,
President and CEO



Office of the Regional Chair
Halton Region
1151 Bronte Road
Oakville ON L6M 3L1

May 28, 2020

International Union of Operating Engineers (IUOE), Local 793
2245 Speers Road
Oakville, ON L6L 6X8

To whom it may concern,

I am writing to show Halton Region's support for the brief put forward by the International Union of Operating Engineers (IUOE) Local 793 entitled "Continuing the Halton Region Consolidated Courthouse Project: How this will Contribute to Ontario's Economic Recovery".

Council of The Regional Municipality of Halton passed the attached resolution at its meeting on May 20, 2020 calling on the Province of Ontario to postpone, rather than cancel, the project and use the project to aid economic recovery and further job creation in the Region.

I support IUOE Local 793's request calling on the Government of Ontario to reverse its decision to cancel the construction of this important project.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Carr".

Gary Carr
Halton Regional Chair



International Brotherhood of Electrical Workers Construction Council of Ontario

James Barry
Executive Secretary-Treasurer

Lorne Newick
President

John Bourke
Vice President

May 28, 2020

To whom it may concern,

Re: Continuing the Halton Region Consolidated Courthouse Project

I am writing on behalf of the International Brotherhood of Electrical Workers Construction Council of Ontario (IBEW CCO) to show our 100 per cent support for the brief presented by the International Union of Operating Engineers (IUOE) Local 793 entitled, "Continuing the Halton Region Consolidated Courthouse Project".

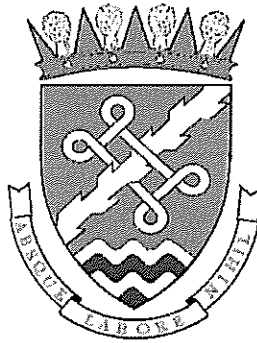
The economic recovery of the Province of Ontario is and will be in critical need of shovel-ready infrastructure projects like the Halton Consolidated Courthouse. The cancellation of this large-scale courthouse will very likely lead to further job loss for Ontarians. We are currently in a situation when boosting the economy with infrastructure projects is needed more than ever across Ontario.

I would ask the Government of Ontario to reconsider their decision to cancel this project for the many reasons listed in the brief presented by IUOE Local 793.

Sincerely,

James Barry
Executive Secretary Treasurer
IBEW Construction Council of Ontario

THE REGIONAL MUNICIPALITY OF HALTON



THE FOLLOWING RESOLUTION WAS APPROVED BY REGIONAL COUNCIL AT ITS MEETING HELD ON MAY 20, 2020.

RESOLUTION: Notice of Motion from Mayor Marianne Meed Ward and Mayor Rob Burton re: Halton Consolidated Courthouse Project

WHEREAS the Halton Consolidated Courthouse Project was shovel-ready for a state-of-the-art facility and would have brought much needed economic stimulus along with 600 jobs for Halton Region and the Province of Ontario;

WHEREAS the project had the full support of Halton Region, its four municipalities and stakeholders across the Province;

WHEREAS The Honourable Geoffrey B. Morawetz Chief Justice of the Superior Court of Justice has acknowledged that the cancellation of the Halton Consolidated Courthouse Project is an access to justice issue and underscores the overall lack of functional courtrooms in the Central West Region;

WHEREAS in a press conference, Regional Senior Justice Peter Daley stated that Milton's courthouse is so dilapidated the province is spending \$2.6-million to rid it of mould;

WHEREAS the Toronto Star reported that as a result of the lack of resources and courtrooms at the Milton courthouse, criminal cases that are taking too long to get to trial are being thrown out due to delay;

WHEREAS in a letter to Premier Ford, Halton Police Chief Stephen Tanner wrote the main court facility for Halton Region has been completely inadequate and in fact dangerous, and is beyond repair and beyond renovation;

WHEREAS there are ongoing security issues in the holding areas in the Milton courthouse and with respect to the movement of prisoners throughout the building that pose risks to visitors, staff, and other people in custody;

WHEREAS the Halton Consolidated Courthouse Project was selected as one of five Community Benefits Agreement pilot projects by the Province, these agreements provide workforce development, the purchasing of goods and services from local businesses and supplementary community benefits;

WHEREAS cancelling the project will result in costly fees which will further reduce the government's ability to promote economic stimulus and recovery;

THEREFORE, BE IT RESOLVED:

THAT Halton Region calls upon the Province of Ontario to postpone rather than cancel the Halton Consolidated Courthouse project so it will be ready to go as a federal-provincial infrastructure stimulus project as we continue to reopen and reinvigorate our economy;

THAT the Province of Ontario use the Halton Consolidated Courthouse project to aid economic recovery and further job creation;

AND THAT a copy of this resolution be forwarded to Premier Ford, Minister Doug Downey, Minister Laurie Scott, Minister Sylvia Jones, MPPs Effie Triantafilopoulos, Stephen Crawford, Jane McKenna, Parm Gill, Ted Arnott, AMO, FCM, and be made publicly available.

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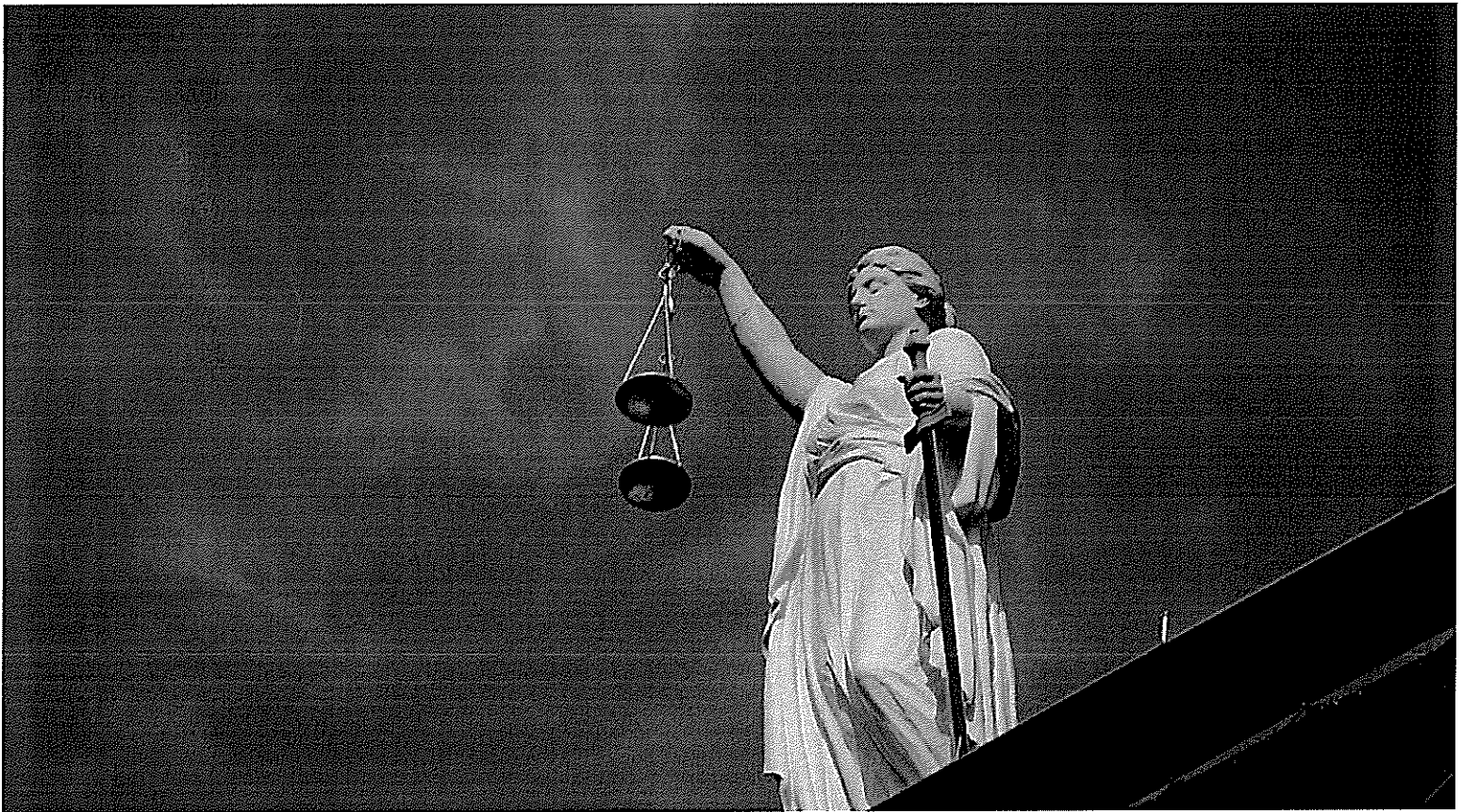
► [COVID-19](#)

► Cancellation of Halton courthouse project sends negative message, say stakeholders

ASSOCIATIONS, INFRASTRUCTURE

Cancellation of Halton courthouse project sends negative message, say stakeholders

Don Wall May 14, 2020



The axed Halton Region Consolidated Courthouse project is a casualty of the COVID-19 pandemic, the Ontario government says, shelved in part because the Ministry of the Attorney General (MAG) aims to use lessons learned during the pandemic to transform the administration of justice in the province.

That's the explanation given by a MAG spokesperson to explain the abrupt May 8 cancellation of the \$300-million project shortly before construction was due to start.

Stakeholders said the government is missing out on a prime opportunity to stimulate the economy during the pandemic and also pointed out that the decision sends a negative message to domestic and international contractors that might be thinking of bidding on future work in the province.

"I am totally confused," said Ontario General Contractors Association (OGCA) president Clive Thurston.

"This is a very serious thing. It impacts our industry, and it impacts the credibility of the government to provide work. Why would a company spend millions and millions of dollars to compete on these projects?"

"What's next? Do we spend the next year bidding on the three big transit projects they have planned and then they cancel?"

The project had proceeded through Infrastructure Ontario's procurement process and, according to the OGCA, only financial close remained, with the start of construction anticipated for as early as June.

The new courthouse, replacing structures in Burlington and Milton, was to be built on Third Line in Oakville north of Dundas Street.

The winning team was led by Fengate with Pomerleau as the design-build contractor and SNC-Lavalin as the project's maintenance provider. Other partners and equity providers included LIUNA, the Operating Engineers and IBEW pension funds.

Mark Ellerker, business manager for the Hamilton-Brantford Building and Construction Trades Council, noted that the cancellation was the second major project withdrawal for the region since December, following the cancellation of the Hamilton LRT project.

“ This investment will be repurposed to build on momentum we’ve experienced in recent weeks towards a more modern, efficient justice system ”

— Jenessa Crognali

Ontario Ministry of the Attorney General

"The Ontario government is sending a mixed message about restarting the local economy for workers and local businesses after the COVID-19 outbreak," noted Ellerker. "When we hear about the local economy losing \$1.5 billion in direct construction investment, that is only part of the story. When we factor in that every dollar spent directly on construction locally generates another three dollars for the local economy, the lost opportunities will be devastating for our community."

Joseph Mancinelli, LIUNA International vice-president and regional manager for Central and Eastern Canada, said it's disappointing to see the cancellation of the Halton courthouse project, but LIUNA remains optimistic for future opportunities to invest in Ontario projects.

"The cancellation of a project of this magnitude is difficult as it would have created work opportunities for our members and for the community," he commented.

A statement from the MAG said the funds targeted for the Halton project will be repurposed to develop online justice services delivery and refurbish the Milton and Burlington courthouses.

"Experience gained and lessons learned during COVID-19 has reinforced the urgent need for investment to support transformational technology, modernized processes and expanded access to justice across the entire province, including in rural and remote regions," wrote Jenessa Crognali, senior communications adviser to Attorney General Doug Downey, in a statement to the Daily Commercial News. "That is why this investment will be repurposed to build on momentum we've experienced in recent weeks towards a more modern, efficient justice system fit for the 21st century."

The Halton project was only in the procurement phase, Crognali said.

“Other projects already underway will proceed as planned.”

The OGCA noted land has been procured, several phases of environmental studies have been conducted, technical, architectural, legal, financial and procurement advisers to MAG have been hired and prep work has proceeded over a three-year period.

The association estimated repayable spending incurred by the winning proponents could add up to \$10 million. Overall, Thurston said he was “shocked” by the move.

“It would have been a symbol that we are back and now this project that so many people put so much effort and time into is out the window,” said Thurston. “Because we are going to create a cloud-based legal system and we are going to fix up a couple of decrepit buildings that should be demolished? That makes no sense.”

Follow the author on Twitter [@DonWall_DCN](#).

Recent Comments

(1 comments)



Ron May 20, 2020

Come on, using the pandemic excuse mixed in with economic benefit to further this project. It's quite transparent that this is a self-serving diatribe. Maybe the urgent need for investment is something we could all use... Construction and investment in your cities and infrastructures. You've talked about Sidewalk Labs and the lessons "you've" said you've learned. It's time to walk the walk-Personally I'd prefer this innovation of development including Museums, Galleries, Parks, Gardens, Community Centres, and residential innovation-perhaps a few more self-sustaining neighborhoods. Let's get Habitat 67 here and work with what we have. I don't want to see a waste of dollars to a mausoleum known as a Court House. All and all it's just another brick in the Wall. We don't need another Courthouse.

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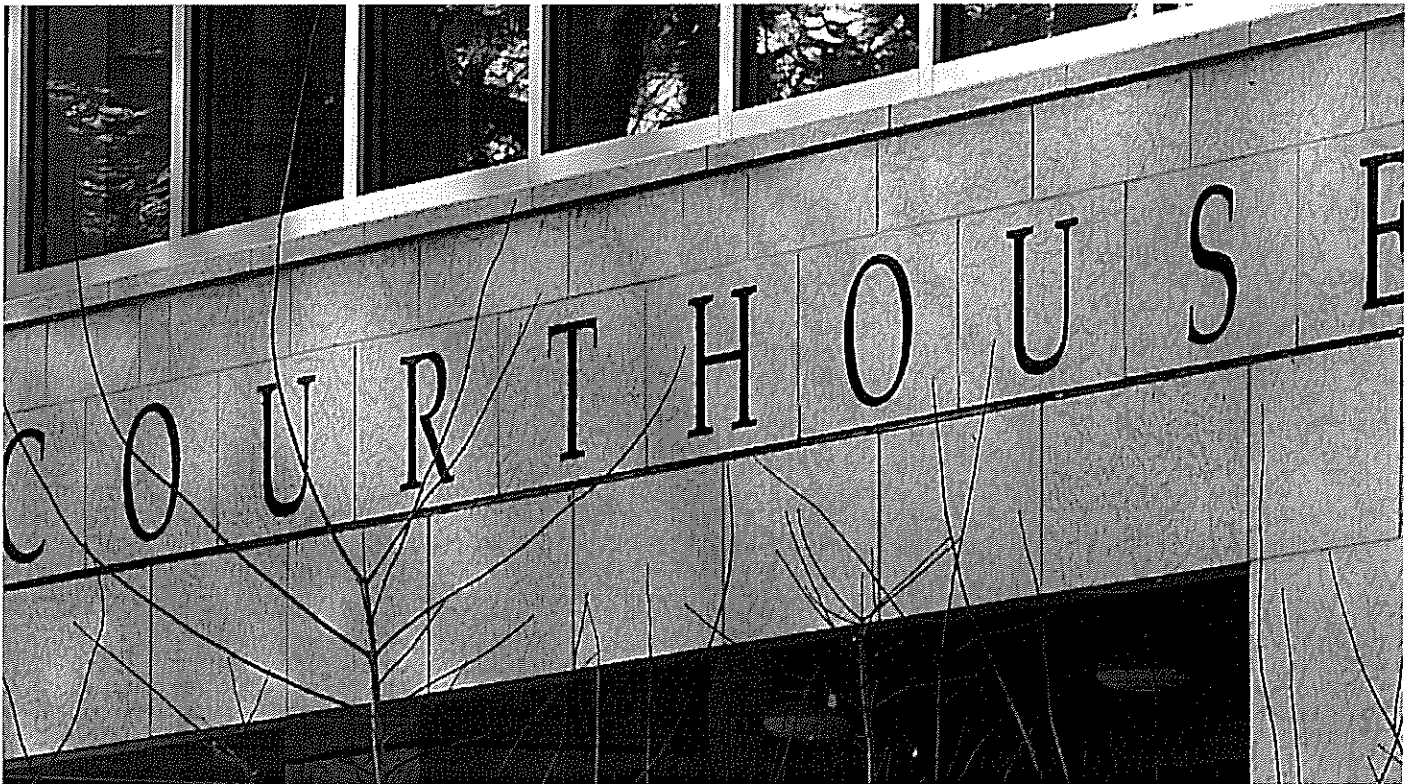
TORONTO | News

Ontario government cancels plan to build new courthouse in Halton Region





Shawn Jeffords
The Canadian Press Staff
Contact

Published Thursday, May 21, 2020 11:50AM EDT

Last Updated Thursday, May 21, 2020 5:22PM EDT



The exterior of a courthouse is seen in this undated file image.

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TORONTO -- Ontario has cancelled a plan to build a new courthouse in Halton Region, with the province's attorney general saying the government needs to rethink how the justice system will operate after the pandemic.

The Progressive Conservative government had planned to build one central courthouse for both Milton and Burlington, Ont., but now says it will upgrade the existing facilities.

Attorney General Doug Downey said he decided to cancel the project because the COVID-19 pandemic has highlighted the need to modernize the court process across Ontario.

"The needs of the justice sector have changed and there is broad consensus we cannot go back to the way things were done before the public health emergency," Downey said in a statement.

The project to consolidate the aging courthouses in Halton Region was to have been awarded this spring, with construction to start later this year.

The new courthouse was estimated to cost as much as \$499 million.

The project was announced by the previous Liberal government in 2017 after the Progressive Conservatives -- then the official Opposition -- pressed them to commit to it for years.

In a news release from June 2017, then Tory leader Patrick Brown called the Milton and Burlington courthouses "aging, overcrowded, and completely inadequate in terms of security and privacy."

The statement goes on to note that Tory legislator Ted Arnott rose at Queen's Park a dozen times over several years to ask the Liberals about the project.

But battling COVID-19 has added a slew of new costs to the province's books, with Finance Minister Rod Phillips last month announcing a \$17 billion spending package to help Ontarians through the pandemic.

The new spending and tax deferrals will contribute to a major hit to Ontario's bottom line, pushing the deficit from \$9 billion to a projected \$20.5 billion for 2020-21 -- a level not seen since the aftermath of the 2008 recession.

Asked if the cancellation was a way to trim provincial spending in light of the pandemic, a spokeswoman for Downey said the decision was made as the government "rethinks" justice system operations.

"This decision was made because our government is committed to rethinking the justice system and ensuring it is accessible, responsive and operating the way Ontarians should expect in 2020," Jenessa Crognali said.

The Hamilton-Brantford Building and Construction Trades Council called the decision disappointing and said it could hurt the local economy.

The council's business manager said the courthouse cancellation is just the latest blow for local tradespeople after the province decided not to pursue a light rail line in Hamilton late last year.

The province said at the time that the costs had ballooned from the initial estimate of \$1 billion to \$5.5 billion.

"If the region is losing almost \$1.5 billion in direct public infrastructure investments, there is a real fear that the local economy will fall into further recession in the midst of the COVID-19 crisis," Mark Ellerker said in a statement.

NDP finance critic Sandy Shaw said the government's decision to cancel the project so close to actually awarding the tender will likely to incur millions in penalties and deprive workers of jobs during a post-pandemic recovery.

The government should explain why it's scrapped the project, she said.





"They just cancel shovel-ready infrastructure projects with no clear evidence as to why," Shaw said. "We're going to need the biggest economic recovery strategy that we could even imagine in our lifetime coming out of the pandemic. And infrastructure is to play a key role in this."

Green party Leader Mike Schreiner said the decision hurts a region that's in need of better courts facilities to ensure timely access to justice.

"I wish the province had listened to Halton Region's request for the project to be postponed rather than completely scrapped, so that it could qualify for stimulus funding down the road," Schreiner said in a statement.

"Paying the bill for COVID-19 should not mean that we scrap these important municipal infrastructure projects."


This report by The Canadian Press was first published May 21, 2020.

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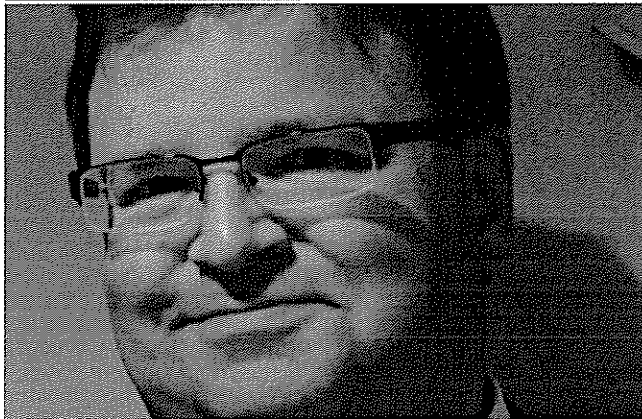
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Criminal



Lawyers express frustration over cancellation of new courthouse for Halton Region

Thursday, May 21, 2020 @ 9:53 AM | By [John Schofield](#)
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There have been days at the antiquated courthouse in Milton, Ont., when judges were forced to temporarily close courtrooms because too much debris was falling from the ceiling.

So lawyers in surrounding Halton Region, just west of Toronto, are disappointed by the Ontario government's decision to cancel a proposed, state-of-the-art courthouse in Oakville

that was slated to serve one of Canada's fastest growing areas.

The seven-storey, 25-courtroom Halton Region Consolidated Courthouse, which was estimated to cost between \$200 million and \$499 million, would have replaced the aging courthouses in both Milton and Burlington. Officially announced in 2017, it was expected to open in late 2023 or early 2024. Construction was due to start as early as June.

"This investment will be repurposed to transform and update Ontario's severely antiquated justice system and address immediate infrastructure needs at the courthouses in Milton and Burlington," read a Friday afternoon news release issued May 8 by the Ministry of the Attorney General. "Shifting traditional investments toward innovation and new technology will move more services online and position Ontario at the forefront of building the modern justice system of the future."



Ken Kelertas, president of the Halton County Law Association

Ken Kelertas, president of the Halton County Law Association and the director of legal services and legal counsel for the Halton Region Police Service, said the decision was made without consulting the local bar.

"Our first question is where do we go from here," Kelertas told *The Lawyer's Daily*. "There is no real opportunity to renovate or expand those facilities (in Milton and Burlington). I don't believe it's possible."

The litany of problems is long: Millions of dollars have been spent on mould remediation at the Milton courthouse, he said, and an asbestos problem was discovered in 2018. Prisoners

have to be transported through public areas and the prisoner holding facilities are inadequate. Judges also have to cross through public corridors.

"We've said for several years," noted Kelertas, "that there's a tragedy just waiting to happen."

In addition, he said, the Milton and Burlington courthouses are not connected by a public transit link and are 30 kilometres apart, so it's difficult to quickly shift judicial resources to optimize court time.

"We support the attorney general in his attempts to try to transform the justice system in Ontario but, in the meantime, we have a real crisis in Halton," added Kelertas. "Regardless of the outcome of the attorney general's planning, you need to have bricks and mortar."

Ontario Bar Association president Colin Stevenson said in an e-mailed statement that members in the area are concerned about access to justice following the government's announcement. "In addition to developing innovative ways to deliver justice, it is also crucial that, where courthouse space is necessary, there is safe space able to serve the needs of justice in the region," he added. "We are talking to government about these requirements and are looking for quick action."



Brendan Neil, treasurer of the Halton County Law Association

Milton criminal trial lawyer Brendan Neil, who also serves as regional director of the Criminal Lawyers' Association and treasurer of the Halton County Law Association, said the Ford government's decision came as a shock, "and the biggest surprise was we learned through a press release."

Neil agreed that the COVID-19 pandemic has underlined how Ontario's justice system is decades behind when it comes to technology. "Is that a worthwhile investment? Absolutely it is," he said in an interview. "Is it going to solve Halton's problem? Absolutely not."

"It doesn't provide us with any more capacity," he added, "and it's the fastest growing region in the country. The problem is the investment in technology is at the sacrifice of a building that basically needs a wrecking ball taken to it."

As a criminal lawyer, Neil said, one of the biggest frustrations — apart from the fact that the courthouses are divided — is that there are virtually no private spaces to confer with clients.



Attorney General Doug Downey

In an interview with *The Lawyer's Daily*, Attorney General Doug Downey said that, while he did speak with some members of the law community in Halton Region before the government decided to cancel the project, "it's a question of how far and wide you do the consultation. And, ultimately, in the time of COVID, we have to move fast."

He denied that the decision was motivated by pandemic-induced financial pressures on the province, but agreed that COVID-19 has accelerated technological change in Ontario's justice system and underlined the urgent need to modernize and expand access to justice. "We need to create a system that's more accessible," he added. "I've wanted to move forward with this for a very long time."

Downey said the province will still make a "substantial investment" in upgrading the Milton

and Burlington courthouses and it will bring forward a more detailed plan in the “next several weeks.”

He said the decision should not be read as a signal that other justice infrastructure projects are at risk — such as Toronto’s new, 17-storey Ontario Court of Justice building, which is under construction near city hall downtown.

“This is an opportunity not just to change how we’re doing things, but to go to why we’re doing them and how they add value,” Downey said. “This is transformational.”

In a news release, the Hamilton-Brantford Building and Construction Trades Council also expressed disappointment in the cancellation, especially in the wake of the province’s decision to quash the proposed, \$1 billion Hamilton LRT. The winning bid team for the Halton Region courthouse was led by Fengate Asset Management, with Pomerleau serving as the design-build contractor and SNC-Lavalin as the project’s maintenance provider.

“If the region is losing almost \$1.5 billion in direct public infrastructure investments, there is a real fear that the local economy will fall into further recession in the midst of the COVID-19 crisis,” Mark Ellerker, business manager and financial secretary-treasurer of the Hamilton-Brantford Building and Construction Trades Council, said in the release.

If you have any information, story ideas or news tips for The Lawyer’s Daily please contact John Schofield at john.schofield@lexisnexis.ca or call (905) 415-5891.

Region hopes to convince the province to defer the construction of a new Court House rather than cancel it.



By Staff

May 21st, 2020

BURLINGTON, ON

Yesterday, Regional Council unanimously endorsed a resolution asking the Provincial Government to postpone, rather than cancel, the Halton Consolidated Courthouse project. The new courthouse was expected to replace aging courthouses in Milton and Burlington which have experienced ongoing resourcing and security issues.

It also would have brought much needed economic stimulus to Halton along with approximately 600 jobs. Council feels strongly that the shovel-ready project is critical to post-COVID-19 recovery of the local economy and it is ideal as a federal-provincial infrastructure stimulus project.

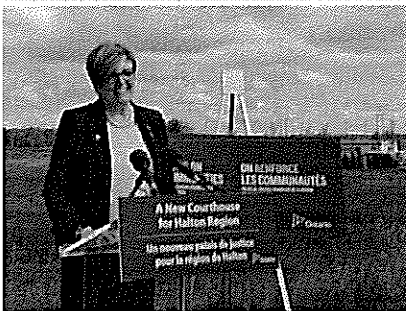


The existing Court House has been stretched beyond its limit – the property it sits on in Milton on Steeles will be a prime location for something in the distant future.

“Halton Region along with Halton Regional Police Service and other key stakeholders in the justice system have strongly supported the position that the Milton and Burlington courthouses are unable to serve the needs of residents in our community and that without question, both need to be replaced,” said Halton Regional Chair Gary Carr. “We fully recognize the financial challenges facing the Provincial Government as a result of the pandemic but are asking them to postpone this project, not cancel it, based on the critical services it would provide to our community and the impact on our Regional economy.”

This has been a long standing advocacy issue for Halton, in 2015 Council passed a resolution urging the Provincial Government to proceed with a new courthouse in Halton. The new facility would bring the Superior Court of Justice and Ontario Court of Justice operations in Milton and Burlington together in one state of the art, accessible and efficient facility in Oakville.

The conditions of the courthouse facilities have long been a source of concern for many in Halton. Both the Milton and Burlington courthouses do not have enough functional courtrooms and lack resources. Halton Police Chief Steven Tanner has stated that the Milton courthouse is “dangerous and is considered beyond repair and beyond renovation.” The Honourable Geoffrey B. Morawetz Chief Justice of the Superior Court of Justice has acknowledged that the cancellation of the Halton Consolidated Courthouse Project is an access to justice issue and underscores the overall lack of functional courtrooms in the Central West Region.



The Liberal Wynne government, represented by then MO Eleanor McMahon, made the announcement to build a new Court House – it was to be located in Oakville on land the province already owned.

With today's Council resolution, Halton Regional Council is adding their voices to call on the Provincial Government to reconsider their decision. The Province has already invested a significant amount of money in the project which was already in the procurement stage. It is the hope of Regional Council that with enough community pressure, construction of the Halton Consolidated Courthouse could go ahead at some point in the future.

The existing Courthouse in Milton is certainly limited. During the Air Park trials those who wanted to attend were literally packed into a tiny room.

But at some point someone has to look at the spending – if the hope is to defer – it will be a decade before a shovel goes into the ground.

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'It is foolish': Halton police chief weighs in on Doug Ford government's decision to cancel Oakville courthouse project

News May 22, 2020 by [David Lea \(/halton-author/david-lea/56296E41-93E9-429E-B802-FA1C9DC6C6BF/\)](/halton-author/david-lea/56296E41-93E9-429E-B802-FA1C9DC6C6BF/) [✉ \(mailto:dlea@metroland.com\)](mailto:dlea@metroland.com) Oakville Beaver
Halton Police Chief Stephen Tanner has weighed in on the province's decision to cancel plans for the Halton Region Consolidated Courthouse, noting he is extremely disappointed in a move he calls foolish.

The chief made these comments in a letter to Ontario Premier Doug Ford, which was presented at the Halton Police Board on Thursday, May 21.

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Construction of that courthouse was expected to begin in the fall.

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Tanner argued investments in Halton's existing aging courthouses will not be enough to fix the problems there.

"For many years it has been clearly illustrated and proven to all levels of government that the main court facility for Halton Region (in Milton) has been completely inadequate and in fact dangerous," wrote Tanner.

"These facts have been brought to government by the police service, court facility staff, the judiciary and Crown attorneys as well as the Halton County Law Association among others ... It is beyond repair and beyond renovation."

The chief wrote that he is concerned for the safety of the Halton police officers who work at the Milton courthouse, describing the cell areas there as dangerously inadequate and noting that prisoners cannot be safely moved to and from courtrooms.

He also argued that the risk to public safety within this courthouse is considerable.

The work put into the plans for the new courthouse is significant with Tanner noting that hundreds of thousands in public funds were expended to hire architects, engineers, and planning consultants to lead the design phase and RFP (request for proposal) process.

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"It is foolish, in my view, to completely cancel this critical infrastructure project and investment because someone thinks we will find enough new ways to conduct court related business that an adequate court facility will not continue to be a high priority."

The police chief said he began his policing career in 1982 and argued that by this time the Milton courthouse, which was built in 1962, had already seen its most useful period.

He called on the province to revisit its decision, noting that perhaps the plans could be altered to find savings or the province could tap federal infrastructure stimulus to assist in the costs.

"Please have a second look and carefully consider the dire need for this project and consider options for ensuring the successful completion of it at the earliest opportunity," wrote Tanner.

"The health and safety of my members, of the public, and of those working within the court facilities here in Halton are depending on the right decision being made."

Halton's police chief joins a growing number of local officials who have spoken out against the cancellation of the courthouse.

Others include Oakville Mayor Rob Burton, the Halton County Law Association and Halton Regional Council.

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Halton Regional Police Chief Steve Tanner is urging the provincial government to rethink the cancellation of the new courthouse in Halton. - Graham Paine/Torstar file photo

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David Lea is a general assignment reporter, covering news, municipal politics and crime for InsideHalton.com and its sister papers. He is the past recipient of the Ontario Community Newspaper Association's Reporter of the Year award. Reach him at dlea@metroland.com (<mailto:dlea@metroland.com>).

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APPENDIX C

Canada's Building Trades Unions' Brief:
A Canadian New Deal for COVID-19 Recovery



**A Canadian New Deal
For COVID-19 Recovery**

**Presented by
Canada's Building Trades Unions**

**May 1, 2020
Ottawa, Ontario**

72 Chamberlain, Ottawa, Ontario K1S 1V9

Canada's Building Trades Unions' is composed of the following International Craft Unions:

International Association of Heat and Frost **Insulators** and Allied Workers/Association internationale des poseurs d'isolants

International Brotherhood of **Boilermakers**, Iron Ship Builders, Blacksmiths, Forgers and Helpers /Fraternité internationale des chaudronniers, constructeurs de navire en fer, forgerons, forgeurs et aides

International Union of **Bricklayers** and Allied Craftworkers /Union internationale des briqueteurs et métiers connexes

United Brotherhood of **Carpenters** and Joiners of America/Fraternité unie des charpentiers et menuisiers d'Amérique

International Brotherhood of **Electrical Workers** / Fraternité internationale des ouvriers en électricité

International Union of **Elevator Constructors** /Union internationale des constructeurs d'ascenseurs

International Union of **Operating Engineers** / Union internationale des opérateurs-ingénieurs

International Association of Bridge, Structural, Ornamental and Reinforcing **Iron Workers**/ Association internationale des travailleurs en ponts, en fer structural, ornemental et renforcement ferrailleurs

Labourers' International Union of North America / Union internationale des journaliers d'Amérique du Nord

International Union of **Painters** and Allied Trades/ Fraternité internationale des peintres et métiers connexes

Operative **Plasterers'** and Cement Masons' International Association of the United States and Canada Association internationale des ouvriers plâtriers, cimentiers applicateurs et tireurs de joints

Sheet Metal, Air, Rail and Transportation Workers / Association internationale des travailleurs du métal en feuilles

International Brotherhood of **Teamsters**, Chauffeurs, Warehousemen and Helpers of America / Fraternité international d'Amériques des camionneurs, chauffeurs, préposés d'entrepôts et aides

United Association of Journeymen and Apprentices of the **Plumbing** and Pipe Fitting Industry of the United States and Canada / Association unie des compagnons et apprentis de l'industrie de la plomberie et de la tuyauterie des États-Unis et du Canada

FIVE PILLARS OF A CANADIAN NEW DEAL

Canada's Building Trades Unions (CBTU) represents all the International Unions that have jurisdiction in the construction, maintenance and fabrication portions of Canada's construction industry. Our members work in every Canadian province and territory, and every Canadian city, town and village. Our more than 500,000 highly skilled, highly trained members are employed constructing everything from a utility box through to the largest structures in Canada. Our members construct and shape the skylines of Canada—we are the men and women that build roads, bridges, schools, hospitals, pipelines, power plants, solar and wind farms, and so much more. We are part of an industry that impacts over 14% of Canada's GDP. As Canada's middle class, our hard-working members are the drivers of the country's economy.

Canada is facing unprecedented health, social and economic challenges from the COVID-19 pandemic. CBTU is committed to continue working on building the critical infrastructure necessary to keep Canadians healthy and the Canadian economy strong as our nation weathers this crisis. We believe the upkeep, maintenance, and construction of critical infrastructure must continue and grow to face the increasing demands of Canadians and Canadian businesses. We recognize the urgency for municipalities in building and maintaining facilities and infrastructure, such as hospitals, roads, pipelines, and power generation, which are nearing or could near capacity as Canada adjusts to the changes taken during this crisis and prepares for the future.

In order to maintain the ever-increasing and important demand for critical infrastructure, and to ensure Canada's economy can recover quickly in a way that is successful, this paper outlines what we believe are the five key priorities – or pillars – for Canada and its construction sector as the country moves forward:

1. **Pillar One: Building a Stronger Canada.** Canada has the opportunity to utilize our highly skilled and trained workforce to help grow and build an even stronger Canada as the country works to recover from the COVID-19 crisis. This can be achieved with an emphasis on large shovel ready projects, and by focusing on projects that employ lots of different skill sets.
2. **Pillar Two: Ensuring Community Benefits.** Canada must ensure that projects benefit local communities, marginalized groups and apprentices and all Canadians by adopting Community Benefits Agreements on federally-funded infrastructure projects. The federal government is in the unique position to lead on this matter to ensure all Canadians benefit from these projects.

3. **Pillar Three: Training Canada's Future Workforce.** Canada must meet the growing demand for labour by providing support and assistance to the institutions and projects that Canadian apprentices rely on for their apprenticeships, in the classroom and on the job.
4. **Pillar Four: Investing in Critical Infrastructure.** With a prepared shovel-ready list of projects, Canada has the opportunity to invest in the essential infrastructure that keeps Canada, Canadians and our economy functioning and productive, and our nation strong and prosperous.
5. **Pillar Five: Raising the Bar on Health and Safety.** Canada must keep Canadian tradespeople and all Canadian communities safe, as we continue to promote and raise the bar on safer workplaces now and into the future.

With these measures in place, we can succeed and bring about a new deal for Canada built on investments in infrastructure and training with a commitment to our health and safety and support for our communities.

PILLAR ONE: BUILDING A STRONGER CANADA

As mentioned, the overall construction industry in Canada represents over 14% of the country's GDP which translates to nearly \$300 billion in the construction sector in Canada. Nearly 8% or 1 in every 13 Canadians work directly in Canada's construction sector. Our members – Canadian tradespeople – are vital to the building and maintaining of Canadian infrastructure. In order to keep up with the ever increasing and important demand for critical infrastructure, and to ensure Canada's economy can recover following the end of the COVID-19 crisis, our highly trained and skilled tradespeople must be utilized to construct and maintain infrastructure while keeping health and safety at the forefront.

Our members are hardworking skilled tradespeople who add much to the building and maintenance of the country and who are the backbone of the middle class. Canadian tradespeople have dedicated their careers to work in the trades and provide for their families and their communities. They are the highly skilled, highly trained men and women who are relied upon when disasters strike to support first responders in rescue, cleanup, and rebuilding. When we build and maintain Canada's infrastructure, we build it right, build it safe, and build to last.

Canada has the opportunity to set a new vision for building a stronger, better and safer country. The federal government must look beyond the list of projects in Infrastructure Canada's Funding

Programs (ICFP), although these projects should continue to be funded. The Government of Canada's vision must be tied to the development and construction of large projects that are shovel ready. Large scale projects employ the greatest number of tradespeople from a variety of fields, providing an avenue for workers within the trades to utilize and further develop their skills and training.

These larger projects allow for the training of apprentices and improvements to communities through indirect and direct benefits. The boost local communities receive from large scale projects helps them to become resilient and less vulnerable to crises, in the present and in the future. Workers benefit from gaining lifelong skills that they may not achieve working quick, small jobs that fail to challenge their capabilities. If Canada is to grow and prosper out of this current crisis, it must think big.

The federal government can take a leadership role in ensuring that large scale projects are built, and that they are built right, especially if the government is committing significant funding to those projects. Provinces will find it hard to reject projects that benefit Canadians and give back to the communities within the province that would otherwise depend upon the province to support them, especially if the government also funds ICFP projects. By taking the lead on building a stronger Canada through investing in major projects and community benefits, the federal government can instill its own rules and ensure that projects meet and exceed the demands placed upon them.

It is our highly trained and skilled men and women who guarantee that projects meet and exceed any and all health and safety standards and protocols, and are built on time and on budget. Canada has the opportunity to utilize our skilled workforce to help grow and build an even stronger Canada as the country works to recover from the impact of the COVID-19 pandemic.

PILLAR TWO: ENSURING COMMUNITY BENEFITS

With this bold vision from Pillar One, Canada has the opportunity to embody progressive practices in the engagement of local communities, marginalized groups, and those impacted by infrastructure projects in the building, maintenance, and monitoring of those projects. We recognize that, when local communities have a role in the planning and building of a project, they are more invested in it and more likely to realize its positive "nation building" benefits. This is why we support and champion Community Benefits Agreements, and advocate for their inclusion on projects.

Community Benefits Agreements support the hiring and training of local workers and underrepresented groups, including women and Indigenous peoples. They often contain provisions that enable apprenticeships, guarantee prevailing wages, establish grounds for workplace development initiatives, provide funding and economic support for impacted communities, and set forth goals for minority, women, and local job hiring. These workers benefit with a legacy of experience, skills training and employability as a result of the use of such agreements.

For the project, Community Benefits Agreements ensure that they are built on time, but also with careful consideration of standards – including environmental, labour, and safety standards – which may be overlooked by projects that do not have an agreement. They go above and beyond just compliance to standards; they encourage and often require standards to be exceeded. These factors are critical for projects that are in the national interest; ensuring that projects meet and exceed the expectations placed upon them at approval reinforces the public trust that the project is beneficial and worth doing. Projects that suffer from delays, and/or which lack careful consideration of standards often get plagued in controversy, and end up under constant review and reconsideration.

For the workforce, Community Benefits Agreements provide safeguards for employment and financial stability; they reduce problems that may arise out of the workplace: issues with working conditions, underpayment, and disputes. For the worker, they set out their benefits, and make their employment conditions clear prior to employment. Additionally, they include provisions that encourage and enhance local hires and the participation of underrepresented groups in the construction industry: Indigenous people, women, new Canadians, and young people.

By mandating the involvement of these groups, Community Benefits Agreements provide an avenue for their advancement, usually through required recruitment, apprenticeship and training programs. For instance, the agreement for Enbridge Line 3's replacement pipeline provided for the inclusion of local First Nations workers on the project. These workers received training that has allowed them to find meaningful employment on other construction projects, as well. Such agreements ensure that projects meet and often exceed the social, economic, and environmental demands placed on them, which is vital to any plan for Canada's post-pandemic economic recovery.

Public opinion on Community Benefits Agreements is high across the country. According to a survey conducted by Earncliffe, women, young people, Canadians within the middle class, and progressive voters all view these agreements very favourably. If the federal government is to be a majority investor or sole investor in certain infrastructure projects, insisting on Community

Benefits Agreements as a way of achieving the government's goals and ensuring that the projects are built on time and on budget with the most highly trained and skilled workforce is preferable. Infrastructure projects must have a meaningful impact on society, and these agreements are the way to leave a positive legacy for Canadians.

PILLAR THREE: TRAINING CANADA'S FUTURE WORKFORCE

Although our industry has been a leading source of employment growth in Canada for more than a decade, there is a need to recruit and train more workers to meet future demand. This demand is exacerbated by the growing rate of retirement for workers – between now and 2029 at least 21% of all current workers will retire. The ability to fill this gap and meet demands depends on the availability of workers with portable experience, skills and qualifications in their trades.

A commitment towards a post-economic recovery for Canada hinges on the continued training and hiring of workers. Our skilled tradespeople are second-to-none in their field, but the growth of Canada's workforce depends upon continued investments in training workers, and a focus on providing support and assistance to the institutions and projects that Canadian tradespeople rely on for their learning, in the classroom and on the job. The infrastructure for providing training exists in Canada – through the many training centres provided by our affiliates – but without ongoing support by government and employers our industry suffers. Historically, the larger the construction project the more opportunities for apprentices to learn their crafts and obtain the hours to become journeypersons.

COVID-19 has placed additional constraints on training; with many schools including training centres currently closed nationwide, and projects being slowed or halted, fewer tradespeople have the opportunity to develop and enhance their skills. Training is our priority and must be a priority for Canada's future; Canada's workforce and the success of its economy depend on it. Training can be done safely, in classrooms and on jobsites, with proper COVID-19 health procedures in place. It is only a matter of will, not capability, that leads to the choice not to pursue measures that support the continued training of the next generation of Canadian tradespeople.

A focus on apprenticeships is key to training Canada's future workforce. Apprenticeship training combines on-the-job training with theoretical and practical technical training. The apprentice spends most of their time learning the knowledge and skills of the trade on the job, while earning a wage. Apprenticeship matters to all of society because this is the process by which skills and expertise are passed on from one generation of journeypersons to another.

Ensuring that new generations of workers are trained as journeypersons is a joint responsibility between employers, government and trade unions. Skilled trades form the basis of all work undertaken in society. Every building, house, school, hospital, or factory—and the equipment inside—must be made by skilled workers who should have the highest level of expertise to ensure public safety and quality products. Because the skills and expertise of an authentic trade can be put to use almost anywhere, journeypersons can work almost everywhere—even during the ups and downs of economic cycles, such as the crisis we are currently facing due to COVID-19.

PILLAR FOUR: INVESTING IN CRITICAL INFRASTRUCTURE

From coast to coast to coast, Canadian tradespeople build and maintain the critical infrastructure that provides for the health and safety of Canadians, supplies and distributes our natural resources, and ensures that supply lines continue to provide essential services. This essential infrastructure keeps Canada and Canadians functioning and productive.

Critical infrastructure includes the hospitals, mines, hydro dams, pipelines, transmission lines, and more, that help service Canadians, both during this crisis and after it. It includes green infrastructure, through nuclear power plants, as well as solar and wind farms and so much more, which provide much needed energy while also fighting climate change.

As more Canadians work from home and rely on utilities to service their homes, energy infrastructure must be maintained and capacity must grow. At a time when Canada is made vulnerable as a result of the COVID-19 pandemic, it's crucial that our power grid remains safe and can meet increasing demand, now and after the pandemic is over.

Canada's supply chains service Canadians as they weather through the COVID-19 pandemic. Transport infrastructure and networks – our roads, highways, bridges, ports, railways, public transit and distribution centers – all provide the means for essential goods and services to reach Canadians. Without this critical transport infrastructure, our supply lines in Canada would come to a halt. As Canada looks to economically recover from COVID-19, there is an opportunity for the federal government to take a leadership role in investing and securing Canada's critical infrastructure, and this current situation shows the urgent need to maintain and build this critical infrastructure.

It is important, too, to consider assistance for cities and municipalities across the country that are struggling with infrastructure deficits. Much of Canada's critical infrastructure lies within the cities and municipalities where Canadians live and work. Whether it is through an existing program or through a new program, the federal government must take all steps necessary to

provide flexibility for cities and municipalities that need additional help to support much needed critical infrastructure for their communities. At present, existing rules also do not provide enough relief for cities seeking assistance as a result of unexpected disruptions and setbacks on their projects. With the federal government's support, Canada's cities, towns and villages will be able to overcome their infrastructure deficits and do their part to help Canada recover from this crisis.

The construction and maintenance of critical infrastructure should not just be done to meet the needs of the present COVID-19 pandemic, but must also recognize the need to "future proof" the fundamental facilities and systems we rely on. Canada has the opportunity to ensure that as the country moves forward and grows once this crisis ends, we will be able to adapt to any similar challenge in the years ahead. Canadian tradespeople are the linchpin to all of this work. Our members are committed to build the critical infrastructure Canada needs, and to do so with the most capable workforce in Canada and with proper enforcement of health and safety protocols.

PILLAR FIVE: RAISING THE BAR ON HEALTH & SAFETY

As Canada manages through the COVID-19 crisis, and prepares for its post-pandemic future, we need to keep Canadian tradespeople working in an environment where it is safe according to guidance from applicable government and health authorities. Our tradespeople must be assured that they and their families will be protected if they choose to work on construction projects during this time and as Canada recovers from this crisis. They are trained to handle situations that require the use of personal protective equipment (PPE) and in environments working with hazardous waste and other materials. Canadian tradespeople uphold best practices in workplace hygiene and safety. Thereby, protecting all Canadians in general.

Our best practices are guided by health professionals and our expert knowledge of our industry. We work with employers to ensure that procedures are in place, and that they adhere to appropriate health protocols. We strongly believe in the requirement of proper plans and procedures for each jobsite. We have been at the forefront of pushing for stronger health and safety policies when new hazards present themselves on the job, and we are taking the steps to do the same to protect our members and the public from COVID-19, our most recent workplace hazard. The health and safety of Canadian tradespeople must be paramount: on the job, at home, and if sick and requiring their entitlements through workers' compensation insurance and other measures.

Additionally, we believe it would be proactive to priority test all workers performing essential services, including workers in the trades. When testing resources become more widely available, testing workers in all essential services would prevent infections and limit the spread of COVID-

19; this would more fully allow these essential workers to be available and productive. Our affiliate unions are well placed to offer resources such as union halls to conduct such testing and staff to assist in the testing process.

CBTU takes seriously public health and the need to take steps to stop the continued spread of COVID-19. We recognize that a post-pandemic Canadian world will require constant vigilance and strict adherence to health and safety standards. Upholding health and safety on worksites is our duty, and as Canadian tradespeople we are acutely aware of the consequences of a lack of proper health and safety measures on jobsites and what it can mean for Canadian workers and the public.

We have championed in the past measures to enhance and protect workers and the public on jobsites, and for us the need to do so in light of this pandemic is no different. We believe that with proper health and safety plans and procedures, Canadian tradespeople can build and maintain the vital infrastructure Canada needs during this crisis and following it. Above all, we must keep Canadian tradespeople and communities safe, as we continue to promote and raise the bar on safer workplaces now and into the future.

CONCLUSION

COVID-19 will not be the last challenge that Canada faces, and so the country must be prepared and ready when that time comes again. Continued investments in critical infrastructure are necessary if Canada is to grow its economy and keep its people – and our members – safe, healthy and prosperous.

CBTU is committed to partner with provincial and federal governments, as well as employers and industry stakeholders to ensure that Canada builds the critical infrastructure it needs to recover and grow from this crisis. As part of that goal, we've attached a list of shovel-ready projects that can serve the needs of boosting Canada's post-economic recovery through investments in infrastructure, both in the short-term and in the long-term.

It is not enough for Canada to focus only on short-term goals without consideration of long-term gains; infrastructure should not just serve the immediate needs of Canadians in the present, but must serve as the economic catalyst the country needs for its future. An investment in major projects, which supports tradespeople and communities, must be the direction Canada takes as we move forward to restore the economy and build a better, stronger Canada for all Canadians.