Ontario

Pay Equity Commission Annual Report 2021–22

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Pay Equity Office

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1. Message from the Pay Equity Commissioner

Fiscal 2021-2022 continued to be a year of transformation at the Pay Equity Office as our team adapted to digital service provision through rolling lockdowns and the re-opening of Ontario's economy.

As we continued our mission of closing the gender wage gap, we were encouraged to see a 1.2% decrease from the 2018 to the 2021 census data putting the gender wage gap in Ontario at 11%. While we acknowledge that progress has been made in closing the hourly gender wage gap by Ontario 8 percentage points since 1998[1], work remains to done.

This annual report highlights our accomplishments and demonstrates how we continue to fulfil our mandate of redressing gender-based wage inequities. It also highlights actions we took to achieve the objectives of our strategic plan.

Of these, some stand out. This fiscal, we developed a refreshed strategic plan, modernized and digitized our service provision and communication platforms, and launched a video and podcast series called "Level the Paying Field". This series gained international acclaim with an Award of Merit from the International Association of Business Communicators.

The PEO also established collaborative relationships with key stakeholder groups in Ontario, Canada, and globally, including with the International Labour Organization (ILO), and the Organisation for Economic Cooperation and Development (OECD). These collaborations helped build bridges for resource and knowledge sharing while also fostering connections with new audiences and expanded the PEO's reach in its educational and awareness-raising efforts.

This report offers a renewed format with rich information enabling greater transparency and accountably to Ontario's workforce and the government. The team that makes up the PEO is dedicated to achieving economic justice for workers across Ontario who are employed in job classes that can be categorized as "female". I would like to thank our team led by Ayumi Bailly, Director, and Erin McCloskey, Operations Manager, for their dedication and passion. Collectively, daily we are closing the gender wage gap to make the world a more equitable place for women to work, live, and thrive.

[1] Statistics Canada, Labour Force Survey. See the PEO's website for a more detailed analysis of the gender wage gap.

Sincerely,

Kadie Ward

Commissioner and Chief Administrative Officer

2. About the Pay Equity Office

2.1 The Organization

The Pay Equity Commission (the Commission) was established by Section 27 of the *Pay Equity Act*, R.S.O, 1990, c.P.7 (the Act). Its purpose is to redress gender discrimination in the compensation of employees employed in job classes that can be categorized as female[2] in Ontario.

The Commission consists of two separate and independent parts: the Pay Equity Office (PEO), headed by the Commissioner, and the Pay Equity Hearings Tribunal (the Tribunal), headed by the Chair. Both the Commissioner and the Chair are appointed by the Lieutenant Governor in Council.

The Minister of Labour, Training and Skills Development represents the PEO and the Tribunal in Cabinet and its Committees, in the Legislative Assembly and before Committees of the Legislature. The Minister is accountable to the Legislature for the PEO's and the Tribunal's fulfillment of their mandates and their compliance with statutes and government administrative policies. The Minister is also responsible for the review and approval of their Business Plans and Annual Reports.

2.2 Understanding the Gender Wage Gap

The gender wage gap is the difference between wages[3] earned by men and wages earned by women. The most recent Statistics Canada data (2021) shows that the average hourly gender wage gap in Ontario is 11%. This gap includes both full and part-time workers who are 15 years old and over. The gap of 11% means that for every $1.00 earned by a male worker, a female worker earns 89 cents.

[2] According to the *Pay Equity Act*, a "female job class" is defined as a job in which 60% or more of the incumbents are female.

[3] Based on hourly wages, not annualized salaries. For more information on gender compensation differences, visit the PEO's Gender Wage Gap webpage.

The gender wage gap shrank by more than 7% between 1998 and 2018. Statistics Canada noted the reduction was largely explained by changes in the distribution of men and women across occupations, women's increased educational attainment, and the decline in the share of men in unionized employment.

Nearly two-thirds of the gap remains unexplained. The unexplained portion of the gap captures two kinds of effects: measurable and unobservable wage-related characteristics. Measurable effects could include total work experience, the higher prevalence of work interruptions among women which are strongly linked to caregiving responsibilities, and field of study which may help to explain the impacts of education level on occupation. Unobservable wage-related characteristics could include gender differences in behaviours (e.g., wage negotiation), societal expectations, constrained choices resulting from gender roles in paid work, as well as the impact of explicit or implicit gender-based wage discrimination.

2.3 Ontario's *Pay Equity Act*

Pay equity (or equal pay for work of equal value) addresses the undervaluation of women's work. The Act applies to all public sector organizations and to private sector employers with ten or more employees, and requires them to have compensation practices that provide for pay equity.

The Act sets out the criteria to be applied by employers to identify systemic gender discrimination in compensation and how it is to be corrected. To meet the minimum requirements and to show that pay equity has been achieved, all employers covered by the *Act* are required to undertake the following at each of the employer's establishments:

1. Determine job classes, including identifying the gender of the job class and job rate;
2. Determine the value of job classes based on factors of skill, effort, responsibility and working conditions;
3. Conduct comparisons for all female job classes using the job-to-job, proportional value or proxy method of comparison (proxy is for public sector only and of limited application);
4. Adjust the wages of underpaid female job classes so that they are paid at least as much or equal to a comparable male job class or classes within the establishment;
5. Maintain pay equity for female job classes to ensure that new pay equity gaps are not created or do not re-emerge.

2.4 PEO Mandate

The PEO promotes gender economic equality by enforcing pay equity rights and obligations through effective case management; understanding gender wage gaps through research; and promoting awareness to advance economic equality for Ontario's working women.

The PEO fulfills its mandate by:

- Providing information and educational resources to employers and employees about pay equity and pay equity processes;
- Conducting information sessions with a variety of audiences;
- Investigating and resolving complaints through alternative dispute resolution methods, or issuing Orders for compliance;
- Referring Orders to the Tribunal for enforcement;
- Monitoring establishments for compliance with the provisions of the Act;
- Researching and disseminating information about pay equity and gender wage gaps to the public and workplace parties;
- Responding to requests from the Minister and preparing reports and recommendations to the Minister about pay equity and related matters such as the gender wage gap.

2.5 PEO Mission, Vision, and Guiding Principles

In 2021-22, the PEO team carefully developed and adopted a new Vision, Mission, and Guiding Principles through an iterative, collaborative process.

Vision: Make the world a more equitable place for women to work, live, and thrive.

Mission: Closing the gender wage gap.

Guiding Principles:

Listen First
Seek first to understand and genuinely respect others' perspectives.

Serve with objectivity and empathy
Serve one another and the public with intent and awareness.

Welcome the new and different
Seek effective and innovative approaches to deliver our work.

Grow together
We are resilient and overcome hurdles together while keeping our sights set on a better tomorrow.

Engage with passion
Our dedication to our mission is apparent to all.

Demonstrate leadership
We show others the way.

2.6 Commitment to Accountability and Transparency

The PEO remains steadfastly committed to respecting public sector accountability expectations. These include but are not limited to:

- Directives issued by Management Board of Cabinet *(Agencies and Appointments Directive*; *Travel*, *Meal*, *and Hospitality Expenses Directive*; *Internal Audit Directive*; among others);
- All statutes governing the public sector (*Freedom of Information and Protection of Privacy Act*; *Archives and Recordkeeping Act*; *Accessibility for Ontarians with Disabilities Act*; among others);
- Ontario Public Service's "Common Service Standards" for phone inquiries and correspondence.

3. Report on Activities

3.1 Highlighted Achievements

2021-22 was a year of renewal as the COVID-19 pandemic forced many organizations to re-calibrate. The PEO rose to this challenge by remaining nimble in its operations while steadfast in its mission to close the gender wage gap. The PEO's milestone achievements included but were not limited to developing a new strategic plan, modernizing its website, and launching an award-winning video and podcast series called "Level the Paying Field". The PEO also saw the formation of new and revitalized collaborative relationships with the International Labour Organization (ILO), the Organisation for Economic Cooperation and Development (OECD), Lean In Canada, the Institute for Gender and the Economy (GATE) at the Rotman School of Management of the University of Toronto, the Canadian Urban Institute, and many more. These collaborations not only helped build bridges for resource- and knowledge-sharing; they fostered connections with new audiences and expanded the PEO's reach in its educational and awareness-raising efforts.

As part of the new strategic plan, three overarching objectives were developed to guide the PEO's activities over the next three years. A few selected achievements in 2021-22 are highlighted under each objective.

Objective #1: Be a reputable and trusted voice for women's economic empowerment

Collaboration and stakeholder engagement are essential to being a reputable and trusted voice in the public space. Central to the PEO's engagement plan to reach wider networks, was the leveraging of a small number of stakeholders that are leaders in advocating for equity in the workplace and using data-driven research to inform policy making.

As a part of this engagement, the PEO collaborated with Lean In Canada, one of Canada's largest networks of professional women, for a two-part series on pay equity. The first event was an online discussion on the gender wage gap in Canada, where Commissioner Ward shared the stage with award-winning journalist Robyn Doolittle, co-author of the The Globe and Mail's Power Gap investigative series. For this event, Commissioner Ward took the opportunity to raise awareness of the gender wage gap in Ontario and other provinces and territories, as well as what current legislation and policies can do to protect the rights of working women, while Robyn Doolittle shared her findings on the existing gender pay gap experienced in the public and private sectors in

Canada. Lean In Canada's second event took place on International Equal Pay Day as Commissioner Ward commemorated the day with Federal Pay Equity Commissioner Karen Jensen. The event was facilitated by the two Commissioners, several Directors of the Lean In Canada board, and staff members from the PEO. To encourage in-depth discussion, participants were led through a series of breakout rooms with discussion topics including technology and gender-based inequality, myth-busting the gender wage gap, and pay equity legislation in Canada.

Over the summer, Commissioner Ward joined a diverse panel of experts for the Canadian Urban Institute's roundtable discussion on "Big Ideas to Close Canada's Gender Gap". The event addressed a multitude of complex factors affecting women's full participation and equal compensation in the labour market, including the need for intersectional data, bias against Indigenous women, maternity leave, access to childcare, and the cultural sidelining and silencing of women in the workplace. Commissioner Ward's participation in such a dynamic and diverse conversation not only lends credibility to the PEO as a leading voice for women's economic empowerment in Canadian cities, it raises awareness of the province's *Pay Equity Act* and ongoing efforts in (re)building a gender-equal post-COVID economy.

As a member of the Equal Pay International Coalition (EPIC) – an international collaboration of the UN Women, the ILO and the OECD, the PEO was invited to participate in a Peer-2-Peer learning opportunity with the Ministry of Labour and Social Affairs of the Czech Republic to share insights into the practical application of Ontario's *Pay Equity Act*, and how experts from the field of equitable remuneration and compensation specialists can leverage it in their work. A Senior Review Officer led a technical workshop on the "how" of pay equity analysis, while Commissioner Ward stressed the urgency of closing the gender gap as the twin economic and health crises currently experienced worldwide have the potential to roll back gender equality and the gains it has brought to workforces in Canada and globally. The workshop was well-received, leading the Czech Ministry to feature Ontario's pay equity practices as "good practice" in their materials, illustrating the PEO's potential and progress in reaching new audiences as well as becoming a reputable and trusted voice for women's economic empowerment on the global stage.

Objective #2: Close the policy, knowledge, and gender wage gaps

The PEO aims to understand the gender wage gap and its drivers by conducting ongoing, high-quality research. By disseminating its findings widely with the public, the PEO moves closer towards closing the existing policy, knowledge, and gender wage gaps.

As part of these efforts, the PEO undertook a milestone campaign in the form of a six-part "edu-tainment" video and podcast series called "Level the Paying Field" (LTPF). In this series, Commissioner Ward interviewed an esteemed group of experts, academics, and journalists on the gender wage gap as well as diversity, equity, and inclusion. The series featured speakers from the OECD, ILO, Harvard Business School, the University of Toronto, and more. The series was awarded a Gold Quill for communications excellence from the International Association of Business Communicators (IABC) in the Governmental Communication category.

Closing these gaps has required both "macro" and "micro" engagement approaches. While LTPF reached a wide audience, the Office also engaged with a smaller group of government leaders and corporate executives by providing pay equity training for the International Training Centre of the ILO's Academy on Fundamental Principles and Rights At Work and York University's MBA program. By training a small but powerful groups of decision-makers, the PEO has influenced individuals who have the potential to create a sustainable positive impact in their respective workplaces and governments.

Commissioner Ward and the PEO were invited to submit several thought-leadership pieces on policy, program, and legislative instruments to close the gender wage gap. Commissioner Ward published three articles on the OECD Forum Network while the PEO submitted two blog posts summarizing its partnership events with the Czech Ministry and best practices on the Articles & Blog Section of Equal Pay International Coalition's website. To ensure the PEO was reaching both external and internal audiences, a submission was also published through the Ontario Public Service's online newsletter, Topical, to introduce provincial public servants to the new Commissioner and the LTPF series.

Lastly, to address the economic effects COVID-19 has had on women and promote an inclusive, feminist economic recovery, the PEO submitted evidence-based recommendations to Ontario's Task Force on Women and the Economy as well as Ontario Workforce Recovery Advisory Committee.

Objective #3: Deliver with excellence

As the world continues to shift with the waves of the pandemic, the PEO has remained nimble and proactive in its approach to delivering high-quality services amidst a changing landscape. Leveraging these conditions as a catalyst, the Office took the opportunity to digitize and modernize its case management practices. By building the necessary infrastructure to migrate client correspondence online and organize cases digitally, the PEO continues to strive to improve efficiency. Furthermore, the PEO's ongoing

commitment to digitization has allowed the PEO the ability to better analyze the demographics of its clients, providing insight into possible industries and sectors that experience the highest degrees of pay inequity. The PEO also launched a new website, which not only provides a more modern look and feel, but better access to educational materials for the public.

Finally, the PEO has been hard at work to develop a user-driven tool to assist small businesses in understanding and completing the steps of a pay equity analysis. The soon to be launched "Pay Equity Solution for Small Business: A Do-It-Yourself Toolkit", is currently in the testing phase and is designed to take a user through seven steps to complete a pay equity analysis, including a final result table that sets out the amount of any adjustments that may be owed. The interactive tool is complemented by a suite of eLearning videos to support users in their analysis. By providing small businesses with the necessary resources to conduct their own pay equity analyses, the PEO is creating more efficient processes as well as helping small business owners become more knowledgeable and skilled in achieving pay equity.

Overall, the PEO experienced many successes this year through a culmination of hard work, passion, and perseverance. By addressing gender and pay equity's resurgence as an imperative to post-COVID economic recovery, the PEO is setting the foundation to accomplish its mission of closing the gender wage gap.

4. Performance Measures

Objective #1: Be a reputable and trusted voice for women's economic empowerment

Intended Activities	*2021-22 Target*	*2021-22 Actual*
Public education events	♦ 8 events ♦ 60% of respondents rate as "Useful" or "Very Useful"	♦ Exceeded target with 13 events ♦ Incomplete data due to low survey response rates. The PEO will re-examine evaluation tools for next year.
Public addresses by Commissioner	♦ 8 addresses	Exceeded target with 9 addresses
Establish a stakeholder engagement strategy with partnership metrics	♦ Establish strategy, define metrics	Met target. Metrics being refined, details to be communicated in next annual report
Review website, develop new metrics	♦ Launch updated AODA-compliant website	Met target
Outbound thought leadership contributions across a diversity of publications and media	♦ 12 contributions published ♦ Publications reflect target audiences identified in stakeholder engagement strategy	Exceeded target with 17 contributions across a diverse group of media outlets
Develop media relations strategy	♦ Develop media relations strategy	Met target
Collaborate with Ontario ministries, other Canadian jurisdictions, internationally	♦ At least 3 government collaborations (e.g. MEDJCT, MCCSS, MLTSD)	Exceeded target with 7 government collaborations

Objective #2: Close the policy, knowledge, and gender wage gaps

Intended Activities	*2021-22 Target*	*2021-22 Actual*
Provide thought leadership to optimize policy, program, and legislative instruments to close the gender wage gap	Seek out 3 request or submission opportunities	Exceeded target with 6 requests/submissions
Help HR professionals be equipped to comply with the Act	♦ At least 3 training sessions *Baseline reach #s TBD*[4]	Met target
Partner with intermediaries serving small and micro businesses	3 new intermediary partners approached	Exceeded target
Promote deeper understanding of the factors causing persistence of the gender wage gap, and the most effective tools and instruments to address the factors	♦ Increased visitor traffic to the "Learn More" section of the PEO's new website ♦ Increased social media impressions ♦ Seek out 3 request opportunities ♦ Growth in number and reach of partners	♦ Met target ♦ Met target ♦ Exceeded target ♦ Met target
Adopt evidence-based approach to deliver legislated mandate, targeting sectors where research shows the highest potential for impact	Pilot new self-serve compliance tool for small and micro businesses, use pilot results to define baseline and targets	Target partially met. Worked with a vendor to develop e-learning tools. Tool will launch in 2022-23.
Order employers to comply with the Act as needed	90% of payment Orders are fulfilled without requiring the PEO to refer matters to the Tribunal	Met target

[4] The conversion of professional development events to virtual formats in 2020 led to dramatic changes in event programs and accessibility. In many instances, the number of participants increased significantly where the virtual medium made participation more convenient and less costly. In other instances, organizers have decided to permanently change their event formats to offer more frequent events but with smaller groups. Therefore, the PEO will monitor participant numbers over the first year of this three-year business planning cycle to establish new baseline targets.

Objective #3: Deliver with Excellence

Intended Activities	*2021-22 Target*	*2021-22 Actual*
Investigate and resolve complaints under the Act	♦ Review case management practices, procedures, and tools for resolving complaints ♦ 80% of complaints are resolved within 18 months ♦ 90% of Orders appealed to the Tribunal are found to be correct in law	♦ Met target ♦ 63% were resolved within 18 months ♦ N/A – Tribunal decisions still pending
Design new proactive compliance programs based on behavioural insights	Establish baseline and targets based on pilot results of new self-service tool	Deferred to 2022-23
Invest in ongoing professional development	♦ All staff have learning plans ♦ All staff complete planned learning activities	Met target
Demonstrate commitment to Guiding Principles	100% of staff performance plans include commitment to PEO Guiding Principles	Met target
Demonstrate commitment to equity and inclusion in the workplace	♦ 100% of staff performance plans include commitment to equity and inclusion in the workplace ♦ Develop collaborative anti-racism action plan tailored to PEO; begin implementation	Met target

5. Caseload Information

For the 2021-22 reporting year, the PEO is providing information about its caseload activities in a new manner that we hope readers will find helpful.

The tables and graphs included in this section present only a snapshot, which in turn is only a partial picture of the full scope of the PEO's enforcement work.

This section presents information about our overall caseload volume (section 5.1) and turnover (section 5.2) in both data table and graphical form, a high-level profile of applicants (section 5.3), the monetary value of upholding pay equity rights and obligations (section 5.4), parties' agreement or disagreement with PEO Orders (section 5.5), and the PEO's public information service (section. 5.6).

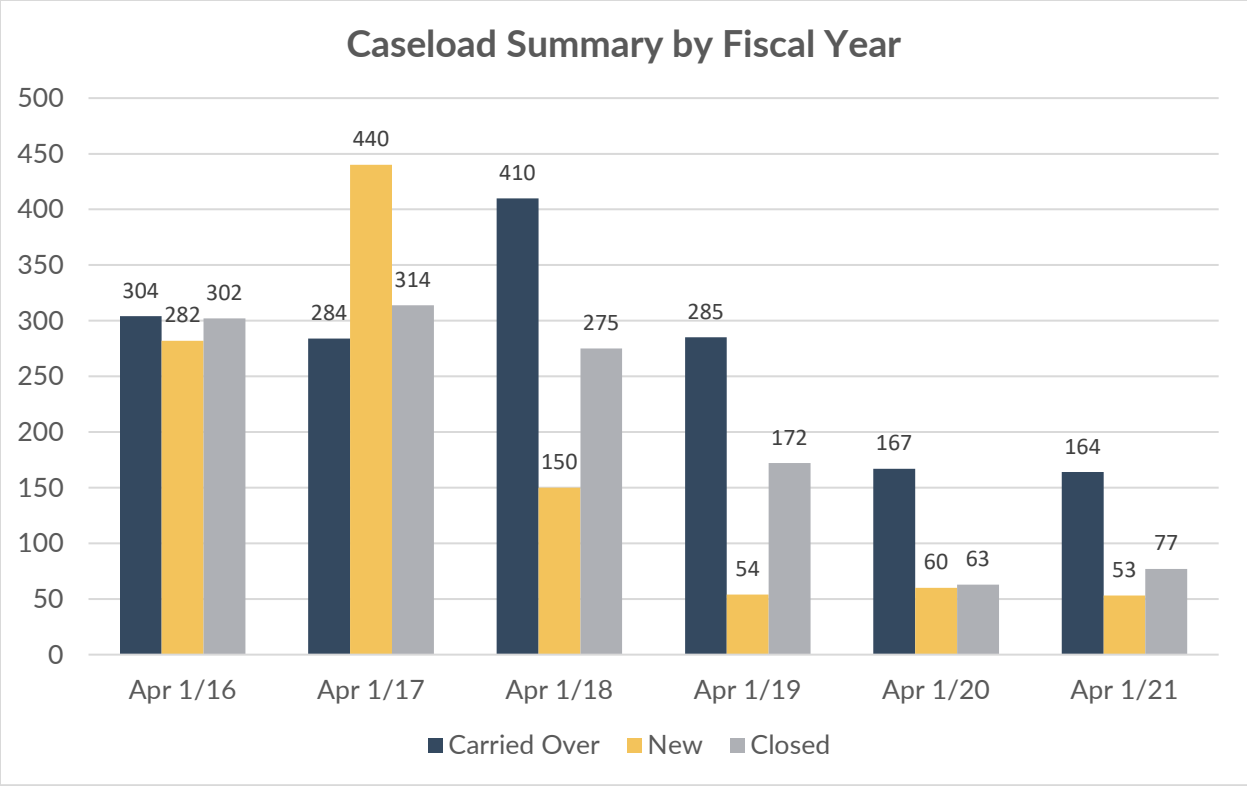
5.1 Caseload Volume

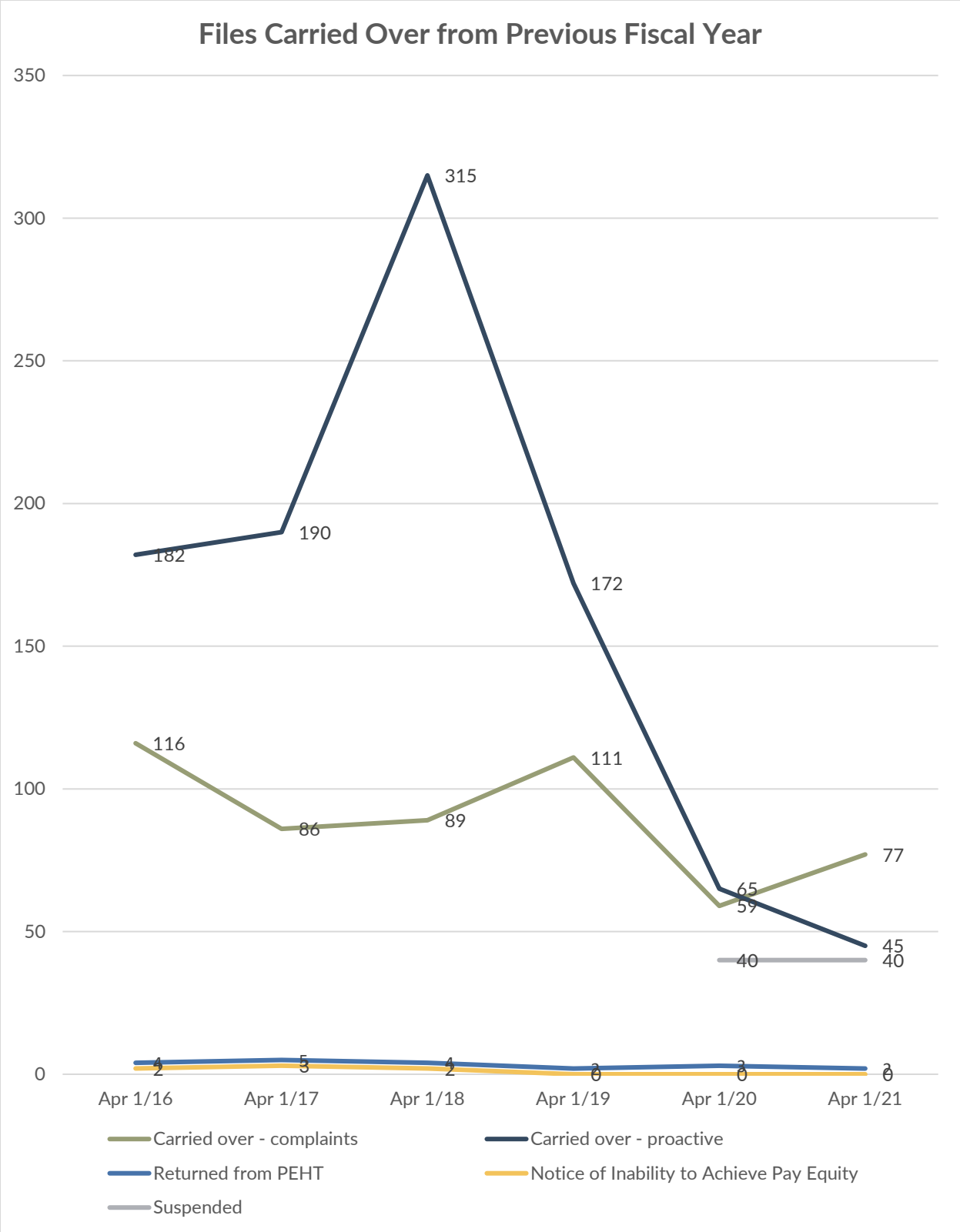
Below is a bird's-eye view of the volume of the PEO's cases, showing the sources of the PEO's cases (only the "proactive" portion of which is within the PEO's control), and the types of dispositions during each fiscal year.

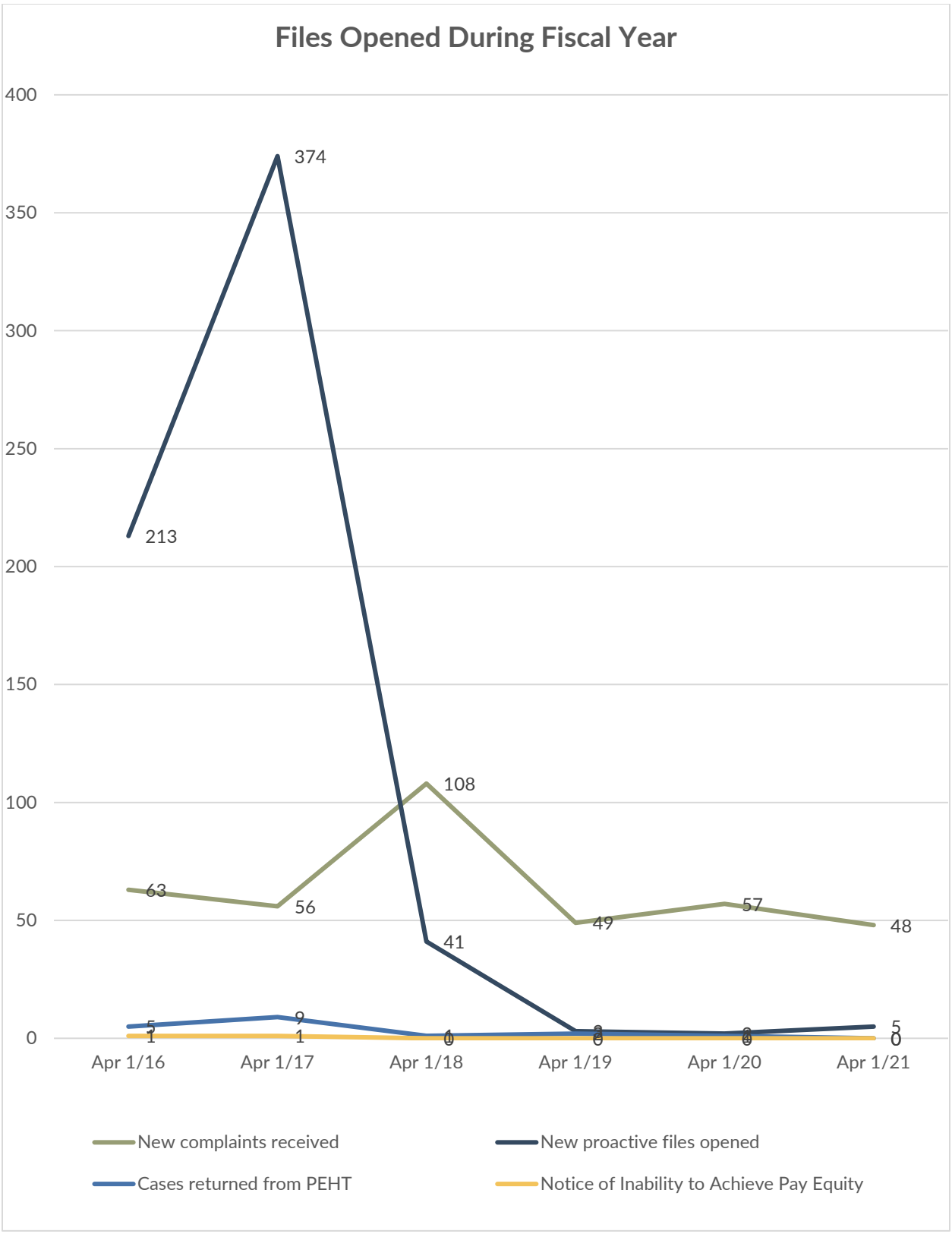
Caseload Volume by Fiscal Year

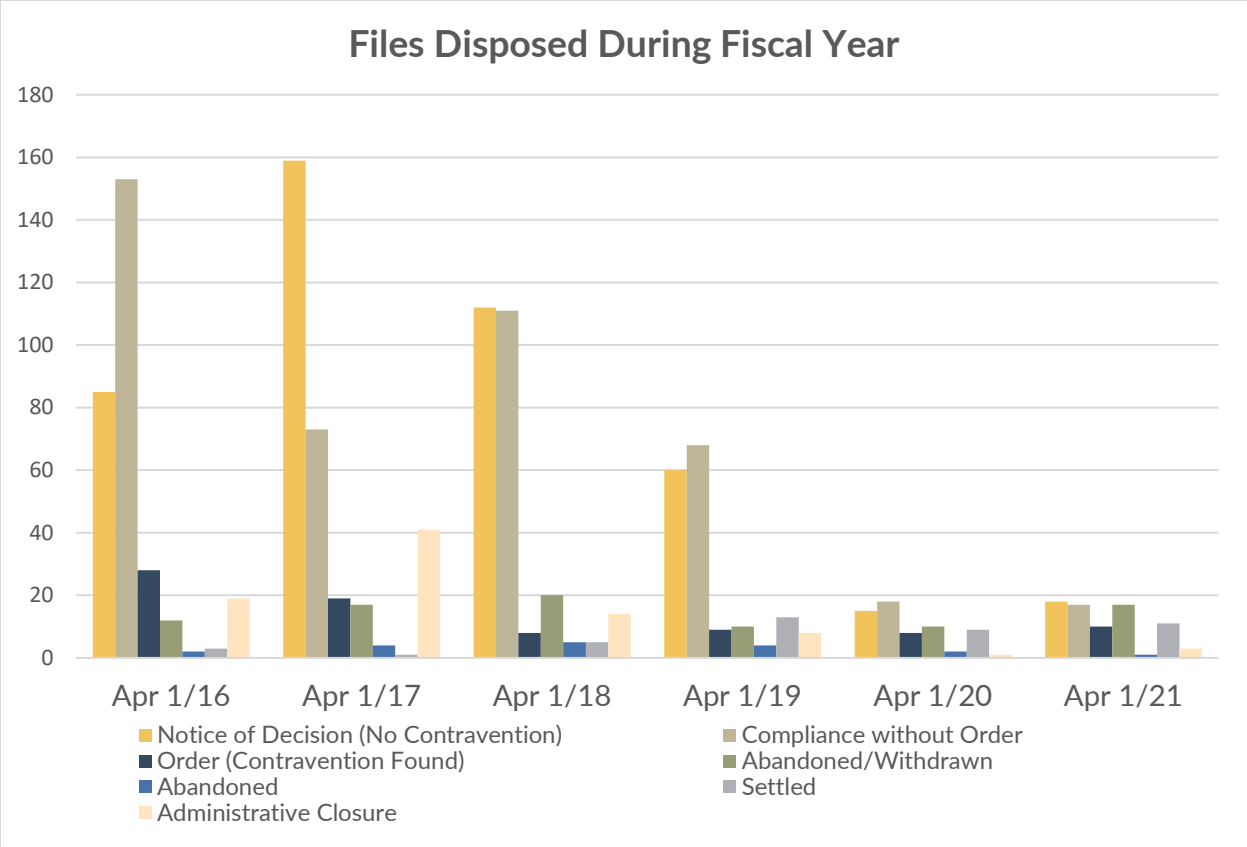
	21-22	20-21	19-20	18-19	17-18	16-17
Apr 1: files carried over from previous fiscal						
Open complaints[5]	77	59	111	89	86	116
Open proactive[6]	45	65	172	315	190	182
Cases returned from Tribunal	2	3	2	4	5	4
Notice of Inability to Achieve Pay Equity[7]	0	0	0	2	3	2
Suspended[8]	40	40[9]	n/a	n/a	n/a	n/a
Sub-total open carried over	**164**	**167**	**285**	**410**	**284**	**304**
Apr 1 – Mar 31: files opened						
New complaints received	48	57	49	108	56	63
New proactive files opened	5	2	3	41	374	213
Cases returned from Tribunal	0	1	2	1	9	5
Notice of Inability to Achieve Pay Equity	0	0	0	0	1	1
Sub-total new opened	**53**	**60**	**54**	**150**	**440**	**282**
Apr 1 – Mar 31: TOTAL files open during fiscal year	**217**	**227**	**339**	**560**	**724**	**586**
Apr 1 – Mar 31: files disposed						
Notice of Decision (no contravention found)	18	15	60	112	159	85
Compliance without an Order	17	18	68	111	73	153
Order[10] *(contravention found)*	10	8	9	8	19	28
Withdrawn	17	10	10	20	17	12
Abandoned	1	2	4	5	4	2
Settled	11	9	13	5	1	3
Administrative Closure	3	1	8	14	41	19
Sub-total files disposed	**77**	**63**	**172**	**275**	**314**	**302**
Mar 31 – files carried over to next fiscal	**140**	**164**	**167**	**285**	**410**	**284**

[5] Also referred to as "reactive" files. Complaint files are opened when an Applicant submits an "Application for Review Services".
[6] "Proactive" cases include cases described as "monitoring" files in previous annual reports. Proactive cases are files that the PEO open without waiting for a complaint to be filed.
[7] These are files opened in response to an application from an employer where the employer requests the PEO's assistance by submitting a formal "Notice of Inability to Achieve Pay Equity".
[8] This category was introduced in 2020-21.
[9] This figure includes three files suspended due to extenuating circumstances related to the global pandemic, and 37 Participating Nursing Home files that were suspended while being litigated in the court system. At the time of preparing this 2021-22 annual report, the PEO had reactivated the 37 Participating Nursing Home files.
[10] Excludes interim Orders.


Caseload Summary by Fiscal Year
500
450
400
350
300
250
200
150
100
50
0
304
282
302
284
440
314
410
150
275
285
54
172
167
60
63
164
53
77
Apr 1/16
Apr 1/17
Apr 1/18
Apr 1/19
Apr 1/20
Apr 1/21
Carried Over
New
Closed


Files Carried Over from Previous Fiscal Year
350
300
250
200
150
100
50
0
315
190
182
172
116
111
86
89
77
65
59
45
40
40
4
5
4
3
3
3
2
3
2
0
0
0
Apr 1/16
Apr 1/17
Apr 1/18
Apr 1/19
Apr 1/20
Apr 1/21
Carried over - complaints
Carried over - proactive
Returned from PEHT
Notice of Inability to Achieve Pay Equity
Suspended


Files Opened During Fiscal Year
400
350
300
250
200
150
100
50
0
374
213
108
63
56
49
57
48
41
9
5
1
1
5
Apr 1/16
Apr 1/17
Apr 1/18
Apr 1/19
Apr 1/20
Apr 1/21
New complaints received
New proactive files opened
Cases returned from PEHT
Notice of Inability to Achieve Pay Equity



5.2 Caseload Age

This section presents a snapshot of the rate of turnover of the PEO's files. The proportion of the PEO's caseload that is greater than two years old at the end of the 2021-22 reporting year reflects several realities:

- Starting in the 2019-20 fiscal year, the global pandemic significantly delayed or halted progress on many pay equity files. The PEO made a commitment to accommodate employers directly affected by the pandemic, e.g. employers in the restaurant industry, knowing that such accommodations would lengthen the duration of these cases.
- The inherent nature of pay equity means that PEO's investigations are unusually time-consuming. Since pay equity is about ensuring that positions, or groups of positions (called "job classes"), are impartially assessed for the value that they contribute to the company's overall success, a complaint about a single employee or a single position or job class cannot be evaluated in isolation – the Review Officer must evaluate the full organizational context for the complaint.
- In order to evaluate the treatment of a job class, the Review Officer must obtain documentation from the employer. Sometimes the quantity of documentation is

voluminous and sometimes sparse; sometimes employers struggle to find records. Review Officers do their best to tailor timelines that are reasonable for each employer's unique circumstances.

- Where a Review Officer issues an Order directing a party to carry out specific actions in order to comply with the Act, the file is kept open until the party/ies provide proof that they have fulfilled their obligations. Since many of these Orders direct employers to update pay equity calculations and pay out adjustments, employers often need an additional 2-3 months to process everything through their payroll systems; very large employers often need a longer period of time.

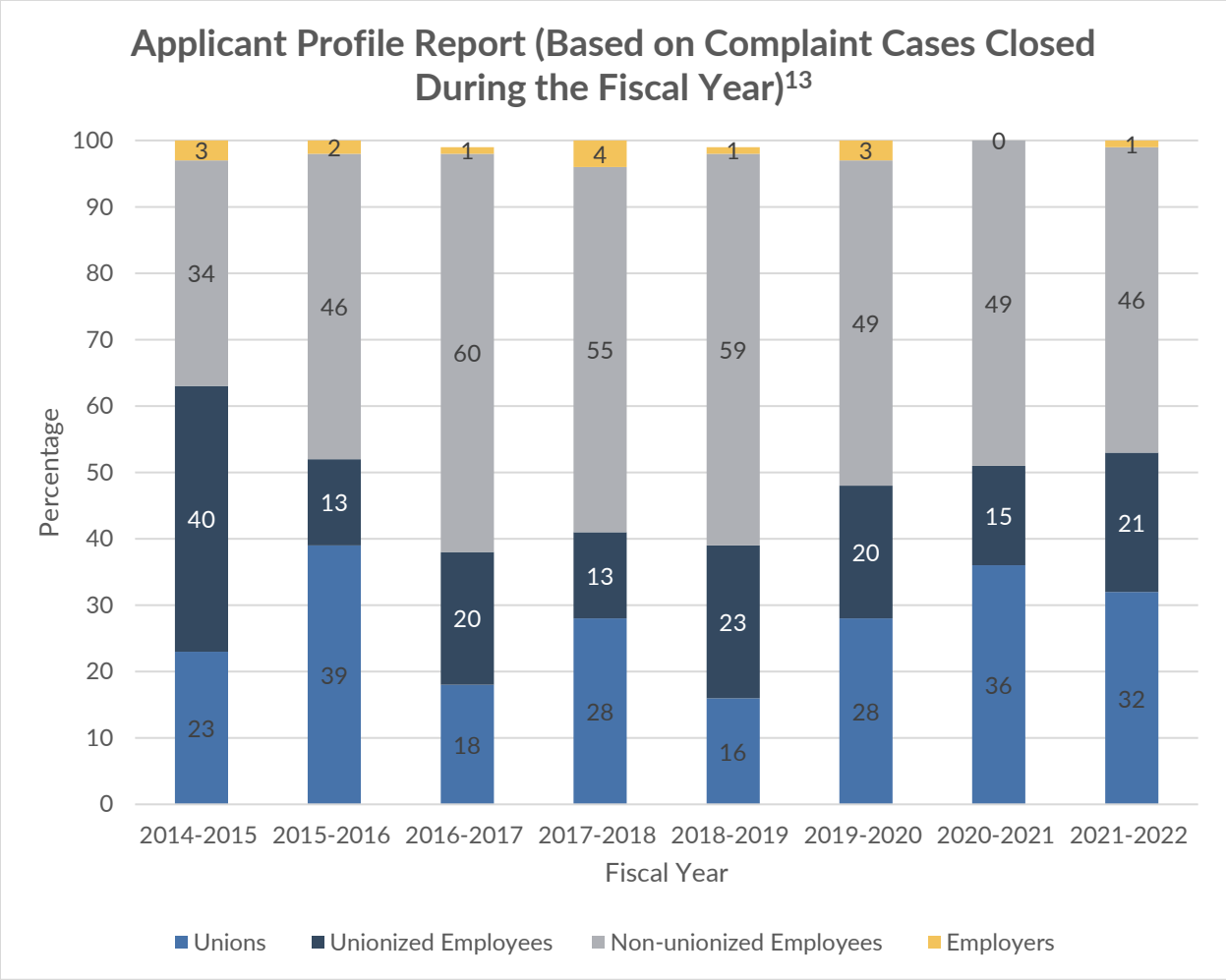
Age of files at time of disposition						
Fiscal Year	**< 6 months**	**6 – 12 months**	**1 - 1.5 years**	**1.5 – 2 years**	**> 2 years**	**Total # of Files Disposed**
2021-22	20	11	7	9	30	77
2020-21	10	8	8	3	34	63
2019-20	17	17	15	27	96	172

5.3 Complaint Files – Applicant Profile

The *Pay Equity Act* permits any employee (current or former), bargaining unit, or employer to file an Application for Review Services.

Applicant Profile Report – Closed complaint cases[11]				
Fiscal Year	**Unions**	**Unionized Employees[12]**	**Non-unionized Employees**	**Employers**
2021-2022	32%	21%	46%	1%
2020-2021	36%	15%	49%	0%
2019-2020	28%	20%	49%	3%
2018-2019	16%	23%	59%	1%
2017-2018	28%	13%	55%	4%
2016-2017	18%	20%	60%	1%
2015-2016	39%	13%	46%	2%
2014-2015	23%	40%	34%	3%

[11] Values expressed as percentages may not add to 100% due to rounding.
[12] Unionized employees may file an Application on their own, without their union.



[13] Values expressed as percentages may not add to 100% due to rounding.

5.4 Closing the Gap

Since the goal of the *Pay Equity Act* is to remedy inequitable compensation, a natural question that follows is "how much does it cost to bring female job classes in line with their male comparator(s)?" The following table provides a high level answer to that question. In reality, the size of payments varies considerably from one employer to another based on factors such as the number of affected employees, the time period involved (and whether interest is owed), and the dollar value of the difference in compensation.

Fiscal Year	$ Adjustments Paid Out			# Employees Who Received Payment Adjustments		
	Complaint Files	Proactive Files[14]	Total	Complaint Files	Proactive Files	Total
2021-22	$691,499.14	$2,701,997.86	$3,393,497.00	103	1,613	1,716
2020-21	$1,958,542.39	$1,209,622.43	$3,168,164.82	1,423	378	1,801
2019-20	$1,197.97	$1,200,420.38	$1,201,618.35	4	343	347
2018-19	$1,503,774.71	$742,388.50	$2,246,163.21	262	215	477
2017-18	$2,749,122.23	$550,078.42	$3,299,200.65	775	146	921
2016-17	$1,899,082.94	$2,787,875.36	$4,686,958.30	444	597	1,041
2015-16	$1,399,253.12	$4,913,692.09	$6,312,945.21	467	1,345	1,812
2014-15	$2,067,607.51	$255,538.69	$2,323,146.20	1,144	95	1,239

[14] Includes files categorized as "monitoring" files in previous annual reports.

5.5 Compliance and Appeals

The *Pay Equity Act* gives the PEO the ability to refer cases of non-compliance to the Tribunal for enforcement. In the spirit of the Act, Review Officers make every attempt to exhaust all other resorts before deciding to refer a matter to the Tribunal. The Act also permits parties who disagree with the PEO to appeal an Order to the Tribunal.

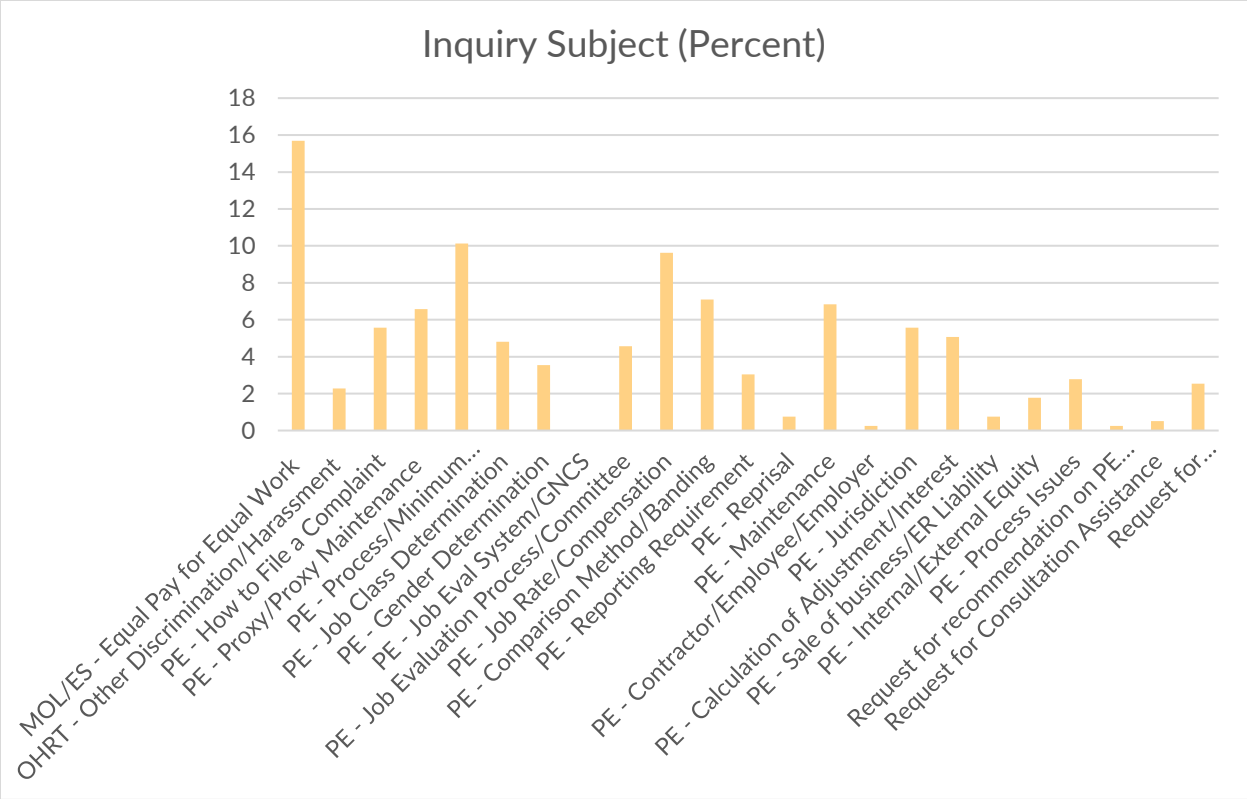
The PEO strives to ensure that all Orders are correct in law, and pays close attention to the Tribunal's findings.

Appeals 2021-22		
Type	**Number of Cases**	**Percentage of Cases**
Cases referred to Tribunal by PEO	0	0% of PEO's 21-22 caseload
Cases appealed by a party to the Tribunal	4[15]	2% of PEO's 21-22 caseload
Cases where Tribunal upheld PEO order	Decision still pending for all four cases	N/A

5.6 General Inquiries Service

The PEO also serves the general public by operating a General Inquiries service that enables people to ask questions via email, telephone, fax, or TTY. This service is a general information service only; the PEO can only provide information to explain the provisions of the *Pay Equity Act* or the steps required to do a pay equity analysis. The PEO cannot provide legal advice, nor can the PEO provide advice on specific situations. In order to assist any workplace party with their particular circumstances, the PEO would have to open a file and ensure that all questions are addressed through a comprehensive review of all relevant information.

[15] All four cases are still with the Tribunal at the time of this writing.



Inquirers utilize email and telephone in roughly equal proportion. The majority (40%) of questions relate to one of three themes:

- Equal pay for equal work, including the common confusion between the *Pay Equity Act* and the *Employment Standards Act* (these inquiries are usually referred to the Ministry of Labour, Training and Skills Development);
- Questions about the process of pay equity, including roles and responsibilities; and
- Job rate/compensation.

6. Finances and Human Resources

6.1 Financial Report

The PEO's annual operating budget is part of the Ministry of Labour, Training and Skills Development's Estimates and reports quarterly on its expenditures and planned commitments.

Fiscal Year 2021–22 (in thousands of dollars)

Account	2021-22 Expenditure Estimates	2021-22 In-year Board Approvals	2021-22 Year-end Budget	2021-22 Year-end Actuals	Variance	% Variance
Salaries & Wages	2,346.0	-	2,346.0	1,778.9	567.1	24.2%
Benefits	266.1	-	266.1	254.7	11.4	4.3%
ODOE :		-				
Transportation & Communication	42.8	-	42.8	19.2	23.6	55.2%
Services (Including Lease)	325.0	-	325.0	761.2	(436.2)	-134.2%
Supplies & Equipment	20.0	-	20.0	4.6	15.4	77.2%
Total ODOE	**387.8**	**-**	**387.8**	**785.0**	**(397.2)**	**-102.4%**
Grand Total	**2,999.9**	**-**	**2,999.9**	**2,818.6**	**181.3**	**6.0%**

6.2 Human Resources

The PEO consists of 24 Full Time Equivalents. The Commissioner is the sole Order-in-Council appointee.

Section 3.5.1 of the *Agencies and Appointment Directive, April 2020*, requires that remuneration for appointees be included in the annual report. The annualized remuneration (salary not including benefits) for the Commissioner in the 2021-2022 fiscal year is $174,184.

As required by the *Public Sector Expenses Review Act, 2009*, the Commissioner's expenses have been posted quarterly on the Pay Equity Office website commencing April 1, 2015.

ISSN 2562-8275

The Pay Equity Hearings Tribunal

Annual Report 2021-2022

PEHT Annual Report 2021-2022

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Message from the Presiding Officer

I am pleased to present the 2021-22 Annual Report for the Pay Equity Hearings Tribunal.

This report is once again being presented after a full year in which the Tribunal operated entirely remotely. The Tribunal is pleased that not a single hearing date had to be adjourned or cancelled because of technological issues, and it appears that the community has adapted to filing documents electronically and having their hearings held electronically.

In the 2021-22 year, we welcomed Lindsay Lawrence as a Deputy Presiding Officer. Lindsay is a terrific addition to our adjudicative roster as she previously served as the Tribunal's legal counsel.

In the 2021-22 year, we received nine new applications, which is higher than the previous year, and more in line with the last pre-pandemic fiscal year of 2019-20. We continue to expect an influx of applications in the next two fiscal years because the Supreme Court denied leave to appeal from the *Participating Nursing Homes*, 2021 ONCA 148 (CanLII) decision, in October 2021. We anticipate, as a result of this decision, a higher number of applications being filed with Review Services in 2021-22 and 2022-23, which would likely result in a higher number of applications to the Tribunal in the following years.

In 2022-23, the Tribunal also anticipates that it will have to determine how employers that established their pay equity plans using the proxy method will continue to use the proxy method in the maintenance process as directed by the Court of Appeal.

Overview

The Pay Equity Commission (the "Commission") was established by section 27 of the *Pay Equity Act*, *1987*, c.34 and is continued by subsection 27(1) of the *Pay Equity Act*, R.S.O. 1990, c.P.7 as amended (the "*PEA*"). The Commission consists of two separate, independent parts: the Pay Equity Hearings Tribunal (the "Tribunal") and the Pay Equity Office. The purpose of the *PEA* is to redress systemic gender discrimination in compensation for work performed by employees in female job classes. Its implementation contributes to a fairer and more productive workplace.

The Tribunal is an adjudicative agency of the Government of Ontario responsible for adjudicating disputes that arise under the *PEA*. Pursuant to section 28(1) of the *PEA*, the Tribunal is a tripartite board, composed of the Presiding Officer, Alternate Presiding Officer, a number of Deputy Presiding Officers and Members, representative of employers and employees (Appendix A).

The Tribunal deals exclusively with issues arising under the *PEA*. The Tribunal has exclusive jurisdiction to determine all questions of fact or law that arise in any matter before it. Tribunal decisions are based on the evidence presented and submissions received and on the panel's interpretation of the facts in dispute, legislation and jurisprudence. The Tribunal is committed to a hearing process that balances the need to be fair, accessible, economical and efficient. It deals as expeditiously and fairly as reasonably possible in processing, settling or adjudicating all matters that come before it. The decision of the Tribunal is final and conclusive for all purposes. Decisions of the Tribunal cannot be appealed but may be judicially reviewed. The Tribunal encourages co-operation among employers, bargaining agents and employees and is committed to encouraging settlement among the parties.

The Tribunal is entitled to determine its own practices and procedures and has the authority to make rules and forms governing its practices and the conduct of those appearing before it. The Tribunal's Rules, Forms and Information Bulletins are available on its website at http://www.peht.gov.on.ca or from its offices, when open, at 505 University Avenue, 2nd Floor, Toronto, Ontario, M5G 2P1.

Organizational Structure

The Ontario Labour Relations Board (the "OLRB") provides administrative and institutional support to the Tribunal. The Tribunal benefits from the OLRB's sophisticated administrative and legal support, as well as information technology and the potential to take advantage of the expertise of its mediators. While the Tribunal has its own complement of Deputy Presiding Officers and Members, the Tribunal Presiding Officer, Alternate Presiding Officer, all of the Deputy Presiding Officers and four of the current Members are cross-appointed to other tribunals ensuring that the Tribunal is staffed with experienced decision-makers at a cost that is shared with other tribunals (full-time appointments only). (Appendix A)

The Tribunal also participates in a broader, shared-services arrangement with the OLRB and the Workplace Safety and Insurance Appeals Tribunal. These adjudicative agencies share printing and production, mail services and common library services.

Operations During the Pandemic

The Tribunal continued to operate during 2021/2022 with all OLRB staff and PEHT adjudicators working remotely, for almost the entire year. The Tribunal continued to require electronic filing of applications, responses and submissions. Front desk staff were equipped with cell phones to take calls remotely and provide information to the public and stakeholders while the offices were closed.

All hearings and pre-hearings in 2021/2022 were held by video or teleconference where appropriate and no in-person hearings took place. Parties may write to the Tribunal to request an alternative to video hearing and such requests will be considered on a case by case basis. Some of the other changes which took effect at outset of the pandemic in 2021/2022 remain in place, and include:

- Changes to how parties may deliver documents to each other namely delivery by email with confirmation provided so that the email can be relied upon for effective notice;

- A new electronic summons to hearing form;

- The Tribunal began accepting the filing of a large volume of documents through the use of a third party cloud tool (such as Drop Box, Google Drive or Microsoft OneDrive).

Tribunal Processes

Upon receipt of an application, the Tribunal sends a Confirmation of Filing to the parties confirming that the application has been filed, providing the Tribunal file number and advising the parties of the date by which a response must be filed.

With respect to the adjudication of disputes, the Tribunal continues to encourage the parties to resolve their disputes without the need for adjudication. Once the response has been filed, many cases which involve more than a single party are scheduled for a Pre-Hearing Conference with the Presiding Officer, Alternate Presiding Officer or Deputy Presiding Officer where one of the objectives is to explore with the parties opportunities to settle all or a part of the dispute.

In order to increase its efficiency and reduce the parties' costs, the Tribunal continues its efforts to reduce the number of days it takes to adjudicate a matter. The Tribunal proactively identifies preliminary issues and directs the parties to address them, and encourages the parties to raise any issues they may identify well in advance of the hearing with a view to determining these matters on the basis of written submissions. The Tribunal continues to use Pre-Hearing Conferences and/or case management hearings to organize and streamline the issues in dispute so that a matter can be adjudicated as efficiently as possible. In addition, parties are routinely asked to exchange detailed submissions and documents well in advance of a hearing in order to make better use of available hearing time. It has been the Tribunal's experience that requiring the exchange of detailed submissions and documents in advance of the hearing not only serves to reduce hearing time but also facilitates the parties' ability to resolve some or all of the dispute.

In the past, the parties frequently agreed to extend the time limits for the filing of submissions and/or agreed to adjourn set hearing dates. This practice led to applications remaining outstanding for unacceptable periods of time. The Tribunal now discourages adjournments except where compelling circumstances arise and requires parties to offer substitute dates within 72 hours.

Key Activities

The Tribunal's key activities are adjudication and dispute resolution in the area of Pay Equity. These two functions are the foundation for the Tribunal's objective of adjudicative and dispute resolution excellence.

Adjudication

The Tribunal is tripartite in nature, comprised of neutral Presiding Officers and member representatives of employers and employees/trade unions. The Members are expected to bring the perspective and concerns of their community to the task of adjudication. All of the Presiding Officers have cross-appointments with at least one other adjudicative agency. The Tribunal holds hearings where evidence is presented and oral arguments are made. Pay equity issues are often complex; hearings can take multiple days to complete. Tribunal decisions are issued in writing and posted on accessible websites (www.canlii.org). Parties are encouraged to seek independent legal advice before coming to the Tribunal.

Mediation

Almost every case is scheduled for a pre-hearing conference before a presiding officer, other than the one who will hear the case. The goal of the pre-hearing is to identify and narrow the issues in dispute, organize the litigation to ensure that it is ready for hearing and explore opportunities to settle some or all of the issues. Pre-hearings are more informal than a hearing and provide an opportunity for parties to ask questions about the Tribunal's hearing procedures. Pre-hearings reduce hearing time, saving time and expense for both parties and the Tribunal.

IT Initiatives and Electronic Filing

The Tribunal's forms, in French and English, are available electronically on its website and are hosted by Ontario Shared Services. A total of seven forms are currently available to be submitted electronically, and parties can file correspondence, submissions and other material electronically. In 2021/2022, 98.8% of the total number of forms and submissions filed with the Tribunal were filed electronically as electronic filing became mandatory during the pandemic.

Caseload Processing

The total caseload for the fiscal year 2021/2022 amounted to 31 applications, which was a combination of 20 pending applications carried over from the previous year, 2 files re-opened and 9 new applications. The Tribunal's caseload each year is made up of two parts: the cases carried over into the year from the previous year and the cases filed during the current year

During the 2021/2022 fiscal year, the Tribunal disposed of eight applications. Two applications were granted, one was dismissed, two were terminated, and three were settled.

23 applications remained pending on March 31, 2022. Ten of them relate to a single Order of the Pay Equity Office and were filed on the same day in 2016. These should properly be counted as a single case, bringing the pending number as of March 31, 2022 down to 14.

The Tribunal has made a practice in its Annual Report of providing caseload data of the kind set out in the preceding paragraphs and in the Caseload Statistics table. These numbers alone do not always provide a meaningful picture of the demand that those cases place on adjudicative resources, principally because that demand varies significantly from one application to another. A more nuanced understanding emerges from statistics relating to the number of pre-hearing conference dates scheduled (11) and held (7), hearings scheduled (5) and held (3), and number of written decisions issued this year: interim decisions (21) and final decisions (6). Even then, of course, there is considerable variation in the complexity of the decisions and the amount of time required to generate the reasons.

Caseload Statistics

	Caseload				Disposed of						
Fiscal Year	Total	Pending April 1	Received Fiscal Year	Re-Opened	Total Disposed	Granted	Dismissed	Terminated	Settled	Pending Other Case	Pending March 31
2021-22	**31**	20	9	2	**8**	2	1	2	3	0	**23**
2020-21	**27**	21	6	-	**7**	1	4	1	1	0	**20**
2019-20	**39**	29	10	-	**18**	1	13	0	1	3	**21**
2018-19	**36**	31	5	-	**8**	3	0	2	3	-	**29**
2017-18	**44**	37	7	-	**13**	4	2	2	5	-	**31**
2016-17	**46**	25	21	-	**13**	3	0	2	8	-	**37**
2015-16	**45**	13	32	-	**21**	5	3	1	12	-	**25**
2014-15	**30**	18	12	-	**17**	3	2	2	10	-	**13**
2013-14	**31**	20	11	-	**14**	5	2	4	3	-	**18**
2012-13	**35**	21	14	-	**11**	0	4	4	3	-	**23**
2011-12	**39**	21	18	-	**21**	3	4	3	11	-	**21**
2010-11	**35**	13	22	-	**16**	4	3	5	4	-	**21**
2009-10	**50**	28	22	-	**37**	8	4	1	24	-	**13**
2008-09	**48**	25	23	-	**20**	0	4	0	16	-	**28**
2007-08	**34**	12	22	-	**9**	2	1	0	6	-	**25**
2006-07	**25**	10	15	-	**13**	3	4	0	6	-	**12**
2005-06	**16**	5	11	-	**6**	3	2	0	1	-	**10**
2004-05	**5**	0	5	-	**0**	0	0	0	0	-	**5**

In 2021-22, two matters were settled and a final decision was issued on September 16, 2021. Those matters were reopened solely for the purpose of granting an extension for the parties to comply with the settlement and decision. Those matters were re-closed on May 9, 2022.

Definition of Terms:

1) Granted means that the application was, in whole or in large part, successful.
2) Dismissed means that the application was, in whole or in large part, not successful.
3) Terminated means that the application was not granted, dismissed or settled but was terminated at the parties' request or abandoned.
4) Settled includes all cases where the parties, either with or without the assistance of the Tribunal, settled the dispute, as well as cases that were adjourned.

Key Decisions

Pay equity – Maintenance – Employer purchased facilities out of receivership in 2011 – Employer thereby inherited pay equity in place – "$1.50 plan" was common in industry but did not use a gender-neutral comparison system ("GNCS") to evaluate job classes under the *Pay Equity Act* (the "Act") – As a result, there was no mechanism to determine whether there had been changes in the relative value of male and female job classes – Pay Equity Office ordered, among other things, that $1.50 plan be amended to stipulate a GNCS – Employer submitted that it could not comply with orders because it could not obtain necessary information for period of time between 2005 and 2011 when it purchased the facilities – Employer noted that pay equity issue was not raised until 2016 when Pay Equity Office contacted Employer as part of its monitoring program – Starting point of analysis is purpose of the Act: "to redress systemic gender discrimination in compensation for work performed by employees in female job classes" – No record-keeping obligation in the Act – Employer had no forewarning that its pay equity obligations would be challenged going back to 2005 – Procedurally unfair and inherently prejudicial to employer because it cannot produce records to respond to the application – Delay has caused impossibility to comply with the PEO's order back to 2005 – Important consideration was that the employer was not present at all in these facilities prior to 2011 – Employer has no independent information about how the facilities operated from 2005 to 2011 and there is no indication that it can get reliable information for that period – As a result, temporal scope of PEO's order revised to begin in 2011 instead of 2005 – Tribunal noted extraordinary nature of circumstances and that generally the mere passage of time will not affect an employer's obligations under the Act.

Glen Hill Terrace Christian Homes Inc., Applicant v Canadian Union of Public Employees (CUPE) Locals 2225-06/12 and 5110, Respondent – PEHT Case No. 2001-18-PE (November 23, 2021) - 2021 CanLII 126444

Pay equity – Maintenance – Applicants asserted that the employer had not maintained pay equity in accordance with the *Pay Equity Act* (the "Act") – Pay equity plan was deemed approved pursuant to section 15(8) of the Act – Employer had been directed by the Review Officer to review its pay equity plan, re-evaluate the job classes and to make any pay equity adjustments that were required – Review Officer reviewed results of employer's re-evaluation and agreed that no pay equity adjustments were required – Tribunal noted that deemed approved pay equity plans are given deference because the job evaluation process is not an exact science – In order to establish a violation of the Act in this case, the applicants must demonstrate that the job evaluation system either failed to apply one of the statutory criteria or excluded important job information related to any

of them – Evidence and submissions were clear that the applicants disagreed with the evaluation of their jobs but there was no evidence to establish that any of the statutory criteria were ignored or that job evaluation excluded important job information related to any of the statutory criteria – Application dismissed

Kristine Kiviaho, and Cynthia Farquhar v **Huron Lodge Community Service Board Inc.**, 2263-20-PE (November 5, 2021) - 2021 CanLII 115304

Court Activity

On September 21, 2021, the Divisional Court issued its decision in *Ontario Nurses' Association v. 10 Community Care Access Centres*, 2021 ONSC 5348. In this decision, the Divisional Court upheld the Tribunal's decision which held that unlike when an employer establishes a pay equity plan, a trade union has no statutory role in negotiating pay equity maintenance. Leave to appeal this decision to the Court of Appeal was dismissed on February 22, 2022.

Performance Measures

Efficient Case Processing

2021/2022 Commitments

- 75% of new files opened within two business days after an application is filed in accordance with the Tribunal's Rules of Practice.
- 75% of confirmations of filing of applications sent to parties within four business days of application filed in accordance with the Tribunal's Rules of Practice.
- 75% of files closed within two business days following final decision.

2021/2022 Achievements

- 100% of new files opened within two days after an application is filed in accordance with the Tribunal's Rules of Practice.
- 85.5% of confirmations of filing of applications sent to parties within four days of application filed in accordance with the Tribunal's Rules of Practice.
- 100% of files closed within two business days following final decision.

Adjudication and Disposition

2021/2022 Commitments

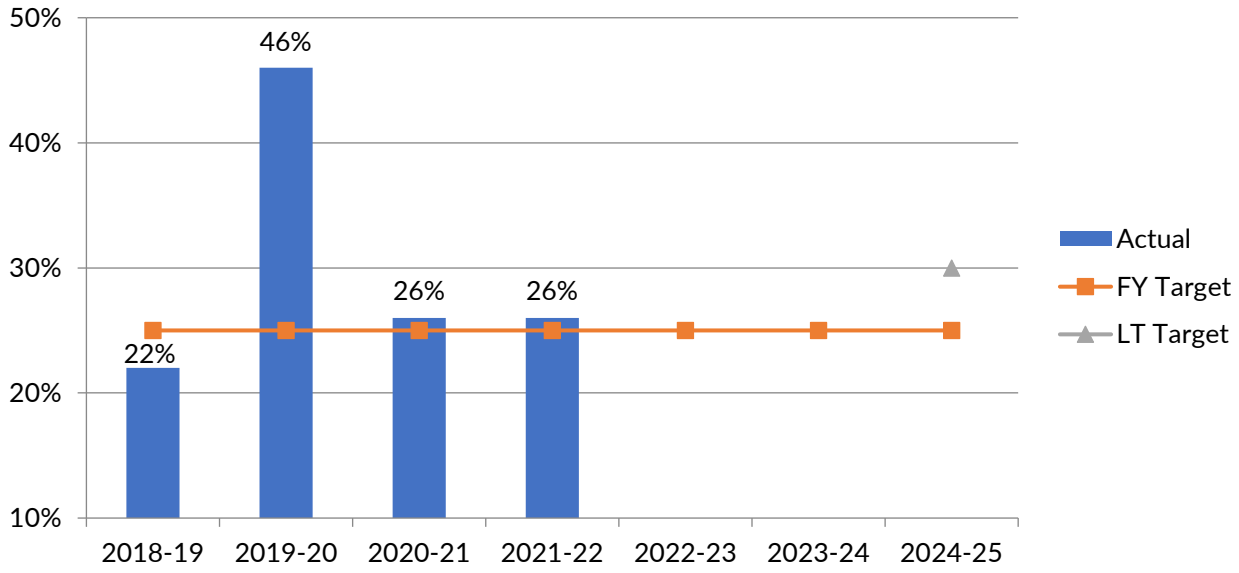
- 90% of files reviewed by Presiding Officer or Deputy Presiding Officer within two weeks of response date.
- Where a case management hearing is held, in 50% of those cases at least one issue is resolved.
- 25% of outstanding cases disposed of during the year.

2021/2022 Achievement

- 100% of files reviewed within two weeks of response date.
- Where a pre-hearing conference was held, at least one issue was resolved in 100% of those cases. In each pre-hearing conference, the parties resolved at least one procedural or substantive issue.
- 26% of cases disposed of during the year overall

Note: The settlement rate and time to conclude cases recognizes the complex nature of pay equity disputes which results in few negotiated settlements. As a result, almost all

cases are decided only after lengthy hearings. In general, the same counsel represent the parties in pay equity cases and the scheduling of hearings is further extended by the availability of counsel as well as Presiding Officers and Members who are cross-appointed to other Tribunals. In addition, a number of cases may arise out of the same Order or be otherwise related or will remain pending at the Tribunal as they work their way through the courts on judicial review or appeal, which also impacts the disposal rate.



Ombudsman Review

The Ontario Ombudsman has the authority to investigate complaints about the Ontario Government and its agencies, including the Tribunal. There were no new or outstanding investigations in 2021/2022.

Information and Privacy Commissioner of Ontario

The Information and Privacy Commissioner of Ontario has the authority to investigate complaints about the Ontario Government and its agencies, including the Tribunal. There were no new or outstanding investigations in 2021/2022.

Financial Performance

In accordance with the Ministry of Labour, Training and Skills Development Delegation of Financial Authority Framework, financial authority is delegated to the Presiding Officer (Chair) of the Tribunal. The Presiding Officer is required to ensure that public funds are used with integrity and honesty. The Tribunal's operating budget is included in the Ministry's estimates and allocation process, and the Tribunal is required to report to the Ministry each quarter with respect to its expenditures and planned future financial commitments. The total annual remuneration paid by the Tribunal for OIC appointees was $135,300. A cost-sharing of salaries with the Ontario Labour Relations Board is in place.

The PEHT's financial performance for the 2021/22 fiscal year resulted in a savings for the Tribunal. Salaries and wages were comparable to the prior fiscal. Savings in transportation/communications were also comparable to the previous fiscal and were due to travel suspension as a result of the pandemic. Services expenditures were underspent due to lower part-time per diem costs and the reduction of SLA costs with WSIAT as a result of the pandemic. Supplies and equipment expenses were not incurred this fiscal as the Tribunal was able to operate with existing equipment and supplies.

All figures in $000.0 thousand

Account	2021-22 Expenditure Estimates	In-year Board Approvals	2021-22 Year-end Budget	2021-22 Year-end Actuals	Variance	% Variance
Salaries & Wages	275.8	(125.0)	150.8	126.2	24.6	*16.3%*
Benefits	39.7		39.7	12.4	27.3	*68.8%*
ODOE:						
Transportation & Communication	14.9		14.9	0.5	14.4	*96.6%*
Services (Including Lease)	134.9	(75.0)	59.9	32.2	27.7	*46.2%*
Supplies & Equipment	1.0		1.0	-	1.0	*100.0%*
Total ODOE	**150.8**	**(75.0)**	**75.8**	**32.8**	**43.0**	***56.8%***
Grand Total	**466.3**	**(200.0)**	**266.3**	**171.3**	**95.0**	***35.7%***

Appendix A

Order in Council Appointments

The Tribunal's adjudicators (Presiding Officer, Alternate Presiding Officer, Deputy Presiding Officer and Members) are all appointed by the Lieutenant Governor in Council as Order in Council appointments (OICs), for a fixed term. The following is a chart of OICs working in 2021/2022, their appointment terms and remuneration:

Name	First Appointed	Term of Appointment	Annual Renumeratio
Presiding Officer			
Ross, David	August 13, 2019	April 1, 2022	$83,170.00
Alternate Presiding Officer			
Rowan, Caroline	August 6, 2020	August 5, 2022	$38,886.00
Deputy Presiding Officer			
Cave, Johanne	October 31, 2019	October 30, 2021	$0.00
Lawrence, Lindsay	February 17, 2022	February 16, 2024	$4,206.00
P/T Members (Employer)			
Bolton, Lori	September 13, 2017	September 25, 2022	$1,329.75
Burke, Ann	April 4, 2012	April 3, 2022	$0.00
Greenside, Patricia	November 21, 2019	November 20, 2024	$2,462.50
Zabek, Carla	April 4, 2012	April 3, 2022	$0.00
P/T Members (Employee)			
Harris, Irene	December 21, 2012	December 20, 2022	$2,487.13
Phillips, Carol	August 15, 2012	September 16, 2022	$2,758.00
Roth, Stephen	December 12, 2019	December 11, 2024	$0.00

* The PEHT utilizes a cost sharing agreement with the OLRB which allows the Tribunal to capitalize on cost efficiencies. Remuneration for full-time appointees to the Tribunal is determined by a Directive issued by Management Board of Cabinet. Full-time appointees of the PEHT who are cross-appointed with the OLRB are paid 25% of their salaries for Deputy Presiding Officers and 50% of the salary for the Presiding Officer of the Tribunal, with the remaining salaries paid by the OLRB. The remuneration actually paid to an individual appointee may be less than the maximum set by the Management Board Directive due to individual circumstances such as a change in term of appointment during the year, sick leave, unpaid leave of absence or time spent by an appointee cross-appointed to another tribunal. Remuneration for part-time appointees to the Tribunal is based on a per diem rate established by Management Board of Cabinet. As a result, annual remuneration set out in the chart above is reflective of actual monies received by an individual part time appointee.

Accountability Statement

The Tribunal's Annual Report for the fiscal year ending March 31, 2022 was prepared under my direction for submission to the Minister of Labour, Training and Skills Development in accordance with the Agencies and Appointments Directive as issued by Management Board of Cabinet.

The Public Accounts of Ontario are the annual financial statements that are prepared in accordance with the accounting principles for governments issued by the Public Sector Accounting Board (PSAB).The Public Accounts consist of the financial report of the Government of Ontario and the financial reports of each ministry. In accordance with the Ministry's Delegation of Financial Authority Framework, financial authority is delegated to the agency. Each year the Tribunal verifies that all its transactions are reflected accurately and completely in the Public Accounts through the execution of a Certificate of Assurance.

As an agency of the Ministry of Labour, Training and Skills Development, the Tribunal's Annual Report is subject to the minimum reporting requirements established in the Agencies and Appointments Directive, including:

- Financial statements that have been audited or subject to the appropriate level of external assurance;
- Analysis of operational performance;
- Analysis of financial performance;
- Names of appointees, term of appointments and remuneration;
- Performance measures, targets achieved/not achieved and action to be taken.

This report covers the fiscal year April 1, 2021 to March 31, 2022.

For More Information

Local: 416-326-7500

Toll-Free: 1-877-339-3335

Hearing Impaired (TTY): 416-212-7036

Hours of Operation: 8:30am – 5:00pm

Website: http://www.peht.gov.on.ca

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