



The Ottawa Hospital

L'Hôpital d'Ottawa

Project Agreement

Entente de projet

Ottawa, Ontario

November 3, 2022
3 novembre, 2022

THIS AGREEMENT

B E T W E E N:

THE OTTAWA HOSPITAL

(the "Proponent")

- and –

**THE BARGAINING AGENTS LISTED IN SCHEDULE "A"
ATTACHED HERETO**

(the "Bargaining Agents")

PROJECT AGREEMENT

WHEREAS the Parties hereto wish to enter into a Project Agreement for all employees engaged in construction work at the Project and all off-site work related to and/or associated with the Project which is beneficial to the Parties and will lead to increased employment and investment opportunities;

NOW, THEREFORE, THE PARTIES AGREE on the following terms and conditions for all construction work performed at or in connection with the Project and all off-site work related to and/or associated with the Project which falls within the applicable Provincial Agreements set out in Schedule "B" attached hereto **(the "Provincial Agreements")** binding upon the Bargaining Agents set out in Schedule "A" **(the "Bargaining Agents")**.

ARTICLE 1 DESCRIPTION OF THE PROJECT

The Project encompasses all of the construction work in connection with the Ottawa Hospital – Civic Redevelopment Project, and includes Phase 1B, 2, 3, 4, 6, 7a, 7b, 7c, 8, 9, and 10 as set out and further described on the Phasing Plan - Master Site Plan Phasing attached as Schedule C (the "Project") and all off site related and/or associated work for or in connection with the Project that falls within the scope of the applicable Provincial Agreements. The site is a 50-acres (20-hectare) property located at the eastern edge of the Central Experimental Farm (CEF) along Carling Avenue near Dow's Lake. The site is irregularly shaped and bound by Carling Avenue to the north, Prince of Wales Drive and Preston Street to the east and is loosely bound by the National Capital Commission Scenic Driveway to the south and Maple Drive to the east. The Trillium line (O-Train line) bisects the eastern part of the site. The construction of the City of Ottawa's Light Rail Transit (LRT) and structures associated with the LRT do not form a part of the Project Agreement. For the sake of clarity, the parties agree that the scope of the Project Agreement shall not be interpreted as expanding the scope of work covered by the applicable Provincial Agreements and is limited by the scope of the applicable Provincial Agreements.

ARTICLE 2 APPLICATION OF THE PROJECT AGREEMENT

With respect to construction work on the Project and all off-site construction work performed in Ontario for the Project, the Proponent agrees that this Project Agreement and the applicable Provincial Agreements, as amended by the provisions of this Project Agreement, apply to all work that is within the jurisdiction of any of the Bargaining Agents. For greater clarity, neither the terms of this Project Agreement nor the terms of any of the applicable Provincial Agreements shall, as a consequence of this Project Agreement, apply to any work performed in connection with the design or the ongoing maintenance of the main hospital building following completion of Phase 4 of the Project.

ARTICLE 3 SCOPE OF THE PROJECT AGREEMENT

The Proponent acknowledges that s.163.1 (14) of the *Labour Relations Act, 1995* applies to Project and agrees and shall require that:

- (a) Only members in good standing of the Bargaining Agents (or, in the case of the Bargaining Agents who are councils of trade unions, members in good standing of the affiliates of such Bargaining Agents having jurisdiction in the area where the Project is located) shall perform work at or in connection with the Project.
- (b) All contractors and subcontractors engaged at the Project shall be bound by this Project Agreement.
- (c) Project Co and the General Contractor(s) are agents of the Proponent, The Ottawa Hospital, under the Project Agreement in accordance with s. 163.1(18) of the *Labour Relations Act, 1995*. Project Co and the General Contractor(s) are not parties to any applicable Provincial Agreements only by reason of being a party to or operating under the Project Agreement.

**ARTICLE 4
DURATION OF PROJECT AGREEMENT**

- (a) This Project Agreement shall be in full force and effect for the Project from the date fixed under subsection 163.1(10) of the *Labour Relations Act, 1995* until the completion of the Project.
- (b) If any Provincial Agreement ceases to apply while the Project Agreement is in effect, the Provincial Agreement which applied when the Project Agreement was approved applies to the work at the Project until a new Provincial Agreement is made at which time the new Provincial Agreement shall apply. It is understood, however, that the new Provincial Agreement shall be deemed to be amended by the terms and conditions of this Project Agreement which remains in full force and effect for the duration of the Project;
- (c) New terms or conditions of employment resulting from any amendments to any subsequent Provincial Agreements shall apply to the work at the Project as and when such amendments become effective pursuant to the new Provincial Agreement(s) and shall be deemed to be amended at all times by the terms and conditions of this Project Agreement while it remains in full force and effect.

**ARTICLE 5
STANDARD TERMS AND CONDITIONS FOR
EMPLOYMENT AT THE PROJECT**

The Parties agree that the terms and conditions for employment in the applicable Provincial Agreements covered by this Project Agreement shall apply to all work at or in connection with the Project save and except as amended or prescribed by the Project Agreement.

**ARTICLE 6
NO STRIKE or LOCK-OUT**

No employees performing work to which this Project Agreement applies shall strike, and no employer shall lockout such employees while the Project Agreement is in effect, even if a strike is called or authorized under subsection 164(1) of the *Labour Relations Act, 1995* or a lock-out is called or authorized under subsection 164(2) of the *Labour Relations Act, 1995*.

ARTICLE 7 DISPUTES ADJUDICATION

- (a) The procedures for grievance/arbitration and for jurisdictional disputes resolution, as the case may be, as set forth in the applicable Provincial Agreements or under the *Labour Relations Act, 1995* apply to any dispute involving any of the Bargaining Agents and any contractor or subcontractor engaged in work at or in connection with the Project arising over the interpretation or application of any of the applicable Provincial Agreements or this Project Agreement, including jurisdictional disputes which may arise at the Project.
- (b) The procedure for arbitration as set forth under the *Arbitration Act, 1991*, S.O. 1991, c. 17 shall apply to any dispute involving (i) any of the Bargaining Agents vis-à-vis each other, or (ii) any of the Bargaining Agents vis-à-vis the Proponent, arising over the interpretation or application of this Project Agreement at or in connection with the Project. In the event that the parties are unable to agree on an arbitrator to be appointed, either of them may request the Chair of the Ontario Labour Relations Board to make such appointment accordingly.
- (c) The Bargaining Agents agree to provide the Proponent with copies of any grievances filed against any of the contractors or subcontractors for non-payment of wages or for not making any of the deductions or contributions required under any of the applicable Provincial Agreements and, where possible, to give notice to the Proponent of any intention to file any construction lien against the Proponent's property in order to afford the Proponent an opportunity of resolving any such claim(s) without prejudice to the right of any Bargaining Agent to take such action as it wishes.
- (d) At no time will a jurisdictional dispute between the bargaining agents result in a work stoppage.

ARTICLE 8 MARK-UP MEETINGS

After the Proponent has engaged one or more General Contractors on the Project, mark-up meetings shall be convened involving the Parties, affected contractors and subcontractors (collectively referred to as "affected parties") prior to tendering any work and prior to the commencement of any work at or in connection with the Project to discuss work assignments and other related issues without prejudice to the rights of any Bargaining Agent to take any proceedings if it wishes to challenge any work assignment made by any contractor(s) or subcontractor(s). Notices and descriptions of any proposed work assignments will be provided to all affected parties at least five (5) working days before any mark-up meeting. All affected contractors and/or subcontractors who may be involved in a work assignment must be present at a mark-up meeting. Every affected contractor and/or subcontractor attending a mark-up meeting must come prepared with detailed specifications of the work to be undertaken by contractors and/or subcontractors, and be prepared

to address and discuss the scope of such work. It is agreed and understood that adequate and sufficient time be allowed for meaningful discussions and the presentation of evidence relating to jurisdictional issues pertaining to the work in issue at the Project. In the event that a trade jurisdictional dispute arises over a work assignment, such assignments shall remain in effect until the dispute is resolved pursuant to the provisions of Article 8, and will not interfere with the progress of the work.

The Proponent will support adherence to Mark-Up meeting requirements by:

1. Including a document within each bid package that details the Mark Up requirements of the Project Agreement. This document is based on OCS Tripartite Mark Up Meeting Best Practice.
2. Check for Mark Up meeting compliance.
3. Tracking the Mark Up meeting overall compliance.
4. Sharing compliance information with the Bargaining Agents on request.

ARTICLE 9 CONFLICTS

In the event of a conflict between this Project Agreement and the applicable Provincial Agreement(s), the terms and conditions of this Project Agreement shall apply.

ARTICLE 10 STEWARDS

Stewards appointed by the Bargaining Agents at the Project will be granted reasonable time during regular working hours to perform their duties. The time so spent shall be deemed to be work time for which the stewards shall be paid by their respective employers at the stewards' regular or premium rates as may be proper. There will be no discrimination or reprisals against stewards at the Project.

ARTICLE 11 THE OTTAWA HOSPITAL

In December of each year while this Project Agreement remains in force, each Bargaining Agent that is a Member of the Eastern Ontario and Western Quebec Building and Construction Trades Council will make a charitable gift to The Ottawa Hospital that is roughly proportional to work opportunities provided to members of the Bargaining Agent

working at or in connection with the Project in that year. The amount of the charitable gift will be determined by each Member Bargaining Agent.

ARTICLE 12 STABILIZATION/MARKET RECOVERY

No Bargaining Agent will directly or indirectly offer or provide stabilization or market recovery assistance to any Contractor or sub-contractor performing work or seeking to perform work at or in connection with the Project.

ARTICLE 12 A Garage and On-Site Parking

The Parties, contractors and subcontractors, and all individuals working on the Project are an integral part of not only the immediate community, but all eastern Ontario. In this regard, the affected parties have a vested interest in being courteous members of the community.

There are concerns in the communities surrounding the Project involving issues related increased traffic and street parking. The Parties are committed to ensuring that the communities and streets surrounding the Project are not overcrowded with parked vehicles during the building phase of the Project.

The first phase of the Project will be the construction of a parking garage to provide approximately 3000 parking spaces. Once completed, the parking garage will be available for use by all individuals working on the project as the authorized parking space for the Project. It is expected that all vehicles belonging to individuals who are working on the Project will be parked in the parking garage. The individuals working on the project will pay the established daily parking rate for the use of the parking garage.

ARTICLE 12 B Adequate Supply of a Qualified Workforce

The Bargaining Agents undertake to ensure a consistent supply of qualified workers during the term of the Project. Where necessary, the Bargaining Agents will rely on their national network of skilled tradespeople to ensure the Project is properly staffed at all times. If one of the Bargaining Agents are unable to supply the required number of workers to a contractor or subcontractor, it will immediately notify the Proponent in writing and will at the same time advise as to the steps it is taking to rectify the shortage of workers.

ARTICLE 12 C

Commitment to Apprentices and the Next Generation of Skilled Trades Workers

The Parties are committed to the training of the next generation of building and construction skilled trades workers, with a commitment to the recruitment of Indigenous and First Nations Peoples, women, new Canadians, individuals with disabilities, and other marginalized populations.

The Parties acknowledge that the Project aspires to achieve the aspirational goal of employing apprentices and journey persons from these noted historically disadvantaged and equity seeking groups to perform 5-10% of the hours worked by each trade on the Project.

Each contractor and subcontractor will prepare an Apprenticeship Plan for the Project Site detailing a strategy to achieve apprenticeship goals. The apprenticeship plan could outline benchmarks for the following:

- Maximize the number of apprentices to each of the trades performing work at the Project, with the view of creating well-paying, skilled trades jobs that have strong future employment potential.
- Ensure there is a pool of skilled tradespeople to meet future community needs for these workers.
- Assist with a coordinated and streamlined process for entering the construction trades by promoting existing union apprentice training program, and the "Construction Pathway" program to promote careers in the trades for at-risk youth, equity seeking groups, and historically disadvantaged groups.
- Build relationships between training centres, institutions, and facilities.
- Track and report annually to ensure aspirational targets are being met.
- Ensure that subcontractors contribute to achieving the aspirational goals of hiring journeypersons and apprentices from.

The Parties will monitor these commitments and goals throughout the progress of the Project.

ARTICLE 12 D

Health and Safety

The goal of the Parties is to ensure a safe and healthy work environment for all individuals on the Project, to ensure that health and safety is continually promoted on the Project. To achieve this goal, the Parties, contractors and subcontractors, and all individuals working on the Project must collaborate for the common purpose of preventing workplace injuries and addressing health and safety concerns.

All work on the Project must be performed in accordance with the *Occupational Health and Safety Act* ("OHSA"), the regulations made under the OHSA, and in compliance with industry best practices and procedures.

Managers, supervisors, and forepersons are accountable for the health and safety of workers under their supervision. Each is responsible to ensure that machinery and equipment are safe and that workers work in compliance with established safe work practices and procedures.

Every worker must protect his or her own health and safety by working in compliance with the law and safe work practices and procedures established by the General Contractor or Project Manager and by their respective employers.

The Project's Joint Occupational Health and Safety Committee will share meeting minutes with Proponent, who will maintain an interest in workplace safety for the duration of the Project.

A commitment to health and safety must form an integral part of this this Project. All individuals on-site are expected to co-operate to achieve a safe and healthy work environment.

ARTICLE 12 E

Workplace Violence and Harassment

The Proponent and Bargaining Agents are committed to providing a safe working environment free from harassment or violence, and where all persons are treated with respect and dignity. Every person has the right to work in a safe and professional atmosphere that promotes equal opportunity and that is free from all forms of harassment and violence.

The Parties, contractors and subcontractors, and all individuals working on the Project will not tolerate any acts of harassment and violence and will take reasonable and practical measures to prevent and protect persons from such acts. Parties will take appropriate measures, including the removal from the worksite, where appropriate, against anyone who subjects another person to workplace harassment or violence.

ARTICLE 12 F

Code of Excellence

There is a Code of Excellence in place for all work on the Project. The Code of Excellence represents a commitment on behalf the Parties, contractors and subcontractors, and all individuals working on the Project to uphold the highest level of professional standards on the Project and to promote safe, on-time work and efficient work practices.

The Code of Excellence commits the Bargaining Agents and their members to the following:

- Contribute the best knowledge, expertise and pride of workmanship to build the highest quality, most durable and reliable structure by ensuring all union members have the skills and abilities meet the requirements of the Project.
- Ensure all union members working on the Project are fit for duty.
- Bring the best practices in modern construction technology, environmentally sustainable materials, and operating systems to the Project.
- Always ensure a high level of productivity with the view of eliminating any work disruptions on the Project.
- Ensure that the Project will have the highest health and safety and sanitation standard.

The Code of Excellence commits Contractors and Subcontractors to the following:

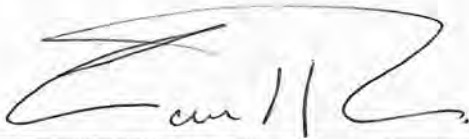
- Communicate, distribute and post clear policies and work rules to ensure a safe worksite, and proper safety training, equipment and methods are used.
- Promote and support continued education and training for the trades and encouraging more diverse workforce, including youth, women, Indigenous people, persons with disabilities, and new Canadians.
- Employ an adequate number of properly trained employees to perform work in a safe and efficient manner.
- Provide leadership and support continued education and training for individuals working on the Project.
- Ensure blueprints, specifications, job layout instructions and materials are available in a timely fashion.
- Ensure that superintendents, forepersons, journeypersons, and apprentices fulfil their responsibilities at the Project site.
- Ensure there are proper change and sanitisation facilities.

The Code of Excellence commits Contractors and Subcontractors, and the Bargaining Agents to the following:


- Work corroboratively to minimize disruptions to work and work processes by ensuring they have a continuous dialogue.
- Attend regular meetings to review work progress, work schedules, and to discuss any issues that impact work progress.
- Work collaboratively to solve problems related to job performance in a timely manner.

ARTICLE 13 SIGNING

The Parties agree that this Project Agreement may be signed in separate counterparts.




Cameron Love
President and CEO, The Ottawa Hospital



John Bourke
President, Building and Construction Trades Council of
Eastern Ontario and Western Quebec

Witnessed by:



Joanne Read, Executive Vice President and Chief
Planning and Development Officer, The Ottawa Hospital



Graham Bird
President and CEO, GBA Group

LETTER OF UNDERSTANDING

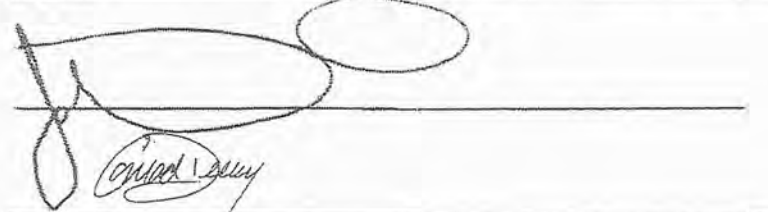
All Companies providing "Crane Rental Services" related to work covered by this agreement shall comply with the provisions of Schedule "A" of the Operating Engineers Provincial ICI Agreement.

APPENDIX "A"

Carpenters Local 93
Rod THOMPSON



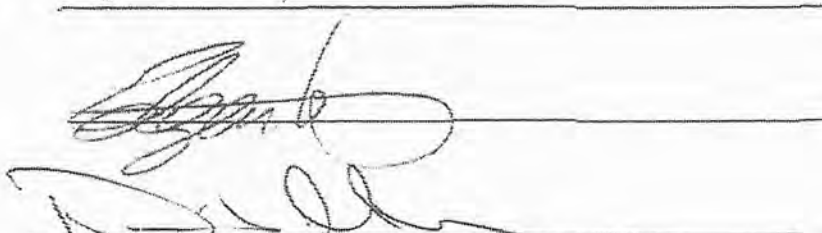
Electricians Local 586
John Bourke



Elevator Constructors Local 96
Conrad Deevy



Glaziers Local 200
Edgar Pacheco



Insulators Local 95
David Gardner



Ironworkers & Rodmen Local 765
Don McElwain



Milkwrights Local 1410
Ron Grice



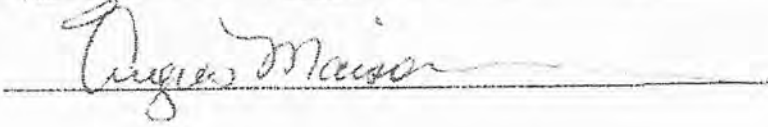
Operative Plasterers Local 124
Richard Corcoran



Painters Local 200
Edgar Pacheco



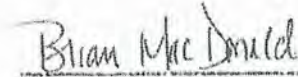
Plumbers UA Local 71
AUGUS MAISONNEUVE



Sheet Metal/Roofers Local 47
Floyd Cunning



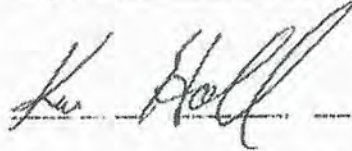
Teamsters Local 91
Brian MacDonald



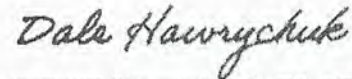
Acoustic & Drywall Local 2041
Dan Bard



Teamsters Local 230
Ken Hall



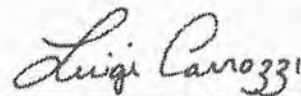
Sprinkler Fitters Local 853
Dale Hawrychuk



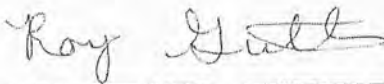
Refrigeration Workers Local 787
Andrew Tarr



LIUNA Labourers Local 527
Luigi Carozzi



Bollemakers Local 128
Roy Grills



Bricklayers Local 7
Norm Bone



Ontario ICI Collective Agreements

Trade	Collective Agreement	Employee Bargaining Agent	Employer Bargaining Agent
Boilermaker	Articles of Agreement	Boilermakers Local 128	Boilermaker Contractors' Association
Bricklayers, Stone Masons, Plasterers	BACU/OPC Brick Provincial Collective Agreement	BACU, Canadian Office / Ontario Provincial Council	Masonry Industry Employers Council of Ontario
Carpenters	Provincial Collective Agreement	Carpenters Provincial District Council of Ontario, United Brotherhood of Carpenters	Carpenters' Employer Bargaining Agency
Cement Masons	Provincial Collective Agreement	Operative Plasterers and Cement Masons International Association	Cement Finishing Labour Relations Association
Electrical	Principal Agreement	IBEW Construction Council of Ontario	Electrical Trade Bargaining Agency of the Electrical Contractors Association of Ontario
Elevator	Ontario Provincial Collective Agreement	International Union of Elevator Constructors	National Elevator & Escalator Association
Glaziers	17th Ontario Architectural Glass and Metal Technician ICI Agreement	IUPAT, Ontario Council	Architectural Glass and Metal Contractors Association
Insulators	Provincial Collective Agreement	International Association of Heat and Frost Insulators and Allied Workers Local 95	Master Insulators' Association of Ontario Inc.
Ironworkers	Collective Agreement	International Association of Bridge, Structural, Ornamental, and Reinforcing Ironworkers and the Ironworkers, District Council of Ontario	Ontario Erectors Association
Labourers	Demolition Agreement	LIUNA Ontario Provincial District Council	Ontario Association of Demolition Contractors
Labourers	Provincial ICI Collective Agreement	LIUNA Ontario Provincial District Council	Construction Labour Relations Association of Ontario
Millwright	Provincial Collective Agreement	Millwright Regional Council of Ontario, United Brotherhood of Carpenters and Joiners of America	Association of Millwrighting Contractors of Ontario Inc.

Ontario ICI Collective Agreements

Trade	Collective Agreement	Employee Bargaining Agent	Employer Bargaining Agent
Painters	Provincial Collective Agreement	IUPAT, Ontario Council	Ontario Painting Contractors Association
Plasterers	Provincial Plasterer's Agreement	OPCMIA Local 124	Construction Labour Relations Association of Ontario
Plumber/Pipefitter/Steamfitter	Ontario Provincial Collective Agreement	Ontario Pipe Trades Council of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada	Mechanical Contractors Association of Ontario
Pre-Cast	Provincial Precast Collective Agreement	LIUNA Ontario Provincial District Council	Ontario Precast Concrete Manufacturers' Association
Refrigeration Workers	ICI Construction Collective Agreement	U.A. Local 787 Refrigeration Workers of Ontario United Association	Ontario Refrigeration and Air Conditioning Contractors Association
Rodworkers	Rodmen Provincial Collective Agreement	Rodmen Employer Bargaining Agency	Rodmen Employee Bargaining Agency
Roofers	Provincial Collective Agreement	Sheet Metal Workers' International Association and Ontario Sheet Metal Workers Conference	Labour Relations Section of Ontario Industrial Roofing Contractors' Association
Sheet Metal Workers	Provincial Collective Agreement	Sheet Metal Workers' International Association and Ontario Sheet Metal Workers Conference	Ontario Sheet Metal Contractors Association
Sprinkler Fitters	Collective Agreement	United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada	Canadian Automatic Sprinkler Association
Steeplejack	Restoration Steeplejacks' Provincial Collective Agreement	OPCMIA Local 598	Steeplejack and Masonry Restoration Contractors Association
Teamsters	Collective Agreement	Teamsters Construction Council of Ontario	Construction Site Teamster Employer Bargaining Agency

Ontario ICI Collective Agreements

Trade	Collective Agreement	Employee Bargaining Agent	Employer Bargaining Agent
Tile & Terrazzo	BACU/OPC - Guild Provincial ICI Collective Agreement	Brick and Allied Craft Union of Canada / Ontario Provincial Council	Terrazzo, Tile & Marble Guild of Ontario, Inc.