

Precarity as the New Reality? Millennials' Representation in the Changing Workplaces Review Policy Process

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ABSTRACT: Millennials, comprising the majority of the Canadian labour market, have come of age in a time of shrinking safety nets and precarious work. The Changing Workplaces Review (CWR) in Ontario was commissioned to explore how work conditions have shifted in line with globalization, neoliberalism, labour market restructuring, and the gig economy. The final report offered a golden opportunity to suggest legislative adjustments to employment standard and labour relation legislation in a way that strengthened workplace and employment conditions for millennials. Considering the unique barriers facing this generation, this paper proposes a scale for categorizing the type of representation this group received within the consultation phase of the policy process of the review. Findings demonstrate that the most salient aspects of precarious work which specifically target millennials received a small, but substantive representation from community groups, labour unions, and other allies within community consultations. However, our analysis revealed that the substantive representation was not reflected in either the final report or in the ensuing legislation. We conclude that a small clustering of substantive representation, while an important contribution to the public debate, can be overlooked by policy makers, especially when concerns run counter to the dominant framing of the group and issue.

KEYWORDS: intersectional policy analysis; millennials; precarious work; policy process; changing workplaces review

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Introduction

The topic of millennial workers has received growing attention from academia, (Broido, 2004; Standing, 2011; Twenge, 2006; Worth, 2016) business management (Ng, Lyons, & Schweitzer, 2017; Pînzaru, Vatamanescu, Mitan, Savulescu, Vitelar, Noaghea, & Balan, 2016), and marketing (Goldman Sachs Global Investment Research, n.d.; Norris, 2015). This generation's workplace values, goals, and characteristics are commonly conceived as an anomaly to be studied and explained (Bonfiglio, 2008; Deal, Altman, & Rogelberg, 2010; Holt, Marques, & Way, 2012; Kuron, Lyons, Schweitzer, & Ng, 2015). Interestingly, however, there does not exist one common definition for millennial (Ng et al., 2017). The generation born after 1980 has had a number of names: Generation Y, Gen Me, Gen Next, Generation Squeeze and Millennials (Kershaw, 2017; Ng et al., 2017; Twenge, 2006). Media representations of millennials have contributed to the confusion of how we understand this cohort. For example, Mirrlees (2015) has identified four media representations of millennials that include, "a member of a youth cohort, a sovereign consumer, a worker to be managed, and an immiserated victim of hard times" (p. 278). While these representations reflect the diversity of the group's constructed identities, we use the popular designation of millennial as introduced to academia by Howe and Strauss (2000) who defined the cohort by their age range, as being born between the years 1982 to 2002 (aged 18-37).

Ontario finds itself at a pivotal point for millennials who are just entering the labour market or are searching for an end to precarious employment. For the first time in 25 years, the Ontario government has struck a commission that will impact the *Employment Standards Act, 2000* (ESA) and the *Ontario Labour Relations Act, 1995* (OLRA). The Changing Workplaces Review (CWR) was commissioned by the Ontario Liberal Government in 2015 to explore the changing nature of work in Ontario and how labour laws may need to adjust in accordance. As the provincial government is intent on moving forward with alterations to legislation (Ministry of Labour, 2017), the CWR provides a unique opportunity to examine how millennials are represented in relation to discussions of their participation in the Ontario labour market. Such a review further offers the possibility to ensure that the voices and concerns of the most precarious workers are represented and remedied.

Although millennials are a diverse cohort with varying life goals, oppressions and privileges, the one constant that remains is their inevitable and

necessary participation in the Ontario labour force¹³ (Ng, Lyons, & Schweitzer, 2017). While most will participate in paid work, their participation will occur in different ways in the labour force, ways that range from low wage labourers to employers. Statistics Canada (2016) identified that Ontarians, between the ages of 15-34, have reached over 2 million. Nationally, they have become one of the largest age group in the labour force, surpassing the Baby Boom Generation (Norris, 2015). The value of focusing on millennials can be explained by their many years of future labour force participation¹⁴. If labour and employment law policy reform are to occur, it must adequately address the needs and challenges of a generation entering a labour market that is increasingly characterized by contract, temporary and precarious forms of employment.

This study seeks to explore the different types of representation that this cohort received in the policy process. More specifically, we aim to understand how millennials and their labour force options and experiences are represented in the submissions to the CWR and the final report. We recognize that, while this cohort is defined by age, their multiple constructions (Mirrlees, 2015) and lived experiences pose challenges in how they are represented in the policy process. Based on the nature of their representation in this policy process, we explore the degree to which millennials are a serious consideration of labour policy, and as such, if they are viewed as a group deserving of this attention.

This paper will argue that addressing the challenges of millennials in the Ontario labour force is an important policy goal. It will then identify the significance of representation in the policy process in relation to an intersectionality-based policy analysis (IBPA), followed by examining the depth of precarity for this demographic and a brief timeline of the events leading up to the CWR. Four codes were developed to operationalise representation in the policy process, and these will be used to explore the research questions. Following this analysis is a discussion of how representation is taken up in the submissions to the CWR and in the final report and the implications of the degree of representation achieved. The paper concludes with opportunities for future research that links representation and intersectionality.

¹³ Here is it important to note that the authors are in full support of those who exist outside of that labour force due to health-related issues or otherwise.

¹⁴ For more information on the experiences of Baby Boomers and their experiences of precarious work; please see Standing (2011) and Silver, Shields, Wilson, & Scholtz (2005).

Representation in the Policy Process and Intersectionality-Based Policy Analysis

In 2016, Federal Minister of Finance Bill Morneau told a group of Canadian youth that they should expect "job churn" (characterised by short-term, temporary employment) throughout their lifetime (Canadian Press, 2016). The comment led to an action by members of a Canadian Labour Congress youth labour forum who turned their backs on Prime Minister Justin Trudeau in peaceful protest against the Minister's remarks (Pedwell, 2016). A demonstration such as this reveals that some members of the 18 to 37 cohort are deeply disappointed with the current conditions of work and the lack of political responses.

The peaceful protest against the Prime Minister and Minister of Finance's comments highlighted the disapproval of precarity as the new status quo for millennials. As explained by André and Depauw (2017) disagreement between constituents and their political representatives is a predictable aspect of politics; however, when the opinions of elected officials are found consistently incongruent with their constituents, citizens are likely to be discontent with their policies. This discrepancy reflects the increasing importance of representation in the policy process (André & Depauw, 2017).

On the topic of representation and community participation in the policy process, the Organisation for Economic Co-operation and Development (OECD; 2001) outlines a number of benefits. Significantly, the report explains how engaging citizens in policy-making contributes to strengthening public faith in governments and creates better policy. Results of the report note "higher levels of implementation and compliance given greater public awareness of policies and participation in their design" (OECD, 2001). Moreover, "allowing governments to tap wider sources of information, perspectives, and potential solutions" improves the quality of policy (OECD, 2001, 19). The report further highlighted the importance of ensuring representation with respect to diversity as a vital aspect of robust policy creation. In short, representation is important for good policy.

Recognizing the diversity and complexity of a group's lived experiences is another important aspect of policy creation and is one of the central tenants of an intersectionality-based policy analysis (IBPA). In a discussion of intersectionality and public policy, Hankivsky and Cormier (2011) argue for a policy process that considers the unique experiences of social locations that are context dependent and fluid. An intersectional analysis, informed by social

location, gained recognition when it was articulated by Crenshaw (1991) in her seminal work in the field of law. Crenshaw examined the ways gender, Blackness, and class interlock creating unique experiences of oppression for Black women in the legal system. Intersectionality has since gained popularity in academic fields including public policy (Bishwakarma, Hunt, & Zajicek, 2007; Hankivsky & Cormier, 2011; Hankivsky, Hunting, Giesbrecht, Fridkin, Rudrum, Ferlatte, & Clark, 2014). In the area of social policy, "intersectionality conceptualizes social categories as interacting with and co-constituting one another to create unique social locations that vary according to time and place. It is these intersections and their effects that are of concern in an intersectionality analysis" (Hankivsky et al., 2012, 35). To do so, IBPA uses three components in policy analysis. The first element is concerned with the interrogation of diverse sources of information and knowledge, and the implicit assumptions, historical context, and relationships of power that frame the policy issue, (Hankivsky et al., 2014). The second component speaks specifically to issues of representation and how policy issues impact specific populations; while the third highlights areas for advocacy efforts (Hankivsky et al., 2014). When using an IBPA, these three components are applied to and guide the entire policy process.

In this research project, we focus specifically on how millennials are represented in the submissions to the CWR. While this consultation is only one aspect of the policy process, it is the most publicly accessible aspect where issues of representation can be readily introduced. Therefore, the focus of this analysis will centre upon this early stage of policy formulation wherein proposals for addressing policy issues are provided and policy actors engage in community consultation processes (Bishwakarma et al., 2007). Focussing on this area of the policy cycle, our research is grounded in the assumption that "to fully understand who is at issue also requires...the voices of vulnerable and marginalized individuals and groups be represented within the policy-making process" (Hankivsky & Cormier, 2011, 219). If a group is not represented, then by extension it would be challenging to create a policy that addresses their concerns. Further, without effective representation, the analysis cannot move to a reflexive consideration of the "meaning-making processes of privilege and exclusion in policy making and ultimately lead to the reconstruction of harmful and oppressive policies" (Hankivsky & Cormier, 2011, 219).

When working with communities, Code (1995) asks what type of space is created for community members to express their ideas. The author argues that "our concern should not be directed at what is said but more significantly, what is

heard, discussed and considered? Whose voices and concerns have ‘a reasonable expectation of take-up’” (Code, 1995, xiv). The first step in this process is to identify if the voices of millennials were represented, if the group was heard, were their issues considered or discussed and subsequently if they were taken up in a meaningful way in the final policy.

Why Millennials?

Globally, millennials are encountering substantial barriers to accessing the labour market in the wake of the financial recession of 2008 (International Labour Organization, 2013). The International Labour Organization (ILO) estimates the global youth unemployment rate was at 12.6 per cent in 2013; accounting for approximately 73 million young people. Prolonged unemployment is leading many young people to take on jobs that are temporary to generate income (ILO, 2013). Compounding this crisis is a skills mismatch wherein young people are overqualified for the job they are doing leaving the benefits of their skills lost on society (ILO, 2013, 1). In response, the ILO is calling for nations to implement “creative, wide-ranging policy solutions” (2) to break this damaging cycle.

Canada is among the nations impacted by this crisis. The Canadian labour market has undergone a drastic transformation, through the 1990s, producing high levels of unstable, part-time precarious work (Cranford, Vosko, & Zukewich, 2003b; Silver, Shields, & Wilson, 2005). Since then, Canadians have experienced the proliferation of non-standard and precarious work (Lewchuk, 2017). Precarious employment is defined by “atypical employment contracts, limited social benefits and statutory entitlements, job insecurity, low job tenure, low earnings, poor working conditions and high risks of ill health” (Cranford et al., 2003, 455b). Notably, a recent Statistic Canada analysis reveals 5.6% of Canadians were involuntarily employed part time, while 12% found themselves in temporary work, and 15% were self-employed (as cited in Fleury & Cahill, 2018).

Workers’ perceptions of their employment situation are an important indication of the impact of precarious employment that reach beyond the workplace. Lewchuk and colleagues’ (2013) Employment Precarity Index measures precarious employment through indicators that include the relationship between the employer and employee, earning and hours of employment, when and how workers are paid (including on missed days), sense of confidence in articulating concerns without fear of losing their job, and personal perception of job permanence. Cranford and colleagues (2003a) add the dimension of legislative

protection to this definition by underscoring the lack of employment standard coverage for precariously employed workers. Although there are circumstances where part-time employment is desirable and non-precarius, many workers are interested in full-time permanent opportunities (Shier, Graham, Giotam, & Eisenstat, 2014). The dismantling of full-time, secure, unionised employment favours the interests of business and capital (Stanford, 2008), dramatically affecting workers' quality of life.

The lack of security afforded by precarious work has adverse impacts on the future of Canada as millennial workers will soon be the largest cohort in the labour force. There are 6.8 million young Canadians between the ages of 15 – 29¹⁵; of which one-third find themselves in temporary employment (Canadian Labour Congress [CLC], 2016, 6). Although there is a proliferation of part-time work, "over 230,000 young workers would rather work full-time hours but business conditions [do not] allow for it" or they could not locate full-time employment (CLC, 2016, 8). This is in sharp contrast to the core working age group¹⁶ as young workers are twice as likely to be unemployed (CLC, 2016, 7). Nationally, Ontario has been cast as one of the worst places for youth unemployment and limited full-time job prospects (Kershaw, 2017).

In 2013, Geobey outlined the reality of youth unemployment in Ontario, a valuable analysis which illuminates the experiences of a subset of the millennial category (i.e., those 18- 24 years old). The report highlights the challenge young workers aged 15 to 24 encounter when accessing the labour market post-recession. The report indicates Ontario's youth are faring worse than other provinces at rates that are "twice as high as the overall provincial unemployment level" (Geobey, 2013, 5). More troubling was the finding that youth unemployment is "turning out to be chronic, rather than a short-term result of a global economic crisis" (Geobey, 2013, 7). The Law Commission of Ontario (LCO; 2012) explored this actuality explaining the compounding effect of their challenges in accessing the labour market and their desire for employment, resulting in young workers being pushed into non-standard jobs (characterised by temporary, part-time, contingent work). As a result, young people are overrepresented in temporary, part-time employment. An additional factor in

¹⁵ Statistics Canada does not use the 18–37 age group but instead 15-19, 19-24, and 24 and over.

¹⁶ Statistics Canada identifies the core-age labour force as 25-54. <http://www.statcan.gc.ca/pub/75-001-x/10906/9297-eng.pdf>

analysing the unemployment rate is the increase of unpaid internships outside of the degree-specific requirements which add to this generations' level of precarity. Unpaid labour has broader and longer-term negative impacts on the Ontario economy (LCO, 2012). In response to these economic circumstances, the LCO identified younger millennials as a vulnerable group within the labour market.

These findings are echoed by Kershaw (2017) who argues Ontario is one of the worst performing economies in Canada for people under 45. Employment vulnerability has adverse impacts on millennial's short – and long-term quality of life. The standard of living for millennials has deteriorated, impacting this generation's ability to secure good-paying jobs as "Ontario is the only province in Canada to report a decline in full-time earnings for the typical 25– 34-year-old since 2003" (Kershaw, 2017, 3). Home-ownership is increasingly challenging, taking an average of 15 years to secure a 20 percent down payment; a stark contrast to the five years it took in 1976 – 80 (Kershaw, 2017). High levels of personal debt are burdening the futures of young generations, which has risen by \$19,000 since 1999 for Ontarians under 35 (Kershaw, 2017). This reality has adverse impacts not only on the quality of life of millennials but also for Ontario as the downward pressure of a dwindling middle class leads to less purchasing power and re-investment of capital back into the economy (Kershaw, 2017).

Millennial's vulnerability and uncertain future is heightened as they are less likely to be covered by the ESA. Vosko, Noack, and Thomas (2016¹⁷) explain that "[m]ore than a quarter of young [aged 15 to 29] employees (27%) have special rules relating to public holiday pay, compared to only 20% of employees overall. Young employees' relatively short job tenure also results in lower levels of access to vacation time as well as termination and severance pay" (p. 4). This is particularly acute in sectors where millennials are overrepresented, such as construction and hospitality which are characteristically precarious. Due to the nature of their work, young employees find themselves exempt from the ESA on issues related to vacation time, termination and severance pay (Vosko et al., 2016). In this way, the ESA has created enforcement loopholes that lead to exploitive employment practices impacting this group. Many labour organisations and community activists have long advocated for increasing the provincial minimum wage and codifying stronger workers' rights in law.¹⁸

¹⁷ Report commissioned for the Changing Workplaces Review

¹⁸ See <http://workersactioncentre.org/>

Chronology

Over the past decade, there have been a number of reports examining the issue of precarity and its relationship to poverty, poor health, and family cohesion. Beginning in 2007, the United Way produced the report *Losing Ground: The Persistent Growth of Family Poverty in Canada's Largest City*. Drawing attention to the considerable increase in poverty within the Greater Toronto Area the report. Evidence pointed to precarious employment and the deteriorating social safety net as among the causes of this disparity. Calls for changes to the labour force were heralded by academics, activists, organised labour and charities alike (Kalleberg, 2011; Law Commission of Ontario, 2012; Lewchuk et al., 2013; Workers Action Centre, 2011). Focussing on vulnerable workers in precarious labour, the Law Commission of Ontario (LCO; 2012). The authors put forward 47 recommendations to address the disadvantages faced by groups through legislative changes. In Southern Ontario, an Lewchuk and colleagues' (2013) report reinforced the overwhelming impact of precarious employment and poverty on the social, community, financial, physical, and mental well-being of residents in the region.

The ongoing conversation about precarity garnered attention in the political realm with Premier Wynne's 2014 Speech from the throne (Office of the Premier, 2014) wherein she committed to consulting with Ontarians to consider what could be done to address the changing workplace within the context of Ontario's labour and employment laws. Soon after, Minister of Labour Michael Flynn received his Mandate Letter from Premier Wynne. Therein, he was charged with leading a review of the province's employment and labour standards. In spring of 2015, the CWR was launched. The Advisors C. Michael Mitchell and John C. Murray were mandated to:

“... consider the broader issues affecting the workplace and assess how the current labour and employment law framework addresses these trends and issues with a focus on the LRA and the ESA. In particular, the Special Advisors will seek to determine what changes, if any, should be made to the legislation in light of the changing nature of the workforce, the workplace, and the economy itself, particularly in light of relevant trends and factors operating on our society, including, globalization, trade liberalization, technological change, the growth of the service sector, and changes in the prevalence and

characteristics of standard employment relationships” (Ontario Ministry of Labour, 2017, para 15).

Excluded from the consultations were labour provisions for the construction industry, the minimum wage, and issues that other policy reviews are already addressing (Ontario Ministry of Labour, 2017).

The pieces of legislation governing employment relationships in Ontario under review are the OLRA and the ESA. The OLRA is the law that regulates relations between employers and employees in workplaces including collective bargaining. There have been a number of revisions to the act, however, no major changes have occurred since 2005. The ESA establishes the minimum standards of workplaces in Ontario and underwent a major review in 2000-2001. As these critical guiding statutes have not undergone a comprehensive revision in over a decade, the CWR provided a valuable opportunity to enhance labour protections in response to the onset of widespread precarious employment. Given its broad scope and mandate, issues related to millennials' engagement in the labour market would thus have the possibility of being addressed (Government of Ontario, 2016).

Over two years, the Advisors held public consultation sessions across the province and received submissions from various interest groups, community organisations, and independent establishments. During Phase 1 of the public consultations, the review received 217 in-person and written submissions from May 2015 to September 2015 (Government of Ontario, 2017). The Advisors also reviewed academic literature in preparing their report. After the release of the interim report in July 2016, public consultations were held. Phase 2 submissions responded to the CWR interim report and the added issue of personal emergency leave coverage (PEL). A total of 210 submissions were received for Phase 2, bringing the total public, written submissions to 427. The final report was released in May 2017.

Methodology

To examine how millennials were represented in the CWR, this study used content analysis to analyze the submissions to the CWR and its final report (2017). Content analysis is a methodology which is a “careful, detailed, systematic examination and interpretation of a particular body of material in an effort to identify patterns, themes, biases, and meanings” (Berg, 2007, 304). Remaining consistent with the methodology, Berg (2007) notes the criteria of selection must

be sufficiently rigorous and established prior to the analysis. The decision to use submissions to the CWR was founded upon the desire to understand the type and degree of representation millennials received in the consultation process and to explore the ways in which their concerns were discussed. Equally important was the presence of this cohort in the final report which helped inform the final legislation (Ontario Ministry of Labour, 2017).

At the first stage of analysis, we identified where millennials appeared in the 427 submissions by developing a list of descriptive search terms. In accordance with content analysis, Berg (2007) explains categories that emerge through the process of developing criteria should reflect all aspects of the messages, using exact wording when possible. As such, an inductive approach was used to create search terms by examining two submissions from groups that explicitly identified themselves as representing young workers and millennials: Ontario Public Services Employees Union Provincial Young Workers Committee (OPSEUPYWC; 2015) and Ontario Economic Development Society (OEDS) (Dedier, 2015). Within these two submissions, young workers and millennials were described using terms indicated in Table 1. In this way, search terms were not selected arbitrarily but rather in accordance with the subject group’s self-identification. Further, these search terms were very stable in that when these terms appeared in the submissions, they were always referencing millennials.

Table 1: Search Terms Used in Submissions and the Changing Workplaces Review Final Report

Population demographic characteristics
Young*
Youth
Millennial
Generation*
Student

Note: an asterisk indicates any variation on the term, e.g., generations, younger.

Submissions were manually searched using the terms from Table 1, resulting in a sample of 109 submissions that contained any or all of these terms.

Only submissions that were directly related to the CWR were included¹⁹. From this group, three submissions were withdrawn resulting in the inclusion of *106 submissions* in the final sample used for our analysis. Further, the word student had multiple meanings that did not exclusively refer to post-secondary students (such as students under 18, or the student minimum wage). These occurrences were therefore excluded as they did not meet the inclusion criteria of the 18 to 37 age range.

When exploring the representation of millennials, it was important to first consider the physical presence of the demographic identifiers in the text. Manifest content analysis is an approach that examines what is physically countable and present in the sample (Berg, 2007). As this study is investigating the extent to which millennials are represented in the text, the number of times the identifiers occurred was counted to evaluate the frequency and magnitude of their presence. Our categories of representation were then applied to the total sample of 106 submissions which is inclusive of Phase 1 and Phase 2 consultations. The frequency distribution of these search terms and the corresponding category of representation is presented below, starting in Table 4.

Definition of Categories

To examine the degree of representation in the community consultation process this research proposes a methodology for categorising a group's presence in policy submissions. Each category of representation indicates an increasing recognition of the group. Our methodology consisted of coding both the type and frequency with which millennials are identified and their labour force experiences recognized. Rather than coding an entire report or submission, coding was initiated by the appearance of a demographic identifier and then the type of representation was determined by considering the surrounding words and sentences. Table 3 illustrates the definitions of the categories of representation, followed by an in-depth explanation of each category, including sample quotes from the submissions to illustrate how the coding was conducted.

¹⁹ The above-noted letters from OPSEUPYWC and OEDS were excluded they were used to shape the conversation and search terms. Additionally, the submission made by Trillys Systems was withdrawn as it was a transcript of a debate in the provincial government on Bill 139.

Table 2: Definition of Categories of Representation

Type of Code	Mere mention	Nod	Substantive	Recommendation
Definition	Appearance in a list connected to other groups; or, used as an example	Come into focus as a stand-alone group with unique experiences; no in-depth discussion of issues	Group’s issues are discussed in detail; issues relate directly to the labour market and labour laws	A recommendation to change the ESA or OLRA is made which name's the group and is in relation to an issue affecting the demographic

Mere Mention

The excerpts compiled within this category were chosen based on a demographic characteristic’s appearance in a list (e.g.: racialized people, women, young people, disabled people, etc.) or as an example of a broader issue. This often occurs in the context of identifying a list of those who are considered vulnerable in the labour market. For instance:

“It is a similar story in Thunder Bay as it is elsewhere in the province for precarious workers. They are living on the edge. Many go to the food bank regularly. Inadequate wages and benefits exacerbate mental and physical health problems. Children’s lives are restricted. There is little time to participate in community activities. Precarious low wage jobs are heavily represented by women (many single mothers), Aboriginal people, recent immigrants and young people” (Poverty Free Thunder Bay, 2015, 3).

This quote demonstrates the way young people are mentioned as part of a list of people experiencing precarity. By doing so, the authors are speaking more to the issue of precarity rather than the specific experiences of millennials. This occurs again when they are used as an example:

“Recent research on the economic and labour market impact of EPL has found that strict EPL can reduce job flows, negatively impact the employment prospects of some vulnerable groups (e.g. youth), reduce productivity, and impede economic growth” (Apotex, 2015, 11).

If the submission or report only identifies the group through a mere mention, then it would be difficult to develop an intersectional policy response as they are taken up as part of a group rather than a unique demographic requiring their own analysis.

Nod

This category was applied to sections of text in which millennial characteristics appeared as a stand-alone problem, and not attached to other groups of people or issues. Millennials are spoken about as a unique group with their particular issues regarding participation in the workforce. When millennials are discussed in this context, they suddenly come into focus as a group experiencing vulnerability and precarity in a unique way. Below are a number of examples to illustrate this appearance:

“Compared to other Ontario employees subject to the ESA, a more significant percentage of employees in small firms are employed part-time (25%) or on a temporary basis (17%). And young employees (ages 15-29) are also concentrated in small firms. In short, the current exemption for PEL exacerbates labour market insecurity for employees already experiencing social disadvantages and precariousness in employment” (Closing the Employment Standards Gap 1, 2016, p 38).

“The growth of so-called non-standard employment is itself a symptom of the growing power imbalance between employers and workers. With good jobs hard to find and a tattered safety

net, people must take whatever is offered – temporary jobs, jobs where agencies rake a commission off their wages, jobs offering too few hours, multiple jobs, jobs without benefits or even meeting minimum standards, or accepting contract or phony “self-employment” status at the cost of ESA protections. Young workers are particularly vulnerable” (International Association of Machinist and Aerospace Workers¹, 2015, 4).

The excerpts in this category highlight the way millennials are spoken about as a distinct group with their own experiences of marginalization in the labour force.

Substantive

This category extends beyond an acknowledgement of the stand-alone nature of the group and represents a substantive discussion or elaboration of an issue related to millennials. This is where the seeds an intersectional analysis would appear. The excerpts identify concrete employment issues, barriers, and strategies. They reflect an analysis of the concerns this group has about their futures and how the current laws impact their participation in the workforce. It also highlights different perspectives on millennials' labour force participation from industry and employers who discuss the role millennials occupy as their employees, and the perceived benefits of part-time and temporary employment for this group.

“In addition, among the women we have interviewed, there is a shared desire for job-protected sick leave. “I worry about making ends meet...paying for the rent, transportation and the other necessities. There isn't anything left. I feel bad about getting sick and that I have to choose between work and health. If I lose hours or any of my jobs, I'm afraid we will end up in one of the shelters.” The above expression of anxiety is spoken by a younger refugee woman, a university graduate who is juggling 3 part-time jobs in order to support her parent with disabilities and her siblings, as well pay her student loan” (Ng, 2016, 2).

“Expected long tenure with one employer may be high for incumbent older workers, but many new entrants to the

workforce cannot expect to have “lifetime” long-tenured jobs and a semblance of job stability with the same, often unionized, employer as did earlier generations. Younger workers can expect to start off in limited-term contracts or in internships (sometimes unpaid), or self-employment, and can expect to change careers often working for different employers” (Murray & Mitchell, 2017, 54).

The issues presented in the above excerpts highlight the realities of millennials and a declaration that their experiences of precarity need to be addressed.

Recommendation

This category is applied when demographic characteristics are named as part of a recommendation or solution. All submissions were coded for recommendations but it was beyond the scope of this study to determine whether substantive appearances lead to recommendations. For instance:

“Unifor strongly recommends that the exemptions and variations listed in category 1 of Existing Exemptions (page 161) should be removed immediately and workers in these seven categories (IT workers, pharmacists, managers and supervisors, residential care workers, building superintendents, janitors and caretakers, students and liquor servers) have the full protection of the ESA” (Unifor, 2016, 38).

“Cover all classes of worker and employers under the ESA without any exemptions. That would include younger workers, farm workers, workers with shorter tenure and managerial staff” (Registered Nurses’ Association of Ontario, 2015, 10).

Recommendations speak to specific changes that need to be made to the OLRA or ESA in order to address the substantive issues impacting millennials’ workforce participation.

Findings

The findings presented are discussed in relation to the two Phases in which the submissions were received by the CWR. In the first Phase of

submissions, the results reveal that demographic characteristics appeared a total of 300 times, whereas in the second Phase, they appeared 245 (for a total of 545 times in all submissions in which demographic identifiers appeared), and 39 times in the CWR final report.

Table 4 displays the cumulative count of both sets of submissions both by the terms searched and the type of representation. Of all the codes, the largest is substantive representation. Within this code, the terms used most frequently were: student (213) and young (161). However, it is important to note that the largest degree of substantive representation was clustered in only 19 submissions across both Phases. This indicates that millennials and their relationship to labour laws and the workforce were only discussed substantively in 4.4%²⁰ of the submissions.

Integral to the research question is whether the presence of group characteristics in the community consultation process made an impact on the subsequent policy document. To explore this question, the same codes were applied to the CWR final report. Table 5 demonstrates that within the CWR final report millennial demographics appeared 39 times, with the majority located within the substantive category. Students accounted for a larger portion of the substantive comments as there was an entire subheading addressing the issues of the ESA student exemption from the 3-hour²¹ rule which was followed by a recommendation to eliminate this from the labour laws. This was the only recommendation that was reflected in the submissions and the final report which used millennial demographic identifiers.

Table 4: Total Frequency of Appearance of Demographic Characteristics in Phase 1 and 2 Submissions to the Changing Workplaces Review

Terms/ Type	Mention	Nod	Substantive	Recommendation	Total by Terms
Student	22	21	145	25	213

²⁰ Cluster of 19 substantive submissions divided by the total 427 submissions times 100 equals 4.4%

²¹ The 3-hour rule “establishes minimum pay for employees whose shifts are normally longer than three hours, but are sent home after working fewer than three hours” (Vosko, Noack, & Thomas, 2016, p. 61)

Young	33	40	79	9	161
Youth	22	9	41	4	76
Generat ion	3	16	24	0	43
Millenn ial	0	0	52	0	52
Total by Type	80	86	341	38	545

Table 5: Frequency of Appearance of Demographic Characteristics in the Changing Workplaces Review Final Report

Terms/ Type	Mention	Nod	Substantive	Recommendation	Total by Type
Student	3	1	15	1	20
Youth	4	3	2	0	9
Young	4	1	3	0	8
Generat ion	0	1	0	0	1
Millenn ial	0	1	0	0	1
Total by Terms	11	7	20	1	39

Notably, the top terms used to describe millennials in the submissions were student, young, and young. Constructing the group in this way connotes a temporary state of being in the labour market. Madison (2005) highlights the importance of representation in research. The author argues the way people are represented is often how they are taken up. These labels signify phases of life that someone can move through. Such a temporality may allow policymakers to normalize precarity during these periods as passing and therefore resistant to make an effort to change the outcomes for these groups. Whereas a more fixed term such as millennials identifies a generational group that continues to suffer

the impacts of precarious labour throughout their lifetimes. The next section will discuss the implications of these findings on millennials.

Discussion

Representation in the policy process was a principle concern in this research. As such, the study sought to operationalise representation through the development of four categories that reflect a scale of representation. The study asked if millennials are represented in submissions to the CWR and the final report, and if so, to what degree and how. We found that millennials were represented in a quarter of all submissions to the review²². While they appeared in a quarter of the submissions, the substantive representation was clustered in only 4.4% of all submissions (or 19 submissions in both Phase 1 and Phase 2). Further, Phase 2 submissions revealed a stronger presence of substantive comments. This finding could be attributed to the nature of Phase 2 submissions as responses to the interim report. It is possible that the public responded to the lack of representation in this interim report with more substantive comments regarding millennials in the second round of consultations. This may explain why they were only discussed substantively 20 times in the CWR. In the CWR, these occurrences were in seven paragraphs of a 420-page report.

At the policy level, the limited presence of substantive representation across the submissions would suggest that millennials are being grouped under the heading of vulnerable or precarious along with other groups. Although many groups may face similar concerns, this resulted in a nominal consideration of millennials as facing unique challenges. Another reason for the liminal presence is the way millennials were predominantly framed as young, youth, and students; therefore, inhabiting a temporary state of precarity. As one would expect, this similar pattern of nominal consideration was reflected in the CWR final report which only came forward with one recommendation aimed explicitly at millennials: the elimination of the student exemption to the 3-hour rule.

Using the lens of an IPBA, it is vital that the voices of the most vulnerable be present in the consultation process to create a nuanced, accurate response to the issues identified by marginalized communities (Hankivsky & Cormier, 2011). These findings have implications for an IPBA as millennials were nominally present in the final report and appeared in only one recommendation. This can

²² Number of submissions in which demographic characteristics appeared (108; includes OECD and OPSEUPYWC) divided by total submission (427) times 100 equals 25.29

suggest a connection between a low frequency of appearance in the community consultation process of policy formulation and limited uptake of the group's concerns in the final policy document. Additionally, this policy was not intersectional as it did not reflect the experiences and challenges for millennials that were well articulated in the substantive excerpts. It is worrisome that this group was not given specific attention as it will soon become one of the largest demographics in the labour force.

Further, this study responds to the research question: how are millennials and the employment concerns they face taken up in the CWR final report? As there is only one recommendation that used millennial demographic characteristics, it was unlikely their issues would have been taken up in a way that would make an impact on subsequent policy decisions. Given their intense but limited representation in these policy documents, millennials are not represented as a serious consideration of labour policy. Consequently, although millennials received substantive representation in this policy process, their outcomes are limited to modest gains afforded to the larger category of those in precarious work.

Shortly after the release of the CWR, the Ontario Liberal government passed new legislation on November 22, informed, in part, by the CWR final report. Bill 148 – the Fair Workplaces, Better Jobs Act 2017, provides amendments to the OLRA and the ESA. Notable changes included a rise in the Ontario minimum wage to \$14 per hour in 2018 and \$15 per hour in 2019 followed by yearly adjustments to the minimum wage in line with inflation. Additional provisions regarding notification of scheduling changes, equal pay for part-time and temporary help workers, regulation around employee misclassification, and redress some of the more limiting aspects of union certification, among others, were also implemented (Ontario Ministry of Labour, 2017). A number of labour organisations have lauded many of the proposed changes to the OLRA and ESA. The Ontario office of the Canadian Centre for Policy's Alternatives' analysis of the report noted that the rise in minimum wage will universally support vulnerable Ontarians (Macdonald, 2017). Other aspects of the proposed legislation will support equal pay for equal work and dis-incentivize employers from using temp agencies (Block, 2017). The new legislation addresses some of the most egregiously exploitative practices that millennials encounter in the precarious labour market.

The community consultations for the CWR was an important aspect of the policy process that led to Bill 148. A significant ongoing challenge for

millennials will be disrupting the idea of precarity as the permanent economic status, as the Prime Minister and Minister of Finance suggested. There are already traces of this discourse in the CWR final report. One of the most telling statements is found in the comments made within the CWR final report by the Advisors in regards to employment tenure:

“Expected long tenure with one employer may be high for incumbent older workers, but many new entrants to the workforce cannot expect to have "lifetime" long-tenured jobs and a semblance of job stability with the same, often unionised, employer as did earlier generations. Younger workers can expect to start off in limited-term contracts or in internships (sometimes unpaid), or self-employment, and can expect to change careers often working for different employers” (Mitchell & Murray, 2017, 54).

The notion that precarity is the new “reality” must be disrupted to protect the future of the millennial generation and the Ontario economy as a whole.

As millennials were grouped under the label of vulnerable workers, any benefit this group gains will be experienced by millennials in some capacity. This is primarily based on ideas put forward by intersectionality policy theorists that demonstrate how recognizing common issues and barriers across identity groups that can be collectively addressed through policy responses (Hankivsky & Cormier, 2011; Parken, 2010). However, to truly address the complexities of millennials’ access and engagement in the labour market, their issues must be represented more fully in policy and then monitored to detect and remedy problems of inequality. Intersectional policy creation seeks to attend to the unique experiences of different groups and thereby “prevents the distinctions between forms of inequalities from being lost and provides for an inquiry that would capture both individual and group disadvantages” (Hankivsky & Cormier, 2011, 266). Using this approach, policymakers would actively examine the challenges facing a group of people by placing their uniqueness at the fore of the policy process.

As stated earlier, this study does not seek to essentialize a group as diverse as the millennials. Instead, our research demonstrates that without an intersectional analysis, achieved through effective representation, millennials’ unique experiences of marginalisation are not addressed in the policy process.

Our study suggests that effective representation must be substantive and appear extensively in the policy process. As we found, a small clustering of substantive representation, while important, can be overlooked by policymakers, especially when concerns run counter to the dominant framing of the issue. As we will see below, any degree of representation can be disregarded and erased with changes in the political landscape.

Conclusion

This research presents a methodology for evaluating the types of representation that appear in the policy process. We offer this scale as the beginning of an IBPA in the area of community consultation. The results suggest a correlation between weak representation at the community consultation phase and the outcomes in the final policy. Although the subsequent proposed legislation could benefit millennials, the opportunity for an IBPA that considers the unique experiences within this cohort was missed.

Millennials were represented in the submissions to the CWR and the final report through a cluster of substantive comments. Though they appeared in only a quarter of submissions, their concerns were heard by the Advisors through the tireless activism of community groups, labour organizations, and other allies. Importantly, millennials and their allies have challenged the status quo of precarity and seek to disrupt its damaging presence in the lives of workers.

Many of the proposed changes to the ESA and OLRA were brought to the fore by activists, labour unions, and anti-poverty organizations who worked tirelessly to identify the acute realities of precarity and mobilise for change. Future research would do well to compare the policy outcomes of Bill 148 with the demands of these organisations through a social movement and class lens. This also provides an opportunity to consider how the different arguments about precarity and millennials were constructed, and whether we can move towards understandings that can form the basis for collective class action.

Although Bill 148 – Fair Workplaces, Better Jobs is a move in the right direction, with the recent election of a majority Progressive Conservative government in Ontario in June 2018, labour gains have been severely impacted. Premier Doug Ford has set a path of cancelling and eliminating many Liberal reforms in the name of reducing Ontario's debt. Cuts have targeted young people, French language programs, Indigenous education training, midwifery, women, low wage earners and the environment (Beattie, 2018).

With respect to labour reforms, the PC government introduced Bill 47, Making Ontario Open for Business Act, on October 23, 2018. This new legislation has repealed many of the “modest” workplace changes introduced by Bill 148, including the elimination of the two paid sick days and pay equity for part-time and casual workers. Most notably, any planned increases to the \$14.00 minimum wage have been deterred until October 2020, with current projections indicating that the increase to \$15.00/hour will now not occur until 2024 as they will be linked to inflation. Instead, the Ford government has eliminated income tax on incomes of these than \$30,000, though this clearly disadvantages low-income earners that would have been better off with an increase in the minimum wage (Rushowy & Mojtehdzadeh, 2018).

While Ontarians brace themselves for new levels of precarity and vulnerability, the importance of representation and intersectionality-based policy analysis have never been more important. Further research that monitors and documents the new legislation, Bill 47, and its path of deepening precarity is necessary, along with on-going advocacy and activism. Otherwise, we risk the very real fear that millennials and other vulnerable groups will continue to be left behind in this era of “progressive” policy.

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