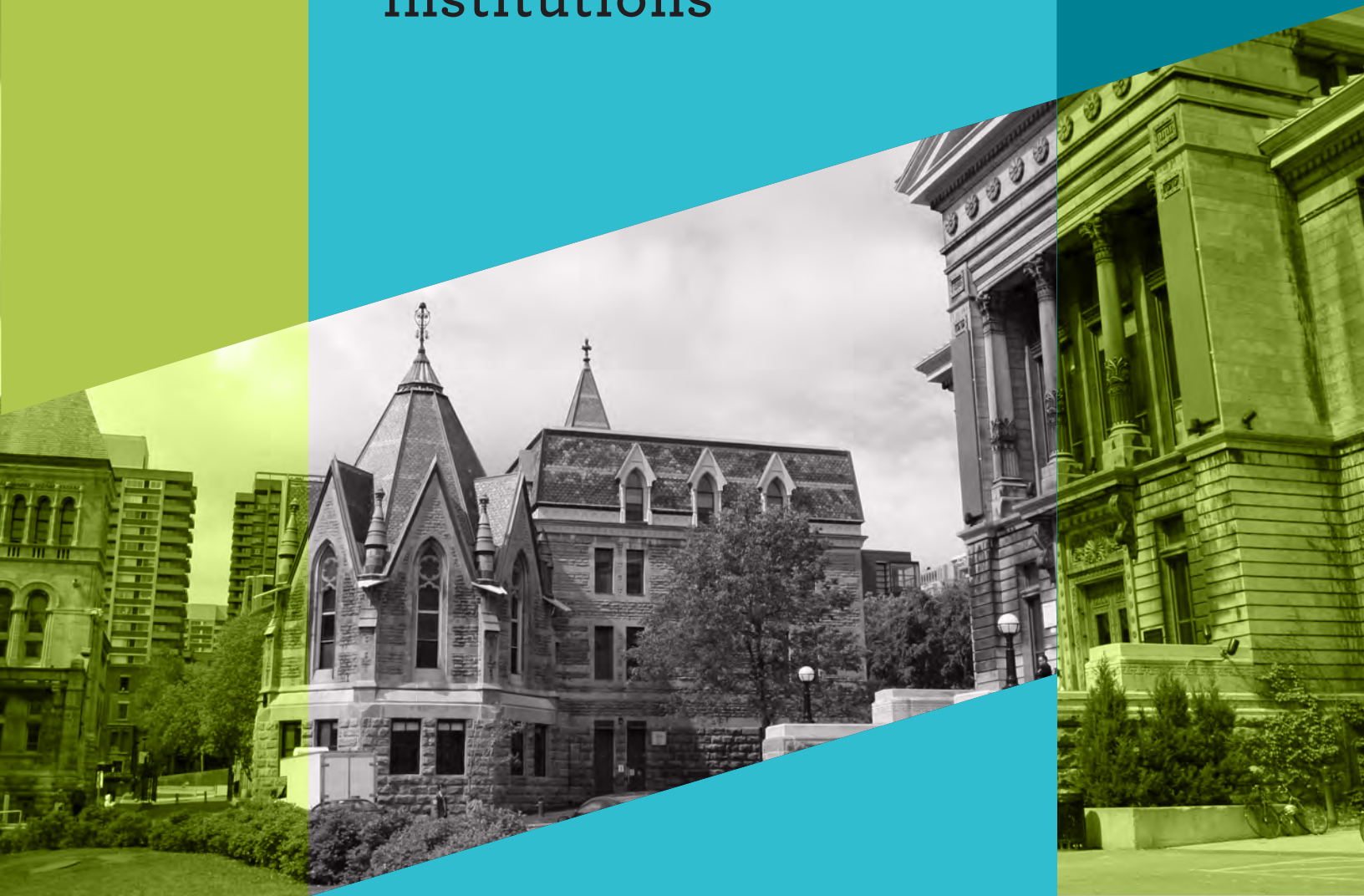


Who Pays?

The cost of
contracting out
at Canadian
post-secondary
institutions



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CUPE

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ABOUT CUPE

The Canadian Union of Public Employees is Canada's largest union, with 700,000 members. CUPE workers take great pride in delivering quality public services in communities across Canada through their work in municipalities, health care, social services, schools, post-secondary institutions, and many other sectors. More than 70,000 CUPE members work in colleges and universities across Canada, delivering academic and support services.

Key findings

Squeezed by a decline in public funding and led by administrators with an increasingly corporate mindset, Canadian post-secondary institutions have increasingly outsourced services that were once provided in house, contracting out delivery to third-party providers. In this report, CUPE exposes the costs of contracting out for some of the most vulnerable members of post-secondary communities in Canada: the workers delivering food services and cleaning post-secondary campuses. Our report finds that workers and communities pay a heavy price when these services are privatized. It calls on post-secondary institutions to be good employers, especially as they are recipients of public funding. It also demands federal and provincial action to protect workers and communities from the fallout of privatization.

Key findings

Using publicly available information, we mapped contracting out, unionization, wages and benefits in food and custodial services at publicly-funded Canadian universities and colleges.

Our data reveal that the majority of Canadian post-secondary institutions engage in contracting out: 83.7 per cent of post-secondary institutions have contracted out some or all food services, while 61 per cent have contracted out some or all custodial services. Half have contracted out both food and custodial services.

MULTINATIONAL CORPORATIONS DOMINATE

Multinational corporations dominate the food services scene, with the Big Three multinational corporations Compass Group, Aramark, and Sodexo holding a combined 103 contracts at post-secondary institutions. In custodial services, the field is more diverse, with the Big Three holding 10.9 per cent of the contracts and smaller Canadian corporations holding most of the contracts.

LESS UNION PROTECTION

There is a significant gap in union representation between in-house and contracted-out workers, with nearly all in-house workers represented by a labour union, compared to one-third of workplaces with contracted-out food services and 52.6 per cent of workplaces with contracted-out custodial services. One explanation for this gap is that eight provinces and all three territories lack legislation providing successor rights in cases of contract flipping in building services. This means that every time a contract flips to a new service provider, the union certification is lost, along with jobs, wages, benefits, and seniority.

SIGNIFICANTLY LOWER WAGES

Contracting out also means significantly lower wages. When looking at average wages between 2019-2021, there is an average difference in starting wages across jurisdictions of \$4.40 per hour for in-house food service workers compared to contracted-out workers and an average difference in the top wage of \$5.24 per hour. This difference works out to a wage gap of between \$8,000 and \$10,000 per year for a full-time employee. In custodial services there is a similar gap between in-house and contracted-out employees, but the national gap is made smaller because of legislation in Quebec setting a universal floor for custodians in public buildings.

The same pattern emerges when comparing wages to the provincial minimum wage in effect at the time, allowing for comparisons across time and jurisdictions. The average starting wage for in-house food service workers exceeds minimum wage by nearly 60 per cent, compared to 23.3 per cent for unionized contract service employees and 14.5 per cent for non-unionized contract service employees. Similarly, the average starting wage for in-house custodians exceeds minimum wage by

Key findings

52.1 per cent, compared to just 9.4 per cent for unionized third-party custodians and only 3.7 per cent for non-unionized employees. This wage gap means contracting out takes more than \$1,000 a month out of workers' pockets.

Food and custodial workers are some of the lowest paid workers on campus, which makes the wage gap even more significant. While a majority of in-house workers are receiving a wage at or above the living wage for their region, a majority of contracted-out employees are earning wages below the living wage.

RETIREMENT INSECURITY

The remuneration gap is not just about current wages; it continues into retirement with access to pensions. Nearly all in-house workers have access to a pension, with many eligible for a defined benefit pension plan. On the other hand, half of contracted-out food service workplaces offer no retirement contribution to workers, while one-third of custodial workplaces offer no retirement contribution.

LESS ACCESS TO SICK LEAVE AND BENEFITS

The pandemic has highlighted the importance of access to paid sick leave, with health experts agreeing that all workers should have access to a minimum of 10 permanent paid sick days. However, contracted-out workers are less likely to receive paid sick days than in-house workers and receive considerably fewer days on average. In-house food service workers receive an average of 16.3 paid sick days per year, while contracted-out food service workers receive only 5.4. Among custodial service workers, in-house workers have an average of 19.5 paid sick days, while contracted-out workers have only 3.3 days.

The gap extends to other benefits. Nearly all post-secondary institutions offer a maternity leave top-up, but only two contract food service providers offer a top-up, while none of the contract custodial service providers offer any support for maternity or parental leave.

DOWNLOADED COSTS

In light of the wage and pension gaps, as well as the difference in sick leave coverage and maternity and parental leave support, the cost savings supposedly delivered by outsourcing look a lot more like cost downloading. Outsourcing shifts costs from post-secondary institutions to workers, who must make ends meet on significantly lower wages now and reduced pension benefits in the future, and must also choose between going to work sick or staying home without pay.

VULNERABLE WORKERS PAY THE PRICE

It's essential to ask who is paying the costs downloaded by post-secondary institutions. Census data shows that workers in food and custodial services are more likely to be women, more likely to be Black or racialized, and more likely to be a newcomer to Canada. These workers are already earning lower wages on average. Canadian universities and colleges are asking an already vulnerable and marginalized population of workers to bear the costs of outsourcing. By outsourcing services, post-secondary institutions are undermining their stated commitment to anti-racism and gender equity.

In addition, there are costs borne by our community. The majority of outsourced workers in our analysis are making less than the living wage for their region. This increases demand for social supports such as social housing, rent supplements, child care subsidies, food banks, Employment Insurance, and social assistance to make ends meet. The lack of retirement support also means that more workers will collect the Guaranteed Income Supplement in the future, shifting the costs of retirement from the employer to the public purse.

This downloading of costs onto some of the most vulnerable workers in our communities and the resulting increase in public costs raises important questions about the role of post-secondary institutions as public sector employers. These institutions receive public funding, in the form of both direct government funding and government-provided student aid. What responsibilities do they have to our communities in exchange for this public funding?

RECOMMENDATIONS

To end the harmful downloading of costs onto our communities and our most vulnerable workers, CUPE recommends the following actions:

1. Post-secondary institutions must stop the privatization of services and bring workers back in house.
2. Federal and provincial governments should increase investments in post-secondary education with conditions attached requiring all recipients to ensure decent wages and working conditions for all workers on campus, including the employees of subcontractors.
3. Provincial governments should expand successorship rules to cover outsourcing and contract flipping in all sectors of the economy.
4. Provincial governments should make it easier for workers to unionize by implementing card check certification.
5. Provincial governments should improve the wages and working conditions of all workers by setting the minimum wage at the level of a living wage and legislating paid sick leave for all workers.

Introduction

Squeezed by a decline in public funding¹ and led by administrators with an increasingly corporate mindset, Canadian post-secondary institutions have increasingly outsourced services that were once provided in house, contracting out delivery to third-party providers. Services being delivered by private providers on post-secondary campuses include food services, custodial services, building management, security, student residence management, bookstores, information technology services, and bridging programs for international students.

Contracting out is widely purported to save costs and provide more efficient services. Whether outsourcing actually results in cost savings and better services for public institutions is highly contested,² but one thing is certain – the narrative that outsourcing is a good strategy for public institutions can only be maintained if half the equation is never taken into account: the impact on workers and their communities. Workers pay a significant cost for contracting out. They receive lower wages, are less likely to receive a pension and other benefits, and are less likely to receive adequate paid sick leave. They also receive less training and are more likely to have high rates of job turnover.³

In this report, CUPE considers the costs of contracting out for some of the most vulnerable members of post-secondary communities in Canada: the workers delivering food and custodial services on campus. Our analysis reveals that these workers pay a heavy price. Their wages are significantly lower, with many below the level of a living wage. The disparity in remuneration continues into retirement, with employees of contracted-out services less likely to receive a pension. Anemic sick leave policies also force more employees of contracted services to choose between going to work sick or losing a day's pay. Even though these workers are more likely to be women, very few receive any support for maternity or parental leave. They are less likely to be represented by a union and in many provinces, can lose their seniority, wages, and benefits every time a contract changes hands. These lower wages and benefits have a cost for public programs and for our communities, raising the question of what post-secondary institutions owe our communities as recipients of public funding. The situation also highlights the need for governments to do more to protect disadvantaged workers.

It is also essential that we ask who is paying this cost. Census data shows that workers in both food and custodial services are significantly more likely to be women, more likely to be Black or racialized, and more likely to be newcomers to Canada. By outsourcing, Canadian post-secondary institutions are undermining their own commitment to anti-racism and gender equity.

WHY OUTSOURCE?

The literature on outsourcing in higher education, which is heavily US focused, tends to note a few principal drivers of privatization.⁴ Contextually, most situate the decision to contract out within the multiple pressures facing post-secondary administrators since the 1990s: the rising costs of post-secondary education, the limits of what potential students are able or willing to pay, and what students might, in turn, demand from institutions as the costs of attendance rise. Within this scenario, the main benefits of outsourcing are viewed to be:

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1. Reduced costs to the post-secondary institution, due to price competition, shifting of liability to the service provider, the economies of scale the service provider is expected to offer, and the flexibility of only paying for work actually provided (which is usually a reference to flexible staffing and/or eliminating paid sick leave).
2. Improved services, because of the supposed expertise and willingness of the service provider to innovate, as well as the ability to demand certain outcomes be achieved before payment is made.
3. The freedom of post-secondary administrators to concentrate on core capacities.

Whether these objectives are achieved by contracting out or not is another matter. A 2017 review of 30 studies on outsourcing in higher education found that there is very limited evidence to support claims that contracting out achieves either cost savings or service improvements in the long run.⁵

Regardless, these are the reasons that administrators give when they're talking to researchers. Let's take a look at what administrators say when they're talking to each other. In 2017, four Ontario universities presented a panel on "Outsourcing Custodial Services: Pros and Cons" at the Ontario Association of Physical Plant Administrators.⁶ The presentation was rather more "pro" than "con," although presenters did manage to identify several cons: staff turnover, a drop in the level of service provided, and the time to onboard or train new workers.

The biggest driver behind outsourcing that panelists identified was cost. Brock University pegged the average cost of contracted-out custodial services at \$1.09 per square foot, compared to an average cost of in-house services at \$2.46 per square foot. The University of Toronto, meanwhile, provided a graph with accumulated savings compounding over time due to contracting out.

An issue closely related to cost was the question of paid sick leave or "absenteeism," as some presenters chose to call it. Wilfrid Laurier University included "Sick time coverage, only pay[ing] for work completed" as one of its arguments in favour of outsourcing custodial services. The University of Windsor noted "Attendance" and "Lack of [staff] motivation" as two of its reasons for outsourcing work and calculated the expected savings from having fewer permanent staff left to claim sick days. Brock University also listed "Absenteeism" as an advantage of contracting out, calling it a "non-issue" due to the continuous coverage provided by the contractor.

A 2017 review of 30 studies on outsourcing in higher education found that there is very limited evidence to support claims that contracting out achieves either cost savings or service improvements in the long run.

Introduction

The third theme was greater flexibility in staffing and hours of work, along with the ability to split shifts. This is because in some situations, outsourcing represents an end run around the collective agreement with the existing workforce. With a contractor in place and workers shifted from in-house to third party employees, administrators no longer need to respect negotiated hours of work that assure workers of work-life balance or of having enough hours to pay their bills.

Perhaps not surprisingly then, the presentation also offered a strong anti-union sentiment. The University of Windsor recommended that any moves to outsource be implemented “outside of any collective agreement negotiations.” They also concluded that after their first experience of outsourcing, the union now understands that “Management has options.” Brock University noted that one of the disadvantages of contracting out was that “Initially, there will be considerable labour unrest.”

Interestingly, while the universities are willing to bluntly describe their strategies to one another, the University of Windsor noted that honesty is not the best communications policy when it comes to selling the decision to outsource to the university community. Twice, they referenced the need to develop “messaging” and provide a “theme” for the outsourcing decision, noting that in their ultimate messaging “uWindsor had one word...**Students**” (emphasis in original). However, students never show up on the list of considerations the University of Windsor claims to have taken into account in making the decision to outsource. Students were merely the most convenient argument to use in attempting to avoid community backlash over a decision made for other reasons.

Methodology

In order to take a more in-depth look at the extent of contracting out in the Canadian post-secondary sector, along with its impact on workers, the Canadian Union of Public Employees undertook a project to map contracting out, unionization, wages, and benefits at publicly-funded Canadian universities and collegesⁱ in two areas: food services and custodial services.

ⁱ For the purposes of this report, we considered only institutions receiving direct public funding, and did not include federated or affiliated universities or colleges receiving public funding through their relationship to a publicly-funded institution.

To collect this information, we searched public sources, including institutional websites, public sector procurement reports, public tender sites including both provincial sites and MERX, media clippings including student newspapers, social media, corporate websites, union websites, provincial collective agreement databases, and online job postings.

Our data on wages and benefits comes from collective agreements and job postings. Because job postings tend not to provide many details about available benefits, much of our information on benefits is restricted to unionized workforces.

The data on contracting out and unionization is current to the fall semester of the 2021-22 school year. For wages and benefits, we used the most recent data available, noting the effective date for the wage. In the case of wage data from collective agreements, this is the date that the wage came into effect. For wage data from job postings, the effective date is the date of the job posting.

Our wage and benefit data are based on two representative positions. For food services, we used the position of cook because cooks have a much clearer job description than other food service positions (in addition to being ubiquitous), allowing for a much cleaner comparison. In cases where collective agreements had multiple cook positions (Cook 1, Cook 2, Cook 3, etc.), we took the cook position with the lowest starting wage as our representative position. However, we also note that cooks tend to be one of the highest paid positions in food services and because more of them are permanent, they also tend to have better access to benefits. This means that cooks represent the ceiling for wages and benefits for food service workers, rather than the floor.

For custodial services, we used the category of cleaner, often called a housekeeper, custodian, janitor, or concierge. In cases where collective agreements or job postings included both a Light and Heavy Duty Cleaner, we used the Light Duty Cleaner as our representative position.

For pensions and RRSPs, we looked at whether a pension or RRSP was available at all, but did not look at which workers had access to the pension plan. (In many cases, participation in the pension plan is limited to full-time employees, a rule which applies to many post-secondary workers.) We did the same for maternity and parental leave top-ups, which frequently have conditions such as length of employment and mandatory return to employment attached. On the other hand, for paid sick days, we looked at whether paid sick days were available to all employees, excluding a probationary period at the start of employment. If a collective agreement provides paid sick days only to full-time employees, that workplace is recorded in our data as not offering paid sick days since part-time workers have none. Similarly, for the number of paid sick days offered, we used the

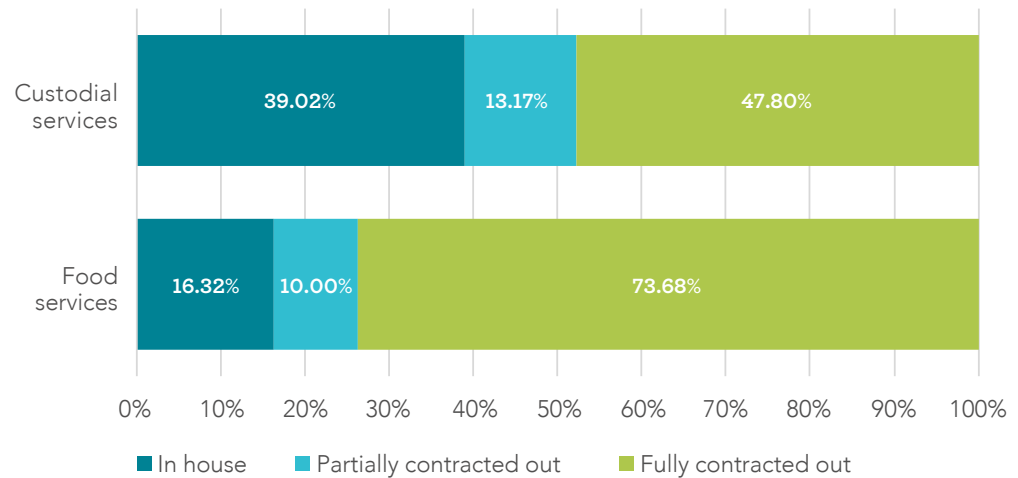
lowest number of paid sick days that any group of employees was eligible for. For instance, if a collective agreement allows temporary employees to accumulate paid sick days at the rate of one per month but offers permanent employees 1.5 per month, the number of sick days included in our analysis is 12, even though some employees get 18 days.

Although we have at least some information for nearly all Canadian post-secondary institutions, we were not able to find up-to-date information for all institutions. (For food services, we have some information for 98.4 per cent of the 193 post-secondary institutions that offer food services. For custodial services, we have some information for 96.7 per cent of the 212 publicly-funded post-secondary institutions in Canada.) For the analyses below, we include only the institutions for which we have available data. Our analysis of food services also excludes institutions that do not offer food services from our calculations. To provide greater clarity, for each analysis we provide the number of institutions included in our calculations.

Information was only tracked where we had evidence to support it; we did not make assumptions that services were in house if there was no information available about contracting out. However, there are two factors which may make our calculation of outsourcing an underestimate. The first is that there may be cases in which there is no public record of recent outsourcing, but the previously in-house positions remain listed in the collective agreement of the local union, making it appear that the work is still done in house. There may also be cases, particularly in custodial services, where some or even most of the work is done in house, but certain buildings or campuses are contracted out. We have identified a number of scenarios of partial contracting out, but in many of these cases, the public record regarding the outsourcing is much scantier than the public record regarding the in-house employees. For this reason, we can't be completely certain that we have identified every situation of partial contracting out.

Contracting out: The Canadian picture

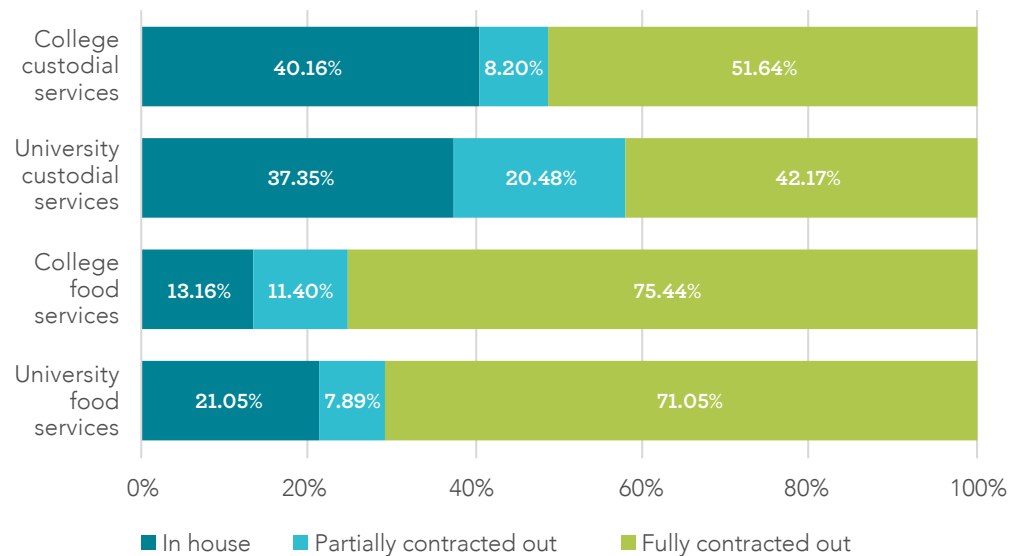
The vast majority of Canadian post-secondary institutions engage in contracting out: 83.7 per cent of post-secondary institutions have contracted out some or all food services, while 61 per cent have contracted out some or all custodial services. (Partial contracting out could be either contracting out services on one campus while keeping them in house on another, or contracting out of services in certain buildings only.) Half of post-secondary institutions have contracted out both food and custodial services.

Figure 1: Contracting out of food services and custodial services by post-secondary institutions, 2021

Custodial services n=205, food services n=190

Multinational corporations dominate the food services scene.

When it comes to food services, universities are slightly less likely to contract out than colleges. However, the reverse is true for custodial services, with universities more likely to outsource custodial services than colleges.

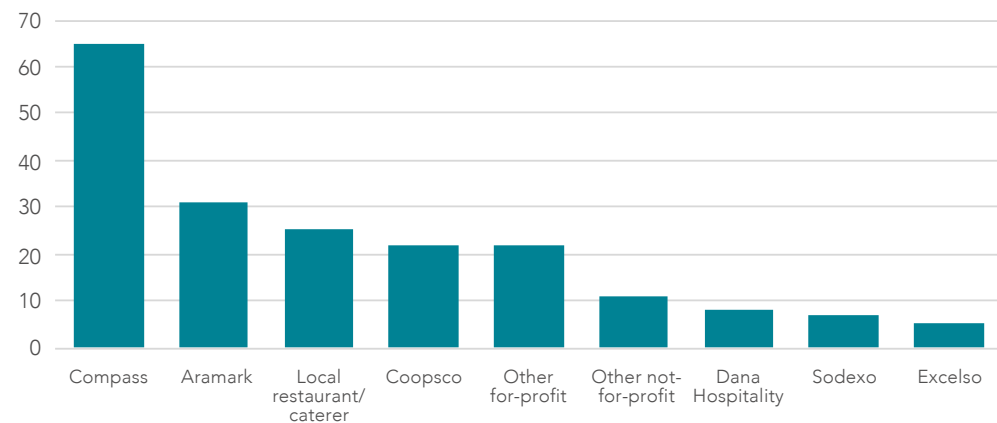
Figure 2: Contracting out of food and custodial services by universities vs. colleges, 2021

College custodial services n=122, University custodial services n=83, College food services n=114, University food services n=76

Multinational corporations dominate the food services scene. Compass Group, a giant food services company incorporated in the UK, and its subsidiaries, hold the most contracts with 65. Aramark, an American hospitality services conglomerate, comes second with 31 contracts. Coopsco, a Quebec-based student cooperative association which

provides student services in Quebec and Francophone institutions in Ontario, is in third place with 22. Altogether, co-ops, student-owned services,ⁱⁱ alumni associations, social enterprises and other not-for-profit providers make up 18 per cent of the total. Another 13.7 per cent are held by local restaurants or caterers. Rounding out the big players are Canadian-owned Dana Hospitality, the French multinational hospitality services company Sodexo, and Quebec-based Excelso.

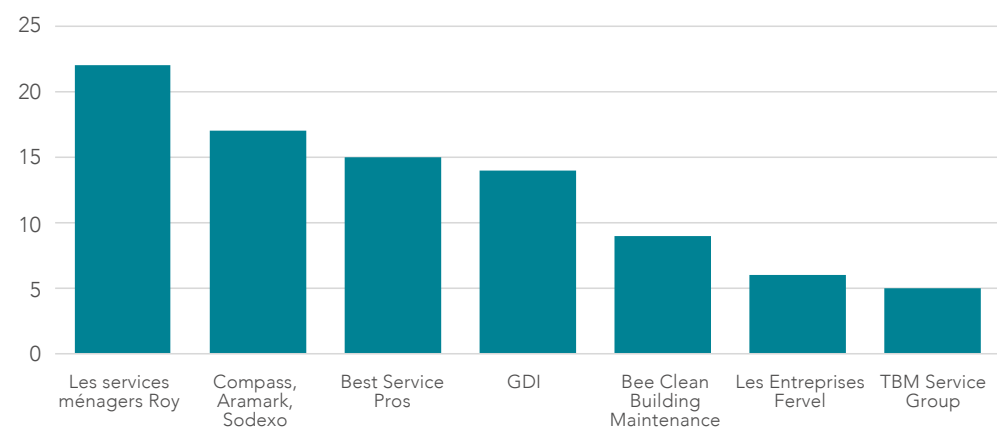
Figure 3: Number of food services contracts at post-secondary institutions, by holder, 2021



n=157 institutions, 183 contracts

For custodial services, the field is far more diverse. The Big Three multinationals, Compass Group, Aramark, and Sodexo, hold 10.9 per cent of the contracts. Canadian-owned companies Les services ménagers Roy, Best Service Pros, GDI Integrated Facility Services, Bee Clean Building Maintenance, Les Entreprises Fervel and TBM Service Group also hold a substantial proportion of contracts. Beyond these nine companies, the contracts tend to be held by either smaller local companies or cleaning companies who service a majority of contracts outside the post-secondary sector.

Figure 4: Number of custodial services contracts at post-secondary institutions, by holder, 2021



n=115 institutions, 156 contracts

ⁱⁱ For student-run services, we included only instances where the only food service on campus is provided by the student association or a student-run co-op. We did not include cases where institutionally provided food services are available and student associations provide additional services only in student-association owned or operated locations.

Unionization

The post-secondary sector in Canada is heavily unionized, and so are in-house food and custodial services. However, only a minority of contracted-out workers are unionized. In food services, 85.1 per cent of campuses with in-house workers are unionized. Half of the remaining non-unionized campuses are institutions where food services are provided by students as part of their training. In comparison, only 34.6 per cent of campuses with contracted-out food services are unionized. At least nine institutions with both in-house and contracted-out food services have unionized in-house workers but non-unionized contracted-out workers on campus.

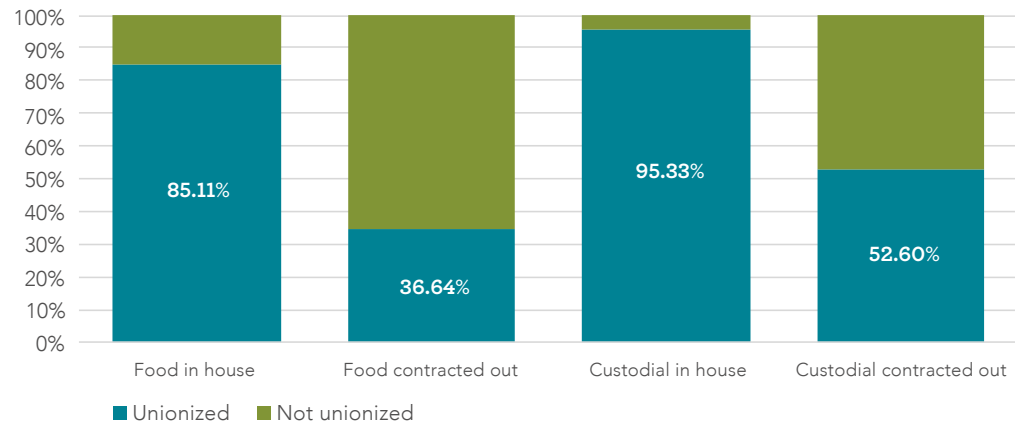
Similarly, in custodial services 95.3 per cent of institutions with in-house workers are unionized, compared to only 52.6 per cent of workplaces with private employers. At least 16 institutions with in-house unionized custodial staff also have non-unionized contract cleaners on campus.

Only a minority of contracted-out workers are unionized.

Non-unionized contractors have an edge in bidding for contracts if they can offer lower costs due to lower wages and fewer benefits. This has the effect of creating a race to the bottom for all workers.

Unionization

Figure 5: Unionization by status of services at post-secondary institutions, 2021



Food services n=184 institutions; Custodial services n=196 institutions

One challenge in unionizing contracted-out workers is that only four provinces allow for workers in food and custodial services to signal their desire to form a labour union by signing union cards. In the other six provinces, there is a forced vote after workers sign a union card, which leaves workers subject to intimidation, threats, and bullying from anti-union employers – activities which are common practice despite being in contravention of labour law.

Contract flipping – when university administrators retender contracts from one private corporation to another – also contributes to the difficulty of unionizing outsourced employees. A majority of provinces have no protections for workers in cases of contract flipping. Workers can lose their employment, wages, seniority and benefits, as well as their union when a post-secondary institution decides to contract out, or when the institution awards the contract to a new contractor. In fact, non-unionized contractors have an edge in bidding for contracts if they can offer lower costs due to lower wages and fewer benefits. This has the effect of creating a race to the bottom for all workers. Only British Columbia and Ontario have legislation that prevents workers in building services from losing their jobs, wages, and union in cases of contract flipping.

In the past two years, CUPE has lost two post-secondary union locals to contract flipping. At St. Thomas University in New Brunswick, the local certification was lost when the cleaning contract went from Aramark to GDI. At the Université du Québec à Trois-Rivières, the local certification was suspended for a five-year period when the contract for food services went from Sodexo to Excelso. The certification is suspended so that if Sodexo regains the contract within the five-year window, the union regains its rights, but Excelso employees are currently not represented by any union. In both cases, the change in contracts meant layoffs for most workers and a loss of seniority and benefits, as well as lower wages for the few workers who kept their jobs.

Wages

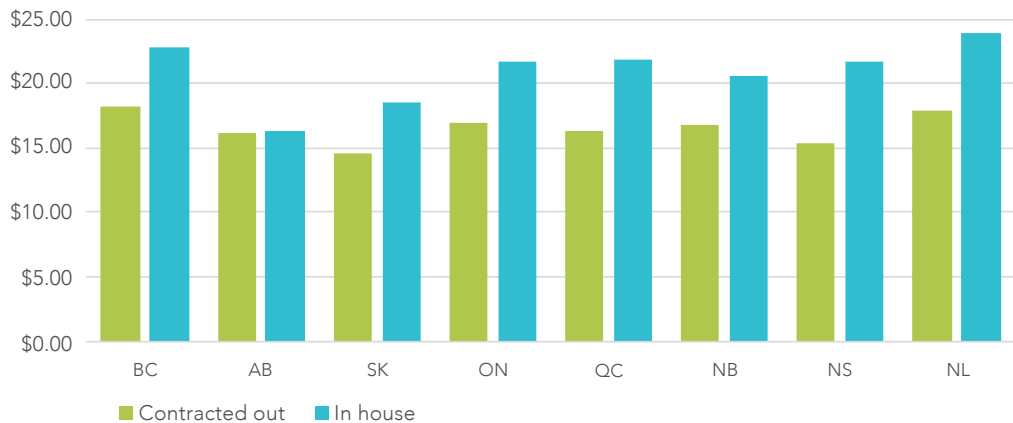
Even when the contract remains in the hands of the same private company, one thing is clear: contracting out means significantly lower wages for workers.

To analyze wages, we used two different measures. In the first, we calculated a straight average using 2019-2021 data by province, to account for differences in provincial minimum wages. Only provinces with wage data for both in house and contracted-out services are included. We tracked both starting wages and the top end of the wage range. For the second measure, we compared wage data to the provincial minimum wage in effect at the time, allowing us a better comparison across time and jurisdictions.

Contracting out means significantly lower wages for workers.

Using the first measure, the difference in the starting wage between contracted-out and in-house cooks ranges from \$0.30 an hour in Alberta to \$6.38 an hour in Nova Scotia, with an average difference of \$4.40 per hour.

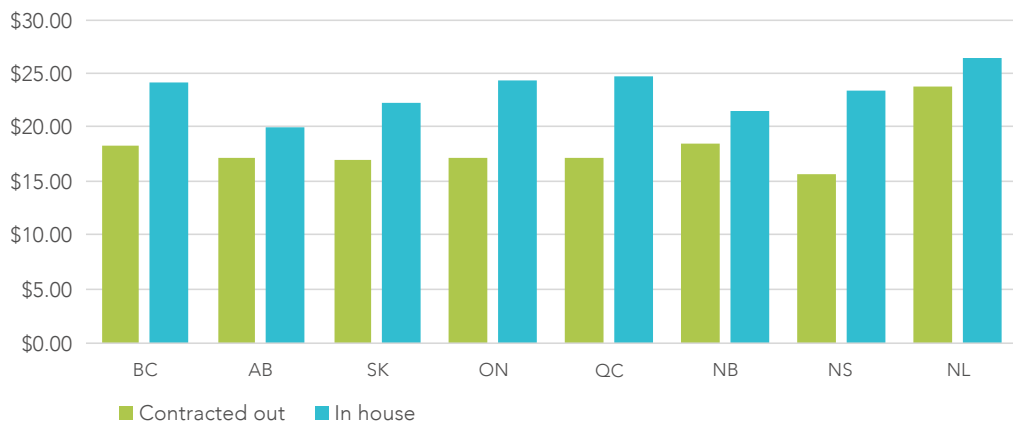
Figure 6: Food services starting wage, 2019-2021 (average)



n=97 institutions

The difference in the top wage is even greater, ranging from \$2.82 an hour in Alberta to \$7.74 an hour in Nova Scotia, with an average difference of \$5.24 an hour. For a full-time employee, this difference works out to a wage gap of between \$8,000 and \$10,000 per year.

Figure 7: Food services top wage, 2019-2021 (average)



n=97 institutions

There is also a wage gap between unionized and non-unionized contracted-out workers, ranging from \$0.67 per hour in BC to \$6.25 an hour in New Brunswick, with an average difference of \$2.35 per hour. Since most of our data for contracted-out workers comes from unionized workplaces with their higher-on-average wages, our calculation of the wage gap between in-house workers and contracted-out workers likely understates the size of the gap.

Figure 8: Food services starting wage for contracted-out employees by union status, 2019-2021 (average)

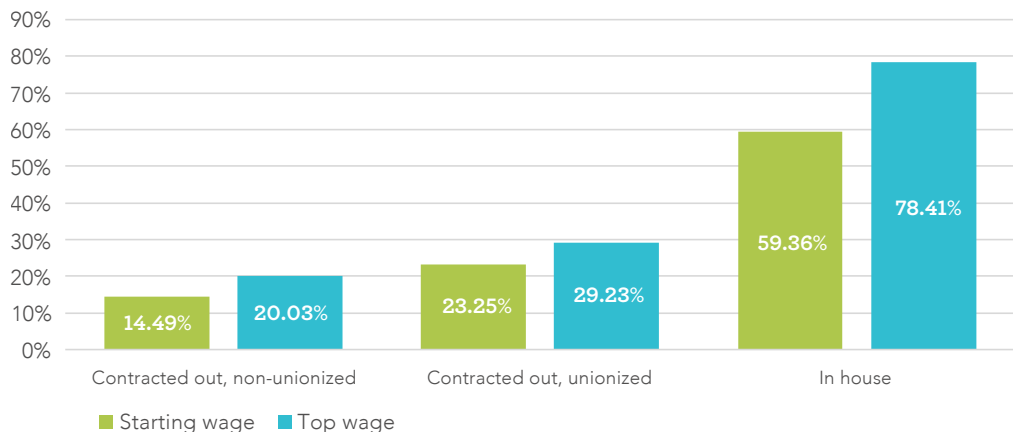


n=44 institutions

Our second measure reinforces this picture of wages. For this analysis, we compare all wages to the provincial or territorial minimum wage in effect at the time, allowing us to compare across time and jurisdictions. In-house food service workers make significantly more than minimum wage, with the average starting wage exceeding minimum wage by nearly 60 per cent and the average top wage exceeding minimum wage by 78.4 per cent. In comparison, the average starting wage of contract workers exceeds minimum wage by 20.4 per cent, while the average top wage exceeds minimum wage by 26.3 per cent.

However, this masks a significant gap between contracted-out workers. Unionized employees of contract service providers have an average starting wage that exceeds minimum wage by 23.3 per cent, compared to only 14.5 per cent for non-unionized employees. Similarly, the average top wage for unionized workers exceeds minimum wage by 29.2 per cent, compared to only 20 per cent for non-unionized workers.

Figure 9: Food services wages, percentage above minimum wage



n=188 institutions

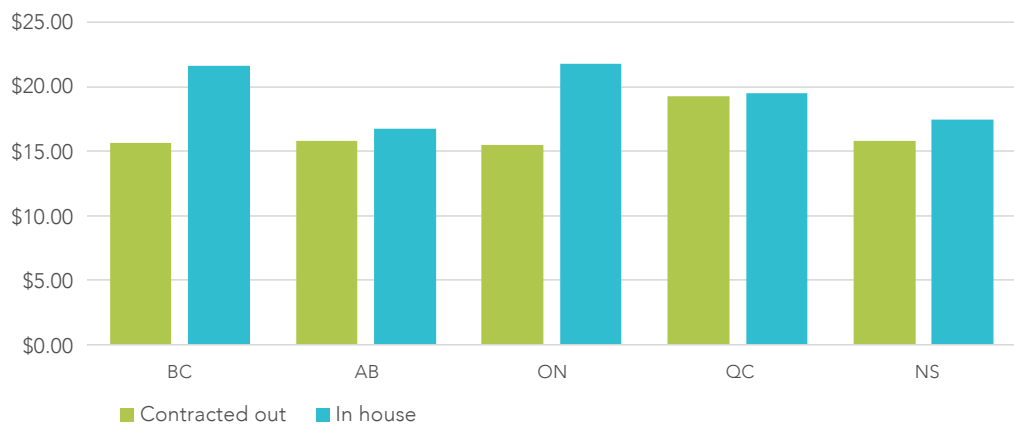
The difference in starting wages of in-house workers and non-unionized employees of contract service providers amounts to \$6.73 per hour, or \$13,461 per year for a full-time employee. That's more than a thousand dollars a month out of the pockets of workers due to contracting out.

To put this in dollars and cents, if we take \$15 as our hypothetical minimum wage (noting that eight out of 13 jurisdictions in Canada currently have minimum wages below \$15 per hour), the difference in starting wages of in-house workers and non-unionized employees of contract service providers amounts to \$6.73 per hour, or \$13,461 per year for a full-time employee. That's more than a thousand dollars a month out of the pockets of workers due to contracting out.

Meanwhile, the premium contracted-out workers gain by being unionized is \$1.31 per hour, or \$2,627 per year for a full-time employee.

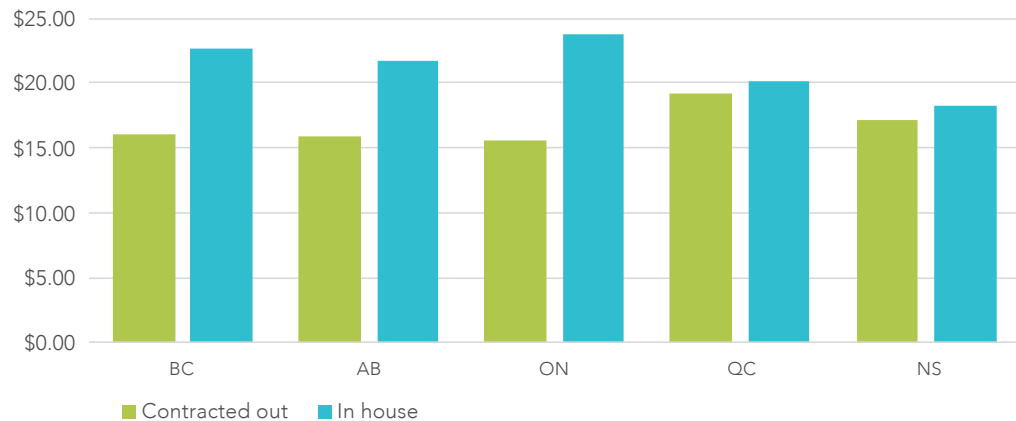
We see the same pattern in custodial services. Looking at the average starting wage for custodians by province, there is a wage gap which ranges from \$0.93 per hour in Alberta to \$6.28 per hour in Ontario. The exception to this pattern comes from Quebec, which uses a model that is unique in Canada. Quebec has two provincial decrees requiring that custodial staff in public buildings be paid at minimum according to the wages and benefits of the Union des employés et employées de service (UES) local 800 collective agreement for the region they are located in, regardless of whether the employer is the public body or a private contractor.ⁱⁱⁱ This sets the floor for all workers, with some local unions able to negotiate higher wages and/or better benefits. Even in Quebec, there is still a benefit to being in house, but the gap between in-house and contracted-out workers is much smaller – only \$0.24 per hour. However, as Figure 11 shows, the gap is greater for the top end of the wage range, increasing to \$0.84, as the UES agreement only sets a floor.

Figure 10: Custodial services starting wage, 2019-2021 (average)



n=135 institutions

ⁱⁱⁱ The two geographical regions, Quebec and Montreal, are determined by the decree. The UES collective agreements in the two regions have many similarities but are not identical, especially when it comes to benefits.

Figure 11: Custodial services top wage, 2019-2021 (average)

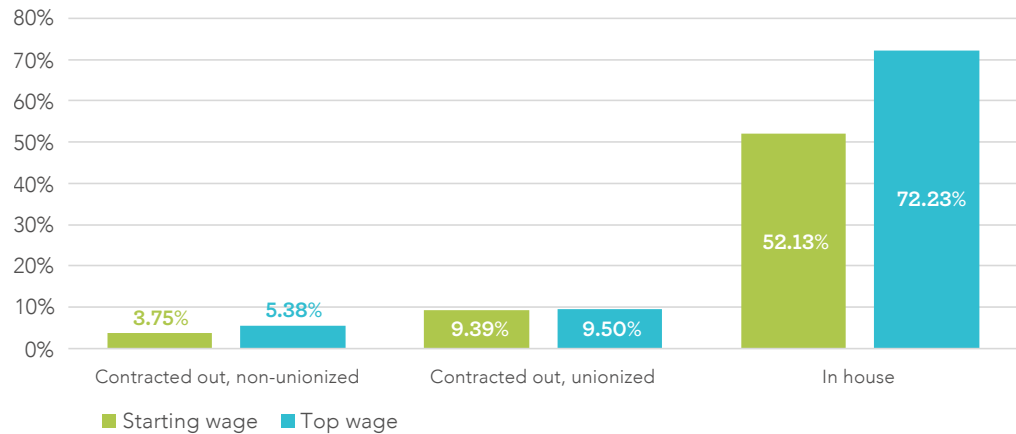
n=135 institutions

When looking at wages as a percentage of the minimum wage, there is again a clear benefit to being an in-house employee, but we also see the impact of the Quebec model, setting a floor for workers' wages. To clearly analyze the difference, we looked at wages inside Quebec and outside Quebec separately.

In-house workers in the rest of Canada have an average starting wage that exceeds minimum wage by 52.1 per cent and an average top wage that exceeds minimum wage by 72.2 per cent. Meanwhile, the average starting wage for unionized employees of contract service providers exceeds minimum wage by 9.4 per cent, compared to only 3.7 per cent for non-unionized employees. Similarly, the average top wage of unionized employees of contract service providers exceeds minimum wage by 9.5 per cent, compared to 5.4 per cent for non-unionized employees.

In dollar terms, using a hypothetical \$15 an hour minimum wage, this means in-house workers make \$7.26 an hour more at the starting wage than non-unionized contracted-out workers, or \$14,518 per year for a full-time employee. The wage premium for unionized contracted-out workers is \$0.85 per hour or \$1,697 per year for a full-time employee.

Figure 12: Custodial services starting wage, percentage above minimum wage, excluding Quebec

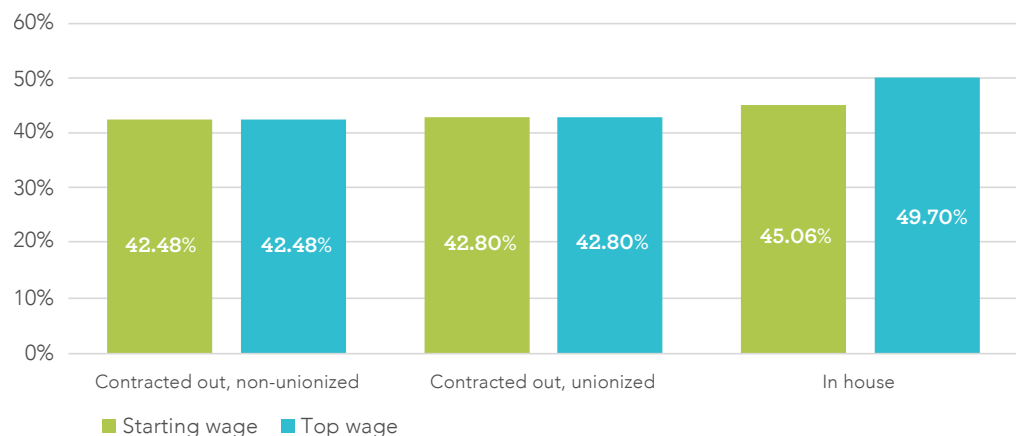


n=138

In contrast, in Quebec the gap is much smaller, although in-house workers still fare better. The wages for contracted-out workers do not rise from starting wage to top wage. The average starting and top wage exceeds minimum wage by 42.5 per cent for non-unionized workers and by 42.8 per cent for unionized workers. In comparison, in-house workers have an average starting wage that is 45.1 per cent above minimum wage and an average top wage that is 49.7 per cent above minimum wage.

In dollar terms, this means the difference in earnings for in-house workers compared to non-unionized contracted-out workers is \$0.35 per hour or \$697 per year for a full-time worker (using Quebec's actual minimum wage of \$13.50 per hour). At the top end of the wage structure, the premium for being in house is \$0.98 per hour or \$1,952 per year.

Figure 13: Custodial services starting wage and top wage, percentage above minimum wage, Quebec



n=188 institutions

A living wage

It is worth noting that even for in-house workers, we are not talking about high wages. These are some of the lowest paid members of the post-secondary campus community, and none of these workers are getting rich from a publicly-funded salary (unlike some of the administrators who make the decision to outsource.) That makes the difference in wages even more important: \$4 or \$5 an hour can be the difference between a living wage that lets workers meet all their basic needs and provide for their families, and a low wage that is insufficient to live on.

A living wage

25

In-house workers are far more likely to receive a living wage than outsourced workers. Among contracted-out workers, unionized workers are more likely than non-unionized workers to receive a living wage.

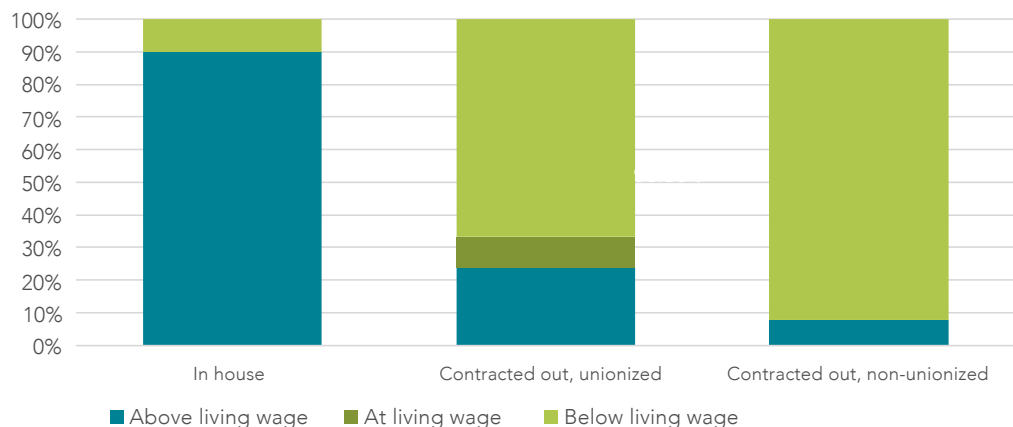
To look at how wages compared to a living wage, we compared starting wage data from 2021 with 2021 living wage calculations. (These wage calculations are made by provincial Living Wage Networks or by the Canadian Centre for Policy Alternatives.^{7,iv}) The trend is extremely clear: in-house workers are far more likely to receive a living wage than outsourced workers. Among contracted-out workers, unionized workers are more likely than non-unionized workers to receive a living wage.

For food services, 90 per cent of in-house employers provided workers with a starting wage above a living wage. Among institutions with contracted-out services and unionized employees, 33.3 per cent provided workers with a starting wage that was at or above the living wage. In contrast, only one institution with contracted-out services and non-unionized employees provided a starting wage above the living wage, while 92.3 per cent provided a wage below the living wage.

The gap between the starting wage and the living wage also varied significantly. The one institution with in-house food services that did not provide a starting wage equal to or greater than the living wage was only 15 cents below the living wage. However, for unionized employees of contracted-out services, the gap between the starting wage and a living wage ranged from \$1.48 to \$7.55 per hour, with an average gap of \$4.54 per hour. Similarly, for non-unionized employees of contracted-out services, the gap between the starting wage and a living wage ranged from \$1.02 to \$9.10 per hour, with an average gap of \$3.96 per hour.

It is important to acknowledge that cooks are one of the highest paid positions in food services. If even the cooks are not making a living wage at contracted-out food services, it is likely none of the other workers are either.

Figure 14: Food services starting wage compared to living wage, 2021

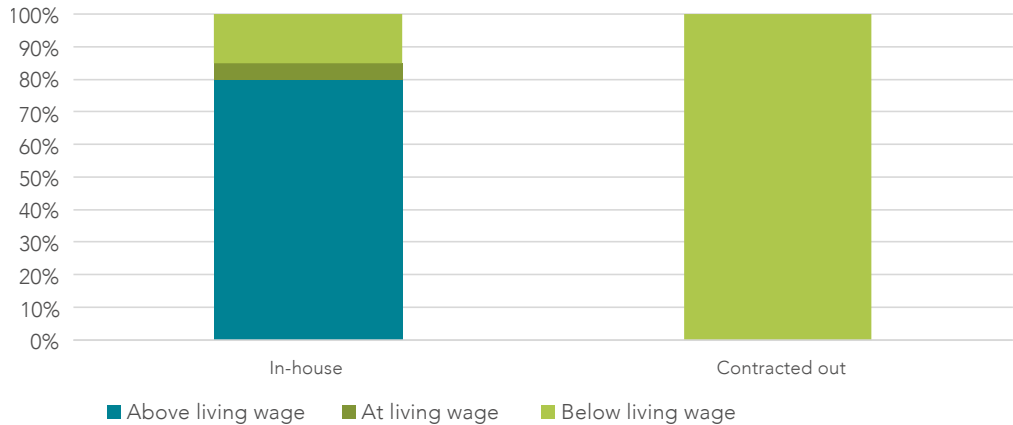


n=44 institutions

^{iv} Provinces with living wage calculations are Alberta, British Columbia, New Brunswick, Nova Scotia, and Ontario. IRIS in Quebec uses a different approach, calculating annual salaries rather than hourly wage and so was not included.

The same pattern emerges with custodial wages, although we did not have enough data to meaningfully differentiate between unionized and non-unionized employees of contracted services. Among in-house custodial services, 85 per cent offered a starting wage at or above the living wage in their region. In stark contrast, none of the contracted-out custodial service employers offered a starting wage at or above the living wage.

Figure 15: Custodial services starting wage compared to living wage, 2021



n=48 institutions

Pensions

The difference in remuneration between in-house and contracted-out employees is not just about current wages; it continues into retirement with access to pensions. Our pension data is almost exclusively for unionized workers, as noted above, but even so, it shows a huge gap in pension coverage between the two groups of workers. This effectively means that the income inequality created by outsourcing continues throughout a worker's life and leaves many of them just as squeezed to make ends meet in retirement.



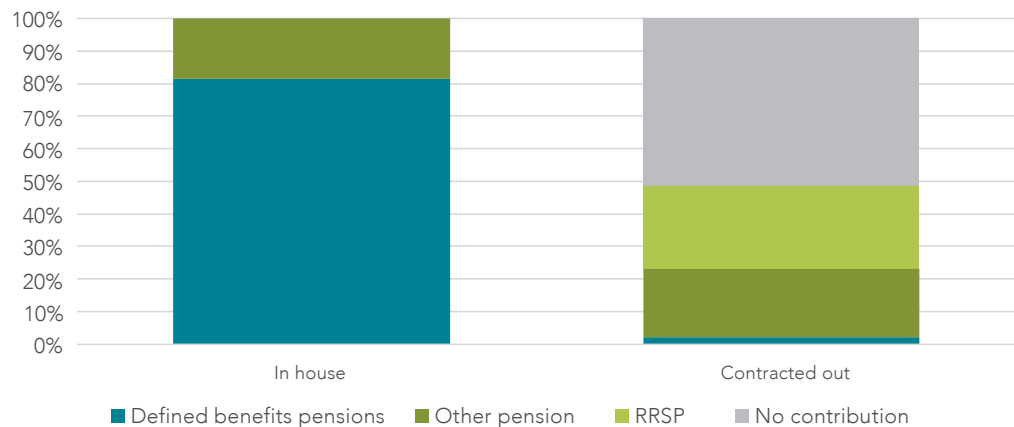
Pensions

The income inequality created by outsourcing continues throughout a worker's life and leaves many of them just as squeezed to make ends meet in retirement.

All in-house food services workplaces offer access to a pension, but only 23.1 per cent of contracted-out food services offer pensions. In one-third of the cases of contracted-out services with a pension, the pension is actually provided by the union, with the employer only offering an annual contribution based on hours worked to the union pension plan. Only one in-house local has a union-provided pension plan along the same lines. On the other hand, a significant proportion of the pension plans for in-house workers are public service plans for provincial or municipal employees, providing the security and benefits of a province-wide pension plan. There is also a significant difference in the quality of the pension benefit offered to in-house and contracted-out workers, with 81.6 per cent of institutions with in-house workers offering a defined benefit pension compared to only 10 per cent of the private contractors.

Among institutions with contracted-out food services and no pension, 33.3 per cent offer a Registered Retirement Savings Plan (RRSP) contribution or a group RRSP. However, half of contract employers offer no support whatsoever for workers' retirement.

Figure 16: Pension and RRSP access for food service workers at Canadian post-secondary institutions

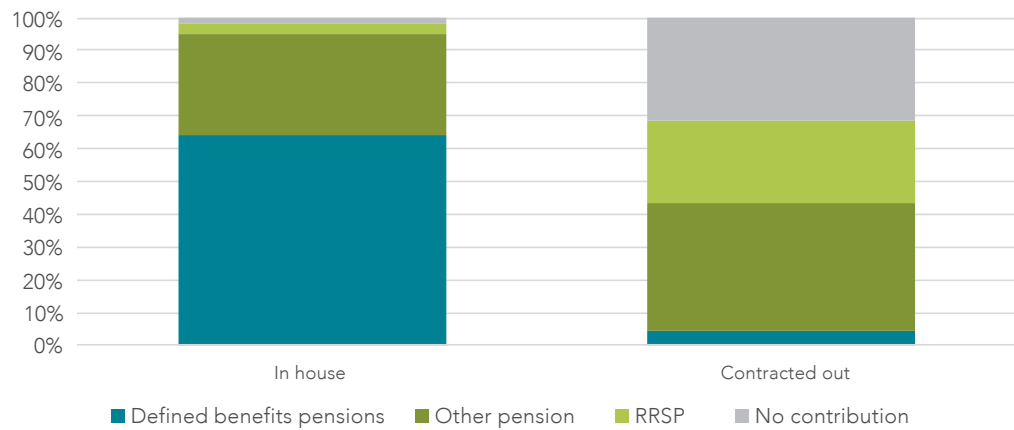


n=94 institutions

Nearly all in-house custodial services workplaces provide access to a pension plan, and three of the remaining five workplaces have an employer-provided RRSP contribution. In contrast, only 43.4 per cent of contract employers offer access to a pension. Here once again, the Quebec model lessens the gap for employees of contracted-out services: 79.1 per cent of contracted-out custodial services that offer a pension plan are in Quebec. Of the contracted-out services with no pension, 44.6 per cent offer an RRSP.

In custodial services, a smaller proportion of the contracted-out service pension plans are provided by the union, rather than the employer. However just as in food services, a significant proportion of the in-house workers participate in a provincial pension plan. Custodial services workplaces also have a slightly smaller gap in the quality of pension benefits: 67.5 per cent of in-house institutions with a pension plan offer a pension with a defined benefit, while only 10 per cent of contract employers with a pension plan have a defined benefit plan.

Figure 17: Pension and RRSP access for custodial workers at Canadian post-secondary institutions



n=163 institutions

Sick days

The COVID-19 pandemic has highlighted the importance of all workers having access to paid sick leave. Paid sick leave is essential to stopping the spread of infectious diseases and boosts productivity by preventing workplace outbreaks and ensuring that workers are healthy when they are on the job. Access to paid sick leave is also a matter of dignity and equality. Low-income workers, racialized workers, and workers with a disability are less likely to have access to paid sick leave. Health experts agree that all workers should have access to a minimum of 10 permanent paid sick days per year.⁸



However, for post-secondary workers, there is a significant difference in access to paid sick leave between in-house and contracted-out workers, even when the workers are unionized. As noted above, we looked at whether all workers in a bargaining unit had access to paid sick leave (with the exception of a probationary period at the start of employment). Only two institutions with in-house food services do not provide paid sick leave to all employees. (Both offer paid sick days to full-time staff only.) Meanwhile, 18.8 per cent of contract employers do not provide paid sick leave. The bigger gap comes in the number of days available: in-house workers have access to 16.3 sick days per year, on average, compared to 5.4 days for contracted-out workers.

In custodial services the gap is even more striking. All in-house workers have access to paid sick days, while only 88.5 per cent of contract employers provide all workers with paid sick leave. The in-house workers have an average of 19.5 days of paid sick leave per year, while the contracted-out workers have only 3.3 days.

Being able to bank and carry forward unused sick leave is an important measure to ensure that workers have year-round sick leave available. It allows workers to accumulate a cushion of sick leave over time in case of serious illness. In-house workers are both far more likely to be allowed to bank sick leave and to have higher maximum limits on accumulated sick leave than contracted-out workers. Contracted-out workers, on the other hand, are more likely to face limits on how sick leave can be taken (such as a limit on the use of paid sick leave per half year) or to have their sick leave available in the form of personal leave that is supposed to cover a variety of other life situations, in addition to illness.

Of course, having a sick leave policy and being able to use sick leave are two different things. While it is out of the scope of our study to analyze implementation of sick leave policy, we note that the Contract Worker Justice @SFU coalition reported multiple concerns from contract workers at Simon Fraser University when it came to actually using sick leave, including workers being forbidden from taking sick leave on Mondays or Fridays, and workers facing management intimidation and accusations of lying when they try to take their allotted sick leave.⁹

There is a significant difference in access to paid sick leave between in-house and contracted-out workers, even when the workers are unionized.

Maternity/ parental leave

Because both food services and custodial services are female-dominated occupations, we also looked at available support for maternity and parental leave.

^v Maternity leave is the first portion of the leave (15-17 weeks in the standard model) and is only available to the birthing parent. Parental leave is the second portion of the leave (35 weeks in the standard model) and can be shared between both parents.

All Canadian jurisdictions mandate job-protected leave for both maternity and parental leave,^v while income supports are available to eligible workers through Employment Insurance (EI) or the Quebec Parental Insurance Plan (QPIP). However, EI provides a very low level of wage replacement, covering only 55 per cent of insurable earnings.

QPIP provides better support, with the basic plan offering a 70 per cent wage replacement. There are also significant differences in the eligibility rules for EI and QPIP that make it harder for low-income workers to access EI. As a result, in Canada, only 64.3 per cent of birthing parents receive benefits, compared to 89.3 per cent in Quebec. The gap is even greater for birthing parents earning less than \$30,000, with only 43.6 per cent of birthing parents in Canada and 85.4 per cent in Quebec receiving benefits.¹⁰ This means that an employer-provided top-up to EI or QPIP benefits can make a very meaningful difference in the ability of workers to take maternity or parental leave.

In food services, 84.6 per cent of post-secondary institutions offer a maternity or parental leave top-up to in-house workers, with an average number of 25.7 weeks available. In contrast, only two of the contract service providers offer a maternity or parental leave top-up and one of them is only a two-week benefit. The other is for 15 weeks.

Similarly, in custodial services, 91.1 per cent of institutions offer a maternity or parental leave top-up to in-house workers, with an average number of 24.1 weeks available. None of the contract service providers offer a top-up.

Although it is outside the scope of our analysis, we also note that many post-secondary institutions offer on-site child care services, to which employees have priority access. However, because the employees of contract service providers are not considered employees of the post-secondary institution, they do not receive preferential access – or in some cases any access – to the on-site child care.

In custodial services, 91.1 per cent of institutions offer a maternity or parental leave top-up to in-house workers, with an average number of 24.1 weeks available. None of the contract service providers offer a top-up.

Cost savings or cost downloading?

In light of the wage and pension gaps, as well as the difference in sick leave coverage and maternity and parental leave support, the cost savings bragged about by university administrators in their OAPPA presentation seem less like cost savings and more like cost downloading. Outsourcing shifts costs from the post-secondary institution to workers, who have to make ends meet on significantly lower wages now, and on reduced pension benefits in the future. In addition, they must choose between going to work sick or staying home without pay, and are forced to rush back to work after the birth of a child.

There are a few examples that starkly illustrate the nature of this cost downloading for workers:

- Carleton University in Ottawa has contracted out its custodial services. If the custodians were in house, they would be making \$22.65 an hour as CUPE members; the contracted-out custodians make between \$15.95 and \$16.25 an hour. Over the course of a year, for a full-time employee, that works out to a difference of more than \$13,000. In-house workers would also get 18 paid sick days per year, the contracted-out have only five. This is already a significant cost borne by workers, but the cost carries forward into retirement: the in-house workers had a university pension while the contracted-out workers have none. In addition, the in-house workers were eligible for a maternity leave top up of 17 weeks at 95 per cent of their salary; the contracted-out workers have none.
- The Northern Alberta Institute of Technology moved from in-house food services to a contract with Compass Group in the summer of 2021. Before the changeover, the wage range for in-house unionized cooks was \$19.89 to \$25.32 an hour. The non-unionized Compass cooks who replaced them make only \$16.50 an hour. For a full-time employee on staff year-round, that works out to a loss of more than \$7,000 per year.
- The University of Alberta announced in 2021 that they were moving to fully contract out custodial services on all campuses to Bee Clean Maintenance, laying off their in-house custodial staff. The starting wage of both the in-house and contracted-out cleaners was very close at \$16.43 an hour and \$16.40 an hour respectively, but the similarities end there. The Bee Clean wage structure is flat, while the in-house custodians had a top wage range of \$21.66 an hour. The in-house workers also had paid sick days, were part of the Public Service Pension Plan, and were eligible for a 15 week maternity leave top-up at 100 per cent of their wages. The Bee Clean workers have neither sick days, nor a pension, nor maternity or parental leave top-up.

It is essential that we ask who is shouldering the costs downloaded by Canadian post-secondary institutions. While there is no demographic survey data available for just the post-secondary sector, we know from census data that food and custodial services workers are more likely to be women, more

We know from census data that food and custodial services workers are more likely to be women, more likely to be Black or racialized, and more likely to be newcomers to Canada.

likely to be Black or racialized, and more likely to be newcomers to Canada.

According to 2015 Statistics Canada data, 58.7 per cent of food service workers were women, 30.8 per cent were visible minorities, and 26.2 per cent were immigrants. (In comparison, 22.3 per cent of the Canadian population identified as a visible minority and 21.9 per cent were immigrants.) More than half of the workers who were not born in Canada arrived in 2001 or later. When looking specifically at the category of special food services, which includes food service contractors but not in-house services, the trend is even more pronounced: 62.2 per cent of workers were women, 28.9 per cent were visible minorities, and 30.3 per cent were immigrants.¹¹

We see the same pattern for custodial services. In 2015, 69.7 per cent of light duty cleaners were women,^{vi} 29.4 per cent were visible minorities, and 35 per cent were immigrants. Nearly half of the workers who were not born in Canada arrived within the previous 15 years.¹²

We know that women, Black and racialized workers, and newcomers earn lower wages on average. This holds true for food and custodial workers as well. For instance, while the average employment income for a male food service worker in 2015 was \$21,309, the average employment income for a female food service worker was \$16,587. Similarly, the average employment income for a male light duty cleaner was \$23,938 compared to \$19,174 for a female cleaner.¹³

^{vi} Statistics Canada has three categories for cleaners: light duty, specialized cleaners, and janitors, caretakers and building superintendents. Light duty cleaners perform most of the routine work of custodial staff - cleaning floors, dusting furniture, cleaning and disinfecting public areas and bathrooms, emptying trash containers and washing windows. The other two categories include maintenance and landscaping tasks that tend to be handled by other departments within the post-secondary sector.

By outsourcing services, post-secondary institutions are undermining their stated commitments to anti-racism and gender equity.

This means that Canadian universities and colleges are asking an already vulnerable and marginalized population of workers to bear the costs of outsourcing. By outsourcing services, post-secondary institutions are undermining their stated commitments to anti-racism and gender equity.^{vii}

At the beginning of the pandemic, there was a moment of greater recognition for workers in essential services that weren't highly visible. As post-secondary campuses have begun to re-open, these are the essential workers who have been keeping campuses sanitized, helping to prevent outbreaks and feeding students in residence, even during isolation. Yet rather than acknowledging their central role in keeping institutions safe and open, administrators are treating these workers as convenient dumping grounds for institutional costs.

Outsourcing has social as well as individual costs. The majority of outsourced workers in our analysis are making less than the living wage for their region. This increases demand for social supports such as social housing, rent supplements, child care subsidies, food banks, Employment Insurance, and social assistance to make ends meet. The impacts on a person's well-being of living on a low income or being in precarious work have been well-documented, and have been shown to increase health care costs. Low-income workers also pay less in taxes, making them unable to contribute as much financially to the cost of public programs and services as higher income workers. Finally, the lack of retirement support for contracted-out workers means these workers will be more dependent on public pension options and will collect more Guaranteed Income Supplement than workers with an employer-provided pension. The lack of workplace pension is thus a shift in responsibility from employers to the public purse.

This downloading of costs onto some of the most vulnerable workers in our communities and the resulting increase in public costs raises important questions about the role of post-secondary institutions as public sector employers. These institutions receive public funding, in the form of both direct government funding and government-provided student aid. What responsibilities do they have to our communities in exchange for this public funding? Is it right that they shift costs to vulnerable members of our community, while driving up costs for government programs? Or should we have the right to expect that post-secondary institutions will be model community leaders, reducing the income gap for women, Black and racialized workers, respecting the dignity of all workers, and recognizing the value of all the work that keeps a post-secondary institution running?

^{vii} For instance, all of the members of Universities Canada have committed to the principles of Equity, Diversity, and Inclusion. Excluding a heavily racialized workforce from your university community and allowing their wages and benefits to be slashed is neither equitable nor inclusive.

The Quebec model

Contracted-out custodial workers in Quebec make significantly better wages than their counterparts elsewhere in Canada. The Quebec model also shows that low wages are not essential element to making contracts profitable or desirable to private companies – 89 per cent of custodial services in Quebec are still contracted out. So should we be looking at making the Quebec model universal across Canada?

While the Quebec model provides a higher floor for contract workers, in-house workers in Quebec still have better wages and benefits than contracted-out employees. For instance, all of the in-house workers in Quebec have access to a maternity leave top-up, but none of the contracted-out workers do.

The provincial decrees have also not slowed outsourcing in Quebec. In fact, the Quebec post-secondary sector relies more heavily on outsourced custodial services than any other jurisdiction in Canada.

The Quebec model may be a way for governments to mitigate the harm, but ultimately workers in Quebec are still paying a price for outsourcing and private companies are still reaping profits from public funding. Instead, the solution is for post-secondary institutions to stop privatization altogether by bringing services back in house.

Recommendations

To put an end to the harmful downloading of costs onto our communities and our most vulnerable workers, we need post-secondary institutions and governments to take the following actions:

1. **Post-secondary institutions must stop the privatization of services**, which undermines their own stated commitments to racial and gender equality, disrespects the essential services provided by custodial and food service staff, and harms their local communities. Instead, they must bring workers back in house.
2. **Federal and provincial governments should increase investments in public post-secondary education**, recognizing the many ways in which post-secondary education contributes to a strong economy, vibrant local communities and a robust democracy.¹⁴ However, in recognition that post-secondary institutions owe a responsibility to the public in return, **federal and provincial governments should attach conditions to public funding** requiring all recipients to ensure decent wages and working conditions for all workers on campus, including the employees of sub-contractors.
3. Provincial governments should protect the rights of workers and put a stop to the race to the bottom in wages and working conditions that outsourcing provokes by **expanding successorship rules to cover outsourcing and contract flipping in all sectors of the economy**.
4. **Provincial governments should also make it easier for workers to unionize by implementing card check certification**. Two-tier certification is a barrier to organization because it gives the employer undue power and influence. A majority of workers stating, by signing a union card, that they wish to unionize should be sufficient to start the certification process.
5. **Provincial governments should improve wages and working conditions for all workers, especially low wage and vulnerable workers, by setting the minimum wage at the level of a living wage and legislating paid sick leave for all workers**. We need to stop allowing employers to save costs and increase profits by refusing paid sick leave to workers. All workers should have access to a minimum of 10 paid sick days, with additional paid sick leave during public health emergencies such as pandemics.

Conclusion

Food and custodial services are sometimes referred to as “ancillary” services, but term is misleading: these are not secondary or subordinate services. They are central to a safe, well-functioning campus that keeps students, faculty, staff, and administrators healthy, and allows them to focus on tasks of learning, teaching, and research. The workers who fill these roles deserve respect and consideration. They are members of our community who have a right to live in dignity, to have their basic needs met, and to participate in our communities.

Contracting out food services or cleaning services can also have a significant impact on health and safety. Common features of outsourcing include high levels of job turnover, inadequate training, and improper equipment. Workers also face pressure to speed up delivery or provide service levels with fewer staff, as employers push to keep costs low and retain a profit margin. These features can compromise quality and put the health and safety of students and staff at risk. Studies of outsourced cleaning services in the health care sector show that the rate of infections for patients have increased with contracting out, along with an increase in injuries experienced by workers.¹⁵ While more research is needed to determine whether contracting out has the same impact on health and safety in the post-secondary sector, it should certainly be a significant concern for administrations making the decision to outsource.

Finally, we note that while workers are the big losers in contracting out, and post-secondary institutions receive uncertain benefits, there is one clear winner: the corporations whose profits are boosted by public funding through contracts with publicly-funded institutions. This further underscores the discriminatory nature of the decision to outsource, as funding that should support good wages, benefits and retirement security in a sector dominated by women, Black and racialized workers instead goes to corporate profits. This calls into question the responsibility of post-secondary institutions as recipients of public funding.

Post-secondary institutions should carefully consider their responsibility as publicly-funded bodies to their workers, to their students, faculty and staff, and to their communities. And governments should take action to protect workers and communities from the harmful fallout of privatization.

Endnotes

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