

## **Manitoba Federation of Labour Submission to the Province of Manitoba Consultation on Sunday Shopping**

The Manitoba Federation of Labour (MFL) represents 95,000 unionized workers across Manitoba including thousands in the retail sector. Our members adopt policy democratically at triennial conventions. For decades, our members have been very consistent on the issue of Sunday shopping. They oppose Sunday shopping in order to maintain to the greatest degree possible a common pause day for workers and their families.

In the 1990s, the Province announced its intention to permit Sunday shopping. At that time, a compromise was struck, placing strict limits on the ability of municipalities to permit Sunday shopping. Workers retained the right to refuse Sunday work (though enforcement of that right remains inadequate). Despite our opposition to Sunday shopping, the MFL has defended the current rules on the grounds that it was a compromise that struck a reasonable balance between our members' desire for a common pause day and the desire of some retailers to operate on Sunday. This is an important point to remember: the current rules are already a compromise between the views of workers and those of retailers that favour more Sunday shopping. Any changes would tip the balance that was struck by that compromise.

One of the highest priorities for Manitoba workers is work/life balance. The Employment Standards Code is a key tool in helping workers achieve a better work/life balance. Expansion of Sunday shopping hours would chip away at the already very limited personal and family time enjoyed by working families. Put simply, it is a quality of life issue for workers.

The Province has characterized its intention to expand Sunday shopping as "modernizing" Sunday shopping. We take issue with that characterization. Workers are looking for more, not less, personal and family time. A better work/life balance is the direction they want to move. Modernizing the Employment Standards Code does not mean further compromising personal and family time.

Some have argued that Sunday shopping restrictions pose an inconvenience to consumers. The reality is that Manitobans already have 6 and a half days per week to do their shopping. The additional convenience afforded by a handful of additional Sunday shopping hours seems insignificant when balanced against the compromise it would mean to for the work/life balance of retail workers.

Some have argued that additional Sunday shopping hours are needed to help the economy. The reality for many retailers is that additional Sunday hours increase costs without increasing sales. It is difficult to believe that Manitobans will buy more groceries simply because the grocery stores are open for a few more hours each week. This is presumably why so many retailers, particularly small, independent retailers, remain opposed to expansion of Sunday shopping.

We also must emphasize the need for caution in relying on regulations that purport to give retail workers a right to refuse Sunday hours of work. The reality of the power imbalance between employers and workers is that workers do not always feel they can exercise their right to refuse Sunday hours. Even where workers feel comfortable exercising this right, current regulations provide the Province with no means of penalizing employers that refuse to respect this right.

In closing, the MFL strongly believes the current compromise on Sunday shopping is reasonable and should be maintained.

**May, 2012**