

Little enthusiasm for statutory holiday shopping

By Bill Rea

Peel Region is looking at possibly adjusting the rules when it comes to stores opening for statutory holidays, but there doesn't seem to be much mood for change.

In fact, according to comments from people attending recent meetings in Caledon and Brampton, there's lots of support for the status quo.

Many of the people at the meetings identified themselves as working in the retail sector, and there were some who stated they had union affiliation.

'When did shopping become an essential service?' one woman at the Brampton meeting wondered.

Adrian Smith, manager of policy development and integrated planning for the Region, said Council had asked staff to look into allowing more stores to open for holidays. He stressed they were just looking at this point, and not making recommendations.

Peter Thoma, a partner with Urbanmetrics Inc. chaired both meetings. He said they had been conducting a survey regarding the Retail Business Holidays Act, and he was pleasantly surprised at the number of people who had responded (the opportunity to respond closed Feb. 28).

The Province currently allows municipalities to establish their own approach to holiday shopping. The nine statutory holidays in Ontario are New Year's Day, Family Day, Good Friday, Easter, Victoria Day, Canada Day, Labour Day, Thanksgiving and Christmas. Some stores are able to open these days because they apply for exemptions to the Act. Thoma said Regional Council decides on those applications. He added that process can take a lot of time.

Peel is a more diverse community today, and Thoma said there are a lot of pressures on business, from such things as online shopping.

The matter of whether to allow businesses to open for holidays has been around since the 1970s. Thoma reminded the audience in Brampton of Toronto furrier Paul Magder, who fought legal battles at the time to be allowed to open Sundays.

He also said there are no plans at the Region to change statutory holidays. He added the Region wouldn't have the authority to do that.

But he said there have been a number of changes to the Act, including the Province delegating to municipalities the authority to authorize exceptions. These exceptions are granted in the interest of things like tourism, with regions determining if a store or group of stores have an impact. There is also a requirement that a common day of pause be recognized.

Thoma said allowing exceptions can also be based on the type of store involved and what sort of merchandise it sells, as well as its size.

'There are quite a few people who are working on statutory holidays,' he observed.

He also said there are only a few stores in Peel that have been granted exceptions. Garden Foods in Bolton is one of them.

Various regions have different ways of dealing with the issue. Toronto has a bylaw, he said, to govern exceptions. He added all the exceptions are downtown.

York Region had a patchwork of exceptions, so the Council there decided to let stores open when they want, but they all have to close Christmas.

One woman at the Brampton meeting said there was no public consultation when York did that.

'They did it in one fricken day,' she declared.

He outlined the potential policy options facing Peel. They include maintaining the status quo; localized option, in which municipalities cite area-specific examples for the Region to consider; redefining the rules, so more store types can select specific holidays on which to open; and deregulation, so stores can open at discretion.

He took a poll of those in the room, with about 95 per cent favouring status quo.

Several people at the meeting commented on the pressures facing those who work in retail. One woman pointed out a lot of them have to hold down two jobs. A man said he didn't think it right that office and factory workers would get statutory holidays off, but retail workers wouldn't.

Thoma said to have more openings on statutory holidays, there would have to be willing businesses, willing employees and willing customers. Without all three, he said there wouldn't be much of a case for opening.

Commenting on the survey results that had been received to that point, Thoma said they had been divided into public, workers (in retail) and owners.

He said the results to that point indicated 93 per cent of respondents were aware of the Act, but might not know a lot about it. He

also said about one-third from the public said they had made a retail purchase in Peel in the last year on a statutory holiday. The results Thoma presented indicated a consistent belief that the store size and type should not be a factor as to whether it opens on a holiday.

Addressing the option of allowing stores to open at discretion, one woman argued there won't always be flexibility.

'If they're in a plaza, they don't have a choice,' she said.

The survey also indicated not much enthusiasm among owners to open on holidays. Almost half of them indicated they would want to spend the time with family. There was also a desire to give staff the time off, and some didn't think there would be enough business to justify opening.

People at the Caledon meeting the previous evening expressed similar concerns.

One woman said it would be hard for people to get out to shop on holidays, because of issues like transportation and child care.

She added retail employees who resist working on holidays could face retribution, like being assigned to less desirable tasks.

Another said opening on holidays would put a burden on parents who work in retail. She said there are nine days in the year when they are guaranteed they can stay home with their kids.

It was also pointed out there will have to be store managers on duty.

'It's not volunteer,' one woman remarked. 'We're voluntold.'

Thoma said the survey addresses a lot of the concerns that were being raised.

'We have a lot of material,' he said. 'It's a very dense document.'

'There's no shortage of insight,' he added.

The information gathered for the survey is being analysed during March and April. The plan is to send a report to Regional Council in either May or June.