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More confusion feared for shoppers

By Tony Hodgkinson and Howard Burns

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The Ontario government may have created more controversy in its Sunday shopping legislation by giving retailers a loophole to open on the sabbath, regardless of whether the local municipality bans it.

Under changes to the Retail Business Holidays Act announced by Solicitor-General Joan Smith,

retailers will be permitted to open on Sunday if they close their stores on at least one other day of the week.

On the other hand, local governments will have the choice of deciding whether to open the floodgates for Sunday shopping.

"The flak was coming because Sunday shopping was being allowed," said Glen Sifton, president of Sifton Properties Ltd. which owns Westmount Mall in London. "If she (Smith) has allowed anyone to open without municipal involve-

ment, then there could be more flak."

Sifton described the Sunday shopping option for independent retailers as "a little surprising." He said problems could arise when one tenant in a mall might decide to close on a weekday and open on a Sunday, while the remainder want to stay closed.

Craig Scott, chairman of the Downtown London Business Improvement Area which represents 1,200 businesses, said the option to close on a Saturday or weekday and

open Sunday "makes me sick. It comes down to changing the lifestyle of Ontario, which is no small statement."

Scott said only five per cent of the business improvement area's membership favors Sunday shopping. That includes establishments such as restaurants, which already open Sundays.

"We feel the Peterson government has turned its ear away from the people on the street," Scott said.

Sifton and Bob Usher, manager

of the White Oaks Mall, said they will let retailers in their shopping centres decide whether they want to open on Sundays.

"We have said all along that even if it comes to Sunday shopping, we will never force retailers to open," said Usher.

Usher and Sifton fear a domino effect, with retailers reluctantly opening Sunday because of competition.

"The consumer always ends up paying for a convenience. When it

costs the retailer more, guess where he makes it up . . .," said Usher, accusing the government of taking "the easiest way out" of a problem by heaping the responsibility on municipalities.

Usher, Sifton and Scott lauded the move to make Boxing Day a statutory holiday.

Sifton said Boxing Day should be a family holiday because "I believe (retail employees) need more than

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24 hours away from the cash register."

Scott said "the only good part" about Smith's announcement is the Boxing Day holiday. "You have to realize people who work in retail probably work two months day and night (at Christmas), and finally they need to take two days off."

Mayor Tom Gosnell, a vocal opponent of Sunday shopping, said the government was intent from the start on "ramming this down our throats." He said the "vast majority" of municipalities in Ontario are already on record as opposing Sunday shopping.

London council has voted twice on the issue, opposing Sunday shopping both times. Council's last vote was in December after the London Chamber of Commerce and London and District Labor Council informed council of their opposition.

Gosnell said the loophole allowing individual retailers to open on Sunday if they close on at least one other day of the week for religious reasons will create confusion. "There seems to be a lot of ifs about how this will be applied."

Rev. David Carrothers, chairman of the Inner City Group of United Churches in London, said he was "disappointed" the government was giving municipalities the power to regulate Sunday shopping.

"We knew this was coming," said Carrothers, who favors a common "pause day" across the province.

Marc Emery of the London-based Freedom Party said the government hasn't gone far enough. The Freedom Party thinks the issue should be left entirely up to individual retailers, with little or no government involvement. Emery, who has been charged several times for opening his book store on Sundays, said "this won't change anything for me."

John Hurley, a London business representative for the United Food and Commercial Workers Union, said the province has failed to protect retail employees who don't want to work Sundays.

He fears workers will be "compelled" to work, regardless of any provincial attempt to protect them. The union represents employees at major grocery stores in London.