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**Official Report  
of Debates  
(Hansard)**

**Tuesday 2 May 2000**

**Journal  
des débats  
(Hansard)**

**Mardi 2 mai 2000**

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Tuesday 2 May 2000

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Mardi 2 mai 2000

*The House met at 1845.*

ORDERS OF THE DAY

LABOUR RELATIONS AMENDMENT ACT  
(CONSTRUCTION INDUSTRY), 2000

LOI DE 2000 MODIFIANT  
LA LOI SUR LES RELATIONS  
DE TRAVAIL (INDUSTRIE  
DE LA CONSTRUCTION)

Resuming the debate adjourned on May 1, 2000, on the motion for second reading of Bill 69, An Act to amend the Labour Relations Act, 1995 in relation to the construction industry / Projet de loi 69, Loi modifiant la Loi de 1995 sur les relations de travail en ce qui a trait à l'industrie de la construction.

**Ms Shelley Martel (Nickel Belt):** On a point of order, Mr Speaker: This is an important debate and I don't think we have quorum.

**The Acting Speaker (Mr Tony Martin):** Do we have a quorum?

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** Resuming debate.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** First of all, let me congratulate all Ontarians for the great budget that our government introduced today. I know the opposition parties are speechless. Their official line will be different, I'm sure, but they have told us—and I've met some of them—that they have no complaints. They're really happy. Because of this budget, every Ontarian benefits. I want to congratulate you, Mr Speaker, as well as all the members of this House and the Premier of Ontario. After 30 years we have a balanced budget, and I'd like to thank the Premier.

I'm pleased to stand in support of Bill 69, the Labour Relations Amendment Act (Construction Industry), 2000. This bill is the fulfilment of our government throne speech commitment to improve and modernize labour relations in the construction industry. One only has to look up at the skyline outside this building to see the impact that the construction industry has on our well-being.

Make no mistake, a healthy and stable construction industry is vital to the Ontario economy. It generates jobs and creates investment and leads to improved standards of living for our province. Think about it. In Ontario this year, we expect more than \$26 billion in new ICI—which is industrial, commercial and institutional—and residential construction alone. When we add the investment in renovation construction, the figures shoot up dramatically. It is in all our interests to ensure that the construction industry remains healthy and continues to grow and create new jobs. That is why we are proceeding with Bill 69.

Bill 69 is designed to ensure that the unionized sectors of Ontario's construction industry remain competitive, providing jobs and attracting new investments. Bill 69 also has provisions that would minimize the risk of consecutive strikes in the new home building industry, so that new home buyers do not undergo the types of severe disruptions that buyers in the Toronto area experienced in 1998. Bill 69 deserves the support of all members of the House because it has already received broad support from the majority of the key stakeholders in this industry.

There have been comments made, including comments last night, that the unions agreed "with a gun to their heads," that this bill is designed to destroy the construction unions. Let me say just one thing. This bill isn't anti-union—quite the opposite. By helping to diminish the competitive disadvantages that many unionized contractors and subcontractors are facing, this bill would actually help increase the work performed by union members. We're not striking down unions; we are actually helping them survive.

The competitive disadvantage that contractors in the ICI sector are undergoing is not news to either employers or unions. Indeed, both unions and employers came to us, because they were both victims of the same situation. They knew that they had to find a solution that both sides could live with and they asked us for help, and the minister responded.

Instead of imposing a government solution, we made it clear that we preferred an industry solution developed and accepted by all workplace parties. That kind of solution works. We saw our job as facilitators. We listened. We provided advice.

This isn't a one-sided deal. There was a lot of give and take on both sides during these meetings and consultations.

It's perfectly normal in any negotiation and discussion for parties to put their most preferred offer on the table.

That's how the system works. Naturally, employers put up one position, the unions put their own position, and it should come as no surprise to anyone in this House that either side would go public with their positions. That's basic PR, public relations. And of course it should come as no surprise to us on the government benches that the opposition on the other side of the House would put forward their supporters' side.

But actually, what really counts is that at the end of the day the majority of the participants from both unions and employers felt that they had put together proposals that were realistic and workable. These are solutions that were put together by the people who have to live with them. These are solutions put together by the industry.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** On a point of order, Mr Speaker: Do we have a quorum?

**The Acting Speaker:** Do we have quorum?

**Clerk Assistant:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** Continue debate; the member for Bramalea-Gore-Malton-Springdale.

**Mr Gill:** Thank you, Mr Speaker. These are solutions that were put together by the people who have to live with them. These are solutions put together by the industry. These are solutions we are confident will work.

I would now like to focus on the Bill 69 reforms that will positively impact on the residential construction industry, and most particularly on future new home buyers. In fact, these new provisions are great news for any future new home buyer in the Toronto area.

These reforms will help minimize the risk of consecutive strikes in the residential construction sector similar to the ones that effectively shut down the industry a couple of years ago. Between May and September 1998, five months of consecutive strikes in the Toronto area in residential caused problems for an enormous number of people, including many in my constituency, which is one of the fastest-growing areas of Canada, with many new homes being built.

A number of collective agreements in the residential sector came up for renewal that year, and the circus began. First, one union would strike. They would eventually reach a settlement. Then the next one would establish its own demands based on the earlier settlement. When the employers refused the demands of the next union, there would be another strike. And on and on and on, for five months.

As the members are aware, construction trades are reliant on each other in order to complete a project. With these consecutive strikes, builders were unable to finish new homes on time. Buyers were unable to move into their new homes when they planned to and suffered unnecessary inconvenience, not to mention substantial expense. Schooling for their children was disrupted. In many cases, temporary housing had to be found. These people were helpless. They were the victims of a fight that they could not control or even influence.

Manufacturers, suppliers and other related industries were forced to lay off staff. Municipalities had to deal with subdivisions that were not completed on time, affecting their tax bases and causing other costs that had to be covered by other taxpayers, again as a result of a dispute over which they had no control.

The residential construction industry also suffered. Builders' schedules and money flows were affected. Since many of these builders work on a tight profit margin, there were undoubtedly many financial losses.

Union workers were also affected. It's nice to negotiate a good wage hike, but if others keep on striking, one after the other, and you can't work, your wage is effectively zero. How can you support a family if you're not working? The net result was a negative impact on Ontario's economy. It also undermined to some degree our government's efforts to create a positive business climate for investment and job creation.

In the aftermath of these consecutive strikes, both the industry and our government determined that a similar situation should not happen again. Stability and predictability are necessary if the industry is to work properly for the benefit of all.

Unions and employers came to our ministry for help. We facilitated discussions, eventually ending up with a solution that all agree should work. This isn't a solution that has been imposed. This is a solution that nearly all of the industry agrees should be tried. The solution would reform the collective bargaining system in the residential construction sector in order to minimize the risk of similar consecutive strikes.

I would like to point out that the proposed solution would only affect residential construction in the city of Toronto and the regional municipalities of Halton, Peel and York.

In these proposed reforms, agreements for all the trades in the residential sector would expire at the same time: April 30, 2001. Negotiations for all trades would then take place concurrently, with the normal collective bargaining procedures remaining in place. The parties would still be required to give notice to bargain, commence bargaining and apply for conciliation in the standard manner.

If an impasse is reached, a no-board would have to be obtained from the Minister of Labour, which then would lead to a strike or a lockout situation. However, I would like to say that the government would naturally prefer a negotiated settlement, since that is what works.

Under the proposed system, lockouts or strikes would be limited to a specified time frame of May 1 to June 15, 2001. Strikes would be prohibited after June 15 of that year.

After that date, any unresolved disputes in the residential sector would go to binding arbitration. If both parties agree, they can select an arbitrator and a form of arbitration such as mediation arbitration, conventional arbitration or final offer selection. If they can't agree on the arbitrator or on the form of arbitration, the Minister of Labour would make the decision for them.

After either a negotiated or arbitrary settlement is reached, all new agreements would hold for the set term of three years, expiring on April 30, 2004. Three years is the usual time for contracts. As well, many new home builders bid on contracts up to 18 months in advance and they need the consistency and stability of a three-year contract to be able to do a proper job.

#### 1900

This solution was developed by the industry and has overwhelming industry support. The provisions affecting the residential construction sector contained in Bill 69 would apply only to the 2001 round of collective bargaining. However, the common expiry date for all contracts would remain a permanent feature of labour relations in the residential construction sector in the Toronto area. This solution will be evaluated by the workplace parties and the Ministry of Labour to gauge its effectiveness for use in succeeding rounds of bargaining. I can assure the members, given the industry support for these reforms, I am confident they will work for the benefit of all.

I would like to talk about the reforms affecting the industrial, commercial and institutional sector, ICI. The biggest issue facing the industry is the competitive disadvantage currently plaguing unionized contractors and subcontractors. The problem stems from the province-wide bargaining that results in province-wide agreements that are not responsive to local circumstances. It's a one-size-fits-all system that doesn't work today. Unionized employers and workers are locked into wage rates and contract provisions that have priced them out of local markets or sectors.

Here's how the system currently works. Boom times in one area, say Toronto, generate high wage increases. These increases are then passed on to other regions which may not be enjoying the effect of a boom. Over time, driven by the high wage increases fuelled by the centres enjoying a construction boom, the differential between union and non-union wages in other areas increases. The rate of pay between a union construction job and a non-union job creates an insurmountable competitive disadvantage for the unionized contractors and union workers. Bluntly put, in many areas of the province union contractors aren't getting projects and union workers are not working. A \$40-per-hour wage is nice on paper, but if you work no hours, you get zero. Meanwhile, non-union construction workers are earning a living and supporting their families while the unionized guys are sitting at home. Employers and unions came to us looking for remedies to the competitive disadvantage. We facilitated discussions and developed a model that was based on their input.

Now, some employers say we didn't go far enough. Others, like the opposition, say we went too far. Those are extremes. In developing Bill 69 with the industry, we found a realistic and flexible solution. We found a realistic and flexible solution that most could live with, and I believe it is a solution that will work.

Under the provisions of Bill 69, local employer groups can approach a union to develop local amendments to the

province-wide agreements. The union is required to respond. We want and encourage them to negotiate the adjustment. By discussing the situation, the two parties should be able to arrive at a solution. However, if they can't come to agreement after 14 days of negotiation, the situation can be referred to an arbitrator by the employer group. This isn't an automatic win for the employer or a loss for the union. Under the provisions of this bill, the employer must prove their case of a competitive disadvantage, and their proof must be hard facts supported by documentation. The union must also provide documentation disproving the employer's claims. The arbitrator must first decide if there is a competitive disadvantage, based solely on the documented proof. Once the documents are submitted they cannot be amended, and no additional proof may be offered.

If the arbitrator decides that there is indeed a competitive disadvantage, he or she must choose between the final offers submitted by the employer and the union. After that, the instructions for the arbitrator are clear. If one of the final offers would remove the competitive disadvantage, it must be selected. If both final offers would remove the disadvantage, the arbitrator must select the one closest to the province-wide agreement. And if none of the final offers would remove the disadvantage, the one that is the closest to removing the disadvantage must be selected.

Given the industry realities, the whole process is quick, lasting a maximum of only 35 days. In a quick-moving industry such as construction, contractors cannot wait months for determination. The final result should be a real solution which would allow unionized employers to bid competitively for projects. It would also benefit union workers, who would be more able to support their families.

Contrary to accusations, Bill 69 is not about lowering wages across the board in the construction industry. It's about determining agreements between employers and unions, agreements that reflect the local reality and not the reality of some remote centre. Ultimately, it's about providing jobs for union employees.

Another facet of Bill 69 deals with employers' ability to hire people in whom they have confidence. I would like to point out that outside of the construction industry, employers are free to hire those people in whom they have confidence. They are not compelled to rely on an outside agency such as a union for their workforce. The mobility in hiring hall provisions of Bill 69 would provide flexibility for employers bidding or working on projects outside their home areas.

I certainly urge all members that this is a good bill for the unions and the employers, and I would expect that everyone will agree with that and support this bill.

**The Acting Speaker:** Comments and questions?

**Mr James J. Bradley (St Catharines):** What the member did not mention, of course, is the fact that the Minister of Labour, at the behest of the Premier, put the gun to the head of the representatives of the working

people in this province and said, "You either take this or you'll get something worse."

Of course, with so many people in this province that's what happens, like with the hospital sector. After Mike Harris said during the May 1995 campaign, "Certainly, Robert, I can guarantee you it is not my plan to close hospitals," he then forced 40 to 45 hospitals to merge or to close. This was similar. You simply bullied the hospital sector into keeping their mouths shut and then of course they won't criticize the government, because there's an implied thought out there that if you criticize the government, things will be even worse.

So here they are. Once again they've put the boots to the labour unions in this province, the representatives of the working people, and some people in this House who should know better are there defending the corporate sector.

Mind you, payback time is tomorrow night. We have the huge Tory fundraiser—where, Minister of Labour?—at the convention centre. There will be 3,000 people there paying bonuses to be near the Premier, all kinds of people there. It will be a fundraising bonanza. And because now, under the rules dictated by Mike Harris, political parties can spend more money and raise more money, money will play an even bigger role in politics today. So I'm really disappointed.

The member is probably worried about the environment. The environment budget has been slashed to smithereens, devastated by yet another huge cut in the ministry budget. That shows how much priority this government places on the budget. They'll have the \$200, but we're going to have an awfully bad environment as a result of this government.

**Ms Martel:** In reply to the Conservative speaker, when the member uses words like "there was no coercion, no gun to the head, no intimidation" 10 or 11 times, you sure know there was some kind of intimidation, some kind of coercion and some kind of gun to the head.

I suppose we speak with different people, but the people who talked to me about this bill, particularly the workers who are going to be affected, said they were clearly told that if they didn't agree to this, the government was going to repeal section 1(4) of the Ontario Labour Relations Act, which is a protection that workers have fought long and hard over many years to retain.

For people who are out there watching tonight, why is this section so important? The section is important because it essentially forbids an employer in the construction industry who is unionized from establishing in essence a shell company that he can operate with so that he can operate in a non-unionized environment.

The Labour Relations Act says clearly that if you're talking about the same owner and the same corporation, then it is one employer and the collective agreement provisions would follow. It gets away from a situation where an employer who works with unionized workers can somehow get around the provisions of the collective agreement he has with those workers.

What we are told is, "Listen, the folks in the trades were clearly told that if you didn't buy into this, that's what you were going to get." For them, that was a greater loss of protection for their members and would result in a greater decrease in wages and salaries for the people they are trying to represent. So it is clear that the government had a gun and held it to the heads of these folks. We are not here because people on the union side are thrilled to be here. They've got no choice; it could have been worse.

**1910**

**Hon Chris Stockwell (Minister of Labour):** I firstly want to thank the previous speaker from the Conservative caucus. A finer parliamentary assistant I do not know, a person who put a lot of time into this bill, vested interest, and a hard-working man who produced, I think, a good piece of legislation.

As to the previous two speakers, the members for Nickel Belt and St Catharines, you learn: When there's nothing they can talk about with respect to the legislation to tell you it's bad legislation, what do they talk about? They talk about conspiracy theories. It's like that movie Mel Gibson was in, *Conspiracy Theory*. If the bill's good, we'll get the conspiracy theory that somebody had a gun at somebody's head and while that gun was at their head they forced them to sign on the dotted line, and, "Now, I can't tell you who told me that, but that's what they told me."

The members for St Catharines and Nickel Belt will come in here and not argue the merits of the bill. They'll tell us there's a conspiracy out there, that the Conservatives have somehow brainwashed and coerced the unions in the province of Ontario to enter a room and sign on the dotted line while a gun is pointed at their heads. Get a grip. Get a grip. That just isn't happening today. The only time I saw the gun-at-the-head trick was during the social contract. That was the only time I saw the gun-at-the-head trick. That's when you held the gun to the public servants' heads and said, "Sign here." They said, "No, we're not going to sign," joined arms—Sid Ryan led them—and started singing that union song, and said: "No, you can't fire me. I'm part of the union. Bob Rae's a bad man." So what did you do? You pulled the trigger and you put the social contract through, cut their wages, Rae days, yadda yadda yadda, lost the election—terrible thing. Booming economy, Conservatives got elected, good things are happening, and now unions and Conservatives are together on a piece of legislation. If it got any better, we wouldn't even need you people here.

**Mr John Gerretsen (Kingston and the Islands):** The minister, who speaks with a great deal of passion, just said it at the end, didn't he? He wouldn't even need us people here. Talk about a conspiracy theory. What he's saying now is that he only wants the government to be here; he doesn't even want to have a sound and solid opposition.

It reminds me a little bit—do you remember when all the downloading took place with the municipalities and in the House the finance minister, the Deputy Premier, and the Premier said: "The municipalities want this deal.

They will accept a \$500-million to \$600-million download. They agree with it." Yes, they agreed with the \$500-million to \$600-million download, because what they were offered before was a \$1-billion download, and yes, half a loaf is better than none. This is exactly the same thing here. You threatened the unions by basically saying, "If you don't go along with this deal, we'll take it all away." That is not the way a government that's duly elected by the people of Ontario should function.

Traditionally, we've always had governments that, once they were in power and once they won the election, governed for all the people of Ontario. This group that's in there right now certainly isn't doing it. Who were the big winners today when the budget was announced earlier? We all know who they are: the corporations. What are the corporations getting out of it? A \$4-billion tax cut. Think about it. When there's so much agony out there with respect to the lack of hospital funding, the lack of proper public education funding, what do they do? They give a \$4-billion tax cut to the corporate sector of this province.

**The Acting Speaker:** Response.

**Mr Gill:** Thank you, members. The member for St Catharines responded on Bill 69, which is the Labour Relations Amendment Act (Construction Industry), and I don't at all recall him speaking on the bill itself. He was talking about some fundraiser coming up tomorrow. All those people who are going to be at the fundraiser, 3,000 of them, are going to be coming of their own accord. There's no gun to their heads. They're happy to pay the money. They'll be very happy to be there. I believe it's the biggest fundraiser in the history of any political party. I'll be there, because I think the people of Ontario deserve this government.

Let's get back to the bill. The members from Kingston and the Islands and Nickel Belt spoke on this bill. Thank you for your input. This bill is about fairness. It's about flexibility and removing competitive disadvantage from unionized construction companies. The result would be greater competition, greater efficiency, greater productivity and, most important, work for union workers.

Bill 69 would also greatly lessen the risk of consecutive strikes, as happened in 1998. We want to make sure that these strikes, if they're going to happen, happen once. Those people will be given the due diligence time, 35 days, and from then on they must come to an agreement so that new home buyers are not disrupted.

That's what the bill is about. It is about the union workers having the competitive advantage so they work, rather than having good wages but not being able to work. This is a great bill. We've had consultations. Everybody has agreed that it's a good bill.

**The Acting Speaker:** Further debate?

**Mr Bradley:** Of course this bill is a product of coercion on the part of this government, as you know. What happened, for those who are wondering why there appeared to be compliance, was that the Minister of Labour, at the behest of the henchmen of the Premier of this province, that is, the whiz kids in the backrooms—

**Mr Jerry J. Ouellette (Oshawa):** The henchpersons.

**Mr Bradley:** All right, the henchpersons; the member corrects me, appropriately. The henchpersons of the government put the gun to the Minister of Labour's head, who in turn put the gun to the head of the trade union representatives, the representatives of working people in this province, and said, "Either you accept this so-called compromise or we'll remove virtually all of your rights."

I shouldn't have mentioned the word "guns." I've got the member for Oshawa all excited now that I mentioned the word "guns." He'll be doing another infomercial with Charlton Heston for the National Rifle Association. By the way, I did not hear that in the budget this afternoon. I guess you were listening. I heard these so-called anti-crime initiatives. I didn't hear anything about guns out there, nothing about guns. I guess they'll have Charlton Heston in for another fundraiser. Mr Speaker, you'll remember that Charlton Heston has appeared at Conservative fundraisers in the past.

**Mr Ouellette:** When?

**Mr Bradley:** How long ago?

**Hon Tony Clement (Minister of Municipal Affairs and Housing):** Three governments ago.

**Mr Bradley:** "Three governments ago," he says. He's due to come back.

This bill reminds me of 1998, when the Harris government in three short weeks rammed through what we called the Wal-Mart bill. That was a bill which went through the Legislature, no hearings anywhere in the province, no amendments permitted by the opposition or anybody else, and it allowed non-construction companies such as the banks—and we know these people love the banks; it's a connection there—and school boards to use non-union construction workers. It also ended the Labour Relations Board's power to automatically certify new unions.

So what's happening is that this government has a plan to dismantle democratic unions in this province by simply taking away the powers that were given to them, frankly, by and large by Bill Davis, who tried to have some balance. Bill Davis was a person of balance. This government doesn't have any balance. Everything is on the right. This is not the Progressive Conservative Party; this is the Tom Long party; this is the Reform Party with a different name, the provincial Reform Party. They're here to put the boots to the labour unions in this province. It was intimidation with a gun to the head, as I described it in my brief two-minute response. It was like the hospital boards. They were so afraid of this government that they accepted some things. When they gave a bad deal to the municipalities, the municipalities took the second offer made by the government and said, "Thank you, Mike Harris, for kicking me in the stomach; you didn't kick me in the face," as though they're supposed to thank you for doing them in, as they did in that case. The same thing as the trade unions—

**1920**

**Hon Mr Stockwell:** On a point of order, Mr Speaker: Is there a quorum present?

**Clerk Assistant:** A quorum is present, Speaker.

**The Acting Speaker:** Member for St Catharines.

**Mr Bradley:** Thank you very much. It gave me a chance to get a drink of water and recall my comments on the budget this afternoon—which relates to this bill, by the way, because I could see the budget coming when I saw this bill. It catered to the captains of the corporate sector of this province; the captains of industry, the mining barons, the lumber barons and people of wealth and power benefited the most by this. They threw a few chicken bones to the rest of the province.

By the way, I must say where they got the idea. They got the idea from the United States. I was reading an article in the New York Times, which you can get here in our library, called “A Resurgent Michigan Leads Newly Flush States: State Spending Machines.” This is also something all you people read, the Wall Street Journal. It’s the first time I’ve ever read it. It says here, “Governors Ridge of Pennsylvania and Ventura of Minnesota are popular in part because they’ve actually gotten rebate cheques into the hands of voters.”

This is obviously where they get these ideas. Not only do they get Mike Murphy to run the campaign for Tom Long, but they also get this idea of the \$200 cheque. Most of the people I’ve talked to today have said, “You know, I’d rather have you take that \$200 and apply it to the health care system because I know that after that last contract, where once again the Conservative government wrestled the Ontario Medical Association to the ceiling”—the problem was that they did very well. I happen to be in favour of seeing members of the medical profession well compensated. It is extremely important to have them well compensated. But at the same time we had provisions of this particular contract which meant that a lot of procedures are going to be delisted, that people are going to have to pay individually for them. That’s going to have a devastating effect on the average person in this province.

All the people who are going to be partying at the Albany Club and the Toronto Club tonight with your corporate friends who just got a huge payback from you people are going to be fine if they charge individually for some of these services. But I’m sure that the last Minister of Health, Mr Wilson, would never have tolerated this if he were involved in the contract. In fact, I remember what happened last time during the contract negotiations. He was endeavouring to do the job as well as he could and someone in the Premier’s office snatched the rug out from underneath him.

**Hon Mr Stockwell:** What bill are you talking about?

**Mr Bradley:** I’m relating this to the construction bill, and how it is related to the budget. That’s how we go.

Anyway, I know who’s going to be happy. Tonight Conrad Black will be absolutely cheering over this budget. He will just love this budget. In fact, he may now take those newspapers back, not put them on the market, now that you’ve put so much money into his pocket. J.J. Barnicke will be happy. Who’s the other guy? Not Moog—Gerhard Moog was a long time ago. Mr Monk,

Peter Monk will be delighted with this budget. So there are going to be a lot of people on the up-and-ups who will be dancing down Bay Street. Right now I can hear the music on Bay Street. They’re playing “Happy Days Are Here Again” now that the Tories are putting money into the corporations’ pockets, at the expense, of course, of people in the lower echelons of the economic strata, who will have to pay more in terms of their fees. I’ve counted 892 new fees. These are fees that are either brand new or they’ve been raised, user fees—892 of them. I’ve now come to that count, and I’m still counting. I’m going to look, as a result of this budget, and see if there are more.

It’s back to the old tricks of this government: Paint the worst-case scenario for the people you’re going to intimidate. In this case, that is the representatives of working people in this province. Put the worst-case scenario to them, that you’re going to dismantle virtually every labour law in the province if they don’t accept this so-called compromise, so they accept it. What this government really wants is for working people to have their wages go down. I heard the Treasurer talk about that this afternoon.

When they call a quorum I think it comes out of my time. That’s why I know the government members want to call a quorum right now.

I can tell you that this government will now be relying more on gambling revenues. I’m going to predict that my prediction of a couple of years ago is going to come true. Let me put it this way. We’re on a construction bill. There are going to be some construction projects. They’re going to have to make bigger halls to hold the Tory fundraisers because the corporate sector will be knocking down the walls and the doors and trying to get through the windows to make sure they can get into the Tory fundraisers. That’s one thing that is certain.

But even some of those people might be concerned about the cuts to the environment budget that we found in this particular budget. Once again environment is in the lowest echelon for this government. Huge cuts. Already, before this budget, one third of the staff were given pink slips, sent out the door—good staff, excellent staff, needed to do their jobs. Over 40% of the budget was cut from the Ministry of the Environment—even cuts to the Ministry of Labour, and I’ll get to that in a moment because it does relate to this bill—but also, simply, the power that the Ministry of the Environment had has been diminished considerably. They now get elbowed out of the way at all times.

The Minister of Labour has joined this side of the House. I can certainly understand why he would do so. The reason he would do so, as he sits beside me, is because he remembers a statement he made at one time after Mike Harris got the premiership of Ontario. He said, “I guess anybody can be Premier of Ontario,” after Mike Harris got the job. These days, I can tell you, things have changed. If the Premier were to stop too quickly now there would be a collision between the Minister of Labour and the Premier. I think that might well happen. I

won't tell you how that collision will happen, but it could happen.

I saw the budget this afternoon. He was wildly applauding his good friend Mike Harris. I well recall the good old days—

**Mr Peter Kormos (Niagara Centre):** It's just a minor offence under the Highway Traffic Act.

**Mr Bradley:** "It's just a minor offence under the Highway Traffic Act," says the member for Niagara Centre.

So the big winners, again, as they always are with this government, are big business. The member for Scarborough East has had his clash with the developers and they won. I know that must annoy him to no end, because there are people who allege—I can't say this—that he was concerned about some of the development that was going to take place in the Oak Ridges moraine and that the developers went to the higher echelons in the government and said, "We can't have anybody who is concerned about the environment in the Oak Ridges moraine blocking any of our developments," so they put the boots to him, out of the cabinet. But he can still be a spokesperson individually about this, and I listen with a good deal of interest to what is going to happen now.

**Mr Steve Gilchrist (Scarborough East):** Do we have to pay for these advertisements?

**Mr Bradley:** You don't have to pay for them at all.

One thing I do want to say so the Minister of Labour—I was trying to remember what I had to say about labour and I'll think of it in a minute.

There's one thing that I do want to say is reasonable in this budget. I'm glad that the Minister of Finance and the Minister of Training, Colleges and Universities listened to the pleas of the member for Niagara Centre and my pleas for funding for the academic centre at Brock University. It missed out on the first round of funding but in the second round of funding there is going to be an allocation. It just proves that once in a while, when we put the pressure on the government, when we explain how these funds really are needed, the government will acquiesce to that pressure from time to time. It wasn't only the corporate sector; there were isolated instances where others who deserved the kind of funding that is going to be forthcoming in the budget received it.

**1930**

I want to say about this legislation that what I worry about is that this government is going to take further steps to eviscerate the trade union movement in this province. A lot of the gains that have been made in terms of occupational health and safety, that have been made in terms of working conditions and wages and salaries, have been as a result of the representation of trade unions and public service unions in this province. What this government, I believe, has an agenda to do is to continue to weaken those labour laws so that the balance goes considerably over to the employer.

The best of all worlds is a world, as Bill Davis understood, where there is balance, where when you come away from the discussions about a piece of legislation,

the representatives of labour and the representatives of management feel comfortable with the final result. That may have been the public face on this piece of legislation; I suggest to you that it wasn't the private face. The corporate sector did its job, though. It made sure it said that it was unhappy with the legislation, though I'm sure, since all the concessions were made by labour, it had to be somewhat happy at least.

But I also know in terms of construction that one of the things that should be constructed is a GO Transit line to St Catharines and Niagara Falls. I advocated this just the other day in the House. I was reading a speech by the Minister of Municipal Affairs and Housing, and he gave a glimmer of hope. Some people latched on to it. He said that in big projects or under special circumstances we should have an investment by the public sector in public transportation. In fact, I think the government, environmentally, has a significant role to play in public transportation, to provide an alternative for people when they don't want to use the jammed highways all the time or the very expensive Highway 407, which was given over to the corporate sector, which will be well represented tomorrow night at the Tory fundraiser at the convention centre.

I look at that and say, here was a fine opportunity in this budget to invest funds in public transit, not only for Metropolitan Toronto but for much of the province, where there's a large number of people on those clogged highways. I'd like to see the train over to Stoney Creek, up into the ridings of Waterloo, Wellington and those other places, or perhaps rapid transit to London and to Cambridge, a better service for Scarborough, for Oshawa—even better service for Oshawa. But instead this government says, "No, we've washed our hands of any public transit funding"—by the way, one of the few jurisdictions in North America that has done that. Bill Davis received an award, you'll remember, for transportation. He at the time stopped the Spadina Expressway and instead put funding into public transit. I believe at the time I applauded him for that. I can't recall exactly, but I think I probably did applaud him for that on that occasion. This government has abandoned that.

The only money you're going to have now that's coming in in greater amounts is going to be gambling revenues, which preys upon the desperate, the most vulnerable, addicted people in our society. Your ultimate goal is to have video lottery terminals, the crack cocaine of gambling, in every bar and every restaurant of every village and town and city in the province of Ontario. You've started it by bringing in the slot machines through the back door. The minister, with a lot of fanfare, under pressure by his own members, slammed the door on the 44 new Mike Harris gambling halls, the so-called charity casinos that were proposed for the province to run 24 hours a day, seven days a week, bleeding money from people in the local area. That was discontinued, but now he has opened the back door and is waving those slot machines through. Even where there's a vote against gambling, such as in Toronto, we have now 1,700 slot

machines going in at the Woodbine racetrack. I wonder about the family coalition, the family values crowd on the other side, and why they aren't speaking against this. The former police officer from London would understand the problems that come with gambling, and yet they are silent on this particular issue.

The other is the issue of compassion. I'll probably get into the issue of compassion in my budget address, but while I'm speaking of the family values crowd, I want to say this: For those who attend church on whatever day of the week they do, it is not acceptable to check your compassion on the front or back steps of the church. That must continue to come into our lives as members of the Legislature, and I really wonder.

I'm going to quote again from Bishop Asbil, the Anglican bishop. There are just a few people in the Anglican Church who support the Conservative Party, I think, but I want to quote again from a letter he wrote to Premier Harris, because I think many of the points he made are still salient today: "The one group of people who are left out are the people who are largely voiceless, and that is the people who are poor, the people who have no power."

I will cope well with this budget. I'll do well with this budget personally, because as a member of the Legislature, I make more money than the majority of people in Ontario do. I'll get the \$200 back. I saw Ken Shaw, with his usual Tory bias, on CFTO—and you can quote that to him—asking the Leader of the Opposition a silly question, "What are you going to do with your \$200?" When you look at a budget and its details, even the good and bad things in a budget, to ask a stupid question like that—I'll tell you what I'm going to do with it. I'm going to give my \$200 to the poor people of this province.

**The Acting Speaker:** Comments and questions?

**Mr Kormos:** First of all, it's interesting that I follow Mr Bradley tonight as I did last night, when he and I were over at the CAW hall, Local 199, in St Catharines. It was part of the May Day events that had been organized by the St Catharines and District Labour Council. To culminate the day, to top it off, they invited all four MPPs from Niagara—all four. They invited the one Conservative backbencher and the Conservative junior minister and they invited the Liberal Mr Bradley and the New Democrat Kormos, and Mr Bradley and I were pleased to be there as guests to talk to people about social responsibility in government. Remember this government's Parental Responsibility Act, the one we can't debate? I suggested that this government might be wiser to reflect on some governmental responsibility and the fact that it has turned its back on so many people in this province.

I've got to tell you, coming from down in Niagara, throughout the course of last weekend a number of workers, women and men who work in the building trades, construction trades, approached me, be it at Comisso's supermarket, the hardware store, any number of places, and made reference to this Bill 69. They implored me not to support it under any circumstances. One of the things, as I understand it, is that you have put places like Niagara

under attack, because the hiring halls in Niagara will no longer be effectively utilized to hire tradespeople for construction that's taking place within Niagara. That means the so-called infrastructure and capital investments in Niagara won't be creating Niagara jobs, nor will they be creating Sudbury jobs. That's wrong, and it won't fly. I won't be supporting it.

**Mr Gilchrist:** It's indeed a pleasure to follow up on the comments made by the member from St Catharines, because in his comments invariably he will open up just about every topic, every subject matter that this provincial Legislature ever has to deal with, and it's always a pleasure to have the opportunity to make freewheeling comments in response.

The bottom line is that I guess the member heard a different budget speech today, and looking at the bill we're dealing with tonight, the relationship is a very clear one. Instead of a doom-and-gloom scenario—I know it is the Liberal way. If we put a gold bar on everybody's door, you would complain that it made one person's arm longer and that we should have put two gold bars so they're stretched evenly.

**1940**

The reality, to follow up on our colleague from the third party, is that we have guaranteed greater social responsibility, by guaranteeing that 700,000 more people are working. Vast numbers are in the construction industry, where here in the Toronto area alone we saw record housing starts last year. The GTA now is 25% of the construction in all of Canada. It is utterly staggering, the extent to which the construction industry has been able to move forward. This bill puts in place binding arbitration mechanisms and other tools to guarantee that there's even more labour peace, even more opportunities for both the employers and the employees to benefit from the rising tide that is the Ontario economy.

We heard in the budget today that Ontario didn't lead Canada, that it didn't lead North America, that it led the world in increase in gross domestic product. I would remind the member opposite that it has been a few years since he had ministerial responsibility and even more since he was in school, but you can't get better than number one. The reality is that we're fine-tuning, we're tinkering around the edges perhaps, but this economy is on fire, and coupled with the bill before us today, guaranteeing Ontario is still going to be the best place to work.

**Mr Rick Bartolucci (Sudbury):** Let's not lose sight that we should be debating Bill 69, a bill that has very serious ramifications for construction workers in Ontario. I don't want the discussion to be side-railed by a budget presented today that has, incredibly, a number of flaws in it that we will be discussing over a period of time.

You're looking at taking away the basic rights of workers in the construction industry. You're looking at stripping collective bargaining rights. You're looking at placing workers in unsafe working conditions. That is what Bill 69 does. The simple fact is that with this legislation you, the government of Ontario, are placing construction workers in seriously dangerous working

conditions. That will happen over a period of time because of the naming aspect of the legislation.

The mobility aspect of this legislation is also seriously flawed, because the reality is that the employer will be able to bring 40% of the workforce with him. If the employer is from Toronto and he's getting the job in Sudbury and he can't find 40% of the workforce from Toronto, he can go to Hamilton, he can go to London, he can go to Windsor, and he can bring the 40% with him. I'm telling you that's wrong. The reality is that the mobility clause has to change for this legislation to work.

Over the course of the next two, three, four or five days this stuff is debated, I don't want to be side-railed with a discussion of the budget. It's too important to the construction workers in Ontario to have this discussion derailed because of your budget today. Talk about what's good for the construction workers in Ontario. That's what they want to hear.

**Ms Martel:** I know that if the member for St Catharines had had more time, he would have spoken about the criticisms he had with respect to the mobility clauses in this bill and the impact that has on unionized construction workers in local communities to actually get jobs from construction projects.

I don't think the government should underestimate the problem it has created here. Currently, under the law an employer, if he bids on a project in Sudbury and lives in Toronto and is unionized, has to use the local hiring hall. In that way, local construction workers get jobs in our communities and the money they get they then spend in our communities to help businesses there. The change you're making says, "Oh, that same employer can now bring 40% of the workplace from somewhere else." It doesn't have to be from our community. It doesn't have to be our workers, who need jobs.

Of the 60% that he has to hire locally, he then has the discretion to hire two thirds. They don't have to be on the hiring hall list. Anyone who understands construction will have to understand that the hiring hall is the way the construction industry protects some of its most senior workers.

They don't have seniority provisions, so the hiring hall is a mechanism by which they protect their workers. Now you've set up a scenario where you can have 40% of the workers coming from somewhere else. In my community, with a big hospital project underway, that may well mean that construction companies from Toronto can come and bid and a whole bunch of people from outside the community are going to get jobs instead of local people, who are doing massive fundraising for that hospital as well.

The second thing that happens is that because the employer has the ability to choose so many of the employees not from the hiring hall, he can make very conscious decisions about who he employs. Is he going to employ an older worker when he knows that Joe can't get around the work site as quickly as he used to? Is he going to employ a health and safety activist? Those are really

serious issues, and that's why we should have public hearings in Sudbury as well.

**The Acting Speaker:** Response? The member for St Catharines.

**Mr Bradley:** I think we had better check to see if there's a quorum first.

**The Acting Speaker:** Is there a quorum?

**Clerk Assistant:** A quorum is not present, Speaker.

**The Acting Speaker:** Call in the members.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**Mr Bradley:** Now that I have a chance to respond with the members here, I'm pleased.

The member for Nickel Belt and the member for Sudbury are both correct. First of all, the member for Sudbury talks about the safety aspect, that this could have an adverse impact on safety on job sites across this province. I think he's right in that. In terms of the mobility clause, people who live outside of Metropolitan Toronto are going to be concerned that you will have large corporations, companies, coming into places like Stoney Creek and St Catharines and London and so on, and our local people who need those jobs aren't going to get those jobs. It's weighted again in favour of the employer, as is so much of this legislation.

What is concerning is that this is just step one in eroding the power of the trade union people in this province, the representatives of workers in this province.

**Mr Gilchrist:** No.

**Mr Bradley:** The member for Scarborough East may say "No." I ask him to watch what happens as more and more legislation is brought in during the term of this government. My prediction would be that you will continue to see an erosion of the rights of those who try to protect workers in this province. I think that would be most unfortunate, because the balance was there before.

I don't agree with everything this person does, but I do want to pay tribute to Bill Clinton for the economy that we are enjoying in Ontario right now. I've listened even to the bank people, who support you people. When they are honest about it, and they're honest when they are speaking to certain organizations and groups, they will say: "Look, here's why we have prosperity in Ontario. First of all, we have low interest rates, which are the responsibility of the federal government. Second, we have a low dollar, which makes us very competitive." By the way, the Premier wants to put that dollar way up. That will hurt auto workers in this province. "The third thing is the booming economy in the United States. That is what is fuelling Ontario's economy at this time."

**The Acting Speaker:** Further debate?

**Mr Gerry Martiniuk (Cambridge):** I am going to be sharing my 20 minutes with my good friend from London-Fanshawe. After my dull speech is over, you can look forward to hearing from him, because he's quite an entertaining speaker.

One of the questions in regard to this bill is, how did this government, with its tradition of consensus in legislation, arrive at a bill that is almost perfect? My good

friend the Minister of Labour is an excellent left-winger. He is one of the better hockey players in this House. He proved it just a week ago when we played the federal members' team, and I think the final score was 12-4. If I recall, the leader of the third party scored three goals for them, so they only scored one goal. Of course, the Minister of Labour again, as he has been in every game I've been involved in and managed, was a star.

#### 1950

Not only is he a star at hockey, but he also has a way of reaching a consensus with people in a very difficult area. Let's face it: The construction industry has a tradition, unfortunately, of having some labour strife. I'm not even pointing out whether it's a matter of the unions or a matter of management; they do have that tradition. Somehow, we have arrived at not just a piece of legislation but in fact an agreement, basically, between all the parties. Not everyone agrees. There are exceptions, especially, it would seem, on the management side.

But one assistance, I think, to the Minister of Labour was simply that the construction industry in Ontario is booming, unlike the construction industry in, for instance, British Columbia. We've heard that Bill Clinton has done everything for us here in Ontario because of the lower dollar, low interest rates, low inflation and our exports to the US. Unfortunately, the province of BC is not doing too well. They have a person who sounds like Bob Rae—I must admit he doesn't look like Bob Rae, but he sounds like him—and he's singing the same tune and leading that province into oblivion, and that is a shame.

All of a sudden we are working; our construction industry is stretched beyond belief. Where did it all start? I remember, if I may talk about ancient history for a minute, May 1994. I was a much younger and thinner and better-looking person at that time, and I was introduced to the Common Sense Revolution, which was issued in May 1994 after consultation, not necessarily with all the experts in the world, but in fact with the common folk of our good province. This was issued well over a year before an election, which was somewhat unusual. What did it say? We said, "If we lower taxes and cut out red tape, we're going to balance the budget and, believe it or not, create 725,000 new jobs." This was going to take five years. I remember, as if it were yesterday, that there was hardly one pundit who didn't say: "This is an impossibility. This cannot happen. They are wrong, plus the people will not buy it." We started campaigning on the platform of the Common Sense Revolution—lower the taxes, create 725,000 new jobs and balance the budget after five years—and away we went.

There was a fly in the ointment. Mr Chrétien and his federal party decided to cut health care. This is really important, because part of the Common Sense Revolution said that under no circumstances were we going to cut health care. Unfortunately, Mr Chrétien came along and cut over \$5 billion from health care across this country. I can honestly say I personally was somewhat

shocked, because I think the health care system is something sacred not to only Ontarians, but also to Canadians.

What did it mean to our plan? It didn't change, except that we had to admit, because we were going to be short \$2 billion a year and we had to—\$11 billion; can you imagine? When I look back to 1994, we were looking at—

**Mr Gerretsen:** On a point of order, Mr Speaker: I know what the honourable member has to say is very important and there ought to be a quorum in the House. I don't believe there is.

**The Acting Speaker:** Is there a quorum present?

**Clerk Assistant:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for Cambridge.

**Mr Martiniuk:** I can assure the viewing audience that the Minister of Labour was in the House supporting me every minute. He was standing right behind me—well behind me, but right behind me.

We were back in 1994, if I recall. Yes. Mr Chrétien, our Prime Minister, and the federal Liberal Party—not the provincial, just kissing cousins—decided that health care was not an important issue to Canadians. I think that was a terrible miscalculation. I know health care is a very important issue to me, if not the most important issue. I believe it also was, and is, an important issue to the people of my riding of Cambridge, our hospital in Cambridge, our local community care access centre, the people of Cambridge, the people of Ontario and the people of Canada. However, it meant that the five-year plan had to become a six-year plan.

I remember there was some comic relief to it because we had to change the plan and a new plan showing six rather than five years was printed. I know that plan was distributed to all the properties and residences in my riding in 1995 and to most other places in Ontario. The plan said again, "If we lower taxes, we are going to balance the budget and we're going to create 725,000 new jobs." Now it was a six-year plan and again the pundits said: "That's an impossibility. It just doesn't work." Since then I've had many debates with people of various political stripes. I enjoy my debates with some of the reporters in my locality because they go through the whole thing and say, "It's lower interest rates, it's the United States," and of course when I point to the example of BC which unfortunately, and I mean that, is not doing that well with a Bob Rae-type government, they say, "Well, that's different."

There are not too many moments that have given me more pleasure in my life than the budget today. In 1994 a lot of tough decisions had to be made.

#### 2000

**Mr Kormos:** On a point of order, Mr Speaker: I would love to hear this member's views on Bill 69. I would love to hear him explain why he's going to support it or not support it.

**The Acting Speaker:** That's not a point of order.

**Mr Martiniuk:** Thank you, Mr Speaker. As I was saying, our Minister of Labour, a renowned left-winger on the legislators' hockey team, has managed to take a diverse group of people and meld them like brothers. They come before us with a consensus and an agreement, not just legislation, backing this up in the grand tradition of the Mike Harris government of reaching consensus on many occasions.

So here we are in May 2000 and we have the culmination of the Common Sense Revolution, not, by the way, after six years but in fact two years early, because as the Minister of Finance announced today, not only will we balance the budget next year, or have a surplus, but in fact in the past year we had a surplus of something over \$600 million.

That's quite an amazing feat. The last time there had been two balanced budgets in a row in the province of Ontario was ending in 1944. That would be during the war and the reigning Prime Minister at that time was our good friend Mackenzie King—

**Mr Gerretsen:** A great man.

**Mr Martiniuk:**—a prominent Liberal leader and, I must admit, a great man. He was a hero of mine in my younger days. When I reached the age of majority I matured, but he still was a great man. However, one half-century passed in this great province before we could re-enact two such consecutive budgets.

When I'm talking about the olden days I remember—Bill 69 deals with the hiring halls—that a favourite of mine and yours was On the Waterfront. There's no suggestion here that there is any corruption in our construction unions. However, I was always interested in the whole concept of the hiring hall and the problem of employees having to cater to the whims of their union leader to get a job. It always struck me as odd. However, that is the tradition in our construction industry. But of course one of the problems of having areas is, what happens to the mobility of employees, and more important, subcontractors?

We are booming in the city of Cambridge and at this moment I don't think my subcontractors are looking far afield for work because we have it here. However, there will come a time, no doubt, when there might be reason to quote on jobs which are not within our area. Up to now that has been most difficult. How does one bid on a job and cost a job when you don't know who your employees are going to be? You may never have met them before. They may or may not have the skills you're used to. My subcontractors, and these are small firms, have said it is an impossibility. What would happen if you had a small company with four or five employees and all of a sudden you had to run, let's say, a law office but you had to do it with employees you had never seen before? Even though they were skilled, it would be most difficult. That's what the small contractors were up against when they were going out to bid.

The mobility provisions of Bill 69 provide, very simply, that not only can you take your management team, but you can also take 40% of the job complement—

people you know, the leaders of your particular company. Many of these are small firms. So they take their key men, plus they have an additional advantage—

**Interjection:** Women?

**Mr Martiniuk:** And women. In addition the mobility factor would give them the privilege of naming up to 60% of the balance of the complement of their job. I think this will bring added competition into the construction field which will benefit everyone.

**Mr Frank Mazzilli (London-Fanshawe):** Is it time for me to share your time?

**Mr Martiniuk:** My good friend from London-Fanshawe has reminded me that I was sharing my time with him, and for that reason I will abruptly sit down and pass the baton to him.

**Mr Mazzilli:** I have some difficult decisions to make now. I'm certainly pleased to speak on Bill 69, but it's difficult to speak on Bill 69 without directly speaking on the budget because it's directly proportional to the results in the budget.

What are the Liberals opposing in Bill 69? The member for Kingston and the Islands continually opposes everything on this side of the House; opposes the throne speech commitment to modernize labour relations, a commitment to a healthy and stable construction industry. That industry is a \$26-billion industry this year alone.

This legislation came about as a result of consultation with all the parties and has an industry-based solution. As the members across know, whether it's health care or education, you need community-based solutions in order to have results that work, and that's what the Minister of Labour has done here. He has found a community-based solution among labour and among the corporate sector to come up with this legislation.

This legislation is very important in the city of London because many people are employed in the construction industry. Mr Speaker, you would know the company Ellis-Don. They are located in my riding of London-Fanshawe. I believe the Liberal members know them quite well also.

This legislation and our budget are about priorities. We need to go back to priorities and how the federal Liberal Party does not represent the priorities of people in my riding. When it comes to the issue of health care, they've cut \$1.7 billion presently out of health care in Ontario. The people at London Health Sciences are demanding that this money be returned. In today's budget, we've certainly increased health care funding.

If you want to talk about priorities, let's look at some of these priorities: \$1 billion invested in hospitals to accelerate capital restructuring—

**The Acting Speaker (Mr Michael A. Brown):** Stop the clock.

**Mr Dominic Agostino (Hamilton East):** On a point of order, Mr Speaker: In the standing rules, section 23, it says, "In debate, a member shall be called to order by the Speaker if he or she ... directs his or her speech to matters other than: (i) the question under discussion." With all due respect, talking about health care and today's budget

is not what we're debating today, and I would ask you to go back into order.

**The Acting Speaker:** Thank you. I'm sure the member for London-Fanshawe will draw this all together.

*Interjection.*

**Mr Agostino:** On a point of order, Mr Speaker: I would ask the member to repeat what he just said into the record.

**The Acting Speaker:** I did not hear the member.

The member for London-Fanshawe.

**Mr Mazzilli:** The point is well taken because, again, I do believe that Bill 69 is directly proportional to the results that came out in budget 2000. You can't do one without the other.

The other thing that you cannot do is create a healthy and vibrant economy without tax cuts. The member for Kingston and the Islands continually gets up and opposes tax cuts, as do most Liberals. It's those tax cuts that have created the 700,000 new jobs in this province. It's those tax cuts that have created a surplus that has allowed a responsible government to make responsible investments.

What are those investments? More tax cuts to the working people of Ontario. Low-income people go to a lower tax rate, middle-income people, even a lower tax rate, and everybody will participate. On top of that, health care; all Ontarians benefit.

Before I was interrupted, I was talking about a \$1-billion investment in hospitals to accelerate capital restructuring; \$150 million for a new information system for transition to primary care networks; \$100 million over four years to expand primary care.

Those are only a few highlights, but the people in my riding and the people of Ontario are demanding that the irresponsible federal Liberals return the money to health care that is the property of Ontarians.

**The Acting Speaker:** Questions or comments?

2010

**Mr Gerretsen:** Thank you very much, Speaker. I first of all want to compliment you on allowing the latitude of debate that's taking place here tonight. I agree with the government members that it's all interrelated. You can certainly speak about one particular bill and talk about some of the other issues as well, and the budget is an extremely important document.

What the government members totally missed, though, is that the two most important areas that the people of Ontario care about are a good, quality public health care system and a good, quality education system. These are sadly lacking from this budget.

There's one other issue that I always find very interesting when you listen to the members of the government talk. You would think that whatever good has happened in this province—and for most people in this province I will agree that times are better than they were before. But what about that one third of the people who are a lot worse off? Poverty has risen by 118% over the last two to three years. We hear day after day about the homelessness situation. What is your budget doing about that? There is not one penny in there for supportive housing.

There isn't one penny there for any social housing. Speaker, you and I can agree that both the federal government and the provincial government do have to come to the table in order to do something about the serious need for housing in the social housing area.

*Interjections.*

**Mr Gerretsen:** With the shouting and screaming that's going on here, obviously I've touched a nerve of some of the government members. They think this is nothing but a win-win day for them, when the people of Ontario, particularly those people who have been hurt by you over the last five years—

**The Acting Speaker:** Thank you.

**Ms Martel:** Let me make a couple of comments in reply. First, with respect to the comment that this is a community-based solution and there's all kinds of agreement, I just want to read into the record two concerns raised by the construction trades council: "Position of the Toronto-Central Ontario Building and Construction Trades Council on the residential sector provisions of Bill 69:

"(1) The limitation of the right to strike to a 'window' of 45 days is completely unacceptable. Under duress, the residential trades offered a complete package dealing with the bargaining process that culminated in a proposal to limit strike action to a 75-day period—May 1 to July 15. Any shorter period makes the right to strike completely ineffectual, as it will merely result in builders scheduling a reduction of housing starts for the brief few weeks in the spring of 2001."

Following that, point 2—they're related: "(2) There was general agreement of provisions that would bring bargaining parties together 120 days prior to April 30, with application for no-board and appointment of a mediator at that time. This has all been left out of the bill, virtually ensuring that the 'window' termination of bargaining by mandatory arbitration will become a reality."

Secondly, because I don't think the member for Cambridge really understands the importance of the hiring halls, the second union that contacted us said:

"As everyone involved in the construction unions is aware, the hiring hall provisions are the heart and soul of a construction industry collective agreement. It's the equivalent of seniority provisions in non-construction collective agreements. It's crucial that there be protection of workers with respect to employment. It's the hiring hall provisions that provide that protection. They ensure that employment is not based on favouritism, but rather that everyone on the list will have an equal opportunity to be employed based on the availability of work and their place on the list. At the same time, the hiring hall provisions protect employers by requiring unions to provide only qualified workers."

So the hiring hall is awfully important to workers, as demonstrated by some of the analysis we've received from unions.

**Hon Mr Stockwell:** Quickly, on the 75 to 45 days and the construction trades council—they endorsed the deal. They agreed to 45 days. So what do you want me to tell

you? You have a letter saying there was a concern. I went to a meeting—

*Interjections.*

**Hon Mr Stockwell:** I didn't heckle you.

The fact is, they endorsed the deal. So 45 days was endorsed by the construction trade council. I was at the meeting. They endorsed the deal. They're in favour. I don't know what you have on a piece of paper there. I'm telling you I met with them; they said yea.

As far as the hiring hall is concerned, the second part, the 120 days no-board, actually, negotiations can take place at any time. They're allowed to take place at any time: At 120, 150, 180, two years in advance they can begin the negotiations, apply for no-board and get mediation at any time. All it says is that the contracts expire on a common date. It doesn't say you can't negotiate; it just says April 30 is the common date for expiration of contracts. They agreed. The construction trades council agreed. They're onside.

As far as the hiring hall is concerned, what can I tell you? Rather than face sitting on a list and on where you happen to pick up on that list, we on this side of the House and the unions agreed that maybe there's another criterion that should be involved with respect to hiring. Maybe a crazy notion should cross your mind based on hiring. Maybe once in a while this concept might actually enter someone's mind.

It's called based on ability. Why wouldn't you hire the person who is the best worker, the most gifted worker, the most educated worker, the most talented worker, to work on a site so that they can have work, rather than base it on where you happen to fall on a list? That list is determined by a local executive business manager, who determines who works and who doesn't, rather than the person who actually pays the bills. That's all it's based on. The hiring hall for 24% is maintained. They must be hired at the local—

**The Acting Speaker:** Thank you. Questions or comments?

**Mr Agostino:** I want to react to the comments made by my colleagues in regard to the bill that's in front of us tonight.

I know the Minister of Labour happens to be a decent person who is trying to do the right thing, but unfortunately on this bill he was given his marching orders from the whiz kids in the Premier's office. The direction here, this anti-union, anti-labour, anti-construction-worker legislation in front of us is clearly the work of his friends in the Premier's office who have given him marching orders. They gave him the gun, loaded it for him, put his finger on the trigger and then said: "Go negotiate. Make sure the gun is fully loaded and use your rounds if you need to." That was how it was negotiated.

Clearly, if you understand the construction industry, it is not an easy industry to work in. I can tell you that a lot of my colleagues have paid a price over the years to be in the construction industry. What you're doing through this bill is legalizing discrimination based on age, legalizing discrimination based on workers who may be a little

older but have worked a long time in the industry, have paid their dues, have paid the price and should take advantage of the opportunities.

You're eliminating those people from the mix here. You are really creating a very difficult situation. There was a playing field that was level, that looked after the interests of workers and ensured that they were well protected and that there was fairness. You're not supposed to be driving down the wages in the industry. You're doing it simply to help some of your corporate friends here at the expense of average working men and women.

I would say that my colleagues, the minister and the members across, should go out and spend a day talking to construction workers. Go to construction sites, talk to the people in the field, the frontline folks, and see what they think about this and tell them how it's going to impact them. Talk to the 50-year-old construction worker who after 20 years is not going to get another damn job because of this piece of legislation right here today. You'll get the real story from them, not the garbage we're being fed here.

**The Acting Speaker:** The member for London Fanshawe.

**Mr Mazzilli:** I want to thank everybody for participating in the debate: the member for Hamilton East, the member for Sudbury, the member for Niagara Centre—

**Ms Martel:** Nickel Belt.

**Mr Mazzilli:** Nickel Belt, I apologize, and the labour minister from Etobicoke and my good friend from Cambridge.

Everybody has different viewpoints but this is a community-based solution. It was a commitment we made in our Blueprint, to modernize labour relations and that's exactly what has been done here. It's been done with the co-operation of not only the hard-working men and women in Ontario, but also with the co-operation of the union leaders and company owners.

Like I said before, Ellis-Don is located in my riding. This piece of legislation not only helps them as a company, but it helps the workers get work throughout the province and throughout Canada.

**2020**

I need to go back to the budget with the short time we have left. It's the first balanced budget in Ontario in 30 years. The interesting thing is that the federal Liberals, before they could balance their budget, without any tax cuts, put over \$200 billion on the national debt. They borrowed over \$200 billion and added it to the national debt, and while they did that they cut health care funding to Ontario. How does a responsible government do that?

I'm also proud to say that I've never been part of a government that has run a deficit in any—

**The Acting Speaker:** Thank you. The member for Hastings-Frontenac-Lennox and Addington.

**Mrs Dombrowsky:** I will be sharing my time with the member for Kingston and the Islands.

I want to talk about Bill 69, the Labour Relations Amendment Act. I want to share with you the perspective

of union members from my part of eastern Ontario. First of all, I'd like to say that the Liberal Party and my leader Dalton McGuinty believe that the construction industry is vital to Ontario's economy. It has been presented that the introduction of this bill will minimize the risk of strikes in the construction industry.

The Minister of Labour in his opening remarks about Bill 69 has indicated: "The bill itself has to do with a competitiveness issue. The competitiveness issue spans the entire construction industry in Ontario today."

From that statement, I take it that obviously the purpose or the thrust of this bill has nothing to do with quality or fairness in the workplace, but actually is a dollar issue. It's how companies can make more money.

The member for Scarborough Centre spoke earlier about the construction boom in this province, that there has never been more construction in Ontario, certainly in the GTA. I believe that to be true. So my question is, what's the competitiveness issue? What is significant about that? I'm not aware that there is a crisis in building in this province, but I believe one is pending if this legislation passes.

The Minister of Labour is quite given to theatrics and I am not. He spoke earlier of a conspiracy theory, and he spoke with some passion about the presentation of the notion of a conspiracy theory and told us all to get a grip. I'm not going to present the notion that there's a conspiracy theory, but I do want the Minister of Labour to know what the construction workers in my riding are coming into my office and telling me.

These are plumbers from Sydenham, carpenters from Napanee, millwrights from Bancroft, electricians from Stirling. They're coming to my office and they're very worried. They're not happy at all. I respect that there might be representatives from their unions who are making deals that are unknown to them and possibly not even in their better interests, but these constituents are coming to me and saying, "Mrs Dombrowsky, we have a lot of problems with what the government is going to do to us." That's the presentation they're making to me. They believe they are being victimized by this bill and they feel this way for two reasons.

The first issue they bring to my attention is that of double-breasting, when a construction company can set up a separate company of non-unionized employees. They're very worried about that. That is not a level playing field. They explain to me that this will have a significant impact on the profits a construction company will have at the end of a project, but it will also have an impact on the quality of the structure at the end of the process. When construction companies are able to hire non-unionized workers, they will be able to engage persons in particular trades who might not be qualified, in fact probably are not qualified; otherwise they would be part of a union. One must ask, where are the corners being cut? If they're not qualified, if they're not trained and if there is no professional bar to meet on a regular basis, then where is the system of checks and balances?

The union people who come to me are very proud of what they do. They are perfectionists in their roles. They would say: "Yes, we make a good wage. Yes, we expect benefits. We are participants in our communities. We are the hockey coaches and the baseball coaches. We're out there working at the Lions Club, raising funds for community needs. Yes, we want a living wage, and yes, that's going to cost money." But if they don't get that living wage, the safety and integrity of the structures that are built will be compromised.

I'm reminded, as I have this opportunity to speak with you, that on my way to work in this building every day I pass a bus shelter. On the end of it there's an ad that has really impressed me. It has the statement, "We don't work in hospitals, we don't work in schools, we don't work in government offices, we build them." These are significant contributors to the society of Ontario.

We need to understand that quality is no accident. It doesn't just happen. We do have to pay for it. One way to ensure quality of structures in the province is to ensure that the people who build the buildings are qualified in their trades; that there's not just one person working on the site who has the qualifications and everybody else does what he or she might say. Every person on that site in Ontario today is qualified in the trade they are executing on that site. That will change, and that's why these workers are coming to me. They're worried about the quality of construction in this province. We certainly hear how attractive Ontario is to incoming industry, and part of that attraction is that we offer qualified and quality product in the buildings we present.

Another issue comes to me from my constituents in Hastings-Frontenac-Lennox and Addington, from the plumbers, carpenters and millwrights, all these good men—all of them who have come to see me have actually been men. These hard-working community people have an issue with the mobility component of this bill, the hiring hall lists. This component within the legislation diminishes opportunities for local workers. These workers within the small towns in my part of the world, not large cities but really wonderful small towns, are integral members of our community. They're there when we need them, and their opportunities for employment are diminished with the mobility provisions within Bill 69.

So the union workers have come to me and said: "Mrs Dombrowsky, try to have the government understand this is not going to be good for the construction industry, it will not provide quality structures and it's not going to be good for small-town Ontario. Because if we lose our jobs, we will have to move away, and part of that very important fabric of our communities will leave." We saw that when this government downsized government agencies: when they closed Ministry of Natural Resources, Ministry of Agriculture and Ministry of the Environment offices. Those people evaporated from rural communities, and rural communities are now bereft of the contributions those fine men and women made.

Finally, because I am sharing my time with my colleague from Kingston and the Islands, I want to stress to

the members of the government that union members in my riding are proud of what they do, and I am proud of what they do. We have quality buildings. They feel this legislation undermines their abilities and their tradition of quality work. I can't disagree with them, and I promised them that I would do my best in a rational way to have you understand that the good men and women—while there may not be many, I believe there are a few—who are members of construction unions in Ontario are very concerned, not just for themselves but for what will lie ahead in Ontario, for the quality of the buildings and for what we will attract to Ontario. I think their concerns are very legitimate, and I thank them for the privilege of representing their interests in the Legislature tonight.

2030

**Mr Gerretsen:** First of all, I'd like to congratulate my neighbouring colleague from Hastings-Frontenac-Lennox and Addington for putting a very human face on this. From all the discussion I have heard here over the last almost two hours, very little has been said about how this legislation is actually going to affect the working people, the people who aren't necessarily involved in the leadership of their unions but who simply want to work, who are members of unions and who are used to a certain procedure in which they get jobs once contracts are let out in their particular area. Their livelihoods are going to be affected. The kind of concerns she mentioned from the different union members from her riding are shared by many union workers clear across this province.

I know that the minister, in a very passionate and theatrical way, has indicated a number of times that the union movement is in agreement with this bill. What he forgets to say is that basically the unions had a gun held to their heads, and it was either this way or all their rights were going to be stripped away and it was going to be right open. This government has worked that way in so many different ways over the last five years.

I mentioned earlier today how municipalities were treated by this government when the downloading exercise started some two or three years ago. The original plan was—and, Speaker, you'll remember; we all heard it in this House—that the local municipalities were going to have to absorb locally \$1 billion worth of programs that had always been paid for by the province. Just about every municipality and municipal organization in this province said: "Look, we cannot do this. No matter where we start cutting, we cannot absorb all these costs." There were then some hastily called meetings that the then Minister of Municipal Affairs and undoubtedly some of the whiz kids in the Premier's office were involved in. They came up with a compromise solution, and that was, "OK, we will only download \$500 million to \$600 million of provincial services to the local level." And the municipalities said, "Well, that is better than the \$1-billion download you were going to give to us." The minister then said in the House that all the municipalities agreed with this. Well, they only agreed with it because the alternative was a lot worse. It's exactly the same with this bill. I find it interesting that we should be discussing

this bill on the same evening that we know that corporate Ontario down on Bay Street is the big winner as a result of today's budget.

Let's look at the facts. The Finance Minister, by his own admission, has agreed that an extra \$5 billion has come into the public purse. And what does he say in his next breath? He says that over the next three to four years he is going to give a \$4-billion tax cut to corporate Ontario. Their corporate taxes, in effect, are going to be cut in half, from the 15% they're paying right now, which is already much lower than it was 20 years ago. Of all the money that came into the public purse 20 years ago, I believe about 25% came through corporate taxes. Currently it's probably less than 10%, and it's going to get even worse than that.

The people of Ontario are not dumb. They know that if they want good-quality services in health care and education, they have to pay for them. We all have to pay for them. And yes, it's all the people's money. If you are saying to one significant sector of our province, the corporations of this province, that at one time you used to pay 25% of the freight or of the total revenue coming into the province and now you're only going to end up paying something less than 7% or 8%, then that money's got to be made up somewhere else.

How is it being made up for? Well, by income tax on personal income and, what's even worse, by sales tax, by gambling tax, by user fees. We can talk about this all night long, but think about some of the user fees that have been initiated just within the last two weeks. How about the family responsibility act? There are all sorts of user fees there now. You want a statement? It costs you \$100. If the government strongly enforces your order against a delinquent parent, the government, in its own wisdom, can decide whether or not to charge your account \$400, and it's all done in a very unilateral way. And we can just go on and on and on.

The people out there know that, yes, they may be getting a little bit more money in their pocket as a result of an income tax cut over the last two to three years, but on the other hand they're paying more, a lot more, in user fees for just about everything that's out there.

**Mr Bradley:** Highway 407.

**Mr Gerretsen:** Highway 407, but even user fees of a more global nature.

I really believe this government had a golden opportunity today in its budget to do something for our future generations, to make sure that in the secondary and post-secondary school funding we would once again be the top in the country, that we would want to make our system excellent.

**Mr Gill:** We are.

**Mr Gerretsen:** He says, "We are." Well, sir, in university funding we are still 10th out of 10 provinces, and there's nothing in this budget that helps that.

Look at the Ministry of the Environment. Look at it. This is your own document. This is not my propaganda. Let's just take a look at the Ministry of the Environment. The budget currently is \$174 million. You know what it

is for next year? Let me tell you what it is next year: \$158 million. So here we have another \$16-million cut-back. When we look way back two or three years ago, it was well over \$200 million, and yet these people have the audacity to come into this House and say that the environment is better now, that the environmental protection regulations and the enforcement aspects are a lot tougher than they were three or four years ago. You and I know that isn't true because the Ministry of the Environment certainly doesn't have the same number of people doing the necessary checks on your behalf and mine to make sure our environment is safe for ourselves and for our children.

It is all interrelated. We could be talking about this labour relations bill, Bill 69, we could be talking about other aspects of the budget, but what it all basically boils down to is that the rich are getting richer and the poor are getting poorer.

Where in this budget, for example, does it say anything about doing anything for the homeless out there right now? There's nothing in this budget for affordable housing, and I blame the federal government for that as well. I've gone on record as saying that it is the responsibility of both the federal government and the provincial government to do something about our social housing situation in this country. Nothing has been built, no money has been put into these programs, for the last five years. The housing situation for many, many individuals is getting worse. Maybe not for you and I. Maybe you and I are fortunate to live in nice houses in nice neighbourhoods and that sort of thing, but we know there are many people out there who aren't as fortunate. The waiting lists of our housing authorities, the waiting lists of our social housing organizations out there, are growing all the time, and both senior levels of government are basically turning a blind eye to it.

One further point, and that is that one has to look at the poverty level in this country. By your own admission, times are good, and have been good for the last three or four years. The economy is booming and it's helping an awful lot of people out there. But it's also hurting an awful lot of people, people who have fallen through the cracks, people for whom there used to be a social safety net, and it disappeared for them.

*Interjections.*

**Mr Gerretsen:** You can shout all you want; you know it disappeared for them. You and I are doing better, no question about it. But what about those people who have nobody to speak for them? They're doing a lot worse. Do we really want to live in a society where one of these days we'll be just like some of those places in the United States, where we'll have gated communities?

2040

**Mr Bradley:** We have them now.

**Mr Gerretsen:** We have them now, but we'll have them to a much greater extent. That's not the Ontario that I want to live in for myself and for my children.

I say to the government, withdraw this Bill 69 and come out with a new bill that is truly based—

**The Acting Speaker:** Thank you. Questions and comments?

**Ms Martel:** We have an important debate going on about Bill 69 tonight, and I'd like to return to it if I can.

I really want to go back to the issue of the hiring hall and the provisions with respect to the changes to mobility. I remember the member for Cambridge saying, "Well, we've got lots of construction going on in Cambridge and this is wonderful." I thought to myself, I wonder how he would feel, though, if any number of construction firms in Toronto got jobs in Cambridge and brought 40% of their workers from Toronto and how he would feel if Cambridge workers, because of the change that allows that in this legislation, then didn't have that work.

I raise that because in our community we have some major construction projects going on. One of them involves the hospital, where people in our community will be asked to raise millions and millions of dollars locally. You want to ensure that at least the people who are going to work are people from our community. The change that I see here is a change that will allow a general contractor, if he wins a bid in Sudbury on part of that hospital construction, to bring 40% of the workers with him from Toronto.

I say to folks, what does that do for our local economy? Some of those projects are going to be big; 40% of 300 is a fair number of workers. If those workers lived in our community, then the wages and salaries they would be paid would continue to circulate in our community. They would be buying goods and services in our community; they would be buying cars in our community. But if 40% of the workers come from somewhere else, they don't have any stake in my community. They're not making any long-term investment. They are taking their wages and salaries and going home and they are buying in their own communities. The government members don't seem to understand that.

If you want to make sure the industry is viable, surely you want to make sure that people can work in construction jobs in their own communities and that the wages and salaries that they earn can be reinvested in their communities. Maybe the government doesn't get it. Maybe they don't understand or maybe they don't care that local workers get jobs in their own communities, because that's not what happens under these changes.

**Mr Brad Clark (Stoney Creek):** As I was sitting here listening to the debate on this bill, it dawned on me that if this bill had been brought into the House by the minister and he had just brought this out of thin air with no consultation, there would be hell to pay. They would be screaming and shouting because there was no consultation. So the minister does something different. The minister goes and talks to the unions. The minister goes and talks to the union executives and the business people, the people who are—oh, I don't know—involved in the construction industry, and he consults with them. And they come up with an agreement that creates the bill.

Then we bring it to the House for debate. And then from debate we're going to go to—what was that? I think it was hearings. There are going to be more consultations. They are going to go back to more consultations, to more hearings on the bill.

In my mind, I don't think you can have it both ways. You can't turn around and say, "Well, if you were jamming it through with no consultation we'd be screaming, but if you do consultation, we're going to scream too." You can't have it both ways.

I think the minister did a wonderful job. If the minister turns around and goes out and consults with the unions and consults with the construction industry and they come up with an agreement, how dare anybody question it? They came up with the agreement. Naturally, there is not total unanimity on this particular bill.

*Interjection.*

**Mr Clark:** Would the member for Kingston and the Islands tell me one bill that there has ever been total unanimity on? There hasn't been total unanimity. This is a democracy. It doesn't happen. We know that. But when the minister does his job and goes out and consults and comes back with a bill, surely to goodness we should sit back and at least recognize and give credit for good consultation.

Let's proceed with the bill. I support it. It makes complete sense. Get a grip.

**Mr Bradley:** I think it's the kind of consultation that you undertake. There are two kinds of consultation. There's one where everybody is on a level playing field, the way Dr Robert Elgie, a former Minister of Labour in the Conservative government of William Davis, would have done it. He would have brought people together on an equal footing. It would not have been on the basis of putting the gun to the side of one's head and saying, "Look, if you are a member of a trade union, you either accept a significant compromise on your part—not on the company's part—or you're going to get something much worse." When you consult on that basis you intimidate people into taking the lesser of two evils. That's not a true consultation. It fits the word "consultation" but it's not a true consultation. If you want to have a true consultation, that's what you have to do to be fair.

I heard continued interjections from the member for Bramalea-Gore-Malton-Springdale while the member for Kingston and the Islands was speaking. I was wondering whether these were the same interjections he had when he was running for the Liberal nomination federally in the same riding. He did not win the nomination and is now a Conservative member of Parliament. In the hockey game that is going on out there they refer to such people as opportunists, because they are people who look at an opportunity and jump at that opportunity. There are others like Mr Wood, who has always been a Conservative.

**Mr Gill:** Point of order, Mr Speaker—point of privilege, I mean.

**The Acting Speaker:** Member for Bramalea-Gore-Malton-Springdale, no, no point of privilege. You might have a point of order.

**Mr Gill:** On a point of order, then—I'm a new member so I must learn the rules a little better maybe than some of the members who have been here 25 years, I guess—Mr Speaker, I would like to ask the member to come back to the debate on Bill 69.

**The Acting Speaker:** Put 30 seconds back on the clock. Member for St Catharines.

**Mr Bradley:** There is often some breadth to the debate that takes place in the House. As the member would see, even when he was speaking that was the case.

I also want to say to my friends from eastern Ontario who spoke on this bill that I enjoyed the way they brought the human aspect to this bill, the impact it would have on the average individual in their particular riding.

There have actually been, I would say, a dozen bills that have gone through this Legislature with complete consensus in this House. This is not going to be one of them because there wasn't a true consultation that took place.

**Mr Tony Martin (Sault Ste Marie):** I would suggest under the rubric of consultation that the members across the way would do well to listen to the two members who just presented, members who obviously come from their community, who listen to their constituents and bring their voices to this place in a way that you guys will never understand. They're not spending their time when they go home on the weekends on the golf courses and in the hoity-toity clubs of their communities. They're down at the mall, they're on Main Street, they're at church on Sunday, they're at the bingo, they're at the meetings of the labour groups in their community and they're listening to what they have to say. It would do you well to pay attention to the two members who just spoke, the member for Kingston and the Islands and the member for Hastings-Frontenac-Lennox and Addington, because you guys obviously have not done your consultation. Anybody who has spoken to anybody in the labour movement will tell you that there was no real consultation with them and that this is a sham being presented as a compromise in this instance.

Listen, if you want to talk about consultation, just look at what's happening tonight in this place. We had a budget delivered today that gave all kinds of goodies to your corporate friends and allies, and tonight you're down at some big hall in Toronto here celebrating, salivating at the Albany Club. That's the consultation you do. You talk to these guys, you ask them what would be in their best interests, what would do the trick in terms of their getting more money, and away you go. That's your consultation. I think the member for Kingston and the Islands was absolutely right when he said that this was no more and no less than a redistribution, a process to take money out of the pockets of workers who work hard in the construction industry and put it in the bank account of the corporate sector that owns the company. That's exactly what this is all about.

2050

**The Acting Speaker:** Response, the member for Kingston and the Islands.

**Mr Gerretsen:** I guess the first thing I want to say is that it's rather unfortunate that the House sometimes seems to degenerate into personal attacks upon one another. I certainly don't like to play that way. That's not the way debate should take place here. We saw it happen yesterday with the Premier and our leader. As a matter of fact, the Speaker had to admonish the Premier for doing that. Surely, we can keep the level of debate serious enough without having to make personal attacks upon one another. We do see the world in a totally different way, but I think we all try to represent the people we do represent in the best possible way.

It's my one hope, in the last minute that I have, that the government will not waste any of the taxpayers' money the way it has on advertising for the health care commercials that have been flooding the hockey games. That \$3 million—it's probably up to about \$6 million right now—could have been used a lot better to provide some of the very necessary health care services in the various communities. I can see it happening, that tomorrow there will be a flood of advertisements, not only extolling the virtues of this particular bill, the kinds of ads that would have been put together by the whiz kids and the Minister of Labour, but saying wonderful things about the budget. All of that is a little bit like the old saying that beauty is in the eye of the beholder. Yes, there are some people who benefited from the budget, but there are also some people who should have been paid a lot more attention in the budget who didn't get that attention paid to them.

If there's anything that the backbenchers who are still in the House and the minister can do, would you please tell the whiz kids and the Premier not to spend any money on needless advertising? Put it back—

**The Acting Speaker:** Thank you. Further debate?

**Mr Martin:** I do appreciate the opportunity to put some thoughts on the record re this important bill before us tonight, this travesty of justice that's being imposed on the people of this province, on the labour movement, on the construction industry and on every small, local economy across this province.

I find it a stretch right off the bat when the Minister of Labour, who, yes, is here tonight listening to the debate, gets up on his high horse and suggests for a second that this somehow is a deal that was done with the labour movement, that somehow the labour movement is in agreement with this, that they think this is going to be good for them and good for the economy and good for the construction industry as we roll along in Ontario.

If this kind of thing was what the labour movement wanted, if this kind of thing was what the construction tradespeople wanted in the province of Ontario, it would have been done long ago. It would have been done under governments that were much more friendly, co-operative, supportive and understanding of them than this government has proven to be over the last five or six years, as it has taken the helm in this province to give leadership and take us down a road that I suggest to you will not be good for any of us in the long haul.

We have to put this bill into some context, and that's what I propose to do to some degree here tonight. I won't be spending a whole lot of time, although I will spend a few minutes, on the particular details because others will do that and do that better than I. The critic for our party, the member for Hamilton West, spoke last night and the critic from the Liberals will have spoken already and will have spoken in some detail about the particulars in this bill. But it's important that we look at this bill in the context of where it is we want to go as a province, what it is we think we need to be doing to put in place an economy in this province that's stable and sustainable and gives people confidence, the kind of confidence that—Mr Speaker, I've got some really important things to share here tonight with the folks in the House. I don't think there's quorum.

**The Acting Speaker:** Is there a quorum? Will the Clerk please check?

**Clerk Assistant:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for Sault Ste Marie.

**Mr Martin:** I want to thank the members for coming in and giving me the respect that is due in terms of some of the things I have to say re this bill and how important it is that we all participate in the process that takes place here in this place.

*Interjections.*

**Mr Martin:** So they've come in and they're going to yak all night. Is that what we're going to do? Is that what this is about?

I was saying that we need to look at this bill in the context of the economy. Yes, at this particular point in time all indicators are that the economy is doing well, except when you get out there into the communities across this province and talk to the men and women who are participating as workers in this economy, you begin to get a sense of what the reality actually is. There's a lot of anxiety. There's a lot of worry. There's a lot of concern. Workers are working two and three jobs to maintain the standard of living that they worked at one job to attain up until five or six years ago, workers who used to have full-time jobs, looking forward to using the skills they were able to develop through their education over a long period of time and perhaps even retiring from that particular occupation to a good pension and a community that has lots of things in it for them to do, that speaks of some happiness and tranquillity in their old age.

The economy we're into in Ontario today is the juxtaposition of all of that, and I suggest to you it's because this government is putting its priorities in the wrong place. This bill that we're debating here tonight is a perfect example of that. It's an attack on an institution that has, for a number of years now, served our province well in terms of creating stability in an industry that could be, without organized labour, just simply all over the map, a very dangerous industry to work in, an industry that takes advantage of people and puts people's health and safety

at risk if there isn't some order, if there isn't some concern, if there aren't some rules and regulations around working conditions, health and safety conditions in the workplace and the kind of money that is available to pay workers so that they will make the investment that is required to learn their skill and become the best they can be.

What this government has been doing for the last five to six years is whittling away at the anchors of what I consider a stable economy, an economy that will be sustainable and will give confidence to the kind of investment you want in a province like Ontario, investment that is long term, investment that creates jobs, investment that gives something back to the community from which it is taking its wealth and investment that is concerned about people and concerned about the institutions that serve those people.

The anchors of a stable economy, in my view, are some of the things that we, as Canadians, have worked together over a long period of time to contribute to, put together and build up so that we were the envy of the world—I have to tell you we're not any more and we're slipping with each day that goes by—but a health care system that's there for people, whether they're working or whether they're not; a health care system that there's for people in good times and in bad; an education system that's there for families, for children and for people, whether they have a job or whether they don't, whether the economy is booming or whether it's experiencing some of the downside that economies that are cyclical experience from time to time; but an education system that's there, that people can take advantage of to learn new skills, to make sure their children can participate and look forward to a good future.

**2100**

Of course, along with that, you need community services that are there for all the people who call a particular jurisdiction home; an opportunity for people to recreate, an opportunity for people to participate in cultural activities, an opportunity for people to get together and support each other when there's some difficulty, personal or familial, that comes upon them.

Those are the kinds of things that we as a province and as a country learned were absolutely essential if we were going to be a country that was going to move forward and evolve and become ever more civilized in the way that we support each other and in the way that we surround and prop up and contribute to an economy that works for people and works for communities and works for a jurisdiction.

Some of the vehicles we've used—and I'm going to mention a couple here—to make sure those systems were in place, to make sure the economy we were growing was an economy that was good for people and communities, are governments.

This group of people who got themselves elected in 1995 and again in 1999 have been clear from the beginning that they don't believe in government. They believe smaller government, less government is better. They

don't believe they are the government; they believe they're here to fix the government. I would suggest that at some point they come to their senses and either decide to be what the people of Ontario elected them to be or turn it over and give it up to somebody who actually wants to do that job, who believes in that job, who understands the contribution that government makes to making sure that a jurisdiction has a healthy, viable, sustainable and stable economy; a government that believes you have to put substantial amounts of money into the health care system so that you don't have the kind of turmoil that's in the system we have in Ontario today; a government that's not afraid to put significant dollars and resources into education so that you don't have the kind of situation that's upon us in Sault Ste Marie and Algoma today where you have a school board that has no other choice, given the financial circumstance it faces. Because this government won't come and talk to them about the challenges they face, they're going to have to close some schools down.

In some instances these are schools in small communities that will have no other community centre once those schools are gone. That will be tragic but the members of the government across the way don't seem to be concerned too much about that; not to speak of the fact that they don't have enough money to provide the kinds of programming that we all know we need if we're going to be inclusionary of all the children, all the people who call an area like Sault Ste Marie home and who want to get an education, and those students who need special education.

We have a group of people in Sault Ste Marie today, as we speak, teachers' aides, who are out on strike because what they do, the contribution they make to the education system, is not valued. It's not valued by this government. This government will not recognize some of the difficulties that the Algoma District School Board is having, very simply because they are designated high density as opposed to low density and so aren't getting the money they need to support the system that's necessary in order to make those communities stable, sustainable and confident as they move forward through this millennium.

The other organization that I want to talk about just ever so briefly, because it's connected directly to this bill, is organized labour. The contribution that organized labour has made to all of our communities over a long period of time now, in so many ways, is as obvious as the nose on your face. Folks across the way don't seem to understand that because I guess they've never rubbed shoulders with anybody in the labour movement. When you're socializing on the golf course and at the hoity-toity clubs across this province, rubbing shoulders with the high and the mighty over there, it's hard to get a grip on or understand or feel in any real way the importance of a labour movement, of organized labour and the contribution that organization makes to the communities we all live in.

I look at my own community of Sault Ste Marie. If it weren't for organized labour, the United Steelworkers, we wouldn't have the Group Health Centre in Sault Ste Marie. It wasn't that long ago in Sault Ste Marie when the workers at Algoma Steel could not get health care. Doctors weren't coming to the Soo, and the ones who were coming were too busy to serve the needs of the men and women who worked at Algoma Steel and their families. So the Steelworkers got together and contributed from their own pockets to a fund that ultimately developed a Group Health Centre that provided health care not only for them and their families, but eventually for neighbours, and now for some 50,000 people in the community of Sault Ste Marie.

The Group Health Centre is a beacon of the new way to deliver health care, if this government would only recognize that. I say that knowing that when we were government, we didn't recognize it either and we should have. The point I'm making here tonight is that this is one small way that organized labour, if it's given the ability to be all it can be, to participate in a community in a constructive and positive way, to be recognized, honoured and supported for the efforts it makes, can do extraordinary things for the people of this province.

For this government to systematically, from the day it was elected, diminish and demonize organized labour in the way it has is to do us all a huge disservice, is to do this province a huge disservice. To not understand the contribution that organized labour makes to the issue of building a stable economy, an economy that's sustainable, an economy that generates confidence in people so that they give of their energy and their time by way of their work, an economy that provides the jobs we all want, that has a wage package that allows for a dignified standard of living, a wage package that allows a person to feed their family, a wage package that allows a person to buy the clothing they need, given the very difficult climate that we live—

*Interjections.*

**The Acting Speaker:** Order. The Minister of Community and Social Services knows the member for Sault Ste Marie has the floor. You'll have your turn, if you choose, in the next rotation. The member for Sault Ste Marie.

**Mr Martin:** Thank you very much, Speaker. From time to time in this place, there are many of us on this side who touch the nerve of the folks over yonder and they start to squeal, which is what they were doing. I don't say that about all the members over there. I know the member for Waterloo-Wellington is a decent guy, and the member from Brampton is OK too, but the rest of them, I don't know where they are coming from. I'm not sure why it is that whenever we speak about certain things on this side, they just can't take it and they begin to squeal.

I was saying that the attack organized labour has had to sustain in this province over the last five or six years is really unfortunate, because given the recognition it deserves and given the support and co-operation it so des-

perately wants, organized labour can contribute in such a constructive, positive and exciting way to the development of communities and to the imposition of an economy that is stable, the kind of economy that puts us out there in the forefront and that organizations like the United Nations, when they do their surveys, find that people around the world envy and would love to be part of.

But alas, we have a bill before us today which is in the same style and is much in keeping with the spirit of many of the other anti-labour bills this government has brought forward, and, as the member for Kingston and the Islands said a few minutes ago, which is not about improving the condition of working men and women in this province, which is not about improving the contribution organized labour can make to the economy of this province, that we know it can make because it has done so over such a long period of time now, but which in fact diminishes and takes away from and in many ways ridicules the contribution organized labour can make to the economy of our province.

There are just a couple of specific things that I want to put on the record, as other people will, that I think are particularly galling and challenging and disappointing in this bill.

**2110**

There's a section called the mobility provision, section 163.5, which allows employers to bring 40% of the workers with them to the job, ie, a Toronto company takes 40% of the workers with them to Kapuskasing or Sault Ste Marie or Blind River or Chapleau. Then they can name-hire, pick and choose, who they want and don't want for 60% of the remaining hires. How does this contribute in any significant way to the stabilizing of the local economies of places like Sudbury and Kingston and Timmins and Thunder Bay? It doesn't.

We had a system in place, hammered out over a long period of time between companies and organized labour, that was serving us well. It wasn't perfect—there is always room for growth in good systems—but it was serving us well. Whenever a job came to a place like Sault Ste Marie and it was a unionized company that got the contract, we knew immediately that that was going to be work for our family members, for our friends and neighbours, and that was going to be good for the economy of our region and we were all going to benefit in a myriad of ways because that activity was happening there. As we drove down the street and looked at that work site and we saw the sign and we knew that it was union, we knew that it was good. We knew that there were standards there of health and safety that were as high as you'll find anywhere, that people were working there who lived in our community, shopped in our community, spent that money in our community, and that it would be good for our local economy and would stabilize our local economy.

Section 163.2 to section 163.4, the so-called market recovery sections, may actually allow the employer to expand the already opened door of the mobility clause.

Any labour-cost issue can be taken to arbitration and arbitrators are to rule on the basis of getting as close as possible to the non-union competition. Negotiated requirements for employers to pay travel and room-and-board costs to the workers are clearly fair game for employers to take to arbitration to have lowered or removed altogether. If that isn't a taking away, a diminishing of the role of organized labour in this—and to suggest for a second that somehow organized labour would participate in this, would support it, would be agreeable to putting that kind of provision in legislation, is ludicrous. It's to stretch the truth. I think the Minister of Labour, who has gotten up here a couple of times tonight to say that's exactly what happened, ought to be ashamed of himself, because he's wrong.

If we're interested in a stable economy, if we're interested in an economy that's sustainable and going to serve people and communities well over the next number of years, don't pass this bill.

**The Acting Speaker:** The member for Bramalea-Gore-Malton-Springdale.

**Mr Gill:** Thank you, Mr Speaker. You got it right this time.

First of all, I want to congratulate the member for Sault Ste Marie. I want to compliment him, because he spoke on this Bill 69. A lot of other members didn't, but he spoke on Bill 69 for exactly three minutes out of the 20 minutes that he had allocated. At least he spoke.

Earlier on, one of the members alluded to the fact, which is totally wrong, that non-union workers are less qualified than unionized workers. I think that's totally wrong. Non-unionized workers and unionized workers, I think, are both equally qualified. I take offence, and I'm sure the workers at large will agree that that is not the distinction. They have the same apprenticeship programs they go through and are well-qualified.

The member for Sault Ste Marie's community, and especially all the border communities, will benefit from this bill, because this bill makes it a more competitive playing field. It does not impose Toronto-based solutions on the communities that cannot afford high wages. As we were doing the consultations a lot of people came to me and said, "It is better sometimes to take less money than to take \$40 and work zero hours; \$40 times zero hours is zero money." In the consultations, when we talked to people, I met some people who were like Liberals: flip-flop. One of the fellows said, "Whenever there are unionized contracts, I work there, and sometimes when there are non-union contracts, I go and work there." So I guess this bill is going to be beneficial to all of them.

**Mr Bartolucci:** I'd like to offer a few comments on the speech of the member for Sault Ste Marie and thank him for his sincerity. If in fact, as the parliamentary assistant said, the member for Sault Ste Marie only spoke for three minutes, his three minutes were worth a lifetime over on the government side when it comes to fact and reality with regard to speaking about the working person and his contribution to our environment in Ontario.

I would like to suggest that the member for Hastings-Frontenac-Lennox and Addington, the member for Hamilton Mountain and the member for Prince Edward-Hastings agree with the member for Sault Ste Marie when he said that the mobility issue is a major concern to the labour unions across Ontario, agree with the member for Sault Ste Marie when he says the naming issue is of grave concern to the construction workers across Ontario. I would suggest that the government would do well to listen to the member for Sault Ste Marie when he says that if in fact we're talking about workplace democracy, we might want to put this legislation up to a referendum, which this government across the way believes in. Put a referendum out and see if the construction workers in the province agree with Bill 69.

I would suggest to you that this government would do well to make sure they are very, very cautious about their approach of stripping the collective rights of the construction workers in this province, and also to be very, very cautious of the fact that when they talk about naming 60% of the workers, they are in fact jeopardizing the safety aspect in the construction industry. I don't take that lightly for a second, as I know the member for Sault Ste Marie doesn't. So I would suggest this government would do well to listen to the member for Sault Ste Marie.

**The Acting Speaker:** Questions and comments?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** Mr Speaker, I'm going to take you up on your suggestion to get up here and make some comments. I want to thank you for the invitation earlier.

I guess what troubles me most is I genuinely believe that the member opposite believes in what he's saying. The only thing I agreed with in his entire speech were the very nice comments he made about my friend the member for Waterloo-Wellington, and the member from Brampton as well.

The member opposite gets up and speaks about jobs, about job creation. I think you've got to fundamentally ask yourself, "What is it going to take to create jobs?" I can't believe the member opposite would honestly believe that higher taxes, more regulation, more debt and the kind of environment we had in this economy in the early 1990s when his party was in government are the answer to creating more jobs, because I think the people of Ontario, the economy of Ontario, spoke pretty soundly when we took a dramatic departure from that role back in 1995.

I listened with great interest to my good friend the member for Sudbury. He talked about stripping rights from contracts. Now that's something he certainly would have no experience with. The member for Sault Ste Marie knows about stripping collective agreements, because while he speaks a good game when he stands up in opposition, he was a member of the government that went into thousands of contracts for the first time ever, almost without precedent, and opened up every single public sector collective agreement in their hands, because

they knew better. What they said was: "It doesn't matter what you negotiated at the collective bargaining table. It's what the NDP caucus wants. It doesn't matter what you signed and what you bargained for. The NDP caucus and the politicians will get their fingers into those collective agreements and they'll decide what's best for the workers."

The member opposite would have some credibility had he actually had the guts to stand up and speak against that type of action when his own party was in government rather than hectoring and lecturing members on this side of the House when we're trying to create jobs and some opportunity.

**Mr Bradley:** It's always interesting to hear somebody who got into the cabinet by simply spewing forth the government line that was written by the whiz kids now lecture somebody from another party about some independence in terms of his thought when he was in government. What we don't see any more in this Legislature on the government side is people who will vary from the theme or the message that the government has.

I can tell members, from a historical perspective, that there used to be members of the Conservative Party who would do that, and the debate in the Legislature, as a result, was quite good. When I think of people like Dr Robert Elgie, a very bright man, both a lawyer and a brain surgeon; when I think of Bruce McCaffrey, a very bright member of the Legislature for Toronto—

**Hon Jim Wilson (Minister of Energy, Science and Technology):** He was never here.

**Mr Bradley:** I was just told by the Minister of Energy that Bruce was never here, but of course he was a very capable member. I think of Roy McMurtry, Bob Welch, people like this who—the late Larry Grossman was not afraid to vary from that point of view. How nice it was to hear in debate some concession. Once in a while you hear the opposition make a concession, they like this or that. You never hear that on the government side any more. It's just the same message over and over again that you're given by somebody else to repeat.

That's most unfortunate because I think there are some people over there who probably have some good ideas of their own on this piece and are not allowed to put forward those. I know there are some members who have certain views on bills and they're expert people in the field. I'd like to hear from those people on the bill, but their views may be at variance with what the government wants.

I certainly want to compliment the member for Sault Ste Marie for his contribution to this debate because I think it was most relevant to the bill and everything surrounding the bill.

**Mr Martin:** I want to thank the members from Bramalea-Gore-Malton-Springdale, Sudbury, Ottawa somewhere and St Catharines for participating here.

To suggest for a second that I only spoke for three minutes on this bill clearly reflects the government's lack of understanding of how this bill as part of a larger agenda affects communities and their economies.

The government says this bill has by-in from unions. They don't mention that those unions had a gun to their heads in the form of a promise, that still stands, "If you don't buy this, we take away section 1(4) of the act," which is the double-breasting piece of the act.

The closer one looks at this bill, the more one sees to worry about. Contrary to what the government claims, this bill isn't just about lowering costs to help union firms compete with non-union firms. This bill is about depriving workers of a voice in their working conditions. This bill is about taking away collective bargaining rights. This bill opens the door to discrimination in hiring against older workers, against workers who are health and safety advocates. This bill invites discrimination against small towns and the workers who live there by promising to allow employers to bring in labour from Toronto and to remove their cost of doing so. This bill gives employers the best of both worlds. They get highly skilled union labour and they don't have to pay for it. Shame on you as a government.

If you're trying to attract investment to this province by doing this, government, this is the wrong way to go about it. If you want a stable, sustainable economy in Ontario that gives people confidence, then you have to work more constructively with organized labour and governments and other people in this province who want to participate and contribute in the positive ways that we know they can, but you keep taking away those opportunities from them to do that.

Take another look. Please, for a second, consider the impact of this bill on communities like mine in Sault Ste Marie and Sudbury and Thunder Bay and bring something else forward that we can all support.

**The Acting Speaker:** It being almost 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 2124.*

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**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Carleton-Gloucester	Coburn, Brian (PC)		
Chatham-Kent Essex	Hoy, Pat (L)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
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Guelph-Wellington	Elliott, Brenda (PC)		
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Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		
Hamilton East / -Est	Agostino, Dominic (L)		

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Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
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		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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