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**Official Report
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(Hansard)**

Tuesday 9 May 2000

Mardi 9 mai 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 9 May 2000

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

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*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

NORTHERN ONTARIO

Mr Rick Bartolucci (Sudbury): Tucked away on page 12 in one of the small budget booklets is a line under "Northern Communities" which states, "The district of Muskoka will be included in northern Ontario for all government funding purposes." All atlas and geographic reference materials exclude the Muskokas from the boundaries of northern Ontario, but not this government. How absurd can Mike Harris get?

Over the last five years, the Mike Harris government has abandoned the north in every way possible. They have eliminated in excess of 4,000 government jobs from the north. They have made very little reinvestment in the north, and there is absolutely no plan to improve the economic face of northern Ontario. And now, the final insult is to include the Minister of Finance's southern vacation area in the north's funding envelope.

In 1988, the Liberal government implemented the northern Ontario heritage fund to expand the north's economic base. Not any more. The fund is now used to pander to the government's wealthy corporate friends as they drive to their cottages in the Muskokas, all on the backs of hard-working northerners who are struggling to eke out an existence in our region.

I am calling today on all northern political and business leaders to demand that the Mike Harris government stop its continual violation of northern Ontario with this latest crazy move and rescind the inclusion of the district of Muskoka in northern Ontario for funding purposes. If it isn't rescinded, there is no brighter future for northern Ontario. In fact, the budget fails the future of northern Ontario miserably.

ONTARIO POLICE MEMORIAL

Mr Garfield Dunlop (Simcoe North): Yesterday, I was proud to be part of an important ceremony at the Ontario Provincial Police general headquarters in Orillia to pay tribute to the lives of Corporal Evan Gilmore of Spanish OPP, Constable Vaughan McKay of the Sudbury OPP, Senior Constable Chuck Mercier of the Niagara Falls OPP and Senior Constable Jim McFadden of the

Chatham-Kent OPP. Also in attendance was Commissioner Gwen Boniface.

The names of these officers were added to the honour roll of OPP officers who sacrificed their lives to serve the people of Ontario. Each time a police officer is killed in the line of duty, the whole province shares in the tragedy. This ceremony followed Sunday's unveiling of the Ontario Police Memorial, where family members, friends and fellow police officers joined to pay tribute to the 200 officers who lost their lives in the line of duty. The names of the four slain officers who were honoured yesterday are also part of the Ontario Police Memorial.

The memorial will help preserve the memories of those courageous officers who gave their lives while serving others. As well, the memorial will inspire today's front-line officers with the knowledge that society values them as they continue to face dangers each day. It's important to remember the words inscribed on the memorial, "Heroes in life not death."

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): Northern Ontario residents are angry about the Harris government's refusal to deal with the inequities in the northern health travel grant. We have told this story in this Legislature over and over. Day after day, we have read petitions from northerners demanding fair treatment. We have written letter after letter describing the hardship northern Ontario families are experiencing because of the thousands of dollars they have to pay out of their own pockets to get the care they need. The answer from the Minister of Health is always the same, "We have no plans to change the health travel grant."

Even the obvious inequity in covering 100% of the costs for southern Ontario cancer patients who have to travel for care seemed to make no difference to the answer. Even a study showing \$5 million was being saved in efficiencies in the northern health travel grant program didn't lead to any increased dollars going into the budget for improvements to the support given to northerners.

We've had the same answer over and over until yesterday, when the Minister of Health said, "We'll review the program again." Why the change? Could it be because the Minister of Finance was asked a question about this on a radio open-line program last week? He seemed surprised that the problem existed. Where has he been? He did say he would look into it, so maybe that's

why we now have another review; no new money, no equity, no fairness, but another review.

And now that residents of Muskoka qualify for northern health travel grants, maybe the Minister of Finance, who will certainly want fairness for more of his constituents, will at least pay some attention to this matter and he may even find some money for health care for northerners, whether they be from the northwest, the northeast or from Muskoka.

STRATHROY EMERGENCY RESPONSE DAY

The Speaker (Hon Gary Carr): The member for Lambton-Middlesex.

Mr Marcel Beaubien (Lambton-Kent-Middlesex): Lambton-Kent-Middlesex. It's always a pleasure to speak on their behalf, and I'm glad to see that I have my colleagues supporting me from Grey-Owen Sound, Perth-Middlesex, Cambridge, and of course, not to forget, Durham.

Wednesday, May 10, marks the 10th annual international Emergency Response Day, and I would like to take this opportunity to share with the House how the town of Strathroy in my riding plans to honour the brave and women who risk their lives to protect their fellow citizens.

Emergency Response Day began as Police Day in 1991. At that time, former Strathroy Police Chief Bob Smith and Constable Bob McIlmoyle decided to hold a large event at the town arena, with 21 police departments setting up displays. The following year, ambulance services, fire departments and other emergency services were incorporated into the event, and every year since, it has continued to grow due to the hard work of organizers. In fact, this year's event will be the largest of its kind in North America, with an estimated 7,000 people viewing more than 100 displays by 60 agencies from across Canada and the United States. As well, more than 30 elementary and nursery schools in the area will also participate in this event through safety awareness programs.

Of course, none of this would be possible without the support of the community, its volunteers and its charitable organizations. I ask the House to join me in commending Constable Bob McIlmoyle and the citizens of Strathroy for the continuing success of their Emergency Response Day celebrations, and may this event continue to grow as does Strathroy's community spirit.

WOODBINE RACETRACK

Mr Mario Sergio (York West): On March 29, 1,700 slot machines were installed at Woodbine Racetrack, and almost instantly the police forces at 23 division went to work. Officers, agents and inspectors started fielding questions on criminal acts that have invaded the area since the slot machines were installed:

"Fielding calls, that's all they do," denounced police commissioner Glen Paproski, "even though I assure the

community of our continuous competent service. Woodbine attracts some 15,000 people daily. Soon, with additional slot machines, this will grow to 20,000," warned the police commissioner, "while our staff and number of officers are the same as before."

Maybe the provincial government can't see the relationship between casinos and problems of public order. While other casinos, such as Niagara, Windsor or Rama, provide their own security service, Woodbine is served and supervised by the local police force, a force which is needed in the community, visible on the streets in the community. Local councillors have been requesting the addition of some 33 police officers to help cope with the sudden increase in calls.

I ask, and a community that saw three serious criminal acts and shootings within a week asks for protection and asks, why the government is so disinterested in public safety, crime prevention and peaceful neighbourhoods.

1340

MISSING CHILDREN

Ms Shelley Martel (Nickel Belt): The month of May 2000 marks Child Find's ninth annual Green Ribbon of Hope campaign. This year the campaign will be incorporated with National Missing Children's Day to be held on May 25. The purpose of the campaign is to increase public awareness about the tragedy of missing children everywhere, and to seek their safe return. It's also about educating parents and children on how to effectively protect themselves to reduce terrible incidences of missing children and teenagers.

Child Find hopes to distribute 300,000 green ribbons in Ontario during May, as a visible sign of support for missing children and their families. Members will recall the Green Ribbon of Hope campaign begun in 1992 by students at Holy Cross Secondary School to remember the abduction and murder of Kristen French.

Last Sunday, in conjunction with Child Find, Sudbury chapter, my office hosted a child check/fingerprint program. This free service was provided by volunteers trained by the police and was available to any child who came with a parent or legal guardian. In addition to the fingerprinting, each parent received a kit called All About Me, which provides a complete profile of the child once the kit is completed. If a child goes missing, this kit can be given to the police to immediately assist in their search.

We were overwhelmed by the positive response from the community. In five and a half hours our volunteers, Bernadette Dupuis and Sue Leblanc, fingerprinted or footprinted over 70 children and babies. Other parents who were in the mall but did not have their children at the time picked up the All About Me" kit to complete it until such time as they could get the fingerprinting done.

Thanks to Bernadette Dupuis and Sue Leblanc for their tremendous work, and thanks to Child Find for making us aware of this endeavour.

ROB COLLINGS AND MARK ROTH

Mr Bert Johnson (Perth-Middlesex): To mark Education Week in Ontario, I'd like to recognize two outstanding teachers in my riding of Perth-Middlesex.

Rob Collings and Mark Roth both teach technical studies at Northwestern secondary school in Stratford. In addition to teaching, they have gone into their community to promote the importance of a technical education in today's technological society. They have talked with industry, tradespeople, the chamber of commerce and other educators about the importance of linking technical courses with the demands of the labour force to help meet the shortages of skilled tradespeople. They have also helped to establish the Community Technical Training Centre to address the local demand for skilled individuals in technical areas.

Mark and Rob also made a very informative presentation to the Task Force on Rural Economic Renewal in St Mary's. During their March break, Mark and Rob have workshops for primary school students to show them the value of technical studies.

This Saturday, Mark and Rob are hosting a technical open house and spring sale, which includes a breakfast for co-op employers and industrial suppliers and a sale of items that students made in the classroom.

Rob and Mark are to be commended for their exemplary approach to teaching and for their perseverance in promoting the benefits of a technical education. Please join with me in recognizing Mark Roth and Rob Collings, two of the finest teachers in Ontario.

INTERNATIONAL ADOPTIONS

Mr Joseph Cordiano (York South-Weston): I would like to ask yet again—it's not a question today, but I'd like to continue to ask the Minister of Community and Social Services how he can justify his unwarranted head tax of \$925 on international adoptions.

Interjection: Shame, shame.

Mr Cordiano: It's a real shame.

These are people who go through an incredible amount of emotional grief to adopt internationally. I have pointed out time and again in this House that there is no fee for domestic adoptions. The home study that is conducted is the same for both domestic and international adoptions. The paperwork involved is the same.

It's simply not reasonable that the minister would want to exact \$925 from people adopting internationally. In other jurisdictions, the United States, for example, a \$5,000 tax credit is being offered for this type of an adoption. In fact, they're thinking of increasing it to \$10,000.

When we passed legislation in this House two years ago, unanimously, I might add, there was no mention of a \$925 head tax. So it's time for the minister to stand in this House and say he will rescind this tax, because it's odious and not justifiable.

LAB-INTERLINK

Mr R. Gary Stewart (Peterborough): Labotix Automation in Peterborough has recently merged with LAB-InterLink Inc of Omaha, Nebraska, combining LAB-InterLink's extensive software with Labotix's hardware expertise to provide the best open automation system available in the market today.

I'm very excited about the merger of these two companies, which means the largest installed base of clinical laboratory automation equipment in North America, along with specimen transport and robotic systems to the medical industry. The company's products work with virtually all of the leading manufacturers' laboratory instruments.

The merger would allow LAB-InterLink to provide their hospital clients with a comprehensive automation solution that has not been available to them before. At present, approximately 45 of North America's 5,000 clinical laboratories are taking advantage of automation, and LAB-InterLink is responsible for nearly half of these installations. This company will provide leading hospitals across North America and Europe with automation solutions to allow them to accurately test while controlling costs.

Congratulations on a partnership that ensures a successful future.

VISITOR

The Speaker (Hon Gary Carr): In the members' west gallery we have Mr Jim Wiseman, who was the member for Durham West in the 35th Parliament.

SPECIAL REPORT, INFORMATION AND
PRIVACY COMMISSIONER

The Speaker (Hon Gary Carr): On Tuesday, May 2, the House leader of the official opposition raised a point of privilege with respect to the chief electoral officer's report called Meeting the Needs of a Modern Electorate. The member asserted that the distribution of this report to the MPPs and the public was a breach of privilege.

I want to start by considering the matter of privilege. The principle of privilege as it relates to reports to the House requires that members receive copies of the report before they are made public. This was done, as the member stated when he made his point of privilege. The report was delivered to the Speaker's office and subsequently, as is our practice, to the members' mailboxes. Certain copies were then delivered to the press. This is the process that is usually followed.

The member also contended that the distribution was not in compliance with the standing orders. Pursuant to standing order 39(a), once a report has been deposited, whether or not the House is in session, it is "deemed for all purposes to have been presented to or laid before the House."

Since the report was delivered to all members prior to it being made public, I find no prima facie case of

privilege has been made out. In addition, the standing orders clearly require that the reports, once delivered, are deemed to have been presented to or laid before the House.

The fact that the Speaker announces the tabling of such a report is not specifically required under the standing orders. However, it is the practice to make such announcements at the earliest opportunity. In this instance, there was a delay in presenting the report to the House and the recording of it in Votes and Proceedings. For that I apologize and assure all members that steps have been taken to prevent such a delay from occurring again.

I want to thank the member for Windsor West for raising that with me.

VISITORS

Mrs Marie Bountrogianni (Hamilton Mountain):

On a point of order, Mr Speaker: I recognize a special group of visitors in the members' gallery today. The delegation is from Suxhou College in Jiangsu province, China, a province of 60 million people. Suxhou College has a developing partnership with Toronto's George Brown College. With the delegation is Mr William Wen Jr, the son of Mr William Wen, an Order of Canada recipient. I want to welcome our visitors to the Legislature and to Toronto.

The Speaker (Hon Gary Carr): It's not a point of order, but we do welcome our guests.

INTRODUCTION OF BILLS

TOWN OF GREATER NAPANEE ACT, 2000

Mrs Dombrowsky moved first reading of the following bill:

Bill Pr22, An Act respecting the Town of Greater Napanee.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing 84, this bill stands referred to the standing committee on regulations and private bills.

STATEMENTS BY THE MINISTRY AND RESPONSES

COMPENSATION FOR HEPATITIS C PATIENTS

Hon Michael D. Harris (Premier): I rise in the House today to announce increased compensation from the Ontario government for people who are infected with hepatitis C through tainted blood, people who should have been able to depend on our country's blood system,

people who through no fault of their own now have a debilitating disease, people who our government believes should be treated fairly and equitably and with compassion.

Financial assistance for people who fall ill is somewhat unusual in Canada. We're used to seeing sufferers of a disease get health care, not compensation. After all, every Canadian who gets sick has access to necessary medical care through our public provincial health care system. But in the case of hepatitis C, the victims have needs that go beyond medical care, and in the case of hepatitis C victims who contracted the disease from tainted blood, they suffer this illness through no fault of their own because Canada's blood system failed them.

1350

Let me talk for a moment about what hepatitis C means and the impact it has on victims. This is a devastating, debilitating disease. Many victims have needs that extend far beyond health care. Many victims are no longer able to earn a living. Some can't even perform basic work around the house, such as cutting the grass or shovelling snow. Yet even if they are too disabled to work, they still need to pay a mortgage. Even if they are too sick to provide for their families, they still need to put food on the table.

That's where financial assistance comes in, and that's why we see financial assistance as a moral imperative. These are innocent victims. These are people who went into the hospital, received transfusions, and ended up with this disease. Their only mistake was to put their faith in Canada's blood system. To dismiss their needs based on legal technicalities and arbitrary cut-offs, to treat this as a courtroom exercise rather than an issue of compassion, is an abdication of our moral responsibility as governments.

As members are aware, those victims who were infected between January 1, 1986, and July 1, 1990, benefit from a nation-wide plan of financial assistance. Our government, along with thousands and thousands of Canadians from coast to coast, didn't think that compensating only some victims was fair. We wanted to ensure that no innocent victim of tainted blood is left out in the cold. We wanted to abide by the recommendations of Mr Justice Horace Krever, to live up to the spirit of his report.

The commission of inquiry on the blood system in Canada was established in October 1993, and its report was released more than four years later. During that time, Justice Krever heard from 474 witnesses over 247 days of hearings. The testimony and submissions filled 50,000 pages of transcript, and 100,000 pages of exhibits were filed. His study was detailed, it was exhaustive, and it was complete. Mr Justice Krever said on page 1,045 of his report, "Compensating some needy sufferers and not others cannot, in my opinion, be justified." We agree.

In accordance with Justice Krever's recommendation, we would have preferred to extend compensation to everyone by working co-operatively with the federal government on a national plan that treated all victims

fairly. Unfortunately, this was not to be. Our government was left with no choice but to act unilaterally, to do the right thing and to do the responsible thing.

We were the first to offer help to all those infected with hepatitis C through tainted blood. We were the first to actually put cheques in the hands of those who needed them. We were the first government in Canada to treat all the victims of this tragedy fairly, equitably and with compassion. Today I'm proud to announce that each Ontario hepatitis C victim who was excluded from the existing compensation agreement—that is, anyone infected before 1986 or after July 1990—will receive the same estimated provincial financial assistance as the average person who was included in that timeframe.

To accomplish this, we are increasing payments from \$10,000 to \$25,000 for each person. Our plan is fair; it is equitable; it is compassionate. We recognize the human toll of this tragedy. We're doing what we can to help all the victims and their families get on with their lives. It is the right thing to do. It is the fair thing to do.

Our initial support was applauded, I know, and supported by all members of this Legislature regardless of party. I encourage all members of the Legislature to share today's announcement with their constituents so they can get the help they need and they deserve.

However, our decision only extends equitable provincial compensation to all victims. All victims will not be truly equal until the federal government does the same. I'm asking all members to join me in urging the federal government to abandon its arbitrary, exclusionary compensation scheme and to agree to help all victims who contracted hepatitis C through Canada's blood system.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): The House has just heard from Premier Harris how firmly our government is committed to fair treatment for all the innocent victims of tainted blood in Ontario. Hepatitis C is a blood-borne virus that can have devastating effects on its victims, leaving them unable to work, pay their mortgages or provide food for their families. This is the serious human cost of the disease.

As the House is aware, Justice Krever recommended in 1997 that provinces and territories devise compensation plans to help people suffering the serious consequences of receiving tainted blood or blood products. The Premier has just reminded us of how the federal government responded to Justice Krever and to the victims of tainted blood.

I can tell you that I am very proud of our government's response, and that pride is shared by people across this province. First, Ontario is contributing more than 40% of the provincial share for the federal-provincial-territorial hepatitis C settlement agreement to assist victims who contracted the disease between 1986 and 1990. But more importantly, Ontario has gone further, as the Premier has indicated, than any other government in Canada. We have extended fair and equitable financial

assistance to all victims of hepatitis C, regardless of when they were infected.

Today our government is more than doubling our original compensation payment from \$10,000 to \$25,000 for each person who contracted hepatitis C through the blood system in Ontario before 1986 and after 1990. This increase means that our government is offering the same level of provincial compensation to all victims of this terrible tragedy. In total, we have set aside over \$300 million to help the individuals and their families whose lives have been changed forever by hepatitis C. So far, several thousand Ontarians have come forward to claim assistance and more than 2,100 people have already received \$10,000 cheques. What this means is that only in Ontario are victims of tainted blood treated fairly and equitably, no matter when they were infected.

Of course, Ontario's \$22-billion health system will continue to provide top-quality health care services to support all hepatitis C sufferers. That includes drug therapies and liver transplants, physician care, in-home nursing and homemaking services that will help people with hepatitis C live longer and maintain the highest quality of life.

Our government is committed to fairness and we are doing the right thing for all Ontarians who were infected with hepatitis C through the blood supply.

Mrs Lyn McLeod (Thunder Bay-Atikokan): On behalf of our caucus, I want to indicate that we are certainly pleased that more of the \$200-million fund that was set aside to compensate victims who contracted hepatitis C before 1986 or after 1990 is going to flow to those victims. Our caucus had called for the extension of this program some two years ago. We expressed our support for the program when the government announced it, I believe about a year and a half ago, and we fully agree with all that has been said by both the Premier and the Minister of Health today about the physical, financial and human anguish of the sufferers of hepatitis C.

1400

I believe the announcement today will alleviate some of the concerns that had begun to arise about when the \$200 million in funds would actually flow to the victims of hepatitis C. The House will be aware that there are actually two funds, which I think we have to consider to be quite separate. One is the fund that is part of the federal-provincial program that's been agreed to. I believe Ontario's contribution to that fund is some \$113 million. Regrettably—I would say tragically—the flow of funds under the federal-provincial program is tied up in the courts. The second fund is the \$200-million fund that came from the Ontario commitment to extend hepatitis C compensation to victims who contracted the disease before 1986 and after 1990.

Up to this point in time, as the Minister of Health has recognized, the dollars have flowed to some 2,100 victims at \$10,000 per victim, which is a total of about \$21 million to \$22 million that has actually flowed, leaving some \$180 million in the program. I understand approximately another \$33 million will flow, which

means we've got about \$53 million that has been expended from the \$200-million program. I think it's a fair question to ask how soon the rest of the \$200 million is going to flow to the victims of hepatitis C.

The hepatitis C society was assured in February of this year that all of the \$200 million would flow. There was some consternation when a spokesperson for the Ministry of Health indicated in February that the \$200 million was just an estimate. I trust that the original agreement to flow all of the \$200 million to hepatitis C victims will hold. We would be interested in knowing how many more victims the minister expects will be identified, and how long it will take to flow additional dollars to those individuals or whether there may be further compensation to people currently receiving those dollars.

I also want to recognize, with some concern, that the government has today used what I believe is in fact a compassionate action—I will not often acknowledge that in this House about this government's approach to health care, but I think this is an act of compassion; at least I believe that to be the case—as a rather thinly veiled context in which to launch yet another partisan political attack on the federal government. We so rarely see acts of compassion from this government that I would think they would want it to stand on its merits, and to provide leadership through action and not just continue partisan bickering with the federal government.

Fifty million dollars to victims of hepatitis C is something the Ontario public most certainly supports, as we do. It's something positive. We trust the balance of the \$200 million will flow, just as we trust that soon all hepatitis C victims will be compensated.

I think Ontarians want their dollars to be spent on health care. They want them to be spent in a way which is compassionate. I think they agree not only with compensation for hepatitis C victims, but that their dollars should be spent on compassionate health care for others. I find myself looking at something that I don't think Ontarians agree with, and that is a \$1-billion "The cheque's in the mail" advertising campaign.

I find myself wondering what this government could have done with that \$1 billion if it wanted to be truly compassionate when it comes to health care. I find myself wondering why they wouldn't want to use that \$1 billion to double the amount of money that's available for home care so that victims of hepatitis C and others who need home care are able to get all the care they need and not have that care rationed, as this government has done. I wonder if they wouldn't have been able to find maybe a few thousand dollars out of that \$1 billion to give care to a man who died, a man who came to North Bay to receive care from his daughter and wasn't able to receive home care in Ontario because he had just come from Quebec.

I wonder if they couldn't have found a few thousand dollars to provide support to a woman with terminal cancer who had just returned to Ontario from teaching English in Korea and wasn't eligible for OHIP coverage. I wonder if they might have found money for a con-

stituent of mine, Mr Rawlyk, who spent \$10,000 out of his own pocket to get the care he needed. And maybe, if they were truly compassionate, they'd find some dollars to support a meaningful disabilities act.

Ms Frances Lankin (Beaches-East York): I'm pleased to have an opportunity to respond to the statement by the Premier today in the House. It's the job of the opposition to hold the government accountable, and I honestly believe that part of that is paying tribute when the government is doing the right thing. Today the government is doing the right thing. I have to say that it's almost a day for celebration when you hear the Premier of this province use the words "fairness," "equity" and "compassion" and actually mean it, so I applaud him. I would love to be in a position to get him to hold those standards in all other areas of government action, but then of course he'd be a New Democrat and not a member of the Progressive Conservative Party.

On this particular issue today, I think this announcement continues to show leadership in this area and I appreciate and support, on behalf of our caucus, the announcement of the Premier. I want to go a bit further and say I also support the call, the urgent call, to ask the federal government to participate in this. Unlike my colleague who just responded, I don't think it is always a thinly veiled partisan attack to point out the obvious. On the basis of compassion and equity, it is important that all people who have been victims of the tainted blood fiasco, or their families who have been equally victimized by this, are treated equally.

That's all this is all about: It's the right thing to do. So our support to you on the initiative and our support to you on the call to the federal government to join in. I applaud the announcement today.

ORAL QUESTIONS

ONTARIO REALTY CORP

Mr Dalton McGuinty (Leader of the Opposition): My first question today is for the Premier. Yesterday I exposed your political rewards program. That's the program where friends make contributions to the Mike Harris party and they receive special treatment from the Mike Harris government.

Today I have another example, and I'm going to ask a page to come here and bring over copies of two deeds. Premier, I've got a couple of deeds here, one that provides for the purchase of government land, sold by the Chair of the Management Board of Cabinet, Chris Hodgson, in November 1998. This same buyer sells the land in February 1999 and realizes a \$3.8-million profit. He buys the land for \$2.8 million, sells it for \$6.6 million, and realizes a tidy profit of \$3.8 million in under three months. To make matters worse, he didn't sell all of the property. In fact, to get a profit of \$3.8 million, he

only had to sell one fifth of the property—one fifth of the property and he earns a tidy profit of \$3.8 million.

Premier, once again on your watch Ontario taxpayers were ripped off. Can you please tell us, what excuse will you be serving up in this House today?

Hon Michael D. Harris (Premier): I think the member knows, as the taxpayers of this province know, that we take any allegation of wrongdoing very seriously. That's why there is an independent audit reviewing sales transactions dating back to 1985. It's why we fully support the investigation by the police, who are working closely with the independent outside auditors. Any information the member has that he thinks may fall within that category we certainly encourage him—in fact it's his duty—to turn over to the audit team and the police, and I hope he's doing that.

Mr McGuinty: Premier, let me tell you about the guy who cashed in at the taxpayers' expense this time. You would know him well. His name is Saverio Montemaranano, and yes, he's an associate of Nick Cortellucci. That's the gentleman we talked about yesterday, the guy who was given a taxpayer-funded, interest-free mortgage.

These two people, Premier, are your top bagmen here in Ontario. They've hosted Premier's dinners and they've run countless fundraisers for cabinet ministers. They have raised millions of dollars for you and your party. That's not all. These two gentlemen and their companies have given you almost \$500,000 of their own money since 1995. Premier, why should taxpayers be funding your political rewards program?

1410

Hon Mr Harris: They have of course contributed to the Liberal Party too, although I don't know why, given the policies that are so anti-business and anti-jobs and anti-growth. Nonetheless, it's certainly their freedom to donate to the party of their choice. I don't know why anybody who wants jobs or growth or development donates to your party, which thinks "profit" is a dirty word.

Aside from that, I think the member is well aware that only the independent, arm's-length ORC is aware of any of the details of any of the transactions. I can assure you that they, like all agencies of our government and ministries, take no account of any political contributions to your party or our party. In fact, I doubt they are privy to any of that information. If the member believes there is something wrong with donating to a political party, say so. If he believes there is anything wrong with any of the transactions the ORC has carried out, he knows we have a full investigation underway. Please do the responsible thing and turn it over to the authorities so we can all get to the bottom of it.

Mr McGuinty: There is nothing wrong with making contributions to any political party in Ontario. What is wrong is when you and your government allow yourselves to be unduly influenced by those contributions and end up, at taxpayers' expense, rewarding your friends with deals worth millions and millions of dollars in profits. That is what's wrong, Premier.

Again, we are talking about one buyer who made close to \$500,000 in contributions to your party over the last five years. One buyer realizes a profit of close to \$3.8 million by selling off only one fifth of the purchased land. If he were to sell off the rest of this land at the same price, he would realize a cool profit of close to \$30 million. That's quite a deal. You chip in half a million to the Tory party and get \$30 million back. This has to be the gold card version of the program, extra rewards for your extra-special friends.

Once more, Premier, stand up and tell us, because you haven't answered this question yet: Why is this kind of activity on your watch in the interests of Ontario taxpayers?

Hon Mr Harris: I find it ironic that the leader of the Liberal Party has said our goal was to get more corporate contributions, when in fact Phil Olsen, head fundraiser for the Ontario Liberal Party, said last year that in 1995 the Liberal Party got about 79% of its funding from corporations and 21% from individuals. Let me quote Mr Olsen—

Interjections.

Hon Mr Harris: No, that's not a mistake. He said this is the Ontario Liberal Party, not the Tory party. He's right. Every year on record, the Liberal Party gets more money, is more dependent and averages larger-sized contributions from corporations, including developers. Every year the Ontario PC Party gets less on average, less in total and less in contributions. Why? Because the support for this Conservative Party is across all—it's \$10, \$25, \$50, \$100. It's from all Ontarians. The only party dependent—

The Speaker (Hon Gary Carr): Order. The Premier's time is up. New question, the leader of the official opposition.

Mr McGuinty: My question is for the Chair of Management Board.

Premier, what we're talking about here again is your—

The Speaker: Order. The member must address his question to the Chair of Management Board, if he would, please.

Mr McGuinty: Minister, I want to turn now to the fact that yesterday, in response to questions from reporters, you said you had stopped the practice at the ORC of lending money to buyers, and that this practice had been stopped for some time. I have in my hand another loan document showing that on April 20 this year you gave another mortgage back to a buyer. You loaned money again to a buyer who was interested in buying government land.

My question is: Why did you tell reporters that you were out of the loan business when you are still lending money to buyers of government land in Ontario?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): If the leader of the opposition checks the record, I stated that I personally think we're not a bank, that it's not in the interests of taxpayers. He would know there is an independent board of the Ontario Realty

Corp that looks after the day-to-day operation of real estate transactions. That board goes through the process of being before your party and other parties in this Legislature for review. They were endorsed unanimously by your party, and they are accountable for their actions.

Mr McGuinty: Minister, you can't dance around this unless the name of the dance is the cabinet shuffle. Either you were wrong yesterday, or you led the media down the garden path. You can't claim you have no responsibility whatsoever for land sales, land flips, land giveaways and money giveaways here in Ontario. The buck stops with you. That's the principle of ministerial responsibility.

For everything that is connected with the government in Ontario, there is a minister who is ultimately responsible. That person, in all these cases connected with the ORC and all these land flips, Minister, is you and nobody else. The facts show that the ORC is still in the loan business today. You said, "This is a bad practice." Ontarians now know it is a bad practice.

Tell me now, because you didn't answer the question: Why is it that on your watch today in Ontario the ORC is still giving loans to people who want to buy government land?

Hon Mr Hodgson: The leader of the opposition has heard on numerous occasions that we on this side of the House take these allegations of wrongdoing very seriously. That's why we have an independent, outside audit reviewing the sales transactions dating back to 1995. That's why we fully support the ongoing investigation by the police, who are working closely with the independent, outside auditors.

The fact is, the ORC is at arm's length from the government, an independent corporation led by an independent board of directors who are responsible for the transactions that it enters into. We are trying to get to the bottom of this, through the proper process. If you have specific evidence or allegations of wrongdoing, by all means, share them with the auditors and with the police. That's the proper thing to do. We're trying to get to the bottom of this, in the interests of the taxpayer, and I suggest you do the same.

Mr McGuinty: Minister, take a look at this document. You are getting in deeper every day. This is a scandal. It's your scandal. It's all about you.

It gets worse. The company you gave this loan to, coincidentally, is a pal of the Mike Harris government. In 1999, this particular buyer—borrower—gave \$5,000 to the Mike Harris party. The board of directors is not responsible for this scandal. You appointed the board of directors. The employees aren't responsible for this scandal. You hired the employees. You are responsible for this scandal. All this has happened on your watch. It's happened in the last five years.

There is a stink emanating from the ORC, and you have refused to deal with this matter to date. Instead of taking what you can for your friends, why don't you take responsibility for all this matter and resign?

Hon Mr Hodgson: I encourage the leader of the opposition, instead of making things up, to do the responsible thing. If you have evidence, hand it over to the independent auditors or the police, and let's do the right thing together to get the bottom of it to make sure the taxpayers' interests have been protected and will be protected in the future.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. You were a teacher for a short time. You should know how important extracurricular activities are in our schools. You should know how much teachers give in terms of energy, creativity and all the work, time and dedication that goes above and beyond the call of duty.

How do you think you can command, that you can demand that teachers give this time, this creativity? How are you going to take from them what people can only give of their free will?

1420

Hon Michael D. Harris (Premier): You're right, I was a teacher, although it seems so long ago now that perhaps this political experience is aging me faster. I was involved in "extracurricular activities," to quote your words, from lunchroom supervision to ski teams to athletics and others. The only difference between the way you phrase the question and the way I thought of it, and the way I think 100% of the teachers think of it—there may be the odd exception in the union leadership—is that we didn't think of it as going above and beyond the call of duty, we considered it part of the job.

Mr Hampton: Premier, you should know the effect your heavy-handedness, your bully tactics, are having out there. Take for example the case of Ken MacKay, who is a tremendous baseball coach at Brampton Centennial Secondary School. A few weeks ago I had the opportunity to congratulate him on his coaching record, a record of 75 wins and six losses. This is what he said when he was told about your plan to force him to give what he can only give of his own free will: "I feel like it's a slap in the face, because we're being forced to do something we already do as volunteers." Then he goes on to say, "If the government goes ahead with its plans, I will no longer be coaching."

What this is all about is clear: To finance your tax cuts for corporations and for the well-off, you're continuing to try to squeeze money out of schools. You're continuing to try to squeeze money out of school programs and lay off teachers, and then try to make extracurricular activities mandatory. Don't you realize, Premier, that this is actually going to have a destructive effect, that this is going to blow up in your face, that you can't force out of people something they can only give of their own free will? Don't you realize you're going to destroy extracurricular activities even more?

Hon Mr Harris: Nobody has been more supportive of the front-line classroom teachers than have I. Nobody has been more supportive of those teachers. Nobody has been more on the record as saying, from experience as a trustee and from my friends in the teaching profession, that there is a lot more to the job than simply four hours and 10 or 15 minutes each and every day. Nobody has talked more about the counselling, about the remedial, about the after-school, about the lunch room, about the graduations. I have always been on the record and very supportive and tell you that as a teacher, as a trustee, the majority I talk to consider it just part of the job. So do we.

The Speaker (Hon Gary Carr): Final supplementary, member for Trinity-Spadina.

Mr Rosario Marchese (Trinity-Spadina): I want to tell you, Premier, that 99% of the boards are providing extracurricular activities at the moment, except Durham obviously, where the only reason teachers stopped participating in extracurricular activities was that your heavy-handed tactics and your own hand-picked arbitrator forced an unacceptable contract on them. But 99% of the boards are providing it freely, as part of the job, voluntarily. What you're about to do is change this. Premier, your funding formula has taken money out of the classroom; it's a fact. It has forced an increase in class sizes, a reduction in the number of teachers and drastic cuts in all kinds of activities, including supplies. Teachers and parents are looking for stability, yet at every turn you continue to offer instability. Why do you do that?

Hon Mr Harris: First of all, the member is incorrect. We were the first party in the last 10 years to say, "School boards and unions, you cannot negotiate an increase in class sizes." We made that illegal and we froze that because, you're right, class sizes were going up under your administration and the early part of our administration, because irresponsible school boards—and unions, by the way—agreed to do that to get more money. We stopped that.

You say that with 99% of the boards and the teachers it's working very well. Then those 99% will welcome the other 1% doing the same, because in Durham we've had two years where students have had no graduations, they've had no football, they've had no sports, they've had no extracurricular activities. They've had four hours and 15 minutes, and nothing else. This is unacceptable, and I'm positive that if in 99% of the schools it's working well, they will now welcome legislation that will say 100% of our kids are entitled to a complete education.

NORTHERN HEALTH TRAVEL GRANT

Mr Howard Hampton (Kenora-Rainy River): My second question is also for the Premier. Yesterday a cancer survivor, Anna Watson, travelled here to Queen's Park from northern Ontario. She wants to know why your government will provide full funding for a cancer patient

from southern Ontario—airfare, accommodation, taxis, food cost—coming to thousands of dollars, but she as a cancer patient from northern Ontario, when she has to travel to Thunder Bay, has to drive four hours, sometimes over icy highways, and has to pay virtually the full cost herself. Yes, she'd like to fly, and it would be physically easier on her, but she can't afford it. She wants to know why you're so generous with some cancer patients and you give the back of the hand to others.

We didn't get an answer from your Minister of Health. She said something about a review. The discrimination is obvious. The vice-chair of Cancer Care Ontario calls it health care apartheid. Your finance minister, the Deputy Premier, acknowledges there's an injustice here. When you've got so much money to give away to corporations in tax breaks, couldn't you at this time, Premier, provide some help to cancer patients in northern Ontario, some of whom miss their cancer treatment appointments because they can't afford the travel costs? Can't you do something about that?

Hon Michael D. Harris (Premier): I think the minister could respond.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): In response to the question regarding the travel grant, I think it's very important to keep in mind that since 1995 our government has expanded cancer care funding by \$155 million. At the same time, it is very important to keep in mind that it was Cancer Care Ontario that put in place a program to re-refer people who were waiting for radiation. The money that has been set aside was requested by Cancer Care Ontario and it is specifically for people who are re-referred.

At the same time, we've been expanding the cancer facilities in northern Ontario. We're expanding in Thunder Bay, we're opening a new cancer centre in Sault Ste Marie and we are expanding the facilities in Sudbury as well. We've also managed to expand the number of specialists available in the north by almost 140.

The Speaker (Hon Gary Carr): Supplementary?

Ms Shelley Martel (Nickel Belt): Minister, people in Pickle Lake, Red Lake, Fort Frances and Dryden will always have to travel four and five hours to Thunder Bay for cancer treatment. People in Timmins, in New Liskeard and in other places in northeastern Ontario will always have to travel three and four hours for cancer treatment. They're not ever going to be able to get that in their own community. For the last 13 months you have discriminated against these patients. You were the one who gave Cancer Care Ontario special funding so it could send people out of their home communities to access cancer care in Buffalo, in Kingston and in northern Ontario. But when it comes to dealing seriously with cancer patients in northern Ontario, you have no money.

Minister, there is no need for review. The discrimination is absolutely clear. Today you and your Premier got up and said you were going to provide fair treatment for hepatitis C victims. That's the right thing to do.

Today you should also provide fair treatment for northern cancer patients. When are you going to cover their costs?

Hon Mrs Witmer: I think it's very important to keep in mind the fact that there is no travel grant for people in the south. Cancer Care Ontario has elected to make available additional money to re-refer patients who cannot be treated with radiation in the province. I think it's very important that we distinguish between who is receiving the money. It was a recommendation of Cancer Care Ontario and it is for those people who are being re-referred. As I also said yesterday, we will be reviewing the northern health travel grant.

1430

ONTARIO REALTY CORP

Mr Dalton McGuinty (Leader of the Opposition): Premier, I want to return to the matter of the land flip that I just talked about and I want to give you an opportunity this time to explain to Ontario taxpayers, since you haven't done that yet, why this is in their interest.

Again, in the first deed you sell the land to one of the largest contributors to your party. You sell 231 acres for \$2.8 million. In the second deed that same buyer sells off one fifth of the land—that's only 42 of those 231 acres—and realizes a profit of \$3.8 million. This buyer bought the land at \$12,000 an acre and sold it off for—get this—\$156,000 per acre. In just three months they made \$3.8 million in profit by flipping just one fifth of the land.

There was a time in Ontario when Mike Harris projected himself as the Taxfighter, and he was there to protect the interests of Ontario taxpayers. It seems to me now, Premier, that what you're doing is protecting the interests of your contributors. Tell us now, because you have refused to do so so far, why is this deal, this land flip, in the interests of Ontario taxpayers?

Hon Michael D. Harris (Premier): It may be; it may not be. You don't know; I don't know. The ORC are the ones who made the sale. If you believe this specific one deserves to be looked at, and raising it here, I'm sure it will be. We'll have it looked at, and if something inappropriate was done by anybody at the ORC then they'll be held accountable. That's the process. Nobody has upheld that process, in spite of all the yelling and screaming and interventions and yippity-yapping, instead of listening—

Interjections.

Hon Mr Harris: You see, that does not change the truth. The truth is the truth, in spite of all your screaming and yelling. If you don't want to hear the truth—

The Speaker (Hon Gary Carr): Premier, take his seat. The member for Sudbury, last warning. The last warning to the member for Sudbury. I'm afraid the Premier's time is up. Final supplementary.

Mr McGuinty: It's great to hear from Tweedledee. We've heard from Tweedledum before. Now we know that neither of you is prepared to take responsibility for what's been going on when it comes to land flips in Ontario.

Again, there was a time when you said you got into this job in the first place to protect the interests of Ontario taxpayers. Why is it that you have suddenly decided you're not there for Ontario taxpayers and instead you're there for your contributors? Why didn't we see that as part of the Common Sense Revolution? Why wasn't that part of the party platform? Why didn't you proclaim to the world at large, Premier, that the real reason you wanted this job was so that you could go in there and look after your friends who made large contributions to your party?

Once more, Premier, you haven't answered this question yet: Why is it that this deal, this land flip that realized an obscene profit for one of your largest contributors, is in the interests of Ontario taxpayers?

Hon Mr Harris: You don't know and I don't know, and the minister doesn't know. The ORC will have to be accountable for the sale. That is the process. We're having a look at that.

But let me tell you this: For a party that voted against every tax cut, voted against every one of the 156 tax cuts brought in by this government to benefit taxpayers, for a party that ran up deficit after deficit and could never balance the books—and according to the auditor tried to say they did but couldn't—to pretend that this spendthrift party that opposed every tax reduction, opposed every job creation, to pretend that you are on the side of the taxpayer is the height of total hypocrisy. If that's not acceptable, I take it back—

The Speaker: Order. I would ask the member to withdraw that comment, please.

Hon Mr Harris: Yes, I withdraw it again, Mr Speaker.

COMPENSATION FOR HEPATITIS C PATIENTS

Mr Garfield Dunlop (Simcoe North): My question is for the Minister of Health. I was pleased to hear the Premier announce that our government has extended financial assistance for those persons who contacted hepatitis C in Ontario. Minister, through this announcement I am confident the government is demonstrating further its commitment to ensuring quality equitable health care for all Ontarians. Could you please take this opportunity to inform the house of this very important announcement?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): The announcement relating to hepatitis C is an indication that our government wishes to treat all individuals in the province, regardless of when they contracted hepatitis C, and we will, as of today, increase the \$10,000 compensation to those individuals and it will become \$25,000 immediately. Again, those individuals who have applied to OHCAP will receive that additional money.

Mr Dunlop: Through your announcement and your statement in the House, I understand that the federal government is only providing assistance to those victims

who contracted hepatitis C through tainted blood between the years 1986 and 1990. Is the federal government once again not living up to its commitment to Canadians and Ontarians alike to provide equitable health services through the provinces?

Hon Mrs Witmer: Yes, unfortunately the federal government in recent years has been abdicating its responsibility in the health field not only to Ontarians but to all Canadians. In fact, Liberal icon Tom Kent, who we know is the social policy godfather for the Liberals, when he was recently testifying before a Senate subcommittee, said: "The federal government is the biggest threat to the future of medicare. The Chrétien government is starving the public health system of badly needed cash and holding up any chance of meaningful reform negotiations with the provinces." Unfortunately, he goes on to say that when federal Finance Minister Paul Martin slashed health care transfers in his 1995 budget, that really was the final straw that broke the camel's back.

Again, we have not only people in this province but we have an outstanding Liberal who says it is—

The Speaker (Hon Gary Carr): Order. I'm afraid the Minister of Health's time is up.

EDUCATION FUNDING

Mr Gerard Kennedy (Parkdale-High Park): My question is for the Minister of Education. I want to talk to you about the charade your ministry is perpetrating around funding for school kids in this province. You know what a lot of the public doesn't, which is that the government you're associated with has cut funding to school kids in this province by \$1.6 billion since you took office. You have done that in a number of ways, none of them up front, all of them hidden from view. You took \$800 million away from the budget, part of that by not renewing the social contract from the previous government, but the rest of it, direct cuts. You didn't make allowances for inflation or enrolment increases, which is another \$745 million.

Today you stand up here in Education Week and you try to point to the teachers, to the boards and everyone else. It's you and your government that are to blame for what is going on in Durham, for what you want to inflict on the whole province. Minister, will you stand up today and admit that it's your funding that is causing problems for school kids all across the province?

Hon Janet Ecker (Minister of Education): First of all, a bit of a history lesson: It was not this government that did the social contract; it was the previous NDP government that did the social contract.

Second, it's interesting that he's claiming we've cut all this money out of education. That's not what he said at the estimates committee when we went through this with him. For example, we have increased funding in this province, across the province, to boards. It was over \$12 billion in 1995-96 and it is now well over \$13 billion and growing, with the recent budget announcements—for example, more money out there in the elementary panel

to bring down class sizes in kindergarten to grade 3; more money for special reading help and support for those children in early grades; more money for special education, a 12% increase. As a matter of fact, the funding increase this year—and this is before the budget enhancements—was double the rate of enrolment.

I appreciate the question. Do we need more money? We always can use more money in health or education and a whole range of areas, and we're putting new money in.

Mr Kennedy: You should be embarrassed to have to play that kind of game. You know there is no new direction for education. It's just a new deception, because you're trying to say that somehow there is money in education. Your own figures show that you have cut \$800 million directly from education budgets. Your share of education funding is down to \$4 billion.

In addition, when we look at specific lines, transportation is cut \$28 million, pupil accommodation for schools is down \$153 million, adult education is cut \$36 million, special education is down almost \$300 million. But Minister, here's the kicker: You go and say you're cutting school board administration and, Minister, you haven't cut it at all. Last year you increased the funding for school board administration—

Interjections.

The Speaker (Hon Gary Carr): Stop the clock. Order. The member's time is almost up, if he could get to the question.

1440

Mr Kennedy: Will you at least bring some dignity to that office and admit that the funding that you've taken away from kids is somewhere on your priority list. You missed it during the budget, but they want to hear from you during Education Week. Take responsibility, show some respect and starting funding kids' education in this province and—

The Speaker: I'm afraid the member's time is up.

Hon Mrs Ecker: I don't know why we spent the time we spent in estimates, going through the ministry budget with the honourable member. He obviously didn't listen. He obviously didn't understand. But I've got to tell you, in 1995-96, it was over \$12 billion. This year and next year, with the enhancements, it's well over \$13 billion. Even under the new math that's more money.

And I've got to tell you, there is more money for special-needs children out there. Do we need more? Of course we need more. We've increased it three years in a row—a 12% increase in one year alone. More money for more elementary school teachers—1,000 more teachers.

The honourable member over there is deliberately misleading the people of this House.

The Speaker: Order. The minister will have to withdraw that.

Hon Mrs Ecker: I will withdraw that if he withdraws that he said I said something untrue.

The Speaker: No. Last warning. You withdraw it, or you don't and I will name you. You either withdraw it

right away or I name you. Simple as that. Are you going to withdraw it?

Hon Mrs Ecker: Certainly, Mr Speaker.

PROFESSIONAL BOXING

Mr Jerry J. Ouellette (Oshawa): My question is for the Minister of Consumer and Commercial Relations.

Interjections.

The Speaker (Hon Gary Carr): Take a seat. Stop the clock for a minute please. The member is trying to ask the question. Everybody else has been patient. The member has been patient in trying to ask his question. Sorry.

Interjections.

The Speaker: Minister of Labour, come to order. Member for Parkdale-High Park, come to order. Last warning for the member for Parkdale-High Park as well.

Member for Oshawa, sorry for the delay.

Mr Ouellette: This question may be applicable. My question is for the Minister of Consumer and Commercial Relations.

The province of Ontario has a reputation as one of the safest jurisdictions in North America where professional boxing is concerned. As a result, there have been no mismatches or serious injuries in several years.

Minister, could you explain to my constituents, who are concerned about safety in sports, Ontario's role in maintaining high safety standards and how our government plans to ensure that the safety of Ontario's athletes are protected for the future?

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): Yes, safety in professional boxing in Ontario is a very important issue. The mandate of the Athletics Commissioner of Ontario is to ensure the health and safety of participants in this sport. That includes issuing licences to event promoters, who must supply proof that they've obtained public liability insurance, that there will be medical personnel on site etc.

The commissioner or his designated officials attend all professional boxing events in Ontario. If the commissioner or his officials find any breach of the Athletics Control Act at an event, the commissioner can charge the promoter, revoke a licence or shut down the professional event at any time.

I'm very proud of the fact that Ontario enjoys such a stellar safety record for pro sports, and we're working very hard to ensure that this record continues.

Mr Ouellette: I'm encouraged that Ontario has such stringent regulations in place to ensure the safety of our athletes. As you said, boxing is growing in popularity in Ontario. Since 1999, for instance, both Windsor and Rama casinos have held professional boxing events, and they've indicated that they would like to eventually hold one event per month.

Sports and the safety of our athletes are important to my constituents. This year the Ontario 2000 Summer Games will be held in the region of Durham, and this winter the Ontario Winter Games held in Sault Ste Marie

placed Ontario amateur boxers at centre stage. Minister, with the rising interest in sports in Ontario, and specifically boxing, could you tell the Legislature what our government is doing to meet the public demand for more boxing events?

Hon Mr Runciman: In addition to maintaining the strong regulations already in place, I'm looking forward to finding ways to bring more boxing events to Ontario.

Two distinguished Ontarians, Mr Ralph Lean and Mr Jim Hunt, have agreed to conduct a review of professional boxing in Ontario. They are volunteering their time. Regulations governing this sport have not been reviewed in over 17 years, and professional boxing has been relatively flat, averaging only four to five events per year over the past decade.

I've asked Mr Hunt and Mr Lean to consider all aspects of the sport in order to develop recommendations that will continue to ensure high levels of health and safety while enhancing activity opportunities in the province. I'm looking forward to receiving their recommendations this coming September. Their report will help to protect the well-being of our athletes in the sport of professional boxing in Ontario.

COURT DOCUMENTS

Mr Peter Kormos (Niagara Centre): To the Attorney General: My question is with regard to your support for Bill 66, the proposal for public branding of judges. This is very typical of Tory politics: to exploit the real concerns of people about the safety of their communities with a by-election around the corner. Well, it's very crass politics, because while you're busy claiming to represent the interests of victims, as of March 17 courts across the province received a memo from your ministry saying that post-court dockets are to be sealed from the public. Do you understand what this means? These are the lists of the people who have been charged with offences. This identifies whether they've been acquitted or found guilty, the disposition. It identifies whether the matters have been adjourned. For time immemorial this information, this post-court docket has been a public document available to the public as well as the media. Now, suddenly, you slam the door shut.

Attorney General, you're trying to have it both ways. Tell the people of this province why you're denying them the right to see these lists.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): I thank the honourable member for the question. I believe what the member is referring to is the use of post-court dockets in Kingston. They are an internal administrative tool of the Ministry of the Attorney General that may not be a public document and they may be governed by the Freedom of Information and Protection of Privacy Act. So it is a privacy concern in compliance with the act that led to the discontinuance of access to that document called the post-court docket.

Having said that, the courts of the province of Ontario are open courts. Information on local court cases can be obtained by the media and the public from the publicly available official court records, and you and every other citizen of Ontario, as part of our democracy, are entitled to see those records.

Mr Kormos: Journalists and the public in Kingston and, I tell you, in other jurisdictions—because these same post-court documents are relied upon by journalists across the province to confirm the accuracy of the information they may glean from the process to ensure that the people they're identifying are accurately identified, to ensure that the record being kept by the court—because that's what it is, Attorney General. You know that. The court officer records the disposition, the adjournment date, the finding of guilt or innocence. They're being used by journalists to accurately present this information to the public. You want to have it both ways but you don't really want to protect the rights of victims.

You see, yesterday I was down in Wentworth-Burlington, and Jessica Brennan, the NDP candidate there, asked me to hold you accountable for your empty promises. Your Victims' Bill of Rights is nothing. It's a zero. It's not worth the paper it's written on. Your Premier promised in the last election that there would be a new bill—empty promises. And now we have this secrecy about court records.

You and the Premier are supporting Bill 66 while you block the public access to court records. That's shameful, Attorney General. Instead of singling out judges, why don't you reopen the door you slammed on the public and the media?

Hon Mr Flaherty: Ontario's court system belongs to the public. It's an open system. I'm sure the member opposite, as a lawyer who from time to time has practised in the courts, can verify that it is an open system. The court record, and let's be absolutely clear about that, is a publicly available record of documents filed in the course of a civil or criminal proceeding, and information on local court cases is available to every citizen in the province of Ontario. That's an important constitutional, democratic guarantee that has been there for hundreds of years, thank goodness, in Ontario. The openness of our courts is a hallmark of a democracy, which makes this democracy different from some other places in the world that, regrettably, don't have that democratic, open court system.

With respect to victims, \$1 million funding is confirmed in the budget for the permanent Office for Victims of Crime in Ontario, and 59 crown attorneys hired to provide the crown attorneys with an opportunity to interview victims in our court system.

1450

HOME CARE

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. Community care access centres across the province are facing constantly

increasing needs for home care services. Hospital budgets are being squeezed, and people are being discharged from hospitals quicker and sicker. They need acute care. In fact, acute care has now become 50% of home nursing care. You promised long-term care beds, but they are not up and running. Elderly people who need long-term-care beds can be at home for a year or more before they get one.

The volunteer community boards that you have made responsible for dealing with all these needs have been telling you they just can't keep up with the demand. They have been telling you they need at least a 10% to 15% increase in their budgets. Yet there was nothing for community care anywhere in your budget.

How can you keep cutting hospital budgets, saying that home care is a better use of dollars, but shut out home care agencies from any new funding in this budget?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): The member opposite knows full well that this government has made a tremendous commitment to long-term and community care. Our record is certainly one of the best in all Canada.

Our contribution to home care—we have expanded long-term community care funding by 49% since assuming office in 1995. In fact, we are the ones who introduced one-door access to community care throughout Ontario in order that clients and their families could know where they should go for the care and services they need. We're currently spending almost \$1.5 billion on home care and community services. I can assure the member that additional funding will be provided this year, as it has been each and every year since 1995 by this government.

Mrs McLeod: Your answer to the rising cost of home care has been to ration the number of hours of nursing care, personal care and homemaking care that any one person can receive. I know full well that your answer is to have people pay for home care themselves. That's how you are planning to keep your costs down. I know full well that you have actually given home care agencies less than nothing in this budget, because you have told the community care access centres that they have to cut back their budgets to last year's funding levels. There is no money in this budget to do what you have just said you intend to do. There is no money to continue funding the deficits the centres ran because they were just trying to keep up with the increased needs in their communities. That means that before this year is out, there will be more cuts to services and more rationing.

Minister, tell us openly and honestly today, since there is no new money but less money in this budget for home care, what new rationing scheme you are going to bring in as you starve the CCACs and force more and more cuts to home care?

Hon Mrs Witmer: The statements being made by the member are absolutely ridiculous. The member knows full well that this government has made a tremendous commitment to health care since 1995. This year we are spending \$22 billion. There is only one government, the

federal government, that has cut funding. We have lost \$1.7 billion. Where are you in helping Ontarians get back the money the federal government has taken away in order that we can further increase home care funding?

I repeat: We have increased home care funding in this province by 49%. I challenge you to ask the federal government to restore the funding to all health services.

SKILLS TRAINING

Mrs Tina R. Molinari (Thornhill): My question is for the Minister of Economic Development and Trade. Recently I met with several representatives from various industries in my riding, including printers, auto mechanics and tool and die makers. One of them, a tool and die maker, Pino Furfaro of R.W.D. Tool and Machine in Thornhill, has expressed concern about a shortage of skilled tradespeople.

In my riding of Thornhill, while we need workers trained in the high-tech sector, we also need people trained as industrial mechanics, carpenters and bricklayers. What is your ministry doing to address the shortages our province is facing in these trades?

Hon Al Palladini (Minister of Economic Development and Trade): As the member has indicated, our province is facing trades shortages. These are good-paying, rewarding jobs, and I certainly would like to take the opportunity to encourage more of our young people to look at trades as a good way to earn a living.

Our government is addressing this problem, but we know there is still much more to be done. We have introduced the strategic skills initiative program, which partners with industry and the education sector to produce more skilled students. We have signed on to the redesigned immigrant investor program to encourage more foreign investors to invest in and immigrate to our great province. These are just some of the ways we are working to ensure that businesses have the skilled workforce they need to thrive and to help them create more jobs.

Mrs Molinari: I understand that a possible part of the solution to this problem could include immigration as a way of filling some shortages. If I'm not mistaken, the federal government has joint programs with other provinces to address immigration issues. Why is the government of Ontario not involved in the provincial nominee program?

Hon Chris Stockwell (Minister of Labour): What's the answer to that? Come on. Good question, Tina.

Hon Mr Palladini: Obviously the Minister of Labour agrees with the question the member has asked.

We have worked successfully with the federal government to bring in workers on a temporary basis in some sectors. But the federal government's provincial nominee program is too slow and unresponsive to industry needs. Ontario will not implement an expensive government bureaucracy, as the federal government would like us to, that will only give limited results. We are going to continue to work to create a whole new way

to allow tooling and machining trades to enter the great province of Ontario, because we regard immigration as only a short-term solution to a long-term problem. We need to do more to encourage Ontario's youth to get excited about entering the skilled trades. Many successful business people got their start working in the trades. I'm one of them, and I'm very proud of that fact.

TENANT PROTECTION

Mr David Caplan (Don Valley East): My question is for the Minister of Municipal Affairs and Housing. I come before you again with real concerns about access to justice at the Ontario Rental Housing Tribunal. I want to give you another example of how your processes fail tenants here in Toronto.

I have been contacted by a lawyer representing Mary McIlroy. She was evicted from her apartment, and her belongings are locked inside. The landlord is supposed to provide 48 hours' access so she can remove her things. He refused. In fact, the landlord has demanded full payment of arrears to access her belongings. This is clearly illegal. Minister, the tribunal or your ministry should enforce any breaches or offences contained in your laws. The act states in section 200 that you as minister shall "investigate cases of alleged failure to comply with this act."

But when Ms McIlroy's lawyer contacted Mr David Grech, a team leader at your investigations unit at the ministry, he was told there would be no involvement because an eviction had taken place. There was no longer a landlord and tenant arrangement, and thus they didn't feel it was their place to take any action.

Minister, there is no other agency—government, policing or otherwise—that claims to have or appears to have any statutory basis to enforce this provision besides your ministry. So confirm for me today whether or not your ministry is, as the act states, "responsible for enforcing all provisions of the Tenant Protection Act," and if they're not, tell me who is.

Hon Tony Clement (Minister of Municipal Affairs and Housing): The fact of the matter is, we have a specific tribunal arrangement in this province, which gets it out of the hands of politicians per se and into the hands of the tribunal. Frankly, tenants' rights cannot be extinguished, if they are unlawfully extinguished by the landlord. That is the law in Ontario, and it is a good law.

So I recommend to the honourable member's constituent that if there is a problem—if a right has been extinguished—there is a remedy under our system, and that can be pursued at the tribunal. That is the best advice I can give the honourable member. If there is a problem I can help with in some way, I'd be happy to pass it along to the tribunal.

1500

The Speaker (Hon Gary Carr): Supplementary.

Mr Caplan: The minister's willingness to help is certainly good, but the tribunal says it's not their

problem; your own ministry says it's not their problem. You are not willing to enforce your own act.

Ms McIlroy's lawyer was told by your ministry to go to court. You've said in this House that the courts aren't the solution. But he did go to court and he filed a charge of extortion against the landlord, and that's when the landlord paid attention. He did allow access, but not 48 hours. In fact, some of her possessions were disposed of by the landlord; again, clearly illegal. So she's going to have to go to court again to charge theft against the landlord.

You claim that this is a fair process for tenants, but I don't see any fairness in the way that Ms McIlroy and other tenants are being treated by you, by your ministry or by your Ontario Rental Housing Tribunal. Landlords can extort money, they can destroy possessions, and you're not willing to enforce your own laws.

Minister, who is going to protect the tenants of this province if it's not you, if it's not your ministry, as the law passed in this province says? Who are they supposed to turn to?

Hon Mr Clement: I don't know the particulars of the case, and perhaps the honourable member can enlighten me at a future date. But the honourable member is talking about things like extortion, and I can assure this chamber and the honourable member that if there is a problem that has a right under the Tenant Protection Act, then certainly the tribunal has jurisdiction to deal with the landlords in a way that is fair to the tenant. If there is a problem that is not before the Tenant Protection Act, if there is an illegal activity going on, by all means—extortion is not only a civil action; that is a criminal act. If the honourable member has information or knows someone who has information that would lead to a criminal charge, my best advice is to go to the police and to file particulars of the situation with the police. They are the best people to handle situations like this. That is my best advice.

AIR QUALITY

Mr Marcel Beaubien (Lambton-Kent-Middlesex): My question is for the Minister of the Environment. I am informed that you were in Windsor yesterday, and I happened to have the opportunity to discuss probably the greatest budget that was ever laid down in the province of Ontario with the good residents of Windsor-Essex yesterday.

However, upon driving into the municipality of Windsor, it did not take an environmental engineer to realize that the air quality in the Windsor-Detroit area certainly was not at its greatest. You could see the haze, Minister. Apparently, you were in Windsor discussing the new air quality initiatives which began on May 1. I'm told that up to 90% of the smog in Windsor is caused by transboundary emissions from the US. My riding of Lambton-Kent-Middlesex—

The Speaker (Hon Gary Carr): Pardon for the interruption. There was a point of order. If we could stop the clock, please.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: You may not have been able to hear the Premier accuse my colleague the member for Don Valley East of a criminal act, of concealing evidence. It seems that that is—

The Speaker: No, I didn't. I'm listening very carefully. We're getting down to the end of question period and I've listened very carefully. One of the problems is that when people do shout, you're listening to some people and you can't hear anybody else. I started off listening to the question so that there wasn't anything out of order when members shout across.

We are getting down to the end of question period; there's less than four minutes. I would expect all members to try and behave for the last four minutes, and I apologize to the member for the interruption.

Mr Beaubien: I'm sure, if the member from Windsor-St Clair was paying a little more attention, that some of his constituents are affected by the air quality in the Windsor area, as it affects my constituents in Lambton-Kent-Middlesex.

Minister, as the summer heat begins to roll in, my constituents are becoming concerned about the quality of the air. What information can you provide them about the new initiatives, and where can they obtain this information?

Hon Dan Newman (Minister of the Environment): I thank the member for Lambton-Kent-Middlesex for his question. It is true that the quality of our air is indeed affected by the heat of the season.

Ontario's enhanced smog alert and air quality reporting program provides Ontarians with improved reporting through comprehensive and timely air quality readings. In fact, Ontarians can access up-to-date air quality reports publicly through our Web site at www.airqualityontario.com. I'm pleased to report that in the last week that Web site has had over 120,000 hits to it. Additionally, the people of Ontario can call us at 1-800-387-7768 to get up-to-date information on the air quality within their region of the province. The program also includes up to three days' notice if air quality is going to be poor. It also provides for direct e-mail smog alerts for anyone who subscribes to the e-mail network through that Web site I mentioned.

Mr Beaubien: It's good to see that constituents can have accurate information regarding monitoring. I'm sure the member across from Broadview-Greenwood, whatever they call your new riding now, will appreciate the rest of the question. My constituents would like to know: What are you doing to clean up the air? I know it's a tough question.

Hon Mr Newman: I'd like to respond to that question. We've done a great deal since we took office in 1995. In Ontario there was a huge deficit looming over the province. Unemployment was high. Among other things, air quality was left to slip through the cracks in our province. In 1996 the Provincial Auditor stated, "Many of the standards for air pollutants were developed over 20 years ago and are out of date."

Since our election in 1995, over 130 air quality standards have been or are currently being updated. This is very significant. In fact, this government takes the challenge of improving air quality very seriously. That's why we began with ourselves. In 1996, we made a commitment to reduce greenhouse gas emissions from government operations by 40%. To date, we've surpassed the 32% mark. We're waiting for last year's figures to come in. I know we will surpass that 40% figures.

OAK RIDGES MORAINÉ

Ms Marilyn Churley (Broadview-Greenwood): My question is to the Minister of Municipal Affairs. Yesterday in the House you said you couldn't comment on the issue of legislated protection for the Oak Ridges moraine because part of the moraine is the subject of an Ontario Municipal Board hearing. Minister, I say to you, what a cop-out. Let me tell you why. Just last November you sent a letter to Mayor Mel Lastman asking Toronto city council to reduce its numbers, yet that very issue was the subject of a hearing at the OMB. Soon after that, you introduced the law that gave you the reduction that city hall and the OMB wouldn't give you. Why was it OK to both comment and legislate on a matter before the board last December, but now, when the Oak Ridges moraine is at stake, you won't?

Hon Tony Clement (Minister of Municipal Affairs and Housing): The issue at hand that the people actually care about is, how best can we balance the interests of development and growth and prosperity that we have in Ontario with the ecological foundations for present and future generations? That's the issue people care about, and the people have an answer to that. Our government has been grappling with growth and prosperity. Those are the issues. How to make sure Ontario has growth and prosperity for the future was not an issue that her government ever grappled with, because they were in the depths of a recession expanded created unnecessarily in this province because of their policies.

Those are the issues before us. I can tell you that on the part of our government, we think there is a way to do that. We are implementing the 1991 guidelines their government first sought to put on the public table. That is the purpose for which these rules are in place and the response to the Oak Ridges moraine in the hearing is in place. No further than that.

PETITIONS

STUDDÉD TIRES

Mr Rick Bartolucci (Sudbury): This is a petition to the Legislative Assembly of Ontario to rescind the law banning the use of studded tires in Ontario.

"Whereas personal safety on winter roadways would be greatly increased; and

"Whereas improved technology on studded tires has proven in other countries and provinces they will not damage the roadways; and

"Whereas studded tires are used in most northern countries and all other provinces in Canada; and

"Whereas studies have proven that studded tires out-perform all-seasonal and winter tires in manoeuvrability and braking on ice and snow-packed roads; and

"Whereas studded tires can save lives;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To rescind the law banning studded tires in Ontario and pass Bill 57 which would allow the use of studded tires."

I sign this petition as I am in complete agreement with it and give this to Philip Grandine, our page from Paris, Ontario.

1510

DEVELOPMENTALLY DISABLED

Mr Steve Gilchrist (Scarborough East): "Whereas Ontarians with a developmental disability are in growing danger of inadequate support because compensation to staff of not-for-profit agencies is, based on a recent survey, on average, 20% to 25% less than compensation for others doing the same work in provincial institutions or similar work in other settings;

"Whereas there are hundreds of senior parents in Ontario who saved the Ontario government millions of dollars by keeping their child with a developmental disability at home, and who are still caring for their adult child;

"Whereas there is no place for most of these adults with a developmental disability to go when the parents are no longer able to provide care;

"Whereas these parents live with constant anxiety and despair;

"Whereas these adult children will end up in Ontario nursing homes and hospitals if there is no appropriate place to provide care;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To significantly increase compensation for workers in not-for-profit agencies so that it is comparable to the compensation of government-funded workers in identical or similar occupations; and

"To provide the resources necessary to give appropriate support to Ontarians with a developmental disability who at present have no place to go when their parents are no longer able to care for them."

I'm pleased to sign that petition.

HEALTH CARE FUNDING

Mr Ernie Parsons (Prince Edward-Hastings): I have a petition regarding health care.

"To the Legislative Assembly of Ontario:

“Whereas Canada’s health care system is one of our greatest achievements as a country;

“Whereas health care in Ontario has deteriorated, with medical services being reduced and hospital budgets cut to the bone, resulting in lengthy delays in treatment, with sometimes fatal results;

“Whereas major changes to health care legislation by the Harris government have been made with no prior public consultation;

“Whereas residents of Prince Edward-Hastings are demanding that their voices be heard and their concerns addressed to ensure that future health care legislation meets their needs;

“We, the undersigned, petition the Legislative Assembly of Ontario to call on the Harris government to protect our valued health care system and to hold public hearings on Bills 23 and 173.”

I’m pleased to add my name to this petition.

DRIVER EXAMINATIONS

Mr Toby Barrett (Haldimand-Norfolk-Brant): I have a petition entitled Clear the Drivers’ Test Backlog and it’s signed by young people and students from towns like St Williams, Vittoria, Port Dover, Simcoe, Waterford, the Delhi area:

“Whereas the backlog for final road tests is unacceptable; and

“Whereas the Ministry of Transportation is not able to get rid of the backlog, and most of the new examiners have been based in Toronto; and

“Whereas young and elderly people are often intimidated by the driver’s test examiner and the finality of the test; and

“Whereas the driving tests have become very expensive and amount to little more than a money grab by the government;

“We, the undersigned, petition to the government of Ontario to continue to revamp the driver’s test system and implement a better system to get these tests done in a timely manner that is less expensive.”

I agree with these young people and hereby sign this petition.

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario:

“Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

“Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

“Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

“Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

“Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

“Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities.”

Once again, I share the concerns of my constituents and sign their petition in full agreement with their request.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I have further petitions from CAW 222, signed by residents in the Oshawa area.

“To the Legislative Assembly of Ontario:

“Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances,” known as carcinogens;

“Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to these carcinogens;

“Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances;

“Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation.”

I continue to support these petitioners.

KARLA HOMOLKA

Mrs Julia Munro (York North): To the Legislative Assembly of Ontario:

“Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

“Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

“Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

“Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

“Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario will:

“Do everything within its power to ensure that Karla Homolka serves her full sentence;

“Continue to reform parole and make it more difficult for serious offenders to return to our streets;

“Fight the federal government’s plan to release up to 1,600 more convicted criminals on to Ontario streets; and

“Ensure that the Ontario government’s sex offender registry is functioning as quickly as possible.”

I affix my signature.

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This petition is to the Legislative Assembly of Ontario:

“Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

“Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

“Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

“Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

“Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

“Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities.”

Since we’re all opposed to any type of health care apartheid, I affix my signature to this petition and ask Megan Kirkey from Englehart to present it to the desk.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I have a petition regarding the ongoing situation in Sarnia. These petitions in fact are signed by citizens in my area of Hamilton.

“To the Legislative Assembly of Ontario:

“Whereas the community of Sarnia is witnessing many women developing mesothelioma and asbestosis as a result of the asbestos brought home on their husbands’ work clothing; and

“Whereas similar cases are occurring in other areas of the province;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to amend the Workplace Safety and Insurance Act to allow compensation for family members who develop occupational illness as a result of workplace toxins inadvertently brought home.”

I add my name to this petition.

1520

HIGHWAY 407

Mr John O’Toole (Durham): I am presenting a petition. I am very surprised looking at the names here. I have Troy Young, John Mutton and others who have signed this petition.

“To the Legislative Assembly of Ontario:

“Whereas the province of Ontario exempted Highway 407 east from a public hearing and then passed the Highway 407 Act to further exempt the proposed highway extension from important provincial environmental laws, such as the Ontario Water Resources Act, the Lakes and Rivers Improvement Act and the fill regulations of the Conservation Authorities Act; and

“Whereas heavy equipment is now being used to clear the eastern path of the highway, without any environmental guidelines, control or monitoring;

“We, the undersigned, respectfully petition the Legislature of Ontario, as a matter of extreme urgency, to put in place such environmental monitoring procedures and controls as are necessary to prevent extreme degradation such as bulldozers working in stream beds, and numerous other environmentally destructive acts that have been witnessed since the 407 east extension was permitted to go ahead.”

I’m pleased to present this petition to the House.

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a further petition also related to the northern health travel grant from a group of constituents who are not in my riding but are in the riding of the leader of the third party. I am happy to present the petition on their behalf.

“To the Legislative Assembly of Ontario:

“Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

“Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

“Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

“Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

“Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

“Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities.”

This is signed by 25 constituents of Ignace, Ontario. I'm happy to affix my signature in agreement with their concerns and those of my own constituents.

KARLA HOMOLKA

Mr Toby Barrett (Haldimand-Norfolk-Brant): I have a petition to the Legislative Assembly of Ontario.

“Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

“Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

“Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

“Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

“Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario will:

“Do everything within its power to ensure that Karla Homolka serves her full sentence;

“Continue to reform parole and make it more difficult for serious offenders to return to our streets;

“Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

“Ensure that the Ontario government's sex offender registry is functioning as quickly as possible.”

I sign this petition.

STUDED TIRES

Mr Rick Bartolucci (Sudbury): This is a petition to the Legislative Assembly of Ontario. I will not do the preamble, because we are running out of time, but it does say:

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“To rescind the law banning the use of studded tires in Ontario.”

I thank Allan Clouthier and Pat Cormier from Sault Ste Marie for garnering these petitions.

ORDERS OF THE DAY

LABOUR RELATIONS AMENDMENT ACT
(CONSTRUCTION INDUSTRY), 2000LOI DE 2000 MODIFIANT
LA LOI SUR LES RELATIONS
DE TRAVAIL (INDUSTRIE
DE LA CONSTRUCTION)

Resuming the debate adjourned on May 8, 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.

Mr Doug Galt (Northumberland): It's a pleasure to be able to rise and speak on Bill 69, the Labour Relations Amendment Act, 2000.

This is certainly a bill that needs to be celebrated. When we can bring together the trade unions, the employers, the construction industry and the employees all to the table to agree, and bring this bill forward, I would think that members on all sides of this House would be cheering and clapping and celebrating for this kind of bill being brought forward, and particularly for the homebuyers. The homebuyers, especially new homebuyers, have been the ones who have suffered during the last few

years because of the type of legislation that was in this province, and Bill 69 is going to overcome those kinds of struggles, so I say it is indeed a time to celebrate.

Last evening we heard some of the members talking about putting a gun to the head. The only gun that I'm familiar with is called a strike gun, and that has been put to the head of employers and businesses for some time. I would like to read to you what came in from my riding. This is a man, Brad Willcocks, who owns the Best Western Cobourg Inn, and this is what he writes: "Our business was held in a seven-week strike in 1990 by the UFCW number 175. No strike vote was taken. Only 12 unionized staff affected 45 employees and almost bankrupted a family business. All staff were so upset by the experience that they decertified in 1994. Please continue to balance the field. It is not fair for a union business agent to look across the table and say, 'I'm going to bankrupt you,'" and that's what they almost did. That's the kind of legislation we've had in the past, and it's very wrong. That's just one example in my riding.

Strikes are so devastating to employees—members of the union, when I say "employees"—to employers, and often the only people who are going to gain from these strikes are the union brass themselves. They don't go back to the membership when they're out on the strike lines and ask: "What do you think? Is this the time we should change direction?" Oh no, they're trying to get another brownie point for their particular position in the union.

This bill has gone a long way to group the opportunity of lockout and strike within about a 45-day period, from May 1 to June 15. I think that as we look at this whole bill of improving and modernizing labour relations, it's long overdue. Some of the things that we've had in this province—think back to 1998, a five-month period where one trade union after another trade union would keep housing developments on hold. That's the kind of thing we do not need. Maybe a socialist government thinks that's wonderful; I don't know. I certainly don't and the people of my riding generally certainly do not think that kind of thing is in order. This is the kind of commitment we made in the throne speech. We're carrying through on it. Again, it's a promise made, a promise kept, consistent with the philosophy of this government.

We've been doing a lot to level the playing field between management and the unions. One has been between Ontario and Quebec. The bill we brought in, the Economic Development and Workplace Democracy Act, promoted job growth and increased workplace democracy, something that was sadly missing, that they could not have or would not guarantee a secret ballot to certify or to decertify. This was another step in the right direction.

1530

The current situation was a real disadvantage. It just has not been fair. Whether it's the employer or the employee, it certainly has been a real disadvantage. What we have here in a bill is a collaboration of both sides coming together and working for the benefit of all,

particularly the homebuyer and the people of the province of Ontario. This is indeed a bill that is realistic. It's going to be workable, and most of all, it's really going to fly because it's people co-operating and people working together.

For the homebuyers, can you imagine, back in 1998, five—

Mr David Caplan (Don Valley East): On a point of order, Mr Speaker: Do we have a quorum?

The Acting Speaker (Mr Tony Martin): Is there 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.

The Acting Speaker: The member for Northumberland.

Mr Galt: I was commenting on the situation of a new homebuyer caught in a five-month rotating strike by the various trade unions. Can you just imagine how devastating? You've ended the lease in the apartment you're in or you've sold your old home and then, lo and behold, what are you going to do? This house isn't built. The bricks are not on it. The plaster isn't on the wall. All because of a strike because of greed out there. That's indeed a most unfortunate situation, and this will end that kind of circumstance. It costs so much to the homeowners, it costs so much to the employees and of course to the construction industry, and to the province of Ontario. Every time a new home is built, there are all kinds of other goods that are sold, various appliances and so on. It stimulates the economy so much.

Maybe the parties on the other side of the House don't appreciate the kind of stimulus that brings to this province, but it's indeed very, very important. I, for one, want to see the economy in Ontario rolling, and we're seeing it in my riding. We're seeing it in communities like Port Hope and Campbellford. We're seeing it in Warkworth. We're seeing it in Quinte West in particular in some of the things that are going on there with the newly amalgamated community.

This bill will ensure that in the future homebuyers have some idea of when that home will be completed for them, because it's important that they have that opportunity to plan ahead.

With this bill they've coordinated that all the collective agreements will expire on April 30, 2001. So there will be some coordination in the negotiations and then they will look at the specified time frame.

I know the opposition parties would disagree, but I have never been able to support the right to strike. It just upsets me to no end. This is a step in the right direction. It does allow a strike, but it limits it to a 45-day period. It limits any lockout to a 45-day period. So families of the employees who are working, members of a union, know that this isn't going to go on forever. What happens after June 15 is that then we start to look at unresolved disputes going for arbitration.

We have suffered too many crippling strikes in Ontario and I, for one, think it's time that those crippling strikes were brought to an end. Certainly this bill is going to be one step in the right direction of assisting with that, particularly when we have all the parties working together.

This is going to assist with bringing back competitiveness. We still would have collective bargaining. The kind of legislation we've had in the past has been totally non-responsive to that competitiveness, and because of that lack of responsiveness we've ended up with an awful lot of unionized workers without work. That's not fair to them, when they're required to belong to the union and then they can't get work because their company has to overprice in bids. It's been problematic in the past. This bill is going to help straighten that out.

This bill also gives some flexibility with the market conditions. They can come back to the arbitrator and identify the fact that they can't compete because of the high salaries. You know, it's better to get \$20 an hour than to get zero. Maybe it would be nice to have \$30. Or it would be nice to get \$15, but it's better to get \$10 than zero. That's what happens when companies can't compete.

So this is certainly going to promote construction and it's going to create jobs in Ontario. If there's ever been a jobs government, we have a jobs government. This flexibility that I referred to is certainly very, very key in this particular bill and is going to really assist as we move down the road. We've had four really good years, almost five years. We had five disastrous years in the beginning of the decade but we've had five pretty good ones. We want to keep that going. We're not just a government that comes in and stimulates the economy and then disappears. We want to see this going on for another decade or even longer.

I see that the changes in Bill 69, the amendments to the labour act, are certainly going to assist the construction industry. Protecting the residential construction industry will assist homebuyers and everybody down the road. Employees, employers and homebuyers are going to be the winners once this legislation gets passed.

The Acting Speaker: Comments and questions?

Mr Caplan: I'll be able to expand a little bit on my comments in just a minute, but it's very interesting that the member opposite talks about a negotiation bringing people together. What has become very clear is that this was a bit of a shotgun marriage. Mr Harris and the Minister of Labour held a gun to one of the parties' heads and said, "You will negotiate or we will do some pretty terrible things to you and to the labour laws in this province." That has really been the spirit and the modus operandi of the Harris government. In fact, I understand in the debate last night the parliamentary assistant confirmed that this was the kind of debate around—as I say, I'll expand on this a little bit later—subsection 1(4) of the Labour Relations Act.

My comment is that Liberals don't believe in that kind of an approach. We believe in a balanced approach to

government. The Harris government's approach has been to push through legislation, to limit debate. It has been neither fair nor balanced. I can tell you that the attack on working people in this province has really only just begun. Ontarians should expect a further weakening of basic worker protections such as workplace health and safety, hours of work, all of those kinds of things. Liberals have always supported collective bargaining. We're the only ones—sorry, we're not the only ones—who voted against the social contract legislation, as you well know. We've also opposed the various labour bills that have been brought forward by the Harris government which have tilted the balance. It's really a shame that the speaker would not comment on the way this particular deal was arranged, the way previous non-negotiations have gone, the weakening of worker protections and what the implications of that are for the people of Ontario and for the backbone of Ontario's industry, which is the construction sector.

Mr David Christopherson (Hamilton West): Let me say to the member for Northumberland that I think that was one of the most insulting speeches I've ever heard anyone in here give. You talk about what goes on at a picket line. What would you know about what goes on at a picket line? I'll tell you something: If this government was one tenth as democratic as the labour movement, we'd have a government we could look up to, rather than one that people have to fear, which is the reality of what your Ontario is.

Let me tell you something else. When you say you still can't support the right to strike, you know, that happens to be one of the key foundations in the United Nations declaration of rights, and you've decided from your lofty position in life that ordinary people ought not have the right to withhold their labour. That's not a right you think they ought to have. You stand up and pronounce and pontificate about how you care about all these lofty ideals, and one of the key foundations of the rights of humanity that the United Nations has declared we should all have, you, with the wave of your hand, believe ought to be eliminated. It's disgraceful, absolutely disgraceful that in this day and age a member of any government in a democracy like ours would stand up and make those kinds of statements.

Then you have the nerve to say that we ought to celebrate that people were brought to the table. How do you celebrate when a gun is put to the head of the labour movement and they're told, "You reach an agreement that we, the government, can live with and the employers can live with or else we'll remove the key foundation in law that allows a modern-day union to exist"? That's a disgraceful performance by someone with your background, doctor. You ought to know better and I hope you take the two minutes to retract some of those insulting statements.

1540

Mr Steve Gilchrist (Scarborough East): Our colleague opposite certainly continues on the path that if he has nothing to say he says it loudly.

I, instead, would say to my colleague from Northumberland that when we contrast the steps that our government has taken to build some sort of accommodation between all the players in the construction industry, we contrast that to the previous government, who decided that ripping up existing contracts should be the hallmark of their labour law. The member opposite ripped up the contracts of hundreds of thousands of Ontario workers, and he's comfortable with that.

This bill, as the member from Northumberland has very adequately described, will bring greater peace to the construction industry. The member opposite obviously doesn't think that having a regular and steady paycheque is something that the actual workers aspire to, never mind the employers. Labour stability benefits all the players involved. It also benefits the potential purchasers, whether it's home or commercial construction. The reality is that all those people were vexed by strikes, rotating strikes, one after another. The union bosses decided to pull the workers off the job sites, the union bosses, who never put their pay on the line, who never take any accountability, any responsibility for what they do to the economy in Ontario, the big union bosses to whom the NDP still pays homage. They don't care.

The people we're hoping to serve are the actual workers, the people who get the paycheques and the people who buy those homes. Those are the people this government cares about. Quite frankly, if it means that the union bosses are upset, I suspect that does more to reinforce our belief that this bill is heading on the right road than anything else the member could say.

The Acting Speaker: Further comments and questions? Response?

Mr Galt: I've been quite entertained by the responses. The member for Don Valley East talked about the shotgun marriage. Well, people getting together at the table—I'd hardly draw that as a shotgun marriage.

Then the member from Hamilton West: I consider it a compliment that he called my speech an insult, when it comes to his position and what I've heard from him in the past. I really feel honoured, because if he was on the same side as I'm on, I'd be upset and would be pretty nervous.

To listen to him, the garbage that was delivered in his two minutes, talking about—I think back to the social contract. As mentioned by the member for Scarborough East, it broke every—

The Acting Speaker: I ask you to withdraw the word "garbage."

Mr Galt: "Garbage" is an unparliamentary word?

The Acting Speaker: Just withdraw it. It's unparliamentary.

Mr Galt: OK. Recycled material, whatever.

The social contract wiped out every collective agreement in Ontario with any public group, absolutely each and every one. You just wiped it out like it was never there, and you're standing up criticizing a few comments that I made about the power of strikes, the power to bankrupt the family business. That's what you stand up

for? You think those are the rights that people should have, to go out and bankrupt companies, bankrupt family businesses, like Brad Willcocks in Cobourg? Is that the kind of power—you're upset because I defend somebody like that? I think you should be very ashamed of your comments and what you were delivering here this afternoon. With a wave of a hand—

Interjection.

Mr Galt: No, I'm not waving a hand. I just don't believe that you should have that kind of power, that any group of people should have that kind of power to bankrupt a company or a family business that has put millions into what they're trying to do.

Mr Christopherson: Your grandchildren will be really proud of this. You're a disgrace.

The Acting Speaker: I ask the member for Hamilton West to withdraw that last comment.

Mr Christopherson: I withdraw, Speaker.

The Acting Speaker: Further debate?

Mr Caplan: I'll be sharing my time with the member from Stormont-Dundas-Charlottenburgh.

It's certainly a great pleasure to debate Bill 69, the construction labour legislation. I wanted to first put some context to this debate and to what it's all about. I'm glad that the Minister of Labour is here, because I remember during his remarks he did the same; he talked about the context. But I'm going to perhaps shed a little bit of a different light on it.

Over the past five years the Harris government has introduced Bill 7, which was a repeal of NDP labour legislation, allowing the use of replacement workers. They brought in Bill 49, which brought changes to the Employment Standards Act, eroding minimum provisions for overtime pay, hours of work and many other working conditions for non-union employees. They brought in Bill 99, changes to the Workers' Compensation Board: They cut benefits to injured workers by 5% and gave employers a 5% premium cut. So injured worker benefits are now only partially indexed to inflation.

They brought in Bill 136, public sector union legislation which stripped away bargaining rights for health care sector workers. They brought in Bill 31 related to the construction trades, the so-called Wal-Mart bill, which eliminated protection for construction unions and made it more difficult for unions to certify. They brought in Bill 55, changes to the apprenticeship act which purported to lower standards for new apprentices, set new tuition fees and lower wages; wages firstly for apprentices, but then later on.

That's the context for this bill that has been introduced.

It was very interesting: I was rereading the comments of the minister earlier, and I'll quote from Hansard on May 1. He said he had been accused by members opposite of going to abolish section 1(4) of the Labour Relations Act: "You're going to abolish 1(4). You're going to allow for double-breasting. The sky is falling. Watch Ontario slip and Toronto slip into Lake Ontario."

The best they could come up with when we didn't abolish 1(4), when we brought in a recommendation endorsed by the union, was, 'They only did this because you held a gun to their heads.' That's bunk."

It was very interesting in the debate last night to hear the parliamentary assistant, Mr Gill, the member from Bramalea-Gore-Malton-Springdale, speak to the effect that this was very much under discussion, that this was very much part of the context of negotiation, part of bringing the sectors together, saying that this was going to be implemented unless, of course, you agreed to something else. That's the context for the negotiation that took place which brought us to Bill 69.

Bringing a compromise under those circumstances is not real negotiation. That's not truth. This bill is not about achieving a balance. It was about threatening the workers with losing their most basic bargaining rights unless they agreed to measures which are going to reduce their wages. We often hear talk by members opposite about something they call "competitiveness," but it's just a candy-coated code word meaning lower wages. And this bill could result in workers from large urban centres being brought in to take the jobs of rural and local construction workers.

We, as Liberals, believe that there should be a balanced approach, not only to government but to labour legislation, and this legislation and this government have proven that they're neither fair nor balanced. The Harris government, Mr Harris, the Premier, and his Minister of Labour, have driven a wedge between labour and management that has put this province in the most precarious position we've ever been in.

We believe labour laws should be like collective agreements. Both sides should leave believing they achieved a balanced settlement. This sense of balance is the key to a competitive workplace. Bill 69 was achieved under this cloud; as I said earlier, it was a shotgun marriage with a gun being held to one of the party's heads and that's not proper negotiation for this or for any other matter.

I'm going to turn the floor over now to my colleague.

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I would like to take this opportunity to also speak on Bill 69, the construction labour legislation. This legislation is still another attack on local unions in the province, going back to Bill 7. This piece of legislation is another kick at the can.

1550

I have spoken to the construction workers in my riding and none of them seem to be too happy about the impending changes to the labour legislation. In an area like my riding, the legislation will serve to further depress the economy. While lately my riding has been able to attract some new business, in general it's not experiencing the luxury that many other areas of the province have and is not booming like other areas. If you're going to build a new school, we need local construction workers. We do not need the out-of-town contractors to have control of 76% of the jobs. In an area

like my riding, we need 100% of the jobs. In rural areas we need the jobs in the community.

Not too long ago, there was a large warehouse built in my riding. In the beginning, the electrical workers were contracting out electricians from the larger cities in the province. It wasn't until the International Brotherhood of Electrical Workers in our area stood up and formed a picket line that some local electricians were then hired. If this legislation passes, incidents like this will be more prevalent and small communities are going to be the ones that lose out.

The construction workers in my area are concerned about the threat that this piece of legislation poses to the wages of unionized workers. Not only will fewer jobs be left open to local workers but they may even be paid less.

Maybe someone can explain to my constituents the effect on economic growth in my riding if this legislation passes. In speaking to the construction workers in my area, it has become clear to me that they are worried that if they become more vocal—they are afraid the government will retaliate by revoking section 1(4) of the Ontario Labour Relations Act. Section 1(4) currently prevents double-breasting in the construction industry. If this section were revoked, it would certainly have an adverse effect on the lives of construction workers. Knowing the present Minister of Labour, I had hoped he had no plans to take this action.

I don't know how the government expects rural Ontario to grow and prosper if they keep cutting and enacting legislation resulting in dollars leaving rural Ontario. The government seems to have many problems. I've heard time and time again from my constituents that the only thing the government cares about is big business. People in rural Ontario are watching their hospitals close, their schools close. They are slowly losing everything that's unique and that they worked so hard for.

In this part of Ontario, the government has drastically cut the Ministry of Agriculture, Food and Rural Affairs, the local ag offices and now they're on construction jobs. When will this stop? This piece of legislation is another example of the government trying to turn the lights out in rural Ontario. I am a firm believer that with what's happening in rural Ontario, they must listen to the voices of rural Ontario. That's the only way that Ontario will continue to prosper.

The Acting Speaker: Comments and questions?

Mr Peter Kormos (Niagara Centre): I want to make it quite clear that I'm opposed to this legislation and will be voting against it. This is a continuation of what has been an all-out attack on collective bargaining rights here in Ontario.

I come from down in Niagara. I know far too many of the very skilled, competent tradespeople down there, covering the complete gamut of trades. I know how hard they've worked over lifetimes. I know how hard they've worked to develop their particular craft and trade and how important they've been to the building of quality construction, not only in the Niagara region but across

the province, along with their sisters and brothers in every other part of Ontario.

I'm going to tell you this: I've had tradespeople from all sectors approach me over the course of weekends and other visits back to Niagara and I've had them, to the final one, tell me to say no to this legislation: the attack on hiring halls; the attack on seniority rights; what will be, as has been mentioned very effectively, the attack on older workers inherent in this legislation; the fact that when there's a construction project in Niagara, hopefully to help stimulate the Niagara economy suffering from a huge loss of industrial jobs since the Conservatives were elected in 1995, and enjoying only the most modest of jobettes or McJobs—those types of investments and those types of construction will no longer mean work for people from Niagara. It will no longer mean money into the Niagara economy, because it will let developers and big contractors—we're not talking little contractors, we're talking big contractors, the Tories' friends, the ones who gave them their wish list and who are getting it back in return. It will mean they will be bringing workers in from other parts of this jurisdiction, and people in Niagara will be denied the work that's rightly theirs.

Hon Chris Stockwell (Minister of Labour): As I said last night and I want to rephrase again today, there was little, if any, debate within the community, I say to the member from Welland, that there was a problem in this industry. The problem was that unionized workers weren't getting work. They were being outbid on tenders, lower bids on tenders, by the non-union sector. I could point to study after study that everyone agrees with that will show that unionized construction workers and jobs in the province were decreasing steadily during the past 10 to 15 years. The unions accepted that as a problem; the employers accepted it as a problem.

I understand that in opposition your job is to oppose. I've been there myself and I was very vigorous in some of my opposition to my friends in the NDP who were in government at the time. But I would say to the members opposite, it may be one thing to be opposed to this piece of legislation, but considering the situation we found ourselves in and considering the situation the construction industry found itself in, what would your solution be if it wouldn't be this? Everyone agreed the status quo wasn't working. I'm not above any ideas that you want to submit to me.

I say to my friends Mr Kormos and Mr Marchese, if you have some idea—

The Acting Speaker: Excuse me. The member will refer to members by their ridings.

Hon Mr Stockwell: If you have any idea of what you could do to fix this bill by way of amendments or you have a plan that would tell me what you would do that would solve the problem, I'm open to those suggestions. That's why the gun wasn't held to the head. I'm open to suggestions. But all I've heard from the opposition is the damnation of this bill that's before us. Then you tell me, folks, what should be done to fix the problem, because

this is the best I could do. If you've got a better plan, just tell me.

Mr Rick Bartolucci (Sudbury): I'd like to thank the members for Don Valley East and Stormont-Dundas-Charlottenburgh for their insight into the legislation.

Clearly, there has been lots of debate over the course of the last eight hours with regard to Bill 69, and members on this side of the House have offered several amendments with regard to this legislation: to name only a few that the two Liberal members addressed, the mobility issue and the naming issue. You know very well, Minister and members of the government side, that we've offered amendments over the debate period. We will be continuing to offer those amendments at clause-by-clause, and I'm sure that public hearings will bring the impetus to make some more amendments to this legislation.

The one area that I continue to be very concerned with in regard to this legislation is section 163.6. I believe that if the legislation is as strong as the minister says, then it should stand the test of time, if it passes. So I will be putting forth the amendment to get rid of section 163.6. The minister has given us on this side of the House his undertaking that he will consider this seriously. I would hope he would consider it more than seriously and get rid of 163.6. I believe it will stifle the construction industry because it is as if, if it's not a gun, it's an anvil over the head of the construction workers, saying, "If you don't play ball, we'll review it and we'll give it to you in 18 months," the way maybe somebody on the other side or general contractors wanted it to happen in the first place with the removal of subsection 1(4).

1600

I'm suggesting to the minister and the government members that we have, over the course of the debate here, offered several amendments. We will continue to offer those amendments and I would hope that the government would consider our amendments on the opposition side to be very serious and accept those amendments.

Mr Rosario Marchese (Trinity-Spadina): Just a few comments. The social contract is something that has come up, and I have to admit, if we don't take responsibility for some of the problems that happened under our governance, it's a problem. With respect to the social contract, in my view opening up contracts was an egregious problem committed by us; no doubt. Would that happen again under our watch? I don't think it would. If we're lucky we may not face a recession ever again while we're in power. But even if we were lucky again to be in power in a recession, I think we would do things differently—and Peter Kormos, the member from Niagara Centre, would do things differently as well, I suspect.

Mr Kormos: I'd vote against it again.

Mr Marchese: I'll tell you, we only have anywhere from—

Interjection.

Mr Kormos: Yes, I would.

Mr Marchese: Peter, would you mind? I've only got a minute. Please, go talk to the minister over there, because I've only got one minute. Honest to God, Speaker.

I've got one minute to say 30% to 34% of the workers are unionized—a small percentage, and it's diminishing. Yet this government wants to squeeze labour some more, right? That 30% to 34% of the workforce unionized is just too much, so they want to squeeze them a little bit each and every time.

The minister, of course, is doing his best to meet with the unions, he says, and he sincerely argues that, "Look, under these conditions, what could you do? I'm trying to help," as you squeeze them a little bit. The minister admits that wages will go down, but, says he: "Isn't it better to have a job? Yes, wages will go down, but it's better to have a job." That's why we complain about the McJobs. They're jobs, but people are getting, what, \$6.85, \$7 an hour? Can you make a living with that? No, you can't.

The Acting Speaker: Response?

Mr Caplan: It's tempting to ask the member for Niagara Centre to have a response to his colleague's comments, but I guess I'm just going to have to suffice.

I would like to thank the member for Niagara Centre, the Minister of Labour, the member for Sudbury and the member for Trinity-Spadina for their comments. I would say to the Minister of Labour that I do believe he is an honourable man. I do believe that when he gives us his undertaking that he will take the recommendations by the opposition and by others seriously, he will do so.

I want to make all members aware in regard to Bill 55, the apprenticeship and training legislation—that was a similar undertaking by an entirely different minister so I want to be clear. I made 28 separate recommendations which had support from the employers' side, from the union side, from just about everybody, and not one recommendation was supported by the government members.

I will hold back my scepticism, but I can tell you that if you base it on past practice, the Harris government does not listen. The Harris government has not shown any interest in working with members of the opposition to strengthen pieces of legislation, but if that is the offer, we'll certainly take them up on it. I can tell you that there is no such thing as achieving perfection in any piece of legislation; it can always be strengthened and improved. I know that my colleagues in committee and in clause-by-clause will be making solid proposals, will be suggesting to the government ways and means in which they can ensure that we do have a fair and balanced approach to labour legislation and other legislation in this province. That's what we believe in and that's what we will always stand for.

Mrs Brenda Elliott (Guelph-Wellington): I am pleased to be able to speak in the House today on Bill 69. This is another of the promises kept by our government. Following the week of the budget, the people of Ontario have come to expect us to keep our promises and, I think,

are very pleased when we keep our promises, balance our budgets and follow priority spending programs as they have indicated they want us to do.

I refer to the throne speech that was presented in the Legislature: "Your government acknowledges the need to improve and modernize labour relations in the construction industry across the province." This legislation has been considered for some time and has been brought forward by the Minister of Labour in response to needs that were expressed throughout Ontario.

This is a very important bill, because it speaks to issues that are creating difficulties in a \$26-billion industry. Obviously Ontario is booming. We're doing very well, and we're very pleased with the success achieved so far. But we quite recognize that there is a great deal more to do, and that is what has generated this bill. There have been difficulties in the construction industry, and the Ministry of Labour is responding.

The title of this bill is An Act to amend the Labour Relations Act, 1995 in relation to the construction industry. When I first looked at the title of this bill, I thought something had been misprinted on the bill, because normally we have very interesting titles to our bills and we spend a great deal of time thinking about what we say. So I asked the Minister of Labour if an error had been made or if a word was missing. This is the minister's first bill in the House, and I think he may have been shy. He did indicate to me that a second title was considered, and it was the construction help residential, industrial/commercial solution act, which of course is an acronym for Chris. I'm disappointed that this minister, one of our more colourful and witty ministers, missed an opportunity like this. At any rate, I am very pleased to support the bill he has in the House.

I will not for a moment pretend I am an expert in labour relations. I have on occasion spoken to various constituents who have brought forward labour issues and have asked me to express those issues to the minister. I have done so diligently, and for the most part they have been very pleased with the responses they have received. But there has been an underlying concern that some very serious issues needed to be addressed, and, as near as I can understand, those are being addressed in this bill.

The opposition seems to think that for some reason or other we haven't appropriately or adequately consulted on finding solutions for both the workers and the employers. As a member who is not schooled in labour relations, what I have come to learn as a member of this government is that if you bring labour legislation to this Legislature and one group or another is not particularly happy with it, we are certainly going to hear about it. On more than one occasion, we have had great upsets over labour legislation that has been presented in this Legislature. Having said that, I have been very pleased with the legislation we have brought forward, but it has not always been easy.

When this legislation was being prepared, the minister, to his credit, spent a great deal of time talking to us about it in caucus. We had an opportunity to discuss it

with our own constituents back home. When it was finally introduced in the House, I was very curious to see what the headlines would read and what various critics would say about the bill, and it was very quiet. The headlines, for the most part, were minimal and, what there were, was for the most part positive.

One that particularly struck me was in the Toronto Star on Saturday, April 29. The Toronto Star is not always our most supportive newspaper in Ontario, but the headline jumped right out at me. It was in the homebuilders' section. Although I am not in the market for a home, I often scan that section because we have a number of Guelph builders who often advertise in the Toronto papers, and I like to keep up on how things are going. The headline was "Deal Brings Labour Peace to Industry," and the subtitle, "Come next spring, there will be no 'stacking' of strikes that could paralyze the residential construction industry for months." So I read down further:

"Future new homebuyers got great news this week with the introduction by Labour Minister Chris Stockwell of long-overdue reforms to the collective bargaining rules in the residential construction sector.

"When the legislation is passed, expected later this spring, the package of amendments to the Labour Relations Act introduced on Tuesday will bring greater stability to the collective bargaining process."

1610

The article goes on to talk about the specifics about the bill itself. What I found most interesting was the last section. I will quote a portion of that:

"During 1998, the unionized residential construction industry in greater Toronto experienced no less than six strikes with at least one trade on strike at any given time between May 1 and September 14—almost 20 weeks.

"Consequently, in 1998 the construction industry lost the bulk of its 'good weather' building season. It took many builders months to catch up on the backlog and created havoc for those waiting for delivery of their new homes.

"This type of devastation to greater Toronto residential construction industry in the GTA would not happen again under the proposed amendments to the Labour Relations Act introduced....

"The most fascinating part of this story is that virtually every detail of the legislation the minister brought forward was the product of an 18-month process that included some intense provincially facilitated negotiations among the residential construction unions, various contractors associations, the Toronto Residential Construction Labour Bureau (negotiating body for the unionized low-rise builders), the Metro Toronto Apartment Builders Association (negotiating body for the unionized high-rise builders) and the Greater Toronto Homebuilders' Association.

"Much of the credit goes to Stockwell, who as labour minister put all the parties together in one room, provided his top mediators, and gave the direction to work things out.

"The common ground from the outset was that all parties recognized the need for reform in terms of providing a climate within which new homebuyers could have confidence that their new home would be delivered on time as per contract.

"The fact that this is an industry-driven solution reflects well on all parties and bodes well in terms of speedy passage through the Legislature."

That remains to be seen, based on what we're hearing from across the way.

"It truly is remarkable that various employer groups and the unions were able to achieve general consensus on a workable solution to a very difficult problem that has plagued the residential construction sector for decades!"

I'll skip down a little further.

"While the proposed labour reforms apply only to the next round of bargaining in 2001, if they prove to be successful, they will form the basis ... of the collective bargaining process in the residential construction industry.

"... one of the greatest obstacles to the residential construction industry's ability to deliver new homes on schedule has just been eliminated and hopefully for good."

What I am reading in this article is that this person has recognized that a tremendous amount of consultation has been ongoing. He has recognized there has been a need for this for some time. He is indicating that he is hopeful this solution is going to work.

What I know, as the representative in my riding, is that I have seen many families whose husbands for the most part have been subcontractors and have gone through very difficult building seasons when their husbands have not been able to get work.

Colleagues across the way had an exchange a while back on whether or not it was appropriate to strike. What I know is appropriate is for negotiated solutions to be found if at all possible, to prevent strikes. That, to me, is good labour relations from both the workers' and from the employers' points of view.

It wasn't very long ago that a piece of paper crossed my desk. I wish I had kept it. It was a piece of marketing information that came from one of the unions. It talked about the pre-Davis era and the post-Davis era and changes that had been made by the Davis Conservative government that had irrevocably improved labour relations in Ontario. There was a big chart that indicated the number of strikes had gone way down.

What I'm thinking, as I look at this legislation and I hear the arguments back and forth and I hear my constituents speak to me, is that perhaps we're going to see from this piece of legislation another watershed that will be pre-Stockwell, that will be post-Stockwell. The bottom line is, this government wants good labour relationships. We want this construction industry to do well. We want every Ontarian, if they're in a union or not in a union, to have an opportunity to participate in Ontario's growing economy. We don't want roadblocks. We want homeowners, we want those who are investing

in large construction projects, to have the ability to complete their projects on time, to keep their word, to keep their contracts.

That frame of mind this is, I believe, what has brought this legislation to the fore. I am very pleased to add my support to this legislation.

The Acting Speaker: Comments or questions?

Mr Dominic Agostino (Hamilton East): I'm pleased to rise for two minutes on behalf of my caucus. I think one of the interesting points to this debate has been what both opposition parties have claimed: that clearly this was not a level playing field or a level bargaining process with this bill. There was a gun held to the head of the unions who were told, "Look, you either compromise with us or we're going to blow your brains out." The minister has gone out of his way to say: "Look, this was never the issue. There was never a question of threatening or in a sense there was a never a question of saying to the unions, 'You either play ball with us under our rules or we're going to simply impose upon you a much harsher restriction.'"

I think the Minister of Labour will be interested in this and maybe he can respond to it, if I can read what was said yesterday by the parliamentary assistant to the Minister of Labour, who claimed during the debate that he was aware of the negotiations, that he had met with people. Again, I ask the Minister of Labour to listen to this and to respond to the comments made yesterday by his parliamentary assistant, because the minister has always claimed that there was never a threat here of abolishing 1(4) and there was never a threat here to the union; there was a never a gun held to their head. Let me read to the minister what was said yesterday by Mr Gill, the parliamentary assistant: "Yes, there was open discussion in the caucus: Should we abolish 1(4)? What should we do?" The parliamentary assistant, in Hansard, last night stated very clearly in the House that there was a caucus debate about abolishing 1(4).

We have always maintained on this side of the House that that was the threat that was held to the heads of the union to agree to this deal. I hope we clarify this. I don't know if the minister is right, I'm not sure if his parliamentary assistant is right, because clearly we now have totally opposite views here. We have the minister saying, "No, 1(4) was never on the table for debate to abolish." We have the parliamentary assistant quoted in Hansard yesterday—and I watched—saying the opposite. I look forward to the clarification here.

Mr Kormos: I should indicate that shortly, in some 20 minutes or so, Gilles Bisson, the member for Timmins-James Bay, is going to be speaking to this bill, providing very much a northern perspective, which is yet another perspective unique in itself and incredibly relevant.

Look, let's understand what happened. These are among the 3,000 people who laid out 700 bucks a pop to dine and wine with the Premier and Tom Long and Preston Manning and Stockwell Day and any number of Tory backbenchers and Tory cabinet ministers just last week—700 bucks a pop the day after the budget. It was

payback time. The corporate world, the big developers, big contractors, had to pay their dues, had to pay homage. They had to pay the price, write the cheque. We're not talking \$15 or \$100 cheques; we're talking \$500 and \$5,000 and \$10,000 cheques.

We're talking about some of the wealthiest, most powerful corporate people in this province who have this government in their back pocket. They went to this government with a wish list, with a shopping list, and this government came up with this attack on skilled, hard-working tradespeople here in Ontario, and quite frankly, down in Niagara Centre. Those are people for whom I have a great deal of time and to whom I am committed.

Too many people fought too hard in this province, across this country, to earn the right to strike, the right to withdraw their labour. The Tory backbenchers somehow seem to suggest that workers, any worker, tradespeople or others, strike lightly. Au contraire. What a stupid proposition. No worker likes to strike. It's only this government and their corporate buddies that forced workers into that unfortunate position, and now they want to take away that very fundamental right of working people to withdraw labour.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I want to set the record straight. The Minister of Labour went around the province. He had meetings with unions, he had meetings with employers, he had meetings with all the interest groups, and he was successful in striking a balance. He was successful in coming up with a deal. When he brought that to the caucus table, we discussed it, and we did discuss whether 1(4) was on the table. But the deal was already decided, so it was not on the table. Let me be clear on the record.

I was saying in our caucus we have open discussions, unlike in your caucus where you're being told exactly what to do. The same thing exactly on the police monument; you were not in agreement with that. As if this doom and gloom—the opposition keeps saying, "The sky is falling."

1620

Ladies and gentlemen, cranes are back all over Ontario, including my riding of Brampton and Mississauga—construction cranes—and cranes are going to be back in Toronto. There is a discussion again about high-rise building construction going on, after 10 to 15 years, and that is the beauty of our negotiations.

I met with the Premier of British Columbia, an NDP government. Do you know the growth they've had in British Columbia? Last year they had 20,000 jobs. Members, we had 200,000 jobs in Ontario, and those are the policies of the Mike Harris government that are bringing back the jobs. Jobs are good for all workers: construction workers and other workers. You might think it's not a good idea.

We talked about mobility. Every employer enjoys the right to hire the people he wants to hire. That's what we are offering the employers.

Hon Dan Newman (Minister of the Environment): On a point of order, Mr Speaker: I would ask every

person in the House today to join me in welcoming to the Legislature Mr Rick Johnson, regional councillor, city of Pickering, Durham region, who is also the chair of the Central Lake Ontario Conservation Authority.

Mr Gilles Bisson (Timmins-James Bay): On a point of order, Mr Speaker: That was the first good thing we've heard in this House all afternoon.

The Acting Speaker: That was not a point of order. Further debate?

Mr Bartolucci: I would like to offer a few comments with regard to the presentation by the member from Guelph-Wellington. That member indicates that this government wants to work in harmony with the labour movement. I think they should look at past practices before making such a statement, because it certainly wouldn't stand the test of time. Look at what you've done with Bill 7 and Bill 31: anything but working in harmony with unions.

I'm suggesting to you that if you're looking for the balance you want to strike, the worst way to get to that balance is by destroying the effectiveness of the Ontario Labour Relations Act. If there is one thing that is upsetting the union membership the most, most locals, and in fact a great many subcontractors, it's the fact that this government has chosen, with previous legislation and with this legislation, to destroy the balance that the Ontario Labour Relations Act provided.

The parliamentary assistant said the cranes are back. I want to invite him to northern Ontario. I want to invite him to eastern Ontario. You will see that with your mobility clause and with your naming clause, whether it's on purpose or inadvertently, you are punishing the locals, the tradespeople in every area except in district 8.

I would suggest that we need revision to the mobility issue. We need revision to the naming issue: 76% of the workforce is going to be picked by the contractor. I think that's wrong.

The Acting Speaker: Two-minute response, the member for Guelph-Wellington.

Mrs Elliott: I would like to thank my colleagues from Hamilton East, Niagara Centre, Bramalea-Gore-Malton-Springdale and from Sudbury for their comments.

It must be difficult to be a Liberal. I don't know how you do it. It seems to me that with Bill 40, at one point you were going to rescind that bill, and suddenly I'm hearing different messages; another classic Liberal flip-flop. I don't know how you know what side of the bed to get up on in the morning, to tell you the truth.

For my colleague from the NDP across the way, I have checked and I haven't received one letter from unions saying that this legislation is inappropriate, not one letter. Do you know what? When we introduce things that certain people aren't happy with, we generally hear about it fairly quickly and very vociferously. I checked with a number of my colleagues, and they too have not received one letter to say that this legislation is inappropriate or somehow isn't right on the mark—to the minister's credit. So I don't know who these people across the way are speaking for. Could it possibly be that

they're very concerned that the unions, which they've relied on for many years as supporters of their party, are actually co-operating with our government, that they've come to agree with us? We on this side of the House know that a lot of those union members not only voted for us but went out and actually worked for us on our campaigns. So their union bosses may be saying one thing, but on the ground those people know what a good Ontario is all about. They work hard and they do well and they know what makes a province tick.

I am very pleased to support this legislation. I think it provides flexibility. I think it's realistic. I think it's workable. Most importantly, it's come as a result of very solid consultations. The Toronto Star doesn't always support us, but when they say things like, with this labour reform, "one of the greatest obstacles ... to deliver new homes on schedule has just been eliminated and hopefully for good," you have to think we're doing something right.

The Acting Speaker: Further debate?

Mrs Marie Bountrogianni (Hamilton Mountain): I'd like to split my time with the member from Hamilton East.

I'm pleased to enter into this debate about Bill 69.

Mr Christopherson: Even my ego's not that big.

Mrs Bountrogianni: Oh, yeah? Sorry. My apologies to the member from Hamilton West.

I'd like to discuss some of the things that my constituents are saying from the trade unions and the workers, not only the heads of the unions, and why I won't be supporting this bill and why I hope that the minister and the government consider our amendments.

Mr Cleary: Did you split your time?

Mrs Bountrogianni: I did split my time, yes.

Mr Bisson: She did that at the beginning. Leave the woman alone.

Mrs Bountrogianni: Thank you, Gilles. Merci.

What they're telling me is that they had a choice of either going with this bill, which means a cut in their pay, or possibly not having a job. That was their choice. I come from Hamilton. There are a lot of workers in Hamilton, hard-working people who need their jobs and need the security of knowing they're going to have a job in order to pay their mortgage and enter into the economy, and this was a hard choice for them. They appreciated the difficult position that the Minister of Labour was in, they tell me, and they even begrudgingly liked the Minister of Labour, but they didn't appreciate the position they were put in.

They understand that the minister was pressured by cabinet, by caucus, by the general contractors, but they also have their own pressures, not only from their members but from their families and from a supposedly booming economy that they are trying to take part in. But they were confronted and, yes, they did feel that they had a gun to their head and they were in fear of the repealing of section 1(4), which would then decrease their security even more. I saw a particular fear in the constituents who were over 50 or over a certain age, where they felt that

their jobs would be at risk if they didn't compromise, and they see this as a compromise. However, they see it as a compromise that was not in their favour, and they resent this.

During the last three months we had a major challenge in Hamilton with our health care system, and through this fight I got to know many of the union employees. Local 794 of CUPE was one union that I gained a great deal of respect for. They were organized. They set their union colours aside in order to help their community. Mr Ron Poynter, the president of CUPE, wrote me a letter on this, and he had this to say:

"Working people look to and expect their unions to be a representative voice to protect them from exploitive employers and government whims. The proposal set out by the Harris government could harm the workers of Ontario and abandon them to the intimidation tactics of bad, anti-union employers. To pass legislation that would interfere with union organizing drives and assist employers in decertifying unions is not progressive labour law. Making people work longer and harder for less and less does not build a strong economy. Failing to protect workers' basic rights, like the right to join a union, is undemocratic."

One of the members opposite mentioned the pre-Davis and post-Davis eras. I really think we're comparing apples to oranges when we're comparing the Davis government with the Harris government. Although I also have a great deal of respect for the Minister of Labour, and he was in a tight position here, I think he squeezed the wrong people. He squeezed the people who drive the economy by working, by spending their paycheques, by being part of the economy.

I also don't think it's a coincidence that in the last five years the children of these workers have been affected. For example, our waiting list for counselling at the Hamilton public board has doubled over the five years of this government. These things are all related. Job security and being comfortable financially are related to raising kids and raising a family.

I therefore can't support this bill, and hope the government will consider the amendments we will put forward to make this at least a more livable bill for the workers in my riding and across Ontario.

1630

Mr Agostino: As was said before, this bill really is not about balance. It is not achieving equality. It is simply an attempt to drive down the wages of the construction industry, the trades industry, to benefit many friends of the government. The corporations that are involved would love this, of course, because it gives them an opportunity to pay their workers lower wages. If you think about the economic boom occurring across this country and across North America, you would hope that a government would try to encourage people to take part in it and to achieve the highest maximum wages, not the lowest common wages you can bring it to.

This bill really does that. It unilaterally reopens contracts, it interferes with the bargaining process and it

discriminates, as my colleague from Hamilton Mountain has said, particularly against older workers: people who have been in the industry for a while, people who simply may not be as quick as they were 20 or 25 years ago, people who have a great deal of experience and skill but who are lagging a little in some areas. You are now legitimizing this type of discrimination against these workers in the construction industry and in the trades across this province. This is about threatening workers with losing their most basic bargaining rights unless they agree to measures you have imposed upon them. In many cases it's going to result in workers from large urban centres being brought in to take the jobs of local rural construction workers. Clearly you can't negotiate with someone having a gun loaded pointed at your head and you being totally defenceless. This is what this was all about.

The unions know your track record. They know how you tend to bully, intimidate, beat up and go after people who disagree with you. You did it very effectively in the last term. You marginalized and punished organizations and individuals who dared oppose this government, using the force of government in a democratic society. They know what you are capable of doing. So to a great degree your track record of bullying and intimidation worked in this case. They knew what was on the line here. Many of the unions knew exactly what was at stake. What was at stake was either agreeing to this so-called compromise you have imposed or, worse, having you, on your own, eliminating subsection 1(4), as we have talked about in this House throughout this debate.

As I mentioned earlier in a two-minute response, up to last night this government—the minister, the parliamentary assistant and every other speaker—denied there was any real threat with 1(4), that that section of the bill was never on the line and was never up for debate or discussion. Then, in response to the speech by my colleague from Hamilton West last night, the parliamentary assistant, Mr Gill, said: "Yes, there was open discussion in the caucus: Should we abolish 1(4)? What should we do?" The silly argument that was given a few minutes ago was, "Well, this was only after we went out there." They want us to believe that the minister and the parliamentary assistant went out and consulted and talked to people, and this open discussion in caucus about abolishing 1(4) came after that. I find that incredible. That is not the way it operates. I believe the discussion was always part of the negotiation process with the labour unions in this province.

How you achieve balance and fairness by simply putting a gun to someone's head is beyond me. That is the sad part of all this. What is even sadder is that this government has now managed to bully and intimidate people who believe very much in fairness and in protecting their workers and the rights of their workers, but who also know this government is capable of doing much more damage than this bill can do.

Clearly they had to choose. They had to choose the damage you were going to impose upon them by

eliminating 1(4) or this compromise. Reluctantly, many of them chose this compromise, knowing the alternative would be much worse for workers. They know that this is going to hurt many of their workers. This is going to bring wages down in the industry. This is going to hurt workers who are a little older, as I said earlier.

What is really disturbing is that it's a continuation of a pattern, an attack on labour that you have prided yourself on in the last five years of office. The history is there in the bills you have brought in, the anti-labour legislation you have prided yourself in and have pounded out every time you go to \$5,000- or \$10,000-a-table dinners where the Premier gets up and talks about how we've beaten up on those unions and labour bosses and organized labour across this province.

This is another achievement you can go out and speak to your corporate buddies about at your Albany Club dinners or your \$10,000-a-table dinners. Unfortunately, you're hurting working men and women in this province. You're hurting an industry that is the heart and soul of our province, and you're hurting an industry that has carried this province, often in tough times. I think it is shameful and disgraceful. I really think that people are going to see through this, and this government is going to regret making these changes.

Mr Christopherson: With regard to the comments of my colleagues from Hamilton Mountain and Hamilton East, I think they have focused very effectively on the key issues at hand. I particularly want to underscore again the quote Dominic pointed out from Hansard. It happened last evening.

A lot of this is about whether or not the unions were threatened with the removal of 1(4). Section 1(4) of the Ontario Labour Relations Act frankly provides the security and legal foundation for construction trade unions to exist. So the removal of it was an extremely serious threat that labour leaders had to pay very close attention to, particularly when they looked at Alberta, where a similar clause was removed and construction workers are now earning 30%, 40% or 50% less than they were before.

The government argues: "No, we didn't threaten anyone. We wouldn't do that. This is all about the union knocking at the door saying: 'The Liberals wouldn't listen to us in terms of giving us what we wanted, and the NDP wouldn't listen to us in terms of giving us what we wanted. We're hoping you would. We want you to take away things that are in our contract. We want you to take away rights we have in the laws. We want you to do all of this. Please step in and do it.'" What nonsense.

Mr Gill, the parliamentary assistant to the minister, the third-ranking PA, said: "Yes, there was open discussion in the caucus: Should we abolish 1(4)?" How can you keep up this charade that the threat wasn't there? It was there and it was real.

The Acting Speaker: Questions and comments?

Mr Joseph Spina (Brampton Centre): It's my pleasure to make some comments on this. I just want to—

Mr Bisson: Get a haircut.

Mr Spina: Sorry. I didn't have time to groom myself for the member from Timmins-James Bay, or is it Timiskaming-Cochrane?

Mr Bisson: Timmins-James Bay.

Mr Spina: I want to comment on the positive economic impact this bill can make. I have some numbers in construction based on just my area of Brampton, and I wish all areas of our province could be as successful as this. For example, our total construction value for the year to date has gone up by \$113 million, a 47% increase since last year. Residential construction value went from \$53 million to \$64 million from February 1999 to February 2000, a 19.3% increase. Our commercial construction value went from \$1.5 billion to \$4.5 billion, a 202% increase. Our industrial construction value went from \$18.9 million to \$42 million, a 121.8% increase. These are phenomenal numbers that speak of the impact of a good, solid, sound construction industry, and that's what we've tried to do here: really allow the opportunity for those firms outside of the GTA which are unionized to be able to better compete for those contracts so that they can keep their workers employed.

1640

Mr Cleary: First of all, I'd like to congratulate the members from Hamilton Mountain and Hamilton East for their well thought-through speech. They laid on the line the way they feel about it, how it's going to affect Hamilton.

I know in eastern Ontario we have some similar problems. There seemed to be an internal problem in the government caucus, but the Minister of Labour is an honourable man and he'll try to sort it out and do what's best for the residents of Ontario.

In our part of Ontario the labour unions play a big role in the growth and all the projects in eastern Ontario. They're always working on fundraising and working for community projects—United Way and all the other issues.

I wouldn't want to see another issue in our part of Ontario like the Wal-Mart issue, where they had to put up almost a roadblock to be able to get the company that came in to listen to some of the workers in eastern Ontario. Through them standing firm, they were able to get a few of their employees work.

Our part of Ontario is not growing like lots of parts of Ontario, and I know that when we get jobs in eastern Ontario, contracts, we want all the jobs because that's the only way we can benefit.

I hope that all differences would be put aside and we would come up with something that was good for all the residents of Ontario. If we're going to get out of these problems, we all have to work together and put our differences aside.

Mr Bisson: In response to the comments made by both the Hamilton members, to the general extent of what they were saying, I agree. But really what this thing comes down to, and I thought the comments by Mr Spina were interesting—I forget the particular riding he's from; I don't have it in front of me. He talked about how we

need to make the contractors more competitive. This is what this is all about, is what the government tells us.

What's really interesting is when they talk about making a contractor competitive, how they get to do it. Do they talk about trying to provide the contractor with better management practices? Do they try to provide the contractor with supports about how to cut costs and how to become more efficient? No, they don't talk about any of that. That's not the direction this government is taking. The only way they know how to make them competitive is to drive the wage of the unionized employees down to the non-unionized standard. That's what this legislation is all about. It's pure and simple. If I'm an electrician or a mechanic, I'm part of an ICI agreement, an industrial-commercial agreement, or I'm part of the residential construction trades, my contractor is going to become more competitive by driving my wages down. This is what this legislation is all about.

I listened to the member from Cornwall talk about how we all have to work together. Listen, when it comes to this issue, there are two sides. Either you're the worker who wants to make a fair wage in order to be able to raise your family and dream the dreams that we all dream in regard to being able to live in this province, or you're on the side of the contractor who says, "I want more money, and I don't give a darn where I get it from, and if I'm going to get it from the workers, so be it." That's the side the government has chosen, and I think it's wrong. What they're doing by way of this legislation is diminishing the power that workers have through their collective agreements in order to negotiate fair collective agreements when it comes to how much money they get paid for their labour. That's what this legislation is all about. You only have to look at Alberta. The just effect of that legislation was a 30% reduction in wages.

The Acting Speaker: Response?

Mr Agostino: I want to thank my colleagues from Hamilton West, Brampton Centre, Stormont-Dundas-Charlottenburgh and Timmins-James Bay for their responses.

What I find interesting is that the member from Brampton Centre, the parliamentary assistant, earlier spoke about the construction industry and the growth that's occurring, the jobs that are being created, the growth in the industry, new home building and so on and so forth. Let me remind you that all these things you talk about were there before the bill was passed. To somehow connect the two is beyond me.

We are benefiting from economic growth across the country. You can't have it both ways. You can't on one hand brag about how well things are going, and on the other hand say, "We need this bill because things are not going well enough." I find that somewhat of a contradiction.

I believe that if the government were serious about dealing with some of the issues in the construction labour area, then you should attack the health and safety. If you ask workers today in the construction industry, particularly unionized workers, what their major issues are,

they don't need this bill, they're not looking for this bill and they didn't want this bill. What they would like you to do is to help in the area of health and safety. They would like you to bring in tougher legislation to make sure that safety is followed, to make sure that for the people who are injured and killed on the job every day in Ontario there's greater protection.

It is a tragedy that this issue has not been addressed to a greater degree and that we have not done more in that area, because clearly, if there's one industry that over the years has had a disproportionate amount of death and injury as a result of the nature of the job, and often as a result of the sloppiness of the owners of those companies and the work that has gone on, it is in this field. If the government is serious about achieving the balance and equality they talk about, I would suggest you attack the area of health and safety, that you take more responsibility and more action in ensuring that workers who go to work in the morning in this area and in other areas of this province come home at night in one piece to look after their families.

The Acting Speaker: Further debate?

Mr Bisson: First of all, I want to say at the outset of this debate that I will not be supporting this legislation; I will be voting against it, pure and simple.

I understand what the leadership of the unions has done here. They were afraid that if they didn't try to find some sort of compromise with the government, the government was going to bang them over the head by removing provisions in the current labour laws that would allow them to do what's called double-breasting. Quite frankly, what they've done here, in my view, is they have said to the trade union: "Which way do you want to be killed? Is it going to be poison or is it going to be a gun?" The union leaders were allowed to decide which way that was going to happen.

I want to speak to two parts of this bill. Although this bill does a number of things, I want to speak to two of them that concern the people in the construction industry in northern Ontario where I come from.

Let's get one thing straight. Why is it that workers choose to come together by way of forming a union and negotiating a collective agreement? Why do they want to do that? They want to do it primarily for two reasons. They want to do it to make sure they are able to protect themselves from unfair treatment by the employer: favouritism, always giving the same employees all the overtime, giving the same employees the choice jobs, giving the same employees all of the best advantages of that employer. One of the reasons members in the construction trades sign a union card is to get work practices that make sure there are rules that try to minimize the favouritism employers often show to particular employees, for all kinds of reasons. That's one of the reasons we sign a union card, to make sure we have some rules about how that kind of conduct happens.

The second reason we sign a union card is because we want to be paid a living wage for the work we do. What this legislation does is get rid of both of those

components. It attacks job security by way of what it does to the mobility rights in this legislation, and it also attacks the wages construction workers get within both the residential sector and the ICI sector of the construction trades, otherwise known as the industrial, commercial and institutional sector. Let me speak to those two points very quickly because I've only got some seven minutes to do it, according to the rules of the Legislature.

When it comes to the issue of wages, what this legislation does to the ICI sector, to the people who work in the construction trades in the industrial, commercial and institutional sector, is to say simply this, "If I'm a big contractor from Toronto and I want to go and bid on a job or jobs in London, Sudbury, Timmins or Thunder Bay, wherever it might be, I want to be able to set the playing field so that I am able to bid on a contract with a competitive advantage over the local competitors."

That's what this is all about. What it says is this: Currently there are agreements in place that are negotiated both by way of area and by way of the province with the various building trades. Let's say, for example, there's a construction job in Kapuskasing; they're building a new hospital. What this legislation does is allow the contractor from Toronto to say: "I want in the future, because I know this job is coming, to bid on that job. I'm going to go to the unions up in that area and I'm going to say, 'Let me negotiate an agreement with your unions that allows me to drop the wage so that I can compete with non-unionized contractors who may be bidding on this job.'"

1650

If the unions say within a 14-day period, "We're not interested in downwards negotiations on wages," or if they're holding fast trying to get the best deal from their members, by way of this legislation the contractor has the ability to say: "Well, 14 days have gone by. You, the unions, are not willing to drop the wages of the workers. You're unwilling to negotiate. You're being unreasonable. I'm off to arbitration and I'm going to allow the arbitrator to decide what a fair wage should be for the unionized contractors working for me when I go and successfully bid on the job in Kapuskasing to build that hospital."

What it basically does, and I'll just read from this section of the act—well, I won't. It's probably easier to just explain it what it does: The contractor goes off to arbitration with the union. The union puts its position before the arbitrator as to why it does not want to drop its union rate. The contractor says: "Here are the reasons I want to drop the rate. It's because I want to compete with a non-unionized contractor who's bidding on the same job." At the end of the day the arbitrator has to decide, by way of this legislation, which of those two positions clearly puts the contractor in a more competitive position with the non-unionized contractor.

Hello? Which side do you think he's going to rule on? If you're bidding against a non-unionized contractor, it's pretty darn sure the arbitrator's going to say, "The union

doesn't want to negotiate a downward agreement when it comes to the total hourly rate paid to the workers, but the contractor does, so therefore I'm ruling on the side of the contractor." Each and every time that's what's going to happen because of the way you've written the legislation.

The effect will be that those people who are working in the construction trades who are now in a unionized sector, either from the contractor's own employee group here in Toronto or by way of the local unions up in the Kapuskasing-Timmins area, are going to be in a position of having to work for less money if that Toronto contractor gets the job. That's what this is all about, the first part of it. It's about pushing down the wages of the employees.

I say to the government, shame. If the only way you know how to make these contractors more competitive is by dropping the wages of the employees, it really tells me what side of the road you're on. You're basically on the road of the big contractors.

The second thing, and the more sinister one for us in northern Ontario, is what it does to mobility rights. For example, when they built the Timmins and District Hospital in 1990 under the NDP government, when they went out to do that particular work, the current legislation provided that pretty well 99% of the workers who were working in the construction trades for the unionized contractors on that job had to come from the local unions; in other words, the catchment area of the locals. These were primarily people from the Timmins and district area. People may have come from Kapuskasing, Timmins, Iroquois Falls, Monteith, Matheson or Kirkland Lake, but they had to be members of that local union, and 99% of the people hired to work on that construction job that took some year and a half had to come from that agreement.

What this legislation does is say to the contractor, "You now have the right to bring in 40% of the workers from outside the local union where you're going to do business." The government nods its head and says, "That's a good thing." You tell that to the workers in Kapuskasing. You tell the workers in Timmins or Sudbury how good a deal that is, brother, because that ain't a good deal. With these contractors it's the same as with any business: You bring the people you know. If I've got a business and I'm hiring, who do I normally hire? I hire people I know who have a track record with me. I don't want to take a chance and hire people on the outside. That's the position of the contractors.

What you're doing is putting in jeopardy the jobs of the workers in the locals in northern Ontario and, I would argue, in places like Ottawa and in places outside of Toronto, to the detriment of those workers. That's what you're doing by way of this. I will argue that it will probably go beyond the 40%, because I suspect, the way this legislation is written, that the contractor will go to the job, will bid, will get the job. Let's say the contractor has got the job on the bid. He or she brings in their 40% of workers and says: "Mr Arbitrator, my Lord, I don't think I can be very competitive with those workers in

Kapuskasing or Timmins, because they don't have the expertise of my workers in Toronto. I want permission to bring more than 40%." I'll bet you a dollar to a doughnut, Mr Minister, that is exactly what's going to happen. We will come back into this House two years from now and I will bring you agreements that will show that more than 40% of outside contractors will be employees from outside of the area where they're going in to do work. That's what's going to end up happening.

When you look at how the arbitration position is written in this bill, it gives the arbitrator all kinds of ability. The thing that is very sinister about this is that it puts a whole bunch of power in the hands of the arbitrator. But get this: The Minister of Labour, the guy who supposedly everybody likes, has said basically that the arbitrator makes his or her decision and at the end of the day the arbitrator does not have to disclose to the parties the basis of the decision and why he or she has ruled in favour of the contractor. I would argue from there, does that mean to say we now have no more right of appeal?

Basically you have taken the entire collective agreement process—I think you've thrown it to hell in a hand-basket—and what we're going to see is what we're seeing in Alberta now, where construction trade workers will be working for less money than they are now.

We certainly know what side Mike Harris is on. A lot of trade union people went out and voted Conservative in the last election, and they now see their friends in government sticking it to them. I can't understand why they're doing it, because at the end of the day they're sticking it to the contracting people in this province, electricians, pipefitters and the rest. You can't cut it any other way. We know what side you're on.

The Acting Speaker: Questions or comments?

Hon Mr Stockwell: I'm not really sure that you read the act very carefully, because you have obviously confused yourself. The problem you have is that the 40% mobility clause within the act is legislated. So in essence 40% of workers have a mobile employer, meaning the person in Windsor who wins a job in Timmins can bring 40% of the workers with him. That is part of the legislation. The arbitrator can't change that part of the legislation. It's the law. The law says you can only bring 40%. The only thing that could happen is that you could go down. If the person, for instance, has to billet 40% of the site and you've got 100 electricians, they probably won't bring 40 electricians with them, because the cost of billeting them for the period of construction would be so excessive it wouldn't be worthwhile. If you don't bring them, you can then name-hire in the hall the same number of people that are left over. So ultimately the most that will happen is that 60% of any workers on the site will come from that region—the worst-case scenario for the region. The best-case scenario is that it can only go up from 60% of the site.

Mr Bisson: What spin.

Hon Mr Stockwell: It's no spin at all. It's the legislation.

Mr Bisson: They get 99% now.

Hon Mr Stockwell: You say you have 99% now. You know what you should do? The member opposite should read the ironworkers' collective agreement.

Interjection.

Hon Mr Stockwell: You're not listening. Read the collective agreement for the ironworkers. The ironworkers have this kind of mobility clause in there already. They already have this mobility clause and name-hiring clause. They can bring 100% of the workers. They always could bring 100% of the workers to Timmins.

There are a lot of collective agreements that have allowed this kind of provision. The restricted ones were the mechanical and electrical. Yes, they were very restrictive. They could only bring one employee with them. Those have been changed. But there are many collective agreements in this province negotiated by trade unions that allow greater mobility than this. So with great respect, you didn't read it very carefully, because that can't happen.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I am very happy this afternoon to share a few points around the mobility issue that has been raised by the member of the third party this afternoon. Certainly in my part of rural Ontario any construction of an industrial, commercial or institutional nature is very important to the communities in my riding, because there are not a lot of them. I have to say that in my part of Ontario there has not been the growth that there has been in other parts. So when there are sites of an industrial, commercial or institutional nature, certainly there is an expectation in the communities in my riding that local workers would benefit from that construction. I have had tradespeople come to me with their very serious concern that if there is a school or a hospital built in a community near my riding, it may not be the case that local tradespeople will have employment in those projects.

So I say to the members of the government that in certain parts of the province the mobility clause may not be an issue, but it is an issue in rural Ontario, where there has not been the same rate of growth in construction as there has been in other parts. So when there are the letting of some jobs—and 40% of the work could go to tradespeople from outside of our community, who don't shop there, raise their families there, have their kids go to school there, support the churches there, support the ball clubs there. That's what our tradespeople in our riding do, and I think all of those people should benefit.

1700

Mr Christopherson: I want to commend my colleague from Timmins-James Bay, who has spent decades of his working life with the electricians and understands this issue very clearly. I want to say, though, that I share his concern regarding what an arbitrator can or cannot do. I will say that just prior to the wrap-up of my colleague, I did go across the floor and have a quick chat with the Minister of Labour. We didn't get a chance to finish that discussion; it's sort of happening while I stand

here. I was making reference, in the bill on page 8, to 163.2(4), items 2 and 3—lengthy wording. These are things that an arbitrator can amend. One of them says, “Restrictions on an employer’s ability to select employees who are members of the affiliated bargaining agent.” The honourable minister advises me that on page 17, section—which, Chris?

Hon Mr Stockwell: Subsection 4.

Mr Christopherson: Subsection 4—and it’s very much done in legalese. I would just say this to the minister. It may be that paragraphs 1 through 5 in 163.2(4) are indeed safeguarded by the other clause, but not being a lawyer myself—and I know you aren’t, and neither is my colleague—maybe this is something that’ll be brought up at the hearings, where we can have labour lawyers come in and advise all of us. If that’s the case, fair enough, then we will withdraw that objection. But as it stands now, it’s at the very least a very legitimate concern we have, given the way the bill is worded.

The Acting Speaker: Response?

Mr Bisson: First of all, to the Minister of Labour, his argument was that at the very least we can expect in the labour market of Timmins-James Bay that 60% of the construction trades will be picked from that area. First of all, to the first point, we get more than that already. You’re saying it could only get better. Well, you’re making it worse to start with, and somehow or other you’re trying to make me believe that somehow this is going to be better at the end? Excuse me. As it stands now, they’ve got to come to our local hiring halls and they have to hire the majority of the workers through the local hiring halls in our area. That, in most cases, means better than—on most sites I go on, it’s about 99%, because under the current legislation a contractor coming from outside a jurisdiction is only able to bring very few people into the job site. What you’re doing now is saying that contractor can bring 40%.

My argument, and the critic for our party raised this about the legislation, is that as I read sections of the bill, you’re giving in one section the power to the arbitrator to make decisions on the percentage of workers that the contractor is bringing in. I say to the minister across the way that if it’s not your intent to see that happen, then I’d like to see that amended when we go into clause-by-clause or when we go into the committee stage. I want it clarified, because as I sit here and read the legislation—

Hon Mr Stockwell: It’s in the bill.

Mr Bisson: Listen, half of you guys over there wouldn’t even know how to read a bill if it fell on you, so don’t talk to me about reading bills. The point is, if the minister’s position is that your intent is not to make things worse, I ask that it be clarified by the committee process. We all know what happens once a bill leaves this place. The arbitrator, in the decision that he or she makes at the end, looks at the bill and says, “This section of the bill gives me the right to make this ruling, so therefore I’m going to make the ruling.” So I’m asking that you clarify it.

In the end, it’s still not a good bill and I will vote against it.

The Acting Speaker: Further debate?

Mr Spina: I want to shift a little more to what I’d said earlier, talking about the economic impact of more housing construction. I was criticized earlier by the member for Hamilton East, who said that all of the success—the numbers I had quoted from Brampton about the construction growth and activity, the values that we had—was prior to the bill. I would like to remind the member for Hamilton East—I guess that’s Mr Agostino. You’re different, aren’t you, Mr Christopherson?

Mr Christopherson: I think I am.

Mr Spina: Thank you. We appreciate you, sir.

In any case, I just want to remind the members from Hamilton that in 1998, from May to September, there were five months of consecutive strikes in the Toronto area in the residential construction industry, and it caused a number of problems for an enormous number of people. One union would strike, and then they would come to their agreement. Then the next one would go and the next one would go. It ended up being a rotation so that virtually the whole summer was held up in terms of the construction of houses.

The impact, of course, was that we had new home-buyers who had financial burdens. They had relocation costs that were not planned for, houses were not ready when they were supposed to be, kids’ schooling was messed up—those kinds of things. With regard to the builders, they had roughly five or six months with virtually no money coming in in terms of revenue because the houses were not in a position to be closed, and of course that threw schedules off for other projects.

The reality is that when we’re in an area like the GTA, normally housing projects aren’t five or 10 or even 15 or 25 units. Normally they tend to be in the hundreds: 100 units, 500 units, 1,500 units. These are substantial housing projects when we’re down here.

I’ll get to outside of the area, but for the moment I want to look at this issue. For the union workers, it was really good to negotiate a wage hike, but as they settled their respective contracts and others kept on striking one after the other, they essentially were unable to work and their wage hike was effectively zero. You got an increase of 5% or 8% or whatever the number was, but the problem was that if you ended up not being able to go back to work for two or three months, your raise was negated.

We had suppliers and manufacturers that couldn’t sell their products, of course, from drywallers to tinsmiths—furnaces, bricks, two-by-fours—roofing contractors and so forth. They couldn’t sell their products, couldn’t deliver their services, resulting in layoffs all the way around.

Furthermore, to the municipalities, we ended up with some severe economic impacts in some cases where subdivisions weren’t completed on time, tax bases were down, and costs had to be shifted to other taxpayers, often at a time when we were in a transition period where the municipalities were in effect trying to look at where

they stood with regard to the changes of the uploaded and downloaded services.

The effect on this Ontario economy, particularly in southern Ontario, was quite massive and had a negative impact on growth and job creation. We were able to still maintain some degree of positiveness from the other sectors, but it really was negative on the construction industry. Industry and government determined together that this situation should not happen again. We needed stability, we needed predictability, so that the industry could continue to function properly.

1710

This bill is a solution that would reform some of the collective bargaining to minimize the risk of consecutive strikes. It only affects residential construction in the city of Toronto and the regional municipalities of Halton, Peel and York. The agreements for all the trades would expire at the same time, April 30, 2001. Negotiations for all the trades would take place concurrently. Normal collective bargaining procedures would remain. Everyone would be given notice to bargain, to commence bargaining, to apply for conciliation in the standard manner.

If an impasse is reached, a no-board obtained, then that could lead to a strike or lockout situation, but they would be limited to a specified time frame of May 1 to June 15 and no strikes after June 15, which is of course the height of construction, particularly the residential construction period. That's when the workers have the best opportunity to earn their income, because as we know, in many communities right across Ontario you have only a window of opportunity to get good construction wages. In Toronto and some of the more southern communities you might be able to stretch it to nine months, possibly 10. But in the northern communities—in Sudbury, in the Soo, where I'm from, and Timmins—the season is very limited and if you don't take that opportunity to do the construction, you may as well forget it because it's just too cold. The ground is frozen etc.

We wanted to talk for a moment about the mobility issue. My friend from Timmins—James Bay talked about the mobility factor, and he made a statement that said, "Bring the people you know." He referred to the fact that presumably the people in the local area are the ones you know. Well, I think you have to look at both sides of it. If you've got any construction project of any size, if you're going to one of the five major cities of northern Ontario—North Bay, Sudbury, the Soo, Thunder Bay, Timmins, and now the new city of Kenora under its amalgamation—there's no question that you might have a sufficient labour base to draw upon if you have a substantial industrial-commercial project or a substantial housing project to go on. If you don't have a sufficient labour base, particularly within the trades, the unionized pool they can draw upon, you now end up with a problem, because under the current legislation not only can you not draw from outside of that pool, you're not allowed to bring in other qualified workers from your

base source of business if you're a contractor from out of town.

This also allows a local contractor from Thunder Bay or from Sudbury, for example, who bids on a substantial project—and this may be that small contractor's opportunity to bid on a project that brings their company one notch higher so that they can be a little bit bigger business—the opportunity to bring workers in from other sources to help them deliver the service they were contracted for. And you know what? That increases the employment on a local basis—unionized or non-unionized. So that, for example, if your labour pool is limited to Sudbury and you're short 40 employees, this allows you the opportunity to draw from Blind River and from Sault Ste Marie and from North Bay or Kapuskasing or Chapleau, and that gives you the human resources—I have to be politically correct here—to do the job in a timely fashion so that you as a contractor can do what you are expected to do by contract. And most importantly, it opens a window for a greater employment opportunity in that local or that regional area. I think that's a very valid economic impact for each of those respective communities across Ontario.

In conclusion, this legislation has a lot of support from the unions that are involved. They favour the mobility factor. It gives them the flexibility and competitiveness that they want to be able to go after jobs beyond the current scope of legislation. That is essentially what we are trying to support.

I know my friends from northern Ontario are gearing up because they'd like to make some comments. We'll give them that opportunity.

The Acting Speaker: Comments and questions?

Mr Bartolucci: I'd like to respond to the member for Brampton Centre and suggest to him that although he grew up in Sault Ste Marie, he's been away too long. The construction industry has evolved over the last 20 years, and that window he talks about, that period of construction in northern Ontario, is much greater than he suggests it is. Because there is now something known as winter heat and protection, which allows our tradespeople to work.

I suggest, though, that he is right when he talks about a narrow window. The narrow window he talks about with this legislation becomes almost no window at all. What he is saying in effect is that this government doesn't really care about the 8.5% unemployment rate in Sudbury, the enormous unemployment rate throughout northeastern and northwestern Ontario, especially in the construction industry. The mobility issue he spoke about and was so high on is exactly what is going to do in the construction workers in Sudbury, Espanola and Sault Ste Marie, construction workers across northern Ontario and in eastern Ontario, in Hamilton and Windsor, in all parts of Ontario except District 8.

The opportunity for a contractor from out of my city to come into my city and bring 40% of the workforce with him is blatantly and patently wrong. It puts construction and tradespeople in our city and our region out of work. I

suggest to you that there is need for amendment of that section of the bill. We as the Liberal caucus will be putting forth those amendments, and we hope they will get serious consideration.

Mr Christopherson: I also want to comment on the remarks of the member for Brampton Centre. I concur with my colleague, the Liberal labour critic, when he talks about the fact that there are workers who are going to lose rights here. I take what the labour minister has said—and I've acknowledged that in my remarks over time as we've dealt with this—that for some unions this won't have an impact because their hiring hall practices and their provincial agreement is such that it may even be less than what's here. I accept that.

But I also know that there are major affiliates to the construction industry that are going to lose rights. They have chosen, through free collective bargaining, to make sure that that's a priority. If it weren't a priority for them, they would have negotiated it out or traded it off for something that was of greater priority. That's what happens at the bargaining table. But the member doesn't want to talk about the fact that there are workers in communities right now who will not get work they would have had prior to Bill 69 being passed.

The fact of the matter is that right now 76% of every work site can be name hired. That leaves 24%. As I raised with you earlier, with the exception of district 8, there are older workers in all parts of this province—in the north, the south, the centre and everywhere—who are going to be overlooked. People who have been active in the union as stewards and health and safety reps are not going to get chosen. What do you say to them while you're standing up beating your chest saying what a wonderful agreement this is? What do you say to older workers who aren't going to get work tomorrow that they had yesterday because of your law?

Hon Mr Stockwell: I think the member gave a very good speech, and a fair and balanced speech.

The point the member for Hamilton West is trying to make is somewhat moot because the fact is, the workers he speaks about aren't working, so if we stick with the status quo the member for Hamilton West wants, they have the right to not work. What kind of right is that? They're not winning the jobs. The union companies aren't winning the jobs, they are not winning the tenders, they are not getting work.

Mr Christopherson: You can't make that general statement across the board, Chris.

1720

Hon Mr Stockwell: I defend it right across the province. I've got study after study done by unions and companies showing union work is going down. So the argument is, we'll maintain the status quo because every person has the right not to work. That's the argument, that's what the status quo would mean, so the change is going to amend that.

Yes, you're right: They'll only get 60% of the people in the region who will be working on that site. You're right. But that's 60% more than were working the day

before, so how's that not beneficial? Why do you think the unions like it? Because it means more union dues, more workers, more opportunities, a chance to win tenders, to create jobs. That's why they like it.

I'm sorry; I don't buy the status quo. Yes, you had 100% of the workers, and 100% of nothing is nothing; 60% of the work site, when you've got 200 or 300 working, is a hell of a lot better than 100% of nothing.

As far as companies and who is working and who isn't, I say to the members opposite, I don't know a business in this province where the employer doesn't have the right to choose who works for them. I don't know an employer who doesn't get to go through an interview process and pick who works for them. What is more fundamentally fair and reasonable than saying, "You pay the bill; you pick the employee"?

Mrs Dombrowsky: It's important that the government understand that, certainly in my remarks, I don't believe I've ever been an advocate for the status quo. I think it's very important and I think we have an obligation, as representatives of the people, to ensure there is legislation that provides for opportunity and also provides for equity. That's what I'm hearing from my constituents.

I believe my colleague the member from Sudbury has presented before this House that while we understand there can always be improvements with regard to labour law, with this particular piece of legislation we believe there are parts of it that need some tinkering, that need some amendments, and that's what we are planning to present to this House. I do hope the members of the government respect that.

We want to provide 100% employment for the unionized workers of this province. We are hearing from our constituents their concerns and we are formulating amendments that we believe will address their concerns and will also improve the status quo.

For clarification and for the record, I think it's important that there is an understanding here that there is a will to work together, and we're bringing forward amendments that we believe will address those concerns. That would be a point of clarification that I think needed to be stated on the floor of the Legislature today.

The Acting Speaker: Response?

Mr Spina: I appreciate the comments from the other members.

I want to reiterate what the minister indicated, which is that 100% of nothing is nothing. The reality is that this province went through a period of deep recession through the early 1990s when there was legislation heavily in favour of the labour unions. Clearly, that was not the way to get this province out of the recession. We lagged behind the other nine provinces in economic recovery. They were moving ahead of us. They were gaining in economic influence and power and recovering from the recession far faster than the province of Ontario.

As we took office with our measures, with our economic decisions and with the government we brought to this province, clearly what happened was that we began

to quickly respond and recover in a very fast mode, in a very quick manner. The reality was that northern Ontario really had difficulty. We still had persistent rates of unemployment in Sault Ste Marie of 18% and 19%, and of 12% and 14% in Sudbury, and other areas of northern Ontario did not recover as quickly as the rest of the province. We're pleased that now we're coming along and the north is quickly beginning to catch up. But I think that if this legislation had been in place sooner, it would have allowed local companies to be able to compete for local contracts, to hire local people and to create more jobs for their local community.

The Acting Speaker: Further debate?

Mrs Lyn McLeod (Thunder Bay-Atikokan): It appears that I will be the last member of our caucus who will have an opportunity to speak prior to second reading of this bill, so I want to reiterate a number of the concerns my colleagues have already expressed. I want to begin with the concern about how this bill got here and why the context in which this bill is presented gives us concerns about the content of the legislation.

Earlier this afternoon the member for Guelph suggested this was the result of a good, solid consultation process. I think this could only be described as the result of a good, solid consultation process if you were comparing it to the way all other labour legislation presented by the Mike Harris government has been presented: without any consultation at all, and without any kind of due process in terms of hearings and opportunity for people to make amendments to the bill. I think perhaps of Bill 31, the so-called Wal-Mart bill, which was rammed through with absolutely no hearings and no opportunity for amendments. No wonder people get very leery of the way in which labour legislation comes forward from the Mike Harris government.

In the case of this particular bill, one of the reasons for concern, as many of my colleagues have said, was that you can't have a good consultation process when the alternative presented to one side in the consultation is, "You either take this or you get the thing you dread the most," and of course the thing the labour unions dreaded the most was the double-breasting the contracting companies actually were trying to persuade this government to come forward with.

We know the companies are not happy with this bill. We know the private sector employers are not happy with this bill and we know they're going to continue to exert pressure on the Minister of Labour to bring forward something more extreme. No wonder the labour unions are in a position of having to say, "We certainly like this better than what we thought was coming down, what we were threatened with was going to come down and may still come down in the future." I don't consider that to be the environment for a good, solid consultation.

I come back, then, to the question, why is this bill here? I want to return to the beginning of our caucus's participation in this debate to quote from what our labour critic, the member for Sudbury, said: "It's hard to fathom the reasoning behind Bill 69 if you believe the gov-

ernment rhetoric when they say most of Ontario is enjoying an economic boom. Of course, we say that is thanks to a strong US economy that provides a good market for our exports. But productivity is up, profits are up, executive pay is up and the stock market is up. Yet workers' pay is going down, and the gap between the rich and the rest of us is growing. The truth is, there is absolutely no cause or justification for this government to attempt to slant Ontario labour laws in favour of big business or the major general contractors."

Surely the government is not suggesting that we're in the midst of, or about to enter, a recessionary period where we have to look at the suffering of the major contractors and respond to what they've been trying to get for years and years. That's not the environment we're in.

I think my colleague actually was very close to the truth when he prefaced his comments by saying maybe we should "forget for the moment that the Harris government may be perceived to be anti-labour just for the sake of being anti-labour." I think that's much closer to the truth of why this bill is here.

In the few moments I actually have to address some of the concerns with the bill, I don't particularly want to enter into an across-the-floor debate with the Minister of Labour. Perhaps it's just as well that he's left for the moment. I appreciate the fact that he's been a very activist minister in terms of his engaging other members in this debate on this bill. I think it's very appropriate and very important for the Minister of Labour to be so actively engaged in the presentation of this bill.

1730

When my labour critic, the member for Sudbury, tells us that I have a reason to be concerned, as a northern Ontario representative, with the impact of this bill on opportunities for work in my northern Ontario community, then I am going to be concerned. Whatever arguments the Minister of Labour may put forward, I don't need to take quarrel with him on the specifics of the bill. I'll leave that for my critic to do.

I want to take issue with the very patronizing comments of the member for Brampton Centre in seeming to want to address the concerns of northern Ontario. I would say to the member for Brampton Centre not just that we have an extended construction season, as our critic has already suggested, but that one of the problems we have in northern Ontario is that we cannot seem to break the mindset of southern Ontario, and particularly governments when they're allocating contracts, that we have contractors large enough to do significant construction jobs. We don't have construction companies that have all the numbers of people who will necessarily do all of the contracting jobs. Sometimes we appreciate it if job proposals can be broken into smaller components so that more than one contractor can bid on it. But we have enough contractors to take on the jobs. We have the expertise to do it. We have without any question at all enough trained, skilled labour to do any of the construction work that we should be fortunate enough to get in northern Ontario communities.

We don't need to have the expertise and the skills of southern Ontario workers brought into our communities in order to carry out major construction work. I find it really offensive that the member from Brampton Centre would suggest that that's a benefit in this bill, that 40% of the people who will work on construction projects in northern Ontario could be brought into our communities because we somehow don't have enough skilled labour. That is completely unfactual, and I want to put that to rest. There is no advantage to northern Ontario communities in having 40% of the workers being brought into our communities. That's one of the concerns we have with the bill.

We also have a very real concern, as my colleague has pointed out, with the key person—I think it's no longer key man, as we are in the year 2000—provisions of this legislation. I won't go into detail but will simply recognize that our concern is whether or not it is going to be increasingly possible, under this legislation that the government is bringing in, for companies to be set up which can use non-unionized workers and therefore pay people lower wages to carry out construction work.

I want to recognize that it's probably fair to say that the current Minister of Labour, who I think is perhaps more approachable than many ministers have been and is certainly prepared to sit down and argue the case for his particular bill, brings forward this bill in an unfortunate context of what is clearly an anti-labour bias on the part of his government. Whether he shares that bias or not is almost irrelevant to the fact that his government has clearly demonstrated its anti-labour bias over and over again, in Bill 7, in Bill 49, in Bill 99 when the cuts were made to the Workers' Compensation Board cutting benefits to injured workers by 5%. Bill 136 stripped away bargaining rights for health sector workers at a time when there was massive restructuring of our hospitals taking place. This government had virtually no interest in providing protection for the individuals who were going to be affected by that. Bill 31: the construction trades and the Wal-Mart bill, already a first step towards eliminating protection for construction unions. Bill 55, the apprenticeship laws: What's at the root of the change to the apprenticeship laws? It's the fact that you can charge tuition fees, for one thing—one of our concerns—but also that you could remove minimum wage guarantees for apprentices and therefore lower apprenticeship wages. I don't need to go into all of the details of the cuts to the Ministry of Labour itself to show this government's anti-labour bias—the 41% cut to the Ministry of Labour itself, the 24.5% ministry budget cut.

What I want to come back to in this last minute and a half is the question of where this government may go in the future. I think that's the note on which we need to end second reading debate, from our caucus's perspective. As my colleague for Sudbury said, we have a concern about the fact that there's a review clause built into this bill so that this sword of Damocles hangs over the heads of the construction unions, knowing that at some point in time in the not-too-distant future, the Minister of Labour may

well take the next giant step towards the double-breasting that he is hesitating to take right now.

My colleague has also pointed out that the entire industrial, commercial and institutional sector of construction trades is opened for review in 18 months. Where does the government go next? Is this the final compromise bill, or is this in fact the first step towards significantly more changes in labour legislation?

I have watched as this government has shown so little interest at what happens to individual workers as they pursue an ideological agenda which takes us increasingly towards privatization in many areas that are now publicly run. In every instance I have seen, the ideological march towards privatization is premised on making it easier for employers not only to take over businesses but to be able to operate their businesses at lower wages. I remember the first stripping of the OPSEU contract, when the government said it wanted maximum flexibility and did not have any concern for the affected individuals as it achieved that.

The Acting Speaker: Questions and comments?

Mr Christopherson: I want to commend the member for Thunder Bay-Atikokan on her outline, given the limited time she had, of exactly what is taking place with this bill. I would add to that—and we are getting down to the last bit of second reading debate—that if you stand back and reflect, you would think, from our discussions here, that the unions are all on side with Bill 69 and that this is the absolute reflection of the deal that was hammered out. My understanding is that's not quite the case, that the issue of the 45-day strike time in residential—Minister, the labour leaders are still making noises out there that this is unacceptable.

Hon Mr Stockwell: Name names.

Mr Christopherson: How about the construction trades council? Pull up their Web site. It's their statement—at least I'm assuming that is where it's from. It was handed to me. If it's incorrect, then I do want to be corrected. But it has their logo at the bottom, construction trades council, and it says: "The residential provisions are unacceptable. The key element is the restriction of the right to strike to a time period from May 1 to June 15, 2001. If the parties have not settled by June 15, the strike must end and the agreement is sent to binding arbitration ... The current formula makes a mockery of the right to strike, as builders will merely schedule around the time period to weaken the impact of any possible strike action."

They also make the case that in subsection 163.2(2) you mention "a designated regional employers' organization." They don't know exactly what that is. Apparently, if you read—and I'm extrapolating from what's here—that was never discussed. They don't know what it is. It's an add-on, and what's missing is the word "significant" in clause 163.2(4)(b) in front of "competitive disadvantage." In terms of outlining the case, the word "significant" is missing and—

The Acting Speaker: Thank you.

Mr John O'Toole (Durham): It's my duty, I suppose, to stand and reply on Bill 69, dealing with the construction industry. I want to read into the record and then note my concerns.

The purpose of "sections 150.1 and 150.2 of the act apply with respect to work in the residential sector of the construction industry in the city of Toronto and the regional municipalities of Halton, Peel and York." That is really the issue. It doesn't mention Durham. I have had some concerns brought to my attention, which I have also brought to the attention of the minister. From my understanding, he is quite willing to amend this legislation to include Durham, if it's the wish of both the union and the employers.

It says here: "Section 150.1 deems all collective agreements that are to expire before April 2004 and that apply to residential construction work to expire with respect to that work on April 30, 2001. It also provides that they are to expire every three years from that date with respect to residential construction." So they are three-year agreements.

There's another section here, "For the 2001 round of bargaining only, section 150.2 limits strikes and lockouts in the residential sector and provides for interest arbitration."

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If it's in that sector, if we have Toronto, and in Durham, which I represent—of course, I've spoken with the member from Whitby, Jim Flaherty, as well. I'm also going to put on the record here correspondence that I received May 5 from Brian Collins, the president of the Durham Region Home Builders' Association, raising concerns on this that Durham has been excluded. So, for the record, I'm putting this out today for the minister and I expect he's prepared to amend the legislation to include Durham.

Mr Bartolucci: I'd like to thank the member for Thunder Bay-Atikokan for her insight into the legislation, and certainly for her warnings to the government to be wary of the direction in which they are moving.

She mentioned the key-person provision. We feel that paragraph 126(3)1, which says, "The board shall not consider any relationship by way of blood, marriage or adoption between an individual having a direct or indirect involvement with one of the entities and an individual having a direct or indirect involvement with any of the other entities," to be very dangerous, because what happens here is that if you don't get 1(4) through the front door, you get rid of 1(4) through the back door. So we will be making amendments to that, because we have serious concerns with regard to that.

I would suggest, as she pointed out, that with our "competitiveness" definition, if it's the intent of the government to ensure that there is a minimal wage for construction workers, we lose out on so much that unions provide in the way of training and the health and safety of the industry. I would hope the government, and the minister in particular, pay special attention to the fact that unions from all trades make enormous contributions to

the province of Ontario, to the people of Ontario, with regard to health and safety, with regard to training and apprenticeship. It is something that must be addressed during our public hearings and hopefully at clause-by-clause with specific amendments.

We continue, of course, as the member for Thunder Bay-Atikokan suggested, to be very concerned with section 163.6 and will be making the appropriate amendment to withdraw that section from the legislation.

Hon Mr Stockwell: Just a quick comment on the member for Hamilton West. The trade association, Mr Cartwright, signed the agreement. I don't know what he's doing sending that out. He agreed to it. All I can tell you is that he agreed to the deal. He was part of the negotiations. He sat in on every meeting. He said, yes, he's on.

Why we didn't put "significant" in is because we would have to define "significant." We couldn't define "significant" because it's a term that means different things to different people. So we just said "competitive disadvantage." It's fundamentally the same as "significant," except we'd have to define "significant." We couldn't legally find the words that would define "significant" that would be approved by everybody, so we said "competitive disadvantage." I went to the union meeting. I met with 100 of the union guys and told them that we weren't going to put "significant" in. They accepted the fact.

On the EBA, regional areas, the reason we put that in is because some areas don't have employer business associations, so if they don't have them, they wouldn't be able to file before the arbitrator. We said, "If you put something together, we can designate that as a regional authority so that you can make the application to the arbitrator." It was that simple. They understood that too. Maybe they don't understand the definition; I don't know. But that is an accepted way to approach it, because there are some areas that don't have employer associations, and if they didn't have an employer association, they couldn't negotiate with the union and file with the arbitrator. That's the only reason we put that in.

Last, for the member from Thunder Bay, I want to say this: We don't believe for a minute you don't have skilled workers there. We do. We understand the fact that there are very skilled workers all around this province. The rationale for 40% mobility was this. Employers said: "We can bid lower if we can ensure that part of that site is with people we know, skilled people we understand. We know their work abilities, their work ethic, how well they can do the job and how long it will take them." They said, "If we can get a core of people we can move around and bid work, we can bid lower, not by using fewer employees but by knowing the nature and the ability of the employees we move." That's why they're going to move 40% around. It's no reflection on the people who live in your region and their ability to do the job. It's only a reflection on the fact that they can potentially get the work.

The Acting Speaker: Response?

Mrs McLeod: I would just respond very quickly to the Minister of Labour that the contracting companies who are actually based in our home communities would say, "We can do the work and we can do it with workers from home," and that's really in the best interests of the economy of my community.

I just want to suggest to the Minister of Labour that, unfortunately, I think the tenor of labour relations in your government was set before you became minister. I think the tenor of labour relationships between the Harris government and labour was really set by the government's own actions and the way in which they dealt with their own employees in OPSEU, for example, when, as I was suggesting at the end of my comments, they sought maximum flexibility, and maximum flexibility at one point included not even providing bridging provisions for people who were within three years of being fully pensionable.

The tenor for labour relations for this government was continued in the home care sector when the government decided that it would set up a request-for-proposal system, which meant that all of the existing community providers had to make bids. They were making bids to the community care access centres at a time when there were very few dollars, when home care was being rationed, when there were far more service demands than could possibly be met with the dollars the government was providing. That meant that the request-for-proposal process was going to lead the people who were choosing the providers to choose providers who were going to have lower wages, who were going to employ part-time, casual staff, and who were going to provide lower benefits. That's the kind of tenor for labour relations that this government has set.

I think the tenor for labour relations was set by the government's own Red Tape Commission, which maybe the Minister of Labour would like to distance himself from point by point. But they recommended increasing the maximum workweek from 48 hours to 50 hours, eliminating permits for employers using extensive overtime, reducing requirements employers must meet in making severance payments when a plan of business is closed, making it harder to file a complaint under the Human Rights Commission, and eliminating pay equity for employers with less than 10 employees, again an area where the government has shown its leadership by not making pay equity payments to its own employees.

That's where labour relations is going. No wonder people are concerned about this bill.

The Acting Speaker: Further debate? No?

On May 1, Mr Stockwell moved second reading of Bill 69. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. Call in the members.

I've received a letter pursuant to standing order 28. We will defer the Bill 69 vote until May 10, 2000, in the appropriate time in routine proceedings.

Orders of the day.

Hon Mr Stockwell: Considering the time, Mr Speaker, I would move adjournment of the House.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until 6:45 of the clock this evening.

The House adjourned at 1748.

Evening meeting reported in volume B.

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