No. 101B

Nº 101B

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 37th Parliament

Assemblée législative de l'Ontario

Première session, 37e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Tuesday 14 November 2000

Mardi 14 novembre 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
Claude L. DesRosiers

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

http://www.ontla.on.ca/

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

Hansard Reporting and Interpretation Services
3330 Whitney Block, 99 Wellesley St W
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario

Service du Journal des débats et d'interprétation
3330 Édifice Whitney ; 99, rue Wellesley ouest
Toronto ON M7A 1A2
Téléphone, 416-325-7400 ; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 14 November 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 14 novembre 2000

The House met at 1845.

ORDERS OF THE DAY

LABOUR RELATIONS AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR LES RELATIONS DE TRAVAIL

Mr Stockwell moved second reading of the following bill:

Bill 139, An Act to amend the Labour Relations Act, 1995 / Projet de loi 139, Loi modifiant la Loi de 1995 sur les relations de travail.

Hon Chris Stockwell (Minister of Labour): Today I'm up to proudly speak to a bill that I think is a good piece of legislation, Bill 139. Although it caused some ripples of discontent among the union sorts in Ontario, I think their reaction was somewhat swift and somewhat overreactive. The bill itself, in my opinion, is a reasoned and thoughtful position put forward by this government to rectify certain concerns we have with respect to the Labour Relations Act.

I'll be very curious to hear from the opposition exactly what it is about this bill they don't particularly like, because although I heard a lot of bluster in question period, a lot of chest-thumping, I never really got a good idea about what it was in the bill they didn't like.

Mr Dominic Agostino (Hamilton East): You're not listening.

Hon Mr Stockwell: Oh, I'm listening. I see my friend from Hamilton East is back. I'm listening. I just have a difficult time separating, in schoolyard vernacular, the wheat from the chaff. I will be fully cognizant of the mutterings of my friends across the floor, because I think it's important that they outline in very strict terms what it is about the bill they don't like.

Let me just walk you through the bill very quickly. This is a very thoughtful bill. It's very appropriate, in my opinion, and it does a few things.

There are about seven parts of this bill that I would classify as the meat of the legislation. The first part—and I'm not sure anyone really opposes this; I don't even think the union leadership opposed it either—is salary disclosure. I know many people in Kingston and in Kingston and possibly even Kingston would say that it's important that you disclose how much a union executive is making if it exceeds $100,000 a year. We all fall under those same requirements in the broader public sector. I know in the private sector for publicly traded companies there's a disclosure mechanism that's put in place for the highest-earning employees. This bill would do exactly to the union executive what we do to ourselves and what they do in publicly traded companies.

Interjection.

Hon Mr Stockwell: The member for Hamilton East is babbling once again while I'm trying to explain the bill, but I'm going to rise above that. Thank you.

Just passing on today, did you notice the member for Hamilton East saying he thought it was terrible that I personally took on a person who was from outside the Legislature, who wasn't in here, and assailed them? I thought to myself, imagine that coming from the guy who slandered how many people with his questions on ORC. It was certainly passing strange, wasn't it, that a member would make that allegation against me, considering the weeks on end he stood in his place and slandered virtually every developer who's done business with the province of Ontario. But I guess that's passing strange and I shouldn't revisit that issue. I think it's important to note those things for the record so consistency can at least start somewhere.

The next one is the decertification change. I know my friend from Simcoe is going to speak to these issues—

Interjection: Barrie.

Hon Mr Stockwell: I'm sorry, Barrie. He knows these very well and he'll expand on them. But let me just talk about decertification.

The decertification changes are fairly simple. Rather than a 60-day window at the termination of a collective agreement to decertify a union, we've expanded that to 90 days. Rather than two months, we're going to three months. That doesn't seem outrageous to me. I don't think we should be starting any wars over this. I don't think there should be declarations of war over that. That's a little bit of overreaction. That's the one part of that.

We're also suggesting they post neutral information on decert procedures. I think they've misunderstood exactly what a decert procedure can entail. A decert procedure posting means that the employees of that unionized shop understand what the rules are if they want to either decertify their union or in fact change from union A to union B. Mr Hargrove has made much mileage of this in the last little while, suggesting that employees, workers, should have more opportunity to determine who

represents them. These kinds of opportunities to explain to workers how to go about decertifying can either decertify a union or explain to them how to go from one union to another union. To me, that's fairly reasonable.

The argument was—

Mr Agostino: That usually doesn't happen.

1850

Hon Mr Stockwell: The member for Hamilton East is absolutely bang on. It doesn't happen, because they don't have the information that would allow them to make that kind of conscious decision. That's the problem: workers need the information in order to exercise their rights. I can't imagine anyone suggesting that you shouldn't have information. How do you go about exercising your rights as an employee or worker of a union if you don't know how to go about doing it? That's a fact.

Mr David Christopherson (Hamilton West): What about the non-union jobs?

Hon Mr Stockwell: I hear my friend from Hamilton West—and the Hamiltons are well represented again tonight—and they talk about the non-union shops. Listen, I met with unions before this bill came forward. Not one union told me—not one—that they weren't vigorously and aggressively out there trying to unionize non-union shops. I believe them. I presume that they were telling me the truth, that they're out there vigorously and aggressively trying to organize non-union shops.

The problem is there's no corollary here with respect to unionized shops. In a union shop, the union—and I don't blame them for this—does not want to tell any of their workers how to go about decertifying. It's not in their best interests. I understand it; I accept it. The employer is not allowed to tell a union member how to go about decertifying his union. So there's a chasm, there's a void of information. Contrarily, in the non-union sector, the unions are aggressively in there informing employees, driving memberships to try to get them to unionize. There's no information shortage in the non-union sector.

So all we're suggesting is that those good employees, in order for them to make a reasoned and thoughtful decision, be provided the information. I don't think that's unreasonable, and I know I've read a number of articles around the province and a lot of people are saying the same thing.

Now, those are just the salary disclosures and decertification changes. There are other ones: a mandatory bar for one year in a drive situation. This one really is baffling. I can't seem to understand the consistency in the opposition's argument to this one. On the one hand they say, in good conscience, that you shouldn't be able to decertify a union except for the final two months of a collective agreement. Most collective agreements run 36 months. So out of 36 months, 34 months are off limits as far as decertification is concerned. They think that's fair and reasonable. But if you lose a certification drive, you can't put a ban in place for one third of 36 months: 12 months. This is unreasonable. It's unfair. But the exact mirror image on decertification—it's OK to ban that for 34 of 36 months. Where's the consistency in the argument? If it's good for one, why would it not be good for the other? Why? Because it just happens to be not to their liking. There's nothing particularly consistent or reasoned or thoughtful about their argument; it's self-serving. They just like the fact you can't decertify for 34 of 36 months, and they like the fact that you can certify any time you want. That's it, and there's nothing else to the debate. That's their consistency.

So that one I have a lot of trouble with. I don't know why they're getting worked up about this one, about the one-year ban. I can't understand that. There's no consistency to their argument. It's self-serving, it's shallow, and when you make the argument to them, "If you think you should be able to certify at any time, why can't you decertify at any time?" they say, "Well, you can't do that." "Well, why not?" There's no argument.

Interjection.

Hon Mr Stockwell: I hear the member for Hamilton East bantering away in his typical fashion, but I still put it to you, explain to me when you get up to speak, if you do, the inconsistency in your message, why it's OK to have a decertification window two months out of 36, but you should be able to certify any time you want. Where's the consistency in the argument? That is decertification.

Vote clarity: this one's another simple one, in my opinion. I don't understand why anyone opposes this either.

First-contract negotiations: the employee, for instance, put yourself in their position. The union executive comes back and says, "OK, here's the offer from the company. We don't think this offer's good enough. You should turn it down." The employee says, "Yes, I think you're right. I should turn it down." But on the same ballot they also say, "Give us a mandate to go out on strike." So in one question, you have to make two decisions. You have to make the decision to turn down the offer, and make a decision to go out on strike.

All this says is that rather than asking one question that requires two separate answers, you simply ask two questions; one, "We think this is a lousy offer and you should turn it down," and the employee agrees and says, "Yes, I'll turn it down," and the second question, "We want you to give us a strike mandate now." They are not mutually exclusive. There are employees who may say, "Sure, I don't think this offer is acceptable, but I don't want to go on strike." What's the matter with that? That's reasonable.

Mr Christopherson: Where do you go from there?

Hon Mr Stockwell: Now, you see, the only person who can find fault with this is on the other side. Where do you go from there? You go back and you negotiate a collective agreement.

Mr Christopherson: What do you negotiate with? Do you go down on bended knee?

Hon Mr Stockwell: See? Again, the member for Hamilton West doesn't want to give the ability to make a decision to the worker. He wants to make it for him, because he knows more than the worker. He knows

what's good for the worker. He knows what's best for the worker. He doesn't. "No, I know what's good for you workers. I understand this better than you. I don't need you to bother your little minds about this. I'll look after you."

Mr Christopherson: You hypocrite.

The Acting Speaker (Mr Tony Martin): Member for Hamilton West, just withdraw.

Mr Christopherson: I regret that the minister was hypocritical, Speaker.

The Acting Speaker: Just withdraw. Just say, "I withdraw."

Mr Christopherson: I'll withdraw.

Hon Mr Stockwell: I think that was an attempt at humour.

Anyway, Mr Speaker, we have these union executives suggesting that they know better what's better for the workers than the workers know what's better for themselves.

Now, these are reasonable, but you know what? They don't like them because they don't want to give the power to the worker to make these decisions. They want to take it away from them and make the decision for them. So that's the split vote. That's the controversial—and this is only the first contract. This is the controversial split vote. This is the war that's been declared by Sid Ryan and Wayne Samuelson et al, the same crowd. It's the Seven Years War, apparently; it's never ended.

The next one we have is the non-construction employer. This one, to me, is really, really about fairness.

Mr Christopherson: Of course, like everything else.

Hon Mr Stockwell: See? They're learning. It is about fairness. What's fair about asking municipalities and school—

Mr Christopherson: Fools and crazies, right?

Hon Mr Stockwell: Well, you said it. Anyway, what we're saying on this particular piece of legislation is this: if you are a municipality or a school board and there's legislation in place today that doesn't allow you to tender construction work to non-union companies, we're taking that off the books. We're not saying you have to tender to non-union; we're not telling them they have to tender to union. We're not telling them anything. We're just allowing them to tender the work to whoever they want to tender it to. That seems like another reasonable position to take. There's a law on the book that says—

Mr Christopherson: The minister of reasonableness.

Hon Mr Stockwell: He's learning quicker too. There is another law on the book that says that certain municipalities and school boards can only tender—

Interjection.

Hon Mr Stockwell: No, not any more. They can only tender their work to unionized companies. Well, 81% of those workers in the private sector don't work for unionized companies. So implicitly, that legislation is discriminatory. It's discriminatory against anyone who doesn't carry a union card, because you can't bid on the work.

1900

Let's reverse the situation. Let's say we had a law on the books that said any construction work for municipalities and school boards could only be tendered to non-union companies. Would they think that's fair? I think not. I think they'd be somewhat apoplectic if there was a law on the books that said, "Union companies can't bid."

This is the problem: you can't square the circle with these folks because if it were the other way around it would be discriminatory, but if it's in their favour, it's reasonable. See, there's no consistency to them. None. They're the most inconsistent group I've met. They think it's OK that public dollars should be used to discriminate against 81% of the population—patently absurd. You go ask the folks in the good province of Ontario, put it before them and say, "Do you think it's fair that government contracts can only be bid on by unionized companies?" Do you know what they'd say? They'd say no, because it's discriminatory. They'd say no for the very same reason that they said no to their job quotas legislation: because they know it's discriminatory. No one should be excluded from bidding on work for government money because they don't have a union card.

You see, that's the thing. This is the funny thing; this is the humorous part. The humorous part, for my Hamiltonian friends here, is they believe that the only fair wage is paid by a union company. It's absurd—patently unadulterated absurdity.

Interjections.

Hon Mr Stockwell: See, they're so bought into the mantra of the unionized workforce that they can't get it through their heads that there are good non-union construction companies that are safe, healthy workplaces that should be allowed to bid on government work.

Mr Christopherson: Name names.

Hon Mr Stockwell: Name names? I've got dozens.

Mr Agostino: Name them. Name one.

Mr Christopherson: This is an embarrassment.

Hon Mr Stockwell: You're embarrassing. You and your nine buddies there, you're embarrassing.

The Acting Speaker: OK, maybe we can tone this down a little bit, keep it from back and forth and being personal. Speak through the Chair. And if the members across the way would—

Interjections.

The Acting Speaker: The member for Hamilton East, if you're going to heckle, be in your own chair, for one thing. I don't mind a little heckling, but it's getting to be a bit much here. Go ahead.

Hon Mr Stockwell: The sad reality is that you have this member for Hamilton West sitting here claiming he speaks for what? For who? Look at the polls, look at your votes. Who do you represent? The public has moved. It has moved forward. It has dealt with the issues that you keep harping about. The public doesn't believe that you should be able to tender public work and exclude 81% of the population. They don't believe that and it's reasonable not to believe that. If they tried to preclude your union companies you'd go nuts, and so you should. You

should not be able to preclude a union company or a non-union company. It's taxpayers' money; they've paid their taxes. They have every right to bid on the work. So if you think you're representing frontier thinking, my friend, you've gone back to the 1700s.

You know what? This cabal of nine—you should look around, the nine of you, because you're becoming extinct. So ennobling a cry, and every election it gets smaller and smaller. You're out of touch. You're out of sync. You're not in sync. The public has passed you by. They don't believe this union stuff any more. They don't believe you should preclude non-union people. They don't believe unions should get special deals that nobody else could get. They believe in fairness. They believe in a tendering process that allows every person who pays taxes and who has a company in this province equal access. You're out of touch. You're so completely out of touch it's unbelievable. If you continue down this road, there are going to be four or five of you and we're going to have to drop the official party status again.

Certification and streamlining: it allows the OLRB to rehear cases if the decision is not released within six months. That's not unreasonable. If they haven't heard a case in six months and made a decision, then you can make an application to be heard again.

Interjection.

Hon Mr Stockwell: It is reasonable. I read your Hamilton Spectator. You've got columnists in there telling you it's reasonable.

Duty of fair representation is also in here.

This is it. Bill 139 is a reasoned and thoughtful bill. It speaks to the issues. I canvassed the concerns. We have talked to the constituents and, I'll tell you, they are in favour. I know what the member from Hamilton West will say. He's out of touch. He's living in a world all unto his own and he represents about 15 people. Let him say what he says.

But I want to know what the member for Hamilton East says. I've got to hear from him. Which part of this bill is he really opposed to? The ban for a year, when it's three years on decerts? Are you opposed to that? The $100,000 disclosure when everyone else is disclosed? What are you opposed to? Vote clarity, which gives the employee the opportunity to say, "I vote no to this and yes to that"? More power? Are you opposed to letting non-union companies bid on publicly tendered work? What are you opposed to? I'm going to be real interested in hearing this. I don't know where the Liberals are going on this one, but I'll be very interested in seeing, if they vote against it, what they are opposed to.

I turn it to my friend from Barrie.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to enter the debate here. The member from Sudbury doesn't want us to rotate because he knows we don't have to right now, so I'm going to continue on Bill 139.

We were debating Bill 69 this afternoon. I'll say that the Minister of Labour has done another very thorough job of looking at what the issues are that are necessary to fulfill our Blueprint commitments. This is a very interesting situation and there are a number of areas, as he says, that we have touched on. Certification bars is one, vote clarity, non-construction employer, project agreement amendments.

I think it's fundamental—I'm just going to touch on the non-construction employer issue. I think everybody understands what the construction industry is about and the employers who are involved in the construction industry, but let's face it, municipalities, school boards, banks get involved—

Mr Agostino: On a point of order, Mr Speaker: I have an interest in listening to my colleague across the floor, but I would like to make sure we have a quorum.

The Acting Speaker: Is a quorum present?

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

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Barrie-Simcoe-Bradford.

Mr Tascona: For example, a municipality that wants to build a water facility construction and that tenders the contract to a general contractor should not be construed to be in the construction industry, because they are not. Essentially they've got a project that has to be finished in terms of following through on the services they have to provide to the community. But the general contractor who is in the business of construction of that water facility is the party who is in the construction industry, not the municipality that has tendered a project. The same thing with a school board that is going to build a school. Obviously they have to have the school built to satisfy the requirements under the Education Act and have that school operating. But it is the general contractor they tender the contract to who is in the construction industry. That's the line in the sand that has been drawn here.

1910

Quite frankly, I think the Minister of Labour is right on point here. It has been far too long that there's been that blurred line. A municipality should not be unionized for going into a construction project in those circumstances, because the result is that they're unionized for a specific trade for that particular project. For the municipality, depending on the size, that may be the only project they get involved in for many years. For them to be unionized for that particular project doesn't make a lot of sense.

I think the non-construction employer amendments allow employers like municipalities, school boards and banks to tender to both union and non-union contractors. The fact of the matter is, they are not in the construction industry per se. That, obviously, will have competitiveness factors in terms of union contractors who want that work, because they'll be bidding against non-union contractors. That, in the end, if it is competitive and with accountability, will be in the best interests of the taxpayers.

Another aspect of the bill—there are a number of changes. I want to refer to an article. I notice the members from Hamilton aren't here any more, so I'm going to refer to it specifically. It's from the Hamilton Spectator, Saturday, November 11. It is entitled "Changes to Labour Relations Act are 'Healthy.'" This is coming from Hamilton. "Mike Harris has proposed, among other changes, to require all companies to post a bulletin explaining how workers can decertify their union. Up until now, any application to decertify a union had to take place within the last 60 days of the current collective agreement. That period will be extended by Mike Harris to 90 days."

I want to digress for just a moment, because that point where it says the proposal to require companies to post a bulletin explaining how workers can decertify their union—Ian Urquhart's comments from the Toronto Star on Monday, November 13, entitled "Ontario Unions are Beginning to Fight Back," say about Bill 139, "This bill would place new obstacles in the way of union certification drives and require unionized employers to distribute information to their workers about how to decertify." That's what the bill requires.

To move back to the Hamilton Spectator article, the period where decertification can occur has been extended from 60 to 90 days before the expiry of the collective agreement.

"The labour movement seems to think that these changes are almost criminal.

"When you think about it, all that is happening is that workers unsatisfied with their union are being empowered by the necessary information to take action. The rules have always been there, it's just that unionized workers often did not know they existed." That's a fair comment.

It goes on to say, "What can be so awful about workers simply being advised of their rights in relation to their union? Is the union movement trying to hide information from their own workers? Is an extra 30 days going to make a difference?

"In my view, these changes are more likely to make the union movement a healthier one. Union executives will have to be more responsive to their members and their needs. The threat of decertification would be more real. In effect, unions will be made more accountable to their members. Maybe there will be fewer disgruntled union members trying to consult a lawyer.

"It is important to note that just because a union is decertified does not mean that a workplace will become a non-union shop. A union may be decertified, simply to be replaced by a more responsive union."

The next issue dealt with in this article in the Hamilton Spectator—I think it's a very good article because, in very simple language, it explains what's going on: "Another change proposed by Mike Harris is that when a union is negotiating its first collective agreement, the members have to be asked to vote separately on whether they accept or reject the initial contract and whether they in fact want to go on strike as a result.

"Again, this appears very democratic. It is quite possible that workers may want to reject the first contract but let negotiations continue before they actually take strike action. Why should they not be allowed to vote separately on those issues?" That's dealing with the first contract and also the strike vote, and this article goes on to say, "Why does it have to be an all or nothing vote? Going on strike can be financially devastating for workers." That's a fact.

And, he says, "Why would they want to leave such an important decision to their union executive? If the workers want to go on strike—and remember they are the ones that are going to go without a paycheque during the strike—that is their decision.

"Frankly, the union movement's objections to these changes appears to be a bit patronizing of rank and file union members. Somehow, the members are not to be trusted with information and power. Harris's changes simply seek to inform workers of their rights and ensure that they make such important decisions as whether they go on strike in a fair democratic process. Is the union movement afraid of its own members? If so, why?

"Mike Harris has brought changes to workers' rights in this province on a number of occasions in the past." On almost every occasion, there has been criticism by the union movement, and frankly it's getting very difficult for the union movement to argue these democratic changes aren't necessary.

That's an article from the Hamilton Spectator, which I have quoted. I think it makes some common sense in terms of explaining the situation. We're talking about information for union members to make decisions about their rights in the workplace, and we're talking about empowering them with respect to such fundamental issues as dealing with a first contract and going out on strike. After all, what could be more fundamental about a person's livelihood and their job than going out on strike?

This certainly fulfills our Blueprint commitment and strengthens workplace democracy. After all, we indicated before we ran, through the Blueprint, that we were going to be taking action to strengthen workplace democracy, something we did in a number of ways in our last mandate.

We are also enhancing the rights of individual union members in areas such as decertification, salary disclosure of union leaders and separate strike and ratification votes for first contracts. I submit it restores a better balance to the labour laws and promotes stability that supports job creation and economic competitiveness. That's what we need in this global economy and that's what we need to compete with our competitors like Michigan, Ohio and Pennsylvania.

I want to deal with a number of these areas.

Decertification provisions: open periods at the end of collective agreements begin at three months. Previously it was two months. This is just a process change in terms of the time someone can file for decertification. The ministry is to publish information on decertification,

employers are to make reasonable efforts to post and provide the document to employees, and the Ontario Labour Relations Board is to give priority to decertification applications in situations where there is a decertification application and a first-contract arbitration application.

1920

The next area we are dealing with is salary disclosure. The salaries and benefits of union officials and employees earning $100,000 annually are to be disclosed to employees represented by a union and to the Ministry of Labour.

Vote clarity: separate questions in strike and ratification votes in first-contract situations. Let's face it, we're dealing with a first-contract situation where the familiarity of the employees is not at the same level you would experience in a mature relationship; for example, General Motors and the CAW, where they have been parties to a relationship for many years and would obviously understand what they are doing in terms of continuing the union relationship or discontinuing it.

Interjection.

Mr Tascona: I know the member from Durham is quite familiar with General Motors; need I digress about that?

Bars to successive certification applications: there's a mandatory one-year bar. In other words, the union cannot organize an employer for a one-year period where a union withdraws its application before a vote twice in a six-month period. The normal process in terms of a union and the application for certification is that they would file their application, a voters' list would be prepared, the constituency who would be voting would be finalized and then a vote date would be held. That can be abused—going through that process, setting it all up and the union withdraws their application before the vote because they know that if they lose that vote, then the automatic bar of a one-year period goes into place.

I don't think it's fair to an employer to go through a very disorganized and difficult time frame in terms of an organization drive, where a union is basically going through all the steps and then they withdraw before that vote is taken. If they're going to go through the steps and set everything up, then there have to be some consequences for withdrawing. What we're saying is that if a union withdraws its application before a vote twice in a six-month period, there is an automatic 12-month bar; in other words, they can't organize that place for a 12-month period.

The other circumstance where this applies is where a union withdraws its application after a representation vote. That obviously would suggest that the vote results haven't been taken, but once the vote is taken they basically withdraw and say, "We don't want to know the results. We're just going to withdraw. That way, we'll come back later without any ramifications," because they have a sense, obviously on an objective basis. They should know what's going on, because they withdrew. They're not going to be allowed to do that.

The other circumstance would be after an unsuccessful representation vote. The bar applies to subsequent applications made by any trade union for the positions in the original application.

So it's very clear, in terms of trying to bring labour peace to a particular workplace and not allowing a union to manipulate the process that disrupts a workplace. Once they commence along that road where they want the application in—they've done their work—they should fulfill that process. If they don't want to, then obviously there are going to be consequences where they withdraw and the way they handle the process before and after a vote.

One area I want to touch on is that salary disclosure would apply to private sector unions under the Labour Relations Act as well as teachers, firefighters, police and public sector unions. Other employee organizations may be covered by regulation. Local unions would be required to provide their parents, in other words, their parent union—let's use the example that the Canadian Auto Workers would be the parent union and they have a number of locals, the locals that would be at the plant level in, say, Windsor, Oshawa, St Catharines—with a statement that includes the names of the employees earning $100,000 or more in salary and benefits and the amount of salary and taxable benefits paid to each of these employees. Definition of salary and benefits would be drawn from the Income Tax Act. A union is required to provide the salary disclosure statement to an employee it represents upon request. A union is also required to submit a disclosure statement to the Ministry of Labour, and the ministry could publish the information.

Bill 139 would provide remedies if a union fails to provide a statement or provides inaccurate or incomplete information, including requiring the union to provide the information in ordering an independent audit of the union's financial records. That is a very clear requirement with respect to salary disclosure.

One other area that we're touching upon which I dealt with a little bit earlier deals with this issue of why the government is proposing amendments that would allow employers to unilaterally remove bargaining rights of construction unions. Part of the throne speech commitment to modernize construction labour relations: non-construction employers were unfairly bound by construction agreements over which they have no control and which do not relate to their businesses. I give those examples with respect to a municipality, with respect to a school board. The affected workers would be able to unionize under the general Labour Relations Act provisions. And it allows broader public sector employers a way to ensure that all publicly funded projects are openly tendered. That's something that makes sense in this competitive market and at a time when taxpayers' dollars are obviously at a premium and should be held to an accountable standard. It opens up for the broader public sector employers to tender to union companies, to tender to non-union companies.

To get a non-construction employer declaration under the current law, employers must show that (1) any construction work they do is incidental to their main business, and (2) they have no employees on the application date whose bargaining rights would be affected. Some non-construction employers can't access the remedy because they have some permanent construction employees, plus complicated litigation has arisen over the meaning of the term "incidental" in the current legislation.

The proposed change under Bill 139 would have employers being entitled to a declaration if they do not perform construction work for which they expect compensation from an unrelated party. Employers may still choose not to apply for the remedy, and there will also be the removal of the no-employee requirement.

Currently employers whose primary business is not construction may be bound by the construction industry provisions of the Labour Relations Act, including province-wide bargaining in the ICI sector, the industrial-commercial-institutional sector. TD Bank and the Second Cup are examples of companies that have become bound by provincial construction agreements. For example, if the Second Cup decides to open a new location or decides to renovate an existing location and tenders out a contract to a general contractor to build the Second Cup or to renovate the Second Cup, why should the Second Cup be certified as an employer in the construction industry when everybody knows their main business is involved in hospitality and in dealing with the serving of coffee and whatever? It's not construction. It's far removed from construction, but obviously they need construction work done on their premises for them to operate in the best way they see fit.

1930

These employers have very little ability to influence negotiations that result in an ICI agreement. To understand that, province-wide bargaining, you have an employers' bargaining association for all the employers in the province for that particular trade that have been either voluntarily recognizing that particular trade union or have been certified by that particular trade union. They negotiate with an employee bargaining agency for that particular trade and represent the locals throughout the province for that particular trade. They enter into province-wide bargaining; they negotiate on a province-wide basis. They have different sets of terms and conditions for each local—or geographical area, to be more exact—throughout the province.

So if you have a Second Cup in Barrie that decides to renovate their operation, does it make sense that they would be bound by a province-wide agreement for the construction industry where the project is going to be completed in very short order? They don't employ construction workers. They're in the retail coffee business and they're probably not going to employ any other construction workers again if they decided to go direct. Normally what they would do is hire or tender to a general contractor, yet they are permanently required to subcontract all work in Ontario to unionized contractors, often as a result of hiring a small number of employees to perform renovations.

That's a situation where they haven't gone out and hired a general contractor to do all the work and hire the trades. What they've done is they've done the work; they've hired a couple of tradesmen directly to do the work. They're still not in the construction industry. They're in the retail coffee business, if we're using the example of the Second Cup. So why should they, if they use a couple of construction workers for a short-term project, all of a sudden be party to a province-wide collective agreement dealing with that specific trade, be it labourers, be it craftsmen in carpentry or whatever?

Some publicly funded entities like municipalities, school boards and housing authorities are also often bound to province-wide construction collective agreements that require them to contract only with unionized subcontractors. Once you get into a province-wide agreement, you're not only bound if you directly hire tradesmen to do the work for yourself on that project, but if you decide that you want to subcontract that work of that specific trade that you are bound by through that province-wide agreement, you have to use a unionized sub, because you're bound to that provincial agreement.

Some construction bargaining rights in the broader public sector were extended due to amalgamations. After the megacity amalgamation, for example, school boards in areas like East York became bound to collective agreements that prohibited subcontracting with non-union companies. It's a matter of balance and it's a matter of common sense when you're dealing with this particular issue. Certainly I think what you have to look at is that this company that you're trying to certify under the construction sector labour relations provisions of the act—because there is a very specific section under the Labour Relations Act that just deals with the construction industry. So if you have an employer like the Second Cup, whose business is in retail coffee, renovating their operation and they hire a couple of construction workers, are they in the construction industry? I would say not. They obviously needed some construction work done on either a new Second Cup or renovating that Second Cup. For them to be bound and now become viewed as a construction company makes no sense.

The proposal dealing with prior labour relations decisions makes a lot of common sense to bring some light into what is really the intent of the construction industry, which is to deal with construction companies that are paid for their work because of the construction work they do.

Another area that I want to deal with is the decertification and displacement provisions. Under the current Labour Relations Act, 1995, if a collective agreement term is for three years or less, a union can apply to displace another union or an employee can apply for decertification beginning two months prior to the end of the term. The bill would change this to three months. The key thing here is that another union is going to raid the

existing union for that employer either during 60 days or 90 days, so that could be a decertification by another union, or an employee who represents a group of employees wants to decertify to get out of that particular union. It may mean that they don't want a union, but it may also mean they want another union because they find the union they have is non-responsive, or they may want to set up their own union or an employee association, because they do want the protection of some union rights, but they don't want to be represented by that particular union.

All we're saying here is the process that's already established is extended from 60 days to 90 days. That allows for greater decision-making, greater time to make that decision and obviously an opportunity for the union that's going to be decertified to deal with the situation ahead of time so that they're not detrimentally affected. If they're going to be decertified by another union or a group of employees want to get them out, it's going to happen one way or the other, whether it's 60 days or 90 days.

Under the current Labour Relations Act, if the agreement term is for more than three years or continues in operation for more than three years, a union can apply to displace another union or an employee can apply to decertify during the last two months of the third year and each subsequent year or after the commencement of the last two months of the term. The bill would change this again, the procedural requirement, to three months.

The big issue the unions take with this decertification information, they're against information being disseminated to employees about how to decertify. The unions, on their side—to deal with the balance of the equation—certainly know how to certify a workplace. You have the employer who has limited rights under the Labour Relations Act when they're dealing with a certification drive, but you also have the employees, who need to know their rights during an organizing drive and which information is provided currently by the Ministry of Labour in terms of your rights under the Labour Relations Act. This is just supplemental information in terms of knowing your rights under the Labour Relations Act, and it has always been there, being able to decertify a union either through a union or through an employee. If the substantive rights have always been there, why shouldn't you be entitled to know how those rights are activated?

So currently the Labour Relations Act does not require the provision of decertification information by the Ministry of Labour. The bill would require the ministry to prepare and publish a document outlining the decertification procedures within one year of royal assent. Currently the ministry publishes a document that deals with what are your rights under the Labour Relations Act, for unions, for employers and for the worker, so they all understand their rights under the act. The provision of this information on decertification by the employer would not constitute a violation of the act. It's just common sense.

Now, decertification and first-contract arbitration: currently the Labour Relations Act provides that where a first-contract arbitration application and a decertification application are filed with the board, the board shall consider the applications in the order it considers appropriate, and the board's practice is to consider the applications in the order in which they are filed.

The bill would require the board to deal with the decertification application before considering an application for first-contract arbitration. If the board orders a vote, the vote would be held and the board would dispose of the application. If the vote is against the union, the first-contract arbitration application would be dismissed. If the vote is in favour of the union, the board would proceed to consider the first-contract application.

1940

Ratification and strike votes: in first-contract situations, the bill would require that there be separate strike and ratification questions. Combined questions are not permitted. So you will clearly know whether you are going to strike. What ratification means is that the union bargaining committee has reached a tentative collective agreement with the employer's bargaining committee. Normally the process is that it's settled by a memorandum of understanding. Both parties agree that they're going to put the tentative collective agreement to their membership, be it a board of directors for the company or the union membership for the union. The ratification is, are you going to follow upon and agree with what your union committee has said is a fair deal? So there's going to be a vote on that and it's going to be a very clear question as to whether you want to ratify that agreement; in other words, you agree with the agreement that was negotiated by your committee. That, to me, makes common sense.

Following up on the theme of workplace democracy and a balance of employee rights, employer rights and union rights, for far too long employees have been at the short end of the spectrum in terms of knowing what exactly are their rights in a certification situation. After the union has been organized, what are their rights? And what are their rights, it naturally falls, if they decide they want to get rid of that union?

As we say, that process of decertification is not new; it's always been there. For example, you saw earlier this year that the CAW was very successful in raiding—that's what it was called by the Canadian Labour Congress; the technical term is decertification—the service employees' unions and many of their locals. That is allowed under the Labour Relations Act, for another union to displace. All we're saying is that you can do it not just in the 60 days before the end of the collective agreement, if the agreement is three years or less, but that will be extended to 90 days. It's just a matter of procedure, what we're dealing with here.

The fact that we're allowing workers to know what the process is for that to happen, decertification, the trade union movement takes great exception to. I only can say that it's difficult enough for a layperson when they want

to get legal advice from somebody about an area they don't understand. The avenues that they can go to, to the law society, to a lawyer referral service or to just phone up the Labour Relations Board—after all, for the Labour Relations Board, or the Ministry of Labour to be more exact, which is there for the public, not to be able to provide information about the substantial rights that can affect their livelihood in the workplace really is offensive to workplace democracy. So I think it naturally follows for the Ministry of Labour to be fair to everyone, because it's there also to provide a service to unions, to the employers and to the workers, so that the workers at least know what their rights are when they're dealing with a fundamental situation such as whether they're going to be unionized or not.

The Acting Speaker: Comments or questions?

Mr Rick Bartolucci (Sudbury): After listening intently for an hour to the member for Etobicoke Centre and the member for Barrie-Simcoe-Bradford, the one thing they haven't convinced me of is that there is balance in this legislation. Dalton McGuinty and the Liberals believe that balance is essential in labour negotiations and in the labour movement, and when you don't have balance, you don't have a win-win situation. Clearly here, on the premise of enhancing workers' rights, the Ministry of Labour, the government, is making it very easy to decertify unions and, by extension, giving employers the opportunity to pay employees much less and to take away rights which were long and hard fought for over the many years of negotiations between management and unions.

I would suggest to you that you can't look at Bill 139 in isolation, because really it's been an onslaught of labour legislation that has created the imbalance that we have presently in the province. I fear that the advice that Pat Dillon, the business manager for the Provincial Building and Construction Trades Council of Ontario, is giving the government may come true when he said, "I fear that these continued attacks on unions and working people will lead to instability in the workplace and will eventually wreak havoc on Ontario's booming economy." That really concerns me, Speaker, because this booming economy has not found its way to northern Ontario, to your area of Sault Ste Marie or to my area of Sudbury. Do you know what? If there's havoc in the labour area, that can only be detrimental to our area of northern Ontario. The government should rethink this legislation and listen to what unions are telling them: balance is important.

Mr Christopherson: I want to comment on the remarks of both members, but I want to start with Mr Tascona, because it was interesting—

Mr Tascona: Don't name me.

Mr Christopherson: You know what it is? I put a note that had your riding on it and I didn't have it in front of me and I forget it. It's Simcoe something—Bradford?

Mr Tascona: Barrie.

Mr Christopherson: Barrie-Simcoe-Bradford. Sorry; that's why. I didn't want to do that.

Anyway, it was interesting when you read the article, and that's fair game, that is in the Spectator from Mr Canning: very fair, except that those of us who knew the article—and I was in the lounge and I caught it. I saw you pause and I waited for you to finish it, and you didn't. You didn't finish the article, and I'm a little disappointed because as a lawyer, people rely on you to do your homework and you didn't do it. You hadn't read that, because if you had, you would have stopped, and that's fair game, but what you left out was—and this was Mr Canning—"On almost every occasion, I have been willing and vociferous in my criticism of those changes." Further to that, you mumbled something about what this said that wasn't there. So you ought to be very careful about how you present things that someone else has written.

Let me also just talk about this waiting for a year before you can apply again for certification. First of all, there are a number of labour lawyers—and by that I mean real ones, real labour lawyers—who say there may be grounds, and it's being looked into, for a constitutional challenge: denying the right of association. But secondly, it sets us up for a sham process, which I hope to expand on later this evening.

Mr John O'Toole (Durham): It's a real pleasure to comment on the member for Barrie-Simcoe-Bradford, and of course the Minister of Labour spoke earlier tonight on Bill 139, An Act to amend the Labour Relations Act, 1995.

I think the member for Hamilton East is probably going to give us many of the same stories that he has for the last five or six years. The Minister of Labour said it best today when he said that really it's about creating jobs and creating some balance while at the same time respecting democracy in the workplace. I know, on a number of fronts, dealing with workplace democracy, and as we talked about it earlier today, the construction trades issue on Bill 69 and the employment standards, all of these changes that are before us are to make sure that everyone has the opportunity to work. That's really what it's about.

1950

I think there are two or three things under this current bill that we're talking about, Bill 139, that are worth the remaining half a moment that I have here. It's strengthening the certification/decertification process. I think that's very important. The democratization of the workplace is really what the minister spent considerable time on today. It's not to suggest that the current system isn't democratic. I believe it's quite the opposite; I think that the workplace itself has changed.

In many areas in the workplace economics, we know that there are shortages of workers, shortages of skilled workers. When it comes to some of the technical changes in the bill—specifically with respect to the decertification and the votes for certification process—I think they're long overdue, personally. Employees are basically intelligent people, not somebody who has to be led around by the nose by some all-knowing government or other

agency to do the right thing. I think democracy in the workplace is the right thing, and I'm interested in hearing on the other side if they're opposed to democracy in the workplace.

Mr John Gerretsen (Kingston and the Islands): I can't help but think of the fact that we've had sessions in here where the government's main aim has been to beat up on the teachers and the teaching federations in this province. Today seems to be "let's beat up on the union" day. We had a session this afternoon when we talked about Bill 69, and I'm sure there are some people watching tonight who probably think they're seeing a repeat of this afternoon, as if they're watching the same thing or maybe they missed something this afternoon, because we're beating up on unions or the government is once again beating up on unions.

For the life of me, I cannot understand why that is being done. Right now we have a booming economy in the province of Ontario. There don't seem to be any labour disputes that I'm aware of, of any great magnitude, in this province.

Why is this government trying to upset a system that works extremely well? You know, the government does it in what I regard as a very sinister way. It talks about employee rights, as if unions weren't originally set up to protect the employees in different workplaces, so it can sanctimoniously talk about, "Well we're here to protect the rights of the employees."

We all know that the union movement over the last 50, 60, 70, maybe 100 years in this province has been there in order to improve the livelihoods and the conditions of the employees who are members of various unions in this province. To make it sound as if employees get more rights by in effect taking away rights from the unions does not make any common sense.

The Acting Speaker: Response? Being as they are not here, further debate?

Mr Agostino: I appreciate the opportunity, on behalf of my caucus, to take some of our lead. I'll be sharing that with three other members, and I know I can tell you that in days to come, many of my colleagues will be on their feet speaking to this important piece of legislation.

It's unfortunate that the Minister of Labour, who was here and lectured the opposition for an hour and 40 minutes about democracy and spent half his time attacking myself and the NDP critic, Mr Christopherson, now is not here. I assume the limo was running and ready to go as he ran out of here when he finished his comments. I'm sure we'll make sure he gets the Hansard to understand clearly some of our reasons, so he's better informed when he gets up in the House and attacks the opposition critics for not giving rationale and reason why we're opposed to this piece of legislation.

Clearly, Bill 139 is the latest of a string of attacks over the last five years on labour and working men and women across this province. Frankly, nothing this government does to attack labour surprises me any more. We've seen it right from the beginning. Every single piece of progressive labour legislation that has been brought in over the last 40 or 50 years they're simply, a bit at a time, trying to get rid of. We're not simply talking about legislation brought in by the NDP government or the Peterson government before that. We're talking about legislation that goes back to Bill Davis and Robarts, clearly governments that were progressive in their nature, not Reform or Alliance or whatever they're called today, as this government and this party in Ontario are today. They're not only slowly stripping away what the other two parties have brought in, but they're stripping away legislation that Bill Davis proudly brought in, that Premier Robarts proudly brought in, and they should be ashamed of themselves for taking that approach to labour relations across this province.

When you look at this bill, as usual they get cute with the name and they get cute with the words. This bill is based on the premise of "enhancing workers' rights." That's the minister's code for this: "enhancing workers' rights." I can tell you, there's nothing in this legislation that enhances the rights of workers, but there's everything in this legislation that enhances the rights of their corporate friends, the friends of this government who donate millions and millions of dollars a year to support this government. This is another one on a continuing wish list for this government, for big business, by the Harris government. It is clear, with every piece of labour legislation that comes in, that the Bay Street boys, their corporate friends, win the day again.

One can't help but clearly believe that whenever they come calling and knocking on the door of the Premier of Ontario—because we know who calls the shots. We know that the minister is simply a front for Premier Harris on this. We know the minister doesn't call the shots here. We understand that. Clearly, Mike Harris sends a memo to Chris Stockwell that says, "Go ahead, Minister. Here are your lines. Here's what I want you to do," and the minister, because once he was given the keys to the limo, he was no longer the independent thinker he used to be, follows line, hook and sinker what the Premier of Ontario wants. I understand that.

I understand that the minister is putting on a good act. He's trying hard to make sure he keeps the Premier happy. The reality is that every time one of his corporate friends knocks on the door or has dinner at the Albany Club with Premier Harris and makes another proposal, Premier Harris says, "Yes, sir. Yes, we will change that. We'll change labour legislation again to help you because those bad workers who want to earn a decent wage and go home safely at the end of the night are evil. Our job's not to protect them. Our job is to make sure that our big, powerful corporate friends continue to make even more money at the expense of working men and women across this province."

That's what drives this agenda. It's not fairness. It is simply a wish list that this government continues to give to their corporate friends. This is not about workplace democracy. This bill is about attacking the labour movement. I've received a great deal of correspondence on this, and it's right across the board. One thing that's

interesting is when we talk about who asked for this legislation. The minister himself, in the scrum when the bill was brought in, said, "Clearly, business," that clearly business had asked for these changes to be made. This was not something labour looked for. He admitted that Bill 139 was the request of employers.

I find it ironic that someone I know and respect in Hamilton fundamentally disagrees with me: Shawn Chamberlin, the president of the Hamilton and District Chamber of Commerce. Again, when you talk about balance between business and labour, let me tell you what Mr Chamberlin said: "This is pretty much everything we asked for. It's true, there's nothing in here for labour." That's a great shock, but I'm glad that Mr Chamberlin at least was honest enough, unlike this government, to admit the reality of what this bill's all about. It's pretty clear.

2000

I have received correspondence from the Labourers' International Union of North America. Mr Joseph Mancinelli has written an eloquent letter. I have a few minutes and I'm going to take time to read part of this. Mr Mancinelli is the international vice-president and regional manager of central and eastern Canada. I consider Mr Mancinelli to be one of the most progressive, articulate labour leaders in this country. A community-minded individual in the labourers' union of North America, local 837, he's a leader across Canada, not only as a labour leader but also in what he's done for the community, for our great city of Hamilton and many other communities. Mr Mancinelli is a Harvard graduate, truly someone who knows what he's talking about when it comes to labour legislation and truly someone the government should listen to. I'm going to take a few minutes to read part of what he says here. He says:

"LIUNA is a progressive, business-minded union that has been working diligently on great relations with our industry partners, our contractors, since 1903. Our union with over 800,000 members has survived world wars, economic depressions and recessions. In spite of all the hardships throughout our evolution, we have successfully elevated the stature of working men and women to a dignified position in our society.

"Labour legislation in Ontario was created for the benefit of those workers who are the foundation of Ontario's economy and future. Bill Davis's Progressive Conservative government introduced labour legislation for workers, not unions, in order to create a stable industrial relations environment in Ontario. In fact, LIUNA's record speaks for itself: excellent relations with our contractors, and unparalleled community involvement and leadership.

"Therefore, I ask myself why would your government introduce draconian, anti-labour, anti-worker legislation when Ontario is experiencing a highly buoyant construction industry in desperate need of skilled trained workers and a stable environment to bring all construction projects to fruition.

"I would think that legislation that supposedly embraces democratic principles would not be one-sided and unfair. If in fact you succeed in posting decertification guidelines in every unionized worksite, then why not post certification guidelines on every non-unionized worksite?

"Unions are as different from one another as competitive corporations are. Your proposed legislation would prohibit LIUNA from attempting to certify a company for a year, because another union has unsuccessfully attempted to certify that company.

"Furthermore, your proposed legislation prohibits construction certification of school boards, municipalities and the banking sector. The banks in Canada have experienced record profits, increased their service fees to their clients and have shut down numerous branches throughout Ontario under the guise of efficiency. What democratic and fair reasoning could there be behind also excluding banks from construction certification?

"Minister Stockwell, I urge you to consider your position on this bill that is fraught with undemocratic injustices.

"Legislation should be introduced to fairly address the entire construction industry's concerns, not only the concerns of a mere handful of general contractors whose short-sighted, myopic lack of reasoning will hurt our industry at a time where reason, fairness and co-operation are most needed."

Signed "Joseph Mancinelli, International Vice-President and Regional Manager, Central and Eastern Canada," and sent to the Honourable Chris Stockwell.

Mr Mancinelli, on behalf of the hundreds of thousands of men and women he represents across North America in his position, has clearly stated why this is a bad piece of legislation. For a few minutes, I'm going to try, with a lot less articulate description, to talk about some parts of this bill and why we see them as clearly an attack on working men and women and not something that is there to in any way help working men and women.

If you look at some of the would-be—and it's been mentioned. If the labour minister requires information on how the union can be decertified, it would have to be required in every workplace that is unionized. If you are going to do that, if you are going to be fair—it's been mentioned before, as was mentioned in the letter—will this government today commit to post and ensure that information is available in every single non-unionized worksite across this province on how to certify a union? That's fair. If you're going to post notices in unionized workplaces on how to decertify, then why not give non-unionized workers information on how to certify and become part of a union? That is fair, that is balanced. You're not interested in that because your business friends don't want that.

Then we have the cooling-off period for a year after a bid for certification fails. First of all, workers have a choice. Let's just talk about democratic choice. Workers turn down one particular union because they don't feel it represents their view. You are saying, "For a year, you have no choice. You cannot have anyone else come in

and try to organize you." Imagine what would happen in that year, as we've seen already across Ontario—the harassment, the bullying, the intimidation, the firing of workers, men and women who may be bold enough and brave enough to attempt to once again certify a union, a worksite.

Under the legislation you brought in when you got rid of Bill 7 and other legislation, you've basically given the employer full rein to severely harass and go after workers who try to unionize, to organize union drives in the workplace. And now you're going to give a one-year cooling period so they can be beaten up, harassed, intimidated, threatened and fired. That's what this bill is all about: giving the opportunity for intimidation against workers who want to bring a union into their workplace once that bid has failed. That is not democracy, that is not balance. That is, again, taking the side of your large corporate friends who basically have asked for this and who you've basically caved in to because you want their donations and their support, and you're selling out working men and women across Ontario to get it.

We have another provision: the new act would require separate votes for ratification of strike action in first-contract situations, and you tie that with the fact that if there isn't a first contract in a year there could be decertification. Think about it. Right now a strike is the only real clout, the only real stick a union has against an employer in trying to come to an agreement on a first contract. By allowing a vote on ratification and on strike action, you're giving the balance—the employer often has most of the power. What you're saying now is that you're going to take away what little clout a union has in a first-contract situation. We only have a separate vote, so we'll vote for ratification. That gets turned down and then what happens? You go back again and negotiate for another month and then have another vote and so on. We drag this out for a year and that's the end of certification of a union in that particular workplace.

What you see here, again clearly, as the minister talks about fairness and balance, is that there's no fairness and no balance. Every single item I've gone through on this bill so far is clearly tilted to big business, to their business friends, and the minister basically admitted, as I said earlier, that, yes, this wish list was what business wanted and they'd been approached, and every single piece of this bill points to that.

One section of the bill gives municipalities, school boards and banks the ability to tender their construction projects to non-unionized companies. The minister makes this sound like this is fair. This is one of the most disturbing and damaging parts of this bill for many reasons. First of all, the minister says, "We need to protect taxpayers' dollars." His argument was that if it's the taxpayers' dollars why shouldn't we simply open it up completely and get the best deal? I'm trying to understand, and maybe someone on that side of the House some time this evening can stand up and explain to me why municipalities, school boards and banks—I'm just not sure which taxpayers' dollars the banks are talking about here. I'm not sure why the banks, when they're bringing in billion-dollar-a-year profits, need the protection of this government to tender contracts. I'm just wondering where the savings for the taxpayers are as you're protecting the banks.

Is the interest here to protect taxpayers' dollars or is it to protect the $25,000 tables that you charge the bankers at your fundraisers? Is that what the interest here is? I'm curious for someone on that side of the House to explain to me why banks have been locked in this category. Maybe it's because they're hurting. Maybe it's because they've lowered user fees so much that they don't make any money any more. Come on, we know that. Banks don't rip off consumers, of course not. User fees are fees, of course they are. Banks don't make enough profits. They need the help of Mike Harris and the Reform-Alliance party here in Ontario to make more money so they can buy more tables at their fundraisers. That's what this is all about. The argument of taxpayers' dollars to the banks is a joke. It is absolutely embarrassing that you even include this in this piece of legislation. The big banks need your help to make more money, for sure.

Then when you talk about school boards, municipalities and other government agencies, you say, "Why shouldn't they be able to compete? Why shouldn't they have a choice, non-unionized and unionized?" Well, I guess the principle of unionized labourers, construction workers and trades workers is that unions have gone out, negotiated fair wages, fair packages, health and safety provisions and benefits for their workers. It should generally be the standard in a society, in a booming economy, that we'd raise the standard of people, that we'd rise to the highest denominator, that we'd raise wages of working men and women when the economy is booming, and that's what unions negotiate.

So now you're saying, "That's not good enough for Mike Harris's Ontario. We want to lower those standards, we want to bring it to the lowest common denominator. Why should we pay a bricklayer $24 an hour when we can get away with $8 an hour, when we can really drive those wages into the ground? To hell with the risk the bricklayer takes on his job, to hell with the fact that every single day injuries in the construction industry maim and kill people across this province." That doesn't really matter because we can get away, under your provisions, with bringing in literally what will become the equivalent of sweatshops in the construction industry that, again, instead of driving to the highest denominator where we can all benefit and where Ontarians can all grow and help the economy and the province get better, you're certainly doing the opposite.

2010

We're not just talking about wages here. Wages can be addressed. If you're really serious, if this government is serious about saying they want non-unionized contractors to be able to compete with unionized contractors, then I issue a challenge. Bring this piece of legislation in, but also bring in a fair wage policy, as we did in the city of Hamilton, where we said—and I was proud to be part of

that council, and my colleague from Hamilton West was part of that council at that time—fine, non-unionized contractors can come in, but they're going to have to pay fair wages in our community. That means you can't simply undercut a company by paying your workers half of what another company does and basically bring in sweatshop rates for very difficult, dangerous skilled work.

If you're serious, bring that in. If your commitment is truly to allow non-unionized companies to compete with unionized companies, then bring in a fair wage policy to match that commitment. Then there would be some sincerity behind that. If you're serious about it, do that. I challenge you to do that. I'll give you credit for it if you're serious.

But you're not serious about that. That is not your interest here. Your interest is not fair wages for working men and women. Your interest is simply fairness for your corporate friends, the lowest wages. Not only wages, but I'm also concerned about the issue of safety. I'm going to get back to this; I spoke about it today and I promise I'm going to speak about this issue every time we talk about labour legislation. I'm going to continue bringing these examples up—the issue of safety on the job and particularly when you're talking, as I am here, about the area of construction, labour and the heavy industries. As I said earlier today, 20 deaths last year in the construction industry in Ontario. Twenty men left home in the morning and didn't come home to their families that night. Eighteen of those 20 were working in non-unionized construction sites. Is that a coincidence? Is that a fluke, simply a blip on the radar screen? I don't think so. There is a 250% greater chance of someone getting hurt on a construction site that is non-unionized than on a unionized construction site.

I know we don't raise personal experiences in this House, but I'm going to raise this one, because I feel strongly about it and I feel that this is one of the most dangerous parts of the legislation. From personal experience in my own family, I can tell you about the devastating effects of construction injuries and the impact they had on my father and my family as a result of being in a site that was not properly protected, a non-unionized construction site, an unsafe workplace. At the age of 35, my father, who had worked as a bricklayer in construction since the day he started work at the age of 15 in Italy, was working on a non-unionized construction site in Dunville, working 14 to 16 hours a day to look after his family of three young kids and his wife. He fell through 40 feet of stair shaft because the employer couldn't be bothered to spend a couple of dollars to put a wooden railing around that stair shaft. Because my father did not have the protection of a union and the ability to refuse that workplace, he spent the next 30 years of his life, to the day he died, confined to a wheelchair. That accident contributed to his premature death as well.

It is important, it is critical for working men and women across Ontario not to have to experience what my family and what hundreds and thousands of other families have experienced across Ontario when it comes to workplace health and safety. There is nothing more important that we can do here than protect the well-being and health and safety of those men and women who go to work in the morning to look after their families. I can tell you that with any piece of legislation that takes anything away from that, we're going to fight like hell, tooth and nail, across this province to oppose and to expose what you're all about.

Explain to me why it's a good idea to have unsafe workplaces. Explain to me why 18 out of 20 deaths last year in the construction industry were on non-unionized sites. Explain to me why it's good to allow non-unionized, unsafe companies to compete for jobs in this province. Tell me why it's a damn good idea, because it isn't.

This government goes off trying to please its big business friends. Understand the real world of what you're doing here. Understand the impact you're having on men and women across this province. Not only are you attempting to drive down wages and to drive down standards, but you're adding to the risk of workplace injury.

Government-labour relations are all about balance, and that's what we should be achieving here. We're in an area, we're at a time, when there's relative labour stability across Ontario. Yes, there are strikes, and despite all the efforts you've made to bash and break unions across this province, the leadership and the working men and women who are under that leadership have adapted and changed and tried to make the best of a difficult situation. But you're going too far and you're going too hard and you're going to break what has already been bent across this province when it comes to your attacks on working men and women.

We have to bring back some sanity and restore some balance to our labour relations in Ontario and I don't see anything in here that does any of that. What is even more disturbing is that I don't see the need. When the minister was asked about some of the provisions, was asked at the press conference to give examples of decertification, one of the acts of this bill, he said one of the reasons was that employees were being certified even where the majority of workers had opposed it. The reporter said to the minister, "Give me an example. Is this a problem? Where has this occurred across Ontario?" and after a couple of minutes of not having a response, the reporter said, "The Wal-Mart situation?" "Yeah, that's right," But then they forgot to say, "You brought in a bill to deal with that already."

So where's the need? Show me the examples of what pressing situations have occurred across this province. It's easy to talk in generalities and say, "Wow, democracy and certification and stability." Give me examples of where in the workplace across this province we have the problems you're trying to fix today.

It's easy to say we've got these problems. I think that as a minister responsible for labour relations, for labour in this province, as a government, as a cabinet, as

backbenchers, you have a responsibility to tell us where you think those problems are. You have a responsibility to tell the people of Ontario why you're bringing in some of this legislation.

Is it really to protect working men and women? Is it really to help working men and women? Think about it in your heart of hearts. I know that you have to do the line, that you have to read the briefing notes you've been given, but when you're thinking about it by yourself, explain to me, outside of the political neo-conservative ideology that's behind this bill, why it is necessary today. Explain to me where the balance is here. Explain to me why you need to once again attack the labour movement.

There isn't any reasonable explanation. The minister had no reasonable explanation for this, but you continue to incite. Is it maybe that you need a diversion? Is it maybe that you're looking for another enemy to attack? Is it maybe that you need to find other targets because you're having too many problems on the home front here?

Is it because you want people to stop talking about Walkerton across this province? Is that why you bring this in now? Is it because you want people to stop talking about overcrowded emergency rooms and ambulances being re-routed across this province? Is that why you want this bill now, so that we can have a confrontation, a showdown, a shootout with labour that dominates the news, that dominates this Legislature, that dominates the coffee shop talk and the hockey arena talk and the soccer field talk across this province? Is that what you're doing this for? Is it a diversion tactic? Are you willing, for political expediency and cheap political gain, to risk all that across this province right now?

2020

Is it because you're afraid to talk about the environment that you figure, "Let's start talking about something else. Let's get people talking about those nasty unions that have threatened to go to war, that have threatened production shutdowns, that have threatened to take this government on"?

I know you're cocky and you're arrogant. Minister, I'm sorry. As to the tone of that address today, I wish every Ontarian could see a few minutes of that because they really would understand how power has changed this government and this cabinet. You're not listening to people any more. You've lost touch with people. I'll give you credit. In 1995, as much as I disagreed with your agenda, you were in tune with what people in Ontario were thinking. That has changed dramatically in five years. You have lost touch with real Ontarians. You have lost touch with working men and women. You're so driven by this blind ambition and power and greed that you don't see the damage you're causing to Ontario by what you're doing. This piece of legislation is another classic example of that.

I urge you to take a step back. Don't look for a fight with labour. I understand that you have the majority on that side of the House. It doesn't matter what piece of legislation you bring in, you are going to win. You're going to pass the bill because you have a majority government. All we can do in opposition is vote against it and point out the weaknesses and hope that Ontarians will understand and see clearly, beyond the smokescreen you're producing out there, what the real agenda is here.

In doing that, you're damaging our system, you're damaging our province, you're damaging the foundation of Ontario. In this case, for years to come you're going to damage labour relations. Why do you want companies to turn against workers? Why do you want unions to turn against corporations? Why are you trying to cause that fight where one doesn't exist today? Why do you want to go to war with labour? Why do you want demonstrations out here? Why do want to shut down construction sites? Why do you want production slowdowns when the economy is booming and people are working? Why are you risking all that?

I ask this government to take a hard look at what they're doing, to take a hard look at the risks they are taking, to take a hard look at the damage they're doing to labour relations in Ontario. Forget the corporations, forget your corporate friends, forget your political ideology. Please, I urge you, I beg you, to think of the impact this is going to have on real working men and women across this province. Do the right thing and withdraw this bill.

Ms Caroline Di Cocco (Sarnia-Lambton): I'm pleased to speak on this bill and I support the member from Hamilton East in his argument because he made some very valid points that I'm hoping the members on the other side of the House will consider.

When I speak to this bill, I'm not quite certain what Minister Stockwell means by "workplace democracy." If you take a look at that terminology, it is an incredibly misleading title. What exactly does he mean?

Workplace democracy: I took the words and I thought to myself, does it mean workers on the site are going to be able to vote on the jobs they want to do and then they can tell their employers, "Look, we've had a democratic decision. We voted and we are going to do the jobs we think we should be doing"? Or does it mean employees vote on how much they make and then employers will abide by this democratic decision? I don't think so.

It really concerns me when I see words used and misused in this House to mislead the intent of a bill. Workplace democracy—

The Deputy Speaker (Mr Michael A. Brown): Order. I think you could find a better word than "mislead." I'd appreciate it if you'd withdraw it.

Ms Di Cocco: I withdraw. Workplace democracy in the context of Bill 139 is yet another example of the way the Harris government misrepresents the real intent, which is to break unions.

Organized labour has played an important role in developing workplace safety standards, in developing skilled workers in the various trades. Organized labour has been the advocate to provide fair wages for workers in this province. Many workers have achieved workplace safety standards, decent wages and enhanced their skills

because of the collective voice that organized labour unions and professional associations provide.

The minister, if he would only know—he knows about, for instance, occupational disease. He knows that my riding of Sarnia-Lambton is a real hotbed of that problem. And the long battle to recognize the cause of occupational disease was not, and is not, driven by the workplace, but was driven by the unions and organized labour. As a matter of fact, this injustice or this health hazard is often denied by the employers. Again, that long battle to recognize the problem and the cause, remember, was driven by the unions.

The minister is suggesting and publicly justifying this bill on the premise of enhancing workers' rights. What he's actually doing is weakening workers' rights because, as my colleague the member for Hamilton East said, we certainly don't see a fair wage policy in any of these discussions. It's less likely that an individual can bring pressure on employers if treatment is unfair or safety issues are at stake. There is an energy, there is a strength in a collective voice, and that's what organized labour does.

Bill 139 is yet another erosion of the inroads made over the years by the labour movement. It is the reality that the neo-conservative agenda is clear. It is about attacking working people and listening, oftentimes and foremost, to the special interest groups of big business who support this erosion.

I'd like to put on the record as well some of the past record of the Harris Conservative government. These bills have oftentimes stripped workers of basic protection, as this bill does. Bill 7, the NDP labour legislation, was repealed, and it allowed use of replacement workers. Then there was Bill 49, which changed the Employment Standards Act.

Mr Christopherson: Your party ran on that.

Ms Di Cocco: I wasn't there. It eroded minimum provisions for overtime pay, hours of work and many other working conditions for non-union employees.

Interjection.

Ms Di Cocco: This is the track record. That's all I'm saying: it's the track record.

Bill 99 changed the Workers' Compensation Board and cut benefits to injured workers. Bill 136, the public sector unions legislation, stripped bargaining rights for health care sector workers. Bill 31, the construction trades and Wal-Mart bill, eliminated protection for construction unions and made it more difficult to certify new unions. Bill 55: changes to apprenticeships lowered standards for new apprentices, set new tuition fees and lowered apprenticeship wages. And we just passed Bill 69.

I believe these changes to the Ministry of Labour have oftentimes jeopardized worker health and safety and I speak against this bill because I understand that the Harris government does not speak with the spirit of balance or fairness when it comes to the position of workers in this province. This is what I've heard from some of the businesses in my riding. Medium-sized contractors have told me that they prefer unionized workers because they're trained to do the job. It's more cost-effective to have a person working for you at a higher cost if they know how to do the job right. Oftentimes, in Sarnia-Lambton the construction industry prides itself on the highly skilled workforce that exists there, and it exists there in part because of our organized labour. Again, doing a job safely and right is more important to the good employers I spoke to than paying less for labour at minimum wage or at a very low wage.

These are some of the general labour concerns, and it's fair to say that unions in my riding are unhappy with this legislation. Their view is that the bill does not reflect any balance; instead it's one-sided and unfair. Most union officials are quick to point out that although in this bill employers can post information regarding how to decertify unions in a unionized workplace, why not allow the information to be posted on how to certify non-unionized workers in the workplace? It's only one-sided.

2030

Minister Stockwell himself admitted that all changes to be found in Bill 139 were at the request of the employers. This bill is to be about workers' rights, and yet no suggestions from the workers were taken. Why is this government jeopardizing workplace stability in the labour force? That's exactly what this bill is threatening to do. A successful leader in Sarnia-Lambton stated that prosperity in any community is built on two pillars: the pillar of labour and the pillar of business. You don't pit labour against business, or business against labour, and that's exactly the style the Harris government has. So why is the Harris government introducing this anti-labour, anti-worker legislation when Ontario is experiencing a skilled worker shortage?

What this government should be doing, if it had any provincial vision or progressive ideas, is to work with unions and other organizations and professional associations to encourage the training and recruiting of young people into the skilled trades. Instead, what's it doing? It's introducing anti-labour legislation. We're going to have more confrontation.

What has been apparent to me since I was elected to this Legislature in June 1999 is that the Harris neo-Conservative/Canadian Alliance has no direction for this province. What they are good at is to cut, confront, fight, create crises and consistently use a heavy-handed tactic on anyone who has a different point of view.

The other concern for the building and construction trades is that of safety. A non-union construction sector has a higher accident rate. We've heard this over and over again. It has a higher accident rate: 250% more than the unionized sector. The construction trades were not consulted at all in the development of this bill. It's their members who have been heavily impacted by this labour legislation. The irony is that this bill is supposed to be about workplace democracy, yet this bill came about without consulting both sides.

The minister makes a compelling argument for his bill, but I would like to give a slightly different perspec-

tive, because in my constituency of Sarnia-Lambton, as in many other jurisdictions, unions and industry have had a working relationship and at times it is healthy and at times it is tenuous. I found a quote by John Kenneth Galbraith in The Good Society, and I used it before. It speaks about how the comfortable will be afflicted in a useful way—and that's what unions do. They afflict in a useful way because they're advocating for individuals, they're advocating for workers. That's the nature and that's the different jurisdiction that represents union and business.

The provincial Liberals believe in the need for business to be competitive, but our balance lies in ensuring that workers also deserve a good wage. Mike Harris's track record on the labour front unfortunately is all about confrontation. The actions of the Harris government have been to pit labour against management and to dictate ultimatums. That is just the track record and that's the tone of arrogance that has become the trademark for this government. Labour laws are like collective agreements: both sides should leave feeling as if a balanced agreement has been arrived at by all parties. I believe that this minister speaks not with this spirit, but his government has a terrible record on that matter.

The sense of balance produces a competitive workplace and good management relations. That's what it's all about. My father was a union member. We have run a family business for 25 years with unionized workers. My father was able to provide opportunities for us because he was in a union. He didn't have big business to look after him. He would have had no one to look after him. So there is a role that unions play in this province and have played on this continent. My family has been in unionized business, and we understand the other side of business. Business needs good workers and workers need business, but workers deserve good wages. They deserve fair wages and benefits and they're not just for corporate Ontario; they're for everyone and they're for workers as well. It's important to ensure a fair wage and how valuable it is for people to earn a fair wage.

John Galbraith said, "Nothing, it must be recognized, so comprehensively denies the liberties of an individual as a total absence of money. Or so impairs it as too little." He goes on to say, "Nothing so inspires socially useful effort as the prospect of pecuniary reward.... This too the good society must acknowledge."

This bill is not so much about achieving balance; it's about workers losing some of their basic rights, unless they agree to measures that will reduce their collective bargaining agreements, their bargaining rights. There is no balance in this bill. This bill is not about fairness. This bill is not about restoring workers' rights. This bill, as far as I am concerned, is a way to break unions. It's making it easy to decertify unions, and there is nothing in place—we don't have any kind of legislation here that suggests we have a fair wage policy where you are decertifying unions. My colleague from Hamilton East is absolutely right in that this government has lost touch, it is unbalanced, and it will continue to erode the stability of the construction industry in this province by its tactics.

The Deputy Speaker: Further debate.

Mr Gerretsen: I'm very pleased to join this debate and to give you my own views on this bill. But just to reiterate something I said earlier, this seems to be sort of anti-union day. With Bill 69 this afternoon and now Bill 139, the language that the government has used in introducing all of this legislation is that it creates some sort of a balance of things and yet we have seen time after time in section after section that just the opposite is true.

It is kind of interesting that when the minister introduced this bill at his press conference, he openly admitted that everything that was in this bill was at the request of the employers. If it's at the request of the employers, how can you talk about this bill being good for the employees? It's an attack on the working people of this province, on the unions of this province that have done so much over the years to provide a good standard of living for a lot of the unionized people, that have also stood for providing and ensuring that places of work are safe for the workers. It's a well-known fact that here in Ontario the accident rate among non-unionized workers is 250% higher than that of unionized workers.

When we take it all into account, we can only come to one conclusion, and that is that this is yet another attack on the unionized people in this province. The member for Sarnia so aptly went through her litany of bills that have been passed since 1995 that have been anti-union legislation, just bill after bill. It started with Bill 7; it started with the raping and the taking out of all the money from the workers' compensation fund. You can just go on and on.

2040

Now we have this bill. There are some very interesting sections, and I just wanted to turn to some of them. The first one that I found kind of interesting deals with this whole notification process. I happen to be a person who thinks that it's a good thing that people know what their rights are and what their responsibilities are, whether it's under a piece of legislation or what they can expect at their workplace. Let me just read to you what this requires, in section 63.1, of the kind of document that an employer has to post in a workplace. It states:

"An employer with respect to whom a trade union has been certified as a bargaining agent for the employees of the employer in a bargaining unit or who has recognized a trade union as the exclusive bargaining agent for the employees of the employer in a bargaining unit shall use reasonable efforts,

"(a) to post and keep posted a copy of a document published under this section in a conspicuous place in every workplace of the employer at which employees represented by the trade union perform work;

"(b) to post and keep posted with that copy a notice that any employee represented by the trade union may request a copy of the document from the employer;

"(c) once in each calendar year, to provide a copy of the document to all employees of the employer who are represented by the trade union; and

"(d) upon the request of an employee ... who is represented by the trade union, to provide a copy of the document to him or her, even though the employer has previously provided ... a copy...."

What I find interesting about this is, why don't we do exactly the same thing the other way around? Basically what this is talking about is the method in which a union can be decertified in a workplace. Wouldn't it be just as fair, wouldn't it be totally balanced, if you also made it mandatory that employers post notices in a workplace as to how a union can be certified in that workplace? That's fair. That's balanced.

The other section I found interesting is the one that requires the notification or the posting once a year of all the employees who work for unions and make more than $100,000 per year. It goes on to say on page 8 of the bill that:

" ... any individual represented by a trade union may make a written request to the trade union to inform him or her of,

"(a) the names of all of the employees to whom or in respect of whom it paid a salary and benefits totalling $100,000 or more in the previous year; and

"(b) the total amount of salary and benefits that it paid to or in respect of each of those employees."

I suppose the argument could be made that we made it mandatory for government employees and for other employees who work for quasi-government institutions or within the institutional sectors and why shouldn't we do this for unionized individuals as well? I don't have that much of a problem with that. But then there is an interesting subsection to that section which is not part of the legislation passed requiring the disclosure of what people make in the public sector in general. It says in subsection (6), "If the trade union did not pay a total of $100,000 or more in salary and benefits to or in respect of any employee ... the trade union shall provide to the minister ... a written statement, certified by the trade union's highest-ranking officer, stating that fact."

What I find interesting about that is that on the one hand we're telling unions, "You've got to let the public know, you've got to let the minister know those of your employees who are making $100,000 per year in salary and benefits," but we go one step further in this legislation. It also goes on to say, "Not only will you do that, but if somebody doesn't make $100,000, then your highest union official will have to let the minister know, in any event, that nobody makes $100,000."

That kind of legislation does not exist with the $100,000 disclosure limit that is contained in the other legislation. For example, if a municipality doesn't pay anybody $100,000, or a school board or an institution, a hospital, what have you, there's absolutely no requirement on those organizations to let the minister know—I guess the Minister of Finance in that case—that nobody is making that kind of money.

Why do we put this additional onus on unions? It's almost like telling unions, "We don't trust you." If you want to make the disclosure mandatory, make it mandatory, and leave it at that. If nobody makes the kind of money that you're talking about in this section, leave it alone. But unions, because of the non-trusting nature that this government has toward unions, have to go one step further: they have to have their top official certify to the government that nobody makes that kind of money, when we don't put any kind of restriction like that on anybody else in the province. That, to me, just isn't fair. It's one of those small items in a bill, I suppose, that somebody could say really doesn't matter all that much, but it's the intent behind it; it is the fact that it's even there that to me shows a total distrust of unions, and particularly of the union leadership.

There are a number of other interesting sections in the bill as well. The other one I found interesting—and of course the member for Hamilton East has already mentioned it—is that it now allows municipalities, school boards and other government agencies, and banks, the ability to tender their construction projects to non-unionized companies. For the life of me I cannot understand why you would put banks into a group of organizations that are basically, in one way or another, completely accountable to the taxpayers of this province. If you want to put that provision in, I could see it, I suppose, for municipalities. I wouldn't agree with it. I think that municipalities and school boards and hospitals and other institutions want to make sure that they've got a safe workplace and they surely have to pay the people who do the various contracts for them a living wage.

There seems to be the intent here that if a union gets a contract or if it's done through a unionized shop somehow it's going to cost more money. Maybe it is going to cost more money, but it's only because the employees who do the work in order to complete those contracts are getting a reasonable wage that has been fully negotiated between the employers and the unions that are involved in those contracts.

The point I'm simply trying to make is, why, for goodness' sake, are banks included in this designation? There is no public accountability for banks. They are not public institutions. Do they now need the protection of the government to allow non-unionized contracts, in effect, to be let out by banks? Are they in the same grouping of institutional or government or quasi-government organizations such as municipalities, hospitals and school boards? It is when you see the inclusion of organizations or companies that really don't fit the entire general category of accountable public organizations that you can very quickly come to the conclusion that this particular group of companies, the banks in this case, have been given special protection under this act.

I would like one of the government members—and there are a few in the House here tonight—to respond to me in a very simple statement, during the two minutes they will have after we're finished our presentation here this evening, why banks were included with these other

accountable public institutions. Just to be clear, we don't agree that this should apply to any of these institutions, but I simply want to know why the government has included banks within these public institutions.

2050

Again, it makes absolutely no sense. These are attacks on the working men and women of this province who, in a lot of cases, work in a unionized environment under contracts that have been freely negotiated between their unions and the employers they worked for at that given time. There seems to be almost a sinister atmosphere contained within the bill that somehow, if a union gets a particular contract or a job or it's done by unionized workers, somehow these people are getting too much money, that somehow we can do it on the cheap if we give it to non-unionized labour, when there may very well be safety concerns and when, as has already been pointed out tonight, individuals who are highly skilled may very well work for wages that are either minimum wage or close to it.

The conclusion I've come to and that my colleagues have come to is that this piece of legislation doesn't do anything for the employees in this province. All it does is attack them. All it does it take away their rights. To somehow couch it under the terms that you're trying to create a balance, to my way of thinking, is totally unfair and it's untrue. It is very much, in that regard, along the same lines as Bill 69 that we talked about this afternoon, where again the government said, in that piece of labour legislation, that that was a balanced approach, that in that case they had obtained the consent—under threat—of the various unions involved. Yet letter after letter read out this afternoon from one union after another clearly showed that that piece of legislation was not something arrived at by the basis of consensus or as a result of discussions with the province. None of these unions liked what was going on with respect to Bill 69, or even felt it was the most draconian piece of legislation this government has brought in yet when it comes to labour legislation.

I suppose the people of Ontario should really be asking themselves why it is that the Harris government, particularly in the last two or three years, seems to be bent on only one thing, that is, to divert attention away from the real problems out there—in health care, in water safety, as in the Walkerton situation—by picking phony fights with different groups and different individuals out there: teachers one day, unionized workers the next day, teaching federations one day, unions the next day. It is not something that speaks to the notion of fairness that I think we should all be striving for in this province.

The Deputy Speaker: Questions or comments?

Mr Christopherson: I'd like to comment on some of the remarks of a couple of my colleagues from the official opposition. First of all, to the member for Hastings-Frontenac-Lennox and Addington, while I agree with her criticisms and concerns about Bill 139, I do want to point out that one of her criticisms was that this government in Bill 7 removed the ban that the NDP had placed in law under Bill 40 regarding the use of—I'm not going to use the nice little term "replacement workers"—scabs. It was about scabs. We had a law in this province that said scabs are illegal, period. I just want to point out that the Liberals ran on a platform exactly the same as the Tories'. They were going to repeal that banning of scabs just the way the Tories did, and I'm surprised they would want to mention that during their criticisms. It's a distinct difference between the criticisms we have and they have in terms of what we're prepared to do to back up our position, not only in platform but in law since we had already brought that law in.

Having said that, let me also comment on the remarks of my colleague from Hamilton East. On a number of occasions I've heard Mr Agostino make reference to his personal situation with regard to his dad, and I want to say very directly that any time any of us uses personal experiences it's a very emotional thing. It comes deep from within and there's a strong belief. I watched some of the members across the way—I won't name names—and they were moved by that. I want you to think, if it was your son or daughter, how you'd feel.

Mr Bob Wood (London West): I do not share some of the reservations expressed by the speakers from the Liberal Party, and I'd like to set out briefly why.

This bill, of course, flows from the commitment made in the PC Party platform of 1999 to enhance workplace democracy, and I think it does exactly that. I support the concept of workplace democracy because I have great confidence in the workers of this province and their good judgment. To exercise good judgment, however, one must be informed and one must have the right to make one's views known, and that is what this bill tries to accomplish.

The people are informed by the salary disclosure so they know what the people at the top of their organization are earning from their dues, and they also are informed as to how to go about decertification should that be their wish. Employers of course are forbidden to promote decertifications, and that may well be a good provision, but surely it is also good to give the workers the information they need should they chose that route as being right for them.

The longer period during which decertifications may be considered I think is a good thing, because it gives people the right to express their views as they see to be in their interest.

The concept of splitting the questions between ratification of a contract and a strike I think is good. That gives the people who are directly involved the right to give differing opinions, if they see fit, on two quite separate issues.

I also think the requirement that in effect a decision must be rendered by the Labour Relations Board within six months is a very sound provision because it avoids people being victims of bureaucratic delay.

Mr Michael Gravelle (Thunder Bay-Superior North): I want to compliment my colleagues from

Hamilton East, Sarnia-Lambton and Kingston and the Islands on their thoughtful and strong remarks, particularly the member for Hamilton East. I was also very touched by the personal story he told in terms of his father's very tragic accident when he was just 35 years old and the fact that he was working in an environment where indeed safety was not the number one concern.

What troubles me so much about this piece of legislation, and I think it should trouble all of us here, is that this legislation obviously, most directly, makes it much easier to decertify a union. In essence it's set up, as so much of the legislation has been over the last five years, as an attack on the union movement in this province, and the facts are clear about safety in the workplace. The facts are incredibly clear. A unionized workplace is a much safer place to work than a non-unionized workplace. The accident rate is 250% higher in a non-unionized workplace.

2100

What I find upsetting is that this is a minister who last week attended a health and safety conference in Thunder Bay called Forum North, that my colleague from Thunder Bay-Atikokan and I also attended, where the priority was safety. The minister went there. I've also put forward a private member's bill called An Act to bring health and safety programs to Ontario students, which the minister says he is supporting. The point being, this minister on the one hand talks about the importance of safety, supports it in every measure it seems, yet puts forward a piece of legislation that I think could truly have a devastating impact on the safety of our workers in this province. Surely that has to be considered when one is deciding how to vote for this piece of legislation. Ultimately, the bottom line is that it ends up being a dangerous piece of legislation when the priority is to have fewer unionized workers out there in the workplace. I for one, and I hope all the other colleagues, will vote against this bad piece of legislation.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I'd like to respond to the comments made by the various members of the Liberal caucus. It was interesting listening to some of their comments, particularly as I watched this particular caucus when they were in opposition against the New Democratic government and how they criticized the New Democratic government, particularly with the famous Bill 40, the employment equity bill or quota bill, the unionizing of the family farm. There was a whole slew of things they joined the Conservative caucus in opposing, and that was done because both the Liberal and Conservative caucuses were concerned about the way the economy of the province was going. One of the many factors that contributed to that concern was the issue of the labour laws in this province as created by the New Democratic government, the Bob Rae government at the time. They spent a great deal of time with us in criticizing the then government—

Interjection.

Mr Tilson: Well, it's true. That's exactly what you did.

I must confess, although I never agree with the New Democratic caucus, they are consistent. They're as consistent as they were between 1990 and 1995, and of course we strongly opposed everything they did then and we strongly oppose the comments they're making now.

I must confess, when I listened to the comments made by the minister this evening as to what this legislation is doing, requiring the disclosure of salaries and benefits for all union officials earning in excess of $100,000 annually—what's wrong with that? What's wrong with union members knowing what their union officials are going to make? Union members pay dues and they certainly deserve to know where their money is spent.

The window for decertification of a union would be increased from 60 to 90 days—

The Deputy Speaker: Thank you. Response?

Mr Agostino: I want to thank my colleagues, particularly Hamilton West and Thunder Bay-Superior North for their kind words, and also my colleagues from London West and Dufferin-Peel-Wellington-Grey for their response on behalf of members who have spoken here.

I was interested in listening to the government members because I asked a number of questions when I spoke. One of the questions was, why should banks be afforded the protection of this government in order to have non-unionized and unionized companies compete for their jobs? You included them with municipalities and school boards. I was listening carefully, hoping one of the government members would take up the challenge and explain to me why banks who make profits in excess of a billion dollars a year need your protection and your help in making more money. Obviously, my theory earlier was that they can buy your $25,000 tables for your fundraisers. The more money they can make, the more tables they can buy. Until you say something different, that's what I believe. I'm hoping that somewhere in this debate in the next few days somebody from the government side will find it in themselves to come clean and tell us why banks need your protection today across this province. Maybe you think they're not making enough money. I'm not sure.

When you talk about this being balanced, again I say to the members, who did you consult? I'll tell you: your big business, corporate friends at the Albany Club and on Bay Street and in the boardrooms. Who'd you consult across Ontario? What labour leaders? What working men and women? Which plant did you go into? Which shops did you go into when you decided this was the best thing to happen?

The last member who spoke from the government side of the House talked about the economy, what it was like under the NDP and Liberal governments. I always warn my NDP friends, take very suspiciously any compliment coming from that side of the House because it's usually a backhanded compliment before the knife gets stuck into your back.

Clearly, the economy is moving well. People are working. Business is booming. We have labour peace, we

have labour stability in Ontario. These are the things you always tell us across the floor and you take credit for it, although I disagree with that. But the reality is that it is happening. Why are you threatening to disrupt all that, to bring that to a halt and go into labour war across Ontario at a time we have stability and peace?

Mr Joseph Spina (Brampton Centre): On a point of order, Mr Speaker: I would just like to take this opportunity to welcome the members of the Northern Ontario Tourist Outfitters Association who are our guests here in the government gallery.

The Deputy Speaker: As you are aware, that is not a point of order and you can't do that, but welcome.

The member for Hamilton West.

Mr Christopherson: Thank you, Speaker. By the clock it looks like I'll get about 20 minutes of my leadoff in tonight.

I want to start by picking up on a couple of things the minister said in his remarks. I don't have the benefit of Hansard for direct quotes, so if I misrepresent, I'm sure I'll hear about it from him and I'll be glad to correct my own record.

However, in essence, one of the things he talked about, or rather an allegation he made, I guess you could say, was that I and my colleagues in the NDP don't represent current thinking, that our thinking is outdated. Let me suggest to the minister that the notion, the concept, the principle, the idea that everybody deserves an opportunity to benefit from the gifts we have been given here in Ontario, and as a result of the fruits of their own labour, is an idea and a way of thinking that is timeless.

Is the minister suggesting that because it's a concept that first arose centuries ago—it took a long time to implement it as a way of living in society but that's called progress—that just because it isn't something that came out of your cabinet meeting two weeks ago, that makes it a bad idea?

This is a government that likes to talk about the fact they care about the family. When we get around to talking about some of the details, in particular the changes to the Employment Standards Act that you're proposing, a 60-hour work week, we're going to talk about the impact on the family then, not your pious words but the real reality, all the reality of what you're going to do to the quality of life of virtually tens of thousands of families.

While I'm on the subject, let me mention there's another concept you purportedly believe in, a little thing in a book that's been around a little while—I want one of you to stand up in your two-minute response and tell me that this is outdated thinking—and the book is called the Bible. What about the idea of love thy neighbour? Where did that go in all of this? Don't talk to me about outdated thinking and who is thinking about the principles that matter in this House.

Since he happened to throw in the question, "Who do you represent?" first of all, I proudly represent about 100,000 Hamiltonians. They deserve to have a voice in here and they deserve to have that voice respected—not me, but their representative. While I'm on the subject, before you eliminated a number of MPPs from this place, half of my current riding used to be represented by one of your people. They aren't in here any more. So don't talk to me about who has a right to be here and who represents people's interests and who represents thinking that matters and affects our communities and the working people who are in them.

We have before us now two pieces of a three-fisted attack on the labour movement: Bill 69, which we debated this morning; Bill 139, which we're debating this evening; and the Employment Standards Act, which we're expecting to be dropped on the floor of this place and probably rammed down our throats within a matter of days or weeks. It's a three-fisted attack, part of a continuing attack from the day you were elected.

2110

It's the same government that announced with such pride that they were cutting the income of the poorest of the poor by 22%. One of the few ways that those who don't have power, don't have means, don't have connections, don't have all the benefits that many of us here had, whether that's health, wealth or ability, one of the few ways they get a chance to participate in the wealth of this province is through unions and the labour movement.

This three-fisted attack has one purpose: to water down and take away the rights of, in most cases, the most vulnerable in our society to have access to one of the few tools that lets them try and even up the power struggle that exists in this province in terms of who benefits from the wealth we generate in Ontario.

You've called this—what do you call it?—workplace democracy. I've got to believe that, at this point, surely to goodness people are beginning to catch on that there are light years of difference between what you say a bill is about and what you call it and what it does. Surely to goodness that message is getting through.

Do you know what the labour movement is calling this? The more workplace firings act. If you want to question what that means, even under your current legislation that has taken away rights for organizers, look at what's happening to those workers who have been fired from Drycore, who should have had their day in court a long time ago and would have under the NDP legislation under expedited hearings. They're still waiting out there. They haven't even had their day in court. They've been fired cold for being involved in an organizing drive.

Do I hear the Minister of Labour standing up and saying, "We've got a problem. I made a mistake. There are some innocent people being hurt. I better fix that"? No, we've got another bill that sets up more workers to be fired for trying to bring some real democracy, not Mike Harris democracy, to the workplace.

There have been a lot of editorials and comments written about Bill 139. There are a number of them, certainly not all, not even a majority but a number of them, that are suggesting, "This isn't so bad. It's not the end of the world. The Rand formula is still in place."

That's what we've come to in this province. Because you aren't yet, today—does anybody really want to bet that it is not on their agenda at some point?—because the Rand formula is not being removed under Bill 139, you've got a whole chunk of the population breathing a sigh of relief and saying, "Thank goodness for that." Why? Because the Rand formula of course is the foundation of the modern day labour movement. I have no doubt in my mind and in my heart that that's your ultimate goal, that that's the one you really want. Once you've got that one, then you can really start dismantling the modern day labour movement. Then you can continue with the rest of your agenda: lowering wages and lowering benefits at a time when we have the greatest economic boom in North America. I can only imagine what you would do during a recession, where you would use the recession as an argument for having to take away rights. You don't even have that flimsy shield of an excuse here.

The fact that you're not completely decimating the labour movement in one fell stroke is now seen as a victory, for goodness' sake. That's a victory: union-busting by stealth, step by step, a little bit at a time; one drop, another drop, another drop; one right gone, another right gone, this right gone. Slowly, by stealth, we go from a labour movement that has played probably the single biggest role in bringing about the progressive programs and measures that made this the best place in the world to live as chosen by the United Nations. The labour movement did that. They brought us overtime.

One of the members over there laughs. The good doctor is laughing. Let me tell you, if we had to rely on you, there wouldn't be any weekends. In fact, under your proposed changes to the Employment Standards Act, there won't be any weekends for tens of thousands of workers. The labour movement brought us vacations, not you, not your kind of thinking. In fact, you're planning to take away the right to have a decent vacation. So don't you sit there and smirk when I say the labour movement has played the pre-eminent role in bringing about the progressiveness that has made this the greatest country and the greatest province to live in in the world. Don't you dare. You have no right.

Slowly, by stealth, you take away rights, just as you took away environmental protection: some rights gone here in the Planning Act, cuts to ministry funding, cuts to the inspectors, less enforcement of whatever protection is in place, and you have done that in virtually every area. Labour has been the real issue that makes you salivate, because that's the one you can pay back your friends with. Remember the friends, the ones who filled your coffers, $12 million in corporate donations after you unilaterally changed the law to allow them to contribute 50% more than they could before you had a majority government?

Tonight we deal with one fist of the three-fisted attack on the labour movement. Tonight it's about decertification. Where you've got a union, let's just change a few rules to slowly make it easier for unions to be decertified. Let's create a climate and allow a climate to be created in the workplace where an employer can nudge their employees through intimidation, which you've also allowed in previous laws, another little step in your incremental union-busting by stealth.

What exactly do I mean? OK, it's not the Rand formula, you're not eliminating the Rand formula. You're not going to get any thanks from me. But I want to know how it's progressive that you open the window for decertification from 60 days to 90 days. You must think the public is stupid. A right-wing government that has made unions and their members and working people its favourite target comes along and expands the time when unions can be decertified, and somehow you think people are going to buy the fact that this is about democracy. Give me a break. Give the people of Ontario a little more credit than that. Is it the end of the world? No. Is it one more piece that moves us from a world you want to destroy to the world you want to create? Oh yeah, for sure that is an accurate description of that one piece, another step in union-busting by stealth.

The mandatory ban in and of itself, if that's all we had in front of us, would that be the end of the world? No, probably not, but it is one more piece. What is so insulting is that while all these pieces go in the direction of taking away workers' rights to choose to be in a union, to exercise that right, for the unions to sit down and have fair collective bargaining so they can at least get their fair share of what they're creating in this province, the massive wealth we're all fortunate enough to be a part of—it's going in that direction; it sure as hell isn't going the other way. You're not adding to anybody's rights here, or you wouldn't be doing it.

2120

The one-year mandatory ban: what does that mean? Right now under the law, if there's an organizing drive in a workplace and one particular union, union A, fails either because they withdraw or because the certification process isn't successful for them, they're banned from reapplying for a year. However, another union could come along and make an application. You are changing that to banning all unions from making an application for a full year.

First of all, there is a serious legitimate constitutional question in terms of our Charter of Rights and Freedoms—freedom of speech, freedom of association. You're denying workers the opportunity to choose union B, C or D. They may want a union; they just may not want union A. There's a legitimate argument that you've denied them their rights. The first thing that cropped up in my mind, and I'm not a lawyer, was, "What if they found either some sham employee association or picked a union they knew really didn't have much of a chance, because maybe they historically weren't involved in representing workers who perform that kind of work, and encouraged them to come in?"

All you have to do is have one organizing drive come in and fail and everybody else is stopped from coming in. Pretty good. Don't think for a second that those union-busting firms that are coming up from the United States

and proliferating in this province—they are the ones who are doing a lot of the dirty work, hiring these scabs and helping to keep unions out, utilizing the laws you've passed—won't find ways to find that sham process, come in and then give the employer a free year. "There you go, there's your bill, one year of union-free workplace."

I've only got a couple of minutes left before we adjourn for the evening, but tomorrow evening when we continue this debate I'm going to want to talk about just about every other thing that's in here, what their implications are and how they play a role in being part of union-busting by stealth. When you stand back and paint the picture—we don't have the time to do that any more. What a coincidence. Talk about democracy. Where's the democracy in this place? Where did it go?

But if you stand back and take a look at the world of the rights working people had when you took power in 1995 and then take a look at where we're going to be at the end of Bill 69, Bill 139 and your attack on the Employment Standards Act—never mind incrementally, just go picture one and picture two and take a look at those two worlds—it's pretty clear what's going on, because you eliminate the stealth aspect and it suddenly gets very clear that nobody is gaining democracy here. What you're doing is taking away rights that ordinary people—middle-class working people, vulnerable people, well-paid people—had and giving them to those who helped put $12 million into your re-election coffers.

What's happening to those who don't have the benefit of a collective agreement, when we talked about the Employment Standards Act, ought to scare the living hell out of everybody. It's all part of the same picture; it's all part of the same denial of rights—no different than that you paid for your reduction in the premiums to WCB for those same corporate donors by taking away the income of injured workers. That's how you paid for it.

In fact, the Minister of Labour stood here just a couple of weeks ago and bragged about how much you lowered the premiums. I didn't see him offering an apology for lowering the standard of living for workers who are injured on the job, like my friend from Hamilton East's dad.

Speaker, it being close to 9:30 of the clock, I would move adjournment of the debate.

The Deputy Speaker: It being 9:30 of the clock, this House stands adjourned till 1:30 of the clock tomorrow.

The House adjourned at 2126.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston
Speaker / Président: Hon / L'hon Gary Carr
Clerk / Greffier: Claude L. DesRosiers
Clerk Assistant / Greffière adjointe: Deborah Deller
Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)
Ancaster-Dundas-Flamborough-Aldershot	McMeekin, Ted (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)
Beaches-East York	Lankin, Frances (ND)
Bramalea-Gore-Malton-Springdale	Gill, Raminder (PC)
Brampton Centre / -Centre	Spina, Joseph (PC)
Brampton West-Mississauga / Brampton-Ouest–Mississauga	**Clement, Hon / L'hon Tony** (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Brant	Levac, Dave (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)
Burlington	**Jackson, Hon / L'hon Cameron** (PC) Minister of Tourism / ministre du Tourisme
Cambridge	Martiniuk, Gerry (PC)
Chatham-Kent Essex	Hoy, Pat (L)
Davenport	Ruprecht, Tony (L)
Don Valley East / -Est	Caplan, David (L)
Don Valley West / -Ouest	**Turnbull, Hon / L'hon David** (PC) Minister of Transportation / ministre des Transports
Dufferin-Peel-Wellington-Grey	Tilson, David (PC)
Durham	O'Toole, John R. (PC)
Eglinton-Lawrence	Colle, Mike (L)
Elgin-Middlesex-London	Peters, Steve (L)
Erie-Lincoln	**Hudak, Hon / L'hon Tim** (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Essex	Crozier, Bruce (L)
Etobicoke Centre / -Centre	**Stockwell, Hon / L'hon Chris** (PC) Minister of Labour / ministre du Travail
Etobicoke North / -Nord	Hastings, John (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)
Guelph-Wellington	Elliott, Brenda (PC)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Haliburton-Victoria-Brock	**Hodgson, Hon / L'hon Chris** (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion
Halton	Chudleigh, Ted (PC)
Hamilton East / -Est	Agostino, Dominic (L)
Hamilton Mountain	Bountrogianni, Marie (L)
Hamilton West / -Ouest	Christopherson, David (ND)
Hastings-Frontenac-Lennox and Addington	Dombrowsky, Leona (L)
Huron-Bruce	**Johns, Hon / L'hon Helen** (PC) Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiques, de la Culture et des Loisirs, ministre déléguée aux Affaires des personnes âgées et à la Condition féminine
Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Kitchener-Waterloo	**Witmer, Hon / L'hon Elizabeth** (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Lanark-Carleton	**Sterling, Hon / L'hon Norman W.** (PC) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Leeds-Grenville	**Runciman, Hon / L'hon Robert W.** (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
London North Centre / London-Centre-Nord	**Cunningham, Hon / L'hon Dianne** (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
London West / -Ouest	Wood, Bob (PC)
London-Fanshawe	Mazzilli, Frank (PC)
Markham	**Tsubouchi, Hon / L'hon David H.** (PC) Solicitor General / solliciteur général
Mississauga Centre / -Centre	**Sampson, Hon / L'hon Rob** (PC) Minister of Correctional Services / ministre des Services correctionnels
Mississauga East / -Est	DeFaria, Carl (PC)
Mississauga South / -Sud	**Marland, Hon / L'hon Margaret** (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)

Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West / -Ouest	**Snobelen, Hon / L'hon John** (PC) Minister of Natural Resources / ministre des Richesses naturelles
Nepean-Carleton	**Baird, Hon / L'hon John R.** (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones
Niagara Centre / -Centre	Kormos, Peter (ND)
Niagara Falls	Maves, Bart (PC)
Nickel Belt	Martel, Shelley (ND)
Nipissing	**Harris, Hon / L'hon Michael D.** (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Northumberland	Galt, Doug (PC)
Oak Ridges	**Klees, Hon / L'hon Frank** (PC) Minister without Portfolio / ministre sans portefeuille
Oakville	**Carr, Hon / L'hon Gary** (PC) Speaker / Président
Oshawa	Ouellette, Jerry J. (PC)
Ottawa Centre / -Centre	Patten, Richard (L)
Ottawa-Orléans	Coburn, Brian (PC)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition
Ottawa West-Nepean / Ottawa-Ouest–Nepean	Guzzo, Garry J. (PC)
Ottawa-Vanier	Boyer, Claudette (L)
Oxford	**Hardeman, Hon / L'hon Ernie** (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Parkdale-High Park	Kennedy, Gerard (L)
Parry Sound-Muskoka	**Eves, Hon / L'hon Ernie L.** (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Perth-Middlesex	Johnson, Bert (PC)
Peterborough	Stewart, R. Gary (PC)
Pickering-Ajax-Uxbridge	**Ecker, Hon / L'hon Janet** (PC) Minister of Education / ministre de l'Éducation
Prince Edward-Hastings	Parsons, Ernie (L)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)
Sarnia-Lambton	Di Cocco, Caroline (L)
Sault Ste Marie	Martin, Tony (ND)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)
Scarborough East / -Est	Gilchrist, Steve (PC)
Scarborough Southwest / -Sud-Ouest	**Newman, Hon / L'hon Dan** (PC) Minister of the Environment / ministre de l'Environnement
Scarborough-Agincourt	Phillips, Gerry (L)
Scarborough-Rouge River	Curling, Alvin (L)
Simcoe North / -Nord	Dunlop, Garfield (PC)
Simcoe-Grey	**Wilson, Hon / L'hon Jim** (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
St Catharines	Bradley, James J. (L)
St Paul's	Bryant, Michael (L)
Stoney Creek	Clark, Brad (PC)
Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Sudbury	Bartolucci, Rick (L)
Thornhill	Molinari, Tina R. (PC)
Thunder Bay-Atikokan	McLeod, Lyn (L)
Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Timiskaming-Cochrane	Ramsay, David (L)
Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Toronto Centre-Rosedale / Toronto-Centre–Rosedale	Smitherman, George (L)
Toronto-Danforth	Churley, Marilyn (ND)
Trinity-Spadina	Marchese, Rosario (ND)
Vaughan-King-Aurora	**Palladini, Hon / L'hon Al** (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Waterloo-Wellington	Arnott, Ted (PC)
Whitby-Ajax	**Flaherty, Hon / L'hon Jim** (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Willowdale	Young, David (PC)
Windsor West / -Ouest	Pupatello, Sandra (L)
Windsor-St Clair	Duncan, Dwight (L)
York Centre / -Centre	Kwinter, Monte (L)
York North / -Nord	Munro, Julia (PC)
York South-Weston / York-Sud–Weston	Cordiano, Joseph (L)
York West / -Ouest	Sergio, Mario (L)

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

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

STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE

Estimates / Budgets des dépenses

Chair / Président: Gerard Kennedy
Vice-Chair / Vice-Président: Alvin Curling
Gilles Bisson, Alvin Curling, Gerard Kennedy,
Frank Mazzilli, John R. O'Toole, Steve Peters,
R. Gary Stewart, Wayne Wettlaufer
Clerk / Greffière: Anne Stokes

Finance and economic affairs /
Finances et affaires économiques

Chair / Président: Marcel Beaubien
Vice-Chair / Vice-Président: Doug Galt
Ted Arnott, Marcel Beaubien, David Christopherson,
Doug Galt, Monte Kwinter, Tina R. Molinari,
Gerry Phillips, David Young
Clerk / Greffière: Susan Sourial

General government / Affaires gouvernementales

Chair / Président: Steve Gilchrist
Vice-Chair / Vice-Présidente: Julia Munro
Toby Barrett, Marie Bountrogianni, Ted Chudleigh,
Garfield Dunlop, Steve Gilchrist, Dave Levac,
Rosario Marchese, Julia Munro
Clerk / Greffière: Anne Stokes

Government agencies / Organismes gouvernementaux

Chair / Président: James J. Bradley
Vice-Chair / Vice-Président: Bruce Crozier
James J. Bradley, Bruce Crozier, Leona Dombrowsky,
Bert Johnson, Morley Kells, Tony Martin,
Joseph Spina, Bob Wood
Clerk / Greffière: Donna Bryce

Justice and Social Policy / Justice et affaires sociales

Chair / Présidente: Marilyn Mushinski
Vice-Chair / Vice-Président: Carl DeFaria
Marcel Beaubien, Michael Bryant, Carl DeFaria,
Brenda Elliott, Garry J. Guzzo, Peter Kormos,
Lyn McLeod, Marilyn Mushinski
Clerk / Greffier: Tom Prins

Legislative Assembly / Assemblée législative

Chair / Président: R. Gary Stewart
Vice-Chair / Vice-Président: Brad Clark
Marilyn Churley, Brad Clark, Caroline Di Cocco,
Jean-Marc Lalonde, Jerry J. Ouellette, R. Gary Stewart, Joseph N.
Tascona,Wayne Wettlaufer
Clerk / Greffière: Donna Bryce

Public accounts / Comptes publics

Chair / Président: John Gerretsen
Vice-Chair / Vice-Président: John C. Cleary
John C. Cleary, John Gerretsen, John Hastings,
Shelley Martel, Bart Maves, Julia Munro,
Marilyn Mushinski, Richard Patten
Clerk / Greffière: Tonia Grannum

Regulations and private bills /
Règlements et projets de loi privés

Chair / Présidente: Frances Lankin
Vice-Chair / Vice-Président: Garfield Dunlop
Gilles Bisson, Claudette Boyer, Brian Coburn,
Garfield Dunlop, Raminder Gill, Pat Hoy,
Frances Lankin, Bill Murdoch
Clerk / Greffier: Douglas Arnott

CONTENTS

Tuesday 14 November 2000

SECOND READINGS

TABLE DES MATIÈRES

Mardi 14 novembre 2000

DEUXIÈME LECTURE