



**Legislative Assembly  
of Ontario**

First Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 27 November 2000**

**Lundi 27 novembre 2000**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Monday 27 November 2000

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

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*The House met at 1330.  
Prayers.*

MEMBERS' STATEMENTS

OCCUPATIONAL HEALTH AND SAFETY

**Mr Michael Gravelle (Thunder Bay-Superior North):** Almost exactly one year ago, this Legislature passed, on second reading, my private member's Bill 10, An Act to bring health and safety programs to Ontario students. While injured workers' groups all across the province cheered this positive action by the Legislature in supporting legislation that we believed would reduce accidents and fatalities in the workplace, particularly among young people, we also realized that putting this bill into action would not necessarily immediately follow.

However, to be fair, there has been some movement by the Ministry of Labour, as they've been instrumental in forming a health and safety advisory council, one of the key elements of my bill. Unfortunately, it is now becoming clear that while the intent of this advisory council is honourable, its ability to ensure that the appropriate health and safety programs get into classrooms across the province is severely limited. What is becoming equally clear is that it will very likely take the force of legislation to guarantee that all Ontario students get the benefit of appropriate and needed health and safety education, no matter where they live in this province.

It is for that reason I'm calling on Labour Minister Chris Stockwell and Government House Leader Sterling today to move Bill 10 forward for third reading. Just this past week, two more lives were lost in industrial accidents in northwestern Ontario. While we may never know whether they could have been prevented, it seems clear to me, and it certainly did to the Legislature last year, that providing health and safety education as part of the regular curriculum can only improve our chances of reducing future tragedies.

Minister, there is strong support for this legislation all across the province. We're counting on your support to see that it becomes law as soon as possible.

SKILLS TRAINING

**Mr John Hastings (Etobicoke North):** I want to deal with an issue today that's profoundly disturbing to my

constituents in Etobicoke North who are UI-eligible under the Unemployment Insurance Act and to draw attention to the federal Grit administration's continuing discrimination against our workers, not only in Etobicoke North but throughout Ontario, by their continued refusal to move forward with a fair labour market adjustment agreement. Ottawa has signed agreements with the rest of the provinces, but purposely withheld monies from Ontario.

There is continuing evidence to suggest that the federal Grits' HRDC programs in our province aren't working for many Ontario citizens. In fact, the federal Auditor General's report exposed serious problems with HRDC's unemployment programs, including fiscal mismanagement, poor service and the lack of a consistent strategy across Ontario. Furthermore, the \$620 million owed to Ontario workers is being squandered on a continuing basis. This is more than simply a waste of money. It's a squandered opportunity to improve the lives of Ontario workers who need this training to succeed in this intensely competitive economy.

HOSPITAL RESTRUCTURING

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** As a courtesy to the government, I want to draw to their attention a startling announcement that was made last week by the appointed supervisor of the Hamilton Health Sciences Corp. He announced some major changes in the health delivery network within the new city of Hamilton, which included moving the burns trauma unit from the downtown area, the general hospital that services the industrial area, to McMaster, and taking the psychiatry unit, which is currently split, and sending that all over to the general.

There is widespread concern that these proposed changes are questionable, and in fact that some are ill-conceived and clearly not in the best interests of the community.

Exacerbating that problem was Mr Mulchey's announcement that the cost of making these changes—and many think the changes ought to be made in a way that keeps the money improving the services where they are—could be some \$250 million. He suggested that \$125 million of that would have to come from property taxes locally, our already beleaguered property taxes. I want to, as a courtesy, get that on the record.

I also want to draw to the minister's attention the confidential report on the central bed registry, which I'll

send over to her later today, which talks about the critical care bypass meltdown that's about to occur in Hamilton. I'd appreciate it very much if she would review that and perhaps make a statement in the House that would allay some of the fears in my community.

#### HEALTH CARE FUNDING

**Mr Peter Kormos (Niagara Centre):** Yet more people are now being put at great risk by this government. Eric Gage of Fonthill writes that on October 17, visiting his ophthalmologist, he "identified a rapidly developing cataract in my left eye as the source of my problem. Upon requesting an early appointment for surgery and intraocular lens implant," Mr Gage was informed that he "should expect to wait upwards of 10 months for this procedure, and possibly as much as 18 months."

Yet again, Robert Layton, St Catharines: "It is unfortunate that because of your government's policies, senior citizens"—yes, it's primarily senior citizens, our parents and grandparents—"are being short-changed on health care. Those waiting for treatment related to cataracts and lens replacements are obliged to expect even longer delays for medical appointments.

"Government budget restrictions"—cutbacks, my friends—"require a cut-off after the allocated funding for new eye surgery is expended. The efficient service at the Hotel Dieu Hospital faces closure at the end of December for a period of time." Closure. "During this past year, 1,542 patients were treated there. That figure is 500 less than before cutbacks."

This Minister of Health and this Premier of the province of Ontario had better understand that their tax cuts for the wealthy are putting our senior citizens under direct attack. Those senior citizens are well aware of why those waiting lists are there for cataract treatment and why those lineups are there, and this government is responsible for it. They know it, and there will be payback time in due course.

#### RAMADAN

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I would like to wish all members of the House a special Muslim blessing: Bismillah Ar-Rahman Ar-Rahim—in the name of God, the compassionate, the merciful.

This week marks the beginning of Ramadan for the members of the Muslim community in Ontario and across the world. Ramadan is the holiest month in Islam and it commemorates the time when the Qu'ran was revealed to the Prophet Muhammad. Peace be upon him.

Observed during the ninth lunar month, Ramadan traditionally begins with the actual sighting of the new moon. For 30 days, our Muslim sisters and brothers will be living a life of restraint and piety, staying away from food and drinks between sunrise and sunset. Fasting during Ramadan is one of the five pillars of Islam, and

with the exception of children, the sick and the very old, all devout Muslims are expected to participate.

As Ramadan ends, Muslims come together in prayer to celebrate the thanksgiving festival of Eid-ul-Fitr. This festival of breaking fast lasts for three days and is marked by feasting and the exchange of gifts between friends and relatives. In fulfilling the teachings of their faith, Muslims all across the world are demonstrating a commitment to righteousness and compassion.

I would like you to join with me in wishing all members of Ontario's proud Muslim community Ramadan Kareem and Eid Mubarak. This greeting, which in Arabic means, "May you have a month of giving and a blessed feast," speaks to the central meaning of Ramadan.

Salam Alekum.

1340

#### CANADIAN ALLIANCE PROGRAM

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** This weekend I was able to attend a number of events in my riding, and I was approached by constituents who were most distressed to understand that the Reform-Alliance party has covered up its real plan to eliminate old age security and scale back the Canada pension plan.

In an Edmonton Journal article, Alberta MP Ken Epp, deputy finance critic for the Reform-Alliance, said, "The old age security is a government program, and I think as we come up with alternative methods of providing for people's income when they reach retirement age, we would have to phase that out." While this specific information has not been revealed during the campaign, it is covered in section 38 of the Reform-Alliance secret candidate manual.

Needless to say, constituents in my riding are indignant and incensed that the Reform-Alliance party would act in such a duplicitous way to scrap a pillar of Canada's public pension system for seniors.

Just as Mike Harris's tax cuts have cost the people of Ontario dearly, it is becoming increasingly more clear that Stockwell Day and his reform agenda will cost Canadians those programs and services that we have earned and for which we are respected internationally. I am confident that Canadians, including Ontarians, will see through his smoke and mirrors and deliver the message he needs to hear: keep your tax cuts so we can keep our health care, education and pension plan.

#### FIREFIGHTERS' AWARDS

**Mr Bart Maves (Niagara Falls):** While I could rise and talk about Jean Chrétien's hundreds of broken promises over the years, I prefer to talk about the Ontario Medal for Firefighters Bravery.

On Thursday, November 9, 2000, three Niagara region firefighters—Gary Richard Honsberger, George Upham

and Kurt Wilkinson of the Thorold fire department—were honoured for their bravery.

The Honourable Lieutenant Governor Hilary M. Weston and Solicitor General David Tsubouchi presented the 2000 Ontario Medal for Firefighters Bravery to these firefighters on behalf of the provincial government.

Today I stand in this Legislature to thank these gentlemen on behalf of the people in the Niagara region, who greatly appreciate the services rendered by these remarkable individuals.

Firefighters Honsberger, Wilkinson and Upham risked their lives to free an employee during an explosion at a Thorold toy manufacturing plant on November 9, 1999. These three firefighters worked together to free the employee and were able to carry the woman to safety. Sadly, despite their courageous efforts, the woman was critically injured and did not survive.

It's unlikely that these firefighters think of themselves as heroes. They believe simply that this is the work they have chosen to do; it is a part of their job. However, they are heroes. They are heroes in the eyes of their families, their peers and the citizens in their communities. Today I rise in the Legislature to thank them and recognize them for their bravery.

#### ADOPTION DISCLOSURE

**Mr Ernie Parsons (Prince Edward-Hastings):** The Ministry of Community and Social Services operates a program called the adoption disclosure registry, a wonderful program that brings together adoptees and birth parents in a very planned, formal process that ensures that everyone is comfortable with coming together.

The problem with this program is that it doesn't work for one simple reason: the province provides zero funding to children's aid societies to administer the adoption disclosure registry. Where they do find the money, they have to steal it from direct care to children's services. That in itself is a crime.

This means that there are middle-aged people in Ontario waiting five, six or seven years before they are able to commence the search process to find their birth parents or to find the children they gave for adoption. What that causes to happen is that individuals are forced to go and use other, more clandestine processes to find the other individual: unplanned, without counselling, without the other party having the advantage or the privilege or indeed the right to know whether the child or their birth parent is looking for them, and potentially, and in fact in reality has caused some very disastrous reunions, all because the province gives lip service to the program while having absolutely no line for funding whatsoever in children's aid societies. I urge the government to fund the program and make it work.

#### COLDWATER CURLING CLUB

**Mr Garfield Dunlop (Simcoe North):** On Saturday, November 25, I was honoured to be able to take part in

the official opening of the Coldwater Curling and Recreational Centre, both in my capacity as the local MPP as well as a participant in the first curling bonspiel to be held in this facility. The Coldwater Curling Club has never had a home rink of their own. Since they were formed as a club in the early 1970s, they have curled on the local ice hockey surface as well as in curling rinks in Orillia, Midland and Penetanguishene. However, during that period they have always worked at fundraising, in the hope that one day they would have a rink of their own.

Curling is a very popular winter sport in rural Ontario, attracting boys, girls, men and women of all ages. Already, the Coldwater Curling Club has attracted 160 adults and 70 youth curlers, and they have scheduled a number of bonspiels for this winter.

I'm proud to see that our government provided assistance of \$50,000 toward this project from the Ontario Trillium Foundation.

There are so many people to thank and congratulate for the success of this project, and I'll name a few. Under the leadership of individuals such as president Graham Connolly, secretary Wendy Oakley, building project leader Brian Binns and fundraisers such as Dr Evans Stone, Walter Dickie and Iris Beach, this beautiful new facility sits debt-free and ready for years of entertainment.

Once again, the small community I call my home has proven that hard work and volunteerism can lead to success.

#### GOVERNMENT APPOINTMENTS

**The Speaker (Hon Gary Carr):** On November 14, the member for Hamilton Mountain raised a point of privilege with respect to recruitment of members of the Post-secondary Education Quality Assessment Board. I have now had an opportunity to review that matter and the relevant procedural precedents and authorities.

According to the member for Hamilton Mountain there are two issues. The first is that the Public Appointments Secretariat is "seeking members for the Post-secondary Education Quality Assessment Board" in advance of passage of Bill 132. The member asserts that Bill 132 "creates" the board, and since it's still being considered by this House, the secretariat is in contempt of the House for acting upon legislation which is not passed.

In reviewing our precedents, I find many in which various Speakers have made it clear that the public service has a responsibility to prepare itself and stand in readiness for the possible passage of legislation. Let me cite just one ruling on December 20, 1989. In it, Speaker Edighoffer said, "It is perfectly valid for the public service to proceed with plans based on a bill that is already in the system in order to be able to act swiftly, once the bill becomes law. It goes without saying that if the bill is amended during the legislative process, then the public service must take note and act accordingly."

I find this case to be within due diligence on the part of the public service in preparation for pending legislation.

The member also indicated, however, that her office had been informed that the quality assessment board was created by the order in council in September. In her view, if this is the case, then the order in council itself serves to leave the impression that the legislative consideration of the bill is meaningless.

I did take some time to review both the order in council and the bill with respect to this point. First, my reading of Bill 132 is that it continues the Post-secondary Education Quality Assessment Board; it does not create it. If this is not the case, however, and if the order in council was passed without the proper legislative authority, then it may be ruled invalid in a court of law but is not a procedural matter and does not constitute a contempt of the House.

I therefore find that a prima facie case of privilege has not been made out.

I want to thank the member for her submission and would add one footnote. When a member raises a point of order or a point of privilege in this House and refers to material not of this chamber, such as the Internet announcement, which is becoming more frequent, it would be helpful to the Chair and greatly expedite my response if the materials in question could be provided at the time the point is raised. I would thank all members for that consideration.

#### STATUS OF BILL 119

**The Speaker (Hon Gary Carr):** I also have a point of order. Last Wednesday, the member for Don Valley East raised a point of order concerning the fact that certain portions of Bill 119, the Red Tape Reduction Act, appear in the bill only in the English language. The unilingual amendments in question are found in section 3 of schedule A of the bill, which amend the Chartered Accountants Act, 1956.

I want to inform the House that the Chartered Accountants Act, 1956, is a statute that exists only in English and therefore can only be amended in English. The reason it exists only in English is because the Legislature has granted by statute to successive commissioners responsible for consolidating and revising the public general statutes of Ontario the authority to omit from the list of public general statutes those acts which in the commissioners' view are not of general application. The Chartered Accountants Act, 1956, has been so designated and it therefore falls outside the list of general statutes and appears in the Table of Unconsolidated and Unrepealed Acts. Since the Chartered Accountants' Act of 1956 was enacted prior to the coming into force of the Revised Statutes of Ontario in 1980 and does not appear as a public general statute in them, it was not required under the French Languages Services Act of 1986 to be translated into French and legally remains a unilingual English statute today. The

relevant portion of Bill 119 therefore is properly before the House in unilingual English form.

I again want to thank the member for bringing this to my attention.

1350

### INTRODUCTION OF BILLS

#### HIGHWAY TRAFFIC AMENDMENT ACT (PHOTO-RADAR), 2000

#### LOI DE 2000 MODIFIANT LE CODE DE LA ROUTE (RADAR PHOTOGRAPHIQUE)

Mr Hoy moved first reading of the following bill:

Bill 148, An Act to amend the Highway Traffic Act with respect to photo-radar / Projet de loi 148, Loi modifiant le Code de la route à l'égard du radar photographique.

**The Speaker (Hon Gary Carr):** It is the pleasure of the House that the motion carry? All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

Does the member have a short statement?

**Mr Pat Hoy (Chatham-Kent Essex):** The bill will provide protection for motorists who must drive the notorious stretch of Highway 401 between London and Windsor that has become known as Carnage Alley. This bill will follow the safety recommendations of two recent coroners' juries and implement photo radar on this dangerous highway.

### MOTIONS

#### HOUSE SITTINGS

**Hon Norman W. Sterling (Minister Of Intergovernmental Affairs, Government House Leader):** I move that pursuant to Standing Order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, November 27, Tuesday, November 28 and Wednesday, November 29, 2000, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Mr Sterling moves that pursuant to to Standing Order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday 27, Tuesday, November 28 and Wednesday, November 29, 2000, for the purpose of considering government business. It is the pleasure of the House that the motion carry? All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

## QUESTION PERIOD

### AMBULANCE SERVICE

**Mr Gerry Phillips (Scarborough-Agincourt):** I've got a question for the Minister of Health and it has to do with the Provincial Auditor's report. He's weighed in, along with every other thoughtful study, saying that it is a mistake to put ambulance service on to municipalities. Dave Crombie, who headed up your own Who Does What panel, said it's a mistake to do that. They were unanimous in that respect. The Ontario Hospital Association says you're making a huge mistake, the consultants who have looked at it said you're making a huge mistake and now the Provincial Auditor has weighed in on it and said you're making a huge mistake.

We now have overwhelming evidence that it's time for you to say, "Listen, we are going in the wrong direction. Let's stop."

Will you today, Minister, admit that it is a mistake to put ambulance service on to municipalities, it should be something that's run province-wide, and will you now reverse the decision?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the member knows, there was a decision made by the government regarding the restructuring of delivery of services in the province of Ontario. As part of the restructuring initiative that was undertaken, a decision was made that ambulances would become, in the way of the delivery of service, a partnership between the municipalities and the provincial government. I'm pleased to say we now have a committee of municipalities and the Ministry of Health, who have been working together quite co-operatively and will continue to do so in order to ensure that this new partnership results in a more accountable and more effective and transparent delivery of ambulance services in Ontario.

**Mr Phillips:** I know you've made the decision, but the decision is wrong. I guarantee you, a year and a half from now we are going to hold the Harris government accountable for this mistake. You are being warned about this. It's a huge mistake. Dave Crombie, the person Harris hand-picked to look at this, along with 14 other people, said, "It's a mistake. You're making a huge mistake." The Ontario Hospital Association said you are making a mistake, and now, just as the auditor warned you about the environment and the Premier was forced to admit he made a mistake there, the auditor has warned you again.

This decision will be final a year from now. Now is the time to reverse the decision. Yes, you've made the decision, but the decision is wrong. Will you admit today that it is wrong, decide to make the right decision and make sure ambulance service is run and managed by the province, as every single study that has looked at this says you should?

**Hon Mrs Witmer:** I don't know if the member is aware of the fact that ambulance services were never delivered 100% by the province. The majority have been delivered by the private sector, the hospital sector, municipalities and the volunteer sector, and only 10 were the responsibility of the province. If you take a look at the fact that we have 177 services in Ontario and only 10 of them were ever operated by the province, we are now in the position where we have a new partnership that will mean municipalities and the province will be working together co-operatively.

We want to ensure that there is going to be a seamless transition. I'm very pleased to say the committee that has been set up under the leadership of my parliamentary assistant, Brad Clark, has been working very well together—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the minister's time is up. Final supplementary?

**Mr Phillips:** I'm completely aware that every single study you've done said, "Don't do it." I'm aware that the auditor as recently as last week said these municipal boundaries will impair the seamlessness. He's telling you that you are making a mistake. Everybody is telling you that. Surely you can understand that.

Last week the Premier was forced to admit he had made a huge mistake and had screwed up the environment. Today the auditor is telling you that you are making a huge mistake; you're screwing up the ambulance services. I'll give you a recommendation. I know you don't like to admit you are wrong. Will you today commission an independent study to look at this to confirm what every other study has said, and then will you then acknowledge that you have made a mistake and reverse this decision to avoid people dying? That is what people are warning you about. Will you do that? Will you commission an independent study to look at this, so you can save some face when the independent study tells you to do what every other study has told you to do, and reverse your decision?

**Hon Mrs Witmer:** I remind the member opposite one more time that the province never did run the ambulance service. I also remind the member opposite that the auditor did his report in March this year—and we very much appreciate the work that was done—but I hasten to add that since that time we have been working together very co-operatively with the municipalities. Since that time we have reached an agreement on a funding template for ambulance costs, we have transferred \$30 million and we are prepared to invest whatever else is needed to ensure we have in place the standards necessary to ensure the best possible delivery of ambulance services.

I also hasten to add that 30% of the municipalities have already successfully assumed responsibility for ambulance provision, and this is ahead of schedule.

1400

## ENVIRONMENTAL PROTECTION

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of the Environment. Last week the Provincial Auditor confirmed the worst fears of environmentalists in this province, the opposition and, I think, a growing segment of the population of Ontario when he revealed that deep cuts to Ministry of the Environment staff under the Harris Conservative government have severely damaged the provincial government's ability to deal with serious environmental problems in this province. I quote from what he says:

"We noted that there had been a significant reduction in ministry-initiated inspections since 1996. While regional staff was reduced by over 25% during this period, ministry-initiated inspections decreased by 34%. From 1995-96 to 1999-2000, ministry-initiated inspections of hazardous and liquid industrial waste sites declined from about 2,000 to 1,190 per year. Similarly, inspections of municipal water treatment plants declined by over half, from over 400 to about 190 per year over the past five years."

I ask the minister, in light of what the Provincial Auditor has said, will he now admit that the enormous funding and staff cuts to the Ministry of the Environment made a tragedy such as Walkerton almost a certainty, and will he now commit to restoring the full staff and the full funding to that ministry?

**Hon Dan Newman (Minister of the Environment):** I'd like to thank the Provincial Auditor for his report. We take his concerns and recommendations very seriously on this side of the House. His input has been an important part of ensuring the environment gets the best possible protection it can.

Right now, Ministry of the Environment staff are carefully reviewing the Provincial Auditor's recommendations to determine areas where we can do even better. In fact, the ministry is already working to address the auditor's recommendations and we have implemented an aggressive action plan with set timelines to address all of the auditor's recommendations. We're looking at new and innovative ways to improve environmental protection. The auditor's report recognizes the value of our own in-depth review to improve actions and procedures.

**Mr Bradley:** The auditor talks as well about an internal review that you had that confirmed what he found out.

"The internal review determined that in 69 of the 100 inspection reports reviewed, violations were identified, including 22 considered significant by the ministry. However, enforcement actions taken included only one control order issued and no fines or charges. In 19 cases, the environmental officer requested that the facility operator provide a voluntary abatement action plan; however, only one plan was actually received.

"In addition, the internal assessment noted that approximately one third of all violations identified were repeat violations."

He also said that "the ministry's assessment of its inspection program conducted during 1999 considered as minor 51 of the 58 violation types noted. Violations considered to be minor included failure to take or report samples of effluent or water quality, use of an uncertified operator, lack of a contingency plan should systems fail and the operation of water and sewage facilities not in accordance with the approval specifications."

Minister, does not this weak-kneed, half-hearted, dismal record of enforcing Ontario's environmental laws, confirmed by the Provincial Auditor, confirm that the Harris government has neither the staff nor the will to confront polluters in this province?

**Hon Mr Newman:** The point I wanted to make today is the fact that we do have a total review of the Ministry of the Environment underway right now, headed up by Val Gibbons, who is a well-respected management consultant and former civil servant within the province of Ontario, to thoroughly review ministry operations and to recommend ways to improve the efficiency and effectiveness of all the programs within the Ministry of the Environment.

Let's hear what the auditor also had to say in 1987, when the member opposite was the Minister of the Environment. He said, "In our review of six districts covering two regions, we observed that in four districts there were no control logs or summary records of complaints received, nor reports on the status of complaints." The Provincial Auditor goes on, "There were 15 instances where no evidence existed that the complaint was addressed. In one instance, the complaint reported an unknown substance spilling into a lake," and in another case an incident of dumping and burying toxic waste was reported.

**Mr Bradley:** I don't know whether it's the lack of staff or the lack of will that the auditor has identified, but it was revealed this week that you have broken a promise made by the Honourable Norm Sterling, a promise made to Dr Harry Parrott, a Conservative; Ruth Grier, a Democratic Party former environment minister, and myself. We wrote a letter to Norm Sterling, the Minister of the Environment of the day, asking that Dombind, a toxic material, no longer be allowed to be applied to roads as a dust suppressant. Norm Sterling wrote back to us and said, "I agree with you three," and by the end of the spreading in the year 2000—that's by the end of November—we will no longer allow the use of this toxic material on roads.

You broke that promise. You kept one promise—to get the Ministry of the Environment out of polluters' faces—but you have now given this company two additional years to allow this toxic substance to be applied to the roads of Ontario. Why do you not live up to the promise made by Norm Sterling, and why do you not end the use of this dust suppressant with dioxin in it on the roads of Ontario?



**Hon Mr Newman:** The government is indeed concerned about the use of Dombind as a road dust suppressant. That's why we're committed to seeing it phased out. Since Dombind will not be used as a dust suppressant in the very near future, Norampac, which is the company that produces Dombind, is currently developing alternatives.

We have indicated to the company that their proposed phase-out period was too slow and too unacceptable. We've indicated that the proposed time frame needed to be reduced. Right now the company is in negotiations with the suppliers of their new technology, and it would be inappropriate to discuss the new technology and the proposed time frames for implementation.

This is not an extension. It is a proposal to stop the spreading of Dombind after the year 2002. We've told the company that they must begin the implementation strategy today. If by tomorrow the company has not ordered the new technology confirming that it is proceeding with the implementation, the company will be in non-compliance with the 1999 director's order and will be—

**The Speaker (Hon Gary Carr):** The minister's time is up.

#### EMERGENCY SERVICES

**Ms Frances Lankin (Beaches-East York):** To the Minister of Health: today's dramatic news out of Hamilton only serves to underscore that your handling of emergency and ambulance services in Hamilton and across the province has been nothing less than disaster on wheels. Dr Frank Baillie, medical director for Ontario CritiCall resources registry, is reported as saying that the emergency system in Hamilton has gone into meltdown mode.

His report says the situation is worse than ever. For two terrifying days last month, this report shows that there were no more beds, no more heart monitors, no more nurses to call in and no more room in the hallways for overflow patients in any of Hamilton's four hospitals. I can imagine how you must feel morning after morning, seeing the screaming headlines declaring your government's failure on this issue, but can you imagine how the parents of a small child must feel, knowing they may be turned away because the ambulances can't get in, that it may mean their child's life?

Minister, why is it that after more than two years of announcements that you've fixed this problem, the situation in Hamilton could be described as going into meltdown mode?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the member of the third party knows, the situation related to emergency pressures certainly has not been unique to us in Ontario and it has not been unique to any province or territory in Canada. It is a situation that is being experienced worldwide.

In 1998 we began to address the situation because there had been terrible neglect up until that time. We put

a task force together. The task force made recommendations. Since 1998, we have been moving forward to ensure that we can meet those emergency room pressures. We've actually invested some \$725 million. We have expanded home care services. We are building 20,000 additional long-term-care beds. We have introduced alternative funding plans for physicians. We have added additional nurses, all in—

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up.

**Ms Lankin:** I have heard that answer before, but the problem is that the situation is getting worse out there. Emergency rooms have always been busy during the flu season, but emergency rooms in Hamilton, in Toronto, in the GTA and in other centres are in a crisis year-round now. There are reports of patients being yanked off heart monitors to provide the heart monitor to someone else. Hospitals in Hamilton turned away ambulances 41% of the time in October and early November. That's a new record, Minister. Experts before the Fleuelling coroner's inquest told you that the rapid decline in emergency services began in 1996 and is now at a crisis proportion, and it's going to get worse. How many ambulances are going to be lined up outside our hospitals with critically ill patients, unable to unload them?

Minister, are you going to stand today and tell Hamiltonians not to worry about what could mean a life-and-death situation to them or their loved ones?

1410

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** Despite what the member opposite says, the situation unfortunately has been ongoing for a long time. I'd just like to share with the member some quotes. One of them is a quote from the Toronto Star on November 21, 1993. This relates to the Port Arthur hospital in Thunder Bay. "The best way to sum it up is now we're forced to give a level of care I'm not proud of. We were told we had to cut back so we closed beds. It didn't work because we ended up with people sitting in emergency having heart attacks."

It says in the Toronto Star, November 21, 1993, "Don't get sick over Christmas," regarding ER overcrowding at the Ajax-Pickering hospital. Again, a nurse at Hamilton Civic Hospital, Judy Morphet, on November 21, 1993, said in the Toronto Star, on being unable to treat people because of lack of ER—

**The Speaker:** Order. I'm afraid the minister's time is up.

**Ms Lankin:** Minister, I don't understand how you can day after day ignore what the experts are saying. The trends that began in 1996 and have continued to spiral downward in terms of emergency services come nowhere near to paralleling situations that existed in the time periods that you keep referring to.

Dr Baillie's report says that this increase in critical care bypasses is occurring not just in Hamilton but in Toronto. We've been telling you that for months. I've been telling you about ambulances lined up, waiting up to 45 minutes to off-load patients. I've told you about

dispatchers' calls backing up on their desks. I've been telling you this; the auditor has now confirmed it; experts before the Fleuelling inquest confirmed it; the jury's recommendations confirmed it. Minister, you're still talking as though it's not a crisis.

You've had recommendations from the Fleuelling jury for over a week now. You know that on two occasions in those recommendations they called on you to consider an immediate moratorium on further hospital and hospital bed closures. Will you today announce an immediate moratorium on all further hospital and hospital bed closures?

**Hon Mrs Witmer:** I'd like to respond in two ways. First of all, I think the member opposite is being quite selective, because if she wants to go back to the Fleuelling inquest, the preamble to the jury stated this:

"We learned that the problems currently being encountered in the delivery of health care services are not unique to this city or province but, in fact, are evident in many jurisdictions worldwide.

"The problems are systemic in nature and are not easily solved. These problems have developed over a period of time."

That's what they said at the Fleuelling inquest, for your information.

Furthermore, our government has been working forward with a plan since 1998 because your government, for example, chose not to build any long-term-care beds, and the Liberals stopped building them in 1998. But we have added money recently to open over 1,200 new beds across this province. And I—

**The Speaker:** Order. The minister's time is up.

#### UNIVERSITY LABOUR DISPUTE

**Ms Frances Lankin (Beaches-East York):** My question is to the Minister of Colleges and Universities. I want to ask you to take responsibility for keeping York University students out of classes for four weeks and teaching assistants on strike. You have taken the unprecedented step, for a government, of pressuring a university to strip away tuition protection in order to promote your agenda with respect to post-secondary education. You slashed \$1.4 billion in operating funds, you deregulated tuition, you forced tuitions to increase by 60%, and you forced student debt to double.

At York, you want to sink teaching assistants below poverty wages by stripping their tuition protection. As it stands, TAs earn \$850 a month. When you subtract the tuition they pay, they are left with \$700 a month to live. You want them to earn even less. How can you justify pressuring York to take tuition protection away? That's the sticking point in these negotiations. How can you defend actions that have kept students out of classes and away from their TAs for weeks now?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities):** I wish the honourable member actually hadn't read that note, because it's not factual. Our government is spending more than ever on

our universities and colleges. Our focus has been to put the money into supporting students and accessibility—I could go through the list. We're getting ready for 88,000 new students, and we've spent \$1.8 billion along with our private sector partners. I would like to chat with the member later and clarify what she is talking about, because if this is what she believes, then no wonder people are upset.

With respect to York University, the member knows, because she was a minister herself, that universities are autonomous institutions, and I don't think she wants me to get involved in this. I would like to hear further from her with regard to what the real problem is. They're autonomous and have to deal with their labour relations, and that would be my expectation, knowing my colleague in the opposition.

**Ms Lankin:** Minister, the problem is that everyone in the York community believes—and it's been reported in the newspapers—that your government has interfered. Of course we don't want you to; we want you to get out of the way of a settlement.

These workers are fighting for their survival. If your government has intervened, you're forcing a situation where they will be left to live on less than \$700 a month, and those are poverty wages.

You like to talk about the brain drain, Minister, but you refuse to face the hemorrhage this situation is causing. We need to retain and support the brightest and most hard-working of our university students, these TAs.

If you honestly deny that you're pressuring York University to strip tuition protection from TAs, will you make a public statement promising the government will not interfere in Ontario's university negotiations? Will you issue a public statement to the York University community that the government has no opinion about tuition protection or any other item in the collective agreement of the teaching assistants?

**Hon Mrs Cunningham:** This is not a problem. We're not involved in this dispute in any way. I don't want to comment on anything that has anything to do with people working together to get an agreement. It is as simple as that.

#### SERVICES FOR ABUSED WOMEN

**Mrs Marie Bountrogianni (Hamilton Mountain):** My question today is for the minister responsible for women's issues. In September the cross-sectoral strategy group came to Queen's Park demanding action on a list of emergency measures. These demands were the compromise position reached by over 125 women's groups from across the province who work on the front lines dealing with all aspects of violence against women.

My leader, Dalton McGuinty, was proud to sign his support of the emergency measures initiative at the meeting. He and the Liberal caucus understand the urgency of this issue. We understand that the lack of action from your government is costing women and children their lives.

I travelled to Sarnia on Saturday and visited the interval house there with my colleague Caroline Di Cocco.

*Interjection.*

**Mrs Bountrogianni:** Do you feel better now? May I continue?

The staff told us of the desperation women are feeling at their inability to escape their abusers. They told us about how the cuts in funding have affected programs and their ability to assist women to change their situation.

We all know the dire statistics in Ontario, but we don't know the unreported stories. In Sarnia on Saturday we learned that two women recently committed suicide because they couldn't escape. There was nowhere for them to go. This past month a 10-year-old boy, a witness to his mother's abuse, stated, "I'm not taking this any more." As his father beat his mother, he climbed the stairs to his bedroom and hanged himself. He was 10 years old. I am powerless to more completely convey to you, other than through this example, how monumental this issue is. Violence against women is tearing apart the very fabric of our society inside our homes, inside our families, inside the women and children who are its victims.

I call upon the minister to commit to the emergency measures brought to the attention—

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

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** May I say that this government will not tolerate violence against women and their children. In fact, we have put forward a number of initiatives that show our commitment to that.

I remind the member opposite that at the Ministry of Community and Social Services the funding has increased in that ministry for programs that relate to violence against women. Overall, across the government, the funding has increased.

1420

In 1994-95 there was about \$100 million being spent on funding. Now we're up to \$135 million. We intend to move to \$145 million. But those big dollars aren't the thing that's most important. In the budget that was just announced recently there was \$5 million put aside for children who have viewed domestic violence so it will help them. We also put \$5 million to ensure that women who needed counselling had that counselling. We're putting our money where—

**The Speaker:** Order. The minister's time is up. Supplementary.

**Mrs Bountrogianni:** Minister, what you have done is taken money from front-line services to fund those other initiatives. That is what we are protesting. We're not protesting the new initiatives. We are—

**Mr Frank Mazzilli (London-Fanshawe):** What's the solution?

**Mrs Bountrogianni:** Why don't we get together and talk about the solution? First of all, reinstate the 5% you cut to these centres. They have been laying people off.

Let me quote from a letter from the Attorney General, "The goal of the new legislation (Bill 117) is to better protect victims and prevent further violence." We're not against this legislation. However, 75% of women who are abused do not approach the system. We are talking about those women who approach the shelters. Again, what we learned in Sarnia in the sexual assault centre is that the settlement of immigrant women funding was cut. Six months before that funding was cut, \$30,000 worth of computer equipment was sent to that program. Now it's just sitting there. That money could have funded the counsellors to help these immigrant women who can't speak English and have suffered abuse.

Minister, will you live up to your responsibility and take definitive action on this issue? Will you do that?

**Hon Mrs Johns:** I'd like to thank the member opposite for the question, and let me say we are taking definitive action. We're doing what we believe is necessary to ensure that women are safe in the province of Ontario. My colleague the Attorney General has made a substantial increase in domestic court services and the ability to help women to get through the process quickly. My colleague the Minister of Community and Social Services has invested more and more money into programs that affect women who are suffering from domestic assault and violence.

We continue to do many programs because we believe that this is an important issue in society. When we met with the women last week who are associated with the group the member opposite is talking about, we promised to work on a few of the initiatives they've brought forward because we thought they would make a difference in the lives of women who are suffering from domestic assault.

It's our commitment to keep working on this because we need to stop—we will not tolerate—violence against women in the province of Ontario.

## SOCIAL ASSISTANCE

**Mr R. Gary Stewart (Peterborough):** My question is to the Minister of Community and Social Services. Minister, recently you claimed to be winning the battle against welfare fraud. With your latest report to taxpayers, I see that another 557 people were convicted of welfare fraud. It's difficult to imagine that with all the fraud initiatives undertaken by our government, fraud continues in this province.

Minister, with all the work our government has done to crack down on fraud, do you believe we are getting the type of return we expected for all our efforts?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** This government continues to take the policy that no fraud is good within our social system, that every dollar appropriated by the Legislative Assembly of

Ontario is designed to support more and more people who are needy and not there for those who are greedy.

I know the members opposite, Dalton McGuinty and the Ontario Liberal Party, don't agree with our crackdown on welfare fraud. They have opposed every single welfare fraud initiative that we've undertaken, and they've been very clear. They've said they don't agree with our welfare fraud policies.

I want to tell you about one success story. We instituted a Crime Stoppers-type effort to combat welfare fraud, for a rather modest expenditure of about \$200,000 a year. Two years ago we were able to save \$9 million from our welfare system, \$6.9 million the year after and this year's welfare fraud report announced that we were able to save more than \$6 million. The hard-working officials at the Ministry of Community and Social Services fraud control unit are doing an absolutely outstanding job.

*Interjections.*

**Mr Stewart:** It's interesting to hear the comments from the opposition. I assume by those comments that they condone and support fraud. I have a great deal of difficulty with that.

Minister, one of the more striking pieces in your news release last week is that your ministry found another group of people in jail collecting welfare. This is one of those injustices that I believe all Ontario taxpayers can agree needs to be eliminated. That is why we are really surprised to see that there was another 7,000 inmates collecting welfare. This government has been in power for over five years now. Why does this problem persist?

**Hon Mr Baird:** We continue to clamp down on fraud abuse and misuse of the welfare system at every corner. The member opposite is right. This year, we did find more than 7,100 people in our jail system collecting welfare.

*Interjections.*

**Hon Mr Baird:** I know that pains the members of the Liberal Party. They disagree with combatting welfare fraud. They are even howling when we're combatting welfare fraud in the jail system.

This government doesn't believe in double-dipping, whether you're double-dipping on a pension plan or whether you're double-dipping collecting a cheque from the Ministry of Community and Social Services and my colleague the Minister of Corrections, so we put an end to the double-dipping. The right hand finally knows what the left hand is doing. That effort is saving literally tens of millions of dollars in future avoided costs. We're able to help priority services like children, like autism, like helping those who are genuinely in need and not those who are motivated by greed.

#### HIGHWAY 407

**Mr Bruce Crozier (Essex):** My question's for the Minister of Transport. Minister, in spring of this year, two constituents of mine, Luc and Rosine Mailloux travelled the 407. Unfamiliar with the billing procedure

on the 407, they subsequently received some mail from the 407 with the letters ETR partially stricken out by a flash of yellow. These letters meant nothing to them. After receiving several over a period of a couple of months and being unfamiliar with the billing system, they opened one of the letters, found that they had to pay for their trip on the 407 plus some interest. So they paid it on September 28; they paid it in full.

On October 20, almost a month later, they received a bill from the 407 for \$32, all of which would have been interest. This is after they'd paid their bill on September 28. Upon calling the ETR hotline, they were told, "Too bad. Your bill is in collection." Minister, do you think that the Mailloux's are being treated fairly, and will you help them with this problem?

**Hon David Turnbull (Minister of Transportation):** Obviously I'd have to know some more details about it. Clearly, if they have paid their bill on time, then there's something wrong, and there is an appeal process that was put in place. I look forward to receiving some details and dates from the member and we will investigate it.

**Mr Crozier:** Minister, I'll do that. Obviously the 407's billing system is screwed up, because I shouldn't have to bring it to your attention. But I will provide you with the details. I will provide you with where they paid that bill as of September 28 and I will provide you with a copy of the billing they received almost a month later.

**Hon Mr Turnbull:** I certainly look forward to receiving the information and we'll give you a report back on that.

1430

#### MUNICIPAL ELECTIONS

**Mr John O'Toole (Durham):** My question is to the Minister of Municipal Affairs and Housing. Minister, as we all know, today is election day in Canada. As a reminder, the American election demonstrates just how important the individual ballot really is.

During this past municipal election, it was brought to my attention that some of my Durham riding constituents were experiencing problems with the newly introduced vote-by-mail procedure. These problems could place the integrity of the entire election process at risk. Minister, with concerns raised about this procedure, could you please explain to the House how it is that some municipalities are using vote-by-mail while other municipalities choose not to use that method?

**Hon Tony Clement (Minister of Municipal Affairs and Housing):** I thank the honourable member for the question. I suppose we should thank our lucky stars that Chad didn't get pregnant in Ontario. There have been no instances of butterfly ballots either.

The Municipal Elections Act is founded on a number of guiding principles, one of which is that the conduct of the municipal election is the responsibility of the individual municipalities. The municipal council has a choice of how it conducts the election, but surely it has to be in the best interests of the electors. There are a number

of procedures that are described in the act, such as traditional polling-place election, but municipalities are given the opportunity to select an alternative voting system. But any system they select, be it by phone, by mail or by another method, has to be consistent with the principles embodied in the act.

**Mr O'Toole:** Thank you for that very informative response. Just to add to that, you can thank your lucky stars and stripes. However, in my riding concerns were raised by some of the candidates, like Willy Woo, Mark Hendrikx and Troy Young, about the vote by mail. There were concerns that this process allowed room for both campaign workers and the public to tamper with ballots—imagine that—voting in the names of persons other than themselves or perhaps even influencing the votes. These are indeed serious allegations.

There were cases of mail-in ballots sent to people who were no longer alive—you'd think this was Nova Scotia—and to those who had moved. Some people received more than one ballot. I'd like to get more information about how this was able to happen in Ontario today.

**Hon Mr Clement:** I am concerned about the details the honourable member has described to this House. Obviously, all of us want to see elections that are impartial, fair and neutrally counted. I can tell you that in the case of municipalities, the names are found on the Ontario Property Assessment Corp list, and that they are to make every effort to ensure that only eligible electors' names appear on the voters' list. But of course they have to depend in large part on the electors themselves to update the list. In that regard, electors have a significant role to play. They are given a number of opportunities to review and correct the voters' list before the ballots are issued, and they are asked to correct any information they know to be incorrect at the time of that particular enumeration. So there are some ways in the system to protect the validity and credibility of the electors' list. If there are some problems, then clearly the municipality should work with the electors to ensure a better job is done next time.

#### SPEECH-LANGUAGE SERVICES

**Ms Marilyn Churley (Toronto-Danforth):** I have a question for the Minister of Health. I am asking this question on behalf of my constituents Lesley and Scott Ballantyne-Smith. Their son Cameron needs speech therapy for articulation problems. He was receiving services from September 1999 until January 2000 through the local school board. However, that ended because the school board no longer had a speech therapist, and they were given the option of getting help through the CCAC. That too has not worked out, even though Cameron has been on the waiting list since December 14, 1999.

Cameron is in grade 2 and is a bright child, but he is falling further and further behind with his reading and writing because he is not receiving the services he needs.

I wrote you a letter about this, but received only a form letter back from you, outlining funds you had put into the system here and there. But there was nothing in that letter that spoke directly to solving Cameron's problem. Minister, I ask you today: will you ask your staff to work with Cameron's parents to find an immediate solution before it is too late for Cameron?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the member knows, issues related to special needs are dealt with through the CCACs. The educational system is involved as well in meeting the needs of those children. We have a pre-school speech and language program which is funded through the Ministry of Health. As you know, that has been expanded in recent years in order to ensure that young children can be identified and provided with the appropriate level of support as early as possible. But again, all those programs are administered by others. We at the Ministry of Health make the money available and it is flowed to the appropriate agency, and then the decisions are made as to how the money flows to the children and adults who need the special support.

**Ms Churley:** Minister, that's my whole point. The children are not getting the services they need, and you fund the CCACs.

Cameron is now in serious jeopardy of being put back a grade. This is affecting his self-esteem and is causing increased frustration. The longer he has to wait, the more difficult it will be to treat the disorder. Early therapeutic intervention is absolutely critical, as bad habits are less firmly established and can be more easily corrected. There is a serious potential for Cameron's speech problem to affect his social and emotional development. His academic development has already been negatively affected. His parents are doing everything they can to assist him, but they are not experts and they cannot afford to pay for private services that cost approximately \$125 per hour.

This child desperately needs help. So I'm asking you now again, Minister, will you agree to pay for a speech therapist until an opening comes up at the local CCAC, or, failing that, will you take it upon yourself to find a spot for Cameron before it is too late for him?

**Hon Mrs Witmer:** Our government has actually put in place and committed a substantial amount of money in recent years, because we do certainly appreciate that if we can give young children the best start in life, we know that they are going to have more chance of academic success, they are going to have fewer health problems, and there's less likelihood of getting into trouble with the law. So we have introduced two programs—the Healthy Babies, Healthy Children initiative; we are now supplying about \$67 million in funding, and it works through the public health. We also have pre-school speech and language, which I indicated to the member is available. Money is also made available through the local community care access centres. Again I would indicate that the decisions regarding how the money is allocated are made by local agencies in response to local needs.

## HIGHWAY SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** My question is to the Minister of Transportation. Last month, you reported on the long-awaited expansion of Highway 401. Your staff went into denial mode the next day, correcting the wrong impression you gave the trade corridor conference.

When I asked you a question, you got up and blustered about my flawed research. I sent your remarks to me to a reporter in southwestern Ontario. The reporter has you on tape at the conference and said some rather uncomplimentary things about your denial. This is a recurring problem, Minister. You never seem to say quite what you mean. Now the record is clear.

My question: you refuse to commit to any expansion through Carnage Alley, even though it may turn into Garbage Alley. You refuse to commit to a centre median beyond Tilbury, even though Tilbury to London has the most fatalities and crossovers. You refuse to put paved level shoulders on both sides of the highway to protect motorists.

Dalton McGuinty has called for photo radar on Carnage Alley and wants the money to be used for more police. Will you implement photo radar at least as a pilot project on Carnage Alley?

**Hon David Turnbull (Minister of Transportation):** It's very interesting. Let me read what Dalton McGuinty said in the last election: "I'm saying it's not a priority. It's not in the plans. I have no intention of putting it forward. Maybe in 10 years from now by all means." Dalton McGuinty is a guy who's got more positions than the Kama Sutra.

The fact is that 90% of all the dangerous driving practices are not caught by photo radar. Traditional enforcement is the best way. We've got to address rapid lane changes, tailgating, and drinking and driving. Photo radar does not address this. There are no demerit points, no—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up. Supplementary.

**Mr Hoy:** Minister, you have already allowed red light cameras, not because of safety but because of public pressure. Public safety never seems to come first.

Two recent coroners' juries investigating the horrific deaths in Carnage Alley called for photo radar. My own survey of over 5,000 confirms what a past province-wide survey said: more than 60% of Ontarians favour photo radar. The London Free Press and the Windsor Star have both done editorials calling for photo radar. If you won't implement photo radar for safety reasons, will you put aside your ideological excuses and implement photo radar because the public clearly wants it to improve safety on our highways?

**Hon Mr Turnbull:** As I've said, it doesn't address 90% of aggressive driving; rapid lane changes, tailgating and drinking and driving. You're obviously not interested in that. We are interested in it.

Let me further say what Jim Bradley said a little while ago: "I simply believe that the primary purpose of photo radar is without a doubt to get money for the Ontario government." We don't agree with it. We believe in proper enforcement. That's why we've increased policing on that stretch of the highway, and it's working.

1440

## LIVING LEGACY

**Mrs Tina R. Molinari (Thornhill):** My question is for the Minister of Natural Resources. I hear consistently from many of my constituents in Thornhill that they are very concerned about the state of Ontario's natural environment. I'm pleased to tell them about our government's proactive stance on these issues.

Minister, I understand at the Don Valley brickworks last Thursday you and the Premier made a rather substantial commitment to implement the existing mandate of Ontario's Living Legacy, the largest single expansion of parks and protected areas in Ontario's history, and to expand upon that mandate as well. While Ontario's Living Legacy allows for 378 new parks and protected areas, bringing to 650 the number of parks and protected areas across the province, an area about the size of all of Ontario south of Algonquin Park, I understand last week's announcement allowed for further protection down in southern Ontario. Minister, can you tell us more about this expansion?

**Hon John Snobelen (Minister of Natural Resources):** I thank the member for Thornhill for the question. I was very pleased to participate in the announcement last week. Over a year ago, the Premier announced the largest-ever expansion of parks in the history of Ontario.

Last week we made an announcement that was over \$100 million to make this a reality and to take the Living Legacy and spread it to southern Ontario. It was a fabulous announcement.

The member asks about some of the land acquisitions in southern Ontario. We now have an ecological land acquisition program, which we've cleverly called ELAP.

*Interjections.*

**Hon Mr Snobelen:** All of the members now have that one, Mr Speaker. That will help us acquire ecologically significant lands in southern Ontario and add to Ontario's Living Legacy.

**Mrs Molinari:** I appreciate that Ontario's Living Legacy is expanding beyond its original goals and is now poised to grow in scope, to reach down into southern Ontario.

Now we know how the area of Living Legacy has grown, I understand the mandate of Living Legacy has grown as well. For instance, on Thursday there was mention of a new commitment to youth programs. This was of particular interest to me as over a hundred young people in my riding of Thornhill are involved in a new scouting program. They are the first Four Arrows Baden-Powell Wilderness Group, and they are working with the

Ministry of Natural Resources to adopt a forest for stewardship in the Parry Sound area.

We know the purpose of Ontario's Living Legacy is to ensure the natural beauty of all we take for granted is there for future generations to enjoy. Can you tell us how, with last week's announcement, you are involving young people in making the Living Legacy a reality and how even more young people from my riding can become involved?

**Hon Mr Snobelen:** Again, I thank the member from Thornhill for the question. At the announcement last week, the Premier was joined by young people from across Ontario who had participated in the Ontario Rangers program or the Ontario stewardship rangers program. Part of the announcement was a \$10-million fund for youth employment this year and \$10 million next year, so we can get more of Ontario's youth involved in creating this Living Legacy for future generations. Those programs include Ontario Rangers, which has been around for decades; a new program called Ontario stewardship rangers so that young people from urban areas can help with the rivers, watersheds and natural resources in their local areas, and the internship program, a co-op program for young people.

In answer to the member's question, for those who have access to the Internet, we have [www.youth-jobs.gov.on.ca](http://www.youth-jobs.gov.on.ca), and for those like the Minister of Labour who cannot yet access the Internet, we have 1-888-JOBGROW.

#### MINISTRY OF CORRECTIONAL SERVICES CONTRACT

**Mr Dave Levac (Brant):** My question is for the Minister of Correctional Services. Recently the Provincial Auditor pointed out that your ministry paid the operator of Project Turnaround, a youth offender boot camp in Barrie, \$400,000 over and above the agreed amount specified in the signed contract between the operator and the ministry. The auditor also points out that the contract did not reveal any provisions for payouts beyond the contract price.

It would appear to me that the contract is a contract, and it was signed by the Ministry of Correctional Services. Why did this happen, Minister? Would you describe an adjustment of almost a half-million dollars as financially responsible?

**Hon Rob Sampson (Minister of Correctional Services):** I say to the member opposite that I thank him very much for the question because it allows me an opportunity to clarify what exactly we did with that particular expenditure.

We did pay that money out because it was our obligation to provide the operator with a safe and secure environment to operate the correctional facility in. This government takes its commitment to provide safe and secure institutions very seriously.

Our commitment and our obligation to the operator of that facility was to provide a safe and secure institution,

and where it was indicated that we had to spend money to maintain that facility so that it was safe and secure, we honoured our commitment. We put our money where our mouth was because that's our commitment to public safety in this province: to make sure we have safe and secure institutions for all of the institutions across the province, whether they be adult offenders or young offenders and no matter who's operating them.

**Mr Levac:** It's interesting that a contract isn't a contract. It simply means now that if you want to spend more money, you just have to go to the minister and he'll fill the bill. I'm very concerned about what's going to happen in the privatized situation, where these people are making it for-profit.

Mr Minister, the Auditor General also points out that your ministry was overpaying the contractor of Camp Turnaround by \$24,000 per year for after-care services, that is, verifying invoices against what the contract has coming. The error was apparently continued until the auditor found it and brought it to your attention, and then you finally stopped it.

What's going to stop you from doing that with the privateers? Are you going to wait for them to build up a million dollars before you have to pay them back? Minister, do you not consider that the overpayments of this kind are financially acceptable procedures in order to rectify this situation? How are you going to get those funds back from a privateer?

**Hon Mr Sampson:** I thank the member for the question. The \$24,000 payment he's talking about was indeed corrected, that's correct. It was a challenge with this ministry to follow all of the after-care programs that that particular provider was providing. We were prepared to ensure that those payments were made where appropriate, and where they weren't appropriate, we've stopped those payments.

But as it relates to the security upgrades, the member says he can't find an obligation for us to do that in the contract. That's because that's an operating contract. I say to the member opposite, before you delve down this road of commenting and criticizing operating contracts and ownership contracts, why don't you take two seconds and try to understand what exactly it is you're speaking to.

#### PROPERTY TAXATION

**Mr Ted Chudleigh (Halton):** My question is to the Minister of Finance. Many of my constituents have recently received a property value reassessment notice in the mail. In most cases the assessed value of their homes has shown an increase. Many homeowners are worried that, as a result, they will see substantial increases in their property tax bills.

Minister, are property tax bills going to go up as a result of these higher assessments?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** First of all, there's two things that comprise people's real estate taxes. One is the assessment on your

property, the other of course is the tax rate or the mill rate that's applied to them. For example, in a particular municipality, if assessments have gone up 20%, on average, the municipality can raise next year exactly the same amount of revenue it raised this year by lowering the tax rate or the mill rate by 20%. It would net them the same amount of revenue. So because your assessment has gone up does not mean that your tax bill is going to go up.

If the municipality wants to generate more revenue than it's spending this year or if it wants to spend more revenue next year, then that's a decision for each municipality to make and they have to be accountable for it.

1450

**Mr Chudleigh:** I appreciate your answer. I'd also like to ask, on behalf of several of my constituents, how the value of their property assessment was arrived at and what actions they can take if they disagree with that assessment.

**Hon Mr Eves:** First of all, the assessment notices that individuals and businesses are receiving now were calculated by the current value as of June 30, 1999. They were calculated by the Ontario Property Assessment Corp, which has been municipally owned and operated since December 17, 1998. That's how that has happened. That's the amount people will be paying taxes on in the calendar years 2001 and 2002. They're responsible for property assessment. It used to be the responsibility of the provincial government. It has been taken over by the municipalities in Ontario. If an individual disagrees with his or her assessment, they can simply file an appeal, in the appropriate period of time, to their assessment notice.

## HOMELESSNESS

**Ms Marilyn Churley (Toronto-Danforth):** I have a question for the Minister of Housing. I wonder if he's still available.

**The Speaker (Hon Gary Carr):** Very quickly, if somebody could grab the Minister of Housing. Here he comes. Proceed.

*Applause.*

**Ms Churley:** Thank you very much for that applause.

Minister, 17 homeless people who live on the waterfront have been given a 17-day reprieve from eviction. But the Ministry of the Environment still wants to evict them because it's worried about the health effects of an environmental contaminant near the site, as are we. The ministry says living on the waterfront is hazardous to the health of the homeless people living there. But everybody knows that being homeless, whether you sleep in a shelter or on the street, is hazardous to your health. Medical studies have shown that homelessness kills people, and we've seen the tragic evidence here in Toronto on our streets. When are you going to treat that health threat seriously and find those homeless people some real housing?

**Hon Tony Clement (Minister of Municipal Affairs and Housing):** As the honourable member has correctly alluded to, this is a multi-faceted issue. No one wants to see persons who have no other choice but to live on the streets. That is not only an issue of housing, it's an issue of health care, it's an issue of socio-economic status and it's an issue of mental health, which is precisely why my colleague, the Honourable Elizabeth Witmer, has announced the next phase of mental health supports for those who are homeless or at risk of being homeless. This is precisely why that part of the formulation has to be taken into account.

But I would agree with the honourable member that issues of health and safety have to come first, which is precisely why just two weeks ago I and Minister Baird announced, on behalf of the government, that Princess Margaret Hospital was going to be opened for those who are homeless or at risk of being homeless.

**Ms Churley:** It seems like opening homeless shelters is the only game in town right now, and that just isn't good enough. Your housing policy doesn't build any new housing. In fact, your gutting of rent control has led to people losing their homes. It's just wonderful to watch how the federal Liberals and the Conservatives dance together on this issue. The Liberals offer housing subsidies contingent on the province paying half, but if the Liberals were serious—they know you're not going to pay your share of that—they should put up the full amount themselves.

When are you going to realize that your aversion to building housing is costing people their lives? What is it going to take? How many more dead bodies do we have to see on the streets of Toronto before you change your policy on housing and actually build some desperately needed housing in this province?

**Hon Mr Clement:** In fact, we have changed the old, failed policies of the NDP government when it came to affordable housing. It was called not-for-profit housing, but the lawyers made a profit and the architects made a profit and the planners made a profit, and it was not the best way to provide the kind of affordable housing that we need for our citizens.

I would agree with the honourable member that a long-term approach is needed, which is why we've changed the building code for the better, why we've reduced the cost of construction materials for affordable housing.

If the honourable member feels as strongly as she does, which she does on this issue—I agree with her—let's, she and I, work together to convince the federal Liberal government, which is in office for the next day or so, that it is time for a long-term, meaningful strategy; not quick fixes, not a little money here or there just to stem the bubbling tide, but long-term fixes that are going to fix the problem through the tax code, through the proper incentives to build the affordable housing that we had even 20 years ago in this country. I'm quite willing to work with the caucus to get that done.



## PETITIONS

### NORTHERN HEALTH TRAVEL GRANT

**Mr Rick Bartolucci (Sudbury):** This is a petition to the Ontario Legislature and it deals with northerners demanding the Harris government eliminate the health care apartheid and the discrimination they're practising in the province of Ontario today.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation"—that's discrimination;

"Whereas a cancer tumour knows no health travel policy or geographic location"—and that's a fact;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding" and are against health care apartheid;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we," the people who have signed this petition, "support the efforts of ... OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, northeast region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid and the discrimination which exists presently in the province of Ontario."

Of course I agree with this petition and affix my signature to it.

### VETERINARY SERVICES

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the member for Hastings, Glengarry, Frontenac and Addington.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** It's Hastings-Frontenac-Lennox and Addington.

"To the Legislative Assembly of Ontario:

"Whereas the north Hastings community of Bancroft and the surrounding area is a predominantly rural geographic area that faces many of the same challenges that northern communities contend with, whereby the role of livestock plays a significant part of that economy; and

"Whereas the community is experiencing a crisis due to the fact that their veterinarian for large animals has indicated he can no longer provide services to the

Bancroft area, and there are no immediate alternatives for animal care within their geographic area; and

"Whereas the only known incentive program for veterinarians is funded through the Ministry of Northern Affairs and Development;

"We, the undersigned, petition the Legislature Assembly of Ontario to urge the Ministry of Northern Affairs and Development and the Ministry of Agriculture, Food and Rural Affairs to work together to find a solution to this immediate crisis. We call on the Legislative Assembly of Ontario to introduce measures that would create incentives for veterinarians to practise within the described northern and rural communities in order to abate this emergency situation and to prevent similar crises in the future."

I'm happy to sign my name to this petition.

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr Bruce Crozier (Essex):** I have a petition signed by hundreds of constituents addressed to the Legislative Assembly of Ontario.

"Whereas it has been determined that recent funding allocations to the developmental services sector in the communities of Sarnia-Lambton, Chatham-Kent and Windsor-Essex have been determined to be grossly inadequate to meet critical and urgent needs" of these communities;

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

"That the Ministry of Community and Social Services immediately review the funding allocations to the communities of Sarnia-Lambton, Chatham-Kent and Windsor-Essex, and provide funding in keeping with the requests made by families and/or their agents."

In full support of this, I sign my signature.

1500

### NORTHERN HEALTH TRAVEL GRANT

**Mr Michael Gravelle (Thunder Bay-Superior North):** Again, petitions related to the inadequacy of the northern health travel grant. They continue to come in.

"To the Legislative Assembly of Ontario:

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

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

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

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

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

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

Hundreds of people have signed these petitions. I am once again glad to add my name to this petition.

#### HIGHWAY SAFETY

**Mr John O’Toole (Durham):** It’s my distinct pleasure to read a petition and support that petition presented by the Catholic Women’s League of Canada, Joan Lonergan, sent to me and to the Legislative Assembly of Ontario.

“Whereas motor vehicle accidents are the leading cause of death in North America; and

“Whereas studies conducted in the city of Toronto, the United States and Great Britain have reported that drivers using cellular phones while operating a vehicle significantly increases the risk of collisions; and

“Whereas people talking on cellular phones while driving may cause a 34% higher risk of having an accident;

“We, the undersigned, respectfully petition the Legislative Assembly of Ontario to ban the use of handheld cellular phones, portable computers and fax machines while operating a motor vehicle. We further respectfully request that Bill 102”—Bill 1-O’Toole—“An Act to amend the Highway Traffic Act to prohibit the use of phones and other equipment while driving on a highway, be passed unanimously by all members of provincial Parliament of Ontario.”

I’m pleased to support this petition from my constituents.

#### PHOTO RADAR

**Mr Pat Hoy (Chatham-Kent Essex):** “To the Legislative Assembly of Ontario:

“Whereas Mike Harris made the decision in 1995 to cancel the Ontario government’s photo radar pilot project before it could be properly completed; and

“Whereas two Ontario coroners’ juries in the last year, including the jury investigating traffic fatalities on Highway 401 between Windsor and London in Sep-

tember 1999, have called for the reintroduction of photo radar on that stretch of Carnegie Alley; and

“Whereas studies show that the use of photo radar in many jurisdictions, including British Columbia, Alberta, Australia, many European countries and several American states, does have a marked impact in preventing speeding and improving road and highway safety, from a 16% decrease in fatalities in BC, to a 49% decrease in fatalities in Victoria, Australia; and

“Whereas photo radar is supported by the RCMP, the Canadian Association of Chiefs of Police, several police departments, including many local Ontario Provincial Police constables and many road safety groups;

“Therefore we, the undersigned citizens of Ontario, petition the Ontario government to demand that the Ministry of Transportation reinstate photo radar on dangerous stretches of provincial and municipal highways and streets as identified by police. The top priority should be Carnegie Alley, the section of the 401 between Windsor and London, and all revenues from photo radar should be directed to putting more police on our roads and highways to combat aggressive driving.”

It’s signed by a number of residents from St Marys, and I affix my signature to it.

#### REGISTRATION OF VINTAGE CARS

**Mr John O’Toole (Durham):** Again, it’s my distinct pleasure to present these petitions on behalf of the people not just of my riding, but of the province of Ontario.

“To the Legislative Assembly of Ontario:

“Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

“Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year-of-manufacture licence plates; and

“Whereas Durham MPP John R. O’Toole and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

“Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation”—

**Interjection:** And he hasn’t yet?

**Mr O’Toole:** He hasn’t yet.

“We, the undersigned, petition the Legislative Assembly of Ontario as follows: to immediately pass Bill 99 or to amend the Highway Traffic Act” to allow vintage auto enthusiasts to use year of manufacturing licence plates.

I’m going to endorse this, and I ask every member to raise this with the Minister of Transportation.

#### RAMSEY INDUSTRIAL ROAD

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a petition with 100 and some names from Dubreuilville.

“To the Legislative Assembly of Ontario:

“Whereas the Ramsey Industrial Road from Sultan to Highway 144 is used by thousands of people annually;

“Whereas the Ramsey Industrial Road is a treacherous gravel road;

“Whereas thousands of people must use this road to travel for business, medical and personal reasons;

“Whereas the economic development of the area is strangled by the lack of a paved highway;

“Whereas the communities of Manitowadge, White River, Hornepayne, Dubreuilville and Wawa all support the efforts made by Chapleau mayor Earle J. Freeborn to have this road upgraded;

“We, the undersigned, petition the Ontario Ministry of Transportation and the Ontario government to immediately approve the paving and upgrading of the Ramsey Industrial Road to a provincial highway.”

I agree with this and I affix my signature.

#### REGISTRATION OF VINTAGE CARS

**Mr John O’Toole (Durham):** This is kind of a marathon; this is my third petition. With your indulgence, this is being presented on behalf of the members of the Huron Wire Wheel Model A Owners of Canada Inc and was specifically presented to me by R.C. Atkinson, general delivery, Kilworth, Ontario.

“To the Legislative Assembly of Ontario:

“Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

“Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

“Whereas Durham MPP John R. O’Toole and former MPP John Parker have worked together tirelessly to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

“Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows: to immediately pass Bill 99 or to amend the Highway Traffic Act” to use vintage licence plates on vintage automobiles.

I’m pleased to present this on behalf of my constituents.

#### ADJOURNMENT MOTION

**Mr Rick Bartolucci (Sudbury):** Mr Speaker, I move adjournment of the House.

**The Acting Speaker (Mr Bert Johnson):** Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it. Call in the members. There will be up to a 30-minute bell.

*The division bells rang from 1509 to 1539.*

**The Acting Speaker:** Mr Bartolucci has moved adjournment of the House.

All those in favour will please rise and remain standing until counted by the Clerk.

All those opposed will please rise and remain standing until recognized by the Clerk.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 19; the nays are 44.

*Interjections.*

**The Acting Speaker:** I declare the motion lost. I would ask the member for Windsor-St Clair if he had something that he wanted to withdraw.

**Mr Dwight Duncan (Windsor-St Clair):** I withdraw.

**The Acting Speaker:** Thank you.

Further petitions?

#### HIGHWAY SAFETY

**Mr John O’Toole (Durham):** As unaccustomed as I am, I’m very pleased to read a petition on behalf of my constituents in the riding of Durham, more specifically, Joan Lonergan. I’ve also got support for this from Toronto Police Chief Julian Fantino and the Toronto Police Association’s Craig Bromell.

“To the Legislative Assembly of Ontario:

“Whereas motor vehicle accidents are the leading cause of death in North America; and

“Whereas studies conducted in the city of Toronto, the United States and Great Britain have reported that drivers using cellular phones while operating a vehicle significantly increases the risk of collisions; and

“Whereas people talking on cellular phones while driving may cause a 34% higher risk of having an accident;

“We, the undersigned, respectfully petition the Legislative Assembly of Ontario to ban the use of hand-held cellular phones, portable computers and fax machines while operating a motor vehicle. We further respectfully request that Bill 102, An Act to amend the Highway Traffic Act to prohibit the use of phones and other equipment while driving on a highway, be passed unanimously by all members of provincial assembly of Ontario.”

I’m very pleased to sign and support this very important piece of legislation that I propose to bring up, probably about December 12.

#### NORTHERN HEALTH TRAVEL GRANT

**Mr James J. Bradley (St Catharines):** This is a petition to the Legislative Assembly of Ontario.

“Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

“Whereas a cancer tumour knows no health travel policy or geographic location;

“Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

“Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

“Whereas we support the efforts of the newly formed Ontarians Seeking Equal Cancer Care, founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

“Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario and to ensure that we do not have the kind of two-tiered privatized health care system advocated by Stockwell Day and the Alliance.”

I affix my signature.

## ORDERS OF THE DAY

### LABOUR RELATIONS AMENDMENT ACT (CONSTRUCTION INDUSTRY), 2000

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

Mr Stockwell moved third reading of the following bill: Bill 69, An Act to amend the Labour Relations Act, 1995 in relation to the construction industry / Projet de loi 69, Loi modifiant la Loi de 1995 sur les relations de travail en ce qui a trait à l'industrie de la construction.

**Hon Chris Stockwell (Minister of Labour):** I am pleased to lead off the debate on the third reading of Bill 69. It is a piece of legislation that I'd like to work through with my notes here, starting on the residential portion of the GTA section and moving through.

Starting in the GTA residential section, this was an interesting part of the legislation that was, I think, reasonably accepted by both builders of residential housing and the unions within the marketplace that supplied the labour on the union sites for residential housing. The rationale for this bill at that time began pretty much with the fact that there was a strike in 1998, I believe.

If I can explain it to you, it's much like a domino effect in the residential marketplace. There are many, many trades that work on a residential housing site. There are drywallers, framers, concrete folks and all those different unions that get together to build residential housing. They don't collectively negotiate as a package; they individually negotiate as a union. I'm

working from memory here, but there is in the neighbourhood of 25 or 26 unions that typically work a residential housing market site.

So if there is to be labour peace in those marketplaces, then you must negotiate collectively with each and every individual union. By having to negotiate collectively, you then have a situation where if each particular contract is staggered over a period of time, you could potentially end up in a very long and protracted strike collectively but individually have very short strikes. That's exactly what happened in 1998. What would happen is that one of the unions—the carpenters, for instance—would go on strike for two weeks. When they would negotiate a settlement with their employers, the very next day the electricians would go on strike, and they would go on for a couple weeks or a few weeks. When they collectively negotiated their agreement, the very next day the framers would go out. You get the sense of what's going to happen. What happens is that you have collectively so many unions negotiating at different times, you end up with a situation with a four- or five- or six-month strike, much like what happened in 1998.

Obviously, this is not beneficial for the workers and it's not beneficial for the builders. None of the workers really wanted to go on strike for four or five months, but their strike was two or three weeks. Then ultimately, if they settled theirs, there was no work to do on the site because another trade was out, and it became very protracted, very awkward and very difficult. Mostly everyone was working in good faith. It's just that the process didn't work so they could collectively come to an agreement.

In the summer of last year there was an opportunity between the builders of the greater Toronto area and the unions representing collectively all the unions to see if we could sit down and work out a few things on the residential side. What we seemed to be working toward was one specific and very clear issue that needed to be established. We needed a common expiry date for all of the collective agreements. So if there were 24 or 25 unions represented in the residential building marketplace, we needed to find a common expiration date.

We seemed to arrive at that fairly reasonably. The unions themselves seemed to be in agreement with this. They understood the same things the builders understood, that going on strike for two weeks shouldn't mean that you're not working for five months. Of course, the building market in Canada is different than some other places in the world because you have so much time to build and pour foundations etc. Those times obviously are when the weather is warmer. These strikes happened right in the peak building periods. I believe they started in May and went through May, June, July, August and September, which is the peak building period for the residential marketplace.

#### 1550

Adding further difficulty to it was that it was a very busy marketplace. People were buying homes. The

domino effect on that side, simply put, was that people would buy homes providing they would get delivery of their house on, say, July 1. They would make the appropriate arrangements to either sell their house or give notice on their rental apartment or move out of some place and be prepared to move in for July 1, and their homes weren't ready. It wasn't that they weren't even ready for July 1. If you happened to be buying for May 1, your home wouldn't be ready until possibly September 30 or even later, because they didn't get back to work until some time in September. Obviously, there was a huge concern, not just with the unions and the builders, but the number of Ontarians who went out and bought these homes predicated on the fact they be allowed to close on certain dates. They were pushed back and it was just horrendous. They were selling their homes, they had to move out and they had no place to go. Or they had given notice on their apartments, had to move out of their rental apartments and had no place to go.

It was a very, very difficult situation. I will give full measure to the unions. I think they negotiated in good faith and came to this conclusion, which Bill 69 speaks to. The conclusion of Bill 69, in the residential section, was very specifically that—

**Mr James J. Bradley (St Catharines):** You had the gun to their heads.

**Hon Mr Stockwell:** No, this is a whole different section, I say to the member for St Catharines. There is an appropriate time to actually come in with that quip. It just was inappropriate. You're much like the guy who sits in the gallery who thinks they've seen the play before and then shouts out the line and it wasn't the line. It's really embarrassing. I guess that's the situation for you right now.

The fact remains—

**Mr Bradley:** We know it's coming.

**Hon Mr Stockwell:** There he goes again. He's not bashful, that Mr Bradley. Even though he yells out the wrong line, he's right back with the next one that's equally inappropriate.

What happened is—

*Interjection.*

**Hon Mr Stockwell:** And he's got a new friend back there too, Mr McMeekin. He's the privatization mayor.

What we have here now is a situation where there was a common agreement that April 30 should be the date that these collective agreements expire en masse. Before April 30, there is a lead-up negotiation period. We're moving into a negotiating period—I think it's 2001, or it could be 2000—and what I think is going to happen is that a lot of these things are going to settle. That's really, really good for the industry if a lot of those negotiated settlements get settled before the 30th. But what the unions and the builders have agreed to is this: if you haven't settled your collective agreement—and this was not forced on them by the government, I might add. This was actually an industry-based solution. If you've reached April 30 and you don't have a collective agreement, then you can go on strike. I never want to see the

right to strike taken away from them. They go on strike. But the agreement by the unions and the parties is that you can only have a 45-day strike, meaning that once it gets to 45 days, June 15, then all parties agree beforehand—union and management all agree, the builders all agree—that they will go to binding arbitration to settle the strike. Final offer binding arbitration is really quite good. It just means you submit your application, the union submits their application and an arbitrator decides who's right.

That way we've limited the strike period in the residential building sections from potentially five, six or seven months to 45 days, by agreement. Those home-builders out there can go about building their homes and delivering them to the people who have bought them in a timely and reasonable manner. The unions can take their strike action and negotiate collective agreements, but not find themselves on a two- or three-week strike that somehow trips its way up to a four- or five-month strike. They didn't want to lose the money, and it seems like a really good industry-based solution.

That was the residential section of the bill. The bill is also repealable. There is a grandfather clause in the bill. That means basically that they're going to try it this time, meaning the industry involvement is that we're going to attempt to see if we can make this bill work this time, and if it doesn't work, the legislation dies. But if it does work, they can petition the government back and say, "Look, this works so well, we'd like you to enshrine it into law." So this was not an enforced issue. This was an agreement by the industry. We understood that they were going to work toward this. We accepted their ideas. We're saying, "If it doesn't work, we don't want to saddle you with a program that doesn't work, but if it does work, you let us know and we'll remove the sunset clause and we'll put it in there full-time."

That was the residential portion of the bill.

The residential portion of the bill was far less complex than the industrial-commercial side of the negotiations. That was a little more difficult. The difficulty with the industrial-commercial was that they had a long-standing history with respect to negotiations, and they negotiated not just within the confines of the GTA and not just within the confines of Toronto. They would actually negotiate province-wide.

The issue on the province-wide negotiations was that it was creating a higher key of negotiated settlements that were not applicable to other regions within the province. That happens. Many people on that side of the House often say to us, when we draft legislation and try to implement it, "You're using a one-size-fits-all approach." Mr Bradley has often said we use a one-size-fits-all approach.

**Mr Bradley:** That's the one-size-fits-all approach.

**Hon Mr Stockwell:** That's the one-size-fits-all approach. Now you're on theme. That's good.

In this instance, that is absolutely correct. The negotiations for all the industrial-commercial sector took place on a province-wide basis. Whatever negotiated

settlement they reached in Toronto was then applicable to the entire province.

Some of the builders and some of the sub-contractors and general contractors around the province were suggesting to the government that by having this one-size-fits-all approach, you were negotiating collective agreements in the Toronto region that were not very practical or applicable to the regions they happened to work within, be it Sudbury, St Catharines or parts in between.

So we began a long and rather protracted period of negotiations to see if we could find a solution to the dilemma we found ourselves in. We began the negotiations because many years earlier, in the late 1970s—it could have even been before that—there were about 270-odd general contractors in Ontario. Those general contractors were bound by working agreements they got into for one year in one small region of the province, which were then extended around the province by the Ontario Labour Relations Board.

At the time, it came down to simply this: those specific general contractors negotiated for time-limited union agreements for one year in one geographical region of the province. One of the unions then took them to the Ontario Labour Relations Board and suggested that if any of those general contractors had signed those kinds of agreements, they be obliged to be union contractors for the rest of their lives, and that those regional agreements applied to the province of Ontario. Quite honestly, the Ontario Labour Relations Board then made a decision that said, “Yes, that’s how it should be.”

I don’t really think that was a good decision at the time, simply because they had never truly been unionized right across the province. There hadn’t been a union, there hadn’t been a drive, there hadn’t been a vote, there hadn’t been a majority. It was actually just a backdoor approach through the Ontario Labour Relations Board that somehow, through legal arguments, they should be bound by collective agreements and that those binding collective agreements should apply right across the province. Even if they were only doing work in one region, like Toronto, somehow they were now bound right around the province.

The general contractors at the time numbered—there are variations on this, but 274 is the number I seem to come up with. Some suggest it was less—and even those who suggest it was less don’t suggest it was significantly less; they may say 250—and some say it was more. What has happened since is that slowly but surely—and this is not debatable; I think everyone is in agreement—the number of general contractors has been reduced from the 274 range to eight.

You have to realize that any kind of business which over 20 to 30 years goes from 274 viable entities competing for public work and private sector construction dollars, to eight, has got to say there’s something wrong. There’s something not working within that sector which is slowly but surely squeezing the number of unionized general contractors out of the business.

By decreasing the number of general contractors from that 274 number or thereabouts to eight, you also were squeezing the number of union-available jobs in certain regions around this province and slowly but surely you were reducing the number of unionized construction sites. There wasn’t a lot of debate about that either.

**1600**

What was happening was that they were negotiating collective agreements province-wide. They would negotiate a dollar value in Toronto for, pick a trade, X trade, for 28 bucks an hour, 26 bucks an hour, it doesn’t matter. They then would apply those dollars that were Toronto-based to areas around the province. What was becoming more and more apparent, when you saw the figures and saw the numbers and saw the number of men and women who were working out of those union halls, was that these dollars were unsustainable in certain parts of the province.

What then became obvious was that as the union jobs were shrinking and as the union job numbers were getting smaller, the non-union construction sector was picking up the difference. This was a crunch that I think we or I saw myself—it was becoming patently obvious too. I know members opposite would argue with me, but it was becoming patently obvious. As you went to union halls and talked to business managers and examined the statistical analysis outside the Toronto region, fewer and fewer men from the union halls were on the site working than they were 15, 20, 30 years ago. It was patently clear, because you used to have 274 general contractors who were unionized and it’s come down to eight. Obviously, something was going wrong.

Now, there was some talk about what they used to call a three-and-out factor. They were trying to negotiate that. Three and out simply meant that if you didn’t hire a unionized worker for three years, you’d automatically be decertified. They couldn’t seem to get an agreement on that between the union and the general contractors. Also, I might add, the sub-contractors were involved in this as well.

There was a lot of debate about how they would go about rectifying this problem. Some very aggressive people out there were suggesting we abolish 1(4), which is the related employer. Just a brief explanation: the abolition of 1(4) would mean that a general contractor that was unionized could also run a non-unionized sister company that would compete with the unionized company. The fear from the unions is fairly clear: if you have a general contractor that runs a union company and they also are allowed to set up under the same umbrella—the same ownership, the same financing—a non-union company, it wouldn’t be long before that person would be making no bids on the union side of things; they’d just be bidding on the non-union side of things and that unionized company would go out of business.

That was a compelling argument offered up from the unions. Mr Dillon was vociferous, absolutely vociferous. He said, “This is not acceptable. We will never accept an abolition of 1(4).” It was a compelling argument, and I

must say, I think the argument made sense. I agreed with him, much to the consternation of the general contractors, the unionized general contractors and the unionized subcontractors. I say to you members across the floor and to my caucus mates, who know this very well: much to the consternation of those unionized general contractors and the unionized subcontractors.

So if we understand that we had a competitiveness problem and were losing work for the unionized contractor, subcontractor and unionized worker around the province, and there's absolutely no way, through the unionized operation, we were prepared to relent on the abolition of 1(4), we were then stuck in a very difficult situation. We then had to negotiate something different. Now, I understand the members opposite don't like the different parts we negotiated. I understand that they think that it was somehow unreasonable or unfair. But I want to go on the record here today to say that if we had maintained the status quo, if we had made no changes and Bill 69 never occurred, it was an absolute guarantee that gradually and slowly the unionized construction companies, subcontracting companies and unionized workers were being squeezed out of the construction market.

Now, listen. In a good market there's work, like today, but I'll tell you, go back a few years when the NDP were in power. The unionized construction companies, subcontractors and workers were starving for work and they were losing work to non-unionized companies because of the competitiveness issue with respect to the wage packet.

I was left in a difficult situation. I had, on the one side, the general contractors and subcontractors whose position was, "I want to see abolition of 1(4)." On the other side, I had the unions who said, "If you abolish 1(4), that's holy war. We won't accept it. There's no way we'll go along with it." But we were watching the contracting situation for unionized workers sinking slowly into the sea. Frankly, I didn't think that was good. I didn't think that was good for the province because I know that, on balance, unionized construction sites are more efficient, they're safer and they provide more experienced and trained workers. We all agree with that. You won't get an argument from this side either.

But the fact remains that if you allowed the status quo to maintain, you would slowly see no unionized construction sites. So the status quo argument across the floor is a little misleading. It's a red herring. It's a salve for the rank-and-file unionized member. "They think, because I'm saying the status quo should be maintained, somehow you as rank-and-file members within the union movement will now rally your support around me because I'm calling for no change at all. Sure, I'll watch you lose your job; sure, I'll watch these companies go out of business; sure, we went from 274 to eight. But I've created this panacea, this red herring, this Shangri-La that says as long as you people think I'm serving you, then I'll let you think I'm serving you." That's the approach, and that wasn't the approach I was prepared to take. So

negotiations opened up with respect to how we deal with this issue.

The first thing I decided in this negotiation process—I decided, the government decided, the caucus, the cabinet decided—is we needed to determine—

**Mr Bradley:** Guy Giorno decided.

**Hon Mr Stockwell:** I'm still curious about your position on photo radar. I'm going to be interested to see how you wiggle around that. But that's for another day.

I was very interested to find out what the facts were. We actually commissioned a gentleman, Mr Armstrong. Mr Armstrong was given the responsibility to go out and just get the facts. He used to be the Deputy Minister of Labour, a very balanced, fair and reasonable guy, and this was a person who was accepted by all parties. He was accepted by the unions, he was accepted by the generals and he was accepted by the non. He went out and he just got the facts. He produced a report, a paper that was submitted to me that was voluminous but also extremely important because it laid away the issues that were on the margins. It just dealt with the issues that we needed to deal with, the facts according to Mr Armstrong.

The first thing we did, before we actually went into much in the way of negotiations, is we asked all parties to read this report, bring back any of their concerns or questions, tell us what they agreed with or what they didn't agree with, have the debate, and then let's decide what the facts are. We did that, and I think we came to a reasonably swift conclusion that Mr Armstrong did a wonderful job and those are fundamentally the facts. So we had the facts before us.

What we needed to do, in my opinion, was create an opportunity that the unions may maintain their 1(4) exclusion, negotiate and have the right to strike, withdraw services, but also have the capacity within this process to negotiate collective agreements around the province that may be more tailored to their community so that work that's tendered in that community, be it commercial, industrial, government or whatever—because they have this capacity to negotiate different agreements, they have a better chance of getting the work; thereby, if they have a better chance of getting the work, of hiring subcontracting unions and hiring union membership. That was the first test.

That test worked. We reached the stage where we had a situation where the negotiations were agreed. There would be a province-wide negotiated agreement that would take place at the same time every three years and they would negotiate the payment levels for all the trades at that table. They could strike if they wanted to strike. They could do whatever they wanted to do. They could do anything they could do in the past at that central table and set the province-wide rates.

**1610**

Then what we allowed to happen was that in regions where certain parts of the province felt they weren't competitive based on that province-wide agreement, they had the capacity to file before an arbitrator a process

much like what the residential construction guys agreed to, a process where they would try and negotiate a settlement that would create more competitiveness in that sector and then they would have an arbitrator rule on whose application they'd pick that would create more competitiveness.

The idea was simply put. There was no benefit outside the Toronto region for unionized general contractors and unionized subcontractors to lose bids on purpose. There was no benefit for them in that. It wouldn't make any sense to actually make a bid and lose it on purpose. They weren't making this stuff up. They weren't getting the work. By putting this caveat in, we created an opportunity in Timmins or in Sudbury or in Kingston to allow them to negotiate a separate agreement that would create a more competitive workforce, that would allow them to bid on work, win work that they weren't winning, and thereby put subcontractors to work and hire men from the hiring hall. Ultimately, that was a good decision.

There was another caveat. The other caveat was that at no time could a unionized subcontractor or general contractor have anybody work on the site who was not a union member. I know what bothers the rank-and-file membership. What bothers the rank-and-file membership are a couple of things: first, the clause that allows for mobility, and the second part is the name-hiring clause.

I understand that causes them concern, because we took this around the province and we met and had public hearings with groups around the province and that often came up. But where there's give-and-take, there's got to be a quid pro quo. If, on the one side, the unions insist—which they did—that all people who work on a unionized construction site must be card-carrying members of a union, then the comeback from the subcontractors was, “Well, that's fine. That's OK. We accept the fact that everybody who works on a unionized construction site must be a union member, but we demand to have more control over what union members work on the site.” That was their position. Their position was that some percentage of that site should be allowed to have some mobility from where I live to bring to that site.

That's a concern for the local hiring hall, but the fact remains that the subcontractor wasn't saying you had to have a non-union guy on the site. All they were saying was, “I should be allowed to bring 40% of the unionized workers I work with every day, who understand my process, my programs and my work schedule, to this site where I've won the contract.” Again, it's a quid pro quo. As many as can travel from Sudbury to Windsor can also travel from Windsor to Sudbury. Anybody who lives in Kingston and wants to work in Toronto can win the contract and go from Kingston to Toronto. The demand wasn't that a non-union worker work next to a union worker. The demand was, simply put, that I get to bring 40% to the site, that I bring union workers from my company.

The second issue was that if you win a job in a local community, the person who wins the job should be allowed to name-hire some percentage of people off the

list from the hiring hall. I understand that cuts hard against the business managers. I understand they don't like that because the control at the union hall is that the business manager controls who goes to the site. It's a truism, and it's been like that for many years. You elect your business manager and the business manager goes down the list and decides who's going to be working the next day.

*Interruption.*

**The Acting Speaker (Mr Bert Johnson):** Order. I just wanted to say that we welcome any guest to be here. We have rules for ourselves and we have rules for our guests. As you can see, we as members take some latitude when we speak, and make interruptions. I can tell you that there is absolutely no tolerance for any kind of demonstration, any kind of speaking out, from those of you who visit us. I'd like to have you here, I'd like to give you that opportunity, but there will be absolutely no demonstrations, no talking, nothing of any kind.

*Interruption.*

**The Acting Speaker:** I would also like to say that if somebody wants to say something, you have to do that outside. If you try me, I'll clear the entire gallery if I can't identify who it is.

The Chair recognizes the Minister of Labour.

**Ms Marilyn Churley (Toronto-Danforth):** Stop provoking them, Chris.

**The Acting Speaker:** Order.

**Hon Mr Stockwell:** Stop provoking them? I don't think I've said anything provocative. I'm trying to read and put across what I think is a balanced view. If you feel it's not, it's an opportunity—

*Interjection.*

**Hon Mr Stockwell:** I say to the mayor for privatization that you have your opportunity to get up and respond. I don't dispute that you have that opportunity, and I encourage you to a great extent. I frankly don't think you know what you're talking about, but that's fine.

**Ms Churley:** That's your arrogance speaking again. You think you know it all, don't you?

**Hon Mr Stockwell:** You're suggesting that I'm being provocative. I suggest to you that's your arrogance speaking.

**Ms Churley:** I know a damned sight more about this issue than you do.

**Hon Mr Stockwell:** I suggest you don't.

Simply put, the situation is that the subcontracting trades wanted the opportunity to go and name-hire—

**Ms Churley:** You guys are so patronizing.

**The Acting Speaker:** The member for Toronto-Danforth, come to order.

**Hon Mr Stockwell:** What they want to do—

*Interjection.*

**The Acting Speaker:** Order. I will not warn the member for Toronto-Danforth again.

The Chair recognizes the Minister of Labour.

**Hon Mr Stockwell:** There's an issue with respect to hiring people on the list to work on your site. The subcontractors suggest, and I think within reason, that



you can offer up an opportunity if the subcontractor could go through the list and pick and choose who worked on the site they're building. Their position is that it would provide for a more efficient use of their money and thereby create a more competitive bid process.

The opposition was obvious. They didn't think this approach should be taken. I might add that it's one of the few industries I've run across in the province, or even in the country, where the actual employer doesn't choose who works on the site. It is rare in any industry that you would actually have a situation where an employer would hire somebody to work for them and not get to choose who would work for them. It's very unusual. It would be like opening a business to make widgets. Based on the law of the land, you should be allowed to pick who is going to work for you and make widgets, but you're not allowed to do that. Somebody you've never met maybe in your life tells you who is going to work in your widget factory—a very unusual situation.

That's the way the industry has grown and the way the industry works, and I accept that. But let's be clear: that's an unusual circumstance. I'm sure many of the members opposite opened political offices. If you opened up your political office and then had to go around the corner to a storefront and they told you who would work in your political office, I think you would be somewhat perplexed. You would say, "I got elected. Maybe I should have the ability to pick who works for me, rather than have somebody else tell me who is going to work for me." But that's the way the industry works. I understand that. It has worked like that for many years.

**1620**

We had a bit of an issue there. But at the end of the day, that was the agreement reached between the subcontractors and the general contractors. The agreement was simply that they would have the ability to have a 40% mobility level. As it worked out on the actual site itself, I think, if you had a site that had 100 electricians on it, the first rule was that they would all be union. Everyone agreed that they would have to be card-carrying union members. The second was that roughly 76% of that site, I believe, would be either brought in by the contractor by a mobility clause or name-hired off the list of potential employees.

That didn't leave the union out. They still had the opportunity to appoint 24% of the people who worked on that site. They were given that opportunity. I appreciate that was a problem for the unions, and I understand they didn't work that way in the past. But it was a situation where, if you could create competitiveness and a more effective bid process and create more jobs, it seemed to me the hierarchical view would be that you would try to create them for card-carrying union members. That principle held. That was that section. That dealt with the subcontractors.

Then we had to deal with the general contractors. I know the debate will rage with respect to what happened to the general contractors, but I don't think anyone will dispute the claim that there used to be a whole lot of

general contractors. I say to the members opposite that whether it was 250 or 275 or whatever the number was, we are all in agreement that there used to be a whole bunch of general contractors. Then, as I told you earlier, the Ontario Labour Relations Board ruled the way they did, and now there are eight. So something was obviously going wrong. Nobody goes out of business on purpose, nobody declares bankruptcy and files a bankruptcy petition on purpose, which costs them their livelihood, their job and their business, unless something is obviously not working. When you go from 274 companies to eight, I think even the most hard-hearted organizer for most unions would be hard-pressed not to agree that something was going wrong.

To measure that again, the number of working people from the union halls was decreasing steadily over the years, and the number of members who were working was decreasing steadily over the years. Although it has got better during the prosperity since we've been elected, the difficulty is that during the time when the NDP was in power, it was absolutely horrendous. Very few of them were working, the province was in a terrible tailspin and very few projects were taking place. That was the situation with respect to that part of the bill. So we reached that competitiveness section and we talked about mobility.

There was another issue that had to be talked about and that was the key man. The unions were very strident that somebody who worked in a business, a unionized company, couldn't move over and start a non-unionized company. That's called the key-man provision. Arguments were put to me with respect to the key man. The general contractors said, "We need to wipe out this key man. It's related employer stuff. We basically need the ability to provide some process that allows us to send somebody off to operate a separate company."

The members opposite suggest the union didn't win. They made a rather compelling argument on the key-man issue as well, and I think they made sense. There seemed to be something to the argument that you simply can't hive off an individual who would hold a very important part in the general contractor's business, put them in another business and let them start it up as non-union, and not expect there would be some process to check if they were working in cahoots or in collusion.

We talked about the key man, and all we said about the key man was that there needs to be a hearing at the Ontario Labour Relations Board. You can't just say—and we excluded these kinds of provisions—that just because it's a blood relation doesn't mean it's a key man. The argument put to the unions was simply that the person could be a blood relation but simply be an electrician in their business. Simply going out to operate their own new company doesn't necessarily make them a key man, a key person, a key component in that company. It meant you had to do something besides prove they were related. You had to prove they held a significant position in that firm.

The duration of absence from business: an example of this was—and one of the people came to me and said, “I used to run a business in Ontario. In 1985 I left and I stopped. It was a unionized business. I left. I went to British Columbia, where I lived for three or four years. Then I moved from British Columbia and I lived in Manitoba and operated a business in Manitoba”—a bar, not in the construction business—for two or three years. Then I came back to Ontario some five, six or seven years later and decided, OK, I’m just going to open up a little general contracting business—you know, hang a shingle up.” Boom, he got certified, because that many years ago he was a unionized employer. No relationship. He’d only hired I think a couple of people, but, boom, he got certified. So rather than actually going through the process of determining whether or not those employees wanted to be certified—they didn’t even give them that opportunity; there was no discussion—he just got certified under this key man provision, and he said it didn’t make any sense. “I hadn’t been in the business in so many years and here I am getting unionized and none of the guys wanted to be unionized.”

The significance of the role of the individual in the first company: it seems to me that if you’re going to be a key man—I guess that’s probably not the language that we use today, but a key person—if you’re going to be a key person in a business, you’d have to have some role, and I spoke to you about the person who’s simply an electrician, but it was working that way in certain circumstances too. Somebody who was just performing an hourly job in a business and said, “Gee, I’m an electrician. I’ve been working in the ICI sector. I’ve been in a unionized workplace and I’ve worked there for 10 years. I want to go out and start my own company. I want to work just basically as Joe’s Electrical,” an electrician, that person was disallowed through the key man process from simply opening up a two-truck operation that did electrical work in people’s homes. They were saying, “This is nuts. This is not even related. Simply because I worked there, I’m now being told that I’m unionized.” And frankly, in the residential marketplace, if you’re doing simple additions to people’s homes or just repair stuff, it’s not often that a tremendous number of those people are unionized, and it makes you a little bit less competitive than you could be if you weren’t.

Then you must talk about the ongoing viability of the company once the person has left. If you’re a key person and you leave the company, open up your own company, and the other company that you left is prospering, making all kinds of money, declaring all kinds of dividends and prosperity, it seems to me that means you’re hardly a key person. If you were a key person and you left, you’d think the company you left would somehow suffer. That is an opportunity that needs to be addressed.

So we said, Mr Speakers, I say in plural, that we never suggested this couldn’t be a reason, any of the reasons I just listed couldn’t be a reason. They could be, but they couldn’t be a prima facie reason. They had to be a reason with some backup and some proof. It couldn’t be a prima

facie case. You couldn’t simply say, “Because you’re related, you’re a key man. Because you worked there, you’re a key man. Because you’re absent, you’re a key man. Because of the viability of the company, you’re a key man.”

So we reached those conclusions, and frankly I think the amendments we moved to the related employer status and the key person status were reasonable. They were accepted, I think, by the union membership, executive, and they were accepted, I think, by the general contractors and sub-contractors.

So we get to this point where the process broke down. All right. My next job—

**Mr Mario Sergio (York West):** Try and explain that.

**Hon Mr Stockwell:** Excuse me? Speak up. I can’t hear you.

**Mr Sergio:** Try and explain that.

**Hon Mr Stockwell:** OK. I’ll do my best, and I thank you for your support.

I wanted to mention the part where it broke down. Where the process broke down, I think, was with respect to what the generals were going to get out of these negotiations, and let’s be clear that it was a situation of a quid pro quo. There was get, give, take etc. The generals’ position was that they needed to have the opportunity to be allowed to be removed from those working agreements that got implemented through decisions of the Ontario Labour Relations Board. Their position was, “Because those decisions were taken, we were never truly organized. There was never an organizing, card-carrying drive. There was never a vote. There was never an opportunity to have a vote or a non-vote or to organize. Just by extension of that one-year contract we signed, specifically regionalized, we became unionized right across the province, and we never had the opportunity to be organized like anyone else would get in the province of Ontario.” They said, “We needed this opportunity,” for it to be fixed.

**1630**

The other difficulty they were faced with—and the members opposite should understand this as well. Many people would say to me, “Tell them to get decertified. There are laws to be decertified. Go let them be decertified.” The problem is, they didn’t employ anybody; they didn’t employ any union people. They were general contractors. Any work they undertook, they would subcontract to a subcontractor who had unionized employees but didn’t in fact work for the general contractor. Yet the general contractors were unionized. So the argument would be, “Tell them to get decertified.” They couldn’t get decertified because there was nobody to vote on the issue; there was no membership. They were unionized by extension of the Ontario Labour Relations Board based on a one-year contract regionally set in Toronto, and they couldn’t in any way, shape or form decertify that union even though they didn’t hire anybody, even though they didn’t have any unionized workers, even though if they had wanted to have a union decertification vote there wouldn’t be anybody to vote; it

would be a 0-0 tie. This is their dilemma, and it was never done through a voting process, so they couldn't get out through a voting process. They said it just wasn't fundamentally fair. If they were unionized like the civil trades unionized them in certain aspects, in certain places, fine. "If we got certified through due process, through a vote, fine; we're unionized." They accept that. But under the process that was implemented that unionized them with respect to the situation they're caught in today, they say it's profoundly unfair.

All they asked through this whole process—certainly they asked for the abolition of 1(4); that was obvious. They weren't going to get it. They asked for the opportunity to be relieved of their working agreements that had been acquired through decisions of the Ontario Labour Relations Board outside of board area 8. They weren't even saying inside board area 8, where 70% or 80% of the construction takes place. So it wasn't a horrendously unreasonable request from the general contractors.

Even if they wanted to be decertified, they couldn't. That's why they negotiated those years ago what they called the three-and-out factor. Why did they negotiate the three-and-out factor? Because they knew the only way they could get out of these agreements was to prove to the unions and the Ontario Labour Relations Board that, "We didn't hire anybody who was unionized for three years; therefore, what are we being unionized for?" But they couldn't get agreement.

They were really caught between the devil and the deep blue sea. They were unionized. They didn't hire anybody. They had no union membership on the payroll, and they couldn't decertify because they had no union membership on the payroll. They were only asking for those working agreements that were acquired through the decisions at the Ontario Labour Relations Boards 30 years earlier—to relieve them of that responsibility with the non-civil trades or whoever in fact acquired those working agreements.

So, folks, as the union said, abolishment of 1(4) isn't fair. I agreed with them. As the union said, having a non-union guy and a union guy working on the same site won't work. I agreed with them. So when the generals said, "Organize somebody who doesn't hire anybody?" I agreed with them. So you're in a situation where, yes, I agreed with the subcontractors and the general contractors in certain circumstances, and I agreed with the unions in others.

**Interjection:** A pretty agreeable guy.

**Hon Mr Stockwell:** Certainly. They suggest that, including my friend from Hamilton in your caucus. It's true. So I agreed with them.

That's where this whole compromise took place. So when the voting took place on the bill to allow them out of their working agreements acquired through decisions of the Ontario Labour Relations Board and they couldn't get the necessary majority, I had to refer the bill back to committee to allow myself to get them out of those working agreements. That was the deal. As simple as it sounds, that was the deal.

As I sum up, with 10 minutes left, the members opposite and I have a fundamental difference of opinion. I believe, without any fear of debate, that the status quo in the construction union sector today would not survive. It wasn't going to survive. I know you're going to argue status quo, and I know your friends in the gallery are going to say, "Maintain the status quo." But it wasn't possible to maintain the status quo and maintain jobs in the unionized construction sector.

Understand that non-union companies are coming in from outside this province and bidding on work. They're coming from Michigan, they're coming from New York.

**Mr Sergio:** From Quebec.

**Hon Mr Stockwell:** Sure.

**Mr Sergio:** And what are you doing about it? Nothing.

**Hon Mr Stockwell:** It's always good to have comic relief.

They're coming across and bidding on work, and they're winning the work because they can bid a more competitive job. I understand that if a union bid is 5% to 10% higher, there's a very good chance the person building whatever it is they're building is going to take the union bid because of their safety record, because of the experience of the workers, because of their ability to do the job and because of their training. But when you start getting into 20% and 30%, they don't get the job regardless of their record. Slowly but surely it was being squeezed.

I don't need you over there to guarantee this or to tell me I'm right or wrong. This is just a simple situation we have in the Ministry of Labour that shows, by study, that the amount of construction work being done by unionized companies in Ontario is growing smaller as a percentage of the construction work being done in the province—end of discussion. Year over year it gets less and less.

The status quo would have guaranteed one thing: the slow and absolute demise of the eight generals that were left in business. If you lose the eight generals who bid union work, how long before the unionized subcontracting folks lose their jobs? Ultimately, if the unionized generals aren't getting work and go out of business and the unionized subcontractors are going out of work, the unions go out of work. That's a fact.

Go and look in the hiring halls. Go to the hiring halls yourselves and look at the past 15 years in the hiring halls. Go ahead. At those hiring halls you will see it has almost flipped, from the number of people working to the ones on the list today, to the ones on the list to the number of people working, particularly outside Toronto, particularly outside board area 8. That's the situation.

Argue the status quo and you will see that in slow but certain methodical moves you're closing down that sector. I don't have to tell you; drive around Toronto and see the construction. There are a lot of good, unionized construction sites. But more and more there are a lot of non-union construction sites as well, and that was becoming more and more clear.

I understand the pillorying I'm going to take after I sit down. I understand that. I appreciate the position, other than my friend from Yorkview.

**Mr Sergio:** There is no such member.

**Hon Mr Stockwell:** There used to be a member for Yorkview. He looked a lot like you—York West.

But the fact remains that maintaining the status quo was the death knell. It would eventually come down to no unionized work. Examine the studies, look at the number of general contractors, look at the number of people who used to work at the hiring halls, look at the hiring halls today, look at the number of men on the waiting lists at hiring halls and the number of men and women—mostly men, though—who are actually working.

1640

In conclusion, we had a decision to take, and I think the government made the right decision. I think the government made the best decision for the people of Ontario. We did so not on one front but on two fronts.

I think the residential section, which I spoke about at the beginning of this speech, was the most important part of the bill for the residential side in the Toronto area. I think that template for Toronto will be lifted and applied around the province. I think people will see its benefits—the opportunities, the number of strikes that will be averted and the collective agreements that will be made—and there will be harmony on both sides of that equation.

In my opinion, that part of the bill, after one round of negotiations, will form a template in all parts of this province for each local building association and unions to work toward to have a more competitive and more expecting construction program. That means that when they say the house will be done, it will be done. That's important, not just for me and not just for the builders and the unions, but more importantly for the people of the taxpaying public of Ontario who are in a very awkward position when they are left up in the air three, four and five months with respect to moving into the new house they just bought.

As far as the ICI sector side of things, I think this government struck a balance. I know there will be opposition. I know it wasn't perfect in the general contractors' minds either. It wasn't a perfect bill for the general contractors, it wasn't a perfect bill for the subcontractors and the unions say it's not a good bill for them. What it is is an opportunity to drive an agreement by consensus, and in this situation I think the consensus worked.

Had the other parties been in power—and I make the rhetorical comment to the member for Hamilton West. During the social contract, I remember they spent many months trying to find a consensus, trying to find a working conclusion to the situation they found themselves in. I don't think what they found was anywhere near as consensus building as what we found. We didn't rip up any collective agreements, we didn't override any collective agreements, we didn't take away people's right

to strike, we didn't remove dollars and cents from their pay packet. They have the capacity to negotiate collective agreements province-wide and also a local agreement that reflects their community.

When they were faced with the same crisis, when they were faced with a situation where they needed to find a compromise and common ground, they simply and unilaterally overwrote every collective agreement, inserted their interpretation of how things should be done and forced it down the unions' throats, with no public hearings and no public debate. They savaged and ravaged every collective agreement that was done by direct or broader public sector unions.

We didn't do that. We maintained 1(4), that the employer status be maintained. They retain the right to strike, they retain the right to negotiate their own collective agreements, they retain the right that all the people who work on a unionized construction site shall be unionized workers—they retain all those rights. Yes, there was a quid pro quo. Yes, there were some concerns that they had to give up some issues. But I think what they gave up and what they retained will build a better construction industry in Ontario and a better working arrangement with people in Ontario, and it will give an opportunity for them to get more work.

As much as they may suggest, having more members at work for maybe a few dollars less an hour is far better than not having them at work for a higher rate. What's the point of paying somebody 26, 27 or 28 bucks an hour and they never work, if they can work every workday of the week for 22 or 23 bucks an hour and they are working? Union dues and membership go up, and the rank and file get jobs and can pay their mortgages and feed their families. I think that's a good bill from a good government, which addresses business, in the way of general contractors; middle men, who are the subcontractors; and labour.

I'll tell you, although I'll be pilloried, I'm proud of this bill because I think we drove a consensus, a consensus that's good for the unions, that's good for the subcontractors, that's good for the general contractors and, probably more importantly, is good for the people of Ontario because it will create an opportunity for collective bargaining and work toward more work in the construction sector and provide jobs for the people of Ontario.

**The Deputy Speaker (Mr Michael A. Brown):** Questions and comments?

**Mr Dwight Duncan (Windsor-St Clair):** I listened to my colleague the Minister of Labour carefully as he outlined his position, a position I think we need to remember has changed I don't know how many times since this bill was originally introduced. Three, four—I've lost count.

I have a couple of comments. When I heard the minister talk, it sounded almost as though the construction industry is in some kind of slump in Ontario. Building permits are up everywhere, right across the province. The minister basically wants to change the way

the labour market is regulated. He wants to take power away from the working people who build, whether it's residential or the ICI sector, and give it to the big contractors at a time when we've experienced unprecedented growth. I reviewed the issuance of building permits in all of those areas outside of Toronto, and I say to the minister, those building permits are up everywhere. Just last week the mayor of Toronto announced the first major tower to be constructed in Toronto, not because of this bill, a long time in coming.

First of all, I say the economy has been strong. The labour market has functioned well. Yes, there is a preponderance of work sites in the province now that are non-union. I'd prefer that they be unionized. I'd prefer to see the men and women who build our buildings get a bigger slice of the profit pie in an era of unprecedented profits.

The second comment I have with respect to the minister's openness to find consensus is that I saw no consensus. I saw a government back and forth, back and forth, one day saying one thing, another day saying another thing, so there has really not been any consensus. Indeed, this government ignored 71 amendments that our caucus put to the bill, and it ignored its union partners in this whole process. No consensus and things have been well.

**Mr David Christopherson (Hamilton West):** In the two minutes I have to respond, let me first of all point out—and of course the minister likes to disregard it like it somehow doesn't really matter, but the fact of the matter is that the only reason this bill is here in front of us is because the government made it very clear that unless the unions, through their leadership, came to the table, 1(4) was gone. That was a threat. If anybody takes the time—and I'm sure down the road some will—to read the Hansard and watch how this thing has unfolded and progressed, you'll see that at various times the Minister of Labour and his parliamentary assistant have said it didn't happen, that there was no threat. There's a reference in there to the minister, I believe, not being able to know what's on the minds of union leaders and if that's what they perhaps thought was happening, how could he be held responsible for that, all the way to the parliamentary assistant and now we're back to that point again with the minister saying this is a wonderful thing for workers in the construction industry and that we ought to be hailing Minister Stockwell as the greatest thing that ever happened to workers.

*Interjections.*

**Mr Christopherson:** You've got, of course, some of them across the way, some of his colleagues who don't understand this bill, who are saying, "Hear, hear."

The fact of the matter is, it's deplorable that you threatened them the way you did. That's exactly what it was. It was an absolute threat. There are quotes in the paper where you said, Minister—through you, Speaker—"1(4) is back on the table." Having once denied it was ever on the table, it's pretty obvious it was on the table or it couldn't be back on the table. If it were never on the

table, then it couldn't go back to the table, could it? Your argument at one time in this place that you weren't threatening the labour movement is not true. This was predicated on threats, and it's not going to help the labour movement. It's not going to help workers, and you know it.

1650

**Mr Doug Galt (Northumberland):** I'd like to compliment, first, the Minister of Labour for an absolutely brilliant hour-long speech. He expressed the concern and the issue with the bill very well, explicitly. Just listening to the members from the other side, the member from Windsor-St Clair, the member from Hamilton West, obviously—

*Interruption.*

**The Deputy Speaker:** Order. Stop the clock. Participation in the gallery is clearly out of order. We will have to clear a gallery if the guests do not maintain proper composure. Member for Northumberland.

**Mr Galt:** As I was mentioning, I was really impressed with the comments the Minister of Labour made. Obviously the member from Windsor-St Clair and the member from Hamilton West, I don't think they were listening very well to some of his comments. The member from Windsor-St Clair was talking about consensus-building and the various comments from government coming out in different directions. That's all about consensus-building and working out the issues.

I think the Minister of Labour expressed very well that people who were buying homes were stranded, had given up their apartment, sold their home, sold their condominium, whatever, were working to a deadline and then, lo and behold, because of the domino effect of various strikes they were unable to get their homes. That was particularly prevalent quite a few years ago. Back in 1995 I believe was the year all those rotating strikes occurred. This bill would help overcome that. It's not going to take away the right to strike. They'll still have that opportunity for a limited period of time. Certainly pulling the various unions together so that the contracts come up at the same time will overcome that domino effect that has been so damaging to everyone. It has been damaging to the employees, the union members, because they're held up, unable to work because of others being on strike. It has been harmful to homebuyers, it has been harmful to the employers and it has also been very harmful to the province of Ontario. I see an awful lot of winners, provided this bill gets passed.

**Mr Sergio:** I'll just add some comments, both on Bill 69 and Bill 139. In very simple words, let me say this is nothing more than an amassing of more power for the ministry, for the minister. He's taking the balance of power and tilting it completely on the side of the employers.

The real issue here is that it's not a consensus-building bill whatsoever, because if the minister had that intention in mind, on behalf of the government, on behalf of the Premier, he would have allowed this side of the House and the people on the outside, the construction workers

and any other individual or group, to express their views on this bill. Did the government allow that opportunity? No, the minister did not allow that opportunity. As a matter of fact, on some very important bills what they do is, they introduce them and most likely they come in the next day and say, "That's it. We are cutting off debate." Not only do we not offer an opportunity for the members out there—and this must be the most inopportune time if there ever was for the introduction of such a bill.

I travel as well. I get those chances. I go into Durham region, especially York region where my colleague is from, Vaughan-King-Aurora, and it's booming. Construction is booming. If there is one lament out there, it is that they can't find enough workers, enough trades. Why would the government create a crisis and tension where there is no need and where there is none? They must have a real agenda. It's most unfortunate that instead of thinking of and considering working conditions, the safety aspect of the workers, they are taking more power from the workers.

**The Deputy Speaker:** Minister.

**Hon Mr Stockwell:** To the member for Windsor-St Clair, there's a lot of construction going on. The problem is that the percentage of the construction that unionized construction companies are winning is slipping considerably. There's prosperity in the province, thanks to us. You're right. But as the process moves along, they get a smaller and smaller slice of the pie. That's documented study after study.

The member for York West, much the same comments as the member for Windsor-St Clair.

I thank the member for Northumberland for his comments. I appreciate the vote of support. The bill was a long time coming, and I think we did a good job representing all parties in this bill. I understand that some won't like it, but we are a government and we need to bring in legislation. I think we found a balance of a decision.

To the member for Hamilton West, I get tired of listening to his allegations and charges about the workers and collective agreements and all this stuff. It really is difficult. He had the levers of power in his hands at one time. He was a minister of the crown. He was there to represent the people of the province of Ontario and his union friends. When he had the levers of power, he ripped the hell out of every collective agreement that was ever offered up by the province of Ontario through direct employees or through the broader public sector. So save the lectures, because when you had the chance to do something about it, you bailed; you pulled your chute. When the going got tough, you got going. The fact is that you lecturing me on the sanctity of collective agreements is farcical. You've got to come up with a new shtick, you've got to come up with a new spiel, because you're going to have to live with those decisions that you took when you had the levers of power. You could have made changes, you could have done it differently, and you were worse than any other member in this government. So I don't want—

**The Deputy Speaker:** Thank you, Minister. Further debate?

**Mr Rick Bartolucci (Sudbury):** Speaker, I'll be sharing our time with the member for St Catharines, the member for Prince Edward-Hastings, and the member for York West.

I stand in opposition to the bill. The Liberals have been consistently on the record as opposing this legislation. We will continue to oppose this legislation. We will continue to fight this assault on the labour movement.

You can't look at this legislation in isolation. I think you honestly have to look at it as to what's happened over the course of the last five years, and certainly look at Bill 7, Bill 49, Bill 99, Bill 136, Bill 31, Bill 55 and now this bill, and following this bill we'll have Bill 139, all assaults on the working people in Ontario.

In 1995, in debate over Bill 7, which allowed for scab labour in the province of Ontario, the government said, "Bill 7 reforms will restore balance to labour-management relationships." At that time I said, "The price will be paid in the very near future and it will be in the form of lost co-operation, lost man-hours, lost production, lost opportunity and lost profits." All you have to do is talk to the people who are on the picket line at Falconbridge to find out that Bill 7 hurts labour-management relations. There is absolutely no incentive, none whatsoever, for management to get back to the table, because they're able to use scab labour. So what we have in Sudbury is 1,250 workers out of work because both sides can't come to the table because legislation is weighted highly in favour of management. I fear the same thing is going to happen with Bill 69. There is absolutely no question that this is not balanced legislation. This is legislation that should be of major concern to the people who work in the industry.

I come from a construction background. My father was a bricklayer. I was a labourer first and learned the trade before I went back to school. I have to tell you that I have so much respect for the people who work in the industry. I also have respect for my father, who fought for the rights of workers in the industry because he almost lost his life on a non-unionized project. He realized then the need to unionize, the need to ensure the worker is protected. He's been dead for 15 years, but I'm sure there's some movement in his grave today as we debate this on third reading, because he understands, I'm sure, as do the workers who are here this evening, as do the workers across the province who are watching this, as does the general public, that this legislation is not balanced legislation.

**1700**

When we debated this originally at second reading, I suggested that there were major concerns that the industry would have with the mobility issue, the naming issue and the key person provision, along with several other sections and subsections of the bill which clearly didn't allow for fairness. So at the time, as the labour critic, we worked hard with the industry, in fact very

hard, to try to put together amendments that would make this legislation work. We worked with the likes of Pat Dillon and Jimmy Moffat and Larry Lineham. We tried to ensure that we made recommendations and amendments that would make this legislation work, because indeed we knew that at the end of the day, with a majority government, the government was going to have its way. So what is the best course of action to take: fight with them or try, with amendments, to ensure that both sides are protected and that we have a win-win situation?

Dwight Duncan, our House leader, referred to it earlier, but collectively, we as a Liberal caucus—Dalton McGuinty and the Liberals—along with the industry made 71 pages of recommendations. Do you know how many were adopted? One. Do you know how many were entertained? One. The committee that this was sent to did not see 70 pages of amendments; in fact, wouldn't accept them. I would suggest to you that, if for no other reason, the people of Ontario who work in the industry should be sceptical of the fact that the government committee would not at least entertain and discuss the 71 pages of recommendations.

I would suggest to you that the Minister of Labour, when he said he's trying to do what's best for the industry and the union has bought into this amendment and this bill, should read his correspondence from, for example, Pat Dillon, who 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."

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** No one's listening.

**Mr Bartolucci:** Our newly elected member says that no one's listening. That's not surprising to the people who are watching on television and certainly to the people who are in the gallery, because if they were listening, I'm sure the minister would have placed a whole lot of credibility in the letter he got of November 10 from "the undersigned" building trades. I have to tell you, when I look through the signatures, well in excess of 95% of the unions are represented. What are they saying?

"The building trade unions are opposed to Bill 69. At the October 2000 convention of the Provincial Building and Construction Trades Council of Ontario, a resolution was passed opposing all regressive labour legislation"—that would be fine, except they also put this clause in—"including Bill 69. The vast majority of Ontario construction local unions and their members throughout Ontario are opposed to it." I think that's a pretty damning insight by the members of the building trades, the people who are going to work in the industry, the people who have to try to make this work, when the majority of them are opposed to it.

They said as well, "Bill 69 is one of the most regressive and divisive attacks on construction unions and our members in Ontario history." This is not Dalton McGuinty and the Ontario Liberals talking; this is the workers who are talking, the people who are going to have to live with Bill 69. Listen to this: "It will destroy

the integrity of our collective agreements, reduce wages, eliminate the fair and reasonable working conditions which our members have fought so valiantly to achieve and is an attack on smaller communities outside Toronto." I'll spend a little bit of time talking about smaller communities outside of Toronto, like Sudbury, where I come from.

Finally, they say, "It will do absolutely nothing to improve competitiveness in Ontario's economy but rather," and I think this is very important for the government to understand, "will serve only the special interests of the eight general contractors." The majority of the building trades said that this legislation was bad for their industry. The Minister of Labour earlier in his one-hour discussion said that the general contractors weren't happy with it. So the general contractors aren't happy with it; certainly the building trades aren't happy with it. The only ones who might be happy with it are in the Premier's office: the backroom boys, of course. I would suggest that if they are representing the unionized workers of Ontario, they should do the right thing and withdraw this bill.

What concerned me a lot during the process with Bill 69 was that whenever there was a whim on the part of Mike Harris—because I believe it's Mike Harris who's pulling the strings here. I don't think for a second that the ministers call the shots in this government; it's clearly Mike Harris and the Premier's office, and the Premier's advisory council. We've spent a lot of time talking about those guys. But you would think that this last-minute amendment to ensure that the deed is finally done would have caused the government to again listen to the Provincial Building and Construction Trades Council of Ontario when they said, "The government amendment on abandonment has the potential to go far beyond the intent of the industry discussions."

The minister referred to industry discussions before, and I believe they took place, because I talked to Pat Dillon, Jimmy Moffat and the rest of them and, yes, they took place. Discussions took place, but somebody wasn't listening, because now, with that amendment, "It is not limited to the eight generals, it has no geographic limit and it is not restricted to the ICI sector. In short, the potential for abuse is only limited by the number of abandonments the government could regulate in a single year.

"Quite simply, the amendment is too broad-based and is open to government abuse." Whether or not the building trades council trusts the present minister is not a point I'm going to debate, but the way the legislation is written right now, it is certainly too broad and can only lead to one thing: the denial of rights of unionized workers in the construction industry across Ontario.

We're going to remain opposed to Bill 69. We're going to be opposed especially to this amendment because it clearly—and you know we've listened to a lot about 1(4). This amendment allows 1(4) through the back door. I think every worker who's up there in the galleries tonight understands that's the case. What's more

frightening, I'm sure, is that in Mike Harris's office they understand that's the case, and that can only lead to disaster in the construction industry for our unionized workers who have fought long and hard for the rights they've attained in the industry.

More important, I think it's an unfair and an undemocratic piece of legislation. When you take away rights the way you're going to be taking away the rights of these workers in the galleries today, it can be described as nothing less than unfair and undemocratic, and it's going to jeopardize the safety of workers.

In my next few minutes, before I pass the floor on to another member, I want to talk about the mobility and the naming issue. This legislation is going to allow 76% of the workforce to be either named by the contractor or the contractor will be able to bring the workers with him. I've got to think about Sudbury for a second here. I know that my friends who are bricklayers and plumbers and pipefitters and carpenters haven't worked for a very long time. I'll tell you right now, their opportunity to work is going to be even more limited. They won't even be able to work in their own community, because of the mobility and the naming provision which are found in this legislation. Think about it: 76% of the workers who come to Sudbury are going to be able to be named by the general contractor or be brought into Sudbury by the general contractor, which only allows the hiring hall to place 24% of its workers.

1710

We all know which workers are going to get named. Those are the guys who are going to be compliant and certainly those are the guys with the strong backs and the big arms. And do you know who's going to suffer? The guy who maybe spent 25 years in the industry and may have a bit of a sore back or a sore shoulder, or the very young, who are just starting and don't have the speed on the line or build a fast corner so we can hurry up and get the building bricked.

I suggest to you, and I pleaded this from the very beginning, that the government look at that mobility and the naming issue, but I don't think it's going to happen. So we'll have to continue to fight against this legislation. We're going to have to continue, and we will continue, we're committed to continuing to fight the anti-labour legislation which this government has passed in the past and will be passing in the future.

We believe there must be fairness and balance attached to all legislation. Dalton McGuinty and the Ontario Liberals are committed to that. We've said that since 1995, when we opposed Bill 7; we say that tonight again as we oppose Bill 69.

Speaker, I turn my time over to the member for St Catharines.

*Interjection.*

**Mr Bradley:** The member tells me my collar's up at the back, and that's not the only thing; I'll tell you, the hair on the back of my neck is up as well when I see the kind of legislation that's before this House today.

It's part of a pattern that's developing now in terms of labour legislation. I can remember the former member for Niagara Centre, Frank Sheehan, was proposing a lot of labour legislation before the cabinet. Even though he wasn't a member of the cabinet, he seemed to have a good deal of influence, because he was the chair of what we call the Red Tape Commission. Members around here will know that the Red Tape Commission, of course, was established to weaken many of the laws of the province of Ontario that a lot of people believe are there to protect the people of this province. The best example I saw was some of the environment legislation that was changed as a result of the Red Tape Commission recommendations. In fact, they wanted to make those changes somewhat earlier.

I know the member for York West has some information that's of particular value to me this afternoon. What this reminds me of, this atmosphere—a lot of people perhaps thought when the Harris government was first established that they were going to be favourable toward labour. I could understand that. A lot of the things that the government might have been saying at the time were attractive to members of the trade union movement at the beginning; some of the policies were attractive. But what you find out when you vote for a particular party is you have to buy the whole package.

That reminds me of the Alliance party, because they would bring in similar legislation. You know, there are a lot of people out there who may be saying tonight to people in the trade union movement, "I like this specific policy that the Alliance party has," or that particular rant that they've heard from one of the candidates. The problem is that you have to buy the whole package; you have to find the hidden agenda that's out there. A lot of people from the trade union movement did not recognize that this government was going to bring in the kind of legislation it has, that the Minister of Labour, at the behest of Guy Giorno—who is the henchman for the Premier of the province of Ontario, the chief idea person for the Premier of Ontario—that he would be insisting that the Minister of Labour put the gun to the heads of the leaders of the construction unions in this province, to say, "You must accept certain provisions of this bill or indeed we'll have something worse for you."

Now, it was always held out that the Rand formula would be removed. Don't put it past the people on the other side to remove the Rand formula. My guess is—and as I look around I see some smiles on faces—that there are members of the government caucus who indeed would like to see the Rand formula removed, that is, the automatic check off so that anybody who is getting the benefits of being a trade union member would have to, of course, ensure—

*Interjection.*

**Mr Bradley:** The Minister of Labour, out of his seat, asked what the bill is. It's part of a labour package I see you people establishing. I can tell you there are a lot of people worried out there, with justification.



Along with the member for Niagara Centre, I attended a meeting at the plumbers' union hall in Thorold, Ontario. It was a packed house. Construction workers from across the Niagara Peninsula were in attendance. They were worried. Their leadership was worried as well because they could see a situation where the government was ultimately going to betray the members of the rank and file of the various unions that were represented.

*Interjection.*

**Mr Bradley:** The member asks if I am speaking about one piece of legislation alone. No. I recognize that there are many pieces of legislation that we should be concerned about, Bill 69 of course being one of those pieces of legislation.

**Mr Bartolucci:** Bill 7.

**Mr Bradley:** Bill 7 is another example. The member for Sudbury points that out.

So when you look at some of the documentation produced for this government by the Red Tape Commission, some of the recommendations, one can envisage that this government eventually would prefer a circumstance where there are no trade unions in this province to bother their business friends.

Now all you have to do, if you want to find out where the pressure is coming on for this legislation and other pieces of labour legislation, is sneak in the back door of the Tory fundraiser. What is it, some \$500, \$600 a ticket to get in there? And all of the people who want to see labour legislation changed to favour management or business are there with their cheques to write out for the Conservative Party. In fact, I have said on many occasions that there would be a building boom in Ontario because they'd have to build bigger halls so the Tories could hold their fundraisers for the wealthiest people of this province to contribute to them.

Of course they've geared their policies to the wealthiest people.

*Interjection.*

**Mr Bradley:** The member for Kitchener Centre—that's correct, who's not in his seat and who interjects—would understand that basically this government is there to protect the interests of the rich and the privileged.

I see the same thing with the Alliance party. I see people who are attracted to them. Not all the Conservatives over there, the so-called Conservatives on the other side of the House, are attracted to the Alliance party, but there are people who have seen, as I say, one or two attractive proposals in their set of proposals. But when you're voting you have to buy the whole package, so I would say there are probably some people on the government benches here who support the Alliance party who want to see the old age pension changed. There's talk of privatization of the Canada pension plan. There's talk of removal of social security, and I worry about that as well. I worry very much about that because nobody wants to mention it. The leader doesn't mention it and you can't easily find it in the policy document. But once in a while, it seems every second day, a member of the

Alliance party would blurt out something he or she wasn't supposed to.

**1720**

On one occasion, the candidate in Winnipeg South Centre, I believe it was, said there was an "Asian invasion" in this country. She had to withdraw as a candidate. That was an insult to thousands upon thousands of people who have emigrated to this country and are making an outstanding contribution to this country. On the next day, somebody was making a comment about the "conquered people," that is, the native people in this country. We worry about that. That's the kind of thinking that comes into legislation of this kind. The Speaker was worried that I was moving a little off the topic before us today.

**Hon Mr Stockwell:** What about Elinor Caplan?

**Mr Bradley:** The member interjects, and I have to probably respond to the interjection. The Speaker says no. The member mentions Elinor Caplan. I notice in the latest edition of—what's the one that comes out of Ottawa?—the Hill Times, Dalton Camp, a former member of the Conservative Party and eminent writer, probably the best columnist we can find today, says maybe she was right, because he lists all of the instances where people have blurred out in various places.

**Hon Mr Stockwell:** I can't believe you're saying it.

**Mr Bradley:** Well, I'm saying it. This is what Dalton Camp says.

*Interjections.*

**Mr Bradley:** I'm facing interjections, as you can see.

**The Deputy Speaker:** You might want to return to Bill 69 more precisely.

**Mr Bradley:** I will, to indicate that the members of our party are very much opposed to it; you know that. We are particularly opposed to a specific amendment we believe is going to be detrimental to members of trade unions in this province. I heard the Minister of Labour, in his lengthy address to the House, where he took the entire time for the government, mention that he understood that the construction sites where there are unionized employees are the safest in the province. Surely one of the things we want to see happen in this province is safer and safer construction sites, and it is members of the trade union movement who are there to try to ensure that those sites are in fact as safe as possible. The minister admitted that was the case. Yet we see a circumstance where this government wants to see fewer unionized sites than is the case at the present time.

The proposed amendment to Bill 69 which would give the government unfettered power to cancel all collective agreements across the province in the construction field contains what I would call unprecedented power. The will of the cabinet can cancel any collective agreement. It's pretty radical to have the cabinet with that power—not individual members of the Legislature but the cabinet. Again, you will notice that—because these people I consider as essentially the same as the Alliance in many ways. The Alliance party, as you would know, Mr Speaker, says that individual members should have

power; like Mr O'Toole, the member for Durham. But he's not in the cabinet—I think he should be—so he would not be able to cancel this construction collective agreement. That is a problem.

This is unfair and undemocratic, though I must say it fits in with the general tenor of this government, because you will remember that in this government we have changes to the procedural rules of this Legislature which essentially remove all of the bargaining chips from the opposition. Now they want to remove the bargaining chips from members of unions when they wish to have a good collective agreement, when they want to ensure that the worksite is safe.

This places workers' wages and jobs in jeopardy—make no mistake about that. This is contrary—and this is important for all of us to remember—to what was agreed to in the industry discussions surrounding Bill 69. This amendment could be dubbed 1(4) through the back door.

I must say I'm not surprised by it. I don't know whether the Minister of Labour was sandbagged in the backrooms or whether it was his initiative that changed this. I suspect it was people in the cabinet who are even to the right of him in their philosophy, if it's possible for anybody to be further right than the Minister of Labour. He's more of a practical person, I have found, than some of the ideologues we have over there. But make no mistake about it: this is an attack on labour and it's part of a pattern, and it's what we see.

I'm trying to determine whether I would have three or four more minutes. I know my friend from Sudbury will guide me in that regard.

Bill 69 allows companies to carry with them into our various areas 40% of the workers required for a job. People locally are very concerned about that. Bill 69 could reduce wages and worsen working conditions by allowing employers to apply to a government-appointed arbitrator to gut your collective agreement, including wage cuts—clearly not fair.

Bill 69 could allow employers to pick and choose up to 75% of the required workforce from the hiring hall. We know they will pick the company favourites and not hire anyone who is seen as a troublemaker or a union activist. Older workers could also suffer, as they may not get picked.

Bill 69 makes collective bargaining meaningless by legislating hiring hall provisions in a collective agreement and allowing a government-appointed arbitrator to gut construction collective agreements after the agreement has been negotiated. What on earth can we expect next?

“Premier Harris is forcing the building trades to do his dirty work by forcing us,” that is, the people who are in the building trades, “to voluntarily tear up their bargaining rights with Ellis-Don and the seven other general contractors in the province.”

Supporting Bill 69 only helps the Tories to get re-elected for those particular people. We know the Tories will use building trade support to show the public that they are a pro-union and pro-worker government.

They're trying to, some people would say, “fool”—I couldn't use that, because that would be unparliamentary, but some people might say they were trying to fool the people of the province.

When I look at this legislation, Bill 69, along with other labour legislation before us—there's a provision I saw in labour legislation which said, for instance, that you now have to post in the workplace how to decertify a union. If you wanted to be fair, then surely you would also require that you post in a workplace a provision that tells people how to become certified, how to become part of a union and how to have that union accepted by the Ministry of Labour and the Ontario Labour Relations Board.

Bill 69 is the first step in this government's political agenda to crush the labour movement in this province. Mike Harris and his cabinet minister will be using Bill 69 as the caveat for labour changes in this province. They intend to make members of the construction industry, in effect, mules for their political agenda. The Harris anti-worker, anti-small-community, anti-labour caboose will be going to every unionized worker and telling them that they no longer have a right to be protected; they no longer have a say in their working terms and conditions. This is something we might expect in some state in the United States, where we've seen these kinds of laws, somewhere like Tennessee, Alabama, Mississippi or Louisiana. This is not what you expect to see in the province of Ontario.

I warn those who think this is good legislation, it's not. I warn people who are thinking of voting for the Alliance party in today's election that this is the kind of legislation you would get out of the Alliance party. Workers who think they would be better off should know we've seen the Alliance party in power in this province, and the result is Bill 69 and other anti-labour legislation. I think we should do everything in our power to prevent this legislation from becoming law.

**The Deputy Speaker:** Further debate.

1730

**Mr Ernie Parsons (Prince Edward-Hastings):** One of the challenges for people, whether in the labour movement or whether in the general public, is to realize that this government talks in code. A bill that sounds like it's going to do one thing in fact does another. One of the phrases that I think is particularly cute is, “give the opportunity.” This government has given the opportunity to seniors to co-pay on their drug plan. They're going to give labour in Ontario the opportunity to work 60 hours a week, and they're giving them the opportunity to work 132 hours over three weeks before they're eligible for overtime.

This government is saying, “We're trying to balance between the large construction firms and unions, while at the same time protecting union rights.” Before we accept what they're saying, we need to think about the example they've set. Shortly after its election in 1995, this government was engaged in a major battle with OPSEU, the Ontario Public Service Employees Union—a rather

bitter strike where the union was trying to protect the rights they had, and the government eventually signed a contract that purported to do that.

What's the effect of that? They've privatized the highway maintenance work. They are privatizing the jails. They're looking at allowing privatized police forces. They are going to do everything they can to get rid of the union, only they're having to use a different route than they initially had.

While I was initially tempted to say this government is at war with unions, I believe the reality is that this government is at war with labour. They have created a situation where it is not politically popular or wise for a member of this provincial Parliament to publicly speak in favour of teachers, to speak in favour of unions. The impression is given that these are groups that really are disenfranchised in some ways. This government coined that cute phrase "union boss," which infers an individual who makes everyone in the union do what they tell them without recognizing the reality that union officials are democratically elected on a regular basis by their members. Instead of "union bosses," we're talking about individuals who are in fact the voice of their members. The phrase "union boss" in fact goes against the sense of democracy that we have.

We're seeing a major attack on unions in this bill at a time when construction is booming, when contractors are doing extremely well financially and where the contractors' concern is, if Toronto is successful in getting the Olympics, will there be sufficient labour to complete those projects? The challenge will be too much work, not a lack of work, and not starving construction companies.

This is taking place at the same time as we're seeing an aging of members of the skilled trades. The baby boomers are now in their fifties and are leaving the trades and the professions, and the challenge is to bring more in. This bill won't do that. This bill does quite the opposite.

I've spoken to plumbers, electricians etc and they're telling me that their members have average ages in the mid-fifties. That should be of grave concern to us in Ontario. We should be worried about the labour situation in these trades in the coming years, not trying to discourage people from being in them. At the same time, this government should be aggressively trying to attract young people into the trades.

We are living, unfortunately, in a climate that says if you go to university, if you go to college, you're a certain status of person, and all too often we're watching people who don't want their sons and their daughters to go into what are called, for lack of a better phrase, the blue-collar trades. I have a brother who's an electrician. I'm very proud of him. We can drive by so many things that he has worked on and contributed to. There is absolutely no difference between the various jobs. But this government, rather than attacking labour, should be helping to market what value they are to this province and how much they contribute.

I accept the numbers that there are fewer contractors now than there were 20 years. That's indisputable, as the

Minister of Labour said. But I would suggest to you, on the other hand, the eight contractors that are left are extremely powerful. They control so much of what happens in Ontario that they're not out on the street begging. They have done very well out of it.

What we're seeing is a trend with this government to want to make a minimum-wage Ontario. There seems to be a drive for everything to lower the wage. This is from a government that wanted to increase MPPs' wages by 42% and is putting forward a bill saying that unions are being paid too much—not a great example.

**Mr Wayne Wettlaufer (Kitchener Centre):** We have the numbers over here, remember.

**Mr Parsons:** You have the numbers over there. You have the contributions from large companies that we will never have. We acknowledge that. The member from St Catharines—

**Hon Janet Ecker (Minister of Education):** Check your donor list, Ernie. Check your donor list.

**Mr Parsons:** Minister of Education, you really need to read the school code of conduct before you interject in this.

The sense that people who are in the building trades make huge dollars is an absolute falsehood. You can drive by a construction site and see people working, and you may have a sense of how many dollars an hour they make, but the reality, from my own personal observation, is that we live in Ontario and there's nowhere near as much labour taking place in January and February as there is in June and July. So the incomes that are presently received by union members are not exorbitant, they're not out of line.

But what do they do with all of their money? The sense is it goes to union dues to make union bosses wealthy, in the phrase I mentioned earlier. We hear so much about safety and how construction sites are safe, but the reality is that construction sites, by their very nature, make that one of the more hazardous jobs. I watch the energy unions put in to make safe work sites. Union dues don't simply disappear into vapour. Union dues are used for worthwhile things for their members.

I worked in highway construction at one time and I had been unfortunate enough on a number of occasions to witness fatalities. I suggest to members in here that in fact it is a fairly hazardous occupation. I have stood on the 401 here in Toronto at 3 in the morning doing repairs on pavement, and it was a scary proposition. There are very few of us who would want to be an ironworker 10, 15 or 40 storeys up in the air. By its very nature it is unsafe and it is unions that have fought for safety. It's the unions that continue to work for safety. That costs money and that's where some of the dues go.

I have had the privilege of touring a number of union training facilities. We have a government here that has now been dragging on for two years the signing of a training agreement with the federal government because they evidently don't value the training as much as people in the trades do. The trades do a superb job of operating training facilities. I have been in some training facilities

that provided services for retired members. The union dues and the wages being paid to these members have made a quality of life that's viable to maintain them in the field.

This bill, as have so many others, has typically had a real lack of consultation in it. We hear there's agreement, that unions have agreed to it and that big business has agreed to it. It was agreed to in fear. It was agreed to in desperation because of the threat of what else would happen, though I would suggest the amendment is going to make probably the biggest fear.

It essentially serves the eight general contractors. I can assure the public that if the eight general contractors hadn't at some stage said, "We can live with this," this bill wouldn't be before us. We'd heard it was being withdrawn and it wasn't going to come forward, and here it is for third and final reading tonight, so I'm confident the general contractors are comfortable with it. It is employer-driven.

The amendment is unprecedented. The amendment that centralizes power with the cabinet is absolutely wrong. There is an expression that I believe applies with very few exceptions and that says, "The revolution is followed by the dictatorship." We've had a revolution, the Common Sense Revolution, which was bought and packaged—

*Interjection.*

**Mr Parsons:** Yes—bought and packaged out of the US, and we're now seeing the dictatorship phase where legislation after legislation comes before this House—and I don't think the average member of the public realizes what happens when you get a gang of 57 or 58 bullies who can pass through any regulation they want.

1740

This gives power to cabinet that truly should never be granted. If we have a democracy, a change that is good and positive for Ontario shouldn't have to be sneaked through the back door by cabinet. It should withstand the glare of light, it should withstand public hearings and it should withstand debate in this House if we have democracy and if there is a reason for this Legislature to be here. I know that at times we on this side are a nuisance to the other side with the statements we make and facts we bring out. But if we truly believe in democracy, then any legislative changes would pass it.

The legislation says a regulation will be produced. What is that regulation going to read like? Exactly what will be in it? "Trust us." This government pledged to bring in the Ontarians with Disabilities Act in its first term. We are now a year and a half into the second term and still no bill. "Trust us" doesn't hold a lot of water any more. Some promises are kept; some promises are not. Clearly this one should not simply pass with a blank cheque for a regulation that may or may not be written. If it is written, exactly what will it look like?

There is already a great deal of flexibility in Ontario. Right now, whatever agreement is signed in Toronto can be renegotiated and is renegotiated across the province to reflect local working conditions. The key word in that is

"negotiated." The parties sit down and each has equal power. They are on a level playing field to renegotiate that agreement. To say it has to happen now simply doesn't make sense, because there is already the power to do that.

There is another clause that bothers me considerably. I am from a predominantly rural riding outside the greater Toronto area, and I read that employers will now be able to bring up to 40% of the workers for a project from outside the geographic area where the contract is located. In a rural community—certainly in my area and a number of other areas—it could well be the death knell for the trades if they can bring in 40%. People who are in the construction industry in my riding don't live in Prince Edward-Hastings because they're not allowed in Toronto. They have chosen a lifestyle and they have a solid reason for working there. It makes great sense to me that they be provided with the opportunity, and not that a contractor can come in from anywhere in Ontario and bring their people with them, while at the same time 40% of the jobs will not be available to our people, who pay local property taxes, who support local activities and who are citizens of our community.

Then we go on: of the remaining 60% of workers who will still be local, the employer will be able to select up to 60%. The net effect will be that contractors will be able to choose 76% of all workers, with the union selecting the remaining 24%.

There is a reason for the unions having the ability to choose workers. There is a reason for the unions being able to determine who will be on a job site. I don't think any contractor would deny they're in business to make money. Employees who make trouble over safety and who are unprepared to undertake a job they believe to be hazardous are just not going to be picked in this 76%.

All these bills are tied together. We've got legislation coming that says employees will be given the opportunity to work up to 60 hours a week. I don't think there is a lot of choice on their part. I can assure everyone that if an employee says, "I don't want to work 60 hours a week," they're simply not going to be picked for the next job.

We in this Legislature can be tired. I'm sure going door to door for the Alliance was exhausting for some of the members. In the construction industry, to be 20 stories above ground and tired is potentially fatal. They need to be able to say no, for their safety and for the safety of the job. Yet this bill will essentially take that away, when you combine it with the fact they can voluntarily choose but the employer can choose who will be on the site. So when someone in the trades chooses to not do the out-of-line requests, there will be a penalty for that. It means that in rural communities, in communities like Sudbury and Belleville and Picton and Kingston, there is a potential for the citizens who are in the construction areas in our communities to be out of work, to affect them, to affect their community, to affect their families. This has the potential to be the death knell for labour in much of rural Ontario, and for what?

We've got the very best of times going on in construction. I hear over and over that the economy is booming. I don't want to keep using that phrase but, ladies and gentlemen, as an engineer, if it ain't broke, don't fix it. The construction companies are making money, and that may be the key: not enough money. It used to be that if a company made money, things were good, but now it's more: "We need more. We've got to make more money." Things are running smoothly. The members over there assure me that Ontario has never been better than it is right now. I certainly would question that on areas like education and health care, but the reality is that the construction industry is doing well. We have the most highly skilled workforce you can imagine. We have trades and individuals who are well motivated. You speak to employers and they speak about the work ethic that exists among our people.

This bill is a bad bill. It doesn't deserve more debate; it deserves to be withdrawn.

**The Deputy Speaker:** Further debate?

**Mr Sergio:** I'd like to add some comments on Bill 69, which, I think with Bill 139 on which we have seen the debate last week, does a couple of major things: the decertification of unions, taking away the rights that construction workers especially have conquered, if you will, over the last 40 or 50 years. I think this is setting back the clock for many years, unfortunately, especially for the working conditions and standards in our construction fields.

We have seen it before. It is the power that the Premier, the minister and the ones behind the closed doors, the advisers, will amass upon themselves. As we have seen in Bill 139, they can practically terminate a contract, within a particular given time, at any time, anywhere. This is totally unheard of. But regardless of what name they give to a particular bill, when they come into the House and say, "Mutual consent is here and we have the approval, the sympathies, the vote of the construction people up there," I wish we could really test this consensus. I wish that the minister would come in the House today and say, "You know what? I think the bill is too important to let it be debated here for a day or two without giving an opportunity to the outside people, those who really count and make the difference." That is why we are here, to give them that opportunity. I think it would be important to get to the nitty-gritty, the causes and the consequences of passing Bills 139 and 69, because they deal with one fundamental thing, workers' rights, and it's important.

If we didn't have those unions out there that offered protections, safety on the job, we would not have the same conditions that we have today. Last year, 18 out of 20 deaths were caused in non-unionized places. There must be a reason, and it must be a good reason. It's because of what the unions are doing and what they have been doing in protecting the safety and standards of the workers out there that 250% more of the casualties, injuries and deaths occur on non-unionized sites. There must be a reason.

Did the Premier and the minister take that into consideration? Probably not. Did the Premier take into consideration how this is going to affect the workers and their families and their kids? I think they have to look at that, because they are construction workers. It doesn't matter who they are or where they are, they also have responsibilities and they should be allowed to live in the same conditions of decency as all the others, with the same opportunities.

**1750**

This government is taking those opportunities away. I have to say, sadly, that when the member from Glengarry-Prescott-Russell introduced his own personal bill with respect to the working conditions that this government continues to expose our Ontario workers to, small business people in Ontario allowing individual workers and companies from Quebec to come and work in Ontario unimpeded, they did not approve the legislation that is sitting on the other side. Why don't they do that? Construction workers and companies from Quebec can cross the bridge and come to work in Ontario, and that's OK; that's the way it should be. We should not have closed borders; we should welcome all of them. But it should be the same for the workers and companies when they travel outside the Ontario borders: unimpeded. They should not have to go to school, take a licence and pay fees.

That is curtailing the opportunities and the rights of the workers in Ontario when they get across the border and go to work in Ontario. Minister, you did not yet approve that particular law, which was passed in this House. They did not approve that particular law. This is the government that wants to offer protection to the workers in Ontario.

Where is the fairness? Where is the balance? We believe, and we have been saying it in the House, and Dalton McGuinty, our leader, has been saying that we have to be fair; we have to create a good balance. We don't need a crisis, especially at this particular time.

We hear the government say, "We want business. We want the people to come here. We want the people to invest." Of course. Who doesn't? We all want that. But again, if we do that and if we want to attract that, who is going to keep our economy growing? Who is going to produce our produce? Who is going to be building our homes and roads and what have you? Our people. So especially when the economy is booming, we shouldn't be taking those rights away from those workers.

I would think that in a healthy economy, in a very healthy time, this is the last thing a government would be thinking of introducing. What is their reason? It is that slowly they want to take over. The power they have amassed as a majority government is not enough. They want to do it, and no matter what we say here, no matter what the workers out there say, they are going to do it. When it comes down to it, it is reducing the working conditions, the working standards, the wages, the safety on the job sites, those very important aspects that are paramount to a very health economy, a very healthy

workforce, healthy working families, happiness, no crisis. Why would we be looking at a crisis at a time when we need more construction workers?

It's funny that the minister says, "So what if they're going to be taking a few less dollars?" Isn't that nice. It's not a question of taking just a few less dollars. It's that they will be creating such an aura, such an atmosphere that they will be fighting out there for lower wages. Is this what we want to be labelled as in Ontario, a haven for lower wages and reduced working conditions? I don't think so. But indeed, this is what this government will be doing with this bill.

**Interjection:** That's the plan.

**Mr Sergio:** That is the plan. But most important, do you know what is sad? I believe that at some time or other we have all had an opportunity to visit construction sites, especially building homes and apartments and stuff like that. I'll tell you, they are messy. I wonder if we have calculated the cost of injuries to our working people, injuries that not only affect that particular worker. It affects everybody down the line, especially the families, especially a family with young kids. They all have the same aspirations but also they have the same expenses that we all do. They have a mortgage, they have to send kids to school, university, groceries, they have to buy a car, they have to pay for very expensive gas. Those are the things that I think we should be concerned about, and there is nothing in Bill 69 which addresses these particular situations.

So if there is unrest out there, if we had workers in here today who show uneasiness, if I may say, they have a right. Absolutely they have a right, because they are looking at the government for continued protection, for assistance, for safety on the job, for good working conditions, for harmony out there, and they are looking at a government now that is totally neglecting its responsibility when it comes to our construction workers out there. And it's unfair.

In concluding my remarks, let me say that, no, we cannot support this bill, as my previous colleagues have said. We cannot support this amendment to the Labour Relations Act. It's most unfortunate and I hope the minister will reconsider and—

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

**Mr Christopherson:** I appreciate these two minutes, given that that's all I'm going to get as a result of the Liberal motion earlier, a rather frivolous motion that wasted 30 minutes of the time of this House, where the resulting vote was a natural given, given the majority

here. All they achieved was to deny the third party at least an opportunity to participate in the debate. I think that's regrettable. Whether they did it deliberately or not I don't know, but that is the end result and it is regrettable because we have as much to say about this bill as they do.

Let me say that one thing I haven't heard referenced yet today, and it really goes to the heart of all of this—earlier I mentioned the threat of removing 1(4) and the predominant role that played in forcing the unions to come to the table and attempt to even enter dialogue with the minister and with the employers. That's a significant part of this. One step further behind the scene, and I've raised this in earlier debate, is the fact that the eight general contractors, at the end of the day, are the real, significant, grand slam winners in Bill 69.

It's no coincidence that this government changed the election laws and the funding of provincial elections so that corporations could contribute 50% more money than they used to be able to. They did that unilaterally, without the support of the opposition parties, where traditionally, historically, there was always three-party agreement. They did it unilaterally and their corporate friends were allowed to contribute millions of dollars more than they could before, and guess what, the eight general contractors—of the \$12 million this government received in corporate contributions over the last few years, over \$100,000 came from the eight general contractors alone.

I leave it to the people of Ontario, why do you think they're putting this bill through?

**The Deputy Speaker:** Pursuant to the Order of the House dated November 14, 2000, I am now required to put the question.

Mr Stockwell has moved third reading of Bill 69, An Act to amend the Labour Relations Act, 1995 in relation to the construction industry.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, they ayes have it.

Call in the members. This will be a five-minute bell.

I have a letter stating that the Bill 69 vote will be deferred until tomorrow at the deferred section of routine proceedings.

It being past 6 of the clock, this House stands adjourned until 6:45.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*

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