



Legislative Assembly
of Ontario
Second Session, 37th Parliament

Assemblée législative
de l'Ontario
Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 12 June 2001

Mardi 12 juin 2001

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

Tuesday 12 June 2001

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 12 juin 2001

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

GOVERNMENT'S RECORD

Mr Alvin Curling (Scarborough-Rouge River):

Each day when we sit in this House, we are constantly reminded of the ferocious attack on the people of Ontario by the Mike Harris government. In six years the Mike Harris government has consistently attacked the poor, the working families, organized labour and the most vulnerable in our society, our children. The Mike Harris government has undermined the democratic structure and the fabric of Canadian society, and it is evident.

In a democratic society it is a responsibility of the government to protect those vulnerable people. Let's take a look at what Mike Harris and his government have done to those individuals and what has happened in those six years. For their first act, welfare recipients were attacked, with 25% slashed from their income as they arrived. The attacks continue on and on. Today we read in the paper that, of course, they would be subject to a literacy test. Let's just remind them that 33% of all people in Ontario are functionally illiterate. I hope we do a literacy test here sometime to see if our members deserve their pay.

The omnibus bill that came in: we can remind them that no discussion, no debate whatsoever was happening here. Most of the legislation here has had no process of any consultation. Then we ask the Mike Harris government how democratic they can be. They should be ashamed of themselves and the way they conduct themselves in a democratic society.

CANADIAN BASEBALL HALL OF FAME
AND MUSEUM

Mr Bert Johnson (Perth-Middlesex): The sky may be falling in Scarborough-Rouge River, but today I rise to promote one of Ontario's greatest tourist attractions, the Canadian Baseball Hall of Fame and Museum in St Marys. In 1838 Adam Ford, an early settler and former mayor of St Marys, chronicled a game being played in Beachville, Ontario. He later organized a league in St Marys to advance this new game called baseball.

Since the Canadian Baseball Hall of Fame and Museum opened in 1983, it has inducted almost 50 people, including great players, builders and key contributors to the game of baseball, including Ferguson Jenkins, Lester B. Pearson and Jim Fanning. On Friday, June 22, the hall of fame will host its fifth annual celebrity golf tournament in St Marys, followed by the induction ceremony on Saturday. This year the hall of fame will induct former Montreal Expo Gary Carter and former Toronto Blue Jay Dave McKay.

Over the years, the baseball hall of fame has helped to promote the growth of baseball in Canada at every level, from pee-wee and slo-pitch to high school and women's softball leagues. I want to congratulate the many volunteers who have worked tirelessly to bring the field of dreams to life in St Marys. I would encourage my colleagues to visit our national shrine for baseball, the Canadian Baseball Hall of Fame and Museum in St Marys, Ontario.

DIALYSIS

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): Today I'd like to tell you about a courageous woman who pickets my office every Friday, namely Lynn Bruyere. For the past 10 months, Lynn has been travelling three times a week to Brockville and Kingston for life-saving dialysis treatment. Every Monday, Wednesday and Friday, Lynn's husband or family drives her to Brockville or Kingston for the treatment. Her husband has to work nights so that he can be with her for the treatment.

After four hours of dialysis treatment, Lynn travels back to her home, regardless of the weather. They have no choice. On treatment day, Lynn does not see her family until 7 pm, after the long day of treatment.

The government refused to provide additional funding for the Cornwall dialysis clinic. It's taken a toll on the patients. Eighteen patients are still travelling; one of these is 76 years old. I'm not sure if the government understands what these people are going through and are forced to cope with.

I have written to the Minister of Health several times over the past two months and have spoken about this desperate situation. I still have not received an answer. The whole situation is unacceptable, especially when a proposal is on the table that would substantially reduce the waiting list for the Cornwall area. I have called on the government to implement this proposal immediately. It

would not cost an extra penny to the government if they implemented this proposal.

CHILDREN'S MENTAL HEALTH SERVICES

Mr Peter Kormos (Niagara Centre): The region of Niagara is historically underserved in acute care mental health beds, and very specifically so when it comes to children's mental health beds and residential assistance. This government's health restructuring commission allocated some few new beds for children's mental health services to Niagara, but they put the beds in Hamilton. I want the Minister of Health to understand very, very clearly that Hamilton is not Niagara, and Niagara is not Hamilton.

Historically, Niagara children and other psychiatric and mental health patients have had a hard time accessing the few beds available to them in Hamilton. They're going to have compounded difficulty accessing these new beds. Niagara health services, a creature of this government by virtue of its imposition of so-called restructuring—mega-hospital boarding—on Niagara is clearly out of touch with what's happening on the ground, across the board in Niagara when it comes to delivery of health care services. Their firing of Dr Abraham, which I reported to this Legislature yesterday, is an indication of that. The inability of Niagara health services—quite frankly, their collaboration with this government in denying Niagara the children's mental health beds that are allocated to Niagara is a further example of that.

I'm calling upon this minister to begin investigating what's been going on there, to call for the reinstatement of Dr Abraham and to support Niagara people in ensuring that those mental health beds go to Niagara where they belong.

EDUCATION TAX CREDIT

Mr Wayne Wettlaufer (Kitchener Centre): More letters of support are being sent to my constituency office in Kitchener Centre supporting the initiative this government took to help parents who choose to send their children to independent schools. I would like to read two more letters, one being from Dan and Bettina Cook:

"Dear Wayne Wettlaufer:

"Just a short note to thank you for the long-awaited tax credit plan for families with children in independent schools.

"We have two children in a Christian school here in Waterloo, and this will definitely help us with the tuition.

"Sincerely,

"Dan and Bettina Cook."

The following letter is from Danette and Rick Wirth:

"Dear Wayne Wettlaufer,

"My husband and I are parents of two boys, age seven and 11, who attend a Lutheran school in Kitchener. I would like to take this opportunity to thank you for

providing the tax credit for parents of children attending independent schools. We are both middle-class working parents, and sending our children to an independent school has been a financial sacrifice but one that is well worth it.

"Both of our children have thrived at this school. As well as learning the fundamentals such as reading, writing and math, they are learning about God and about being Christian. They are learning the same values at school that are being taught at home and at church. This is a very important factor in our lives.

"We believe that all parents should have the right to send their child to a school that would benefit their child and family the most. Thank you for recognizing the responsibility the government has for all the children in the province.

"Yours sincerely,

"Danette and Rick Wirth."

Parents in my riding and throughout Ontario appreciate the fact that we are thinking about all the children in Ontario and not only those who go to Catholic or public schools. I continue to believe that this initiative by our government will finally help to—

The Deputy Speaker (Mr Michael A. Brown): Thank you.

PHILIPPINES INDEPENDENCE DAY

Mr Tony Ruprecht (Davenport): I rise on behalf of Dalton McGuinty and the Liberal caucus to recognize an important date that took place in the history of mankind in 1898: Philippines Independence Day. As we raise the colours of the Philippine flag and its stars and the sun, we are reminded of two things: one, the great sacrifices the Filipino nation made in those dark days. We remember the death march of April 9, 1942, we remember Corregidor and the fall thereof, we remember the tyrannies and the dictatorships.

But there's another reason we celebrate this important event today, and that is the great contribution that Filipino-Canadians have made to this great society. So, today, while members can see the flag flying in front of Queen's Park, I'm reminded as well that we have some distinguished members here who are helping us celebrate this important event. They are Edgar Badajos, vice-consul of the Philippine republic, Monina Lim-Serrano, president of the Filipino-Canadian association, and, of course, many of the veterans. We owe them a great deal of gratitude. So I say to them in Tagalog: Mabuhay ang Pilipinas. Mabuhay ang Republika ng Pilipinas. Mabuhay, Mr Speaker.

1340

CHILD PROTECTION KITS

Mr Doug Galt (Northumberland): I rise in the House today to recognize the combined efforts of the Campbellford Lodge, No 248, Grand Lodge of Ontario, the Independent Order of Oddfellows, the Loch

Lommond Rebekah Lodge, the Northumberland detachment of the OPP and the local school boards for their work in completing child identification kits. Since the spring of 1999, these groups have fingerprinted and collected DNA samples of approximately 1,700 children at St Mary's, Hillcrest and Kent schools in Campbellford, Percy Centennial school in Warkworth and Hastings elementary school in Hastings, at fairs and other local events.

These kits can play an important role, as accurately recorded information can assist authorities to respond quickly to a fire, medical or missing child emergency. These kits contain important information such as photos, DNA and hair samples, the parents' and doctors' names and addresses, the child's route taken to and from school, the playground location and the names and addresses of five of their friends.

I commend the Campbellford Lodge, No 248, the Loch Lommond Rebekah Lodge, the Northumberland detachment of the OPP and the local school boards for the initiative taken in ensuring the safety and well-being of the children in Campbellford, Warkworth and Hastings. I hope that perhaps other communities will follow their lead with regard to child safety.

EDUCATION FUNDING

Mr Joseph Cordiano (York South-Weston): I take this opportunity to commend the dedicated teachers and principal of Nelson A. Boylen Collegiate Institute in my riding of York South-Weston. Their work helping needy students overcome economic barriers is nothing short of outstanding.

Nelson A. Boylen has been identified as one of the neediest schools in the Toronto District School Board, as determined by the Inner-City Index. And yet, as an article by Louise Brown points out, "Against all odds the spirit at this school crackles with hope."

The student population at the school is very diverse. One third of the students are newcomers to Canada and face countless socio-economic hurdles to their education.

The school board has done what it can by providing nutrition programs, afterschool homework groups and computer labs. But the chronic underfunding this government has perpetrated on the school board is now hitting home and those programs have had to be cut.

What this government is doing to public education is now clear. The one great equalizer in our society, public education, is now being eliminated. It's a reversal of immense proportions, unprecedented in our country's history. It's a real shame, because what this government is doing is establishing a society that is now divided along socio-economic lines. In those areas where they can afford it, schools pay for additional things. In other neighbourhoods where they can't, such as in the Nelson A. Boylen neighbourhood, kids are falling behind through no fault of their own, and that's a shame on you, government.

EVENTS IN DURHAM

Mr John O'Toole (Durham): I'm pleased to rise in the House today to tell about a great family event that my colleague and MPP, Jerry Ouellette from Oshawa, arranged this past weekend.

On a gorgeous Saturday afternoon in Kendal, which is a small town in my riding of Durham, at the Kendal Hills Game Preserve, we held a kids' fishing day. I was very impressed with the number of young people and their parents who came out to enjoy a day of camaraderie and fun while learning about the outdoors, nature and the wilderness.

I would like to thank some of the following people, without whose assistance this would not have been possible: Norm Monaghan of the Ontario Anglers and Hunters, Rick Thompson, Glen Anderson and Vern Mason, just to name a few. Thank you, gentlemen, for your donation of time and experience for our young people in Durham.

A big thanks will also go to Big Brothers and Sisters of Clarington and their directors, Jenny Walhout and Ellie McMaster, for their efforts in helping to organize a fun day. I'd also like to thank the leaders of the scouts, cubs and beaver troops who attended and participated in a wonderful event. Along with members from the Simcoe Hall Settlement House, there were 300 or 400 young people involved in the great outdoors with their family and friends, having fun enjoying nature.

With time left, I should remind you that this weekend in Clarington, in Durham, is a big event: the Orono town bands will be performing in Orono on the 15th and 16th; the village of Newcastle will have the Massey show on the weekend; and Catch the Spirit, in Tyrone.

ANNUAL REPORT, INFORMATION AND PRIVACY COMMISSIONER

The Deputy Speaker (Mr Michael A. Brown): I beg to inform the House that I have today laid upon the table the 2000 annual report of the Information and Privacy Commissioner of Ontario.

Mrs Marie Bountrogianni (Hamilton Mountain): On a point of order, Mr Speaker: I rise in the House today to seek the support of this House for unanimous consent to pass Bill 53 through second reading. It's the act requiring the disclosure of payments to former public sector employees arising from the termination of their employment. Before the House prorogued, it had passed second reading and was referred to the standing committee on general government. I ask for unanimous consent for it to reach the same stage.

The Deputy Speaker: The member for Hamilton Mountain has asked for unanimous consent to pass Bill 53 through second reading. Agreed? No, not agreed.

INTRODUCTION OF BILLS

1252563 ONTARIO LIMITED ACT, 2001

Mr Marchese moved first reading of the following bill:
Bill Pr16, An Act to revive 1252563 Ontario Limited.

The Deputy Speaker (Mr Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

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

STABILITY AND EXCELLENCE IN EDUCATION ACT, 2001

LOI DE 2001 SUR LA STABILITÉ ET L'EXCELLENCE EN ÉDUCATION

Mrs Ecker moved first reading of the following bill:

Bill 80, An Act to promote a stable learning environment and support teacher excellence / Projet de loi 80, Loi favorisant la stabilité du milieu de l'enseignement et soutenant l'excellence des enseignants.

The Deputy Speaker (Mr Michael A. Brown): Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1348 to 1353.

The Deputy Speaker: All those in favour will rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Hastings, John	Ouellette, Jerry J.
Baird, John R.	Hodgson, Chris	Sampson, Rob
Barrett, Toby	Jackson, Cameron	Snobelen, John
Beaubien, Marcel	Johns, Helen	Spina, Joseph
Chudleigh, Ted	Johnson, Bert	Sterling, Norman W.
Clark, Brad	Kells, Morley	Stewart, R. Gary
Cunningham, Dianne	Klees, Frank	Stockwell, Chris
DeFaria, Carl	Marland, Margaret	Tsubouchi, David H.
Ecker, Janet	Maves, Bart	Turnbull, David
Galt, Doug	Miller, Norm	Wettlaufer, Wayne
Gilchrist, Steve	Molinari, Tina R.	Wilson, Jim
Gill, Raminder	Munro, Julia	Witmer, Elizabeth
Guzzo, Garry J.	Murdoch, Bill	Wood, Bob
Hardeman, Ernie	Mushinski, Marilyn	Young, David
Harris, Michael D.	O'Toole, John	

The Deputy Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Dombrowsky, Leona	Marchese, Rosario
Bartolucci, Rick	Duncan, Dwight	Martel, Shelley
Bountrogianni, Marie	Gerretsen, John	McLeod, Lyn
Boyer, Claudette	Gravelle, Michael	McMeekin, Ted
Bradley, James J.	Hampton, Howard	Parsons, Ernie
Bryant, Michael	Hoy, Pat	Peters, Steve

Christopherson, David	Kennedy, Gerard	Phillips, Gerry
Churley, Marilyn	Kormos, Peter	Ramsay, David
Cleary, John C.	Kwinter, Monte	Ruprecht, Tony
Colle, Mike	Lalonde, Jean-Marc	Smitherman, George
Cordiano, Joseph	Lankin, Frances	
Curling, Alvin	Levac, David	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 44; the nays are 34.

The Deputy Speaker: I declare the motion carried.

1150982 ONTARIO INC. ACT, 2001

Mr Spina moved first reading of the following bill:

Bill Pr14, An Act to revive 1150982 Ontario Inc.

The Deputy Speaker (Mr Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

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

RDP COMPUTER CONSULTING INC. ACT, 2001

Mrs Molinari moved first reading of the following bill:

Bill Pr17, An Act to revive RDP Computer Consulting Inc.

The Deputy Speaker (Mr Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

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

STANLEY CUP VICTORY

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): On a point of order, Mr Speaker: I would like to take this opportunity to congratulate the Colorado Avalanche on winning the Stanley Cup. Although this is not a Canadian team, there are 14 Canadian players on this team, of which five are from Ontario, and the coaching staff are all Canadian. Bob Hartley, the head coach, is from my riding, a boy from Hawkesbury, and Stephane Yelle is from Bourget in my riding. We produce good hockey product in Glengarry-Prescott-Russell.

Congratulations to all the players. I look forward to seeing the cup in my riding and, proudly, right here at Queen's Park.

The Deputy Speaker (Mr Michael A. Brown): That of course is not a point of order.

Hon Janet Ecker (Minister of Education, Government House Leader): Mr Speaker, I seek unanimous consent to move a motion regarding committee membership.

The Deputy Speaker: Agreed? No.

1400

STATEMENTS BY THE MINISTRY AND RESPONSES

EDUCATION LEGISLATION

Hon Janet Ecker (Minister of Education, Government House Leader): Since 1995, this government has been implementing a comprehensive plan to reform our publicly funded education system. Our goal is to help students succeed—to build an education system that provides the education that parents want for their children, with a focus on quality, accountability and improved student achievement.

Our plan for quality education includes: a more rigorous curriculum from kindergarten through to grade 12; significant resources for education—for example, for the 2001-02 school year, we have increased our investments in public education by more than \$360 million; a new, province-wide code of conduct to make our classrooms safer, more respectful learning environments; new school council regulations to ensure that parents have a stronger voice in their children's education; a standardized testing program so parents know how well their students are doing; and most recently, Ontario's new early reading strategy, to help our schools improve children's literacy skills. These and other quality education initiatives demonstrate Ontario's ongoing commitment to setting higher standards for our schools, with an emphasis on performance-based accountability.

Today we are moving forward with the next step in our plan. Earlier this afternoon I introduced the Stability and Excellence in Education Act. If approved by this Legislature, it would implement a mandatory recertification program for teachers, a key component of our Ontario teacher testing program. Secondly, it will respond to the concerns from parents and students about labour disruptions involving school boards and teachers' and school staff unions. Thirdly, it will implement the government's decision to accept the key recommendations from the advisory group on co-instructional activities and our other education partners to ensure co-instructional activities are available to our students.

I would like to specifically recognize that in the gallery we have members of the co-instructional advisory group: Doug Brown, Ernie Checkeris, Cathy Cove, Matthew Walker and Colin Hood. I would like to thank them very much for their advice.

We also have in the gallery with us some other individuals who have been very helpful in their advice on this and other initiatives: Greg Reid, who is the chair of the Ontario Parent Council; Doretta Wilson, from the Organization for Quality Education; and Terry Ross, the

executive director of Educators for Choice. Welcome to you as well.

The bill I am introducing today is another step toward increased quality, more accountability and improved student achievement. I would now like to outline the key components of this legislation for the House.

Firstly, this government knows that an important foundation for improved student achievement is quality teaching. Research clearly demonstrates the difference that a good teacher can make. Excellent teachers foster a passion for learning that students carry with them throughout their life. Excellent teachers also inspire their students to achieve things that they never thought possible.

One of the great privileges of this job is to have the opportunity to meet those many excellent teachers. Not only do they go above and beyond for their students, they also recognize that in today's rapidly changing world, a commitment to professional development and lifelong learning is imperative. That's why we've introduced our comprehensive teacher testing program, to ensure that all of our teachers, both new and experienced, have the most up-to-date training, knowledge and skills so they can help our students succeed and achieve higher standards.

Modelled on best practices in other jurisdictions, our program includes a series of initiatives which are being phased in over two years. Already in place are requirements that all new applicants for Ontario teaching certificates take a qualifying test similar to a lawyer's bar exam, starting next spring, and a language proficiency test, in effect since last fall, for new applicants to the profession who took their training outside of Ontario in a language other than English or French.

To be introduced over the coming months are: an internship program for new teachers to help them acquire strong teaching and classroom management skills; new province-wide performance appraisal standards to ensure all teachers can be evaluated and assessed regularly and consistently in their classrooms; a system to recognize teaching excellence; and a role for parents, educators and experts in a quality assurance process for our schools.

Today's legislation proposes another step in the comprehensive program: mandatory recertification. This was a key election promise that our government made in 1999 and also was recommended in 1995 by an all-party Royal Commission on Learning. The proposed program requires teachers to take part in a series of professional development courses and activities over five-year cycles throughout their careers. During each five-year cycle, all teachers would be required to successfully complete seven core courses and seven elective courses from an approved course list. Approved courses would of course include professional development activities and programs that many teachers already participate in regularly to improve their skills or to teach new subjects. Courses would focus on curriculum knowledge, student assessment, special education, teaching strategies, classroom management and leadership and the use of technology in communicating with parents and students.

All courses would include assessments or other tests at the conclusion to ensure that they have been completed successfully.

We will be working with our education partners over the next several months to approve appropriate courses and providers. Course lengths would vary according to the learning requirements of each topic, ranging, for example, from one-day workshops to longer courses designed to upgrade qualifications.

This program would be phased in starting this fall with 40,000 randomly selected practising classroom teachers. In the new year, 6,500 new teachers will begin their five-year cycle. In the fall of next year, all other members of the Ontario College of Teachers, including principals, vice-principals and other certified teachers, would begin their five-year cycle.

Like parents, we know that an education system that is committed to quality is an education system where everyone must work together. This brings me to the second initiative in this legislation. Parents and students have expressed concern about how labour disputes between school boards and teachers and school staff unions have disrupted the educational year. We have listened to those concerns, and with this legislation, we are proposing two steps to provide greater labour stability.

While we continue to believe that local agreements are the best solution, we also believe that the collective bargaining process needs adjustments to better reflect the interests of parents and students and the need for greater stability. Our legislation, therefore, would require upcoming collective agreements between a school board and teachers' union to run for a term of three years to stop the annual bargaining and collective agreement process that some school boards and teachers' unions have been faced with. This requirement would be phased in. As current contracts expire, school boards and teachers' unions would be required to negotiate contracts that expire on August 31, 2004. All subsequent collective agreements would have a term of three years, an important initiative for stability for our parents and our students.

1410

We've recently seen in Toronto and Windsor-Essex, for example, that labour disputes involving support staff can also have a direct impact on the delivery of education to our students. The Education Relations Commission currently advises the government when the continuation of a strike or lockout involving teachers is putting students' education at risk, but the commission has no jurisdiction in labour disputes involving other board staff. The commission's advice is an important factor in a government's decision to legislate teachers back to work.

Today's legislation proposes allowing the commission to advise the government when student education is in jeopardy because of labour disputes involving other school board staff as well. These measures, if approved by the Legislature, would mean students, parents, teachers and school board employees would spend less

time distracted by contract negotiations and the possibility of labour disputes, while unions and school boards would continue to have the flexibility they need to work out their own specific local agreements.

The third piece of this legislation today deals with restoring co-instructional or extracurricular activities in our schools. Those activities are an important part of any student's education and an integral part of their school experience. It is something that I have said and the government has recognized and we've said many, many times in this Legislature—

Mr John Gerretsen (Kingston and the Islands): What took you so long?

Hon Mrs Ecker: Obviously, the member for Kingston and the Islands wasn't listening, based on that heckle. Because of that importance, we established the advisory group on co-instructional activities, to provide advice on how to restore those activities where they had been withdrawn from our students.

The advisory group's recommendations met with wide acceptance from students, parents and our education partners. That group asked that all education partners set aside their original positions and work for the benefit of the students. Everyone said they would.

For its part, the government announced on May 7 of this year a significant package of initiatives that act on the key recommendations from the advisory group and our other education partners to ensure that co-instructional activities are indeed available to all of our students.

Mr James J. Bradley (St Catharines): It's our formula.

Hon Mrs Ecker: The third and final component of this bill provides the necessary legislation to implement this significant package—and I hate to break it to the member for St Catharines, but no, it's not your formula.

The proposed legislation would give school boards and high school principals greater flexibility to recognize co-instructional activities when assigning teachers' workloads, an important initiative. The current requirement that high school teachers teach an average of 6.67 courses a year, the equivalent of an average of four hours and 10 minutes of instructional time a day, is maintained. However, there would be greater flexibility in the regulations that define that standard, that instructional time, to include time spent giving remedial help to students and on important duties such as supervising students and filling in, for example, for teachers involved in co-instructional activities.

The legislation would also allow a school board to pass a resolution to vary the maximum average class size in its high schools by up to one student. This would provide boards with the flexibility to access resources that could be used for local priorities to meet the needs of students for quality education.

Our proposed legislation would also repeal unproclaimed sections of the Education Accountability Act that could have required teachers to participate in co-instructional activity. We will also proclaim the sections

of that act which will require school boards to develop and implement plans for the provision of co-instructional activities in high schools, and I should stress in high schools, because in our elementary schools this has not been a challenge faced by our students in those schools.

This bill will enable us to move forward with our education partners to make important, but necessary, changes. We are committed to setting higher standards for student achievement in Ontario, and we are committed to providing our students with the tools and the environment that they need to succeed.

The proposed Stability and Excellence in Education Act is an important step along the path to an education system where for all of us, all of the education partners, our highest priority is improving student achievement.

I would ask all members to join with me in supporting this very important legislation.

The Deputy Speaker (Mr Michael A. Brown): Response?

Mr Gerard Kennedy (Parkdale-High Park): We're here today in the House bearing witness to the floundering, the lack of direction, the inability of this government when it comes to education. Elsewhere in this House is a committee rushing through momentous change to education that isn't even in the hands or the control or the influence of the Minister of Education. Instead, it's private school vouchers, rejected by 35 US states but run through by the Tory backbench here without so much as an education discussion.

Instead, what is the view and the vision of this government when it comes to education? It's about continuing turmoil and continuing instability.

Last December, we put forward a plan for peace in the schools, a peace plan for education that puts students first. What do the members and the minister opposite do? They rejected the plan to restore extracurricular activities and they waited 240 days and allowed, all around this province, students to lose faith in the school system, to lose access to the things they need for quality education. Each and every member of the government acquiesced and agreed that their political priorities took precedence over the students of this province.

Today in the gallery we have indeed a committee that was appointed and came back to the government with many recommendations. They're not all in this legislation. They're not dealing with the burden at elementary schools. Unfortunately, there's one recommendation this party takes exception to, the idea that this government, after having caused so much instability in our high schools—new curriculum without support, lack of funding, lack of commitment to make sure the learning environment is good—will then turn around today and offer to us an opportunity to increase class sizes in high schools. We reject that. We reject the idea that students in school should be deprived of extracurricular activities and have their class sizes increased as the unlikely and unacceptable trade-off.

This government has the gall to stand here in the House today and say they are prepared to move on

something that every parent and every student in this province has been asking for with sincerity, and that is to do something to bring peace and stability to the schools. Every opportunity they had, they have missed. Today they say to us, "We will mandate three-year agreements." I don't know what magic wand the minister has in her desk or what little flick of her wrist she thinks will make that happen, but it is obviously not even really genuine wishful thinking on the part of this government when it doesn't take any level of responsibility. A government that wants peace in our schools has to take responsibility for the challenges in our schools.

What is the record this government is running away from? This is a government that has collectively deprived, in its five sad years in office, in terms of education, not to mention many other things, 1.7 million days of instruction and learning away from the students of this province—1.7 million, five times the number of days lost during the previous five years. This is a government that has been reckless when it comes to our students' education in this province, reckless with the future of the children in this province.

Earlier this week we revealed what the government does not want to focus on, which is its lack of responsibility taken. It has actually decreased funding by \$10 million. It will be hard enough for people to give even a facsimile of education when there's no commitment by this government—not willing to make a single sacrifice, not drop a single tax cut, not put any priority into education. It has been \$2 billion, but even more important, an unquantifiable lack of commitment that has gone missing and that can't be found in the statement made by the minister today.

They say higher class sizes. We say on this side of the House, we'll make the sacrifice for lower class sizes. On the other side of the House they're saying underfunding; we're saying no, there has to be an investment, investment for the right reasons. They say on the other side of the House that they would test teachers in some kind of phony political fashion. We say provide excellence in education, provide mentorship, provide support.

Last year we lost 4,400 teachers for reasons other than retirement. This is a government chasing the best teachers out of Ontario and it has the audacity to come forward today with a half-hearted proposal.

What the people of this province need, what the students of this province require, is for the adults to get their act together. They require a true partnership. In other countries it's been possible for the teachers, for the government, for the school boards, for the local authorities to sit down and work together. But to do that, you need a government that is committed to putting the interests of students first. It's not here today, but it will be here in two years.

1420

Mr Rosario Marchese (Trinity-Spadina): Make no mistake about it: the latest Conservative bill is obviously designed to deflect attention away from the tax credit

mess that they are at the moment immersed in. The Conservatives are attempting to ram through a bill, the tax credit for private schools, when two separate polls are against this initiative. They're doing it in spite of that. To deal with the fact that the polls are saying no to the tax credit to private schools, what have they done? They have said, "We're going to pass this bill, opposition parties, Ontarians, whether you like it or not, and we're going to pass it quickly, before the end of June. What are we going to do to help this process? We're going to change the rules so that the majority of deputants who come before the committee are deputants who support the government and not the other point of view."

That's how they've changed the process in our legislative hearings, so as to make sure that the only people who come in front of it are those who support the government—a shameful act of this government. It's not enough for them to have power and be in government and it's not enough to be able to introduce bills that destabilize the education system; they want to control the education hearings as well. You can't have it all. At some point Ontarians are going to tell you, "Enough is enough."

This is what they're doing: every time they have a mess, a problem, they introduce yet another bill to try to cover up their problems. What do they do? They choose to beat up on those who are so frail, our education teachers and our education workers. They're going after them again and again, every time they're in trouble.

Last week the minister announced more teacher testing. We suggest it's the Tories on the other side who ought to be tested and not the teachers. The government claims they want to increase accountability in education, and yet the new teacher testing will not apply to one single private school teacher. In fact, this government plans to give hundreds of millions in public dollars to private schools, where teachers do not even have to be certified. All they have to do is be qualified individuals, but not certified teachers.

The minister claims this bill is about stability. It is precisely the Conservative government that has sought to create a crisis in education. You slashed funding by \$2.4 billion when enrolment and inflation are factored in. You created labour instability with a funding formula guaranteed to force disruptions between boards and workers. Now you want multi-year agreements. Well, Minister, where is the multi-year funding the boards have said they desperately need to plan for the future? Once again you are demanding of school boards what you refuse to do yourself. You demand accountability, yet you refuse to be accountable.

You claim to want to promote stability, yet your Bill 160 gutted the Education Relations Commission. It was the Education Relations Commission that mediated and monitored contract negotiations. No longer. It was the Education Relations Commission that trained arbitrators. They no longer do that. What they do now, the only function left for them, is to advise on jeopardy during a strike. That's all they do. Yet now you want to expand

the powers of the Education Relations Commission over all education workers. This is not designed to promote stability; it's designed to punish the lowest-paid workers in our schools, and it's designed to attack the right to strike for a fair contract.

What about your latest announcement re extracurricular activities? We thought you were working on a compromise. The compromise was to reduce the workload, which was the root of the problem, yet you haven't dealt with that. What's worse, the government is going to proclaim parts of Bill 74 to force boards to provide the extracurricular activities. But what are they going to do? Who will run the extracurricular activities? Will our kids be safe?

They're downloading the problem on to the boards of education and they're forcing boards of education to provide the extracurricular activities, but the only way they can do it is to increase class size. What kind of option, what kind of choice have you given boards of education? It's the same teaching load, but boards now have flexibility to do what? Increase class size in order to get some of those teachers to do the extracurricular activities. That is not a choice that the education workers were looking for.

I'm hoping, Ontarians, that you are awake enough to say to this government that you need to send them a message they will never forget.

LEGISLATIVE PAGES

The Deputy Speaker (Mr Michael A. Brown): I ask all members to join me in welcoming this group of legislative pages serving in the second session of the 37th Parliament: Sarah Blackmore, Whitby-Ajax; Beckie Codd-Downey, Willowdale; Rebecca Cornell, Kenora-Rainy River; Adam Danchuk, Timiskaming-Cochrane; Anthony Gras, Sudbury; Ashley Hellyer, Bruce-Grey-Owen Sound; Dustin Hughes, Timmins-James Bay; Leora Jackson, Thornhill; Matthew Leroux, Ancaster-Dundas-Flamborough-Aldershot; Reuben McRae, Durham; Sarah Mistak, Oakville; Joshua Morrison, Haldimand-Norfolk-Brant; Kieffer Norton, Barrie-Simcoe-Bradford; Ryan O'Hearn, Simcoe North; Marianne Soukas, Windsor-St Clair; Meera Srikanthan, Toronto Centre-Rosedale; Shauna Sunstrum, Nepean-Carleton; Christopher Tynan, Eglinton-Lawrence; and finally, Cameron Wood, Don Valley East.

ORAL QUESTIONS

EDUCATION FUNDING

Mr Dalton McGuinty (Leader of the Opposition): My questions are for the Premier. Premier, we have finally been able to obtain a copy of your government's submission to the UN on the funding of private schools. It is, as you can see, a very lengthy and thorough

document. Obviously a great deal of thought, effort and cost would have been put into this document. Most certainly it represents your government's considered and thoughtful opinion on the matter of funding of private schools.

I want to draw to your attention, Premier, one of the arguments made in this document before the UN, made on behalf of your government, and I quote, "Funding of private religious schools is likely to lead to increased public school closings and the reduction of the range of programs and services that any one public system can afford to offer." What you are saying here, to be very concise, is that this policy will hurt public education. Can you tell us why you are proceeding with a policy which you yourself argued in this document would hurt public education?

Hon Michael D. Harris (Premier): When we looked at other jurisdictions that had introduced some form of assistance for alternate schools, the two that I think were the closest parallel were Manitoba and British Columbia. In 1990, 5% of students were in private schools in Manitoba; 10 years later, 6.6% of students were in private schools. In British Columbia in 1990, 7.1% of students were in private schools; in 2000, 10 years later, 8.5% of students were in private schools.

It's interesting to note that in Ontario over the same period of time, in 1990, 3.4% were in private schools and 10 years later 4.6% were in private schools. So, in two jurisdictions that introduced actually more generous funding than we have introduced, there is not any variance from—

The Deputy Speaker (Mr Michael A. Brown): Thank you. Supplementary.

Mr McGuinty: Premier, I've been looking for those kinds of comments and arguments inside this brief, and there is nothing to that effect whatsoever. In fact, you are very unequivocal. You say here, "Funding of private religious schools is likely to lead to increased public school closings and the reduction of the range of programs and services any one public system can afford to offer." You were specifically saying that this would hurt public education.

You go on to say, Premier, "Funding of private religious schools would result in the disruption and fragmentation of education in Ontario." Again, through this document filed before the UN, you were absolutely unequivocal, and you said much the same thing in a letter to me just a little over a year ago. Why is it, Premier, that you would bring in a policy now that you yourself argued would cause disruption and fragmentation of public education?

1430

Hon Mr Harris: As I indicated, the studies we've done of two other provinces versus Ontario showed absolutely no difference from the types of programs they introduced. That's why we introduced a similar type of program, a partial tax credit, not the UN resolution, no funding to private schools, but rather a tax credit on a

partial basis to parents: so that would parallel the experiences we saw in British Columbia and Manitoba.

The United Nations, on the other hand, suggested a number of remedies, three things: (1) extend direct funding to other religious schools at the same rate of the public schools—we rejected that; your party didn't, by the way, but we rejected that; (2) eliminate funding to Catholic schools—we rejected that; your party didn't reject that, by the way; (3) extend religious instruction to public schools—we rejected that; your party, by the way, did not reject that.

We rejected the UN solutions in favour of those—

The Deputy Speaker: Final supplementary.

Mr McGuinty: Premier, you are flipping and flopping like a pickerel on a hot July day on a dock in Nipissing. Premier, if you have other studies that you would like to table in this Legislature, we'd be delighted to see them, but to the best of our knowledge all of your careful thought, consideration, effort and creativity went into this extensive legal document. You clearly said that to proceed with this kind of policy would hurt public education.

Beyond that, Premier, do you know what else you said? You said that to fund private religious schools would have a detrimental impact on the public schools and hence the fostering of a tolerant, multicultural, non-discriminatory society in the province. That's what you said, Premier. That's what you argued. You said that the very policy you're putting forth now would not only hurt public education, it would hurt society.

The Deputy Speaker: The question has been asked. Premier?

Hon Mr Harris: It's disappointing to me that the member opposite doesn't understand the difference of what British Columbia proposed and what was proposed in Manitoba versus what the United Nations proposed by way of full funding. We rejected the full funding argument. That in essence would be a voucher, which you seem to be in favour of.

I notice that as recently as May 30th the spokesperson for education for the Liberal Party said that recognizing fairness is to say the UN finding has some legitimacy. It may be Liberal policy that the UN has some legitimacy, that in fact there should be vouchers, there should be full funding, there should be direct funding. We rejected that. We rejected that before with the United Nations, and we rejected it in this budget. What we came forward with was a tax credit to parents to improve the options for choice.

Hon Janet Ecker (Minister of Education, Government House Leader): On a point of order, Mr Speaker: I've often been asked what advice I gave the Premier. I told them Mr McGuinty said—

Interjections.

The Deputy Speaker: New question. Leader of the Opposition.

COMMUNITY CARE ACCESS CENTRES

Mr Dalton McGuinty (Leader of the Opposition):

From time to time the caddy would speak herself. Well, we're glad to hear from her today.

My question is for the Premier. I want to talk today about how your government is robbing our parents and our grandparents of their dignity and independence. We've obtained a copy of the Manitoulin-Sudbury Community Care Access Centre's plan for deficit reduction, a plan they are undertaking not of their own choosing but because of your own government's freeze on funding.

Do you know what they're being forced to cut back on, Premier, as a result of your budget freeze? They're talking about cutting back on incontinence supplies for our grandmothers and our grandfathers who happen to suffer from incontinence. Can you tell Ontario's frail elderly, those who are receiving home care today, those who are suffering from the embarrassment of incontinence, why is it that you're cutting them off their incontinence supplies?

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

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): I'd like to say once again that we've been discussing CCACs for a number of days in the House, and we would know from the answer we gave the NDP a number of days ago that the dollars being invested in CCACs, in the area you speak of, have moved from \$17 million to \$20 million over the last three or four years. It's quite an investment. In fact the government of Ontario, the Mike Harris government, has invested in increased home care funding by 72% all across the province. We are investing in this because we believe it's an important asset. We're also doing operational reviews to look at how we might improve the services. We have continued to work to make sure that the seniors and the people of this province receive the home care they need in their communities.

Mr McGuinty: Madam Minister, here's what Bob Fera, the board chair for the CCACs, is saying in Sudbury: "I'm writing to advise you that serious reductions in home care have become necessary right across Ontario, due to inadequate funding and the fiscal policies of the current provincial government." He's not writing to thank you in a gracious manner for your additional funding; he's telling you that they're experiencing a funding shortfall. I think one of the most tragic and saddest aspects of all this is the fact that in today's Toronto Star, the minister himself reveals, "We don't have an answer, we don't have a plan, we don't have a policy, except to say the status quo is going to crash."

So the question I have for you, Madam Minister: if the minister himself doesn't have a plan to improve home care for our seniors in Ontario, maybe you now can stand up and tell us what your plan is to improve home care for our seniors.

Hon Mrs Johns: Let me say that the ministry certainly does have a plan. We have said we're going to go out and have a dialogue with the people of the province. The federal government has said they're going out to have a dialogue with the people of Canada. What's more important on this particular issue is that the previous Minister of Health commissioned a report to talk to stakeholders, to ask them what should be done with respect to CCACs. We have gone out. We have made some changes to CCACs. We have an action plan where we're moving forward in a number of areas to make sure we understand the best practices that can be done within CCACs. We have gone out to ensure we're developing information systems and a number of different things that have been asked for.

Our goal is to provide Ontarians with the best health care we can as close to home as possible. We continue to work for quality health care in the province, because that's the goal of the Mike Harris government.

Mr McGuinty: You and the government have been on the job now for six long and painful years. It is completely unacceptable for you to tell us today that you have no plan to improve home care for our parents and our grandparents. They played by the rules, they paid their taxes, they deserve their independence and they deserve to have their dignity respected. What you're doing now is you are quietly presiding over the downfall of home care in Ontario.

Not only that, not only are you not respecting their right to independence and dignity in their own homes, but you are being penny-wise and pound foolish. If you don't meet their needs inside the home, there's a much greater chance they'll end up inside the hospital, and that is much more expensive. Again, how can you stand there, six years on the job, and why is it your government still doesn't have a plan to improve home care for our parents and our grandparents?

1440

Hon Mrs Johns: I actually don't know where the Liberals get off on this. This government has invested more than \$1 billion every year into health care, most of that going to senior citizens.

Interjections.

The Deputy Speaker (Mr Michael A. Brown): Order.

Hon Mrs Johns: Let me tell you that this government has invested 72% more dollars in home care, and that goes right into services for seniors in this province. We have moved from \$1 billion in drug costs to \$1.6 billion to make sure seniors have the drugs they need when they need them, and have listed more than 2,000 new drugs. We have invested and invested—\$1 billion more a year in health care services. You should be ashamed of yourself for scaremongering in health care as we invest and dialogue with the people of Ontario so they can decide where health care should be in this province.

WALKERTON TRAGEDY

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. Last year, on December 20, in answer to a question here in the Legislature, you said, "This government has never ignored any report, any suggestion of anything that would jeopardize any citizen ... including [in] Walkerton, about water quality." In light of the revelations yesterday that the medical officer of health for Ontario and your own health minister wrote letters warning of the problems with water quality and advocating mandatory reporting of all water tests to the local medical officers of health—in view of those warnings, Premier, can you explain the statement you made on December 20?

Hon Michael D. Harris (Premier): Yes. The statement speaks for itself, and I stand by it again today.

Mr Hampton: Those warning letters were explicit enough. In the 1996 business plan of the Ministry of the Environment, a business plan that went to cabinet for review and approval, it said your cuts "would increase the risk to human health and the environment." So in 1997 your Minister of Health and the medical officer of health repeated those warnings to you and asked you to guarantee there would be mandatory reporting of all water tests.

On the record, Premier, there are examples of three warnings. Were you or were you not aware of those warnings?

Hon Mr Harris: I appreciate your bringing this information forward. I will be happy to forward it, if you have not, to Justice O'Connor, who we've empowered to look at all the information to see what impact the commission determines any of this had to do with Walkerton. That's why we called the commission of inquiry, and we are prepared to make sure he has all the information he needs.

The Deputy Speaker (Mr Michael A. Brown): Final supplementary.

Ms Marilyn Churley (Toronto-Danforth): We talked to the Walkerton commission of inquiry this morning, and they said very clearly that there is nothing keeping any of you from answering any questions on this issue. They made that very clear.

So I'm going to put it to you again: long before Walkerton, your chief medical officer of health and your Minister of Health warned you about the dangers of privatizing all the water testing labs. If you had acted on that warning, fewer people in Walkerton would have become sick and lives could have been saved. A woman from Walkerton said on CBC Radio this morning that it was like the government pointed a loaded gun at the province and Walkerton got hit.

Premier, do not betray the people of Walkerton any more. Stop this cover-up and at least admit you were warned and did nothing.

Interjections.

The Deputy Speaker: Order. I think the member needs to withdraw the word "cover-up."

Ms Churley: I'm alleging a cover-up here. I can't withdraw that. That's allowed.

The Deputy Speaker: I ask you to withdraw the word "cover-up."

Ms Churley: Well, I withdraw.

The Deputy Speaker: Thank you. Premier?

Hon Mr Harris: It's an interesting premise that you've drawn. Fortunately, to take partisanship out of this debate and have a reasonable, rational look at all the facts, we appointed Justice O'Connor to take a look at all the information. Of course, we've made thousands of documents available. He is free to review all of that and to interview whomever he wishes to interview. We will co-operate fully, of course, and then we'll leave it to Justice O'Connor to draw his conclusions.

LONG-TERM CARE

Ms Frances Lankin (Beaches-East York): My question is to the Premier. For months now, I have been trying to draw your government's attention to the plight facing Ontario seniors in long-term care. This weekend's newspapers exposed conditions in nursing homes where seniors are routinely tied down, left in urine-soaked beds in their own excrement for hours. And yet this morning, Premier, you said, and I quote, "Seniors should thank God they're in Ontario, where the best services are in the world."

I was shocked to hear that, Premier, and I want to tell you that you should work a shift in a long-term care facility like I am going to tomorrow, and you would see the truth. A recent study shows that Ontario has the least number of nursing hours per resident of any jurisdiction. We've proposed to you a comprehensive set of actions that need to be taken to turn things around. One element is to restore the minimum two and a quarter nursing hours per resident. Will you take our proposal to heart and implement, at minimum, two and a quarter nursing hours?

Hon Michael D. Harris (Premier): Any time any individual, any senior citizen at any time anywhere in any of our facilities in the province receives less than excellent care, it is a concern for us.

I think it is interesting to note that since we've taken office, we've increased funding to our long-term care facilities by an unprecedented \$485 million; just this year another \$69 million over last year. We have increased the base per diem funding rate for long-term care facilities, including funding for nursing and personal care, far in excess of what you provided when you were in government.

I don't want to be critical of you when you were in government, but the record speaks for itself: we are doing considerably more in continuing to add dollars and hours of personal care. Would we like to do more? We're taking a look at that. We appreciate your suggestions. You've got lots of suggestions for us when we're in government; you did nothing when you were in government.

Ms Lankin: You talk about increased per diems. In the province of Ontario, you spend less than half, on a per diem rate, for seniors in nursing homes than you spend on inmates in Ontario jails, and that is shameful, Premier.

Let's take a look at home care. I have been demanding accountability from your government for the service cuts that are being implemented right now. Every time I ask you about service cuts, you over there duck the question and talk about increased funding.

Well, let's look at the facts, Premier. I'm going to give you two examples—only two, and there could be many more. Kingston CCAC delivered \$26.5 million in services last year, funded by you. Now they're under orders to cut back to \$25 million this year. Last year, East York CCAC spent \$13.7 million, funded by you. This year you've cut that to under \$12 million. So contrary to what you say, these are cuts.

Premier, these cuts are not just cruel, they're stupid. The seniors who lose these services will end up in more expensive services and hospitals. Will you restore the CCAC services funding so that seniors don't have to go without in this province?

Hon Mr Harris: When it comes to community care access centres, we have provided unprecedented new funding for them, and you know that; 72% for in-home services alone since we have taken office. The facts of the matter are that there is not a CCAC in the province that is receiving one cent less in their budget this year than they were budgeted last year.

1450

WALKERTON TRAGEDY

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Premier. Yesterday we learned that five of your ministers had been warned by the province's chief medical officer of health that your government had created this dangerous loophole in water testing regulations. Because of the changes you made, there was no longer any legal requirement on the part of anybody to notify the doctor on the ground, the local medical officer of health, that the water had been poisoned. The five sat on their hands.

Maybe that's not fair; one of them actually sent this matter off to a committee. The committee came back and filed a report. I've got a copy of the report here today, and do you know what the report said? They came to the conclusion that there was a dangerous loophole here, and they also said there should be a legal obligation imposed on the water operator to notify the medical officer of health in the event that the water is found to be dangerous to health.

So Richard Schabas, the medical officer of health, said, "Listen, you've got to pass a law in Ontario making the water tester tell the local medical officer of health if the water is deadly." Your own committee said, "Well, instead of the water tester, let's at least make the water operator have a legal obligation to tell the medical officer

of health that the water is deadly." You ignored both warnings. Why is it, Premier, that you now refuse to take at least some responsibility for what happened in Walkerton?

Hon Michael D. Harris (Premier): Now is the time to co-operate fully with the inquiry. I appreciate any information you bring forward. I'm happy to share it with the commissioner.

Mr McGuinty: What we would have been looking for, Premier, was your co-operation and your dedication to ensuring we had on the books here in Ontario a law which imposed a minimum standard on the water testers, the private water testers, something you created here in the province of Ontario, to notify the local medical officer of health that something had gone terribly wrong, so that the medical officer of health could then act in a way to save lives. What you did, Premier, was that you and five ministers tossed this issue around like a hot potato that nobody wanted to hold on to for too long, and the net result was the tragedy in Walkerton.

I ask you again, Premier, why is it that nobody over there, when we're now aware that at least five of you had some warning about this dangerous loophole—why is it that all five and you, Premier, ignored these warnings and refuse to take responsibility?

Hon Mr Harris: There is all kinds of information there, thousands and thousands of documents that we provided to the inquiry, and it will be up to Justice O'Connor to determine the relevance of any of those documents. We have given him full range, full powers, full opportunity and full co-operation. I'm surprised that, having agreed to that process—at one point I think I offered to allow you and the NDP, through a committee process, to ask those questions and do that, and you said no: "No, we don't want anything to do with that. We want an impartial, independent judge to do that." So that's what we've done. We have an independent judge doing that, and we'll let him make the determination.

POLICE SERVICES

Mr Bill Murdoch (Bruce-Grey-Owen Sound): My question is to the Solicitor General. In our area, we have different police forces, and we've had some difficulty deciding how they should be run. OCCOPS hasn't been a lot of help to us. In my area, I have the municipality of Meaford, which has its own local police force plus OPP. I have West Grey, which has OPP, and Durham. I also have Brockton, which has Walkerton and a police force of their own, plus they have OPP. The act limits them from deciding whether or not they can have hybrid policing. I would like the Solicitor General to give me his views and the ministry's views on hybrid policing.

Hon David Turnbull (Solicitor General): With the proper governance structure, hybrid policing could benefit many Ontario communities. It would certainly allow some municipalities to retain cost-effective hybrid situations. Sudbury is a good example of this. In some cases, communities that have a historic relationship with

a police service would be able to maintain that relationship. I must emphasize that the new adequacy standards for policing which came into effect earlier this year will ensure consistency in policing through each municipality. As such, I believe hybrid policing could be a choice that should be available to municipalities.

Mr Murdoch: From that answer, then, I can assume and I take it that you're in support of hybrid policing, so I guess my supplementary question would be, since my friend and my colleague to my right here has a private member's bill that he'll be introducing very soon and I believe you have seen, will you be in full support of his private member's bill?

Hon Mr Turnbull: Bill 59, if passed, would amend the Police Services Act to add hybrid policing to the list of policing options available to municipalities. It would mandate a single police service board in hybrid policing arrangements, ensuring consistency and preventing duplication. It would allow municipalities more choice. I believe Bill 59 is a good piece of legislation and certainly deserves the support of all members of the Legislature. Yes, I personally do support it.

COMMUNITY CARE ACCESS CENTRES

Mrs Sandra Pupatello (Windsor West): My question is for the Premier and it's in regard to home care. Let me begin by saying that the statement the Premier just made in the House about home care and about funding levels that have not decreased is simply inaccurate and completely false. Let me start there.

Premier, you ordered all of your ministries to come up with their own business plan for the year 2000-01. This is this year's business plan that you ordered for home care. Here's what they came back with. They said, "Ontarians can choose from an increasing range of health services that let them remain in their homes and in their communities." Premier, could you tell me how you can order a plan that comes out with increasing services to keep people in their homes and at the same time sit as Premier as community care access centres are forced to cut services, mostly to seniors and mostly to senior women?

Hon Michael D. Harris (Premier): As you know, with funding increases of 72%, if there's any CCAC saying that, and I understand there are some that are saying that, we're very concerned. We're as concerned as you are and as concerned as seniors would be. That's why the minister has indicated that he is planning to meet with the CCACs. He has looked at a review of how they're operating, how efficiently they're operating, because with absolutely no budget cuts this year from last year and with a 72% increase over the first five years, clearly we ought to be providing more and more services to more and more people. Any logical person would say that should be the outcome with the funding decisions we've made. That may be the outcome, although I acknowledge there are some CCACs that, very early on into the year, are expressing some concerns. We don't

know if it's a shoddy ploy for more money or whether it is legitimate—

Interjections.

The Deputy Speaker (Mr Michael A. Brown): Supplementary?

Mrs Pupatello: No, on a point of order, Mr Speaker: I'd like the Premier to withdraw that inappropriate remark.

The Deputy Speaker: I'm not hearing what the member was excited about, so I'm having some difficulty.

Interjections.

The Deputy Speaker: We'll just wait. Supplementary.

Mrs Pupatello: On a point of order, Mr Speaker: The Premier just referred to my last question as some kind of a shoddy ploy. This is exactly what he is accusing me of, and I want him to withdraw.

Interjections.

The Deputy Speaker: Order. Stop the clock. You know what, we're going to take five minutes to calm down a bit.

The House recessed from 1501 to 1506.

The Deputy Speaker: Supplementary, the member for Windsor West.

Mrs Pupatello: My supplementary is still for the Premier.

Premier, now you accuse the community care access centres, whose job it is, as volunteer boards and communities, to do the best they can for our seniors to allow them to have dignified lives in their homes, and today you say they should thank God every day they live in Ontario, (a), and (b) now you subject them to being called "shoddy ploys" by coming in here and suggesting they're not getting services they need.

Premier, your own review of the Ministry of Health, just tabled yesterday, says specifically that the population growth, aging growth, hospital restructuring, all of these things are causing increased demand for home care, and your funding does not keep up with this need. This report tabled yesterday said that the people are sicker when they're at home today than ever before and your funding is not keeping up with the needs of our parents and our grandparents. For our volunteers to do the best they can, we insist that you do this review—

The Deputy Speaker: The question has been asked. Premier.

Hon Mr Harris: As you know, we have increased funding some 72% for home care to the CCACs since we took office.

I noted that the member raised the issue last week concerning the Niagara CCAC. It was interesting, if I could read the editorial that said when they looked at the facts—this was when you called the member from Niagara stupid, I believe—when the editor looked at the facts, the editor found that funding in Niagara had risen to \$47 million from \$21 million in 1995. They found that the overhead costs had gone up; staff costs went up 17.5%.

What I said was, while we are pouring more and more money into it, and we all have this concern, we have to be very, very careful to make sure that these requests are not a ploy for more money, they're not politics, because if it is, it's very shoddy. It's very shoddy if—

The Deputy Speaker: Thank you. New question.

RESEARCH AND DEVELOPMENT

Mr John O'Toole (Durham): My question is for the Minister of Energy, Science and Technology.

Interjections.

The Deputy Speaker (Mr Michael A. Brown): I'm having great difficulty hearing the member for Durham.

Mr O'Toole: Minister, I know you're well aware that we are in the midst of a knowledge-based economy, and furthermore I know that you're quite aware of how important it is for our researchers in Ontario to be able to work with the state-of-the-art equipment and facilities. Minister, could you tell us what our government is doing to help fund research infrastructure at our universities, as well as other research facilities in the province of Ontario?

Hon Jim Wilson (Minister of Energy, Science and Technology): I thank my colleague for the question. Ontario is home to some of the world's top researchers, scientists and research institutions, and I'm pleased to say that this is due in part to the tremendous increase in support this government has given since 1997 to programs that support research, development and innovation at our universities, hospitals and other research institutions.

One of the new programs is the \$750-million Ontario investment in innovation trust, which this government established in 1999 to invest in leading-edge research equipment and facilities at Ontario's universities, colleges, hospitals and research institutes.

Recently, the board of that trust committed \$90 million for a new initiative that will help ensure that Ontario's researchers have the tools necessary to compete with the best in the world. The new initiative is called the Ontario Distinguished Researcher Awards. The \$90 million will provide infrastructure support and help us reverse the brain drain and make sure our researchers have the best equipment available.

Mr O'Toole: Thank you very much for that, Minister. I know just how supportive you are of our scientific- and knowledge-based economy. You've made it very clear that innovation and investment are very important for our common success in the province. Perhaps you could explain how researchers can apply for these awards in Ontario.

Hon Mr Wilson: The details are being finalized with respect to the Ontario Distinguished Researcher Awards, but we do know that in order to leverage an additional \$90 million from the federal government for research and development, our researchers will apply to the Canadian Foundation for Innovation for their first infrastructure funding and then the innovation trust, through the

Distinguished Researcher Awards program, will consider applications in the province. That way we can double our money and make sure that we attract more of the world's best researchers to Ontario.

We've had tremendous success in the past few years. We need to keep up the momentum and ensure that Ontario becomes the number one place for research and development in North America, which is this government's goal.

AIR QUALITY

Ms Marilyn Churley (Toronto-Danforth): My question is to the Minister of Energy. Minister, your government has just issued its third smog alert this year, and people are suffering all across the province.

During the last alert, when we told you that the Ontario Power Generation was aggravating smog by increasing production at the coal-fired plants to feed the US markets, you said then that the OPG curtails production at the coal-fired plants during smog alerts. Well, Minister, we asked the OPG. They said that on smog days they increase production at the coal-fired plants. Which is right, Minister, you or the OPG?

Hon Jim Wilson (Minister of Energy, Science and Technology): As the single shareholder in Ontario Power Generation, I can assure you that we do curtail production, particularly at the Lakeview plant during smog days. In fact, we had lots of cases last year and the year before where Lakeview was not running at all during the worst smog days, yet we were being blamed for the pollution in Toronto.

Ms Churley: I have a letter dated May 15, 2001, from the OPG responding to an appeal to stop exporting power from the coal-fired plants during smog alerts. They say that they plan to continue to take advantage of US spot market demand. That means boosting dirty, smog-causing production at the coal-fired plants during smog days. It's very clear in this letter, but you just told me again that OPG curtails production at the coal-fired plants during smog alerts.

Will you tell the OPG to stop putting profits before human health? Will you order them, today, to curtail production and stop the export of dirty power from all of the coal-fired plants during smog days? Will you do that, Minister?

Hon Mr Wilson: Again, my answer stands. We do make every effort to curtail using those plants. Last year and the year before—for a number of years now—we've imported more electricity from the United States while we're recovering our nuclear plants. In order to keep the lights on in Mississauga, though, every once in a while Lakeview has to be started up. When there's a smog alert, though, we do our very best to make sure that we not use that plant, that we use the cleaner Nanticoke plant first and all our resources in our nuclear plants first before we have to start up our dirty coal-fired plants. That is the policy of the government, that is the policy of OPG and we do our very best. I would not want to have

to explain to the people of Mississauga, though, why there's a blackout on any given day because we failed to live up to our obligations to deliver electricity to the people of Ontario.

COMMUNITY CARE ACCESS CENTRES

Mr Dalton McGuinty (Leader of the Opposition):

This question is for the Premier. A few moments ago, you accused CCACs of being part of a shoddy ploy to get more money, and if the Premier wants to correct the record and if he thinks I've got it wrong, I'd be delighted to hear from him in that regard.

Premier, you should understand that when we talk about our CCACs, all 43 of them are directed by elected volunteers: people who are community-minded, people who dedicate themselves to the care of our parents and our grandparents in every community right across Ontario. You have had the benefit now of a short cooling-off period. I will now ask, on behalf of all of those volunteers who work on behalf of our parents and grandparents, that you apologize to them unequivocally here and now.

Hon Michael D. Harris (Premier): Perhaps I could repeat some of the challenges that are being faced with the massive increase in money. CCAC funding, as you know, has gone up some 72%—\$700 million to now over \$1.1 billion.

I gave you the example of a CCAC that was raising concerns in Niagara. Here is what the independent third-party editor had indicated: funding had gone from \$21 million to \$47 million, staff salaries increased 17.5%, but no more money was going into actual home care. This is a concern to us.

I said very clearly, and I repeat now for the record very clearly, we have to determine, is this just a ploy for more money that can be wasted? If it is, it's a shoddy ploy. If it is legitimate, we're prepared—

The Deputy Speaker (Mr Michael A. Brown): Thank you. Supplementary.

Mr McGuinty: Premier, you are now making it a regular habit of yours to demean the office of Premier. The only thing that is shoddy here is your continuing disrespect for the people of Ontario.

What I'm asking you to do, once more, on behalf of those people who dedicate themselves to the care of our parents and our grandparents, those volunteers who work for our CCACs, whom you have just demeaned here in one fell swoop, I'm asking you, Premier, to stand up and apologize to those people who dedicate themselves to our parents and our grandparents.

Hon Mr Harris: I don't think any government has done more for seniors than this government has, particularly in the area of massive increases in drug costs, in home care and in building of long-term-care beds and of those facilities. But we clearly have some challenges and some problems out there whereby we're putting millions and millions of dollars more money in and we're not getting as good results as we should get. This is a

challenge and it is something we are looking at. If it is a simple ploy for money, it's a shoddy ploy; if it's legitimate, we'll look at it.

Let me say this: I'm happy to repeat that and I'll tell you why. What I have brought to this office of Premier is telling it like it is, honestly, up front; something that's been lacking from the two parties opposite in this Legislature.

Interjections.

The Deputy Speaker: The member for St Catharines. New question, the member for Ottawa West-Nepean.

1520

INVESTIGATION INTO CHILD ABUSE

Mr Garry J. Guzzo (Ottawa West-Nepean): My question is for the Solicitor General. On July 31, 1998, Detective Sergeant Pat Hall of the OPP, the lead investigator in the Project Truth investigation in Cornwall, signed a receipt acknowledging documentation served upon him by the citizens' committee of that city. As a result of that evidence, an additional 40 charges were laid by Project Truth, following July 31, 1998. These documents are the same documents that were served on two branches of our government on April 8, 1997. July 31, by my calculation, was 67 weeks after April 8. My question is this: as the top police officer in the province, would you explain to this House, to the people of Cornwall and to the people of Ontario, particularly those serviced by the OPP, how this could have come to pass?

Hon David Turnbull (Solicitor General): Information received by the Ontario government relating to any criminal activity is turned over to the appropriate police service. The Solicitor General does not, and must not, direct the day-to-day operations of any police service, including the OPP. Police must be able to conduct their investigations free from political interference. This is a fundamental principle of the justice system.

Mr David Christopherson (Hamilton West): What are you going to do about it?

Hon Mr Turnbull: I find it passing strange that a former Solicitor General would be saying what he is saying. You know it is inappropriate for the Solicitor General to be involved in day-to-day operations.

Interjections.

The Deputy Speaker (Mr Michael A. Brown): Order. I remind members that I need your assistance to maintain order in here, and it would be very useful if members addressed their questions and responses through the Chair as the standing orders require.

Supplementary?

Mr Guzzo: Also to the Solicitor General: two weeks ago in this House, your colleague the Attorney General refused to speculate on how long it might take to provide you and the Ontario Provincial Police with legal opinions on charges still pending. Mr Miller of the OPP has been reported as stating that he has been waiting for over one

and a half years for an opinion on one file. During a recent trial in Cornwall, it was reported that all OPP briefs with regard to these matters were dated 1999 or earlier. This means that at the end of this month all of these opinions will have been awaited for a period of one and one half years.

Minister, you are the client here and the Attorney General is your lawyer. I've canvassed the lawyers in our caucus to see if any of them have known of any situations where we've kept the client waiting one and a half years for an opinion, and I have been assured they know of no such situation. My question is simple: I want to know how long you're prepared to wait, three months, three years or, as in the case of the training school debacle, are we going to wait over three decades?

Hon Mr Turnbull: Legally such an investigation has got to be thorough. Police and crown attorneys must be able to make determinations free from interference from politicians. It would be most inappropriate for me or in fact any member of the government to direct the police or crown attorneys to lay criminal charges against any person. I'd like to remind all members that the book is not closed on the possibility of additional charges.

EDUCATION FUNDING

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education. Minister, today you came to this House with this bill and in it what you are essentially doing is continuing the tradition established by your predecessors. You think you're going to fix problems in education, many of them of your own making, by ordering people around. You're going to boss them, you're going to make them do things and, in this case, you're going to get three-year contracts just because you say so.

The track record of your government is abysmal: five times as many days lost—1.7 million during your government versus the years before. You expect to come up with three-year deals. This year you gave the school boards \$10 million less to operate with than they had last year.

Minister, I want to ask you today—because we want to see whether or not this is a bill of some significance or an intention of any kind on your part—will you provide to the school boards of this province three years' worth of stable, adequate funding for excellent education? Will that come from you today along with this bill?

Hon Janet Ecker (Minister of Education, Government House Leader): First of all, if the Liberal Party's position is that annual bargaining is a good thing for the students, they should say so. But we've heard very clearly from students, from parents, and from teachers, as a matter of fact, that annual contracts have created a great deal of disruption, a great deal of hassle and a great deal of stress for all involved. Some federations, for example, have tried very hard to do longer-term agreements with school boards, and some school boards have done that. We have had unions and school boards that have had

two- and three-year agreements. They've been able to make that work. They've said that was a helpful thing for students and teachers. We agree. This legislation is asking all school boards to do longer-term agreements, three-year agreements, to use the 360 million net new dollars to the education system this year to reach responsible, fair agreements.

Mr Kennedy: It is extremely unfortunate that you had a chance to put forward something that would actually make a difference to students and instead you're continuing on a line of attack. In the same bill today, you take away power from the Ontario College of Teachers. You show disrespect to every working teacher in this province by taking away from there the ability to set standards, which every other profession in this province does.

Minister, you have been neglectful in not defending public education. Your own study from the UN says that the diminishment of the range of programs and services in the public system that we will be able to afford will occur because of your private school vouchers.

Last year, under your watch, 4,400 teachers left teaching in this province due to your particular policies, for reasons other than retirement. The students need peace and they need stability. Will you do something positive? Will you provide for the funding? Will you convene a meeting of the stakeholders to make sure that people have a chance to really have peace? Minister, will you—

The Deputy Speaker (Mr Michael A. Brown): The question has been asked.

Hon Mrs Ecker: First of all, to the honourable member, I meet regularly with all of our stakeholders. As a matter of fact, I had meetings last week and I had meetings again this week. I continue to do that as part of the job.

Secondly, there has been no change in the authority of the Ontario College of Teachers. We should make that clear. But do you know what? The honourable member's party just voted against a piece of legislation that implements what the Royal Commission on Learning recommended: mandatory recertification for teachers. Do you know what the Liberal Party's policy is? All new teachers will be required—a rule, mandatory, the Liberals say—to pass certification exams. Every new teacher will be required to meet a rigorous entrance exam. "We will insist that all teachers continue to improve their teaching skills," said Dalton McGuinty. So here they are, "Let's have recertification, let's have that for teachers," and then they voted against it. The Liberals voted against it, mostly—

The Deputy Speaker: New question.

1530

SAULT STE MARIE ECONOMY

Mr Joseph Spina (Brampton Centre): After the flopping of the halibut from the Liberals, I'm not sure what is happening here.

Interjections.

Mr Spina: It's like a flounder on the beach.

The Deputy Speaker (Mr Michael A. Brown): Do you have a question and to which minister?

Mr Spina: My question is for the Minister of Northern Development and Mines.

Minister, yesterday the member for Sault Ste Marie made a number of accusations of government inaction in his riding. As a former parliamentary assistant, as a person who was born in Sault Ste Marie, as a person who was raised in the Soo, who still has family there and I spend a lot of my personal time there, I've seen positive impacts of this government on that community. Maybe you could outline for the House some of what those impacts were.

Hon Dan Newman (Minister of Northern Development and Mines): I want to thank the member for Brampton Centre for his question. As the Minister of Northern Development and Mines, I've been fighting for projects that will stimulate the northern economy and keep the best and brightest in the north at home.

Since October 1996, the Mike Harris government, through the northern Ontario heritage fund, has committed over \$16 million to 18 projects in Sault Ste Marie. Importantly, this funding has leveraged an additional \$33.4 million and has helped to create 120 direct and 259 indirect jobs in Sault Ste Marie.

We also provided a contribution of \$25,000 toward the Sault Ste Marie innovation centre study, and the Ministry of Energy, Science and Technology approved \$1.2 million toward the GIS component of the technology facility. As well, Premier Harris announced \$2.7 million—

The Deputy Speaker: The member for Brampton Centre.

Mr Spina: Thank you, Minister. Obviously the member from Sault Ste Marie doesn't acknowledge a nickel of the investments that this government puts into that community.

Now he claims that the community needs some extra attention because of the Algoma Steel restructuring. That's an important economic element to that city, and I know the Speaker is also interested because there are people working in that steel mill from his riding. Minister, what are we going to be doing to try to help the community of Sault Ste Marie with its economic development?

Hon Mr Newman: We've made many investments in the Sault Ste Marie area on behalf of the Mike Harris government to build strong northern communities in Sault Ste Marie and across northern Ontario. In fact, last Friday I attended a conference of Great Lakes and St Lawrence mayors in Sault Ste Marie, and had the opportunity to announce a \$100,000 heritage fund contribution toward tourism in the Sault Ste Marie area. I think Mayor John Rowswell of Sault Ste Marie ought to be commended for doing an outstanding job in hosting this conference of his colleagues from across Canada and the United States.

When you look at the unemployment rate in Sault Ste Marie under the NDP in 1993, it was 18.5%. Under the Mike Harris government it has dropped by more than 10%, to a low of 8.2% in February of this year. Furthermore, the NDP removed \$60 million from the northern Ontario heritage fund in order to make their books look better prior to the election.

COMMUNITY CARE ACCESS CENTRES

Ms Frances Lankin (Beaches-East York): My question is to the Premier, and I want to return to his comments about community care access centres. Today, you said in this House that your government has provided not one penny less in funding to community care access centres. I provided you with the example of Kingston, where you're providing \$1.5 million less this year than you funded last year. I provided you with the example of East York, where you're providing \$1.7 million less this year than you provided last year. Let me give you the example of Manitoulin-Sudbury, where this year you're going to be providing \$22.5 million. Last year you gave them \$23.3 million.

Those are real dollars that provided real services to real seniors. Those real dollars are being cut, and those real services are being cut. If you want to review the operation of CCACs, here's another way to do it: provide the funding for the needs-based budgets that have been identified, and then do your review. Don't do your review at the expense of cuts to services to seniors. Please, please, Premier, apologize to CCACs and restore that funding.

Hon Michael D. Harris (Premier): I stand by the statement that there is no budget this year that is any less than it was budgeted last year for any of the CCACs. I think you're talking apples to oranges. You may be talking about some of the deficits. I don't know what you're talking about. The money that we budgeted for CCACs this year is the same as it was last year, and that's the same for all CCACs.

In addition to that, there are some challenges. We understand that and we appreciate that. We have some CCACs that got massive amounts of new money but were not providing more services to our seniors, and we are taking a look at that.

Quite frankly, all is not perfect out there with the delivery of home care. I think when situations like that arise it behooves the minister to take a good look at how the CCACs are operating.

Now, we did have governments here from 1985 to 1995—

The Deputy Speaker (Mr Michael A. Brown): Thank you. Petitions.

PETITIONS

NURSES

Mr James J. Bradley (St Catharines): I have a petition that is to the Legislative Assembly of Ontario:

“Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

“Whereas there is a chronic nursing shortage in Ontario; and

“Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

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

“We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

“Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; and ensure front-line nurses play a key role in health reform decisions.”

I affix my signature, as I’m in complete agreement with this petition.

EDUCATION TAX CREDIT

Mr Rosario Marchese (Trinity-Spadina): To the Legislative Assembly of Ontario:

“Whereas tax credits for private schools will create two-tier education;

“Whereas the government plans to give parents a \$3,500 enticement to pull their kids out of public schools;

“Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

“Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

“Whereas tax credits for private schools effectively create a voucher system in Ontario;

“Whereas the Harris government has no mandate to introduce such a measure,

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

“We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario.”

I support this fully.

ELECTRICITY GENERATING STATION

Mrs Margaret Marland (Mississauga South): I am presenting this petition on behalf of the member for Oakville, Gary Carr, and myself as the member for Mississauga South. Obviously, the member for Oakville, being the Speaker, is not able to present petitions.

This is a petition which reads as follows:

“Whereas Sithe Energies Canadian Development Ltd is actively pursuing the development of an 800 MW electricity generating facility;

“Whereas the 14-hectare parcel of land on which the station is proposed is located on the east side of Winston Churchill Boulevard in the Southdown industrial district of Mississauga;

“Whereas Sithe has stated its commitment to an open dialogue with communities where it has a presence and to being responsive to the concerns of the same; and

“Whereas the government of Ontario has a responsibility to ensure the safety of Ontario citizens and to determine how this facility will impact those who live in its immediate, surrounding area,

“We, the undersigned, petition the Parliament of Ontario as follows:

“That the government of Ontario direct the Ministry of the Environment to undertake a formal environmental assessment of the Sithe project.”

I am happy to add my name to this petition.

NURSES

Mr Michael Bryant (St Paul’s): To the Legislative Assembly of Ontario:

“Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

“Whereas there is a chronic nursing shortage in Ontario; and

“Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

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

“We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

“Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions.”

I happily affix my signature to this petition.

1540

EDUCATION TAX CREDIT

Ms Shelley Martel (Nickel Belt): I have a petition that's addressed to the Legislative Assembly of Ontario.

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and will deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure;

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

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I have affixed my signature to this petition.

DOCTOR SHORTAGE

Mr Gerry Martiniuk (Cambridge): This is a petition to the Legislative Assembly of Ontario.

"Whereas on September 27, 1997, Cambridge was legally designated underserved, having an insufficient number of family doctors for its citizens; and

"Whereas thousands of men, women and children in Cambridge are not cared for by their own family physician and this unfortunate situation exists in other Ontario communities;

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

"That the Ontario government substantially increase the number of family doctors in Cambridge and other underserved areas by:

"1. Permitting substantial numbers of qualified and highly competent foreign-trained family doctors the right to practise in Cambridge and other underserved areas in Ontario; and

"2. Substantially increase the number of available student spaces in Ontario medical schools and require new graduates to serve in Cambridge and other underserved areas in Ontario."

I attach my name thereto.

EDUCATION TAX CREDIT

Mr Dave Levac (Brant): "To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure;

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

"We call upon the government of Ontario to withdraw its plans for two-tiered education and properly fund public education in Ontario."

I sign my name and provide this to our page, Ashley.

Mr Peter Kormos (Niagara Centre): I've got a petition addressed to the Legislative Assembly of Ontario. Come on up here, Adam. You're going to take it to the table for me.

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure;

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

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I have signed that as well, along with hundreds of others.

Mr Bob Wood (London West): I have a petition signed by 132 people.

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

“Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

“Whereas the parents of these students continue to support the public education system through their tax dollars; and

“Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

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

“To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible.”

LEGISLATIVE PAGES

The Deputy Speaker (Mr Michael A. Brown):

When I was introducing the pages this afternoon, I inadvertently neglected to mention Brittainy Nutley of Thunder Bay-Superior North. We want to welcome her.

Start the clock. Petitions.

DOCTOR SHORTAGE

Mr Michael Gravelle (Thunder Bay-Superior North): Thank you very much, Mr Speaker. That was very kind of you.

Premier Harris will be coming to Thunder Bay on Thursday, and we have a petition, signed by 40,000 people, related to the physician shortage crisis in Thunder Bay. I'd like to read it to the Legislature as I have on previous days.

“Dear Premier:

“Our community is facing an immediate, critical situation in accessing physician services and in providing hospital care to the people of northwestern Ontario. While the recruitment and retention of physicians has been a concern for many years, it is now reaching crisis proportions. Training more physicians in northern Ontario is certainly the best response to this problem in the longer term. We are, however, in urgent need of support for immediate short-term solutions that will allow our community both to retain our current physicians and recruit new family doctors and specialists in seriously understaffed areas.

“Therefore, as residents of Thunder Bay and northwestern Ontario, we urge you to respond to our community's and our region's critical and immediate needs. For us, this is truly a matter of life and death.”

Mr Speaker, I'm passing it off to Brittainy Nutley, our hard-working new page from Thunder Bay-Superior North. Welcome, Brittainy.

EDUCATION TAX CREDIT

Mr David Christopherson (Hamilton West): I have a petition addressed to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas tax credits for private schools will create two-tier education; and

“Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools; and

“Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests; and

“Whereas tax credits for private schools effectively create a voucher system in Ontario; and

“Whereas the Harris government has no mandate to introduce such a measure,

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

“We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario.”

I add my name as I am in support of this petition.

WATER HEATER TEMPERATURE

Mr Marcel Beaubien (Lambton-Kent-Middlesex): I have a petition addressed to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas the week beginning May 28, 2001, is recognized as Safe Kids Week in the province of Ontario and we want our children to always be safe, but sometimes children get burned by hot water when they wash their hands or climb into the tub; and

“Whereas we want Ontario to be the safest place in Canada to live, work and play,

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

“To enact or amend such legislation or regulation as necessary to provide for the factory-set temperature of residential hot water heaters to be 49 degrees Celsius.”

I will sign my signature to this.

EDUCATION TAX CREDIT

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I have a petition to the Legislative Assembly of Ontario.

“Whereas tax credits for private schools will create two-tier education;

“Whereas the government's plan is to give parents a \$3,500 enticement to pull their children out of public schools;

“Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

“Whereas tax credits for private schools will take money from an already cash-starved public system;

“Whereas tax credits for private schools effectively create a voucher system in Ontario;

“Whereas the Harris government has no mandate to introduce such a measure,

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

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I will affix my signature to this petition.

1550

Mr Wayne Wettlaufer (Kitchener Centre): Yet again I have hundreds of signatures on petitions from the ridings of St Catharines, Ancaster-Dundas-Flamborough-Aldershot and Hamilton East.

"To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

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

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I am happy to affix my signature.

NURSES

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

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

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

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax

cuts; ensure front-line nurses play a key role in health reform decisions."

This is yet another group of petitions. They now amount to over 12,000 signatures of people who share this concern, and I affix my signature in full agreement with their concerns.

ORDERS OF THE DAY

AMBULANCE SERVICES COLLECTIVE BARGAINING ACT, 2001

LOI DE 2001 SUR LA NÉGOCIATION COLLECTIVE DANS LES SERVICES D'AMBULANCE

Resuming the debate adjourned on June 11, 2001, on the motion for second reading of Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers / Projet de loi 58, Loi visant à assurer la fourniture des services d'ambulance essentiels dans l'éventualité d'une grève ou d'un lock-out de préposés aux services d'ambulance.

Mrs Sandra Pupatello (Windsor West): I'm very pleased to speak to this bill, which the Minister of Labour introduced with great fanfare. I will be sharing this time with the good member from St Catharines, Jim Bradley.

I'm very pleased to speak to this bill. The Minister of Labour stood in the House the other day and introduced it and talked about it as if it were some innocuous little nothing, something that has to happen.

The truth behind this bill, dropped by the Minister of Labour, has fairly wide implications, once again, for our health system. We are looking at a system of emergency medical services around Ontario today that is under siege, like most of the health system, I would suggest, after the Premier's performance today in the House when he dared to suggest that volunteer boards of community care access centres across Ontario are engaging in "shoddy ploys" to access more resources, instead of this government having the real nerve to address the real problems in health care.

The paramedics are just one more group in the line who are having a tremendous amount of difficulty with the crisis created by this government. It began in 1995-96 and has continued every year since Mike Harris took office as Premier. He has cut hospital budgets. What did that mean? We know how interconnected the health system is. We know that they cut those services and then, with great fanfare, launched the restructuring commission that went around Ontario. What did it do? It closed emergency rooms. It closed the very places where paramedics bring sick people. The result of that is that there are fewer emergency rooms for paramedics to bring sick people to and it causes inordinate delays in having

people access emergency services. We all hear the stories in our communities about extended waits.

But from the paramedics' perspective, they have been under stress at their work, realizing they are spending more and more time driving around, with hospitals on critical bypass, because they can't find an emergency room to drop off their sick people. We realize now that they spend more and more time sitting, biding their time in parking lots, waiting to discharge their patients, waiting for the authorization to go out and get other people as more calls come in. All this week we have advanced statistics that prove they are having more and more trouble doing their job.

In the midst of all this, and in the middle of these last six years, the government, under its Who Does What panel, which became just a hodgepodge of services strewn back and forth across the Ontario government and its local municipal partners, decided to download ambulance services. It decided to say to municipalities, to cities and towns across Ontario, "You do it." My mayor in the city of Windsor, who has never been responsible for ambulances before, is now wholly responsible for 50% of the cost and the full responsibility for having to manage ambulance services. It was certainly a novel idea for municipalities to have to run this thing, and there you have it.

After they download ambulance services, they decide to set standards. What we know in our vastly diversified Ontario is that it should take about 13 minutes in semi-rural areas to have an ambulance come your way. In rural areas they say it should be about 15 minutes. In urban areas it should be about nine minutes. What we know now is that even when the Ministry of Health was running the service, these response times weren't anywhere close to being met. So they download the responsibility on to cities and towns across the province and then they say to them, "By the way, you need to get it up to standard."

Now, as we go through the summer, when most of the paramedics across Ontario are looking at the end of contracts and negotiations going on, and realizing we are in the midst of major labour strife just on the horizon because of very, very stressful working conditions created by this government, the Minister of Labour stands up, flamboyant as always, and says, "We are going to take away their right to strike." And guess what? The paramedics don't want the right to strike. The paramedics want to be known as an essential service. Like whom? Like our firefighters, like our police—a service that seems as though it is an essential service. Of course it is. Are they being treated like the police and the firefighters? No. Are they going to be offered the same binding arbitration the firefighters and the police have? No. Does Minister Stockwell understand this? Yes.

Has he allowed any opportunity for hearings? Has he allowed any opportunity for amendments to be forwarded so the groups that are impacted by such a decision—like the cities and towns of Ontario, like the paramedics themselves—can offer amendments to such a bill? No.

He just stands in the House, as flamboyant as ever, and says, "Oh, it's just a nothing bill." In fact, all he says is, "It's about making them an essential service." It's not about making them an essential service. What it's about is trying to catch it early. Take away the right to strike and you know what you're headed for through the summer and into the fall when these contracts come due. This government has once again created such labour strife right across the board in health care by the very people who have to serve our constituents day in and day out with undue circumstances that have changed dramatically for the worse every year of a Mike Harris government, and now, to try to nip it in the bud, he's going to introduce such a bill.

If he were going to do the right thing, he would allow the same conditions that apply to the police and the firefighters. That would be the appropriate thing to do. That is not what this Minister of Labour chose to do. Instead, he's decided to play cheap politics, decided to just say all the right words but introduce a bill that does none of that. Instead, every city and town—whether it's the association of municipalities, which doesn't truly understand what this bill will do—will be the ones to bear the brunt. As municipalities get into negotiations from September onward, they will be left with whatever additional costs come out of the negotiated contracts. Do the mayors or the reeves of every city and town understand the financial implications that they can hardly afford?

We see now what is happening across the province with this grand downloading exercise that has cost them, and as a result the ratepayers are simply paying more. It strikes me and it strikes my neighbours in Windsor that we are paying more for everything, thanks to Mike Harris: more for our energy bills, more user fees, more for our seniors.

1600

Yesterday they decided to start this discussion about drug coverage. Seniors in my own hometown of Windsor are already calling and saying, "Can this be true?" Could this Premier actually support the notion of removing coverage for drugs for our seniors, the very people who have put us here by being long-standing taxpayers to the system? Those are the same seniors who developed the system we all enjoy today and now you want to pull the rug out from under them.

The ambulance workers are no different. They are asking for some very basic things that are very reasonable. They want an appropriate binding arbitration. They don't want this Minister of Labour to make a selection of who the arbitrator is going to be. They want the same conditions that apply to the police and the firefighters, and that's a very reasonable thing to ask for. Anyone who is sitting outside and watching this would say, "How are they any different? They're an essential service like the police and the firefighters. Why should they be treated any differently?"

Behind all of this is the one, true red light that should be flashing now for cities and towns: they will pay and

they will pay more, because the downloading exercise we put our cities and towns through has now landed ambulance service—it is inappropriate, in my opinion, that a service like that should be driven at a municipal level by the local cities and towns. Nonetheless, the province is paying 50% and the cities and towns are paying 50%. But 50% of what? It is 50% of what was agreed to last year, after which we discover that they are not meeting the standards of ambulance service we want, and now, after the fact, we're deciding to sit down and consult on what those standards can be. Guess what? We assume the standards should be higher, because we're not even meeting them now, and the cities and towns will be on the hook for 50% of whatever that is, but the province is going to stick with what they decided to fund last year. Once again, if there was ever an example of a shoddy play, that would be it.

I'm just being informed that I'm able to go a little further in this discussion about ambulance service. We have to address the crisis in our emergency rooms. We have to talk about working conditions for our paramedics. I have spent an hour at 2 am in our emergency rooms, either Windsor Regional or Hotel Dieu. I sit and watch these people coming off the ambulances. I watch the way they work, I watch the rush to get these people in and I am sitting in an emergency room full of people.

We have talked repeatedly about emergency services that have to be there when people need the service. This Ontario government has allowed the system to fall apart. The people who are taking the brunt of that service are our paramedics. The request they are making today for amendments to this bill, to make it reasonable, to make it like the police and the firefighters, is a reasonable request this Minister of Labour ought to consider. Thank you, Mr Speaker.

The Acting Speaker (Mr Ted Arnott): Member for Windsor West, did you indicate you were going to be sharing your time with any of your colleagues?

Mrs Pupatello: Yes. St Catharines.

The Acting Speaker: I recognize the member for St Catharines.

Mr James J. Bradley (St Catharines): I am always pleased to share my time with the member for Windsor West. I think she has outlined very well our concerns about this piece of legislation.

Essentially, I think the public should know that the paramedics in this province believe they should be declared an essential service. We recognize, for instance, that firefighters, police officers and nurses in this province are considered to be essential. All of them are dealing in life-threatening circumstances. In the case of nurses and paramedics, they are dealing with individuals who may have a serious illness or who may have had a trauma that causes them great problems for life and limb.

I think most people in this province would concede, if you asked them, if you went door to door in any neighbourhood, that paramedics are an essential service,

and therefore they would not want to see them exercise the right to strike.

They have said to us and to the people of this province that they're prepared to accept that, and that's a loss of a right they would have. Remember, they're entitled to that right, as are many others who are employees of various employers in the province.

They have said, "We understand we are essential. We're prepared to accept that we will not have the right to strike. What we would ask in return, in fairness, is unfettered ability to have arbitration."

Now the government says, "Well, they're essential in one way and they're not essential in another way, because we're going to let some of them go on strike, but if there's a strike on we're going to allow replacement workers. We're going to allow adjustments to be made to ensure that service is still there." So that the strike, in effect, if they are determining that as an appropriate sanction, is not going to be successful as an appropriate sanction.

So they're saying, "We're prepared to give that up. Please give us unfettered arbitration," and the government has said it's not going to do that. Now they have suggested to the government that amendments be made in three specific areas. I think they're reasonable amendments.

They're looking for guaranteed access to fair interest arbitration; that makes all kinds of sense to me. The board should not only have the power to judge if no meaningful right to strike has occurred; if this is found true, then the board should immediately order arbitration. The other options provided in the legislation—further negotiations, mediation—would likely have been exhausted during the primary bargaining and conciliation stage. It only makes sense to come to that conclusion.

They're looking for fair power of appointment. Where an appointment of an arbitrator is needed, the minister should be required to appoint a trained and experienced arbitrator, not somebody who's contributed to the Conservative Party and that's their only qualification, not somebody who supports the government or is likely to come down on the side of the employer, but someone who is trained in this, who has knowledge in this field, who knows what the issues might be and who can come forward with fair arbitration so that at the end of the day both sides, the employer and the employees, are going to be accepting of it—if not giving it a standing ovation, at least accepting of it. The nature of the arbitration process requires that arbitrators be impartial and independent. There's no government interference, in our view, because if there is government interference, of course, it's not going to be impartial and independent.

I think that's what happens when we have withdrawn the right to strike from people in the province. We've said, "We understand that's a major right that you have and we're prepared to concede then that you should have unfettered arbitration because you have no right to strike under any circumstances."

Third, they've asked that the arbitrators use the same criteria as for fire, police, and health care workers. Bill 58 tacks on extra criteria that those who are paramedics in this province find unacceptable. My colleague from Prince Edward-Hastings last night talked about a couple of areas that were rather interesting. He was looking at the bill and going item by item in the bill on the conditions under which the arbitrators must work. It didn't sound to me like it was either impartial or unfettered or, for that matter, fair, and it seems to me that's what they're looking for.

I understand that the government does not want strikes. I know there are a lot of contracts coming up. I understand the government doesn't want strikes. I understand the employers—whoever they happen to be, municipalities or others—don't want strikes to occur. But I'm going to tell you who else doesn't want a strike to occur, and that is paramedics themselves.

Paramedics, remember, are people who perform not only the transportation of people who are in dire straits, medically speaking, but also administer to those individuals. Often the early intervention of a paramedic, either when they arrive on the scene or during the transportation of a person who's been in an accident or a person who's suffering from a serious affliction or illness, is what makes the difference in either saving that person's life or ensuring that the consequences of the accident aren't more dire, or that the disease does not progress to a worse state.

An example would be, of course, a person having a heart attack, where paramedics administer to that person and often that early intervention makes a difference between that person ending up in pretty difficult circumstances, perhaps incapacitated for life, or even dead—which of course is the worst consequence of all—and that not happening. Their intervention is essential there.

I have not found a paramedic in this province who says, "I would like to go out on a strike," but they do want a fair contract. The only way they get it, either they have the right to strike and utilize that sanction or they're declared an essential service. They're bright people, they're knowledgeable people, they're fair-minded people, they're responsible people, because they know they serve the public. So what they have said to us as legislators is, "We are prepared to forgo that right to strike. Now give us a fair shake."

1610

I don't think you're going to see people holding anybody up for ransom. They're not going to be expecting that they're going to get arbitrators who are going to come down heavily on their side. What they're worried about is that the government is going to appoint arbitrators and a process and put conditions on the arbitration process which result in paramedics in this province not having the fair shake they deserve, either in terms of wages or in terms of working conditions, which are extremely important, or in terms of additional benefits that are negotiated during the contract.

It seems to me that we in this House have an opportunity to address this issue. The government has brought in a bill. I have met with representatives of the paramedics in this province who have said if there were appropriate amendments made, as they have recommended, they could see this bill being supportable. So far I have not had an indication from the Minister of Labour that he's prepared to make those particular amendments to his legislation. This legislation likely had gone to committee very quickly if the opposition had some guarantee the government was going to make meaningful amendments to it. Without those amendments, this bill is simply not supportable because it does not guarantee an unfettered process, a fair process.

When we think of collective bargaining, collective bargaining works most successfully when both the employee and the employer feel there has been a good process, there has been give and take, there have been knowledgeable negotiations, they have had either mediation that has been helpful to them or arbitration which has been helpful in delivering a contract which is acceptable to both sides. So unless this government is prepared to amend this legislation—and I urge them to do so—I think it would be impossible for either of the opposition parties to support this particular legislation.

The Acting Speaker: Questions and comments?

Mr Peter Kormos (Niagara Centre): In the brief two minutes that I have in responding to statements previously made—I should tell you the member for Hamilton West is going to have the floor in just a few minutes—problems: one is, I don't think the Minister of Labour understands what the real impact of this legislation is. The Minister of Labour reads the word "arbitration" and says, "Oh, well, what the heck. That's arbitration." But the arbitration regime being imposed upon paramedics in this bill is not arbitration; it's the farthest thing from it. This bill removes from the historical arbitration process those things like natural justice, those things like equity and fairness that have evolved over the course now of centuries of arbitration history. They call it arbitration, but it's the farthest thing in the world from arbitration.

The bill says that paramedics have the right to strike, but it's rigged so that there is no meaningful right to strike, because at the end of the day the government's Ontario Labour Relations Board sets the level of essential workers so that they'll tell those paramedics, "Oh, yes, you're entitled to one and a half workers, one and a half paramedics, to staff a picket line." So there's no right to strike, there's no arbitration.

Historically in this province, and as a result of the efforts of workers over the course of decades and generations, when workers lost the right to strike as a result of being perceived as essential workers, the counterbalance was fair arbitration. It's as simple as that. The minister can't seem to get that into his head.

The minister has not once met with those paramedics, be they OPSEU paramedics, be the CUPE paramedics, be they SEIU paramedics, who have some very important

things to say to the Minister of Labour. In view of the fact that the Minister of Labour has not consulted with these people, it's the New Democrats' position that there have to be public hearings. Otherwise, this minister is going to be creating a state of crisis and chaos that ain't nothing compared to what we've seen so far.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It is a pleasure to join in the question-and-answer comments this afternoon.

Let me recognize that the ambulance workers, drivers and whoever is involved in that delivery system, are key players in health care delivery. As you may remember, I did make a statement last week about Peel and Halton being among the top three places in Canada for the best health care delivery. I do want to acknowledge that.

I know there is a lot of fearmongering and everything from the other side coming through. What this bill does, the purpose of this bill, as you know—and I want to read it into the record—is “to ensure the provision of essential ambulance services in the event of a strike or lockout.” So we're not taking away the right to strike or the employer to lock out. Very clearly, the purpose of this bill—let me say it again if the member opposite didn't hear it—is “to ensure the provision of essential ambulance services in the event of a strike or lockout.” “It would require employers who,” in this case, “provide ambulance services and trade unions that represent employees involved in providing ambulance services to negotiate an essential ambulance services agreement.” So we're not interfering at all. We're making sure that in the meantime, as it goes on further, the services are provided while they are negotiating.

This bill is pretty innocuous, like the minister said before, and I'm sure he will be joining in the debate later on. This is a very simple bill, in fact, and this is right here. I encourage even people at home to read that.

Mrs Lyn McLeod (Thunder Bay-Atikokan): I very much appreciated the contributions of my colleagues from Windsor West and from St Catharines to this very important debate. I hope it's abundantly clear to anybody who is listening to the debate this afternoon that this government has not protected any meaningful right to strike for paramedics. You can't have a meaningful right to strike when you can't afford to lose the service. There is no such thing as a non-essential ambulance service, not when in the city of Toronto only 10 ambulances are available at any given time to respond to emergency calls. There is no non-essential transfer from another hospital or a nursing home to a hospital, or from a helipad to the nearest available hospital. There's no meaningful right to strike here.

I'm glad that my colleague from St Catharines mentioned the replacement workers provision in this bill. Imagine the offensiveness. First of all, there's no meaningful right to strike, and then you say, “But if you can identify a small group of people that you might allow to be off work for a little while, don't worry, employer, you can use replacement workers.” First of all, it's offensive; second, there are no replacement workers for

trained paramedics. You can't pull a driver in off the street and say, “OK, you're a paramedic.” Our paramedics work in teams. It's not just a driver of an ambulance, if you think you can let the driver go on strike and bring in a truck driver to drive the ambulance. They are both trained paramedics delivering medical care. You can't use replacement workers.

I'm glad my colleague also mentioned the change in the arbitration rules. It's not bad enough you don't give them a meaningful right to strike and you allow the employers to use replacement workers, but you take away any kind of fair arbitration process for what is truly an essential service.

This government knows full well, I say to the member from Welland-Thorold, if that's still the name of the riding, what they're doing. You don't go to court and lose in court because the minister has appointed arbitrators, come back with a piece of legislation that says the minister can appoint an arbitrator and it can't be challenged in court if you don't know what you're doing. This is a very carefully worded clause to make sure that this Minister of Labour would never be challenged for his appointment of an arbitrator again.

Mr Dominic Agostino (Hamilton East): I'm certainly pleased to add to what my colleagues said. When we talk about this piece of legislation, I believe clearly the Tory member across the floor has said it's just an innocuous, minimal piece of legislation, which obviously shows how seriously this government takes the concerns and the role of paramedics in this province. If you read the comments in the last few days from my colleagues, they keep talking about how essential the services of paramedics are across Ontario, how they equate them with the essential services of firefighters and police officers. They make it sound so wonderful, so warm and fuzzy.

All the platitudes in the world and all the niceties that you express are not matched by the legislation you have across the floor. What in effect you have done is taken away the right to strike to a significant degree. You're saying, “Well, you can kind of strike but you kind of can't; you can kind of have arbitration but you kind of can't have arbitration.”

The simplest thing for this government to do would be to withdraw this piece of legislation and bring in a piece of legislation that would put paramedics on par with the same arbitration process that is used for firefighters, that is used for police officers.

If you truly respect the work they do, if you truly believe that this work is essential—and I believe it is. I believe their response to an accident, to a heart attack, to a serious situation in this province and their intervention often means the difference between life and death for Ontarians. That is pretty basic, that is essential and it is necessary.

1620

Paramedics I've spoken to have said, “Look, take away the right to strike. Put in a fair process, though, because we understand we're essential. We understand

the community cannot carry on, cannot function, cannot be expected not to have this type of service.” But if you’re going to do that, and you should, put them on par with police officers and firefighters. Treat them with dignity and respect, not simply niceties in this House and then give them the back of your hand with this piece of legislation.

The Acting Speaker: The member for St Catharines has two minutes to reply.

Mr Bradley: Thank you very much to all the members who had a verbal intervention this afternoon in response to the speech from the member for Windsor West and my own. I have a concern about this kind of legislation because I know if I tried to get some information to find out what was behind this, and I had to go through the freedom of information process—I was reading in the freedom of information commissioner’s report this afternoon that apparently if an MPP from the opposition or a member of the news media or an interest group asks for information, it’s red flagged and all kinds of things happen to delay us getting that information, and it costs all kinds of money to get it, information that you and I as elected representatives would feel we would be entitled to.

I also worry about the level of consultation—

Interjection.

Mr Bradley: Well, it depends on how it’s administered. My friend the Solicitor General intervenes and, of course, what has happened, since he provoked me into this—you know I didn’t want to do this, but since he provoked me into this—

Interjection.

Mr Bradley: I’m just quoting what the commissioner has to say, a totally independent person. She’s very worried about the freedom of information process because it’s red flagged, there are all kinds of roadblocks put in the way of getting this information.

But dealing with this specifically from another aspect that one of the members mentioned, consultation, to my knowledge, paramedics in this province were not consulted in any meaningful way. In fact, they weren’t consulted at all before this legislation came forward. I think that’s important. Even if you don’t accept absolutely everything they said, surely you owe paramedics in this province the courtesy of that.

I’m worried about the whole health care system when I hear the Premier this afternoon talk about a shoddy ploy by the board of directors of the community care access centres to get more money, then I see what’s happening in the hospitals and now I see what’s happening to our paramedics. I’ll tell you, it doesn’t paint a very optimistic picture in the field of health care in this province.

The Acting Speaker: Further debate?

Mr David Christopherson (Hamilton West): Let me just say at the outset that, again, thanks to Mike Harris’s rule changes in denying democracy in this place, we just went from a bare minimum of 20 minutes that each of us was allowed as opposition members to speak to a very important bill down to 10 minutes. So, thanks again for

the opportunity and rights, the scraps that you leave for the opposition.

I also want to say that this government—and it’s interesting the Solicitor General is in the House at the time—likes to talk about being law and order. Most people think of that as being, “911, I need the police; 911, I need the fire department.” What I’d like to know is, what happened to the third part of that, which is, “911, I need an ambulance”? In terms of law and order, that’s just as important. But you won’t treat paramedics the same way that you treat firefighters and police. Why? What’s the rationale?

The emergency response that we expect from these workers is just as onerous as it is for police or fire. The consequences of their actions are life and death, just like police and firefighters. They put their lives on the line, when you think about what paramedics do to get from point A to point B and the risks they take on our behalf. This government says they want to thank firefighters for that and thank police officers, which they should, but it begs the question, why aren’t paramedics treated the same way? Is it because they belong to OPSEU or CUPE? Is it because you don’t think they’re as important?

There are two-minute responses after I’m done. I would like any one of the government members here, minister or backbencher, to tell me and my constituents and the paramedics that are here today why they aren’t treated the same as firefighters and police, when we as a society demand from them the same sort of action and responsibility that we do from firefighters and police.

How insulting that you would bring in legislation that deals with the process of negotiations for the wages and benefits of paramedics and you didn’t even talk to them ahead of time. How do you justify that one? Boy, I’ll bet you wouldn’t do that with the police, and you sure wouldn’t do that with the firefighters. Why do you think it’s OK to do that to paramedics? Why? They’re here today. Any one of you stand up in your two-minute response and look them in the eye and tell them why it’s OK to treat them as second-class citizens when it comes to the emergency response people and network that we have in this province.

You’ve put together a process that allows no opportunity for real, fair negotiations. It’s insulting that any of you would suggest that this is a straightforward bill; it’s anything but. It’s clear what you’re doing and, to a large degree, why. You downloaded ambulance services to municipalities. At the time, you said that all the downloading was revenue-neutral, and we know that’s not the case, because even one of your own members, former member Toni Skarica, voted against your legislation because he said it’s not revenue-neutral. So you dumped all these responsibilities on the municipalities, and now they’re rising up and saying to you, “We can’t meet the demands that are being placed on us, because you didn’t give us the money. You gave us the responsibility, but you didn’t give us the money.”

So this is one of the things you're going to do for those councils that either decide this is what they want to do or that they have no other choice, but for councils that decide to hard-line it in negotiations with paramedics, the management side of negotiations has a distinct advantage because of the process. Let me say, and I want to underscore this message to all those trade unionists who think that their responsibility as an elected trade union leader ends at the bargaining table, what you do at the bargaining table is decided right here, and right now there is a law proposed that is going to leave paramedics at a distinct disadvantage.

For those few people to whom you do give the right to strike, if they ever get to that point, and I've got to tell you I'd be really surprised if that happened, but if that did happen, your law continues to say that scabs are OK in the province of Ontario, because you're the ones who repealed the NDP law that said scabs are illegal. Let me remind my Liberal colleagues when they want to talk about replacement workers, they support allowing scabs in the province of Ontario. So I suggest to you that you don't have a lot of room, Liberals, to be talking about scabs or replacement workers and whether that's right or wrong.

Now let me talk a little bit about this arbitration process that's in here, this nonsense. Imagine, we have a law that gives the Minister of Labour certain powers and authority under certain circumstances, in this case the ability to appoint an arbitrator if the two parties can't agree on one. This law says that no one—no one—has the right to take that minister and his or her decision to court because they feel they've been wronged. One of the basic, fundamental tenets of democracy is the absolute requirement that governments take actions that are deemed to be lawful only.

1630

If a citizen believes that you've done something that's not lawful, we, as citizens, have the right to take you to court, except in this case. You don't have the right to appeal the imperial decision of the czar of labour of the province of Ontario. Why is that? Because when the unions challenged your previous decision to appoint retired judges—as fair, as smart and as caring as they might be—the unions appealed that decision, your ability to appoint retired judges, because they knew that you have to have a certain level of expertise and experience to deal with labour issues. They are unlike anything else. The courts agreed. They said, "Do you know what? The government really is not being fair when they appoint these retired judges," so the courts overruled the Minister of Labour.

This government doesn't like to be overruled by anybody. How dare anyone suggest that Mike Harris and company can't do whatever they bloody well please? So this law now has a clause, like many others I'm afraid, more and more, that says that once the Minister of Labour makes an appointment of an arbitrator, no matter who it is, no one has the right to take that minister's

decision to court. Where is the democracy? Where is the fairness? Where is the natural justice?

You don't talk to anybody who is involved in this. Maybe you talked to AMO; you probably have. But you didn't talk to a single representative of the paramedics, not one. You've put in place a negotiation process that effectively handcuffs those workers from having the same rights to negotiate a fair collective agreement as their most immediate comparator, and that would be firefighters and police.

Then when we get down to the road that's supposed to supply some kind of fairness, where you deny people the right to strike because it is deemed to be an essential service—and that concept is not one that anybody opposes—that takes us to the issue of arbitration, and I've just outlined where you've denied those paramedics natural justice in terms of the appointment of an arbitrator. How are they supposed to win? How are they supposed to get a fair deal? Answer: they aren't. You never intended for this to be fair. You never intended for the rights of paramedics to be supported. You're going to ram this through and stomp on more workers' rights, just like you've done every year you've been in office.

The Acting Speaker: Questions and comments?

Mr John Gerretsen (Kingston and the Islands): Let me first of all say I'm surprised that a government member isn't getting up to at least answer the very simple question that the member just posed, because I agreed with just about everything he said. I think the member for Hamilton West is right on with just about everything he said today. I know he feels very passionately about employee rights in this province.

I would like to know as well, why didn't they talk to these people? For the life of me, I cannot understand when any government, of whatever stripe, wants to make changes in laws that affect certain people directly, why they wouldn't talk to those people. It's beyond me, it's absolutely beyond me.

I've got a letter here that is dated June 11 from Roberta Scott, who I understand is a former media relations officer of the Ontario Paramedic Association. She puts it in very simple terms. She said:

"We ask, out of respect for our profession and the 'essential services' that we provide, that you take the time to consult with us, listen to our specific amendments, and provide a more equitable and balanced bill for paramedics. Our hope is that after being given the ability to add some important input and amendments to Bill 58, it will become a bill that the Ontario Paramedic Association can publicly support and endorse."

You would think that would be the wish of any government, unless you're doing something to undermine the very people that your bill deals with. As far as I'm concerned, from reading the bill and from the argument that's been given, that's exactly the case here. The rights of the Ontario paramedics are not being enhanced, but in effect they are being denied in this bill. They are being shortchanged.

Hon David Young (Attorney General, minister responsible for native affairs): I appreciate having an opportunity to enter into this discussion. It is a good discussion. I should pause to reflect on how, from time to time within this chamber, things seem upside down and topsy-turvy. Parties that by and large are here to advocate for individuals to have broader and very liberal strike rights and work disruption ability in order to achieve a collective agreement, on other occasions come forward and suggest that right should be taken away in certain circumstances.

As my friends opposite, most of whom were here some time ago when they were in government, will likely remember, it is a difficult issue in which one must balance issues of service to the public with what is indeed a very important and very fundamental right within our society, one that allows for commerce to continue, one that allows for there to be labour peace and security, one that allows for rights to be reflected and properly maintained. As a government, one must come forward and balance the rights of individuals and organizations to strike in certain circumstances and, at the same time, to protect the public.

We believe this proposed legislation is a reasonable balance. It is not going to satisfy everyone out there, but as anyone who has ever been in government will understand, you can never satisfy everyone out there. You must do what you think is right in the circumstances, and that's what this proposal represents.

Mr Agostino: In response to comments made by my colleague from Hamilton West, he explained well the pitfalls in this legislation. I am somewhat astonished to hear the Attorney General talk about this government being concerned about the rights of workers or about protecting the right to strike. Please, don't do paramedics any favours. This is a government that has had a brutal record of beating up on working women and men across this province since the day it took office. Every piece of labour legislation has been detrimental to the people who work in Ontario. It has been in the interests of big business.

Now we have the government suggesting, "Gee, we're interested in protecting the right to strike." That's garbage and hogwash. This is not about protecting a right to strike. The paramedics have said, "Treat us fairly, give us a fair process, and you can take that right away because we understand how essential we are to Ontario." Nobody would suggest that police officers, nurses or firefighters should be able to go on strike. So for this government to try and lecture people in this House about protecting workers' rights, forget it—because your track record has shown that you're against working men and women and collective bargaining across Ontario.

Now you have an opportunity to treat a very important group of dedicated Ontario workers with the dignity, the respect and the rights they deserve. What you're doing with this piece of legislation is basically tying one hand behind their backs, putting a blindfold on them and saying, "Go in there and fight."

As I said before, there's a very simple solution. I don't understand why this government will not acknowledge the essential service these men and women provide every day and treat them with that dignity and respect. Nobody across the floor has yet said, and maybe in the next 20 minutes someone can tell us why they want to treat them differently than firefighters and police officers. You have 20 minutes so maybe somebody will address that—or 10 minutes; you have to cut it off.

1640

Mr Gill: It's my pleasure to join in the debate. One of the things the member opposite just said is as if this government is very bad for workers. To bring up this thing about working families, let me stress again: the best thing that has happened to working families is the Mike Harris government. I think it goes beyond saying. The reason I say that is because we have created more than 800,000 jobs, and that is the best thing that can happen to a working family.

Similarly, the best thing that has happened to the people who were dependent on welfare is Mike Harris's government. They now have a choice; they have work they can go to.

Health care is getting better, as I said before, in the last two-minute hit. In my riding, Halton-Peel has been chosen as the third-best in the whole country.

This bill does not take away any rights from the ambulance workers. This bill actually puts into law the practice that has been going on for the last 35 years in the city of Toronto. It's not taking away any workers' rights. They still have every right they had before. They can go to arbitration. We're going to make sure the services, which are very, very important services, are available. They are part of that equation: the doctors, the nurses, the health care workers. So I'm very happy to bring this housekeeping bill to the front and to be able to support that bill.

The Acting Speaker: The member for Hamilton West has two minutes to reply.

Mr Christopherson: Let me say to the member from Bramalea-Gore-Malton-Springdale, who just spoke, that it's so insulting to say this is housekeeping, so insulting. I don't know how you can do that. Do you think these individuals would be here if this was a housekeeping bill? Give your head a shake.

I want to thank the members from Kingston and the Islands and Hamilton East for their comments, but I want to direct the limited time I have to the remarks of the Attorney General.

I'll tell you, it sends a bit of a shiver down my spine that the Attorney General of the province of Ontario would stand up and talk about fundamental rights, about balance and about how difficult it is to find the right balance of rights among individuals and the public.

The first responsibility, if you're honestly looking for balance, is to talk to the people who are involved. How can you honestly believe a fair-minded person will think you actually care about fairness and balance when you don't even talk to the people who are involved? That is

so insulting. Attorney General, you either put your reputation on the line defending something that was on a piece of paper and you really didn't know enough about this bill, or you actually believe it. In either case, it's frightening to think that an Attorney General of Ontario would conduct himself or herself in such a fashion in this place. It's absolutely disingenuous for you to suggest you're supporting the right of paramedics to strike. You've got this whole formula in place that is meant to ensure that at the bargaining table paramedics do not have the same rights as other workers.

If we are going to declare them essential services, why don't they have the same arbitration rights as firefighters and police? Why don't you treat these emergency response workers the same as the others? I challenged you at the beginning; you didn't do it. And it's for a very simple reason: you can't defend this bill.

The Acting Speaker: Further debate?

Mrs Tina R. Molinari (Thornhill): It's a pleasure to be taking part in this debate on Bill 58 this afternoon. I think when we talk about essential services—and it's been mentioned by a number of members in this House—that ambulance services are in fact an essential service.

I want to clarify some of the comments that have been made. The member for Hamilton West, David Christopherson, commented on a clause within the bill, section 20(13). It reads: "No application shall be made, taken or heard for judicial review of or to question the appointment of an arbitrator or replacement arbitrator under this section or to review, prohibit or restrain any of the arbitration proceedings." I want to clarify that the same provision has existed in the Hospital Labour Disputes Arbitration Act since 1972. Why? It's to ensure decisions are not overturned by the court unless they are unreasonable. So that needed to be clarified.

There are a number of issues brought forward in this debate that are not totally clear and within the context of what we're discussing. When we talk about how essential it is to have ambulance services, if there is someone in need, if there's a pregnant woman who needs to get to the hospital and calls an ambulance, it's essential that that woman be able to get an ambulance. Someone who has a heart attack and calls an ambulance—that's essential. It needs to be there for the people of Ontario.

This has existed in Toronto for a very, very long time. Now that the municipalities are taking over the ambulance services, it's important, to be able to now provide the essential service, that ambulance workers be removed from those who are able to strike. What this does is allow negotiation of an essential service agreement prior to a legal strike or lockout. It provides for those who have the responsibility—the municipalities and those providing the service—to come up with an essential agreement. It's not a forceful type of legislation. It's enabling and allows an agreement to be reached so the service, which is essential—and I think everyone in this House agrees it is essential. What it does is provide for an agreement to be made.

We've talked a bit about how important it is to have ambulances available for us. The minister has indicated many, many times in this Legislature that this is a bill that will be enabling. It's a bill that has gone through extensive consultation. The government consulted with key workplace stakeholders, including the Ontario Public Service Employees Union, crown ambulance operators, the Association of Municipalities of Ontario and the Ontario Hospital Association.

The Ministry of Labour staff met with OPSEU on this very issue on October 26, 1999. So when those in this House question the minister's commitment to consulting and listening to the stakeholders involved, I really question how much knowledge they have as to what our minister is doing.

When OPSEU was asked what is the appropriate method of dispute resolution for ambulance workers, OPSEU's position was that arbitration is best. As a government, we must find a balance between the need to protect the public safety and the need to be responsible to taxpayers.

We are here this afternoon discussing a very, very important and essential bill, so I am pleased that a number of speakers have contributed to the discussion. I'd like to just go back a little while on how this came about—the framework of how this bill came about.

On January 1, 2001, the province transferred responsibility for operating land ambulances to the municipalities as part of the local services realignment program. With this transfer, the majority of ambulance workers in the province now have the unfettered right to strike under the Labour Relations Act, 1995. This legislation would safeguard public health and safety in the event of an ambulance service strike or lockout, as well as balance employer and employee interests in collective bargaining. It would create a framework for resolving labour relations disputes, which requires that prior to any strike or lockout, an essential ambulance services agreement be negotiated between the employer and the employees.

It would define the essential ambulance services that must be maintained to ensure public health and safety objectives are met. It would give all the parties access to a conciliation officer and the Ontario Labour Relations Board for assisting in creating these agreements. The Ontario Labour Relations Board could then direct the parties to continue negotiating, refer the parties to mediation, amend the essential services agreement or order all outstanding matters to binding arbitration. The right to strike would be maintained, but critical services would continue to be delivered. Those who are continuing to deliver these critical, essential services—which is what we all agree to, that they are essential—the negotiations for the labour agreement between the two parties would continue. Once the negotiation was completed and an agreement was reached, then those who had been continuing to provide that essential service would also benefit from that negotiated agreement.

1650

Historically, ambulance services were operated by three types of employers: the hospitals, crown agencies and the municipalities. Prior to divestment, 1,000 paramedics were employed by municipalities, largely in the city of Toronto. Services run by hospitals fell under the Hospital Labour Disputes Arbitration Act, with no right to strike; it was mandatory arbitration at that point. Services run by crown agencies fell under the Crown Employees Collective Bargaining Act, with a conditional right to strike; essential services agreements need to be in place prior to any legal strike or lockout.

As a result of the transfer in January 2001, most ambulance workers now fall under the Labour Relations Act and therefore have an unfettered right to strike. Of 88 ambulance service providers in Ontario, 26 have the right to strike, 32 services operated by hospitals have no right to strike and 30 services operated by crown agencies have a conditional right to strike.

I want to share some of the issues that have come up in my riding of Thornhill. One constituent called an ambulance and needed the ambulance right away because her father was having a heart attack. He had been ill for quite a while. They found the ambulance service was very responsive to their needs. She spoke to me and said that if there were ever to come a time when they wouldn't be able to get the ambulance when they needed it—if she wasn't able to get the ambulance at her door when they needed the ambulance for her dad, her dad would not be alive today. They are very grateful and they believe the essential service needs to be there.

If the ambulances were on strike and the paramedics were on strike, there would be no one there to provide this service for those who need it. Of course, one could get into their car and drive to the hospital, to the emergency, and take them there, but one does not know all the needs of a patient when they're ill. If a patient has a heart condition, they don't know how they're supposed to move the patient to get them into the vehicle to get them to the hospital. That's why we need paramedics and that's why the paramedics and the ambulances are essential, so that we can provide the best quality of active service for all the people in Ontario.

Many have said this is essential, so we all have an agreement on that. It's a matter of how we, as a government, are in a position to make changes, to make what is needed for the constituents and all of the taxpayers in Ontario, to provide that service for them. We believe this bill will do that.

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I just listened to the last speaker and I don't think everything is as rosy in all of Ontario as they suggest. If you want good employees, you have to listen to them and you have to have meetings with them from time to time. A little bit of give on both sides makes a happy employee, and this government doesn't do that.

They've taken on the nurses, they've taken on the teachers and they've taken on the hospitals and the ambulances. It's just one turmoil right after another. The

municipalities: this whole thing got off to a wrong start initially in our part of Ontario, where the upper-tier municipality was supposed to provide this service and that didn't happen at our end. It was the united counties of Stormont, Dundas and Glengarry with an upper-tier government and they were supposed to handle it, but I guess in the past two years there was some political dealing; anyway, it didn't go to those municipalities.

This government hasn't had a success story on working with employees and people who try to provide an essential service. You've got to have happy employees if you're going to get the service. It doesn't hurt to sit down and listen to what they have to say. If everybody gives and you listen to each other, a lot of good things will come out of it.

I know these people who came here today didn't come because they wanted to, but they think they have something to offer. I just wish the government would finally sit down and talk to many who provide the service and make Ontario what it is today, because everyone can learn.

I know we need them. We need the teachers, we need the hospitals, we need everything, but we all have to work together, and everybody will have a better province if that happens.

The Acting Speaker (Mr Bert Johnson): I wanted to remind those in the gallery that there is absolutely no response or movement or anything like that.

Mr Christopherson: It's interesting that in her remarks the member for Thornhill at no point attempted to answer the question that I posed and that I think is at the heart of this. That is, why do you want to treat paramedics differently than firefighters and police, all of whom respond to 911 emergency calls and all of whom have life-and-death decisions to make in terms of the course of their work every day? Please tell us why it's OK to treat paramedics differently, as second-class citizens, from firefighters and police. If you could explain that differential, then maybe some of your arguments would hold water. But in the absence of that, you're trying to defend the indefensible.

It was interesting and very telling that the member for Thornhill said the dilemma you faced as a government was that you had to balance the rights of the individual workers—the paramedics, in this case, and I wrote it down—and the need to be responsible to taxpayers, which was your rationale, I suppose, for why you've taken such a heavy hand with them.

My question would be, why don't you pose the same formula about firefighters and police? Stand up in your place and say, "We had to balance the rights of the individual workers and the taxpayer rights, and therefore we're not going to continue to give police the process that they have for achieving a collective agreement and we're not going to do it for firefighters." You can't do that and you won't do that, because you cannot defend that argument.

Lastly, the member talked about a meeting that took place on October 26, 1999. This is 2001, for goodness'

sake. Don't try to write off that as some kind of consultation.

The Acting Speaker: Comments and questions?

Mr Bob Wood (London West): I thought the member for Thornhill gave a very balanced and well-reasoned argument in support of this bill. What I took from what she said was that she felt it was a very important aspect of life in Ontario that one have the right to strike, where possible, and the right to free collective bargaining. She felt that could only be taken away where it was absolutely essential and in the public interest to do so. I thought she gave quite a good outline of the background of this bill and that she gave a rather compelling story. I think lying below what she said is this: it is possible to give ambulance workers the right to strike while at the same time protecting the public interest. Surely, that's only fair to them and fair to the people of Ontario. I found her arguments to be well-reasoned, well-thought-out and quite convincing.

Mr Christopherson: That's why the paramedics are here today. They want to express their thanks.

Mr Wood: I'm sure they will. As a matter of fact, when we have a chance to look back on this legislation—say in five or 10 years' time—I think we're going to find it has worked very well. Essential services agreements are not new to this province, and essential services agreements have worked very well and turned out to be, in the right cases—and I think this is one of the right cases—a very effective balancing of the right to free collective bargaining and the right of the public to the provision of essential services.

The member for Thornhill will have a chance to speak for herself soon. I thought she made a very clear and convincing case in favour of the bill and I thought she gave a very good outline of the background of events leading up to the bill. I congratulate her on it.

1700

Mr Rick Bartolucci (Sudbury): This is an issue of fairness and clearly the Ontario Paramedic Association is not being treated fairly. The government refuses to meet with them, to consult with them. They want to work with the government to provide for something that is in the best interests of everyone concerned here. These are dedicated individuals, professionals who want to help the government. That's why they're in the gallery today. They're crying out to this government, "Consult with us so that we have something in place that serves everyone's needs."

Well, this is the answer you're getting: the government is going to introduce a time allocation motion tomorrow on this bill. They are effectively cutting off debate. This bill will not go to committee, as you have requested, quite rightly. So it's not going to happen. There's going to be one day for clause-by-clause and then there is going to be 90 minutes for third reading. It is an issue of fairness, fairness for all, to protect the interests of all.

The Ontario Paramedic Association is asking for this government to listen to them. The response from this

government is, "No, we've decided how we're going to do it. Your input isn't important. The input of the professionals in the field isn't important." I say to this government, once again you have shown your disdain for the professionals who are working in this province but, more important, you have shown your disdain for the safety and the well-being of Ontarians at large. Quite frankly, the people in Ontario are getting tired of it.

The Acting Speaker: The member for Thornhill has two minutes to respond.

Mrs Molinari: I'd like to thank the member for Stormont-Dundas-Charlottenburgh, the member for Hamilton West, the member for London West and the member for Sudbury for entering into this debate this afternoon.

The government has chosen this approach rather than, for example, arbitration or ruling out the right to strike, because this approach balances the concerns of all key stakeholders. It encourages productive employer-employee relationships, which are promoted through freely negotiated collective agreements, and which include the right to collective action. Municipalities will be able to choose the method for delivering ambulance services in the most efficient manner to meet the local needs and priorities.

In developing this unique initiative, the government took the best elements from various jurisdictions while continuing to make public health and safety its highest priority. I believe everyone in this House holds that as the highest priority. I think it's safe to assume that everyone in this Legislature, indeed in the province, values the quality of health care. We've heard debates here in this Legislature often about the value of health care and the importance of it. As long as this is so, it is of utmost importance to keep in mind that in order to provide that kind of care, we must call ambulances an essential service and enshrine the declaration in the labour legislation.

These are the reasons that I'm going to support Bill 58, because it's important that this service, that remains essential, that provides for the needs of those who are ill, the needs of those who are in crisis, be able to respond to those needs and be able to save lives, because that's what these people do: they're able to save lives.

The Acting Speaker: Further debate.

Mr Gerretsen: The last member keeps talking about the fact that the ambulance service that we have in our communities is an essential service, and we all agree with that. The question that we've had this afternoon on an ongoing basis of the government members is, "Why don't you treat this essential service in the same way that you treat other essential services, such as the fire services, such as the police services, such as nurses in hospitals? Why don't you treat them exactly the same?" Not one government member, not one, has answered that question directly. That's what the people in the province want to know. It's a little bit like question period here, you know. Sometimes you can ask the most direct question of the Premier or of the cabinet ministers and

you don't get any answers either. This is exactly the same, and we still come—

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): And you're still screaming.

Mr Gerretsen: Yes, because we believe in democracy. We believe in holding you accountable, and the people of Ontario are going to hold you accountable two years from now, that I can guarantee you.

I'll tell you one thing. The remark that the Premier made in this House today about the community care access boards, the boards of the volunteers that deal with the community care money that's required for people for their in-home services today, when he called them in effect—what was it again?—a shoddy operation, or said that this was a shoddy way in which they were trying to extract more money out of the government, I think is deplorable. But I'll tell you something that's even more deplorable, and that is the comments that were made by the Premier here last week on a number of occasions, when he said that he was the Premier for the working people and the employed people of this province. By inference, he meant that he did not care about the unemployed people and the vulnerable in our society. You never ever hear anybody in this government, any of the ministers, talk about those people out there who need our help.

That's what community is all about, that there are some people in our society who, for whatever reason, are not able to make it, who need medical care, who may need educational care, who need health and social services. Those people are never talked about by this government. I maintain that if you want to be a good and effective government, once the election is over you govern for all the people of this province; you don't just govern for those people who are somehow able to make it in life. I think those comments that were made by the Premier here last week on a number of occasions shocked me and shocked the people that I spoke to, because I've always had the belief that once you're elected to government, you govern for all the people.

Getting back to this bill again and the lack of consultation, I cannot for the life of me understand how a government can bring forward a piece of legislation that affects over 4,000 people directly, namely the ambulance workers in this province, and every one of us indirectly when we need an ambulance for ourselves or for our family in case of an emergency, whether it's at home or whether it's on the road or whether it's somewhere else in this province—how these people, all of us, can be treated with disrespect by this government, how they could just bring a bill in and never talk to the people who are directly involved.

We heard some lame excuse that there was a meeting in 1999—I believe she said October or November, 1999—over a year and a half ago. This bill was introduced on May 17 this year. Where was the consultation? And the letter that we all received from the Ontario Paramedic Association—and I received it from a

Roberta Scott, who I understand is a former media relations officer—says it very, very clearly and directly. It says:

“The bill as it is currently written falls far short of providing the paramedics of this province with a fair and equitable system of binding arbitration to adequately compensate for taking away our right to strike.

“We would like to request that Bill 58 be sent to a committee and public hearings....”

We already know that's not going to happen. The government has just, within the last 10 minutes, filed a time allocation motion, which means that the next time this comes up for debate, at third reading, there will be 90 minutes of debate after one day of hearings dealing strictly with the clause-by-clause consideration—by “one day” they basically mean two hours—when the committee members will go through the bill clause by clause. So there will be no public hearings. This government isn't interested in hearing from the public on this bill. They're not interested in hearing from the paramedics on this bill.

1710

She goes on to say, “We ask, out of respect for our profession”—it is a profession that the paramedics have; they deal with very unusual and difficult situations and they deserve our respect and our consultation when we change their working relationships—“and the ‘essential services’ that we provide, that you take the time to consult with us, listen to our specific amendments, and provide a more equitable and balanced bill for paramedics. Our hope is that after being given the ability to add some important input and amendments to Bill 58, it will become a bill that the Ontario Paramedic Association can publicly support and endorse. The bill should become one that formally recognizes and declares paramedics as an ‘essential service,’ while providing them with an acceptable system of binding arbitration. We only ask that you afford us the same professional recognition and respect that all other essential services in this province have already been given, no more, but no less.”

What can be more reasonable than that? This government said, “No, we know better. We're not going to talk to you. We'll bring in the law and that's it.” What is interesting, of course, is that with the law they've brought in, and with the arbitration rules this government has already implemented in various pieces of legislation, they've gone one step further. They have in effect said that if the two groups in a negotiating situation cannot come up with an arbitrator, they are going to appoint the arbitrator and that arbitrator cannot be challenged in court.

As has already been pointed out earlier this afternoon, this is an impossible situation. What gives anyone the right to take away our democratic right, as individuals and collectively, to take a matter to court that we feel is justified to be taken there? It could very well be that the court would say, “No, you're wrong. We don't agree with you on that.” But this bill specifically denies people

the opportunity to take a matter to court. That is a denial of our basic democratic rights.

There are so many things to talk about in this bill, but with the current rules that were pushed through this House by this government, not on a consensus basis but just unilaterally, the debate each one of has on a bill like this has been limited now to 10 minutes. That's terrible because this bill affects an awful lot of people. It affects not only the 4,000 individuals who work as paramedics in this province, but each and every one of the citizens of Ontario could be affected by this in one way or another. It is just another example of, this government knows best and it's going to implement a law whether the people who are directly affected like it or not. That's the way the teachers have been dealt with in this province over the last five years, and that's the way the nurses have been dealt with over the last five or six years. This government just does it, it knows what is good for everybody and it doesn't want to hear from anybody. That is wrong.

The other issue, and it's too bad I haven't got any time to talk about it, is the whole municipal issue. Ambulance services were downloaded on to local municipalities. They didn't want it. It's a health service. It should be paid for out of provincial coffers. Then an arrangement was made whereby basically 50% was going to be paid by the province, but it's only 50% of a template cost. If any of these agreements that are still being negotiated in these local areas cost more, then the municipality will have to pick up more than 50%, and that is totally unfair.

With that, unfortunately, I will not have any further time to continue to debate on this.

The Acting Speaker: Comments and questions?

Mr Christopherson: I want to compliment the member for Kingston and the Islands. I thought he made excellent points throughout the brief time he was allowed to speak to this.

I would like to say to the government members, especially those who have stood in their place and defended this bill as a wonderful thing for paramedics, that it's a wonderful, fair, balanced, reasoned, unique kind of approach to labour relations. If you believe all that, then I'd like to hear one of the members stand up and say you're about to bestow this wonderful gift on firefighters and police. If you think it's so wonderful, stand up and announce to the province that you're about to change the way you deal with collective agreements for other workers who have been declared essential service workers.

It's not going to happen. Why? Because this is not fair; it's not equitable. You're treating paramedics as second-class citizens. We ought to just keep hammering that message home, over and over, because not one of you has the ability to stand up and refute that point.

We heard the Attorney General talk about wanting to be fair and balanced. We know you haven't met with any labour leaders—not in the last two years, anyway—about this issue. We also hear that those paramedics in all the communities across Ontario who want to meet with Tory backbenchers can't get meetings, can't get in to see their

own elected representatives. Now you've given us time allocation, which is going to deny any kind of participation in public hearings. Where on earth in all of this is fairness, and where did democracy go in Ontario?

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I'd like to respond to the address by the member for Kingston and the Islands. Some of the opposition have been screaming at this side of the House—

Mr Christopherson: Well, you won't listen.

Mr Tilson: I'm sitting right opposite you and I can hear you perfectly well.

Mr Christopherson: Then answer my questions.

The Acting Speaker: Order. The member for Hamilton West, come to order.

Mr Tilson: The issue from the opposition is that there doesn't appear to be any binding arbitration. That seems to be the question put forward by the members of the opposition. It is true: there is no unfettered right of arbitration. That is quite clear from the legislation.

Comments have been made by members on this side of the House that there's an attempt to balance the interest between employers and employees. I suppose the opposition can say it's weighted in favour of the employers.

Mr Christopherson: You didn't talk to the employees, for goodness' sake. You never talked to them. Defend that.

Mr Tilson: My friend can continue to yell at me, and that's his right, assuming the Speaker allows it, but I'm trying to make comments to the presentation made by the member for Kingston and the Islands.

The legislation does define the essential ambulance services that must be maintained to ensure that public health and safety objectives are met. That's the intent of the legislation. The intent is to require that an essential services agreement be in place prior to an unlawful strike or lockout. Finally, it gives the parties access to a conciliation officer in the Ontario Labour Relations Board. At the Ontario Labour Relations Board there is a process. It could direct the parties to continue negotiating, it could refer the parties to mediation, it could amend the essential services agreement and, finally, it could order all outstanding matters to binding arbitration. It goes through all those processes; it'll get what the members of the opposition are asking for.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): The member from Dufferin-Peel-Wellington-Grey has missed the point. The point that the opposition, that my very good colleague from Kingston and the Islands has been trying to make, I thought very clearly and effectively—my colleague the member from Sudbury made the same statement, and I'm going to say it again, if you'd care to listen: the issue here is fairness. You are bringing in legislation that will treat an essential service within this province in a different way than you treat any other group that you, as a government, recognize as an essential service. You have not explained, certainly not to me, certainly not to the ambulance people, the paramedics who have come to this

Legislature on more than one day—they're here again today—why you are doing that. They hear the rhetoric, but they still don't understand why they are being treated differently. I would suggest you take some time and meet with these people face to face. They have an excellent point, in my opinion, and it goes to the point of fairness.

1720

I say to the points made by the member for Thornhill, who would suggest this bill will ensure quality ambulance services: we've heard the government make similar statements about bills that have affected nurses and teachers and trades people and now paramedics. Ask anyone in those professions if they feel they have been treated fairly by this government. I would ask the people in the province of Ontario to ask your neighbours who work in those areas if they think they got a fair shake from this government. I think not.

Hon Frank Klees (Minister without Portfolio): When it comes to the issue of fairness, I think one of the things we should not forget is what this is really all about: what is fair? We believe what is fair is that people in this province can count on the very important service paramedics in this province provide when they need it. What this is about is ensuring there is fairness in the bargaining process, that paramedics in this province in fact have a system under which they can bargain, under which they will be treated fairly, under which, at the same time, they are respected for the essential service they're providing, and that there is in place in this province a system through which they can appeal if they feel the employer is not dealing fairly with them. There is legislation being proposed that will ensure there is a fair process in place.

Members opposite take exception with how this legislation is drafted. They would prefer to see some other mechanism available. The fact is, they are entitled to that opinion, and we hear you. What we're simply saying is that the minister, through his consultation with the stakeholders—

Mr Christopherson: He didn't have any consultations. That's outrageous.

The Acting Speaker: Order. I want to address a comment to the member for Dufferin-Peel-Wellington-Grey: it's not anybody's right in here to shout out, and you have every right to expect this Chair to address that. I want to make it very clear that I won't tolerate it. If there's anything else you think you want to hear from me before I take those sanctions, please let me know.

I also want to address a comment to the member for Hamilton West, and that is: when somebody shouts at me I hear better, but I don't understand any better.

The chief government whip and deputy house leader has 22 seconds.

Hon Mr Klees: I appreciate that intervention.

You know, the fact there is such vehemence opposite would tell me that perhaps they're protesting too much. When one has to protest that loudly, it usually means they're trying to cover something up, and usually that

something is a rational proposal being put forward by the government. So, I rest my case.

The Acting Speaker: The member for Kingston and the Islands has two minutes to respond.

Mr Gerretsen: We still haven't heard why they will not treat these people, who are involved in an essential service, the same as firemen, policemen and nurses in this province. Nobody, not even a government minister, has answered that question, because they know that they're not. That's what it's all about. They know they're not treating these people the same as firefighters, the same as policemen. That's the whole problem. If they were an essential service, there would be binding arbitration. The system that's set up in this bill basically would force them to enter into an agreement whereby certain of their members could work but then scabs could be hired for the other people. That's the difference. The government knows this. The Minister of Labour isn't a fool. He darned well knows that what's called for in this bill is not the same as the essential service provisions within the firefighters', police and nurses' acts. That is the major difference, and they know that.

It still begs the question of why, for goodness' sake, didn't they meet with the association before they brought the bill forward? The only thing we've heard is that there was a meeting with some OPSEU representatives, that could have involved a whole bunch of issues other than paramedics, back in November 1999. If that's the lame excuse the government members can come up with, that there was some sort of consultation, well, then, that speaks for itself.

Now the ultimate insult is that they're not even going to be given the privilege of coming to a committee hearing to let their views be known, because the government has basically said, "We're time-allocating this, and then there will be a 90-minute debate." That is absolutely shameful, to pick on one essential service and treat them differently from the other essential services in this province.

The Acting Speaker: Further debate.

Mrs Julia Munro (York North): I'm pleased to be able to rise today and offer some comments on this bill. The first thing we need to understand is the background to the creation of this legislation. On January 1, 2001, the ambulance services were transferred from the provinces to the upper-tier municipalities as part of the local services realignment. Historically, ambulance services had been operated by three types of employers. These included the hospitals, the crown agencies and individual municipalities. A perfect example, obviously, is the city of Toronto, in which there were approximately 1,000 paramedics.

By this patchwork of service delivery, services run by the hospitals fell under the Hospital Labour Disputes Arbitration Act, and with that act there was no right to strike. The services run by the crown agencies, which were private operators working for the provincial government, fell under the Crown Employees Collective Bargaining Act, and for them there was a conditional

right to strike, but essential services agreements needed to be in place prior to any legal strike or lockout. As a result of the transfer of January 2001, most ambulance workers now fall under the Labour Relations Act, 1995, and therefore have this unfettered right to strike.

Currently, there are approximately 4,400 ambulance workers across the province, and these include emergency medical attendants, paramedics and dispatchers employed by 88 services, controlled by 23 municipalities. The need, then, is to provide a number of remedies if the essential ambulance service agreements have prevented parties from having a meaningful right to strike or a lockout, and that requires an application to the Ontario Labour Relations Board.

The Ontario Labour Relations Board then has a number of options: they can direct the parties to continue negotiating, they can refer the parties to mediation, they can amend the essential services agreement or order all outstanding matters to binding arbitration. The key here is that the right to strike would be maintained, but critical services would continue to be delivered. The legislation would apply to ambulance employers and their organizations; ambulance service employees and their unions; and employees in bargaining units that include ambulance workers who work for 23 direct municipal operators and 33 services contracted by municipalities, including 30 currently considered as crown agencies.

1730

When you look at the history of the situations prior to the local services realignment, it becomes clear that the legislation we are looking at today is necessary. This legislation would clearly safeguard public health and safety in the event of an ambulance service strike or lockout as well as balance employer-employee interests in collective bargaining. It does create a framework for resolving labour relations disputes, which requires that prior to any strike or lockout, an essential ambulance services agreement be negotiated between the employer and the employee.

In this agreement it is important to define the essential ambulance services that must be maintained to ensure public health and safety objectives. It also requires an essential service agreement to be in place prior to a lawful strike or lockout. This process also gives the parties access to a conciliation officer and the Ontario Labour Relations Board for assistance in creating these agreements.

In looking at this, it became clear, given the complexity of the service providers in Ontario prior to the realignment, that there were those who had the right to strike, those who provided services operated by hospitals who did not have the right to strike, and those services provided by crown agencies where there was a conditional right to strike. In anticipation of this situation, the government began consultations 18 months ago, and those consultations, then, included ambulance workplace parties, including the Ontario Public Service Employees Union, the crown ambulance operators, the

Association of Municipalities of Ontario and the Ontario Hospital Association.

It's from that that we are looking today at this particular piece of legislation, the Ambulance Services Collective Bargaining Act, and there are some of the features of that act which then address the issue. When you look at the number of options that the previous ambulance service providers had, this piece of legislation is balanced and creates a framework for resolving the labour disputes for ambulance services in particular.

It's a combination, quite frankly, of the other models. It would require the negotiation of an essential service agreement to ensure ambulance service be provided during a strike or lockout. It would also give the parties the opportunity and the access to a conciliation officer and the Ontario Labour Relations Board for working out agreements. If either side felt that the agreement would prevent a meaningful right to strike or lockout, it could apply to the board to determine the issue. The board would also have a number of potential remedies available, including binding arbitration, to resolve matters in the dispute.

The government has chosen this approach rather than, for example, arbitration or ruling out the right to strike, because this approach balances the concerns of all key stakeholders. It supports the government's priority of protecting public safety. It encourages productive employer-employee relationships, which are promoted through freely negotiated collective agreements and which include the right to collective action. It also provides taxpayers with affordable, effective services. Municipalities will be able to choose the method for delivering ambulance services in the most efficient manner to meet local needs and priorities.

Quite frankly, in developing this unique initiative, the government took the best elements from various jurisdictions while continuing to make public health and safety its highest priority. This act upholds the primacy of public safety and balances other considerations of the workplace parties.

The Acting Speaker: Comments and questions?

Mr Bartolucci: With all due respect to the member from York North, she has failed to answer the question of why the Ontario paramedics are not being treated the same as firefighters, why the Ontario paramedics are not being treated the same as the police, why the Ontario paramedics are not being treated the same as nurses. In fact, the member from York North failed to address the issue of safety and give these paramedics the reasons why they are not being treated the same as firefighters, police and nurses.

There are 4,000 people who are the first people on the scene, providing life-saving treatment, and all they want is fairness, but they're not being given that opportunity. The member from York North admits that the Ontario Paramedic Association was not invited in for consultation on this bill. I suggest to you that that should tell the people of Ontario how serious this government is when it comes to adopting and establishing meaningful

legislation. You're not going to bring in the experts in the field for consultation. The first time they were slighted they didn't mind so much, because they thought—and they wrote asking that this thing go to committee so their input could help make Bill 58 a better bill. The government's answer: a time allocation motion, two hours of clause-by-clause, 90 minutes of third reading and no input from the 4,000 members of the Ontario Paramedic Association.

I suggest to you that Bill 58, the way it's written, is in fact a public safety hazard. I hope the government addresses that.

The Acting Speaker: The member's time has expired. Comments and questions?

Mr Christopherson: Let me say at the outset that I absolutely in no way intend to apologize for raising my voice in this place, because it's the only voice right now that's being given an opportunity to be heard.

Hon Mr Klees: Oh, get serious.

Mr Christopherson: Well, do you know what? I just heard the chief government whip, who said, "Oh, get serious," as a response to my comments, the very same minister who not that long ago stood in his place and said—and I'll get the quote in here later—that the government met with all the stakeholders in consultation. Why would he say that? Because normally that's a very good position, to be able to say that you had actually met with people. But the fact of the matter is that you didn't meet with the stakeholders, you did not, and that's why the outrage at your comment that you did. You either didn't know or you made something up. But it has no relationship with reality, because the reality is that you didn't meet with all the stakeholders. That's why—

1740

Hon Mr Klees: I didn't say "all."

Mr Christopherson: Well, we'll get the Hansard and we'll just take a look at what you did say. But the fact of the matter is, make no doubt, you left the impression that you had talked to everyone, and you did not.

Further to that, you've now put a motion on the floor that will further deny paramedics a voice, soft or loud, at committee. Further to that, your backbenchers are refusing to meet with paramedics in all the communities where you have a member so that they can be lobbied. Your backbenchers won't meet, you won't let them speak at committee, and you didn't talk to them before the bill was introduced. Where on earth do you get off saying that this is fair?

Hon Mr Klees: Speaker, I'm sure that you can hear the member from Hamilton West. We can hear the member from Hamilton West; he doesn't have to yell.

Let me clarify, and when the member—I do hope he reads Hansard, because when he does he will see that what I said was that the minister met with stakeholders. Let me clarify once again: the stakeholders that the minister met with were, among others, the Ontario Public Service Employees Union, the crown ambulance operators, the Association of Municipalities of Ontario, the Ontario Hospital Association and others.

Now, it is easy for the member opposite to stand in his place and accuse the government, accuse the minister, of not meeting with any of the stakeholders. He's wrong again, because it serves his purpose. He would much rather stand in his place and misrepresent—

Mr Kormos: They're here.

Hon Mr Klees: Yes, and there are people in the gallery and we welcome you, but you are not—

Interruption.

The Acting Speaker: Order. Would you stop the clock, please. I would ask the Sergeant at Arms to ask the second person from the right in the first row to leave. The chief government whip.

Hon Mr Klees: Thank you, Mr Speaker, and it is unfortunate. We welcome people in this place, but I really do think that when members of this House, honourable members of this House, quite frankly incite people through their own actions and through their own words, it is not helpful to constructive debate in this place.

The truth of the matter is, the members opposite may not agree with this legislation. We did consult with stakeholders. This is a piece of legislation that will serve the people of Ontario well, it will serve all the stakeholders well. Time will tell that once again common sense will prevail here.

Mr David Ramsay (Timiskaming-Cochrane): It's obvious from this debate this afternoon that we have a problem here and the problem is a government that doesn't listen to the people of Ontario. Bill after bill, year after year that this government has been in power, we see the bullying nature of this government, of basically imposing law upon people without proper consultation.

While a government has the right through its win in an election to lead and to set policy, it needs to bring people along as it sets its targets and goals. In doing that it can't become a dictatorship, but it needs to consult with people and it needs to work with people. It's obvious in this bill and many others that this government is not doing that. You really have to consult. Why we have debate in a Legislative Assembly such as this is to get to the bottom of issues, and the question that has remained unanswered in this debate is, why isn't this government making paramedics an essential service?

Historically, we have recognized our police services and our fire suppression services as essential to the well-being and safety of the residents and citizens of this province. You could make a very strong case, in fact I'd say an equal case, that with the work paramedics do in saving lives day in and day out in Ontario, they should be deemed an essential service and be given all the rights the other services have when they have been so deemed. But this is not going to be the case. What we have here is neither fish nor fowl. We have isolated the paramedic services in a new category. They are basically in suspension. They don't have guaranteed arbitration if they have difficulty in a negotiation. They should be deemed an essential service and given the rights that police and firefighters are given.

The Acting Speaker: The member for York North has two minutes to respond.

Mrs Munro: Thank you to those members who have made comments: the members for Sudbury, Hamilton West, Oak Ridges and Timiskaming-Cochrane.

When this bill is examined, the key issue is the need to strike a balance, and that balance is in recognizing the essential services provided by the paramedics of this province, the safety and public health they are able to provide for us, so that on the one hand we have the need to maintain that and maintain the opportunity for the provision of those services, and on the other hand is the need to address the issues with regard to employer-employee relations.

This bill provides for that balance through the opportunity to provide the essential services agreements, and at the same time provide a mechanism that will allow for the employer-employee relationship in having those negotiated collective agreements, and in those, the right to collective action.

I think much of the debate and much of the response we have heard tends to take away from the essential balance that is at the core of this piece of legislation. When you look at the kind of patchwork history of ambulance service, to bring it together through the local services realignment represents that balance.

The Acting Speaker: The member's time has expired.

I'll just be a minute. I wanted to give you the advantage of my experience. When my father was in his elderly years, I had to shout at him because his hearing was going. I went to the Canadian Hearing Society, up near St Clair, and they said, "All his life, whenever anybody has shouted at Frank, they were angry at him." So I got one of those little gadgets so I could sit back, relax and talk to him.

I wanted to tell the member for Hamilton West that you have nothing to apologize for in your voice when you have the floor, but indeed if I wanted an apology for you, I would have gotten it.

The Chair recognizes the member for Thunder Bay-Superior North.

1750

Mr Michael Gravelle (Thunder Bay-Superior North): This is it. We know this will be the last 10 minutes of debate on second reading of this important piece of legislation. The chief government whip has laid on our table the rules in terms of time allocation tomorrow. So the debate will be over, debate on a bill that is truly farcical, debate on a bill that is a real insult to the paramedics who so nobly serve us in this province, a debate, on both sides of the House, that continues to amaze me as I've been listening to it.

Particularly, for example, I was listening to the member for York North make her remarks. One of the things I was wondering while she was speaking was, had she and her colleagues met with their area paramedics in their ridings? Then the member for Hamilton West pointed out to me that they were avoiding doing exactly that. Certainly, I and my colleague Lyn McLeod met with

the paramedics in Thunder Bay and the district last week, and they made very clear their concerns.

It's unfortunate that one of your colleagues had to leave, and I know it's very difficult to remain quiet in the Legislature when you hear things you don't agree with.

This is a piece of legislation that has been continually begging the question, why are they doing this? We've been asking the question, why do they continually feel the need to change the agreement in terms of what they offer firefighters, an essential service, police, an essential service—no argument with that—and nurses, an essential service? I can't imagine how you can argue any difference with paramedics, those who deliver ambulance services.

I for one think it's fairly clear. I think this is a government that has made very clear their hatred for the arbitration process. They've certainly made it clear that they are keen to strip away all union bargaining rights as best they can, and I think that's clearly what's happening here.

This is something that is also simply dangerous as well. To basically try to sit here and tell us that there is a fairness to this and it provides a balance is absolutely absurd. The Ministry of Labour requiring that an essential services agreement be struck before paramedics can strike or be locked out is astonishing, when you figure out that full service must be maintained, because ambulances are essential to Ontarians and nobody can argue that. But for this, the paramedics and the employers have to determine how many workers are needed to maintain full service. So what do they do with this particular agreement? If there are 30 paramedics, for example, and 25 are needed to provide full service, then 25 must continue working while the other five are allowed to strike. But the employers are allowed to find replacement workers to cover those who are on strike.

First of all, I thought to myself, how in the world can you determine what is a non-essential part of the job that you do? I thought of examples using my own understanding of Thunder Bay. Is it non-essential to take a woman who has had a stroke and get her to a different hospital? Is it non-essential to go to the helipad at Port Arthur General Hospital and transfer them over to the McKellar site? I can't imagine how that could be defined as non-essential. What's non-essential?

It's absurd to have in the legislation the opportunity to have replacement workers. This is something that clearly could never work. The question I asked the paramedics last week when I was talking to them in Thunder Bay was, what does that mean? Does that mean you would actually hire someone to drive the vehicle? That's absurd, as well. That's impossible.

The legislation absolutely makes no sense. It's a huge insult, and it's clearly obvious that you want to do things in a very different way. There are aspects of this that truly startle me. The government talks about the fact that they are doing this because they want to improve—they're putting public safety first. Clearly, that's a farcical element. Certainly if you talk to the paramedics

and you talk to the legal advisers who have interpreted this bill in the detailed way that I think the Minister of Labour and others would expect us to do, what you find out is that not only does it not protect public safety, I think it jeopardizes public safety. It jeopardizes public safety, in my view, because it requires that paramedics go on strike before they can even ask for arbitration to resolve a dispute.

The Minister of Labour has been critical of our approach to things, and he has asked us to provide him with some numbers in the past. He should look at page 9 of this particular bill, clauses 18(1)(a) and (b), and then subsection (2), where they can only go to the Labour Relations Board to look for a declaration that there is no meaningful right to strike once there is an essential services agreement in place, and the board can only rule on whether or not this could go to arbitration, as it says in subsection (2), if “sufficient time has elapsed in the dispute between the parties” to make the declaration of no meaningful strike a possible ruling for the Ontario Labour Relations Board. The government is simply playing games with the important issue of public safety of the citizens of this province when it comes to maintaining essential ambulance services.

This is something that absolutely demands, requires and calls out for public hearings. It’s something that certainly the paramedics of this province have asked for, and we will obviously do our best to bring forward amendments to the clause-by-clause process. But when you are left with a piece of legislation that will be through second reading in about four minutes, or at least second reading debate will be done with, it’s going to be very, very difficult to get to the ear of the government.

None of the government members have acknowledged the reason why they’re doing this differently. They should be embarrassed. I mean, on the one hand you want to declare this as an essential service but you will not treat the workers, these extraordinarily important workers in our province, on the same basis as you would firefighters, police and nurses. It’s just astonishing to do so. I appreciate you are often given your remarks to read and you follow a script, but the fact is that the script doesn’t make any sense. There is no balance in this; it’s truly an attack, literally, on the collective bargaining process. If there’s no fair dispute resolution process in place with binding arbitration, it’s just not a fair process at all.

What we’re really ultimately doing—and they can speak for themselves, obviously, and they have—is setting up a situation where the municipalities will be responsible for setting the agreement. The province has agreed to pay 50% of the cost, but I’ll tell you, there’s going to be a standard by which the province determines what that 50% is. The municipalities are going to be in trouble.

My colleague Lyn McLeod from Thunder Bay-Atikokan and many of my other colleagues and I are writing to the municipalities that we represent. We’re trying to alert them to the fact that they should not be

supporting this; they should be getting to this government and telling them to back off on this piece of legislation and to make it clearly an essential service. The Association of Municipalities of Ontario is officially cautiously in support of this piece of legislation. We think they’re making a mistake, a mistake they will regret. I must admit, we have sent the letter off just this afternoon to the mayor of the city of Thunder Bay and to the other mayors I represent and we’re trying to make it clear to them that Bill 58 will put public safety at risk, that Bill 58 actually leaves them in a very difficult position in terms of cost.

One of the real issues that concerns us—I mean, we’ve been through the battle of who should be funding ambulance service in this province before. The province tried to unload all of it to the municipalities, and after a lot of battle, a lot of fighting, they’ve agreed to fund 50%, which won’t end up being actually 50%; I’m convinced of it. But the fact is it should all be funded by the province. It should be a Ministry of Health responsibility. But the thing that concerns us the most is I think the government is using this bill as a way to distance and reduce their responsibility to land ambulance services. That’s another thing they want to do; they want to remove themselves from it as well. Obviously, they’re going to be able to do that if this bill goes through.

Ambulance services are already under an extraordinary strain. We know that in many, many communities it is difficult to meet the response time. Patients are often in some form of danger because of the crisis in our emergency rooms. The situation that paramedics are put in is remarkable, and paramedics right now are feeling overworked and under stress. What that will lead to is we’re going to have a hard time keeping paramedics in this province who are going to keep on working for us and on our behalf. That’s something that we should be concerned about, because if they are going to be treated this way by the province of Ontario and put in this position, that is going to be one of the end results.

The municipalities should be fighting against this legislation. I’m still irritated, to be honest, about the fact that the Association of Municipalities of Ontario is supporting it, which is why we are sending these letters to our municipal leaders. We want to make sure that they understand exactly what they’re getting into. We’re leading ourselves down a path which I think is going to be very, very dangerous in terms of the operation of our ambulance services.

This is a service of which we should be so proud. You deserve to be treated the same way as the police officers in our province. You deserve to be treated the same way as the firefighters in our province. You deserve to be treated the same way as the nurses in our province. We will defend our right. We will keep fighting for it, despite the fact that this debate is virtually over today. We’ll fight for you as long as we can.

The Acting Speaker: Comments and questions?

Mr Howard Hampton (Kenora-Rainy River): Just to follow up, we now know that the government is going

to force this legislation through by time allocation, that they're going to limit debate. There's going to be only one day for hearings of any kind, and that includes clause-by-clause, and then only 90 minutes of debate on third reading before they force it through the House. And this on something which the government believes is an essential service. If something is an essential service, then it requires deliberate and thoughtful debate, something that obviously is not happening here. So we see through the ruse of calling it an essential service.

What's really going on is this: there are really two ways for workers to engage in collective bargaining. One is to negotiate, always with the possibility of strike or lockout. The other is to go the route of interest arbitration and put it in the hands of an arbitrator who is recognized as being neutral and independent and having credibility in the eyes of both sides.

In looking at this legislation we find that the route of negotiate and strike or lockout is totally compromised by this bill. So that route of reaching a collective agreement

is undermined. Then, the approach of interest arbitration before a neutral, independent and credible arbitrator is also totally compromised because the government can appoint the arbitrator. He need not have any reputation for independence, for neutrality or credibility. The government, if they wanted to, could appoint Stockwell Day as the arbitrator under their provision. Imagine that. Wouldn't that be a wonderful experience for people.

This bill is intended to undermine collective bargaining when it comes to ambulance paramedics. What's so dangerous about it? If you're going to completely undermine the collective bargaining process, you're going to lead to a very frustrating situation. We don't want a frustrating situation in the ambulance system.

The Acting Speaker: It being past 6 o'clock, this House stands adjourned until 6:45.

The House adjourned at 1802.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Speaker / Président: Hon / L'hon Gary Carr

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Don Valley East / -Est	Caplan, David (L)	London North Centre / London-Centre-Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Don Valley West / -Ouest	Turnbull, Hon / L'hon David (PC) Solicitor General / solliciteur général	London West / -Ouest	Wood, Bob (PC)
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	London-Fanshawe	Mazzilli, Frank (PC)
Durham	O'Toole, John R. (PC)	Markham	Tsubouchi, Hon / L'hon David H. (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Eglinton-Lawrence	Colle, Mike (L)	Mississauga Centre / -Centre	Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs	Mississauga South / -Sud	Marland, Margaret (PC)
Essex	Crozier, Bruce (L)	Mississauga West / -Ouest	Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles
Etobicoke Centre / -Centre	Stockwell, Hon / L'hon Chris (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Hon / L'hon Brenda (PC) Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		

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

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

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

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