



---

ISSN 1488-9080

**Legislative Assembly  
of Ontario**

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

**Assemblée législative  
de l'Ontario**

Troisième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Tuesday 22 October 2002**

**Journal  
des débats  
(Hansard)**

**Mardi 22 octobre 2002**

**Standing committee on  
justice and social policy**

Volunteer Firefighters  
Employment  
Protection Act, 2002

**Comité permanent de la  
justice et des affaires sociales**

Loi de 2002 sur la protection  
de l'emploi des pompiers  
volontaires

Chair: Toby Barrett  
Clerk: Susan Sourial

Président : Toby Barrett  
Greffière : Susan Sourial

---

### **Hansard on the Internet**

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

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

### **Index inquiries**

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

### **Copies of Hansard**

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

### **Le Journal des débats sur Internet**

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

### **Renseignements sur l'index**

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

### **Exemplaires du Journal**

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

---

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



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

LEGISLATIVE ASSEMBLY OF ONTARIO

**STANDING COMMITTEE ON  
JUSTICE AND SOCIAL POLICY**

Tuesday 22 October 2002

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**COMITÉ PERMANENT DE LA JUSTICE  
ET DES AFFAIRES SOCIALES**

Mardi 22 octobre 2002

*The committee met at 1528 in room 151.*

VOLUNTEER FIREFIGHTERS  
EMPLOYMENT PROTECTION ACT, 2002

LOI DE 2002 SUR LA PROTECTION DE  
L'EMPLOI DES POMPIERS VOLONTAIRES

Consideration of Bill 30, An Act to amend the Fire Protection and Prevention Act, 1997 in order to protect the employment of volunteer firefighters / Loi modifiant la Loi de 1997 sur la prévention et la protection contre l'incendie afin de protéger l'emploi des pompiers volontaires.

**The Chair (Mr Toby Barrett):** Good afternoon, ladies and gentlemen. Welcome to yet again a regular meeting of the standing committee on justice and social policy, Tuesday, October 22.

I'd like to introduce to members of the committee Marian Johnston, who is Clerk Assistant and also Clerk of Committees for the Legislative Assembly of Prince Edward Island.

This afternoon we consider clause-by-clause, Bill 30, An Act to amend the Fire Protection and Prevention Act, 1997 in order to protect the employment of volunteer firefighters.

I will mention as well that in the Legislature we did acknowledge the passing of volunteer firefighter April Hopkin.

I now ask members of the committee, and I say this pursuant to standing order 78: are there any comments or questions or amendments to any section of the bill, and if so—

**Mr Ted Arnott (Waterloo-Wellington):** Mr Chairman, I have an amendment.

**The Chair:** OK. I'll start with Mr Kormos and then Mr Arnott and Mr Levac.

**Mr Peter Kormos (Niagara Centre):** I understand we're going to be dealing with amendments that have been—and Mr Arnott was very courteous in making sure that I had a copy of his amendment at the earliest opportunity. I appreciate that. But I am concerned, because I see these wonderful faces across from me, all dear friends, but I see new faces today that weren't here during the course of submissions to the committee. And then I see that Mr Guzzo, who was an astute questioner and observer during the committee hearings, is not here.

I'm wondering if the clerk could advise us—because I know that Mr Levac has been here throughout the last two days, now into the third day, accompanied from time to time by some of his colleagues—I wonder if the clerk could tell us who was sitting on the committee for the Conservatives during the course of the last two days of public hearings.

**The Chair:** OK. I'll turn to the clerk. The question is—and I know we have a number of members with substitution notices. Mr Kormos, do you wish to know the original membership of this committee?

**Mr Kormos:** Yes. Well, the people who were sitting on this committee for the government on days one and two of the hearings around this bill, when we were hearing public submissions. Please.

**Clerk of the Committee (Ms Susan Sourial):** On October 15: Mr Barrett, Mr Kormos, Mr Hardeman, Mr Levac, Mr Arnott and Mr O'Toole. On October 21 there was Mr Barrett, Mr Kormos, Mr Guzzo, Mr Hardeman, Mr McDonald, Mr Patten, Mr Arnott, Mr Levac.

**Mr Arnott:** Mr Chairman, I think Mr Kormos has raised an interesting question; however, is there anything out of order with members being substituted into committees? I don't know of anything that would be out of order with members being substituted in.

**Mr Kormos:** No, of course not. It wasn't a point of order; it was a question.

**Mr Arnott:** Sure.

**Mrs Margaret Marland (Mississauga South):** Mr Chair, I think if we start that provision in terms of when we reach a point where a bill is to finally be debated, amendments made and so forth, if we made it a requirement that members heard all the public input, it would be a very dangerous precedent.

I chair the legislative assembly committee. We're in the process of writing our report. And for most of the public hearings, there was not a member of the New Democratic Party present whatsoever for the public input. I simply would say, with respect, since I am one of the people being subbed in today, that I did have the opportunity yesterday, fortunately, to watch some of the proceedings of this committee on television.

Second to that, I've discussed the input of both sides of this debate with members of my own caucus. So I'm well prepared to say that I am able to sit as a full committee member today, even though it's not a requirement. If we made it a requirement that members were here for

all public hearings on all bills and all resolutions, this place would grind to a halt, as the member—

**Mr Kormos:** That wouldn't offend me.

**Mrs Marland:** —for Thorold well knows, because it's very difficult, especially with a small caucus like the NDP caucus, to find people to cover committees. So while he asks the question, he's not suggesting a precedent, I hope.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I think he's going to withdraw his concern.

**Mr Kormos:** No. I'll refer to it down the road.

**The Chair:** Anything further?

**Mr Kormos:** Thank you, Chair. No, not at this point.

**The Chair:** I'll now go to Mr Arnott.

**Mr Arnott:** Mr Chairman, I have an amendment to Bill 30 that I would like to put forward for the committee's consideration.

I move that sections 56.1 and 56.2 of the Fire Protection and Prevention Act, 1997, as set out in section 1 of the bill, be struck out and the following substituted:

“Voluntary firefighters

“Job protection

“56.1 (1) Despite any other provision of this act or any collective agreement, no association of firefighters shall, directly or indirectly, require an employer to take any of the following steps for any of the reasons set out in subsection (3):

“1. Refuse to employ a person as a firefighter.

“2. Terminate a person's employment as a firefighter.

“3. Refuse to assign a person to fire protection services under this part.

“Representation

“(2) No association of firefighters shall, in the representation of a person who is a firefighter, act in bad faith or act in a manner that is arbitrary or discriminatory for any of the reasons set out in subsection (3).

“Reasons

“(3) The reasons referred to in subsections (1) and (2) are:

“1. The person has been denied membership in an association of firefighters because he or she has worked, is working or intends to work as a volunteer firefighter.

“2. The person has been suspended or expelled or otherwise disciplined or penalized by an association of firefighters because he or she has worked, is working or intends to work as a volunteer firefighter.

“3. The person has engaged in reasonable dissent within an association of firefighters with respect to his or her work or intended work as a volunteer firefighter.

“Complaint

“(4) A person who believes that subsection (1) or (2) has been contravened may complain to the board, and in that case the Labour Relations Act, 1995 applies, with necessary modifications.”

**The Chair:** Thank you, Mr Arnott. Any discussion or questions?

**Mr Dave Levac (Brant):** Before I do ask a specific question, I would like to provide Mr Arnott some—if he has notes or explanation or rationale for the amendment,

I'd rather hear that first so I don't duplicate what he would probably cover.

**The Chair:** Yes. Anything further, Mr Arnott?

**Mr Arnott:** I want to say I appreciate Mr Kormos acknowledging that I endeavoured to share my proposed amendment with him, to show my respect and courtesy for the opposition—I used to serve in opposition and I remember what it was like—and to give you whatever advance notice I could.

Had the subcommittee decided to have a week's interval, for example, between the conclusion of the public hearings and the commencement of the clause-by-clause, we all would have had a little more time to put it all together. But now we certainly have an opportunity to discuss the amendment that is before us.

**Mr Kormos:** On a point of order, Mr Chair: It was the committee, with the Conservative majority, that approved the request by the subcommittee and in effect ratified it. So please, Mr Arnott, it wasn't the subcommittee; it was your members who approved the structure of this committee.

**Mr Arnott:** If the committee had modified the subcommittee's report to create a week's interval, we would have had a little more time, but we don't, and here we are.

**Mr Kormos:** If your members had.

**Mr Arnott:** And I'm glad we're all here to have a chance to debate this amendment.

We had two days of public hearings, and we had quite a significant number of presentations packed into two afternoons of hearings. I thought that the presentations were very helpful to me as a committee member moving the bill, and I tried to consider the points put forward. As a result, and with the assistance of legislative counsel Cornelia Schuh—I want to express my appreciation publicly in front of the committee members for the good, diligent work she did last night and today to get us to the point where we are discussing an amendment.

This amendment essentially and effectively deletes section 56.1 of the act, which is part of section 1 of the bill.

**Mr Kormos:** It rewrites your bill.

**Mr Arnott:** It maintains and continues much of 56.2, which is really the essence of the bill, the principle of the bill, which was intended to protect salaried firefighters who also work as volunteer firefighters, to protect their employment so that they could not lose their employment as a result of any action by a firefighters' association.

So part of section 1 is effectively deleted.

Subsection 56.1(2) of the act would then be incorporated, largely, into 56.2, I understand. There is some change in the wording, as Mr Kormos pointed out in his interjection, but I think it further clarifies the objective I set out when I introduced the bill, and it's pretty straightforward.

**The Chair:** Thank you, Mr Arnott. Mr Levac?

**Mr Levac:** Thank you for that opportunity. I too want to indicate that Mr Arnott approached me in the House today and provided me with a copy of the amendment

and indicated that he would have liked to have gotten that to me much quicker. I appreciate the opportunity he's provided in terms of at least giving us a copy of this.

Substantially it does change the bill. It basically rewrites the bill to address some of the issues that were indicated by a deputation that there were deep concerns that the bill, as it was originally written, was going to be putting its hand inside a constitution of an association and telling them whether they can or can't discipline anybody.

Now, if I'm reading this correctly, Mr Arnott, does this mean that you're now looking at the employer more directly—that they cannot refuse employment, they cannot terminate, they cannot refuse to assign—by making this amendment?

1540

**Mr Arnott:** What line are you looking at, Mr Levac?

**Mr Levac:** It's 56.1, the three bullets. If I'm reading that right, an employer cannot take those steps.

**Mr Arnott:** "No association of firefighters shall require an employer, directly or indirectly, to take any of the following steps...." As this was explained to me—this would be by legislative counsel when we were discussing how we could accomplish this—this would make it somewhat narrower. It would free the municipalities to act on these reasons and the association would not have the power to require the municipality to take these steps.

**Mr Levac:** Is the implication right now that the associations have the authority to go to an employer, a municipality, and say, "You can't hire this guy"?

**Mr Arnott:** They could attempt to make that happen, as I understand it.

**Mr Levac:** They can attempt to make that happen. I'm asking if they—

**Mr Arnott:** Without Bill 30, you know, they would—but this accomplishes the same thing.

**Mr Levac:** It's important to ask the question, because it sounds like you're saying the association has the authority to go to a municipality and tell them they can't employ anybody in particular, as opposed to an association having the authority in its constitution to discipline a member. The implication is that the association has the authority to go to an employer vis-à-vis the municipality and say you cannot hire somebody. Quite frankly, that does not exist. So the changes you're proposing in 56.1 are specific to the employer; is that correct to assume?

**Mr Arnott:** Again, it says, "Despite any other provision of this act or any collective agreement, no association of firefighters shall, directly or indirectly, require an employer to take any of the following steps for any of the reasons set out in subsection (3)."

**Mr Levac:** My train of thought will then move to reasons, if I can follow up on that. In terms of 56.1, the three refusals, I'm still understanding that originally we cannot make the assumption—and I'm just making this as a statement; if it has been, it's been erroneous to say so—that associations have the authority to go to a municipality and tell them they can and can't hire anybody, because that's not the case. It was characterized as

such by one presentation that basically said that the unions shouldn't be dictating to us what we should and shouldn't do. It's not the unions that were doing it, and we have to be very clear on that. The associations were not going to municipalities and saying, "You can't hire that person." They don't have that authority. In their constitution they have a right to discipline a member. What happens as a result after that is up to the municipality or the province to deal with in legislation. I want to make that perfectly clear.

The reasons referred to in subsections (1) and (2), in terms of the discipline, are, "The person has been denied membership in an association of firefighters because he or she has worked, is working or intends to work as a volunteer firefighter."

Am I assuming that this legislation is saying that if the association decides that a member shall lose their membership as a result of a piece of their constitution that says they can't work as a two-hatter, that's the essence of why the municipality can or can't employ that firefighter? Is that what the implication is?

**Mr Arnott:** I'm not sure I follow your train of thought. Could you repeat the question?

**Mr Levac:** Yes. In essence, what we're saying here is that in the association is discipline of a member who is a two-hatter is allowed under their constitution. That discipline can vary, because that what's discipline does. It goes from one point to another point. Inside of that discipline, the reading of this is that if the employer is aware that a person has been denied membership because of a discipline imposed by their constitution for solely "has worked, was working or intends to work as a volunteer firefighter," they would be disciplined. Is it the employer's right to provide that discipline?

**Mr Arnott:** I wonder, Cornelia, if I could ask you to address that question. It's just a point of clarification, really, about the wording.

**Ms Cornelia Schuh:** Let me repeat the question, as I understand it, to be sure that I've got it right. Are you asking whether the employer, the municipality, would be able to discipline a firefighter or take other steps because the firefighter had been disciplined or penalized by the association?

**Mr Levac:** Correct.

**Ms Schuh:** This doesn't speak to that at all. If the employer is otherwise permitted to take those actions as a matter of labour law, and I don't know the answer to that, then that's fine. This does not impact on that at all.

**Mr Levac:** So there's an implication that the denied membership is solely on the fact that they are a two-hatter or they might be a two-hatter. Somewhere down the line they think that this person might decide to volunteer as a two-hatter. Therefore, the association can't discipline this person if they think they might become a volunteer.

**Ms Schuh:** The wording of the motion doesn't say that. It doesn't comment at all one way or another on what the association's freedom of action might be.

**Mr Levac:** But the problem I have with this is there's an assumption built into part 1 of reasons in subsection (3). There's an assumption there that (1) denied membership is explicitly in volunteer firefighting; (2) that they intend to become a volunteer firefighter. Can you respond to the concern that I have regarding the future kind of claw-in that we seem to be saying here?

**Ms Schuh:** I'm sorry, I'm not following exactly your concerns.

**Mr Levac:** It might be that I'm reading this wrong; I'm not sure. But if I'm looking at this, it says, "The person has been denied membership in an association of firefighters because he or she has worked, is working or intends to work as a volunteer firefighter." Is the assumption there that the association knew that somebody might be volunteering as a volunteer somewhere down there and disciplined them and—

**Mrs Marland:** Is your concern, Dave, that the employee would no longer be protected under their collective agreement because the association no longer accepts them as a member?

**Mr Levac:** Part and parcel, but the reality is that then the employer comes on the hook for not taking any disciplinary action or the other things at the front, one, two and three, as a result of a possible membership in the volunteer service. It's pre-empting an assumption that the association was disciplining the member because they might be a volunteer somewhere in the future. I find that troubling.

**Mr Arnott:** What word troubles you, the word "intends"?

**Mr Levac:** "Intends to work as a volunteer firefighter." That whole section is quite bothersome, Ted, because what you're doing there is making an assumption (a) that the association is going to be disciplining a member before they even take the action; (b) we assume that the person is going to be a volunteer and it's the only thing that's going to get them disciplined.

**The Chair:** Mr Gill, did you have a point of clarification?

**Mr Gill:** I just wanted to ask a question. Maybe it's going to solve part of that. Maybe somehow by discussion we might find an answer. Is it implied that before a firefighter is hired, they must join an association?

**Mr Levac:** It's a law, it's not implied.

1550

**Mr Gill:** OK. If, on the other hand, they are working, they are members of the association and they are volunteering part-time in another community, can the association ask the employer to have them fired?

**Mr Levac:** They can ask all they want, but they don't have authority to do so.

**Mr Gill:** What has been the actual reality in the past? Have they been fired?

**Mr Levac:** I don't know these answers.

**Mr Gill:** I'm just asking. Maybe we're going to get some answers out of it.

**Mr Arnott:** Could I address that?

**The Chair:** Mr Kormos, did you want to address this particular issue?

**Mr Kormos:** Yes. Mr Gill, bless you for getting to the pith here, because this is part of the problem. This is such an incredible dance in the fog. We have been told of only one instance where a local utilized article XV here in Ontario; I think it's 2036, if that's the Whitby local number. The matter is still pending. We were told, and I have no doubt about the information we received, that it could be subject to any number of appeals on up through the hierarchy to the head office of the IAFF. That's the only illustration we've ever had of the Ontario Professional Fire Fire Fighters Association as a member of IAFF invoking article XV in terms of seeking discipline. We have no idea what the outcome of that will be—none whatsoever. This is why I find this whole exercise to be somewhat peculiar, and I will speak to it more later.

The whole business of constitutionality, the argument about charter rights, I find, with all due respect to Ms Schuh—and Mr Levac was making it very clear that he finds it similarly obtuse, vague and peculiar in terms of addressing a problem that isn't a problem—because we didn't hear anything from anybody about this being a problem. We heard one instance of article XV being invoked, which hasn't come to fruition yet. I don't know.

**Mr Gill:** At what number does it become a problem? Is one too many or should it be 10 people disciplined or whatever? I don't know.

**Mr Kormos:** People are talking about firefighters losing their jobs. Nobody's told us there's a single firefighter losing their job. If somebody knows about it, say so.

**Mr Arnott:** We can debate the substance of the bill again, as we did at second reading, if Mr Kormos wants to engage in that. But certainly there have been a number of instances brought to my attention where letters have been sent threatening charges if people didn't quit. You may have seen the letters—if you haven't, I can certainly share them with you—where threats have been made that if two-hatters didn't quit their voluntary service, steps would be taken by the union to charge them.

**Mr Kormos:** That article XV was going to be invoked.

**Mr Arnott:** There is certainly one example of where that has happened. The individual came forward and had an opportunity to address the committee. I'm glad you were here to hear his presentation.

**Mr Kormos:** I, unlike some of the government benchers, was here through both days of presentations and listened to everyone carefully.

**Mr Arnott:** As was I.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I don't want to turn this into procedure, but I'm unaware of a way in which you can actually move an amendment which strikes out the only two substantive clauses of a bill. So my first question is whether or not the amendments are in order, as written.

**The Chair:** I'll ask the clerk to answer that question.

**Clerk of the Committee:** Yes.

**Mrs McLeod:** They are in order? Because the amendments strike out both sections of the bill, other than the day on which the title will be proclaimed. Right?

**Clerk of the Committee:** Yes.

**Mrs McLeod:** So if it's in order, and I may be pleased that it is, it seems to me—let me try to get down to the nub of it too. I apologize for not having been able to be here yesterday for clause-by-clause when you might have gotten into some more of the detail of this, but I've been following it along pretty closely. It looks to me as though all the words in your amendment, which replaces both your clauses in your original bill, essentially take out the issue of disciplinary action, which was 56.1, and replace it with a lot of words that essentially say you cannot be fired for being a double-hatter. Is that a fair condensation?

**Mr Arnott:** That's my understanding. Thank you for the clarity of your question. I think that's what I'm trying to do with the amendment, yes. That was certainly my request of legislative counsel, and I think that's what we have here in front of us, plus an enforcement mechanism. That's the other thing, the final thing, that is completely new, an enforcement mechanism, point (4).

**Mrs McLeod:** Which you consider to be 56.1(1)?

**Mr Arnott:** No. Point (4).

**Mrs McLeod:** The complaint process.

**Mr Arnott:** That's right.

**Mrs McLeod:** Then my question is, if what you're trying to do with this is to deal with a fundamental concern of the firefighters' association, which is the way in which 56.1 interfered with their right to deal with their own membership in this whole aspect of disciplinary action, is that the issue that you're—

**Mr Arnott:** Disciplinary action short of expulsion from the union.

**Mrs McLeod:** Right. So that's the fundamental concern that they raise that you're attempting to address with the amendment?

**Mr Arnott:** I'm not going to characterize their fundamental concern, because they might not agree.

**Mrs McLeod:** OK. I heard that as a fundamental concern. It was a concern for us.

**Mr Arnott:** That was what I heard.

**Mrs McLeod:** It looks to me as though you're trying to address that issue. Is that fair?

**Mr Arnott:** I think it's fair to characterize it that way.

**Mrs McLeod:** And you've agreed that what we're basically left with with your amendments is 56.2, with now, you say, a complaints mechanism in part (4), which is new.

**Mr Arnott:** Yes, but we've also included 56.1(2) of the bill, if you look at the bill, which is the issue of fair representation.

**Mrs McLeod:** But that's where I now have a new problem with the amendment. I'm really appreciating your effort to respond to concerns that you were hearing, but it seems to me that in 56.1(2) and (3), you've added a whole new set of things which haven't been part of the discussion up till now, and I don't know how to deal with

those at this stage in the game. Because it looks much more specific, it looks more circumscribed than what you had in 56.1, but it could be equally as much an intrusion in the constitution of the firefighters' association.

**Mr Arnott:** I don't think it is, but effectively it does the same, or what you characterized at the outset. What we're trying to do is protect their employment rights, ultimately.

**Mrs McLeod:** Then why go so far beyond it as to keep all of this in (2) and (3), which begs the kind of discussion that Mr Gill has just engaged in?

**Mr Arnott:** All of this in (2) and (3)?

**Mrs McLeod:** Yes.

**Mr Arnott:** Again, that gets into the issue of fair representation, which is in the original bill, 56.1(2): "Same: No association of firefighters may reject for membership or refuse to provide representation to a person who is employed on a salaried basis by a fire department solely because the person also works as a volunteer firefighter."

So it ensures that there will be fair representation of the individual who is double-hatting. The union is compelled to fairly represent—

**Mrs McLeod:** Then why not leave 56.1(2) as it was? What were you trying to achieve with this expansion of that?

**Mr Arnott:** I've been advised that there was a concern about—and quite frankly, there was a press release from the Ontario Professional Fire Fighters' Association that said they felt there was a constitutional issue here. In fact they've levied, if I'm not mistaken, a \$6 levy on all their members, or it's a few dollars, to create a legal fund to challenge it with the Supreme Court of Canada; and they indicate in the press release that that is their objective. So I'm advised that this would be more likely to be within the Constitution Act, that it wouldn't offend the Charter of Rights. That's what I've been advised by legislative counsel.

**Mrs McLeod:** But it may be equally as intrusive and therefore equally as offensive to the professional firefighters' association.

**Mr Arnott:** Again, it may be, but they've had their opportunity to speak—and I know that they're here—but there's no mechanism for them to speak again. I would say that if we'd had more time, if there had been a stipulation that amendments be filed by a certain date, I would have certainly attempted to honour that time frame and tabled my amendments with the clerk. There may have been time for opposition members who had copies from the clerk to share those with interest groups, if they had chosen to do so, to seek their advice, but unfortunately that is not going to be possible, I don't think. I think that's happened in practice, but we just haven't had as much time, perhaps, to consider them.

1600

**The Chair:** Continue, and then I think we go to Mr Kormos after this.

**Mr Kormos:** I'm tired of this particular discussion. I really am. Mr Levac isn't, though.

**Mr Levac:** I'm not. There are a couple of questions, but I will be very brief with them, Ted, more for clarification than anything else.

Can you explain to me what is "engaged in reasonable dissent"?

**Mr Arnott:** Where are you looking?

**Mr Levac:** Sorry. Section (3) of "Reasons."

**Mr Arnott:** That, I believe, is similar wording to what is in the Labour Relations Act. I would ask the advice or clarification of legislative counsel at this point, but I think that's similar wording to an existing provision in the Labour Relations Act.

**Ms Schuh:** That's correct. It's from section 51 of the Labour Relations Act, subsection (2), clause (e), which is a provision that superficially looks a bit like the one in the motion and refers to reasonable dissent within the trade union. The intention was to convey exactly the same meaning, however that is being interpreted. That reference to reasonable dissent within the trade union in the Labour Relations Act is what we're picking up here.

**Mr Levac:** Is that defined in that act?

**Ms Schuh:** No.

**Mr Levac:** So a board, arbitrator, would make the decision as to what constituted—

**Ms Schuh:** That's right.

**Mr Arnott:** If there was a complaint that somebody wanted to take forward, it would be heard by the Ontario Labour Relations Act, in section 4. I suppose the Labour Relations Act would have to define that based on precedence and other previous decisions.

**Mr Levac:** As to what constitutes reasonable dissent?

**Mr Arnott:** It would seem to me to be worded in such a way it sounds like fundamental rights and freedom of speech and so forth in a democratic society.

**Mr Levac:** I would again question the wording of "intends to work" as to how we can prejudge somebody's intent to become a two-hatter, and assume that there's going to be discipline before it even takes place.

**Mr Arnott:** It may be that it is there to ensure that there is no pre-emptive strike, if you want to call it that; no pre-emptive action if there is a belief or understanding that someone chooses or is planning to undertake a volunteer position within a local fire department where they may live. If there's a pre-emptive step taken by the association, this would, again, protect that individual and enable them to have the right to volunteer.

**Mr Levac:** That's enough for me.

**The Chair:** We'll wrap that up. I'll go to Mr Kormos, not on this discussion.

**Mr Kormos:** I would like to ask Mr Arnott, because I sat through, as he did, the two days of submissions, which of the submissions generated this amendment?

**Mr Arnott:** I would say that the overall two days that I heard, I worked with legislative counsel and tried to achieve the original objectives of the principle of the bill in a way that would be reflective of the opinions that I heard. I've also listened to the—there's no real specific, I suppose. It would be the overall two days of hearings that gives me the—

**Mr Kormos:** Again, you might have heard different from me, Mr Arnott, but I listened to and read everything that the participants—and I can't think of a single one that provided comment that would provoke this amendment. Can you?

**Mr Arnott:** If you look at some of the presentations that took place Monday, yesterday and last week, they weren't all specific in terms of their suggestions. For example, the office of the fire marshal, I think, surprised everybody when they came in and indicated support for, if not Bill 30, they appeared to me to be indicating support for the principle of Bill 30. The fire chiefs association, the same thing.

**Mr Kormos:** I think what surprised people about the fire marshal was that they threw in the towel so quickly on negotiating a resolution.

**Mr Arnott:** I think they were involved in an effort to try to bring the parties together. Certainly, it's AMO's view, and I think it's quite accurate, AMO doesn't have the right to compel or impel any of its members to do anything. They try to advocate on behalf of the consensus position that they hear from the municipalities in Ontario, but they can't force any course of action on any of their member municipalities. Those member municipalities are governed by elected councils, as you know as well as I do.

There was a good-faith effort to try and see if there was any common ground. The position of the fire marshal was that if indeed a negotiated solution could be found, legislation would not be required; I think he's in a good position. He also talked about the need to protect public safety in all the communities in the province, not just some, and for that reason indicated support in principle for a legislated solution somewhat like Bill 30. I think that's a fair characterization of what he said.

**The Chair:** Any further discussion on this amendment? No further debate? Are the members ready to vote? We're voting on an amendment by Mr Arnott. All those in favour?

**Mr Kormos:** Chair, it's "Shall the motion carry?" which prompts either carry or no, and then you put, "All in favour?" Then I'll say no. That way the record indicates that it wasn't unanimous. If you simply say, "Shall it carry? All those in favour? All those opposed?" and then you say it passes, it implies that there was unanimity.

**Mr Arnott:** Mr Chairman, are we not in the midst of a vote?

**Mr Kormos:** That's why the Chair—shush.

**Mr Arnott:** Mr Chairman, are we not in the midst of a vote?

**Mr Kormos:** That's why the Chair says, "Shall the motion carry?"

**Mrs Marland:** Are you challenging the Chair?

**Mr Kormos:** No, I'm just trying to be helpful to the Chair. He hasn't done this as often as some other people.

**Mr Arnott:** You can't interrupt when the vote has been called, Mr Kormos.



**Mrs McLeod:** There has to be agreement for a recorded vote.

**The Chair:** There doesn't have to be. If anybody does want a recorded vote—

**Mrs McLeod:** But you have to allow an opportunity to call for it.

**Mr Kormos:** I'm trying to help you. Work with me, not against me, Norm.

**The Chair:** So what's the phrase, again? I asked, "Are the members ready to vote?" Maybe I could ask, does anyone wish a recorded vote?

**Mrs Marland:** No. You called the vote. We're in the middle of the vote, Mr Chair.

**Mr Kormos:** "Shall the motion carry?" You hear the Speaker do it every day.

**Mr Gill:** And you always say no.

**Mr Arnott:** There are different ways of asking for a vote, but we're in the midst of a vote, Mr Chair.

**Mrs McLeod:** I'm sorry, Mr Chair, there has got to be at least some modicum of democratic process here. You call a vote. If there is a unanimous yes, then you don't have an opportunity to call for a recorded vote because you don't need it. You call for a vote. If there is a no, you call for for and against, and we may call for a recorded vote at that point. But if you don't take the two questions, there's no opportunity to call for a recorded vote. So you have to do it.

**The Chair:** I'm trying to do my best here. I'll ask the clerk for the best phrase to initiate the voting. As I was saying, Mr Arnott has moved an amendment. Shall the amendment carry?

**Mr Kormos:** No.

**The Chair:** All those in favour?

**Mrs McLeod:** Could we have a recorded vote, please?

**The Chair:** A recorded vote.

#### Ayes

Arnott, Gill, Marland, Miller.

#### Nays

Kormos, Levac, McLeod.

**The Chair:** I declare the amendment carried.

Moving on, there's an amendment to create a new section.

1610

**Mr Levac:** I move that the bill be amended by adding the following section:

"1.1 The act is amended by adding the following section:

"Meetings on issue

"56.3(1) Commencing on the first day of the month after the Volunteer Firefighters Employment Protection Act, 2002 receives royal assent and ending on last day of the sixth month after the Volunteer Firefighters Employment Protection Act, 2002 receives royal assent, the fire

marshal shall ensure that the issue of salaried firefighters who also work as volunteer firefighters be the subject of twice-monthly meetings in order to resolve issues relating to and arising from salaried firefighters also working as volunteer firefighters.

"Participants at meetings

"(2) The fire marshal shall ensure that meetings under subsection (1) include representatives from the Association of Municipalities of Ontario, from organizations representing volunteer firefighters, from trade unions representing salaried firefighters, from the fire marshal's office and from such other parties as, in the opinion of the fire marshal, have an interest in the issue.

"Report to minister

"(3) No later than the first day of the seventh month after the Volunteer Firefighters Employment Protection Act, 2002 receives royal assent, the fire marshal shall report to the minister on the progress that is made at the meetings in resolving the issues relating to and arising from salaried firefighters also working as volunteer firefighters.

"Transition

"(4) The Volunteer Firefighters Employment Protection Act, 2002 shall not be proclaimed into force until after the fire marshal reports to the minister under subsection (3)."

By way of explanation, Mr Chair, we heard the other day in deputation that there was actually one meeting. The fire marshal has indicated, with some response back in writing, that he had made the decision that no further negotiations could resolve the issue. I personally have been involved in negotiations with associations over many years. The first meeting that takes place does not constitute the actual positions that may or not be gained at the end of those consultations or those negotiations.

I'm very disappointed to find out that the fire marshal had only sat in one meeting. The date he referred to in his deputation was the August 1 meeting. I subsequently asked him if there were any other subsequent meetings as a result of the bringing together of the stakeholders, and the answer was no. Quite frankly, I was very disappointed to find out that meetings, in the plural, did not take place. Negotiations do not get resolved in one meeting.

Having said that, I'm concerned about the bill, as I've indicated to Mr Arnott. But I'm also concerned that the stakeholders who were involved did not get to the table. It's amazing what negotiations can do when you get more than one meeting taking place and more positions being provided.

The fact is, the fire marshal, I submit, should be responsible for instituting several meetings to ensure that something can be discussed. I would suggest that we should be supporting this amendment to provide everyone who is directly affected by this issue with the opportunity to get to the table.

The idea that one meeting can be held and then everyone can proclaim failure is not acceptable in my vocabulary. I strongly suggest that we support this

amendment, if indeed the majority on one side decides that this bill is going to pass. Negotiation is an important tool not only in unions, but with municipalities. It's important with everybody who does everyday life stuff. You need to negotiate. You need to sit down and get to the table and hammer out some stuff. Quite frankly, that's not been done and I'm disappointed. So I really urge you to support this amendment.

**Mr Arnott:** Thank you, Mr Levac, for bringing this issue forward. I had to pick up a copy of the amendments on that table over there because I didn't have a copy, but I think one of our members had a copy of the amendments early on. I'm just now looking at it and listening to what you have to say.

I would question whether this amendment is in order, first of all, because it seems to be outside the scope of the original Bill 30. Of course, if it is deemed to be outside the scope of the original Bill 30, it would not be in order. I was going to ask the Chair and clerk to rule whether or not this amendment is in order.

**Mr Kormos:** Can I speak to that, Chair? I'm worried that it's maybe too late. A motion is either in order or it isn't. You call upon the Chair to rule it out of order when it's introduced. We've gone well beyond that point. The Chair is deemed, I submit to you, to know what is in order and what is not. There's been substantial debate, quite frankly, on the amendment.

**Mr Arnott:** He just read the amendment.

**Mr Kormos:** Too bad, so sad. The rules are there for everybody to follow, and I'm putting to you, Chair, that the point at which somebody calls upon the Chair to rule an amendment or a motion in order is when the motion is being made.

**Mrs Marland:** Which is exactly what happened.

**Mr Arnott:** I didn't have a copy of the amendment.

**Mr Kormos:** The motion was made. It was read on to the record. If somebody is going to ask for it to be called out of order, you do it then. You don't wait until debate has already commenced. The Chair is deemed to know the rules, and the Chair did not act on it.

**Mrs Marland:** On a point of order, Chair: Hansard will show that this amendment has just been read. There has not been any debate. It has just been placed before this committee. I would also point out that the member whose bill is before this committee did not receive a copy of this amendment. At this point the amendment has not been debated. It's been presented, rightfully, by Mr Levac. That's the point we were at. There hasn't been an opportunity to do anything else except clarify whether the amendment is in order. We had to hear the amendment to know what it contained and now we've asked if it is in order.

**Mr Levac:** A further point of order, Mr Chair: I also want to point out that the subcommittee and the committee as a whole decided that there were not going to be any dates and times by which amendments had to be presented, which implied to me that at the last minute, as they showed up—unfortunately, I did not have these prepared until the last minute. To maybe make an

assumption that we're just all stuck in a void here is not a fair one.

Quite frankly, the problem that arises right now is that I did enter into an explanation. Once you introduce an amendment, my understanding is, you have an opportunity to explain, and I was recognized by the Chair to continue to do that.

**Mr Kormos:** A quite lengthy explanation.

**Mr Levac:** I wasn't that verbose, was I?

**The Chair:** Just a moment, committee members, please. I wish to continue with debate. As Chair, this amendment is in order. I wish to continue with debate.

**Mr Arnott:** That was just a question, and I appreciate your clarification on that, Chair.

In terms of debate on this amendment, I would refer back to the fire marshal's presentation, of which I have a copy. I'm not sure, Mr Levac, if you have a copy.

**Mr Levac:** I certainly do, Mr Arnott.

**Mr Arnott:** There was an outstanding chronology of what happened over the course of recent months with respect to this issue, and the fire marshal took a very proactive role. I know, Mr Levac, that you are well aware that the fire marshal is a non-partisan individual who is a public servant, and I know you would not want to criticize him. I also know that his statements yesterday were in support of a legislated solution to this issue. He was very clear as to his belief that there was a gulf between the positions put forward by the stakeholders and that in his considered opinion, there was absolutely no hope of a negotiated solution.

I can just refer you to a couple of things he said in his presentation yesterday: "There simply was no common ground for agreement on a non-legislated solution.... It is our opinion that an enforceable and sustainable non-legislated solution to the two-hatter issue is not achievable."

He talked about the October 1 letter that the Ontario Professional Fire Fighters Association president sent out to his members lifting the moratorium on charges. He said, "The lifting of the moratorium will likely exacerbate the existing tension and uncertainty in both the fire service and municipal communities, and is unclear to what extent and degree this action will impact on existing two-hatters."

**1620**

In conclusion, he was very, very clear that he did not believe that a non-legislated solution was achievable or enforceable. I know that the opposition parties will want to pay particular attention to his professional opinion on this: "We need to develop a legislated solution that clearly protects the interests of public safety, and it's important that career firefighters who wish to serve as part-time or volunteer firefighters in their home communities are permitted to do so without fear of loss of employment."

**Mr Levac:** In response, there are three points I want to bring to Mr Arnott's attention a couple of times, because of the importance of his use of the fire marshal's deputation.

First of all, he proceeds to say that negotiations are not going to go anywhere, and then he turns around, in the very same deputation, endorsing the legislation. You have to think of why he said, “No, you can’t negotiate this.” Is it because, “I want to turn around and say I can support the bill”? That might be one way to look at it as well.

The second thing I want to bring to your attention very clearly is that in the letter we all received from the minister when he was invited to attend, it said “I will be sending the fire marshal to represent the government.” When I asked the fire marshal that very same question, he said, “I’m here to represent the fire marshal’s office.” I have a problem with the inconsistency of those two statements.

The third thing I want to bring to your attention is that one meeting—and I’ll repeat it: one meeting—does not constitute negotiations. He may have been going through and talking to one group at a time. He did not get all the stakeholders in the same place at the same time to discuss the issue but once. That’s not negotiation. This amendment is trying to provide a solution to a long-standing problem that needs debate, that needs the stakeholders at the table to discuss the issues. To bring them together once does not constitute good negotiations.

**The Chair:** Any further discussion? Seeing no further debate, shall I put the question? We’re dealing with a Liberal motion on page 3. Shall this motion carry?

**Mrs Marland:** Recorded vote.

**The Chair:** All those in favour?

#### Ayes

Kormos, Levac, McLeod.

#### Nays

Arnott, Gill, Marland, Miller.

**The Chair:** I declare this motion lost.

Seeing no further amendments to section 1, shall section 1, as amended, carry?

**Mr Levac:** Recorded vote, please.

**The Chair:** All those in favour?

#### Ayes

Arnott, Gill, Marland, Miller.

#### Nays

Kormos, Levac, McLeod.

**The Chair:** I declare section 1 carried.

Mr Levac, you have an amendment?

**Mr Levac:** If I’m getting this right, according to the clerk, we move to page 2 of the package I sent. It’s section 0.1.

I move that the bill be amended by adding the following section.

**Mr Arnott:** On a point of order, Mr Chair: Can I question whether or not this amendment is in order?

**Mr Levac:** Can I put it on the record first?

**The Chair:** I’ll check with the clerk just to make sure. This amendment to create a new section is in order.

**Mr Levac:** I move that the bill be amended by adding the following section:

“0.1 The Fire Protection and Prevention Act, 1997 is amended by adding the following section:

“Municipal review of funding for volunteer firefighters

“3.1(1) A municipality that relies in whole or in part on a fire department that includes volunteer firefighters shall annually review its expenditures for volunteer firefighters and the affordability of the use of volunteer firefighters to ensure that appropriate funding is provided to support the volunteer firefighters.

“Municipal support for professional development for volunteer firefighters

“(2) If a municipality relies in whole or in part on a fire department that includes volunteer firefighters, the municipality shall ensure that adequate funding is provided for the training and professional development of the volunteer firefighters and that appropriate insurance is maintained when a volunteer firefighter is being trained or is undertaking professional development.

“Provincial review of funding for volunteer firefighters

“(3) The minister shall annually review on a province-wide basis expenditures made on volunteer firefighters and the affordability of the use of volunteer firefighters to ensure that appropriate funding is provided to support the volunteer firefighters.”

I think that’s it.

**The Chair:** I’ll ask for discussion. Mr Levac, did you wish to continue?

**Mr Levac:** Yes, I do. I was just ensuring that I wasn’t off-page. I apologize for the delay.

Time and time again we heard, during the two-day deputation and many, many times before the actual hearings, that municipalities were concerned about the costs involved in providing these services if two-hatters were removed from the province of Ontario. The more I asked this question, the more answers I got that made it quite evident that municipalities are strapped. With the exercises that have been taking place in downloading and some of the other issues that municipalities now face in terms of their costs, they have to reprioritize and re-shuffle their expenditures. In my opinion, what has happened is that the province has been able, with the introduction of this bill, possibly to escape spending money for the hiring of volunteers and professional firefighters. Quite bluntly, we’re getting 50-cent dollars for firefighters because it’s the law, but because it’s not stated in law that it’s a service that needs to be provided, firefighters are not hired by municipalities, supported by 50-cent dollars from the province of Ontario.

I believe a review of that funding needs to take place on an annual basis. Quite frankly, the province needs to review its expenditures on fire departments that rely on volunteers. I would ask you to support the amendment simply because it says you're going to put your money where your mouth is.

**Mr Arnott:** I would submit that this amendment is completely out of order in that it's a completely different issue that's introduced to the—

**Mr Kormos:** You tried that once.

**Mr Arnott:** No, this is completely different. In the previous round, I asked for an opinion. I would submit to you, Mr Chair, that this introduces a totally different issue, outside the scope and intent of the original bill. The original bill is very simple—one page. It tries to provide employment protection for the two-hatters, those who are full-time professional firefighters and also want to be volunteer firefighters. This brings in money issues involving compelling municipalities to do certain things. It's totally and completely different.

**The Chair:** I'll go to Mrs McLeod, but I will remind you that I did indicate that this amendment is in order.

**Mr Arnott:** And I respect you, Mr Chairman. If you are firm in that ruling—I respect your ruling, obviously, but I suppose I would point out that most municipalities on an annual basis would review their capacity to deliver firefighting services in their community, I would think. I'm sure Mr Levac would not want to criticize municipalities in the sense that they don't do this already. In most cases, that I'm aware of anyway, small municipalities that have volunteer fire departments pay for those fire departments out of their local tax dollars. The property taxes they collect go to providing the service. That is certainly in the budgets of the majority of the communities I represent.

If Mr Levac is calling for a provincial funding program to assist municipalities in that endeavour, that may very well be his position and it may be the position of other members of the Legislature. But again, I don't see that that is an issue relevant to the bill.

1630

**Mrs McLeod:** I can appreciate why the government members would be very uncomfortable with this amendment, because it really does speak to the crux of the intent of the bill that Mr Arnott has presented.

I have followed the submissions that have been made and I have followed the government members' arguments in favour of continuing with the bill. It seems to have been premised, according to their words, on public safety. The act is entitled An Act ... to protect the employment of volunteer firefighters. If the issue that brought this bill forward is really an issue of public safety for the government members, then surely an amendment that speaks to ensuring adequate support for the volunteer firefighting force, including their training, would not only be seen as being in order but would be seen as absolutely essential to supporting the public safety concerns of maintaining a volunteer firefighting force.

The fact that the government is uncomfortable and clearly not going to support the amendment says to me that the real motivation of this entire bill is to maintain largely unpaid volunteer, but professionally trained, firefighting forces. It's a money bill, as you've presented it. The resolution attempts to make sure that the money supports true public safety, if you're going to proceed with this.

**Mrs Marland:** Actually, I think that's an unfortunate comment in the way of describing this bill. This bill is about giving the same opportunities for employment in this sector as a full-time firefighter or, frankly, as a volunteer firefighter.

The Municipal Act, as I'm sure the Liberal members opposite would know, requires municipalities to have fire protection. It may well be that through a volunteer force, for which there are expenses now that a municipality already assumes as part of their responsibility within their budgets—frankly, I think this amendment slams at the fire marshal and the municipalities that already do a very professional job of reviewing and allocating their resources, and I certainly know very well personally the work and dedication of volunteer firefighters. To suggest that municipalities don't ensure the safety of the public where a volunteer fire resource is the only resource they have is a criticism of that municipality and, more importantly, of the people who volunteer. I think it's an unfortunate criticism of volunteer firefighters.

To start taking a position about what a municipality shall or shall not do with their budgets would be an enormous intervention and I would suggest might begin a very interesting, unwanted precedent in terms of provincial overview that is already assigned through the Municipal Act to municipalities bearing certain responsibilities. The next thing would be saying what they need to do for any of their employees. Even though they're volunteers, what you're suggesting, apart from slamming the volunteers, makes a municipality assign resources which, as far as you may or may not know, already are assigned. I'm not in favour of this amendment.

**Mrs McLeod:** I'll respond only because Mrs Marland's comments appear to be particularly directed to me. I do have a number of volunteer firefighters in the riding I represent. I am confident that those volunteer firefighting forces would be maintained without Mr Arnott's bill being passed, but I am also aware that the people who work on those volunteer firefighting forces feel very much the need for support for training and other forms of support, which their respective municipalities simply cannot afford to provide. Therefore, I think Mr Levac's motion speaks to the public safety that volunteer firefighters can provide.

**Mrs Marland:** Mrs McLeod is suggesting that municipalities may not be able to afford training. I would not want to make that criticism of municipalities. I too have experience with municipalities and with volunteer firefighters. To suggest there's an absence of training and to want to intervene at the provincial level down to the municipal level in terms of training and any other

resources—I couldn't believe that's the route you would want to go, especially since you have said you already have volunteer firefighters within your riding. Unless you want the province to take over everything, including the responsibilities of municipalities to protect their residents in terms of fire risk and other emergency services, I think you would start, as I say, a very dangerous precedent.

I think we're very fortunate in this province to have volunteer firefighters. Everybody knows what the main thrust of this private member's bill has been about. I think the bill is very creditable. A credit is due to all the homework and research the member for Waterloo-Wellington has done in bringing forward this bill as the opportunity due to him. I think he has used that opportunity to the benefit of all of us, frankly.

It's tremendously interesting that the Large Urban Mayors' Caucus of Ontario, LUMCO, passed a resolution supporting Bill 30. The reason it's interesting is that all those large urban mayors and their communities have full-time professional firefighting and emergency services departments, yet they, with all the weight of all the members who belong to professional associations in their municipalities, recognize the merit of Bill 30, to the point where one member, who happens to be the mayor of a municipality of 650,000 people, Mayor Hazel McCallion, spoke on the floor at the AMO meeting to 1,200 people publicly endorsing this bill and reporting the resolution that LUMCO had passed supporting this bill.

I find it very hard to understand how, when those people who don't have volunteer firefighters and who deal only with full-time professional firefighters and emergency services workers are saying this bill is a good thing because they recognize, through AMO, which represents—it used to be 647 municipalities, but I don't know how many we have in Ontario now; I know it's fewer because of amalgamations. Anyway, the large number of municipalities that AMO represents in this province apparently understand the merit of this bill and appreciate it and support it, and I'm very proud of that.

**Mrs McLeod:** Mr Chair, I think we're debating the amendment.

**The Chair:** Yes. Further debate on the amendment?

**Mr Levac:** First of all, to have the motives of the member sitting beside me questioned is absolutely bizarre. Second, the interpretation that the member opposite gives about what the amendment is trying to do or ask is absolutely false, at best.

The third point I wish to make is that this is about affordability and about a province that has decided, for the Emergency Measures Act, that municipalities will comply with certain standards across Ontario. To impugn me and the member beside me in terms of trying to put an amendment forward that makes people responsible for the safety and security of the people of Ontario, I take offence at.

If this amendment passes, we would probably have a better society and better-protected people. The province of Ontario has downloaded—and if you want to get into a discussion about it, you can ask them how they have

shifted their spending. Ask them whether they spend more on housing and on social services and have spent actually fewer dollars per diem on firefighting. There are many forces across Ontario that are not getting enough money to do the job to keep us safe and secure. So asking for a review of the process between municipalities and the province is not only in line, it is absolutely about time. Our firefighters deserve that so they can do their job.

If you don't support this amendment, you're telling us that you think the scope Mr Arnott is talking about is simple. The reality is, it is not simple. We heard deputation after deputation—when I wrote to members from the municipalities and asked them, “Why are you supporting this bill?” they said, “Because we can't afford it if we don't.” They can't afford it if they don't. That's the only reason—I won't say only—one of the key reasons why municipalities, big and small, are supporting this. It's got nothing to do with the actual safety and security. The argument that somebody throws out to say that by putting this in we're questioning the municipalities' desire to keep their citizens safe—it's got everything to do with the fact that municipalities can't afford your downloading exercises.

And now that this bill comes in place, it excuses you from having to pay for it and it also excuses the municipality from having to deal with it, which is another reason I come back to the original amendment saying, “Get to the table.” You turned that one down because you know that if we got to the table, we could probably knock this thing off. But with one meeting, you can't.

This particular motion is another attempt to say that we need to get this out in the open and have everybody understand that we are sorely underfunded in terms of hiring firefighters. We are woefully short.

**The Chair:** Any further debate? Are the members ready to vote? Shall I put the question?

**Mr Levac:** A recorded vote, please.

**Mr Kormos:** As of right, pursuant to the standing order, a six-minute adjournment, please.

**The Chair:** A six-minute recess.

*The committee recessed from 1643 to 1650.*

**The Chair:** We're dealing with the Liberal motion, Mr Levac's motion. That's the amendment found on page 2, creating a new section. Shall the motion carry?

**The Chair:** Recorded vote?

**Mr Kormos:** It was a request. That's why we had the adjournment.

**The Chair:** All those in favour?

#### Ayes

Kormos, Levac, McLeod.

#### Nays

Arnott, Gill, Marland, Miller.

**The Chair:** I declare the motion lost. I see another amendment.

**Mr Levac:** Mr Chair, I will bow to your clarification, either yours or the clerk's. If I'm not mistaken, because the original amendment I proposed was defeated, this would then become out of order.

**The Chair:** This is a motion on which page?

**Mr Levac:** On page 5 of the package. It was going to change section 2 of the bill. If I'm not mistaken, and I bow to your understanding and interpretation, because the first amendment I requested didn't pass, this becomes redundant.

**The Chair:** That's a good question. I'll ask the clerk. You're correct. That means this is out of order.

**Mr Levac:** I appreciate that, Mr Chair. Thank for your interpretation and ruling. So we would just go back to the sections and start to go through them?

**The Chair:** Yes. We'll now turn to section 2 of this legislation. I see no amendments to section 2. Any debate on section 2? I see no debate. Shall I put the question? Shall section 2 carry?

*Interjections.*

**The Chair:** I don't hear a request for a recorded vote.

**Mrs McLeod:** Well, you haven't called for yeases and noes yet.

**The Chair:** I did state, "Shall section 2 carry?"

**Mrs McLeod:** And we said no.

**Interjection:** And some said yes.

**The Chair:** All those in favour?

**Mr Levac:** Recorded vote, please.

**The Chair:** So that's when it comes in. All those in favour?

#### Ayes

Arnott, Gill, Marland, Miller.

#### Nays

Kormos, Levac, McLeod.

**The Chair:** I declare section 2 carried.

We now turn to section 3 of the legislation. I see no amendments.

**Mr Kormos:** I want to speak to section 3. Like some of the others on the committee, I listened and read and observed the submissions that were put to the committee over the course of the first two days. I also spent a considerable amount of time reading material that had been sent to us by any number of people, including somewhat voluminous correspondence. I also have spoken with professional firefighters and volunteer firefighters, not just in the part of the province where I come from but in other parts of the province as well.

As you know, I go back here not just to Bill 84 and the committee debate around Bill 84. I want to remind folks here and people who might be inclined to read this transcript that Bill 84 was the child of this government, the Conservative government. Bill 84, in my view, is in large part responsible for the considerable conflict that

has arisen around this issue of double-hatters. I'd also remind people that I voted against Bill 84.

The issue has been characterized in so many ways, but for me, after listening to everybody and reading the material, I have to address it first from this very fundamental way: that this bill would interfere with the right of the Ontario Professional Fire Fighters Association to draft their own constitution, either in terms of active drafting or in terms of incorporating the constitution of their parent body, the IAFF, and in particular article XV.

You and most people who know me or know of me would know that I am a union supporter—an unashamed, unabashed, unqualified union supporter. I also recognize that the unions, certainly the unions I'm familiar with—and I'm probably familiar with every single union there is in this province, in this country—are essentially democratic bodies that arrive at decisions democratically. I am as well aware as anybody that from time to time, and perhaps more often than not, decisions are made by any number of unions that aren't popular with all the members of that union—no two ways about it. That's the nature of the beast. It's like democracy in the province of Ontario. I mean, every time there's a vote there are inevitably people in this legislative chamber who are unhappy with the result of that vote or the initiative or bill or policy that was just passed.

It was interesting to hear more than a little bit of comment from the advocates for double-hatters about article XV being a violation of those people's rights, even constitutional or charter rights. It was also interesting that we didn't receive one single submission by way of a legal opinion that would confirm that. In fact, Mr Guzzo—that's why earlier on in the afternoon I wanted reference made to the fact that he was here at other times and, for interesting reasons, isn't here today—questioned one submitter yesterday about legal opinion, and the response was a very vague, "Oh, yes, I have an opinion." I thought that would mean that that person would feel welcome to offer it up.

We are not the Court of Appeal. We're not the Supreme Court of Canada. If any individual member of the Ontario Professional Fire Fighters Association believes that article XV violates their charter rights, they have any number of avenues they can follow to contest article XV.

And let me go one further. I listened—and again it was interesting: we had but one double-hatter appear before the committee, and that was Mr Lee. I've got to tell you, I found his submission extremely passionate and extremely articulate—no two ways about it. I have no doubt that Mr Lee feels that an injustice is being done to him. I have no doubt about that whatsoever. That's clear. That's patent. That's obvious.

It impresses me that the majority of advocates for the double-hatting proposition were in fact municipalities who are the beneficiaries of the double-hatters. An interesting juxtaposition of comments came yesterday when a duo were making a submission. One proclaimed, "It's not about dollars and cents," but the other made it

quite clear that were double-hatting not permitted, “It would put us”—to wit, that municipality—“in a very difficult position financially.”

I have no doubt that among some volunteer firefighters, there is some concern about the prohibition that might be contained in article XV of the IAFF constitution. I have no doubt about that whatsoever. I also found it interesting that there has only been one process initiated, and that was with the Whitby local with respect to Mr Lee, in the whole of the province. Others will correct me if I’m wrong, but I was left clearly with the impression that nowhere else, not among any number of not just hundreds but thousands of firefighters in this province, had there ever been a process initiated like that. This appears, in so far as I know, to have been the first of its kind.

It has not come to fruition yet. It’s not finished; it’s far from over. We heard it will carry on through a number of appeal steps within the union and through into the IAFF. We have no idea what the outcome will be. Quite frankly, I would see this as a wonderful opportunity for those who dispute the validity of article XV to challenge it on the basis of the Charter of Rights and Freedoms.

**1700**

I also observe that undoubtedly there are professional firefighters who want to volunteer in what would be their home community. Some, I have no doubt, would be motivated by the ability to make a few extra dollars. I have no quarrel with that; it’s human nature. Others may well be motivated simply because they enjoy the fellowship and enjoy the participation in their community and their involvement with other volunteer firefighters. There is a special fellowship that takes place in the volunteer halls I’m familiar with, and I’m not talking about Saturday night upstairs; I’m talking about the genuine relationships and rapport firefighters have with each other, especially at the volunteer level.

The Ontario Professional Fire Fighters Association, like any other union or professional association, has multiple roles, has multiple objectives. One of its objectives clearly is to protect the interests of its members, but that is a broad thing. I support the Ontario Professional Fire Fighters Association in the course of their protecting their members’ interests when it comes to negotiating salaries, when it comes to negotiating work conditions, when it comes to negotiating benefits, when it comes to negotiating health and safety. But the Ontario Professional Fire Fighters Association, like virtually every other union, doesn’t see that as its sole role. Clearly, the Ontario Professional Fire Fighters Association has, as a part of its agenda, accepted a mandate to expand the number of professional firefighters across the province, has used collective bargaining and grievance and arbitration, as well as political lobbying, in an effort to establish minimum staffing standards.

I support all of those things, and I think any member of this provincial community who cares about not only community safety but firefighter safety—because it has a double role. Do you understand what I’m saying?

Minimum standards not only mean those firefighters can serve the community but also mean they can do it in a safer way.

Like everyone else, I stood up and mourned the death of a young volunteer firefighter from up in the Sault Ste Marie area. All of us were saddened about that young woman. I made a point of referring to her as a firefighter; I wasn’t about to qualify it. She was a firefighter who lost her life while she was pursuing her job. It’s not enough just to mourn. I mean, we can mourn the dead, but let’s fight for the living. The Ontario Professional Fire Fighters Association has done that, in my view, in an exemplary way. Quite frankly, a whole lot of their goals in the pursuit of adequacy of staffing, training, resources, also impact on volunteer firefighting services. There’s a huge spin-off.

I’m familiar with communities that are 100% volunteer. I’m familiar with communities that are what I’d call hybrid but more accurately are called composite. I’m familiar with communities that are 100% professional. We received some information that there were a significant number of professional firefighters living, for instance, in the Whitby area, some 600, I’m told, with a relatively small professional firefighting service there in terms of the staffing, and a composite service. I have no doubt that it’s far more attractive for the municipal leadership to control its municipal costs by hiring fewer professional firefighters and retaining more volunteers, especially when those volunteers are professional firefighters from the city of Toronto or Peel or what have you. It’s only logic; it’s only common sense. That was one of the recurrent themes that went through the submissions made to this committee by every head of those small municipalities.

I don’t quarrel with their interest in utilizing scarce resources in terms of tax dollars; I understand that. But I say to you, it’s got to be awful tough when the Ontario Professional Fire Fighters Association local representing the Whitby professionals sits down at collective bargaining time, when they’re attempting to negotiate around wages and salaries, as they should, when they’re attempting to negotiate around minimum staffing or even the proposition of hiring more firefighters, as they should. I have no doubt that it becomes all that much more difficult for them when the town of Whitby knows it can access any number of Toronto-based, Peel-based, wherever, professional firefighters who can provide literally professional-quality performance when they are out on the scene, be it a motor vehicle accident, a medical emergency or a fire, but do so at a marginal cost, maybe not so much in the hourly rate, because we’ve also learned that volunteer firefighters—not all of them—are being paid hourly rates that are starting to get pretty significant, but in terms of the cost of maintaining a full-time firefighter, not just the salary but the benefits and all those other things inherent in it.

For the life of me, I can’t understand why anybody here would want to stand in the way of the Ontario Professional Fire Fighters Association’s efforts to

improve the quality of full-time professional firefighting services. If anything, we should be facilitating them and encouraging them.

Quite frankly, I consider article XV to be consistent with the Ontario Professional Fire Fighters Association's mandate to improve the lot of its own membership, to expand the number of professional firefighters serving across this province and to promote objectives like minimum staffing.

I could well be wrong. Article XV, although there was nothing patent about it, could well be deemed down the road to be contrary to the charter. My background tells me that while article XV may be unattractive to some members who want to be double-hatters, it's not necessarily on its face a violation of the charter. But if it is, it's not for us to do that. We're not judges. It's for the courts to do that.

I have no doubt there would be any number of resources available to a double-hatter who wanted to challenge his union's right to invoke article XV, because I saw the interest of many people who purported to advocate for double-hatters. I don't think it's our job.

I regretfully but, as a supporter of the trade union movement, at the same time proudly have to tell you that I cannot and will not use my modest legislative capacity here to tell trade unions how to run their affairs, because that opens the door and starts us out on a slippery slope too, I tell you. If the Legislature starts telling a democratic association like a trade union how to construct its constitution, we can start telling other organizations, I suppose, be it Lions Clubs, Kiwanis Clubs or Rotary Clubs, be it other professional organizations. I say that's not our job. We have a Human Rights Code in this province, as we should, and we've got a Charter of Rights and Freedoms federally, as we should, and everybody's public conduct is tested against those. If the Ontario Professional Fire Fighters invocation of article XV of their constitution violates the charter, let that be litigated in the appropriate forum, not here.

Secondly, in terms of my experience with volunteer firefighters, I've been impressed by the fact that many young women and men join volunteer companies as an opportunity to test their aptitude and interest and perhaps to set some sort of track record for themselves so they can be considered for a professional firefighting service, either in that community or in an adjoining community.

My experience, especially in composite communities, certainly in some of them, is that there are scarcer and scarcer resources, where it's the volunteer force that is at risk. That's not the case in growing, expanding communities but in communities that have stabilized themselves. Quite frankly, the city of Welland is one of those communities where the volunteer companies feel very much endangered.

I put to you that if I were a volunteer, if I had that skill and aptitude and courage, I wouldn't want to have to compete with somebody who already has a professional firefighting position in some other community. I wouldn't want to be on a waiting list while somebody

who already has a full-time professional firefighting job is part of the volunteers, using the spot I could be using to develop my skills to demonstrate to the full-time chief that I've got what it takes to be a full-time firefighter.

**1710**

I know there's been an incredible amount of emotional turmoil generated around this issue. I'm going to say what shouldn't have to be said, but there's nobody at this table or in this assembly who would denigrate either volunteer or professional firefighters. I'm impressed with the fact that the professional firefighters understand the important role that volunteers take. They have been very, very cautious, in all of their statements and arguments around this issue, to make it clear that they are not anti-volunteer firefighter. They understand as well as anybody how remote and small or wide-based communities with low tax assessments have no choice but to retain volunteers. Professional firefighters have indicated that very clearly. They understand that 100% volunteer companies are part of the culture of firefighting in this province. You probably could take any professional firefighting service and go back until at some point you'd encounter a volunteer firefighting service. It's part of the history of every professional firefighting service in the province and in the country.

But I tell you, it's regrettable that the fire marshal, after one meeting, concluded that the matter was beyond resolution. My modest familiarity with mediation and negotiation tells me that that is not how one pursues negotiations, least of all mediation, when you're in the position of the fire marshal where you're at the very least facilitating some candid exchanges between the professionals and the affected volunteers, the so-called double-hatters. I'm very disappointed about that.

I'm even more disappointed that the fire marshal then took what I perceive to be a partisan position. I have great respect for the fire marshal, I've got to tell you, but it's my view that it would have been preferable had he simply removed himself from the debate and stood aloof, because this has the capacity to cause ongoing rift and tension between professionals and their own brothers and sisters as volunteers.

I also very quickly want to indicate that while Bill 84 is undoubtedly part of the causation of this issue, the underfunding of municipalities in terms of their firefighting services is another important part of the source of the problem. Mr Levac, among others, has made frequent comment, and I join with him in his concern, our concern, what should be all of our concern, about the adequacy of funding of any number of municipalities, every single one of them, big, small, north or south, in terms of firefighting services, whether they're volunteer, composite or full professional. Yes, all of us should be advocating—and I would like to hear more from the government in this regard—for better funding for training of volunteers, for resources, for the proper equipment, and indeed, for those municipalities that have full-time professional firefighting services, for adequacy of staffing, and not just the adequacy of staffing but



ensuring that those staff receive the best possible training and the best possible resources to enable them to do their jobs.

I think it's clear that the New Democrats will not be supporting this legislation. We, as a party of labour, respect the right of trade unions, including the Ontario Professional Fire Fighters Association, to construct their own constitution and to do that, as they have, in a democratic way. Nobody was made aware—as my final comment, just as a secondary observation—of any effort within the Ontario Professional Fire Fighters Association to dump the IAFF or to dump article XV of the IAFF constitution. One would have thought that were this matter as serious as it has been portrayed by some, there would have been a movement within the IAFF—because that's what happens in any organization; political parties do it and even countries change their constitution—to delete article XV. We weren't made aware of any effort in that regard.

I think the Ontario Professional Fire Fighters Association, while its utilization of article XV may well anger, and clearly has, some of its members who want to be double-hatters, it's my view that the Legislature shouldn't be interfering in their utilizing that right they've created for themselves.

If that right's going to be tested, it should be tested in the proper forum, in the courts. If the membership of the Ontario Professional Fire Fighters Association is displeased with article XV, they should be starting a campaign within their own union, within their own association, to delete article XV from their constitution.

**The Chair:** We'll go to Mr Levac. I also have Ms Marland slated to speak.

**Mr Levac:** I will try to be as brief as I can, just to have a few summary remarks. I thank Mr Kormos for his views. Actually, I listened very intently to his understanding of how these matters work inside of an association. I appreciate his comments and listened carefully.

I want to start by expressing to Mr Arnott that as a member here I've gotten to know him a little—not a lot, but a little—enough to know that he's honourable, and his intentions I will not impugn. I have never done so and I won't do that, because that's not the purpose of this. He makes it very clear that he believes the association is wrong. I do not agree with his findings and I don't agree with the bill in its form. Even if amended, I would still be uncomfortable with the direction we as a committee would be going with this.

I would remind everyone that this is a private member's bill. At least, in terms of my satisfaction, a private member's bill will get its due. For that, I think he deserves to get credit, that he stirred enough involvement to—it doesn't happen enough; it certainly doesn't happen often with private members' business.

It does beg the question of why the government did not come forward with something like this. I don't know whether the government saw this on the radar screen. Quite frankly, when you introduced it, I think you would appreciate that quite a few people didn't know it was

coming, and when it did come it created the discussion. I appreciate that part of it, and I appreciate the fact that your intent is not questioned. I want to be on the record as saying that.

There are too many unanswered questions regarding Bill 30. When I asked other people for an opinion, it ended up being a slug match. Unfortunately, that did not get us anywhere. It became some people making comments about the volunteers and other people saying something about professional firefighters. I had hoped we would be able to come up with logical, rational reasons why we could or couldn't support it.

That started to surface. Unfortunately, I truly believe that's how the debate should have continued. That, during the day, is what I was asking for in terms of making sure that all the stakeholders got to the table. By not allowing that to happen, I believe this discussion has been muted and the debate will not continue. It will simply be legislated material that stops something from happening as opposed to allowing the stakeholders to actually and truly get a grip on this, because we still did not provide it with the time I believe is necessary for us to come to a solution that would not cause any other undue problems.

I said to Mr Arnott once before that I believe this may indeed—and I hope I'm wrong—push things underground. Trying to legislate how associations can proceed with their membership may indeed do that, and I'm fearful of that. I will go on record, as he knows I did, that I do not accept intimidation from any sector. At the end of the day, I heard there were some intimidation tactics used on both sides, which I do not accept, and now there's a third side that's been introduced to this. Intimidation over what you can or can't do to somebody because they don't follow rules is not acceptable, in my opinion, and it should not occur.

I would suggest, though, that intimidation is different from applying your constitutional rules and regulations of what you have to abide by. I want to refer to the research we had done as a result of a question Mr Kormos brought up. We got this back from research regarding police officers. The section of the Police Services Act that deals with secondary activity is section 49. I won't read it into the record, but for those who want to look it up, read section 49.

**1720**

What's interesting are the comments made afterwards: the clause “might suggest that work for another force would be possible if it were arranged through the force of which the person involved was a member.” That's an interesting comment, that if you're a member of a force and you want to go work for someone else, it's a possibility but it must be arranged through the force from which you're coming. What's more important: “The chiefs of the forces involved may not know about the double-hatting; it is apparently considered a problem by the policing services division of the Ministry of Public Safety and Security, and the matter is being looked at.”

I'm not too sure that this is at odds with what is presently happening under this section of the public safety and security ministry. There are far too many unanswered questions that need resolution in an appropriate negotiated and mediated way. To reiterate, we might have one section of the ministry that takes care of policing that says, "That's a problem. We don't like that the cops could be doing something else in their private time as a double-hatter," but with this we're now saying we can. I want to hear what the ministry has to say about this.

There are too many unanswered questions. I thank the research department for that information.

This never has been, in my dealing with this, an issue of volunteer versus professional. Several times now, on the record, not only in this place but outside the House, in my own riding and across the province, I have spoken dearly about our volunteer firefighters and our professional firefighters.

The reality is that firefighting is a dangerous job, and their families go through the dangers day in and day out, so vividly pointed out by Mr Kormos today in this committee and by all three parties earlier in the afternoon about the death of one of the firefighters in our province of Ontario.

This has got nothing to do with whether we believe firefighters should be pitted against each other. It has everything to do with supporting and doing the best we possibly can to let them do their job to keep us safe and secure, and that's being done. I want to make sure people understand that.

For the record, I have been approached by many volunteer groups, in particular in my own riding. They are concerned that some of the arguments being laid in front of them have something to do with saying that professional firefighters could do a better job or bring more expertise to the table. They themselves told me that they were offended by that, that their volunteer force provided perfect training and they were happy with it. They were quite satisfied with the way they provided for their community. One of the things they said time and time again, along with many, many others, was that they were concerned about the stress on the municipal budget.

There are questions that beg to be answered. Why did the municipalities step forward to support this bill? Why did the amendment fail? We need to continue to ask those questions. Are we doing enough for our firefighters through our municipalities? At a provincial level the answer is no, we're not doing enough. I'm asking this government and this committee to make sure we send a message that we are not doing enough for our firefighters in Ontario.

I was very fortunate and honoured to be invited to go to New York for what I believe will be the last memorial service held regarding 9/11. People, firefighters, men and women, from around the world, went to New York to show their respect not only for the victims of 9/11 but for all fallen firefighters in New York through to October 2002. When those people's names came up, there was a

10-minute standing ovation for the fallen firefighters and their families.

This should be nothing more than a discussion of how we provide fire service in Ontario. It should not be a debate about urban versus rural. It should not be a debate about affordability. It should not be a debate about whether a two-hatter can do a two-hatter's job. It should be a debate about why the government of Ontario is not providing for fire services in terms of direct employment of firefighters in Ontario.

Don't talk the talk; walk the walk. I'm imploring the government to start providing for firefighters across Ontario, I will say in particular for the smaller communities, the small urban, the rural and the isolated communities in the province.

Thank you for your indulgence, Mr Chairman.

**The Chair:** Ms Marland, any further discussion?

**Mrs Marland:** Mr Chair, I would like to call the question.

**The Chair:** OK. I guess I would ask, any further debate?

**Mr Kormos:** Recorded vote.

**The Chair:** We're dealing with section 3. We have a request for a recorded vote. All those in favour?

#### Ayes

Arnott, Gill, Marland, Miller.

#### Nays

Kormos, Levac, McLeod.

**The Chair:** I declare section 3 carried.

Shall the long title of the bill carry? Carried.

Shall Bill 30—Mr Kormos, a point of order?

**Mr Kormos:** No. Debate.

**The Chair:** I shouldn't anticipate. Debate with respect to the long title?

**Mr Kormos:** No, with respect to the referral to the House.

**The Chair:** I'm coming to that. My question now is, shall Bill 30, as amended, carry?

*Interjections.*

**Mr Kormos:** Whoa, whoa.

**The Chair:** You had a question concerning reporting this to the House?

**Mr Kormos:** Each and every one of those motions is debatable, Chair, but we'll go to your next offering.

**The Chair:** I understood you to suggest that you wish to debate the last question, and the last question is, shall I report—

**Mrs McLeod:** I'm sorry. We really didn't complete the vote on Bill 30.

**The Chair:** Oh.

**Mr Levac:** As amended. We need to do that. Can we have a recorded vote, please?

**The Chair:** OK, a recorded vote. The question we're voting on, just to make sure I'm clear, is whether Bill 30, as amended, carries.

**Ayes**

Arnott, Gill, Marland, Miller.

**Nays**

Kormos, Levac, McLeod.

**The Chair:** I declare that passed.

The last question is, shall I report the bill, as amended, to the House? Discussion?

**Mr Kormos:** Thank you kindly. The bill clearly, in view of the Conservative majority, I anticipate is going to be reported back to the House. That then will begin the dance around third reading.

I simply want to make it very clear that the government has a majority, one of its members introduced this bill, and bills get presented for third reading when the House leader of the government calls them for third reading. They don't get presented for third reading as the result of some sort of clubby little arrangement between the three caucuses. They certainly don't get presented for third reading with agreement that there be no further debate. I just want to make it very clear to those who may be interested in this bill being pursued that if the government wants this bill to pass, it'll pass—it'll pass in a New York minute, speaking of New York, Mr Levac. But if the government doesn't want the bill to become law, the government House leader won't call it. It's not for opposition members to be told that they're preventing the bill from being called, because I want to tell you, Chair, no opposition member, even Mr Levac on his most

rambunctious days, can prevent the government House leader from calling a bill for third reading. There's not a snowball's chance in hell of even Mr Levac preventing a government House leader from calling a bill for third reading.

So let's not have any of this game-playing around "So-and-so didn't let the bill be called for third reading." I have no control over what the House leader for the government calls or what he does in or outside of his office, and I dare to speak for Mr Levac in that regard too, that he has no control over what the House leader of the government calls, be he Mr Stockwell in or outside of his office and regardless of how late it is at night and where we are in downtown Toronto.

I just want to make that quite clear to those who might be interested in seeing where the bill goes next. It's not my bill. I've got my own bills in my own caucus to worry about. Call the government House leader.

**The Chair:** Just for clarification, I'll repeat the question. Shall I report the bill, as amended—

**Mr Kormos:** No. A recorded vote, please. That was efficient.

**The Chair:** Shall I report the bill to the House? I'll pose the next question: all those in favour? And we want a recorded vote.

**Ayes**

Arnott, Gill, Marland, Miller.

**Nays**

Kormos, Levac, McLeod.

**The Chair:** Carried. We're adjourned. Thank you.  
*The committee adjourned at 1732.*

# CONTENTS

Tuesday 22 October 2002

<b>Volunteer Firefighters Employment Protection Act, 2002, Bill 30, Mr Arnott / Loi de 2002 sur la protection de l'emploi des pompiers volontaires, projet de loi 30, M. Arnott.....</b>	<b>J-107</b>
--	--------------

## STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

### Chair / Président

Mr Toby Barrett (Haldimand-Norfolk-Brant PC)

### Vice-Chair / Vice-Président

Mr AL McDonald (Nipissing PC)

Mr Toby Barrett (Haldimand-Norfolk-Brant PC)  
Mr Marcel Beaubien (Lambton-Kent-Middlesex PC)  
Mr Michael Bryant (St Paul's L)  
Mr Garry J. Guzzo (Ottawa West-Nepean / Ottawa-Ouest-Nepean PC)  
Mr Ernie Hardeman (Oxford PC)  
Mr Peter Kormos (Niagara Centre / -Centre ND)  
Mr AL McDonald (Nipissing PC)  
Mrs Lyn McLeod (Thunder Bay-Atikokan L)

### Substitutions / Membres remplaçants

Mr Ted Arnott (Waterloo-Wellington PC)  
Mr Raminder Gill (Bramalea-Gore-Malton-Springdale PC)  
Mr Dave Levac (Brant L)  
Mrs Margaret Marland (Mississauga South / -Sud PC)  
Mr Norm Miller (Parry Sound-Muskoka PC)

### Clerk / Greffière

Ms Susan Sourial

### Staff / Personnel

Ms Cornelia Schuh, legislative counsel