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of Ontario

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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 27 April 2004

Mardi 27 avril 2004

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 27 April 2004

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 27 avril 2004

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

AMBULANCE SERVICES

Mr Tim Hudak (Erie-Lincoln): Today I would like to address the now third delay announced by the Dalton McGuinty Liberal government in transferring ambulance dispatch to the region of Niagara.

It is playoff season, so people in Niagara are accustomed to talking about hat tricks. But no one likes it when it happens to their team, especially when they're getting shut out.

Sadly, it seems Premier McGuinty's Toronto-dominated cabinet has forgotten that the province exists outside of the city walls. Every time a Toronto-based politician even clears his throat to speak, Premier McGuinty seems to snap to action. Already they've bailed out the city of Toronto financially, they've bailed out the city's transit system under threat of a toll increase and they've bailed out the Toronto District School Board, who could not balance their books if their lives depended on it.

What have rural Ontario and small cities seen to date? An awful lot of broken promises and scads of dollars thrown at Toronto the second a story hits the papers. Issues important to Niagara taxpayers, like the mid-Pen corridor and ambulance dispatch, languish on the desk of some low-level functionary in the Premier's office they call the rural affairs bureau.

Maybe we're too polite in Niagara; maybe we're too polite in rural Ontario. Maybe we naively expect governments to keep their promises. Maybe they want Niagara's mayors and regional councillors to start pounding on their desks instead of being polite.

My message to the Minister of Transportation, the Minister of Health and the Premier is: Our patience has worn thin. No more delays. Get on with the job.

WORKERS' MEMORIAL DAY

Mr Michael Gravelle (Thunder Bay-Superior North): As all members of the House will know, tomorrow, April 28, has been designated as the official day of mourning for all those who have either lost their lives in the workplace or have died as a result of workplace occupational health and safety issues. The sad thing is that despite our increased awareness of workplace safety,

we continue to lose more people every year. The fact is that since 1984, over 16,000 workers have been killed on the job in Canada, with almost 1,000 of those fatalities occurring last year. Clearly we all need to refocus our energies on improving workplace safety. In that regard, I am proud to note that Ontario's Minister of Labour, the Honourable Chris Bentley, is actively working toward that goal.

In my riding of Thunder Bay-Superior North, the day of mourning has grown in importance every year. This year the public is invited to gather at the Lakehead Labour Centre at 5:30 pm on Wednesday to remember those who have needlessly lost their lives on the job. People are being asked to bring a rose, which they can place on the monument that honours those workers. It is a time of great solemnity, but perhaps more importantly, it will serve as a reminder that we can best honour the memory of those who have lost their lives by striving constantly to improve the conditions of those who have been left behind to carry on their work.

While we set aside this day every year, vigilance and effort is required every day of the year if we are to truly reduce the number of people who are either injured or lose their lives on the job. It is a challenge we must meet.

BED AND BREAKFAST OPERATORS

Ms Laurie Scott (Haliburton-Victoria-Brock): I rise today to bring forward to the House an issue that is of concern to my riding and also of concern to many people in other ridings across the province. The bed and breakfast operators are considering whether they can continue to operate because of provincial drinking water regulations. Many of these people, who open up part of their homes to guests for only a few days each year, are being classified as small non-residential public facilities for the purposes of the regulations.

Yesterday, I met with representatives of the Federation of Ontario Bed and Breakfast Accommodation and heard first-hand about the impact that regulation 170/03 will have on people who operate bed and breakfasts. In my own riding, I have been in contact with bed and breakfast operators who do not understand why a private resident who occasionally rents a room or two would be classified as anything except residential.

I urge the government to take another look at this regulation and to remember the role that bed and breakfasts have as part of Ontario's tourism industry and the impact that bed and breakfasts have on local economies.

ONTARIO NORTHLAND
TRANSPORTATION COMMISSION

Ms Monique M. Smith (Nipissing): I rise today to advise the House of great news for my riding of Nipissing and all of northeastern Ontario. Today the Minister of Northern Development and Mines, Rick Bartolucci, announced that Ted Hargreaves has been named the new chair of the Ontario Northland Transportation Commission.

As the member for Timmins-James Bay and all members of this House are well aware, the ONTC is a vital component of our economic development in northeastern Ontario. This announcement builds on the good news that has been growing with respect to the ONTC. Our government has committed to maintaining the ONTC as a public entity. To that end, we have been working diligently since the election to assure its sustainability and viability.

There have been numerous announcements around the ONTC of late, including an \$80-million contract with GO and a joint venture with Telus. Last week, we unveiled 10 new passenger rail cars that will add to the Polar Bear Express. The excitement around the future of Ontario Northland continues to grow.

Ted Hargreaves brings to the position of chair a wealth of knowledge and community involvement. He has been on nearly every fundraising board in our region over the last 14 years. He has been involved with the heritage festival, the Capitol Centre and Near North Crime Stoppers. For all his community service—and I could go on and on—he's been acknowledged with awards from the Rotary Club, the Paul Harris Fellowship, the Order of Ontario, the North Bay Kiwanis Club's citizen of the year and the keys to the city.

I am sure the members of this House will agree that the Ontario Northland Transportation Commission, the city of North Bay and all of northeastern Ontario could not be better served. I am thrilled by this announcement and the implications for the future of the ONTC.

Interjection.

The Speaker (Hon Alvin Curling): Are you standing this one down? You will have to ask for unanimous consent.

1340

SOUTH AFRICA

Mr Rosario Marchese (Trinity-Spadina): Today is a day of celebration for millions of South Africans. They will take to the streets to commemorate 10 years of freedom and an end to apartheid. Ontario New Democrats congratulate the people of South Africa for their victory against racism and injustice. They have shown us that racism is a giant but beatable enemy, and their triumph compels us to defeat our own Goliath.

Just two weeks ago, the African National Congress and Nelson Mandela's successor, Thabo Mbeki, won a third landslide victory with two thirds of the popular

vote. In another victory for social justice, almost one third of the parliamentarians elected were women.

South Africans do not have an easy path ahead. They recognize that until endemic poverty and AIDS are overcome, the nation will not truly be free. South Africa carries the strength of an awakened David, and we are certain it will prevail yet again.

CHERYL GILBERT

Mr Brad Duguid (Scarborough Centre): Cheryl Gilbert passed away last week in hospital from pneumonia following a medical procedure. She was 39 years old. Each and every one of those 39 years she had to fight to overcome a number of challenges. She had serious physical difficulties right from birth, but Cheryl Gilbert was a fighter and a survivor.

I originally met Cheryl about nine years ago as chair of the city of Scarborough Special Committee on Crime Prevention. She was a victim of violence. She was on a crusade to help others who had been victims of violence recover from the experience. Cheryl helped out with numerous community organizations and with victims-of-violence groups. She eventually founded her own program, which she worked very hard on.

Cheryl was a tremendous asset to her Bendale Park community. She was a long-time member of the Bendale Park Community Association. She worked very closely with a program called the Scarborough safety audit program, assisting and conducting safety audits across our community. Working closely with the Toronto Police Service, Cheryl served as the chair of the Community Police Liaison Committee for 41 division and contributed greatly to keeping our neighbourhood safe.

Cheryl Gilbert did not live a long life, nor did she live an easy life, but her spirit, her dedication to help others and her selfless work with victims stand out as a role model to each and every one of us. On behalf of the members of the Ontario Legislature and residents of Scarborough Centre, I extend our condolences to the many friends and family of Cheryl Gilbert. Cheryl contributed much to our community, and she will be missed by us all.

AUTOMOBILE INSURANCE

Mr Cameron Jackson (Burlington): During the election, Dalton McGuinty promised Ontarians that he would lower auto insurance rates by 10% to 20%. Voters took him at his word. They trusted him to deliver on his promises.

Last week, the Premier rattled off a list of insurance companies he claims have reduced premiums from 1.9% to 11.9%, and he confused a lot of Ontario voters whose insurance continues to go up. We gave examples of constituents with huge rate increases, but the Premier continued to read a list of companies with alleged lower rates while his caucus applauded.

He said one company, Royal and SunAlliance Insurance Group, dropped their rates by 10%. This angered a Burlington senior citizen named Doug, who came to my office the next morning. According to his records from SunAlliance, his premium last year was \$3,377. This year it's going to \$4,952, a 46% increase. He showed me his driving record: no convictions, complete discharges, a perfect 50-year record except for one accident five years ago for this 70-year-old veteran.

Last Monday, Finance Minister Sorbara said that Liberal legislation was a moderation of rates; by Tuesday, he said it was an average reduction, not across the board; and by Wednesday, he said, "We never said that. We never promised that. We never proposed that."

Based on Doug's premiums, it would appear that his company has filed a 56% rate increase approved by your government and then rolled it back by 10%, sticking Doug with 46%. He wants to know why a company that reported a \$36-million profit last year is gouging him. This is no way to treat a senior, no way to treat a veteran and no way to treat a voter.

CARIBBEAN IMMIGRATION

Mr Wayne Arthurs (Pickering-Ajax-Uxbridge): I rise today to mark the 50th anniversary of a delegation of black activists who sought to address Canada's immigration restrictions against people of colour.

On April 27, 1954, members of the Negro Citizenship Association, an organization led by the late Donald Moore and the late Harry Gairey Sr, travelled by train to Ottawa to challenge Canada's Immigration Act, which, since 1923, had denied immigration status to countries in the British Commonwealth which had large non-white populations. Countries whose citizens were negatively affected by the act included the islands of the British West Indies, British Guyana, Ceylon, India, Pakistan and some African countries.

Canada's Immigration Act defined two classes of British subjects: blacks and whites. The act claimed that blacks could not adjust to Canada's frigid climate or assimilate well into the society.

Today, in contrast to those times, Canada's strength is often said to lie in its diversity. Each year 120,000 new immigrants of diverse origins, races and creeds choose Ontario as their new home, and we know that our province and our nation are richer in many ways as a result of that diversity.

There are only two surviving members of the delegation: Bromley Armstrong and Stanley Grizzle. Mr Armstrong is a former member of the Ontario Human Rights Commission and founder of the 42-year-old Jamaican Canadian Association. Mr Stanley Grizzle was president of the Brotherhood of Sleeping Car Porters in Canada and became the first African-Canadian to be appointed judge in the court of Canadian citizenship. Mr Armstrong and Mr Grizzle both received the Order of Canada in recognition of their very significant contributions to Canadian society.

At a time of your choosing, Mr Speaker, I would be pleased to join the members of this House in welcoming Mr Bromley Armstrong, who is with us today.

SENIORS

Mr Garfield Dunlop (Simcoe North): I rise in the House today to defend Ontario's senior citizens from the anti-senior policies of the McGuinty Liberals. First, Dalton cancelled the seniors' property tax credit that would have put \$450 million more in the pockets of the seniors of Ontario each and every year. If this weren't enough, Dalton's assault on seniors has continued with broken promises that have hit the very heart of our seniors' population. He removed the cap on hydro rates after promising to keep the price cap until 2006. Higher hydro rates hurt seniors who are struggling to make ends meet. Dalton McGuinty is considering delisting drugs and increasing fees for the Ontario drug benefit plan, after promising to improve the system. This may be a trial balloon, but it's still floating.

Then there's the broken promise of cutting auto insurance rates by 10%. We all know this didn't happen because we're hearing examples of car insurance rates going up 20%, 30%, 40%, 50%, 60% and even 70%. Again, this hurts seniors who can't afford the higher rates. So I ask Mr McGuinty and his Liberals, do you want seniors to give up their cars too and lose their independence?

I regret to inform the House that the assault on seniors doesn't stop there. In their latest move, the McGuinty Liberals are attacking not only seniors but the very facilities that take care of them. I'm referring to the new Liberal property tax increases for long-term-care facilities, which, if not resolved, will affect the ability of these facilities to pay for dietary, housekeeping, laundry, and maintenance and repair services.

Enough is enough. The Premier must stop targeting our seniors today, here and now.

MOTIONS

COMMITTEE MEMBERSHIP

Hon Dwight Duncan (Minister of Energy, Government House Leader): Mr Speaker, I believe we have unanimous consent of the three parties.

I move that the following amendments be made to the membership of certain committees, and I'm told that I must read this into the record; I apologize because it's rather lengthy:

Mr Arthurs replaces Mr Leal on the standing committee on general government; Mr Crozier replaces Mr Oraziotti on the standing committee on the Legislative Assembly; Mr Delaney replaces Mrs Van Bommel on the standing committee on general government; Mr Flynn replaces Mr McMeekin on the standing committee on

regulations and private bills; Mr Fonseca replaces Mr Patten on the standing committee on justice and social policy; Mr Gravelle replaces Mr Qaadri on the standing committee on government agencies; Mr Hudak replaces Mr Wilson on the standing committee on justice and social policy; Mr Leal replaces Mr Gravelle on the standing committee on justice and social policy; Ms Matthews replaces Ms Wynne on the standing committee on general government; Mr McMeekin replaces Mr Flynn on the standing committee on justice and social policy; Mrs Mitchell replaces Mr Crozier on the standing committee on finance and economic affairs; Mr Oraziotti replaces Ms Matthews on the standing committee on government agencies; Mr O'Toole replaces Ms Witmer on the standing committee on estimates; Mr Patten replaces Ms Smith on the standing committee on public accounts; Mr Qaadri replaces Mr Fonseca on the standing committee on public accounts; Mrs Van Bommel replaces Mrs Mitchell on the standing committee on regulations and private bills; Mr Wilson replaces Mr Chudleigh on the standing committee on estimates; Ms Witmer replaces Mr Agostino on the standing committee on government agencies.

The Speaker (Hon Alvin Curling): I'm also required to read the motion. Dispense? Dispensed.

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

1350

STATEMENTS BY THE MINISTRY AND RESPONSES

CITIZENS' DIALOGUE ON BUDGET STRATEGY

DIALOGUE AVEC LES CITOYENS SUR LA STRATÉGIE BUDGÉTAIRE

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): Our government believes in Ontarians. We believe that none of us is as strong as all of us working together, that none of us is as smart as all of us planning together and that no idea is as powerful as all of our ideas put together.

C'est la raison pour laquelle, après avoir eu le privilège d'être assermenté comme nouveau gouvernement, nous avons entrepris une consultation sans précédent auprès de la population de l'Ontario.

This is why, after we had the privilege of being sworn in as their new government, we embarked on an unprecedented consultation with the people of Ontario. They had clearly chosen new and different priorities on October 2. The new and unexpected context in which we would address those priorities became much clearer once we assumed office.

An independent review by the former Provincial Auditor Erik Peters revealed a \$5.6-billion deficit. In the fall economic statement we also reported on an additional

\$2.2 billion in risks, including deficits in our hospitals and children's aid societies and the financial woes of Ontario Power Generation. The previous government, you will recall, had told Ontarians that there was no deficit.

We also learned, upon taking office, of the true depth of the services deficit facing the province. Ontarians hadn't been told either of the real state of our energy sector, our classrooms, our hospitals or the failure to plan for the future. We wanted to give Ontarians the straight goods and consult them on the right direction in this new context. We wanted to know which deficit—the fiscal deficit or the services deficit—concerns them most urgently. We wanted their very best advice on how to tackle these deficits and how quickly they should be tackled.

We started by consulting our own public service, asking for its ideas. We then consulted experts, stakeholders and community groups. Our main focus, however, was on the public at large, the people who sent us here, the people we all work for. In person and on-line, in town halls and in citizens' dialogues, through a toll-free number and a new Web site, we consulted Ontarians. We did something that has never before been done by a government in Canada. We gave citizens an open-ended opportunity to discuss budget strategy, to face the same decisions we face, with the same information and in the same context, so they could give us their best advice.

Today the results of an important part of this process have been released in a report from the Canadian Policy Research Networks, an independent, not-for-profit organization. CPRN conducted wholly independent research with groups in six separate communities—day-long dialogues involving more than 300 Ontarians selected at random from all walks of life. I want to thank CPRN for their work. More importantly, I want to thank the Ontarians who braved cold winter mornings to help us face some challenging decisions. They have confirmed our belief that Ontarians will always respond with candour, commitment, caring and intelligence. All you have to do is ask.

We asked, and this is what we heard: Participants told us they want government to be accountable, ethical and transparent for a change. They want government to manage public funds efficiently and wisely. They're willing to do, and pay, their share, as long as they know government is using public funds wisely. They want fairness. They're willing to accept changes, but they want the most vulnerable people in our society protected. I'm proud to say as well that Ontarians believe in conservation. They're willing to pay the full cost of services to promote conservation of our natural resources. And they want a balanced approach, a long-term, holistic approach to their budgets. They told us they want the budget balanced over the course of time.

The report says that in exchange for not cutting the core programs and services they most value, particularly health care and education, Ontarians would be prepared to pay more in interest on the debt in the short term.

Ontarians are telling us that their most immediate priority is improvement in their public services. They're telling us to improve their health care and education while operating efficiently and wisely. They're telling us to take a balanced approach to improve public services while we tackle the deficit. They're telling us they're willing to accept difficult choices, if those choices are made for the right reasons: to improve the services they care about the most, while protecting those who need help the most. These views have been echoed in our other consultations, including our town halls.

Leadership means listening, but it also means deciding. Nous avons été à l'écoute et nous allons prendre des décisions. We have listened, and we will decide. Ontarians' advice will help us make the right decisions. They won't always be easy decisions, and they will seldom be simple ones, but they will be the right decisions made for the right reasons. These decisions will take the form of a new budget that we will present in this Legislature on May 18.

Make no mistake about this: The magnitude of the fiscal deficit, unexpected though it may have been to Ontarians, is a real challenge, and we have to deal with it. Obviously, this will have some impact on our plans. To pretend otherwise would be less than honest with ourselves and with Ontarians. But as we've made clear in recent days, and as our budget will eloquently demonstrate, our commitment to health care and education is unwavering. These remain our top priorities because they are Ontarians' top priorities.

We look forward to tackling the challenges before us. In doing so, we will call upon the best Ontarians have to offer. In return, we will offer our very best to the people of Ontario: our best judgment, our best work and our best leadership.

The Speaker (Hon Alvin Curling): Responses?

Mr John R. Baird (Nepean-Carleton): I want to preface my remarks by saying one thing, particularly to Judith Maxwell. I can't believe she would allow herself to be used by this partisan government in this exercise. This government should be absolutely ashamed for bringing someone of her calibre into this.

Let's look at the facts. This dog-and-pony show cost taxpayers—

Interjections.

The Speaker: Order. Member from Nepean-Carleton.
1400

Mr Baird: In terms of talent, let's look at the facts. This dog-and-pony shows cost taxpayers half a million dollars, according to the Toronto Sun. Ms Maxwell's group was paid \$200,000 for this process. It was an untendered contract to a Liberal-friendly firm to conduct this dog-and-pony show. Let's call this what it is: the most expensive focus group in Canadian political history. Normally governments come into power to implement their campaign agenda, but this was nothing more than another election exercise designed by this government and its spinmeisters.

Let's think back to the day when Dalton McGuinty and his Liberal team launched this process. It was in this

place, on this floor, just down the hall in the cabinet room, when it was exposed that several members of the audience were Liberal Party members. So we know just how independent this process was. There were 250 Ontarians who participated in this process, and they have two things in common: they're unnamed and they're unaccountable.

Last week I asked the Minister of Finance if he could defend his Premier. Premier, you weren't here, and he hung you out to dry. I asked him if he could name one single person in the province of Ontario who had come forward and asked for additional user fees. I said, "Name one single person." He got up, stumbled and fell and couldn't name a single one. I then looked over to the Liberal brain trust standing over there behind the Speaker. Surely they could have named one individual. Six questions later, not a single individual could be named who had come forward and asked for an increase in user fees or taxes. To make matters worse, the minister stumbled through a scrum out in the hallway and did come up with one name. The only Ontarian the Minister of Finance could come up with who had asked for additional user fees was Dwight Duncan, the Minister of Energy. This was some 90 minutes after the question was asked.

Let's look at the reality since the Peters report. Revenues are up by more than a billion dollars, thanks to a growing economy that was fuelled by tax cuts in the fourth quarter of last year. We've seen an \$800-million tax grab in the first three months of this year alone. We've seen a billion dollars for health care: A billion dollars came into Ontario for health care, which the Conservative government fought for; namely, the \$700 million we squeezed out of Jean Chrétien's hand on his way out the door and \$300 million for SARS. Let's not forget the \$2-billion contingency fund in the certified and verified Liberal fiscal plan.

But even worse—and this is the way we were warned it would be with the Liberal government—we saw them engage in an orgy of new spending, \$3 billion in new spending since Dalton McGuinty put his hand on the Bible in this very place. Not only could Dalton McGuinty have balanced the budget this past fiscal year if he wanted to, he could also have brought in a \$2.4-billion surplus with some component management. The reality is that the Liberals are big taxers, the Liberals are big spenders, and this is the way we were warned it would be.

The Premier stands in his place and tells us that he has heard from taxpayers. Let me say to the Premier that he is the one who spent \$4 million on advertisements.

Interjections.

The Speaker: It's becoming a shouting match. Could you direct your comments to the Chair in the few moments you have?

Mr Baird: The Premier looked every Ontario family in the eye and said, "I promise I won't raise your taxes," only to break the trust with working families and raise them in his first bill in this House. He is the one who

promised to sign the taxpayer protection pledge and balance budgets in Ontario. That's a promise he has broken, and the taxpayers of Ontario will not forget that. He's the one who said we weren't spending enough on health care and we weren't spending enough on education. We'll see on May 18 whether hospitals and schools are satisfied with the excuses of this government.

Taxpayers in Ontario know they have a big-spending, big-taxing Liberal government, and they're going to render their verdict in the upcoming federal election campaign in the province of Ontario.

Mr Michael Prue (Beaches-East York): I went to the press conference this morning, and I have to admit that I think this government has a conundrum. On one side, they have made 230 promises that involve the expenditure of money and, on the other, they have promised both not to raise taxes and not to have a deficit. So they have hired what can only be called a very expensive private consulting group, Canadian Policy Research Networks, to come and give them some advice, or appear to give them some advice, on how to get out of this very real conundrum.

They have brought together some 250 supposedly ordinary citizens, who are nothing of the sort. If you look down the list, you will see that they are not ordinary citizens. They tend to come from upper income groups and upper education groups. They were given virtually no information on how they were to make a rational and real decision or how to provide advice to this party. They were given only the campaign agenda of the Liberal Party and only those documents that relate to where the Liberals want to go. They were given virtually no alternatives from other groups, not from the opposition Conservatives, certainly not from the New Democratic Party, on ways that this government could act in a more responsible manner in coming to grips with the deficit you inherited and with the many promises that you have made. They were given absolutely no alternatives on possibilities of tax increases. That was not even on their agenda, nor could it be discussed.

Sure, they came back and said things that we expect all Ontarians to say. They talked about conservation, which is important. They talked about vulnerable Ontarians. They talked about improved public services. But they were not able to make the leap on how you pay for them because they were not given the statistics, alternatives or wherewithal to do that. The reality is that they were given no alternatives at all, nor is this government giving us any alternatives. They are simply saying that they are going to do all things in due course on the 18th.

The recommendations made by this group can best be described as ethereal. They came out of thin air; they are in thin air. That is all they are. This was an exercise, I would suggest, in futility by this government. It was an exercise to try to hide what you're attempting to do or going to attempt to do on May 18. The really sad reality of all this is that you spent half a million dollars of taxpayers' money that could have been used in so many good ways: to help the homeless, the poor, to be used in a school or to hire a couple of teachers.

Instead, it is a masquerade, and you really don't know where you're going on May 18. You have used 250 people, I would suggest, in a vain attempt to try to prove to the population that you were listening. The reality is that you were not listening, because you were not instructing. You were not giving these very real people an opportunity to make concrete suggestions that your minister might follow on the 18th.

I would suggest that you should be ashamed of yourself for what you have done today and ashamed of yourself for presenting this as a dialogue with ordinary Ontarians. It was nothing of the sort. I would suggest that come May 18, everyone in this province will see this for what it is: nothing but an ethereal development on your part, into thin air and out of thin air.

M. Gilles Bisson (Timmins-Baie James): En français, on a un dicton. On dit, « Quel culot. »

Le premier ministre nous dit aujourd'hui qu'il a fallu faire une consultation qui a dépensé 250 000 \$ et qu'à la fin de la journée, la population a dit, « Oh ! Augmentez nos taxes. Donnez-nous des frais d'utilisation. Ayez un plus gros budget quand ça vient au déficit, et vous n'avez pas à le balancer. »

Je vous rappelle, monsieur le premier ministre, qu'on a eu une élection, puis l'élection était très simple; l'élection était sur la base des plateformes qui ont été mises en place par les partis politiques. Si vous ne vous rappelez pas, vous avez gagné cette élection sur vos promesses. Tout ce que veut la population, c'est que vous gardez vos engagements, les promesses que vous avez faites dans la dernière élection—par exemple, les 5 000 éducatrices et éducateurs que vous avez promis aux Ontariens d'engager, et là, vous dites que vous n'allez pas le faire; que vous gardez en place vos engagements envers les 10 000 gardes-malades que vous alliez engager. On vous demande de garder votre engagement. On vous dit, « Vous avez promis de ne pas augmenter les taxes, de ne pas augmenter les frais d'utilisation, et là vous nous dites, "J'ai fait une consultation. C'est correct que je peux casser ma promesse." »

Je vous dis, monsieur le premier ministre, que la seule consultation qui veut dire quelque chose, c'est l'élection. Gardez vos engagements. Cette farce ne marche pas.

Mr Norman W. Sterling (Lanark-Carleton): On a point of privilege, Speaker: This morning at 10 o'clock, the Minister of Consumer and Business Services, Mr Watson of the riding of Ottawa West-Nepean, made an official announcement, I believe, on behalf of the Minister of Transportation—

1410

Hon Dwight Duncan (Minister of Energy, Government House Leader): On a point of order, Mr Speaker: We were not provided—

Interjections.

The Speaker: Order. You rise on a point of privilege. You didn't inform me in writing.

Interjections.

The Speaker: Order. I'm asking that you provide me with written notice on this.

Mr Sterling: On a point of order, Mr Speaker: This morning at 10 am, the Minister of Consumer and Business Services appeared on the border of the ridings of Lanark-Carleton and Renfrew-Nipissing—

Interjections.

The Speaker: Order. Let me hear the member's point of order. I can't hear what he's saying. I want to see if it's a point of order or not.

Mr Sterling: I can understand their concern, Mr Speaker, because of the actions of this government in disregarding MPPs, although they continue to spout this philosophy of respecting MPPs.

The thrust of this was an announcement in my riding of an \$11-million contract to pave a piece of Highway 417.

Interjections.

The Speaker: Order. Would you come to the point of order? I'm not seeing it.

Mr Sterling: Mr Speaker, the concern is that notwithstanding that this would be a significant matter in both the riding of Lanark-Carleton and the riding of Renfrew-Nipissing-Pembroke, there was no courtesy on the part of the Minister of Transportation—

Interjections.

The Speaker: Order. It is not a point of order.

Mr Bisson: On a similar point of order, Mr Speaker: I was looking for the invitations from the previous—

The Speaker: Order. It is not a point of order.

ORAL QUESTIONS

CITIZENS' DIALOGUE ON BUDGET STRATEGY

Mr Ernie Eves (Leader of the Opposition): Mr Premier, as you know, we had a significant event in this province last October 2. It's called an election. The people of the province voted for change. They voted for your platform. Since then, of course, we've had the usual pre-budget consultations, not only by the Ministry of Finance but also by the finance committee of the Legislative Assembly of Ontario, and we've also had town hall meetings.

Can you tell us why it would then be necessary to have government by focus group and spend \$200,000 of taxpayers' money talking to 250 selected people to produce this?

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): In addition to the significant event the Leader of the Opposition referred to, that being the provincial election, there was another significant event, and that was our discovery of a \$5.6-billion deficit and another \$2 billion in additional risks.

The Leader of the Opposition and I differ on this, obviously. We felt that the responsible thing to do in those circumstances was to take that information to the people of Ontario and get the very best advice, given that

particular new context. I'm pleased with the advice we've received, and we look forward to delivering our budget in keeping with it.

Mr Eves: This morning on the way into caucus, the Premier was quoted as saying, "CPRN is a completely independent, non-profit organization. They set up the questions, they prepared the report and Judith Maxwell herself will be speaking to that momentarily," and indeed she did. But Judith Maxwell, responding to a question by Ian Urquhart of the Toronto Star, said this was right out of the Liberal platform, that "the government provided the facts and the content for the workbook; we merely provided the template." "So the list of ideas came from the government?" "Yes."

How is that totally independent? How is this a totally independent report when you supplied all the information, you supplied all the stuff to be given to the 250 selected people?

Hon Mr McGuinty: I have every confidence in the people of Ontario when it comes to determining what kind of information they can rely on. We provided them with information; it was factual in nature and the people of Ontario provided us with their very best advice. We will not apologize for taking the time to consult the people of Ontario and get their best advice when it comes to their budget and expenditures of their money.

Mr Eves: This morning the Premier said this was independent. He promised open and transparent government. There was a hotline directly to the Ministry of Finance during the course of this. Will you give us the names of the 250 people? There was a participant from the Premier's office present at all times, and Judith Maxwell is quoted as saying that the ideas came from the government, they came from the Liberal platform; no ideas from the Conservative or NDP platforms would be put in there. This is the independent person you're talking about. You force-fed her the information. You only gave her the questions that you wanted answers to. Why did you waste \$200,000 of the taxpayers' money going through this very expensive, non-bidder, non-tendered focus group? Why did you do that? Is this open and transparent government?

Hon Mr McGuinty: We're bringing a new approach to governing in the province of Ontario. This previous government was quite prepared to work—

Interjections.

The Speaker (Hon Alvin Curling): Order. We'll take a five-minute recess until you all cool down.

The House recessed from 1418 to 1423.

The Speaker: Premier.

Hon Mr McGuinty: I was saying that we're bringing a new approach to governing in Ontario. We're proud of the approach that we are bringing. To contrast our approach with that of the previous government, we spent—yes, it's true—\$200,000 on gathering information and the very best advice that we could from Ontarians before the budget.

But we think that is better than spending \$1 million subsequent to the last budget to spin Ontarians with a

single brochure that went to over 4.3 million Ontario households. That's the money that this government spent on spinning Ontarians post-budget. We believe that our responsibility is to consult Ontarians and get the very best advice before the budget, and we will not apologize for that.

The Speaker: New question.

Mr John R. Baird (Nepean-Carleton): To the Premier: The ironic part of the report is it's called Trust and Balance, when Ontarians can neither trust you to keep your promise, nor trust you to keep your promise to balance the budget of Ontario.

Let's look at the reality. The first consultation that was launched, in this building, in your office, had several members of the Liberal Party. I have a simple question for you. Will you tell us, who do you trust more, 250 faceless people consulted by a hand-picked group that you selected, or the people of Ontario, who you promised you wouldn't raise their taxes and who you promised you would balance the budget? Which is it, Premier?

Hon Mr McGuinty: I can understand why the member opposite is so upset, because he doesn't like what he's hearing from the people of Ontario. It turns out they're balanced, responsible, reasonable and sensible. They are telling us to balance the budget in a way that does not compromise their public services. They're telling us that they want us to protect our most vulnerable. We intend to do those things. They're telling us not to pretend that the \$5.6-billion deficit plus another \$2 billion in additional risks don't exist. They're telling us not to pretend things are the way they were before the election.

We've got a deficit and it's significant. We're going to manage it but we're going to do it in a way that is in keeping with the best advice we got from the best people in the world, the people of Ontario, who are telling us to be responsible and reasonable in our dealings with their money.

Mr Baird: Let's look at the facts, Premier. You said you wouldn't bring in outside consultants and you said you would tender contracts. Let's look at this report. It's a \$200,000 untendered contract to a firm that operates out of your hometown, Premier. That's the reality: \$200,000 to be spoon-fed Liberal pap at election time.

That's what was revealed at the press conference. You should have been at the press conference downstairs, where the Toronto Star was able to find out that before these consultations were held, every participant was spoon-fed the Liberal election campaign platform.

Let's look at the reality, Premier: \$200,000 to find out that the people of Ontario—

Interjections.

The Speaker: Do I have to call on the member for Windsor West not to engage in this shouting match across? The member for Nepean, would you direct your questions through the Speaker?

Mr Baird: Two hundred thousand dollars of wasted taxpayers' money right down the toilet to find out that health care and education are a priority for the people of the province of Ontario.

What I want to ask you is, will you release the names of the 250 people who participated in this consultation? Will you do that? Will you be open and transparent about who exactly these 250 people are, because, Premier, it's too much to ask that we trust you on this issue.

Hon Mr McGuinty: We were pleased that we were able to receive the assistance of CPRN, an independent, non-profit organization, which conducted this research for us and collected advice from the people of Ontario. Again, we contrast that investment with this partisan political advertising. It cost over \$1 million. It came after the last budget. It went to 4.3 million Ontario households. The sole purpose of this investment, which is simply too nice a word to use for this particular partisan political advertising, was to spin Ontarians.

We have consulted Ontarians before the budget. This is something that our predecessors find particularly threatening: to talk to Ontarians. We're not running over them. We're not working around them. We're speaking with them and getting their best advice. We have received that advice and we look forward to acting on it.

Mr Baird: Premier, all we're asking is for you to provide us the names of these 250 people, all of whom seemed to come forward and ask for higher user fees. These people are faceless, they're unaccountable and, at the end of the day, they expect you to take responsibility for the promises and the commitments that you made in the last election campaign.

Let's look at the facts. We gave a \$200,000 untendered contract to a firm in your hometown to come back and tell us that health care and education are important. This is the most political document I've seen in recent memory that has been passed off as independent, and it's an absolute outrage. Will you stand in your place and tell us, if you had so much confidence in the people of the province of Ontario, why were you not straightforward with them about your plan to run a big-spending and big-taxing government? Will you do that, Premier?

Hon Mr McGuinty: We would not have had to do any of this if this member and the former government had been straightforward about the deficit. There is no doubt that the budget we are about to present would have looked substantially different had the former government not hidden a \$5.6-billion deficit from the people of Ontario. Now what they refuse to accept is that, unfortunately for them, the people of Ontario are responsible, reasonable and balanced. They want us to bring that kind of an approach to their budget, and that's exactly what we intend to do.

1430

GOVERNMENT'S RECORD

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. Premier, today the report of the citizens' dialogue on your budget begins with the following quote from an Ottawa resident: "As a new government, I think that the Liberals need to work hard to earn the trust of the people of Ontario." Yet, just three

days ago, on Saturday, Ontarians saw you on television trying to deny that you promised to hire 5,000 new teachers. Then Global Television played the video clip where you had indeed promised to hire 5,000 new teachers. Why should the people of Ontario trust you when, just three days ago, you got caught on television trying to deny a promise you had clearly made?

Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): On that particular issue, I say to the leader of the NDP that we've been very clear that we will hire as many teachers as are necessary to ensure that we can reduce class sizes from JK to grade 3 to a maximum of 20. We've been very clear about that.

I gather the NDP is equally disappointed in discovering, and having to admit, that the people of Ontario are responsible, reasonable and balanced. That's the kind of approach they want us to bring to addressing the budget. We are not going to do what the NDP did when they earned the privilege of serving Ontarians as their government, and that is, ignore our financial challenge. We're not going to pretend that we don't have a significant deficit before us. We're going to address it in a balanced, responsible and thoughtful way, giving expression to the top priorities of the people of Ontario: their health care and their education.

Mr Hampton: The question was, why should the people of Ontario trust you when you so clearly got caught in a denial on television? The fact is, Premier, you don't have trust, and the reason you don't have trust is because you have set a record for the most broken promises in the shortest period of time ever by a Premier of Ontario.

Health care promises: the promise to end the P3 hospitals didn't happen; in fact, we're going to see more P3 hospitals. A promise to improve standards in long-term care hasn't happened either. A promise to extend IBI autism treatment to kids over six—that's not going to happen.

Premier, you've been caught in denials and you've been caught in broken promises so many times, why do you think the people of Ontario should trust you now?

Hon Mr McGuinty: One of the commitments we moved on quickly was our first bill, which dealt with the fiscal challenges before us. One of the aspects of that bill was to rescind the private school tax credit, and we were proud to do that. But we were disappointed, as were the people of Ontario, to learn that my friend from the NDP voted against that particular legislation, saying that we should continue to spend public dollars in private schools. He has explaining to do on that particular front.

The Speaker (Hon Alvin Curling): New question.

Mr Hampton: Premier, the issue is trust in you. Judith Maxwell made it clear this morning that the only options presented at these so-called focus group sessions were from the Liberal platform. Any other options, any other viewpoint, any other possibilities, were excluded. I don't know about you, Premier, but I call that a cooked process. I call that a fixed process where you can't get outside the boundaries of the options. Are you asking the people of Ontario to trust you when this has so clearly been a partisan, Liberal spin process?

Hon Mr McGuinty: Obviously I take fundamental issue with the characterization of CPRN's work. It is an independent, non-profit organization. It has performed remarkably well in consulting the people of Ontario on our behalf.

I should say as well that, beyond CPRN's work, we conducted our own town halls. We're not afraid to reach out to the people of Ontario, to speak to them about the issues of the day and to solicit their very best advice. We happen to think the people of Ontario have much to offer. We have spoken with them; we have listened to them; we have heard them.

Now we look forward to acting. That action will be reflected in our budget. Again, the members opposite are disappointed to discover that at heart the people of Ontario are balanced, thoughtful and responsible. They don't want us to balance their budget in such a way that compromises their public services, and they want us to look out for our most vulnerable. Our budget will reflect that advice.

Mr Hampton: I don't need a \$200,000 focus group to tell me that Ontarians care about health care and education. I could go out in the street and find that out today. The issue is this: You have lost the trust of the people of Ontario because of your broken promises, because of your denials where you've been caught on television. Do you really think that running this \$200,000 spin process, where the options are carefully restricted, where people aren't allowed to speak outside or think outside the options you gave them, is going to restore the public trust in you after your denials and your broken promises?

Hon Mr McGuinty: We looked at a number of other options that we might include. One of those was government-run auto insurance, but it elicited such guffaws and was met with such cynicism on the part of Ontarians, because they've heard about that promise time and time again from the NDP, that they say they would have nothing to do with that. For that reason, we did not include that as an option. Those options that were in there were included for the obvious reasons. They were responsible and thoughtful. We were very open to other approaches and options that were put on the table by the people of Ontario.

LONG-TERM CARE

Mrs Elizabeth Witmer (Kitchener-Waterloo): My question is for the Minister of Health and Long-Term Care. I've just heard your Premier say there is a need for all of us to protect the most vulnerable in our society. In fact, you were quoted on December 8 in the Toronto Star in response to the series on long-term care as saying, "Ontario seniors must be able to look forward to living out their final days in 'quality and dignity.'" However, you have now turned your back on these frail seniors.

Why have you broken your promise to provide \$6,000 more for each resident, for their health, safety and care? Instead, now you are cruelly and stealthily clawing back

funds. Everyone knows there are 35% more beds in operation today in Ontario. They need to be funded and they're not. If you opened a hospital, you wouldn't take funds from other hospitals to fund the new hospital. Why are you clawing back money from the long-term-care facilities and not funding the residents appropriately?

Hon George Smitherman (Minister of Health and Long-Term Care): On the issue of long-term care, it strikes me as interesting that a member who was part of a party that left these long-term-care facilities in the state we had them is now prepared to be part of a message that talks about declines in them.

Here is where we're at: Very clearly, we've acted. My parliamentary assistant, Monique Smith, has tirelessly travelled around parts of the province. I did an unannounced visit at a long-term-care facility in Richmond Hill about a week or two ago. We have instituted new policies, including the unannounced visit. That member had the honour of serving as Minister of Health in this province. For all of the time she was the Minister of Health, there was notice given before inspections were done. We've eliminated that. There will be no more announced visits. When we're going in for inspections, there will be no pre-warning that those are coming.

With respect, we are a government that, six months into our term, has begun to make new investments. Over the course of the next several months, we'll have an opportunity to respond to the challenges in long-term care in a comprehensive way and enhance these care standards.

1440

Mrs Witmer: It is regrettable that this minister does not understand long-term care, the system of funding and the fact that they are clawing back the property tax rebate, which was in place at 90%. Then they're retroactively going back to 2003 to 73%, and now last week, they said 50%. This could mean a difference of \$1,000 to \$2,000 per resident for their care and support.

It has nothing to do with the report and the travel that has been undertaken by Monique Smith. This has everything to do with the fact that we've got seniors who are not getting the level of care and support they're entitled to. Not only are they not getting the \$6,000 more, they're seeing clawbacks. It's hurting people. I say to you, Minister, show compassion to these elderly people. Stop the clawback immediately. Provide the \$30 million that was to flow on April 1, and keep your promise to provide \$6,000 more.

Hon Mr Smitherman: In the member's earlier question, she criticized me for not knowing the way the categories worked, but it's obvious and clear that she doesn't understand that there are, across the breadth of long-term-care facilities, a variety of different funding categories. The care category cannot be compromised for other categories. As the Minister of Health for three and a half years in this province, of all people, you ought to have known that.

On the issue—

Interjection.

Hon Mr Smitherman: If you just pipe down, I'll tell you. On the challenges we confront that have been left behind by that government, we're going to respond in a comprehensive way that enhances transparency and accountability, that improves care standards and changes the culture in these facilities to ensure that Ontarians live out their final days with all the dignity to which they're entitled—something that under that government, when they were there, didn't occur.

MANDATORY RETIREMENT

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): My question is for the Minister of Labour. Minister, as you know, discrimination can take many forms, and it's no secret that ageism exists in Ontario. One particularly strong example is the practice of mandatory retirement. When it comes to employment today, we wouldn't think of allowing someone to be discriminated against based on gender, race, faith perspective, disability or sexual orientation. Yet mandatory retirement allows people to be treated differently, solely on the basis of age and without taking into account a person's qualifications or their ability to perform a job.

While there's no law in Ontario that requires a person to retire at 65, the Ontario Human Rights Code contains a restrictive definition of age in the context of employment, which only allows people to bring complaints between the ages of 18 and 65. Minister, will you commit to eliminating mandatory retirement in the province of Ontario?

Hon Christopher Bentley (Minister of Labour): I'd like to thank the member for Ancaster-Dundas-Flamborough-Aldershot for the question because he raises a very good point, and that is the reason the McGuinty government has committed to ending the practice of mandatory retirement. We believe that people should not be forced to retire, that society should not lose the skills, the ability, the knowledge and the drive that people have acquired over a lifetime. This society needs that energy as we move into the future. We need that energy, that drive, that determination. We are going to end the practice of mandatory retirement. We are going to keep the commitment we made to the people of Ontario.

Mr McMeekin: Minister, I'm impressed. You've only been here a short time and already you've moved to increase the minimum wage and to end that draconian 60-hour workweek. Now you're committed to ending mandatory retirement. I'm pleased.

As you know, Keith Norton, the chief commissioner of the Ontario Human Rights Commission, has been urging us to amend the Human Rights Code to protect workers. On two occasions, my friend and colleague Michael Colle stood in his place and proposed private member's legislation that died on the order paper. Mr Minister, I appreciate your positive response. When can we expect the introduction of legislation in this assembly?

Hon Mr Bentley: The member is right to press for this matter because it is a matter on which we intend to move, and we must move. We support the commissioner's position. We will be having conversations with the people of Ontario over the course of the summer. We want to make sure that we eliminate mandatory retirement, but do so in a way, however, that protects the rights of those who still wish to retire at a defined age such as 65. We'll be moving fairly and as expeditiously as we can.

PHYSIOTHERAPY SERVICES

Mr Cameron Jackson (Burlington): My question is for the Minister of Health. You have recently been approached by the physiotherapists of Ontario who provide these essential services for seniors and low-income individuals. For many, it's their safety net of access to important physiotherapy services. They have been hearing comments in your public hall meetings and others that you are potentially planning to delist the OHIP-sponsored medical services that are currently administered through about six million procedures to seniors and low-income persons in our province.

Would you please assure the House and the physiotherapists in this province, understanding, of course, that you have removed the G-code from physicians to do these services, which puts even more emphasis on the important physiotherapy services, that you will not be delisting these services and, in fact, will be looking for ways to enhance those services?

Hon George Smitherman (Minister of Health and Long-Term Care): I do think that enhancement to services like this is essential, particularly in large measure because physiotherapists from 1990 had no new arrangement or agreement with the government of Ontario. This has resulted in discussions which are ongoing. I'm not going to speculate about any decisions that might or might not be taken. But what I can tell the member is that I've had the opportunity to speak previously and to confirm that I think it's incredibly important, particularly for seniors who are receiving post-acute home care and the like and long-term care, that we make sure that physiotherapy services are provided because they're so essential to the independence of our seniors. I appreciate the question from the member and can assure him that I agree that these are important services.

Mr Jackson: The best signal that you could be giving to physiotherapists is that you clearly will not be delisting them. You have not taken that opportunity; maybe you will in your supplementary. You have not availed yourself as the minister to meet with this organization in spite of the fact that they have requested it on a number of occasions.

The schedule 5 physiotherapists in this province fully understand that they need to act within a definitive budget, something which your government espouses, and that they must have predictability with their fee schedule. They received a confirmation of agreement from the

government, from your own civil servants, your bureaucrats in the Ministry of Health. This agreement was hammered out over a month-and-a-half period, and yet they have not been confirmed by you as the minister. We have an agreement by the bureaucrats. We have an agreement by the association. It follows the capping principle and a prescribed fee schedule—all those things that you're looking for as you manage health care. We want to know, will you honour that agreement and will you honour the pledge and commitment made by your bureaucrats in good faith to schedule 5 physiotherapists in Ontario?

Hon Mr Smitherman: The agreement that the member speaks about was there for ratification by his party when they were the government and it wasn't ratified at that stage.

Interjection.

Hon Mr Smitherman: You can ask me another question later, but I would just say that I think it is important to note that this is one more file that, when I arrived as the Minister of Health, had quite a lot of work yet to be done. I can confirm that staff in my office have been in very regular contact with members of this association. I'm not going to be engaged today or any other time in speculation about where we're headed, except to look back to what I said in my earlier response, which was that we value these services and we'll be taking all of the necessary decisions short coming.

1450

TIRE DISPOSAL

Mr Bruce Crozier (Essex): My question is for the Minister of the Environment. Like most Ontarians, I have a great interest and concern in the environmentally sensitive disposal of tires in the province. I know my constituents in Essex county have shared this concern with me. We're told that each year there are between 10 million and 11 million used tires generated in the province. Some of these are recycled, some of these are sent to other jurisdictions and some of the tires are diverted for resale, but many, many more are simply stockpiled, and they're breeding grounds for mosquitoes and they're fire hazards. Minister, what steps have you taken to develop a long-term and sustainable plan for the disposal of used tires in Ontario?

Hon Leona Dombrowsky (Minister of the Environment): It is an important question that the member from Essex has asked today. As he has indicated, with the 10 million to 11 million tires that the people of Ontario generate each year, 40% are recycled here in Ontario for value-added products and the balance of them are then exported to the United States or other jurisdictions.

The recycling efforts in Ontario are consistent with the way this government believes that waste products should be managed in the province. But we know that the people of Ontario expect more, and actually, Ontario is the only province in Canada that does not have a tire plan. So, to that end, I have asked Waste Diversion Ontario to work

with Ontario Tire Stewardship to bring a plan to this minister so that we can implement a responsible plan, as other jurisdictions across the country have done.

Mr Crozier: I appreciate the hard work that Waste Diversion Ontario, Ontario Tire Stewardship and you personally have done on the file. However, I'm sure that my constituents and the people of Ontario would appreciate a more specific timeline for the approval and implementation of an effective tire strategy. Could you please tell this House when you anticipate that the Ontario Tire Stewardship draft plan would be approved and, more specifically, how long will it take to begin the implementation?

Hon Mrs Dombrowsky: I'm happy to say that because the stakeholders and people who are concerned about the environment are very interested in this issue and interested in moving it along, there was a preliminary plan that was presented by Ontario Tire Stewardship. However, the Waste Diversion Ontario organization believed that it needed to have some more work, so those two groups continue to work on the plan.

Because we believe it is so absolutely essential because of the environmental and health issues related to the management of tires, it's a plan that we want to make sure is sound when it does come forward for approval. I know that staff at the Ministry of the Environment continue to work with Ontario Tire Stewardship. I will be meeting later on this week with Waste Diversion Ontario. We are anxious to get a plan in place, but I have to say that we're not going to rush a plan. I think we all know in this Legislature what can happen when legislation or regulations are implemented without a lot of forethought. So we're going to take the time we need and we look forward in the weeks ahead to keeping you informed on this.

CHILD CARE

Ms Shelley Martel (Nickel Belt): I have a question to the Minister of Children and Youth Services. Today, the Ontario Coalition for Better Child Care said that municipal child care centres in Stratford, Kenora, Sudbury, St Mary's, Owen Sound and Hanover are in danger of closing because of inadequate funding.

At the same time, your government is receiving \$58 million from the federal government this year for child care, but none of this money has flowed to municipalities to avoid the crisis.

On April 1, you also received \$192 million from the federal government for the early childhood development initiative, and despite your election promise to spend the majority of that money on high-quality, regulated child care, none of that money has been allocated to child care.

Municipalities are making really difficult decisions to close municipal child care centres when your government has more than enough money to save existing spaces. Minister, when are you going to act so that thousands of Ontario families don't lose their child care spaces?

Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and

Immigration): I'd like to thank the member opposite for the question and I'd like to thank the coalition for their report. I received the report last night and I look forward to reviewing it. I met with the Coalition for Better Child Care last week and I promised to work with them in implementing the changes.

With respect to the federal money for early learning and child care that is coming, the \$58 million, we have committed to spend it where the federal government asked us to spend it, and that is in early learning and child care. That will occur.

With respect to the \$192 million that is already in place out there, that funds various children's programs that we are now reviewing. We don't want to close any programs that are valuable right now, right away, impulsively. Part of being a new ministry is reviewing all of the existing programs for children under the age of six, all of the money we receive from the federal government and all of the money we spend toward those programs to ensure that we give the best programs to the children of Ontario.

The Speaker (Hon Alvin Curling): Supplementary.

Ms Marilyn Churley (Toronto-Danforth): Minister, you made a promise, and the crisis is now. We were told today that the city of Toronto will have to eliminate more than 1,100 child care spaces if you don't provide the \$9.6 million in federal money that I asked you about last week and which you said didn't exist. They need it by June 1. When I asked you about it before, you denied that you had the money. Listen, the city is already paying 35% of the cost of child care when the rules say, the laws say, that you should be paying 80% and they should be paying 20%.

Minister, they can't keep this up any longer. You say you are concerned and are reviewing it, but the child care centres need the money now. I ask you again, are you going to come through immediately with this money, or are 1,100 more children in Toronto going to lose their child care?

Hon Mrs Bountrogianni: I thank the other member opposite for the supplementary question. I understand the mess that the daycare and child care situation is in in this province. It has been 10 years of erosion.

With respect to the \$58 million, the member opposite is incorrect. I don't have that money yet. My ministry doesn't have that money yet. I thank the federal government for the infusion of money. They do have to pass their budget bill before we receive that money. I have committed to spending that money where the federal government intends for that money to go, and that is in early learning and child care programs, and I intend to do that.

TRUCKING INDUSTRY

Mr Frank Klees (Oak Ridges): My question is to the Premier. By not having the courage to defend Ontario's truck safety standards, you are putting Ontarians and citizens of this province at risk and you are putting the entire trucking industry at risk.

As we speak, MTO staff are meeting with their federal and provincial counterparts to discuss the implementation, the proclamation of the Motor Vehicle Transport Act. Under that legislation, Premier, it will be impossible for Ontario to enforce its own higher standards. It will be impossible for the Ontario trucking industry to remain competitive. I would like to know why you are willing to compromise the safety of Ontarians, why you are willing to compromise and put at risk an entire industry.

Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): Speaker, I know the minister would like to speak to this.

Hon Harinder S. Takhar (Minister of Transportation): We are working very closely with the federal government to make sure the safety standards are adhered to. This act was passed by the federal government but is not proclaimed yet. We are working with them to make sure that the standards are uniform and that they meet Ontario standards. That's what we are doing with them right now.

Mr Klees: Premier, your minister doesn't understand the issue. Your minister doesn't understand that in fact that uniform standard he is referring to is far below the safety standards of Ontario. What I understand from what is happening in that meeting today is that his officials have not been instructed to insist that the standards that are in place in that federal legislation comply with the high standards of Ontario. Why is this minister not giving the appropriate direction, the political direction, to his staff so they can stand up for the standards that Ontario has had in place for a number of years and that have given us the kind of safety record that we have? Why are we prepared to compromise, first of all, safety, and, second, to fold in an entire industry that will become uncompetitive as a result of this? The minister smiles. This is not a laughing matter.

Hon Mr Takhar: Safety is our number one concern. We are going to make sure that our roads stay safe and our drivers are safe. That is what we are going to insist on. The federal government can have minimum legislation, but our legislation is better than that. We will work to improve their legislation rather than reducing our standards.

This legislation was passed when you were in power, by the way. But we will continue to work with the federal government and the other provinces to make sure that the roads are safe and our standards are maintained.

1500

HOURS OF WORK

Ms Caroline Di Cocco (Sarnia-Lambton): My question is for the Minister of Labour. In my riding of Sarnia-Lambton, many businesses may be affected by your announcement yesterday about ending the 60-hour workweek in Ontario. Will this proposed legislation create onerous red tape and onerous amounts of paperwork that will take away from their competitiveness?

Hon Christopher Bentley (Minister of Labour): The member for Sarnia-Lambton raises a very important

point. Yesterday I was pleased and privileged to be able to introduce in this House legislation that rolls back the 60-hour workweek, protects the vulnerable, and will support a worker's right to choose whether to work excess hours. But we are going to do so in a way that is easy to use and administratively simple. We are going to protect business flexibility so they can maintain their competitiveness nationally and internationally.

How will we do that? First, we will encourage on-line applications. Secondly, there will be no fee. Thirdly, we'll make sure these applications are dealt with as expeditiously as possible within 30 days. In this way, we can protect the vulnerable and guarantee that businesses have the flexibility they need to compete. This is what Ontarians need, and we're looking forward to debating that legislation.

Ms Di Cocco: Minister, you've indicated that the ministry has the right to refuse an approval. Some in the opposition seem to think that your ministry will now simply rubber-stamp approvals. How do you respond to this accusation?

Hon Mr Bentley: I was surprised and shocked to hear that under the previous government applications for permits were simply "rubber-stamped." I thought that was shocking. In fact, any application should be considered on its merits. We will make sure that applications are reviewed so we can determine the health and safety record and the employment standards compliance record of the employer.

But I'll say something else: The overwhelming majority of employers are either doing the right thing or want to do the right thing. What we're going to do is support the best in business in Ontario. We're going to develop a workplace portal, an on-line system so businesses can obtain easy-to-use information so they can keep themselves in compliance. By doing that, we'll cut across ministries and reduce bureaucratic red tape for businesses so they can be competitive in today's society.

ELECTRICITY SUPPLY

Mr Norm Miller (Parry Sound-Muskoka): I have a question for the Minister of Northern Development and Mines. I think you would agree with me when I say that access to affordable and increased supplies of electrical energy is essential for the future economic growth of the north. Your government has committed to phasing out all five coal-fired generating plants by 2007, including the low-emission plants at Thunder Bay and Atikokan. These plants now make up 20% of Ontario's electrical generating capacity. For the northwest in particular, these are a major source of jobs and also make up the primary supply of electricity in the area. How are you going to replace the electricity currently generated by the Thunder Bay and Atikokan power plants when you close them?

Hon Rick Bartolucci (Minister of Northern Development and Mines): I know the Minister of Energy will want to answer that.

Hon Dwight Duncan (Minister of Energy, Government House Leader): I'm pleased to have the oppor-

tunity to respond to that question. First of all, the member is right: We have committed to closing coal plants and we intend to keep our commitment on this, as we have on everything else. Second, I would indicate to the member that as part of my announcement last week, I acknowledged the need for things like distributed generation and a number of other alternatives that are available, particularly for the northwest, in terms of responding to this particular need. Third, with respect to the 94 full-time jobs in Atikokan, this government, in keeping its campaign commitment on coal, will ensure the community is not negatively impacted by job loss resultant from our desire to clean the air in northern Ontario.

I would remind the member that last summer was the first time in northern Ontario, in Algonquin Park and Sault Ste Marie, that we had smog days. That's unacceptable. This government is prepared to deal with that situation.

Mr Miller: I would suggest that this is a commitment you might want to think twice about. Really, I was hoping the Minister of Northern Development and Mines might be the person to answer this question.

Minister, rather than arbitrarily saying that all coal is bad and going ahead and shutting down all the plants by 2007, with significant negative repercussions to the northern economy, why not take a more logical approach? Why don't you set tougher emissions standards, invest in clean coal technology, and if the plants can meet the tougher environmental standards, let them continue to produce electricity so vital to the northern economy?

That's what the northwestern chamber of commerce thinks you should do, and I'll quote from the Thunder Bay Chronicle of April 2: "The association advocates investment in clean coal technologies to reduce emissions and keep the plants operating." Why don't you invest in clean coal technology and keep the Thunder Bay and Atikokan power generating plants open?

Hon Mr Duncan: First of all, we are committed to improving air quality in northern and southern Ontario. I would submit to the member opposite that the worst thing you could do to the north is allow air quality to deteriorate and affect tourism in a negative fashion, which is what's going to happen.

I'll tell the member opposite something else: I'll be in Atikokan this Saturday, meeting with that chamber of commerce. I've met with them down here. We're working co-operatively, something that party never understood, to ensure not only that we improve air quality in the north, but that we also improve job opportunities in the north.

I say to that member that this Minister of Northern Development has done more in six months to improve prosperity in the north than your government did in eight years. Never had the north been as ignored as it was under your government, and that has changed. We're going to be meeting with a number of industries in the northwest this weekend to ensure that jobs, growth and prosperity are shared there as they are in the south. That minister deserves credit—

The Speaker (Hon Alvin Curling): Thank you.

CARDIAC CARE

Mr Tony C. Wong (Markham): My question is for the Minister of Health and Long-Term Care. In December 2003, Southlake Regional Health Centre started providing cardiac surgery and coronary angioplasty services, becoming Ontario's 11th advanced cardiac centre. This hospital provides advanced cardiac care for residents in the central-east region of the province. Minister, my constituents are interested in knowing what your ministry is doing to support programs such as these.

Hon George Smitherman (Minister of Health and Long-Term Care): Yesterday I had the honour of returning to Southlake hospital in Newmarket after an earlier visit in December. At that time, I had the opportunity to see the first successful cardiac surgery that had been completed by Dr David Fell and his team. Yesterday I had the honour, on behalf of the government of Ontario, to return to Southlake to announce the expansion of its cardiac care for the residents of York region, Simcoe county and the Muskoka district, with a commitment from the government of \$11.4 million in additional funding to support the cardiac program. It's an important step toward fulfilling our commitment to reduce wait times for cardiac surgery.

Mr Wong: Since it is vital that patients receive proper care in a timely manner, how will the program help to reduce wait times in cardiac care for this region?

Hon Mr Smitherman: We've identified the important challenge of reducing wait times as a key priority for improving the quality of medicare in the province. As a result of the \$11.4-million investment we made yesterday at Southlake in Newmarket, we're able to expand by 4,762 the number of procedures our health care system is capable of providing.

It is the 11th cardiac centre in the province, and it's an important step forward. We've got more to do, but I'm very proud to be able to say that we made a significant step forward to the benefit of the residents of Simcoe county, York region and the district of Muskoka.

NUCLEAR POWER FACILITIES

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. Your good friend and soul-mate John Manley says that Ontario should build new nuclear plants despite the huge cost overruns and maintenance problems with existing nuclear plants. He says that new nukes will cost less than gas-fired plants or less than a conservation strategy. But something strange happened when the Ontario Clean Air Alliance wrote to you and asked for the economic modelling which lies beneath Mr Manley's predictions about nuclear. When they called and asked for the economic modelling, your Minister of Energy said no. You've said that you believe in open and transparent government. Why would your government deny that information? Why would you not allow that kind of economic modelling to be examined?

1510

Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): To the minister.

Hon Dwight Duncan (Minister of Energy, Government House Leader): In fact, I met with Jack Gibbons yesterday. I indicated that the information he has requested will be provided. We did ask that they go through freedom of information for a very good reason: to ensure they get all of the information they want. I've also given him my undertaking that we will make sure the FOI request process is speeded up so they don't have to wait long.

We welcome a debate on all of the issues around this. Mr Manley has provided this government with one piece of advice. We'll be discussing this at some length. Again, I met yesterday morning with Mr Gibbons and gave him that assurance. My understanding is they filed the FOI request last Thursday. It's our intention to make sure they get that information as quickly as possible, with the approval of the Information and Privacy Commissioner. By the way, our hope is that that commission will be reappointed.

Mr Hampton: This is indeed passing strange. The Clean Air Alliance asks your government for the economic modelling numbers, and you tell them they have to go through freedom of information. Are you the Minister of Energy or not? Can you not simply call up and say, "Produce the economic modelling numbers," and produce all of the economic modelling numbers?

Why does the Clean Air Alliance have to go through this circus of going through freedom-of-information requests? If you're an open and transparent government, why hasn't this information been tabled here in the Legislature so they can see it and the public of Ontario can see it? Why this circus of freedom of information? Why do they have to go that route, rather than you simply making the information, and all of the information, available?

Hon Mr Duncan: To respond to the member's question, yes, I am the Minister of Energy.

I don't consider freedom of information a circus at all. It's designed to protect the member; it's designed to protect the public; it's designed to protect organizations like the Clean Air Alliance to ensure that they get the information they require, so that a minister of the crown, or anyone else for that matter, cannot inhibit the release of that information. It's the prudent way to go. I acknowledge that it adds several days, in this case, to the process, but we think it's prudent and important to go through this.

I suggest to the member that freedom of information is not only not a circus—pardon the double negative—I think it's essential to the proper functioning of this Legislature, and to the transparency that this government is delivering to the people of Ontario.

COURT FACILITY

Mr Jim Flaherty (Whitby-Ajax): I'll address the question to the Attorney General, although it deals with

public infrastructure as well. The members opposite can figure out who should answer the question. It has to do with the proposed Durham courthouse.

There's been rapid growth in Durham region. It's the first or second largest growing area in the entire country. We have had an accused murderer escape from the inadequate facilities at the Rossland Road site. There are public safety, security and efficiency issues here, since our courts are operating, I think, at seven different locations in Durham region.

Through SuperBuild and the Ministry of the Attorney General and other ministries of government, there was a long process followed over the course of the last several years with RFQs, and there was some consortia that qualified, and then RFPs. My understanding is that there were at least three approved bidders through the RFP process, and that they're ready. What we're waiting for, what Durham region is waiting for—the police, the judiciary, the lawyers, the litigants—is, when is the announcement of the new Durham courthouse?

Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): I'll refer this question to the Minister of Public Infrastructure Renewal.

Hon David Caplan (Minister of Public Infrastructure Renewal): The member is correct that this is a project with a long history. I must say to the member, and he would know, that we have issued a discussion paper throughout Ontario, discussing and delving into various options as far as infrastructure renewal. We have inherited an enormous infrastructure deficit in this province.

What we have done is quite unique. We have set down five fundamental principles that will be followed when it comes to financing and procuring infrastructure projects in this province: first and foremost, that the public interest is paramount; second, that value for money has to be demonstrated; third, that appropriate public control and ownership must be preserved; fourth, that accountability must be maintained; fifth, that the process has to be fair, transparent and efficient. We will apply this test to the Durham courthouse as we will to infrastructure as we move forward. Had the previous government applied this kind of test, we would not have been in the mess that we are.

Mr Flaherty: It has all been done for you. Everything was done. The RFQ was done. The RFP was done. Everything had been done for you. In fact, the region of Durham, Minister, as you may or may not know, is kicking you out of the courthouse on Rossland Road. You're being evicted. Are you telling the 500,000 people of Durham region that they are not going to get a new courthouse? That's what I'm hearing from you. Unlike Peel region, unlike York region, unlike Barrie in the county of Simcoe, are you telling the people and the police and the judiciary of Durham region that they're going to have to wait four to six years when you can make the announcement tomorrow for this private financing initiative?

Hon Mr Caplan: Passing strange from a former Attorney General and finance minister who sat in cabinet and who did not advance this project one iota. We don't have to accept a lecture from you, sir, when it comes to renewing the infrastructure of the province of Ontario. You sat back, you did nothing and now you want to be a leader in this province? It is an embarrassment that this member would stand up and give a lecture to anybody in this House, because you did nothing.

We take our responsibilities seriously. That's why we've gone out with a thoughtful paper; that's why we've set down fundamental principles. The member would be well served to click on the Web site, to go there, to give a submission, because this is the first government that is serious about renewing the infrastructure of this province.

Interjections.

The Speaker (Hon Alvin Curling): Order. Can I ask the minister to come to order. Could I have a new question.

NUISANCE BEARS

Mr David Oraziotti (Sault Ste Marie): My question is for the Minister of Natural Resources. Yesterday, in Sault Ste Marie, you signed a memorandum of understanding with the Ontario Provincial Police and the Sault Ste Marie city police regarding nuisance bear management. Could you explain how this new working agreement between the Ministry of Natural Resources and the police will benefit Ontarians?

Hon David Ramsay (Minister of Natural Resources): I thank the member from Sault Ste Marie, who has a continuing interest in nuisance bear management in northern Ontario. As the member will be aware, the agreement we signed yesterday is basically a protocol between the Ministry of Natural Resources and the Ontario Association of Chiefs of Police that really sets out and defines the roles and responsibilities between the ministry and the police, especially in dealing with emergency nuisance bear calls.

In this case, the police are the first responders when there's an emergency, but now the Ministry of Natural Resources will be there with expertise in backing up the police in doing what is the right course of action for that particular response. As the member knows, the city of Sault Ste Marie has also signed in on this through their police department, and we look forward to that agreement carrying on throughout the season.

1520

PETITIONS

ONTARIO DRUG BENEFIT PROGRAM

Mr John O'Toole (Durham): "To the Legislative Assembly of Ontario:

"Whereas Ontario's seniors have worked long and hard to build the outstanding quality of life the citizens of Ontario enjoy today; and

"Whereas seniors' drug benefits enable older persons to lead healthier lives and avoid more complex care in hospitals and nursing homes; and

"Whereas, in addition to their taxes, many seniors already contribute toward their prescription drugs through deductibles and dispensing fees; and

"Whereas the vast majority of seniors face increasing costs on fixed pensions and cannot afford to see their incomes eroded further;

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

"That the Legislative Assembly of Ontario not eliminate or reduce the provincial drug benefit provided to seniors."

I am pleased to sign this in support of the many seniors in the riding of Durham.

GO TRANSIT SERVICE

Mr Bob Delaney (Mississauga West): I have a petition to the Legislative Assembly of Ontario from a group of tired GO train commuters. It reads as follows:

"Whereas the city of Mississauga has, within a generation, grown from a linked collection of suburban and farming communities into Canada's sixth-largest city, and tens of thousands of people daily need to commute into and out of Mississauga in order to do business, educate themselves and their families and enjoy culture and recreation; and

"Whereas gridlock on all roads leading into and out of Mississauga makes peak-period road commuting impractical, and commuter rail service on the Milton GO line is restricted to morning and afternoon service into and out of Toronto; and

"Whereas residents of western Mississauga need to 'commute to commute,' driving along traffic-clogged roads to get to overflowing parking lots at the Meadowvale, Streetsville and Erindale GO train stations;

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

"That the government of Ontario, through the Ministry of Transportation and highways, instruct GO Transit to allocate sufficient resources from its 2004-05 capital budget to proceed immediately with the acquisition of land and construction of a new GO train station, called Lisgar, at Tenth Line and the rail tracks, to alleviate the parking congestion, and provide better access to GO train service on the Milton line for residents of western Mississauga."

As a resident of Lisgar myself, I'm pleased to sign it.

SEX OFFENDERS

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I have a petition to the Legislature of Ontario which reads as follows:

“Whereas it is the right of every Canadian citizen to have the knowledge and the means to protect themselves and their children; and

“Whereas each act of a sexual offence against a child affects the quality of life for our nation’s children, their families and the general public; and

“Whereas incidences of child exploitation, child pornography, child prostitution and other sexual offences against children in Canada are on the rise; and

“Whereas those who commit sexual offences against children are at high risk to reoffend;

“We, the undersigned, petition the Legislature of Ontario to press the federal government to pass new legislation that will: disallow parole of a sex offender who has refused treatment; require all released offenders to maintain treatment and be registered with their local police department within 24 hours of moving into a community, and bi-yearly after that; ensure all schools, daycare centres, community centres and other places where children amass are notified when an offender is released into their community; place the names of all persons convicted of a sexual offence against a child on a national DNA data bank, available to all law enforcement agencies across the country; enforce stiffer sentences upon conviction, with a minimum of three years and a maximum of 10 years for a first offence, a mandatory 10 years and a maximum of 20 years for second offences, and a minimum 25 years to a maximum life sentence thereafter.”

I support the petition and affix my signature.

TAXATION

Mr Toby Barrett (Haldimand-Norfolk-Brant): We continue to receive petitions from places like Alice’s Restaurant, the 18 Wheeler, the Arbour, the Gallery, Turkey Point Family Restaurant, D and D’s and many other snack bars and restaurants. It’s titled, “Hands Off Our Food Tax. Stop the 8% Meal Tax.”

“Whereas the Ontario government has plans to tax meals under \$4, ultimately raising taxes for working families, despite a Liberal campaign promise of, ‘I won’t cut your taxes, but I won’t raise them either’; and

“Whereas the food industry expects a drop in sales if the PST exemption is lifted, leading to job losses, primarily for youth;

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

“The Dalton McGuinty Liberals should support working Ontario families and youth through maintaining the provincial sales tax exemption on meals under \$4.”

I will hand these over to Adrianna Swart, a page from my riding of Haldimand-Norfolk-Brant.

ONTARIO DRUG BENEFIT PROGRAM

Mr Cameron Jackson (Burlington): “To the Legislative Assembly of Ontario:

“Whereas the Liberal government was elected after promising in their election platform that they were committed to improving the Ontario drug benefit program for seniors but are now considering delisting drugs and imposing user fees on seniors; and

“Whereas prescription drugs are not covered under the Canada Health Act unless administered in a hospital setting; and

“Whereas the federal Liberal government refuses to acknowledge this as a necessary health service despite the Romanow report’s strong support for a national drug program;

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

“To immediately and unequivocally commit to end plans for the delisting of drugs for coverage under the Ontario drug benefit plan;

“To immediately commit to ending plans to implement higher user fees for seniors and to improve the Ontario drug benefit plan so they can obtain necessary medications; and” finally

“To instruct Premier McGuinty to demand more health care funding from Ottawa instead of demanding more funding from seniors directly.”

It has my signature of support.

Mr Tim Hudak (Erie-Lincoln): I’m pleased to present a petition on behalf of Sandra and Jimmy Wiley and the Steger family of Fort Erie that reads as follows. It’s a petition to protect seniors from higher drug costs.

“To the Legislative Assembly of Ontario:

“Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

“Whereas the Liberal government has increased costs to seniors by taking away the seniors’ property tax rebate and increased the price of hydro;

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

“The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors’ drug fees.”

And in support, here is my signature.

LANDFILL

Mr Garfield Dunlop (Simcoe North): My petition is to the Legislative Assembly of Ontario.

“Whereas the county of Simcoe proposes to construct a landfill at site 41 in the township of Tiny; and

“Whereas the county of Simcoe has received, over a period of time, the necessary approvals from the Ministry of the Environment to design and construct a landfill at site 41; and

“Whereas as part of the landfill planning process, peer reviews of site 41 identified over 200 recommendations for improvements to the design, most of which are related to potential groundwater contamination; and

“Whereas the Minister of the Environment has on numerous occasions stated her passion for clean and safe water and the need for water source protection; and

“Whereas the Minister of the Environment has indicated her intention to introduce legislation on water source protection, which is a final and key recommendation to be implemented under Justice Dennis O’Connor’s report on the Walkerton inquiry; and

“Whereas the Minister of the Environment has announced expert panels that will make recommendations to the minister on water source protection legislation; and

“Whereas the Ministry of the Environment will now be responsible for policing nutrient management; and

“Whereas the citizens of Ontario will be expecting a standing committee of the Legislature to hold province-wide public hearings on water source protection legislation;

“We, the undersigned, call upon the government of Ontario and the Ministry of the Environment to immediately place a moratorium on the development of site 41 until the water source protection legislation is implemented in Ontario. We believe the legislation will definitely affect the design of site 41 and the nearby water sources.”

I’d like to sign my name to that as well.

ONTARIO DISABILITY SUPPORT PROGRAM

Mr Norm Miller (Parry Sound-Muskoka): I have a petition from my constituents and it reads:

“To the Legislative Assembly of Ontario:

“Whereas the Ontario disability support program was created to provide support for disabled Ontarians; and

“Whereas Ontario disability support program recipients have not seen an increase in payments for 11 years;

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

“That the province of Ontario increase Ontario disability support program payments by a minimum of 5% and, further, that annual cost-of-living increases occur to address inflation;

“That the province of Ontario permit spouses to obtain employment without penalty to the Ontario disability support program recipient so that they might live with dignity;

“That the province of Ontario recognize transportation and telephone services as essential to Ontario disability support program recipients.”

1530

ONTARIO DRUG BENEFIT PROGRAM

Ms Laurie Scott (Haliburton-Victoria-Brock): “To the Legislative Assembly of Ontario:

“Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario

drug benefit program but now are considering delisting drugs and imposing higher user fees; and

“Whereas the Liberal government has increased costs to seniors by taking away the seniors’ property tax rebate and increased the price of hydro;

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

“The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors’ drug fees.”

TAXATION

Mr Ted Arnott (Waterloo-Wellington): I have a petition to the Legislative Assembly of Ontario and it reads as follows:

“Whereas every day, 1.5 million Ontarians, including seniors, health care workers and students, purchase a basic meal that costs less than \$4; and

“Whereas a new 8% tax on such meals will disadvantage low-income Ontarians; and

“Whereas adding a tax for the first time on a glass of milk, a salad, a bowl of soup or a cup of coffee will affect a total of 1.5 million Ontarians each and every day in restaurants and cafeterias across the province;

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

“Do not impose a new 8% tax on basic meals under \$4.”

It’s signed by a substantial number of my constituents, and I support it as well.

FIRE PROTECTION SERVICES

Mr Norm Miller (Parry Sound-Muskoka): I have a petition from my constituents in Parry Sound-Muskoka, and it reads:

“To the Legislative Assembly of Ontario:

“Whereas municipalities are solely responsible for funding fire services; and

“Whereas the previous government committed \$40 million to help small and rural communities in the purchase of new emergency firefighting equipment;

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

“That the province of Ontario proceed with a program to support municipal fire services for the purchase of life-saving equipment and that the province develop a rural response strategy in consultation with municipal fire services.”

I support this petition and I sign my signature to it.

PHYSIOTHERAPY SERVICES

Mr Cameron Jackson (Burlington): I have about 3,000 petitions today. The top 10 pages are from Windsor. I’m pleased that the House leader is present today.

“To the Legislative Assembly of Ontario:

“Whereas seniors and other qualified patients require the continued provision of physiotherapy services through schedule 5 clinics to promote recovery from medical conditions and continued mobility and good health;

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

“The patients of schedule 5 physiotherapy clinics request the continued support of the Legislative Assembly of Ontario for provision of OHIP-covered physiotherapy treatment to qualified seniors and others in need of these vital health care procedures.”

This petition—and there are quite a few more coming—has my signature of support.

MOTORCYCLE INSURANCE

Ms Laurie Scott (Haliburton-Victoria-Brock): “To the Legislative Assembly of Ontario:

“Whereas tens of thousands of responsible motorcyclists are being hit with huge increases in insurance or are being denied coverage because of the type of vehicle they ride;

“Whereas the premiums for the mandatory insurance coverage for motorcyclists has increased on average over 40% in the past two years;

“Whereas many responsible riders can no longer afford to insure their motorcycles due to high insurance costs;

“Whereas sales of motorcycles in Ontario have dropped over 7% year-to-date this year, a figure attributed directly to the increase in insurance rates; and

“Whereas many businesses and individuals in the motorcycle industry are suffering due to the loss of sales and decreased employment high insurance rates are causing;

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

“Please amend the insurance regulations to make motorcycle insurance more affordable and to ensure motorcyclists are treated fairly and equitably by insurance companies, brokers and agents.”

ONTARIO DRUG BENEFIT PROGRAM

Mr Tim Hudak (Erie-Lincoln): I’m pleased to present yet another petition on behalf of seniors, this time from the Fort Erie area—Murray and Vi Caplan, to name two.

“To the Legislative Assembly of Ontario:

“Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

“Whereas the Liberal government has increased costs to seniors by taking away the seniors’ property tax rebate and increased the price of hydro;

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

“The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors’ drug fees.”

In support, I affix my signature.

LANDFILL

Mr Garfield Dunlop (Simcoe North): Again, on the site 41 issue:

“Whereas the county of Simcoe proposes to construct a landfill at site 41 in the township of Tiny; and

“Whereas the county of Simcoe has received, over a period of time, the necessary approvals from the Ministry of the Environment to design and construct a landfill at site 41; and

“Whereas as part of the landfill planning process, peer reviews of site 41 identified over 200 recommendations for improvements to the design, most of which are related to potential groundwater contamination; and

“Whereas the Minister of the Environment has on numerous occasions stated her passion for clean and safe water and the need for water source protection; and

“Whereas the Minister of the Environment has indicated her intention to introduce legislation on water source protection, which is a final and key recommendation to be implemented under Justice Dennis O’Connor’s report on the Walkerton inquiry; and

“Whereas the Minister of the Environment has announced expert panels that will make recommendations to the minister on water source protection legislation; and

“Whereas the Ministry of the Environment will now be responsible for policing nutrient management; and

“Whereas the citizens of Ontario will be expecting a standing committee of the Legislature to hold province-wide public hearings on water source protection legislation;

“We, the undersigned, call upon the government of Ontario and the Ministry of the Environment to immediately place a moratorium on the development of site 41 until the water source protection legislation is implemented in Ontario. We believe the legislation will definitely affect the design of site 41 and the nearby water sources.”

Like my colleague Jim Wilson, I’m pleased to sign my name to this petition.

ORDERS OF THE DAY

GREENBELT PROTECTION ACT, 2003

LOI DE 2003 SUR LA PROTECTION DE LA CEINTURE DE VERDURE

Resuming the debate adjourned on April 13, 2004, on the motion for second reading of Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act, 2001 / Projet de loi

27, Loi établissant une zone d'étude de la ceinture de verdure et modifiant la Loi de 2001 sur la conservation de la moraine d'Oak Ridges.

The Speaker (Hon Alvin Curling): Further debate?

Seeing none, is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those against, say "nay."

I think the ayes have it.

Call in the members. There will be a 30-minute bell.

Pursuant to standing order 28(h), I have a letter from the chief government whip to defer the vote until Wednesday, April 28.

EMPLOYMENT STANDARDS
AMENDMENT ACT
(FAMILY MEDICAL LEAVE), 2004
LOI DE 2004 MODIFIANT LA LOI
SUR LES NORMES D'EMPLOI
(CONGÉ FAMILIAL
POUR RAISON MÉDICALE)

Resuming the debate adjourned on April 21, 2004, on the motion for second reading of Bill 56, An Act to amend the Employment Standards Act, 2000 in respect of family medical leave and other matters / Projet de loi 56, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne le congé familial pour raison médicale et d'autres questions.

The Speaker (Hon Alvin Curling): The member for Trinity-Spadina.

Mr Rosario Marchese (Trinity-Spadina): I believe we have unanimous consent to stand down our lead.

The Speaker: Agreed? Agreed.

Mr Marchese: I'm happy to speak to Bill 56, family medical leave. I've got to admit that I haven't canvassed all New Democrats, but I suspect they will be supporting this bill. I certainly will be supporting the bill. I have some concerns, and I will speak to those.

I welcome the viewers of this political channel. We are on live. It's 3:37 this afternoon, and it's always exciting to be here. I hope you're excited to watch us, or at least some of us, as you're sitting, slurping some beer at home.

The bill has this as its objective: Currently in Ontario, workers are allowed to take 10 days' family leave for the purposes of caring for an ill relative, and the Ontario Liberal government plans to allow employees to take six weeks of emergency leave to take care of ill or dying family members without risking their jobs. The point about this bill, and I suspect the reason most provinces are interested in adopting the companion legislation that was required in order to be eligible for these benefits, has to do with the following: As some senior Liberal folks spoke to this said, it will curb some of the estimated \$1 billion in direct costs, and an additional \$1 billion to \$2 billion a year in indirect costs, that Ontario businesses

pay due to absenteeism because employees do not have the flexibility to take unpaid emergency leave.

1540

From the standpoint of employers, this is obviously a good thing. If people need to take care of their dying relatives and leave because they're not eligible, this is a problem for employers, naturally, because they've got to go. So this is a cost to employers, and because this cost would be taken care of by this measure, by Bill 56, I suspect employers think this is a good bill to pass.

Another hidden benefit of unpaid leave is the estimated \$5 billion a year that caregivers save the Canadian health care system by stepping in with basic care instead of relying on nursing homes or home care to help their ill relatives. I suspect this is another reason that the government of Ontario, as well as many other provinces, have introduced companion legislation, because it is a saving for the province, indeed all provinces, and why wouldn't you do that?

We're not against savings, be they for employers or for governments, because at the end of the day this is a positive thing, and it's a positive thing for those who are eligible to be able to take care of ill or dying relatives.

I would remind those of you watching that to be eligible for benefits during the six weeks of leave, workers must have put in 600 hours in the previous 52 weeks. If you do not have the required hours, the 600 hours of work experience in your previous 52 weeks, you're not eligible. I would remind people watching that the problem connected with this is that in Ontario only 30% of unemployed men and 20% of unemployed women are eligible for employment insurance at any given time. Workers need to have worked 600 hours in the last 52 weeks to qualify; therefore, many workers do not qualify. That's important, because I suspect there are a whole lot of other people out there watching who think they would now be eligible. If you are a part-time worker and do not have the 600 hours of work experience, you're not eligible. So the category of people who are part-time are not eligible.

Hon Christopher Bentley (Minister of Labour): They can get the leave, but they don't get paid for it.

Mr Marchese: The Minister of Labour says they can go, but they won't get paid. Thank you for that contribution.

If the Minister of Labour believes the statement he made is unfair, that might be one of the things he would want to send to the subcommittee for hearings to make it possible for such a change to happen so those who are part-time workers could be made eligible if the Minister of Labour felt it was important to those individuals who earn so little working part-time, because it's probably the only work they can get. If he felt it was important and he agreed with me, he would want to send that to the subcommittee when we hear deputations on this bill.

So, Minister, it's not helpful to say, "They can leave; they just won't get any money," because workers who work on a part-time basis have little money to save. Whatever little they earn is probably being used for their

own personal care, for the safety of the home they hopefully are living in—rents in Toronto are pretty high, and if you're working at one part-time job, you're not living in good accommodation, I can tell you. Most part-time workers work hard, and sometimes they work at two or three jobs to make ends meet.

When we look to what other provinces have done, it might encourage the Minister of Labour to perhaps take the baton from Quebec and say, "If they can do something different in Quebec, perhaps the Minister of Labour in this Liberal government here in Ontario might want to do the same."

In Quebec they have done something different. In Quebec they have increased compassionate family leave to 12 weeks instead of eight. Quebec legislation provides that an employee who has three months of uninterrupted service may be absent from work without pay for a period of not more than 12 weeks, over a period of not more than 12 months. If Quebec can do that on its own, Ontario can; Ontario could. Ontario could lead as well.

If the Minister of Labour thinks about what Quebec has done, they might want to send the bill, as we obviously anticipate they will, to hearings so that deputants can speak to not only what's good about this bill but also what can be improved. When we look to other jurisdictions in terms of improvements, Quebec is one, and deputants might want to speak to that.

Obviously, Quebec must have felt that this is important to family members, that increasing the amount of benefit from eight weeks to 12 weeks is a good thing for families. It's compassionate leave. It means there's a desire in that society for people to have a greater amount of time to spend with their loved ones who are seriously ill or dying. I praise Quebec for that. It's a simple measure. I would hope the Minister of Labour would think this is something that he too might want to reflect on, perhaps propose and, hopefully, implement it himself.

In other jurisdictions, like Yukon, the definition of "family" includes siblings, grandparents, grandchildren, sons- or daughters-in-law or any relative permanently residing in the employee's residence. Ontario restricts eligible family members to children, spouse and parents. If Yukon can lead by expanding who is included in the definition of "family," I would think, and I would hope, the Minister of Labour here in Ontario would want to follow suit.

The definition of family is greater than children, spouse and parents. In many families, and in many societies within our own Ontario population, grandparents are a big part of family life. In fact, some families couldn't get by without having grandparents taking care of grandchildren in particular. I suspect they see that as something they would want to do, something they do willingly. It's an incredible burden, but an incredible benefit to families. In most cases grandparents do it willingly and in some cases they have no choice. If grandparents are not taking care of grandchildren in some or many cases, most working families could not cope with paying their homes or paying the rent.

If you're living in downtown Toronto in the riding of St Paul's, you're probably paying a whole heap of money on rent. The member from St Paul's, I suspect, knows this. Rents have skyrocketed in the last four, five or six years under the Conservative regime, to the point where most people can't afford the rents. If they didn't have grandparents taking care of one, two or three grandchildren and a family had to pay \$1,000, \$1,100 or \$1,200 for each child, it would just make it impossible for people to live in this country. Grandparents are an important part of the definition of family, an important part of that issue of social solidarity. Grandparents benefit not just their children, but society and governments. We think governments understand that, including Liberals. So if Yukon can do it, the Minister of Labour from Ontario can as well.

1550

I often think about this issue of employment insurance. This is not the place to attack the federal Liberal government, but I have to tell you that, yes, they made this possible, and yes, it's a good thing, but their definition of who qualifies, their 600 hours of eligibility in the previous 52 weeks, is not a great thing. I remind you, Speaker, as the Liberal that you were, that you still are, the federal Liberal government made incredible restrictions in this employment insurance benefit plan that people have.

I remind those watching that millions of Ontario and Canadian workers pay into the employment insurance plan. The federal government takes home at the end of the day billions of dollars from people who, in some cases, do not qualify because they don't have the eligible hours to get employment—or, in the old way we used to say it, unemployment—insurance. It's Liberals at the federal level who gave fewer benefits and restricted the hours under which people were eligible: more money being paid into employment insurance, less money going out to those who are unemployed, making it harder for many, many workers to be eligible for employment insurance.

It's scandalous that a Liberal Party did that. What's scandalous even further is that the way the federal Liberals dealt with their deficit at the national level was by cutting unemployment insurance benefits. Some 40% of the national deficit was made up because of the cuts they made to unemployment insurance, if you can believe that. They're raking in billions of dollars and giving less money out to the workers. This is under a Liberal regime federally. Boy, would I like to take some time to talk a little more about that.

But these are Liberals with a heart. These are Liberals who have compassion for the worker. These are Liberals who wouldn't mistreat workers. These are the very same Liberals who reduced their deficit on the backs of the unemployed, by sucking money out of their pockets for employment insurance and socking it to them when they become unemployed—scandalous.

How do Canadian workers take that? How do Ontario workers accept that? Why is it they keep on voting for

Liberals at the federal level? I'll never understand it. Why, I meet people in my riding who talk about pensions all the time. They say, "I can't live with the pensions we get from the federal government." Insurance rates are going up: house insurance, car insurance. Property taxes are going up, gas rates are going up and hydro rates are going up, courtesy of the current Liberal government. They're saying, "We can't cope any more. We just don't have the money to be able to pay all these bills we're getting." Then they make reference to the pensions at the national level.

I say, good Lord, why do you keep on voting for Liberal members at the federal level? They come to your door. Why don't you complain to them instead of complaining to me that you're not making enough money to pay your bills? Why are you so afraid to tell the federal Liberals who come to your door that you're sick and tired of having your pension frozen, year in and year out? You can't pay your bills, but you keep on voting for them. The best way to teach them a lesson, to send them a message, is not to vote for Liberals.

That's what I would do, but far be it from me to tell the Ontario voter who to vote for, because you see, I trust Canadians to do the right thing. Sometimes they do and sometimes they don't. At the end of the day, to use that worn-out phrase, that hackneyed phrase, people will do what they think is right.

I wanted to take this opportunity to attack federal Liberals on the issue of pensions and on the issue of unemployment insurance, because I enjoy that. You know that, Speaker. But to this bill—

Mr John Wilkinson (Perth-Middlesex): Oh, the bill.

Mr Marchese: Well, I did speak—

Mr Wilkinson: Maybe you did.

Mr Marchese: Did you agree with me on some of these issues I raised? Let me know. Nod in approval or disapproval.

I hope the Liberal members agree that this must go to committee, because it's a good bill, right? Because it's a good bill, you want to send it out so people can tell you how great the bill is and blah, blah, blah, right? OK.

Mr Wilkinson: We need to get it passed.

Mr Marchese: We need to get it passed. For sure, yes.

New Democrats, as far as I can tell, agree with it. I'm not sure about all the members—I haven't canvassed them—but I think they agree.

So we'll send it out to committee. What I want is to be able to say, "Now let's look to see what other jurisdictions have done, to see whether we, rich Ontario, could do the same as Quebec where they've expanded compassionate leave to 12 weeks instead of eight." Do you think it's a good idea?

Mr Wilkinson: It's a jurisdictional problem.

Mr Marchese: No, it's not a jurisdictional problem.

Interjection.

Mr Marchese: There's some problem of—we're discussing it. Minister of Labour, we're chatting at the back and he says, "It's jurisdictional." I say, let's look to

see what Quebec has done to see if maybe we can find the money to do it. Who knows? We might.

Hon Mr Bentley: You don't want us to listen to BC and Alberta.

Mr Marchese: No, let's not look to Alberta. Let's not look to your Liberal counterparts in British Columbia either, because they're scary. That's a scary lot. Let's not look at them.

Interjection.

Mr Marchese: Well, let's look at other jurisdictions as well. Let's look to see what Alberta is doing and what British Columbia is doing. Let's do that too. Put everything on the table. I would hope we would emulate those provinces we can be proud of, rather than emulate those provinces we either do not agree with or despise, perhaps—

Mr Wilkinson: Ashamed of.

Mr Marchese: Or might be ashamed of, because I'm certain that many of you do not relate to Liberal Premier Campbell—scary.

Interjection.

Mr Marchese: I know what you mean.

Put it all on the table. Let's put Yukon on the table. Yukon has expanded its definition of a family member. I suspect a lot of Liberals think it's a good idea—yes, possibly. It's not jurisdictional. The definition of "family" could possibly be expanded. I am convinced the minister is a reasonable man. I suspect he is. He should look at that.

We should look as well at part-time workers. Could part-time workers be eligible for paid leave? I know they're eligible to leave and not get paid. I know that, Minister. Please. I expect you to be generous, not just a reasonable man. Let's look at part-time workers perhaps being eligible to be paid to take leave from their work to take care of their dying ones.

There are things we want to consider in committee. I hope Liberals agree with that. Hopefully we can improve this bill.

The Acting Speaker (Mr Kevin Daniel Flynn): Comments and questions?

Mr Lorenzo Berardinetti (Scarborough Southwest): I appreciate the comments made by the member from Trinity-Spadina. In my very short two minutes I want to say that in reading over the bill—I have had a chance to read it over—it really speaks to compassion. I think the government really is attempting to show some compassion and to allow the people of Ontario to allow compassion.

This week in the news I've been hearing that the Dalai Lama is in Toronto. He's been speaking. Interestingly enough, he speaks about compassion. It's something that crosses almost all religious barriers, all cultural groups. It's something that evolves over time. Even back in the 1960s, you had the Maharishi—I think that was his name—who had come from India, and was here in—at least he came to England. I know he met with the Beatles, George Harrison and other individuals. Again, it was all about compassion.

What I think we need to look at here is the evolution of compassion. In this bill today, I think, more than anything else, the Liberal Party, the government, is indicating that we want to show compassion. Maybe we're not the same as the Dalai Lama or the Maharishi or others who are of the spiritual realm, but in a legislative setting, this is the sort of law that is needed. It allows individuals to care for people who are dying. It is something that is welcome, I think, to those individuals who require it. It is common sense, and it is something that I hope all members of this House can support. So I thank you for the opportunity to comment on this bill.

1600

Mr John O'Toole (Durham): It's a pleasure to see the member for Oakville in the chair and to also respond to the member for Trinity-Spadina. I look at this bill as a move toward compassion. If you look at it in detail, you'll find there are some severe restrictions here. First of all, the employee has to take an unpaid leave, and that constitutes a problem, as has been said by the member for Trinity-Spadina, specifically excluding people in part-time employment.

It also is very specific with respect to the entitlements. For instance, the case I'm thinking of is a family member, a child perhaps, who is in very serious medical condition. In subsection (6) it says, "If two or more employees"—that would be the mother and father, probably—"take leaves under this section in respect of a particular individual, the total of the leaves taken by all the employees shall not exceed eight weeks." In other words, there are some limitations here.

Imminent death has been outlined here: A qualified health practitioner must certify that the individual is in serious medical condition with a significant risk of death. So there's a bit of softness in that.

Under "Further leave," subsection 3(11) says that "the employee may, in accordance with this section, take another leave and, for that purpose, the reference" is subject to subsection (6), "the first certificate."

I think they could learn a lot in this bill, because we had a compassionate leave proposal in our last budget, which was cancelled in Bill 2. That would have allowed people to have the caregiver tax credit. If the minister was really listening today, he'd look seriously at giving a caregiver tax credit to those people who are looking after the frail elderly or others dying.

Ms Shelley Martel (Nickel Belt): It's always a pleasure to listen to my colleague from Trinity-Spadina. I want to reinforce what is at stake here, what the issue really is. The issue is, how many Ontario workers will be able to afford to take compassionate leave? That is the key.

I'll give you an example, because I have seen it happen on the federal level with respect to parental leave. A couple of years ago, the federal government extended parental leave to 52 weeks, and it provides EI benefits for that period of time. But suffice it to say that the EI benefits do not reflect that worker's full-time pay. In fact, the benefits are about two thirds of what you would be

making if you were working in your regular job. I don't know how many women I have talked to who have said that while they desperately wanted to stay at home for the year for parental leave, they could not afford to do so. They could not afford to do so because the EI benefits were so low.

Now this government comes forward with a proposal for compassionate leave, and I don't have a problem with that except it's silly for you to say that it's OK if people don't get paid, they should just take it anyway. That's a silly comment to make, because the question of affordability is a real one for many people. Too many people in Ontario cannot afford to take eight weeks of compassionate leave without pay, and we need to deal with that.

It's a good thing to have compassionate leave. The reality is that too many people who will want to use it won't be able to afford it, because they can't go eight weeks without pay.

Mr Bob Delaney (Mississauga West): In the spectrum of stress, the death of a family member ranks among the highest on the scale used by behavioural scientists to measure the impact on an individual. However inevitable it is that each of us and everyone around us must pass from this world, it is one of life's greatest challenges when a loved one is at death's door. While an event like a birth or a wedding is an occasion to celebrate, and so cause families to want to be together, a significant risk of death is a crisis that causes families to need to be together.

For an employer, this courageous piece of legislation simply recognizes accepted practice among responsible and reputable companies. For employees, this bill removes any hesitation or stigma one may have to ask an employer for unpaid leave.

The definitions that circumscribe which family members qualify and how long an employee may remain on leave are both specific enough to limit the risk to an employer and flexible enough to allow an employer and an employee to reach a compassionate compromise.

We expect this bill will pass with minimal debate. Indeed, what compassionate society would not want to do this?

From the perspective of an employer, this enables the organizational memory to be retained by not running the risk of losing a valued employee. Employees can focus on the needs of family members around them without compounding their personal stress with a concern about their employment status.

Bill 55 is a good bill. This is an easy decision, and it's a piece of legislation whose time has come.

The Acting Speaker (Mr Ted Arnott): That concludes our time for questions and comments. The member for Trinity-Spadina has two minutes to reply.

Mr Marchese: Again, we're not speaking against this measure. What we're saying is that this is a useful measure, a good measure. It doesn't go far enough in terms of what it can do or ought to do. Imagine, how could we be against any compassionate move that allows some in-

dividuals to leave the workplace and have access to unemployment insurance if they're able to access unemployment insurance? Why would we be against that?

The point the member from Nickel Belt mentioned—that's a speech in itself—is that some families can't afford to do it. And remember that the burden falls mostly on women. Women are the ones who have to take on the burden of taking care, generally speaking. I'm not saying this is a good thing. This is a reality that many women face, and many women simply can't do it, can't afford to do it, but many do because they have no choice. When they do it and are not eligible, it's painful, and when they do it and all they get is up to \$413 a week, it's not enough, so they have to make sacrifices. My point is that we can do more, need to do more to help families out, to help women out. If we don't, the burden is just immense.

We need to look at improving home care and long-term care. I have the experience with my mother, who was 93 years old on April 25th and, boy, we've got a person coming in twice a week to do a bath. For those of us who are working and can't get there, it's painful.

Unless we improve home care for many working families we are all, as a society, in trouble. So is this bill, this compassionate bill, a bad one? No, it's a small measure. So much more needs to be done, so much more.

1610

The Acting Speaker: Further debate on Bill 56?

Mrs Carol Mitchell (Huron-Bruce): I'm very pleased to be able to rise today and support Bill 56, the Employment Standards Amendment Act (Family Medical Leave). I will be sharing my time with the member from Pickering-Ajax-Uxbridge.

As has been stated many times in this House, this legislation will give employees the option to take up to eight weeks of unpaid time off from work to care for a dying family member. Their jobs would be protected while on this leave, allowing them to take time off without worrying about being able to retain their jobs.

This legislation, if passed, would provide a time for working people to be absent from work so that they may deal with their immediate priorities: caring for a loved one during their last days. Everyone covered by the Employment Standards Act would be eligible.

I wish to speak about the impact Bill 56 will have on our rural communities. Elderly citizens make up a very large part of the population in my riding. Rural ridings exceed the provincial average for a senior composition of our ridings.

Independence has been, and will continue to be, a characteristic of our life. Independence is not only a part of, it is a strength of our rural communities. Many of our older citizens wish to remain in their own homes during their last years and days. People, given a choice, will choose to remain in their homes as long as possible with the support of the people they love rather than an institutional environment, a hospital or a long-term-care facility.

Unfortunately, this choice is not always available. A recent study showed that 36% of dying patients had to be admitted to hospital and not because of medical necessity. It was because their families could not provide the care they needed at home. Bill 56 will make it possible for them to receive help from their own family members.

In Ontario, we have a generation who are parents and who are also in a position to take care of their parents. This generation in the middle is under a great deal of stress. In my riding, we see families where both members are working, plus raising a family. Time is a very precious commodity in our families. When we add the distance people must drive in rural areas to get to their jobs, we realize how short that supply is. In a rural area many families tend to stay for many generations, and people taking care of their parents is certainly a very common theme in our rural communities.

Most Canadians who have taken time off from work to provide care or assistance to a gravely ill family member did so for six weeks or less. This bill would protect their jobs during that very difficult time.

Also, employees who are able to take leave to care for gravely ill family members will return to their workplaces better able to focus on their jobs and are likely to be far more loyal to their employers. People should not be forced to make the impossible choice between keeping their job or caring for a dying loved one.

We owe it to families to support them in their time of need. This eight-week leave will reduce that pressure. It will create stability, which is necessary at such a very emotional time. The employer will benefit when the employee will not be torn between balancing many roles. It will provide the employer a clear-cut option and will allow the staffing needs to be resolved over a longer term.

For employers it provides a benefit by creating a more positive, loyal and productive workforce. This is a shared responsibility. Employers are not asked to share the cost of providing family medical leave, unless it is an item that is negotiated between employer and employee.

This bill will encourage a long-term, productive planning process. Studies show that about one in four working Canadians experience high levels of caregiver strain and much of this is coming from the difficulties of balancing their work life with the demands of caring for a very seriously ill loved one. This strain is not beneficial to employers or to employees. When an employee is emotionally, physically or mentally drained, everyone suffers. Taking care of parents and loved ones is a quality we value in our society. This bill is another step that will deal with the challenges we face today.

People should not be forced to make the impossible choice between keeping their job or caring for a dying loved one. Employees who have been given the opportunity to take time off and then return to their jobs will return with a renewed sense of commitment, with the energy and focus to perform the work that is required. Health care is already feeling the strains of dealing with

an elder population, and family support is an important part of our total health. If we are to be compassionate Canadians, we must and will rise to the challenge.

By introducing this bill our government is making real, positive change by providing job-protected medical leave for families who need to care for the gravely ill. In our families, it is such a struggle to meet the needs of every family member. Time constraints, as we all know, have become much more complicated, especially as our families age. Within families, and then in closer extended families, when we get to our grandparents, it becomes much more difficult. This will give us, as employers or employees, the ability to meet our families' needs. What better way can we do that than by giving of ourselves to our families? When we are in our final stages, what we would hope for is dignity and our family around us at a time of need, and this bill will allow that. Also, as a family, it gives us the opportunity to show the caring and compassion that we would choose to give our family members who are close to us.

I rise today, once again, in full support of this bill. I cannot say any stronger words than how important it is to myself and to my riding. In our rural communities, we have many other stresses that are created by time and distances. It is with my support and my words that we can bring this forward, and my congratulations to the minister. It certainly is much needed in our communities. I congratulate you on identifying the need in our communities.

Mr Wayne Arthurs (Pickering-Ajax-Uxbridge): I appreciate following the member for Huron-Bruce in speaking to her constituency. I must say, in my constituency, it's quite a mix. It has a relatively intense suburban community in which we have not only aging members of our community, but also many young families because of the growth that's going on. It also includes the historical township of Uxbridge, with many seniors now living in that community, probably more so as a percentage number than live in the more urban, developed portion of the riding. So we have that diversity as well, and the needs.

1620

As one who was born in the first few years of the baby boom generation and thought of myself as a baby boomer until fairly recently, when my children began to take particular notice of the change in hair colour; when my grandchildren, as they did a few weeks ago, as I was coughing or making some gesture of being exasperated, they said, "Why is it that old people always do that?"—there was a certain reality that being part of the baby boom generation was changing. I was probably much more a part of what we refer to as the sandwich generation, somewhere between the younger members of my family—my children and now grandchildren—and aging parents and in-laws who are aging, and all of the health stresses that go with that.

This particular piece of legislation, I think, strikes home for all of us, but maybe particularly those who have a family who are at both ends of the spectrum, from the

youngest, in children and grandchildren, to those who are the more elderly, in parents and grandparents. My wife's grandmother is 96 years old at this point and still living—although not on her own—independently. Yet I know the type of care—as we plan and think about what's going to happen in the not-too-distant future, how you manage to care for and provide family opportunities, of parents and children and spouses—to manage that.

The Minister of Labour should be commended for bringing the legislation forward. This speaks very strongly to our Liberal values: caring for the most vulnerable in our society; caring for the most vulnerable in our community. Who can be more vulnerable? Those whose prognosis for life is diminished to something less than six months, whose prospects of death are terminal and, to some extent, measurable: Those are the most vulnerable. So are those who provide care for those. They're emotionally and physically vulnerable to the 24-hour, seven-day-a-week stressors that come with that, either through direct care or support care. They're mentally vulnerable, to the challenges of everyday life in the work environment in particular—for being productive, for being safe, for making a valuable contribution, but vulnerable from the internal context of their ability to function mentally, their own capacities to put their own life in perspective with terminally ill family members, and not just those who may be older, not just necessarily parents, but maybe their own children. Parents are not supposed to outlive children, but we know that happens.

This will provide a window of opportunity. It's not the be-all and end-all of a piece of legislation. It's a straight-forward and direct piece of legislation. It's not going to meet every need, but clearly it's going to set out some opportunities for leave without fear of job loss. Ideally, it will put into the workplace a sense that there's a need for the employers, the employment base, to look at the needs of community and build into their own systems not only the provision for leave but potentially the opportunity for compensation during that leave period.

The choice between jobs and caring for a family member is a dreadful choice for any of us to have to make. I'm sure that most of us have worked with, been involved with, families that have dying family members and know the consequences of that in a work environment. I know in my own experience, the past 15 years in municipal governance, where I served as the mayor of a municipality, I had two members of my council pass away at different times, both of them in their prime years of late 40's and early 50's; one from cancer, over a six-to-nine-month period, and one from ALS. It was a year from the time they were diagnosed until the time they passed away.

I saw first-hand as a mayor, with people who were good friends and colleagues working directly with me, what happened to them physically, but I also saw what happened to their families. I saw what happened to their spouses in particular, in the need to care for these individuals and provide support for these individuals. I also watched what happened in their work environments, and the concerns they had about their job considerations.

These are not choices that a compassionate and caring society wants to have made. This legislation will begin to move in a direction that will provide for the needs of those in our community who are diagnosed with illness, the prognosis of which is short term; provide for the support they will want and very much need during that time frame; and provide family members the opportunity to provide for the care they will be looking for. The stressors, the anxieties, are immense.

We've come a long way, I guess, over the past few decades. Parental leaves now are considered standard. It wasn't all that long ago that parental leaves of any sort were solely in the context of the birth process and a short period thereafter, and the mother had to be back in the workforce if she was working. The idea of having parental leave for the father was unheard of. It's only been over a relatively short period of time that consideration for a father to take parental leave to provide support in the family, to have time with a new infant, has really taken hold. I think in that context this legislation will be a step in the direction we want to go in over the longer term.

Bereavement leaves have become common. It's an expectation that at the point of death there will be some leave, some acknowledgement not just for the immediate family but increasingly for a broader sector of the family, the broader relationships that were talked about earlier by other members that go beyond the parent, the child and the spouse—the grandparent or aunt or uncle or niece or nephew might pass away—and provision of limited bereavement leave through the job environment in that process. Maybe at some point, should this legislation be adopted, as it works its way through and becomes more accepted and commonplace, there will be windows of opportunity for those kinds of considerations.

Eight weeks isn't a long time, it's not an extended period of time for people to have with family, but it does provide, whether it's a full eight weeks or one, two or three weeks, when the passing can be rather sudden, a couple of opportunities. It provides an opportunity, obviously, for care. It also provides an opportunity for people to put their house in order, to be there to support the ill family member emotionally, to come to grips with some issues one might face as a family member in reconciling differences, but also reconciling what needs to happen on a go-forward basis to put the physical house in order, put the financial house in order and put the emotional house in order. How is one going to care for the remaining family members at the end of the day? As the caregiver during that period of time, can you provide for those who are dying a sense of calm, a sense of understanding that the spouse they might be leaving, the child they may be leaving, the parent they may be leaving will be taken care of, that you as a caregiver understand what the needs are of those who are in the last stages of their life, that they can leave with a sense of calm during that period of time?

It can be catastrophic. The absence of the caregiver can obviously affect the time remaining of those who are

passing away, but it can affect the time and nature of the sense of being full and of being able to provide for that dying individual in the way we all want to.

At the end of the day, this is legislation I'm sure members on all sides will want to support. We may differ on whether it meets all the needs, whether it reaches out as fully as it might, whether there should be direct compensation. That's going to be part of the debate. But, at the end of the day, I can't see where there won't be due consideration by all members for the passage of this legislation.

The Acting Speaker: Questions and comments?

Mr Garfield Dunlop (Simcoe North): I'd like to make a few comments on the speeches by the member for Huron-Bruce and the member for Pickering-Ajax-Uxbridge.

This is one of those bills that's warm and fuzzy. I think anyone here is going to have enough compassion to support this piece of legislation. I understand why it is a warm and fuzzy bill. You've got a lot of real issues and real problems over there and you need some warm and fuzzy issues to work with.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): Garfield, we're just trying to correct what you did wrong.
1630

Mr Dunlop: I'm just trying to be nice and already they're heckling me. It's incredible. I'm trying to be nice about this piece of legislation. I don't need to be heckled because I call it a warm and fuzzy piece of legislation. It is. We're going to support this, but there are issues around it.

Correct me if I'm wrong on this. I would like somebody from the opposite side to make a comment on it. I'm quite sure that this doesn't necessarily mean death. Someone can be really sick and have a leave of absence. I'm sure that applies to that as well. Maybe you can correct me in a comment after. I haven't seen that in there exactly.

I think many people in this House have been in a situation where they've had loved ones and close friends who needed a caregiver, and I would certainly support that. However, I guess my concern with this step—the next step, of course, will be a paid period of time. That's when we'll have to decide, with some of the comments made by Rosario, how far we can go with that and how much our employers can afford to give in that area. That will be the next step, I believe, in this piece of legislation. Anyhow, I enjoyed the speeches and certainly support the act.

Mr Marchese: I want to say to the two speakers who have spoken on this that we don't have to disagree on some of the issues that we have raised. I'm sure you agree with the problems we've raised.

Just to be clear, this bill allows people to take a leave for eight weeks without getting fired. That's really what this does. It also makes some people eligible for unemployment insurance, because if you're part time and you don't have the 600 hours, you don't qualify. So some people will be able to get some unemployment insurance

benefits and some won't. But the law really says that you'll be able to take up to eight weeks and not get fired. That's really the extent of the compassionate move. Not a big deal, right?

What it does is shift a whole lot of responsibilities and burdens to families, without the fear of being fired, and relieves governments of their obligations to worry about accompanying pieces of compassionate work or legislation they need to do, such as improving home care, to relieve those women, men and families who have to take care of sick and/or dying relatives.

Interjection.

Mr Marchese: I don't see it coming, John.

This is a nice piece of, as we say, compassionate work. But there are a whole lot of people here who are just not going to qualify. If they do qualify, the ceiling is \$413 per week, and a whole lot of people simply can't afford to leave work to take care of their families. That's why the argument we make is, let's look at what else we need to do to help families out, because while this won't make me feel guilty to leave my work because I know I won't get fired, it doesn't relieve me of the incredible burden I have to take care of without government support.

Mr Kevin Daniel Flynn (Oakville): I'm proud to participate once again. I was proud to participate in the leadoff of the debate with the minister.

I see this as a contract we make with each other. Although I always enjoy the comments of the member for Trinity-Spadina, I can't help but think that when my own parents died, they wanted me by their side. They didn't want a government employee; they wanted a member of their own family by their side. This allows that to happen.

We think it's a very good first step. It speaks to a basic need and something that we're all going to have to face one day, something that our parents to face and our children will have to face. It speaks to what we value in Ontario.

This bill, in my opinion, is deserving of the support of all members of the House. It talks to compassionate leave. It's the type of bill that you look at and you wonder, why has nobody else introduced this bill before? You wonder why no other party has introduced it before. It's the sort of bill that you look back at and say, "This is something we've always needed. It should have been in place before."

At this point in time, we're putting the bill forward—the minister has introduced it in the House—and we would like all parties to support it. We see it as a very good first step. We see it as a value, and we see it as a bill the people of Ontario will support as well.

It's quite simple. What is in the bill is that employees would be able to take up to eight weeks' unpaid time off from work to care for a dying family member. It's that basic; it's that simple. During that time, their jobs would be protected while on this leave, allowing them to take time off without worrying about being able to keep their jobs.

We've already talked, and other speakers have talked, about the impact of caring for a dying member of the family and how that affects you at work. I hope at the end of the day that all members support this bill.

The Acting Speaker: We have time for one last question or comment. I'm pleased to recognize the member for Burlington.

Mr Cameron Jackson (Burlington): I've listened to the comments of the member from Huron-Bruce, who seems to overstate how significantly compassionate this is when, in fact, it is yet another of the broken promises made by her political party and by Dalton McGuinty. It indicated it was going to go much further than this, and I will be speaking to that issue when I come to my comments.

The member for Pickering-Ajax-Uxbridge did acknowledge he would like to see the bill go further, and I support him in that view.

The problem we have here is that far too many questions are being raised by this legislation than fulfilling the kind of promise people thought they were getting when they voted for this government.

First of all, we have the whole issue of people who are currently participating in federal or provincial leave programs—whether they can suspend one and move to another, or if they are discounted because they're caring for someone else at home on maternity leave or pregnancy leave.

The whole issue around eligibility raises some serious questions. I don't know if the limited understanding of some family formations in this province—clearly we're talking about same-sex couples, and of course that's appropriate, and yet we deny the fact that there are families across this province where an aunt has essentially raised the family since the natural mother or father was killed in a car accident years and years ago. There are those kinds of exceptions that are all too common in our province.

We have issues around when we acknowledge this to be providing support for an individual. What about people who are currently in a hospital setting or in a hospice setting? Will they be fully eligible? If that's the case, then why is the government allowing that much money to be saved in the health system instead of focusing on compassion for these people?

The Acting Speaker: One of the government members has two minutes to reply. I'm pleased to recognize the member for Huron-Bruce.

Mrs Mitchell: First of all, I would like to thank the speakers from Pickering-Ajax-Uxbridge, Simcoe North, Trinity-Spadina, Oakville and Burlington.

I would just like to add a few comments to the member from Burlington. I believe this relieves pressure on the family. I find it very unfortunate that compassion demonstrated by members seems to become more the issue that is brought forward. I come from a very strong family background, and I bring forward this legislation that I believe meets the needs of the people of Ontario. So for me, this is a very strong step forward in supporting

what we believe in, what we want, what we think society should reflect.

As members of this House, we have the ability to vote in the way we can. I celebrate the democratic process, but I do not want members to lose sight that this is empowering the people of Ontario to help their families in their time of need, and I say to you, members in the House, what more could we do for our families of Ontario? Thank you for allowing me to speak again.

The Acting Speaker: Further debate? I'm pleased to recognize the member for Erie-Lincoln.

1640

Mr Tim Hudak (Erie-Lincoln): I'm pleased to contribute to the debate on Bill 56; and have enjoyed the comments by my colleagues in the Legislature. In my comments I'll address a number of areas.

First, some particulars about Bill 56: some areas where we see that some improvements could be made or, potentially, simple clarifications. I know the Minister of Labour has been in the House for the debate and was able to respond to some of our concerns during second reading debate, or if this bill goes to committee. I suspect, having been on the government side of the House for eight years, there may be a number of things left to regulation that cabinet will decide. But hopefully some of the debate in the Legislature will help inform those cabinet decisions down the road.

There are two other aspects. I think this bill falls into a particular context. While this, in the grand scheme of things, will not generate a great number of calls or letters to our constituency offices, because it is quite uncontroversial, two of the themes that play out in this bill are important to comment on. One is what I'm calling a bit of a Big Brother nature in the approach of the McGuinty government today. It is still relatively early days, but in the first half year to a year of a mandate, you set out a couple of themes about the thinking of the government in a number of areas—a bit of a Big Brother approach. This is a small piece of that, but I think this bill reflects a bit of the "government knows best" attitude we're seeing in a number of initiatives.

Second, there's an accumulated cost to small business. A government will decide between the good of a right or benefit to an employee versus the cost that is incurred by a particular business. If things were simply cost-free, we could really ramp up a number of benefits through the Employment Standards Act or other pieces of legislation and talk about how compassionate we all are, how much we all care and how much we're going to be benefiting workers in Ontario. What we have to weigh in that balance is the impact on businesses in the province, because businesses, as we all know, are the generators of wealth in our economy. Without entrepreneurs, without those who have the courage to invest their time, money and energy in a business and hire people, we would not have any revenue coming in to the province to support health care or education. We would not have in our ridings the kind of structures we do, like doctors' offices, hospitals or schools, without the hard work of businesses,

both small and large, in Ontario. The government itself creates no wealth; we simply redistribute wealth. So we always have to weigh the benefits we convey through legislation with the costs to business, and the risk that, as a result, businesses will either not hire as many people, or worse still, we'll see business closures or an exodus from the province.

Certainly the first number of months of the McGuinty government have not been auspicious in terms of job creation, and I think, and some of my colleagues could correct me, that we've actually seen job losses in Ontario under the leadership of Premier McGuinty. I expect that when the American economy picks up, we'll have some buoyancy in the job numbers in Ontario because of the significant proportion we export to the USA. That having been said, I believe the vast majority of policies the McGuinty government has brought forward are going to be a weight and accumulation on businesses in Ontario and have a negative effect on job creation, which will pale in comparison to the experience of last six to eight years, where we saw record job creation in Ontario and then responded with increased funding to provincial programs as a result of that wealth creation.

Let me give some specifics of some of the drawbacks I see in Bill 56—I'm going to try to be generous in the first criticism. It is sort of a kept promise—not really, but I think I'll be a little generous here: An effort was made to try to keep this promise. Certainly our expectations of promise keeping by the McGuinty government are relatively low; maybe they've leapt over the bar here. My recollection during the campaign and from being in debates with my opponent was that the promised legislation would be designed to help parents and others care for relatives who were seriously ill. For example, if someone's mother had a broken hip through an accident and was seriously ill as a result, particularly if she was a senior, a family member could benefit from this proposed legislation to assist her.

As I read Bill 56 that is before the Legislature—maybe I'll be corrected if I'm wrong—I believe the leave will be restricted solely to those cases where a medical practitioner says there is a risk of death within 26 weeks. Certainly those are the most grave situations, no doubt about it, but I think the impression that was created for the voters of Ontario was serious illness, meaning not only death but an example as I gave.

Another example would be an unfortunate circumstance where a child has contracted a terrible debilitating disease. Maybe the chances are quite strong that the child will recover. The parent needs to be there obviously to offer succour and support and to nurse the child back to health, but unless there's a risk of the child passing away within 26 weeks, a parent or relative would not qualify under Bill 56.

I think it is not a fulfilled promise. It's an effort; it's halfway. It may end up in the promise-breakers' club of broken promises because I don't think it truly fulfills the impression that was given to voters during the election campaign.

There are some promises that have been broken outright. For example, the promise to maintain the hydro cap would be on that list, with Bill 56.

Mr Arthurs: If we walked on water you'd say we couldn't swim.

Mr Hudak: No, I give you credit for that. I'm trying to be generous, I say to the member. I don't think this is as bad a broken promise as the hydro cap, for example. That was blatant. That was outright. The commitment to not raise taxes, I would argue, has been blatantly broken. I am very worried about the budget on May 18, which coincidentally falls several days after the by-election in Hamilton East. I'm worried about tax hikes and user fee increases that people would say, I think rightly, are at odds with Dalton McGuinty's campaign promise not to raise taxes.

The news today in the Legislature that after a \$200,000 public relations exercise, the Premier is now saying he has no intention of maintaining his commitment to balance the books—Lord knows until when—that is a blatant broken promise.

My constituents are not benefiting from the promise, whether it's a 10% reduction or, as I remember, up to a 20% reduction in auto insurance rates. In fact, I think a lot of colleagues on this side and I expect on that side of the House have received angry calls from constituents who are saying, "Where is my 10% to 20% auto insurance reduction?"

The Oak Ridges moraine is another example of a blatant broken promise. This is not a full broken promise—maybe a half-broken promise. I had a little line here; let me turn my page. It's not a broken promise. It is definitely a dented and bent promise. It's like if you grew a really long nose and it got dented or bent as a result of breaking promises. Mr Speaker, I hope that's within—I think that was OK; I think that was all right.

Let me give some specifics of areas where I hope there's clarification or improvement. I understand this legislation is born from federal legislation under Prime Minister Chrétien that extended leave provisions and asked the provinces to catch up in a number of areas. While I was not, and remain not, a big fan of Prime Minister Chrétien, I do respect that he advanced a legislative agenda in a number of areas that has put pressure on the provinces. Employment benefits would be one where you could argue that Prime Minister Chrétien brought forward some legislation, which I think his successor has failed to do in producing any mandate so far in Ottawa. That's probably a little bit off-topic.

There's a mismatch between the eight weeks of leave allowed and the 26-week period that's described in the legislation. I've got some questions I hope will be answered. What are the actual limits within a given year? Is it eight weeks within a given year, or are there circumstances, and how would they be defined, when you may benefit from two sections of eight-week period, particularly if the family is going through a long, traumatic, drawn-out process with a loved one?

Second, can that be spread throughout a year—two weeks here and six weeks there? What are the limits or

the flexibility that a family member would have in taking those eight weeks of leave from his or her place of business?

1650

With respect to incidents that occur out of the province—or, at greater risk, out of the country—if a relative has taken ill and fits within the definition of Bill 56 and the accompanying regulations, I'm not clear if that still applies. To be clear about what I'm saying, if the employee lives here in Ontario and the relative is in another province or abroad, I expect that it is covered, by the dialogue I've heard in the Legislature. I think it will be important to make that clear. What kind of processes are going to be put in place to compel doctors in other jurisdictions, or to assist them in providing the requisite documentation so that the ministry can give the green light to the employer so the employee can benefit from that eight-week period?

I expect it will be up to the employee to fund any bill if there's a doctor's note that's not covered by OHIP and the circumstances are out-of-province or out-of-country. Maybe we could have that responded to as well, if there are some extenuating circumstances where a family member could not afford to pay a doctor for a relative who was in Italy, for example. If there was a high fine that the family member could not meet, is there any assistance in those areas, particularly if there's a demonstrated need?

Third, regarding the treatment of essential workers under this bill, I would expect essential workers are not covered by this legislation. I think that's a basic understanding. If they are, if they're treated in some way, what is the plan that's going to be in place in the health care system or in police forces or fire services to ensure that the individual is replaced in the work force so the public is not put at any risk or in any jeopardy.

We made great strides under Premier Harris and Premier Eves in increasing the number of doctors, nurse practitioners and police officers in Ontario, but there still is more work to be done. If I visited any of my doctors' offices in the six municipalities I represent, I think each would say they need more doctors, and more nurse practitioners as well, to put that piece of the health care puzzle in place in Niagara.

The opening of the first new medical schools in the province happened under the Harris-Eves government, increasing the enrolment in those programs. I was actually very pleased on behalf of the Minister of Health at that time, Elizabeth Witmer, to help take through the legislation for nurse practitioners in the province. Strides have been made and if they're covered by this legislation, I think it's important to ensure that we have people who can take their place in the health care system, and that the kind of flexibility exists to ensure that taxpayers in the riding of Erie-Lincoln can be guaranteed access to health care or professionals in police or fire.

With respect to existing agreements—I have this numbered as my fifth concern or point of clarification in the legislation—if there's an existing agreement with an

employer or a union contract, which piece will override? Will it be the legislation in Bill 56 that would come into play? Would it be the existing agreement they have through contract or through arrangement with their employer, or would you benefit from both? Would one be tagged on to the other? I think that's important to make clear to the people listening today who are concerned about Bill 56, who may have existing agreements with their employers and want to know how they'll be treated under these circumstances.

The sixth area—I'm sure this is a decision that would not be taken lightly by an employer—is that I understand there's a provision in the bill that would be grounds for an application to be refused under certain circumstances. What I'd appreciate some more edification on is how that process will work. I have no doubt that the vast majority of employers are responsible citizens, that they treat their employees well and would not take a decision lightly, but there may be extenuating circumstances where a denial of leave may be considered by an employer.

How does that process take place? What is the involvement of the Ministry of Labour, of the government of Ontario? To whom are the grounds of appeal made? What is the decision-making process from that point? Hopefully, this will be an extremely rare occurrence, but an important one that I think small businesses particularly, that may not have the flexibility to replace a worker with great ease, will be concerned about.

The last one, which some of my colleagues on this side were speaking about and I hope to hear more about in the debate, is what's the trigger to qualify for the benefits of Bill 56? I know it's probably not an across-the-board answer, it may vary in different sectors, but I think the member from Nickel Belt had spoken about this a bit earlier, in terms of the number of hours before you qualify for this legislation and the—

Interjection.

Mr Hudak: It wasn't Nickel Belt? Trinity-Spadina, my apologies. Under what circumstances do you qualify? How many hours of work, or years? Contract employees: Are they covered? As well, under what circumstances and probationary periods?

I think another important consideration in the context of debating this legislation is, what other methods of support is the government suggesting to help people in these difficult circumstances? For example, in our last budget when we were the government, and as part of our campaign, we had talked about improving the caregiver tax credit and the infirm dependent tax credit for people in some difficult circumstances. Whether it's their spouse or a child, the current level of tax credits, we had determined, was not rich enough, did not convey the proper amount of benefit. So we had campaigned on increasing those benefits, which I believe worked out to about a \$50-million benefit to families in those particular positions.

So I'd be interested in hearing if it's the intent of the new government to carry on with those tax credits.

Maybe that will be part of the budget, or maybe they've already made a commitment in those areas. In terms of addressing the issue as a whole, helping families that are under these difficult circumstances, I think the degree of remedies is an important part of debate.

The last detailed part, I think under subsection (6), I'm not sure which section, when I was skimming through the bill: If two or more employees come from a workplace, I guess, the total amount of leave is up to eight weeks. They wouldn't each get eight weeks. So if it's a husband and wife working at the same company and, say, one of their mothers took ill, as defined by the legislation was seriously ill, they could take only a total of eight weeks, as opposed to what you would expect, 16 weeks.

Maybe that's from discussions with businesses, that they felt that both leaving for eight weeks may have been an unfair burden on businesses, but I think that's an important part to bring forward. It's not common, but it's certainly not rare that a husband and wife or two members of the same family would work for the same company and would both be eligible for benefits under Bill 56.

In my last couple of minutes, I just wanted to get to the big picture issues I mentioned at the beginning of my remarks. First of all, I think everybody recognizes that this is a benefit and therefore a good thing to employees as defined by Bill 56. We can't lose track of the accumulated costs of other goods or benefits that the government wishes to convey to workers in the province of Ontario.

Certainly I heard a growing concern from small businesses in my riding, accentuated when I visited with the tourism operators that hosted a reception yesterday evening. The government has already moved to increase the minimum wage, with the commitment to increase the minimum wage in subsequent years.

The cost of hydro is increasing sharply, and they have talked about in future years making it fully cost-recoverable. So another big impact on small and large businesses in the province of Ontario that they probably had not planned on, because there was a solemn campaign commitment not to change the hydro rates.

The new regulations that have been brought forward as of last week with respect to the workweek and under what circumstances you need a government form to be filed and then sent back is another example of what I would argue is red tape in the circumstance. Certainly the water regulations that seem to be coming forward without any financial assistance to support the changes are a particular burden in rural Ontario and, again, in the tourism sector. What I fear is not only tax cuts that have been forgone in increased taxes—increased business taxes, as well, by removing the cap—but I fear it's going to be in the budget.

So when you accumulate all of those costs, it's a substantial hit on business, particularly small business in the province of Ontario, that does not bode well for future job creation. I think we have to put those things into the balance in terms of how much small business can carry in the costs in the province of Ontario today.

The last was a bit of the Big Brother nature of the government if you look at Bill 27, property rights, the fat tax, the attack on the food courts in the province and the disdain shown for independent schools, but I can get that during my closing remarks.

1700

The Acting Speaker: Questions and comments?

Ms Martel: I appreciated the concerns that the member for Erie-Lincoln had to raise. I'll tell him right off that the one I disagree with has to do with concerns around small business with respect to this legislation. That's the same argument that we heard when a former Minister of Labour, Chris Stockwell, brought through the protection for parental leave. Part of his delay in bringing that forward, even though the federal government had moved forward and allowed for those provisions, allowed for the pay, essentially—it took some time to convince the Minister of Labour to actually move forward. In fact, I brought my own private member's bill forward, because I didn't think he would, to allow for that job protection. So that's not an argument I buy, because I think in this particular case, specifically, you would have a lot of employers seeing a lot of absenteeism because people are trying to struggle to deal with very sick parents, especially if there's no one else to do that.

I appreciated your other questions and I hope they get raised, but I think the one thing I want to go back to has to do with whether or not people will be able to afford to do this and, frankly, what else could we do; what more could be done?

I made the point earlier and I'll make it again: I see what has happened to many women who can't afford to take maternity and parental leave. They can't because their regular pay is low and they're only getting about two thirds of that pay when they're out on leave. Many want to stay home with their newborn child for the whole year; they can't afford it. I think we're going to see a similar problem with these provisions: that many people will not be able to afford to take the eight weeks' leave.

The question of what could we do: If we really wanted to do something to show our compassion, Ontario could propose a top-up to the federal EI benefit. We know that many trade unions now provide a top-up on parental leave. Ontario could look at a top-up on this benefit and then we could guarantee that people could take compassionate leave.

Mr Peter Fonseca (Mississauga East): It's my pleasure to speak today on Bill 56, a bill really that is around a compassionate Ontario, the Ontario that we want, an Ontario with heart.

The member for Erie-Lincoln spent much of his time speaking about business. I understand business and what good business is all about: It's that when people voted for service and voted for a compassionate government, a government with heart, they voted for the Liberal government. The previous government, looking at business—as they managed this province, and managed it very poorly, they left us in a bad business with a \$5.6-billion deficit. So I think that government should have focused much

better on business and done a much better job than they did.

I know why I'm here: for our constituents, for 12 million Ontarians who are looking for that heart in government, the heart that was sucked out of this place for eight years, sucked out in the way that they brought in no affordable housing; they never increased the minimum wage; they were not thinking about the people.

Businesses are made up of people. They're made up of people. It's not the bricks and mortar; it's not the building; it's not the machines; it's about the people.

If we look at this bill and how it will affect business, we know that employees who are able to take leave and care for gravely ill family members tend to return to their workplaces less stressed, feeling better about their employer, better about getting back to work and doing the best job that they can to be productive for that business. We know this is the right thing to do—bringing heart back to Ontario.

Mr Wilkinson: I want to add, as a person who is a small business owner of more than 20 years, my own perspective on this bill.

I think successful business owners, all business people, know one thing: that they're only as good as their staff. Your greatest resource is your people. You can't legislate compassion. Unfortunately, you can't. The vast majority of employers in this province see their staff as their greatest resource and, of course, when there is someone who is gravely ill in their family, they would cut them some slack, they would allow them to spend time with their family, realizing that's the type of thing that builds the loyalty you need in staff. You don't want to have a high staff turnover. That costs you money. Instead, you want to have people who are committed and loyal to your business. That's why it's so important to do that.

But there are employers—not many, but there are employers who would not be fair to their staff. There are employers out there who would say to someone with a gravely ill family member, “No. You leave this place, you're fired.”

We're going to change that. That's why we're having this law. This law is about justice. It's about fairness. The vast majority of employers, and I'd like to consider myself one, would do the right thing, would do the just thing, would do the thing that would build loyalty with their employees. But there are some employers who will not do that. We've had these debates on other issues about employers doing things about women, for example, who leave to have children and how they have to have the right to come back to that job. It's the same thing in this piece of legislation.

We are being compassionate, but I think the most important thing is that we are sending a clear signal to those employers who would have difficulty seeing their staff, their employees, as their most important and valuable resource, that they need to do the just thing in our province of Ontario.

The Acting Speaker: Further questions and comments? I'll recognize the member for Erie-Lincoln to reply.

Mr Hudak: I appreciate the remarks of my colleagues. The member for Nickel Belt talked about the affordability of leave. That's one thing I didn't mention specifically in my comments, but it's probably obvious to those listening that this is unpaid leave from a workplace. The NDP would propose a new benefit to help top up EI. I talked a bit about the tax credits that we brought forward in the most recent budget for caregivers and for those who have an infirm dependent. As well, our case is always to let people keep more of their own money through tax reduction; stop going after their pocketbooks time and time again on higher fees and higher hydro, as this government is proposing to do.

Mississauga East's comments: I think we have to be careful in assuming that any particular party has a monopoly on compassion. I know. I've been there and I was in the back row when first elected. I know you get full of vim and vinegar and try to see things through a very narrow lens of a bunch of bad guys, and the other ones have a monopoly on compassion and such. But I think we need to be realistic.

In terms of helping business, I don't think anybody could argue with the record of success of the Conservatives: over 1.2 million more jobs; the economic growth rate in the province of Ontario; 600,000 people off the welfare rolls. Their argument in the Legislature is they're trying to restore a balance between business and the public service spin. This notion that we were somehow bad to business is a bit ridiculous and I think beneath the debate in the Legislature.

The other point I made is that while we recognize that all these things are good, there are benefits to employees and to businesses developing a good relationship with the workforce, we can't lose track of the accumulated burden that's being placed on businesses and small businesses in the province, whether it's through minimum wage legislation, hydro rate increases, the new regulations and red tape, higher taxes or water regulations. It does not bode well for prosperity for small business in the province of Ontario.

1710

The Acting Speaker: Further debate?

Mr Khalil Ramal (London-Fanshawe): I'm honoured again to rise in this House to speak in support of Bill 56. I believe it's a great bill. It is being introduced for the first time in this province to protect workers and to make a balance between workers and employers. Before I start, I'd like to mention that I'm sharing my time with the member for Etobicoke-Lakeshore.

I listened last week with great interest to the Minister of Labour, the member for London West. I was just amazed at his introduction to the bill because he was speaking with passion about important issues concerning all the people of this province. I was fascinated with the statistics. One in every four of us is subject to that matter.

It's very important to be regulated and protected, and to introduce a bill to protect the people in this province.

As the member from Perth-Middlesex mentioned, you can talk about compassion as much as you want, but you cannot regulate it. If you want to regulate it, there's always a way to escape it. People have to deal with it with compassion, honesty and trust.

This issue is very important for employees who have an ill person in their family to look after and protect. I was looking at the statistics mentioned by the Minister of Labour last week that about 40% of the people facing the problem of looking after a gravely ill person were, when placed in that impossible position, faced with the impossible choice of having to quit their jobs. It's a great loss for both sides: employers and employees. Another statistic shows that about 25% of their savings is subject to loss because they have to quit their job and look after their own family member who is ill at home.

Another important thing is the waste of economic growth in the total province of between \$2 billion and \$3 billion a year. Another statistic shows a very important element is to protect the health care institution by introducing and passing this bill, because almost 36% of people in their last days have to go to these institutions if they don't have a person to look after them. All these savings would save the province if we passed this bill.

I was also listening to the member from Scarborough Southwest talking about the compassion of the Dalai Lama, who came to Toronto. I also got the chance to listen to a roundtable in British Columbia over the weekend where he was talking about the compassion, love and caring of our people and our members. He said, "I meditate and pray almost five hours a day, but my prayers and meditation wouldn't change anything if they don't affect you, if they don't move you to do an action." I strongly believe that the Minister of Labour acted and moved by introducing this bill.

I respect the member from Erie-Lincoln's concern about the business community. We have to make a balance between employers and employees. If we want to have a successful business and growth in that business, we also have to look after the health, compassion and feelings of the employees who make our business successful.

I come from a small business community. I've been a business owner almost all my life. I always had about five to six, sometimes 10, employees. I dealt with them with compassion. I treated them as members of the whole company I owned because, in that way, when they feel that they're important, that they're partners, they can produce more and they can give you whatever time you want. They give you whatever effort is needed in order to make your business successful.

I listened with great interest to the member from Trinity-Spadina when he was talking about part-time, and that timing would make a person eligible for employment insurance. I agree with him sometimes on certain issues. I agreed, I was happy and I was impressed when he supported that bill, and also when the member from Erie-

Lincoln supported that bill. It was a great start. It's a rare time when all the members of the House support a bill. That's important to all the people of this province. But I want to tell the member from Trinity-Spadina that we cannot make the cake and eat it all. We have to make a balance. People have to work before they harvest. It's just a part of life. We cannot ignore that. It's part of this equation. You have to put in time in order to produce. If you don't put in time, you're not going to produce. You also have to be fair to the three structural elements of our society: the government, the employers and the workers. By applying a fair equation, I believe we are going to have peace in this element and then great production. Therefore, this bill came in to protect employers and workers in a fashion that everybody can be happy with to a certain degree.

As human beings, we're always looking for more. A government is always looking to make a balance between both sides. As I mentioned, this bill is not just important for our economic growth but also for safety. Can you imagine if a person has to go to work and has a member of his or her family ill at home? They have to worry about it all the time. What would happen if they were dealing with dangerous machines, a saw or whatever, a cutting machine? We'd have a disaster. If you have to drive a truck on the highway, you might smash hundreds of cars or kill someone. If you're doing something like dealing with some kind of technical equipment, what would happen? This bill is important, considering all these details, protecting employers and employees and also creating some kind of safety measure.

For the sake of enhancing our potential, we have to have this bill passed. From what I have gathered from all the speakers in this House this afternoon and this past week, we can have some kind of agreement on it. The member from Trinity-Spadina can bring his concerns to the Minister of Labour. I think he's a great man. He will listen to you and will tackle the issues.

In principle, I believe we're headed in the right direction. It's a real positive change for this province. Mr Bentley, the Minister of Labour, is going in the direction of the government of Dalton McGuinty, to protect people in this province, choosing to take all the measures possible to strengthen our unemployment factors.

He started with increasing the minimum wage. Today we're debating Bill 56. Yesterday we were trying to introduce a bill to roll back the 60-hour workweek, which is also very important for employees and employers. Another thing we're talking about is forcing people to retire at age 65 or giving them a chance to continue, if they wish.

All these measures tell us that this government and the Minister of Labour are going in the right direction and, therefore, they get all my support. I hope all members from both sides of the House will support that bill because it's a great bill.

Ms Laurel C. Broten (Etobicoke-Lakeshore): I'm very pleased to speak today in support of Bill 56, An Act to amend the Employment Standards Act in respect of

family medical leave. This bill, if passed, will amend the Employment Standards Act to provide for up to eight weeks of job-protected unpaid leave off work for those taking care of dying family members.

This bill will protect the jobs of those who want to take time off work and will not ask them to make an impossible choice, a choice none of us would want to make, a choice where we're asked to choose between our career, our employment, our profession, our livelihood and our loved ones.

1720

This legislation will provide time for working people to stop attending work and deal with an issue that is immediate and pressing in their lives and is consuming them at that point in their life: to look after their father, their mother, their daughter, their son or their spouse at a very difficult time in their lives, to ensure that they get the best possible care in their final days and allow them to die with dignity. Choosing between your job and your family: There's really no other difficult choice that you can make. It's a choice we're all asked to make every day, to choose in balancing our lives. Sometimes I think we think about the fact that it is an easy choice to make—and a lot of people do make it—but at this time in life, when you're dealing with someone in your family who is dying, the issues at serious risk are much greater.

I come from a large family. Taking time and making a priority of attending at a difficult time in your family's life, to join together and look after someone who is dying, is a very serious issue for those of us who are having to juggle it. But it is also something that, as a society, we want to be able to offer to citizens to be able to make that choice.

Making a choice between your job or looking after someone in your family: I am not prepared to be part of a society that asks someone to make that choice. And that's why I am so very pleased to be part of a government that is taking a leadership issue on this and helping people to ease the burden when they're being asked to face what are already tremendously difficult circumstances in their personal lives.

The test of our compassion as a society is whether we are able to assist people through these difficult times and whether in difficult times we as a collective and as a society are able to join together and help people, help them with the juggling they are already being asked to do, help them with the balancing and the struggling, and deal collectively, publicly and together, with something that so often families are asked to battle with alone, to juggle alone, without the support of the collective in the province.

A number of years ago, I had an opportunity to speak to a young woman. I was out in a community and I was talking to families. I knocked on a door and got someone who was clearly in a difficult time in her life. She opened up to me, a stranger knocking at her door, simply because she was so alone. She was one of the people we talk about, the generation that's crunched, the caregiver generation, the sandwich generation, juggling her kids,

looking after an elderly father who was dying of cancer. The fact that she felt so alone and felt that no one was acknowledging the issues she was dealing with in her life at that moment, that society wasn't compassionate to the burden she was facing, the fact that she was a single provider for her children and needed to continue to earn income but at the same time was torn, and the fact that she was so torn, was apparent in her face. She opened up to me and talked about these issues. That's something that has stayed with me for a long period of time.

This legislation is what we can do together to indicate that we are supportive of you in those difficult circumstances. We're not going to ask people to make an impossible choice, to choose between their jobs and caring for a loved one. We owe it to Ontarians, all of us collectively, and I think we will have the support in this room to make sure that this legislation does pass to help them in their time of need.

Who will we be helping? We'll be helping the young woman I just talked about, a young woman who was juggling looking after her kids, bringing in income to pay her mortgage and looking after her elderly father at the same time. We've been talking about today, and sometimes we haven't acknowledged, the vast number of people we really will help. Because this is very much a serious issue facing a large number of our constituents. My constituents in Etobicoke-Lakeshore, New Toronto, Mimico, Long Branch, all of the families that are juggling each and every day the very serious issues of trying to live in this modern world—juggle your income, juggle the family and make sure that you're there.

The statistics are really startling. Almost one third of Canadian adults are now responsible for the care of an older relative. We are going to help a lot of families with this legislation.

A recent study of cancer patients indicated that more than 40% of family members of patients surveyed had to quit their jobs to care for them—40% of families. Those families will benefit from this legislation. Other statistics indicate that 80% of Canadians would rather spend their last days at home and not in a hospital or institution, yet only one quarter is actually able to do so. Again, this legislation will assist families who will now be able not to make those difficult decisions. Early estimates by the Department of Human Resources and Skills Development in January 2004 indicated that 270,000 people in Canada are expected to apply for compassionate-care EI benefits. That's a significant number of families across Canada. Clearly, those numbers of who will choose to take advantage of this legislation will also be significant in our province.

The other issue we talked about is the length of the unpaid leave that's available, because again we are balancing, assisting, making sure that employers are able to manage the expectations that we're asking of them. This leave is eligible for eight weeks. Statistics tell us that most Canadians who have taken time off from work to care for or provide assistance to gravely ill family members have done so for six weeks or less. So pro-

viding eight weeks will be sufficient to allow them through that very difficult time.

I also want to talk for a minute about the juggling that families are undergoing. Again, studies will tell us that employees with high caregiver strain are 13 times more likely to miss three or more days of work in a six-month period, and almost twice as likely to miss work because they are emotionally, physically and mentally fatigued.

So these are the types of people. The statistics are significant, and I think it demonstrates this very straightforward and simple piece of legislation is compassionate in its root, which is taking a collective approach to difficult circumstances that families face in our province each and every single day.

I'm sure if all of us had an opportunity to go into our communities this evening and have a chance to perhaps be a fly on the wall in all the families that we collectively represent here at Queen's Park each and every day, we would be startled by the numbers of families who, if asked, "Would you like to take advantage of this legislation?" would be looking for this type of assistance.

This is our way collectively, as a government, to work with employers to ensure that employees, when they return to work, are able to focus on the work that they have, that our employers, who are already caring, compassionate employers, are acknowledged in that we too are providing the leadership and indicating that this is the way our province chooses to operate: good times in life, we deal with collectively; difficult times in life, we also deal with collectively. A society is judged by how we look after those who require the most assistance and who are the most vulnerable. The families of individuals who are juggling this very difficult period of time when someone is gravely ill are very vulnerable. I'm very proud to be part of a government that is moving forward in a collective, responsible way in this manner.

The Acting Speaker: Questions and comments?

Mr Marchese: I have some comments.

Mr Ramal: You?

Mr Marchese: Enough for two minutes.

I want to say that the members for Etobicoke-Lakeshore and London-Fanshawe made useful points. The member from Etobicoke-Lakeshore said, "Imagine having to make a choice between working or taking care of a family member who is dying. It isn't a choice that anybody would want to make." How could you disagree with that?

The other question I put to you is, imagine the choice of having to take care of a family member, at the moment limited to the ones defined by this bill, and you are not eligible for unemployment insurance benefits. So you get protection from the law that says, "You can get leave for up to eight weeks, but because you don't have the 600 hours that are required in order to be able to access unemployment insurance benefits, you won't be able to access any benefits. The law will protect you, but you won't have any money."

I accept the difficult question the member from London-Fanshawe poses in terms of imagining the choice

of working or taking care of your family member, but I put the other question: Imagine having to take care of your family member, but you're not eligible for benefits, or you might be eligible for benefits but your income is so low that it's not enough to pay your rent, or to pay your mortgage if you own a home. Imagine those tough questions that people have to face day in and day out. Yes, this bill does a little bit, but imagine the other tough questions that need to be answered.

1730

Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale): I stand before the House to join in the debate with my colleagues from London-Fanshawe, Etobicoke-Lakeshore and Trinity-Spadina.

This is a very simple bill. Bill 56 gives the right to get leave of absence for eight weeks when one of the family members is critically sick or is dying. I'm a family doctor. I used to have privileges at William Osler Health Centre, Brampton Memorial Hospital campus, in Brampton. I have seen with my own eyes family members who have to make tough choices when they are faced with stress and anxiety, and that stress and anxiety affecting their health at the time they need their strength and energy to take care of a family member who is dying.

Those stressed-out family members would be able to take time off from their work when they're taking care of a dying family member. This bill will help in that way. Unfortunately, family members sometimes don't have the choice to sit with a family member who is dying. This leave will help them to have that choice, and that's why I'm supporting this bill.

Mr Hudak: I'm pleased to add another two minutes to the debate. I believe my colleague from Burlington is the next speaker, and I look forward to his remarks.

I appreciate the member for London-Fanshawe's discussion, particularly about balance. I think I was making a similar point in terms of balancing a benefit conferred on an employee with the ability of business to fund it. I think he makes the right argument in this circumstance. In fact, this is a relatively limited benefit; I think we should be clear about that. It is up to eight weeks of protected, unpaid leave. There's no top-up to benefits, there's no pay that's conveyed; it just protects the job for up to eight weeks of unpaid leave for a certain class of employees in particular circumstances when a death is going to occur within that 26 weeks. So if you're a part-time employee, I think you would not qualify for this. A probationary employee, for example, would not qualify for this benefit.

It's recognized that this will help a group of people for an eight-week leave without pay, but it doesn't do anything for their pocketbook. So before we celebrate the unbounded compassion of the government, I think we should realize what this is constrained to.

That having been said, what I worry about in the balance is the accumulation of policies that have been brought forward by this government, including increases in labour costs; increases in hydro rates to business, which will be a significant increase when all is said and

done; imposition of new water regulations without funding to support small business or charitable groups is another issue; new regulations and red tape with respect to the workweek; and higher taxes and the elimination of the cap on property taxes, as well, for businesses. I think when you weigh all those increased costs into the balance, it's a significant negative impact on small businesses and therefore less job creation in the province.

Ms Judy Marsales (Hamilton West): It's an absolute pleasure and honour to speak to this bill, because one of the most difficult choices many of our citizens have to make is the decision between their job and potentially a dying family member.

I'd like to relate a little experience in our own Hamilton West office. On September 11, 2001, when the world was grieving for the twin towers, we were grieving for a colleague who we thought was going to pass away that night and had been given the last rites. Can you imagine if everyone at the bedside were concerned about their job? In this particular instance, the good news is that the wonderful lady survived and is very vibrant and with us today. Also, her husband, who was grieving at her bedside at that point in time, had a very compassionate employer who was willing to allow him to be with her night and day as she went through this very traumatic event in her life.

I think this legislation puts in place the opportunity for other individuals within Ontario to be by the bedside of their loved ones, to be there at this time of need, without feeling that they have to go begging to a potential employer to have this time to spend with their family—such a necessary time, and part of the emotional security that's necessary to deal with a very traumatic event in most people's lives.

In particular, given the statistics today that suggest that cancer is going to be ahead of heart disease in the near and dear future, I think we need to have some legislation in place that allows each and every one of us in Ontario to be with those we love at a time of great need, when they need the support and love of family. So I do support this bill.

The Acting Speaker: The member for London-Fanshawe has two minutes to reply.

Mr Ramal: I'm honoured and thrilled when I hear all the speakers in this House in agreement with the Minister of Labour and in support of Bill 56.

I just have to speak to a fact stated by the member from Trinity-Spadina. On this side of the House we believe that when the minister becomes a minister, he will be non-partisan and will listen to every member of the House, whether NDP, Conservative or Liberal. That's why I recommend to you to go and talk to the minister. I think he's a great man who will listen to you with an open mind.

I think this bill is going to pass because it gained a lot of support from every member of this House. I would like to congratulate the Minister of Labour for his effort in putting all the pieces together and introducing to Ontario a great bill that will protect employees and

employers and will also protect business, whether small or large, in order to continue the growth of this province.

I remember the member from Erie-Lincoln was talking about losing the continuity or losing some kind of track in terms of a business or neglect of a business. As I said, regardless of whether you are a small or large business owner, if you are able to maintain a good relationship with employees, and especially with this bill which will protect them and give them some relaxation and comfort, I think the growth and maintaining of business will continue and, as a matter of fact, make it stronger.

Again, I congratulate the Minister of Labour for the bill and hope, when the time comes to vote on that bill, every member in this House will vote in support, because this is a great bill. It will protect the people in this province.

1740

The Acting Speaker: Further debate?

Mr Jackson: I'm very pleased to rise in the House and speak on this issue this afternoon, and I want to commend the minister for bringing forward the legislation. I did want to say, as someone who has spent the last 30 years of his life involved in social policy, that I get the distinct difference between social policy and employment policy or empirical income policy.

If this was really about compassionate leave and palliative care, it would be the Minister of Health and his bill that I'd be addressing this afternoon. I'm not. I'm responding to the Minister of Labour. Clearly this bill—even the description in the bill references that this is about protecting workers. This is not about a compassionate leave program. If it was, I believe each and every member of this House would have agreed not only on the basic package of promises you made as Liberals in the last election, but as citizens we would have come together and agreed on refining the legislation and taking it a little further in terms of defining it as a program designed for end-of-life decisions and how we address the medical model we have in our province.

Although I'm sure all of us will be supporting this bill, the first concern I want to put on the floor is that this bill was an opportunity. It opened the opportunity for us to vote on this. We are narrowly limited to labour law and not able to deal with the larger, more subjective, more flexible field of social policy dealing with health care, social services and palliative care.

I think we should pause and reflect with regret that this is an opportunity lost. Clearly, if the government was committed in this area, it would have made a better attempt at trying to address some of the issues it promised to people in the last election and the message that the community at large, who presented their case to all three political parties, was trying to convey.

At the beginning, I want to say that this bill will protect workers from any dismissal as a result of their decision to care for a loved one who is dying. This does not protect workers who make decisions to put their income, their job or their benefits at risk because the

circumstances in their family are such that they are required to sustain the life of an individual in their care. Perhaps it's because I've served the public for over 30 years in this province that I have seen so many cases that are not the typical, "Your mother has exactly 10 days to live; how soon can you be here?"

I know the minister understands this concept, and I know the minister realizes there is a whole host of Ontarians who lobbied all three political parties in the hope that we understood the atypical case facing struggling Ontario families trying to cope—either single-paycheque families or even two-paycheque families in low-income brackets—when they're struggling to care for a person, not just at end of life. A significantly disproportionate larger group of Ontarians have the daily struggle of having to cope with the care, feeding, voiding and all the maintenance required in obtaining a certain quality of life.

This has caused social policy in this province to evolve so that we have better access to home care. We've expanded the amount of services that are available. We've expanded respite—significantly, I might add. I can remember arguing with the then minister of long-term care, Ron Van Horne, to start home care programs in our province—the Liberals were spending about \$350 million. When we departed last October, we were spending \$1.4 billion on home care.

Again, this is outside the Canada Health Act, which is another issue I want to raise for the minister. I believe there is a role for him and the Minister of Finance to be arguing at the federal round table about Ontario getting its fair share.

My colleague from the NDP has already referenced the issue that this legislation only selectively covers certain individuals who are eligible for UI, in terms of having access to that if they've put in the prescribed 600 hours. This creates two classes of Ontario workers whose parents or children or loved ones are dying. I think that's bad public policy, and the government should be looking at ways in which to correct that. One of the ways to correct that is to either provide the funding for those ineligible for UI or to argue vigorously at the federal forum to determine that the national UI program should be amended in order to cover this. I've had many cases of people who've actually had to leave a good-paying job that was convenient to them in order to seek alternate kinds of employment so they could free up more time to be with a family member or loved one or to provide care.

We have the whole range of the abandoned single parent. Again, I could give you case after case. The first time the mother is diagnosed with MS, the husband takes off, and that's the end. Now she's the sole-support parent who's been abandoned. What services are we providing in this scenario when they have limited days of employment left, let alone the prognosis that within three to five years they'll probably be dying?

The first concern I want to put on the record is that although I understand that what we're achieving here is a labour bill to protect those workers who may be at risk, it

doesn't protect those workers who would be without funds whatsoever. If you're a teacher and have your seniority, you're going to be covered. There are all sorts of employment situations where we know they will be covered. Unfortunately, the disproportionate number of people who are ineligible are the very people who need it the most: people with low incomes or people who are in what we sometimes refer to as dead-end jobs that are leading nowhere in advancement and opportunity, but they're required to stay in those jobs in order to pay for their rent, heat, hydro and so on.

Earlier in the House I raised concerns about whether the regulatory framework of a labour bill could deal with issues of eligibility in a regulation dealing with a family that is currently under palliative care in a hospice. Will that family be eligible when they're getting 24-hour care in that setting? Perhaps the minister can help clarify that at some point. That leaves too much of an issue unresolved. Does that include care for a person in a hospital setting, for that matter? Will they, therefore, be eligible? Will there be appeals to the Minister of Labour, to the labour board, saying, "Why should I be without my employee for eight weeks, an employee who is collecting UI while their mother is being cared for on the other side of Ontario in a hospice or hospital?" Those are issues that need to be resolved now, before they become buried in the bureaucracy and we don't have the light of day to deal with them.

I'm concerned about two or more employees who would care for a dying loved one. Clearly, the legislation, as I read it, is written from the labour income support being compatible with the federal government rules. I think it's unfair in the extreme. We don't deal with pregnancy matters in UI in this fashion; I don't know why we're going to deal with compassionate leave in this fashion. Clearly, it all comes down to the fact that the most a family can draw from UI is a total of eight weeks. Somehow we've got to look at that issue.

Earlier I raised the issue of the definition of family members. I know of families where a brother or sister was killed years ago and the family is actually being taken care of by an aunt or uncle. Even when you read obituaries, you see people saying, "Although she was my Aunt Ellie, she raised me as her child," and so forth. Somehow there's got to be flexibility in this. Again, these are the Catch-22 federal rules that you are following and bringing into your legislation. I think, as a new minister, you might want to risk raising some questions in Ottawa about making those changes and allowing Ontario to push this envelope a little further.

1750

Obtaining medical certificates outside of province: Again, the test for the minister should be one in which compassion rules, as opposed to some bureaucrat in Ottawa arguing about UI eligibility while we're waiting for some kind of certificate. Clearly, this is a challenge, and certainly I would hope that the minister is seeking advice as to how to get that piece of the legislation far clearer and far more reliable.

I'd also like to know, Minister, if you could check on those other entitlement leave programs sponsored by the federal government and whether or not they're going to treat them as if they cannot run coterminously or can be interrupted. The case of a woman who has brought her child into the world and now her mother is dying: Will she have to suspend her benefits on her maternity leave, in deference to her leave requirements, to be with her ailing mother somewhere outside of the province, or within the province for that matter? I'd like to make sure that people aren't put in an awkward position of non-entitlement. Again, you're wise to get this matter resolved so you're not flooded with 10 or 12 appeals to the Ministry of Labour for arbitrating on some of these decisions.

I just want to indicate that, although we as a caucus support the notion that workers will get this protection, we in our caucus had promoted and committed, in our last budget, to an approach which we felt would be more accessible to more individuals, not only because it wasn't limited to persons who were dying and in need of palliative care, but also because it was expanded to persons with serious illnesses, chronic ailments and disabilities. We feel that the issues around disability are worthy of inclusion. We've argued that.

We indicated that we as a caucus understand the increased costs associated with this kind of care, and the fact that our bill would have provided improved tax support for persons in this situation. In fact, we proposed to increase to over \$6,600 the underlying amounts for the disability credit, the caregiver credit, the infirm dependant credit and the disability credit supplement for children with severe disabilities. Our budget proposed to expand the caregiver credit and infirm dependant credit to include spouses or common-law partners who are dependent by reasons of a mental or physical infirmity, and to provide support to more caregivers living apart from dependent relatives.

Thirdly, our budget proposed that both the caregiver credit and the infirm dependant credit be reduced when the dependant's net income reaches \$13,050 and eliminated on income levels of \$19,000. This of course would have moved these thresholds to the benefit of caregivers and allowed for incomes of almost \$9,000 more for eligibility for this program. Again, that's the kind of bill that either the Treasurer or the Minister of Health would have brought forward. I understand we're dealing with a labour bill only here but, in all fairness, this would have been an opportunity for your cabinet to have made some of these positive changes.

The commitment we made in the last election came with a price tag of \$50 million. It's interesting that when you priced out your promise to the public during the election, it had a small price tag—not as much as the \$50 million—but now that you've brought in this legislation, there's no price tag attached to it, proof again that your legislation fell short of your promise. It does not include young people, the disabled, children and issues of infirmity that we felt should have been covered.

In fact, the government has chosen not to step up to the plate and put its money where its mouth has been so often at election time. It's important that they understand that compassionate leave isn't just about protecting workers. It's also, and perhaps more importantly, about the individual who is dying, the person who is infirm, the person who needs support where the current programs, to date, are not covering it.

I realize many of the individuals who require these supports receive provincial funding that is outside of the Canada Health Act. Therefore, this becomes another issue for the Ontario government to raise with the federal government. As I've said in this House on many occasions, whether it is home care, nursing homes or the Ontario drug benefit plan, Paul Martin Sr refused to acknowledge these in the 1960s when he was designing the Canada Health Act. It would appear by all comments in the media that his son, who is now Prime Minister of Canada, has himself failed to recognize that, as our population ages, they need assurances and guarantees under the Canada Health Act that their health care services will be covered. Not only are we seeing issues around income-testing for seniors and increasing user fees for seniors because of their need for drug medication, but we feel we should be coming together in this House to go to Ottawa to get our fair share.

The federal government helped balance its first two budgets purely on the backs of Ontario workers who gave more money under the unemployment insurance fund, one of the fattest insurance funds ever on the continent. It is so flush with money that the government has had the ability to not make its coterminous payments, partially because Ontario was providing a disproportionate amount of funds for UI.

Here we have a program that the federal government is saying all provinces should buy into, but, "You buy into it on our rules based on employment insurance." It's our fund. It belongs to our workers and they deserve to have full access.

I want to ask the minister opposite and the government to lobby hard with the federal government to look for changes in UI eligibility rules so that on compassionate leave all workers are eligible for the modest amount of income that's provided under UI. You protect that worker, but as the member from Sudbury has indicated, so many people are ineligible for this because they cannot afford to be without the ability to pay their rent or put food on their table to go take care of a dying loved one.

I ask the government to put on the table some of these issues about additional supports for our home care and our hospices, which are not directly funded at all by any federal money. The province puts funding in. As our population ages, we are going to need to push the federal government to make sure the federal Liberals understand that Canadians in every province require support under the Canada Health Act. Ontario should continue to be a leader in seeking out those funds and promoting and advocating its commitment to provide quality services.

We have been recognized internationally for the work Ontario has done in terms of our drug program, our home care program and our nursing homes. These we can build on and make better. But for the future, negotiating with the Paul Martin federal Liberal government does not look as bright for Canadians if health care is not put back on the front burner.

I know the minister will take these concerns to cabinet to support the Minister of Health as we seek these additional funds. Although this is a good piece of labour legislation, I regret that we, as legislators, have missed a great opportunity to bring in some outstanding social policy for all three political parties that would help to truly define Ontario as the most compassionate place anywhere in North America or the world.

The Acting Speaker: I've noticed it's 6 o'clock and, as such, this House stands adjourned until tomorrow at 1:30 pm.

The House adjourned at 1800.

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Brampton Centre / -Centre	Jeffrey, Linda (L)	Huron-Bruce	Mitchell, Carol (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Kenora-Rainy River	Hampton, Howard (ND)
Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	Gerretsen, Hon / L'hon John (L) Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Milloy, John (L)
Burlington	Jackson, Cameron (PC)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Chatham-Kent Essex	Hoy, Pat (L)	Lanark-Carleton	Sterling, Norman W. (PC)
Davenport	Ruprecht, Tony (L)	Leeds-Grenville	Runciman, Robert W. (PC)
Don Valley East / -Est	Caplan, Hon / L'hon David (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouveau de l'infrastructure publique, leader parlementaire adjoint	London North Centre / London Centre-Nord	Matthews, Deborah (L)
Don Valley West / -Ouest	Wynne, Kathleen O. (L)	London West / -Ouest	Bentley, Hon / L'hon Christopher (L) Minister of Labour / ministre du Travail
Dufferin-Peel-Wellington- Grey	Eves, Ernie (PC) Leader of the opposition / chef de l'opposition	London-Fanshawe	Ramal, Khalil (L)
Durham	O'Toole, John (PC)	Markham	Wong, Tony C. (L)
Eglinton-Lawrence	Colle, Mike (L)	Mississauga Centre / -Centre	Takhar, Hon / L'hon Harinder S. (L) Minister of Transportation / ministre des Transports
Elgin-Middlesex-London	Peters, Hon / L'hon Steve (L) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Mississauga East / -Est	Fonseca, Peter (L)
Erie-Lincoln	Hudak, Tim (PC)	Mississauga South / -Sud	Peterson, Tim (L)
Essex	Crozier, Bruce (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga West / -Ouest	Delaney, Bob (L)
Etobicoke Centre / -Centre	Cansfield, Donna H. (L)	Nepean-Carleton	Baird, John R. (PC)
Etobicoke North / -Nord	Qaadri, Shafiq (L)	Niagara Centre / -Centre	Kormos, Peter (ND)
Etobicoke-Lakeshore	Brotten, Laurel C. (L)	Niagara Falls	Craiton, Kim (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Nickel Belt	Martel, Shelley (ND)
Guelph-Wellington	Sandals, Liz (L)	Nipissing	Smith, Monique M. (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Northumberland	Rinaldi, Lou (L)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Oak Ridges	Klees, Frank (PC)
		Oakville	Flynn, Kevin Daniel (L)
		Oshawa	Ouellette, Jerry J. (PC)
		Ottawa Centre / -Centre	Patten, Richard (L)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Ottawa South / -Sud	McGuinty, Hon / L'hon Dalton (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Stormont-Dundas-Charlottenburgh	Brownell, Jim (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Watson, Hon / L'hon Jim (L) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Sudbury	Bartolucci, Hon / L'hon Rick (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa-Orléans	McNeely, Phil (L)	Thornhill	Racco, Mario G. (L)
Ottawa-Vanier	Meilleur, Hon / L'hon Madeleine (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Thunder Bay-Atikokan	Mauro, Bill (L)
Oxford	Hardeman, Ernie (PC)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Parkdale-High Park	Kennedy, Hon / L'hon Gerard (L) Minister of Education / ministre de l'Éducation	Timiskaming-Cochrane	Ramsay, Hon / L'hon David (L) Minister of Natural Resources / ministre des Richesses naturelles
Parry Sound-Muskoka	Miller, Norm (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Perth-Middlesex	Wilkinson, John (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, Hon / L'hon George (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Peterborough	Leal, Jeff (L)	Toronto-Danforth	Churley, Marilyn (ND)
Pickering-Ajax-Uxbridge	Arthurs, Wayne (L)	Trinity-Spadina	Marchese, Rosario (ND)
Prince Edward-Hastings	Parsons, Ernie (L)	Vaughan-King-Aurora	Sorbara, Hon / L'hon Greg (L) Minister of Finance / ministre des Finances
Renfrew-Nipissing-Pembroke	Yakabuski, John (PC)	Waterloo-Wellington	Arnott, Ted (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Sarnia-Lambton	Di Cocco, Caroline (L)	Whitby-Ajax	Flaherty, Jim (PC)
Sault Ste Marie	Oraziotti, David (L)	Willowdale	Zimmer, David (L)
Scarborough Centre / -Centre	Duguid, Brad (L)	Windsor West / -Ouest	Pupatello, Hon / L'hon Sandra (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Scarborough East / -Est	Chambers, Hon / L'hon Mary Anne V. (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	Windsor-St Clair	Duncan, Hon / L'hon Dwight (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Scarborough Southwest / -Sud-Ouest	Berardinetti, Lorenzo (L)	York Centre / -Centre	Kwinter, Hon / L'hon Monte (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough-Agincourt	Phillips, Hon / L'hon Gerry (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York North / -Nord	Munro, Julia (PC)
Scarborough-Rouge River	Curling, Hon / L'hon Alvin (L) Speaker / Président	York South-Weston / York-Sud-Weston	Cordiano, Hon / L'hon Joseph (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Simcoe North / -Nord	Dunlop, Garfield (PC)	York West / -Ouest	Sergio, Mario (L)
Simcoe-Grey	Wilson, Jim (PC)		
St Catharines	Bradley, Hon / L'hon James J. (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Paul's	Bryant, Hon / L'hon Michael (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Stoney Creek	Mossop, Jennifer F. (L)		

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

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

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