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**Wednesday 9 June 2004**

**Mercredi 9 juin 2004**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Wednesday 9 June 2004

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

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*The House met at 1845.*

VISITOR

**The Acting Speaker (Mr Ted Arnott):** I want to acknowledge the presence of a former member of the Legislature, Mr Doug Reycraft, who served as the MPP for Middlesex in the 33rd and 34th Parliaments. Welcome, Mr Reycraft.

ORDERS OF THE DAY

EMPLOYMENT STANDARDS  
AMENDMENT ACT (HOURS OF WORK  
AND OTHER MATTERS), 2004

LOI DE 2004 MODIFIANT LA LOI  
SUR LES NORMES D'EMPLOI  
(HEURES DE TRAVAIL ET AUTRES  
QUESTIONS)

Mr Bentley moved second reading of the following bill:

Bill 63, An Act to amend the Employment Standards Act, 2000 with respect to hours of work and certain other matters / Projet de loi 63, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne les heures de travail et d'autres questions.

**The Acting Speaker (Mr Ted Arnott):** The Minister of Labour has the floor.

**Hon Christopher Bentley (Minister of Labour):** I will be splitting my time with the member from Thornhill, Mr Racco; the member from Mississauga West, Mr Delaney; the member from Prince Edward-Hastings, Mr Parsons; and the member from Oakville, Mr Flynn.

I'm pleased to be able to take part in the second reading debate on this important legislation, the Employment Standards Amendment Act, 2004, with respect to hours of work and certain other matters.

This government made a commitment to the people of Ontario to end the 60-hour workweek introduced and passed by the previous government. We made a commitment to restore a worker's right to choose—a right which has long existed in legislation in this province—whether or not to work more than 48 hours in a week. This government made a commitment to support that worker's right to choose, to make sure it was given effect.

We are taking a fair and balanced approach to this determination. We are determined to protect the vulnerable, but we are also determined to do so in a way that will ensure that the businesses of Ontario have the necessary flexibility to compete nationally and internationally.

The legislation I will address in a moment will ensure that before a worker covered by the Employment Standards Act works more than 48 hours in a week, he or she first of all will choose to do so, and second, the employer must obtain permission from the Ministry of Labour, and only then, only when those two events have happened, can the worker work more than 48 hours in a week, up to 60.

Les employés dévoués de l'Ontario méritent pouvoir concilier une vie professionnelle et une vie personnelle riches et valorisantes.

La législation adoptée par le gouvernement précédent a fait en sorte que certains employés étaient trop préoccupés par le travail pour refuser à leur employeur de travailler jusqu'à 60 heures par semaine. Aucun mécanisme de surveillance gouvernementale n'était en place pour appuyer le choix des employés. On avait aboli, sans trop se préoccuper de la façon dont les personnes vulnérables pourraient faire valoir leur droit, un mécanisme de protection fondamentale qui était en place depuis des décennies.

That is the key point. What the previous government did was to remove ministerial oversight. What they did was to remove the essential protection that had been in place for decades in the province of Ontario, an essential protection that exists for the vulnerable workers, those who do not effectively have the power to choose on their own in the workplace. They removed that protection without any apparent thought to how those vulnerable workers would be protected in the future. We made a commitment to restore the protection. That is exactly what this legislation does.

**1850**

This is not a small issue. Estimates are that over 466,000 Ontario employees worked 50 hours or more in a week in 2003. That's an enormous number of workers in Ontario, and it is probably an underestimate. Those are the ones we can count and track. The fact of the matter is that the most vulnerable in our society are difficult to track.

After announcing our government's intention to end the 60-hour workweek, we did something that is characteristic of this government: We spoke to the people of Ontario about the most effective way to do it. We spoke to numerous business organizations, numerous labour

organizations, legal clinics, to the people of Ontario about how to most effectively protect the vulnerable, while at the same time giving business the necessary flexibility.

What was announced when we introduced this piece of legislation for first reading was a three-pronged approach to protecting the vulnerable: First was the introduction of the legislation, but that is not standing alone. Second was an enhanced awareness initiative to make sure that businesses and workers are aware of their rights and their responsibilities. Third is an enhanced enforcement initiative to make sure the rights enshrined in legislation are actually protected and enforced, as they must be. I'll address each of those in a few moments.

As a result of our consultations, we did not go back to the old system. That's important to note. The system before ESA 2000 was very paper-intensive. It provided for certain block permits. It was characterized by time delays in application. It was characterized by a burdensome bureaucracy. It was also characterized by the fact that many businesses didn't obtain the permits. So the essential protection that needed to exist was not there as it should have been.

What we did in listening to business and labour was to come up with a system where businesses will be encouraged to apply on-line. It will be user-friendly, speedy and efficient, and yet it will create the necessary protection for workers. In order for a worker to work more than 48 hours in a week—up to 60 in the future under this system—the worker must agree in written form. We will provide simple, standard forms outlining the worker's rights, in which the worker can indicate to the employer that he or she is prepared to work.

But that is not it; that is not the end. The second essential part of the protection: The employer can then apply to the Ministry of Labour for approval to work more than 48 hours in a week, up to 60. The application will be reviewed by the director of employment standards. The director of course will be looking for prior employment standards violations, prior occupational health and safety violations, or other issues of concern. Thirty days after the application, the employer can commence the work of more than 48 hours in a week, subject always to the director of employment standards being able to step in to vary, amend or rescind the permit that was granted.

This is the type of protection that is required. It is also a protection that can be granted in an expeditious way. The Web-based application process picked up on comments by the chamber of commerce and the CFIB, which did not want a paper-intensive process, but wanted one that could be done expeditiously. So this picked up on some essential comments made by those organizations to make it as easy to use as possible.

We are also reintroducing oversight for overtime averaging in this legislation. Overtime averaging has existed for decades. This is not a new thing. What the previous government did was to say that overtime could be averaged for up to four weeks without ministerial

oversight. We have eliminated that and gone back to a process where the business has to apply to average overtime for any number of weeks. That's a protection that existed, as I said, for decades. We have restored the protection.

It should be remembered that in talking about the 48-hour workweek, that of course is not the standard workweek in Ontario. The standard workweek is 40 hours a week, as it is in most other jurisdictions in Canada. But what has existed for decades is the right to work longer, and what has existed for decades is the protection that those who do not wish to work more than 48 hours in a week will have ministerial oversight. That was eliminated by ESA 2000 by the previous administration. We are restoring it. It's an essential protection for the workers of the province.

But we need to do two more things to make sure the vulnerable in our society are properly protected: first of all, the awareness initiative we introduced. The vast majority of businesses are either doing the right thing or are trying to do the right thing. The fact of the matter is that no matter how greatly enhanced enforcement is, we rely on businesses to comply with the law.

We want to make it easier for businesses to find out what their rights and responsibilities are. Our awareness initiative will involve a Web-based information portal. Businesses will be able to easily find out their rights and responsibilities on Employment Standards Act issues, and eventually Occupational Health and Safety Act and other issues as well. A business that can easily find out its rights and responsibilities is much more likely to comply. That's one half of the equation, and once again we have picked up on suggestions made by organizations such as the CFIB and the chamber of commerce.

The other part is making workers aware of their rights. Many of the most vulnerable in our society do not speak English or French as a first language; it is in fact their second. We're aware that if you're going to fully protect people, the place to start is making them aware of their rights. So what we are determined to do is to make information available in languages other than English or French, in a number of different languages, and again, make that available to workers where they work or where they live in a much more accessible form. So we are going to partner with legal clinics, community organizations and others to make sure that this type of information, in a user-friendly form, gets to the workers who need it and where they need it. That's the awareness initiative.

Let's talk now about enforcement. The problem is that there hasn't been much, and that means there hasn't been much of a deterrent to businesses that may choose not to become aware of their rights or responsibilities, that may choose not to comply with their obligations. This is not a recent phenomenon. This is not something I will lay solely at the feet of the previous administration, because the fact of the matter is that for at least 15 years, and maybe longer, the act has not been enforced as it should be.

The fact of the matter is that the act contains very powerful tools; they just haven't been used. We know that rights without remedies don't remain rights for long; remedies that aren't used are not remedies at all; and in the Employment Standards Act we have remedies that simply have not been used. We're changing that. We're changing the dial on enforcement. Enforcement's back in style. We are going to be much more proactive in our enforcement process.

**1900**

The third prong of our determination to protect the most vulnerable in society is to actually make sure that (1) we encourage proactive inspections, instead of simply being reactive; and (2) where appropriate, we use all the tools in the Employment Standards Act, and that includes the prosecutorial tool where the facts and the law would otherwise justify it.

That has not happened in the past. For example, last year the Ministry of Labour processed approximately 15,000 claims. There were only a few prosecutions. Once again, that's not something I will lay simply at the feet of the previous administration, because in the early 1990s it was no different: very few prosecutions. It is simply a tool that has not been used. Unfortunately, this tends to send a message to one and all that there is no consequence for not complying. There has to be a consequence.

In summary, this is a piece of legislation that fulfills our commitment to the people of Ontario, our commitment to the vulnerable workers in Ontario, to end the 60-hour workweek. It is a piece of legislation that makes sure the vulnerable in society will be protected, but they will be protected in a way that allows business the flexibility to compete nationally and internationally.

It's a piece of legislation that will be supported by an enhanced awareness initiative for businesses and workers, and supported by an enhanced enforcement initiative that will make sure that the Employment Standards Act and this new piece of legislation, if passed, will actually be enforced for the protection of all workers in society.

**Mr Mario G. Racco (Thornhill):** I stand to speak in favour of Bill 63, a bill that has been introduced by Minister Bentley. This bill, as has been said, will fulfill one of the commitments the Liberal Party made during the last election. This is one of a number of commitments we made and are delivering on as soon as possible.

When the bill was introduced, people in Ontario had been significantly upset. Many people in industries such as the construction or manufacturing industries were significantly upset about such an untoward action by the Conservatives.

In my opinion, this bill is going to allow employees who wish to work more than 48 hours to have the full freedom to make that choice. We know there are many individuals in our province who, unfortunately, must work for a number of reasons. If they have a choice to work extra hours they don't want to work or be fired, they're going to choose to work those extra hours because they cannot afford to lose a job. As a province, it

is our responsibility not only to be fair to the people, but in particular to make sure that employees of this province will have a condition of employment that will make them feel comfortable and make them be even more efficient, because when conditions of employment are acceptable to the employee, the employee will be able to work harder, with more interest, and therefore do better for himself or herself, but also for the company he or she is working for.

We know that in our province, on a yearly basis, there is about \$3 billion to \$5 billion that are considered to be lost because of people not showing up to work. The majority of the reason is that those employees may not feel comfortable going back to do their normal work. Of course, by giving the employees more freedom to choose, certainly that will make them feel more comfortable in what they are doing.

This is a bill that should be supported by all of us. Again, it doesn't necessarily mean that those people who want to work more than 48 hours cannot do so. They will be able to. It's a matter of their having the opportunity to say yes or no. At the same time, the ministry has the authority to make sure that if some industry or company is going overboard, the ministry will be able to have some say on the matter.

This change in legislation will provide more prosperity for our province. The people of Ontario want to be able to decide if they want to work more than 48 hours. Again, we know very well some industries where working more than normal is very dangerous. Unfortunately in the past, and at present, we've become aware of incidents while employees are working. One of the reasons those incidents happen, and unfortunately sometimes even lives are lost, is because employees are not able to cope with the pressure of the job—for instance, if you choose the construction industry, where significant pressure is sometimes put on employees. Quite often English is not the employee's first language and they don't have a significant command of that language. Unfortunately, they are the first ones to pay the price of such an injustice in the marketplace, in employment.

Our government wishes to support employees' choices. That was fundamental protection that existed for many years, until the Conservatives made the change. Of course, we intend to go back to what's fair for employees, and what's fair for employees is fair for the province and for all of us. Of course the existing rule, until we make the change, is not right. It is not fair and we intend to make that change.

As the minister said very clearly, the employee will still have the opportunity to decide if he or she wishes to work more than 48 hours. Those decisions will be based on the conditions of employment, but also of the employee, and I think it's the right thing to do.

I thank you for listening to my comments.

**Mr Bob Delaney (Mississauga West):** I rise today to speak to Bill 63, a bill that amends the Employment Standards Act to protect the most vulnerable of Ontario's workforce.

Bill 63 restores the traditional rights, taken away by the previous government, of the choice of hours of work. The essence of change in Bill 63 is that the practice whereby an employer could mandate a 60-hour workweek is gone. New Canadians in particular will benefit from the fairness and the clarity in Bill 63. Indeed, one of the priorities expressed by the Ministry of Labour is to ensure that information on this measure gets out to Ontarians whose first language is not French and not English.

New Canadians face the challenge of getting established in a new country, where the language and customs are often strange. Those who come to Canada from parts of the world where democracy is neither as strong nor as vibrant as it is here in Ontario tend to fear and respect without question the laws of the new country. If the law says that an employer can require an employee to work 60 hours, then many new Canadians look upon such a law as a condition of simply remaining in Canada, even though a 60-hour workweek costs them their family life, their relationship with spouses and children, their personal time to relax and refresh, and often their health, both physical and mental.

Many people might say, "Well, if you don't like the hours of the job, then just go work someplace else." But it's not that easy. If you're a newcomer to Canada, you may not be as mobile as a mainstream Canadian. Depending on your country of origin, it may take six months to a year to learn to read, write and speak English well enough to capably look for another job. You may depend on someone who speaks your language and understands your culture to get in the door and collect a paycheque in the first place. You may feel indebted to that person, and it's a dependency that Bill 63 makes illegal to exploit.

If you bring workers into your place of employment, you can't do the equivalent of demanding six 10-hour days per week and say that the practice is perfectly legal, even if that's the way things were done in your country of origin, even if that's the way other people say they do it in your workplace. Six 10-hour days often mean about six hours of sleep, perhaps another hour of commuting each way here in the GTA, 10 hours of work, maybe a total of two hours per day to shave, shower, dress and look after lunch and other personal needs, leaving perhaps four hours per day to look after family needs, maintain a relationship, shop, look after household chores and to find time for yourself. It's a grinding existence; it's hardly a life.

#### 1910

Many business owners, managers, and certainly those in this House are familiar with 60-hour workweeks. But there's a difference, and that difference is called choice. Most of our Ontario business owners and managers don't try to coerce or even ask their employees to spend 60 hours a week at work. It's been said that business owners get the workforce and the labour unions they deserve. Enlightened and generous treatment of one's workforce is not just the right thing to do but, as measured by any comprehensive set of performance metrics, it's also the

most profitable thing to do as well. But not every business owner is enlightened. Not every business owner or manager sees productivity and profitability as consistent and collective goals in collaboration with their workforce.

Last year alone there were 15,000 claims against employers for violations of the Employment Standards Act. And according to the statistics, one—just one—prosecution was started. There's very little downside for cheating. I like to look to the best in people, in communities and in companies, but to say that only one of 15,000 companies truly warrants prosecution stretches even the sunniest optimist's credibility. That's why enforcement is back in style, and tougher enforcement against those who refuse to co-operate and operate responsibly, tougher enforcement against those who prey on their workforce, and tougher enforcement on those who use unethical practices to try to gain an unfair competitive advantage in their market.

I say to someone who may be watching this statement tonight, ask a question if you think your employer is taking unfair advantage of the men and women in your workforce. Let's talk about your rights. Should Bill 63 receive passage, you must agree in writing if your employer wishes you to work more than 48 hours in any workweek. You cannot be required to work more than 48 hours in a week. You have the right to refuse a request to work more than 48 hours in a week. You cannot be pressured otherwise. Your employer must ensure that employees like you understand your rights.

An employer can no longer abuse a provision called averaging. Averaging currently means that an employer can average work hours over a period of four weeks, with the written agreement of employees. This potentially reduces the amount of overtime that must be paid. Under Bill 63, an employer must now apply to the Ministry of Labour for permission to average overtime hours.

Your employer must give each employee an information sheet—produced by the Ontario Ministry of Labour and not the employer—that describes your rights about hours of work and overtime pay. If your first language is not English or if some of your co-workers read or speak a language other than English or French, there's a very good chance that the information from the Ministry of Labour is available in your first language. If your employer or employee representative cannot or will not provide this information in your first language, call the Ontario Ministry of Labour after this bill has passed and ask to receive information in your first language. There's a good chance that such information will be available.

I say to companies that Bill 63 is an act with teeth. Offenders can be fined as much as \$100,000 for a first offence. A repeat offender faces a fine of \$250,000 for a second offence and \$500,000 fines for a third and subsequent offences. Many people who have spoken or written to me on the abuse of hours of work invariably say that there's one or a few specific individuals who organize who works, and for how long. This is especially

true if a workforce consists largely of workers for whom English is not the first language and who may be new to Canada.

I say to you, as workers, that if a specific manager or other individual is shown to violate workers' rights or coerce workers to work longer than 48 hours in a workweek, then that person can, on each count, face a fine of as much as \$50,000, or as much as 12 months in jail, or both.

I say to employers that if you're running a clean company and you're treating your workers well, then Bill 63's main benefit to you is that you have a level playing field. No competitor can squeeze their employees and, in so doing, cut corners or cut costs and gain a price advantage over you, thus penalizing you for operating ethically. As an employer, you know that employees who are routinely overworked or undercompensated make mistakes, give rise to wastage and are a safety hazard to themselves and those around them. You can be more secure, with Bill 63, that an unscrupulous competitor cannot so easily pass along the costs of an overworked or tired employee to the taxpayer through WSIB claims or to OHIP charges.

Your managers need the flexibility to adapt to changing business circumstances. That's why you can file for permission from the Ministry of Labour in four separate ways: on-line, by fax, by mail and in person. You can also expect a timely response. There is no filing fee. The forms are simple and useful.

Ontario needs our best companies helping our workforce prosper as they grow and doing profitable business. Bill 63 says to our companies in Ontario that the unscrupulous firm will not be rewarded for taking the money from their workforce and running. It's a big marketplace, and there's lots of room in an open and fair marketplace, lots of room that Bill 63 fosters. If you want to buy a luxury car with your company's profits, we wish you well. Just help your workforce spend time with their families. Help them earn a fair and living wage and perhaps buy themselves a basic car to park beside your luxury sedan in the company parking lot. It's the right thing to do, and it's fair.

**Mr Ernie Parsons (Prince Edward-Hastings):** As the other speakers have said, I am very pleased to speak to Bill 63. I was present in this Legislature when the initial bill was introduced that we are now repealing, and it struck me that our bills have been different from the bills from the previous government. I know the obvious answer is "Good bills, bad bills," but it's even more complex than that. The previous government thrived on omnibus bills, bills that put a whole lot of unrelated things together, and in many cases took a really good thing hostage and made it into a really bad bill.

If I'm remembering right, the bill that dealt with making employers able to force employees to work up to 60 hours also included legislation that provided for a year of family leave for employees who had adopted or given birth to a child and wanted a year off. There was a desire certainly on the Liberal Party's part at that time to make

it match the federal government legislation, so they put the 60-hour workweek together with the one-year family leave—

**Mr Dave Levac (Brant):** It made it look like we were against it.

**Mr Parsons:** Yes—and then said, "The Liberals were against the family leave," when in fact I think our philosophy was that a 60-hour workweek destroys family life. It has a very detrimental effect. As I recall, we voted against it. So I'm particularly pleased to see this bill. In fact, thinking about all the bills that have come from this government—they've been nice, clean bills dealing with an issue. This is a labour-related issue dealing with the matter of overtime calculations and hours of work, and there's no hostage in it. I compliment the minister on that.

#### 1920

When the other bill was passed by the previous government, I received some phone calls of concern about it, and, I'm proud to say, not a lot of phone calls, which said to me that most employers were doing the right thing, that they were working with their employees to make sure that they had a family life, that they worked in a safe environment, but I did receive some. Interestingly, one call was from an employer who was concerned about some of my comments in the media that 60-hour workweeks weren't going to be endorsed by all the employees. He called me to tell me how happy his employees were that they were now able to make more money and were thrilled. It was, "Please don't say negative things about the bill," because his employees were really pleased that they now could be scheduled for 60 hours.

Most of my other calls were, ironically, from his employees, who said, "We're now being made to work hours we really don't want to work, and it is becoming apparent to us that, yes, we have the right to turn down these extra hours, but then we seem to get called in for fewer and fewer shifts as time goes by. We weren't fired for it, we weren't penalized for it; we just weren't getting called in to work." I thought it amazingly ironic that the calls essentially all originated from one area.

This won't change life for most Ontarians because I think employers are responsible, but it certainly will for some. As I recall, 25 or 30 years ago, if you read *Popular Science*, it talked about the life of leisure we were going to live. Everything was going to be done by robots, cars were going to drive themselves down the highways, and everyone would be working two- or three-day weeks. I would like to suggest that we have a more stressful life now rather than a less stressful life, as they predicted. Thanks to cellphones and the BlackBerry and economic pressures where both partners are working, life is much more high-paced and sometimes moves too fast.

Here we're fixing a bill that I would suggest had a very detrimental effect on family life. Where both individuals in a relationship are working, the children very clearly miss them, and they miss the children. If we start to talk about 60 hours a week, family life suffers. It's as simple as that. I don't think I'm telling anyone in this

chamber something they don't already know. Sure, you can average the overtime out, but for 60 hours, if someone is working that week, the children pay a very dear price for not having the quality time with their parents that a 40- or 48-hour workweek would permit.

This bill, for a whole lot of reasons, and I just referred to one, is good because it will allow and improve quality of family life for families that put a priority on that, as virtually all of them do. We live in a difficult era financially. We've seen gasoline prices; we see a lot of things putting pressures on.

The answer put forward by the previous government was to have people work 60 hours. I find it strange that they were saying, "We're going to give people the opportunity to earn more money," when at the same time they flatly refused to increase the minimum wage. I'm very proud that one of the first things our government did was to start to implement the increase in minimum wage. Working 60 hours at the previous government's minimum wage wasn't the solution to the economic problems. The solution was to start to pay what is a fair wage.

I'm very pleased about the way this bill will make workers more aware of their rights. As an engineer, I worked from time to time in construction, and the reality in construction is that many of the people employed in it speak neither English nor French. I think of one gentleman who said to me that when he emigrated to Canada he found out three things fairly quickly: One was that the streets aren't paved with gold; second, he found out the streets aren't even paved; and third, he found out he was supposed to do the paving.

For many of our first generation who come to Canada, they work in the construction field and they have very limited access to our laws in their language. I applaud this. They're good people, hard-working, often not well educated, but hard-working, solid citizens who are in a new country. I've never experienced that. It's got to be unsettling to move to a new area and be unsure of your rights and unsure of the laws. Again, I applaud the minister for saying that this government will provide to them in their language the rights they enjoy this country.

One of the reasons I believe we're all Liberals is because it doesn't matter where you're from or who your family—

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** We're not all Liberals.

**Mr Parsons:** Well, not everyone, but the ones on this side and in that little corner over there—actually quite a large corner. We know that it doesn't matter where you come from; you're a Canadian citizen, you're one of us, and we're going to work with you as an equal.

The other aspect of dealing with construction is, if you're working on construction, your very life often depends on that next person. If you've driven by a construction project—they can be very dangerous places. We have laws to make them safer, we have inspections to make them safer, but if I were involved in highway construction, where they're replacing parts of storm sewers or they're placing concrete slabs, I wouldn't be happy if I

knew that the individual operating the crane had worked 60 hours that week. Much of the work on the highways is done at 3 or 4 o'clock in the morning, if you'll notice. If that individual has worked 60 hours a week and he or she is lifting this slab that weighs four tonnes above my head, I don't want a fellow employee who is physically exhausted, just to save a few bucks on the overtime hours.

The provision in the previous bill that's being repealed with this was rather diabolical. Under the current legislation, which this bill, if passed, will replace, overtime hours were averaged over four weeks. So you could have someone work 60 hours and not make any extra overtime, and that gave a real incentive to employers if they wanted to go to 60 hours.

But they are physically tired and putting other people's lives, their own lives and their family's lives at risk. If a parent dies, it doesn't matter if there's insurance; it doesn't matter if there's financial compensation. The loss to the family is absolutely irreplaceable. Now people will have the right to say, "I don't think I'm safe. I don't think I can physically do it." I know they could do that before, in theory. But as I said earlier, the people who talked to me certainly felt that if they didn't do the hours, they weren't going to keep the job or they weren't going to keep the hours that provided a living for them.

This bill is such an improvement over what existed before, where paperwork had to be filled out. Ten years ago, the Internet didn't exist to any great degree. I was invited to an event this evening in Belleville, which naturally I can't attend. My wife is going to be there. It's a senior citizens' home where they have all just completed an Internet course, and now they can e-mail their grandchildren. It's just a way of life for us. Now the ministry has said, "We recognize this technology." An employer can apply for a permit on the Internet, as simple as can be. The employees can learn their rights on the Internet, as simple as can be. The bill has recognized the new technology and recognized that people need to be informed. Maybe the one thing that showed up in the Science Digest of 25 years ago was that we'd have better information-sharing, and we very clearly do.

As I said, I applaud this bill. I think it makes it a safer place. I think it makes it a more humane place. I think it makes a better place for our families. I absolutely cannot see a downside, so I am intrigued as to the comments that could possibly be made. It may be the role of the opposition to find something wrong with this, but industry has applauded this. Family advocates have applauded this bill in recognition that it is a return to the kinder, gentler Ontario that the electorate clearly wanted last fall.

I think it was in 2000 that the bill that changed this was passed, if I'm remembering correctly. Each time I did a phone-in show in the years after that, this was an issue that would come up, from perhaps just one caller, but it was very clearly still an issue and families were distressed by it.

**1930**

As I conclude, this is another bill that makes me very proud. This is another promise that the Dalton McGuinty

government has delivered on, and it is a commitment that we have delivered to the people of this province that we will enhance your quality of life, we will make life safer and we will make life fairer. The citizens of Ontario expect nothing less than to be treated as individuals. This bill ensures that they have some control over their working days, they have control over the number of hours and they have control over the overtime.

The last thing I would say before I sit down is that I appreciate the minister's commitment that there will be enforcement. There is nothing worse than passing legislation that has no enforcement. I can think of some of the changes, again, over the previous government's time. I can recall an evening here in the House when it was incredibly hot because the air conditioner wasn't working and it really wasn't safe to work in here. And I can recall Mr Kormos saying that he had phoned the Ministry of Labour and the inspector had said, "Well, it doesn't sound hot over the telephone." That's a system we had gone to, that you had to describe an unsafe condition over the phone. That isn't the way this government, this Premier, this minister is going to deliver it. We're not going to make it safe on paper; we're going to make it safe in the real world for our citizens.

**Mr Kevin Daniel Flynn (Oakville):** It certainly is a pleasure, on a hot and muggy, smoggy night in Toronto, in a hot and muggy chamber, to be able to speak to what I think is a wonderful piece of legislation. It's like a breath of fresh air in the room to be able to speak to this. I certainly am pleased to be able to take part in the second reading debate of what is the proposed Employment Standards Amendment Act (Hours of Work and Other Matters), 2004, Bill 63.

The past decade has been, I think we all know, a time of change and challenge and stress for Ontario workers and their families to make ends meet. Days are getting longer. People are working harder, longer hours in those days, and consequently spending a lot less time on their personal and family lives. What I think they're looking for, besides a source of income and a source of satisfaction, is some balance in their lives. They're looking to be able to earn a living in this economy. They're also looking to be able to spend some of their free time with their family, with their children, with their friends. Lifestyle is becoming as important as our economy, in my opinion, and I think that's a good thing.

As we pointed out when we introduced another bill, Bill 56, we're finding that caregiver strain is also a factor in our modern lives, and that's due in no small part as well to the difficulties of trying to balance a work or an employment life with the demands of caring for a seriously ill loved one, someone who is perhaps in the last days of their life.

Sadly, there are also a lot of other crucial events, personal responsibilities, family matters that get short shrift if a worker is spending more time than he or she really wants or really should at their job. When you think of the quality time that you need in this day and age, in this age of technology, to raise your kids properly; when

you think of the activities in the community—you think of Scouts, you think of sports, you think of the people who put time in, the volunteers—and you think, if you're driving home after your fourth 12-hour shift, do you really want to go and stand on the sidelines with the little kids on the soccer team, or do you prefer to just go home and fall asleep? It's a question that I think a lot of minor sports organizations are finding themselves asking. With such issues as gridlock, commuter time, time spent on the job, it's getting harder and harder to attract volunteers into the minor sports world, and that certainly has an impact not only on the sports organizations themselves, but it has an impact on our community as a whole.

So this stress has not been good for the health of the workers. It hasn't been good for the loved ones and their family. And it's particularly hard if a worker feels he or she hasn't had a choice, or somehow is being coerced into working those long hours that they truly did not want to work. It's especially appalling if the worker did not even know that they had the right to refuse. We have found that that is the case in some workplaces in Ontario.

It's a question of choice. It's a question of responsibility between an employer and his or her employees. It's how we fulfill a contract. The employee agrees to work the contracted number of hours, and then, if he or she so chooses, has the ability to work the extra hours to earn the extra income, up to a legislated maximum. But the key words are "if they wish; if they choose to do so."

We're finding, because of the lack of enforcement in the past, that there have been examples of where employees have been coerced into working hours that they simply did not want to work. That has had an impact on their lives. That has had an impact on their families.

We know that problem exists because the Minister of Labour has received letters from individuals who have said they did not feel free to decline their employer's request for them to work those extra hours, when they would have preferred to be with their families. We also know this is a big problem because some of our stakeholders have been rigorous and very diligent in bringing this to our attention. As we've been doing our consultations on this bill, that has become clear.

In my opinion, as a result of the previous government's legislation, some employees have been too worried about their jobs and their job security to say no to an employer's request to work up to 60 hours in one week. There was no governmental oversight, no enforcement to support that employee's choice, had it been made. A fundamental protection that had existed for decades in this province was effectively removed simply by its lack of enforcement.

There's also a question about whether some workers who aren't proficient, perhaps, in either English or French may or may not be conversant with the workplace standards that we hold dear in Ontario. We wonder if they really understand what those standards are and we wonder if they really understand what their rights are.

Employees in Ontario, in our opinion, must be able to freely choose if they want to work more than 48 hours in

a week. Otherwise, that control that we all seek in our lives, that balance between our personal lives and our work lives, is lost; it means nothing. How can we expect them to cope with the difficulty that life brings when they're under this pressure constantly to work excess, and perhaps even illegal, hours?

That is why the government has introduced changes to the Employment Standards Act, 2000, that would, if passed, end the 60-hour workweek. We want to ensure that employees have a real choice of whether to work extra hours. That protection would be balanced with Ontario's workplaces' need for flexibility to remain competitive. This change, in my opinion, would be good not only for the employees but also for the employers in Ontario.

We, in my opinion, have been a government who has listened, and we've listened in this case. We've heard from business and we've heard from labour.

As a government we're investing in education, in skills training, in our youth, our young people and our schools. Those investments are the future of this province. It's very simple: Young people with the best public education simply get the best jobs.

We're investing in a strong and growing economy in Ontario. Just look at the recent job growth figures for evidence of that.

We're investing in first-class health care in Ontario. Ontario is becoming the province that it once was: a province that people can be proud of again.

By supporting this bill, you are bringing balance back to the workplaces of Ontario. I don't believe we're ripping up any contracts as we introduce this bill. We're bringing back freedom of choice. We're improving and enhancing economic growth and employee morale in Ontario.

When you've got strong, fair and balanced legislation such as Bill 63, in my opinion it's the hallmark of a vibrant, civilized and dynamic economy where business and labour work together. By supporting this bill, you help put Ontario business and labour back on top of the world, where it belongs. That's why we've introduced changes to the Employment Standards Act that would, if passed, as I've said, end that 60-hour workweek.

**1940**

We want to ensure that employees have real choice. The protection has to be balanced. Ontario workplaces need the flexibility to work excess hours from time to time. We need to maintain that flexibility to remain competitive. In today's work environment it's becoming very difficult for many workers to find that balance.

I say to you that Canadian workers and businesses are among the hardest-working and the most productive in the world. Somebody mentioned Oakville a few minutes ago. I'm proud to say that the Ford plant in Oakville, in my community, is one of the most productive automobile assembly plants, not just in North America but in the world. That's why investment makes sense.

What we don't need to affect that productivity are some of the estimates of direct and indirect costs of

absenteeism in Canadian workplaces. Due to high work-life conflict, some of those costs could be in the billions of dollars. The increasing need for elder care and the care that we need now for our seriously ill family members has sometimes even led people to the point where they have had to quit their jobs in order to look after family members. We all know, from talking to Bill 56, that according to a recent study of cancer patients, more than 40% of family members of patients surveyed had to quit work simply to care for those family members.

Employees with better control over this conflict are healthier workers. Employees who feel their personal lives have some value and consideration are much better workers and are more productive. They have less absenteeism. They are more likely to feel loyalty to the workplace and to their employers if they feel they're working in an atmosphere of mutual respect. All good employers and high-performing workplaces know this. Some, unfortunately, do not.

This bill will not impose undue hardships on responsible business, so you see, it's not only employees who would benefit; employers would benefit from this act, if passed. Workplaces would be healthier. They'd become more productive. The environment, the morale in that workplace, would simply start to soar. Healthier, more productive workplaces simply mean a better bottom line and a more profitable environment for Canadian and Ontario businesses.

Productivity is not just the hours you work. It's the productivity that you're able to achieve during those hours. How efficient is your operation? How safe is it? Is there an atmosphere of mutual respect that exists between yourself, as the employer, and your employees? You have that atmosphere if you try to foster that atmosphere, as this bill is trying to do. It can't help but lead to increased profits and better productivity.

This bill deals with the freedom of choice around what's called overtime averaging. As in the case of overtime hours of work, government oversight of overtime averaging was a protection that was largely removed by the last government. Averaging an employee's hours lowers the amount of overtime pay employees might receive for a week's work. We are restoring the requirement that ministry approval first be obtained for any averaging of any extra hours.

We must ensure that employees are agreeing to the averaging of their own volition; we need evidence of that, not because they think if they don't, they will lose their jobs or will somehow be treated differently at work. We won't stand for that.

This proposed bill is part of a comprehensive strategy that we think will bring about real change in employment standards and employment practices in Ontario. It's a change that will benefit both employers and employees—all workplace parties.

The first element of this strategy is obviously one of education. It's to raise the awareness of employment standards, rights, obligations and laws amongst both employers and employees and those who provide sup-

port, advice and guidance to these parties. It is especially important that we reach new businesses. It's especially important that we use every method of technology and communication that's available to us to support that task.

It's especially important for us to reach small businesses. Many small businesses, in the hectic day of trying to operate a small business in a competitive climate in Ontario, sometimes simply do not have the knowledge or even the awareness that such standards exist, may not even know what an employment standards law is and may not have the resources—a one-man, a two-, three- or four-person operation—that they could go out and either research that knowledge base or increase their own knowledge. It simply isn't user-friendly at the present time under the present system. It's especially important to reach vulnerable workers, those who are newcomers, those who may not have a great command of either the English or the French language, and those who often work in unstable workplaces.

The Minister of Labour intends to do this with new, well-planned and compelling communication tools, such as the Internet, publications and direct outreach. It would do this with simple-to-understand and very easy-to-access, user-friendly information. It's going to do this by partnering with agencies and organizations that can help to deliver the information to businesses and the people we must protect in a way and in a language they can understand. We also have a strategy to raise compliance levels by pursuing enforcement in a new way.

We take the trust that Ontario workers place in the Ministry of Labour very seriously in this government. This legislation is the right thing to do. This legislation is the right step to take at this time.

**The Acting Speaker:** Questions and comments?

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** As I understand it, this amendment bill, Bill 63, doesn't actually reduce the workweek. It certainly doesn't reduce the paper burden on an employer. The question remains, what will be the increased bureaucratic cost of implementing this particular scheme? From what we can see, it obviously results in at least one more form to be filled out, and that can lead, worriedly, to further rules and regulations and red tape.

Of course, on this side of the House we feel that there was nothing wrong with the system established by the former PC government in the year 2000 with our legislation. The bill does very little to change the relationship between an employer and an employee in relation to hours worked.

The Liberals have advertised this as bringing an end to the 60-hour workweek and that this was somehow imposed on workers by the previous government. In fact, 60 hours remain, and now to achieve these hours, the employer complies with these regulatory requirements.

A couple of winters ago, I was hosting a New Year's levee at my farm. It was on a Sunday. A heavy snowfall came in. My house is on top of a hill and I needed an awful lot of sand in a hurry, because I had dozens and dozens of cars sliding up and down that laneway. I

phoned my neighbour who has a trucking company, a backhoe company, and his 12-year-old or 13-year-old son answered the phone. I apologized for it being Sunday and wondered if I could talk to his dad. This kid figured me out right away. He came right out and said, "I'm not afraid to work. I'll be right there."

**Mr Gilles Bisson (Timmins-James Bay):** It's an interesting bill that this government brings forward, because they're saying, "We love labour." They're trying say in this bill that this government wants to put its arms around the labour movement and say, "We love you. Please, come and be our friends because we're going to help you." The problem is, as the Liberals wrap their arms around the house of labour, labour is finding out that it's a pretty uncomfortable hug, because when you look at what's in the interior of the bill, it's actually no different than what the Tories already had.

*Interjections.*

**1950**

**Mr Bisson:** I say, if I'm wrong—excuse me—then line up all my labour friends outside who are supporting you on this particular bill. I look at Wayne Samuelson, who speaks for the house of labour, the president of the Ontario Federation of Labour. I know it well; I used to work there. I worked at the OFL for a couple of years. As you know, the Ontario Federation of Labour is the house of labour, where labour meets in the province of Ontario and comes together on issues of policy. Wayne Samuelson, the president, along with other labour leaders, is saying that this is a joke. We asked this government to bring forward progressive labour legislation to deal with the onslaught of attack that we've had from the former Tory government, to try to undo some of the regressive rules that they've done around the right of workers to organize. What more fundamental right do we have as citizens of this province if we don't have the right to associate? You may like or dislike a union; that's beside the point. We have a right in the Charter of Rights to associate, and if people want to become members of a trade union, that is their right. Is there anything in this bill that deals with the rights of workers to organize or to ban scabs in the workplace? Absolutely nothing.

So I say, you can hug the house of labour all you want. At the end of the day they're feeling kind of squeezed and not too loved by the hug, because it's kind of sticky and ugly.

**Mr Shafiq Qadri (Etobicoke North):** The MPP for Timmins-James Bay was going through a little bit of a historical analysis. I'd like, with your permission and the permission of this House, to actually share with you some thoughts on the NDP record regarding labour in this province.

The MPP for Timmins-James Bay quoted Wayne Samuelson. I'd like to counter that by actually quoting Sid Ryan, a former CUPE division president, a former NDP candidate, an erstwhile and ever-ready NDP candidate, it seems, for any level of government that might present itself. He says, "I'd like to say tonight that I'm ashamed of my party, the New Democratic Party. I

will never forgive you, Bob Rae, for what you have done to the working men and women of this province.” For your mutual edification, that was listed in the Toronto Star—

*Interjections.*

**Mr Qaadri:** I can see that you’re upset, gentlemen. Licensed as I am to prescribe tranquilizers, I’ll be pleased to offer them to you afterward. Nevertheless, the record stands that the NDP government, when it had the chance in 1993, actually tore up the contracts of almost 900,000 unionized workers, despite their protests to the contrary.

I would like to say, just in the closing few seconds, that this particular bill our government is bringing forward respects the labourers of Ontario, respects the employers of Ontario, and is a definite move forward. I would like to salute the Minister of Labour, the Honourable Chris Bentley, for not only introducing this bill, but the minimum wage increase and others.

**The Acting Speaker:** One further question and comment.

**Mr Gerry Martiniuk (Cambridge):** Now that the noise has died down, I hope we can get back to Bill 63, which is the bill presented before this House. I was most interested to hear the comments of the member for Oakville.

This bill really doesn’t do a lot, after my perusal and reading of it. What it does is increase a certain amount of bureaucratic red tape. It brought to mind the fact that when we’re dealing with topics of this kind, we no longer have to look at Canada or even the free trade zone of Canada and the US; we have to look at the world in general. There are competitors in the world that will be competing with the fast-diminishing industrial jobs that both Canada and the United States now employ. In the United States, there has been a lot of news lately about offshore outsourcing of jobs, service jobs for the most part, but we always must be concerned with industrial jobs.

The words “red tape” may be somewhat misleading. It’s just more bureaucracy, and we have to watch out for that. When I was in China on a social trip two years ago, I was impressed with the industry of the people. I was saddened by the pollution, but the people there are most industrious and hard-working. That, in a sense, is our competition, because their wage rates will compete, and what we’re going to have to do is compete on the world market, rather than strictly North America. That voices my concern for this bill.

**The Acting Speaker:** The Minister of Labour has two minutes to reply.

**Hon Mr Bentley:** I’d like to thank the members for Haldimand-Norfolk, Timmins-James Bay—the member for Etobicoke North in particular for his kind comments—and the member for Cambridge for their comments. But I’d also like to thank those who spoke after me in the main part of the debate—the member for Thornhill, Mr Racco; the member for Mississauga West, Mr Delaney; the member for Prince Edward-Hastings, Mr Parsons; and the member for Oakville, Mr Flynn—for their very supportive words about this legislation.

This is an important piece of legislation. It is important not just for one stakeholder or another; it is important for all of the people of Ontario. It recognizes that in our society there are people who are more vulnerable, who do not have equal bargaining power, who do need support in making the essential workplace decisions, such as whether they wish to work more than 48 hours in a week. It recognizes protections that have been in existence in Ontario for decades, protections that were in existence under Bill Davis, under John Robarts, protections that existed and were recognized for decades, and that were thrown away by the previous administration. Most importantly, they were thrown away without any apparent regard for the protection of the most vulnerable. They were left to fend for themselves.

We’re restoring protection of the vulnerable and, in fact, enhancing that protection through the awareness initiative, to make businesses and labour aware of their rights and responsibilities, and, through an enhanced, beefed-up enforcement initiative, to make sure the essential rights that are enshrined in legislation are actually protected, because rights without remedies are not rights for long.

**The Acting Speaker:** Further debate?

**Mr Ernie Hardeman (Oxford):** I do believe we have unanimous consent to defer the leadoff speaker for the Conservative Party to a future date.

**The Acting Speaker:** Do we have unanimous consent? Agreed?

**Mr Hardeman:** It’s with pleasure that I rise to speak to Bill 63, An Act to amend the Employment Standards Act, 2000, with respect to hours of work and certain other matters. We’ve heard a lot in the last hour from the government as to why this bill was introduced and what it’s going to do, and from some of the questions and comments following that hour presentation, it became quite obvious that no one can really explain, or at least the one-hour explanation didn’t explain to those of us listening, what the purpose of the bill is.

I can tell you what it isn’t: It doesn’t end a 60-hour workweek, which is purported by the government. I had a feeling that this was going to happen, so I did try to research and find out why the Minister of Labour decided to introduce this bill. If you look on the ministry Web site, you find a lot of good stuff there to explain what this bill does, and it obviously explains it far better than what we were able to get in the first hour of the presentation.

This is a news release from April 26, 2004: “Legislation being introduced today would, if passed, require employers to apply to the Ministry of Labour and obtain an employee’s written agreement to work more than 48 hours in a week. It would end the 60-hour workweek created under the previous provincial government.” What’s interesting, of course, is that the 48-hour workweek has always been there. It’s there under the present legislation, it was there prior to the present legislation, and it will stay there under the new legislation.

Under the present legislation, if an employer wants to go to the 60-hour workweek, he can do that with the

consent of the employee. So we have a written consent from the employee, we have the consent from the employer, and together they agree that they are going to work up to a 60-hour workweek without getting ministry approval. For anything beyond that time, they have to apply to the ministry.

**2000**

What this act really does, the only thing it does that requires legislation, is to change the 60 down to 48 where they have to send in applications to get approval from the ministry to go to the higher workweek. From the discussion we heard from across the way, everybody was talking about the detriment of working 60 hours a week. But obviously this legislation does nothing, absolutely nothing, to curtail the number of hours people can agree to work. As was mentioned, if it's highway work, running the crane, isn't the great concern that the person running the crane may have worked too many hours in the last week and he's not going to be as attentive as he should be? That doesn't change with this legislation.

There must be a purpose for this legislation somewhere. I go to the same news release and I find the things they're going to do through this legislation: "Providing businesses with Web-based information so they can easily learn about their rights and responsibilities, ensuring compliance with the ESA." I'm not sure, but I don't think it requires a bill in this Legislature for the minister to put that information on the Web site so employers will know how they have to comply with the Employment Standards Act. I think most employers would be able to do that, as we speak.

**Mr Barrett:** It's like driving a tack with a sledgehammer.

**Mr Hardeman:** I'm not sure there's a tack down there. That sledgehammer's coming down, but there's no tack.

"Getting information to those whose first language is not English or French": Again, I hope the minister doesn't believe he needs legislation to be allowed to send information to employers who have employees who speak languages other than English. All that can be made available. They do not need legislation to do that.

"A streamlined process for quicker turnaround and file closures": I see nothing in this bill that does anything of the sort. I don't even know what that one means. I'm sorry.

"Dedicated resources to investigate alleged violations and prosecute where warranted": Incidentally, they're going to prosecute the Employment Standards Act, from what I read in the bill. I thought that's what they were doing already. If the Minister of Labour believes he's not doing a sufficient job in doing that, he should get on with doing it. You don't need a piece of legislation to say: "I know what my job is, but I think I'll just have a piece of legislation so the Legislature can tell me again what my job is and then I'll see if I can do it."

This is just what I'm reading from the ministry news release: "'The law as written contains the enforcement tools; they just need to be used,' said Bentley. 'Last year,

there were more than 15,000 claims against employers and only one prosecution was started. Starting today, enforcement is back in style.'"

I commend the minister for the comment, but the legislation he's talking about here is not the legislation that he introduced but the legislation as it presently exists. From that, I guess I have to assume that the minister believes the present legislation is sufficient to do the job; it just needs enforcement.

One area in the bill that I find very interesting is the business of—for whatever reason, the minister believes that if the employer hires three more people and does a lot more book work, they can then send all this information to the minister, and that will give the ministry the opportunity to check back on it for enforcement purposes. It would seem to me, if we have the enforcement capabilities, as he suggests in some of the other background information, we can enforce the present agreements, remembering that all the people who have an agreement signed between the employee and employer have an agreement that can be checked by the ministry at any given time.

The minister made the comment that the employers were very happy with this bill because we were going to have on-line capabilities in order to send in our applications and get the information back expediently. The only reason that employers I've talked to think that's OK is that the option was dealing with the mail system, and that would take months to do. They said: "If we have to do it at all, then on-line is the way to do it." So it's not to suggest that the employers think this is a wonderful idea; they don't. But what they do agree with is that if we're going to do it, we need to do it in the most cost-effective manner possible, which of course is on-line.

Another thing I have is a fact sheet sent out by the good minister—sent out the same day, incidentally, upon the introduction of this legislation. It has some examples to interpret how the act will work.

Example 3: "Sami is starting to work for a company that would like him to work nine hours a day for six days, for a total of 54 hours per week. Sami agrees to provide his written agreement for these hours." We have a situation where Sami wants to work and the employer wants him to work, and they've both signed an agreement. It sounds like what they call a match made in heaven. It's working out for everyone.

Now, this is the study on it: "Sami's company applies to the Ministry of Labour and says their employee has agreed to work these hours," which of course is true. "The ministry reviews the application and discovers the company has a history of contravening the Employment Standards Act. The Ministry of Labour decides to deny the employer's application based on its history of non-compliance with the act."

Well, that's a great punishment for the company, but it does absolutely nothing for Sami. He wanted to work the overtime, and now he can't. It seems to me it would make more sense to have the Ministry of Labour inspectors go in there and enforce the Employment Standards

Act on the employer, as opposed to saying, “No, you keep doing business as you’re doing it. Just don’t allow your employees who want to to work more hours. That wouldn’t be good, because you’re already in contravention of the Employment Standards Act as it is and we wouldn’t want to give you other privileges.”

To me, that would just be counterproductive to the employee, as opposed to the employer. Again, I don’t think the act does what it’s intended to do.

Another thing that bothers me a bit is that the information for the applications must go to the Ministry of Labour. The act says that the power to approve can be delegated to anyone in the Ministry of Labour, and that the employer must make sure they keep all the information on record, all the agreements and even the application that was sent in, so that when the ministry comes to check they can check the employer’s information as opposed to the information that was sent in. I guess there’s some concern that once it gets to the Ministry of Labour, it’s going to get lost, so they want to make sure that there’s an archive somewhere to house this information. If we can’t be sure that the ministry is going to be able to salvage the information as it arrives, it seems somewhat redundant to me that they would see fit to ask the employer to present it.

As I said, the government is purporting that this act is going to end the 60-hour workweek. As everyone in the House and I think most people watching would know, when you have a statute such as this, the first part of the act is primarily definitions and gives the reader of the document some idea as to terminology in the legislation and so forth. This legislation is no different from that.

Subsection (8), on the first page, says, “An employer shall retain or arrange for some other person to retain copies of every agreement that the employer has made with an employee permitting the employee to work hours in excess of the limits set out in subsection 17(1) for three years after the last day on which work was performed under the agreement.”

That’s what I just spoke to earlier, that the employer must maintain records that deal with the situation.

It takes all the way to page 3 before we get to the point where it says a 60-hour workweek is still legal. It comes in clause 17(4)(i):

“the employee’s hours of work in a workweek do not exceed any of,

“(i) the number of hours specified in the application,

“(ii) the number of hours specified in the agreement, and

“(iii) 60 hours.”

So in fact, by the time we get to page 3, we’ve reached the exact same point that we were at in the previous legislation. So what this amends is only more paperwork, more bookwork, between the employer and the Ministry of Labour.

#### 2010

I heard a lot of discussion across the aisle that a lot of people don’t know their rights and that they’re being coerced into working more than their 48 hours a week,

that they don’t know they can say no. The problem I have with that is that I see absolutely nothing in this legislation that changes the relationship between the employee and the employer prior to the employer asking for the ministry’s approval. The employer would ask the employee if they’re willing to work the 60 hours, and “If you are, sign on this line here.” Then that piece of paper would go in the application going to the ministry. The ministry would then, at that point, decide whether on that information they would grant the approval to allow the 60-hour workweek. I didn’t hear anything suggesting they had a plan that would change that process. If the individual did not understand it under the present structure, I see nothing in here that changes why they would understand it under this bill. Again, I see absolutely no benefit to that.

When we look at the purpose of the bill, what it really comes down to, as was mentioned by almost every speaker from the government side, is, “It is the government keeping a promise.” I suggest that it is the government bringing in a bill in an attempt to keep a promise that, if it were kept, would be very detrimental to our economy. They promised to get rid of the 60-hour workweek, and there are a lot of people, large industries and small, that would have great problems with not being allowed in any way to make arrangements with their employees to work beyond the allowable 48-hour workweek. Rather than blatantly do nothing and say, “We couldn’t keep our promise,” they’re bringing in legislation that doesn’t keep the promise but does give the opportunity to stand up and say, “We’re going to change the wording. We’re not going to get rid of the 60-hour workweek; we’re going to change the legislation that allows employers and employees to negotiate up to a 60-hour workweek.”

A lot of my constituents like the flexibility of being able to bunch the hours in longer weeks and then have longer continuous periods of time off. I commend the government for bringing in legislation that doesn’t stop that from happening. I hope that as these applications go to the ministry, the ministry would approve them, where an individual says, “Yes, I don’t mind working three 60-hour workweeks and then have two weeks where I don’t have to work at all. My personal lifestyle is centred around that, because my spouse or significant other works a similar situation and we can then have more time off together. I think that’s a wonderful idea.”

The minister spoke about the following: If the employee agrees in writing with the employer, they would apply for permission, and if in 30 days they had heard nothing back, they could then implement it; then, if 60 days later they heard that permission was not forthcoming, they could quit doing it. This seems like an appropriate way of dealing with it, because when this legislation comes into effect on January 1, 2005, when all the applications for these extensions come in, I think we’re going to see a lot that don’t have a reply within 30 days. In fact, with the experiences we’ve had with birth certificates and so forth in recent times—I’m sure, Mr Speaker, you’ve had your problems in your constituency office—the wait gets to be quite lengthy.

As this new program is set up, I'm sure the minister will make every effort to be expedient, but I don't think it's unreasonable to assume that we're not going to fall within the 30 days to reply to each of them. I think he said it was 15,000 where they were found lacking in the past year, with only one prosecution. If 15,000 are lacking, an awful lot of people must have these types of arrangements that are working very well too.

Incidentally, the legislation does point out that each and every one of those from October to December must get ministry permission to continue doing it in January 2005. I question whether the minister has the wherewithal in the ministry at present to look after that many applications coming through in that short a time.

There really is no way of dealing with the short-term need to do this. In my part of the country, we harvest tobacco, as was mentioned by the member for Haldimand-Norfolk-Brant. If we need agreement for that, if we haven't got it within 30 days—in fact, I suppose the tobacco growers would hope they wouldn't get it in 30 days, because in 45 days it would be over and it really wouldn't matter whether it was approved or not. I'm not sure the timing works out in all cases, because they're not all going to be applying forever. A lot of them could be applying for a short time. I don't think they've dealt with that very well.

In another part of the bill—there aren't great changes, so I just want to touch on it lightly—is the averaging of overtime. That deals with people wanting to work more hours in one day and then having more days where they don't have to go to the job at all and can stay home with their children or do other things they like to do. But if they aren't allowed to average that overtime in an appropriate manner, employers cannot afford to make that arrangement to help them out with their personal lives. If they work 12 hours for three days and the employer has to pay four hours' overtime for each of those days, if they don't have the provision for overtime averaging, the employer would not be receptive to doing that. He could not ask them to work the 12 hours and not pay the overtime. It's very important that it's worked out properly so they can properly average the overtime, that by agreement between the employee and the employer to benefit both parties, they can arrange to work flexible hours and average it to a 40-hour week so we won't have people not being able to do that.

**The Acting Speaker:** Questions and comments?

**Mr Peter Kormos (Niagara Centre):** First, I want to thank any audience we still have who are watching and listening to us at 8:15 this Wednesday night. You are an incredible, committed group of people. Maybe the batteries are simply dead on the clicker and they're not inclined to get up and turn it. Or, heck, with the new television sets, you don't even know how to change the channel on the set because you're so clicker-dependent. Soon, at 8:30, we're going to start competing with prime time. Quite frankly, prime time isn't what it used to be, with the reality shows and what have you. This is reality. Really, this is like *Survivor*. It's a matter of who's first, second, third and fourth off the island. It is.

I'm going to be speaking to the bill for our one-hour leadoff in around 10 minutes' time. There are some serious problems with the legislation. I am going to consider them and ask the government to consider them and, quite frankly, ask the government to question whether this bill, in its present form, should even proceed to a second reading vote or whether it should go to committee so that some of those fundamental flaws can be addressed.

Far be it from me to doubt the sincerity of the minister, but the bill doesn't do what the minister claims it does. I don't think the minister is naïve, but I suspect his enthusiasm to get a bill before the chamber may have resulted in some draftsmanship that will leave working women and men out in the cold at the end of the day.

**2020**

So, folks, give us 10 more minutes. I'll have my chance to address this bill. That will be the balance of the evening here at Queen's Park. I'm going to speak to the bill and a few other matters related to the bill.

**Mr Lou Rinaldi (Northumberland):** The intent of my two minutes is to comment on my friend from Oxford. I think he got lost somewhere along the way with the details—so complicated.

I think we forget the whole reason that our minister put this bill forward. I believe—I know—that the bill is to better our society, not only the employees but the employers. I think we're here to give some guidance to the workforce and to set some rules. For example, we have speeds on our highways. I know we all obey those speeds, but we need some guidance, whether it's 100 kilometres or 80 kilometres. I think that's what this bill reflects: to give some guidance to both the employee and employer.

On a personal note regarding the importance of having some regulations for our workforce: My father was an immigrant to this country. When he came 40-odd years ago, he worked in construction, like most other immigrants who built this province of ours. He worked 40, 45, 50 hours a week because he wanted to care for his family. I don't think for a minute that the employer took advantage. There just weren't any rules, and we need to control that.

The intent of this bill is to protect the employee, of course, but it's also to give some guidance to the employer that somebody is watching. I'm sure the majority of employers abide by the rules, but we have to have some rules in place. We just cannot have a free-for-all. As we heard, this is not new. Other governments in the past had it. Unfortunately, the last government in the last eight years felt that it wasn't worth it, but that's not what we're hearing. That's not what I hear on the street.

I'm going to support this bill wholeheartedly. It makes a lot of sense. We need to move forward.

**Mr Barrett:** The member for Oxford has pointed out that employers aren't particularly enthralled with the Employment Standards Act and the attendant bureaucratic burden. However, in one small way, the use of electronic communication is felt to at least help out a bit with

compliance and enable them to make the best of what's coming from a new government here, try and, I guess, get through the next three and a half years. They now know they have a target of October 4, 2007, if they can last that long.

I guess the fact remains, and has been pointed out, that people can still be working 60 hours a week. It's still legal, in contrast to some of the conventional wisdom that is being attempted to be communicated or massaged by this government in support of this legislation. However, as was pointed out, the relationship between the employee and his or her employer really hasn't changed. The question remains—and I haven't heard the answer across the way—what has changed? As the member for Oxford points out: not much, certainly not hours worked. No change in hours, and this in spite of a Liberal election promise to get rid of the 60-hour workweek. This is what I was hearing in my neck of the woods during the past election. We detect a continued trend here, a trend of not only broken election promises; we're seeing a trend now, believe it or not, of broken post-election promises. I sincerely hope this legislation isn't contributing to that trend.

**The Acting Speaker:** One last question and comment?

**Mr Bisson:** In a few minutes my good friend Mr Kormos from Niagara Centre will have an opportunity to speak on this bill.

**Interjection:** No.

**Mr Bisson:** Yes. He's going to speak on it, and I'm sure everybody is going to tune in and watch.

But I have to point something out. The bill itself, as you take a look at it—now, I have to admit I've only had a quick look through the bill and I haven't read it in detail as I normally read other bills; I haven't had a chance to get around to it—from what I've seen of the bill and the briefing notes we've received on it so far, the bill basically does nothing different than the previous bill. That was the whole point of the speech by my good friend from Oxford.

If you take a look at the bill, it's a little bit semantics. Some people say to-may-to; other people say to-mah-to. That's about what it amounts to in this bill. At the end of the day, we still have a longer workweek that is possible by way of this bill compared to what it was when the Liberals first came to office or when the Tories first came to office. So I fail to see how this is a progressive bill for working-class people; I really do.

Quite frankly, Ontario has looked at this issue backwards. If we look at European economies, their approach has been quite different. They've been saying, "How are we able to figure out ways to reduce the workweek, not increase it?"

If you take a look at the European economy, it's doing better than North America. Just compare what's happening in the economy of Europe when it comes to the value of the euro to the American dollar and the Canadian dollar. They're doing far better. But they have progressive labour legislation; five weeks' holiday in the

first year of service in France, Germany and other countries. They have shorter workweeks. They have a whole bunch more benefits, a much more participatory approach when it comes to labour and management. There's more co-operation between the parties because the state makes sure that happens. I'm just saying, this legislation doesn't go anywhere in that direction. If anything, it takes us in the direction of the United States and Mexico, and that's certainly not the direction I want to go. I want to see a progressive North America when it comes to labour legislation. This certainly doesn't do that.

**The Acting Speaker:** The member for Oxford has two minutes to reply.

**Mr Hardeman:** I want to thank the members for Niagara Centre, Northumberland, Haldimand-Norfolk-Brant and Timmins-James Bay for their fine comments. As was mentioned by the member for Timmins-James Bay, what it comes down to is this legislation does not change the ability to work a 60-hour week in Ontario.

The minister mentioned that the old system was too cumbersome. Let me tell you that this new bill does nothing to alleviate the paperwork and the redundancy that existed in the old one. This one just puts that all back to the Employment Standards Act of 2000, and I believe that's wrong.

The main thrust of the government members as they spoke to the bill was, "It was a promise that we made in the election campaign, and we are keeping the promise." Nothing could be further from the truth. There is absolutely nothing in this bill that deals with the government keeping their promise. Their promise was to eliminate the 60-hour workweek. This bill does not do it, and I think this is just right out: "We are not going to keep the promise to get rid of the 60-hour workweek. I think we can chalk it up on the loss side again. We didn't tell the truth about getting rid of the 60-hour workweek to the people—to get elected. We are not going to do it now, because we know it would be bad for our economy."

I want to thank all the people who participated, and thank you for providing me with the opportunity.

**The Acting Speaker:** Further debate? The member for Niagara Centre.

**Mr Kormos:** Thank you kindly, Speaker. I appreciate the chance to do the leadoff on behalf of the NDP. I want to commend you, first of all. You've been sitting in that chair since 6:45. I may have been distracted for a minute or two, but I haven't seen you take a single break. I've been in and out of this chamber. You've been drinking water as if it's going out of style. I want folks to know that you've earned every penny of the Deputy Speaker's stipend. Furthermore, as Speaker, you've listened to everything that everybody has said since 6:45 pm.

I'm going to speak to the bill. Oh, I wanted to get a couple of things out of the way first. I want to alert this chamber to the fact that the Deputy Clerk, Ms Deller, served upon me earlier today a notice of motion that has been tabled by this Liberal government; that is, the notice of a time allocation motion to cut off debate, preclude

effective committee hearings and all but eliminate third reading debate for Bill 83. I find that disturbing and shocking.

**2030**

I've been here long enough to see the escalation of the utilization of these statutory time allocation motions. I sat here and worked in this chamber when Liberals were sitting there and when they joined New Democrats in expressions of outrage and disgust at the previous government's utilization of time allocation.

I want to explain to you briefly, Mr Speaker, because you're younger than most folks here. There was a time when there were no limits on speeches in this chamber, well within the lifetime of many of the staff working for this assembly. During that time, there were similarly no provisions for a statutory time allocation; that is to say, time allocation pursuant to the standing orders. What would happen is that debates would take place, and there would be, from time to time, what I call a common-law closure motion, inevitably by members of the government once there had been, in their view, thorough debate.

A Speaker would determine whether or not that motion was in order, and if the Speaker determined that the motion was in order, and from time to time the Speaker determined that it wasn't in order, that there hadn't been sufficient debate to warrant a common-law closure motion, then the Speaker, if he determined it was in order, would put it to a vote. Inevitably there would be a vote and debate would end.

That was before there were limits of one hour on lead-offs. That was before there were 20-hour limits on back-bench participation in debate. That was before—

**Ms Judy Marsales (Hamilton West):** On a point of order, Mr Speaker: As the member across is not speaking to the bill that's before this House for debate, could we bring him back?

**The Acting Speaker:** We are debating Bill 63. I would ask the member for Niagara Centre how these comments are relating to Bill 63.

**Mr Kormos:** I'm putting Bill 63 in context. It's important to lay the groundwork.

I also want the House to know that I've been advised that Deputy Clerk Deller, whom I spoke of just a few minutes ago, is celebrating this year her 25th year of service to this Legislative Assembly.

Do you understand what that means? Norm Sterling and Jim Bradley were baby-faced, neophyte members when Ms Deller started working here. Ms Deller knew the two most senior members of this assembly when they were but wet behind the ears. Ms Deller had to guide those two now most senior members, both with 27 years' service, through the most fundamental—page after page—of standing orders. Mind you, the standing orders were far more transparent when Ms Deller commenced her career here; in fact, there was far more utilization of precedent of the common-law practice of convention.

Congratulations to Ms Deller. I trust that the government House leader will be engaging, at some appropriate point, in a more formal acknowledgement and recog-

nition of Ms Deller's service and perhaps recognizing it with the appropriate gifts—a watch, something in the Rolex lineup, perhaps writing instruments. There's a Mont Blanc shop up on Bloor Street at the end of Avenue Road. There are any number of things that would be totally appropriate.

A time allocation motion—it is reprehensible that a budget bill as contentious as Bill 83 is, flowing from a budget that is as contentious as this budget was, a budget that has reduced Mr McGuinty to poll support of but 9%—and when you think about it, if there's one of those 4% to 5% margins of error, where does that put him? Heck, if he drops down to 5% and there's a 4% to 5% margin of error, he could be on negative turf, negative ground. I told you the other night about those outlaw bikers with "1%" tattooed on their shoulders; I'm going to see Liberals showing up with "9%" tattooed on their biceps perhaps. They'll be part of that exclusive club of 9%ers.

I think it's beyond disappointing to see a time allocation motion before even one year has passed in this government's tenure here at Queen's Park. Make note, and I warn people, that there will be virtually no committee hearings. There will be but a total of four hours allowed for public submissions, and some of that time will inevitably be occupied by introductory submissions by the minister and/or his political flacks or by bureaucrats from the ministry. There will be a time allocation, of course, on the committee so that all amendments will be deemed to have been read. And then, when the bill comes back to the House, there will be but, oh, not even enough for one complete rotation of third reading debate, and then the vote shall be put. That is reprehensible. That is an incredible offence to the people of this province and to the members of this Legislature.

I want to talk about Bill 63. But just to get to where I'm going, I read the June 9 Windsor Star, today's Windsor Star, and saw the comments made by MP Susan Whelan, who of course comes from some significant political and Liberal pedigree. Ms Whelan says, "I've never made the kind of promise that Dalton McGuinty did.... He owes the people of Ontario an apology for what he did." Ms Susan Whelan, Liberal MP and candidate, telling his folks, telling the people of Ontario, telling the people of Canada that Dalton McGuinty should apologize for what he did.

Well, I say Dalton McGuinty should apologize for bringing in time allocation motions as well, now that he's being called upon to apologize. He has got a lot to apologize for. The regrets and the apologia would occupy a big chunk of time in this House and in this chamber.

Quite frankly, if you're going to have apologies, I'd say to the minister that there should be some apologizing for Bill 63, because Bill 63 promises to do something that it doesn't really quite do, and workers are going to find themselves sorely disappointed. I was here, along with more than a few other folks, when a former Minister of Labour, one who, as I understand it, still owes the taxpayers some \$7,000 that he promised to pay back after ripping them off on a junket in Europe—

*Interjection.*

**Mr Kormos:** Well, it was the tour of the world's capitals on the taxpayers' tab. He did. Seven grand was only a piece of the action; that was chump change, a couple of days of limo service. But he promised to pay it back. We still haven't seen that money paid back. As I recall, it was around seven grand. Am I wrong, Mr Duncan? Anyway, it was the former Minister of Labour who ripped off the taxpayers.

Look, when you think about it—talk about chump change; Stockwell and the public purse—you've got this guy Guité, who's presumed innocent until proven guilty, and he's only charged with \$2 million of the \$250 million, according to Ms Fraser. There's still \$248 million to account for and there are still a whole lot of charges to be laid. And then you've got Conrad Black stealing left and right from Hollinger, with Babs Amiel like a wheelbarrow behind him, throwing the goodies in. I'm still ticked off at John Roth from Nortel, because I figure he did a number on that company.

I just have this fantasy about some of those federal guys with the Adscam being charged and getting convicted if they're guilty, and then John Roth and maybe Conrad Black all sharing a cell. They could all take turns wearing the tube top and the miniskirt. Think of it. Conrad Black would be going for something far classier than that, though, I'm sure. But those guys should be bona fide cellmates.

**The Acting Speaker:** Would the member for Niagara Centre please consider some of his comments before he makes them.

2040

**Mr Kormos:** Speaker, I appreciate your direction, but thieves belong in jail, you surely agree with me. Quite frankly, thieves deserve to undergo all the indignities that jail has attached to it. Conrad Black has proven himself a thief. Babs is, as I say, with the wheelbarrow behind him picking up the loot. John Roth has certainly ripped off more than a few shareholders of Nortel and stolen jobs from thousands of Nortel workers.

Again, on the Adscam, as I say, we haven't had any convictions yet and everybody is presumed innocent until proven guilty, right? But I'm eager to see the lineup as they do the Millhaven shuffle, waiting for their prison garb and their cell assignments. It will be a sight to be observed. It will be something for the news reportage of the day, won't it?

Look, Bill 63 is going to disappoint a whole lot of workers. Talking about disappointment, let me tell you about a letter I got from one Mr Wilson. Mr Wilson lives down Stoney Creek way and he wrote me a letter. May 25 is the date of the letter. It's interesting, because he writes to me and first of all he indicates, "As a senior who has been driving for over 60 years and had only one violation, I would like the register a complaint about the recent car insurance rates." I phoned up Mr Wilson and said, "What about the violation?" Clearly, Mr Wilson is disappointed about the government's commitment and promise to reduce rates by 10% to 20%. I said, "The

violation may well be responsible." He said, "No, that happened 45 years ago, when I was a young man." So I said, "Well, Mr Wilson, don't really concern yourself with the violation then. Don't get fixated on it. Trust me, the record of that Highway Traffic Act violation 45 years ago"—look at how integrous the guy is. He surely couldn't be Premier with that kind of integrity or those kinds of standards.

Here's a guy who is 80 years of age, as he told me, and he indicates that he'd been wooed over to one of these grey power type of insurance companies. In fact, it was a brokerage that specializes in seniors, a company called Allianz. He got a renewal policy this month—May, when he wrote this to me—a \$700-plus increase in his insurance premium, over 40%. He couldn't understand, for the life of himself, how that jibed with the government's promise—you've got a point of order over here, Speaker.

**Ms Monique M. Smith (Nipissing):** On a point of order, Mr Speaker: The member for Welland-Thorold has been speaking for 15 minutes now and he has mentioned Bill 63 twice, in passing at best. Perhaps we could speak to the bill that's being debated tonight?

**The Acting Speaker:** I have certainly been listening, and I would again suggest to the member for Niagara Centre that he needs to bring his comments back to Bill 63.

**Mr Kormos:** Thank you kindly, Speaker. I appreciate your guidance. I appreciate your direction. I appreciate your counsel. I appreciate your advice. As a matter of fact, it was interesting to see Mr Edighoffer up in the Speaker's gallery today. Mr Edighoffer was the first Speaker whom I served under here. I was telling Mr Wilkinson that I was pleased, because of course Mr Edighoffer was his predecessor. It was interesting, because it was only today that I made the connection between Hugh Edighoffer and Bert Johnson, who was a Speaker as well, an incredibly colourful one and, I want to tell you, one whom I miss. I really do. I miss Bert Johnson. I miss his unique style in the chair. I miss his wit. I miss his sense of humour.

Anyway, I was telling Mr Wilkinson, upon seeing Mr Edighoffer here—just let me digress for a minute, because somebody brought up about the Speaker. How it started was that I was acknowledging your authority, was submitting myself to your authority. I wanted to tell you that the first Speaker I was able to work under was Hugh Edighoffer, who was an incredibly disciplined person and an incredibly disciplined Speaker, but who permitted great flexibility. You see, he was disciplined but he wasn't a mindless authoritarian. This is a human place, and while the rules are there, the rules have to be interpreted in such a way as not to inhibit one's views.

Look, I appreciate that my style may appear cumbersome to some folks—I appreciate that—but if you're a contextual person, you're a contextual person. Some people are sort of linear thinkers—I think that's what they say in those books that they write about stuff like that—and other people have to build up the context.

What I'm trying to do, Speaker—and I appreciate that I may not be doing it as well as others could. I look forward to the chance, once my hour is over, to take my seat and hear others who are better than I am do it better than I do. I'm looking forward to that. What I'm trying to do is put Bill 63 in a context of disappointment, in a context of frustration, in a context of just a sense of disbelief around the fact that, can you believe anything these folks promise any more? Because they've broken so many promises.

We used to go after the Tories big time. We used to go after them around the titles of their bills. Remember that? The Tory bill titles would be very creative and oxymoronic from time to time. Now, the titles aren't what is oxymoronic about these bills; it's the substance. It's one thing to have a title that takes a little shot, but it's the substance. I was reading Speaker Jerome's memoirs, from up Sudbury way. I'm reading from the book. It's Speaker Jerome's book, published in 1985 by McClelland and Stewart here in Toronto. I'm reading directly from the book, and I put this to you: "I know you would find it to be a very grave question of privilege were I to describe my Liberal opposition as sewer rats, but I can't help wondering, if we were a Parliament of sewer rats, would it be a question of privilege to call one of them a Liberal?"

Please don't shoot the messenger. It's a direct quote from Speaker Jerome, who is an acknowledged authority on parliamentary procedure. I'm reading this book, and all of a sudden I stumble across a phrase that refers in such an unparliamentary way to Liberals as sewer rats. Please. I was shocked. How did this book get in our library? It comes from the Queen's Park library. I suspect it was maybe installed there while the Tories were in power, except the date of publication, surprisingly, goes back to 1985, the election of the first, well, sort of Liberal government, 1985-87.

Anyway, Speaker Jerome indicates that the rules are there, that the role of the Speaker is to know the rules—and you do; I commend you—but then to ensure that people still and nonetheless have their say in this Parliament.

I want to talk about Bill 63 in the context of the disappointment of Ontarians around this government. That's fair, isn't it? You may not agree with me; I understand that. You may not agree, but I surely am entitled to speak about Bill 63 in the context of a litany of Liberal—oops—promises that were broken. I almost got on one of those rolls of onomatopoeia almost: a litany of Liberal—it's easy to fall into that.

**2050**

Did you see the pamphlet that I saw? There's an entrepreneur selling T-shirts, and it's a mock-up of the Disney musical *The Lion King*. It was in town for quite a while. There's a fellow selling T-shirts of "The Lying King." You can telephone him at 905-840-5283. You can get a T-shirt in any number of sizes. The *Lion King* was Disney, wasn't it?

**Interjection:** Yes.

**Mr Kormos:** Yes, a Disney musical. Then, of course, there's a portrait of a high-profile political personality whose brother is running federally in an Ottawa riding on the front of the T-shirt.

**Interjection:** Tim Peterson's here. He got elected.

**Mr Kormos:** Federally.

I thought the guy was clever. Here's an entrepreneurial kind of guy—I have no qualms about entrepreneurial kinds of guys—who's selling these Lying King T-shirts—Lion King, I'm sorry—in all sizes. They're only \$13, plus GST and PST, for \$14.95. That's cheap. I didn't see the T-shirt. It's funny, it's clever, it's witty. His telephone number is 905-840-5283.

The reason I wanted to talk about that is the frustration of folks out there in the province around the broken promises. The minister comes here into this chamber tonight, and oh, boy, he's going to have second reading of Bill 63. He shared his lead-off with what seemed like a million other members, except we know there aren't that many Liberal members, even in this majority government. He purported to tell us that this bill was going to overturn what the Conservatives had done with their implementation of the 60-hour workweek.

People don't believe this government when they say it's going to overturn that 60-hour workweek. That's why I mention Mr Wilson. I'm going to wrap up with Mr Wilson and then move on to more of the guts, the viscera of Bill 63, OK? Mr Wilson writes:

"Re: car insurance rates

"As a senior who has been driving for over 60 years and had only one violation"—mind you, 45 years ago; Mr Wilson, please, they don't even have a record of that—"I would like to register a complaint about the recent car insurance rates.

"I was wooed away from my original insurance company by a well-known subsidiary in this area by offering lower rates.

"This month I received my renewal policy, which has increased well over \$700."

"How can they justify an increase of 40%? Do they want to rid the road and highways of the elderly? Driving is just about all that is left for us seniors. My wife does not drive, so I am the sole driver in the household, which means several trips to doctors, optometrists, specialists, groceries etc, etc.

"They should remember it is the 'old' that is making the insurance companies rich. We built the roads and highways that the cars of today are running on.

"Hoping you and your party can reduce these horrendous ... rates!

"Hoping to hear from you in the very near future!

"Sincerely,

"Robert Wilson."

So I called him and, as I say, and got the details. His record has been impeccable for decades. Nothing has intervened—

**Ms Smith:** On a point of order, Mr Speaker: It's becoming perfectly clear to everyone in this House this evening that our esteemed colleague from Welland-

Thorold is not prepared to debate Bill 63, which is before the House, as he has now spent 25 minutes, and counting, on context. Perhaps we'd like to get to the bill, Mr Speaker.

**The Acting Speaker:** I have allowed the member from Niagara Centre some degree of latitude in terms of his remarks, but I would ask him for a third time to bring his remarks back to Bill 63.

**Mr Kormos:** I appreciate that intervention. I take heart, because I know that at least the member is listening carefully to what I'm saying. She's not entirely inaccurate to point out that I, perhaps, have taken a little more time, but I've got a little more time than most, don't I? I've got an hour. God bless the folks in Hamilton. God bless the people in Hamilton East. I've got an hour. I don't have to deal with just 20 minutes, so you see, I can do the buildup. Other people can't. I get that extra time. So I'm building up to where I'm going.

Having read that Jerome memoir—and there are some other great Speakers—there's Mr Lamoureux, of course, whom I know you're familiar with, because we've cited him or referred to his rulings many times—and some great Speakers here in this chamber. I remember some very lengthy speeches I gave here in this assembly under the supervision of Mr Hugh Edighoffer, who was incredibly patient and who recognized the right, notwithstanding the frustration felt by other members of the House. I've got the floor. By George, I'm going to use it.

The government had better be very careful before it somehow suggests that they are eliminating the 60-hour workweek. You see, I'm at the 32-minute point, and now I figure the time is just right to get into the innards of Bill 63, if only for a moment, because I may find something there that takes me off somewhere else, but it doesn't mean that it's going to be unrelated.

Understand very clearly that this bill, this Liberal government's bill, this McGuinty Liberal Bill 63, reinforces the 13-hour workday with no permit or application to the Minister of Labour. Shocking, isn't it? This bill permits the 13-hour workday with no need for an application, never mind a certificate of approval, in the year 2004.

I was talking to some other folks here about that book *The Jungle*. Do you remember *The Jungle*, by Upton Sinclair? I think it was published back around 1906, about the meatpacking district in Chicago, about Lithuanian and other eastern European immigrants. I've read it several times. I read it most recently a few years ago and would recommend it to everybody in this chamber, especially as we talk about workers in this province, because as shocking as that book was—it prompted Congressional and Senate inquiries into work conditions and caused uproar in the whole meatpacking industry, especially insofar as it was a major exposé of inappropriate practices around health and safety, not just of the workers but of the consumer who was purchasing that meat.

Of course, all the meatpacking has moved southward, out of Chicago. Chicago does relatively little now. If you read the book *Fast Food Nation*, you'll read about that.

That's about the impact of the big fast-food operators. McDonald's among others—because they're the big consumers of beef and chicken, right?—have shifted the whole production down into low-wage states, away from Illinois, away from Chicago.

Sinclair wrote about some incredibly atrocious conditions. He wrote about incredibly long workdays. He wrote about incredibly long workweeks.

**Mrs Carol Mitchell (Huron-Bruce):** Do you want me to get you water, Peter?

**Mr Kormos:** No, I've got another glass right here. I'm fine.

Upton Sinclair wrote about shockingly incredible and atrocious conditions.

Reference has been made during the course of the talk around Bill 63 to high-wage industrial workers and unionized workers. I've got to be very candid with you. Unionized workers are the clear minority of workers in this province and in this country. Quite frankly, unionized workers, by and large—I want to qualify it—have no need for an Employment Standards Act, and these are amendments to the Employment Standards Act. The Employment Standards Act creates minimum standards for workers who don't have the clout of unionized workers, who don't have membership in a trade union, who don't have the power of bargaining hours, workweeks, vacations and so on. So the vast majority of workers don't have contracts to rely on that are negotiated under the Ontario Labour Relations Act. They are dependent entirely on the Employment Standards Act. This is it. This is as good as it gets for them.

So we have a Liberal government that endorses 13-hour workdays? Shocking. We have a Liberal government that continues, by its very own legislation, to permit 60-hour workweeks even when approval has not been granted, as long as an application has been made? And the whole concept of voluntary participation in this scheme? Please. It's just so downright dishonest.

## 2100

Let's understand where the coercion comes from. The coercion comes from economic need. The coercion comes from an increasingly lower-wage economy as this province loses its high-wage, value-added industrial jobs. Look, what are the core value-added industries in the province of Ontario, in the industrial arena? Auto, ship, aerospace and steel, and all interrelated. I'm talking about manufacturing. We have pulp and paper production as well, and the rest are primary harvestings.

We've had a betrayal of workers in those four sectors by provincial and federal governments—the federal Liberal government with its failure to implement a clear national steel policy, even when the Americans invited Canada to do so in response to the dumping of steel into Canada and the United States by foreign steel manufacturers. The United States implemented tough tariffs which, quite frankly, were a compromise, as you well know, between Leo Gerard and the steelworkers and the UAW, because of the conflicting interests there. The auto industry wants lower-priced steel. Right? The steel indus-

try wants to maintain, which means the auto industry likes the competition from dumped steel sources, but the steelworkers want to see the North American steel industry sustained and want to resist all dumped steel.

So what has happened, because the Ottawa Liberals in Canada wouldn't follow suit with the Americans, and the Americans made it very clear that they would not be applying those tariffs to Canadian-manufactured steel? We've got a free trade agreement. But did Ottawa implement tariffs? No. So Canada now has become the backdoor entry point into the United States of dumped steel. By Canada's failure to develop a national steel policy, we have, in fact, aggravated the problem for Canadian steel manufacturers, and the proof is there. You don't have to travel very far from Toronto to see the proof—and a struggling steel industry throughout the rest of Ontario as well.

Look at what happens: When you have steel struggling, you've got pipe-making struggling. We have an auto industry where the Japanese manufacturers are now becoming, from month to month, depending upon the time of the year, part of the big three. We stand a strong risk of seeing one of the big three North American car manufacturers displaced in terms of auto sales by the Japanese.

It rots my socks every time I go out in the parking lot here at Queen's Park, knowing that everybody in this building is paid for on the public purse one way or another, either as a staff worker here or as an elected worker, and I see Japanese products or German products out there in the parking lot. It rots my socks that people are living off the public payroll and yet not supporting jobs for North Americans, for Canadians and their American sisters and brothers. It drives me crazy. Then people huff and puff about, "Oh, we need jobs for people in our constituencies." Well, then, try supporting those jobs and investing in them.

We've got an auto industry at risk here in North America. We've got an aerospace industry that's on the ropes. Howard Hampton and I have written to the Premier, asking the Premier of this province to participate in the same sort of role that the government of Quebec is with respect to the Quebec aerospace industry, by way of providing loan guarantees for purchasers of made-in-Ontario aerospace products, made-in-Ontario planes, among other things.

In fact, in the province of Quebec, because the Quebec government charges a commission, a fee, for acting as a guarantor, the government actually makes as small profit from doing this role, and it has proven itself to be a substantial and significant provoker of aerospace jobs.

Shipbuilding: I come from down in Niagara region, where Port Weller, one of the world's, and certainly one of Canada's, great and historic shipbuilding yards, is lying dormant, again, no thanks to Paul Martin, who won't even register his ships in Canada, never mind build them here.

We've got some real problems. We have seen, over the course of the last eight years, free trade and globalization do exactly what the opponents of free trade and

globalization predicted they would do. We've seen the loss of good, value-added manufacturing jobs. We've seen an attack on the high-wage economy. We've seen a proliferation of low-wage jobs. We see a government that abandons minimum-wage workers by granting them a crummy 35 cents an hour after they've waited seven, eight or nine years and lost over 20% of their purchasing power. Thirty-five cents doesn't even begin to bring them up to par.

Why do people work hours in excess of 40-hour workweeks? Because they have to, because economically they have to and because we don't have a government here that's interested—I was going to say "any more," but it never was—in maintaining a high-wage economy. How short-sighted. Because we have as federal fiscal policy the maintenance of high levels of unemployment, (1) unemployment is seen by the banks, amongst others, and by the owners of capital, the big owners of capital, as an effective hedge against inflation, and (2) high levels of unemployment are seen as a way of keeping the wage rate down, because when you have a huge pool of workers competing for scarce jobs, you then have the sort of competition that keeps wage rates down, which ties directly into the inflation rate.

You talk to—I have never talked to Mr Greenspan down in the United States, but you see Mr Greenspan reporting to the American government. When there are shifts in unemployment levels, that gets Mr Greenspan's attention real fast. When employment rises—that is to say, unemployment drops—Mr Greenspan panics, because he sees that as having an inflationary impact with the risk of driving wages up. He sees that as a negative thing. When employment levels increase, we see stock markets become depressed. Stock values drop. Investors panic when they see people getting jobs, because that eliminates this pool of unemployed workers who will compete with each other for lower and lower wages. Similarly, it would have a real impact on the willingness of people to work hours in excess of 40-hour weeks. If there weren't these huge pools of unemployment, we would have wages rise to their appropriate level and we would have less need for employers to use workers in excess of a reasonable, or 40-hour, workweek.

Why do we not want workers to have to work 60- or 70-hour weeks? My concern is that the legislation, Bill 63, may not even cap it at 60 hours. If you read section 4 of the bill, which will be section 17 of the act, one very valid interpretation of it is that the only time there has to be a cap of 60 hours on a workweek is if it is one of those caps that you can require the worker to work up to without getting a de facto approval from the Ministry of Labour. In particular, take a look at clause 17(4)(i), where it's very clear that the only time 60 hours is going to be the ceiling is when you're calling upon a worker to work in excess of 48 hours and up to 60 without getting clear, specific approval; that is to say, a certificate or a licence from the Ministry of Labour.

**2110**

I want to speak to the notification of rights, and in particular section 1 of bill, which will amend or replace

section 2 of the Employment Standards Act. It is naïve for this government to somehow say that notice will be in English or, hopefully, French unless a majority of the workplace is of another language, and then information will be provided, or may be provided if it's available, in that other language. That's of no comfort to the worker who's in a minority in the workplace whose language is neither English nor French. What the government is saying to that worker is, "Your rights are irrelevant." The government is saying that it, the government, has no interest in the rights or welfare of that worker.

*Interjection.*

**Mr Kormos:** I heard somebody say, "Point of order," over here; Ms Smith said, "Point of order," but now she's leaving. It's like a hit and run. She goes, "Point of order," and then she skedaddles.

*Interjections.*

**Mr Kormos:** No; if you're going to do points of order, you've got to stick around and do them. You can't just go, "Point of order," and then skedaddle, right? I would think so.

We need notification of more than just workers' rights under this bill. I remember a now no longer member of the Legislature, a Minister of Labour, who promised me in this chamber that he would post notices of workers' rights to refuse unsafe work, to post them in clear, plain language, to ensure they were in as many languages as need be and that they were in a prominent place and in large letters. Promise kept? Not even in spirit, because it simply never happened.

As we reach the end—I've got only 15 minutes left to go—I'd be interested in seeing if the Minister of Labour is inclined to use two minutes of the time after that to commit himself to this bill going to committee. It seems to me the government should have a strong interest in this bill getting thorough consideration in committee. If the government is serious about the notice provisions, it seems to me they would be inclined and interested in having the public scrutinize those notice provisions.

If the government is serious about not reinforcing a 13-hour workday—because this is what the bill does; in the year 2004, we've got a government in the province of Ontario that says workers are still working 13 hours a day—it seems to me the government should be prepared to put this bill to committee and public scrutiny, if it is really serious about not in effect creating workweeks that are in excess of 60 hours, never mind eliminating 60 hours—in excess of 60 hours—because the government talks a big game about needing approval for a 60-hour workweek. Make it clear: The bill does not eliminate 60-hour workweeks, not by any stretch of the imagination. No matter how you look at it—upside down and right side up, inside out, from front to back, back to front—the bill doesn't eliminate 60-hour workweeks. End of story.

It doesn't even require certificates or approval from the ministry for 60-hour workweeks because it is sufficient that the employer make application and that there be this so-called agreement, this accord.

*Interjection.*

**Mr Kormos:** Sixty-hour workweeks. Read the bill. The bill doesn't eliminate 60-hour workweeks, nor does it require approvals for 60-hour workweeks.

If it really has that purpose as its intent, then it seems to me the bill should go out to committee, to public scrutiny. I'm not talking about the kind of committee process that is a mockery that has been imposed by this government with its time allocation of Bill 83. I'm not talking about that anti-democratic guillotining of debate, either in the House or in committee.

Obviously the House is going to recess at some point for summer; whether it's well into July or not remains to be seen. I'm going to be around, and I'm more than eager to sit on committee, listen to submissions and review amendments.

My concern is that this government's commitment to committee, if there is any, consists of the same level of commitment there is for Bill 83 in this incredibly undemocratic time allocation motion, a little tactic it borrowed from the nastiest of the Tories, a tactic the Liberals abhorred when it was utilized by the Tories. They squealed, they squawked, the Liberals did. They jumped up and down. They hollered. There were clenched fists. There was carrying on. There was bell-ringing. There was thumping of tables. There was all sorts of unparliamentary language being hurled across this centre corridor here at the Conservatives by the Liberals when the Conservatives used time allocation over and over again.

Well, be it the Stockholm syndrome, the Patty Hearst syndrome or something akin to it, here we see the Liberals adopting the most heinous, the most jackbootish of tactics utilized by the Tories: a time allocation motion on something as fundamental as a budget bill that is the most controversial budget—the Magna budget, contemptuous as it was, was not as ill-received as this McGuinty-Sorbara budget. The contemptuous budget at Magna was better received than your Sorbara-McGuinty budget here in the House.

It's one thing to terminate debate, for instance, on second reading. It's another to then send it to a committee that is a sham, a committee process that would make Stalin look like a piker, a committee process that is outright Soviet in its style. For people who talked about change and who dared—oh, we don't hear it too often any more—talk about democratic renewal, there's nothing democratic about shutting the public out. You can shut down debate in the Legislature, but shut the public out from those kinds of public hearing processes and you are taking on a far different beast than the opposition caucuses here at Queen's Park.

Maybe you've given up. Maybe Dalton McGuinty and the Liberals have just given up on the people of Ontario. At 9%, basically you're talking about your family members, right? At 9% you're talking about your family members and your in-laws. Maybe the government has just said, "No, forget the people of Ontario because we've already burned them big time, and boy, we have got them ticked off at us." So the government says,

“We’ll just steamroller on through.” Quite frankly, it can’t get any worse. The problem is, it’s not going to get any better.

2120

We see this sort of disdain for democracy. We see this disdain for Parliament. We see this disdain for the opposition. We see government backbenchers who have been eviscerated and eunuched such that they don’t have the wherewithal any more to perform their role of a check and balance on their executive—on their cabinet and on their Premier. You’ve got backbenchers who have been bought off with membership on so-called committees, who undoubtedly have been told, more than a few of them, that as long as they stay in line and continue to vote the right way, as long as they don’t follow the lead of Sue Whelan out Windsor-Essex way—you see, the interesting thing is that Ms Whelan has more experience in her little baby finger than most of the Liberal backbenchers do in terms of their whole political careers. I would ask these folks here to note that you’ve got Ms Whelan—she was born into politics; she lives, eats, breathes and sleeps it—saying: “I’ve never made the kind of promise that Dalton McGuinty did.... He owes the people of Ontario an apology for what he did.”

Well, we know what she’s talking about. Dalton McGuinty and the Liberals promised anything they had to, promised everything they could, to win an election and then proceeded to break those promises systematically, thoroughly, rigorously, in a very rigid and disciplined way. The question isn’t what promises are left to be broken; it’s a matter of when they will be.

You’ve got the now notorious Lorrie Goldstein list of 231. I understand that you can buy from the Toronto Sun a mural, a chart, a billboard of the 231 Lorrie Goldstein column promises, and you can, like a prisoner in the pen, like Conrad Black, if they ever send him away, marking off the days of his sentence—

*Interjection.*

**Mr Kormos:** —or John Roth. But Tubby Black gets special mention. And now that you’ve brought up Tubby Black, I’ve got to tell you, it appears very much that Babs Amiel is in there as thick as thieves with him.

The Minister of Labour agrees with my characterization of Tubby Black as nothing more than a common thief. So the Minister of Labour and I do agree on something. It’s fascinating: We thought we were worlds apart because we disagree about the real impact of your bill, but here the Minister of Labour, Mr Bentley, and I both agree that Tubby Black should go to jail and that Babs Amiel should perhaps do her term in the women’s prison as well.

*Interjection.*

**Mr Kormos:** Well, for what they’ve stolen from Hollinger and what they have stolen from Hollinger’s shareholders. That’s the sort of stuff that’s giving capitalism a bad name, as if there wasn’t a history already to give it a bad enough name.

I’m pleased to see that the Minister of Labour and I have some common ground. Maybe we can use that.

Maybe that’s a starting point. Maybe I can convince the Minister of Labour to eliminate not just the 60-hour workweek but the 48-hour workweek as well.

One of the solutions is to sync the maximum hours of work with the point at which overtime kicks in. When you have a disconnect of maximum—really, we’ve never had a 40-hour workweek in this province. My father was a steelworker down in Welland, and I was old enough as a kid in the 1950s to remember the fight and the successful victory for a five-day workweek. I remember full well Saturday being a regular workday for steelworkers and for a whole lot of other workers as well, and the fight, the struggle, for a five-day workweek, and all the hand-wringing and all the weeping and wailing once again: “Oh, we’re going to go to hell in a handbasket. People are going to get slothful and lazy and the economy will falter and collapse if those workers don’t keep their noses to the grindstone and continue to pull themselves up by their bootstraps and do those six-day workweeks.” Well, the five-day workweek of course didn’t bring the economy to a standstill. In fact, it created more prosperity.

One of the observations you’ve got to make, as has been mentioned, whether it was Popular Science you were referring to or even Life magazine, is that we should be building a society wherein all people who want to work have access to a job, rather than maintaining artificially high levels of unemployment to meet bizarre and Byzantine fiscal policies. We should be struggling to build a society where workers earn sufficient wages so they aren’t compelled by way of economic coercion to work in excess of 40 hours a week. We should be looking at ways of reducing the workweek. We should really be looking at the prospect and the impact of, oh, a 32-hour workweek and what that would mean in terms of ensuring that every worker had a role in the working economy. We should be encouraging workers to continue to struggle for a high-wage economy so they’ve got the resources to enable them to engage in leisure activities and make investments in those things, even as industries, as economic activators in themselves.

Aw, nuts. I find myself with but a minute and 36 seconds, Speaker. I find myself frustrated because I didn’t canvass those things I wanted to, and I fear I have not presented my case as thoroughly as I could have, had I had more time. I’ve got to ask the people who interrupted me and used some of my hour to accept some of that responsibility. They not only consumed some of my time, but they also distracted me. I found myself having to roll back the tape and start up again at a point where I had put a marker on the videotape or on the audiotape.

**Mr John Wilkinson (Perth-Middlesex):** On a point of order, Speaker: I’ve just been reviewing standing order 23(i), which says, “Imputes false or unavowed motives to another member.” I distinctly heard the member from Niagara Centre say about the Minister of Labour, a man of respect, that somehow he had some feeling with regard to Lord Black being in jail. I think that imputes a false motive, and I think it would be irresponsible for this House to allow a falsehood like that to stand tonight. The

Minister of Labour is a man of great respect, Mr Speaker, and I think we should have some type of ruling from you on that matter. If you don't, really, where is parliamentary tradition in this House if we don't do that? Again, I just want to let you know that it's section 23(i).

**The Acting Speaker:** I don't find that there is a point of order. I'll give the member from Niagara Centre a few seconds to conclude his remarks.

**Mr Kormos:** Thank you kindly, Speaker. I want to congratulate the member for finally getting to standing order 23. It has been seven months and he has finally

gotten to page 14. There's going to be enough time, I suspect, before the next election for him to read sufficient standing orders to have a complete and thorough understanding of them.

To the Minister of Labour: Perhaps that was an error. Perhaps he doesn't think thieves should go to jail—thieves like Conrad Black. I concede that to him.

**The Acting Speaker:** Thank you very much. It being quite close to 9:30 of the clock, this House stands adjourned until tomorrow at 10 am.

*The House adjourned at 2130.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton East /	Horwith, Andrea (ND)
Ancaster-Dundas-	McMeekin, Ted (L)	Hamilton-Est	
Flamborough-Aldershot		Hamilton Mountain	<b>Bountrogianni, Hon / L'hon Marie (L)</b> Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiles et de l'Immigration
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative		
Beaches-East York /	Prue, Michael (ND)	Hamilton West /	Marsales, Judy (L)
Beaches-York-Est		Hamilton-Ouest	
Bramalea-Gore-Malton-	Kular, Kuldeep (L)	Hastings-Frontenac-Lennox and	<b>Dombrowsky, Hon / L'hon Leona (L)</b> Minister of the Environment / ministre de l'Environnement
Springdale		Addington	
Brampton Centre /	Jeffrey, Linda (L)	Huron-Bruce	Mitchell, Carol (L)
Brampton-Centre		Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brampton West-Mississauga /	Dhillon, Vic (L)		
Brampton-Ouest-Mississauga		Kingston and the Islands /	<b>Gerretsen, Hon / L'hon John (L)</b> Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Brant	Levac, Dave (L)	Kingston et les îles	
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)		
Burlington	Jackson, Cameron (PC)	Kitchener Centre /	Milloy, John (L)
Cambridge	Martiniuk, Gerry (PC)	Kitchener-Centre	
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Davenport	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley East /	<b>Caplan, Hon / L'hon David (L)</b> Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	Lanark-Carleton	Sterling, Norman W. (PC)
Don Valley-Est	Wynne, Kathleen O. (L)	Leeds-Grenville	Runciman, Robert W. (PC)
		London North Centre /	Matthews, Deborah (L)
Don Valley West /		London-Centre-Nord	
Don Valley-Ouest		London West /	<b>Bentley, Hon / L'hon Christopher (L)</b> Minister of Labour / ministre du Travail
Dufferin-Peel-Wellington-Grey	Eves, Ernie (PC) Leader of the opposition / chef de l'opposition	London-Ouest	Ramal, Khalil (L)
Durham	O'Toole, John (PC)	London-Fanshawe	Wong, Tony C. (L)
Eglington-Lawrence	Colle, Mike (L)	Markham	
Elgin-Middlesex-London	<b>Peters, Hon / L'hon Steve (L)</b> Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Mississauga Centre /	<b>Takhar, Hon / L'hon Harinder S. (L)</b> Minister of Transportation / ministre des Transports
		Mississauga-Centre	
Erie-Lincoln	Hudak, Tim (PC)	Mississauga East /	Fonseca, Peter (L)
Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga-Est	
		Mississauga South /	Peterson, Tim (L)
Etobicoke Centre /	Cansfield, Donna H. (L)	Mississauga-Sud	
Etobicoke-Centre		Mississauga West /	Delaney, Bob (L)
Etobicoke North /	Qaadri, Shafiq (L)	Mississauga-Ouest	
Etobicoke-Nord		Nepean-Carleton	Baird, John R. (PC)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Niagara Centre /	Kormos, Peter (ND)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Niagara-Centre	
Guelph-Wellington	Sandals, Liz (L)	Niagara Falls	Craitor, Kim (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Nickel Belt	Martel, Shelley (ND)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Nipissing	Smith, Monique M. (L)
Halton	Chudleigh, Ted (PC)	Northumberland	Rinaldi, Lou (L)
		Oak Ridges	Klees, Frank (PC)

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

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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