



No. 66A

N° 66A

ISSN 1180-2987

Legislative Assembly  
of Ontario

First Session, 38<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 22 June 2004**

**Mardi 22 juin 2004**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 22 June 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 22 juin 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### MUSKOKA FAMILY NETWORK

**Mr Norm Miller (Parry Sound-Muskoka):** I rise today to tell you about the Muskoka Family Network. They are the parents of adult children who have disabilities and who are living at home. I'd like to tell you about some of them.

Judith Coon lives with her son, who is 17 years old and who has Duchenne muscular dystrophy. His disease is progressing rapidly. Evelyn Hanes is into her 80s and is caring for her 60-year-old son, who has cerebral palsy. He has always lived at home. Louisa and Ron Crossthwaite are both in their retirement years and care for their son, who lives with a brain injury. Audrey Jobbins lives with her daughter, aged 39, who has cerebral palsy. Cathy Foyston's daughter, who is now 20 years of age, has Down syndrome. She will be graduating from high school this month.

These parents and their children want the option of individualized funding enabling them to have good lives as contributing members of their communities. They are asking for an alternative to traditional agency services, such as group homes or life skills programs, which the Ministry of Community and Social Services favours.

Since February, the Muskoka Family Network, through my office, have tried to meet with the Minister of Community and Social Services and been refused. They've tried to meet with the parliamentary assistant to the minister and been denied. They are desperate for an opportunity to present the case for an alternative funding model that takes the needs of the individual into consideration.

These families are in crisis. Some are in peril of losing their livelihood and others their health. They deserve an opportunity to meet with the policy-makers who determine their future and they deserve a chance to tell their stories.

#### HONEYWELL IN MISSISSAUGA

**Mr Bob Delaney (Mississauga West):** I'm pleased to welcome and acknowledge Honeywell Canada vice-president Peter Keyser to the east gallery.

Honeywell is developing leading-edge technology for commercial jetliners that replaces hydraulic and pneumatic systems with more cost-effective and fuel-efficient electrical alternatives. Honeywell's know-how makes it 20% less expensive to operate a commercial airliner. Commercial aviation is a mature industry. A breakthrough, such as what Honeywell is commercializing, resets the entire competitive playing field. If successful, Honeywell's systems can dominate that profitable market niche in the commercial aviation field for the next two decades. Honeywell needs to compete with companies in countries that offer heavy financial support to their aerospace industries.

Honeywell has been a part of our Mississauga community for the past 52 years. Some 1,100 highly skilled people draw their salaries, and support their families, from Honeywell. These are high-tech, high-value jobs. Honeywell employs the type of people that our universities graduate and the type of people that are trained abroad and choose Canada as their home.

As Honeywell's MPP, I will be there to help bring the skills, resources and attention of the Ontario government to bear and to help keep a profitable and strategic aerospace firm in Mississauga West and in Ontario.

#### CANCER TREATMENT

**Mr Cameron Jackson (Burlington):** I rise again on the current funding challenges facing Cancer Care Ontario under the budget cap imposed by the Liberal government and the Minister of Health. In the past weeks, I raised the issue of the delisting of zoledronic acid treatments, and on January 28 this was done for prostate cancer patients for the first time in Ontario's history. Since that time, it has been tragic that I have to report there have been 3,366 new cases of prostate cancer diagnosed and over 600 deaths. What is happening in Ontario in cancer care is scandalous.

The life-saving drug Rituximab is approved by Cancer Care Ontario for advanced non-Hodgkin's lymphoma. Five provinces are providing this to all patients who require it, yet in Ontario it is only those over 65. The BC Clinical Review showed overall survival rates of 58% fewer deaths. Yet Ontario today routinely sends working men and women to the United States for treatments that can cost up to US\$26,000.

Now we learn that Cancer Care Ontario has cancelled all regional cancer centres' discretionary funding for the cost of expensive chemotherapy drugs, and treating physicians are legally and ethically required to inform

patients of all reasonable treatments and their options to save their lives even if those options are unavailable due to provincial budget cuts. The Liberal government must remove the hard cap on new cancer drugs so that Cancer Care Ontario can provide cancer care and save lives instead of balancing budgets and saving money.

#### TECHNOLOGY IN SCHOOLS

**Mrs Linda Jeffrey (Brampton Centre):** I rise today to speak about my recent visit to Cardinal Leger Secondary School in my riding of Brampton Centre. This visit was part of our government's MPP back-to-school initiatives. I spent the day touring and learning from faculty and students. While speaking to the staff, I was informed of the pressing need for updated technological equipment in the classroom. The teachers questioned the relevance of teaching students on outdated systems that are no longer used in the real world. Our schools need more funding for technological equipment in the classroom in order to prepare our students for the current job market.

That is why I am in full support of our budget, which includes \$90 million in capital funding to address the need for improved technological facilities in our classrooms. I'm proud to be part of a government that is committed to repairing our education system. Our government has chosen to focus on student success rather than declaring war on our teachers and students. Our government's commitments to cap class size, invest in schools and add more teachers are just some of the ways we are going to restore our education system. I would like to thank our government for its leadership, and I would like to thank Cardinal Leger Secondary School for its hospitality.

#### PAYDAY LOAN SERVICES

**Mr Robert W. Runciman (Leeds-Grenville):** It can be argued that payday loans involving exorbitant interest rates, high fees and punishing penalties for people who cannot pay are nothing more than loan sharking with a quasi-legal face. The lives of desperate people being drawn into the web of payday loan operations are being destroyed. When their pockets are empty, the working poor, seniors of limited income and families on social benefits are easy prey for the lure of short-term loans. As we've learned through recent Toronto Star reports, this supply of easy money is the crack cocaine of deficit financing. Once people get behind, they never catch up and they are reduced to near servitude by these money lenders. We're discovering that many of these people are families surviving on Ontario Works and Ontario disability benefits, who are using most of their monthly income to satisfy interest and fee charges. Their families suffer when their income no longer meets the demands of the short-term lenders.

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The proliferation of payday loan stores in Ontario must be checked now by decisive government action, not

investigation, studies or reviews. While a number of civil actions have been launched, they could take years to reach court. The Attorney General should initiate criminal charges against some of these lenders. If the charges fail in court, then stricter, more defined law can be written. Failure to act will serve as a McGuinty government endorsement of these business practices.

#### AUTOMOBILE INSURANCE

**Mr Gilles Bisson (Timmins-James Bay):** The telephones continue to ring with people upset not only over the government's budget and the delisting of health care services such as chiropractors and eye doctors, but on auto insurance. I've gotten a number of phone calls over the last week, which I returned, where people are saying their insurance rates are yet going up; this despite a government that said it has fixed the problem.

Remember the Liberal government, Mr Speaker? You ran in the last election with them, where they said they were going to reduce auto insurance rates in the province. Well, I'm telling you there's no 20% reduction; there's no 10% reduction. There are increases. I have a number of cases where people are saying to me that they are seeing their auto insurance going up this year despite not having any changes when it comes to their driving record, any changes when it comes to the auto they own. They are saying, "Didn't the government promise that they were going to have a reduction?"

I want to say that there is but one solution, and that is to move to public auto. Public auto insurance will provide very good rates when it comes to the consumers of Ontario and will provide a good benefit. If we take a look at all of the systems, Quebec, Manitoba, Saskatchewan and British Columbia, even the most expensive system, which I would argue is probably Quebec's, is far cheaper than in the province of Ontario.

I want to renew the call for this government to recognize that it is basically not providing a reduction in auto insurance rates and that they should take the NDP platform and enact public auto insurance in the province of Ontario.

#### NORTHERN ONTARIO

**Mr David Oraziotti (Sault Ste Marie):** I'd like to express my support for the steps our government has taken through our recent budget to help address the serious economic challenges in northern Ontario and to reinvest in health care and education. For the first time since the Peterson government, our Premier, finance minister and caucus have demonstrated real commitment to the people of northern Ontario. Our budget will ensure that northern Ontario residents, nearly one million, will share in the future prosperity and growth of our province.

While the past two provincial governments turned their backs on northerners, we are keeping our promises to help stimulate and transform northern Ontario's economy. Youth out-migration and high unemployment rates

in the north are a reflection of the disgraceful legacy of the past government's treatment of this region of our province. The 2001 census numbers reveal that the unemployment rate for youth in the north was 47% higher than in the rest of the province.

Our budget addresses years of neglect by reinvesting in the north through our northern prosperity plan. Northerners have embraced this change: \$285 million for the north's transportation system; \$135 million through the NOHFC to foster job growth; the creation of the northern Ontario grow bonds program for business development; \$10 million for the GO North incentive program.

The approach our government has taken with northerners is truly refreshing. The northern caucus supports our government's budget, and I would like to make it clear that our dedication to revitalizing northern Ontario is unwavering.

#### AIR QUALITY

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** As we're entering the first days of summer, we're reminded of the record number of smog days that southern Ontario has been experiencing over the last several years. Each year, weakly regulated industries spew increasing numbers of carcinogens and smog-causing pollutants into the air that we breathe.

Above and beyond the numbers is the human cost of the poisoned air. The Ontario Medical Association estimates that over 1,900 premature deaths in Ontario are caused by air pollution each year, with over 10,000 extra hospital admissions, 13,000 emergency visits and 47 million sick days each year.

This is a cost we cannot ignore. Our government's plan to fight smog in Ontario is the most far-reaching commitment to improved air quality by an Ontario government in over 30 years. I congratulate Minister Dombrowsky for her leadership.

I can tell you that in my community of Etobicoke-Lakeshore, we care deeply about air quality. I've been involved with a group over the years called GASP. GASP stands for Good Air, Safe Power. In Etobicoke-Lakeshore we had one glaring contributor to our air pollution problem, the coal-fired Lakeview generating station. Thanks to Energy Minister Duncan, our government announced the closing of Lakeview by the end of 2005.

In combination, these two instances will make Ontario a province where we will have cleaner air and a healthier environment in years to come.

#### MENTAL HEALTH SERVICES

**Mr Phil McNeely (Ottawa-Orléans):** I'm delighted that community mental health and addiction programs in Ontario are receiving an infusion of \$65 million in new dollars this year, as announced in last month's budget. Our four-year plan includes an additional \$120 million

over the next few years, which will mean \$583 million by 2007-08 for the community-based system. As a result, I am encouraged that lack of capacity in the community sector will be effectively addressed.

As in the Ottawa area, for example, where we have seen waiting lists of from one to three years for formal support for those with the highest level of need and priority, being starved of government funding has meant that peer and family support services have been stretched to the limit trying to meet the breadth of need of those with mental health and addiction problems.

I want to commend the commitment and dedication of those working in the field, who have advocated tirelessly for investments in the future of their loved ones and clients. Our progress today is largely to their credit. We must now all work together to ensure that services are delivered in the area where they can be most effective.

My colleague from Ottawa Centre, Richard Patten, who happens to be out right now, is an important team player in these efforts. I know he won't mention this himself, but last Wednesday he received the first community inspiration award from the Royal Ottawa Hospital Foundation for his work in bringing in Brian's Law and for his support in the creation of a state-of-the-art mental health facility at the new Royal Ottawa Hospital.

Thank you to all who work so tirelessly for the good of our community, and thank you, Richard, for your public service.

#### INTRODUCTION OF BILLS

##### TRUSTEE STATUTE LAW AMENDMENT ACT, 2004

##### LOI DE 2004 MODIFIANT DES LOIS EN CE QUI CONCERNE LES FIDUCIAIRES

Mr Klees moved first reading of the following bill:

Bill 107, An Act to amend the Trustee Act and the Limitations Act, 2002 with respect to a limitation period for actions for wrongful death and other estate matters /  
Projet de loi 107, Loi modifiant la Loi sur les fiduciaires et la Loi de 2002 sur la prescription des actions en ce qui concerne le délai de prescription pour les actions engagées à la suite d'un décès dû à un acte délictuel et d'autres questions relatives au patrimoine.

**The Speaker (Mr Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Frank Klees (Oak Ridges):** I am tabling this bill in memory of Jennifer Dawson, who was infected with HIV through tainted blood and died of transfusion-associated AIDS at age 40. Jenny is survived by three children, Tamara Lynne, Julie Anne and Mathew Patrick.

Their father, Patrick Dawson, brought to my attention a defect in Ontario's limitations law that precludes wrongful death claims unless the tort is discovered within two years of death. This bill rectifies that defect by

amending section 38 of the Trustee Act to provide for the limitation period for the executor or administrator of the deceased to bring an action to expire on the second anniversary of the day on which a claim was actually discovered rather than the second anniversary of the date of death.

The adoption of this amendment will allow the Dawson family to apply for compensation that was made available to other persons and estates that were affected by HIV through blood transfusions under a plan by the Red Cross that was established under a federal bankruptcy law, the CCAA. This amendment will bring Ontario's law into line with every other province in Canada. It's the right thing to do. I trust that I'll have the support of the Legislature.

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CARLIE MYKE  
AND BRANDON WHITE ACT  
(SAFE SCHOOL ZONES HIGHWAY  
TRAFFIC ACT AMENDMENT), 2004

LOI CARLIE MYKE ET BRANDON WHITE  
DE 2004 (MODIFICATION DU CODE  
DE LA ROUTE SUR LA SÉCURITÉ  
DES ZONES D'ÉCOLE)

Mr Levac moved first reading of the following bill:

Bill 108, An Act to honour Carlie Myke and Brandon White by amending the Highway Traffic Act to reduce the rate of speed permitted on highways surrounding schools and to ensure traffic safety in school zones / Projet de loi 108, Loi en hommage à Carlie Myke et Brandon White modifiant le Code de la route afin de réduire la vitesse autorisée sur les voies publiques autour des écoles et d'assurer la sécurité routière dans les zones d'école.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Dave Levac (Brant):** The bill reduces the speed at which motor vehicles may travel on highways—or roads, as we know them—surrounding schools. The rate of speed is reduced to 30 kilometres an hour in the case of two-lane highways or roads and is reduced by 10 kilometres an hour in the case of highways with more than two lanes.

The bill requires municipalities and trustees of police villages to establish school safety teams to review traffic problems surrounding schools in the municipality or the village and to report to the municipality, village, school board and the Ministry of Transportation any recommendations that there are to improve the safety of our children around our schools.

VISITORS

**Mrs Linda Jeffrey (Brampton Centre):** On a point of order, Speaker: Can I beg your indulgence and

introduce my parents who are visiting today from Cobourg, June and Mike Rooney?

**The Speaker (Hon Alvin Curling):** That's not a point of order.

HIGHWAY TRAFFIC AMENDMENT ACT  
(HELMETS), 2004

LOI DE 2004 MODIFIANT  
LE CODE DE LA ROUTE (CASQUES)

Mr Levac moved first reading of the following bill:

Bill 109, An Act to amend the Highway Traffic Act / Projet de loi 109, Loi modifiant le Code de la route.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Dave Levac (Brant):** This bill amends the Highway Traffic Act to make it an offence for any person to use a skateboard, scooter, in-line skates or roller skates on a road without wearing a helmet. Parents and guardians of a person under the age of 16 are also guilty of an offence if they authorize or knowingly permit that person to contravene this restriction. A police officer may require a person to provide identification if the police officer finds that person contravening these restrictions. The authority to make regulations to exempt persons from the requirement to wear helmets is repealed.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Speaker: I seek unanimous consent to proceed with second and third reading of government Bill 104.

**The Speaker:** I heard a no.

ANSWERS TO WRITTEN QUESTIONS

**Mr Norman W. Sterling (Lanark-Carleton):** On a point of order, Speaker: My point of order is pursuant to standing order 97(d). On April 29, I filed a question with the Minister of the Environment to provide me with a list of all studies and reports the ministry and the Environmental Review Tribunal have, including their dates and authors, relating to the disposal of waste at the Adams mine site.

According to section 97(d), "The minister shall answer such written questions within 24 sitting days." She has not done so at this time. Speaker, I would ask you to ask her to follow the standing orders.

**The Speaker (Hon Alvin Curling):** To the Minister of the Environment, I want to remind you that you are required, under standing order 97(d), to provide answers to written questions within 24 sitting days. Your response is now overdue, and I would ask that you give the House some indication as to when the answer to the member will be forthcoming.

**Hon Leona Dombrowsky (Minister of the Environment):** My understanding is that the information requested by the member has been sent to his office.

**Mr Sterling:** On a point of order, Mr Speaker: I believe the minister is supposed to provide not only me,

but the table, with an answer. I have not received that answer.

In addition to that point of order, I would like to draw attention to this minister not answering my request of the same date: "Would the Minister of the Environment provide a list of all studies and reports the ministry and the Environmental Review Tribunal have (including their dates and authors), relating to the actual or proposed water taking of OMYA (Canada) Inc from the Tay River."

That was dated the same date. This minister has not followed standing order 97(d), and I would ask you to ask her to comply with that standing order.

**The Speaker:** As I said earlier, I hope that we follow those requests from the member that are due to be responded to. On the previous question, the member has indicated he has not received it, and I'm quite sure the minister and yourself will make sure this happens, and should indicate accordingly.

## MOTIONS

### HOUSE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm until 9:30 pm on Tuesday, June 22, 2004, for the purpose of considering government business.

**The Speaker (Hon Alvin Curling):** The government House leader has moved government notice of motion 148. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those against, say "nay."

I think the ayes have it.

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

*The division bells rang from 1358 to 1403.*

**The Speaker:** All those in favour, please rise and be recognized by the Clerk.

### Ayes

Arthurs, Wayne	Duncan, Dwight	Parsons, Ernie
Bartolucci, Rick	Flynn, Kevin Daniel	Patten, Richard
Bentley, Christopher	Fonseca, Peter	Peters, Steve
Berardinetti, Lorenzo	Gerretsen, John	Phillips, Gerry
Bountrogiani, Marie	Gravelle, Michael	Pupatello, Sandra
Bradley, James J.	Jeffrey, Linda	Qaadri, Shafiq
Broten, Laurel C.	Kular, Kuldip	Racco, Mario G.
Brownell, Jim	Kwinter, Monte	Ramsay, David
Bryant, Michael	Lalonde, Jean-Marc	Rinaldi, Lou
Cansfield, Donna H.	Leal, Jeff	Sandals, Liz
Caplan, David	Levac, Dave	Smith, Monique
Chambers, Mary Anne V.	Marsales, Judy	Sorbara, Greg
Colle, Mike	Matthews, Deborah	Takhar, Harinder S.
Cordiano, Joseph	Mauro, Bill	Van Bommel, Maria
Crozier, Bruce	McNeely, Phil	Watson, Jim
Delaney, Bob	Meilleur, Madeleine	Wilkinson, John
Dhillon, Vic	Milloy, John	Wong, Tony C.
Di Cocco, Caroline	Mitchell, Carol	Wynne, Kathleen O.
Dombrowsky, Leona	Mossop, Jennifer F.	Zimmer, David
Duguid, Brad	Oraziotti, David	

**The Speaker:** All those against, please rise and be recognized by the Clerk.

### Nays

Arnott, Ted	Klees, Frank	Prue, Michael
Barrett, Toby	Kormos, Peter	Runciman, Robert W.
Bisson, Gilles	Marchese, Rosario	Sterling, Norman W.
Chudleigh, Ted	Miller, Norm	Tascona, Joseph N.
Flaherty, Jim	Murdoch, Bill	Witmer, Elizabeth
Hardeman, Ernie	O'Toole, John	
Jackson, Cameron	Ouellette, Jerry J.	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 59; the nays are 19.

**The Speaker:** I declare the motion carried.

### VISITORS

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** On a point of order, Mr Speaker: At this time I would like to welcome to the Legislature the McKellar family. Their son Ian is a page. I'd like to welcome Anne and Ron, the mother and the father; the sister, Roseanne, and brother, Danny. We welcome the family.

**The Speaker (Hon Alvin Curling):** That is not a point of order, but welcome.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### TOURISM

**Hon James J. Bradley (Minister of Tourism and Recreation):** This is Tourism Week in Canada. It is an opportunity for communities across the country to celebrate the contribution that tourism makes to economic prosperity and quality of life.

Here in Ontario, we know that tourism counts. It is our seventh-largest export industry and generates \$18 billion a year in tourism revenues. Nearly 350,000 people work in businesses catering to the tourism trade. Tourism is our largest seasonal employer, as well as the largest employment sector for Ontario youth.

The Ontario tourism industry has had cause for concern this past year, as we were confronted with one crisis after another, most notably the SARS scare. It speaks well of this House that in our darkest hour during the SARS outbreak last year, all parties put aside their differences to give unanimous support to efforts to help our tourism industry. Those efforts have paid dividends for tourism operators and tourism employees across the province, but we still have much to do before we can declare our tourism industry recovered.

My ministry has just recently received an independent analysis of the \$62 million invested through Ontario's tourism recovery program, from the onset of SARS through the end of the 2003-04 fiscal year. Here are some of the highlights: It prompted an additional 3.6 million tourism visits to Ontario; generated additional tourism spending of \$687 million; supported 13,700 more direct and indirect jobs; and as a final positive impact, the

tourism recovery program spread the benefits all around the province.

The additional tourism spending amounted to \$285 million in the GTA, where we worked in partnership with the Toronto 03 Alliance, and totalled \$402 million outside of the GTA. According to the analysis by PKF Consulting, each dollar invested through the tourism recovery program generated a return of \$11. The tourism recovery money was money well spent.

But we still have a way to go if we want to put Ontario back on track as a top competitor in global tourism. That is why I'm pleased to announce today that we are releasing the Ontario tourism strategy, a strategy that charts a new course for tourism in our province. The Ontario tourism strategy, developed jointly with representatives of the tourism industry, sets out five strategic directions.

#### 1410

First, we will embrace a "visitor first" philosophy. We will make use of the latest market research to know what visitors expect, what motivates them and what satisfies them. We will have quality standards that are reached and maintained through rigorous staff training and a commitment to service excellence. With industry participation, Ontario will develop a quality-rating system to help visitors make informed choices, and we will encourage its adoption across the province.

Second, we will develop new destinations and experiences that build on Ontario's strengths. We will focus our investment on five or six icon destinations, selected in consultation with the tourism industry, that have the greatest potential to attract more visitors to our province. At the same time, we will work with other destinations to help them identify and capitalize on their tourism assets.

Third, we will build the image and influence of tourism in Ontario. We will work with municipalities and other partners to increase awareness of the importance of tourism at the local level. We will reach out to young people to pursue training and career opportunities in tourism. We will strengthen the role of our tourism industry associations in public policy, and we will celebrate our business achievements and innovations.

Fourth, we will strengthen our strategic marketing. The province will provide marketing leadership to ensure campaigns and promotions are effectively researched, coordinated, focused and evaluated. There will be stronger destination marketing at the local and provincial levels. We will encourage the use of information technology by tourism operators across Ontario so that visitors can shop for and book tourism products on-line.

Finally, we will adopt an "all of government" approach to tourism in Ontario. The Ontario tourism strategy will guide all provincial activities relating to tourism, with resources deployed in support of the strategy. The value of tourism assets will be recognized in land-use and environmental design decisions. Ontario will work with other governments at all levels to achieve the policy goals of the tourism strategy.

With the Ontario tourism strategy, the McGuinty government is proud to unveil its new vision for tourism

in Ontario: Innovative operators, welcoming destinations and great experiences will make Ontario the place to visit again and again.

Both government and the tourism industry will participate in the implementation of the Ontario tourism strategy. It is a sector strategy designed to ensure that tourism contributes even more to the prosperity of our communities and helps all Ontarians enjoy a quality of life that is second to none.

#### NATIONAL ABORIGINAL DAY

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I'm very pleased to stand today in the Legislature to extend my best wishes to all aboriginal people across Ontario. Yesterday I was delighted to have the opportunity to celebrate National Aboriginal Day in our nation's capital. Aboriginal people are Canada's first people. National Aboriginal Day permits us to celebrate and to rededicate ourselves to the important issues that span so many aspects of Canadian life for aboriginal people and for all Canadians.

The McGuinty government is taking a new approach when it comes to aboriginal people. There is a new spirit of change, a new spirit of respect, a new spirit of co-operation. One of the first things the Premier did when he came into office was to extend an invitation to aboriginal leaders to meet with him here at Queen's Park. We hosted that meeting together earlier this year. We wanted to hear from aboriginal leaders as to what their priorities are.

One of those priorities, of course, is better health care for aboriginal Ontarians, so in April we acted. The McGuinty government announced it is investing over \$166 million over five years to specifically improve the health of aboriginal residents of Ontario through the great aboriginal healing and wellness strategy. We are not stopping there. In our recent budget, we announced that we were increasing this investment by \$25 million over five years. That is over \$191 million that we are now investing in aboriginal health care in Ontario.

Yesterday also marked the beginning of the aboriginal health advocacy initiative, a joint program between MADD and Ontario Indian Friendship Centres. This is an important initiative that we encourage and support. We thank some of the leaders who are here in the east gallery today: Susan Barberstock, Gertie Beaucage, Vicky Laforge, Jo-Anne Miller, Carolyn Swinson, Mary Sultana, Heather Levecque and Phyllis Williams.

It's another example of the kind of work that is possible through the aboriginal healing and wellness strategy. It is clear to me that the quality of life of all Ontarians improves when we have strong and prosperous aboriginal communities.

The McGuinty government is working closely with aboriginal communities and aboriginal leaders. We share common goals. By working together, we can achieve our goals: stronger communities and healthier communities for us all.

**The Speaker (Hon Alvin Curling):** Responses?

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):**

I'm pleased to respond to the Attorney General's statement on National Aboriginal Day.

In 1996, the government designated June 21 as National Aboriginal Day as a result of the cultural significance of the summer solstice, which is the first day of summer and the longest day of the year. Across the entire country, aboriginal people celebrate their heritage on this day and in the days ahead. The Barrie Native Friendship Centre in my riding has played a pivotal role in enhancing the lives of aboriginal people.

This day and these celebrations are a testament to the unique and distinct culture and contributions that First Nations, Inuit and Metis peoples have made, and continue to make, to our province and our country. These festivities also allow Ontarians to reflect on the important role First Nations people have made to the very fabric of our province and our country as a whole.

National Aboriginal Day is an opportunity to learn more about the rich culture and history of aboriginal peoples, as well as a chance to join and participate in aboriginal day festivities that are being held from coast to coast in this country.

Ontario is proud to be the home of the largest aboriginal population in this country. I encourage everyone to get out and join the celebrations.

## TOURISM

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to respond to the Minister of Tourism's statement on the new Ontario tourism strategy.

I would like to point out that basically I think this new tourism strategy is generally a positive thing. I would like to compliment its author, the former Minister of Tourism, Mr Frank Klees, the member from Oak Ridges who, in the year 2002, crisscrossed this province consulting with many different groups and spent a lot of time working on this tourism strategy. Things sometimes move slowly in government. I'm glad to see that Mr Klees's strategy is finally getting implemented.

Last year, tourism faced some significant challenges in Ontario, particularly with SARS. I'm pleased to see that this report shows that of the money that was invested by our government in SARS, for each dollar that was invested there was an \$11 return. That is certainly my feeling in terms of tourism investment—it's one of the few things government can invest in and really get a benefit from their investment.

Last year, I was pleased to play a small part in the creation of the new northern tourism committee, which is working with the Ontario Tourism Marketing Partnership to help invest many millions more that were approved by our government in northern tourism ventures. I would like to say that I think the Ontario Tourism Marketing Partnership works very well. It works well because there's buy-in from industry. You have real dollars from real operators that go into each of those projects that are

approved by the various marketing committees of the Ontario Tourism Marketing Partnership.

While I think this is a generally positive announcement, I would have to say that the other things the government is doing are hurting small business and tourism. If you look in the budget, tourism went from \$213 million to \$184 million. Of course, one of the biggest things that will negatively affect tourism in this budget is the new health tax, which is going to be a significant bite out of the disposable income of most Ontario residents. That's money they just don't have to spend on their tourism plans. The delisting of health services directly affects the money people have left to spend on tourism.

**1420**

Also, the new regulations very much affect the tourism operators, particularly regulations like the new drinking water regulation, 170/03. Many tourism businesses are small businesses; in fact, 90% of them have 20 or fewer employees. It's very challenging for a small business to try to meet all the various regulations and still survive. I know in the bed and breakfast sector they are having some significant challenges dealing with the water regulation, but also dealing with the new fire code. Government has to do everything it can to try to help those businesses.

In your background paper it says that the business climate is not conducive to growth and that some of the challenges are insurance, utilities, property taxes and many other pressures on the cost of doing business. I think those are the kinds of things the government has to pay close attention to in order to assist small business.

## NATIONAL ABORIGINAL DAY

**Mr Gilles Bisson (Timmins-James Bay):** Yes, yesterday we celebrated National Aboriginal Day. Yes, most of the members of the provincial assembly, and probably, I would guess, a number of candidates in the federal election attended those events as well.

But I have to say there's not much to celebrate about. If we look at our First Nations communities across this province, we don't have a lot to be proud of. We look at substandard water and sewerage in most of the communities, where you can't drink the water out of the tap. We look at communities that don't have housing. We look at Attawapiskat, to just name one, where you have four families in a house and children trying to learn. How do you learn in that environment? We look at recreational facilities in hardly any of those communities for the community members, and especially for young people trying to find ways to vent off the energy they have. We look at roads that are in substandard condition. We look at the lack of transportation infrastructure. There is not much to celebrate.

I recognize that the federal government, by and large, is responsible for the mess First Nations communities find themselves in. I have to say that I am not proud of the federal record, of the current Liberal government in Ottawa and the Conservative government before that.

There is an abysmal situation in First Nations communities across this province. However, they are citizens of Ontario, and we, as a Legislature, and you, as a cabinet, have a responsibility to make sure those communities are brought into the province of Ontario. We need to make sure we fund the many funding requests coming forward from First Nations.

Because, yes, there is some hope. There is a change of command in Ontario, and they wish to participate. That's why the chief of Ogoki was here last week asking to finish the arena project for his community that they so much need. That's why, today, Chief Leo Friday from Kashechewan will be here to meet with Minister Bartolucci to ask for dollars for a band office, because the band office in Kashechewan is in an abysmal state.

And that's why, quite frankly, the community of Attawapiskat is at its wits' end when it comes to the schooling situation in that community. Can you imagine, the only high school in town, the only primary school, contaminated with diesel fuel, has been shut for five years and the federal government has yet to respond? No community in this province would allow that to happen. But because they're an aboriginal community up in northern Ontario on James Bay, the federal government says, "Far away. Don't have to think about it."

I say we, as a province, have a responsibility. Let us work with our First Nations so that truly, one day, they can celebrate something about being in Ontario.

#### TOURISM

**Mr Rosario Marchese (Trinity-Spadina):** I want to take this opportunity to congratulate the member for his passion, fervour, excitement, exuberance that he demonstrated in his delivery of this plan. I think Ontario needs a minister who is fully engaged in the ministry. And who else but Jim Bradley to control those one-armed bandits? We need him in that ministry, I can tell you that.

There is no doubt we have a problem in our tourism industry in Ontario. The Greater Toronto Hotel Association says that the number of visitors to the Toronto area is down by about four million since 1998. So we can't just blame current events for our woes, like SARS. We need long-term visionary thinking to reverse this slide, they say; and alas, thus the plan.

Does anybody believe that this plan is going to work? Only Jim Bradley, the one who's going to control the one-armed bandits, believes in it. They are going to tell you, Jim, that your budget has gone down this year from \$213 million to \$184 million. That's a \$29-million cut and, Jim, next year it's another 12% cut. So what we've got is a plan without resources, a plan without money. Minister Bradley will do more with less. Where did we hear that before? From the Tories, who promised to do a lot more with less. It didn't work with them and it won't work with you. Notwithstanding the passion, the fervour, the excitement and the exuberance that you bring to the job, Jim Bradley, you can't institute this plan without money. It's going to get worse this coming year and it'll

get worse in the future. You've got to do something about it.

#### GORDON MILLS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Speaker: I believe we have unanimous consent for each party to speak for up to five minutes to pay tribute to a former member and colleague, Gordon Mills.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent? Agreed.

**Hon James J. Bradley (Minister of Tourism and Recreation):** It's a genuine honour for me to rise in the House today to speak on behalf of my caucus colleagues on the passing of Gordon Mills, whom many of us who served in the Legislature when Gordon was there from 1990 to 1995 will remember extremely well. Gordon Mills, first of all, was a person you would call a character. Not everybody is a character in this House, but Gordon was. He was genuinely a colourful performer both inside and outside of the Legislature.

We in this House are part of what I think we would all refer to as an honoured tradition. Certainly there are times in the debate when it can become very heated and nerves become frayed. We all realize what a privilege it is, however, to work in this place with colleagues from each of the political parties. I think we form friendships with those individuals who serve in this House regardless of their political affiliation. That's why it's so important to take time, as we do upon the passing of a member, to reflect on the contributions made by those past members.

I had the pleasure of knowing Gordon Mills as the MPP, first of all, for Durham East. Mr Mills was elected as a member of the NDP in that sweep of 1990 and served as the parliamentary assistant to the Minister of Municipal Affairs—he had some municipal experience, which made it most appropriate that he was appointed to that position—but also to the Solicitor General and the Minister of Correctional Services. Gordon had some very strong views in that particular field as well that he wasn't afraid to share with members of this House and the general public.

More importantly, Gordon Mills was known beyond the halls of this Legislature as a husband to Cecilia, and as a father and grandfather to his children and many grandchildren, and great-grandchildren. He was known as a writer and columnist to the readers of the *Orono Weekly Times*, as chairperson of public works and the *Barrie-Innisfil* annexation committee—that was always controversial, but Gord never stepped back from controversy at all—and of course as a military officer in Canada and with NATO from 1958 until 1979. This is rather remarkable: During that time he received the United Nations Service Medal and the Canadian Meritorious Service Decoration. Gordon will always be remembered in this place as a—I'll put it this way—zealous advocate for his beliefs and I think an honest voice for his constituents. He was respected for speaking his mind

and taking all members of this House to task for not respecting the traditions we hold dear. I'm going to mention that right now.

I think one of the moving times, emotional times, in this House was watching Gordon rise at the time we pay tribute each year to those who have fallen in battle and served in our armed forces. A tear would come to Gord's eyes as he stood as a government member on this side of the House and spoke on behalf of the government and the New Democratic Party at the time of remembrance, very close to Remembrance Day, when we in this House pay tribute to the fallen and to those who have served.

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I well remember that he had stories he would tell, not only of his service in the armed forces, but of his days as a youth in Britain, when his country was under attack and things did not look very good. Gordon talked about those days. He talked about the VE Day celebrations when there was victory in Europe and the genuine joy coming from the population. He was part of that as a young person. So whenever we wanted to have a spokesperson in this House who had some personal experience, and a genuine emotional feeling for that experience, Gordon Mills was the person to rise, speaking on behalf of all of us.

He serves as an example to all of us in this House, now and in the future, that success in politics is only part of a successful life. This was a man who filled his days by serving his community—that's outside of this House—and his country, be it as a writer, a military officer or a public official. At a time when apathy and cynicism are frequently discussed in the news media, people like Gordon Mills remind us of the basic purpose of representative politics. That is to serve the people, to make your voice heard and to make your community a better place in which to live.

Gordon was a person who had genuine emotions. He never feigned them. We're in a House where it is sometimes considered to be showtime. It wasn't showtime for Gord; it was the genuine emotions that came out in everything he said. Sometimes he was angry and sometimes he said things he was sorry he said later on, but we didn't care about that. He was a person who could admit to that and press on.

On behalf of the Liberal caucus, I'd like to extend my condolences to the Mills family, who are here with us in the gallery today. I know that you are proud to have called him a husband, a father, a grandfather and a great-grandfather, as we are proud to have called him a friend and colleague.

**Mr John O'Toole (Durham):** It's indeed a pleasure, on behalf of the Conservative caucus, to stand and pay tribute to the late Gord Mills, former MPP for the riding I represent, now called Durham, then Durham East. Gord Mills served with distinction in this House from 1990 to 1995.

I know our thoughts, as has been said, are with his wife, Cecilia, their children, Keith and his wife, Patricia; Pamela and her husband, Gord Werry; and all the family.

Gord Mills was the dear grandfather of Andrew and his wife, Jen; Diana; Scott; Carla and her husband, Jeff; and Wayne. He was the loved great-grandfather of Erica and Evan.

Gord Mills was a man of many talents, as has been mentioned. He was from England, a farmer, a member of the Canadian military police, a former Barrie municipal councillor and a tax auditor in the Ontario public service.

Having just moved to the area of Orono, and then the town of Newcastle, with the 1990 election approaching, he paid a visit to the campaign team in Newcastle to see if he could help out. The story was that they asked, "Would you like to be a candidate?" So that's how Gord Mills became a candidate.

That was a very interesting election. The then incumbent, MPP Sam Cureatz, had decided at the last moment to step aside and not run. He was replaced by Kirk Kemp, a young man who had just been called in in the last few days. The other, the Liberal candidate at the time, was Marilyn Pearce, now the mayor of Scugog. Gord won in a sweeping victory under Bob Rae, I think with something under 50 votes. He did it with charm and grace, never offending a single person in the entire campaign. He won because he was well-liked.

Gord hadn't planned to become an MPP. He had recently retired, as I said, to move to the area and in fact was planning on spending a bit of time in Florida. But he never backed away from a new challenge. He was always ready to serve when duty called. That's how Gord Mills came to Queen's Park and served as Durham East's MPP.

I'm certain my colleagues from the NDP caucus will detail Gord's service here in the Legislature. I did have the privilege of attending here one day during the session when Gord was bringing forth local legislation, very successfully, I might add. I know he served with distinction. On a personal note, he contributed to and was a widely read columnist in, as was said, the Orono Times, a local newspaper still not part of the main metro chains.

At the request of the municipality, he introduced legislation that changed the name of the town of Newcastle to the municipality of Clarington. You might say there wouldn't be a Clarington today if it wasn't for Gord Mills. It's interesting because that debate still goes on today. They may change it again. That's up to John Gerretsen.

Gord Mills was a strong advocate for older adults in our riding and, indeed, wherever he went. He was fondly remembered in Wilmot Creek, a retirement community, for his advocacy in passage of Bill 21, An Act to amend certain Acts with respect to Land Leases. It's a land community and he took great interest to solve the problem.

My constituent Denise Turner worked with Gord as a legislative assistant. She recalls that he was a kind, gentle man who was fun to be with and passionate about serving the people of Durham East. She remembers that he especially enjoyed recalling his military experience and writing his weekly newspaper column in the Orono Times.

Ms Turner also points out that as a former member of the Canadian military, he was passionate about observing Remembrance Day and honouring all those who gave their lives in the cause of freedom. The well-being of veterans was always an important agenda for Gord.

Gord also was active in his church, where he served as a lay leader as well as a speaker.

On a personal note, I might add that Gord Mills and I represented different political parties, but we both served the people of Durham, the constituents, through the 1990s. It was a pleasure to follow in Gord's footsteps. I respected him for his strong convictions and his willingness to help his constituents and others. He was a devoted servant of Ontario.

It's important to note that he also cared deeply about many causes, but his family always came first. At this time, I would like to recognize the members of Gord's family who are with us in the gallery today.

This was a man who did his best to make our province a better place in which to follow our dreams and to fulfill our obligations. I know this House will join me in paying tribute to his accomplishments during his service both here and throughout his lifetime.

**Mr Peter Kormos (Niagara Centre):** I'm proud to join in this tribute on behalf of New Democrats. I'm grateful to my colleagues for letting me represent the caucus as we pay tribute to our old friend and colleague Gord Mills. He indeed—I'm reluctant to use the past tense. I caught myself for a minute because I was going to say, "He indeed is—" He indeed was a colourful, vibrant member of this assembly and of the NDP caucus.

He had many careers which preceded his parliamentary career, as you've heard—a farmer, a police officer, a member of the armed forces serving overseas, working for the Ministry of Revenue—having retired from a number of them. We took great delight in calling upon Gord to account for not just one but two, possibly more, pensions that he might have been collecting at the point of his election, never mind any that he expected to acquire having served here.

Indeed, you heard the anecdote—it's not just an anecdote; it's the truth—about Gord having plans. He did, didn't he? He planned to settle down south of the border in warmer climates, perhaps take it easy a little bit and spend more time with grandkids and great-grandkids who came along, but that wasn't to be. He was shanghaied into running in the 1990 election campaign; make no mistake about it. But let me tell you, the years he spent here were not the years of a reluctant representative of his community. Gord was a strong, effective, active, articulate, indeed eloquent member of this assembly. He was an effective and from-the-heart spokesperson for the people, the women and men of his community.

Gord grew up in England. Growing up in England I'm sure is where he acquired his distaste for classes. From time to time there was the occasional fellow Brit in this assembly who would speak up and perhaps portray himself of a certain class from the old country and, by God, that would provoke Gord. That would light the fuse.

That would get him going. The class struggle manifested itself right here in this chamber with Gord Mills at the vanguard. Make no mistake, he had no time whatsoever for those people who would somehow pretend that by virtue of their birth or their station in life they were better than others. I tell you that heartfelt, gut-felt sense of equity and equality, that sense of fairness, made Gord Mills a stellar, an outstanding member of this chamber.

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I was a fan of Gord's because, from time to time, he could betray some maverick qualities—and they indeed were qualities. He wasn't afraid to tell the Premier of the day when the Premier was wrong, damn wrong, so wrong that he was right out of it. Unfortunately, the Premier of the day was disinclined to listen to Gord. I tell you that from time to time, when Gord was pushed on an issue, he would reveal the lexicon acquired in years, I presume—far be it for me to know where one acquires this language—in the armed forces, serving his country, serving humankind because he, like so many other Canadians, was overseas in Europe, part of NATO forces doing important duty. They were never tested in terms of their parliamentary or unparliamentary quality, mostly because Gord reserved them for the caucus room and for his discussions with caucus colleagues and, as I say, the leader from time to time, more so than using them in the course of his speeches here.

I just want to tell his family—his wife is here, his kids are here and his kids' spouses and his grandkids and his great-grandkids—that you've got a whole lot to be proud of. All I can say to you on behalf of this group of New Democrats, and indeed a whole lot of members of this assembly who were honoured to serve with Gord Mills in this chamber, is that we're just so awfully grateful that you shared so much of him with us. I am proud to pay tribute to this exceptional member of the Legislature, to this truly great man, great husband, great father, great grandfather.

**The Speaker:** I want to thank all members for their remarks and I will ensure that copies of the Hansard are sent to the family.

## ORAL QUESTIONS

### ONTARIO BUDGET

**Mr Ernie Eves (Leader of the Opposition):** Mr Premier, as you know, yesterday your Minister of Finance introduced his Budget Measures Act (No. 2). One of the provisions in the budget bill number 2 he referred to as "a technical change," changing the rate of the new health care tax on middle-income Ontarians, those making between \$36,000 and \$38,500, I believe, a year. Obviously this is a climb-down from the budget that was introduced in the first introduction of the health care tax in the first place. I can't believe that the Ministry of Finance officials, having had seven months to prepare

the budget and the first budget bill, would have made a mistake that would have put “an unfair burden” on modest- and middle-income Ontarians. Can we expect any other further climb-downs with respect to the budget?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I know the Minister of Finance would like to address this.

**Hon Greg Sorbara (Minister of Finance):** The answer to the leader of the official opposition is no. The adjustment we made in the geared-to-income Ontario health premium was for a very narrow band of income tax payers. The adjustment was made because of the effect of federal tax credits, which are clawed back in that income range. To apply the general rule and stepping up that is included in the health premium would have been unfair to that very narrow band of taxpayers. That’s why, when we introduced the bill, we made that minor and technical amendment.

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr Frank Klees (Oak Ridges):** Further to the Premier on the same issue, if in fact it was considered to be unfair to the taxpayers in this very narrow band of income, and you were prepared to make some changes to the budget to be more fair, Mr Premier, why are you not prepared to listen to the literally hundreds of thousands of Ontarians who are saying the entire tax is unfair? How can you continue to say, as you are quoted in the paper, “When you put your head on the pillow at night and the house is quiet and you’re alone with your thoughts, there is only one thing that counts: Do you think you’re doing the right thing?”

Premier, when you are alone and when it is quiet and you’re listening to your thoughts, do you not hear your conscience tell you that you did the wrong thing by taxing people without having either the moral or the legal authority to do that? Can you explain how your mind can allow you the peace of mind to do what you did?

**Hon Mr Sorbara:** The right thing and the courageous thing and the appropriate thing and the reasonable thing and the necessary thing, having inherited a financial mess left by the previous administration—I repeat, sir, during good economic times, that party and that administration allowed Ontario to fall to an annual deficit of \$6 billion. Faced with that, we did the courageous thing and the appropriate thing, consisting of two elements: a very strict management of our expenditures over the course of the next four years and an Ontario health premium that will provide the resources to give us the best public health care system on the continent.

**Mr Klees:** The finance minister and the Premier will continue to stand in their place and defend the indefensible. What they have done, first of all, is they have not been straight with the people of Ontario about the financial circumstances in this province. The fact of the matter is that they were able, through a single bookkeeping entry, to move \$3.9 billion out of the deficit column just like that. I’d like to know from the finance minister how he can make a simple entry and remove \$3.9 billion out

of a deficit that he himself, through a single entry, added to that deficit to confuse the people of Ontario and convince them that he had a supposed mess. The only mess he has is in his ability to deal in a responsible way with the books of this province.

Will the finance minister at least stand and admit that he is playing an Enron type of bookkeeping with the books of this province?

**Hon Mr Sorbara:** That sort of accusation is absolutely unacceptable. The member mentioned “indefensible.” What would have been indefensible on our part would be simply to sit back, do nothing, allow further deterioration of our health care system, allow further chaos in our schools and allow the deficit spiral to continue to drive this wonderful and affluent province further into debt. That would have been indefensible.

I want to say to my friend that the bill I introduced on budget day, the Fiscal Transparency and Accountability Act, will ensure that in future no government will be allowed to hide the kind of deficit they hid in their final year in office.

#### DOCTOR SHORTAGE

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Premier. There are tens of thousands of Ontarians who do not have timely access to physicians. In fact, we know there are about 136 underserved communities and we are short about 2,000 specialists and family doctors. It is very important to increase the capacity for assessing and training foreign-trained doctors.

Despite your promise to provide timely access in this budget, we do not see any additional funding to provide for increasing the supply of foreign-trained professionals. There’s no money in here for increasing the assessment and the training positions.

In fact, I would say to you, Premier, that our government put in place the eight-point plan. Where is your money—

**The Speaker (Hon Alvin Curling):** Premier.

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**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I want to thank the member for the question. In fact, she is dead wrong on this issue. We are investing an additional \$12 million for international medical graduate training in the sector this year as part of our budget commitment to health care. That is 12 million new dollars to access that talent, which has been paid for at the expense of taxpayers living in other parts of the world. We think it would be absolutely foolhardy not to capitalize on that investment made by other taxpayers. In order to accelerate that process, we are investing another \$12 million in our international medical graduate training and assessment practices.

**Mrs Witmer:** There is no new money here beyond the measures that we put in place to increase the supply of new physicians: the eight-point plan under Mr Clement and the expert panel that I set up.

I want to ask you, are you prepared to increase access? Are you prepared to provide the funding that would allow every international medical graduate to be assessed? And if they are eligible, are you prepared to provide the funding for these physicians in order that the people in this province can have access to physicians?

**Hon Mr McGuinty:** If we asked this question once, we must have asked it 100 times when we sat on that side of the House and that then minister sat on this side of the House. We are going way beyond this investment of \$12 million for international medical graduates, because one of the other messes we have to clean up, in fact one of the pressing, urgent problems we have to address, is the fact that close to one million Ontarians can't find a family doctor. That is part of the legacy of the previous government. In addition to this investment, we are investing close to \$600 million in 150 family health teams, which will be established throughout the province—teams that bring together doctors, nurse practitioners, nurses and others of the health care profession so we can provide better practice in the community and greater access for our families.

**Mrs Witmer:** It's obvious that the Premier is confused. He refuses to recognize that we introduced the expert panel to take a look at health resources. It was Mr Clement who put aside funding of \$36.4 million, and this government has not added any money or introduced any new measures.

I ask you again, are you prepared to provide the funding to assess every international medical graduate in order to provide access for people in this province? And are you prepared to provide the funding for those who are eligible to continue their training in order that they can practise in this province to address the doctor shortage?

**Hon Mr McGuinty:** What we won't do is spend \$400 million to fire thousands of nurses who are desperately needed in Ontario hospitals. I made reference to the fact that we are investing, as a result of this budget, \$12 million more for international medical graduate training and assessments. We are doubling the number of residency positions—in fact, more than doubling—from 90 to 200 in Ontario so we can access that foreign-trained talent.

#### HEALTH PREMIUMS

**Mr Michael Prue (Beaches-East York):** My question is to the Premier.

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** Nice tie.

**Mr Prue:** You like the tie. Good.

Premier, your health care premium is a mistake, I would suggest, of monumental proportions. It is in fact an income tax surcharge on people of modest and middle income.

Yesterday, you made a statement in this House that all of the citizens would pay income tax on the premiums that employers used to pick up. This is a disincentive to workers who bargain; this is a disincentive to people who

were allowed under the previous Peterson government until 1989. We would like you to admit one thing: that this is just a regressive income tax surcharge and it has nothing whatsoever to do with health.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I'm delighted to have this opportunity to speak to this matter once more. Every single penny generated by this new premium, \$1.6 billion this year, will be invested in better-quality health care for the people of Ontario. As a result of this premium, today the Minister of Health was able to make a very important announcement in the field of public health care. We have announced today the first comprehensive changes in public health since the 1980s. As a result of this premium, \$41.7 million more will be invested through our Operation Health Protection. With that we are going to establish a new Ontario Health Protection and Promotion Agency, and we are going to be able to hire more medical and scientific staff in public labs—in fact, 180 more infectious disease positions in our public health units across the province. We are going to put ourselves in a much better position, so that should we unfortunately have to address a disease like SARS, we will be able to manage it more effectively.

**Mr Prue:** This is nothing more than a tax that you have imposed on the people of Ontario. It is not a premium at all. In the past, before 1989, employers paid 70% of this regressive tax. In fact, the only part that made the tax fair in those days was that 70% of people had it paid by their employers. Today, none of it can be paid by the employers because of the legislation you have tabled before us in the last couple of weeks.

My question to you is very simple: This is a levy against middle-class and middle-income people. You're calling it a premium because you had no other way to sell it. Admit it. That's why you called it a premium and not a tax.

**Hon Mr McGuinty:** I think putting ourselves in a position where we have the necessary infrastructure and the necessary capacity to cope with frightening new diseases like SARS is very important. One of the things this premium will enable us to do is build that capacity, build that infrastructure so we can better manage those kinds of diseases.

This is what Dr Sheela Basur, who is our chief medical officer of health, said about our announcement this morning: "Operation Health Protection addresses the deficiencies in the public health system that were noted in all of the reports we have received on the SARS crisis." We are not going to sit on our hands. We are going to take the necessary steps to put ourselves in a position, whether it's in our hospitals or in our local public health units, to better manage and better defeat diseases like SARS.

**Mr Prue:** This so-called premium is nothing but a surtax in drag. I have to tell you that is what this is. You call it a premium. We call it a real surtax. You had a whole hundred ways of making this fairer. You could have taxed people who earn above \$100,000 a year by

putting back the surtax the Tories took off. That would have made you \$1.6 billion—every penny you needed. But you chose not to do that. Instead you chose to attack people like single mothers with \$30,000 of income by charging them a 24% increase.

My question to you is quite simple: Why did you sock it to middle-income people? Why did you sock it to single mothers with one or two children? Why not the myriad of options you had? Why not those people who could afford it?

**Hon Mr McGuinty:** Again, the facts are not incidental, and we happen to believe they are important: 48% of seniors pay nothing by way of this new premium; 43% of Ontario tax filers pay nothing; 37% of families pay nothing. If you are earning \$20,000 of taxable income, under this new premium you will pay nothing. But under the NDP budget, if you earned \$20,000 of taxable income you paid an additional \$160 in taxes.

In addition, when it comes to this public health announcement that we made today, we are also establishing for the first time increased independence for the chief medical officer of health. We think that is another important step to take to ensure that we are standing on guard against these new kinds of diseases. We are vesting in the chief medical officer of health the authority to blow the whistle, to stand up and say to the government, "It's important that you take these steps." That did not exist in the past. We will do what is necessary to ensure that we can deal with these diseases.

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#### ENVIRONMENTAL PROTECTION

**Ms Marilyn Churley (Toronto-Danforth):** My question is for the Premier. I would like you to get your budget out and turn to page 12, because one look at page 12 of your budget makes me very worried. You've lumped the environment in with what you call other ministries that have their spending slashed by 12% next year. That's \$36 million less to fight for clean water and clean air, and it also breaks your promise to protect the environment. Why are you slashing the budget of the Ministry of the Environment?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Minister of the Environment.

**Hon Leona Dombrowsky (Minister of the Environment):** I'm very happy to have this opportunity to correct the presentation that has been made in terms of this government and its lack of commitment to the environment. Quite the opposite: We are very committed to the environment.

If you look at the capital commitments for the Ministry of the Environment, I'm happy to explain that last year there were capital monies set aside that were not spent. This year, the ministry believes that we're going to move forward, but the amount that was previously budgeted is not what we will require, and that's what is reflected in this document.

**Ms Churley:** We're talking about the operating budget here. You are cutting it, starting in next year's budget, by 12%. You are hoping that we didn't, and others won't, read the fine print; I have. They will notice when you start laying off drinking water inspectors whom you announced a few months ago. They'll notice if you lay off scientists instead of hiring new ones. They'll notice that you've started to act just like Mike Harris, who slashed the ministry budget, but we all know that the road of environmental budget cuts leads to Walkerton.

Premier, I'm going to come back to you and ask, if you aren't going to cut water inspectors, what other environmental programs will you cut to meet your 12% target?

**Hon Mrs Dombrowsky:** The overall budget for the Ministry of the Environment has increased from \$285 million to \$317.4 million. That is an 11.2% increase.

With respect to the member's comments that we should know what cuts to the environment bring us, I would suggest that the NDP would know that very well because in 1993 the NDP cut the environment by \$44 million. In 1994, the NDP cut the Ministry of the Environment by \$212 million. In 1995, the NDP cut the Ministry of the Environment by \$220 million. This government is spending more at the Ministry of the Environment than has been spent there in 10 years.

**Ms Churley:** I would expect that the Minister of the Environment would have looked a little bit more closely at the fine print and discovered that the NDP took \$200 million out of the Ministry of the Environment and put it into the Clean Water Agency. We in fact invested more money in the Ministry of the Environment to protect our water than any other government before. She should know better.

Yesterday you made a big deal of your smog announcement. You made a big deal of getting tough with industrial polluters, but tougher standards mean little if there aren't the people to enforce them—and we know that, don't we, Minister? It gives you a nice announcement but little in the way of cleaner air. You're going to end up depending on industry to voluntarily comply with your standards. Why are you saying you're getting tough with industrial polluters on the one hand while cutting enforcement with the other?

**Hon Leona Dombrowsky:** I'm very happy to remind the member opposite that in eight months, this government has hired water inspectors. This government has stopped the Adams mine. This government has placed strong limits on pollution. I am proud that this government is investing in our environment. We are investing in clean water and implementing all of O'Connor's recommendations. We are investing in source water protection. We are investing and ensuring that we are taking a leading role in waste diversion. We are committed to closing coal-fired generation so that people in this province have cleaner air.

This government is very committed to the environment. I'm proud of how we are investing the resources of this province.

## ONTARIO COLLEGE OF TEACHERS

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Premier. Yesterday I raised in this place the issue of a teacher suspended for inappropriate letters and so on with a 13-year-old boy in Barrie who's back volunteering in a public school in Barrie.

I want to raise the larger question today about the discipline function of the Ontario College of Teachers. Your Minister of Education is quoted as saying that he wants to change the rules to make a majority of teachers on the board.

Teachers are already a majority on the board of the Ontario College of Teachers, Premier, as I'm sure you know. What your minister apparently means is that unionized teachers should be the majority on the board of the Ontario College of Teachers, which raises the larger question about the discipline function and the governance function of the Ontario College of Teachers as opposed to the advocacy function. I'm sure you understand the difference. The former chair, Joe Atkinson, says, "A proposal to increase teacher representation would put teacher unions in charge of policing their own members." Will you assure parents and students in Ontario that you will not take that step?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I'm not sure there is anybody more adept in this Legislature when it comes to driving in a wedge and trying to separate people. Here he wants to pick one of his favourite fights, with Ontario teachers. We're bringing in a different approach. In fact, when it comes to the Ontario College of Teachers, what we are determined to do is ensure that, yes, the representation there is constituted by a majority of teachers, but we want to ensure that there's a strong divide between the federation, the teachers' union, and classroom teachers. We are determined to ensure that those people who are sitting on the boards are not connected with federations, but rather are assuming their responsibility to act as a regulatory and disciplinary body on behalf of Ontario teachers. What we're doing in fact is the very opposite of what the member suggests, and we're doing it in a way that is reasonable and responsible.

**Mr Flaherty:** I'm sure it has nothing to do with the financial support for the Liberal Party from the Elementary Teachers' Federation, the Toronto Catholic teachers, the Ontario English Catholic teachers, the OSSTF, all in the last election campaign. You're a lawyer, Premier, and you know that someone accused of an offence should not have his or her lawyer paid for by the union, the judge be the union and the prosecution be the union. Even you understand that that's wrong, that it violates the basic principles of fundamental justice in Canada and in Ontario. Assure the people of Ontario that you will not do that. The Ontario College of Teachers is there to protect parents and students, not to protect union leaders. Please assure the people that you won't take that step.

**Hon Mr McGuinty:** I've got some very disappointing news for the member. I have provided that assurance time and time again. It will pull out from under him a

plank he loves to stand on and create havoc from. We believe, and let me be perfectly clear about this, the Ontario College of Teachers, like every other disciplinary body, should not be populated by federations or unions. We want classroom teachers sitting there charged with upholding the public interest and whose responsibility it is to ensure they're not there to represent the federation or the unions but rather to uphold the public interest and high teaching standards. That's our position with respect to the college, notwithstanding the member's indications to the contrary.

## HYDRO RATES

**Ms Marilyn Churley (Toronto-Danforth):** I have a question to the Premier. Last fall, you said you were going to take the politics out of setting hydro rates. You passed a bill that gave the Ontario Energy Board the right to set hydro rates no later than April 30 next year. But we've learned that you are giving yourself the right to hide the cost of your new, privatized hydro scheme until after the next election. Your new bill, tabled last week, allows the cabinet to set rates until some future date that the cabinet will determine by regulation. Why are you breaking your promise to take the politics out of setting hydro rates?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I know the Minister of Energy looks forward to speaking to this.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** That's pure fiction. Bill 4 contained exactly the same privilege. The Ontario Energy Board is on course for having the regulatory framework in place by April 2005.

**Ms Churley:** I suggest that you take out a copy of your own regulation. I have it right here. I can read; I can understand it. I'll tell you why you're doing it. You know your new, private electricity contracts are going to drive costs through the roof but you're afraid that an unbiased board will pass that on to the consumers, which would hurt your re-election chances, which are already severely undermined. So you're now pulling an Ernie Eves and you're trying to hide the true costs before the next election, and then plan to dump them on the consumers after the election is over. Premier, will you amend your hydro bill to remove your ability to manipulate hydro rates? Will you keep your promise?

1510

**Interjection:** Show some respect for Ernie.

**Hon Mr Duncan:** She should show some respect to Mr Eves, the former Premier of Ontario.

The member is just passing on fiction. She's right about the regulation.

Now let's talk about credibility and price fixing in electricity. Her government fixed electricity prices 43% higher in the first three years of their term. That's electricity price fixing.

Let's talk about their other credibility gap. I call it the Howard Hampton credibility gap. In their 2003 platform

they said they'd close the coal-fired plants by 2007, and then on CBC Radio your leader said, "It's just not realistic." We think it's realistic and we're going to do it. On the question of supply, they did nothing except cancel demand-side management, conservation programs.

That regulation was reflected in Bill 4. That is reflected in the legislation before this House. I look forward to debating the legislation at committee in the summertime, and I look forward to passing it to undo the mess that the NDP and Conservatives left in the electricity sector.

#### CHILD PORNOGRAPHY

**Mrs Donna H. Cansfield (Etobicoke Centre):** My question is for the Minister of Community Safety and Correctional Services. On Friday, Michael Briere, the self-admitted killer of young Holly Jones, indicated that his crime had been motivated at least in part by surfing child pornography Web sites on the Internet.

We know that child pornography is a cancer that affects each and every community in this province, using innocent children to pose nude or to perform sexual acts for the camera and apparently also in some cases leading to crimes against other children.

Minister, can you please tell this House what measures the government is taking to address the problem of child pornography?

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member from Etobicoke Centre for her question. Let me begin by saying that the exploitation of children, by whatever means, is obviously appalling and unconscionable. This government is committed to making sure that police have the tools and resources they need to fight against the heinous crime of child exploitation.

The OPP has a special unit dedicated to investigating the criminal activity of child pornography. The OPP's child pornography section is the first such unit in Canada and is looked upon by other police services in Canada as a leader in investigating these types of crimes.

As you know, our government was pleased to announce yesterday that an additional \$1 million in funding will be flowed to the OPP's child pornography section to enhance its current budget of \$1.4 million. This underlines our government's strong commitment to addressing this very important issue. The additional funding will mean that the unit will be able to increase its number of detectives, acquire technology and specialized training, and enhance its Web site so that parents and children have prevention tools and information.

**Mrs Cansfield:** My supplementary is for Minister Bryant. Given Michael Briere's statement that his crime was motivated at least in part by his having surfed child porn sites on the Internet, what specifically is this government going to do to shut down these sites?

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I thank the member for Etobicoke

Centre for her question. It was a very chilling day last week. I think everybody understands that we've got to clean up our Internet superhighways so that we stop access to child pornography. This is horrible, horrible, horrible and extremely harmful stuff.

We have said that we are going to work with Internet service providers, and many of these industry leaders have come to the government and said, "We want to set a model for the world in terms of establishing protocols that will permit" these ISPs "to contact police officers so we can do what we need to do to shut down these sites."

We need to draw consumers into this fight across the land. I've spoken to the Attorney General for Manitoba in this regard with respect to Cybertip.ca in seeing how we can better use it in the province of Ontario.

We are going to do everything we can—province by province, nation by nation—to stop child pornography from being transmitted across the Internet.

#### GASOLINE TAX

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Transportation. Minister, during the last election campaign you and many of your colleagues were travelling the province and committing to municipalities, rural municipalities as well as urban, that there would be a specific transfer of gasoline tax to help them with their transportation-related infrastructure. We now have had a budget. That budget document seems to be indicating that those rural municipalities that were promised and were expecting some of that gas tax transfer are now out of luck, because according to your budget documents, only transit will qualify for that transfer.

Minister, can you confirm for us here today that you are now breaking yet one more promise to the people of Ontario, or will you stand in your place and confirm that in fact some of that gasoline tax will go to municipalities that do not have transit?

**Hon Harinder S. Takhar (Minister of Transportation):** I'm very, very pleased that our budget includes the gasoline tax for the municipalities. We have not determined exactly how we will allocate those, and we are going to consult the municipalities to do that, but this money is for transit purposes and that's what it will be allocated for.

**Mr Klees:** You will know that you have mail from municipalities, for example, like Halton Hills. They have asked you specifically to make a commitment, given that they do not have transit in their municipalities but they do have other transportation-related needs. Can I then have your confirmation in this House today that in response to municipalities like Halton Hills, and Halton Hills specifically, you will send them in writing a confirmation that they can expect a portion of that gasoline tax to go to their municipalities to support them and provide assistance with their transportation-related infrastructure? Will you stand today and very clearly give a commitment to this House that you will do that?

**Hon Mr Takhar:** I'm surprised that this member will even ask me this question. They never allocated any

money for the municipalities from the gasoline tax, but we have. We're going to work with the municipalities to make sure that gets done.

I also want to inform the member opposite that we also have other programs, which includes \$900 million that we will be allocating to the rural municipalities as well. I also want to tell the member that we are fulfilling our promise a year ahead of schedule.

#### AUTOMOBILE INSURANCE

**Mr Gilles Bisson (Timmins-James Bay):** My question is to the Premier. Last fall, you went around this province during the election saying that you were going to lower auto insurance rates for the people of Ontario. I have yet another case; the phone calls are coming in every week. This case is of a young woman in Hearst who moved from the province of Quebec. She used to pay basically \$1,200 a year for a 1999 Mazda, came to Ontario, tried to buy auto insurance and was told it would be over \$4,000. Premier, will you admit that private auto insurance doesn't work and it's time for public auto in Ontario, as in Quebec?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** The very first thing we did, having assumed the responsibilities of government, was to put a freeze on auto insurance rates, which had been going up year after year under the Conservative administration. Thereafter, we brought in a series of measures which I am proud to say are bringing down, for the first time in years, the cost of auto insurance. A 10% reduction is pretty much universal across a wide variety of companies. More than that, we're now involved in the second phase of auto insurance reform, which will have an even more powerful effect on lowering auto insurance premiums in this province.

1520

**Mr Bisson:** I've just got to say, both to the Premier and to the finance minister, some freeze. This woman has had her auto insurance go up by \$3,200. That ain't a freeze, no matter how you cut it.

What galls people is that if we look at the profits of the auto insurance company—500% over last year. So will you admit that auto insurance in Ontario is not working? People are being ripped off. We should go to public auto, as have Manitoba, Saskatchewan, British Columbia and Quebec.

**Hon Mr Sorbara:** Mr Speaker, you've been around here long enough to remember when public auto insurance was the rallying cry of the opposition NDP. You were around here when the NDP was actually voted into power, from 1990 to 1995. And you were around here when then Premier Bob Rae stood in this House and said, to paraphrase somewhat, "I made a mistake. Public auto insurance would not work in this province. It would cost thousands and thousands of jobs. It would not give Ontarians the kind of insurance they need."

His leader at that time admitted it. It is only because they're in opposition again now that they're undertaking

that same refrain. I'm proud of the fact that under our change in regulations, auto insurance premiums in Ontario are finally going down.

#### HIGH TECHNOLOGY SECTOR

**Mrs Liz Sandals (Guelph-Wellington):** My question is for the Minister of Economic Development and Trade. Minister, I would like to ask you about one of the fastest-growing sectors in our economy, the high-tech sector. In my riding of Guelph-Wellington, we have a number of high-tech businesses that are successful thanks to a positive economic climate which your ministry has helped create, and is continuing to foster.

However, I was reading in the Ottawa Business Journal yesterday about possible cuts to technology grant programs by Stephen Harper's federal Conservatives. Business and industry reps have expressed their worry about a Harper-led Conservative government and their policies. Will a strategy of reckless Mike Harris-style tax cuts help the Ontario economy and high-tech businesses?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** I thank the member for the question. It's obvious that the federal Conservatives do not understand Ontario or Ontario's economy. In the recent budget, we made announcements that we will be investing in key strategic areas for the economy: in health care, education, infrastructure, innovation and commercialization. For a stronger economy these are key investments.

Mr Harper's policies would jeopardize all that. He would have us in a race to the bottom for low-wage, low-skilled jobs. Those are the failed policies of the Mike Harris era, and we're not going there. We want high-paying jobs, high-value-added jobs. That's what this government is going to invest in. That's what we're all about.

**Mrs Sandals:** In the business journal article, high-tech leader Debbie Weinstein was quoted as saying, "[They're] just going to get rid of things ... without looking at the ... benefits they're creating to high-tech employment and commercialization."

I know that research and development, innovation and commercialization are important parts of our government's agenda for economic growth. These partnerships with the private sector have been shown to create excellent economic benefits, and some tremendous success stories.

The McGuinty government knows that information, invention and innovation are the new pillars of economic strength and success. Why is Mr Harper putting forward an economic policy that will be harmful to Ontario and put jobs of hard-working Ontarians at risk?

**Hon Mr Cordiano:** I'm very concerned about Mr Harper's policies and how they'll impact on Ontario's economy. We've worked very hard to forge a partnership with the Liberal federal government. Obviously, Mr Harper is not interested in investing in greater prosperity. He wants to put tax cuts ahead of investing in prosperity for the economy.

These are failed policies of the previous Conservative government in Ontario. I'm afraid that ideology would triumph over sound economic policies. That's a recipe for disaster. We want to invest, and we'll continue to invest, in innovation, in R&D and in commercialization. The faster we get ideas to market with products, the greater the number of high-paying jobs, the more value-added jobs. That's the kind of economy we want to build for Ontario.

I don't understand why the federal Conservatives don't get this, why they don't want to invest in Ontario. I think those are failed policies of the Mike Harris era, and the people of Ontario don't want to see a return to that.

### ENERGY ISSUES

**Mr John O'Toole (Durham):** My question is for the Minister of Energy, but I see he's not here at the moment. Perhaps I'll direct it to the Premier. Premier, you must be familiar with your budget speech on page 23, and I'll read it here for you, if you wish. On page 23 there's a little chart that says, "Includes one-time revenue gain of \$3.9 billion related to the projected elimination of the liability for non-utility generator power purchase agreements in 2004-05."

Minister, I'd like you to explain this to the House. Where does the revenue of \$3.9 billion come from, or is it simply an additional burden on the taxpayers? What I'm understanding it to be, if I look at the question clearly, is that you increased the electricity rates—we understand that—in April, and I understand now that you're going to increase the electricity rates for the second time—another broken promise. Is this what I can read from this obscure comment on page 23 here?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** No, we're not raising the price again. In fact, we're trying to deal with the \$1.8-billion mess you left on the province's books. You ought to be ashamed of yourself even asking the question.

We also cancelled all the contracts to the Tory friends at OPG and Ontario Hydro. Let me remind you, it was millions of dollars.

The non-utility generator contracts are electricity contracts. Liability for them will rest with ratepayers. This is consistent with our policy to have consumers pay the true cost of electricity. Our goal in doing this is to free up the money for health and education. These are the priorities that Premier McGuinty and Minister Sorbara put into the budget. We have to clean up the mess you left in health care, the mess you left in education and the mess, frankly, that you left at Ontario Hydro. It's not easy but we're doing it, and we're going to make sure the legacy you left is wiped out and fixed once and for all.

**Mr O'Toole:** Some of what you're saying, that this liability rests with the ratepayers, that's just what the point was. It's really another rate increase. The people of Ontario should be prepared for a second whack on this issue.

Minister, I'm going to change to a slightly different area in the energy file. I would like to say that your commitment to closing the five coal-fired plants is a laudable objective. I completely support it.

### *Interjections.*

**Mr O'Toole:** Let's pay close attention. However, it's another Liberal promise, so you must be a bit concerned when not one expert in the industry believes you. Check the papers. Read the newspapers. Listen to the experts. There's not one who believes you. I'll put it to you simply, Minister: Would you resign if you fail to shut down any one of the five coal-fired plants? Will you put your resignation and your promise on the table here today, or is it just another broken promise?

**Hon Mr Duncan:** No, I won't resign on that, number one. But what I will do, and we'll be outlining this: I don't know what experts you're listening to, but the people of Ontario expect us to move on that commitment and to help clean up air quality.

Let's talk about what the Ontario Medical Association has said in terms of lives lost as a result of smog and air pollutants. Unlike you, we're not going to give up. We've set an ambitious target and we're going to move heaven and earth to achieve it.

Let me tell you something else about that government. That is the government that said it would lower prices, and when they put their policy in place, prices skyrocketed in an unprecedented fashion, to the point where the government of the day had to then put a cap on price that was paid for by the taxpayers of this province to the tune of \$1.8 billion.

We're moving quickly to clean up the mess that government left in the energy sector, and we've set ambitious targets on coal. We will move heaven and earth to achieve them.

1530

### COMMUNITY-BASED MENTAL HEALTH SERVICES

**Mr Michael Prue (Beaches-East York):** This is a question to the Minister of Community and Social Services. Madam Minister, this is a non-partisan issue, so I want you to listen carefully to this. I have a constituent who has a psychiatric disability. He was found penniless, filthy, disoriented in a public park. The police brought him to the doctor, brought him to the social worker, and they found him a home in a retirement home, for which he gets \$930 a month. That \$930 has now been removed by your department. They say he can't have it because he gets his meals there and that he is no longer eligible to remain. The staff in your department are refusing to intervene unless there is an order in council. That is up to you. That's what you do. If I give you the documentation here today, will you intervene? Will you stop that man from going back to being penniless, disoriented and filthy in a public park?

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I appreciate the member's concern over a con-

stituent of his. I'd be very happy to look at that file. I'm not aware of the kinds of rules that are prescribed for this particular case. I'm very happy to see whether or not the right rules were applied. I can tell you that, generally, as you know, this government is moving forward to help people who really do need help. Based on the information you've provided to this House, it certainly seems like this is one of those such cases, and I would be happy to look at this.

**Mr Prue:** Madam Minister, the regulations that are in place are very bad regulations. I'm not saying that you put them there, but they're very bad, because this is not the lone individual who is seeing this. This is a very bad decision for this constituent. It's bad for the taxpayers, because if we remove him from the nursing home, then he is eligible again for the \$930, although he has no way to spend it, because he doesn't have the wherewithal to do the right things. And it is bad for the thousands of people like him, who are caught in the same bind.

So what we are asking you to do, quite simply, is not only to look at this constituent, but what we need you to do is to look at the whole situation where a person is removed from the nursing home and goes to a hospital at \$430 a day versus \$930 a month. That's \$13,000 a month versus \$1,000 a month; that's 13 times the money.

The general policy decision—these people are marginalized and they're at risk, they're psychiatrically disabled. We need new rules. Not only will you help this man, but will you look at the rules that are putting him there?

**Hon Ms Papatello:** I know this member will be very pleased to have heard that our parliamentary assistant for this ministry, Deb Matthews, has already instituted a review. We've included many, many people, groups, agencies and recipients in this review of the system. Neither you nor I is pleased with how Ontario Works or the disability support is being delivered, because there are rules that simply don't make sense in many cases. I agree with that. We are looking at those rules.

You'll also note that some of these issues go beyond community and social services. All of us in this House are pleased to see the kind of investments in this current budget around community mental health.

In your particular case, it sounds as though those are the kinds of initiatives we need to address, the right solutions to these people at the right time, so that they are in the right place, not only to get care, a roof over their heads, but also the kind of supportive living that means they can live in the community where that's possible, and we provide the right supports. I am happy to look at this case, and I know that you will help us, too, in this review, to see that we are applying fair and equitable rules to truly help people.

#### ELECTRICITY SUPPLY

**Mr Peter Fonseca (Mississauga East):** My question is for the Minister of Energy. Some of the greatest challenges our government faces are those in the electricity

sector. Years of mismanagement and inaction by the previous two governments have made the need for change and decisive action even more urgent. On April 15, you outlined some of the government's plans for change in this sector. Minister, with the legislation that you have introduced in this House, how is our government ensuring this sector is put back on solid footing after years of Tory neglect?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** What we know for certain is that if we had continued on the same path, we would not be able to power the growth in our economy that's coming forward. Our electricity sector would have ceased to be the great enabler that it's been throughout most of Ontario's history.

We are putting Ontario back on a solid footing by taking a balanced approach.

First of all, we lifted the cap.

Second, we've now introduced legislation that will redefine the sector, and it provides for public ownership, provides for a new Ontario Power Authority and provides for a new Ontario conservation bureau.

These initiatives, wrapped up with the Premier's commitment on conservation, wrapped up with the Premier's commitment to close the coal-fired plants in this province, represent a dramatic shift that will provide price stability and reliability of electricity and help the sector become the great strength it was once before. That vision is laid out by the Premier and is incorporated in our first bill, and we believe that at the end of four years prices will be stable, supply will be stable and the people of Ontario will be far better served by their electricity sector.

**Mr Fonseca:** Minister, as you outlined in your statement to this House, the legislation, much like the operation of the sector, is complex. You discussed an enhanced Ontario Energy Board. Furthermore, you mentioned the creation of the Ontario Power Authority, which would be responsible for procuring new supply, transmission and demand-management initiatives, either by competition or by contract. The power authority would assess adequacy and the reliability of electricity resources and forecast future demand. It would also prepare an integrated system plan for generation, transmission and conservation, to be reviewed by the Ontario Energy Board. You also spoke about the conservation bureau and the Independent Electricity System Operator. Minister, how will these organizations help us with supply, conservation and reliability in the sector?

**Hon Mr Duncan:** Under our proposed changes, the Ontario Energy Board will continue to have a strong role in protecting consumers through licensing and rate regulation. They would ensure the economic efficiency, cost effectiveness and financial viability of the various elements of Ontario's electricity system.

Consumer protection is a hallmark of our energy policy. The conservation bureau, as part of the Ontario Power Authority, will help us build a true conservation

culture. As Premier McGuinty has clearly stated, conservation must be a cornerstone of Ontario's long-term energy future.

With the bill before the House today, we are looking beyond the next four, eight and 12 years to ensure a reliable, sustainable and diverse supply of power at stable, competitive prices for generations to come. We're taking action, because the McGuinty government recognizes that the health of this sector is vital to ensuring Ontario's economic prosperity.

#### USER FEES

**Mr Jerry J. Ouellette (Oshawa):** My question is for the Premier. Premier, although you've stated that your budget has been well received, I can tell you that the federal Liberal candidates in Oshawa aren't smiling. But, Mr Premier, the gift of taking doesn't end with the announcements that you've already made. The worst may be yet to come. You see, Premier, in your budget on page 124, the last paragraph lists other fees and charges. It states on page 125, "... other smaller fee changes, will be provided by individual ministries responsible, once arrangements and details are finalized."

Premier, the House is about to rise. Once it has risen, we won't have the opportunity to question you on these new tax increases. Can you, according to your budget, tell us what these new tax increases are going to be?

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

**Hon Greg Sorbara (Minister of Finance):** Virtually all additional fees and charges were itemized in the budget, a number of them applying to courtroom fees. The reinstatement of a suspended driver's licence, for example, is up significantly. Others are very modest indeed and will have virtually no impact. I want to tell my friend that he should not be holding his breath during the summer for additional announcements. Virtually all additional fees and levies have been itemized in the budget.

**Mr Ouellette:** Clearly it states that other small fee changes will be provided by the individual ministries. I wasn't really anticipating an exact ministry breakdown. But according to page 124, "... ministries brought forward proposals that more closely link the cost of ... service and the associated benefits received."

Minister, can you at least let us know which ministries brought these proposals forward so we can anticipate—at least your caucus members can anticipate what calls they're going to receive through the summer?

**Hon Mr Sorbara:** Sir, one of the things that was, I think, most gratifying during the budget-making process was how hard individual ministers and ministries worked to re-examine what was going on in their ministries and to make the shift, which is discussed in the budget, to results-based budgeting; in other words, looking for areas where we were achieving the results that we want and placing resources there, and finding other areas where we

were simply spending money but not achieving the results that are within the priorities of this government. That process, budgeting for results, will characterize everything we do from here on throughout the life of this administration.

I want to repeat to my friend that he ought not to be expecting additional fees and levies. They are itemized here in the budget. They're the result of the kind of work that every single minister went through in helping to prepare this budget, and we're all very proud of that work.

1540

#### SCHOOL CLOSURES

**Ms Andrea Horwath (Hamilton East):** My question is to the Premier in the absence of the Minister of Education. I had the occasion to attend a meeting last night in the riding of Hamilton East in the community of Rosedale. The meeting included hundreds of neighbours, parents and students of a Catholic elementary school called St Christopher. The parents were stunned to learn that the separate school board is, in fact, contemplating the closure of their school. They feel betrayed. They believe that the government has broken its promise for a moratorium on the closure of schools. I ask the Premier, will you commit to ensuring St Christopher is not closed?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I'm sure the member will recognize that we have made a significant investment through our budget and our four-year plan in public education. Instead of investing money in private education, as the previous government wanted to do, we are investing in our public schools—\$2.6 billion into our schools over the course of our mandate. We are determined to have lower class sizes, to hire at least 1,000 new teachers and to train lead teachers for literacy and numeracy in each and every one of our elementary schools.

**Ms Horwath:** The minister can make all the announcements he wants, and the Premier can reinforce those announcements here in the Legislature but, quite frankly, the bottom line is that schools like St Christopher are often the glue that holds neighbourhoods together. In fact, this school was described by the parents and the neighbours of this community as a Shangri-La in the neighbourhood. Will you guarantee, I ask once again to the Premier, that St Christopher will remain open and continue to be a Shangri-La for that community?

**Hon Mr McGuinty:** Certainly I can well understand the respect and affection and feeling that parents develop for a local school. I know that the Minister of Education is working hard, not only with individuals within the ministry, but with all those who are committed to public education, including those at our school boards, to develop a better funding formula that recognizes the value that people attach to their local schools.

We have put in place a moratorium. We've asked school boards to honour that moratorium as we work hard to develop a better funding formula. But at the end

of the day, that decision rests with the local school boards. What we're doing is urging the school board, and school boards throughout the province, to put those decisions in abeyance while we revise the funding formula and draft a funding formula that is better suited to ensuring that we recognize the value of our local schools.

## PETITIONS

### CHIROPRACTIC SERVICES

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

"Re support for chiropractic services in Ontario health insurance plan ...

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

It's signed by a considerable number of my constituents, and I have affixed my signature to it as well.

*Interjections.*

**The Speaker (Hon Alvin Curling):** I ask members to leave quietly, as we have a rotation of petitions. The member from Etobicoke North.

**Mr Shafiq Qadri (Etobicoke North):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province," and especially for the MPP from Durham.

I present this to our page, Ian, for presentation to you.

**The Speaker:** Petitions? I have to give it to the leader of the official opposition.

**Mr Ernie Eves (Leader of the Opposition):** I am pleased to present to the House a petition signed by 2,600

Ontarians, many of whom are constituents of Dufferin-Peel-Wellington-Grey, requesting that the government reverse the short-sighted and ill-advised decision to eliminate OHIP funding for chiropractic services, and I am pleased to affix my signature thereto.

### WORKERS' COMPENSATION

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

"Whereas, since Bill 99 was passed in 1997 by the Harris government, the situation for injured workers with respect to income, recognition of their injuries by the compensation system, treatment by the employer and opportunities for re-employment has dramatically deteriorated; and

"Whereas employers have more power today to frustrate and intimidate injured workers and are less accountable for their actions; and

"Whereas employers are increasingly putting greater effort into avoiding reporting of claims and associated costs than into preventing injuries; and

"Whereas the compensation system is increasingly more concerned about minimizing costs for employers than ensuring full compensation for workers; and

"Whereas it is the responsibility of the provincial government to ensure fair and adequate compensation for workers and to ensure healthy and safe workplaces;

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

"To direct the provincial government to immediately: change the name of the Workplace Safety and Insurance Board back to the Workers' Compensation Board; implement full cost-of-living protection for injured workers; establish full coverage for all workers and all work-related disabilities and diseases under the compensation system; abolish experience rating, which encourages employers to, and rewards them for, hiding occupational injury and illness by giving them money back from their premiums; enforce health and safety in the workplace by hiring more inspectors and sending them to workplaces; enforce employer re-employment obligations and abolish provisions which deem workers to be receiving wages from jobs they don't have; and conduct a complete review of the workers' compensation system in order to write new legislation which ensures fundamental benefits and rights for workers, including survivors of workers killed on the job, as called for in the CAW 'jobs or full compensation' platform."

### HIGHWAY 44

**Mr Norman W. Sterling (Lanark-Carleton):** "To the Legislative Assembly of Ontario:

"Whereas the province no longer maintains Highway 44 linking the town of Almonte to Highway 417 and the provincial highway system and, in addition, has not installed nighttime lighting of any kind at the exit number 155 interchange;

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

"That the provincial government petition the city of Ottawa to change the name of the former Highway 44 from March Road to Almonte Road from exit 155 to Highway 417 to the city boundary with the town of Mississippi Mills; and

"That the provincial government install suitable nighttime lighting at interchange 155 on Highway 417."

I've signed it.

#### CHIROPRACTIC SERVICES

**Ms Andrea Horwath (Hamilton East):** I was very graciously provided this petition that was collected by Doctors Roberta Koch and Ira Acetti, who are doctors of chiropractic in the area of Hamilton East.

The petition is to the Legislative Assembly of Ontario regarding "support for chiropractic services in Ontario health insurance plan:

"Whereas elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to the government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, health care system, government and the province."

I'm pleased to forward this petition and affix my signature thereon.

**Mr Richard Patten (Ottawa Centre):** I have a petition to the Legislative Assembly of Ontario for support for chiropractic services in the Ontario health insurance plan.

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

#### OPTOMETRISTS

**Mr Cameron Jackson (Burlington):** "Whereas the last funding agreement between the Ministry of Health and Long-Term Care and the Ontario Association of Optometrists expired on March 31, 2000;

"Whereas the optometric fees for OHIP-insured services remain unchanged since 1989; and

"Whereas fees for OHIP services do not provide for fair or reasonable compensation for the professional services of optometrists in that they no longer cover the costs of providing eye examinations; and

"Whereas it is in the best interests of patients and the government to have a new funding agreement for insured services that will ensure that the most vulnerable members of society are able to receive the eye care they need;

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

"That the Minister of Health and Long-Term Care resume negotiations immediately with the OAO and appoint a mediator to help with the negotiation process in order to ensure that the optometrists can continue to provide quality eye care services to patients in Ontario."

It has my signature of support.

1550

#### CHIROPRACTIC SERVICES

**Mr Jeff Leal (Peterborough):** "To the Legislative Assembly of Ontario:

"Re support for chiropractic services in Ontario health insurance plan:

"Whereas elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic care will no longer be able to access the health care they need; and

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments; and

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to the government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I deliver this petition on behalf of my constituents in Peterborough.

**Mr Ernie Hardeman (Oxford):** I have here a petition to the Legislative Assembly of Ontario.

"Re support for chiropractic services in Ontario health insurance plan:

"Whereas elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be

forced to seek care in already overburdened family physician offices and emergency departments;

“Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

“There was no consultation with the public on the decision to delist chiropractic services;

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province.”

I affix my signature as I totally agree with this petition.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr Michael Gravelle (Thunder Bay-Superior North):** “To the Legislative Assembly of Ontario:

“Whereas the government of Ontario introduced public policy in 1973 ... that recommended that people with intellectual disability be socially integrated within their local communities and with other citizens; and

“Whereas the government of Ontario recommitted itself to that public policy in 1987 ... and stated that Ontario will phase out institutional placements for all people with intellectual disabilities; and

“Whereas all three political parties in the province have endorsed this public policy and supported community living for people with intellectual disabilities;... and

“Whereas the government of Ontario has made no effort since March 31, 2000, to move any people out of these institutions...;

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

“(a) introduce a plan to provide community living opportunities for the almost 1,100 people who continue to reside in the province’s institutions for people with intellectual disabilities; and

(b) close these three remaining institutions in Ontario...; and

(c) accomplish these goals within a three-year time frame (April 1, 2004-March 31, 2007).”

This is signed by thousands. I want to pass this to my page from Thunder Bay, Brendan Hamilton, who goes to Algonquin school—a great young man. Good to have you here, Brendan.

#### SCHOOL FACILITIES

**Mr Jim Flaherty (Whitby-Ajax):** This petition is from people in the community in Chapleau. They are concerned.

“Whereas our community has spent generations building an ideal community based on religious, culture and language differences;

“Whereas our small community’s heritage is at stake;

“Whereas we request a higher level of co-operation that our students will not be separated;

“We petition the Legislative Assembly of Ontario to halt the construction of a new French separate high school in the community of Chapleau.”

Obviously they’re concerned with the education policy and construction in their community. I present this petition on their behalf, at their request.

#### CHIROPRACTIC SERVICES

**Mr Dave Levac (Brant):** Along with the other petitions I have tabled, I would like to bring the voice of my community to the Legislative Assembly of Ontario.

“Whereas elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

“Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

“Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

“There was no consultation with the public on the decision to delist chiropractic services;

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province.”

I affix my signature to this petition.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I have here about 1,200 names.

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province.”

I affix my signature.

#### DISTRICT OF MUSKOKA

**Mr Norm Miller (Parry Sound-Muskoka):** I have more petitions to keep Muskoka part of northern Ontario, bringing the total to over 8,000.

“To the Legislative Assembly of Ontario:

“Whereas the district of Muskoka is currently designated as part of northern Ontario; and

“Whereas the geography and socio-economic conditions of Muskoka are very similar to the rest of northern Ontario; and

“Whereas the median family income in the district of Muskoka is \$10,000 below the provincial average and \$6,000 below the median family income for greater Sudbury; and

“Whereas removing the district of Muskoka from northern Ontario would adversely affect the hard-working people of Muskoka by restricting access to programs and incentives enjoyed by residents of other northern communities; and

“Whereas the residents of Muskoka should not be confused with those who cottage or vacation in the district; and

“Whereas the federal government of Canada recognizes the district of Muskoka as part of the north; and

“Whereas this is a mean-spirited and politically motivated decision on the part of the McGuinty government;

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

“That the McGuinty government maintain the current definition of northern Ontario for the purposes of government policy and program delivery.”

I support this petition and affix my signature.

#### CHIROPRACTIC SERVICES

**Mr Kevin Daniel Flynn (Oakville):** I’ve got a petition signed by approximately 300 constituents in Oakville. The intent of the petition, which I’m tabling today, is quite simple: They would like us to maintain OHIP coverage for chiropractic services.

#### PHYSIOTHERAPY SERVICES

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I have here about 1,300 names to the Legislative Assembly.

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

I affix my signature.

#### TAXATION

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition to the Legislative Assembly of Ontario to do with taxpayer protection.

“Whereas the McGuinty government’s 2004 budget will break the taxpayer protection law by not conducting a referendum on tax increases; and

“Whereas Dalton McGuinty signed an election pledge on September 11, 2003, not to raise taxes without the explicit consent of voters through a referendum; and

“Whereas Dalton McGuinty promised in TV ads not to raise taxes by one penny on working families; and

“Whereas Dalton McGuinty pledged in writing to obey the taxpayer protection law, which requires a referendum before increasing taxes;

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

“To ensure that all of the McGuinty government’s tax increases are put before the people of Ontario in a referendum.”

I support this petition and affix my signature to it.

#### 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)

Resuming the debate adjourned on June 17, 2004, on the motion for second reading of 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 Speaker (Hon Alvin Curling):** Further debate?

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I’m very pleased to stand today in support of Bill 63, which, if passed, will end the 60-hour workweek. I’ll be sharing my time with my colleague the member from Markham.

This proposed legislation is a response to a commitment our government made to end the 60-hour workweek that was introduced by the previous government. It’s a commitment to bring back balance to our lives—each of our lives, I guess—and to those workers in communities who maybe are being asked to work more than they want to.

#### 1600

With this legislation, we’ll be restoring workers’ rights to make the decision, for them to choose whether or not they work more than 48 hours a week. This will allow us, as a community, to prosper. It will be for the well-being of our province, as well as the well-being of the workers in our province.

I want to spend a couple minutes talking about how we got here. A fundamental protection existed in our province for many, many years, where workers were allowed to choose whether or not they worked more than 48 hours a week. This fundamental protection existed for decades, as the Ministry of Labour had approval of hours of work over 48 hours a week. That layer of added protection allowing people to feel safe and secure in their workplaces was removed by the former government without regard to how vulnerable workers would feel when they were seeking to assert their rights.

As a result of the previous government's legislation, some employees over the last number of years have felt too worried, too nervous, too coerced by their employer—and the power that their employer has over them—to say no to an employer's request to work those 60 hours a week. So at present, there's no government oversight to support an employee's decision.

At its heart, that's what this legislation is about. It's an opportunity to have the government play an overseeing role, a supervising role in some capacity, to ensure that there's a balance of interests between employees and employers in requests for folks to work longer hours.

I know over the past days of debate we've heard some folks talk about how this will be bad for business. I want to respond emphatically that this will not be bad for business. This is an opportunity to make sure that we balance the rights of employers and employees and make sure that we have a fair playing field for workers in our communities.

The benefits to employers are important, in that this bill is part of a comprehensive strategy to bring about real changes in our employment standards in the province. That will benefit all of our workplaces. Better workplaces are better for workers and better for business and jobs, creating prosperity in our province.

We're also going to make it as easy as we can for employers to get the government oversight and the government supervision for this request, if a request is made, for an employee to work those longer hours. We want to make sure that Ontario employers can compete across the world, that we don't impose added burdens on them in their workplaces and that, as a counterbalance, we also have a level playing field for all of our employees and our employers.

So we're making it as easy as possible. Businesses are going to be able to file on-line, by fax, by mail or in person. We are going to ensure that the Ministry of Labour responds in a timely fashion to those requests. Most approvals, so that we don't have an added amount of red tape for our communities, will be for up to three years. So it won't be on an ordinary basis that employees will be asked to work. It's not like something we're going to be doing every week. We're going to be saying, "Can you bring forward this and make sure that there are protections in place?" We're going to have simple forms and easy-to-use information. There won't be any fees associated with it. Also importantly, if this legislation is passed, we're going to have a transition period so that employers have some time to get ministry approval before the law comes into effect.

I think those are very particular things that we need to talk about: how we will implement this type of legislation so that we do acknowledge that there is a need to make sure that employers are successful in this province, because people need jobs. People need to have good jobs. They also need to have a balanced life, with the ability to make the decision themselves as to whether they will be working those extra hours.

In terms of the benefits for society as a whole, we have to look at the fact that estimates put direct costs of

absenteeism in the Canadian workplace due to high work-life conflict at between \$3 billion and \$5 billion a year. So anything that a government can do to make sure we diffuse that workplace stress and reduce the direct costs of absenteeism will, at the end of the day, benefit our society and will benefit the financial ability of our society as well, because we won't have the added costs of absenteeism.

It's not as simple as counting up the dollars and the amount of absenteeism there is when we talk about a piece of legislation like this—\$3 billion to \$5 billion. That's a significant number. But more importantly, we need to talk about the real cost, for example, when you're talking about the cost of these consequences on a family, on a parent, on a mother or father who's being asked to work those longer hours, who is perhaps a new immigrant to this country who doesn't feel secure in their job and is concerned about taking advantage of a right they have to simply say, "No, I don't want to work those extra hours."

This level of protection makes sure that the rights you have can be taken advantage of. The long-held saying is that if you can't exercise a right, you don't have a right at all. That's really what this legislation is about. It's a practical piece of legislation to make sure that people have the ability to exercise the rights they have. We want to make sure you are not being coerced, not feeling under pressure to accept working longer hours when you really want to be at home, perhaps with your family. We want to make sure the choice is real.

I also want to talk a little bit more about the balancing issues that this legislation is part of. It's part of a comprehensive package of revising the way we deal with employee-employer relationships in this province. It's part of an overall strategy. We're going to increase awareness, outreach and enforcement strategies to make sure we protect our employees across this province, especially vulnerable employees, when it comes to hours of work. We're also going to make sure that workers have the information they need to exercise the rights they've been given.

The Ministry of Labour is also undertaking a number of other initiatives that will help to make sure we have balance in our workplaces. They are looking to make sure we have a renewed Workplace Safety and Insurance Board, bringing back balance to our workplaces across the province. We are also establishing a minister's action group to move quickly on some serious employment standards issues. Those will make sure we have balance in our workplaces across this province, making sure that in workplaces in specific areas like mining safety we protect our various workforces across the province.

If you've grown up in a generation like mine and you haven't been at the front of battles, making sure our workplaces were safe, making sure our workplaces were balanced, sometimes we forget the battles that have been fought over many decades and many generations to ensure that our places of work were safe, that our places of work were balanced. Those battles were hard fought

over many decades and many years to make sure that individuals were not asked to work in unsafe conditions, that people were allowed to balance their lives with their family lives, that we weren't asking people to work in conditions none of us would want to work in.

We can think back to a time and a place in this province when those rights weren't there. They weren't on paper and they certainly didn't exist in any fashion. We can all think, I'm sure, of stories our grandparents have told us about the conditions they were asked to work in, in mines, in factories—

**Mr Tim Hudak (Erie-Lincoln):** On a point of order, Mr Speaker: I'm disturbed the government does not assume this bill is important enough to listen to. I don't believe we have a quorum in the House.

**The Acting Speaker (Mr Ted Arnott):** Would the table staff attempt to ascertain if there is a quorum.

**Deputy Clerk (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Deputy Clerk:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for Etobicoke-Lakeshore.

**Ms Broten:** I'm pleased to wrap up and talk about why this legislation is so important. There are many of us who I know want to ensure the rights of those in our community, the workers in Etobicoke-Lakeshore, who will be working along with employers who will benefit from this as well, who will make sure that their employees are happy, safe and comfortable, and that this legislation will bring back the necessary balance in workplaces across this province.

1610

**Mr Tony C. Wong (Markham):** I want to start by saying that it's a delight to rise to speak to Bill 63. We certainly want to restore a worker's right to choose whether or not to work for more than 48 hours in a week. Now, of course, the attention that we pay to see that the well-being of every worker in this province is attended to, to attend to the well-being of the workers and residents of Ontario, is fundamental to this bill, and it is the underpinning of the bill itself.

Now that I have a bit more time to speak to this bill, I want to start by talking about what's happening in my riding of Markham, the high-tech capital of Canada. We have been fortunate enough to be able to build this cluster of high-tech companies in this lovely town of Markham, which has also earned the Prince of Wales award with respect to its protection of environmental initiatives. We have over 1,000 high-tech companies in Markham, including the headquarters of IBM, ATI, Geac, Sun Microsystems, Lucent Technologies etc. It's not easy for these high-tech companies to compete with a very rigid work schedule, and I've alluded to that previously.

I want to give you an example of what we have been able to achieve as the high-tech capital. I go back to 1998, when Mayor Don Cousens, a former member of this House, and I led a business delegation to Beijing,

China. We met with officials there, including officials of the science park called Zhongguancun, the counterpart of Silicon Valley, in China. It's a long process. We've been working with them—and they've come back a couple of times—for five years.

Actually, it wasn't until 2001, when they sent a delegation back to express an interest in an additional higher level of interaction and representation in Canada. In 2002, the deputy mayor of Beijing visited Markham. He is the deputy mayor in charge of the science park. He indicated that, yes, they were looking for a North American representative office. This is actually the fourth one that they were looking for. They had the first one in San Jose; the second one in Tokyo, Japan; the third one in Amsterdam; and they were looking for an additional one in North America.

Now, it's too bad they did not pick Ottawa, but as a result of our persistent and enthusiastic efforts, we went back a month after the deputy mayor from Beijing visited Markham and sealed that contract. I know that some members in the House are not as happy as I am, but I was perfectly happy when they finally decided to pick Markham as the fourth representative office internationally.

I say this because it is important for our workers, many of them ICT specialists, to be able to work around the clock, especially when you interact with professionals in Asia-Pacific. You have to work late hours and often-times odd hours. So whether it be 48 hours a week or 40 hours a week, it's not going to work. That's not going to cut it, because they may need to work extremely long hours during the week, when they are under pressure to produce results, so that they can communicate with folks in Asia Pacific. This is one aspect where the bill is important for the high-tech specialists and workers in Markham.

I want to give you another example. We in Markham were able to get the IBM software research lab. That is really an extremely important company for us. Although IBM Canada has been headquartered in Markham for more than 25 years, when they were looking for a city to put in place their software research lab, they were looking at a number of countries. There were three countries that they had finally decided on. Canada fought hard to bring them here. Within Canada, they also were looking at three cities, and Markham was fortunate enough to be able to bring them on board.

This is a high-tech research company that will be hiring 5,000 professionals, two thirds of whom will be PhDs. At this time, I understand they have hired about 3,000 people. I say this because when you talk to research specialists, especially in the high-tech area, they do not adhere to a regular 9 to 5 schedule, so you have to have that flexibility. I'm giving you these two examples because I want to emphasize that for high-tech research as well as commercial enterprises, flexibility is of the essence.

What are the options? The status quo? No. We know the status quo is not going to work because the Ministry of Labour staff consulted with over 30 key labour,

industry and employee advocacy groups on how to regulate hours of work. During these consultations, they were told, number one, that the absence of ministry oversight for hours of work beyond 48 in a week has left employees feeling they have no real choice. That is why we've been talking about what constitutes a genuine choice. They've also been told by the employers that without enforcement there would not be a level playing field. So the status quo is not satisfactory.

What about limiting it to 48 hours, period—no overtime? I've said before that that's not going to work either, because a lot of times high-tech personnel especially have to be able to work long hours for maybe a short period of time to deliver the results they're expected to deliver. So that's not good either.

Bill 63 strikes a good balance. That is why I think ministry oversight and requiring an employer to apply for employees to work over 48 hours is the answer.

I will talk briefly about the impact of Bill 63 on immigrants, especially new immigrants. The member from Etobicoke-Lakeshore, as well as the member from Etobicoke North, has alluded to this aspect. This is very important, because what this bill is about is protecting the most vulnerable. Why are they the most vulnerable? Because oftentimes they have a language barrier. Whether these immigrants have come from China or South Asia, they may not be totally conversant in English or French.

In addition, contrary to public belief, many of them are actually of very meagre means financially. I've heard comments such as, "Oh, these rich people coming in from Hong Kong don't need to work; they don't need to do anything." I smile and laugh at the ignorance of the people who make those comments. I know these people very well, and the vast majority of them are of meagre means.

They are also vulnerable because when they come to this country, even though they might be professionals in their country of origin, they do not have the knowledge of the law and their rights. That is why, by protecting the most vulnerable, it's important for us to do a number of things.

Let me tell you that this bill requires employees to apply for ministry approval for employees to work for more than 48 hours. It also requires that written agreement of employees be obtained in that regard. It requires that employees be provided with an information sheet produced by the Ministry of Labour before they sign any agreement. Finally, it requires that workers be provided with information on their rights and responsibilities under the Employment Standards Act in a number of languages besides English and French.

For these folks, language is very important. I can talk about what the York region department of health has done. They've translated various important pieces into six languages, in addition to English and French. They recognize that it's important for people to at least understand what their basic rights are and what health aspects have to be addressed before they can live happily and enjoy the quality of life we want them to enjoy.

I want to talk about these immigrants because I know; many of these are my long-time friends. I have attended to their needs and helped them in many ways. Even with all these requirements, I know that many of them will still not dare raise objections to additional hours beyond 48 in a week. That is why I hope this will only be the first step in protecting the rights of the most vulnerable, such as new immigrants. I hope the Minister of Labour, who is probably not listening, will take the second and third steps in protecting the rights of the most vulnerable.

1620

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

**Mr Ted Chudleigh (Halton):** It's an interesting debate, the changing of work hours and the effect it has on people in Ontario. It was interesting that last weekend was the standardbred races at Woodbine. I believe it was the Pepsi Challenge Cup. Traditionally, it's one of the major standardbred races in Ontario. Traditionally, it has been held on the same weekend as the Queen's Plate. However, this year, it has been separated by a week, much to the chagrin of the organizers and of the employees.

It was always a wonderful weekend for the employees to work, in both the Pepsi Challenge and the Queen's Plate, as it was a big tipper's weekend. The people who worked on that weekend did well. However, this year, because of this legislation and because of the length, the period of time between the shift changes, they could no longer hold it on the same weekend. Their staffing requirements were such that they had to change weekends for it.

This is a situation where new government regulations are getting in the middle of how business is conducted in Ontario. I think it creates a problem when legislation does that. The same thing can be said of a driver who goes from Toronto or some other city in Ontario, and drives for perhaps six, seven hours to his destination, unloads his load and gets back home on that same day. Now, because of this legislation, he won't be able to drive, particularly if he has a problem with weather, or he has to go slower than normal or there are traffic hold-ups.

That's another indication of where the legislation this government is introducing is going to get in the way of someone's personal business. I think that's a problem.

**Ms Marilyn Churley (Toronto-Danforth):** I'll speak at length later, but this is a totally inadequate bill for what it says it's going to accomplish. I listened to the Liberal members who spoke to it. I imagine they were given notes. I take them at their word that they believe everything they say about the adequacy of this bill, but if you have any background in this area and you talk to leaders in the labour movement, they will tell you this bill is totally inadequate.

It doesn't fulfill most of the promises that have been made by the labour minister and the government. When it comes to this bill, what they said they were going to do under the Employment Standards Amendment Act, which deals with hours of work and all these other things, and with things the Conservatives did before that our

party didn't agree with, we applauded the Liberals when they said they were going to fix it, but they haven't really. It fails to take a comprehensive approach to responsibly addressing hours of work, overtime and enforcement. Bill 63 actually keeps much of the Tory government's erosion of Ontario's hours-of-work rules.

Let me give you an example. It fails to revoke an employer's ability to establish regular minimum workdays of up to 13 hours a day. When I speak a little later, I'm going to give you more examples of the problems with this.

Ontario needs a 40-hour workweek now. Ontario remains out of step with many other jurisdictions across the country. We should be leaders, not so out of step. The workweek is 40 hours in British Columbia, Saskatchewan, Manitoba, Quebec, Newfoundland, Nunavut, Yukon, Northwest Territories, and under federal jurisdiction. I'll tell you more of what's wrong with this bill later.

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I look forward to the comments from the member for Toronto-Danforth, which is very close to my riding.

I commend the Minister of Labour for bringing forward this legislation.

**Ms Churley:** Of course you do.

**Mr Berardinetti:** Of course I do. We, here on this side of the House, are in unanimity on this.

A few minutes ago the member from Erie-Lincoln made a comment to the effect that the government didn't think this was important enough and asked for a quorum call. I can explain to him that there is a meeting of the estimates committee going on, and many of us are working with members from the other parties to try to settle things before Thursday.

I want to stick to the issue here. Last Tuesday, Mr Murdoch made a few remarks regarding the member from Erie-Lincoln and called him, and I'm quoting from Hansard, an "incapable, incompetent minister handling" his portfolio. That's in the Hansard here. So let him who has not sinned cast the first stone.

We are attempting our best to bring forward the best possible legislation in the toughest conditions. I'm no expert; I'm new here. The Minister of Labour is trying his best. We think this is the best bill. We are united, unlike the opposition, where different members are making different comments toward each other.

Mr Murdoch goes on to say that the member from Erie-Lincoln "had his own agenda. He didn't want to do what the House wanted to do. This was passed in the House by all three parties, and he wouldn't do the job that he had to do as minister. He had a year to do it and he didn't do it."

*Interjection.*

**Mr Berardinetti:** It is related to the debate, because we are committed to working hard, unlike the previous government.

**The Acting Speaker:** The member for Etobicoke-Lakeshore has two minutes to reply.

**Ms Broten:** I want to direct my comments particularly to the member for Halton and the member for Toronto-Danforth.

First, to the member for Halton for saying that this is an example of a new government regulation that will get in the way of how business operates: As someone who has come from the business world to the Legislature and has spent a lot of time working with the business community, I have to question that statement. In my own community I've met with the South Etobicoke Industrial Employers Association, and I think that the member's statement is very, some might say, ridiculous. It's not a great imposition to ask an employer to fax in a form to ask for employees to be able to work beyond 48 hours. It's not a great imposition to ask an employer to obtain Ministry of Labour approval to average an employee's work hours, to distribute some forms in their place of employment so that the most vulnerable people, the people in our community who don't understand the language, who are of meagre means, who can't afford to lose their job, can enforce their rights. That is not a lot to ask an employer to do to ensure that our places of employment are fair and equitable across this province.

Second, I want to respond to the member for Toronto-Danforth. She talked about the imposition of a 40-hour workweek. I can tell the member for Toronto-Danforth that we have a different view on this side of the House. Our view is one of choice. If an employee chooses to work those extra hours, we are not going to impose it upon them. We are restoring the legislation back to the very form it was while the NDP government was in power, before it was taken away in 2001.

She also commented that we should have consulted more widely. The Ministry of Labour staff did consult. They met with 30 key labour industry and employee advocacy groups about how best to bring forward this legislation, and this is the very legislation that has come out of those consultations.

**The Acting Speaker:** Further debate?

**Mr Hudak:** I'm pleased to rise in response on this particular bill. I look forward to the comments from my colleague Ms Churley as well, who gave us an exciting preview in her first two minutes of NDP critique.

**Ms Churley:** Ours will be a little bit different.

**Mr Hudak:** It will be a bit different in theme, but we both will say that this bill does absolutely nothing to end the so-called 60-hour workweek. In fact, Ms Churley and I may agree, and other members may agree, that they should rename this bill the "emperor has no clothes" bill.

**Ms Churley:** That's good.

**Mr Hudak:** My colleague agrees. See, we're off to a good start in our critique of this bill from the opposition parties—pleased to see now an official opposition party. Congratulations are due to the new member for Hamilton East as well, on the opposition side as part of the NDP, in a resounding vote reflecting, I think, the voters' disgruntlement with the broken promises to date of the Dalton McGuinty government, of which this is yet another.

1630

We are debating the “emperor has no clothes” bill today. I say that because, despite proclamations on this side of the House when in opposition and despite proclamations on the campaign trail—Dalton McGuinty said he would get rid of the so-called 60-hour workweek—he brings this bill forward. No such thing exists in these pages. I challenge the member across the floor to point out the actual clause where the so-called 60-hour workweek is eliminated, because no such thing transpires in this very bill.

I don’t know if I will have a chance to formally move that, Mr Speaker. You could help me with the rules to change the title of the act to the “emperor has no clothes” bill. Alternatively—

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** No.

**Mr Hudak:** I don’t know if that’s a single no or not.

I’m trying to be helpful to give a title to the bill which actually reflects the quality of the contents of this particular piece of legislation. If not “the emperor has no clothes act,” I say to my friend and colleague the Minister for Public Infrastructure Renewal, how about the “rubber stamp act”? I will call it the “rubber stamp act” as an alternative, because all it is really requiring is for more civil servants at the Ministry of Labour to get out the old rubber stamp and to stamp this document faxed in from workplaces across the province.

I would say, and I think my colleague Ms Churley would agree, that there’s not going to be the enforcement provisions promised in this legislation. All you’re going to have is some poor sap, who’s going to have a very strong right arm, stamping piece of paper after piece of paper and filing them in some giant cabinet. We could call it filling the giant cabinet, the Ministry of Labour legislation, but it’s not nearly as clever as the “emperor has no clothes act” or the “rubber stamp act.”

**Hon David Caplan (Minister of Public Infrastructure Renewal):** It’s clever.

**Mr Hudak:** It’s more interesting than the current name of the bill. Maybe we’ll get into a debate about whether the name should change, but in terms of the content—not much in here.

**Hon Mr Caplan:** Outstanding.

**Mr Hudak:** I don’t think I’d agree. There’s not much in here, because all that is happening now is if an employee were to work more than 48 hours in a given week, they would need to agree to it in writing, and this document would be faxed to the Ministry of Labour. Remember that fellow I was talking about with the strong right arm and the big stamp? He goes to work, stamps it and puts it in the filing cabinet.

If the suggestion here is that employers, whether a significant number or a few bad apples, are abusing their relationship with the employees in the workplace and therefore are intimidating them to work more than 48 hours in a given week, the government would argue there is a case for intervention under those circumstances. I think members would agree, in a case of abuse like that,

to some way of making sure the employees are treated fairly. But I don’t see why a signature by the employee is going to relieve that concern of abuse.

The previous legislation allowed for verbal commitments. This simply says, “We’re going to get a piece of paper that will be rubber-stamped and put in the filing cabinet somewhere.” If you think a particular employee in the case in point is being abused or intimidated, why then would he or she not be abused and intimidated simply in signing this document or this form, which is then faxed on?

Granted, there is one small nod in here to the information age. Section 17.1 provides a mechanism for the employer to “apply to the director for an approval allowing some or all of its employees to work” a 60-hour workweek. It can be made by electronic means. Maybe that’s what my colleague suggests is progress. Do you know what? Maybe I misdescribed it. The fellow with the giant stamp just needs a giant mouse to send out that electronic stamp back to the workplace. It’s easier to do the electronic stamp than the rubber stamp. Maybe they won’t have to hire as many civil servants in the stamp section of the Ministry of Labour, but nonetheless a redundancy in the workplace, and I don’t think we’ll get at what they had promised they would get at, which is relieving that intimidation that may occur, and unfortunately does occur from time to time, in the workplace.

Whether it’s an electronic stamp or the old-fashioned rubber stamp, it’s not going to make a whit of difference to address the issues that the government says they are concerned about. I know my colleague from Toronto-Danforth would agree with that point as well. It’s not going to make a whit of difference in terms of relieving any intimidation in the workplace simply because there’s an electronic or a rubber stamp.

Not to take any words out of my colleague’s mouth, but let me give some quotes. In the Toronto Star of April 27, just after this bill was introduced for first reading, Wayne Samuelson said, “First of all, I’m disappointed.” Clearly, he thought there would be some real change.

*Interjection.*

**Mr Hudak:** Maybe there is some irony that I’m quoting somebody who probably doesn’t usually agree with the Conservative Party, but clearly Mr Samuelson is saying, “Yes, yet another broken promise by the Premier who has gained fame in synonymity.” Synonymousness is a synonym with broken promises.

*Interjection.*

**Mr Hudak:** Cinnamon? Let me be clear for Hansard: Premier McGuinty is synonymous with broken promises. You know this. I said to my colleague from Ancaster-Flamborough and like area, “You hear that when you’re back home. I know you work hard in your constituency. You’re a former municipal politician. You hear the exact same thing I’m hearing.” They don’t believe a word the guy says, including this bill, “the emperor has no clothes act.”

**Hon Mr Caplan:** That’s not what I’m hearing.

**Mr Hudak:** My friend the public infrastructure and renewal minister says that it’s not what he is hearing.

There was a recent survey that showed 9% of the Ontario population thought Dalton McGuinty was doing a good job. I say to our visitors in the gallery, there are more people who believe in the Loch Ness monster than believe Dalton McGuinty's doing a good job. I'm serious. More people believe in the Loch Ness monster than think Dalton McGuinty is doing a good job. He is right up there with those who think Elvis Presley is still alive.

**Mr Richard Patten (Ottawa Centre):** He is.

**Mr Hudak:** He says, "He is." That's why you're on that side of the House with Dalton McGuinty, because you think he is doing a good job and you think Elvis Presley is alive. This is the synonymous part I was talking about. You know what? I'm a fan of Elvis, and if the man were still alive, I would love to go and see him perform. I don't think he's still alive and I don't think Dalton McGuinty is doing a good job. I don't think Dalton McGuinty keeps his promises or even cares about keeping his promises. If he did, we wouldn't have this bill before us; we would have a stronger bill in the realm of what the NDP would bring forward to keep that commitment.

Our feeling on this side, why we changed the labour laws: As my colleague who was speaking a bit earlier from the Markham area said—I thought the member from Markham was actually arguing against this bill initially because he talked about the need for flexibility in the workplace, for building that employer-employee trust relationship, allowing them to design the workplace so they can compete on an international stage. I thought that's what Markham was talking about, and that he was going to say, "Therefore, I voted against this bill." That was not his conclusion. I got my hopes up a little too high.

Our belief is that we need to develop that fundamental trust in the workplace, to offer that flexibility so our firms can compete in a different age. Toyota, by way of example, has a flexible labour agreement with their employees and is one of the leading auto plants not only in Ontario, not only in Canada, but internationally. One of the leading auto plants, Toyota, wants that kind of flexibility in their workplace agreements.

Nor do we see any reason to keep hiring civil servants with a rubber stamp, electronic stamp, what have you, simply processing pieces of paper so you can make a nod and pretend that you're keeping a campaign commitment when in reality you are not, when in reality you're breaking yet another promise from Dalton McGuinty. We thought that would not be the best place for labour resources to be employed—simply rubber-stamping—but rather on the enforcement side and developing competitive workplaces.

As I said, this bill actually does very little, if anything, to change that relationship, simply requiring a rubber stamp to take place. Maybe when they say the good things about this bill, they talk about section 1, which amends section 2 of the Employment Standards Act and requires a poster containing information about this bill to be placed in a prominent place in the workplace. Maybe

this is what the McGuinty government means by tougher enforcement in the workplace: a poster.

I don't know what this poster is going to say. The poster may say that if you were intimidated before into working more than 48 hours, you will be intimidated in a different manner by being forced to sign this document. Maybe will you find some solace in the fact that there's a bureaucrat somewhere who will stamp this document. I'm not sure exactly what that poster is going to say. Maybe it will have, like other posters I've seen, like the one in my office from the Toronto Sun, the Premier with a very long nose. Maybe that's what this poster should be in the workplace, representing, of course, another broken promise. And maybe Halton remembers, but I'm not sure how many broken promises there have been to date. In some sense it's countless; it's hard to keep track.

1640

**Mr Chudleigh:** Thirty-four.

**Mr Hudak:** The member suggests at least 34 major broken promises already.

Another part of the act that is receiving significant criticism is subsection 4(4), which amends section 17 of the act, and it provides for a situation where approval to go beyond 48 hours has been sought and not received, workers are allowed to work the increased hours for up to 30 days. So much for the effectiveness of the rubber stamp guy. I guess there's a 30-day delay by the time they go through the files and try to figure out if they should intervene in a particular situation.

If there was a particular abrogation of the act, if there was a particular breaking of the rules in the Employment Standards Act, it could continue for up to 30 days, so you wonder what the purpose of the rubber stamp, or the electronic stamp, is from the beginning if it continues. I suggest it's just a piece of paper to try to fool people into believing that a promise has been kept when, in fact, the opposite is really occurring.

Subsections 17.1(19) and (20): An application may be refused with no need to provide reason. I heard a significantly counter-intuitive argument from across the floor a few minutes ago where they suggested that business is going to like this act. I don't know of anybody actually, any major group that—maybe I'll hear this—my recollection is there's not a major group that has said this is the right way to do things, aside from the Liberal Party of Ontario. You have labour leaders—Mr Samuelson I quoted a few minutes ago—who have been tearing this legislation apart, who are very, very critical about it. The business community, as well, suggests this legislation is not going to do anything, and in fact is going to be cumbersome. It's going to encumber them because it is cumbersome in terms of filing this paperwork, which is not going to actually do anything. So to argue that this is going to help business, that business is in favour, and make it a more positive business environment for competing, it's a fallacy. It's false, and it makes no sense.

You would compel businesses potentially to hire somebody simply to shuffle pieces of paper around, which does not add to productivity. And even if you bought that argument, the notion that the Ministry of

Labour can refuse to grant an employee the right to work more than 48 hours, if they can refuse this request and not give a reason whatsoever, what kind of signal is that to businesses if this request to work overtime to get product to market—in the rush for the Christmas season, by way of example—is refused without any explanation from the Ministry of Labour? It makes one question if this government even cares about the business side of this equation.

Obviously they don't care about the employee side; otherwise, they would have actually done something as opposed to this rubber stamp approach. And by denying a business permission for the overtime without bothering to offer an explanation of that decision befuddles me. I can't understand it. Maybe from across the floor, when they do have quorum in the House, they'll have a member who will explain it back to me. But at this point in time, I cannot understand why the Ministry of Labour, in refusing this, and hence refusing product to get to market, would offer no explanation whatsoever for denying that application.

Another area that is significantly criticized: sections 6 and 7. They amend section 22 of the act to allow “employers and employees” to “continue to make written agreements to average hours of work for overtime pay purposes....”

How is that criticized? Let's be clear. It's criticized by the labour leaders who had thought, who had fair expectation initially, that some of their suggestions would be put forward in the legislation. Truth be told, they were not happy with our labour reforms. They had been promised by Premier McGuinty, on a wink and a nod, changes based on their recommendations and now they have seen that the emperor has no clothes. So they are critical, not only of the aspects about the paper exchange that will not protect workers in a vulnerable situation, but they are also very disappointed in the averaging of hours.

Let's be clear. The Hamilton Spectator, Gillian Livingston's article through Canadian Press: As the legislation was introduced by the minister, “Wayne Samuelson of the Ontario Federation of Labour said that doesn't mean the 60-hour workweek is dead, or workers won't be coerced into working longer hours.” He was very clear. He says this bill does not achieve that.

If I have to choose between what Wayne Samuelson is saying and what Dalton McGuinty says—hands down. It's hard to trust a word the Premier says when he's broken his word so many times. There's that old expression: “Fool me once, shame on me. Fool me twice, shame on you.” You fooled 36 or 37 times with all the broken promises. It's clearly shameful. So Samuelson is obviously very upset that promises made to him and his members have been broken.

Howard Hampton says that “the legislation doesn't protect workers at all.” If I had to choose between what Howard Hampton says and what Dalton McGuinty says, hands down, I would choose Hampton. I don't believe a word he says any more.

Len Crispino, the president and CEO of the Ontario Chamber of Commerce, says that while “there might be a

few bad apples out there that, of course, the minister should go after ... we just don't believe from the data that we've got that the issue is as widespread perhaps as the minister might imply.” I'm not sure if those data have come forward to justify these changes, but nonetheless the Chamber of Commerce is critical of the legislation.

A further story, in the Toronto Sun, by Alan Findlay: A machinist, who wanted improvements in the law because he says he is owed funds by his former employer, seemed to have some expectation that this law would help him out. It does not; another disappointed taxpayer out there, based on broken promises. The Findlay article says, “Labour activists and critics said the new legislation will leave unpaid workers such as” this gentleman “with empty pockets.” That's true.

To summarize, the bill is adding a paper burden to employers without actually doing anything to help employees. It does not affect the workweek and it militates against flexibility in the industry. It's not good for small business. It's not good for employees. It's not good for this government's reputation for breaking promises.

I hope I get more support to change the name of this legislation to the “emperor has no clothes act.”

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

**Ms Churley:** Thank you, Mr Speaker, I think you found that funny. I would move unanimous consent that we change the name of this bill to the “emperor has no clothes act.” Is that agreed?

**The Acting Speaker:** No; first you need unanimous consent to move a motion.

**Ms Churley:** I'll just move right along here, then. We can do that at a later date. I will be speaking in a few moments anyway, but it's a perfect name for this bill, even though, God knows, the Conservatives and the NDP have a totally different point of view on this. One of the speakers over there earlier said that they like their 60-hour workweek, and we shouldn't bring in regulations to restrict employers and all of these kinds of things.

**1650**

We take the position—and this is why I'm agreeing with my colleague from Erie-Lincoln—that this is a major broken promise. That's what we're talking about here. I am serious: Do you guys know what you're doing over there? You've actually taken the Conservative bill and made it worse. You actually have made the bill worse. Talk about a broken promise. It's got a great name, the minister puts out a great press release to fool people into thinking they are actually improving the Conservative 60-hour-week legislation, and they're making it worse. That is shameful.

Let me tell you—and I agree with the previous speaker—the Liberals get up and say, “This is about choice.” Non-unionized workers often don't have choice. A boss can go to them, vulnerable workers in particular, and say, “Hey, can you work those extra days? We're going to 13-hour days now as well. Can you work those few extra hours?” If the employee says no, they may be out of a job.

I'll talk a little bit more about this later.

**Mr Brad Duguid (Scarborough Centre):** I'm delighted to join in this debate on the 60-hour workweek. Frankly, I think it is a very reasonable approach that the minister and this government have taken. It combines enforcement and awareness initiatives, which are extremely important to ensure that the measures we're taking today can be reasonably enforced. At the same time, it is responsible in terms of the way it treats businesses, and that's important as well. I think it's very typical of the balanced approach this government takes to many of the issues that come before us.

Unlike the other side, the other parties, where quite often you've got an extreme approach on the right and an extreme approach on the left, we try to find a balanced approach that brings people together, that brings parties together, in the best interest and in the public interest.

I look at things like landlord and tenant issues. That's our approach there as well. We recognize the need to provide greater protection for tenants, and we're going to provide those protections. At the same time, we also recognize that we need to ensure we have a healthy rental market. So we're going to ensure that as we bring those protections forward, they don't harm the rental market.

The same thing can be said about relations between our unions and employees. We can't take extreme positions in terms of labour relations. We've got to take a balanced approach, because I think balance in governance is really what the public wants to see.

Frankly, the same thing comes with decisions on balancing budgets versus improving public services. Sometimes you can't do it all for everybody. You want to take a balanced approach to ensure you can balance the budget over time, which our upcoming budget is going to do, and at the same time improve the key public services the people of this province want to see.

This bill is very much in keeping with the approach this government is taking right across the board. It's in the public interest, and I'm proud to be able to get up and speak on it.

**Mr Chudleigh:** I'd like to ask if there is agreement on changing the name of this bill. Is there unanimous consent? That's what I'm looking for.

**The Acting Speaker:** You would have to seek unanimous consent of the House to move a motion.

**Mr Chudleigh:** Speaker, I ask for consent of the House.

**The Acting Speaker:** Is there unanimous consent of the House to move such a motion?

**Mr Chudleigh:** There is on this side.

**The Acting Speaker:** There is not.

**Mr Chudleigh:** It's too bad. It would be a democratization of the House.

This is an interesting debate, because it speaks to the Liberal philosophy, the Conservative philosophy and the NDP philosophy when dealing with labour regulations. My concern about this piece of legislation, as I mentioned earlier, is that these regulations get in the way of people's lives and of business lives.

As I mentioned earlier, the truck driver who is on a six-hour run gets held up and is an hour away from home. He's been to Sault Ste Marie or Sudbury, and he's on his way back to Toronto. He has reached the end of his shift hours; therefore he stops in Barrie and cannot restart his rig. He cannot continue his journey for 11 hours, because he needs 11 hours between shifts. This puts him in an untenable position, where he has to sit by the side of the road, he sleeps for six to seven hours, and then he has another five to six hours to kill until he can again get back in his rig and drive home. And all that time he's been away from his family.

So this is a regulation that has got into the middle of the way that business is done in Ontario. I think that's too bad. A government shouldn't put itself in a position to do those kinds of things.

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** I'm indeed pleased to stand in support of Bill 63, and to speak for this legislation. It was interesting to hear my colleague across the aisle here, the member from Etobicoke-Lakeshore, speak about happy, safe and comfortable workers, and striking balances. This is what this legislation will do. It will strike a balance. It will strike a balance for the rights of the employer and the employees. It will look out for and protect workers, so that the 60 hours will not be imposed, that they will have that right to say no.

This government made a commitment to end the 60-hour workweek introduced by the previous government for that reason. We believed in what the people of this province needed. That was a workweek that was in keeping with what they try to balance in life; that is, a home life, their well-being at home and their well-being at work.

I believe this is the kind of legislation that will do that. We want to see our hard-working employees getting that balance of a rewarding work life, along with a meaningful and healthy personal life out in the world. I believe it's the right thing that we will have legislation where the employee can say no to an employer who requests that they work up to 60 hours a week.

That's important. The history of this province has shown that for a long period of time there has been a long struggle for the rights of workers, under-aged workers, unsafe working conditions. They battled and battled. This is one more aid to those people who battle. It's the aid that our government is providing to them, and I support it.

**The Acting Speaker:** The member for Erie-Lincoln has two minutes to reply.

**Mr Hudak:** I thank my colleagues for the comments on my remarks. I agreed with two of them; with two I did not.

The member for Scarborough Centre talks about the extreme approach of the Conservatives and the NDP. There's nothing extreme in demanding that a government keeps its promises. Perfectly reasonable. We expect the government to tell the truth. We expect the Premier to tell the truth. Ain't nothing extreme about that. Very standard.

He talked about bringing the parties together. Well, he certainly has brought people together, universally, to criticize this bill. The only people who seem to like it are the 70 members, or whatever it is, of the Liberal caucus. Everybody else, whether it's labour or business, is critical. So maybe it brought parties together against it.

And nobody has brought parties together against him like Premier Dalton McGuinty. Whether they're Conservatives, socialists, taxpayer groups, seniors, unions, food banks, fast food restaurants, the whole lot and kit and caboodle were unified against him on his ill-conceived Dalton McGuinty soup and salad tax, which he had to back down from. There's nothing like Dalton McGuinty to unify parties against his leadership.

Not purely, but 81% of the people in the province of Ontario don't think he's doing a good job. Nine per cent thought he was doing a good job in this survey. That's about the level who say they saw a werewolf skipping through their backyard and it wasn't Halloween. It's at the fantasy level, at about the Loch Ness monster's level of support.

To the member for Stormont-Dundas-Charlottenburgh, the notion that this ends any so-called 60-hour workweek is a fallacy, a fake, phoney, flim-flam, false. It ain't doing no such thing. I've heard nobody who says it does, aside from members of the Liberal caucus.

Mr Speaker, I seek unanimous consent to rename this bill the "ain't nothing but a rubber stamp" act.

1700

**The Acting Speaker:** Further debate?

**Ms Churley:** Sometimes when I get up to speak about broken Liberal promises, I'm not really angry and I'm not really incensed. I just try to point out that the promises were made and they were broken, and the implications of that. But this broken promise actually makes me really angry.

There are some new members here in the Liberal caucus who weren't here, sitting over there in the official opposition, when the Conservatives brought in—I don't call them Progressive Conservatives. The new federal party took "Progressive" right out of Conservatives, and these guys should too. I didn't agree with their position on the 60-hour workweek, but neither did the Liberals, who were outraged. I remember they were as outraged as New Democrats. They were going to get up—they were out trolling for votes with the labour movement—and they were going to change all this and fix it. Everybody believed them, I guess. Then you hear a Liberal stand up and say, "We consulted. We consulted with the labour movement."

Let me say this, because it's a parliamentary way to say it: They are being disingenuous at best in terms of saying, "We consulted." What they leave out is that after consulting they didn't listen to what the labour movement and others had to say. They came out with a bill. They call it a balanced bill. If you read this bill, do you know what it means, Speaker? You'll be happy to hear this, because when you're not in the chair, you're a member of the former government. It's worse than your

bill when it comes to protecting workers' rights. It actually makes it worse, and that's what's so appalling about this.

Should the members of the Liberal government take a really close look at what this bill actually does, and listen to Wayne Samuelson and some of the others who are expressing real disappointment in this bill, then they might change their minds. Do you know what this makes me think of more and more?

**Hon Mr Caplan:** The social contract.

**Ms Churley:** I'm happy to talk about the social contract at any time, because we're talking here about workers' rights. Let me tell you something. When Liberals bring up the social contract—

*Interjections.*

**Ms Churley:** Rabble, rabble, rabble. Listen to them—blah, blah, blah. Do you know what it means? They're feeling pretty vulnerable when we get up here and tell them they've all actually not only broken a promise, another promise—how many has it been now?—but one they made such a racket about.

*Interjections.*

**Ms Churley:** Listen to them—blah, blah, blah, because I'm getting to them.

They brought in a law that's worse than yours, Mr Speaker, when you were in government.

*Interjections.*

**Ms Churley:** There they go again—blah, blah, blah. Listen to the Minister of the Environment. Calm down now and listen closely, because this bill is a bad bill.

Wayne Samuelson: "First of all, I'm disappointed. Clearly, we thought there was going to be some real change," Samuelson said, referring to the Liberal campaign promise to get rid of Tory changes to the Employment Standards Act that affect roughly 4.5 million non-unionized workers in Ontario."

He and many of the other labour leaders and ordinary workers who have actually seen the bill and heard what's in it have expressed the same concern and disappointment. There is no justification for it, absolutely none. When they were in opposition, they said they were going to fix it, and they've actually made it worse.

My leader and our critic and others in my caucus have pointed out some of the flaws in this bill and made some suggestions as to what can be done to fix it. First of all, we believe it's so badly flawed, in fact makes things worse for workers, that it should be withdrawn and fixed. Failing that, the minister keeps saying that to deal with some of the flaws and omissions in his bill, "Don't worry, we're going to have more proaction inspecting workplaces." But then what we did, and I know my leader did, was we took a look at that. The previous government did a lot of downsizing in that ministry, and the Liberals have not replaced any of those. There is a backlog of several thousand, and the minister knows that.

*Interjection.*

**Ms Churley:** I guess he's saying our research is wrong. I will compare my research to his research any day, because I stand up in this House, as do my leader

and others, with the budget in hand on a daily basis. That's why I say to the Premier or anybody, "Take the budget out and look at it," because they absolutely deny the budget in front of them, in front of my eyes; I'm reading from it. They stand up—reminds me of what the Tories used to do—and say, "No, you're wrong."

I asked the minister—well, I asked the Premier but he handed it on, I guess, to the energy minister—about a regulation change; a sneaky, behind-closed-doors, by stealth, change in regulation—another promise broken—around taking the politics out of setting hydro rates. They said they were going to change that so the Ontario Energy Board did it by next year; I believe it was April of next year. There was a bill brought forward. Then we found out that very recently they brought a new regulation that now lets the cabinet make those rate decisions after the next election. We all know what that means. We saw it again, speaking of the previous government: getting really concerned already about their next election, and knowing that their rates are going to skyrocket because of the privatization, and knowing the implications of an independent body making those decisions—that they're going to skyrocket and they're going to be held responsible. We told them that, but now secretly, quietly, another broken promise. They're politicizing it again.

I stood up today, just like now. I have the bill in front of me and I'm telling them what's in it. They say, "No, no, no; you're wrong." I read directly from the budget about cuts coming to the Ministry of the Environment. They say, "No, no, no; you're wrong." They're right in front of my eyes. I speak to the Minister of Energy and I have the new regulation in my hands. I'm reading from it, and he says, "No, no, no; you're wrong." This is ridiculous.

**Hon Leona Dombrowsky (Minister of the Environment):** You are.

**Ms Churley:** The Minister of the Environment is still yelling, "You are."

**Hon Mrs Dombrowsky:** You're wrong.

**Ms Churley:** I guess I can read and understand what I'm reading and she can't, because I've got the budget in front of me, I'm reading from the budget, and she's telling me I'm wrong. This is the kind of government and these are the kinds of ministers we now have in power who can't even read their own budgets and their own regulations, and they get up and say we're wrong.

I'm going to tell you again I am angry about this bill; I am very angry about this bill. This, I started to say earlier, is a good example of why we need to change the political system, why we need real democratic renewal, not just coming up with a fixed date for an election. We need to change the whole process so backbenchers in this place don't feel that they have to stand up and read the notes they're given to support something as unsupportable as this because they've been told to, because some of them, I guess, are still hoping to get in cabinet or whatever. Do they really know what's in this bill, this bill that they stand up and justify? I would think that some of the people over there are decent people and care about

workers. Therefore, I would think that they haven't really paid attention to what is in this bill, because they are breaking one of their fundamental promises, a promise that they went out and trolled for votes over the election, in the labour movement; remember? They're going to get rid of the 60-hour workweek. Well, now we have 13-hour days. We've got vulnerable employees.

I'm going to come back to this again. An earlier Liberal backbencher got up and read all the notes and said, "We consulted with labour"—didn't say that labour ended up not supporting the bill. I will add that again: Yes, they were consulted but they weren't listened to; typical of the previous government. We have the Liberal government doing the same thing.

Let me tell you about a few of the problems with this. You've heard them before. I know, because of the political system that we have, nobody is going to change. I'd love to see just one person in this caucus, just one, stand up and say that they see the flaws in this bill and they want it fixed, or at the very least they want an increase in the budget over at the Ministry of Labour so that these so-called promised inspections can happen.

*Interjection.*

**Ms Churley:** A lot more than you're talking about, Minister, believe me, given the backlogs that you have. What this bill actually does is make it worse than the Tories' 60-hour weeks. It's a fact. Did you think you were going to see that after the Liberals made such a fuss over your bill? I didn't think I was going to see that.

So what has happened here? You have vulnerable workers; they're not part of the union. They go to work. The employer says that somebody in a mine, or wherever they are, whatever their work situation is—I guess most workers in mines are unionized. They're in a work situation where they've already worked their eight-hour shift and the boss comes to them and says, "Your replacement hasn't come in yet. I need you to work for another few hours." If that worker says no, guess what could happen to that worker? They talk about choice over there. They want to give workers choice. I'll tell you about choice and dangerous work situations.

1710

**Ms Shelley Martel (Nickel Belt):** They're given the door.

**Ms Churley:** Quite frequently, what they'll get is the door, as my colleague from Nickel Belt says, and we've seen it. We have seen it.

*Interjection.*

**Ms Churley:** How does that work? They're given the door. They're fired if they don't work those extra hours, even if they don't want to, even if they're tired, even if they think it's dangerous, even if they've got kids home alone because the babysitter has to go. All of those are the kinds of things they have to weigh.

The single mom in the workplace: "Well, the baby-sitter's going to go now. I know that babysitter can't stay any longer. My kids are going to be home alone. On the other hand, I'm barely getting by on my wages here to feed my kids. I've got to make a choice here, and the

choice is going to be that I'm going to take a chance and leave these kids at home for those few extra hours I have to work."

The worker in a dangerous job is already tired and is asked to work several hours because the replacement hasn't come in, or whatever, and is afraid to say no and puts himself in a very dangerous situation where he's tired and can hardly stay awake, or whatever, and is stuck working those extra hours because he has no choice.

**Hon Christopher Bentley (Minister of Labour):** That's why we're doing what we're doing.

**Ms Churley:** The labour minister still doesn't get it. Read the bill, Minister. Listen to the labour lawyers and leaders who have read your bill and who care about workers.

*Interjections.*

**Ms Churley:** They're laughing at that. They went out and trolled for votes in the labour movement and from workers in the election. Are they listening to those labour leaders now, the ones who have been fighting for the rights of workers all these years? Without them we wouldn't have the kind of advancements we have for workers today. They gave their advice to the government, and they didn't listen.

*Interjection.*

**Ms Churley:** We certainly didn't bring in 60-hour workweeks and 13-hour days.

**Ms Martel:** Legislation worse than the Tories'.

**Ms Churley:** Yes, I've pointed that out several times.

What they're doing is going to the lowest common denominator. I'm trying to find in my notes how many provinces have 40-hour workweeks. Ontario should be a leader. It used to be a leader, and we're falling far behind. British Columbia, Saskatchewan, Manitoba, Quebec, Newfoundland, Nunavut, Yukon and the Northwest Territories have 40-hour workweeks. They seem to survive with 40-hour workweeks, don't they?

A province that I notice is missing from this 40-hour workweek is Alberta—Ralph Klein. Is Ralph Klein in Alberta the new standard for the Liberal government when it comes to protecting workers in this province? The lowest common denominator—let's have the 60-hour workweek; let's make it worse than the Tories in terms of worker protection.

Did the minister take the time to look at the legislation in all those other province where they're getting by very nicely with 40-hour workweeks? Buildings are still being built, people are still going to work and coming home, things are accomplished. The economy is humming in most of those provinces.

This bill is not balanced, and the Liberals have to understand that.

I know how this place works. I've been around for a long time, and I would say this of all the parties, and it really does go a long way to saying that we have to change the system. We know this government is going to pass this bill, and we know that most of the members in the caucus aren't even going to read this bill, because they're busy. They've got their own portfolios. They

don't know a lot about this issue. They're given the notes, and the minister has justifications for all these things. They listen to that and, believe it or not, read the notes and say, "We think it's good legislation. It's a fair balance, and we're going to support it and pass it." So it's going to happen, and it's wrong. What is happening here is fundamentally wrong: Another really big promise has been broken.

Here's the government that's now making announcement after announcement, day after day, trying to divert people away from the broken promise on the new health tax for moderate- and modest-income people. The richer you are, the bigger the corporation, the less you pay proportionately. It sounds like Tories to me: "No deficit." They said, "We're not going to raise taxes." "We'll get rid of the deficit," and they knew there was going to be a deficit too. Believe me, they knew. They went out and made all these promises.

This was a promise I thought the Liberals were going to keep. I actually believed their commitment to this. If you go back and read the comments that some of the Liberals made in opposition here, it would occur to you that they would be bringing in tough legislation to change this bill so that it really was a 40-hour workweek. It continues and makes worse the previous government's 60-hour workweek bill.

**Hon Mr Caplan:** We don't believe it.

**Ms Churley:** I know they don't believe it over there, and that's a problem.

**Ms Martel:** Read the bill.

**Ms Churley:** Read the bill. I just pointed out before you got here that we stand up here and we have documents in front of us, like the budget today, yesterday and the day before, today a regulation, a new one I was reading to the Minister of Energy, and one to the Minister of the Environment on the budget and the budget cuts—I'm standing here with it in front of my eyes and I'm reading from it. They stand up and say, "You're wrong." I'm reading their own documents. This is really scary.

This reminds me of what Tories used to do. They're the same tactics to get away with the broken promises, and their phony press releases that go out with all the right words in them, that give the impression they're doing one thing when they're doing something else.

Yes, I'm angry about this bill. This bill is going to hurt workers across this province, especially vulnerable workers, workers who are not unionized. They are going to be worse off—worse off—than they were under the Tories.

**Mr Peter Kormos (Niagara Centre):** Thirteen-hour workdays.

**Ms Churley:** Thirteen-hour workdays.

**Mr Kormos:** And 60—

**Ms Churley:** I've said this; it's okay.

**Mr Kormos:** Sixty-hour-plus.

**Ms Churley:** Over 60 hours a week. They haven't put enough resources into the ministry to hire more inspectors, do all that kind of work. There was no attempt to eliminate overtime averaging in the bill.

The overtime averaging, let me tell you, is a big gift to employers. How many of you over there actually even know what that means? How many know what this actually means? It is a huge gift to the employers. Averaging, in case you don't know, was brought in by the Tories under the ESA 2000 and allows overtime to be averaged over up to four weeks. I'm not going to go into the details of that because I see that my time is running out here. But you have been told by my leader, Howard Hampton, and by our labour critic who is here now, Peter Kormos, what that means and the implications of that.

The biggest thing for me, and I keep coming back to it, is that non-unionized workers are vulnerable in the workplace without adequate enforcement, and we don't have it. The employer has the power to deprive employees of their livelihood. It happens out there all the time. This bill is actually going to make that worse.

The Minister of Labour said that he would dedicate resources to investigate alleged violations and prosecute employers. He promised to conduct 2,000 proactive inspections of workplaces, focusing on high-risk employees, yet there's no new money for the ministry investigations. That puts into question the whole McGuinty commitment to this initiative.

That's on top of the broken promise around fixing—repairing—the previous government's—the Conservatives'—60-hour workweek, which they were so appalled about when they were over there in opposition. They said they were going to fix it and they didn't; they made it worse. Some workers are going to suffer as a result. That is why I am so angry about this. They should withdraw it, keep their promise and fix the bill.

1720

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

**Hon Mrs Dombrowsky:** I just want to say that I get angry when the budget of the Ministry of the Environment is misrepresented, when it is suggested in this Legislature that there has been a decrease in the expenditure at the Ministry of the Environment. This government has increased the budget at the ministry by 11.2%. The budget has increased from \$285 million to \$317.4 million.

I do, though, have information that when the NDP were in government, the Ministry of the Environment, during the entire term of the NDP government, was cut by almost half a billion dollars—almost \$500 million. I'm just very surprised that when this government has taken the action and made the investments in protecting water, in protecting our air, in showing leadership on diversion, someone would have the nerve to stand in the House and suggest that this government has reduced our commitment to the Ministry of the Environment. Quite the opposite is true.

With regard to Bill 63, I want to compliment the Minister of Labour. I believe that he is moving forward in this area in a very responsible way. Again, I want to comment. The member for Toronto-Danforth proceeded to give us a lecture on not consulting with the labour movement or other stakeholders in the province. I just

want to remind the member for Toronto-Danforth: How much consultation did the NDP do when they brought in the social contract? I know you don't like to hear that, but for my family, were was directly affected by the social contract, it tends to be something that you don't forget easily. So I commend the minister for the good work he has done in Bill 63.

**Mr Hudak:** There seems to be a bit of a disagreement between the Minister of the Environment and the member for Toronto-Danforth on the environment budget, and I will try to be the unbiased arbiter of this agreement. I'm not a member of that party nor a member of that party, but I've got to tell you, based on what I've seen in the last nine months here in the assembly, I side with Toronto-Danforth every single time. I don't believe a word Dalton McGuinty—or most of his cabinet ministers; not all—says any more. This whole budget flim-flam where he said that every penny for the health care premium was going to health care was not true. It's going into sewer production. It's probably going into the Minister of the Environment's budget. I don't believe a word that you guys say. So as the unbiased arbiter of this debate about the Ministry of the Environment's budget, I'm picking Toronto-Danforth. I think she's the one telling the truth.

On Bill 63, sure, you might have consulted, you sent out a document to consult, but you didn't listen. Certainly when you see the quotes from labour leaders, they might have given their submissions but they didn't see their advice reflected in this legislation. So you wonder what the purpose of consulting is if you don't listen. Then to hark back to the social contract over a decade ago, a last refuge of a desperate government when their rebuttal in this legislation is to talk about the social contract—come on. Give me a break. What was that, 1994? 1993? A decade. That was so long ago that Jean Chrétien and Paul Martin were still friends. Let's get back to the debate.

**Mr Kormos:** Folks have to understand that hopefully before the afternoon is over, the member for Nickel Belt, Shelley Martel, is going to be speaking to this bill.

What the Liberals have done, you see, they've taken the Tories' 60-hour workweek and supersized it. That's what they have done. I find myself, for the rarest of times, in agreement with the Minister of the Environment, because I agree with her: This bill ranks with the social contract as one of the most deplorable things that has been done in this Legislature. So I agree entirely with the Minister of the Environment when she compares this bill to the social contract. I have no more regard for this bill and how it treats workers than did that social contract of, oh, decades-plus ago.

On Sunday I was down in Virgil, where the United Food and Commercial Workers were opening up one of their four migrant worker help centres here in the province: one down in Niagara, one out Simcoe-Delhi way, one out toward Leamington, where Mexican workers and Caribbean workers come to pick tomatoes or fruit in the case of Niagara, or tobacco, ginseng and peanuts in the case of the Simcoe-Delhi-Tillsonburg area.

If this government had any regard for labour at all; if it really had any regard for working women and men; if it had any regard for the people who toil hard, sometimes at great risk to themselves, putting food on our table and creating the wealth in this province—wealth that they, oh so rarely, ever have an opportunity to share; if this government had any regard for working women and men at all, it would permit those agricultural workers to organize themselves into trade unions so they could collectively bargain not just wages but, far more fundamentally, health and safety conditions in their workplaces. Agricultural workers work in some of the most dangerous workplaces in this province, in this country, across North America. The Liberals have scorned and spat on those hard-working women and men in our agricultural industry. Liberals could give a tinker's dam if more agricultural workers die or are maimed or are poisoned in those agricultural workplaces. They say, "Ah, be gone with you. Don't bother us. Liberals don't care about working women and men."

**The Acting Speaker:** The member for Toronto-Danforth has two minutes to reply.

*Interjections.*

**The Acting Speaker:** Oh, I'm sorry; one more question and comment. I apologize.

**Hon Mr Bentley:** So much to say, but so little time. It's unfortunate that the member for Toronto-Danforth shed more heat than light on the debate, and it is unfortunate that the analysis of the legislation didn't reflect the Tory legislation and didn't reflect the historical protection that existed, yes, under the NDP years and under the Liberal years before, because what has existed in the province of Ontario for years—in fact, arguably, for decades—is the right, when a worker wishes to work more than 48 hours in a week, to choose, and, second, the ministerial oversight.

What the Tories eliminated in ESA 2000 was the ministerial oversight, which we have restored. The honourable member across says that is making it worse for workers—not clear how that could possibly be. In fact, by restoring ministerial oversight, you provide the platform for the appropriate inspection mechanism. That's number one.

Second, they keep referring to overtime averaging. In fact, what we did in this bill is return to the historical fact, which was, when you overtime-average you have to get permission from the ministry, which existed under the NDP and for some time before that. What the Tories had done in ESA 2000 was to say that you could wait for up to four weeks of overtime averaging before returning and asking the ministry for permission. We returned and said, essentially, that if you want to overtime-average anything—two weeks and more—you ask for permission.

Finally, enforcement: You fix the process which didn't work under the NDP, didn't work under the Tories and, frankly, really hasn't worked, and then you resource it. We're fixing it.

Just a few of the things I'd like to say.

**The Acting Speaker:** Now the member for Toronto-Danforth has two minutes.

**Ms Churley:** If the Minister of Labour wants to see heat, he has seen nothing yet to go forward with this bill. If you think, after trolling for votes before the last election, that you are going to be able to get away with it in the next election, you can forget it. This is a bad bill. The workers out there will tell—

*Interjections.*

**Ms Churley:** They continue to chuckle and laugh. I wonder if there is some way we can create some kind of mandatory course to teach ministers how to read their own bills, how to read their own budgets, how to read their own regulations and laws that they make around the cabinet table. I have it in front of me. They don't ever have them in front of them when they're standing up. When the Minister of the Environment stands up and says that, she doesn't know what she is talking about. Turn to page 12. I'm reading a line from their own budget. They stand up and say, "You're wrong," constantly. Somebody should teach these ministers how to read their own budgets.

**Mr John R. Baird (Nepean-Carleton):** Summer school with Marilyn.

**Ms Churley:** I think summer school with Marilyn is a good idea. I can teach you how to read a budget, how to read your own bills. That's it. Come and I'll show you, and how to stand up and not be so, shall we say, disingenuous. I think that's acceptable, isn't it? We hear a lot of disingenuous piffle in this place. That's a very mild word, but I can get away with that.

*Interjection.*

**Ms Churley:** "Piffle," describing what is in this bill. This bill needs to be corrected. I'm going to tell you again that it's going to make things worse for workers in this province. You've put a minimum amount of money into enforcement. There are still thousands of backlogs. You're not going to do anything you're saying you're doing, Minister.

1730

**The Acting Speaker:** Further debate?

**Mr Peter Fonseca (Mississauga East):** I'll be speaking on Bill 63 and be sharing my time with my esteemed colleague the member for London North Centre.

I'm really proud to be speaking about this bill. What this bill does is keep pace with what is happening in labour and in business. It strikes the balance we need. The minister went out and consulted with employees and employers to make sure he could strike that balance, a balance that wasn't there in the previous government, which only looked at the employers and did not look out for the needs of the employees. What the minister has done is that through this Bill 63 he has brought, the ministry will have oversight and inspection.

I come from a family of labourers. When we first came here to this great province of Ontario, to this great country of Canada, it was in the 1960s. In the 1960s, both my mother and father worked as labourers, as well as my uncle, my aunt and everybody else. I can tell you a story about my uncle. My uncle's a butcher. Back in the 1970s he was on the cutting edge of the meat industry.

**Mr Leal:** He helped to build Mississauga.

**Mr Fonseca:** That's right; he helped develop and build Mississauga.

My uncle would often work extraordinary hours because he was trying to put food on the table for three kids. I remember him coming home exhausted. The workplace was not what the workplace is today. There were many health and safety issues when it came to lighting, heating or workplace practices in the shop he worked in. But often, for fear of reprisal, my uncle would not complain at all, as others would never complain, about the conditions at work, not complain about being exhausted, and just continue to go in and put in his time.

Tragedy happened one day with my uncle. He went in exhausted, and sometimes when you are overly tired accidents happen that should not happen. My uncle lost two fingers. He lost two fingers on that day, and every time I think about him, I think about health and safety in the workplace and the amount of hours he had to work at times when he did not want to work those hours.

What this bill does is bring in measures to limit the amount of hours somebody would have to work if they feel they're overstressed, overworked, overtired or for other reasons. Many times there are workers who feel that for fear of reprisal they can't say no to their employer, that they don't want to come in. That could be to go see a soccer game, to make sure they're at their child's wedding, graduation, being with loved ones. All this makes a difference. For the employee and the employer, what this bill does is bring that balance so that they can make those important events and don't get hurt.

The member from Halton was talking about drivers and allowing drivers to drive all hours. My feeling is that we should not stress employees to a point, through sleep deprivation, that we cause accidents, not only to themselves but to others on the road. I don't want to be on a highway where a driver has been out for 15 or 20 hours and is going to harm others as well as himself or herself.

This government made a commitment to end the 60-hour workweek introduced by the previous government. This proposed legislation is aimed at that commitment, which we are holding to—another promise kept.

We want to restore a worker's right to choose whether to work more than 48 hours. We are not taking that choice away; we are giving them choice. If they don't want to do it, they don't have to. But if they do want to work those extra hours—listen, coming from business, I understand that the business climate has also changed. Many businesses today work on a just-in-time basis. There are times, depending on what sector they're in, when they have to ramp things up and have people in many more hours to make sure they get that production and get the stuff out. But there are times when business does slow down or is cyclical and they may not need as many hours. This bill allows for that balance, because we also understand that we want a thriving economy. We want to make sure the economy and the business sector are competitive with the rest of the world.

Ontario's hard-working employees deserve to be able to have this balance and have rewarding work lives with

meaningful, healthy personal lives. As a result of the previous government's legislation, some employees have been too tired with their jobs, as I've said, and have feared saying no to their employers who request that they work up to 60 hours in a week.

At present, there is no government oversight to support the employee's choice. The Minister of Labour's approval of hours of work over 48 in a week, a fundamental protection that had existed for decades, was removed without much regard to how the vulnerable would have their rights respected. That is being given back to employees.

This minister will make sure there is a good awareness campaign in many languages, because our province is so diverse and made up of so many different languages. Many times, as with my family, many of the second and third generation are now bilingual, but when they first arrived in this great province, they actually did not speak English very well. They just spoke their mother tongue, which was Portuguese.

To make sure those newcomers, who most of the time are the most vulnerable, these measures, the Employment Standards Act and parts of it—that awareness will be there in the workplace in different languages, so they are aware of their rights, because many of them are not aware of their rights today. We can and must fulfill the wish of all Ontarians that we have the safest and fairest workplaces in the world.

What is Bill 63? If passed, this bill would restore protection for vulnerable workers that existed for decades. It provides government oversight by the Ministry of Labour over employees who work more than 48 hours a week. We would protect the vulnerable and support the choice of all workers about whether to work excess hours.

The benefits to employees: This bill, if passed, would restore protection for workers that existed for decades, as I have said, but was removed in 2001 by the previous government.

Maybe the previous government was not aware of how hard many labourers—many other workers are out there putting in certain hours. I know they were paying many of their friends—I heard they paid over \$100,000 to one of their consultants for one e-mail. Well, if you could do that, if you were being paid over \$100,000, you wouldn't have to work those 40 or 50 or 60 hours a week. Those types of jobs don't exist for 99.9999% of Ontarians, and many of them have to work 50 and 60 hours a week to put bread on the table and be able to buy some of the essentials they need for their families.

**1740**

Workers, with this bill, would be able to freely choose to work excess hours because the government would provide oversight to their agreements. Workers would also be able to freely choose any overtime averaging because the government would provide oversight to their agreements.

There are benefits to the employers. Like we said, we want a thriving business climate. This proposed bill is part of a comprehensive strategy to bring about real

change in employment standards and practices in Ontario, change that will benefit the workplace parties.

The minister, I know, has really moved on labour issues when it comes to workplace health and safety, making sure people are in a safe environment. When it comes to working the extraordinary hours that many of us do in very stressful times, the minister is well aware of the pressures that are on the working family in Ontario on a daily basis. Those pressures come from within the workplace and outside the workplace. We have to be aware of those and make sure employees are aware of those, but there has to be a balance so that those jobs exist for all Ontarians and so we can continue to make this the best place to live in the world.

It's been my pleasure to speak on Bill 63. I'm now going to pass on this continued dialogue to my esteemed colleague the member for London North Centre.

**Ms Deborah Matthews (London North Centre):** It's a real honour for me to speak on this bill that was introduced by my colleague from London, the Minister of Labour. We share many things and I certainly am happy to support him in this most important piece of legislation.

I like to think that my grandfather is watching from above. I think he would be watching this with a big smile on his face, partly because he'd be astonished that his granddaughter was actually an MPP, but he would also be astonished to think that we are, in the year 2004, debating a bill to end the 60-hour workweek.

My grandfather's name was John Henry Matthews IV. He was an immigrant from the island of Guernsey in the Channel Islands. He arrived here and worked on a farm. He was a watchmaker in Guernsey, but when he came here, he got the only job he could, working on a farm outside Brantford. As time went on, he came to work at the Brantford Expositor. He worked there as a lithographer, I think, or a typesetter. There's some question in the family about what his actual job was, but what we all know for sure is that he was very active in organizing the union at the Brantford Expositor.

**Mr Leal:** He probably knew Bob Nixon's father, Harry.

**Ms Matthews:** He probably did know Harry Nixon, yes.

He was a tireless advocate for the working person. He was a CCF candidate, in fact, which is interesting. My family history is a bit unusual in that all parties seem to have been represented in my past. I think my inspiration comes more from John Henry Matthews IV than some others. However, my grandfather, as I said, would be quite taken aback to think that of all the progress that was being made in terms of workers' rights, here we would be in the year 2004 talking about the 60-hour workweek.

This bill is about allowing workers to decide without undue pressure, without coercion, how to manage the very difficult balance between work and the other demands we all have on our time. This bill will affect many people, but the people I want to talk about right now are parents. This bill is a very important piece of legislation that will allow parents to fulfill their respon-

sibility to earn money to support their children: to pay for food, to pay for clothing, to pay for shelter. But it will also allow them to be parents and do the other things that parents want to and must do with their children.

Think about 60 hours a week; think about what that means. Sixty hours is 10 hours a day. If you add commuting time to that, I think it's impossible to work 60 hours a week and be the kind of parent we all would like to be.

This bill, in my mind, is about allowing parents to spend time with their children without having to worry about losing their job. Of all the things a parent can give their child, there is nothing more important than their time. This bill is about allowing parents time to hang out in the kitchen, chatting about the day's events while they're preparing supper. This bill is about time to help kids with homework. It's about time to do chores together, time to read together. This bill is about time for parents to play with their kids: just have fun, throw a ball around, go for a bike ride. This bill will allow parents to tell stories about the past, to share the history of the family. It will allow parents the chance to dream about the future with their children.

This is a bill about time to share life's victories and life's disappointments. It's about heartthrobs and heartbreaks. It is said that no one has ever said on their deathbed that they wished they had spent more time at work. No one has ever said they wished they had spent more time at work.

I have three wonderful children. I am more proud of my children than I am of anything else. Sadly, for me, they are all now in their 20s and have moved on. I have one in Halifax, one in Alberta and one in Ottawa.

For most of their time growing up, I was a single mom. I was trying to balance their needs and my work needs. I have to say that it's an impossible balance. I'm speaking as someone who had far more supports than most single moms. Fortunately, their dad was very active in their lives, so he was a big part of their growing up as well. But I was a single mom. I guess I still am, if you can still be a single mom once the kids have gone—I don't know.

Nonetheless, I often had to decide whom I would let down. Would I let down my job, or would I let down my kids? It was always a tough choice. I can't imagine how tough it would be if I had to choose between losing my job or working 60 hours a week. This bill is about protecting the most vulnerable people from having to make that choice.

Currently, under Ontario legislation, there are moms out there who have to decide between losing their job or taking care of their kids. That is not the kind of Ontario I want to live in. It is not the kind of Ontario Liberals want to live in. This bill is not just about helping single moms spend more time with their kids, although I think that's what I will think most about it.

**Mr McMeekin:** That would be a good name for the bill. It beats his name, doesn't it?

**Ms Matthews:** Yes, it beats that name.

This is also about letting people care for their parents. It's about letting people volunteer. It's about letting people continue with their education, maybe just relaxing, going for walks, enjoying the great outdoors. There is more to life than work.

This legislation is also about addressing a power imbalance in the workplace. It's about limiting the coercive powers invoked by some employers. I want to stress that this is about some employers using that coercive power. The vast majority of employers in this province are responsible and are respectful of their employees, because in fact that is the best way to run a business. But it's about putting more control in the hands of the employees. This bill is also a good bill for employers because the legislation would in fact level the playing field because it wouldn't give coercive employers advantages over fair-minded employers.

In conclusion, I'm very happy to support this piece of legislation. I think it is about more time for the things that are truly valuable.

1750

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

**Mr Baird:** I listened with a great deal of interest to the speeches from the members for Mississauga East and London North Centre. You would listen to this speech and you would think that this is somehow a monumental piece of legislation, that the face of Ontario will be changed forever, that it's akin to tearing down the Berlin Wall within the working world. I ask the member for London North Centre, do any trade unions support this bill? How many?

**Mr Hudak:** None.

**Mr Baird:** "None," the member for Erie-Lincoln says. What is the section of the bill that you find objectionable? Subsection 17(3). They can just apply for the more than 60 hours, no problem. They've got this old desk over in the Ministry of Labour, down at 400 University Avenue. I worked there. They pull out the big stamp and hire someone, recall them from their layoff notice to sit there and just stamp it "Approved," "Approved," "Approved." These guys may even automate it—get 10, 20 or 50 people in there doing it—to read them first and then rubber-stamp them rather than just rubber-stamping them.

To read this piece of legislation, one would think it was something substantive. I'll tell you what would have been substantive: the legislation that the Harris government brought in to restore balance, equity and labour relations in Ontario. I'm of course talking about that great Bill 7. There was a real piece of legislation that restored a little balance in our labour law. That was a real piece of legislation. That's the type of legislation we want to see coming from this government, but I fear we will not get it. I fear that we will be left wanting from this Minister of Labour.

**Mr Kormos:** I want to acknowledge that the bill imposes one hard cap—it does—and that is that no worker can be called upon to work more than 13 hours a day. When you recognize that the bill supersedes the

Tories' 60-hour workweek, and you understand that the only hard limit is 13 hours a day, that means that this bill promotes 91-hour workweeks. Even the Tories didn't dare venture into 91-hour workweeks. This bill purports to remove the 60-hour workweek. I suppose in a perverse sense it does, because it creates a 60-hour-plus workweek where you don't even need a certificate; all you need is to have made the application. Of course, the Ministry of Labour being destaffed and underfunded as it is, no applications are going to be responded to because there's nobody there to sign the certificates. That's why the author of the bill had to deem permission to have been granted in the event that you don't get a response from the ministry after having made the application.

This is the most egregious anti-worker piece of legislation we've seen since the very early days of the Tory government, when they repealed the right of agricultural workers to organize, the fundamental charter right of agricultural workers to organize themselves into collective bargaining units, trade unions. So I say to this government that it has absolutely nothing. Its members should please read the legislation, and if push comes to shove, call up your local Steelworker or CAW, or OPSEU, or CUPE, or International Association of Machinists' rep—or call Sid Ryan, because after the 28th, Sid Ryan is going to be in Ottawa. So call Sid now, while he's still down in Oshawa. Sid Ryan is going to make one heck of a member of Parliament. I'm so proud of the folks in Oshawa and their support for Sid Ryan, let me tell you.

**Mrs Carol Mitchell (Huron-Bruce):** It's certainly my pleasure to rise and support the bill, and to pass on my comments to the members from London North Centre and Mississauga East. The words they shared with this House were very important. We understand clearly why and how they can support this bill moving forward. When we heard from both members about their personal experiences and what they have shared in their workplaces, it brings forward to this House the relevance of this piece of legislation moving forward. I, too, would like to share my support with the members so they understand why I believe this is a very important piece of legislation to move forward.

When we empower the people who share the work within Ontario, we promote a stronger and more vibrant Ontario. This legislation will allow the people of Ontario the ability to determine, in a greater share, their workload. How can we as members of this House not listen to the people of Ontario bring forward their concerns and translate those to the legislation that we see before us today? I too share the support and commend my fellow members on the very important discussion they brought forward today. Thank you for allowing me the time to bring that today in this House.

**Mr Baird:** You're the best.

**Mrs Mitchell:** Thank you, member from Nepean-Carleton. As he has told me repeatedly, he certainly supports the member from Huron-Bruce and the discussion we had today.

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

**Mr Hudak:** I appreciate the chance to offer some more comment. What I didn't hear tonight was an answer to the question of how this ends the so-called 60-hour workweek in the province of Ontario. Can these 60-hour workweeks, so-called, continue if this bill is passed? Yes, absolutely. It makes not one bit of difference, not one single change. As my colleague for Nepean-Carleton said, how many labour unions have supported this bill? You'd think they would, if it did as it said it was going to do and ended the 60-hour workweek. You'd think there would be a single one. But how many are there? None, zip, zero, goose egg, blank—not a single one.

This bill does not do what it says. It's the "emperor has no clothes" bill. Does this bill end the 60-hour workweek? No.

**Mr Leal:** Yes.

**Mr Hudak:** You say yes, member for Peterborough. In your own legislation, it allows for the 60-hour workweek, so-called, to continue. You made the argument that a worker could be coerced into working more hours than 48. So explain to me how this same worker could not be coerced into signing a simple document. If he or she is afraid of losing their job if they don't work more than 48 hours, you don't think they'd be afraid of being coerced into signing the document? Come on, give me a break. Either you're going to end the practice or you're not. Just be honest.

The reality that we all understand, and I think any rational person listening at home to the arguments today will understand, is that this bill has no substance. There is no relevance. It hires more rubber-stampers for the Ministry of Labour. That's one thing it does do. But ultimately, the emperor has no clothes.

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

**Mr Fonseca:** I'd like to thank all members in this institution of democracy here who spoke on Bill 63 today, even the member for Erie-Lincoln and the member for Nepean-Carleton. The thing that they failed to hear—maybe they weren't listening—is that what this bill does is it brings balance to the workplace between the employee and the employer. With that balance, there can be teamwork, there can be a sense of working together to make sure that you have a thriving business, but also that you have work-life balance, so that those employees do not have fear of reprisal—which they do today—and feel that they can say, "Hey, listen. I've got a life outside of the workplace."

Many members from the opposition may feel that this is their life, their only life. But others want to have a life outside the workplace, want to go to that soccer game, want to go to that wedding, want to make sure that they get to their kids' graduation. That's what this bill does.

It brings teeth to this bill. The ministry does have oversight and inspection with regard to this bill. It's not just about rubber-stamping, as the member for Nepean-Carleton mentioned. That's maybe what his party has always done, but that's not what this party will do. What this party is about is making sure that all employees in Ontario are aware of their rights and the Employment Standards Act, especially for those newcomers. They will get that awareness in the different languages that they speak.

It has been a pleasure to speak on Bill 63.

**The Acting Speaker:** It being just past 6 of the clock, this House stands adjourned until tonight at 6:45 pm.

*The House adjourned at 1802.*

*Evening meeting reported in volume B.*

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