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Tuesday 23 November 2004

Journal des débats (Hansard)

Mardi 23 novembre 2004

Standing committee on social policy

Employment Standards Amendment Act (Hours of Work and Other Matters), 2004

Comité permanent de la politique sociale

Loi de 2004 modifiant la Loi sur les normes d'emploi (heures de travail et autres questions)

Chair: Jeff Leal
Clerk: Anne Stokes

Président : Jeff Leal
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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON SOCIAL POLICY

COMITÉ PERMANENT DE LA POLITIQUE SOCIALE

Tuesday 23 November 2004

Mardi 23 novembre 2004

The committee met at 1540 in committee room 1.

SUBCOMMITTEE REPORT

The Chair (Mr Jeff Leal): I'd like to bring the standing committee on social policy to order.

The first item is the report from the subcommittee, dated November 18, 2004.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): Your subcommittee met on Thursday, November 18, 2004, to consider the method of proceeding on Bill 63, An Act to amend the Employment Standards Act, 2000, with respect to hours of work and certain other matters, and recommends the following:

(1) That the committee meet for the purpose of public hearings on Bill 63 on November 23 and November 29, 2004, based on witness response;

(2) That an advertisement be placed on the Ont.Parl channel and the Legislative Assembly Web site and a press release be issued;

(3) That interested parties who wish to appear before the committee be scheduled on a first-come, first-served basis, and the clerk may schedule witnesses as they call in. If the numbers of those who wish to appear warrant additional time for public hearings, the subcommittee will meet to consider whether to recommend additional days for public hearings;

(4) That organizations and individuals be allotted 15 minutes in which to make their presentations;

(5) That the Minister of Labour—who I'm pleased to see is here today—or his designate be invited to make a half-hour presentation before the committee on the afternoon of November 23, 2004—this afternoon;

(6) That opposition critics be allotted 15 minutes each to respond to the minister's briefing;

(7) That the research officer provide the committee with a summary of witness presentations prior to clause-by-clause consideration of the bill;

(8) That a date for the committee meeting for the purpose of clause-by-clause consideration of Bill 63 be decided after the response to the request for public hearings is known;

(9) That the clerk of the committee, in consultation with the Chair, be authorized, prior to the passage of the report of the subcommittee, to commence making any preliminary arrangements necessary to facilitate the committee's proceedings.

I'd be delighted to move that report, Mr Chair.

The Chair: Comments or questions? All in favour? Carried.

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)

Consideration 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 Chair: Mr Minister, I'll now ask you to make your presentation on Bill 63, An Act to amend the Employment Standards Act, 2000, with respect to hours of work and certain other matters. We're delighted to have the parliamentary assistant, Mr Flynn, here today.

Mr Minister, do you want to commence?

Hon Christopher Bentley (Minister of Labour): Mr Chair, I'd like to thank you and the members of the committee for the opportunity to speak to this legislation. I want to assure you at the outset that I will not be taking my full half-hour that I understand has been allotted. I will take the opportunity to make sure I know the comments that are made during these committee deliberations, both from MPPs and witnesses, so that the government can have full consideration of this committee's work when it proceeds, or decides to proceed, with the legislation, depending, of course, on the committee's deliberations.

The government introduced Bill 63 for two reasons. First of all, we made a commitment to restore and support a worker's right to choose whether he or she wishes to work more than 48 hours in a week. This is a right that has historically existed, in fact, for decades in our legislation and has historically existed dependent on two requirements: first of all, that the worker and the employer make an agreement that the worker will work more than 48 hours in a week—historically, if the worker did not agree, there was no right to work more than 48 hours in a week; the second of the traditional requirements was that the Ministry of Labour grant it's approval. This requirement existed for decades. This re-

quirement is a very important one, because many workers do not have the bargaining power to effectively say to their employer that they don't wish to work the hours. That second requirement was eliminated in ESA, 2000. The central part of this legislation is that that requirement is returned.

The second goal of the legislation is as part of a broader strategy to assist and support the most vulnerable workers in society, part of a strategy that is legislative, that involves an awareness campaign for both employers and workers and involves an enhanced enforcement strategy. At the concluding part of my remarks, I'll touch on the broader aspects of this threefold strategy, but let me return to the central part of Bill 63.

The right to work more than 48 hours in a week was limited. It has been limited since approximately the late 1960s by the Employment Standards Act and has required two essential pillars: that the worker agree and that the government approve. Why is it important to have government approval? I touched on that already. There are many workers in our society who do not have equal bargaining power with their employer, who by nature of their position do not have the effective right to say no on their own. Government approving the agreement is an additional support for the worker's right to choose.

When the previous administration eliminated that government oversight in ESA, 2000, there does not appear to have been much thought to how the most vulnerable in our society would have their right to decide supported, because there were no additional protections in ESA, 2000, to replace government oversight.

We committed to restoring the end to the 60-hour workweek, and this legislation does exactly that. In order to work more than 48 hours in a week, the worker has to agree. That hasn't changed, although there now has to be kept a record of that approval. The second part is that the employer has to apply to the government for the right to have the worker work more than 48 hours in a week. That is different, and I'll talk about the approvals process in a moment. If the government approves, then the worker can work more than 48 hours in a week.

The approvals process used to be, and this was one of the main concerns in the business community, a very paper-intensive, time-consuming process, and that may have been one of the reasons that many wanted it eliminated. But eliminating it, again, does not support the effective right of workers to choose. So what we've done is restored the application process but done so in a way that is much easier for business, much less paper-intensive and much faster, frankly. We have said that employers, once they obtain the worker's approval to work more than 48 hours in a week, can apply in writing or electronically or by fax.

Thirty days after the date of their application—and these are for applications to work from 48 hours up to 60 hours in a week—the employer and the worker can begin working more than 48 hours in a week unless the minister—the director of employment standards—has intervened. The director of employment standards always has the right to intervene, as the director did before. That's an important difference from the old process, because it means that business will not be hampered in its efforts to compete, business will not be tied down with red tape and business will not be tied up with paper. They'll be able to commence working more than 48 hours in a week within 30 days after the application is made unless the director intervenes.

Why would the director intervene? If there are employment standards concerns about the particular business, if there are health and safety concerns about the particular business. The whole goal of the process is to focus the efforts in areas on businesses that may be a concern, because the point of the process is to support the worker's effective right to choose whether he or she wishes to work more than 48 hours in a week.

For any applications for more than 60 hours in a week, the application has to be made after the worker and the employer agree, but the employer can't work those extra hours until the director approves.

1550

In coming up with that application process, we did listen to the concerns of workers and of business, because it's important to recognize that we proceeded with this bill after a consultation process. We heard input from workers, from labour, from businesses, from business organizations. Specifically, the chamber of commerce and the CFIB spoke about not tying business up with red tape, and it was the chamber of commerce that suggested that the Web, that electronic means, be used for any form of application process. We've taken that suggestion to heart, and that's why the process appears—

Interruption.

The Chair: It's earth-shattering legislation, Minister.

Hon Mr Bentley: That's the application process.

The second part of the bill deals with overtime averaging. What is overtime averaging? A worker is entitled to be paid overtime for any hours in excess of 44 in a week. If the worker works more than 44 hours in a week, they get paid overtime. If they want to work more than 48 hours in a week, again, there has to be ministry approval. What happens if the worker and the employer agree that they want to work 38 hours one week and 50 hours the second week? The employer would potentially have to pay the worker for the extra six hours in the week where the worker is working 50; there wouldn't be any overtime paid for the week in which the worker is working 38.

Many workers—some represented by unions, some not—and employers agree that they should have weeks where they work different hours, for the good of the business and often for the convenience of the worker. The continental shift, which is in place in many workplaces, is one of those arrangements.

Historically what's happened is that the workers and the employer can apply for approval to average the overtime over two or more weeks. Historically, these averaging agreements were always the subject of, again, ministerial oversight. Business had to get the approval of

the worker and then apply to the government for permission. In ESA, 2000, the governmental oversight was extended from what used to be any period of two weeks or more up to a period of four weeks or more.

What we're doing in this legislation is restoring the traditional governmental oversight that used to exist for any agreement of two weeks or more. We are not introducing overtime averaging, because that has been in the legislation for quite some period of time, long before ESA, 2000. And we're not introducing governmental oversight for the first time, because that has been in the legislation as well. What we're doing is restoring the oversight for every proposed averaging agreement of two weeks or more.

Those are two of the key parts of the legislation itself: the agreements and the overtime averaging.

In addition, we are proposing that the bill provide a broader regulation-making power so that the government can approve working arrangements in very specialized situations. It has been suggested, for example, that in remote mining areas the workers and the employer may want an unusual working arrangement that wouldn't otherwise be obviously approved under existing employment standards legislation. What this power will do will be to give the government—the director of employment standards—the power to approve those unique special working arrangements for the good of the workers and for the good of the business.

As I said before, the second thrust of this legislation is as part of a broader initiative to support the most vulnerable workers in our society. They are the workers without effective bargaining power. They are the workers who often don't have other protections available to them, so they look to the government. A legislative initiative, which this is, can only be a part of that type of strategy, however. There are other key parts.

Legislation that isn't enforced really isn't effective protection at all. When we announced our intention to introduce this legislation, we also announced an enhanced enforcement initiative, which has two aspects. First of all, prosecutions will be used where they are appropriate and justified by the alleged facts. That's a change in direction.

The second part of the enforcement initiative, though, is to make the enforcement of this act much more proactive rather than reactive. What do I mean by that? What we found is that the enforcement of claims is much more effective when inspectors go into workplaces not reacting to a complaint but just unannounced, to find out whether the Employment Standards Act is being complied with, to conduct an audit of the books, to see whether the workers are being protected by the act. This is much more effective than if we wait for workers to come into a Ministry of Labour office or to make a claim.

In spite of that knowledge, the number of these proactive inspections over the years had been reduced virtually to nil. When we became the government in October 2003, the ministry was relying on workers to come into a Ministry of Labour office or make a claim alleging that their rights had been violated or their rights under the act were not being complied with. So as part of the three-pronged strategy, we announced that, over the next year, we would be conducting 2,000 proactive inspections to get the inspectors out into workplaces and provide a much more effective level of protection to workers.

That's the enforcement side. But as we have been told by workers and employers alike, a law is most effective if everybody knows about it to begin with, knows what their rights and what their responsibilities are. If workers don't know what their rights are, it's going to be tough for them to actually obtain the protection that the law provides. If employers don't know what their responsibilities are, it's going to be tough for them to comply. So as part of a three-pronged strategy, we have engaged in a rather substantial awareness initiative for both workers and employers.

Let's look at the employer side first. It had been suggested to us by a number of organizations—the CFIB, for example—that a computer- or Web-based source of easy-to-use information for employers would be a very valuable resource. It would be at hand, at their fingertips. It has to be a source of information that's easy to use. Ideally, it would be a source of information where the employer, if he or she couldn't find the answer to a question, would have a means of asking the question and getting an answer.

Several weeks ago, we launched the Workplace Gateway, a Web-based, computer-based source of easy-to-use information for workers, but primarily directed at employers so they could find out information about employment standards issues, hours-of-work issues as well as other labour issues. If they didn't get the answer from the Web, then they could ask the question either by e-mail or by a 1-800 number.

That's for employers. What about the workers? We were told that many of the most vulnerable workers in our society don't speak English or French as a first language, and those are the languages that government transacts its business in. Those are the languages in which most government information is found.

1600

So we did two things: We announced an enhanced awareness initiative. Over the month that followed our April announcement, the Ministry of Labour made contact with over 100 community organizations, some legal clinics that already do a lot of employment standards help work, but many other organizations that didn't know a lot about the Employment Standards Act, organizations that draw from different cultural groups and organizations that draw from different linguistic groups. What we have done is effectively told these organizations what we do, what the Employment Standards Act is about, how a worker can make a claim, how a worker or an employer can find out more information—as I say, more than 100 of these organizations.

We backed that up with something else. Just a couple of weeks ago, we announced that we had translated some

basic employment standards information into 19 additional languages—additional to English and French. So now we can provide basic employment standards awareness information to either workers or employers in a total of 21 different languages, in hard copy or through the Web. The goal is to greatly increase the awareness of Employment Standards Act rights and responsibilities to all of those who may either need the protection of the law or need to know what rules they have to comply with in order to be in compliance with the law.

Chair, members of the committee, those are the broad outlines, both of the purpose of the act and of our three-part strategy to protect all workers in the province, but in particular the most vulnerable. It's a strategy, and this is a bill, I would suggest to all members of the committee, that is certainly good for workers, also good for the business community and good for the people of Ontario.

Thank you very much for your attention. Unfortunately, I have to depart to catch a train, but I will make sure I find out about the committee's deliberations, and I know my parliamentary assistant, Kevin Flynn, will be remaining for the duration.

The Chair: Thank you very much, Minister. We appreciate your remarks today. You certainly covered all the main elements of Bill 63, and we thank you for that.

I now call upon Mrs Witmer to provide her remarks on behalf of the official opposition.

Mrs Elizabeth Witmer (Kitchener-Waterloo): Thank you very much, Mr Leal. Before we begin that, what was the plan after 4:30 today? I have "TBA."

The Chair: We have no witnesses for today, Mrs Witmer.

Mrs Witmer: OK. Could you just inform me as to how many witnesses we have the next time we meet? We have one more day, I believe.

The Chair: We have a full slate for next Monday and one additional presentation beyond that. That's where it stands right now.

Mr McMeekin: If I might, a full slate is what?

The Chair: I'll just ask the clerk.

The Clerk of the Committee (Ms Anne Stokes): Up until the point we came into the committee meeting, we have witnesses scheduled from 3:30 through to 6 o'clock for Monday. We do have one additional person on the waiting list, whom I have advised it will depend on a cancellation. It would be up to the committee to decide if they want to hold any additional days.

Just for your information, we have received a number of e-mails from people outside of the Toronto area who were interested in the committee travelling. The option of videoconferencing would be something the committee has done before and would be a possibility. It's up to the committee to decide how they would like to proceed from here.

Mrs Witmer: Are we going to receive, Ms Stokes, a copy of the names of people who have indicated an interest?

The Clerk of the Committee: We sent out a copy first thing this morning. It's been updated since then.

Mrs Witmer: Of the names?

The Clerk of the Committee: Yes. It's also posted on our Web site. I could get you a list of—

Mrs Witmer: I'd really appreciate seeing it. I have not seen a copy.

The Clerk of the Committee: If you don't mind one with handwritten notes on it, I can just make copies of this.

Mrs Witmer: Sure. That would be great.

Did you have a question, Ted?

Mr McMeekin: Just a supplemental. We had agreed we would hear from those who wanted to present today. Was there no one who wanted to present today?

The Chair: I don't believe so, Mr McMeekin. I'll just double check. Ms Stokes, no one wanted to present today. Am I correct?

The Clerk of the Committee: No, there was no one available or willing to appear today.

Hon Mr Bentley: Chair, if I could interject, I don't have to leave until 4:30, so I'm going to wait here until 4:30. I don't know if that assists.

The Chair: Thank you, Minister.

Mr McMeekin, when I realized that we might have some time today, we did certainly inquire if people who were scheduled for next Monday could come today, and that wasn't feasible.

Mrs Witmer, sorry. Did you—

Mrs Witmer: I just have a few comments. I guess the truth of the matter is, the people we have heard from are concerned about the changes that are being made. They do see them as resulting in additional paperwork.

If you take a look at some of the statistics, there's no indication that hours of work have increased recently. It seems the system that we introduced was working quite successfully, and this certainly does not eliminate the 60-hour workweek either. So I think to suggest that that's the case—it is not happening.

We don't have any amendments, but we recommend that the bill in its entirety be withdrawn, because with this type of legislation—actually, it's a pretty small piece of legislation—there's not a lot you can do, other than withdraw the entire bill. I think if we take a look at newspaper clippings, there hasn't actually been that much in the way of interest shown by the public in Ontario regarding this piece of legislation.

Our concern certainly would be that it adds paperwork and it's going to be more of a burden, and this will mean that a 60-hour workweek will continue. It's just that the employer now is going to have to jump through some additional hoops in order to comply with the requirements. So I think that's important.

I don't have a problem with the poster. People in the workplace need to know what their rights are, and I always think we should do whatever we can. I know that when I was Minister of Labour, we tried to make sure young people in the workplace knew what their rights were and that they didn't participate in activities that could cause them harm and undue injury or premature death. Our recommendation would be that the govern-

ment totally withdraw this legislation because of the additional paperwork.

I hope this government also keeps in mind that with the introduction of this bill, and now with the introduction of Bill 144, we are seeing some concern being expressed on the part of the people who create jobs in Ontario. In fact, my phone wasn't ringing until recently, with the introduction of Bill 144. I can tell you, already there are businesses in this province—some of them are people who have operations not just in Ontario but throughout Canada, throughout the United States, throughout the world—that have now put Ontario on their radar screen as an area where they're not sure they want to invest further money and create more jobs for the people in this province, because they're seeing that some of this new legislation is certainly turning back the clock 15 years or more, and it's going to make it less attractive to business. If we don't have people creating new jobs in this province, it also means that we're not going to have the money for health care or education.

We just need to go back to the period of 1990 to 1995, where we saw a radical shift in labour legislation and very unbalanced legislation, and people fled this province. It simply didn't create new jobs here. They went to other jurisdictions, and as a result, we actually lost 10,000 jobs between 1990 and 1995. It was pretty scary. If you had a child who was graduating, that child didn't have much of an opportunity.

1610

I can tell you that when we introduced Bill 7, it was like the walls had come down around this province and we saw, in about eight years, the creation of about a million new jobs for our young people, for ourselves, for our families and for our friends.

I would encourage this government—yes, it's very important that we continue to have fair and balanced legislation, but I also would say to you that if you take a look at the hours of work, it doesn't appear that the hours of work have changed much. If you take a look at your steps in Bill 144, where you are creating an imbalance, you can find yourselves, at the end of the next three years, in a similar situation as we found ourselves in 1995 when we had a crippling debt, we had a deficit, we lost 10,000 jobs and we were taxed to death. And you know what? There wasn't much hope and opportunity.

So I hope the government will very carefully consider the steps they're taking, and our recommendation would be the total withdrawal of this bill, because it basically is so simple; it only refers to one issue in particular, so I don't think that's going to happen.

If we take a look now, we see that we have some people who are going to be coming in and making presentations to us. I would look forward to hearing from some of those folks next Monday.

The Chair: Anything further, Mrs Witmer?

Mrs Witmer: No.

Mr Peter Kormos (Niagara Centre): Although I like Ms Witmer very much, I'm not in a position where I can agree with her that the Tory scheme was working very well, and that comes as no surprise. But I'm not about to pretend that this proposal, Bill 63, in any way improves upon the incredibly anti-worker environment created by the Tory scheme.

In fact, this Liberal government fails to provide changes that would enable workers to meaningfully enforce their rights while at work; and in fact, contrasted to the minister's claim that this bill will end the 60-hour workweek, the bill actually allows employers to obtain permits for workweeks longer than 60 hours. That is an outrageous proposition and reveals once again that the McGuinty Liberals haven't seen a Tory policy with which they haven't become immediately enamoured and intimate to the point, beyond courtship, of actual promotion and enactment.

Bill 63 fails to take a comprehensive approach to responsibly addressing hours of work, overtime and enforcement, and this bill keeps much of the Tory government's erosion of Ontario hours-of-work rules. One of the most striking omissions is its failure to revoke a boss's ability to establish regular maximum workdays of up to 13 hours. This bill not only provides for and facilitates and accommodates workweeks in excess of 60 hours, but workdays of up to 13 hours.

The bottom line is, Ontario needs a 40-hour workweek. This government fails to deliver it. In that regard, Ontario remains out of step with many other jurisdictions across the country. The workweek is 40 hours in British Columbia, Saskatchewan, Manitoba, Quebec, Newfoundland, Nunavut, Yukon and Northwest Territories, and under federal jurisdiction.

There wasn't even the typical feeble and feckless attempt by this government to create the illusion, the Houdini-like legerdemain of eliminating overtime averaging in this bill. Overtime averaging is the biggest gift that was ever given to bosses in Ontario. Brought in by the Tories, it allows overtime to be averaged for up to four weeks rather than being paid after 44 hours in one week. Especially vulnerable, of course, are non-unionized workers; make no mistake about that.

Unionized workplaces are safer, more productive and certainly more stable, and non-unionized workers remain overly vulnerable in their workplaces without adequate enforcement. The boss has the power to unilaterally deprive an employee, a worker, of his or her livelihood. Now, the minister said that he would dedicate resources to investigate alleged violations and prosecute bosses. Indeed, he promised to conduct 2,000 proactive inspections of workplaces focusing on high-risk employers. Yet there's no new money for Ministry of Labour investigations, which puts into question the McGuinty government's real commitment to this initiative.

New Democrats continue to be not only highly critical of this bill but extremely concerned about this government's lack of commitment to working people in this province. When you take a look at this bill, along with the much-touted—by nobody but the minister himself, of course—package of labour reforms, and in the context of understanding that it is non-union workers who espe-

cially need statutory protection, we see this government maintaining the Tory agenda of denying to agricultural workers the right to belong to trade unions, the right to collectively bargain in their workplaces—amongst the most dangerous workplaces in this country—and the right to bargain things like workplace health and safety, never mind wages.

Agricultural workers understand that they're in a low-wage industry; make no mistake about it. But it doesn't have to be a deadly industry. The agricultural industry takes more lives per capita, mutilates more bodies per capita and poisons more lungs per capita than any other industry, and many of these same workers are the most vulnerable because their first language isn't English. Indeed, many of them are in this country under special conditions which make them subject to coercion, both explicit and implicit. The Liberals at Queen's Park want to insist that they have generated labour reform, but in fact they leave those hundreds and thousands of agricultural workers in the 19th century.

And what about anti-scab legislation? Scabs—the net result, of course, is to take away jobs from hard-working women and men who are in a labour dispute, increasingly, as we witness more often than not, locked-out rather than on-strike. This Liberal government continues to roll out the Tory red carpet to scabs in Ontario. On any picket line in this province where scabs are busting through, you'll see picket lines where working women and men are being subjected to attack under the violence of speeding buses, cars and vans. The history of working women and men mowed down by scab buses, scab vans and scab cars is legion.

1620

The reality is that in jurisdictions where there is anti-scab legislation, work stoppages are fewer and shorter and negotiations take place at the table, which is how, in a civil society, you resolve conflicts around contracts. Add to that the denial to the largest number of working women and men in this province of their right to certify by virtue of card sign-up, and we see the most thorough betrayal of working women and men that this province has witnessed in literally decades. To allow card certification to but one sector of workers in this province is an attack on the workers who are denied the same access to a trade union.

Card certification has a respectable history in the province of Ontario. It was repealed by a Conservative government that made no bones about the fact that it was anti-labour, anti-worker, pro-corporate boss, pro-globalization. The Tories made no mistake about letting people know that. The Liberals want to say, "Oh, but we're so balanced." Give me a break. Some balance, when you maintain the same Conservative disdain for working women and men as part of your legislative agenda by denying workers in this province, the vast majority of workers—industrial workers, service sector workers, retail sales workers, agricultural workers—the right to card certification.

This committee is not going to sit very long this afternoon. That's fine. We're resuming again on Monday next. I want to thank the clerk—I trust, with the assistance of the Chair—for compiling the list of presenters who are going to be here on Monday. I encourage the Chair to call a subcommittee meeting, and I'm confident that he will, before this legislative week is over, so we can address any new applications for participation in the committee and so we can address some of the concerns that have been expressed to the clerk by people like Scott MacLeod, first vice-president, Simcoe County Elementary Teachers' Federation in Barrie. He writes:

"This e-mail is to express our disappointment that there will not be hearings seeking input from individuals and organizations outside of Toronto on the issue of employment standards."

From people like Gavin Anderson, OPSEU executive board, Kingston and District Labour Council:

"Dear Ms Stokes,

"I am writing to express my disappointment in the government's decision to hold only two days worth of hearings in Toronto with respect to amendments to the Employment Standards Act."

E-mails like the one from Peter Boyle, president, Kingston and District Labour Council:

"I would like to request to make a submission on behalf of the Kingston and District Labour Council in Kingston and request that the hearings, which are currently only scheduled in Toronto, be expanded to include other communities, including Kingston."

E-mails like the one from Henry Evans-Tenbrinke, constituent, Hamilton Mountain riding, who writes, somewhat affectionately: "Dear Anne and members of the Ontario Legislature"—and I commend the clerk for cultivating a relationship in which people like Mr Evans-Tenbrinke feel comfortable addressing her as "Anne." That's to her credit.

Mr Evans-Tenbrinke writes:

"Dear Anne and members of the Ontario Legislature:

"Since Bill 63 will affect nearly all constituents of Ontario, we have a right to have our voices heard too. The increasing trend of the Ontario Liberal and Conservative parties to ram legislation through smacks of nothing less than dictatorship."

Undoubtedly, if I may interject, Mr Evans-Tenbrinke has watched what has happened with Bill 100 and the time allocation motion, has watched and noted what has happened with this government's accelerated agenda of legislation and its abuse of parliamentary process in the course of pursuing that legislation.

Mr Evans-Tenbrinke goes on to write, "Do the right thing and allow people right across this province an opportunity to voice their concerns about Bill 63 ... in the true democratic way that should be a tradition in this great—"

Mrs Witmer: He's on the list.

Mr Kormos: Of course; he's from Hamilton. But he's calling upon this committee to let people across this province share in the submissions.

The Chair: Mr Kormos, you have about two minutes.

Mr Kormos: Thank you kindly.

E-mails like the one from John Gaudette of Amherstburg, Ontario: "Why are hearings only scheduled to be held in Toronto? ... I'm sure communities like Windsor would like to take part...." I suggest that the clerk will be receiving more of the same.

I am eager, as a member of the subcommittee, to find ways to accommodate these folks. Of course, legislative committees ought not to travel while the House is sitting. Surely, then, the subcommittee can investigate things like teleconferencing, amongst others. We see no need to be dilatory in this process, but I encourage this committee to ensure that participants from outside of the Toronto-Hamilton area who want to be heard are heard as effectively and meaningfully as those from within the area of Hamilton-Toronto.

New Democrats do not share the Liberals' enthusiasm for this bill. We're not about to sell out our working constituents and betray them, hand them over on a platter to the global agenda and to the corporate profit motive at the expense of their welfare, their wages, their safety, their health, their lives.

This bill should be called the "60-hour-plus-workweek bill." This bill should be called a "13-hour-workday bill." That's the kind of Ontario that Liberals envision; New Democrats don't share it.

I trust that I've used my component of time.

The Chair: Yes, you have, Mr Kormos.

Mr Kormos: I appreciate your guidance.

The Chair: I have indicated to the clerk that we can have a subcommittee meeting after private members' business at 12 o'clock on Thursday. I would schedule it for tomorrow, but I have to be in a funeral in Guelph.

Is there anything else for the good of committee?

Mrs Witmer: Can we do it now?

The Chair: Madam Clerk, can you just explain?

The Clerk of the Committee: We can have a subcommittee meeting right now. Mr Kormos is substituted for the meeting but not for the subcommittee meeting, but I could contact Mr Bisson's office and see if we could get something.

Mr Kormos: Feel free to adjourn, Chair. We're going to try to accommodate folks in terms of the subcommittee meeting.

The Chair: OK.

Mr Kormos: Let's vote on it. Is the committee prepared to give unanimous consent for myself to be substituted for the regular member on the subcommittee for the purpose of this subcommittee? We can do anything on unanimous consent.

Interjection.

Mr Kormos: No, it's just myself being a peacemaker once again, trying to—

Interjections.

The Chair: Mr Kormos, we'll adjourn. If you can contact your colleague Mr Bisson, that would be helpful.

Mr Kormos: Thank you kindly for your direction once again, Chair. Your most invaluable instructions are appreciated.

Mr McMeekin: Are we going to give Mr Kormos a few minutes to do that?

The Chair: We will. I'll now adjourn the meeting of the standing committee on social policy.

The committee adjourned at 1630.

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Chair / Président
Mr Jeff Leal (Peterborough L)

Vice-Chair / Vice-Président
Mr Khalil Ramal (London-Fanshawe L)

Mr Ted Arnott (Waterloo-Wellington PC)
Mr Ted Chudleigh (Halton PC)
Mr Kim Craitor (Niagara Falls L)
Mr Peter Fonseca (Mississauga East / Mississauga-Est L)
Mr Jeff Leal (Peterborough L)
Mr Rosario Marchese (Trinity-Spadina ND)
Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot L)
Mr Khalil Ramal (London-Fanshawe L)
Ms Kathleen O. Wynne (Don Valley West / Don Valley-Ouest L)

Substitutions / Membres remplaçants
Mr Kevin Daniel Flynn (Oakville L)
Mrs Linda Jeffrey (Brampton Centre / Brampton-Centre L)
Mr Peter Kormos (Niagara Centre / Niagara-Centre ND)
Mr Lou Rinaldi (Northumberland L)
Mrs Elizabeth Witmer (Kitchener-Waterloo PC)

Also taking part / Autres participants et participantes
Hon Christopher Bentley (Minister of Labour)

Clerk / Greffière
Ms Anne Stokes

Staff / Personnel
Mr Avrum Fenson, research officer,
Research and Information Services