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**Monday 3 November 2008**

**Lundi 3 novembre 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 3 November 2008

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 3 novembre 2008

*The House met at 1030.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence for inner thought and personal reflection.

*Prayers.*

### INTRODUCTION OF VISITORS

**Mr. Charles Sousa:** I'd like to welcome in our east gallery today Messieurs Dave Cook and Terrence Butt, both former Mississauga city councillors.

Please join me in congratulating Mr. Cook on his newest book, *Fading History*. It's a collection of 15 stories about Mississauga's history. This is Mr. Cook's third book about the history of Mississauga. Others include *Apple Blossom and Satellite Dishes*, a history of Applewood; and *From Frozen Ponds to Beehive Glory*, a history of Dixie Arena and Beehive hockey club.

I'd also provide thanks to Mr. Butt for helping to finance its publication. Congratulations.

**Hon. Michael Gravelle:** I'd like to introduce to the Legislature my brother Peter, who is in the members' east gallery. Peter is the clinical director for the Brain Injury Services of Northern Ontario. And as you'll be able to tell, he's my younger, slimmer, better-looking brother. Peter, welcome.

**The Speaker (Hon. Steve Peters):** We have with us today in the Speaker's gallery David Warner, former Speaker and MPP for Scarborough–Ellesmere; his wife, Pat Warner; his grandson Sebastian Smith and Sebastian's friend Connor Gedney. Please join me in welcoming our guests. Welcome back, Mr. Speaker.

### ORAL QUESTIONS

#### SMALL BUSINESS

**Mr. Robert W. Runciman:** My question is to the Minister of Small Business and Consumer Services and it has to do with his role as an advocate for small business in his government and especially within cabinet. On October 9, in the *Toronto Star*, Premier McGuinty was quoted as saying, "The worst thing you could do in an economic slowdown is raise taxes." Minister, why then are you not opposing the bill introduced last week by the Minister of Labour that will force small construction

companies in Ontario to pay an additional \$11,000 a year?

**Hon. Harinder S. Takhar:** Actually, I am very proud of some of the things that we have done for our small business.

Let me tell you, it basically fits in four very neat categories. One is that we have been able to lower taxes and another is that we have, in a very systematic way, actually saved money to small businesses. We also have programs that are actually quite in line with what the small businesses are looking for.

I am delighted that last month was Salute to Small Businesses Month, and I had the chance to go and visit so many small businesses. I want to tell the member opposite that our small businesses are actually thriving, and they're doing quite well in the province of Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Robert W. Runciman:** I listened very closely for an answer there, but I didn't detect one, and that is indeed shameful. They announced this new tax during Small Business Week, doubling the insult to small business and really reflecting on the inability of this particular minister to represent them in the cabinet of the government. You can call it what you want, Minister, but Ontarians know what a tax is. They have learned there hasn't been a Liberal tax that didn't come with a broken promise attached to it. Now, by introducing this new tax during an economic decline, your government has dealt small businesses in the construction industry, and perhaps for many, the final blow. Minister, is this how the Liberals celebrate Small Business Week in Ontario: with a death march?

**Hon. Harinder S. Takhar:** Maybe I need to tell the member—although he voted against it, maybe he still needs to hear about this—that we have actually decreased the taxes on small businesses to the tune of about \$750 million in 2007 and 2008. We have also eliminated the capital tax on the small businesses, actually dating back a year, and they are already receiving the refunds on that as well. But, in addition to that, we have also reduced the business taxes on small businesses.

We also have programs that are really very beneficial to small businesses that will make them more competitive and more productive in the marketplace at this point in time, so I'm very proud of what our government has done for small business.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Robert W. Runciman:** I sincerely hope that business people across the province are watching and listen-

ing to the responses from this minister. I've asked him specifically about a bill that is going to negatively impact on hundreds and hundreds of small businesses across this province. One owner has described it as another nail in the coffin for small companies already working 12 to 14 hours a day trying to keep the bills paid in an economic slowdown. Minister, here you are not answering their questions or their concerns.

The province has seen the loss of 230,000 manufacturing jobs and another 250,000 predicted to disappear. Why are you standing by doing nothing while the Minister of Labour is apparently deliberately killing off opportunities for our people who are going to lose their jobs? These are opportunities in small businesses. Why are you standing by and not even answering questions?

**Hon. Harinder S. Takhar:** It's one thing to ask questions in the House and another to actually do something concrete for small businesses. We have systematically reduced red tape on small businesses, we have reduced the paperwork for small businesses, and the measure that the Minister of Labour has taken is to even the playing field for everybody so that the people can be treated right.

Just talking about cutting the red tape: In seven key ministries, we have reduced, in the first phase, 24% of the paperwork burden. In the second eight ministries, we reduced it by another 25%, and we are moving ahead to reduce it in the remaining ministries by another 25%. But we are also moving ahead to automate most of the paperwork that the small businesses have to fill. We are also working closely with the federal government to coordinate the filing of the tax system for the small—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

1040

#### SMALL BUSINESS

**Mr. Robert Bailey:** My question is to the Minister of Small Business and Consumer Services.

The recent answers just show the absolute lunacy behind this new WSIB bill. This bill is not about tackling the underground economy, because during a slowdown, new taxes only drive businesses further underground. The Canadian Federation of Independent Business has said as much. Minister, if it's not about the underground economy, then whose interest does this bill serve? Which backroom election promise is your government fulfilling with this bill?

**Hon. Harinder S. Takhar:** I want to tell the member opposite that I meet with the Canadian Federation of Independent Business on a regular basis, and they are very supportive of the steps that we have taken to support the small business industry in this province. One of the representatives of the CFIB actually sits on our small business agency, so they have input on the kinds of things that we do for small business.

But what I really want to talk about is some of the things that we are actually doing for small business. As I indicated before, we have systematically reduced paper-

work for small business. We have programs dedicated to small businesses so that they can be successful in the work that they do, and I will be able to—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Robert Bailey:** It's important for Ontarians to know what is behind this government's agenda. The Canadian Federation of Independent Business, whose some 43,000 members supply over 50% of Ontario jobs, don't want this bill. They've told us that. They've said this bill does nothing to stop the very underground economy that they are competing against. They have presented upwards of 25,000 objections from their members, who have said that the \$11,000 annual WSIB tax is going to put them out of business—shut them down, period. Minister, why aren't you out there doing your job, fighting for the very survival of these small businesses?

**Hon. Harinder S. Takhar:** I understand that the member from Sarnia-Lambton actually had a very good relationship with Doug Chalmers, the director of Aluma Systems and the former chair of the Sarnia Construction Association. This is what Mr. Chalmers said about this: "Congratulations. Absolutely brilliant. This will make Ontario a safer workplace and improve the quality of life for all of us." This is a friend of the member from Sarnia. I am sure if you are not going to take my advice, then you will take his advice and listen to this.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Robert Bailey:** I have spoken to Mr. Chalmers, and when he wrote that original letter, it wasn't his understanding—but I will talk about that again. This government has killed the manufacturing industry with their high taxes and red tape. Now they've set their targets on the small construction companies of this province. We understand that the Small Business Agency of Ontario, which operates under your ministry, looked at this bill over a year ago and said it was a bad idea. Minister, if this bill passes, there won't be any small businesses left in this province and you'll be doing yourself out of a job. Is that what it's going to take for you to stand up for small business? Do your job and fight against this bill.

**Hon. Harinder S. Takhar:** Actually, I want to ask the member from Sarnia if he really believes in what Mr. Chalmers said or not. Does he say that Mr. Chalmers didn't say it, or that he doesn't believe what he said?

I'm actually not sure how many small businesses the member from Sarnia visited, but let me just give you a couple of examples of how many businesses I visited in the month of September, and I did not hear once about this issue from any of those businesses. I visited Samco Machinery. I have been to Methes energy; I have been to ProMation Engineering; I have been to Icyene in Mississauga. I had the chance to go and visit the Toronto Business Development Centre. I visited, actually, five places there. I want to tell you, based on my experience in talking to the small businesses, and maybe this will come as a surprise to the member from Sarnia, if he—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### MUNICIPAL FINANCES

**Mr. Howard Hampton:** My question is for the Acting Premier. On Friday, Statistics Canada released its GDP report, which shows serious economic problems in Ontario. Manufacturing employment continued to decline. Construction showed a real retreat.

This economic downturn means that this year, now, and next year, municipalities have to bear increased Ontario Works costs. But the agreement the McGuinty government forced on municipalities does nothing for them this year and does nothing for them in 2009.

My question: How could the McGuinty government pretend that this agreement is going to help municipalities when it does nothing for them in 2008 and nothing for them in 2009, at a time when Ontario Works costs are skyrocketing?

**Hon. George Smitherman:** On subsequent supplementaries, if they stay on the same theme, I'll be asking the Minister of Municipal Affairs to respond. I wanted to make sure that all members of the House were given the appropriate opportunity to recognize the Minister of Municipal Affairs for this landmark work he has done with municipalities in the province of Ontario.

By coincidence, earlier today I had the privilege of a lengthy meeting with Councillor Peter Hume, from the city of Ottawa, who is the president of AMO. Not only was he still expressing a very positive view about the historic agreement that was reached; he was also very, very pleased that soon the province of Ontario will be flowing \$1.1 billion in infrastructure investments to municipalities for this year, something that the president of AMO was very pleased to have coming.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Howard Hampton:** As usual, this was another McGuinty exercise in promising to maybe, perhaps do something 10 years from now, when the urgent problem is today.

I want to quote someone who says he knows a lot about this: "What happens when the economy goes down? I'll tell you what happens: The welfare caseloads go up, the number of property taxpaying citizens goes down and those who are left are faced with an increasingly difficult burden" that they have to pay. Who said that? Dwight Duncan, the finance minister, just a few years ago. But today, the McGuinty government says to municipalities, "While you're facing tough times, you're on your own in 2008, you're on your own in 2009 and we might spare you \$12 million in 2010."

I ask again, how is this helping municipalities at a time when their Ontario Works costs are skyrocketing?

**Hon. George Smitherman:** To the Minister of Municipal Affairs and Housing.

**Hon. Jim Watson:** I'm very, very pleased to answer the honourable member's question and correct him once again.

First of all, the notion that no money is flowing is absolutely ludicrous. When the McGuinty government had the opportunity and the honour to be sworn in, in 2003, we began the process of uploading, whether it's gas tax, land ambulance, public health costs or ODP, ODSP. We have gone from providing our municipal partners with approximately \$1.1 billion in 2003 to \$2.2 billion this year, and by the time this entire agreement is fully implemented, it will be up to \$3.8 billion. That is a 250% increase in support to our partners.

I challenge the honourable member to stop denouncing the municipal sector and support them as partners, as we support them.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Howard Hampton:** The mayor of Sarnia, a two-time Liberal candidate, says that anybody who thinks this is a good deal obviously thinks Napoleon won at Waterloo.

I want to quote somebody else: "The municipality is put in a position of having to raise property taxes at precisely the time, from an economic perspective, that they shouldn't have to do it. Now as we put these additional costs onto the ... property tax bill, it's going to be even more difficult." That's the situation the McGuinty government has put municipalities in today, in 2008, next year, in 2009, and in 2010 and 2011. What is the McGuinty government's answer? "Oh, we'll do something about it in 2018." How is that a good deal?

**Hon. Jim Watson:** Well, that's a little rich, coming from a member whose party downloaded hundreds of millions of dollars under the guise of the social contract. Where was the great man of principle then? Did he give up his car and driver? Did he leave cabinet?

**The Speaker (Hon. Steve Peters):** Don't stop the clock. Member from Hamilton East—

**Mr. Paul Miller:** I'll go back to my seat.

**The Speaker (Hon. Steve Peters):** Thank you.

**Hon. Jim Watson:** Where was the great man of principle? Did he resign from cabinet, outraged over the downloading his party partook in when it came to the social contract?

Let me quote a gentleman who said: "'I've never seen this in a government at a time like this.' Rodriguez lauded the McGuinty Liberals for talking another step forward in reversing the disastrous downloads of the Harris Conservatives." That's John Rodriguez, a former New Democratic member of Parliament, who is now the mayor of Sudbury.

I need no lessons when it comes to helping and supporting our municipal sector—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

1050

#### MUNICIPAL FINANCES

**Mr. Howard Hampton:** I think the McGuinty government is protesting against that well-known Liberal,

Bob Rae. I say to you: He's all yours; protest against him all you want—

**The Speaker (Hon. Steve Peters):** Who is the question to, please?

**Mr. Howard Hampton:** Again, to the Acting Premier: I want to point out again what's in this deal for municipalities. In 2008, as their Ontario Works skyrocket—nothing. In 2009, as more jobs are lost and Ontario Works costs skyrocket—nothing. In 2010: a paltry \$12 million. The costs of court security for municipalities is \$525 million a year.

Again, my question to the McGuinty Liberals: At a time when costs for municipalities are skyrocketing, this year, next year, in 2010, do you really think—

**The Speaker (Hon. Steve Peters):** Thank you. Deputy Premier?

**Hon. George Smitherman:** To the Minister of Municipal Affairs and Housing.

**Hon. Jim Watson:** Once again, the honourable member from the NDP has got his facts entirely wrong. He clearly stated that there would be no benefit in 2008 for Ontario municipalities. You're wrong. There's \$158 million that has already flowed to the municipal sector. In 2009, we begin the upload of 100% of ODSP administrative costs, saving municipalities \$86 million. In 2010, we begin one half of the ODSP benefits cost, saving municipalities \$310 million.

I'd much rather quote an esteemed leader named Hazel McCallion, who said, "Downloading is going to end and uploading is going to take over. The water is flowing up rather than down." I'd rather have Hazel McCallion, David Miller, and the president of AMO on my side supporting this deal than the ranting and raving of a failed ideology on the other side—

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Howard Hampton:** I'm merely going to stick to the facts. AMO itself says that under the McGuinty Liberals, the cost of downloading has gone from \$3.2 billion, when the McGuinty Liberals assumed office, to \$3.9 billion now. Only the McGuinty Liberals would claim that that's a good deal. But just how this deal works for Hamilton: Ontario Works and court security costs for Hamilton are nearly \$25 million a year. Hamilton property taxpayers will still be paying almost all of that by the time the next provincial election comes around. Windsor property taxpayers cover \$12 million for Ontario Works and court security alone.

Tell me: What, in this agreement, is going to do anything to relieve the pressure on municipal property taxpayers in Hamilton and Windsor?

**Hon. Jim Watson:** Let me answer the question directly: The good people of Hamilton, thanks to the work of Ted McMeekin and our good colleague from Hamilton Mountain—strong voices for Hamilton—benefit: \$72 million for the people of Hamilton. The good people of Windsor, represented so ably by my colleagues from Essex and our two cabinet colleagues, Ministers Duncan and Papatello, are going to benefit to the tune of \$35.3 million.

Let me quote Eddie Francis, who was a signatory to this important document, when he said:

"Once all in, it's a significant amount of money. That aside, it's the first time in a long time you have social service costs being moved away from the property tax base and the responsibility being parked with the province. That's significant.

"In terms of any argument that it's too slow—we had nothing yesterday. We were paying for all of it. We now have a commitment and timetable to upload it. I will take that any day."

The municipal sector is happy with this—

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Howard Hampton:** Here is the reality: The money that the McGuinty government is going to make available not this year, not next year, but in 2010 and 2011, won't even cover the costs of municipal taxpayers in Windsor and Hamilton, not to speak of all the other municipalities in the province. The McGuinty government continues to say, "But wait for 2018." What we can be sure of is this: Costs will be much higher in 2018. And what we can be sure of with McGuinty government promises is that they're not worth the paper they're printed on. That has been proven over and over and over again.

I ask the question again: When the finance minister himself says this is blatantly unfair, how does the McGuinty government think that this is a good deal for municipalities?

**Hon. Jim Watson:** I would encourage the leader of the third party to go to the website of the wannabe leader the member from Hamilton, because she has an interesting press release dated August 23, 2008, where she's claiming—I don't know if it's her policy, or the party platform, or the leader's policy, or the leader-in-waiting's policy—that she wouldn't begin her uploading until 2011, at a smaller rate than what we're providing the municipal sector. So we need no lessons from the NDP when it comes to talking about partnerships with the municipal sector.

Let me just tell you a little bit about what we're doing on the infrastructure front. We have seen a \$6.6-billion investment in infrastructure directly to the municipal sector and that is going to roads and bridges and community centres and libraries, something that was completely foreign when the NDP were in office. We're building communities with communities—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### SMALL BUSINESS

**Mr. Robert Bailey:** My question is for the Minister of Small Business, and it's in regard to the impact of Bill 119 on small businesses. If passed, Bill 119 will put an \$11,000 tax on small and medium-sized businesses all around Ontario. Since last week, MPPs' offices have been bombarded with faxes, letters and phone calls indi-

cating that this new tax on small business will mean the death of those businesses. Minister, as this government's protector of small business, will you commit immediately to urge your colleague the government House leader to not shut down debate on this bill, like you are doing with the budget bill later this week?

**Hon. Harinder S. Takhar:** Health and safety is important for this government, and that's exactly what we are doing in the construction industry.

We are looking forward to the debate, and I hope the member will participate in this debate. But I really want to ask the member again: Do you agree with Mr. Chalmers or not, when he said, "Congratulations. Absolutely brilliant. This will make Ontario a safer workplace and improve the quality of life for all of us"?

I think the small businesses out there are not looking for a handout; they're looking for our support. Let me just talk about a couple of the support programs that our government has for small businesses. We just introduced an export access program through the Ontario Chamber of Commerce, so that our small businesses can showcase their products not just in North America but anywhere else in the world, wherever they want to do business. That is what is going to help the small businesses grow and prosper in this province—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Robert Bailey:** Back to the same minister: Stakeholders from all over Ontario have been firm in their demand that they be heard on this bill in committee and communities across this province. I know that traditionally under this government, committees do not travel when the House is sitting. Minister, would you today commit to urging your government House leader to allow this bill to go to committee and travel the province when the House isn't sitting, so we can hear from our small business people around this province who are fearful of losing their livelihoods?

**Hon. Harinder S. Takhar:** Let me tell you, I have been in touch with the small-business community on a regular basis, and I want to tell you that our small-business community, as I said before, is not looking for handouts; they're looking for a little bit of support.

We have 57 enterprise centres in this province that are willing to help our small businesses. We have advisory groups that are out there helping our small businesses. We have also reconfigured our AMIS program so that we can help the manufacturers who are struggling a little bit because of the weak US economy. We have the eastern Ontario economic development fund, solely dedicated to small businesses so that they can take advantage of some of the programs that we have developed in that region, as well.

So I'm very proud of what our government has done and how we have worked in a very collaborative manner with the small-business community. They are very appreciative of what we have—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## MANUFACTURING JOBS

**Mr. Michael Prue:** My question is to the Deputy Premier. While the McGuinty government has looked on from the sidelines, 230,000 manufacturing jobs have disappeared. New Democrats have laid out a real jobs plan with strategies that have worked successfully elsewhere. One of those is a manufacturing investment tax credit that would reward manufacturers for investing in plant machinery and for creating good-paying jobs. In finance estimates last week, the finance minister commented that the credit was "a worthy idea and something we have to look at seriously."

Deputy Premier, if the manufacturing credit is such a good idea, as the finance minister now says, why hasn't your government taken immediate action to implement it?

**Hon. George Smitherman:** To the Minister of Economic Development.

1100

**Hon. Michael Bryant:** Let me start by saying, obviously, the Minister of Finance indicated what this government's approach is, particularly during this economic crunch and crisis, which is, if the members come forward with ideas that are of assistance, we certainly want to embrace those ideas, if in fact it's something that the government has not yet been doing. But I will say to the member that there are business tax cuts and credits in place that the member voted against that we put into place to support that particular industry. The entire purpose of the advanced manufacturing investment strategy is to provide direct assistance to the manufacturing industry in order to help them innovate, grow and retain and grow jobs and I'm happy to talk about the successes of that program today. But again, I say to the member, we welcome all suggestions, as the finance minister said, but we will continue to build on this strategy that will continue to retain and grow jobs in Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Michael Prue:** I would gladly take credit for having posed that question to the Minister of Finance, but it was not me; it was the Liberal backbencher from Mississauga–Brampton South who raised the question.

The point is that Ontario's manufacturing communities can't wait any longer. Manitoba, Saskatchewan, and Quebec introduced exactly this sort of credit years ago. The CAW supports it. The manufacturers and exporters' association supports it. Basically everyone who has anything to say with manufacturing supports that credit.

Will the government take immediate action to implement a manufacturing investment tax credit or will it continue to sit on the sidelines while thousands more good-paying jobs are lost?

**Hon. Michael Bryant:** Now the idea sounds even more promising, and I just want to congratulate the member from Mississauga for bringing it forward.

Let's be clear: This government provided \$190 million in rebates. That's what this government has brought forward in the past and previous budgets. Of those \$190

million in rebates, there have been a number of success stories. But let's be clear: The rebate package in the budget that came before this House was brought by this government and was voted against by that member and that party over there.

So I say to the member, while we welcome his encouragement, not only of the member spoken of from Mississauga but also this government's rebate program, it is a little late in the game and the member has not shown a commitment to these rebates up until now. But we welcome his encouragement on this front and look forward to further encouragement on the McGuinty government's programs.

#### MUNICIPAL FINANCES

**Mr. Yasir Naqvi:** My question is to the Minister of Municipal Affairs and Housing. Minister, you have been asked quite a few questions about the announcement Friday. Let me ask you about its impact on Ottawa.

The city of Ottawa council has spoken to me on numerous occasions about the struggles they face since provincial programs were downloaded onto their backs. Although it has been several years, I know they are still feeling the effects of the early 1990s. Like many municipalities across the province, they struggle to maintain services and infrastructure to residents of communities like those in my riding of Ottawa Centre. It's no surprise to learn that my constituents are pleased that over the last few years we have worked diligently with the Ottawa community to make much-needed investments, including the just recently announced \$77 million under the Investing in Ontario Act. When you and the Honourable Minister of Finance made that investment, you made it clear in this House that the money could be spent on infrastructure projects.

Minister, can you tell us what is in the review, which you announced Friday, and how that will benefit the city of Ottawa?

**Hon. Jim Watson:** I'm very proud to answer the honourable member's question for a couple reasons. I happened to be mayor of Ottawa during the downloading of the Harris government, and I was a city councillor during the social contract downloading of the NDP. So the number one, two and three items that the municipal sector has been working on for a long time to get uploaded were ODP, ODSP, Ontario Works and court security and prisoner transportation. As a result of the consensus agreement reached unanimously by the city of Toronto and AMO, I'm pleased to report that the people of Ottawa, the taxpayers of Ottawa and the municipality of Ottawa, by the time the plan is fully implemented, will save \$122 million.

Let me quote my colleague Peter Hume. Peter Hume said, "This report turns the page on a dark chapter of provincial-municipal fiscal relations. The consensus reflected in this report sets out the changes that reflect the highest priority of our municipal governments and"—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Mr. Yasir Naqvi:** I'm sure that the city of Ottawa is pleased that we are continuing to take steps to alleviate the financial burden they face and to make it easier for them to respond to the infrastructure and services needs in our communities. But we all know that Ontario is facing challenging economic times. There are parts of the economy we can't control: fluctuations in the dollar, interest rates, a weakened US trading partner, high oil prices and competition from overseas. I'm sure we can all agree that these economic times call for prudent planning, and our Minister of Finance has responded with a strategic five-point plan for the province. Minister, it's no secret that municipalities have been asking us to make it easier for them to plan for the future during these challenging economic times. Can the minister tell us how the review allows cities like Ottawa to plan for the future during these challenging economic times?

**Hon. Jim Watson:** The fact of the matter is, this gives predictability and stability to the municipal sector, something that they have been looking for for a long time.

My colleague from Carleton-Mississippi Mills says that the mayor of Ottawa doesn't like this government or this agreement. Let me quote from Nepean This Week, where Mayor O'Brien said, "The province of Ontario has never in its history been as good to eastern Ontario and Ottawa as it has been over the last two years while I have been mayor. Our relationship is warm, it's co-operative and it's moving to the future. All I can say is, I'm very, very happy the city of Ottawa is working in this manner with the McGuinty government because they are coming through for the city of Ottawa."

I am proud of the fact that after years and years of downloading under the Conservatives and the NDP, we've turned the page, we're moving forward, we're supporting our municipal partners, we're not name-calling and we're respecting those men and women who serve in counties and in regions and in cities and we will—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### VIOLENT CRIME

**Mr. Robert W. Runciman:** My question is for the Attorney General. This past Saturday I attended the funeral of Bailey Zaveda, the Brockville girl killed in the shooting last weekend in downtown Toronto. In making his tribute to Bailey, her brother Ryan expressed the wish that she not become just another crime statistic.

For the last week, we have pointed to the tools that your crown lawyers could have used to keep Bailey's alleged killer, Kyle Weese, off the streets. So I ask you again, Minister, if the police considered Weese to be a dangerous, violent man, why did your crown lawyers cut a deal with him and drop six of seven charges instead of bringing a dangerous offender application to keep him behind bars for good?

**Hon. Christopher Bentley:** My sympathies and all of our sympathies are with the family and with those deeply

touched and affected. We're angry. We're all angry about how this could have happened.

What can be done in the future to make sure that tragedies like this do not happen again? What I say to the honourable member and what I say to the family and to the communities is, we are going to do all that needs to be done. We're going to prosecute those responsible to the full extent of the law and we are going to take measures, right now, within the crown's office, to do what needs to be done to prevent tragedies like this from happening in the future.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Robert W. Runciman:** Those are good words, but, Minister, your crown now have a significant number of tools available to protect the public from high-risk offenders: opposing bail and appealing bad bail decisions, insisting on electronic monitoring, prosecuting bail and probation breaches, opposing high-risk parole releases—I could go on, Minister.

We know that three years ago your government wanted to cut \$340 million from the justice system but publicly backed away after the so-called summer of the gun in 2005. Minister, are you making those cuts now behind closed doors? Is this why innocent people are dying?

**Hon. Christopher Bentley:** When we say that our sympathies are with the victim and with the families and our memories of her will last long beyond today, we are angry at what happened and determined to prevent tragedies like this from happening again.

All those steps have been made over the past five years. We're going to lock the revolving door of justice by doing whatever we can. There are three exit points from justice. There is bail, there is sentencing, and there is parole and what happens after. We are developing a strategy now to do, in the crown's office, whatever additionally we can do to lock that revolving door of justice to prevent these tragedies from happening in the future.

1110

#### CHILD CARE

**Mr. Paul Miller:** My question is to the Minister of Community and Social Services. Minister, in a Toronto Sun article on October 29, you are quoted as saying, "My ministry has not changed the rules in regard to eligibility in the TCA program. The specification of what 'temporary' means has changed."

Minister, it's obvious that redefining the meaning of the term "temporary" is a change to the eligibility rules. It means that grandchildren being raised by their grandparents no longer qualify for temporary care assistance.

Will this minister commit today to reinstating the old definitions and interpretations so that every grandchild being raised by his or her grandparents is eligible for temporary care assistance?

**Hon. Madeleine Meilleur:** Again, I want to say thank you to the grandparents who believe they have a responsibility towards their children in difficulty.

This government is supporting grandparents by providing temporary care assistance and a host of other pro-

grams in the long term. Again, I say to the grandparents that when they qualify for temporary care assistance, they will continue to get temporary care assistance. Besides that, when they receive temporary care assistance, they receive all sorts of other programs like health care, dental, vision, medication, all of these programs that they are entitled to. When it's not temporary anymore, there are other programs that they can apply to and be eligible for.

**Mr. Paul Miller:** This is unbelievable. The minister knows that grandchildren who are being raised by their grandparents are always in a temporary care situation. A parent can at any time go to the court and regain custody within seven days.

One grandmother called my office on Friday, sobbing. She's 74 years old and has just been diagnosed with cancer. She has been receiving temporary care assistance for nine years. As a direct result of your redefinition of "temporary," she has been cut off and now cannot afford to care for her grandchild. They do not qualify for any other assistance programs that you keep talking about.

The minister can do the only right thing today: Redefine her new definition of "temporary" to include all grandchildren being raised by their grandparents in this province.

**Hon. Madeleine Meilleur:** After this member from Hamilton East—Stoney Creek blew the whistle on the grandparents, now he's out here telling us that he wants the program to be income-tested and that he also wants to put a time limit on the program. There is no time limit to the program, and the director of the program in each of the municipalities has the flexibility to judge if it's temporary or not.

*Interjections.*

**The Speaker (Hon. Steve Peters):** I would just ask the member from Hamilton East, for not the last comment he made but the second-last comment that he made, if he would withdraw it, please.

**Mr. Paul Miller:** Mr. Speaker, which one would that be?

**The Speaker (Hon. Steve Peters):** Withdraw the comment, please.

**Mr. Paul Miller:** The last comment was "disgrace," or which one—

**The Speaker (Hon. Steve Peters):** Withdraw the comment, please.

**Mr. Paul Miller:** Okay, I withdraw.

#### STUDENT ASSISTANCE

**Mr. Jim Brownell:** To the Minister of Training, Colleges and Universities: Minister, in my career as an educator, I had the privilege of teaching young people the knowledge and reasoning skills that would serve them later in life and of encouraging them to pursue higher levels of education that would help them to career opportunities that they could be passionate about. Many of my students came from families that didn't have the greatest means of helping their children to be able to go on to post-secondary education. I know that I, myself,

would have been unable to pursue post-secondary education without the support and help of the government of the day.

Minister, in today's tough economic climate, is our government prepared to assist students, especially from disadvantaged families, from rural regions like my riding of Stormont-Dundas-South Glengarry, to access post-secondary education?

**Hon. John Milloy:** I want to congratulate the member and acknowledge his advocacy on behalf of post-secondary education in this province and the important work that he did as an educator.

I'm pleased to tell him that one of the cornerstones of the Reaching Higher plan was student assistance. Of the \$6.2 billion invested, \$1.5 billion was specifically geared to allowing greater access for students and to overcome financial burdens.

Under the Reaching Higher plan, we also have the access to opportunities strategy. Last year, we invested \$20 million to expand services and supports for aboriginal students, for students with disabilities and for first generation students. We've also expanded French-language studies for francophone students.

Our government has more than doubled the number of students who qualify for non-repayable grants by reinstating access grants, and we changed the criteria so these are available for students from families earning up to \$78,000. I'm pleased to say—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Jim Brownell:** I know that my constituents will be happy to hear that. Indeed, I try on as many occasions as possible to let my constituents know, both the young men and women looking to pursue higher education for the first time and those recently unemployed individuals looking to upgrade their skills and seeking those new opportunities in life.

Education and opportunity go hand in hand. When you grow your skill sets, you increase the opportunities available. When a community, as a whole, has a higher level of education, it provides opportunities to business, particularly next generation businesses, looking for highly trained individuals to help them pursue their activities.

I believe that our government is providing expanded opportunities to those looking to pursue higher learning. It is equally important that people looking for opportunities know where to find them. Again to the minister: What is our government doing to ensure that the people of Stormont-Dundas-South Glengarry and all of Ontario are fully informed of the opportunities we have created?

**Hon. John Milloy:** I thank the member for the question. He raises a very valuable point, that we want to make sure that every student has access to information about all the supports that are available to them as they pursue college or university education.

Information on financial assistance is available on the Ontario student assistance program website and through financial aid offices at every college and university in the province. The OSAP website is well known and exten-

sively used; in fact, over the last 12-month period, the OSAP website received more than six million visits. We've also developed materials aimed specifically at students we are reaching out to through our access to opportunities strategy. Students can visit [www.ontario.ca/yourfuture](http://www.ontario.ca/yourfuture) to get information on financial aid. As well, the website provides an online forum for students to get together and share ideas and information on student assistance.

## SCHOOL SAFETY

**Mrs. Joyce Savoline:** To the Minister of Education: My caucus colleagues and I believe in protecting our most vulnerable citizens. Today in the gallery, we have parents of a child who suffered student-on-student abuse, which has gone unanswered by your ministry.

Minister, as usual, you continue to silence the voices of those who desperately need a voice, desperately need a champion and desperately need protection, all for the sake of protecting your reputation in education. I guess if you don't deal with it, it doesn't exist. That's not good enough for me, and it's certainly not good enough for the victims and their families affected by your refusal to implement mandatory reporting. When will you face the facts and finally implement mandatory reporting in your schools?

**Hon. Kathleen O. Wynne:** First of all, I want to thank the parents who are here today, who are obviously dealing with difficult situations. It is absolutely the intention, and has been the record of this government, to confront the difficult issues of school safety that confront our schools in the province.

When we came into office, we began immediately to revise the legislation that had been put in place by the previous government that did not deal fairly with students across the system, that actually created situations where kids were out of school on limited expulsions without any support programs. That has stopped.

Currently, my parliamentary assistant, the member for Guelph, is leading the safe schools action team. They are looking at what kinds of reporting gaps exist among the different legislation, and we will be addressing those gaps.

1120

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Joyce Savoline:** Those revisions are not effective. They are an insult to families in the gallery today who have children who have suffered the unimaginable at the hands of childhood perpetrators. The bottom line is that your trumped-up excuse for the safety plan in schools is not keeping our students safe at all from perpetrators. The safety plans have no teeth and there are no penalties for reoffending other than a mild scolding.

Minister, the student-on-student attacks are not isolated incidents and not just in one school board. They are happening across our province. The issue needs to be addressed now. Minister, will you finally stand up for the vulnerable students who have lost their voice in your

education system and provide them with a date—they need a date—when you will implement mandatory reporting in our schools?

**Hon. Kathleen O. Wynne:** There are two million students who go to school in this province every day in 5,000 publicly funded schools. There is more money in this system to provide caring adults—whether it's teachers, social workers or psychologists—with \$43 million this year alone to increase those supports. What's unacceptable is for any member of this House to make a political spectacle of the trials that parents have to deal with. I understand that there are difficult situations that parents go through. But what this government will not do is cut loose a student who is struggling—whether that student is a victim or whether that student is a perpetrator. It is our responsibility, as the adults in government, as the adults in charge, to make sure that every student in our system has a chance to be a functioning citizen. If we don't pay now, we pay later. We need those kids functioning now.

**The Speaker (Hon. Steve Peters):** Thank you.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. The member for Beaches–East York.

#### AFFORDABLE HOUSING

**Mr. Michael Prue:** My question is for the Minister of Children and Youth Services. Madam Minister, how often did participants in the government's by-invitation-only poverty consultations ask that better access to safe and affordable housing be part of the government's upcoming poverty reduction plan?

**Hon. Deborah Matthews:** There is no question that housing is a very important component of any poverty reduction strategy. That is why we are having a separate, long-term affordable housing strategy that will be developed by the Minister of Municipal Affairs and Housing. We know that without stable housing, kids can't thrive at school. Without stable housing, kids can't have the roots in their community that they need. Did we hear about housing? Absolutely. Are we prepared to address housing? Absolutely.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Michael Prue:** I'm glad to hear that the minister at least acknowledges that it should be a priority. Affordable housing was the top anti-poverty priority for Ontarians in last week's Environics poll. It was also the most-often-mentioned concern in letters from organizations during the consultations. It was the number one concern raised at our party's eight open town hall meetings. Hundreds of thousands of Ontarians are waiting for affordable housing up to 20 years. But in the last week there was nothing at all to help cash-strapped municipalities deal with this housing crisis in the funding announcement on Friday. My question to you is, will you promise now that your poverty plan will include a long-overdue new investment in affordable housing to address the crisis situation that Ontarians find themselves in today?

**Hon. Deborah Matthews:** To the Minister of Municipal Affairs and Housing.

**Hon. Jim Watson:** Let me once again correct the record from the NDP. The fact of the matter is we've already delivered \$100 million—the largest single repair and rehabilitation fund in Ontario's history. Secondly, we campaigned in the last election that we would put together a long-term affordable housing strategy; we are going to do that. Thirdly, let me just talk about the NDP promises, because they put out their document and they're calling for 12,000 rent supplements. Already, this government has delivered 35,000 rent supplements. They call for 7,000 affordable housing units. Already we have delivered 14,900 affordable housing units. This side of the House is completely underwhelmed by the ambitions of the NDP. We suggest that the honourable member look at our track record, what we've done and the partnerships that we've developed with—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### ENVIRONMENTAL PROTECTION

**Mr. David Zimmer:** My question is for the Minister of Tourism. Ontario's Environmental Commissioner has released his report for 2007-08. The Environmental Commissioner reported on the government's compliance with the Environmental Bill of Rights. The commissioner also announced that the Ministry of Tourism has earned both an award and an honourable mention for its leadership in environmental issues.

Minister, what was the award for? What was the honourable mention for? What does it mean for Ontario?

**Hon. Monique M. Smith:** I'd like to thank the member for Willowdale. In fact, he is correct. The Ministry of Tourism's agency, the Metro Toronto Convention Centre, has won an ECO Recognition Award from the Environmental Commissioner of Ontario. I appreciate the opportunity to celebrate with them this achievement.

The centre won its award for its Zero Waste events. The Metro Toronto Convention Centre offers several eco-friendly options, including recycling and energy efficiency conservation for conventions and meetings. In fact, I'm proud to point out that they have already offered 14 Zero Waste events at the publication of the report of the Environmental Commissioner, and on average, the waste diversion of these events is 97%.

The 97% waste diversion rate for these 14 events saved a total of 57 trees, 75,000 litres of water, almost 40,000 kilowatts of energy, over 16,000 litres of—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. David Zimmer:** Eco-tourism is popular in the tourism sector. The Zero Waste events that the Metro convention centre offers are an option that benefit those looking to mitigate their ecological footprint and practise waste diversion when they're choosing a site to have an international conference or event.

As I said in my first question, I know that another agency of the ministry has received an honourable men-

tion from the Environmental Commissioner. Minister, what was the honourable mention for? What does that mean for Ontario?

**Hon. Monique M. Smith:** The St. Lawrence Parks Commission, an agency of the Ministry of Tourism, received an honourable mention for its initiative, the initiative that they've undertaken with the Thousand Islands-Frontenac Arch Biosphere Reserve. This honourable mention was awarded to the ministry for its ongoing partnership efforts with the biosphere in promoting environmental protection, sustainable development and cultural awareness.

The biosphere has several environmentally focused programs and initiatives, including eco-tours, species-at-risk programs, from-farm-to-table programs, sustainable tourism workshops and environmental education networks. The Frontenac Arch Biosphere, which is a UNESCO-designated reserve, is only one of 13 such reserves in Canada.

I'm very proud of the work of the St. Lawrence Parks Commission and of the Metro Toronto Convention Centre for proceeding in these environmentally sensitive ways—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### SCHOOL SAFETY

**Mrs. Christine Elliott:** My question is for the Minister of Education. Minister, my constituent is sitting in the gallery here today and the fact of the matter is, if she had not been a teacher in the school where her child was subjected to student-on-student abuse, that child would not have had a safe refuge in that school. This child would ask his mother and his counsellor why he had to change his routines and why he was being punished for telling, while the student who abused him could do whatever he pleased. This is a disgrace, Minister. Your ministry knew about this in 2007, yet you did nothing. Why are you continuing to cover this issue up at the expense of this vulnerable child?

**The Speaker (Hon. Steve Peters):** I just ask the member to withdraw the last comment that she made, please.

**Mrs. Christine Elliott:** I will withdraw that.

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Kathleen O. Wynne:** Again, I don't know the specific situation to which the member opposite is referring, but what I can say is that we have required schools across the province to implement anti-bullying strategies. We have increased the resources that are available to schools. We've increased the resources so that buildings can be reconfigured to make them safer, in terms of being able to see the front doors. The most important thing we've done is we've increased the number of adults in our schools. There are thousands more teachers, thousands more support workers, psychologists and social workers. The point is—and I answered this in the ques-

tion previously—that all the students in our schools need to have the supports they require so that they can succeed. Whether that student is a victim of an incident or whether that student is a perpetrator, we have to keep all of those kids very close to us, because—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

1130

**Mrs. Christine Elliott:** Minister, you can say that you're not aware of this all you like, but the fact is these parents had to go to the media in 2007 out of sheer desperation because your ministry refused to do anything for them. The time for ignoring these parents and all the other families who have the courage to come forward is over. Please tell us when you're going to implement mandatory reporting of these incidents in schools so that police and counsellors and other parties can finally come to help these children.

**Hon. Kathleen Wynne:** First of all, I'd be happy to talk with these parents. Again, I haven't met with them specifically; I'd be happy to do that. As I have said previously, the safe schools action team is looking where there are gaps in reporting. There are provisions for mandatory reporting that are included in a number of pieces of legislation. Where there are gaps, we are going to be working to address those.

But the most important thing we can do is to make sure that our schools have the resources that they need to prevent violent incidents from happening in the first place. The most important thing we can do, when an incident takes place, is to make sure that the young people involved get the supports they need to get them back on track, and that is what we have been doing on this side of the House. We have been putting resources into the system to ensure that every child, every student in our system, gets the supports that they need—not just some of the students, as the member opposite would suggest that some students—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

#### SEWAGE SLUDGE

**M<sup>me</sup> France Gélinas:** My question is for the Minister of Health and Long-Term Care. As the minister responsible for the health of Ontarians, is the minister concerned about the health impact of eating food that has been fertilized with our sewers?

**Hon. David Caplan:** I'm going to refer this question to the Minister of Agriculture.

**Hon. Leona Dombrowsky:** It's a very important question indeed. I'm happy that I have the opportunity to again address this in the House. I think that with respect to the spreading of non-agricultural source material, I did indicate in the House last week that there has been a posting on the Environmental Bill of Rights registry, and that the Ministry of the Environment is carefully reviewing the input that we would have received on that. That would include the spreading of sewage sludge. I think it's

also important to have the people understand that before anything is spread on a farm property, it has to be treated. There is also a requirement for the operator to have a certificate of approval from the Ministry of the Environment. There are very clear and stringent guidelines with respect to—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**M<sup>me</sup> France Gélinas:** I asked the question of the Minister of Health and Long-Term Care because I want to know if he's concerned about the health of the people of Ontario, because Ontarians have concerns about the health impact of eating foods from farmland fertilized with sewage sludge. Environmentalists, farmers, activists, doctors and scientists all suggest we hold off applying sewage sludge until more studies have been done to test its impact on our health.

Why won't the Minister of Health heed the lessons of previous public health crises and stand up for the health of Ontarians with an immediate moratorium on using sewage sludge as a fertilizer on farms?

**Hon. Leona Dombrowsky:** I think it's important to provide a little more information to the people in the assembly on this issue. With respect to the sludge that is spread in the province of Ontario, 85% of it is for forage crops and not for food crops. When it is used for food crops, there is an additional regulatory regimen that must be met.

Our government is absolutely very concerned and focused on ensuring that we have the safest and best-quality food. That is why we have put on the Environmental Bill of Rights registry the draft NASM—non-agricultural source material—regulation. We are very cognizant of wanting to protect our food products; we are very eager. If the honourable member is aware of studies or cases where the spreading of this product has been linked to a health issue—it's our information on this side of the House that that has not been the case. That's not—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Question period has ended.

This House stands recessed until 1 p.m.

*The House recessed from 1135 to 1300.*

## MEMBERS' STATEMENTS

### COLLEGE WEEK

**Mr. Jim Wilson:** I rise in the House today to recognize College Week and the important role our community colleges play in strengthening the economy through the skilled trades.

As the Ontario economy faces significant challenges, I know the staff at our colleges are working hard to provide the necessary education and training needed to strengthen every sector of the economy. This week, we are celebrating the work colleges do in training workers in the skilled trades from automotive mechanics, electricians and carpentry.

Over 90% of college graduates find long-term, stable employment within six months of graduating. This is an outstanding track record and good reason for us to celebrate the contribution of our colleges.

More and more people are recognizing the value of a college education. Enrolment in colleges has seen a steady increase. This year, first-year enrolment at Ontario's colleges was 5.6% higher than it was in 2007.

In my riding of Simcoe–Grey, we are fortunate to have Georgian College and its president, Brian Tamblyn. At Georgian, just like other colleges across the province, they have close ties to industry, and industry is involved in making programs up to date and relevant to the workplace. These partnerships are important and contribute to strengthening the economy.

The PC caucus is very proud of the college system established by Premier Davis in the 1960s, and we invite all members, and indeed all Ontarians, to join us in this week's celebrations.

### LISGAR GO STATION

**Mr. Bob Delaney:** Improvements to Mississauga's newest GO train station continue. Today, November 3, 2008, construction began at the Lisgar GO station for a wind turbine system. This is a pilot project to reduce electricity demand from the power grid and to generate the power used by the station. Local students sometimes ask me what Ontario is doing to generate renewable energy in their neighbourhood. This project is one example.

Work includes the construction of a 50-kilowatt wind turbine with foundation, a service access road and electrical work. Project completion is scheduled for early spring 2009.

Commuters, such as me, using the Lisgar GO train station will not find their access to their new station affected in any significant way. However, notices will be updated and posted as required. The majority of the construction work is north of the station access road on Argentia Road and away from the existing station and tracks.

Lisgar is the newest and greenest GO train station on the Milton line. It was designed from the very outset to accommodate the third track that will be completed as part of the \$17-billion Move Ontario 2020 program in the upcoming years. This project will enable commuters on the Milton line to have all-day traffic-free train service into and out of Toronto.

### INTERVENOR FUNDING

**Mr. Norman W. Sterling:** Three weeks ago in my constituency office in Kanata, I met a wonderful young woman, Caitlin Ryan. She's an incredible 16-year-old woman who just wants to go to university and live a normal life, but Caitlin is deaf, and unfortunately, she's going blind as well.

Through an interpreter, Caitlin explained to me that she will soon require an intervenor to act as her eyes and

her ears in everything she does. We all read the Helen Keller story and remember her teacher, Annie Sullivan. She was, before the role had a name, an intervenor. I might add that Helen Keller was fortunate in having an intervenor 24/7. Caitlin has help for only three hours a week outside of the time that she spends in school.

Ontario has a shortage of people who help people who are blind and deaf at the same time. They are called intervenors. The only training program is at George Brown College here in Toronto. I'd like to encourage the government to create a program in other colleges across Ontario to expand the access to intervenor services outside the Greater Toronto Area.

I want to take this opportunity to ask the Minister of Community and Social Services, on behalf of a wonderful young woman, Caitlin Ryan, to meet with her as soon as possible. I know—

**The Speaker (Hon. Steve Peters):** Thank you.

#### AFFORDABLE HOUSING

**Ms. Cheri DiNovo:** This winter, hundreds will die on our streets, either directly or indirectly. The homeless population is at greatly increased risk of violence, disease and suicide. Some will simply freeze to death. Meanwhile, both federal and provincial governments ignore the problem.

The McGuinty Liberals promised new builds of 20,000 a year back in 2003 and have delivered a tiny fraction, with the result that 125,000 families languish on the waiting list for five to 20 years. Environics and anti-poverty forums cite housing as their primary concern, to no avail. With the economy slowing, history has proven that housing starts begun by governments can actually assist economic recovery. So, what is the McGuinty Liberal government waiting for?

Federally, the Toronto Disaster Relief Committee has requested that all Ontarians sign on to their petition, "Housing Not War," calling for 1% of the budget to kick-start affordable housing across the country instead of spending untold billions on war.

For the homeless and the families waiting—sometimes dying—for affordable housing, concerted efforts of both levels of government are essential for what has been, for years now, a national and provincial disaster.

Anti-poverty activists are tired of being addressed by McGuinty cabinet ministers. In the immortal words of Michael Shapcott of the Wellesley Institute, "We don't want to be addressed; we want an address."

#### CANADIAN FORCES

**Mr. Jim Brownell:** Recently, in my riding of Stormont–Dundas–South Glengarry, we were fortunate to have a visit and a two-day docking of the naval frigate HMCS Charlottetown. The ability to tour the ship provided constituents of the riding with a first-hand look into the world of our armed forces.

After being stationed in the Middle East, providing protection for citizens against the world drug trade and

other threats, this frigate had been doing a tour of the St. Lawrence River and Great Lakes to promote the Canadian navy.

I highly recommend touring the Charlottetown or any other ship in the Canadian navy, if you have the opportunity, not only to marvel at the sophistication of a naval vessel but also to provide encouragement to the many men and women who serve in our armed forces, and to convey that we appreciate the job they do around the world.

The docking in Cornwall had a very large impact on one local family in my riding. The Shaver family, from the town of Newington, were reunited with their son, Jamie, who serves as one of the 255 members of the Charlottetown's crew.

Servicemen and women like Jamie work in the service of our nation and live under the constant threat that they may be sent to dangerous and unstable areas of the world in order to provide security to those who need their help.

It makes me very proud that this young man and many other men and women from my riding and from across Ontario have chosen to dedicate their lives to service in the armed forces. They risk their safety so that we can continue to enjoy the benefits our free society offers, such as being in this Legislature.

#### SMALL BUSINESS

**Mr. Robert Bailey:** I rise today to bring forward our concerns about the government's WSIB bill, Bill 119.

Today we asked the minister responsible for small business, the government's protector of small business, where he was and what he has done to stop this new tax. He couldn't answer that question. Many small business owners have told us they will simply have no choice but to go out of business. We know they have told the government the same thing.

Since debate started, we have been inundated with calls, letters and faxes from small business owners complaining about lack of consultation on a bill that, if passed, will put a new \$11,000-a-year tax on small and medium-sized businesses. With opposition to this bill growing daily, we are getting increasingly concerned that the government may attempt to cut off debate and limit the amount of time this bill is studied in committee.

The PC caucus here at Queen's Park wants to see Bill 119 referred to a standing committee and sent on the road around Ontario for extensive consultations. We hope the government doesn't think they can cut off debate on this new tax and not hear from those stakeholders who will be so dramatically impacted. We are calling today for the McGuinty government to allow committee hearings around this province on this very important issue.

1310

#### OPTOMETRISTS

**Mr. Khalil Ramal:** It's a privilege for me to welcome the Ontario Association of Optometrists, an organization

that for nearly 100 years has proudly supported the optometry profession in our province and raised public awareness about the importance of regular eye exams and good eye health through its focus on advocacy, community and education.

Ontario's optometrists provide front-line eye health and vision care to more than three million people a year. By detecting, diagnosing and prescribing appropriate treatments, optometrists care for people's vision and help prevent visual losses.

The OAO also contributes to Optometry Giving Sight, an initiative that helps 300 million people around the world who are blind or vision-impaired simply because they don't have access to eye exams or a pair of glasses.

I would like to invite all members of this House to come down to the dining room. There's a reception put on by the optometry association from 4 to 6 o'clock. I think it's very important for all the members of this place to learn about optometry. I think it's a very good group.

I want to welcome Dr. John Astles, who is with us here today, representing the optometrists.

Again, I remind all the members: 4 to 6. There's a good reception downstairs to learn about the eyes and how important optometrists are for the whole province.

#### CORBROOK

**Mrs. Laura Albanese:** I rise in the House today to speak about a very special organization in York South-Weston that I had the pleasure of visiting recently. Corbrook provides vital employment services for people living with disabilities. Originally founded as an organization for individuals with cerebral palsy, this year the group celebrates their 50th anniversary.

It offers work opportunities in their own packaging facility. Connected to their main location, the hands-on training facility builds important work experience and creates jobs in the riding of York South-Weston. With the help of Corbrook's work program, individuals with disabilities gain valuable experience which can then be used to integrate people into the wider workforce if they wish.

Corbrook also encourages participation in their REVEL program, which adds recreational activities, literacy programs and support structures to the resources made available by the organization.

Funded through the Ministry of Community and Social Services, Corbrook is an important organization in York South-Weston and I would like to take this opportunity to recognize their work and staff. With 28 staff, a deeply committed board and the capacity to serve up to 165 participants, as well as a second location in Scarborough, Corbrook represents a truly innovative approach to helping people with disabilities live productive and engaging lives once they have finished school.

#### MARJORIE BROOKS

**Mrs. Liz Sandals:** I recently had the pleasure of attending the presentation of Ontario's Medal for Good

Citizenship. My constituent Marjorie Brooks was recognized for her 60 years of volunteer work in Guelph.

In the 1960s, as coordinator for the TB association in Wellington county, Marj initiated an asthma training program and taught an anti-smoking program at elementary schools. During the 1970s, Marj was involved in the establishment of Wyndham House, a residence for homeless teenage girls in Guelph. But it was primarily for her involvement with the Guelph-Wellington branch of Stroke Recovery Canada that she was awarded the Medal for Good Citizenship.

After a lifetime of volunteerism, Marj herself suffered a stroke in 1997. As she recovered, she joined the Guelph-Wellington Stroke Recovery Group, and within two years was coordinating the group from her home.

She has dedicated herself to providing support for stroke survivors, visiting them while still in the hospital and providing them with important information about local services. Marj initiated a program that pairs a stroke survivor with a student from the University of Guelph to provide companionship, encouragement and assistance with exercises.

She coordinates monthly educational meetings for stroke survivors and caregivers, bimonthly newsletters and public awareness events during Stroke Recovery Awareness Month.

Congratulations, Marjorie. You are truly a deserving recipient of the Medal for Good Citizenship.

#### MOTIONS

##### ORDER OF BUSINESS

**Hon. Leona Dombrowsky:** I seek unanimous consent to put forward a motion without notice with regard to Remembrance Day and the late Charlie Fox.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Leona Dombrowsky:** I move that on Tuesday, November 4, 2008, following statements by ministers and responses, and prior to petitions, up to seven minutes be allotted to each party to speak on Remembrance Day and the passing of Charlie Fox.

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

*Motion agreed to.*

#### PETITIONS

##### TUITION

**Mr. Jim Wilson:** "To the Legislative Assembly of Ontario:

"Whereas undergraduate tuition fees in Ontario have increased by 195% since 1990 and are the third-highest in all of the provinces in Canada; and

“Whereas average student debt in Ontario has skyrocketed by 250% in the last 15 years to over \$25,000 for four years of study; and

“Whereas international students pay three to four times more for the same education, and domestic students in professional programs such as law or medicine pay as much tuition as \$20,000 per year; and

“Whereas 70% of new jobs require post-secondary education, and fees reduce the opportunity for many low- and middle-income families while magnifying barriers for aboriginal, rural, racialized and other marginalized students; and

“Whereas Ontario currently provides the lowest per capita funding for post-secondary education in Canada, while many countries fully fund higher education and charge little or no fees for college and university; and

“Whereas public opinion polls show that nearly three quarters of Ontarians think the government’s Reaching Higher framework for tuition fee increases of 20% to 36% over four years is unfair;

“Therefore, we, the undersigned, support the Canadian Federation of Students’ call to immediately drop tuition fees to 2004 levels and petition the Legislative Assembly of Ontario to introduce a new framework that:

“(1) Reduces tuition and ancillary fees annually for students.

“(2) Converts a portion of every student loan into a grant.

“(3) Increases per student funding above the national average.”

I thank the Canadian Federation of Students for this petition. I agree with it and I will sign it.

#### CHILD CARE

**M<sup>me</sup> France Gélinas:** I have a petition from the people of Nickel Belt and Sudbury:

“Whereas the amendment to Bill C-210, known as the kinship bill, has passed to the third party child services review board. This amendment does not extend payment to all grandparents and kin ‘who previously’ were granted custody of their kinship children;

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

“We, the undersigned, do request the Legislative Assembly of Ontario to extend payments to all grandparents and kin who have been given custody of their kinship children. These payments were not included in the recent amendment and this discriminates against these grandparents as well as these kin children.”

I fully support this petition, will affix my name to it and send it with page Andrew.

#### WAYNE RYCZAK

**Mr. Kim Craitor:** I’m pleased to introduce this petition on behalf of my riding of Niagara Falls and the riding of St. Catharines. The petition reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas Wayne Ryczak was sentenced to 30 months plus one day for the murder of Stephanie Beck, we assert that this disposition was too lenient. We believe that, as a victim, Beck was discriminated against because of her engagement in the sex trade as a street-level sex worker. Ryczak was released one day after his sentence, with just 14 months served. Members of this community are shocked and outraged by the inappropriateness of this decision and request intervention of the Legislative Assembly of Ontario.

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

“As members of this community, we assert that this sentence, 30 months plus one day, is a shameful miscarriage of justice. We ask that this sentence be appealed in the interests of the victim, the victim’s family, and public safety.”

I’m pleased to sign my signature in support of this petition.

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#### PROTECTION FOR MINERS

**M<sup>me</sup> France Gélinas:** I have a petition from the people of North Bay and Mattawa.

“Whereas the current legislation contained in the Ontario health and safety act and regulations for mines and mining plants does not adequately protect the lives of miners, we request revisions to the act;

“Lyle Everett Defoe and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins.

“Section R-60” of the mining regulations says, “A shaft, raise or other opening in an underground mine shall be securely fenced, covered or otherwise guarded...” The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle’s body was recovered from behind the scoop tram.”

They ask the Legislative assembly as follows:

“Concrete berms must be mandatory to protect all open stopes and raises;

“All miners and contractors working underground must have working communication devices and personal locators;

“All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others; and

“The entire act must be reviewed and amended to better protect underground workers.”

I fully support this petition, will affix my name to it and send it to the table with Laura.

#### HOSPICES

**Ms. Sophia Aggelonitis:** “To the Legislative Assembly of Ontario:

“Whereas hospices on church or hospital property do not pay taxes;

“Whereas hospices are not-for-profit organizations providing emotional, spiritual and bereavement support and respite care to terminally ill individuals and their family members;

“Whereas a residential hospice (usually an eight-to-10-bed home-like facility) provides around-the-clock care to terminally ill individuals and support to their families;

“Whereas hospice services are provided free of charge;

“We, the undersigned, petition the Legislative Assembly of Ontario to allow hospices across the province to be exempt from municipal taxes.”

I support this and will send it with Faye to the table.

#### GASOLINE PRICES

**Mr. John O’Toole:** Thank you very much, Mr. Speaker, for the few times that I get to speak. I’ll read a petition. It reads as follows:

“Whereas high gasoline prices are now unaffordable for the average person; and

“Whereas the McGuinty government’s tax on a litre of gasoline is 14.7 cents; and

“Whereas the federal government’s tax on a litre of gasoline is 10 cents ...;

“Therefore, we the undersigned hereby petition the Parliament of Ontario as follows”—

**Mr. Mike Colle:** That’s not true. Tell the truth.

**Mr. John O’Toole:** Mr. Speaker, the truth is—

**The Speaker (Hon. Steve Peters):** Member for Eglinton–Lawrence, please withdraw the comment.

**Mr. Mike Colle:** I withdraw the comment.

*Interjection.*

**The Speaker (Hon. Steve Peters):** I don’t need the assistance from the member for Durham to conduct my job as Speaker, thank you very much.

**Mr. John O’Toole:** Thank you very much, Speaker. With all the greatest respect, I’ll continue. Maybe I should start at the beginning.

“Whereas high gasoline prices are now unaffordable for the average person; and

“Whereas the McGuinty government’s tax on a litre of gasoline is 14.7 cents; and

“Whereas the federal government’s tax on a litre of gasoline is 10 cents plus the GST;

“Therefore, we the undersigned hereby petition the Parliament of Ontario as follows:

“(1) That the McGuinty government immediately freeze gas prices for a temporary period until world” oil “prices moderate” and stabilize.

“(2) That the McGuinty government and the federal government immediately lower or eliminate their tax on gas for a temporary period until world oil prices” and other crises “moderate.

“(3) That the McGuinty government immediately initiate a royal commission to investigate the predatory

gas prices charged by oil companies operating in Ontario.”

I’m pleased to sign and endorse this and present it to Chloe.

#### TUITION

**M<sup>me</sup> France Gélinas:** I have a petition from the students from the general assembly of Laurentian University:

“Whereas undergraduate tuition fees in Ontario have increased by 195% since 1990 and are the third-highest in all of the provinces in Canada; and

“Whereas average student debt in Ontario has skyrocketed by 250% in the last 15 years to over \$25,000 for four years of study; and

“Whereas international students pay three to four times more for the same education, and domestic students in professional programs such as law or medicine pay as much tuition as \$20,000 per year; and

“Whereas 70% of new jobs require post-secondary education, and fees reduce the opportunity for many low- and middle-income families while magnifying barriers for aboriginal, rural, racialized and other marginalized students; and

“Whereas Ontario currently provides the lowest per capita funding for post-secondary education in Canada, while many countries fully fund higher education and charge little or no fees for college and university; and

“Whereas public opinion polls show that nearly three quarters of Ontarians think the government’s Reaching Higher framework for tuition fee increases of 20% to 36% over four years is unfair;”

Therefore, they ask the Legislative Assembly to introduce a new framework that would do three things: reduce tuition and ancillary fees annually for students, convert a portion of every student loan into a grant and increase per student funding above the national average.

I fully support this petition, will affix my name to it and send it to the Clerk with Andrew.

#### CHILD CUSTODY

**Mr. Jim Brownell:** I have a petition from a number of citizens from my constituency.

“To the Legislative Assembly of Ontario:

“We, the people of Ontario, deserve and have the right to request an amendment to the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents.

“Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

“Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of main-

taining emotional ties between children and grandparents; and

“Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child; and

“Whereas subsection 24(2.2) requires a court that is considering custody of a child to take into consideration each applicant’s willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child;

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents.”

As I agree with this petition, I shall affix my signature and send it to the clerks table.

#### GASOLINE PRICES

**Mr. Gerry Martiniuk:** I have a petition to the Legislative Assembly of Ontario.

“Freeze Gas Prices,

“Whereas gasoline prices have increased at alarming rates during the past year; and

“Whereas the high and different gas prices in different areas of Ontario have caused confusion and unfair hardship on hard-working Cambridge families; and

“Whereas the false promises of Premier McGuinty adversely affect the trust between Ontarians and their elected representatives;

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

“(1) That the McGuinty government immediately freeze gas prices for a temporary period until world oil prices moderate; and

“(2) That the McGuinty government immediately initiate a royal commission to investigate the predatory gas prices charged by oil companies operating in Ontario.”

As I agree with the contents of this petition, I affix my name thereto.

#### HOSPITAL SERVICES

**Mr. Bob Delaney:** I have a petition to the Ontario Legislative Assembly that was very kindly sent to me by Dr. Uzma Ahmed, who practises medicine out of the Meadowvale Town Centre medical centre. It has been signed by a number of her patients. It reads as follows:

“Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016”—and we go to the final part.

“That the ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds ... at Credit Valley Hospital to ensure the

ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner....”

I’m pleased to sign and support this, and to ask page Adriane to carry it for me.

#### TOM LONGBOAT

**Mr. Mike Colle:** I have a petition to the Legislative Assembly of Ontario:

“Whereas Tom Longboat, a proud son of the Onondaga nation, was one of the most internationally celebrated athletes in Canadian history;

“Whereas Tom Longboat was voted as Canada’s number one athlete of the 20th century by Maclean’s magazine for his record-breaking marathon and long-distance triumphs against the world’s best;

“Whereas Tom Longboat fought for his country in World War I and was wounded twice during his tour of duty;

“Whereas Tom Longboat is a proud symbol of the outstanding achievements and contributions of Canada’s aboriginal people;

“We, the undersigned, petition the Legislative Assembly of Ontario to recognize June 4 as Tom Longboat Day in Ontario.”

I support this petition and will affix my name to it.

1330

#### CHILD CUSTODY

**Mr. Kim Craitor:** I’m pleased to introduce this petition, and I want to thank Alex Alexander from Brooklin, Ontario, for providing me with hundreds of petitions on this. It says:

“To the Legislative Assembly of Ontario:

“We, the people of Ontario, deserve and have the right to request an amendment to the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents, as requested in Bill 33.

“Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

“Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

“Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child; and

“Whereas subsection 24(2.2) requires a court that is considering custody of a child to take into consideration each applicant’s willingness to facilitate as much contact

between the child and each parent and grandparent as is consistent with the best interests of the child;

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents.”

I’m pleased to sign my signature in support of this petition.

## ORDERS OF THE DAY

### TIME ALLOCATION

**Hon. Leona Dombrowsky:** I move that, pursuant to standing order 47 and notwithstanding any other standing order or special order of the House relating to Bill 114, An Act respecting Budget measures, interim appropriations and other matters, to amend the Ottawa Congress Centre Act and to enact the Ontario Capital Growth Corporation Act, 2008, when Bill 114 is next called as a government order the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment and at such time the bill shall be ordered referred to the Standing Committee on Finance and Economic Affairs; and

That except in the case of a recorded division arising from morning orders of the day, pursuant to standing order 9(c), no deferral of the second reading vote shall be permitted; and

That the Standing Committee on Finance and Economic Affairs meet on Thursday, November 6, 2008 from 9 a.m. to 10:25 a.m. for the purpose of public hearings on Bill 114, and on the same day at 2:30 p.m. for clause-by-clause consideration of Bill 114; and

That the deadline for filing amendments to the bill with the clerk of the committee shall be 12 noon on Wednesday, November 5, 2008. On Thursday, November 6, 2008, at no later than 5 p.m. those amendments which have not been moved shall be deemed to have been moved, and the chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 129(a); and

That the committee shall report the bill to the House no later than Monday, November 17, 2008. In the event that the committee fails to report the bill on that day, the bill shall be deemed to be passed by the committee and shall be deemed to be reported to and received by the House; and

That upon receiving the report of the Standing Committee on Finance and Economic Affairs, the Speaker

shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading which order may be called on that same day; and

That on the day the order for third reading of the bill is called, one hour shall be allotted to the third reading stage of the bill, apportioned equally among the recognized parties. At the end of this time the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on third reading may be deferred pursuant to standing order 28(h); and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to 10 minutes.

**The Speaker (Hon. Steve Peters):** Mrs. Dombrowsky has moved government notice of motion number 88. Debate?

**Mr. Wayne Arthurs:** I’m pleased today to be able to enter into the debate in respect to this particular motion as it relates to Bill 114. It gives me an opportunity to review and reflect, in a very short period of time, on some of the initiatives the government has taken over the past five years in respect to its budgetary strategies. Often, what best reflects on where one might go in the future is a bit of a review of some history as to where we’ve come from over a relatively short period of time, and it reflects on what our objectives are in the context of a plan for the province of Ontario.

We know that in 2003, when we took office, things were in a different situation than they are now, but we used that particular opportunity, as we moved into 2004, to bring forward into this Legislature a strategy and a budget plan to bring the province back to fiscal health. We set out a plan to clearly eliminate a deficit and bring the budget into balance. At that time, we spoke to the balance being during the first mandate. We did that.

**Mr. Peter Kormos:** Point of order.

**Mr. Wayne Arthurs:** We did it in expedited fashion—

**The Acting Speaker (Ms. Andrea Horwath):** Excuse me. There has been a point of order.

**Mr. Peter Kormos:** On a point of order: I do want to indicate that I, for one, appreciate the Chair becoming a little firmer in terms of the standing orders and the parliamentary rules.

We’re debating a time allocation motion. That’s the whole thing. We’re not debating Bill 114. We should be, but we’re not, because it is a time allocation motion. So I say that this speaker shouldn’t go in the back door when he can’t get in the front door, and he should restrict himself to the time allocation motion and not Bill 114.

**The Acting Speaker (Ms. Andrea Horwath):** I thank the member for the point and remind members that we should be debating the motion on the floor.

**Mr. Wayne Arthurs:** Although I appreciate the interjection from the member opposite, it does eat up the clock, unfortunately, in that process.

The time allocation motion clearly speaks to our objectives as it relates to budgetary strategies and the capacity for the province to move forward.

After having dealt with things in 2004, we found ourselves moving on to the year 2005, when we set out a strategy at that point to invest in people in this province, having dealt with the fiscal health of the province earlier to that. The Reaching Higher plan set out opportunities in post-secondary education for college and university students to gain new opportunities as we move forward to meet the job demands of today in a time of some fiscal crisis that we find ourselves in.

As we moved forward into the year 2006, the third full year of our mandate during that period of time, we talked about the need to build opportunity.

**Mr. Peter Kormos:** On a point of order: If the member wants to explain why the government, pursuant to this motion, is only going to allow one hour and 25 minutes for public presentations, then that would be entirely in order. I welcome him to explain why the government is only going to allow 1 hour and 25 minutes for public participation. However, he's not discussing the motion. It's a lengthy motion. Good grief, a moron could debate for 20 minutes on this. There's—

**The Acting Speaker (Ms. Andrea Horwath):** I would ask the member from Welland to withdraw that remark.

**Mr. Peter Kormos:** Withdraw.

**The Acting Speaker (Ms. Andrea Horwath):** Once again, I thank the member for Welland for the point, and remind members to be debating the motion that was put forward by the Minister of Agriculture.

**Mr. Wayne Arthurs:** May I suggest that the member opposite certainly will have an opportunity, as the time for this motion is divided equally among the parties, to prove his point during the time he has to speak to it, as opposed to the interjections that he chooses.

We continue to move forward on an economic plan that requires us to debate various bills, including this one, that we will have in committee as early as this coming week.

We understand the importance of fiscal health in the province, we understand the importance to build on the strengths of people in this province and we understand the importance of building opportunities through infrastructure development within the province of Ontario. Recently, in planning on building a stronger Ontario, we committed over \$1.5 billion to a jobs-to-skills action plan. We've had lots of debate in here recently, both on Bill 114 as well as on the Premier's motion and opposition day motions, on the need to build on the future of this province. How better to do that than to invest many millions, if not billions, of dollars in preparing people for the new economy, which we're all faced with.

1340

One of the things we've wanted to achieve recently: We've been dealing with matters in the standing committee on finance, part of which is a strategy whereby we can go out to the people in the province of Ontario because they want the opportunity as well to input on—

**Mr. Randy Hillier:** On a point of order, Speaker:

**The Acting Speaker (Ms. Andrea Horwath):** Excuse me for a minute, member for Pickering. Member for—

**Mr. Randy Hillier:** Lanark–Frontenac–Lennox and Addington.

**The Acting Speaker (Ms. Andrea Horwath):** Close. Thank you.

**Mr. Randy Hillier:** There have been two points of orders raised already. The member opposite from Ajax–Pickering refuses to speak to this motion. It is unacceptable that the speaker opposite is not addressing the subject and is really in contempt of this House when he's talking about some other subject.

**The Acting Speaker (Ms. Andrea Horwath):** I would ask the member to simply state what the point of order is that he is referring to. Once again, I will remind the members that we are debating a motion that was brought forward by the government on time allocation. This motion does, of course, refer to a certain piece of legislation, but I expect that all members, as they debate this motion, would keep in mind that in fact it is the motion that we're debating. I would expect to hear from all sides a relationship back to the motion that's on the floor.

**Mr. Wayne Arthurs:** In the very limited amount of time I have left, because some considerable amount has been eaten up on various motions from the side opposite, I'm going to be asking the members of this Legislature for support for the time allocation motion as it relates to Bill 114 so we can move forward as a province on those matters that we've speaking to that we set out in a strategic fashion. Those are matters of creating jobs in this province and improving the competitiveness for tomorrow in this province, and Speaker—

**Mr. Peter Kormos:** On a point of order—

**The Acting Speaker (Ms. Andrea Horwath):** The member from Welland on a point of order.

**Mr. Peter Kormos:** I expect, and I trust that the Chair does too, advocates of this motion to be explaining why they are going to be supporting the motion. I will have no difficulty explaining why I'll be opposing it. That is speaking with all due respect to the matter that's been called. Now, with respect, if the speaker is expanding the scope of debate here, I respect that as well and look forward to the opportunity to utilize that standard.

**The Acting Speaker (Ms. Andrea Horwath):** I thank the member for the point. As I mentioned, I will be listening very carefully, as is the role of Chair, to make sure that members are coming back to the motion on the floor. We all know that members use all kinds of methods in terms of getting to their point, but I ask members to leave it to the Chair to ensure that the debate is indeed relating to the motion that is on the floor.

**Mr. Wayne Arthurs:** My final few seconds: This House has been a good teacher in respect to speaking to motions before the House, and the member opposite is one of the best in teaching that particular strategy.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Norman W. Sterling:** I want to indicate to you that I'm speaking in opposition to this motion because we are considering under Bill 114 an omnibus act, an act which deals with 23 different statutes. I want to refer to some of the groups that might want to make a public presentation as a result of their being included in this act. I also want to express my concern that we are passing this motion today, November 3, and by November 6 everything is going to be done. There's going to be no opportunity for the committee of the Legislature to advertise in the paper, or to advertise at all—even on the parliamentary channel—to call for people to come in front of the committee to make their presentation and put forward their thoughts with regard to this particular bill.

I also point out that this particular motion provides for, I think, an hour and 25 minutes for public hearings on Thursday, November 6. That very afternoon, at 2:30, they're going to have what they call a clause-by-clause session. The clause-by-clause session goes through the particular bill and looks at each section, and people put forward amendments.

You tell me: How on earth can we go through a normal legislative process hearing public hearings in the morning for an hour and 25 minutes, and then expect the opposition parties or the public to come forward with meaningful and thoughtful amendments to the legislation presented by the government on 23 different statutes?

I would like to home in on some of the concerns that some people might have in this province with regard to schedule W, which is the last act that they deal with in this particular omnibus bill, the Tobacco Tax Act, which is a very lengthy part of the bill; it takes up about half of the bill. It refers, just in that one out of 23 different pieces of legislation, to wholesalers of tobacco, retailers of cigars and retailers of cigarettes. It refers to a whole host of people in our Ontario community. What notice are those people going to have of the hour-and-25-minute hearings that are going to occur this Thursday morning? What opportunity are the people who are involved with the sale of tobacco going to have with the new seizure powers given to officials under that particular act? For instance, the act allows the seizure of unmarked cigarettes if there are reasonable grounds to believe that a person is in possession of more than 200 unmarked cigarettes. Quite frankly, I agree with putting that in the bill, but I do think that people who are involved in this particular business should have the opportunity to come in front of the Legislature and make their case. As well, they might have a better section—I know this government is all-seeing and all-knowledgeable with regard to everything—but quite frankly, sometimes a smart government listens and takes a better suggestion from the people who are involved in that particular industry.

This act deals with a whole bunch of other things as well. It deals with, for instance, our Ottawa Congress Centre. It changes the name of our Ottawa Congress Centre to something else. It's a minor change. It changes

it to the Ottawa Convention Centre Corporation Act. I presume that the board of the Ottawa Congress Centre, as it now is, is in favour of the Congress Centre Act, but I don't know whether they're in favour of it. I believe that if they are not in favour of it, they should have the opportunity to come here to the Legislature and make their case as to whether they might want another name for that particular act.

Let me deal with some other ones as well which are perhaps even more important. Some of the acts in this particular legislation deal with the Corporations Tax Act. We know that we're going through a very, very difficult period of time with regard to our economy. In the act, it talks about expenditure limits for the Ontario tax exemption for commercialization. This increases those limitations. But what I'd like to hear from are corporations who might be involved in this area and might believe that there's not very much accessibility to this benefit that they might receive for commercialization of technology.

We could go through, section by section, act by act and make the case that the Ontario public, the people who are involved with this change of legislation, are being shut out by this closure motion, a closure motion which touches many people across Ontario, many businesses across Ontario, and shows the disdain that this government has for the normal processes that we have in place in this Legislature. Those processes are to be guarded. They are to be guarded by us in opposition. They should be guarded by every member of this Legislature to ensure that people in Ontario, groups that are affected by legislation have the opportunity to participate.

**1350**

This motion, with its very, very short time frame—the idea that here it is on Monday afternoon and the motion says that by November 6 the bill's going to be finished in committee. And guess what? It's going to come back to this Legislature and they're going to allow—even if we hear something from somebody in that hour and 25 minutes of huge public hearings, even if we hear something from them, the bill is going to be wrapped up in the afternoon.

Presumably the government has fouled up the bill in some way. They've probably already got the amendments in their pocket now. We in the opposition do not have those same kinds of resources to develop that kind of thing. We rely on those groups that would come for public hearings in the morning to say, "Look, Conservatives, NDP, we think the bill should be amended this way or that way." Well, we're going to have all of about three hours to put our amendments together and have them debated in the afternoon. It just shows the disdain that this government has for the process that should be in place. Reasoned amendments should be able to come forward, and they should be able to accept them and deal with them in a logical and reasonable fashion.

So it is without doubt that I cannot support this particular motion. I think it's poorly put forward, it's poorly

timed. Nobody in the public, outside of this debate and those listening to this debate, was aware or would be aware there were going to be any public hearings. I suspect come Thursday morning, when we are going to have these hearings from 9 to 10:25, an hour and 25 minutes, probably nobody will show up because they will have figured it out as well.

**Mr. Peter Kormos:** Done deal.

**Mr. Norman W. Sterling:** You know, it's a done deal. This government isn't interested in legislating through the processes that we have here—the participation, the democratic rights of people to come forward and their piece about the legislation and put forward other suggestions. It continues to amaze me about this government. We put forward a motion, for instance, last week to have a committee that had five Liberals, five opposition and a Liberal chairman in place to hear—

**Mr. Bob Delaney:** On a point of order, Madam Chair: Pursuant to standing order 23(b)(i), my esteemed colleague on the opposite side seems to have strayed from his discussion of the topic of the bill. His discussion was interesting, and he seems to have drifted into a discussion of a motion already dealt with last week.

**The Acting Speaker (Ms. Andrea Horwath):** Thank you for the point. Again, the motion before us is the one that's being debated. I know that the member for Carleton–Mississippi Mills will be getting back to the motion that's on the floor. Thank you.

**Mr. Norman W. Sterling:** Madam Speaker, I'm using it as an example of the disdain of this government demonstrated in this motion—a disdain for hearing anything from the opposition and trying to retain control of the process from start to finish without any interruption. That's effectively what this motion does, Madam Speaker. I was saying that the whole idea of the Legislature, and what I think people out there would really like us to do in here, is to sit around after the government has made the proposal, have a reasonable discussion, come to a consensus of some sort with regard to the legislative matters—knowing that the government always has more votes than the combined opposition, but at least listening to some argument about the various pieces of legislation, the sections in those legislations, because notwithstanding the cynicism towards politicians, we all want to make a constructive effort to try to deal with laws and make them more reasonable for our citizens. That's what the process is supposed to be about. But as I mentioned before, when we tried last week to put forward an evenly structured committee, with the hammer quite frankly in the hands of the Liberal chairman, we didn't see any effort by this government to include opposition members of the Legislature, or frankly backbenchers, in trying to deal with our economic crisis. That's a much larger issue than the issue at hand with regard to Bill 114.

I think I have said my bit. Unfortunately, this is a very, very disturbing move on the part of the government to close this down, with one hour and 25 minutes of public hearings and probably 15 minutes of clause-by-clause—I don't think the opposition will be in a position to come

forward with reasoned amendments in the afternoon, three hours after there might have been some meaningful input from the public at large.

I conclude by saying I will not support this under any circumstances. This government is out of control with regard to making their will stronger and stronger. They seek more and more power in this place, and this is bad for all of Ontario, especially when we are in very difficult times. They should be opening up their hearts and their heads to all useful suggestions that are made here. I know they have to govern, but on this particular bill there's not a heck of a lot of urgency; therefore, they could have the time to listen thoughtfully, not only to us but to the public, pay attention and make their legislation better for all Ontarians.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Peter Kormos:** I regret that the grade 5 students at Earl Beatty school had to move on. They are constituents of Michael Prue, who was prepared to take them through this motion exhaustively.

Let's understand why a government brings in this kind of motion. The motion has its roots in what I call the common law of time allocation, and it still exists. One can apply to the Speaker to shut down debate, prevailing upon the Speaker to determine that there has been exhaustive review or consideration of the matter at hand.

Speakers were loath to exercise that power—they were very, very cautious—because exhaustive debate implies a lot of things. It could mean that all the facets have been examined, or it could mean the opportunity for every member of this chamber to address an important and very fundamental issue in the province of Ontario, not for the purpose of being dilatory but because we have a crisis.

Recall October 22, when this bill, Bill 114, received first reading. It was the day of the interim economic report. People were hanging on by their fingernails across the province, expecting to hear some response to the crisis of joblessness, weren't they? We in the opposition were—how does one say it?—cautiously, oh, so cautiously, optimistic that the government would adopt some of the proposals that have been put forth. Lord knows, the government tried to explain to the public that it was reaching out and that it wanted to hear a thorough canvassing of all of the options. You see, when you debate a bill, the subject matter of that debate is not just what's in the bill; it's what's not in the bill.

So I take this a little personally, because I haven't had a chance to take my place here to address Bill 114 and what it purports to represent. I've got 800 John Deere workers down in Welland who were pink-slipped last month, and I take this personally, because I think those workers and their families have a right to have their interests spoken to. So why does the government move a time allocation motion? There could be a level of urgency. There could be a need to implement the policies promptly. So here, as we debate this motion that warrants the consideration of the contents of 114—urgency, you say? Urgency?

1400

The amendments to the Legal Aid Services Act, schedule K: Is there anything urgent about those? Is there a time frame in which they have to be enacted or else they lose their impact or significance? Of course not. The amendments to the Ottawa Congress Centre Act, schedule P: Is there an element of urgency there? It's changing the name from the Ottawa Congress Centre Act to the Ottawa Convention Centre Corporation Act. Please—urgency? I think not. Who would dare suggest there is urgency? Who would dare suggest that there's anything in this legislation that speaks to 800 John Deere workers down in Welland? Who would dare suggest that there's anything in this legislation that speaks to the workers at Abitibi in Thorold, who are all pink-slipped for the month of November? A whole plant, the month of November—gone. The timing is remarkable, isn't it, at a time when hard-working families are planning on maybe buying the family something special because it's Christmas time, to lose their paycheque for that month. Who would dare suggest that there's anything in the bill that speaks to those workers? Who would dare suggest there's anything in this bill that talks to the total of 1,300 jobs that have been eliminated at Sterling Truck in St. Thomas? Who would dare suggest that, let's say, the amendments to the Electricity Act—because I see the amendment here—that amendment speaks to the GDX Automotive workers in Welland? Three hundred jobs lost last month. Who would dare suggest that anything in this Bill 114, speaks to the 320 workers at PPG Canada in Mississauga and Owen Sound? Those jobs are gone.

Earlier today I was told that the Premier—our Premier, Mr. McGuinty—seemed somewhat pleased that Ontario had acquired have-not status. Pleased? Is that anything to celebrate? The McGuinty Liberals have dragged the economy to hell in a hand basket, and it's not over yet. Then they try to pretend that they want to hear from members opposite. How do they listen to members opposite when they shut down debate? Public participation in the committee is one of the most important things that happen here at Queen's Park, or in any assembly, for that matter. It really is. You've been involved in it. You have the folks out there, a whole lot of people who take a whole lot of time preparing very careful submissions in an effort to be of some assistance to a government, and then want their brief 10, 15, 20 minutes before a committee. Well, this government has ensured, with this legislation, that the committee—and you'll recall that it was the Premier who crowed about his finance committee. Mr. Prue will undoubtedly talk about this before these two hours are over.

The Premier is saying, "Well, no, this is the committee where you deal with these things." But what has the Premier done, what has Mr. McGuinty done to 13 million Ontarians and a quarter of a million workers whose jobs have been taken from them? He slams the door in their faces.

This motion doesn't just display contempt for this Parliament; it displays disdain for the working women

and men of this province. It displays disdain and disregard for seniors whose modest savings have been all but wiped out over the course of the last few months, after they were told they were doing the right thing by investing in what they were assured were relatively conservative mutual funds by any number of bank managers and financial advisers. This government shows disdain with this motion for young people in this province, who, notwithstanding the best education any generation ever got, don't have jobs to go to.

There was no mistake about the effort on the part of the government to link its ballyhooed economic statement of October 22 and this legislation, Bill 114, was there? Why, the finance minister, Mr. Duncan, was dressed in his finest—he's a fine dresser; far more expensive clothing than I have ever worn. I expect the accompaniments—the cuff links, the Rolex watches, the Mont Blanc pens—are far more expensive than anything I could ever afford. And those Prada shoes—I don't know what they are. I buy my boots from Elio's, down in Thorold—Canadian made, compared to the sweaters about which our Conservative colleagues blew the whistle on this government, the sweater purchase for Ontario Provincial Police officers.

**Interjection: RCMP.**

**Mr. Peter Kormos:** RCMP? The contract was stolen from a Kitchener company and its workers and sent to Mexico.

You see, I take this very personally. I wanted the modest opportunity that the debate around Bill 114 would have given me to talk about these very sorts of things, and the folks down where I come from expected me to have that time.

You heard Mr. Prue and others observe over and over again that there's nothing in Bill 114, nor in the economic statement that preceded it, that even spoke of, never mind to, poverty.

I've got folks down where I come from—and I think every member of this chamber has seen folks in their ridings—who are getting poorer as we speak, losing their jobs: the 500 jobs at Volvo in Goderich or the 2,000 jobs at Progressive plastics or the 400 jobs at Magna's Formet Industries factory in St. Thomas.

The fears—I read in the paper just today, "Ford Sales Down 25%." St. Thomas workers—I know those workers; I've been down there, and I have the greatest regard for the auto workers at the St. Thomas plant. I read just the other weekend in the New York Times that the city of New York is banning black cars, those limo-style cars, because they contribute too much to the carbon footprint in the city itself. I don't want to be the bearer of bad news, but you don't have to be a rocket scientist to know what's going to happen to that Ford Crown Vic/Mercury Marquis assembly line in St. Thomas.

1410

See, there were people here, hard-working members of the chamber—I suspect, in all three parties—who are convinced that Bill 114 was going to give them the chance to speak about those things on behalf of their con-

stituents; who believed—however naive it has become to believe this, to dare believe it—that they could contribute to the committee process by opening the doors to the committee process to their constituents, inviting people to come to Queen’s Park, to come to Toronto, make a contribution and talk about Bill 114 and what it does—if they believe it does—or what it doesn’t do to improve their lot in life.

An hour and 25 minutes for public hearings? Let’s assume there are—help me with this—15 minutes per presentation. That allows five and a half presentations. Let’s say there are minutes per presentation. That gives you eight and a half.

People thought they were going to get their say. The Premier says he wants to listen to the opposition and he is prepared to reach out. I’m prepared to say to you, Madam Speaker, that I expected to have the opportunity to point out that in Bill 114 there is not one, not a single one, of the very valid recommendations that the NDP had been, quite frankly, harping on, the kind of recommendations that could help save jobs, protect existing jobs, and, yes, maybe even restore some of the jobs that have been lost.

New Democrats expected to be able to speak to that. New Democrats expected to be able to sit in committee and make amendments to this legislation wherever it was possible so that there might be some consideration in that committee, because that’s what the Premier said was supposed to take place. He didn’t want to buy the proposal of Mr. Runciman and Mr. Hudak and the Conservatives, a multipartisan or tripartite committee. The Premier said, “No, it’s in the finance committee that you do this stuff.” We said, “Okay; fine.” We live with the fact that we’ve got a majority that’s prepared to use its brute force to shut down debate and to ram legislation through regardless of the ill effect it has on so many hard-working Ontarian folks.

For the briefest of moments, I believed the Premier when he said that the finance committee was where that stuff was going to take place. I thought Bill 114 was going to be the vehicle. I’m sorry if I was presumptuous. I apologize if I assumed too much, but I don’t think I was alone, because the Premier said, “That’s where you discuss these things—in the finance committee.” We thought Bill 114 was going to be the vehicle, the medium, the process in which we could discuss those things; maybe about the process wherein we could propose an immediate increase in the Ontario minimum wage to help lift those workers out of poverty; maybe the place where we could talk about a strong, across-the-board, Buy Ontario policy, because, Lord knows, Bill 114 doesn’t talk about it, does it?

My, how interesting. I wonder how interesting and how much impact a Buy Ontario policy would have had on John Deere’s decision. They manufacture those little four-wheel motorized vehicles, the style that are used in all of our provincial parks and municipal parklands.

**Mr. Bob Delaney:** On a point of order, Madam Speaker: The member’s discourse on this bill has been very edifying, but the policy merits of measures not in

the bill notwithstanding, I’d like to ask you to enforce standing order 23(b)(i) and to request that the member for Welland continue to enlighten us on the motion and not matters that were not considered in the original bill.

**The Acting Speaker (Ms. Andrea Horwath):** I thank you for the point. I have found that the member has been carefully coming back to the fact that the closure motion is before this House, and I ask the member for Welland to continue with this debate.

**Mr. Peter Kormos:** Speaker, I always appreciate your guidance and direction.

I value the Speaker’s assistance and I value the efforts on the part of my colleagues to rein me in from time to time. Forgive me if I may be a little intemperate about some of this. As I said, I take it kind of personally. I really do. So I want to thank Mr. Delaney, the member for Mississauga–Streetsville, for whom I have a great deal of respect, for his support and his help and his assistance. I can only say to him that I look forward to the chance to aid him in kind, and I just hope I can muster up as much generosity as he’s able to on a regular basis, and as much kindness and generosity of spirit.

The real insult here is the lip service to third reading. Many times, we vote for bills on principle on second reading, and then we look to committee as the venue in which to build them, to mold them, to a state where we can then support them, and if that isn’t possible, we rely upon third reading. Third reading has become increasingly dismissed as some sort of “just hang on” nuisance. On the contrary, it’s a very, very important function. There will be times, when there’s all-party support for a piece of legislation, when third reading diminishes in its significance. But there will be other times, especially after the committee has met and dealt with the process there, when third reading becomes a very important stage of the legislative process, because it then is the opportunity for members to express, for instance, why they’re not supporting a piece of legislation.

I apologize for having been simplistic about things from time to time during the last 20 minutes. I apologize for the concern I have for working families in this province. I apologize for doubting the Premier. But you see, none of those apologies change the reality for folks in Welland and Wainfleet and Port Colborne and Thorold and south St. Catharines, or anywhere else in the province for that matter, who are losing their jobs, losing their livelihoods, who are losing their futures, who will be losing their homes.

There are amendments to the Assessment Act here, but does any member here dare speak to the fact that any of those amendments help people keep their homes? No. Michael Prue and the NDP have come forward with an assessment policy that would do that very thing, and he may speak to it when he has his 19 minutes remaining. I hope he does.

I will not be supporting this time allocation motion, and I will be voting against it with as much vigour as I could possibly muster in my time here at Queen’s Park.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Yasir Naqvi:** Thank you for giving me the opportunity to speak on this motion. It's always exhilarating and daunting to speak after the member for Welland. I usually listen to him very carefully, in the hope that one day I will be as effective an orator as he is, but I'm sure time will teach me, and I'll learn from him as well, how to speak in this chamber.

The economy has been an issue which we all have been discussing for some time. We've been discussing the economy in the news on a daily basis for a few months now. It's a topic which has been discussed by the water coolers, by our friends, our family members, by our neighbours, and it is definitely a topic which has been quite extensively discussed and debated in this Legislature on a daily basis, a few times a day. It's an issue, I think, on which we have exchanged our ideas back and forth. We have agreed to disagree in many instances. We have outlined our positions and our strategies as to how we're going to grow and strengthen Ontario's economy, and some have highlighted some of the deficiencies in those strategies.

Up to last week, we were having quite an extensive debate on the economy, on a motion addressed exactly to that purpose, so that we can solicit ideas from all sides as to how we further strengthen our economy.

The government obviously has outlined its position, its belief in the five-point economic plan, as to how that will prove to be an economic stimulus to grow the economy in Ontario by investing in our skills and knowledge, investing in infrastructure, bringing business costs down and giving targeted business tax cuts. That is what the finance minister spoke about when he outlined the fall economic statement. So I think our positions are quite well known and this is the time, with this the upheaval, what we are living through. It's not the time to debate, again and again, the same issues; it's time to take action.

1420

That's why we, as part of the McGuinty government, are driven by the five-point plan we have implemented to make sure that we produce the results we are required to. We believe we can get through the implementation of that five-point plan, to keep building on the partnership we have developed in this province. The announcement made by the Minister of Municipal Affairs and Housing on Friday is an indication of the partnership we have built between the provincial government and the municipalities, to make sure that we start the process of uploading those social services which were downloaded on the municipalities back in the 1990s, to make sure that the municipalities have the means to invest in their communities.

Those ideas and those strategies are there. We need to make sure that this House, collectively, moves forward and comes up with further concrete ways to grow this economy, and that debate will continue on in the Standing Committee on Finance and Economic Affairs, not only in the context of Bill 114 but also in the context of the budget for 2009. There will be this extensive process by which the Minister of Finance will be travelling the

province doing public consultations as to what we should be looking at next in terms of growing this economy in 2009 and beyond—and not only the Minister of Finance, but also the Standing Committee on Finance and Economic Affairs will be holding their own public consultations, and that is a real opportunity for people across Ontario to come forward, give their views, comment on how the government has performed thus far and how we can continue to grow the economy.

For all those reasons, I'm in favour of this motion. I think we need to move on to make sure that we put in place the next milestones in building this great province of ours.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Randy Hillier:** I was expecting to speak to Bill 114, but of course, we're speaking to the time allocation, the closure, the silencing of debate on Bill 114 instead.

I want to make reference, first off, to the members from Carleton-Mississippi Mills and Welland for their honest and forthright expression of opinions and ideas about this closure of debate on Bill 114. I think it ought to be clear to everybody in this House, everybody throughout this province, that the most significant concern for the people of Ontario, the gravest concern for the people of Ontario, is our economy. That is beyond doubt, beyond question. I'm sure everybody in this House recognizes that the problems we're facing economically are significant and are overarching all other concerns.

Now, this main grave concern the Liberal government says ought not to be discussed in this House; it ought not to be discussed in public hearings. They are going to limit public hearings to one hour and 30 minutes on the gravest concern that this province is facing. These public hearings of an hour and a half are for an omnibus bill which takes into account 23 pieces of legislation, and they are going to allow one hour and 30 minutes of public hearings. That is unacceptable by any account. It is certainly intolerable in a democracy that we limit discussion and debate on an omnibus bill. On the greatest concern facing this province, we silence everybody.

I just want to put this in context for the members opposite who may not be aware. This Liberal government travelled the province, hosting hearings about Bill 50, the animal cruelty bill, and we spent hours of debate in the House. That was a priority for this government, and they spent significant amounts of time discussing it. We also spent significant amounts of time discussing a ban on light bulbs, a ban on cigarette displays, a ban on trans fats in junk foods and Facebook pages for MPPs. We spent all kinds of time discussing trivial, insignificant matters, and when there is a grave concern facing this government, they hide under a time allocation motion. That is unacceptable. It is intolerable. I have to ask the members opposite, do you really think you are providing value to your constituents when you silence opposition, when you silence debate, when you close off public hearings? Is that what you think is value to your constituents? We're facing a deficit, we're facing hundreds of thousands of

jobs moving out of this province, and we get smiles and smirks and silences and closures from this government. That is not acceptable.

This House derives its authority from the consent of our constituents. We have an obligation, when we derive that authority, to listen, an absolute and fundamental obligation to listen to and hear their concerns, not to silence their interests, their concerns or to silence the people who represent them.

We've heard the platitudes and the rhetoric of this government. We hear about openness, we hear about transparency, and we get the curtain of time allocations right afterwards. It's saying one thing and doing another once again. Here, in this time, we're facing debating this time allocation. The urgency: We can no longer spend any more time discussing this, according to the Liberal government, and where is the Premier? Where are the ministers? They're on a trip. I hope he's found the lost jobs that he went looking for when he went over to China, because that's where they are. That's not what we're discussing, though; we're discussing a limitation on debate on our economy.

I will be opposing this motion. I am sure all others who want to represent their constituents will look into the mirror, reflect on their obligations and oppose any measure to silence discussion and debate on this most important subject. It's bad enough that this motion has even come to the floor. We cannot allow it to continue. We need to have scrutiny on this bill, and it's not good enough that just the lambs want to be silenced on the other side.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Michael Prue:** I rise today, as I have every time that a government has imposed closure, in bewilderment. I rise in anger. I rise because I cannot understand why governments consistently do this when there is no necessity to accomplish this goal. I rose in anger when I was here for the first two years and saw Conservatives do it. I saw Liberals who sat on this side of the House denounce them each and every time the closure motion was brought forward. I watched them and I watched them, because I believed they were honestly trying to have fulsome debate in this House. Then, with the greatest of respect to Madam Minister over there, who continues to want to say something, but I can't quite hear you—

1430

*Interjection.*

**Mr. Michael Prue:** Now I watch for four years and a bit solid, where Liberals are standing up and doing the same things that they condemned the Conservatives before them for doing. They are standing up here, and they are using a closure motion, which is also known as a time allocation motion, a guillotine motion, in order to simply stop debate.

It's not me they're stopping from debate. I had the opportunity already; I had my one-hour leadoff. I have spoken to this bill. But I am standing up for all of the other members who have not had that opportunity. We have literally had a few hours of debate, that's all.

Now, lest anybody say we have to get on with this, this is probably the single most important thing that this government will introduce in this session. It involves, in schedule J, interim appropriations. That allows the government, between now and 2010, to raise whatever money the government deems fit. It allows them to raise and spend \$100 billion of taxpayers' money. You would think that members in this House would be given an opportunity to talk about the raising of \$100 billion or the expenditure of a \$100 billion, but thus is not the case. This government, through this motion, is attempting to ram this bill through this House.

I looked in sadness upon the motion itself. Look at what the motion does. It gives a scant two hours here today for members to stand up to either defend doing this or to rail against doing this, and then I'm sure the long arm of the 72 or so members of the government will stand up one by one in their place and say that there can be no debate on a \$100-billion budget, where the money comes from. There can be no debate on the Assessment Act. There can be no debate on commodity futures. There can be no debate on the corporate tax act, no debate on the Education Act, no debate on the Electricity Act—these are all contained within the body of the bill—no debate on the Executive Council Act, no debate on the Financial Administration Act, no debate on the Fuel Tax Act. There can be no debate on the Income Tax Act. There can be no debate on the Interim Appropriation Act, the Legal Aid Services Act, the Limitations Act, the northern services act, the capital growth corporations act, the Ottawa Congress Centre Act, and on and on and on.

There can be no debate, none at all, because on Thursday, without any notice whatsoever to the public, we are going to have a bill put before us in the finance committee, and we are going to have, I suppose if anyone is—I don't know. I don't want to suggest any motives of people, but if they're going to come forward, knowing that they're not going to be listened to at all or that what they say has absolutely no value to the committee, we are going to listen to six or seven people.

The reason that I say it has absolutely no value to the people who serve on the committee, and I am a member of that committee, is because of another provision of the bill. The bill says quite clearly that the amendments that are to be put forward to the committee have to be filed the day before. They have to be filed on November 5. That means that if any member in this House wants to put a motion before the committee to change an aspect of the bill, it has to be done before we hear the deputants.

So if the deputants come to us, all six or seven of them, what are they going to say? They're going to stand there and they're going to tell us something about which we can do nothing. If they come up with a really good suggestion for the bill and say, "If you move a couple of these words around or change this, it's going to help the government and help the bill and help Ontario and help the country," there's nothing we can do with it because the time to make the amendments will be passed. So when the government puts this forward, that amendments have to be in before you hear deputants, please tell the

deputants that you do not value anything they have to say because no matter what they say, no matter what good ideas, there is nothing we can do with it. I wonder why we're going to go out there and ask deputants to come forward. I have never before seen this on a bill. I have been here seven years, and I have never seen on a bill where amendments close before you even hear anyone speak to them. If the government can tell me why you're doing this, please stand up. I'm waiting for a government member to tell me why the amendments have to be put in before we even hear the deputants. I think this is abhorrent. I think this is totally wrong. I would suggest that if we are going to advertise, because usually we do advertise, asking if people want to come in, there should be a proviso that "You can come in and speak to us, but we're not going to listen, because we can't listen, because we can't do anything you're going to ask, because the decision will already have been made. You'll already have missed the time frame."

Is that what this government wants to do? That's what you're doing. That's what this is all about. The government members who are going to stand in their place here an hour from now are going to vote to have the amendments in before we even listen to anybody. They're all going to stand up—mark my words—in their place and do that. They're all going to applaud each other and pat each other on the back and say what a good job they've done and how they've invoked closure and, oh my goodness, "We don't really want to hear from anybody anyway but, wink, wink, nudge, nudge, we'll listen to you at another time."

If that wasn't bad enough, the closure, the clause-by-clause, will be dealt with at 2:30. That is a scant four hours after public debate. We're going to get 85 minutes on Thursday for public debate, but the motions already have to be made, and then we'll have to go into committee. So we will have heard from people who will have no idea what the government's motions are or the motions made by the opposition. We're going to go in there four hours later and we're going to debate those motions. The amendments, as I said before, will have already gone in before we've heard from the deputants.

This is a bill of some substance. It is 68 pages long. It is detailed. I believe it details 23 different acts and regulations; 23 things that raise everything from \$100 billion to the priorities and prerogatives of the cabinet, to the tobacco taxes, to commodities—everything that has to deal with the financial situation in this province. We're going to, I guess, pass it really quickly, because if we don't pass it really quickly, there is a guillotine motion inside of the committee itself. That is, if the committee can't deal with it in the scant couple of hours that it has left over from 2:30 until 5 o'clock, then everything is brought forward at 5 o'clock without debate and has to be voted on. So even if the members of the committee want to speak to the motions, even if they put forward motions that are not relevant to the people who have come to talk to us, you can't even debate those either because at 5 o'clock there's a guillotine motion inside the committee and everything is going to be voted on.

If that's not bad enough, and if the members opposite think that that's still a good thing, then I really got a chuckle out of the last one. This is Thursday at 5 o'clock. Every Thursday at 5 o'clock everything shuts down here. This House does not sit on Friday. All of next week it is remembrance week, and because it's remembrance week, this House will not be in session from the 10th until the 14th or 15th. We will not be in session. So what happens literally is that at 5 o'clock everything is rushed through, and then on the 17th the House comes back. But what they have stated in the motion itself is that if the finance committee cannot finish by 5 o'clock for whatever reason, then the motion is deemed to be passed. Well, we cannot meet. The rules of this House do not allow the finance committee to meet after 5 o'clock on Thursday, so even if we couldn't finish and even if we needed to finish, we can't finish. We can't. The motion you're putting forward will not allow the finance committee to finish, and the House is not in session on Friday, Saturday, Sunday, Monday, Tuesday, Wednesday, Thursday, Friday, Saturday or Sunday.

**1440**

I see the Chair of the committee here. He knows I'm right. He knows there is nothing we can do if for some reason we don't finish at 5 o'clock and it's deemed to have been passed. Then it's going to come back to the House on the 17th, deemed to have been passed by not listening to anyone, deemed to have been passed if the finance committee can't, in its ability, finish by 5 o'clock.

We're going to have a vote that's not going to be allowed to be debated, and then there's going to be one hour of debate here—one hour's debate in this House, split evenly among three parties. Each party is going to get 20 minutes to stand up and talk about who wasn't listened to, who wasn't heard, what ideas couldn't be put forward, what ideas and motions couldn't be voted on before 5 o'clock, whether or not the committee was able to meet, couldn't meet, couldn't finish, and then we're going to vote for it.

This is a \$100-billion budget—a \$100-billion budget. I don't know how the members in the Liberal Party can stand up and say this is a good thing. I haven't heard anybody say it's a good thing. I listened to a colleague, a relatively new member for Ottawa. He stood up and tried to give some defence that we've talked enough about budgets in this place. I'm not sure we've talked enough about budgets. We have not talked about the very real concerns of the people of this province.

I know I take my job here very seriously, and I believe all members take their job very seriously, to echo and speak about the concerns the members in their ridings bring forward. We have many avenues to do that. We can do that inside this Legislature; we can do that inside the committee; I guess we can do that through the newspapers and with the media through scrums. But the chief place where we need to do our work, I would suggest, is inside this Legislature.

This motion limits 107 members—excluding the Speaker, 106—to one hour of debate. That works out to

approximately 32 seconds each to talk about whether or not we think what is contained in this bill helps or hinders our constituents. It literally means that most members in this House—literally almost all the members of the House—will not have an opportunity to say what I believe needs to be said.

We have a bill and a motion before us that are both extremely flawed. But in terms of the motion, I do not understand—I know I cannot impugn motives, or impute motives either, about why the government might be trying to do this. I have looked at the order paper to see if there is a huge body of bills sitting out there waiting for us to work on. I have to tell you that there is almost nothing on the order paper. There are almost no government bills on the order paper. Instead, we are being brought back to put a guillotine motion to this so the government can pass this bill, supposedly to get on with other business. But I am perplexed; I am confounded to understand what bill is so important, what other bills are so important, that they have to come forward.

They are giving a scant one hour for debate when this comes back for third reading. That is about the same amount of time that is allocated for private members' bills. I am a great fan of private members' bills; I love them. I think that private members' bills give an opportunity to come up with unique ideas—

**Mr. Peter Kormos:** Or silly ones.

**Mr. Michael Prue:** Well, all right, whatever ideas they might have—that sometimes, even if not passed, find their way into government legislation. I was very pleased to see government legislation on the ban of cell-phone use, and I know that Mr. O'Toole, my colleague from Durham, tried for many years, only to see it finally adopted as a government bill. But at least the idea was adopted. But we give one hour for those bills. Those bills, as important as they are, are not the expenditure of \$100 billion this year and \$100 billion for appropriations for next year—it's so much money, and we can't even talk about it.

How can I go back to my constituents? How can I go back and say that I've tried to stand up for their interests when I have a government and a minister opposite who put forward a motion which won't allow for public debate, won't allow for public input, won't allow for opposition to put in motions in a timely manner, won't allow for the committee itself, of which I am a very proud member, to actually debate—if we go beyond 5 o'clock, it's killed—and then has the temerity, the unmitigated gall, in the end to stand up and say, "We will allow for one full hour of debate"?

It's a sad day. I feel very sad that the government is putting forward a motion. I feel very sad, because I remember in those days when I first came here some of the same government members, when they were in opposition, speaking with great eloquence about why ramming things through in a closure motion, a time allocation motion, a guillotine motion, was wrong. Some of the greatest debates that I've heard on that were from people who now occupy executive positions, who sit in the front

row in the benches opposite. I remember now-Minister of Transportation Bradley, who spoke so eloquently on this issue so many times. He railed so many times, but spoke very eloquently. I remember the now finance minister speaking about this issue so many times—about closure, when the former government had invoked it, and about why it should and ought not to be done in a parliamentary system like ours.

My colleague from Welland did say, is there an urgency here? Is there an urgency that the government coffers are going to run dry? Is there an urgency that there are so many other bills on the order paper that we have to deal with this now? Tell me, because if there is, I will accept that. If there is a rational reason why this has to be forced through in the way it is, if we're in a state of war, if something has to happen so rapidly that we have no other choice, tell me. I might even support you on the motion. But I haven't heard that. I haven't heard it from a single person. I haven't heard one single compelling argument that would cause me to think otherwise.

My time is just about up. I want the government members to think long and hard about this. I want them to think about this, because what you are setting here, if not a precedent, is at least an avenue that you seem all too willing to go down, for no real great cause. I know that past Speakers—and I've had the opportunity to be here through a number of them—have not allowed closure motions until seven, eight or 10 hours of substantive debate have gone by, when they would allow an ordinary member to stand up and say, "I think we've had enough debate. Let's vote." They have insisted on seven, eight or 10 hours. That is not what has happened here. This is a government that has not allowed those seven, eight or 10 hours to transpire before attempting to move on. This is a government that is attempting to use the might of its 72 members to stop anyone and everyone from saying what needs to be said.

I think it's a sad day for this Legislature and I will be voting against the motion.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Lou Rinaldi:** I am delighted to be up, although just for a couple of minutes, to speak in support of this motion. Because I do have very little time to speak about this motion, I just wanted to highlight a couple of things.

One is that I've heard from the opposition about how terrible this allocation motion was, about the omnibus bill that it's perceived to be. I remember those days of omnibus bills when there were no committees; there were no discussions. I wasn't in this House but I was at the municipal level, where we felt the ramifications from those decisions made without consultations. But let me tell you: What I hear from my members in the constituency I represent is that they want this government to act, to act like we've been acting in the past, to do the things that they expect us to do.

I guess what I'm talking about here is, yes, there are a number of things outlined in Bill 114 that the motion attempts to address. Do we want to improve how one can

get granny flats to look after their loved ones? That's what they want to hear. They don't want to hear about us being here in this House to talk about every other issue on the planet but not really what's important to them. Do they want us to talk about what Bill 114 will do about reducing the burden of property taxes on seniors? That's what they want us to do, and that's what this motion tries to expedite, to make sure that we get those things done.

**1450**

Do they want to talk to us about extending the mineral tax exemption? That's what Bill 114 will do once we put measures. They don't want us just to be here to talk about blah, blah, blah, like I've heard today and days in the past. They want us to act, and that's what this motion will do. It will expedite and make sure that those services, those needs of Ontarians are met and delivered in a timely fashion.

I know that there are some other folks that want to talk about this, so I'm going to end right here. Thanks for the opportunity to speak, Madam Speaker.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Garfield Dunlop:** I'm pleased to be able to stand this afternoon—maybe I should say I'm disappointed to be able to stand this afternoon to talk about a time allocation motion on a bill that really and truly affects our budget, a budget that's close to \$100 billion now.

Really and truly, not a lot of attention has been paid to the fact that a lot of members want to speak to this legislation—not only now on second reading debate but also, of course, on third reading. When you read the motion, we're going to have one hour total time of third reading debate on this particular bill. It's beginning to be more like a banana republic every day. Quite frankly, it's disappointing to people—to the folks watching and also to our residents.

I listened with interest to the previous speaker, the member from the New Democratic Party, Mr. Prue, when he spoke on the bill. I felt that he brought some really good points out on the whole concept of time allocation. Our party—we're very interested in the budgets, we're very interested in budget bills, and I would consider this a budget bill. We actually refer to it as a deficit bill.

We're entering a time in our country, in our province and in the world when we have some very difficult economic issues to deal with. Sweeping something under the carpet at this particular time and hiding from the public on a bill like this is extremely disappointing. If there was ever a time when there should be a lot of opportunity for people to come here and voice their opinions, voice their concerns, give positive and constructive criticism on the bill—maybe there are ideas that the opposition and government members can come up with to help our economy.

I know just today the federal finance minister, Mr. Flaherty, and all the provincial finance ministers were meeting. We now know that the province of Ontario will receive equalization payments; I believe it's \$350 million

for year one. I listened to an interview with the federal finance minister. You've been screaming about it and now he has come through with the money. It looks like you're putting this province into such a position after raising taxes, after raising spending 41%, or \$29 billion, over the last five years—we now know this province can no longer sustain that.

**Mr. Bob Delaney:** On a point of order, Madam Chair: While respecting the ideological leanings of my colleague from Simcoe North, the matters he raises are not part of the bill under discussion.

**The Acting Speaker (Ms. Andrea Horwath):** Thank you for your point. I'll just remind members that we're talking about the closure motion. I expect that the member will come back to that point in his remarks.

**Mr. Garfield Dunlop:** Absolutely. I appreciate my colleague not wanting me to actually speak on the real problems with this government when it comes to their financing and the mess they've made of this province in the last five years.

This is a typical example. They inherited an economy, a very, very strong economy, at a \$67-billion budget at that particular time, and what have they done? You're running it into the ground—200,000 lost manufacturing jobs—and spending like wildfire in all different areas and absolutely no sanity amongst your spending.

**Mr. Bob Delaney:** On a point of order, Madam Chair: Pursuant to standing order 23(b)(i), I'd like to remind my colleague from Simcoe North, through you, that he is drifting further from, and not closer to, the topic of the bill.

**The Acting Speaker (Ms. Andrea Horwath):** Thank you for the point. I would ask the member for Mississauga—Streetsville to leave the decisions of whether or not this member is expected to get back to the motion on the floor to the Speaker.

**Mr. Garfield Dunlop:** I find it amazing, after listening to the first speaker from the government, who was not even talking about the time allocation motion, that now I'm out of order.

I applaud him for his efforts, because you know what? He's embarrassed to be on that side of the House. He'd like to be over here listening to people who make sense about this, instead of this pathetic—

**The Acting Speaker (Ms. Andrea Horwath):** I would ask the member from Simcoe to please keep in mind that all the members have been careful to come back to the motion that we are debating today, and I'd only ask you to do the same thing as I have asked—and other members have asked as well—to ensure that we are paying attention to the standing orders, which say that we should be debating what is on the floor.

**Mr. Garfield Dunlop:** Okay. So I guess I'll talk about the third reading debate. We're going to get one hour to debate this under this motion. You know, the finance minister himself, when he orders his \$90 steak dinners at the expense of the taxpayer, the reality is, it takes him more than an hour to eat the steak. And the reality is—

**Mr. Bob Delaney:** On a point of order, Madam Speaker: Respecting the feelings of my colleague from Simcoe North, standing order 23(h) prohibits the making of allegations against another member and 23(i) prohibits the imputing of false or unavowed motives to another member.

**The Acting Speaker (Ms. Andrea Horwath):** I thank the member for the points. I would ask the member for Simcoe North to please focus his attention on the motion that was brought forward by the Minister of Agriculture. It's a closure motion. It does speak to a particular bill. I have been allowing some discussion about the bill in the context of the motion, but it is a motion for closure that we are debating and I would ask the member to please stick to that.

**Mr. Garfield Dunlop:** Okay, so we will call it a Hugo-Chávez-banana-republic time allocation motion, where we spend almost no time debating a piece of legislation that affects the citizens of the province.

It's pathetic to see these points of order called on someone who's trying to make sense of this, when we see the complete waste of taxpayers' dollars that are being affected by this. They do not want to hear the truth.

The truth of the matter is they inherited a strong economy, a very strong economy, and they have wasted money left, right and centre. How many ways can I tell you they've wasted money? I guess I am out of order to actually point out how many ways they've wasted money. But this little booklet here from the Ministry of Tourism would be one.

I can go on and on and on with how we've wasted money. We do not need to limit debate on a motion because they are embarrassed by the fact that a time allocation motion is stopping the members of this House, including their own members—I can see the embarrassment on their faces—from actually speaking about something that affects all Ontarians. I believe there are 28 bills affected by the deficit bill, as we call it, and the reality is that hardly any of them have been discussed. There are only a few people who have had an opportunity to speak on this particular bill.

So when we move forward with this—you know, they complain; the government members like to think that they're on some glorious trip—the reality is, they want out of this House. As the member from Beaches—East York mentioned earlier in the time allocation motion, they simply do not want to be in this House to face the facts. The reality is, the province of Ontario, our country, the world, is facing difficult economic times. This is the time we should be in this House debating these things, not trying to find a way to hide and get out of here. The third reading debate, the time allocation motion: They're all down to a few minutes now. Why are we even here?

That's why I say that this bill reminded me of a banana-republic type of bill. It's like these countries where the one party wins all the seats. That's the type of thing we're seeing here today. I can remember that when this government took power in 2003, they used to have 30 or 40 members in here. Now they're having a hard

time getting anybody to come into the House anymore, because they're so embarrassed, particularly about the economic policies of this government. And nothing ever has been as pathetic as this government notice of motion on time allocation to limit debate on such a very important topic.

So as we move forward, I would like the general public to know how much money has been wasted by this government in all the different ministries, yet I have just had three appointments today with people from the correctional industry who've got very, very strong concerns about how that whole industry is falling apart. It's completely falling apart and this minister will do nothing about it, because he's more inclined to do fancy photo ops around a tiger or a lion on a zoo bill, or that type of thing, as opposed to actually getting out there and doing the job of the Ministry of Community Safety and Correctional Services.

So although we have an opportunity here to actually get something accomplished on behalf of the citizens of the province of Ontario, what are we accomplishing? Nothing. We're having debate limited on something that's very, very important, the economic statement for the citizens of the province of Ontario, and I find it awful.

I will not be supporting this motion. I hope every opposition member, and even the government members who are not too embarrassed with this government, will actually sit back and support the government on—voting this motion down.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate? There being no further debate, Madam Dombrowsky has moved government notice of motion 88. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

I believe the ayes have it.

Call in the members. There will be a 10-minute bell.

*The division bells rang from 1502 to 1512.*

**The Acting Speaker (Ms. Andrea Horwath):** All those in favour of the motion will please rise one at a time and be recorded by the Clerk.

#### Ayes

Aggelonitis, Sophia	Gravelle, Michael	Naqvi, Yasir
Albanese, Laura	Hoy, Pat	Oraziotti, David
Arthurs, Wayne	Jaczek, Helena	Ramal, Khalil
Balkissoon, Bas	Kular, Kuldeep	Ramsay, David
Bentley, Christopher	Lalonde, Jean-Marc	Rinaldi, Lou
Brown, Michael A.	Leal, Jeff	Sandals, Liz
Brownell, Jim	Levac, Dave	Sergio, Mario
Colle, Mike	Mangat, Amrit	Smith, Monique
Craitor, Kim	Matthews, Deborah	Sorbara, Greg
Delaney, Bob	McMeekin, Ted	Sousa, Charles
Dhillon, Vic	Meilleur, Madeleine	Takhar, Harinder S.
Dombrowsky, Leona	Milloy, John	Van Bommel, Maria
Duguid, Brad	Mitchell, Carol	Zimmer, David
Fonseca, Peter	Moridi, Reza	

**The Acting Speaker (Ms. Andrea Horwath):** All those opposed to the motion will please rise one by one and be recorded by the Clerk.

**Nays**

Bailey, Robert	Hillier, Randy	Munro, Julia
Bisson, Gilles	Hudak, Tim	O'Toole, John
DiNovo, Cheri	Jones, Sylvia	Prue, Michael
Dunlop, Garfield	Klees, Frank	Runciman, Robert W.
Elliott, Christine	Kormos, Peter	Savoline, Joyce
Gélinas, France	MacLeod, Lisa	Scott, Laurie
Hampton, Howard	Martiniuk, Gerry	Sterling, Norman W.
Hardeman, Ernie	Miller, Paul	Tabuns, Peter

**The Clerk of the Assembly (Ms. Deborah Deller):**  
The ayes are 41; the nays are 24.

**The Acting Speaker (Ms. Andrea Horwath):** I declare the motion carried.

*Motion agreed to.*

WORKPLACE SAFETY  
AND INSURANCE  
AMENDMENT ACT, 2008

LOI DE 2008 MODIFIANT LA LOI  
SUR LA SÉCURITÉ PROFESSIONNELLE  
ET L'ASSURANCE CONTRE  
LES ACCIDENTS DU TRAVAIL

Resuming the debate adjourned on October 30, 2008, on the motion for second reading of Bill 119, An Act to amend the Workplace Safety and Insurance Act, 1997 / Projet de loi 119, Loi modifiant la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

*Interjections.*

**Mr. Gilles Bisson:** I have the floor, Minister. Sorry. Can we talk in 10 minutes? Thank you very much.

The business that we do in this House is always amazing, trying to do things in between debates.

As we were saying earlier, this particular bill moves in order to try to bring people in the construction industry under the Workers' Compensation Act and, for that, generally we're in support on the New Democratic side of the bench, but the point that I was making the other day when we first started this debate is that this bill really doesn't do what it intends to do within the life of this Parliament. You've got to ask yourself the question: To what degree is the government actually engaged in this process or committed to this process of making sure that these workers actually are covered by the Workers' Compensation Act? By the time the workers who are now excluded become included and covered by the Workers' Compensation Act, it won't be until 2012.

*Interjections.*

**The Acting Speaker (Ms. Andrea Horwath):** Order.

**Mr. Gilles Bisson:** I still have the floor. Thank you.

So you ask yourself the question: If a government introduces a bill in the House in this particular session during this Parliament, you would think that the government would basically make the bill become law and make it take effect some time within this Parliament. This bill is now being debated in the current form that it's

written right now. If the bill should pass second and third readings, and I have to presume it will, no worker in this province that is mentioned in this bill under workers' compensation rules will actually be recognized until after the life of this Parliament.

We all know there's going to be an election in October 2011. We have a defined date when it comes to when elections happen in this province. This government is putting it off to the next government to basically deal with this issue, because the bill will become law and it will basically cover workers now excluded under the Workers' Compensation Act only after this particular Parliament is over.

So I say to the government across the way: How seriously do you take your responsibility to cover workers who are currently excluded from the act at this point? I've got to say, I don't think that they take it very seriously. This is a question of the government saying, "Oh, we love injured workers. We really love those people in the construction trades. We really want to be nice to you. Come over here so we can chat with you, hug you and hold you close here in the Liberal Party." But once you basically back away from the embrace, you find out that in fact the Liberal government is not serious about doing anything in the life of this Parliament. So I say, shame on this government for saying it's going to do one thing and then leaving it to the life of another Parliament in 2012 to deal with—

*Interjections.*

**The Acting Speaker (Ms. Andrea Horwath):** Can I please ask the members to be respectful? A member has the floor and is trying to participate in the debate on the next order of the day, which was just called by the government.

**Mr. Gilles Bisson:** Thank you very much, Madam Speaker. I was just mortified that they weren't listening. I'm going to have to say it all over again.

I just made this point. I've only got six minutes and there are a few other things I want to say particular to this bill. But I say, shame to this government, because what they're trying to do is to say, "We care about injured workers and we're going to make sure those injured workers who are now excluded from the coverage of the Workers' Compensation Act in the construction trades will be covered," but when you look at the fine detail of the bill, none of these workers will be afforded that right until 2012.

It also excludes people in the rescon industry, or the residential construction industry. We still have a huge gaping hole as to who is actually going to be covered under workers' compensation.

Now, why is this a problem? It's a problem for a number of reasons, but we would know, Madam Speaker, as constituency people. Most members in this House, and certainly yourself, myself and my colleagues in the New Democratic caucus, deal with a lot of workers' compensation claims within our constituency offices. One of the issues we often have is that somebody comes in to see you who says, "I have an injury." Let's say my person

has an ankle injury, as an example. I'm actually dealing with this particular case in my constituency office as we speak. An injured worker comes in to see us some time last spring, says he has an injury and that he is needing medical aid from workers' compensation so that his brace and the medication that he takes to deal with the pain around his ankle and the injury be covered by workers' compensation, and when he needs to take a day off or two days off to travel to go see a specialist, the Workers' Compensation Board pay for that lost time in order to go see the specialist because, currently, he is not being paid and has not lost any time other than the time he has gone to see his doctor. The problem that he has—he was working in the construction trades when he was originally injured. He was working for a contractor—well, actually, a smaller contractor—that didn't provide him with workers' compensation benefits.

**1520**

So here lies the problem: For all intents and purposes, the Workers' Compensation Board is saying, about this recurrence of the original injury, "It's a pre-existing condition." Therefore, they're having problems trying to determine how much of the problem with this gentleman's ankle has to do with the second injury and how much has to do with the original injury that happened under the employer where there was no workers' compensation that was paid to the Workers' Compensation Board.

This huge process of appeal that we're going through right now is to deal with his injury as related to what he has to live with now; it's not just what's happened to his injury at the second occurrence. We're trying to get him covered under those grounds, but the Workers' Compensation Board says, "No, no, no. There's a pre-existing injury. So therefore, we're saying that it has everything to do with the pre-existing injury."

We've won these cases in the past from time to time, but it takes a lot of work on the part of your staff and others in order to move forward to get such a claim covered. That's why it's important that all workers—not just the workers named in this bill, but all workers; in the banking industry and others—should be covered by the Workers' Compensation Act, because it is a clear right for workers to be able to go to work in the morning, to expect to have a safe day's work and that their employer provides a safe workplace. But in the event that there is an accident, he or she, as workers, should be guaranteed that they will at least be covered by workers' compensation should they be injured, no matter where they work.

Does this bill do that? No. It certainly moves the yardstick forward, but it leaves many, many workers far short of where they need to be when it comes to coverage under the Workers' Compensation Act.

So I say that although this bill is a step in the right direction, it really doesn't afford all workers in the province of Ontario the ability to be covered by workers' compensation, number one; and number two, this particular bill also doesn't become law—well, it actually

becomes law, but the full effect of getting workers covered, because of what is contained in this bill, and the policies of the Workplace Safety and Insurance Board, make it that it won't take full effect until 2012.

On the other argument, the Conservative caucus argues that this is going to cost employers lots of money. Let me just tell you: I've dealt with lots of contractors in my area, specifically in the forest industry, who themselves are self-employed contractors—the person owns a truck or a de-limber or some piece of equipment. They would love to be able to opt into the workers' compensation system because it would be cheaper than buying individual insurance to cover themselves should there be an accident while they're working with their truck or with their de-limber or whatever it might be. So, to the Conservative caucus, which argues, "Oh, this is going to cost business lots and lots of money": Listen, this is an issue which is already costing business lots of money. I know of many contractors in the area that I cover, in Timmins–James Bay, who are employed in the forest industry, and some in the mining industry, who are self-employed contractors who can't get workers' compensation and have to buy it by way of private insurance.

The public sector is much better able to deliver the product, as far as quality and costs go, under WSIB than you could under the private system. Many of the people that I've represented who are independent contractors have often argued that there should be an ability to opt into the workers' compensation system; it should be automatic.

To the last point, I would say that this bill, although it is a step in the right direction, certainly doesn't go to where we need to be, which is complete coverage of the Workers' Compensation Act for all workers in the province of Ontario.

If we were really serious, we would make sure that this bill becomes law now, and that the policies set forward be enacted so that all workers in this province could be covered by workers' compensation, and not this great big group-hug that the Liberals are trying to give the building trades, which says, "Not until 2012," and many workers in this province are still going to be excluded at the end of this process.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments? The member for Brant.

**Mr. Dave Levac:** Thank you, Speaker. I appreciate the opportunity.

There is a typical response in a two-minuter, but what I'd like to do is maybe set some questions in motion for the member from Timmins–James Bay, who articulately expresses why it's important for this type of legislation to exist.

The first question I'd like to ask him is: I didn't hear it outright, but maybe he is implying that they won't be supporting the bill because it doesn't go far enough, or is it because it won't be enacted until 2012? I'd like him to see, if he does want to support the bill—I get a sense that they do. I get a sense that they do support the bill, as they

do see it as another step in the right direction, in terms of protecting labourers on construction sites.

The second question I want to ask him is, does he agree with us in terms of where the positioning was with WSIB, that we need to move the bar further and that we do? If we're being asked and challenged to choose between the possible cost increase for the small contractors out there, compared to the safety of somebody's arm or ankle—I think he referred to one of his constituents as having an ankle issue. We're looking at the safety of all workers first, and then we debate how we can implement corrections in the system in order for small businesses to survive and sustain themselves in competing. I think I also heard in one of his previous discussions on the bill that he felt the level playing field was an important aspect of the construction site industry. So when you're competing, you're comparing apples and oranges and not letting people win contracts because they have less cost because they're not providing WSIB. I would wonder if he could make a comment on that.

In essence, what I think I'm hearing the members say is that they do like the idea that we're moving the bar toward encompassing and grabbing more construction site workers and providing them with safety, providing them with a better avenue to collect WSIB. I'd like them to maybe comment on that.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Ms. Lisa MacLeod:** This bill is not only ill conceived, but the timing of it couldn't be worse. As you know, Ontarians are facing massive job losses. It's hard not only to put bread and butter on the table but to pay mortgages. At a time when we should have been celebrating Small Business Week, the Liberals brought in the Workplace Safety and Insurance Amendment Act, Bill 119, which will effectively impose a new tax that will cost small construction companies as much as \$11,000 per year.

Landry Mechanical Services Ltd. in my community, in Nepean–Carleton, in the village of Kars, wrote to me: “We are a small construction firm and find it very difficult to make ends meet these days and even more difficult to make a profit. Putting a bill through making it mandatory for my husband and I to have WSIB coverage is ludicrous. Not only would it cost us for something we would never use, but it would put an even further financial burden on the company. We have owned our company for over 25 years and have never claimed anything from the government. We employ people steadily and add to the economic growth in our community.” That's signed by Mrs. Barbara Landry, who's the secretary-treasurer of Landry Mechanical Services.

This Legislature should be supporting people like the Landrys who are creating wealth in our community, who believe in self-reliance and who believe in helping their community. Instead, in Small Business Week, when we in this Legislature ought to have been thanking people like the Landrys, the Liberals thought to penalize them. Instead of levelling the playing field, this bill will tilt the

playing field in favour of big unions and big businesses. That's not the Ontario that we're fighting for.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Peter Kormos:** Of course, the member for Timmins–James Bay has accurately presented the position of the NDP caucuses in several respects. One is that, first and foremost, we believe that every worker in this province, every single worker, should be entitled to WSIB workers' comp coverage. It's inconceivable that there are workers who put themselves at great risk on a daily basis who don't have WSIB coverage. In other words, they can't access that insurance program in the event that they are injured, either temporarily or permanently. Furthermore, it's unacceptable that there's any worker in this province who doesn't have the services of the WSIB in terms of monitoring workplaces and worker education in those workplaces.

I challenged the minister the other day, because this proposal is fairly easy. I'm going to have a chance to speak to it in a few minutes' time because I do have some concerns about parts of the bill. Those are concerns that I trust will be addressed in committee. But look, I say to the minister, this is easy. Why don't you take on the banks and financial institutions? Bring their workers into workers' comp. You see, this bill is a reflection of the principle, as it is with any public insurance pool, that the more people there are participating in that risk pool, the less the cost will be per person and the more effectively you can administer the program, and also, the more effectively you can engage in preventive work, because it allows you to identify unsafe workplaces and trends or workplace activities or workplace practices that contribute to workplace injuries. I'm going to have a chance to speak to that in a few minutes' time, after the member for Timmins–James Bay has responded to these various comments.

1530

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Jeff Leal:** I listened to my colleague from Timmins–James Bay.

Prior to 2003, I worked for a small company in Peterborough, and I was actually their workplace health and safety officer, so it gave me the opportunity to work with WSIB individuals, the Ministry of Labour, and the owners of the Coyle Packaging Group to make sure that that particular workplace was as safe as possible.

One of the things I used to hear as a city councillor, and you'd appreciate this, Madam Speaker, is when small companies were making bids for municipal contracts, tenders, particularly for roofing contracts—and in any municipality you have libraries, you have museums, you have recreational facilities, that have roofs that need to be repaired. The municipality would send out the tender documents, and there would be a whole number of replies to those tender documents. From time to time, I would hear from companies that lost the tender, and they knew very well that somebody else had lowballed their

tender process because they probably were not paying WSIB. So one of the things that I believe might help, particularly, those small roofing contractors is that everybody will be paying the WSIB premiums, which will make their tenders much more transparent and put them on a very even basis, which I think is important. Municipalities do a lot of small contract tendering, and for a company to win that tender is quite a coup because that gives them confidence to apply for other jobs down the road and gives them a reputation of doing a particular job in the workplace.

Certainly with Bill 119, this is one area that I think will be corrected through that process. Ultimately this bill will go to committee; there will be presentations made. So I think it's a positive step forward—

**The Acting Speaker (Ms. Andrea Horwath):** Member for Timmins–James Bay, further response.

**Mr. Gilles Bisson:** I want to thank the members for contributing in response to my comments.

I would say to the member from Peterborough, as somebody who has worked on health and safety and represented workers before, that would mean, I would hope, that we in the New Democratic caucus and workers in this province can expect amendments from you that will allow you to fix some of the problems with the bill, namely that we extend those rights to all workers in the province of Ontario. It should not just be specific workers, and I'll speak to that in a second—but also, the whole issue of making this happen only in 2012. Either we support the concept of extending these rights to workers in the construction trades or we don't. And if we do, it should be straight up, straight down, we allow this to happen within the life of this Parliament.

It's becoming more normal around this place that the government makes announcements that basically have nothing to do with this Parliament. We see it in this bill: 2012. The municipal upload to reload the download, is now, what, 2018? This government is making all kinds of promises that they will never be beholden to because they won't be the government by the time all of this stuff happens.

So I look forward to amendments from the member from Peterborough, or at least the support of our amendments, in order to make sure that we afford workers in this province the right to workers' compensation and that we move the date from 2012 to an earlier date.

To the member from Welland, he's right: One of the issues is, the more workers who are insured under workers' compensation, the more we're able to share the costs throughout the system, which means, overall, they go down for people. It's a very simple concept. If you have 10,000 people in the pension plan versus 100,000 people in the pension plan or an accident plan, you're able to share the costs and you're able to distribute the costs onto more people, which means your premiums have to be less. Just because you have more people in doesn't mean that all of those people will be injured all of a sudden and it's going to cost us more money. So we need to see this as a savings to the business sector, as

well as affording injured workers the right to get workers' compensation, something they should all be allowed in this province no matter where they work.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. David Zimmer:** I'm happy to speak to this bill again. I spoke a couple of days ago. It seems that there is a lot of misinformation floating out there in the debates, in the public and in the media on what this bill is all about. What I want to do is try and nail down some of the facts: what the bill is and what the bill isn't.

Let me begin with the purpose of the bill. There are a lot of points of view around here and some people are for it, some people are against it, but under the current system, the Workplace Safety and Insurance Act, or WSIA as it's known, coverage is mandatory for workers in the construction industry. Independent operators, sole proprietors, partners in partnerships and officers of the corporation, they're not automatically covered under the existing scheme. So what's going to happen? Well, if this bill is passed, the act will be amended and it will specifically extend mandatory coverage to independent operators, sole proprietors, partners in a partnership and executive officers.

Now, there is one exemption and it's an important exemption. The exemption would be provided for home renovators who work exclusively in home renovation. They're the people that a family—husband, wife, bachelor—engages to come and do a kitchen renovation, put in kitchen cupboards or put in a new shower, that sort of small home renovation that often the homeowner contracts directly with the renovator. So that exemption will be in place for home renovation when the independent contractor is retained or hired directly by the occupier of the existing premises. So if I've got a house here in Toronto and I own the house and I want to put a new bathtub in, I can hire someone and I don't have to worry about the stuff that we're talking about today; that relationship is exempt.

What has happened in the past is a couple of things. A prevalent practice in the construction industry has been for individuals to declare themselves independent operators and decline optional Workplace Safety and Insurance Board coverage. So what do we mean by that? Well, someone who wants to get a piece of construction project done approaches a construction company. The construction company puts in a bid. They say, "We're going to do the work." They then go out and hire some workers. Here's the mischief: That company says to the workers, "Look, I'm going to sign an agreement with you, and you're not going to be an employee of mine. You're going to be an independent contractor."

I've seen examples of this in the summer where university and high school students go out and sign up for a construction project—building a cottage or something—in the summer. I've heard some specific examples of that and the contractor says to the kid, the employee who is sawing the boards, putting up the framing or doing construction work around the place, "We're going

to set it up so that in our relationship, you're an independent contractor and I'm going to pay you a bulk sum of money. I want you to say that you're an independent contractor." He does that so he doesn't have to pay the WSIB premiums that would normally accrue to that employee.

So now fast-forward. What happens? You know, usually—and here's where the real mischief is—a lot of times these people are forced into those relationships, in effect, because it's a summer job and they need the summer job, or often it's a new immigrant who has just arrived in Canada, needs some work desperately and signs on as an independent contractor, not covered by WSIB benefits and fast-forward—there's a job site accident. The student falls off the building and breaks a leg. The new immigrant worker saws off a few fingers, and because he's an independent contractor, he has no coverage. That person is on his own. What they say then is, "Don't look to WSIB. Don't look to any of the programs, coverages, rehabilitation and income protection and all of that sort of stuff that the WSIB provides. You're on your own and if you haven't got your own insurance plan in place, well, too bad. That's a part of the risk of being an independent contractor."

Then what happens, the summer student, the immigrant who has taken the job—often their first job in Canada—are in effect left holding the bag. They're treated differently than someone else who is on the job site with them, or maybe on the job site next door, who has been working with an employer who very conscientiously put the person on the payroll and very conscientiously and fairly has said, "You must be covered on WSIB. I will arrange that coverage. We will report you as an employee." That person has played by the rules. What happens, if that person has suffered an injury, is that they are entitled to all of the benefits and protections that WSIB provides—rehabilitation programs, retraining, income protection and all of that.

**1540**

So now we have two classes of employees. We have a class of employee, a class of worker, who has been caught up often in a relationship that is, in effect, imposed on them. The fact of the matter is that they haven't had a lot of choice: "You want the job? You are going to be an independent contractor. Go there and work." That's unscrupulous. We have other workers who are hired by responsible companies that are doing what they should do. They report the employee, they put the employee on the WSIB roster, and that person is treated differently. As I've said, accidents, income protection follows, training programs and all of that.

It's not fair to have two classes of employee, especially when one class of employee is vulnerable: the student who needs a summer job, the laid-off person who quickly needs a job because they have been laid off and they need that money coming in, the new immigrant who is looking for a very first job to get a toehold in our local economy.

So what happens next, then, once we've created this differential relationship between the two classes of

employees, those covered and those not covered? We've created an underground economy. There's a whole world out there of construction relationships where the employer and the so-called independent contractor are operating under the radar screen. We want to bring those people who don't have that coverage into the system.

Now, there have been some arguments advanced that this is a bad time to bring this kind of legislation in because of the economic downturn; that it's going to place a burden on these employers who are not properly reporting and now have to report and of course they will pay the premiums and all of that sort of stuff. Well, the flipside of the argument is, in a downturn in the economy, what we really want to do is protect those responsible, viable businesses that are playing by the rules, because right now we have a playing field that is not level. A contractor, an employer, who is playing by the rules is paying the premiums and paying that extra expense and of course has to build that into his cost structure. He is often competing against a contractor not playing by the rules, not covering those employees and not making those extra payments which would protect the employer. So that person is able to, in effect, put in a lower bid on a construction project. But just to address that economic argument again, this is going to make a level playing field. So that contractor who is playing by the rules and who is conscientious about his responsibility to his employee is going to be in a better position now when bidding on contracts because he's not bidding against someone who has a lower cost structure. So that, in my view, is only going to strengthen and enhance our economy.

You know, the people we don't want to drive out of business are the responsible employers who are doing the right thing by their employees and covering them with the WSIB benefits. In the long run, a safe environment for employees, proper methods of compensating them and retraining them if there is an accident and so on—that's what's good for the economy. What's not good for the economy is taking a class of employees and allowing them to be taken advantage of. That's why this is a good piece of legislation.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Mike Colle:** I appreciate the thoughtful intervention by the member from Willowdale. I know he talked about helping out business, the ones that abide by the rules and so forth, but it brought to mind the importance of thinking about the workers. Sometimes we take for granted that these workers we're talking about in construction sometimes do the most dangerous of jobs in the most incredible conditions. They're climbing on roofs and scaffolding, and they're in ditches.

In terms of the historical perspective here, one of the reasons that there's been such advanced labour protection in Ontario is the pioneering work from people like Frank Drea.

Madam Speaker, maybe you're not aware of Frank Drea; he was a crusading reporter for the Toronto Tele-

gram who changed his whole attitude towards worker safety as a result of the Hoggs Hollow cave-in. They were digging out for the Yonge Street subway, and six immigrant workers were killed in the Hoggs Hollow cave-in, working hundreds of feet underground with very little protection. It was after that we had some pretty strong legislation here in Ontario to ensure that we don't take our workers for granted.

This legislation before us is really an extension of that legacy that Ontario has, because we feel we have an obligation to those workers. As the member from Willowdale said, in many cases these workers in construction are new immigrants or students, people who sometimes take the dirty jobs and the dangerous jobs. So not only do we have to look at it in terms of levelling the playing field for the companies, but we also have to think of the fact that if these workers get hurt on that job—if you hurt your back, you can't make a living. You can't put food on the table, maybe for years to come, because that's your trade. So we're not talking about an office job; we're talking about heavy-duty work here.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Ms. Lisa MacLeod:** Again, my party, the Progressive Conservative Party, will not support any new taxes or premiums on the people of Ontario. Unfortunately, this piece of legislation is going to cost some small construction companies as much as \$11,000 per year. As opposed to levelling the playing field, as I mentioned, all they are going to be doing is tilting it in favour of large unions and large companies. Legislated mandatory WSIB coverage will not serve to promote health and safety in the construction industry, but it will increase underground economic activity in the residential construction sector.

May I read into the record a letter I received from Merv McBride, in my constituency. He says to me: "I am sure you are aware of the legislation being forced through Queen's Park in regard to mandatory coverage for independent contractors in the construction industry.... As you will read, this legislation will affect my business negatively and unfairly." He agrees with Judith Andrew at the CFIB.

I also received a letter from Lagois Drafting and Construction Inc. quality designers and builders, on Prince of Wales Drive in North Gower, also in my riding.

What's troubling with this legislation is that they're trying to penalize small business. What bothers me most—and this should be a concern to every rural member in this Legislature—is that three construction firms in rural Ottawa are opposing this legislation just today. I will not stand for it. I will oppose this, and I hope they do not decide to force closure on this bill. I hope that they allow small construction companies across Ontario the opportunity to speak to this legislation. It is bad for this province.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Peter Kormos:** Well, if you heard Mr. Zimmer, the member from Willowdale, as I did, you know now

why when he stands up to speak, I pause and listen, almost inevitably. Because I found that to be a thoughtful and careful analysis of the legislation. By God, Mr. Zimmer actually read the bill—a remarkable event in this Legislature, let me tell you. Secondly, Mr. Zimmer made his comments upon reflection, not having been scripted; again, a remarkable event—increasingly so—in this chamber.

**1550**

I will have the chance to speak to this for my modest 20 minutes as the afternoon rolls on. But I appreciate that Mr. Zimmer identified some issues with the bill that will have to be addressed at committee. I look forward to committee on this bill and to Mr. Zimmer's participation in that. The Liberal bench would be well served to have him sit on that committee, and I know that Mr. Zimmer wouldn't mind assuming that additional responsibility, already being parliamentary assistant to the Attorney General. I know that Mr. Zimmer will look forward to sitting on that committee.

There are some confusing and interesting contradictions in the legislation that I will question when I get the opportunity to speak to it. Having said that, once again New Democrats believe that every worker in this province—it's just plain good social policy—should have access to workers' compensation coverage, bar none, including small contracting people and their employees.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Dave Levac:** Once again, I appreciate the opportunity. The member from Willowdale gave us an analysis of the bill that was articulate and thoughtful, and he tried to explain clearly the scope of this particular piece of legislation that stays within the realm of the construction industry. I think that's important to point out here. Some people seem to be getting well beyond that and trying to say there's a slippery slope here and that there's an intention of doing all these things. The NDP wants us to do that, and I don't doubt for one minute that that's what they're asking for; they've articulated that quite clearly.

I think a question needs to get asked here, and I know the member from Willowdale will make every effort to answer this; that is, to try to see if there's a balance between what is being proposed and what some people are saying are the absolute negatives of this particular piece of legislation. The question I have is, at what price? We've been told that the Progressive Conservative Party across the way has said it's not on. They've decided that, whatever their calculations are, that's the cost and it's not going to be met; therefore, they're against the bill. I would like them to ask whether they want to have a discussion with somebody who has lost a leg or an arm or half their face or, as the member from Timmins-James Bay explains, in terms of the difficulties faced by some members of WSIB, whether or not they can have their injury taken care of. Are there people who need that coverage?

Quite frankly, what the member from Willowdale is talking about is that we're trying to see if we can find

that balance in this piece of legislation. I suspect we're probably getting close to it, because in this place I've learned that if the NDP is against it—they're not saying they're against it, by the way; I have to be factual here. They haven't said they're against it, but if they're iffy about it and the Tories are saying no and we're saying yes, we've probably found the middle ground and we're probably right. I want to thank the member from Willowdale for bringing that to our attention.

**The Acting Speaker (Ms. Andrea Horwath):** The member for Willowdale for a response.

**Mr. David Zimmer:** At the end of the day, the bill is about three things. First of all, it's about fairness. It's about fairness to employees, so that we don't have this differentiation of employees. We have employees who are doing the same work, the same class of work and we have a group of employees who are better paid, in the sense that if something goes wrong and there's an injury and so on, they've got greater security. They've got the security of WSIB income protection, retraining, safety programs—all of that. That's a huge advantage. That's a huge asset that an employee has. If you're not covered, you lose all of that. There are two people doing the identical job. It's about fairness; it's about treating those two employees equally.

Lastly, I just want to come back to this business about the economic argument that somehow, in trying economic times, we're going to drive the economy into the ground. If you think about that, what the logic of that argument is, what they are saying is, "We've got bad economic times coming, so what we should do is let this underground economy grow and let those people out there, those employees who aren't covered, fend for themselves. They can get work when they can find it, and if they're not covered and they've got an injury, they're on their own."

When times are tough, we should all share the burdens here. One way to lift the burden off those disadvantaged or employees treated unequally is to bring them into the system. If that makes for a healthy employee, it makes for a healthy economy, and it's the kind of place that people want to come to to work.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Robert W. Runciman:** I don't think the member who just spoke appreciates the irony of a Toronto lawyer, a member of this Legislature, telling small-town business people how to run their businesses. It is just unbelievable that he knows best with respect to people who are out there struggling day after day, six, seven days a week, 12, 14 hours a day, to make a living to support their families and keep people employed, and we have a Toronto-based lawyer telling them, "I know what's best for you, man. I know what's best for you, ma'am." That is just unbelievable.

I'm speaking on this. I wasn't originally going to speak to this issue, but my constituency office has been flooded with e-mails, calls and letters from small business people extremely concerned about the impact

this is going to have on their businesses. This has been mentioned and referenced by some of my colleagues, given the trying times that the economy is currently facing, especially in the province of Ontario.

Today we had an announcement for the first time in the history of this province: We are now a have-not province—a shameful day in the history of this province and the history of this Confederation. This is the situation we are all facing. This government is now running an unnecessary deficit because of its spending patterns. We are now a have-not province because of the policies they've instituted over the past five years. Now, in the midst of what looks like a recession, with very difficult times ahead, they're imposing an additional tax on the people who can least afford it in this province; the small-business people, who are working so hard to try to keep the heads of their communities, and their employees who work for them, above water. That's the situation with respect to this legislation.

The reality is that we're hearing rumours now that the government is going to impose closure, time allocate this legislation on Wednesday. Talk about adding shame to shame. Why would they even contemplate doing something like that? I will suggest it's because people are becoming aware of the implications of this legislation. Small-business people across the province are becoming aware of it and they're upset, they're concerned—genuinely, legitimately concerned—about the impact of this additional burden on their ability to do business in this once great province.

Clearly, this is another broken promise on the part of the McGuinty Liberal government. We all recall his once again—how many times have we heard this with the McGuinty government?—solemn pledges, solemn promises. Then, at the first opportunity, the first sniff of an additional revenue source, they're right there, sending out the tax officials to make sure you're there and paying it, and paying it on time.

**Interjection:** They have to pay for their inspector.

**Mr. Robert W. Runciman:** I'll mention that in a little bit of time, about the additional public servants who have been hired by this government—an unsustainable situation.

Earlier today during question period I asked the Minister of Small Business about this legislation and what position he had taken, because I think we all appreciate that he is, in theory anyway, the advocate. One of I would think his key responsibilities is to be the advocate for small business in government, and especially around the cabinet table. He's got to be bringing their concerns to the table, advocating on their behalf, making sure their voices are heard, their concerns are heard and that changes are made, if and when necessary, to legislation or to regulation so that we address those concerns, understand and appreciate the challenges they're facing.

1600

I asked them several direct questions and so did my colleague from Sarnia, Mr. Bailey. Did we get any answers? Did we get one answer out of six specific ques-

tions about his position on the legislation? What advocacy role he played with respect to this going before cabinet committees? Again, nothing from the minister. Supposedly he has the title of small-business minister, but clearly he's missing in action when it comes to this file. Again, that is truly regrettable. If we don't have any voices on that side—I don't know. We have a majority government. They're limiting opportunities for debate. We're hearing they're going to close off even those limited opportunities. It's a very difficult and challenging situation and we see it on a day-to-day basis.

We're talking about—and my colleagues have mentioned this as well—an additional cost burden—a tax, we'll call it—of up to \$11,000 a year on businesses. If you look at the tax structure in this province currently and look at the comments of one of the premier advisors to the government, Dr. Roger Martin from the University of Toronto Rotman School of Business, he said the tax structure in this province is just plain dumb. We have the highest corporate tax rates, perhaps, in the western world. We're not competitive. We're not able to attract new business. We've increased regulation at an enormous clip. We are doing things in this province that discourage initiative and investment.

Over five years, this government has increased spending by 50%. They've brought in the highest tax increase in the history of the province. They've hired more public servants than all other provinces combined. When those concerns and issues are raised, what do they say? They blame the federal government. They blame somebody else. There's no recognition, no appreciation, no willingness to take a step back and take a look at what we've been doing, what we contemplate doing, what the impacts have been and what they will be going forward, with respect to the economy and the future economic well-being of this province.

Just before the finance minister's meeting today I was reading a comment from Finance Minister Duncan, the provincial Minister of Finance, again complaining about the federal government, and the quote was, "They just don't get it." I would suggest the people who just don't get it are sitting across the aisle. The current government just doesn't get it. They don't have any understanding or appreciation of what's going on in this economy and the impact that their policies, their legislation has had on this deteriorating situation.

You can look at what's happening in other jurisdictions, and just recently we've seen British Columbia and Saskatchewan move in dramatically different directions, cutting red tape and cutting business taxes.

Again, this government has the blinders on, unwilling to consult, unwilling to listen to people who may be construed as critics but really care about the future of this province, ignore them and move ahead with whatever they had contemplated and commitments they had made to various unknown parties, we'll say at this stage, because I think the big question surrounding all of this is, given the tenor of the sad and challenging economic times the province is currently facing, why in the world

would the government be doing this? I think that we have some answers to that. We have some suspicions surrounding the rationale for that and I'll touch on those a little later.

It also perplexes me. If you look at the McGuinty Liberal government not being students of history—and I have mentioned this in the past when we've dealt with financial issues. If you look at the Peterson era: They were in government five years as well. They increased spending over that five years by around 45%. This government has increased it by 50%.

I've mentioned this before, but I think it's worth repeating. I recall very vividly at the time the governor of the Bank of Canada calling on Premier Peterson and then the finance minister, Bob Nixon, to curb their spending; they were driving up inflation across Canada. The government of Ontario, because of its spending practices, was driving up inflation right across the country. Mr. Peterson and his finance minister essentially said, "Go fly a kite," and kept their spending pattern up.

I recall vividly, and perhaps the House leader for the NDP will recall, the spring budget of the Peterson government in 1990, where they were going to have a surplus. I think it was a modest surplus—

**Mr. Peter Kormos:** But a surplus nonetheless.

**Mr. Robert W. Runciman:** A surplus nonetheless. We hear, day in and day out, that the former Conservative government left a significant deficit for the Liberal government. We left with six months left in the fiscal year. That's something else they don't talk about.

The reality is that when the NDP government came into office in 1990, they were faced with, I think, a \$3.5-billion to \$4-billion deficit, when just a few months earlier, Mr. Nixon had said, "We're going to have a surplus." Mr. Nixon and Mr. Peterson didn't have to face two bouts of SARS and a blackout, which significantly impacted on the well-being of the provincial economy.

Talk about—well, I can't use the words, but that's part of history. Apparently, this government has not looked back at the impact the Peterson spending had, not only in terms of leaving a deficit, but by the fact that they were unable and unprepared to cope with a downturn in the economy. The NDP government came into office, and I think they made some unfortunate decisions in terms of how to respond to that. They tried to spend their way out of that recession, but the reality is that Mr. Peterson and company, because of their spending practices—a 45% increase over five years—taxing and increasing regulation, put the province in a position where it wasn't able to adequately cope with a downturn in the economy.

What happens? The current government come into office in 2003. Five years later, we see that they've even topped the Peterson record, increasing spending by 50%, hiring more public servants than all other provinces combined, increasing regulation at a breakneck pace and on and on. That's the current reality in the province of Ontario. They can blame external affairs for part of the problem; there's no question about that. The dollar, fuel prices, energy prices and so on have impacted, and we

see economies around the world being impacted. But the reality is that because of their decisions over the past five years, they've put this province in a very difficult position and contributed significantly to the weakness of the economy of this province. But they're not willing to even address meaningful ways they can correct direction in terms of decisions they've made over the past five years, let alone accept that.

Again, I want to talk about the situation that they have decided to add additional burden on employers in this province. This is a situation where we hear varying numbers, but around 230,000 manufacturing jobs have been lost since 2004, and we're having weekly announcements. I had another company in my riding, Prescott, announce just last week that they're closing down—about 50 jobs. They make plastic pipe. They're closing the facility down. That's the sort of environment we're working in. We hear it. All of us hear it. One of my colleagues just sent me a note about a company that's in the linen business, with 15 stores in the province, announcing they're going to close all 15 stores. Those are the situations, along with the burdens that businesses have in the normal working world. That's the environment that business people are facing in the province of Ontario. The Liberal government has opted in this circumstance to bring in a new tax, a significant tax, on these small businesses.

**1610**

I want to commend Catherine Swift and Judith Andrew, from the Canadian Federation of Independent Business, who have been very vocal in expressing concern about this and making sure their membership is aware of it. I think they're getting the word out now, and that's part of the reason we're getting the feedback that we are. That's part of reason that I believe the government wants to shut down debate on this, before the opposition grows to a state where it's going to be perhaps less manageable.

Our side of the House wants to make sure that everyone gets a fair opportunity to be heard on this, and hopefully we will have an extended debate so that that indeed happens. I do want to note the absence, so far anyway, of the chamber of commerce, and I would encourage small business people who are members of their chamber to get after their local chamber and get after the provincial chamber of commerce. I am not going to be overly critical at this stage, but I think the chamber has not fulfilled its role in terms of carefully scrutinizing the initiative of this government in the way they should be scrutinizing them, especially given the state of the Ontario economy. I'm not going to be shy about saying that. I could say a number of other things, but I'll refrain at this stage. We'll see what happens in the future.

I want to get back to the rationale for this decision, especially the timing. I think it goes against rational reason, the motivation. I want to raise the name of Pat Dillon. Has anyone heard Pat Dillon's name? When the announcement was made of this initiative by the Minister of Labour, Mr. Dillon was front and centre in the press

announcements. If you read Canadian Press or read any of the news stories, a fellow by the name of Pat Dillon was there, lauding this announcement, saying it was the greatest thing since sliced bread: "We really need this." Well, Pat Dillon happened to be the co-chair of an organization of unions called Working Families Coalition. Working Families spent millions to elect and re-elect the Liberal government—so, passing strange that Mr. Dillon was out there as one of the chief spokespersons for this initiative.

I know under the standing orders—I don't want to be called to order for imputing false or unavowed motives. It would be the last thing I would want to do. But I would ask those of you viewing or listening to this proceeding, or reading Hansard in the future, and encourage you to connect the dots with respect to Mr. Dillon being a strong advocate for this.

I just want to quickly put a few of the e-mails that I've had on the record here, Speaker. I'm missing the largest one I had here, wherever it's gone to. I've got just too much paper on my desk. Here it is. This is from Herb Lagois of Lagois Drafting and Construction, renovators in the greater Ottawa area:

"I am strongly against any changes that would force me to cover workers under WSIB. The choice to apply and purchase optional WSIB coverage ought to rest with the employer since, under the current regime, private insurance provides greater protection and coverage.

"The proposed legislation directly impacts my business and will add significant costs to employment... mandatory coverage is overburdensome towards small operators throughout Ontario who currently have the option to stay with a private insurer..."

"The ministry claims that reforms will increase worker safety. Minister Fonseca states in the press release that the proposed legislation 'will contribute to our goal of making Ontario's workplaces the safest in the world.' In fact, the likely consequence to any changes to the act will have the opposite effect, as it will increase underground business in an industry where such activity is already pervasive. Any changes would not only make it more difficult to employ skilled labour, it will also fail to achieve its intended purpose of increasing health and safety standards."

Roger Gunthorpe from Kemptville: "Bob: we run two small businesses in Kemptville and we are very concerned about this legislation... Does the government not realize the tough times that small, honest businesses have to deal with every day, let alone the gloomy future that appears to be ahead? If the present government wants to put us out of business with this kind of action, why don't they do it swiftly and then we can join the line up for handouts with the rest of the Liberals. Or do they want us to go underground?"

Wally Earl, from Green Things in Brockville: "As the company owner, I carry private policies for disability, etc. This way I can," as a business person, "get competitive bids and ensure I get the best coverage at the lowest price." That makes an awful lot of sense to me, and, I suspect, to most fair-minded Ontarians.

I think we get right back to motivation. Why is the government doing this? Why are they doing it at this point in the province's history when small businesses are facing significant, significant challenges? I personally believe that what's behind this initiative is nothing short of scandalous.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Peter Kormos:** After this eight, 10 minutes of questions and comments with respect to the comments made by Mr. Runciman, leader of the Conservative Party, the leader of the NDP, Howard Hampton, will be addressing this piece of legislation. We look forward to Howard Hampton's comments. I tell you, he is speaking for the New Democratic Party when he makes those comments here today.

Look, the New Democrats strongly and firmly believe that every worker in the province is entitled and should have access to WSIB, workers' compensation, and the benefits that accrue. It's a shame and it's a crime when there's ever a single injury. One of the other observations—it's an aggravation of that crime if that injury is suffered upon the worker and then the worker receives no compensation.

One of the other things we understand full well is that the rate of injuries amongst younger workers is much higher than it is amongst older workers, more experienced workers and more mature workers. One of the phenomenon is summer students. We've witnessed some incredible tragedies in this province of summer students, midway through an academic career and pursuing any number of careers in post-secondary school, college and university, who are then crippled, maimed, killed, slaughtered or murdered in our workplaces. The extension of workers' compensation—WSIB benefits—will have in no small way some of the biggest impact on younger workers.

You heard some comments earlier about the phenomenon amongst student workers and how student workers are more likely to be lured, along with new Canadians from time to time, into signing or agreeing to contractual relationships rather than traditional employer-employee relationships that are used from time to time by unscrupulous employers to exempt themselves from responsibility for workers' comp coverage. I'm looking forward to Mr. Hampton's comments in this regard.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Bob Delaney:** It's a pleasure to comment on the discourse by the member from Leeds-Grenville. I find it hard to grasp just what it is that he's proposing here. Is he suggesting that we institutionalize the revenue leakage from WSIB? Because this seems to be the essence of his remarks. Is he suggesting that we perpetuate the underground economy by allowing people to essentially be free riders against the people who pay their WSIB premiums? Because this is the essence of his remarks. Is he suggesting that law-abiding employers in the construction business be penalized and bear the costs of

those who want to be the free riders, so that, for example, someone who employs, for argument's sake, 25 workers, but may pay eight or nine WSIB premiums—and, of course, in the unfortunate event that a worker is injured, it will always be one of those deemed to have paid their WSIB premiums, whereas in the other firm that says, "Okay, we run a clean shop here," everybody pays their WSIB premiums. Is he suggesting that this is the Ontario that he believes in? I hope not, because that's not the Ontario that I believe in.

1620

What I'm here to advocate and why I support this bill is to get that level playing field so that the good actors, the people who are running a clean game, who are making a quote based on paying their entire WSIB premiums, are not going to be undercut by somebody who says, "Oh, just quote a couple less. We're going to be able to sort of slide under with a lowball quote on that," a lowball quote that's based on being a free rider by letting somebody else pay all of their WSIB premiums, and you don't pay yours. That's fundamentally unfair. That's what this bill aims to address.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Ms. Sylvia Jones:** I'm pleased to rise to speak to the member for Leeds-Grenville and comment on some of the issues he raised. I think it's important, particularly because of the comments that were just made, that we review what Bill 119 is talking about doing.

Currently, optional insurance under section 12 of the Workplace Safety and Insurance Act is available for independent operators, sole proprietors, partners in partnership and executive officers for corporations. My colleague from Leeds-Grenville raised this issue. We are talking about business owners, and I can give you an example in my riding of Dufferin-Caledon, who currently have insurance—as he phrases it, 24-hour, gold-plated insurance. He is now being forced, if Bill 119 goes through, to be covered under WSIB. He will have less coverage and it will cost his company more to do it.

We are talking about choice. If there's anything that the Conservative Party believes in, it's the ability for businesspeople, for individuals, for families in Ontario to choose, and this is what Bill 119 is removing for small-business operators across Ontario. I think it's an unfortunate time that we're discussing this in now, when businesspeople and small entrepreneurs in Ontario are facing such challenging times—this, when, instead of talking about economic prosperity and improving the economic climate in Ontario, we're bringing in changes to the Workplace Safety and Insurance Act which will ultimately make it more challenging for small businesses across Ontario.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**M<sup>me</sup> France Gélinas:** It is my pleasure to address some of the comments made by the member for Leeds-Grenville. I would say the focus of his comments really had to do with one part of the equation, and that is that

the employer will have to pay for workplace safety and insurance. It certainly failed to look at the other side of the equation, which has to do with the benefits that will be brought upon the workers who will be covered.

There are presently over 90,000 workers and their families who work in the construction industry who are not covered by the Workplace Safety and Insurance Board. Those people are at risk. Insurance would lead them to believe that you can still go to the hospital and be covered, you can still see your physician and be covered. Maybe that is so, but that doesn't do anything. Most of the people who are injured suffer musculoskeletal-type problems, which often require physio. That would be covered under WSIB, but it is not covered for most other people.

It also deals very much with younger workers, the ones who don't have much choice in the jobs they will take. They basically take any job because they're just starting out. They don't have the experience of older workers as to how to safely work. There is no workplace safety, there are no committees to prepare them, because all the joint health and safety committees that come with WSIB are all on the promotion side, on keeping the workers from being injured in the first place. Those are all on the benefits side, but the member did not address those.

**The Acting Speaker (Ms. Andrea Horwath):** The member for Leeds–Grenville for a response?

**Mr. Robert W. Runciman:** I thank those who participated in responses.

I think the member for Dufferin–Caledon really struck the right note. We've heard both the Liberal and NDP members talking about uninsured people, and she was talking about how right now people in the construction business, across the system, unless they're operating under the table, do have insurance coverage for their employees. She used an example of someone in her riding with gold-plated coverage; they're now going to be forced into this process where they'll get lesser coverage at a higher cost.

Take a look at the board, and we hear complaints all the time about premiums, about the unfunded liability, about the efficiency of that operation. At the head of it, we have a former Liberal MPP making over \$400,000 a year. This is the sort of thing that these small business-people are being obligated by government legislation to join. It's like telling us you've got to post all your mail through Canada Post. We can use all kinds of examples of government-run bureaucracies that have options in the private sector which can be and quite often are much more efficient and cost-effective, but the government of the day, in this case the Liberal government of Mr. McGuinty, is saying, "You can't look at those options, you can't have that choice. You're going down this road. It's the government road or go under, buster. Let's just have the big businesses, the unionized operations. They'll be able to handle the business load that you can't any longer. It may have an impact on your small community, your rural area; so be it."

That's the attitude of this government, and I've indicated why. I think it's a backroom deal, and that's the rationale behind all of this.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate.

**Mr. Howard Hampton:** On behalf of New Democrats, I'm pleased to be able to make some comments on this legislation and to make some comments on the dynamics that I believe underlie WSIB coverage or lack of WSIB coverage in Ontario today.

The heart of this bill is to ensure that workers who are not at this time covered by the Workplace Safety and Insurance Board, workers who are in the construction industry, will become covered under the WSIB system. We're talking about 90,000 workers and their families. We believe that there are many workers who work as so-called independent contractors now who would like to be covered, but the way the system is set up now, it encourages conduct and behaviour which results in those workers not being covered by workers' compensation. In that regard, the New Democrats want to thank the Provincial Building and Construction Trades Council of Ontario for their advocacy on this issue over the last 15 years.

In the last 15 years, the Ontario construction industry—and this is what we need to recognize—has been substantially restructured by the hiring and subcontracting to independent contractors. The use of independent contractors has resulted in thousands of workers in the construction industry potentially being deprived of WSIB coverage and has created a group of employees who are entitled to claim benefits, but for whom no contributions have been paid. I think if anyone thinks about that for a minute, people would say, "Well, that's an unbalanced system." That is part of the problem. The system that we have now is unbalanced.

But it's unbalanced in another way: The contractor who insists on subcontracting to firms that portray themselves as independent operators rather than as employing workers has an unfair competitive advantage. One contractor bids on the contract, and all of his workers are covered by WSIB; another contractor bids on the contract, and he uses the independent contractor or the appearance of independent contractors to avoid paying WSIB in order to be able to submit a lower bid. The question that needs to be asked is, what happens to one of those so-called independent contractors, or someone who is made to appear as an independent contractor, if they then get hurt on the job? No WSIB coverage. The full cost, then, of their medical coverage, their medical services, falls on the health care system, and the health care system is then used to subsidize a mechanism which is unfair in the first place. So this legislation is needed to deal with that.

**1630**

We think it's wrong that some employers should be able to shift their workplace health and safety costs, their workplace injury costs, onto the health care system, whereas other construction employers have to cover those costs through WSIB and the WSIB premiums they

pay. This legislation must come to grips with that. I'm not fully convinced that the legislation, as put forward by the McGuinty government at this time, does fully come to grips with this issue, but that's a detail that I hope we can get to the bottom of over the next few days.

In other words, the present WSIB coverage scheme, which excludes independent operators from compulsory workplace coverage, has created an economic disparity between two firms in the same industry: one, as I say, which complies with WSIB and ensures that all of its workers are covered by WSIB premiums; and another, which goes through the game of saying, "Well, you know, we really think these are independent contractors," and thus avoids WSIB coverage.

In our view, if contractors are considered independent operators under the WSIB act, the firm they contract with is not required to pay workplace insurance assessments on their earnings. In our view, that's what's happening now.

New Democrats don't believe that the WSIB act should be a source of economic advantage between otherwise similar firms in the same industry. Again, that's why we support the general thrust of this legislation, although we do have some concerns about the details.

There is some history to this. Whether you call it the Workers' Compensation Board or the WSIB, it has grappled historically with this issue of what to do with independent operators. I could go into that history, but let me just say that we believe the method that is currently being used, which is called the organizational test, is simply not working. Frankly, we believe it's being manipulated, because what happens is this: The test—employers are asked to fill out this test, and workers are asked to fill out this form—examines whether the person supplying labour is part of the main contractor's organizational structure or is actually a separate enterprise.

We believe, when you actually sit down and look at the form and the kinds of questions it asks, that it can and does result in some manipulation. Why? First, because the subjective self-scoring nature of the questionnaire allows for manipulation. The person completing the questionnaire can tailor their answers to arrive at themselves being either a worker or an independent operator, whichever suits their purpose in the particular case. A person seeking benefits for a work-related injury answers the questions in such a way as to achieve worker status and therefore is entitled to benefits. A person seeking to opt out of the WSIB insurance system answers the questions so that he or she achieves an independent operator result.

In many cases, people are actually instructed by a prospective employer to obtain an independent operator ruling from the WSIB as a condition for getting the job. In other words, if you don't answer the questions such that you're found to be an independent contractor, you won't get hired. I think that is manipulation.

Financial incentives drive the push for independent operator status. For example, employers are relieved

from paying WSIB premiums, experience rating adjustments and other payroll assessments for persons portraying themselves as independent operators.

Another factor is that independent operators are able to make deductions for business expenses as self-employed persons and pay income tax at a lower rate than that of an employee. So again, one can connive at getting an economic or a financial advantage, even though one is doing substantially the same work as someone who is covered by the WSIB system.

What does this mean for the WSIB system? Let me say that I'm not a defender of the current WSIB. I think there are a lot of problems, horrendous problems, with the WSIB. But at its heart, the WSIB system is about ensuring that workers who go to work every day—and the construction industry has all kinds of health and safety concerns, has all kinds of potential for serious worker injury—should not, if they are injured, be left on their own, nor should they simply go to the health care system and say, "Well, now that I've been injured at work, the health care system, medicare, has to look after me." There has to be a system of self-insurance for firms working in the construction industry, and we call that system WSIB. If it's going to work fairly for workers and if it's going to work fairly for employers, it seems to me that you can't have some people being exempted and other people paying very high rates. In fact, the more you play this game of, "Oh, well, we exempt you because you look like you're an independent contractor" or "We exempt you because you look to be an independent agent," then the higher the insurance rates go for those people who work within the system and play by the rules.

So what we really need to do here is make sure the playing field is fair and make sure the playing field is even and balanced. That also has a positive outcome for the Workplace Safety and Insurance Board because it ensures that, in fact, the WSIB will receive more premiums being paid and thus be able, in theory, to address the needs of workers who are injured on the job. As I say, under the current system, WSIB is not collecting, literally, millions of dollars in premiums as a result of independent contractors who do not fall within the current test—a test which I say, and many others have said, is fraught with all kinds of opportunity to manipulate.

Now, it has been said that independent operators have the option of declaring for WSIB insurance coverage. Yes, they have the option. That seems to be very rarely used. Again, the reason that it's very rarely used is because, if you follow the way the system works, and works badly now, there's a financial incentive for somebody who achieves the independent operator or independent contractor designation not to pay premiums and not to be covered by the system. It's estimated that the Workplace Safety and Insurance Board is losing about \$350 million per year in unpaid premiums as a result of this system. This has led to a decline in the payroll base in the construction industry class and, as I said earlier, has increased the premium rate for those companies that are working within the WSIB system and those

companies that want to ensure that their construction workers are covered by WSIB benefits.

In addition, there's another problem. Accident prevention and workplace health and safety is being compromised because under the present flawed system, the responsibility for workplace safety and prevention is being pushed down to the lowest level, the independent operator. This has the effect of constructors and contractors absolving themselves of the responsibility for workplace health and safety and experience rating adjustments for the persons they hire primarily to perform labour. So not only does it result in what I would regard as an unfair competitive system and not only does it result in a loss of WSIB premiums, which is the source of pensions and the source of health coverage for injured workers, this also eats away at the very system of workplace health and safety, responsibility, employers being responsible for ensuring that their workplaces are safe for workers, that their workplaces are healthy for workers. Because if you can opt out of the system, you can say, "Well, I'm not responsible for that. I'm just doing this job over here," and the whole system starts to corrode.

**1640**

In addition, under the existing system, some workers are being pressured by contractors to register themselves as employers. Like independent operators, these employers are not covered unless they purchase optional insurance from the WSIB, and many don't. So if you were to lay this all out on a map, it is potentially subject to abuse and manipulation, not in one way, not in two ways, but in several ways that really undermine safe work, healthy work, that really undermine fairness and good competition in the construction industry and that really undermine what happens to a worker when he or she is unfortunate enough to be injured on the job.

In short, independent operators leave registered, legitimate contractors to foot the bill. I think it's called "the free-rider principle": You pay and I'll benefit. That's unfair. So these are the problems that we see. Now, I could go on with some other concerns that we think are addressed, but I want to deal with some things we think are not adequately addressed.

The McGuinty government says the system that's there is not working for the construction industry and says it wants to fix it. But then, when we look at the legislation, what we find is that there's going to be an exemption related to private contractors dealing directly with homeowners. It's not exactly clear to me how you exempt contractors who one day are doing new home construction and the next day are doing renovation work or adapting the work that was done the day before or the week before. In my view, installing windows and doors in new construction is no more or less dangerous than installing windows and doors in a large scale renovation.

The point is that while there may be some scope for exempting true mom-and-pop operations, New Democrats are not sure that this home renovation exemption, this new exemption that is being proposed by the McGuinty Liberals, is exactly the right way to deal with

this scenario. And if it isn't tightened up, it could lead to the very kind of abuse and manipulation that we've seen in the system and which this legislation is supposed to deal with.

Now, related to this is the potential for home renovators to request that the homeowner directly hire the contractor's employees, which would obviously directly undermine the purpose of the bill, and you can see how this could be manipulated. So the renovation exemption, in our view, is a serious concern. We simply don't want it to become the new independent operator exemption and undo what good this bill has the potential to provide.

The other problem that we have, frankly, is this: The construction trades have pointed out that this is a serious problem, and they've been pointing out that it's been a serious problem for some time. They've come before various committees and spoken at various forums pointing out how it undermines the health and safety system, it undermines injured workers, it provides for inequality in fairness in terms of one contractor who pays WSIB premiums and another contractor who has avoided WSIB premiums. They've pointed out the manipulation and conniving that goes on; they've pointed out the pressure that's put on workers who want to be covered by WSIB, but are told, "Well, if you want the job, you better fill out the forms so that you don't look like an employee. You better fill out the forms so that you look like you're an independent contractor."

All of this has been pointed out over and over and over again, and it's been pointed out over the last number of years. The loss of insurance premiums to the WSIB system has been pointed out—the fact that 90,000 construction workers, who should have the benefit of WSIB coverage, are deprived of WSIB coverage. All of this is on the public record. Now, you would think, if all of this is on the public record, and it's been going on for some time, there would be some urgency on the part of the McGuinty Liberals to deal with this issue. But when you look at the legislation, you find that while the McGuinty government says this is a problem in 2008, under this legislation they're not going to do anything about it until 2012.

It sort of reminds me of something I have seen the McGuinty government do over and over again. They say that something is a serious problem and needs to be addressed, and promise to address it, and use all the fine words—all the right words and the right rhetoric—and then don't do anything; or, after promising, you read the fine print and it says, "We promise to do something about this in 2012," except I don't think there's a member in this Legislature who can tell you what the world is going to look like in 2012. If they do think they can tell you what the world is going to look like in 2012, I wonder what they were telling themselves about what the stock market was going to look like a week ago. That's the problem here.

This is an urgent situation now. The problems with the existing system have been recited chapter and verse, over and over again. The McGuinty government, when it

gives its speeches, says this is a problem and recognizes the issues, but then it says, "We're not going to do anything about it until 2012." Wrong. These are serious issues now. Workers are being hurt by this now, legitimate contractors are being hurt by it now and it deserves to be addressed now.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Mike Colle:** I was listening attentively to the comments of the member for Kenora–Rainy River, and I think he really brought some valuable insight to the debate on this bill. It is a complicated area and involves thousands of workers and thousands of companies, small and large. But I think the bottom line—and he referred to it—is that this is about safety; this is about workers getting hurt on the job.

I know that the members of the Conservative Party want to talk about private insurance doing that. But we certainly don't want to go the route of the United States. If you get hurt in the United States, you have to go to these things called HMOs, which are insurance companies that dictate whether or not you get medical coverage. Do you know what they do? You have to get three estimates from the insurance company. It's just like when your car gets in a wreck. They say, "Go to three auto body shops and get the best estimate," and then the insurance company decides, and they take the cheapest one.

That's what you do in health coverage in the United States because the private insurance companies are there. What do you think the private insurance companies are there for? They're there to make their 20% and, God love them, they've got to make their profit. That's what the Conservatives are saying: "Let private insurance take care of people injured on job." Whom do you think the private insurance company is going to look after? Is it the poor young person or the poor immigrant who is injured on the job, or are they going to worry about their 20% or about the company?

That's why we need this government-protected system, so that it's fair and reasonable. It's not perfect, but it's a lot better being in the hands of the WSIB than being in the hands of the private insurance company that's looking at their 20% profit. That's why we need this kind of legislation, to ensure that if the worker is unfortunate and gets hurt, they get taken care of. Let's not forget that.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. John O'Toole:** I respect the position and response of the member from Kenora–Rainy River to this legislation, in terms of his overwhelming support of the construction trades and others. But I would never want the people of Ontario to think we are not in support of persons being protected at work. What we are not in support of is this onerous tax that is arbitrarily being put on managers and owners who will never be entitled to collect under the structure of this particular legislation.

Our member from Simcoe North, who's going to be speaking next, knows full well, as an employer and a

tradesperson himself, and I'm waiting and anxious to hear his response to this.

**1650**

There are really more parts to this. If you look at a person who's injured at work, young or old, for the most part they are covered under OHIP, if they have a broken arm or some other injury. However, they are not covered for physiotherapy because it was delisted by the McGuinty government. Physiotherapy and chiropractors offer one of the rehabilitation techniques that are required to get a young employee or older employee back to work. They cancelled that and they also taxed people up to \$1,000 or \$900 a person with their employer health tax. But I think what's more important is, there are two parts to this that are really not being talked about: the NEL award, the non-economic loss component under WSIB, and the FEL award, the future economic loss.

I'm afraid that many members speaking, mostly on the government side, don't understand the WSIB anyway, and here they are mouthing the speeches that have been given to them about the NEL awards or the FEL awards, which they know nothing about. But this is an \$11,000-a-year tax on jobs; that's what it really is.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**M<sup>me</sup> France Gélinas:** It is my pleasure to comment after the presentation made by my leader, the member from Kenora–Rainy River, who basically talked about the need to cover those 90,000 workers who work in the construction industry and who are presently excluded from WSIB coverage, and their families. He also mentioned the great advocacy work that has been done for 15 long years by the Provincial Building and Construction Trades Council of Ontario to get their members covered.

The changes that he talked about will be in the best interests of the industry and the many construction workers who face unprotected risk right now, every single day, where they go to work.

He also talked about supporting the general thrust of the bill, that it seems to be a step in the right direction. But he outlined a series of concerns—concerns about how this bill could be rolled out, concerns about how committed the McGuinty Liberals are to this bill when they put a 2012 implementation date for this bill. It looks like it gives them plenty of room to back out if something happens. Those people who have waited for 15 years to see their members covered by WSIB don't want to be in a position that the McGuinty Liberals give themselves lots of room to change their mind. They want action sooner. Hopefully, we'll see it.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Hon. Madeleine Meilleur:** It gives me great pleasure to rise today to speak on the bill to extend the mandatory workers' compensation coverage to many individuals in construction who are not covered right now.

I would just like to say to the MPP from Durham that I've been working in that area for 14 years and I sat on two provincial reviews, one under the NDP and the other

one under the Conservative government. It was always the ask from the sector to make sure that everybody was covered. First of all, there's no better coverage than the WSIB. There's no private coverage that is as good as the WSIB. It doesn't matter what they are saying. We call it the historic trade-off, so they don't need to prove that they were responsible or not responsible; they will get the coverage, and it's excellent.

Yes, there are 90,000, and perhaps more, individuals who are not covered, and when they have an accident, they don't know where to turn. Most of them will turn to welfare to get the service that they need and the money that they need for their day-to-day living. It's not proper, when they have worked all their life, and they should be covered under the WSIB. And more employers will pay in the WSIB. It will reduce the cost for the other employers. I remember the last time I checked, there was \$14 billion of unfunded liability, so if everybody participates, it will help everyone.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Garfield Dunlop:** I'm sorry. Are we still doing questions and comments?

**The Acting Speaker (Ms. Andrea Horwath):** I believe we've had four members give questions and comments.

**Mr. Garfield Dunlop:** I don't think so.

**The Acting Speaker (Ms. Andrea Horwath):** The member is not here for a response, so it's time for further debate.

**Mr. Garfield Dunlop:** Is Mr. Hampton not—

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Garfield Dunlop:** No, I'm sorry. Are the Liberals—

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Garfield Dunlop:** I'm sorry, Madam Speaker. I thought we still had a couple of questions and comments remaining. I only counted two, and I thought Mr. Hampton would be here for his wrap-up as well, but that's fine.

I'm happy to rise, and I know there are a lot of people who want to speak on Bill 119, so I'm hoping that surely in this House, with the amount of opposition to this bill, we won't see time allocation on this. That would be disgraceful. And I understand that the government is contemplating it, because there's no question that each and every one of these members in this House is receiving literally hundreds of e-mails and letters opposed to this bill.

The other thing I hope—and I would expect they would only be natural and be fair about this—is that after the House adjourns for the winter session, we would have province-wide committee hearings on this bill as well. I know that the small-business operators throughout northern Ontario, central Ontario, in the GTA, would want to make sure that there was an opportunity to comment—much the same we did on Bill 50 this summer. I would hope that we would have the opportunity and that

our small-business operators would have an opportunity to voice their concerns in all the different communities we have across the province. I'm looking forward to sitting on that committee if we have that opportunity.

Again, I'm hoping it's not going to be a time allocation like we've seen with this joke of a bill this afternoon, the deficit bill, where there's 25 minutes of debate and a minute and a half of third reading debate, or whatever it is. It was just a disgrace, what happened this afternoon with that.

So, as we move forward, Bill 119, right off the bat we're asking for solid committee hearings and to let this bill run its course over the next few weeks so all of our speakers can get up and comment on this bill. I was disappointed just now that the Liberals didn't take their turn in the rotation. If they're so fond of this bill and it's such a wonderful bill, I can't understand why no one stood up for the Liberal rotation.

I think, right off the bat, what I want to read in—and I think some of these comments have already been read in earlier—is the letter from the Canadian Federation of Independent Business, and that's to the Honourable Peter Fonseca, just last week, Minister of Labour, 400 University Avenue, and it says:

“Dear Mr. Fonseca,

“In our long experience, we have dealt with legislators who put forward seriously misguided policies. The WSIB mandatory coverage legislation you tabled today falls squarely in that category. It will not level the playing field; on the contrary, it will tilt it in favour of large, unionized constructors. It will fail to get at the underground economy; present law breakers will no doubt evade the new law and dive deeper underground. It will not make one iota of difference on health and safety; companies with employees already have access to services from the safety association. What it will do is penalize the above-ground operators, who are already subsidizing the cheats, by requiring them to increase premiums (on average \$11,000 per year) in respect of their owners, officers and directors. And it will expose the WSIB to the nightmare of more unfounded claims from individuals who, in fact, are their own employer, and who will decide for themselves whether and for how long to claim benefits, perhaps even retire on that system.

**1700**

“What is unprecedented about your actions today is the level of betrayal of small and medium-size businesses. Your government's commitment to review a ‘named-insured’ approach to catching cheaters was not fulfilled; even though it was engineered to falter, it wasn't concluded. Your failure to consult with CFIB”—which is the organization that's writing the letter—“to even await your first meeting with us, before announcing your intentions can only be described at incredibly poor form. Your pleasant phone message indicating that as a brand new minister you wanted to work with CFIB belied your involvement in making a secret deal on mandatory coverage with construction unionists (as if removing democratic votes for union certification wasn't enough).

Springing this terrible announcement on hard-working small business people during Small Business Month, at a time when the economic outlook is shaky, is incredibly insensitive. Your seemingly cocky, uncaring attitude to the 25,000 action alerts we delivered from our members was distressing. And we see it as frankly dishonest that you equivocated as recently as last Thursday concerning your schedule for introduction and passage of this legislation.

“Most politicians we know are genuinely interested in doing their best for Ontarians. There may be disagreement on what is best, but at least their motives are pure. We believe that your motivation, on behalf of your government, has far more to do with political opportunism than it does with the policy at hand. This is a shame for Ontario. Shame on you.

“Yours truly

“Judith Andrew

“Vice-president” of the Canadian Federation of Independent Business in Ontario.

I wanted to read Ms. Andrew’s comments in because I think they really summed up what we’re hearing from many, many of our constituents. I’m sure the government members are hearing exactly the same thing. I’m sure they are.

I think when we start out here, the first thing is, the bill is not only ill-conceived, but also the timing couldn’t be worse. If it was such an important bill to put forward, why didn’t they do it five years ago when they did the mandatory retirement bill or something like that? Why wasn’t it part of that, when it was a Ministry of Labour bill? Why now, at a point when the world economy is on a serious downturn, are we going to penalize our small-business operators even more?

I hear some of the comments like the underground world, that the people who are against this are underground world or they’re fly-by-nighters. I’m going to start reading in a bunch of letters of some of these so-called fly-by-night operations. They are not. They pay their full taxes. They’re good contributing members of our society and they want to know what’s going wrong and what’s wrong with a government that would force this on any province at a time like this. As we heard earlier, we are now a have-not province. That was announced today. I guess Minister Flaherty announced \$350 million to the provincial government because we can’t cut it any more. We’ve taxed and spent and taxed and spent here like wildfire, and now you know what? We’re going to tax and spend more money and take it out on our small-business operators.

What they should do with the WSIB is make it operate properly. The biggest problem we actually have here today is the inefficiencies within the system. I mentioned here a week ago about some of the inspectors they have today. They don’t inspect by consistent laws and consistent rules. What’s good for one person is not good for another. If you have three inspectors come into the same job site, they all have different views on the interpretation of the laws. Let’s get those types of things running

smoothly. Let’s make sure those are all efficient and effective, so that when a business operator has a WSIB inspector come through the door or a Ministry of Labour inspector, they know exactly what’s at fault, what they’re doing right or wrong and they’re penalized accordingly. That’s not the case today. It’s simply not the case. Any one of us in this House can rhyme off a number of examples of that. When you get a complaint in an MPP constituency office, Madam Speaker, and I’m sure you see that yourself, when a person walks in with a WSIB file, it’s like an inch and a half thick now because they’re completely lost on what to do because not everyone receives their funding. Not everybody receives their cheques or their compensation if they in fact hurt their back or whatever it may be. We’ve seen that over and over again.

I think it was the member from Mississauga South who mentioned the sort of fly-by-night operations not playing on a fair playing field.

I’d like to read some of the letters that I’ve got. Here’s one from a company in Orillia:

“Have received notice from CFIB about legislation regarding expanding the mandate of WSIB to include construction, with the opening to extend that to other small businesses.”

When will that happen? Is that going to happen immediately? Is that going to happen six months from now? In 2013? Do we really know when any of these things will take place? They’ve certainly found out that these dates they keep throwing out with announcements that five, 10, 15, 20 years from now, they’re going to clean up some of the problems—why don’t we just deal with stuff that’s going to take effect in the next few months so the general public can deal with it? Who knows, with these rules that are going on and legislation that’s being passed, if it will actually take place 10 years from now.

I continue on with the letter: “It seems that Fonseca is trying to ram this through with little to no consultation.”

Well, we know that’s true. No one has consulted with anyone in this House. We’ve had no briefings, and of course the CFIB hasn’t been consulted with. It’s an embarrassment to say you’re a legislator here with this kind of stuff being rammed through.

“I am most concerned about this.

“My business deals with many small construction companies/contractors. What adversely affects them is going to adversely affect the businesses they deal with. And the last thing any of us need is more government regulation and fees to deal with should they decide to extend this further.

“If the WSIB actually helped injured workers, that would be one thing, but my experience has been mountains of paperwork and poor treatment by health care support workers (receptionists/secretaries/front-line) when it was found to be a WSIB related claim ... from an insider this was probably due to the mountain of paperwork they were going to have to deal with because it’s a WSIB claim. I’ve done volumes of photocopying for individuals fighting with WSIB to receive benefits they are sup-

posedly entitled to or trying to find other employment opportunities and WSIB blocks them at every turn. I've also done photocopying from WSIB workers who feel harassed and harried and unable to actually do their jobs because they are tied up in knots doing paperwork to justify higher-up jobs. I am not interested in their so-called insurance ... I'd rather get my own or go out of business." That's what we're hearing. They'd rather go out of business than play with these guys.

"I realize it's an uphill battle for you as opposition in minority, but if you are able to use your vote and ensure as many others as possible are there to use theirs against this nonsense, it would be sincerely appreciated by many, many small businesses in this province.

"Thanks for letting me vent."

That's from a small-business operator in the city of Orillia.

I'm going to read a number of them here, but the reality is that we have got hundreds and hundreds of them now, and I think our small-business operators deserve the respect of this House to at least have some of their letters read in.

Here's a company, RM Products, up in the Orillia area as well:

"I urge you to take another look at this legislation and not simply push it through. As a small-business owner, I know that we are required to have director's insurance. I am sure that if we are required, most other legitimate firms are also. Therefore, why would we need to pay WSIB also? This is a scary time for business as it is so is this the best time to bring more cost to business?"

"I would also like to know how this legislation would stop the underground economy. Could you elaborate?"

I don't know how to elaborate. It's not going to stop the underground economy, quite simply. What's going to happen is more small businesses are going to fold and there are going to be more people than ever out there working for cash on the weekends, that sort of thing, and they'll be out there. It will not stop it at all; we all know that. We see it on a day-to-day basis. There are just going to be more people to share in the underground economy.

I've got another one here from another company up in my riding:

"Please advise what the Conservative Party is doing about this.

"In our meeting last Thursday with Labour Minister Fonseca, we made good use of the strong comments you provided in reaction to his announcement on mandatory WSIB coverage of independent operators ... in construction. (Thanks!) Still, it is clear that this minister doesn't care about small business, being so much in the pocket of the construction unions and their big business buddies. The bill received first reading on October 28; second reading started October 29; and it appears the Liberals intend to ram it through third and final reading quickly."

1710

You know what? That seems to be the consensus here, that this bill will go through very quickly, probably without province-wide committee hearings.

Now, as we know, this bill affects many, many small businesses across our country, small contractors, so I'm going to say again that I'm hoping that at least we have the respect, and the respect of the small-businesses operators in the province of Ontario, not to see this rammed through. There's no emergency on this bill; there's nothing pushing. They could have done it five years ago if it was such an urgent matter. Let's at least have the opportunity to let our small-business operators across Ontario come to committee hearings and show why they support or do not support this legislation.

Another from a welding company up in Orillia:

"If this passed, my costs go up to cover nothing. Or I become a crook and go on WSIB for injuries I just endured in the past. WSIB will pay me and probably a lot like me to stay at home, collect WSIB and still run the company. You should read the letter from CFIB to Mr. Fonseca. (Rather strong.) Who is watching these guys?"

The reality is, I think one of the things we found in the last few years is the number of people who have memberships in the Canadian Federation of Independent Business. I have a great deal of respect for them, because as a small business person myself in the past, we were a member of that organization, and they continually provided good information to all their membership. They were supportive of the members they had, and I think it was well worth being part of that. So at least they're getting out to their members and passing this information along as well.

This one—I won't read that one. Here's one that's from a—

**Mr. Peter Kormos:** Why not?

**Mr. Garfield Dunlop:** Pardon?

*Interjection.*

**Mr. Garfield Dunlop:** Well, no. They're all fairly well—

**Mr. Peter Kormos:** You looked at it real quick.

**Mr. Garfield Dunlop:** Well, no. I can go back to it. I can go back.

**Mr. Peter Kormos:** It's okay.

**Mr. Garfield Dunlop:** "Just heard of recent comments by our labour minister regarding WSIB coverage of corporate officers, owners etc. I hope this is only political crap for the masses? Can verify one way or the other."

You get a lot of this kind of thing. But, again, here we are: another person saying it's an assault on small business. And you know what? Small businesses are the main people who employ the bulk of the people in our country, and we're just contributing more to the underground economy.

I received another one:

"I received this communication from CFIB and we are all very concerned. They spoke at our builders' meeting last night and we were shocked at what we heard about Minister Fonseca's plans with regard to WSIB and small business.

"I understand he was reluctant to meet with CFIB on the issues and went ahead with the readings without meeting with CFIB in regards to small business concerns.

“Please can you look into this and get the minister to look at small business with a different set of eyes. This is very upsetting and I fear that this (if it passes) will not help small business. It will actually drive up costs to our clients, and it will drive the smaller firms deeper underground where they will be ‘safe’ from prying eyes but will endanger our clients ever further.

“What we need to do is stop unregistered companies from dealing with clients until they become legitimate businesspeople and then we can address concerns regarding payroll deductions, WSIB, insurance and other issues.

“Does the government not care about small businesses or are they (Fonseca) just concerned with big business and how it can drive us down into the ground and take over our jobs? Read as more unemployment and more illegitimate companies.

“Sorry to go off like this, Garfield, but my business is my life—you can relate. If Fonseca and the Liberals are going to keep this up, they are going to lose all their power if word gets out. Maybe that is why Mr. Dion is leaving: It’s getting hot.”

Well, you know, that’s another—I guess I got that mixed up. Dion was history the day he took on the job, especially when he’s up against Harper.

But the reality is, you know what? The small business community is adamantly opposed to this legislation. The Progressive Conservative Party of Ontario is adamantly opposed to this legislation. And I want the small business people out there to know that we will fight this all the way.

We know they want to rush it through; we know they want to ram it through. They will likely time-allocate the bill. We will likely have almost no committee hearings on this particular bill, and that’s disgraceful. The reality is that we’re standing here today asking the government not to time-allocate it, to give us a lot of opportunity to have all our members speak—I see the Liberals have quit speaking on it already—and we want committee hearings on it. It’s very, very important to the future of this province, and to the future of our young people and of the people who create those jobs in small businesses, that we get out there and fight this all the way.

I have been very happy to speak this afternoon on behalf of my caucus members. Again, we in the PC Party will be fighting this all the way. We think this is an assault on the small business community, an assault on small businesses in rural Ontario, and we are very, very much opposed to this piece of legislation.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Peter Kormos:** I’m going to be able to speak to this bill in just a few minutes’ time, and I’m looking forward to that. New Democrats, as you know, are grateful to the Provincial Building and Construction Trades Council of Ontario for their advocacy on this issue over the last decade and a half.

There’s an estimate of 90,000 workers who are being denied access to workers’ comp—WSIB coverage.

That’s a serious problem and one we have begun to address, but those are the workers in the construction trades only. One of the things that offends me—and I’m going to have a chance to talk about it—is having to explain to a worker in the financial services sector why he or she, after suffering an injury in their workplace—in those workplaces, common ones are RSI, repetitive strain injury—is not entitled to workers’ comp. I’m also amazed that there are various transfer payment agencies, and you’re aware of those as well, that have the capacity to opt out.

This is the beginning of an exercise that will ensure that workers who risk injury are part of a broad-based, publicly operated, no-fault insurance system. It will provide security for them, for their families, for their children. I’m going to have a chance to talk about kids growing up in the family of an injured worker. Boy, their lifestyle changes in short order, especially if dad or mom is a tradesperson making reasonably good wages. Make no mistake about it: Workers’ comp is there, but you’re not living the life of Riley when you’re on workers’ comp. What that does to kids—

**Hon. Madeleine Meilleur:** It’s better than private insurance.

**Mr. Peter Kormos:** Don’t get me going. I’ll talk about private insurance, Madame Meilleur, and if you and Mr. Colle want to join me in the fight for public auto insurance, it’s not too late. I’m no fan of the private insurance companies, and I’m no fan of—

**Hon. Madeleine Meilleur:** You had the chance when you were there.

**Mr. Peter Kormos:** Well, no. Your friend Bob Rae quashed the deal. My God, can’t you people be more careful about who you pick as friends?

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Mike Colle:** I was just listening to the member from Simcoe North, and he put forward his concerns about the impact this might have on business. But what he didn’t mention is the impact that not having insurance has on ordinary people working on construction who could injure themselves. When you get injured working on construction, it’s not like when you have a desk job. If you injure your knee or dislocate a shoulder, you can’t work for maybe months and years. This is not just about business.

It’s very good to have businesses that are protecting their workers; that’s what we’re saying. We’ve got nothing against business, but we also know that if you’ve got good, productive workers who are taken care of if they get hurt, they get back to work faster and it’s good for the bottom line. The health and safety of workers is something that this province has taken very seriously.

For 15 years, there has been an attempt to address this gap in the protection of injured workers. Again, we have to think of those workers in this kind of weather, or as the snow comes. They’re up on rooftops and scaffolds, in ditches, digging out sewers. It’s tough work, and you get hurt. Hundreds of my constituents are walking with canes

because they got hurt on construction. Some of them got hurt a long time ago, when there wasn't proper insurance. Luckily, some of them have gotten protection. You can't depend on the whims of the marketplace to protect people who get hurt on the job. These are workers in Hamilton, workers in Welland, workers in Oshawa. They deserve this protection because they work in extremely difficult conditions in construction. That's what this is about.

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**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. John O'Toole:** The member from Simcoe North speaks with a great deal of understanding and, more importantly, compassion on the issue. What he's saying is that the unfairness provisions of Bill 119—to me, I think it's important. I've gotten letters here, thousands of them actually, from members of the small business community. The general tone—I'll read it with it your indulgence. It's directed to me from my constituent, a small business, whose number is 840438 in this instance—and they're all here. “While Ontario businesses, including mine, struggle to cope with”—the McGuinty—“high fuel and energy costs, a strong Canadian dollar and intense foreign competition, we are further undermined by the heavy-handed, enforcement arm of government.”

Now, it's in that tone where they're—they're making it even worse now to do business in Ontario, at a time when the economy is so hard for working families. Well, not for the working families that supported this bill, but for the working families, generally. The member from Simcoe North was simply trying to make the point about the fairness of all of this. We support protecting workers, as the WSIB, today and as we did and will in government, with respect to the intentions and the interest. But self-employed individuals—someone renovating my home—may not have a job now because of this. Do you understand? That's what this is about. It's about small, very small, businesses that work on their own, as Mr. Dunlop would know. He employs, I would imagine, probably 50 employees in his time doing revisions as well as buildings in the community. Those are jobs. Let's not lose sight of what this is about. At a time when the economy is going south, they're taxing them to death.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mrs. Liz Sandals:** I just wanted to respond to the comments that the member from Simcoe North and a number of the other members from the official opposition have made because I'm getting increasingly concerned as I listen to the comments and I look, quite frankly, at the letters that are crossing my desk in my constituency office. There is significant misunderstanding out there about the purpose of this bill. This bill is focused specifically and applies only to the construction industry. There's a long-standing problem in the construction industry with workers who have not been covered, and we do need to address that and find ways to manage people in the construction industry who are not covered.

What I have heard from the member from Simcoe North, and what I have heard from the other Conservative members, and what I am hearing from form letters that are coming from the CFIB is a misconception that somehow this legislation applies to all small business; it does not. We recognize as a government that the construction industry, which has a very mobile workforce, is an industry which is different than other small business industries. As such, it often needs legislation that is tailored in a different way. This legislation is focused on small construction businesses; it is not focused on the rest of the small business community. It has nothing to do with the rest of the small businesses in Ontario. I think we owe it to the people who are listening out there to sort that out. This is about construction and construction only.

**The Acting Speaker (Ms. Andrea Horwath):** The member for Simcoe North for a response.

*Applause.*

**Mr. Garfield Dunlop:** Thank you for the applause. I really appreciate that when I stand up.

I want to thank the members from Welland, Eglinton-Lawrence, Durham and Guelph for their comments.

If I made it sound as though it would apply to all businesses, that's not so. The reality is, I will say again, it is for construction. But look at what construction includes: everything from the smallest renovation to heavy equipment. That's construction. It takes in hundreds of thousands of workers in the province of Ontario. It's the backbone of our economy. Quite frankly, it has a huge impact on the economy of the province.

If you think this is not going to drive it underground, you're kidding yourselves. There's going to be more and more people working underground because a lot of the companies will just fold now. They'll just fold. All this \$11,000 average increase is, for me, is another cash grab. For the guy who wasn't going to raise your taxes, every time you turn around you find another thousand dollars here or thousand dollars there that costs companies or small businesses money. That's what we're seeing here. You know what? I'm going to reiterate again that our party absolutely opposes this legislation.

We are completely in support of the CFIB. I have a lot of respect for the Canadian Federation of Independent Business. They do their job. They notify their members and their members get back to us. That's what they are supposed to do. They do their job properly. They consult with their members. That's more than can be said for the Minister of Labour, who didn't consult with the CFIB. He just went ahead and smiled and said, “Yeah, yeah, yeah. I'm going to go ahead and do it anyway.” That's the reality.

As far as we're concerned, this is poor legislation. But at least you can save face by consulting properly, having good committee hearings across this province, not time-allocating this bill this week and sweeping it under the carpet overnight. Let's consult with the public.

If they really mean what they say, they will have consultations across this province and committee hearings, and they will not time-allocate this legislation.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Peter Kormos:** Thank you kindly, Speaker.

As labour critic for the NDP, I want to indicate clearly our support for the proposition that more workers, rather than fewer workers, should be entitled to access to WSIB coverage. The proposition that there are 90,000 workers in construction, in building trades, who aren't covered by WSIB is in and of itself a shocking observation.

The Minister of Community and Social Services briefly made reference to the history of WSIB workers' comp—the trade-off. It's a historic trade-off and it's unique to enlightened jurisdictions. What WSIB workers' comp guarantees is that regardless of who's at fault for an injury—oh, and I can go on at length about the argument—

**Mr. John O'Toole:** There's the right to sue.

**Mr. Peter Kormos:** Somebody said, "There's the right to sue," somebody from the Conservative ranks. I'll address that in short order.

*Interjection.*

**Mr. Peter Kormos:** Of course you do. Mr. O'Toole is on record now arguing that the right to sue is paramount.

The WSIB is a no-fault system. You've got to understand that what it means is that any worker who is covered by WSIB is entitled to compensation regardless of who's at fault. As I say, I am prepared to make lengthy arguments about the fact that all workplace injuries can be traced back to somebody in a position of responsibility. There are no workplace injuries that were not preventable. I say it's an important thing that the worker not have that burden of proving negligence on the part of the employer.

Look what happens when you don't have WSIB workers' comp coverage. A worker can, of course, sue. Have you sued anybody lately, Speaker, never mind a wealthy employer? Come on. Bay Street's just crowded with lawyers who are, again, loading up on the Montblanc pens—I get to use this line again—and the Mercedes-Benz 600 series and the Prada shoes—Prada, is that right?—and the Lou Myles or the Harry Rosen suits. I don't know what Harry Rosen looks like, for Pete's sake, but I know that rich lawyers buy suits there. Well, they make a fortune off of defending the corporations from these types of things.

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Look, suing somebody is an incredibly expensive, lengthy and arduous process, and you also have to prove negligence. That's not to say that the employer wasn't negligent, but you have to prove it. That's a huge burden for somebody whose life has already been shattered.

You see the injuries, as I had occasion to see around here at Queen's Park with politicians; there's the occasional bruised ego and paper cut. But we're talking about people in the construction industry who are exposed to risk. Remember the workers painting the underside of the Garden City Skyway? There's a monument to them at that location on the ground where they fell, ending their lives. You know that the psychological component of

living with pain, of living with the frustration of not being able to work, is a huge burden. The injuries imposed upon workers damage not only them and their bodies but damage their families and their communities, and create untold burdens that are carried and borne not just by the injured worker but by so many around them.

You see, this is a matter of social policy. I would advocate a universal accident and sickness plan. I wouldn't have much company. I might have a few people agreeing with me here, but I think it's just common sense that we protect as many people as possible from being forced into desperate poverty on welfare, and that's what happens to injured workers when they don't get WSIB. It's not a joke and it's not a choice. The injured worker doesn't have very many choices.

Again, the prospect, because I've had to tell people—I've talked about them before—who are usually women in the financial sector in call centres, some of which are financial institutions, so they don't have workers' comp coverage—still don't—that, regrettably, this bill won't give them coverage either. Most often they come in with carpal tunnel, and they're women a little bit younger than me, not quite my age. The bones are changing and the physical nature of the body is changing, so they become more and more susceptible to carpal tunnel with the repetitive strain working keyboards, keyboards alone. The pain of carpal tunnel is profound. You talk about, again, the incredible impact of living with pain, persistent pain, on a daily basis.

I've had the delight, I say sarcastically, of telling these workers, "Oh, you can get a lawyer and sue"—please. Then I also have to tell them that that means putting \$10,000 to \$20,000 down on the table for starters, and being put through a litany of legal procedures in a civil justice system that has become more and more complex, where the powerful litigant is more often the victor. And do you know what? I've never not told them that they should visit a litigation lawyer, but most didn't, and when they did, it didn't last very long once the litigation lawyer read them the facts of life.

So they live with carpal tunnel, the pain and the incapacity, and it gets worse. The arthritic conditions that develop when you have RSI on joints—premature arthritis. That means that these women—I refer to women, but men get it too—are never going to hold their grandkids; they're never going to take the turkey out of the oven on Thanksgiving or on Christmas Day.

Look, is our WCB system perfect? Of course not. We find ourselves, over successive governments—there's a constant tension to try to make it more responsive to the needs and the interests of the workers that it serves. But I say this: A person entitled to workers' comp, WSIB, can go to an Office of the Worker Adviser and have highly skilled advocates advocate for him or her. I don't know where there's an office of the insurance company adviser that does the same for victims of private insurance companies.

*Interjection:* The ombudsman.

**Mr. Peter Kormos:** Somebody said, "The ombudsman." Oh, for Pete's sake. Have you ever dealt with the

insurance industry ombudsman? What a fraud, what an embarrassment, what an insult to the principle of the ombudsman office. I had to deal with one of them a year and a half ago and it darn near rotted my socks. I was just embarrassed for the whole position of ombudsman. They don't deserve to be called "ombudsmen," but they are. In the private insurance industry, the insurance ombudsman is owned lock, stock and barrel by the companies and their interests. Good grief. How do private insurance companies make money? They make money by charging you the maximum amount of premiums and paying the least amount of benefits, and when they do pay benefits, they pay for the shortest period of time. It's not rocket science. So I reject, on behalf of the New Democrats, the proposition that private insurers can replace a broad-based, large-risk pool of publicly operated workers' compensation insurance.

I also reject the proposition that workers should be left to their own devices vis-à-vis using the courts to litigate or sue. Let's understand this as well, the consumer is at risk when they hire or retain contractors—construction, building tradespeople—in their home, for instance, or in a small business. They're a risk because if the worker isn't covered, if the independent operator isn't covered under workers' comp, then they, of course, retain the right to sue. So that's the other side of the equation. When I've got people working on my home where I know there's the risk of some liability on my part, I want to make sure that they've got workers' comp. Wouldn't you? It's only prudent. I want to see a system where the largest numbers of workers possible have access to workers' compensation.

OHIP? OHIP doesn't cut it. OHIP has nothing to do with and no interest in replacing economic loss—none whatsoever. The argument is made that this is a difficult time, tough times. Of course they're tough times. That's when workers will take on work that they may know, in their hearts and in their minds, isn't as safe as it ought to be, but they're desperate for money and they take on that work. In tough economic times, those who would abuse the system and operate underground will be more attractive to potential consumers than those who play by the rules.

I've got the letter from Judith Andrew. I've known Ms. Andrew for a long time. I don't think she likes me a whole lot. I can't be certain about that, but I just—look, not everybody likes me. I understand. I understand that not everybody likes me. Ms. Andrew and I have crossed paths many, many times, and I just feel a little bit of a chill. There's never been an embrace. I have feelings, too. I cry real tears. People don't understand that. Just because you're a member of the Legislature, that doesn't mean you have a thick, thick skin. You can be a very sensitive, tender sort of person. So Ms. Andrew—I can't control her feelings about me or about the things I believe in, and she's entitled to do what she does. She's paid a great deal to do it, and I think that's one of the reasons why it's important to have committee hearings, because I think the air has to be cleared around some of

the issues as to cost and as to the breadth of this legislation, because I say that we in the NDP are concerned about the narrow scope of the legislation.

There's some stuff in here, in this short bill, that's more than a little bit confusing. You have to read it over and over again. One discovers that independent operators who work in construction work, which is defined as "new construction work," are covered by the legislation, but proprietors who perform no construction work, other than exempt home renovation work, are exempt. Home renovation work is defined as being "an existing private residence ... occupied by the person who directly retains the independent operator ...."

**1740**

I'll join the list of questioners, like Howard Hampton, who ask, how is roofing a new house, a new construction, any more or less dangerous than roofing my old house on Bald Street? Some of the people here have put on roofs. I've done one roof in my life. I was never so scared. I was on hands and knees. It was scary up there. I watched roofers like gazelles, jumping from eave to eave and dancing their ladders across the side of the house on my old two-and-a-half-storey house, my old, old house in Welland, never mind single-storey. How is roofing on an already-built house any less dangerous than roofing in a new construction? That's a question that I think people would want to put to the government during the course of committee hearings.

Is this an effort to exempt mom-and-poppers? Is this the purpose? Is this an effort to exempt mom-and-poppers? Why, down where I come from, as many mom-and-poppers, small roofing companies, do new home construction as big firms. We don't have that many big roofing firms. They tend to be small, localized. You guys know that. It's the same in your communities. They tend to be small, local firms. I don't know, but having done it once, and only once, I think roofing can be a potentially dangerous occupation.

**Mrs. Liz Sandals:** I think I've spent more time on roofs than Peter has.

**Mr. Peter Kormos:** Ms. Sandals has spent more time on roofs than I have. That may well be, and I will not take that any further, ma'am.

I question, as Howard Hampton did: Is installing the fenestration in a newly built home or a home that is being currently constructed any less or more dangerous than installing the fenestration in an old home like mine, for instance? I don't think so. So, for the life of me, I don't understand the distinction being made here. If it's an effort to exempt mom-and-poppers, then why aren't mom-and-poppers in new construction exempt? I think it's an artificial line and it begs questions.

The other problem—I raised this with the parliamentary assistant, and I compliment him, because he has been carrying this bill through debate here in the Legislature and has been present during all of the debate on behalf of the minister. I appreciate that. That's a parliamentary convention that I have great regard for, and the parliamentary assistant will undoubtedly be working with the bill through committee.

The exemption in subsection (5) of section 12.2 applies to “independent operators”—fair enough—“who perform no construction work other than exempt home renovation work.” I think I understand what that means, but in the last year or in the last two years or in the last three years? If you did a new home three years ago but you haven’t for three years, are you still exempt? If you promise, if you do the “cross my heart and hope to die” promise that you’ll never do new home construction again, are you exempted because then you’re only a renovator? It’s just a very untenable and unworkable definition that I believe is a flaw in the legislation.

Let me make this perfectly clear: The New Democrats will be voting for this bill on second reading, of course. New Democrats support the bill’s proposition. We have concerns about what we see as some language defects in the bill that are going to cause grief, going to cause problems, if they are not addressed. And, far more fundamentally, we have concern that while this bill could well address the needs of 90,000 workers in construction, in building trades, there remain multiples of that out there working in our communities, suffering workplace injuries, who still aren’t covered by workers’ compensation, by WSIB. All of the arguments for covering construction workers who are independent operators of small companies with WSIB apply to those other workers too. End of story.

I see this as a desirable social goal. The tragedy of a worker suffering an injury in the workplace and simply being left to his or her own devices for the rest of their life, literally, is precisely the tragedy that no civilized society can afford to bear. We mentioned already that the larger the risk pool and the more broadly distributed is the risk, the less per capita cost is involved. This is something that private insurance can never, ever do. Private insurance is horrible at containing costs other than through not paying benefits, not paying out on policies. They do very little damage mitigation. In a workers’ compensation system you have the capacity to identify workplace practises that lead to injury, workplace locations that lead to injury, workplace types that lead to injury, and then you can start to address those because the real goal here—this hasn’t been mentioned often enough—is building a system for workers in WSIB or workers’ compensation, where the goal is, of course, fair compensation should they be injured, and more importantly the prevention of injuries and workplace diseases.

You, Speaker, as the member for Hamilton Centre, in your work with firefighters and the cancers and diseases associated with Plastimet-type fires, know this full well. The goal of a comprehensive WSIB/workers’ comp system is to reduce and eliminate workplace injuries, deaths and assaults, and I believe that we can do it. We can only do it for every worker if every worker is encompassed in the system. I, for one, have far too much regard for working women and men—and I have worked a whole lot with the building trades, with people in construction, and their unions—far too much regard for them, to ever want to see them denied fair compensation in the event that they get injured and denied a system that

will hopefully, especially for the youngest of them, prevent those injuries in the first place.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Reza Moridi:** It’s my pleasure to rise in this House and contribute to the discussion on Bill 119, An Act to amend the Workplace Safety and Insurance Act, 1997. This act, if it passes the House, is going to provide mandatory insurance coverage for construction workers.

As we know, there is no workplace without risk. Every workplace carries certain risks and, of course, some workplaces carry a higher risk than others. Even our workplace in this House carries a risk. So we need to provide insurance to cover the risk, the injury of workers. The construction industry is one of those workplaces where the risk, actually, is one of the highest. Apparently, people in the fishing industry carry much higher risk than others. In the old days, miners carried the highest risk among all professions, but these days I think fishery workers carry high risk.

In any case, this bill provides insurance coverage for construction workers and I think it is the right bill and it provides coverage for at least tens of thousands of workers in this province. We provide insurance coverage for very many workers. Why not include construction workers within this WSIB package?

WSIB, like our national health system, is one of the assets of this province. People from other countries look at our insurance coverage which is provided by government and they consider this actually one of our assets, and I think it’s time now for us, as a province, to provide that coverage for our construction industry as well.

When people talk about the cost of this insurance, it’s not actually the expenditures. When a company pays for its workers to be covered under insurance coverage, that is actually investment; it’s going to add to the productivity of the workers at the end. So it will contribute to the bottom line of the companies as well.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. John O’Toole:** It’s always worth listening to the member for Welland, with the experience he brings to the debate in the Legislature here. I’m surprised that he and Judith Andrew don’t get along better because they’re still both very passionate people.

**1750**

Now to the bill, Bill 119: If you look at the explanatory section, it’s kind of unusual. I’m not sure why this is in here, actually: “However, mandatory insurance coverage and the registration requirement do not apply to these categories of persons if their only construction work is home renovation work performed in specified circumstances.”

I’m always concerned that they give the illusion or the impression, as the member from Welland has pointed out, and they don’t deliver.

I would hope that they have hearings on this, because everyone in this Legislature wants workers who are employed by large corporations to be properly covered, and that would be our position as well—because, really,

we know that WSIB is a tax on payroll. The whole idea, if it's well run—that's a debate for another day. Mahoney and his friends over there have spent a fortune. These guys are making \$400,000 a year, and they have a huge liability. I think this is a tax grab. The WSIB has a huge unfunded liability.

*Interjection.*

**Mr. John O'Toole:** The minister over there has spoken several times, and I'm afraid I might ask for a night session, because she doesn't know much about the bill. You know nothing about WSIB. You should be quiet, otherwise—

*Interjection.*

**Mr. John O'Toole:** No, no. She has challenged me several times in an area that I actually worked in.

I think this is a tax grab by the Liberals to take small business by the scruff of the neck and shake every dollar out of their pockets. That's what it's about.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Jeff Leal:** Indeed, I was listening to the member from Welland. It was interesting growing up in the south end of Peterborough. I remember Wilson Plumpton Roofing. It was a family-owned business, with Mr. Plumpton not only helping his own family, he took in his grandkids to help them, roofing in the hottest days in July and August, and working in January and February on those roofs. That's tough, tough work. As the member for Welland said, a lot of us, of course, have never had that experience. Four years ago, I had to hire his nephew Currie Plumpton, the second generation of roofers. There was a problem with our roof, and we had to call him in to put a new roof on our home between Christmas and New Year's, when I know the Conservatives would all be at the Albany Club for those post-Christmas, pre-New Year's parties. Here was Currie Plumpton and his team putting that roof on our home in Peterborough four years ago. He bought the shingles from IKO, another good company down in Marmora, Ontario, where the people go in that mine down there and get out those special pieces of silica to go on those shingles—and Currie and his team being there to put that on. It was a cold, cold time four years ago, well below zero. He was up there putting those shingles on there. He's the kind of guy who will probably be protected under Bill 119. He's a solid citizen in the riding of Peterborough who likes to bid on those municipal contracts, and now he'll finally get a chance, because everybody who's bidding on those municipal contracts will be paying WSIB to equalize the playing field. That's something those small roofing contractors have been asking for for a long, long time.

We look forward to this bill going out for committee hearings, and we'll get the input from a wide variety of citizens across Ontario.

**Mr. Mike Colle:** Bring Currie the roofer in.

**Mr. Jeff Leal:** We will bring in Currie. I'd like to bring him to Queen's Park, because he would like to observe the proceedings here.

**Hon. Madeleine Meilleur:** Not Joe the plumber.

**Mr. Jeff Leal:** And Joe the plumber, too.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Hon. Madeleine Meilleur:** I am very pleased to support Bill 119, because when I hear members from the other party—and I very much support what the MPP from Welland said. It's not often that I support what he's saying, but having worked in this area for so many years, I saw a story that is so sad. I'm just thinking about Julio in my riding who used to work for a company, and the company moved to BC to do some work in preparation for the exhibition there, and he was very badly injured. They told him, "You're not covered, so you're on your own." This gentleman was on welfare for four years. He couldn't work. He was very, very injured—four years on welfare. Imagine this person, with a work ethic that you wouldn't believe, a Portuguese gentleman, and he could not believe that he was left on welfare for four years. He came to see me. I put him in contact with the worker adviser and finally, after years, he was compensated under workers' compensation. His employer had told him that he had coverage, and at the end of the day the coverage was not there. But in the end, he was able to be covered under workers' compensation.

When I was a nurse in the operating room, this other gentleman came. He had had a bad accident and we had to amputate his two hands. So imagine this young fellow, 25 years old: What would have happened if he did not have workers' compensation coverage? Because of that, he was able to go on with life, to be retrained, to have two artificial hands, and this gentleman today is a very productive person in the community. Because of those two examples, I'm going to support Bill 119.

**The Acting Speaker (Ms. Andrea Horwath):** The member for Welland for a response.

**Mr. Peter Kormos:** In a modest two minutes I want to underscore one more reality. We've already mentioned it. The minister made reference to it: a client she had as a nurse—a young person, a young worker. Disproportionately, young workers suffer more injuries. They're not as familiar with workplace safety regimens. They tend—dare I say it?—to be younger and fearless and enjoy that sense of immortality that youth brought us and that aging denies us. Also, when you're talking about student workers, you're talking about people who will go out there and take jobs because they need the money, who will go out there and do what they're told to do because they don't want to risk losing the job, and they expose themselves in ways that more experienced, seasoned workers wouldn't. So if we're talking about ensuring that 90,000 more workers in the construction industry have workers' compensation coverage, we're talking about benefiting the welfare of a whole lot of young people. It's always a tragedy when a worker is maimed or when his life is stolen from him in the workplace. But I've got to tell you, when you have a young student who is unfamiliar with the culture and milieu of, let's say, a construction site but he's doing his very best, and he is planning on any number of careers or has great talent that he or she can offer us in so many other ways, and loses his or her life, it's a crime. When

they lose hands or limbs or legs or their faculties with brain and head injuries, it's as tragic. So that's why it's surely not a bad thing; it's a good thing to ensure that as many of these construction workers as possible have workers' compensation coverage.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Ms. Andrea Horwath):** It being almost 6 o'clock, I will now declare this House adjourned, to resume tomorrow, Tuesday, November 4, at 9 a.m.

*The House adjourned at 1758.*

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Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
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McNeely, Phil (LIB)	Ottawa–Orléans	
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Laurel C. Broten, Vic Dhillon  
Cheri DiNovo, Helena Jaczek  
Dave Levac, Shafiq Qaadri  
Khalil Ramal, Laurie Scott  
Peter Shurman  
Committee Clerk / Greffier: Katch Koch

**Select Committee on Elections / Comité spécial des élections**

Chair / Président: Greg Sorbara  
Howard Hampton, Greg Sorbara  
Norman W. Sterling, David Zimmer  
Committee Clerk / Greffier: Trevor Day

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