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Monday 26 January 2009

Lundi 26 janvier 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
Deborah Deller

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 26 January 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 26 janvier 2009

The House met at 1030.

Prayers.

The Deputy Speaker (Mr. Bruce Crozier): We will pause for a moment of inner thought and personal reflection.

INTRODUCTION OF VISITORS

Mr. Peter Shurman: I would like to recognize some visitors in the west members' gallery from yorknothostage.com: Malcolm Morum; Nora Kharouba; Tina Temoche; Peter Temoche; Cindy Valdes; one of the original organizers of the group, Catherine Divaris; Matthew Geigen-Miller; and Christina Chewchuk. Welcome to the Legislature.

Ms. Cheri DiNovo: I'd like to introduce my husband, who's a contract faculty teacher, Gil Gaspar.

ORAL QUESTIONS

UNIVERSITY LABOUR DISPUTE

Mr. Peter Shurman: My question is to the Minister of Training, Colleges and Universities. Minister, we are here today because you and your government have failed to put the students of York University first. In November when the strike started, the parties had already been negotiating for months and a mediator had already declared a virtual deadlock. Both parties knew it; the students knew it; their parents knew it; we knew it. How could you not have known it? The time to "bang heads together," in the Premier's words, was back in November. Why didn't you send in a top mediator then?

Hon. John Milloy: I appreciate the honourable member's question. Like all members in this House, we're concerned about the situation at York, but we also respect collective bargaining. Our government took every action to allow the collective bargaining process to proceed, including a vote that was held a week ago as well as the assistance of a mediator, and finally a top mediator who went in in the last few days. When it became apparent that there was a deadlock, we took the action of recalling the Legislature.

We call on all members of the Legislature, particularly those in the New Democratic Party, to not hold up the education of 50,000-plus students.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mr. Peter Shurman: Minister, your useless excuses do not get students back into class and will not save their academic careers.

I told you back in November that you weren't doing enough to save their education. On December 2, I introduced a bill to get you to pass back-to-work legislation by December 11. If you had done that, we would not be here today and the students would have been back in class three weeks ago at the latest. Why didn't you act to pass my bill? Why didn't you put students first? Did you figure that they hadn't suffered enough by that point?

Hon. John Milloy: You can't have it both ways.

We believe in the collective bargaining system. Having both parties at the table to negotiate an agreement is the best way forward. We allowed the collective bargaining system to proceed until we were informed Saturday morning that there was a deadlock and we took immediate action to recall the House.

We are as anxious as the members across the way to see 50,000-plus students back in the classroom, and we call on all members, particularly those in the New Democratic Party, to stop blocking access of those students to post-secondary education.

The Deputy Speaker (Mr. Bruce Crozier): Final supplementary?

Mr. Peter Shurman: You don't know the meaning of the word "immediate." You hid behind excuses of university independence and autonomy. All the while you forgot that the students are dependent on the university for their future and that the students are dependent on you to protect them from becoming the victims of labour disputes. This one had broken down months ago. Your mismanagement took them from being pawns of the university and the union to being pawns of the Liberals and the NDP. For that shameful political posturing, the Minister of Training, Colleges and Universities should resign. When can we expect your resignation?

Hon. John Milloy: The honourable member does not have a monopoly on concern for university and college students in this province. I'm very proud to be part of a government which has made post-secondary education one of the cornerstones of our mandate, having to clean up the mess that was left by that government when they were in power. How dare he, as part of a party that slashed funding to universities, cut student aid and allowed tuition to balloon, stand here today and claim that he's talking on behalf of students?

We allowed the collective bargaining process to run its course, which is the proper role of a government. We

have reached an impasse, and we call on all members of the Legislature, particularly the New Democratic Party, to make sure that York students can get back to the classroom as quickly as possible.

UNIVERSITY LABOUR DISPUTE

Mr. Jim Wilson: My question is also to the Minister of Training, Colleges and Universities. I would say to the minister: Look into the galleries. You'll see there are a number of students there. These are the same students who have been held hostage for the last 12 weeks. They want to know why you allowed that to happen, and they're here today because they want some answers. They want to know if you will compensate them for what the strike has cost them and why, as the Premier suggested, they should take on even more student debt because of your incompetence. Will you answer that for them, Minister?

Hon. John Milloy: Our concern has always been for the students. We call on all members of the Legislature, particularly the New Democratic Party, whom I hear heckling, to move forward to allow students to return to the classroom as soon as possible.

We have a system, the Ontario student assistance program, which offers support to students through a variety of loan and grant programs. We have committed—and in fact, we are working very closely with York University to allow the OSAP program to be extended to those students if and when the school year is officially extended at York University. Our officials were working with York University yesterday, on Sunday, and continue to work with them to allow students to have access to additional assistance.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mr. Jim Wilson: Minister, the fiasco that you've created at York University is also very bad news for some 300,000 other students at the rest of Ontario's universities. At least 10 Ontario universities will be negotiating new contracts with their faculty before the end of this year. If you mess those talks up like you did at York, Ontario will be faced with massive province-wide strikes. Again, only the students will suffer, and they too will be looking for compensation from this government. So I ask: Will this government commit today to stepping into those contract negotiations before they end up in protracted strikes, just like what happened at York University?

Hon. John Milloy: Over here, we have respect for the collective bargaining process. We allowed the collective bargaining process to proceed until a deadlock took place.

I find it strange that a member who was part of a government which watched a strike go on at York University for 75 days and did not recall the Legislature would stand up and give me lessons about how we should manage these situations.

The Deputy Speaker (Mr. Bruce Crozier): Final supplementary?

Mr. Jim Wilson: I say to the minister: You messed up. You should have acted before Christmas. You should have followed the advice of our colleague from Thornhill.

You know that what's really behind the strike at York is the fact that CUPE wants to ensure that the contracts of all universities that are under their belt will all come up at the same time so they can put on one massive, province-wide strike in the middle of next year. What are you going to do now to make sure that that doesn't happen? If you don't do that, the young people will suffer again. You're forewarned; you know it's going to happen. So we are asking you, as a matter of common sense, to at least stagger the contracts, put timelines on when strikes do happen. Do something so we don't have a massive province-wide strike. Either that—resign, because you're completely frigging incompetent.

1040

Hon. John Milloy: I appreciate the honourable member's dramatics, but as I say, 75 days a strike went on at York University under his watch and they failed to bring back the Legislature.

We believe in the collective bargaining process. One of the unfortunate by-products is that strikes and lockouts occasionally happen. It's one of the strengths of the system. It also, at times, can be an unfortunate by-product, as I say. We allowed the process to continue on at York University. We recalled the Legislature on a Sunday afternoon as soon as we heard word of a deadlock. And we call on all members, particularly those in the New Democratic Party, to remove the obstacle so that we can bring 50,000-plus students back to the classroom as soon as possible.

UNIVERSITY LABOUR DISPUTE

Mr. Howard Hampton: My question is to the Deputy Premier. York University's CUPE Local 3903 reduced its contract demands to just four items. The local had accepted York's salary proposal, and most of the major benefits articles had been agreed to. The local was prepared to negotiate on the two remaining issues. With a negotiated settlement so close, why is the McGuinty government resorting to back-to-work legislation?

Hon. George Smitherman: I want to say to the honourable member that today is a day where the questions are to be put to him and to his party. Today, the honourable member stands in this Legislature and he speaks about the workers. But we note that in his question, there was not one reference to the 50,000 students and to their families who have been impacted through this very long period.

We believe in collective bargaining; otherwise, there's no explanation for the amount of time that was on offer to allow these two sides to come together in a fashion that got the job done for the students. We say to today's NDP: Will they take action today to get these students

back into the classroom, to allow other means of arbitration etc., to take hold in a way that gets this issue resolved? Will they act today in a decisive fashion on behalf of the students?

The Deputy Speaker (Mr. Bruce Crozier): Supplementary.

Mr. Howard Hampton: The McGuinty government claims to care about university students—the McGuinty government that is 10th out of all the provinces in Canada in terms of funding university education. But the government's own head mediator, Reg Pearson, made it clear last week that the York administration had no intention of bargaining and were just waiting for legislation. I want to quote him: "Everything that I've seen has been not quite there, and quite frankly they're"—meaning York University administration—"not prepared to move out of their ballpark. That could be because they're waiting for government to fix the problem."

In view of those statements from Reg Pearson, your own mediator, will the minister admit that this was not a deadlock but the unilateral refusal on the part of York University to negotiate, and as such, the government's actions may be illegal?

Hon. George Smitherman: We know that the honourable member, a learned lawyer, wants to fall into matters of legality. But at the heart of the question, for one minute he was unable to answer why he stands today with his party in opposition to getting these students back into the classroom. That is the objective that we must all address. We allowed, for 80 days, the opportunity between these two groups to resolve the matters at hand. In fact, the honourable member raises the issue of funding while in his first question he submitted that there was agreement on the matters of funding.

At the heart of it, we have an opportunity to act in a decisive fashion which places these students, 50,000 of them, and their families, first and foremost, after having allowed due process the opportunity to work. Today we ask today's NDP: Will you resolve to take the decisive actions necessary, in as timely a way as this Legislature allows, to get these students back into the classroom?

The Deputy Speaker (Mr. Bruce Crozier): Final supplementary.

Mr. Howard Hampton: I notice once again that the McGuinty government doesn't want to answer the question. If the McGuinty government wanted to do something decisive for students, Ontario wouldn't be 10th out of 10 provinces in terms of funding for university education.

Again, I want to quote the government's own mediator, appointed by the government. This is what he said: "Everything that I've seen has been not quite there, and quite frankly they're"—meaning York University administration—"not prepared to move out of their ballpark. That could be because they're waiting for government to fix the problem."

Here's the reality: The senate of York University cancelled classes. There were 77 days; they agreed to meet on only 11 of those days. For the last week, they refused

to bargain at all. This doesn't sound like deadlock; this sounds like a university that says, "We're not going to bargain because we know the McGuinty government"—

Hon. George Smitherman: No, what's happening here today on the floor of the Ontario Legislature is a tactic on the part of the New Democratic Party to stand in the way as the last remaining barrier to getting these students back into the classroom.

The honourable member can make up all of the storylines that he wants, he can find all of the process reasons, but at the heart of the matter, this honourable member cannot, as a matter of principle, tell us why it was possible for them to stand in their place and support back-to-work legislation related to the TTC but they are unprepared to recognize the needs of these students. They're unwilling to recognize the essential nature of education for these 50,000 students.

Since we came to office, York University has received a 52% increase in funding. The agreement that was on offer included income adjustments to the tune of about 4% a year. In the circumstances that we face, most Ontarians looking in—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. New question.

UNIVERSITY FUNDING

Mr. Howard Hampton: Again to the Deputy Premier. The McGuinty government would be quite happy to legislate this, quick and dirty, because the McGuinty government doesn't want to have its own sorry record known by the people of Ontario.

Here is the sorry record. Who does the president of the student federation at York refer to as at the heart of this problem? He says, "Who do I blame? I blame Dalton McGuinty for underfunding." Or Jim Coyle in the Toronto Star: "As one professor from another Ontario university put it, the issue for York, and all schools, is underfunding that does not allow the hiring of permanent faculty and the resulting reliance on cheaper contract labour."

My question is this: How much longer is the McGuinty government going to underfund our universities and victimize the students and the workers?

Hon. George Smitherman: The honourable member wants to throw all of these things up but doesn't explain his own behaviour.

Over the last five or six years, funding for York University has increased by 52%. In the last election campaign, in the NDP's 2007 platform, they called for increasing post-secondary education funding by \$200 million a year over four years, between 2007 and 2011. We look at the 2008-09 budget increase: In that single budget, our government increased expenditures for the university and college sector by \$400 million.

The honourable member, in his history in this Legislature, does not have a good grasp of numbers—but even more so, we wonder why the honourable member yet again fails to address the question that is before us today.

Will he act in a fashion which for once puts these students first and allows them the opportunity—50,000 strong—to get into the classroom, to resume learning—

The Deputy Speaker (Mr. Bruce Crozier): Supplementary.

Mr. Howard Hampton: I say to the students and I say to the McGuinty government, we'd be happy to compare what we were prepared to invest in our universities with what you have failed to invest in our universities any time.

The minister wants to refer to numbers. Here are the numbers that really count: Ontario is 10th out of 10 provinces in terms of its per capita funding for universities. Ontario has the worst student-faculty ratio in Canada and is amongst the worst in North America. Ontario students experience the largest class sizes, often in the hundreds and the thousands, and now, Ontario students are going to have the highest tuition fees—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Response.

Hon. George Smitherman: The honourable member yet again fails to answer the essential question: Why is today's NDP, which came into the Legislature on the first day's notice and voted back the TTC, unwilling to take action today to allow 50,000-plus students to get back into the classroom? He says he's happy to compare, but then he ducks the issue.

1050

I raise the issue again with the honourable member. Your campaign platform in 2007 suggested a level of increase for the post-secondary sector that our recent budget eclipsed by two to one—dare to compare, Mr. Speaker. The NDP campaigned and said one thing; today they bring another message to the Legislature, and they refuse to answer the question. Why are you standing in the way of the opportunity for 50,000 deeply impacted students, and their families, to get back into the classroom? Why?

The Deputy Speaker (Mr. Bruce Crozier): Final supplementary.

Mr. Howard Hampton: It's not just the figures which tell the story, but here is York's Dean of Arts, Bob Drummond, who confirms that when professors retire, fewer faculty are being hired because of consistent provincial underfunding. So what happens? Professors retire, they're not replaced and the responsibility falls on these contract workers who do more work for less pay.

Again, I say to the McGuinty government: You're not only responsible for what has happened at York, but you're going to be responsible for what happens at other universities. When are you going to stop merely talking about proper funding for our universities and actually start to properly fund our universities in Ontario?

Hon. George Smitherman: That's another opportunity on the part of the leader of the New Democratic Party to talk about students, and yet he fails to do so.

We have approximately 100,000 more students in post-secondary education today, and a 52% increase in funding over those years to York University. Compare

that to the record of the honourable member when he sat as a senior member in cabinet. They cut up-front grants to students. They cut student aid by 48%. They increased tuition by 50%.

Today, after more than 80 days of due process, the Legislature comes together. Within its powers, it has the opportunity to act on behalf of students. We repeat the most-asked question in Ontario today: Why does Howard Hampton and today's NDP stand in the way of getting these students at York University back into the classroom? We ask you: Why is it you're doing this to the students of Ontario?

UNIVERSITY LABOUR DISPUTE

Mr. Peter Shurman: My question is for the Deputy Premier. It has been 12 weeks that the students have been held hostage by the CUPE strike amid government excuses. This government has had 12 weeks to get back-to-work legislation passed, to negotiate with the House leaders of opposition parties, but you chose to do nothing. Now, while students should be in class moving forward with their education, you are presiding over yet another deadlock that you created by playing political games—and you still are, with the NDP—because we are the only party that has put the interests of the students first.

Deputy Premier, we are prepared to sit here until midnight to get this bill passed. Are you?

Hon. George Smitherman: I want to say to the member, who is relatively new to the Legislature, that he has certainly managed to put himself front and centre. But, at the heart of it, we're putting the students front and centre. We think that the matter at hand here is to allow due process, the rule of law as established in the province of Ontario, the collective bargaining process to have all opportunities to resolve matters of labour dispute.

Interjections.

Hon. George Smitherman: On the one hand, they yell and they heckle that it's not long enough. On this side, they yell and they heckle that we waited too long.

But here in the Legislature today, the matter before us is the opportunity to use the rules of this place to get the students back into the classroom. The politics associated with that are clear. One party stands in the way of that. They are over here, and we encourage them to give way so that the students can get back to learning.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary.

Mr. Peter Shurman: Gee, I thought my question was about sitting until midnight. This isn't about me, and it's not about you. It's about them.

The Premier himself has said that he expected the NDP to oppose this bill. Knowing that, he should have introduced this legislation weeks ago. Because you've screwed up this thing so badly, the strike has now made international news, sending the message to all the world that the post-secondary education of Ontario is not a priority to this government. No wonder we're on the have-not list.

Is the Deputy Premier willing to commit in this Legislature that future labour disruptions of education will not be tolerated and that you will step in each and every time to put students first?

Hon. George Smitherman: It's only possible for a new member of that caucus to stand up in this Legislature and talk about post-secondary education and say that for our government it has not been a priority. The sorry record of your party is clear to all.

On the matter, very, very clearly—

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): The member for Timmins–James Bay.

Hon. George Smitherman: The putative leader of the New Democratic Party should try and work himself onto the question list.

What I would like to say to the honourable member on the matter of sitting until midnight is that if the matter is brought forward for unanimous consent on whether we will sit to midnight, the Liberal Party will say yes, but I doubt that they will.

EMPLOYMENT SUPPORTS

Mr. Paul Miller: My question is to the Minister of Economic Development. Minister, the Legislature was recalled to strip away the collective bargaining rights of York workers. It should have been recalled to deal with job crisis and job losses in our province. Over the past five weeks, 60 jobs at Tembec in Spruce Falls; 200 at Ube Automotive, Sarnia; 40 jobs at Canwest; 61 at Lakeside Steel—the list goes on and on throughout our province, Minister. The list grows by the day, yet this government still, Minister, has no plan. When will we finally see a plan?

Hon. Michael Bryant: During the intersession between the end of last year and this year, there have been a number of announcements—I'm sure the member is aware of them—all of them increasing the investments that the government has made through both the Next Generation of Jobs Fund and the advanced manufacturing strategy.

The plan is for the government to jump in to jump-start businesses, to allow them to jump ahead of their global competitors. This government has done that over the past three weeks, increasing the numbers of investments to the tune of almost half a billion dollars that have been leveraged as a result of the McGuinty government's investments directly into businesses, businesses that will be the leaders in the future.

I know that the member would want to stand up and congratulate those businesses which have in fact put together a plan that has allowed them to jump ahead of their competitors in the months and years to come.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary.

Mr. Paul Miller: I'd like to thank some of the people, but unfortunately there are not a heck of a lot of jobs coming to Hamilton.

Ontarians are look for bold, aggressive action to sustain and create jobs, but the McGuinty government still has no plan. Here is what Sarnia Mayor Mike Bradley had to say about the government's handling of the job crisis: "There is absolutely no leadership coming out of Queen's Park."

The NDP has a jobs plan. It includes new investments in infrastructure, a MUSH-sector energy retrofit, thousands more affordable housing units and an expanded Buy Ontario program. Our plan will create thousands of jobs while making important social investments. The McGuinty government is welcome to borrow from us. We're more than happy to work together and share. Why won't you do it now?

Hon. Michael Bryant: In fact, the investments in Hamilton in particular have been quite significant, not only with respect to the investments directly in the community through the \$400,000 communities in transition fund, but the skills training centre, McMaster Innovation Park, investments through AMIS to Dofasco and so on.

But the question is, why won't this member do it now? I can't imagine a greater impediment to the growth of our economy than to stall the continued education of our finest, of our students. I think about the businesses around York University, the impact on the students, the impact on their careers, and the impact of all this through this particular strike.

If this member wants to stand up and talk about economic development, then he should stop standing in the way of resolving this issue as quickly as possible and putting the students first.

RENEWABLE ENERGY

Mr. Pat Hoy: My question is for the Minister of Energy and Infrastructure. Minister, I'm a strong supporter of adding more clean, green energy to our electricity supply mix. You will know that there are a number of renewable energy products in my riding. In fact, the Premier and I attended the opening of the Kruger Energy Port Alma wind power project in November of last year. This project is a 44-turbine wind farm that will produce enough clean electricity for 30,000 households.

On Friday you made another announcement about the government's commitment to renewable energy by releasing the names of the winning bidders in the Ontario Power Authority's renewable energy supply III procurement. Would the minister tell us how this latest announcement will support job creation and create greener energy?

1100

The Deputy Speaker (Mr. Bruce Crozier): Minister of Energy and Infrastructure.

Hon. George Smitherman: At the heart of the RES III, the renewable program III announcements that I had the privilege of making on Friday, is the opportunity to green our economy, and at the same time our electricity system, to the benefit of employees and certainly to the benefit of Ontarians who breathe the air. Green energy

ensures a sustainable future. Cleaner, greener power will clean up the air and shrink our carbon footprint.

The projects that have been completed in the member's riding have created more than a thousand direct jobs in many Ontario communities and added benefits by way of municipal tax revenues, the purchase of local products and services, and payments to land owners who have leased their properties to wind farms.

Recently, the OPA has awarded six contracts under the renewable energy supply directive. Once built, these six wind projects will generate enough green power for another 120,000 homes in the province of Ontario. These private sector investments total \$1.3 billion in Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mr. Pat Hoy: I'm very excited that these three new wind farms will be located in my riding of Chatham-Kent-Essex. This latest announcement will see a new 101-megawatt Kruger Energy wind farm, a 99-megawatt Renewable Energy Systems wind farm and a 78-megawatt energy wind farm.

I have seen first-hand how wind projects help support our local economies, from jobs to build the wind farms to local farmers leasing their land. These benefits are essential to our rural communities. Would the minister tell the House how this latest announcement will benefit my local community and the many communities across this province?

The Deputy Speaker (Mr. Bruce Crozier): Minister?

Hon. George Smitherman: We see the opportunity for continued investments in green energy to deliver those important carbon benefits and to deliver very, very important economic benefits as well. The six new wind power projects, three in Chatham-Kent and one in each of Essex, Prince Edward county and Thunder Bay, total more than 492 megawatts, and as I said, enough power for about 120,000 homes.

On the job front, 716 jobs will be created in Chatham-Kent and Essex, 308 jobs expected in northwestern Ontario and 108 jobs related to this in southeastern Ontario. In addition, about \$3 million a year in annual lease payments will be paid to land owners who will host turbines. I met several of those land owners on Friday who are very, very enthusiastic. Municipalities will benefit from at least an additional \$1 million in property tax assessments. Our government is going to continue to vigorously look for opportunities to apply even more green energy going forward.

ELEMENTARY TEACHERS

Mrs. Joyce Savoline: These are uncertain economic times, Minister, for the people of Ontario, and families are unsure of what the future holds. Their uncertainty is compounded by the lack of leadership, the inaction and the ineptitude of the McGuinty government on so many fronts: the economy, the York strike, the Elementary Teachers' Federation of Ontario negotiations, and I could

go on and on. This government has a track record of ignoring uncomfortable situations that lead to conflict. You ignored our call to end the York strike weeks ago. Minister, can you assure the parents of public elementary students across Ontario that their children will not have to suffer the same interruption that the York students have?

The Deputy Speaker (Mr. Bruce Crozier): Minister of Education?

Hon. Kathleen O. Wynne: Contrary to what the member opposite has said, I'm very proud of this government's record in its relationship with employee groups. To compare with the party opposite's 26 million days of school lost under their regime—there is no comparison. In fact, as of this month there are 394 agreements that are covered by provincial agreements in my sector, in elementary and secondary. Of those 394, 365 agreements have been signed. They are finalized. We have been successful.

I understand that there are some questions about the Elementary Teachers' Federation and their relationship with their boards. There is a process that has to unfold, but because of our positive working relationship with employee groups, I am confident that we will get there.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mrs. Joyce Savoline: Well, the words are fine, but I think the action just isn't there. You and your Premier have promised Ontario families that they will have stability in the education system. Minister, the students of York are unfortunately at your government's mercy and now the elementary students are at risk too. Will you break with your government's pattern of acting too late or will you take action on the ETFO negotiation and call someone in to bang heads together now?

Hon. Kathleen O. Wynne: I began working a year ago with the federations and with the boards to come to agreements, which is why of the 23 potential provincial agreements, we have 22 in place. It is laughable that the member opposite is accusing us of not being proactive, of not taking pre-emptive action to make sure that stability is in place for our students. We have five years of labour peace and stability in this province in our elementary and secondary schools. I'm confident that will continue.

The only question in the Legislature today is why the third party will not remove the barrier to get York students back to school.

NURSES

Ms. Andrea Horwath: My question is to the Minister of Health and Long-Term Care. There are already too few workers in our hospitals and more are needed, but the government simply doesn't deliver. Last week, the Minister of Health and Long-Term Care admitted that this government's promise to hire 9,000 more nurses has fallen off the agenda for another three or four years. Why did the McGuinty government break its promise to voters

by delaying the hiring of 9,000 nurses until 2012 or 2013, well after the next election?

Hon. David Caplan: I don't think this is very much news, because the Minister of Finance, as a result of the economic statement back last fall, rose and shared with this House, and indeed with Ontarians, the fact that we would be in a position of having to lengthen out.

We are still very committed to hiring 9,000 nurses. In fact, I can inform the member today that Ontario has hired over 10,000 nurses into hospitals, into communities and long-term care to help right across the province. It's that kind of effort that is in stark contrast to my friends opposite. The record of the New Democratic Party and Mr. Hampton when he was in government: less nurses. According to the College of Nurses, the number of registered nurses in Ontario fell by 3,000 during the five years that the New Democratic Party was in—

Interjection.

Hon. David Caplan: In fact, there was a shift from full-time to casual. The percentage of nurses working full time fell 3%—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Supplementary?

Ms. Andrea Horwath: This minister should know that empty commitments don't provide health care for people in Ontario. Ontarians across this province see a crisis in our hospitals. Last week in Hamilton, 250 hospital workers were laid off. Niagara, London, Kitchener, Waterloo and others are bracing for similar staff cuts. Pat MacDonald, president of the Ontario Nurses' Association local at Hamilton Health Sciences, said it's an accident waiting to happen.

What is this government's excuse for ignoring the understaffing problems in Ontario's hospitals?

Hon. David Caplan: In fact, as I've mentioned, we've seen an increase in the number of nurses—10,000 in the province of Ontario to date—and we're going to continue with that.

But I would note that some of the students who are not in classes because of the NDP are nursing students. If the member opposite truly cared about getting these people back into practice, helping them, this member in particular would ensure that we had quick passage so that those students could be back to work.

What does this member have against nurses? What do the members of her caucus have against them? In fact, in the case of Hamilton Health Sciences, there was a \$117-million increase in base funding, over 23%. That's in addition to \$60 million for the aging-at-home strategy, which is seeing that nurses, personal support workers and registered practical nurses all have an opportunity to practise where previously they did not. The member opposite knows this full well. In fact, she has some explaining to do.

RESEARCH AND INNOVATION

Ms. Sophia Aggelonitis: My question is to the Minister of Research and Innovation. Minister, in Hamil-

ton—a great community—a fast-growing tech company named C2C Link is quickly establishing itself in the global marketplace. C2C Link is a McMaster University start-up making optical crystal chips that convert laser light from one colour to another. This company's technology can be used in laser displays, biomedical instrumentation, sensing and telecommunications. This is just one example of the many innovative companies and fresh thinking which comes from Hamilton, Ontario.

Could the minister please explain what the Ministry of Research and Innovation is doing to help start-ups such as C2C Link bring their world-leading innovations to market?

1110

Hon. John Wilkinson: I want to thank my good friend from Hamilton Mountain for the question. I know how very proud she is of the innovation that is happening in the Hamilton area. I had the privilege of being with the Premier and my good colleague Minister Best at Centennial College earlier this month to announce funding for eight companies under the investment accelerator fund. You'll recall that we created the Ideas to Market strategy, some \$160 million, and of that, \$29 million went to IAF. There are eight brilliant companies.

I want to talk about C2C Link. They have made a globally significant breakthrough when it comes to science, and that happened at McMaster University. This young company is already developing prototypes for, first, a whole new brand—a green, efficient television screen, a new monitor that uses laser light. But beyond that, it has the potential to drive something called photonic computers that would accelerate our computers to the speed of light. That is happening in Hamilton. So there are great opportunities in the city of Hamilton, and at McMaster, where the students were at school today.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Ms. Sophia Aggelonitis: Hamilton and Ontario have the people, they have the talent and they have the commitment to continue to create leaders in research and innovation like C2C Link. It is clear that this type of investment is fundamental to helping young and innovative companies get off the ground. I know that companies like C2C Link recognize our commitment to their success. As the president of C2C Link stated, "The Ontario government is well-known for its support of high-tech companies. Thanks to this investment from the Ontario government, C2C will be able to develop our prototype, attract customers and create new jobs."

Could the minister outline other innovative companies where the innovation accelerator fund is helping to create Ontario's industries and jobs of the future?

Hon. John Wilkinson: You know, on this side of the House, our colleagues believe that great jobs come from great ideas.

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): Member for Hamilton East—Stoney Creek, come to order.

Hon. John Wilkinson: It is ensuring that we are fostering those great ideas that is the best way in the 21st century to drive the creation of new jobs. So it's important for us to make those investments in these great new start-up companies. C2C Link is just one of the companies that received funding.

I would just like to share with the House some of those companies. One of them is REGEN Energy. I want to thank my friend Dr. Qaadri for bringing this company to our attention. REGEN is at the cutting edge of new green technology that allows us to reduce energy demand. It's a wonderful new marriage of hardware and software with a tremendous global market.

Every one of these companies has to be able to show us that they have a \$20-million global market opportunity and that they're committed to creating jobs right here in Ontario. That's why we're funding C2C—

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

MANUFACTURING JOBS

Mr. Tim Hudak: A question to the Minister of Economic Development. Minister, since the House rose on December 11, at least another 1,800 well-paying manufacturing jobs have left our province: Navistar in Chatham, 679 jobs; FNX nickel in Sudbury, 307 jobs lost; and Wescast Industries in Wingham, 140 jobs lost, just to name a few. Your high taxes, runaway spending and high hydro rates are chasing over 200,000 well-paying manufacturing jobs out of our province.

Minister, given your dual capacity as the Minister of Economic Development and as House leader, will you support continuing this legislation with a focus on the economy?

Hon. Michael Bryant: I do want to say to the member that I appreciate the attention that he has put with respect to the investments that the government has made and the manufacturing investment strategy. The strategy, of course, is to provide assistance either by way of loans or grants to leverage, in the case of the Next Generation of Jobs Fund, greater investments, which in turn produces jobs and more production from the companies and revenue for the taxpayer.

In particular, he cites one job number. I would say that in this program that has been in existence for less than a year, it has itself generated almost 2,000 new jobs as a result of these investments. In fact, in exchange for the \$67 million that has been invested by the province, it has leveraged almost half a billion dollars in investments.

This is a strategy of jump-starting the companies to allow them to jump ahead in the global economy, and we'll continue to do that.

I look forward to his—

The Deputy Speaker (Mr. Bruce Crozier): Supplementary?

Mr. Tim Hudak: Minister, Ontario is being lambasted with increasingly unfortunate economic news of layoffs—even the 1,800 jobs since this session ended

back in December. Minister, we'll deal with the York bill, and then we have the opportunity to continue this session with a focus on the economy.

In light of these job losses, in light of Ontario being dead last in Confederation in growth, Dalton McGuinty is absolutely paralyzed by the economic situation. Premier Campbell has acted to reduce business taxes. Premier Wall in Saskatchewan has reduced taxes on income, as well. In the UK, they brought forward a loan program to help out small businesses. Dalton McGuinty has done nothing.

Minister, you have the opportunity to extend this session of the Legislature and bring forward a new plan, because your tax-and-spend and red tape policies have brought Ontario's economy to its knees.

Hon. Michael Bryant: Well, hardly. In fact, even before this crisis unfolded, particularly in the fall, after Lehman Brothers went down, this government already had in place a stimulus package, a robust investment package, and in fact was ahead of the curve in terms of the investments that we were making. We had the programs already in place that many governments are contemplating now. That's why in the member's own region there was a \$10-million investment, through the advanced manufacturing investment strategy loan, to Stanpac. I've seen the member's smiling face at that announcement. It was a great investment at a great company that leveraged more investment and more jobs. There have been investments in the Fort Erie Economic Development and Tourism Corp.; also to the region of Niagara, the Niagara Economic Development Corp.

Contrary to what the member said, the McGuinty government has been ahead of the curve, making those investments, jumping in in order to allow—

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

FOREST INDUSTRY

Mr. Gilles Bisson: My question is to the Deputy Premier, and it's a pretty simple one: Can you tell me if your government has been approached by Abitibi-Bowater about the sale of their power dams or any amendments to their water lease agreements?

Hon. George Smitherman: I do want to say to the honourable member that the Minister of Natural Resources has been dealing directly with the company on those matters. I have been in conversation, as have my deputy minister and other leading officials in the government of Ontario, with AbitibiBowater on a number of other matters, including ones related to electricity overall and electricity pricing.

The government takes the approach that the forestry sector is an essential one. It's obviously in a really bad spot on a worldwide basis. We're working very vigorously with a number of programs designed to enhance the efficiency of Ontario-based operations and we're going to continue to do so with as much energy as is necessary to sustain, as much as possible, that sector here in the province of Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary.

Mr. Gilles Bisson: I'd like to thank the minister for the answer to that question. He has confirmed in fact that AbitibiBowater has contacted the government. Could you then tell me why the Minister of Natural Resources is denying that's the fact and has said to people in northern Ontario that she has not been contacted and neither has her government?

Hon. George Smitherman: The honourable member will want to read back the answer that I gave. I can speak much more precisely about the things that I was involved in related to AbitibiBowater on issues of energy pricing.

Abitibi sent us a letter very recently asking us to implement a program called Demand Response 2. Demand Response 2 is a mechanism by which, if Abitibi shifts its production and therefore its electricity use to lower-demand periods of time, a substantial reduction in the energy price overall can be felt. We've responded by implementing that program, and we've indicated to the company that we will continue to work with them, point by point by point, to do all that we can to make their operations here in the province of Ontario more efficient to sustain that labour force, something that I know all members in the Legislature agree is very, very important.

EDUCATION FUNDING

Mr. Dave Levac: My question is for the Minister of Education.

Parents in my riding understand the value of reading, especially starting at a young age. As a former educator, I know from first-hand experience that in order for students to do well in school, those students need a strong foundation in reading and writing.

My constituents know that in order for students to develop a love of reading and to become successful in school, they need preschool support and they must have access to quality books.

Minister, can you tell us, please, what you are doing to ensure that there are appropriate resources in our elementary school libraries, which are underbooked at this time?

1120

Hon. Kathleen O. Wynne: I'd like to thank the member for Brant for his question, but also for his years of service to education in this province.

Last week we confirmed a \$15-million investment for library books in Ontario's publicly funded elementary schools, and for the first time ever we're using a bulk purchasing of library books. By doing that, we're securing significant discounts in price, ranging from 5% to 50%, which is very significant. What it means is that we're going to be able to make a double investment: We're going to be able to buy more books and to support Ontario's book vendors, which is absolutely essential to stimulating that part of the economy. This investment will provide a minimum of \$1,500 for every elementary school in the province, with a typical school of 300 students receiving over \$3,000.

The Deputy Speaker (Mr. Bruce Crozier): Response?

Hon. Kathleen O. Wynne: Through this initiative—what it means is that Ontario's elementary schools will have 750,000 books that will inspire and encourage kids to read for years to come—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Supplementary?

Mr. Dave Levac: That amount of money quoted will go a long way in an elementary school—witness the underbooking that I was talking about—and I know that having well-stocked libraries is important to student access, but it's only one part of the equation. I know that parental involvement also plays an even larger role in developing young minds. I note that tomorrow is Family Literacy Day and I know that events are being set up to mark this event all over the province and especially in my riding. Unfortunately, I missed the Sunday kick-off. Established by the ABC CANADA Literacy Foundation, Family Literacy Day promotes the importance of reading and learning together as a family. In Brant we have the Family Literacy Committee, the public libraries, Kids Can Fly, Launch Pads, early years centres and other school boards working as partners to support reading and learning together. In keeping with this important event tomorrow, Minister, can you share with us what parents and guardians can do to instill the love of reading with their children?

Hon. Kathleen O. Wynne: Without a doubt, the most important thing that parents, guardians and family members can do is to read with the children in their lives. To spend time reading, whether it's in the morning or before bed, whenever you have that opportunity, to read with the children in your life is the most important thing you can do. What we're trying to do as a government is to put in place opportunities for families to connect with schools. The parenting and family literacy centres that we've set up—123 across the province—mean that families can come into the school, can have an opportunity to work with professionals in the school but can have opportunities to borrow resources, can help little kids, before they're ready for school, to start to learn the routines of school—

The Deputy Speaker (Mr. Bruce Crozier): Response?

Hon. Kathleen O. Wynne: —start to learn the value of reading. That means that families then take that knowledge home.

So we encourage, as a government—I hope all members will take part in family literacy activities and that, in every community, parents—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. New question? The member for Ottawa-Orléans—no. Nepean-Carleton.

PUBLIC TRANSIT

Ms. Lisa MacLeod: Mr. McNeely's happy I'm not in Ottawa-Orléans, I'm sure.

My question is to the Deputy Premier. Is the Premier going to respond to my request yesterday to help those who are suffering as a result of the 48-day-old OC Transpo strike by offering one-time emergency social service funding to the city of Ottawa so they can expand or sustain existing provincial programs as a result of the humanitarian consequences of this strike?

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

Hon. Jim Watson: I thank the honourable member for her question and her concern. There is no question in my mind or, I believe, in her mind, that the strike is hurting an awful lot of people—the entire city—whether you're a young person, a student, family members, workers, the disabled, the most vulnerable in our community. The local social services agencies in Ottawa do have the authority to provide emergency assistance to those individuals who are facing an extreme financial crisis as a result of this prolonged bus strike. We are providing, as a province, 80% of the funding for social services, and we hope that those individuals who do need that help are approaching the local social services office in the city of Ottawa to seek that financial assistance. So I thank the member for the question, and the province is there as a result of paying 80% of the costs.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary.

Ms. Lisa MacLeod: Unfortunately, it's not enough right now. The city of Ottawa has had to invest over \$700,000 of its budget as a result of this strike.

Interjections.

Ms. Lisa MacLeod: I understand that the Liberals would like to heckle me. But the member from next door to my riding understands that we're getting people from ODSP, we're getting people from Ontario Works and we're getting people who are the working poor, the poorest of the poor in our city who are being affected by this strike—and I hear them. They want to blame the federal government; they want to blame the municipal government. But this isn't about blame; it's not about jurisdiction. It's about helping people who are well within our mandate as provincial legislators to look after the existing provincial programs that we have to offer. So I'm asking again: Will the Premier call the mayor of Ottawa today and offer one-time emergency funding for the rising cost of social services as a result of this strike?

Hon. Jim Watson: The fact of the matter is that this matter, if it's going to be resolved by legislation, has to be done at the federal level. It's the federal government that has that responsibility. I would encourage all members of this House to contact the federal transport minister, Mr. Baird, and encourage Mr. Baird and the labour minister, Rona Ambrose, to take the appropriate action.

I'd also call on the two parties, the ATU and the city of Ottawa, who I understand are back in informal negotiations, to continue negotiating until you get a deal, because this strike is hurting the retail sector; it's hurting the most vulnerable; it's hurting far too many people. The city claims that it is saving \$3 million a week on this

strike. So I'd encourage them, if they need additional funds for social assistance, to take it from those savings. We also provided \$77 million in one-time funding to the city of Ottawa. They're more than able to take that—

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

SKILLS TRAINING

Mr. Michael Prue: My question is to the Minister of Training, Colleges and Universities. Ten months after its launch, it's time to admit that the government's Second Career retraining program has failed. The proof is that after spending more than \$5 million in advertising and retooling costs, the government has only 4,000 registrants in the entire program. As the employment rate continues to skyrocket under the McGuinty government, this amounts to a disaster. Will the minister stand here today and finally come clean and admit what Ontarians from one end of this province already know, that the Second Career program is an abysmal failure?

Hon. John Milloy: I will do no such thing. The fact of the matter is, in last March's budget we announced a new program to add to the suite of programs available for Second Career. We announced 20,000 spots over three years. We are six months into the program and we already have 4,000 people who have come forward to it. I know that the honourable member would in no way want to leave the impression that Second Career is the only program available for laid-off workers, so let me share some statistics with him.

Let's talk about short-term training: Last year 12,000 people enrolled for short-term training. Let's talk about the rapid re-employment and training service: 53,000 workers were assisted last year. Let's talk about the 1,203 job creation partnerships that were launched in the last year.

Through Employment Ontario we have a variety of services that are available to laid-off workers. Second Career is one—an important one, but only one of many.

The Deputy Speaker (Mr. Bruce Crozier): Supplementary.

Mr. Michael Prue: My question was about Second Career, and I'd like to ask about it again. The heart of the problem with Second Career is that there is simply too much red tape. After filling out endless forms and going to countless meetings, the ministry is denying approval to many applicants because they don't have enough employers testifying that they won't be hired in their former positions.

Why does the minister refuse to admit that Second Career is badly designed and that it's the wrong program at the wrong time? Will this government admit that it has no comprehensive economic plan and no idea how to deal with the devastation facing Ontario's economy and those who find themselves unemployed?

Hon. John Milloy: As I said, we committed to 20,000 long-term training programs over three years, and we are on track to meet that. I have continually made the com-

mitment that as the program moves forward, if we find obstacles, we will remove them, and we are constantly reviewing the program. But this program is about individuals, not statistics. Let me share some stories with the honourable member.

Veronica is 32 years old and was laid off from her job as an office administrator at a software developing company. The application process for Second Career confirmed that there were good prospects in her chosen field as a career counsellor. She started work at George Brown in the career, work and counselling program. Let me quote what Veronica said: "Without the financial support, I would not have been able to go back to school. Through the application process, I learned about my own strengths and interests, and now know exactly what I want to do."

Veronica is not a failure, and neither are the 3,999 other people who have come forward for this program—

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

HOSPITAL SERVICES

Mr. Yasir Naqvi: My question is for the Minister of Health and Long-Term Care. Minister, I know that the McGuinty government has made tremendous progress in reducing wait times across the province. However, I continue to hear from my constituents in Ottawa Centre about wait times in our nation's capital. My constituents were disappointed to learn back in June that Dr. Alan Hudson, the man charged with reducing wait times for essential health services in Ontario, told the Champlain Local Health Integration Network that wait times in the Ottawa area were "the worst ... in the province." He said that while wait times had decreased in other areas of the province, the Champlain LHIN had failed to keep up. Dr. Hudson told the LHIN, "You need to sort it out quite quickly."

Since it has been over seven months since Dr. Hudson made this statement, my constituents in Ottawa would like to know, Minister: Has the LHIN made any improvements? Are Ottawa residents seeing shorter wait times for key surgeries?

The Deputy Speaker (Mr. Bruce Crozier): Minister of Health and Long-Term care.

Hon. David Caplan: I'd like to thank the member for Ottawa Centre for the question and for his advocacy on behalf of Ontario patients. I'm pleased to tell him that, since June, the Champlain LHIN and area hospitals have steadily lowered wait times for cataract surgery, cancer surgery and joint replacement. In some cases, the improvements are very dramatic. Since June, 90% of patients in the Champlain LHIN have seen hip surgery wait times drop by 19%. That's a reduction of 66 days. Cancer surgery wait times are down by more than 16%; wait times for cataract surgery have declined by 44 days, or nearly 22%; and the waiting period for knee surgery has dropped by 85 days, more than 24%—all this in just over six months.

Hon. David Caplan: I'm pleased to tell the House that the Ottawa area wait times are moving closer to the provincial average. I want to thank the Champlain LHIN and local hospitals for their hard work and I want to encourage them to continue lowering wait times in the—

The Deputy Speaker (Mr. Bruce Crozier): Thank you, Minister.

Deferred votes: There are none.

This House will recess until 1 of the clock.

The House recessed from 1133 to 1300.

MEMBERS' STATEMENTS

UNIVERSITY LABOUR DISPUTE

Mr. Ted Arnott: Yesterday, Sunday afternoon, I was in this House to vote for Bill 145, An Act to resolve labour disputes between York University and Canadian Union of Public Employees, Local 3903. I was in this House to support immediate passage of this legislation, to stand with the many hundreds of students from Wellington-Halton Hills enrolled at York University. Their education has been interrupted and their futures put on hold because of a strike that has gone on for 80 days.

It was disappointing that the New Democrats refused to give their consent for swift passage of Bill 145—disappointing, but not entirely surprising, because they want to be seen as supporting their union constituency and because they're in the midst of a leadership contest. But let's remember who is ultimately accountable for this mess: It is this do-nothing government, which waited far too long to step in to allow the students back into their labs and lecture halls.

It is characteristic of this government. Too often, this government has ignored real problems, hoping they would simply go away. This lack of effective and principled leadership has made Ontarians worse off. They should have listened to the MPP for Thornhill, the MPP for Simcoe-Grey, the rest of the PC caucus—to all of us who called before Christmas for legislation to put an end to this strike.

Students want to be learning. It's a shame that this government still hasn't learned.

PUBLIC TRANSIT

Mr. Phil McNeely: We're now in the 47th day of the transit strike in the city of Ottawa. The continuation of this dispute and the resulting disruption for public transit users and commuters is causing serious concerns in my community. E-mails, phone calls and letters from my constituents keep pouring in every day, each of them asking for an end to the transit strike so they can live their lives without these unnecessary burdens and disruptions. Ottawa's most vulnerable residents cannot get to work and no longer have access to their doctors, grocers, churches or even schools, colleges and univer-

sities. Storefront businesses and malls have suffered devastating losses during the Christmas period.

Ottawa–Orléans has one of the highest public transit riderships of all ridings in the city of Ottawa. This strike is causing severe congestion on our roads in my community and across the entire city. A drive from my riding to the train station takes 15 minutes, but with the strike it now takes over an hour. Car accidents have drastically increased.

Residents across Ottawa are suffering in a cold winter, and this is unacceptable. The economic hardships and damages this strike is causing have gone on too long. I call on the Amalgamated Transit Union and the city of Ottawa to put their differences aside and come together for the betterment of all residents of Ottawa, and particularly for those who have put their faith in public transportation for so long.

Our city is in a state of urgency, and it's high time the federal government did more to end it. Transportation Minister John Baird should act. I implore them to see the severity of the situation and intervene on behalf of the tens of thousands of public transit users in the city to end this dispute.

UNIVERSITY LABOUR DISPUTE

Mr. Jim Wilson: For 80 long days, this Liberal government and the self-styled education Premier refused to do anything to bring an end to the strike at Canada's third-largest university, resulting in the longest university strike in Canadian history. Because of the inaction of this government, the education of 50,000 York University students and their school year were put under threat of being entirely wiped out because of the education Premier's refusal to step in and help out until the 11th hour.

These students have lived in fear as they've watched their financial resources dwindle and employment opportunities disappear, while education and graduation plans teetered on the brink of destruction. Students are suffering because the Liberals refused to put an end to the strike when the PC caucus was calling for that back in November. Now, after a 12-week-long strike, all that this government has to offer students is a promise of additional OSAP loans, a promise of more student debt.

Students are facing an extra month of rent, less time for summer jobs and less instructional time for the tuition that they paid for. John Tory and the Progressive Conservative Party believe that the students of York University should be supported by their government through some form of financial compensation; it's only fair. It's high time that the McGuinty Liberals find a real solution to help students who've been adversely affected by the incompetence of their government and the horrible inaction of their government.

CORRECTIONAL FACILITIES

Mr. Peter Tabuns: As everyone in this House knows, the York University dispute has come to a head and we'll

be debating that this afternoon, but out there another issue is brewing. Our correctional facilities have been badly overcrowded for a generation—an issue that has never been tackled successfully. The Auditor General recognized this in his last and previous reports. Correctional officers and other occupations in jails are exposed to all manner of inmate sickness and already have high-stress jobs; they get sick. The government has the opportunity now to negotiate a reasonable resolve to this at the bargaining table in a way that effectively addresses the problem of absenteeism.

OPSEU bargaining teams have reached an unprecedented agreement with the government for 45,000 public employees at the central OPS table. The government should be willing to use that reserve of goodwill to achieve a win-win with the corrections bargaining unit by dropping its intransigence on this issue. It's time to obtain a fair deal with those who help keep our community safe and not put them through the agony of what this government has done to York University.

UNIVERSITY LABOUR DISPUTE

Mrs. Laura Albanese: I would like to share with this House the sentiments of numerous students, their families and local residents of the riding of York South–Weston who have called, e-mailed, written and spoken to me about the record-breaking strike at York University.

After more than 80 days, the students fear that their academic year will be in jeopardy. Many of them count on summer jobs to sustain their university expenses and are worried about how, if the strike is allowed to continue, this will affect their plans for the summer and their future in general. Students who are in their final year worry about whether they will be able to apply for law school or other postgraduate programs. Many of their families are enduring sacrifices to help their children achieve a post-secondary education by contributing to the expenses. These parents have expressed to me vivid frustration with the situation.

I have the utmost respect for workers' rights, rights that so many people in this country have fought so hard to gain. The bargaining process has been respected, but the two sides have reached a deadlock. It is time for all parties in this Legislature to support this legislation so we can get York students back into class.

The future of about 50,000 students is at stake. In the context of the difficult economic times we are facing, their chances to effectively compete in the workforce will be compromised and consequently reduced. It is the right time to intervene.

UNIVERSITY LABOUR DISPUTE

Mr. Ernie Hardeman: I rise in the House today to talk about the York University strike. I received a letter from a constituent who is a parent of a first-year student at York University. She writes: "I am a working-class mother of a first-year student who goes to York

University.... My daughter has struggled to even get used to being away from home and settle in there, and now is going to lose her semester, and” maybe “even her year, with no offer of any funds back to the students or parents. We work very hard for these dollars to send our children to post-secondary education facilities.”

She’s right: Parents and students work hard to afford post-secondary education. The McGuinty government had the opportunity months ago to end the strike and get students back to class. Not only did they deprive the students of an education but they may have even forced students and parents to pay for the government’s lack of action.

Premier McGuinty said that the students who were financially disadvantaged by the strike would have their OSAP extended to help pay additional living and tuition costs, but some students do not qualify for OSAP in the first place, and so their parents scrape by to help pay tuition, and they simply cannot afford to dish out any more. Students who do qualify for OSAP would have to pay even more for their education, not to mention the additional interest they will incur through absolutely no fault of their own.

By delaying bringing an end to this strike, the McGuinty government has robbed hard-working Ontarians. This self-proclaimed education Premier certainly isn’t living up to the image he has painted for himself.

1310

PETITIONS

UNIVERSITY LABOUR DISPUTE

Mr. Jim Wilson: “To the Legislative Assembly of Ontario:

“Whereas the strike by CUPE Local 3903 at York University has resulted in classes being cancelled, affecting more than 50,000 students across the greater Toronto area; and

“Whereas the members of CUPE Local 3903 show an unwillingness to bargain in good faith and bring an end to this strike; and

“Whereas York University has offered to resolve this labour dispute through binding arbitration;

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

“Enact back-to-work legislation requiring the termination of any strike or lockout action and requiring this labour dispute to be resolved through binding arbitration.”

That was sent to me by students from York University. Obviously, it’s a bit old, but still relevant.

UNIVERSITY LABOUR DISPUTE

Mr. Gilles Bisson: I have a petition here addressed to the Legislative Assembly of Ontario.

“Whereas enacting back-to-work legislation for CUPE 3903 sets a devastating precedent for the hard-won right to collectively bargain across this and other sectors; and

“Whereas workers have a right to collectively bargain and the employer has the duty to come to the table and negotiate in good faith;

“We, the undersigned, petition the Legislative Assembly of Ontario to vote against back-to-work legislation and send a strong signal of this Legislature’s commitment to the collective bargaining process and to reject back-to-work legislation as a bargaining strategy employed by the administration at York University.”

It’s signed by some number of people who are affected by this particular issue.

UNIVERSITY LABOUR DISPUTE

Mr. Reza Moridi: A petition to the Legislative Assembly of Ontario:

“Whereas negotiations to end the strike between York University and CUPE 3903 have reached a deadlock; and

“Whereas the strike has kept almost 50,000 students out of class for weeks; and

“Whereas the NDP is blocking attempts by the government to get the students back in class and learning again; and

“Whereas the NDP’s actions are harming the education of York University students and are a slap in the face to parents and students; and

“Whereas students and parents are concerned that the NDP’s continuing opposition to resolving the strike could threaten the academic year for York University students;

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

“That the Ontario New Democratic Party put students and education ahead of ideology and politics, immediately stop their attempts to prolong the York University strike, and support legislation to end the strike.”

I sign this petition and pass it over.

UNIVERSITY LABOUR DISPUTE

Ms. Andrea Horwath: The petition is to the Legislative Assembly of Ontario and it reads as follows:

“Whereas enacting back-to-work legislation for CUPE 3903 sets a devastating precedent for the hard-won right to collectively bargain across this and other sectors; and

“Whereas workers have a right to collectively bargain and the employer has the duty to come to the table and negotiate in good faith;

“We, the undersigned, petition the Legislative Assembly of Ontario to vote against back-to-work legislation and send a strong signal of this Legislature’s commitment to the collective bargaining process and to reject back-to-work legislation as a bargaining strategy employed by the administration at York University.”

I agree with this and sign my name to it and send it to the table by way of Shae.

UNIVERSITY LABOUR DISPUTE

Mr. Kuldip Kular: This petition is to the Legislative Assembly of Ontario.

“Whereas negotiations to end the strike between York University and CUPE 3903 have reached a deadlock; and

“Whereas the strike has kept almost 50,000 students out of class for weeks; and

“Whereas the NDP is blocking attempts by the government to get students back in class and learning again; and

“Whereas the NDP’s actions are harming the education of York University students and are a slap in the face to parents and students; and

“Whereas students and parents are concerned that the NDP’s continuing opposition to resolving the strike will threaten the academic year for York University students;

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

“That the Ontario New Democratic Party put students and education ahead of ideology and politics, immediately stop their attempts to prolong the York University strike and support legislation to end the strike.”

I agree with the petitioners, so I put my signature on it as well.

UNIVERSITY LABOUR DISPUTE

Mr. Paul Miller: “To the Legislative Assembly of Ontario:

“Whereas enacting back-to-work legislation for CUPE 3903 sets a devastating precedent for the hard-won right of collective bargaining across this and other sectors” in our province; and

“Whereas workers have a right to collectively bargain and the employer has the duty to come to the table and negotiate in good faith;

“We, the undersigned, petition the Legislative Assembly of Ontario to vote against back-to-work legislation and send a strong signal of this Legislature’s commitment to the collective bargaining process and to reject back-to-work legislation as a bargaining strategy employed by the administration at York University.”

I agree with this and sign my name to it, and Shae will bring it up.

UNIVERSITY LABOUR DISPUTE

Mr. Jeff Leal: I’m very pleased to present a petition today on behalf of Dianne Slater, who lives in beautiful Blenheim, Ontario, and Peterborough, the home of Fleming College and Trent University.

“To the Legislative Assembly of Ontario:

“Whereas negotiations to end the strike between York University and CUPE 3903 have reached a deadlock; and

“Whereas the strike has kept almost 50,000 students out of class for weeks; and

“Whereas the NDP is blocking attempts by the government to get students back in class and learning again; and

“Whereas the NDP’s actions are harming the education of York University students and are a slap in the face to” both “parents and students; and

“Whereas students and parents are concerned the NDP’s continued opposition to resolving the strike could threaten the academic year for York University students;

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

“That the Ontario New Democratic Party put students and education ahead of ideology and politics, immediately stop their attempts to prolong the York University strike and support legislation to end the strike.”

I agree with this petition and will happily affix my signature to it.

UNIVERSITY LABOUR DISPUTE

Ms. Sophia Aggelonitis: I have a petition to the Legislative Assembly of Ontario.

“Whereas negotiations to end the strike between York University and CUPE 3903 have reached a deadlock; and

“Whereas the strike has kept almost 50,000 students out of class for weeks; and

“Whereas the NDP is blocking attempts by the government to get students back in class and learning again; and

“Whereas the NDP’s actions are harming the education of York University students and are a slap in the face to parents and students; and

“Whereas students and parents are concerned the NDP’s continuing opposition to resolving the strike could threaten the academic year for York University students;

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

“That the Ontario New Democratic Party put students and education ahead of ideology and politics, immediately stop their attempts to prolong the York University strike and support legislation to end the strike.”

I agree and sign my signature.

The Deputy Speaker (Mr. Bruce Crozier): Petitions? The member for—

Mr. David Zimmer: Willowdale.

The Deputy Speaker (Mr. Bruce Crozier): Willowdale.

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): The member for Willowdale was up, and I was about to recognize him, before the member for Toronto–Danforth got up, but I’ll get back to him.

The member for Willowdale, please.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Go right ahead with your petition, please.

UNIVERSITY LABOUR DISPUTE

Mr. David Zimmer: I am pleased to present the following petition.

“To the Legislative Assembly of Ontario:

“Whereas negotiations to end the strike between York University and CUPE 3903 have reached a deadlock; and

“Whereas the strike has kept almost 50,000 students out of class for weeks; and

“Whereas the NDP is blocking attempts by the government to get students back into class and learning again; and

“Whereas the NDP’s actions are harming the education of York University students and are a slap in the face to parents and students; and

“Whereas students and parents are concerned the NDP’s continuing opposition to resolving the strike could threaten the academic year for York University students;

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

“That the Ontario New Democratic Party put students and education ahead of ideology and politics, immediately stop their attempts to prolong the York University strike and support legislation to end the strike.”

I’m happy to affix my signature to this.

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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”—the Mike Harris years—“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 agree with that petition. I will sign it, and I thank the Canadian Federation of Students.

UNIVERSITY LABOUR DISPUTE

Mr. Peter Tabuns: “To the Legislative Assembly of Ontario:

“Whereas enacting back-to-work legislation for CUPE 3903 sets a devastating precedent for the hard-won right to collectively bargain across this and other sectors; and

“Whereas workers have a right to collectively bargain and the employer has the duty to come to the table and negotiate in good faith;

“We, the undersigned, petition the Legislative Assembly of Ontario to vote against back-to-work legislation and send a strong signal of this Legislature’s commitment to the collective bargaining process and to reject back-to-work legislation as a bargaining strategy employed by the administration at York University.”

I affix my signature thereto.

The Deputy Speaker (Mr. Bruce Crozier): Petitions? The member for Timmins–James Bay.

UNIVERSITY LABOUR DISPUTE

Mr. Gilles Bisson: Little ol’ me got recognized? Oh, wow; nobody got up. That’s cool, I gotta say.

Mr. Speaker, I have a petition here—

Interjections.

Mr. Gilles Bisson: No, no. I was surprised nobody else got up. That was the only point. I need my glasses. You caught me totally by surprise.

“To the Legislative Assembly of Ontario:

“Whereas enacting back-to-work legislation for CUPE 3903 sets a devastating precedent for the hard-won right to collectively bargain across this and other sectors; and

“Whereas workers have a right to collectively bargain and the employer has the duty to come to the table and negotiate in good faith;

“We, the undersigned, petition the Legislative Assembly of Ontario”—that’s us—“to vote against back-to-work legislation and send a strong signal of this Legislature’s commitment to the collective bargaining process and to reject back-to-work legislation as a bargaining strategy employed by the administration at York University.”

I sign that petition.

UNIVERSITY LABOUR DISPUTE

Mr. Dave Levac: This is to the Legislative Assembly of Ontario.

“Whereas negotiations to end the strike between York University and CUPE 3903 have reached a deadlock; and

“Whereas the strike has kept almost 50,000 students out of class for weeks; and

“Whereas the NDP is blocking attempts by the government to get students back in class and learning again; and

“Whereas the NDP’s actions are harming the education of York University students and are a slap in the face to parents and students; and

“Whereas students and parents are concerned the NDP’s continuing opposition to resolving the strike could threaten the academic year for York University students;

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

“That the Ontario New Democratic Party put students and education ahead of ideology and politics, immediately stop their attempts to prolong the ... strike and support legislation to end the strike.”

I sign this petition and hand it to our usher William.

UNIVERSITY LABOUR DISPUTE

Mr. Michael Prue: I have a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas enacting back-to-work legislation for CUPE 3903 sets a devastating precedent for the hard-won right to collectively bargain across this and other sectors; and

“Whereas workers have a right to collectively bargain and the employer has the duty to come to the table and negotiate in good faith;

“We, the undersigned, petition the Legislative Assembly of Ontario to vote against the back-to-work legislation and send a strong signal of this Legislature’s commitment to the collective bargaining process and to reject back-to-work legislation as a bargaining strategy employed by the administration at York University.”

I’m in agreement and would sign my name thereto.

UNIVERSITY LABOUR DISPUTE

Mr. Dave Levac: I have a petition from another part of the province which goes as such:

“To the Legislative Assembly of Ontario:

“Whereas negotiations to end the strike between York University and CUPE 3903 have reached a deadlock; and

“Whereas the strike has kept almost 50,000 students out of class for weeks; and

“Whereas the NDP is blocking attempts by the government to get students back to class and learning again; and

“Whereas the NDP’s actions are harming the education of York University students and are a slap in the face to parents and” those “students; and

“Whereas students and parents are concerned the NDP’s continuing opposition to resolving the strike could threaten the academic year for York University students;

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

“That the Ontario New Democratic Party put students and education ahead of” their “ideology and politics,

immediately stop their attempts to prolong the York University strike and support legislation to end the strike.”

I sign this petition and hand it again to William, our usher.

The Deputy Speaker (Mr. Bruce Crozier): I would remind members to stay alert in here because the Chair doesn’t know who the next person is who might rise. The rule, of course, in petitions is rotation necessarily, but not necessarily rotation.

Orders of the day.

ORDER OF BUSINESS

Hon. Michael Bryant: I have a couple of points of order.

I seek unanimous consent for motions for second and third readings of Bill 145 to be put immediately in succession and to be considered this afternoon and voted upon without amendment and without deferral of either vote.

The Deputy Speaker (Mr. Bruce Crozier): You’re seeking unanimous consent, and I heard a no.

HOUSE BUSINESS

Hon. Michael Bryant: On a point of order, Mr. Speaker: I seek unanimous consent for the House to meet past 6 p.m. today to as late as midnight, if required, for the purpose of considering Bill 145.

The Deputy Speaker (Mr. Bruce Crozier): Do we have consent? I hear a no.

ORDERS OF THE DAY

YORK UNIVERSITY LABOUR DISPUTES RESOLUTION ACT, 2009

LOI DE 2009 SUR LE RÈGLEMENT DES CONFLITS DE TRAVAIL À L’UNIVERSITÉ YORK

Mr. Fonseca moved second reading of the following bill:

Bill 145, An Act to resolve labour disputes between York University and Canadian Union of Public Employees, Local 3903 / Projet de loi 145, Loi visant à régler les conflits de travail entre l’Université York et la section locale 3903 du Syndicat canadien de la fonction publique.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Fonseca, the floor is yours.

Hon. Peter Fonseca: Today I rise to speak to the legislation that would require an end to the deadlocked labour dispute between York University and the Canadian Union of Public Employees, Local 3903. If passed, this legislation would restore normal operations and instruction at York University.

This is an unfortunate situation. However, we are here to deal with the clear deadlock between York University and CUPE that has come about in this 12-week strike despite extensive attempts at mediation. Ministry of Labour conciliation officers and mediators have been working with the parties to achieve a negotiated agreement. The Premier sent in our top mediator, Reg Pearson, to see if he could help the parties. Even he could not break this impasse.

Throughout all of this, more than 45,000 students have been unable to continue their learning. For these students, their academic year is in jeopardy. The burden of this labour disruption is falling acutely and severely upon them. There remains a clear deadlock.

Our government respects and believes in the collective bargaining process. It is only in special circumstances that government intervention should occur. This is one of those circumstances. In fact, during the time of this government, more than 97% of all negotiations have been successfully resolved without work stoppage.

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Under the legislation before the House, all outstanding issues that have not been resolved would be referred to binding arbitration. The continuation of this dispute and its corresponding effects gives rise to serious public interest concerns. If passed, the bill introduced yesterday would require an end to the ongoing work stoppage at York University immediately on royal assent. Employees would be required to resume their duties without delay, and York University would be required to resume normal operations. There would also be a prohibition on any further strike or lockout with respect to this round of collective bargaining.

If the parties have not executed a collective agreement before the day that the act receives royal assent, all outstanding issues and disputes between them would be referred to binding arbitration. They would have five days following royal assent to agree on the appointment of an arbitrator and to notify my office. If they were unable to agree, an arbitrator would be appointed. The final award would be binding on both sides. In the meantime, York students will be back in class.

That is why I'm asking the members of this House to grant speedy passage of this legislation. We're doing this reluctantly; however, the public interest demands that we do this expeditiously.

I would be remiss if I didn't thank all of those who have worked tirelessly on this situation.

First of all, my thanks and gratitude to the staff at the Ministry of Labour's dispute resolution services who have worked with the parties for many weeks to help them hammer out an agreement. They are highly skilled professionals, and the province is lucky to have them in its service.

Many political and public servants have worked jointly to bring us together here in this chamber, including staff of the Ministry of Labour, Cabinet Office, the Ministry of the Attorney General, the Clerk of the House, and you and your staff, Speaker. And to the opposition

members who realize the importance of this extraordinary session of the Legislature—to all of you—our heartfelt thanks.

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

Ms. Lisa MacLeod: It is a pleasure to be here to support this bill, Bill 145.

The minister was remiss. We are here today because of the relentless efforts of one MPP in particular, someone who brought in Bill 135, not Bill 145, and that is Peter Shurman, the MPP from Thornhill. He saw early on the importance of bringing these children and putting them back into the classroom. We hear daily how important this is. I am a little angry with the Liberals, because they could have supported the private member's Bill 135 in December to put the kids back to school. Instead, here we are today needlessly wrangling over procedure rather than wondering what day this week those kids will be back in the classroom.

But this is not the only strike that is affecting the province of Ontario. My municipality, the city of Ottawa, has been engaged in a 48-day transit strike with OC Transpo, and while the jurisdiction in those labour issues doesn't relate to provincial matters, the human interest does. The humanitarian issues are affecting people on ODSP, Ontario Works, the working poor—those people who are trying to scrape two dimes together, who can't afford to put gas in their car because they have to put food on the table. Many people have lost their jobs. The economic impact is \$280 million. Thousands of people have lost their jobs. I have been asking this government, if they really cared, to help the working poor, to help the folks on ODSP and to help the people who need Ontario Works. But they have not done a thing. They continue to dither and delay.

What I find striking in not only the issue with OC Transpo and how we need the Liberal government's help in Ottawa is the fact that the York University strike has continued to drag on, because that is the way they do business.

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

Mr. Paul Miller: I must say, as I look across the room, there might be some ex-union people there; there might be some even on this side here. I guess what this government is doing is sending a message to the people of Ontario and the workers of Ontario: "We don't respect collective bargaining." That's what they're doing. What they are doing here is forcing people in a legal strike position, and what we're doing here is creating a new system in Ontario—

Interjections.

Mr. Paul Miller: Speaker, could I ask for quiet?

The Acting Speaker (Ms. Andrea Horwath): Can I please ask the members to have some respect for their colleague, in terms of their opportunity for questions and comments? We have a long afternoon ahead of us, and I'm hoping that we listen to each other through the process of the afternoon. Thanks very much.

Member for Hamilton East.

Mr. Paul Miller: I'd like to continue with my line of thought. The fact is that unions in this province have fought for years and years for the ability to have a collective bargaining system. It is under attack. This is the first university to go down the road. There are going to be many more, after this, in the same position. Now we are going to create a system here that forces people in a collective bargaining system to go back to work. Everything is going to become unnecessary. Next it'll be, I don't know, the garbage collectors. Next it'll be all the other types of unions. Every union in this province is going to be under attack for their right to strike, their ability to stand up for themselves.

They might want to ask the CEOs of York University what they make. Maybe you might want to ask why they let 100 people, including professors, go last year. A hundred people retired and they're replacing them with fourth-year students to do the work of a professor. Are you getting quality education? They're doing the best they can and they're underpaid. Some of them are making less than \$20,000 a year. Would you work for less than \$20,000 a year at a university? I doubt it very much.

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

Mr. Michael Prue: The Minister of Labour had a full hour in which to speak and spoke for four minutes. I guess everything he had to say was said in those four minutes. I listened intently to what he kept saying over and over again. I know he must be very mindful of the Supreme Court of Canada decision upon which all of this hinges, because he used the selfsame words. To quote that decision, it says: "Even where a s. 2(d) violation is established, that is not the end of the matter; limitations of s. 2(d) may be justified under s. 1 of the charter, as reasonable limits demonstrably justified in a free and democratic society." And here's the big point: "This may permit interference with the collective bargaining process on an exceptional and typically temporary basis, in situations, for example, involving essential services, vital state administration, clear deadlocks and national crisis."

It's very clear what the minister had to say. He is not saying that this is an essential service, he's not saying it's vital state administration, and he's not saying it's a national crisis. What he is hinging everything in this bill upon is the clear deadlock. I think the minister has an obligation to explain where the clear deadlock arises. He has an obligation to say—if it is the ministry's person who went in there for one day, the ministry person made it very clear that it was York University's refusal to bargain that was causing this, not a clear deadlock between the two sides.

I have no doubt in my mind, with the Liberal majority over there, that this bill will eventually succeed. Nobody in this room is doubting that and the press is not doubting that. But in the end, this will have to bear the scrutiny of the courts, and I do not believe the minister was able to define that clear deadlock in his statement.

The Acting Speaker (Ms. Andrea Horwath): Questions and comments? Response from the minister? Further debate?

Mr. Peter Shurman: I will be sharing my time with the member for Simcoe–Grey and the member for Kitchener–Waterloo.

I'm pretty sure the following McGuinty quote is accurate: "Who says you can't be effective in opposition?" For weeks now, I have been trying to get the McGuinty government to recall this Legislature to pass back-to-work legislation. I have implored, I have cajoled, I have been downright mouthy on this, and we're finally here.

I want to say that I appreciate the fact that leadership is not always easy, that tough decisions have to be made, but I did not and still do not understand why the Premier could not bring himself to call us back earlier. We could have dealt with the strike immediately. To me it was a no-brainer: 50,000 students were unfairly bearing the brunt of an irresponsible job action. Without having some special gift or being any more intelligent than anyone else here, I did what normal people do: I went to visit the students. I attended a rally, I weighed the information coming from all sides and I concluded that this was going nowhere fast.

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Now, literally millions of lost dollars later; now, literally millions of lost lecture hours later; now, with countless lost jobs, a compromised academic year for thousands and sabotaged graduate plans later, we are finally here. Am I supposed to feel good now? In view of all these things, that would be inappropriate. So I am not going to say that I'm happy to be here. Suffice it to say that I am more relieved to be sitting across from the McGuinty government in this Legislature than I ever thought I would be.

On November 18, 12 days after the beginning of the strike, I made a statement in the Legislature asking the government for action, and I posed a question. I asked that we get the striking CUPE 3903 local back to work, get an objective bargaining process going, lose the unreasonable union demands and work towards a fast and responsible agreement so that students could do what they were supposed to be doing, which is getting an education. On January 24, Premier McGuinty conceded that the sides are "in a clear deadlock, and despite our best efforts to bring the sides together, that has not changed." It took only four attempts at mediation for the government to realize that they weren't doing enough.

The day before I made my first statement in the Legislature regarding the York University strike, I attended a rally organized by a group of students who banded together under the name YorkNotHostage. Students representing that group were in the Legislature yesterday and again in the Legislature here today, and what a tenacious, remarkable group they are. They have been outspoken activists fighting to return to their classes, and I would like to recognize them and commend them for the work they've done to bring their message to the government. We all owe them a debt of gratitude.

They, like their fellow students that I met at that rally, recognized the writing on the wall in the first days of the strike, and so did I, not because I or they had any special information but just because we paid attention. I went out there and talked to the kids. We in the opposition could see the potential for disaster. We could see the propensity for a prolonged strike and the consequences that it would carry for 50,000 students and their parents. We could see it, with clarity, right from the onset.

I've warned this government for months that the strike needed the attention of decisive leadership; that my office was receiving hundreds of calls, e-mails and letters from students, parents and even faculty members who were part of the striking union, asking me to get the government to pass back-to-work legislation. I've even had constituents from ridings represented by Liberal MPPs call my office to ask for help because they were being given only excuses and platitudes by their own members. What is that about? Don't we all have the same responsibility to those who elect us? In this Legislature, all those constituents were represented, all their concerns were put before the Premier, but he persistently declined to act. He answered my primary question on November 18 himself, when I asked him about his office using moral suasion by way of a couple of phone calls. After that, it was always deferred to the Minister of Training, Colleges and Universities or the Minister of Labour, who now must surely hold the world record for repeating themselves. They repeated, right to the bitter end, any number of variations of, "Let's leave it to work itself out." We knew it couldn't, and so you delayed. You delayed.

So while I am relieved to be able to speak to a bill that is meant to get students back to their classrooms right away, my relief is tainted by the knowledge that the Premier did not act in time to ensure a full quality of education, which York University students and their parents have paid for, together with the taxpayers of Ontario. He did not act in time to make sure that summer jobs that students depended on were not put in jeopardy. He did not act in time to make sure that graduate plans were not sabotaged. He and his government did not put students first. They did not put education first. They didn't even put the union or the school first. They put politics first.

This is not an education government, and this is not an education Premier. Liberal members should be ashamed of themselves for twiddling their thumbs as thousands were suffering the consequences of their so-called neutrality. York has been choking on that neutrality for 11-plus weeks, and this government is as responsible for the loss of income, education and employment opportunities as any CUPE 3903 member who voted to continue that strike.

You've put the future of these students in jeopardy, Premier. You didn't rise to the challenge; you didn't step up when they looked to you. Instead of standing up for students, this government has given us more than 11 weeks of excuses, platitudes and stonewalling. As I've

said to the students, your education this year has been a tough lesson. You have learned that there's always a victim, and it's you.

We were told that the government would not get involved because of the autonomy of universities. This is the same government that can't seem to wait to tell us what we should eat, what type of dog we can own, who can and who cannot be a passenger in our cars, how we take care of our lawns and what types of car seats we use for our children—never even mentioning the idea of individual autonomy and the dignity of each person as being fit to make his or her own good decisions.

"Mediator" was the government's answer to everything. Even after the striking CUPE 3903 rejected the last university offer, the Premier's solution was to send a mediator again. The Einstein definition of insanity is doing the same thing repeatedly and expecting a different result. This from the individual charged with the responsibility of getting our province through one of the most significant economic challenges that we have experienced; this is the Premier of Ontario, who is supposed to be implementing innovative and creative solutions to get our province back on track, to push it again to be the front-runner in this country. Seven months of negotiations, five university contract offers, five union counter-offers and three failed attempts at mediation, and still, when push came to shove, the Premier's idea of a speedy resolution was to implement a method that had repeatedly failed to produce any results.

There's been no movement on this dispute since November. I suspect that after each mediation attempt, the mediators reported as much to the Premier. The parties were clearly in a deadlock, and yet the Premier refused to move. Even earlier this week, after students had already wasted 10 weeks of their year, he was content to wait. The students are beyond apoplectic and the published numbers of prospective students for first-year university are up in all Ontario universities except for one that's down, and it's York. We knew that a week ago.

The Premier's reasons for not acting at this very critical stage were many and diverse, each as unfounded as the other. First, there was the notion of autonomy and neutrality. Then, this past week, at one point he pointed to the possible opposition of the NDP, much to the surprise of my NDP colleagues, I'm told, who had not at that point even been approached by the Premier's office regarding back-to-work legislation, any more than our party had. A couple of hours later, he was using a court decision to hide behind. Now he seems to be afraid of the union taking him to court over the legislation we are now considering.

I would remind members that this Premier had no qualms about dragging parents of autistic children through court, trying to get them to pay for government legal costs simply because those parents dared to demand the services, some of which were actually educational and which Dalton McGuinty had promised them. Why is Premier McGuinty so afraid of unions?

Interjections.

The Acting Speaker (Ms. Andrea Horwath): I'd like to remind the members that we're here for debate, and debate can only happen when we listen to each other in this chamber. So please, keep order. Thank you.

Mr. Shurman.

Mr. Peter Shurman: I say again, why is Premier McGuinty so afraid of the unions? Is it because unions are behind Working Families? Is he concerned that those unions won't be there to support him in 2011? Is this the real reason behind his obvious dithering?

This Premier has done nothing but preach about how Ontario had to prepare for a knowledge-based economy and the importance of post-secondary education for Ontario's future workers. Why, then, would he allow this strike to go on so long? Why would he allow students and their parents to suffer and be the unwitting and left-out victims in this dispute?

I want to ask the people of Ontario if they are really willing to put their faith in a Premier who has turned every stone looking for excuses not to take action to protect 50,000 futures. If this Premier and this government were serious about creating a better Ontario, they would listen to the people in this province and they would work with this opposition.

When we hear the government members screaming at us to stand up for Ontario every time we ask a question that pertains to the economy, we want to shout that we've never sat down. Doesn't the Premier listen to experts and shouldn't he be paying attention to knowledgeable sources? If he were serious about a better Ontario, he would have listened to us and he would have listened to experts as we warned of approaching economic storms that now lash us individually and as a province. Instead, the Premier was content to do nothing and to say, "This too shall pass."

The York situation was no different. This government ignored students, it ignored MPPs calling on them to take action, and it ignored the opinions of people directly involved with the university. Who are you listening to?

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On January 15, 12 deans of York in an open letter urged the striking union to accept the latest university offer, calling it reasonable and most responsible given the economic crisis. We read that, and all of you read that, 11 days ago. Still the Premier's office stayed silent and refused to get off the sidelines, satisfied to let things just work themselves out, until we hit 11 weeks and the maximum potential for damage was achieved. They've had 11 weeks to prepare for back-to-work legislation.

While I will be voting to send students back to school, the bill we are discussing here today is not the optimal solution to the problem that we face. It does send York students back to school now, but what about next time? How long before these students are again faced with the threat of a strike? With this legislation there is no protection for those students in their first or second year who may very well have to experience another strike in 2010 if the union isn't required to sign a minimum three-year contract. We had asked for that, and those kids need

it—yet another example of a band-aid approach to problems, with the government not thinking further than its nose into the future to be proactive and to prevent similar disastrous disputes.

Many contracts in many universities across this province expire at the same time in 2010, with hundreds of thousands of students at risk. How will those negotiations go? I don't expect that anyone should want York's contracts expiring at that same point. As we speak, the CUPE local at U of T may be preparing for its own job action. Is the government willing to admit that they've made a mistake in waiting so long to end the York University strike? Will the Premier commit to protecting U of T students when he failed to protect York's student body?

How many universities will have to prepare for a strike in 2010, and how will the province get ready for a possible lockout of over 300,000 university students? Will we punish administrations for trying to be responsible with their money, the government's money, our money, by making them subject to irresponsible union demands by threat of strike?

Some media reports have suggested that York's applications have dropped by 15%. How can we expect any of our universities to be financially responsible, especially in these economic times, when they are faced with falling admission numbers due to uncertain labour conditions? Earlier, the Premier said that York sustained a black eye. What he didn't say is that while the punches were being thrown, he was the bystander. He did nothing.

At a time when we need a skilled, trained and educated workforce, the government is especially responsible for protecting education. It is as vital a resource to Ontario going forward as we could possibly have. These are the challenges that I expect a government to answer to and right now the challenges that I expect this government to answer to.

I, with the backing of my colleagues, want to know how this government will protect education from being hijacked by strikes, because the York issue is not the first and not the last labour dispute on the horizon. I mentioned U of T, I mentioned other universities that will find themselves in bargaining territory in 2010—all at the same time—but I want to take this opportunity to highlight an even more imminent threat.

We've been given the indication that, come March, elementary teachers may be considering a job action of their own that would leave thousands of children without school. I need each and every parent in Ontario to pay attention to this, to write, to e-mail, to call, to contact their MPP, to contact the education minister, to contact the Premier, to make sure that they understand that waiting 11 weeks to protect education is not an option for this government anymore.

Mr. McGuinty and his ministers took York University students and their parents to the very brink in this strike. We cannot allow them to repeat the same mistake with our elementary schools. This is not to suggest that I am opposed to collective bargaining. I respect the process, but sometimes things just don't work out.

This situation, more than anything else, has shown how it can be used irresponsibly and with serious consequences. The people who had the most at stake, who bore the brunt of the strike, who were in fact held hostage by it, had no voice at the table. The striking workers, whose responsibility is to be looking out for the education of the students enrolled in their university, didn't take them into consideration. Students are instead being used as pawns, first in the dispute between CUPE and the university and now between the Liberals and the NDP, and they continue to pay dearly.

The message I want all bargaining units to hear is that the right to bargain should not be considered arbitrary. The right to bargain extends only so far as the rights of those affected by the bargaining process. Once those rights are infringed upon, it is the government's responsibility to step in to protect them. This I believe with no apology. So the message that I'm sending to you is not "no collective bargaining" but "responsible collective bargaining."

Premier McGuinty, you are not here to protect us from ourselves, as much as you would like to continue to play dad to Ontario. You are here to protect us from each other, a job you've never more clearly failed at than in the York University example.

To those who are considering job action, I urge you to consider not only your wish list, but the circumstances around you: the economic conditions and the impact that your demands will have on your organization.

To my colleagues on the NDP benches, I urge you to lend your support to allow this bill to be put to a vote as quickly as possible so that students have a chance to salvage what is left of their year. That trumps all other considerations.

Just reading student comments on the discussion boards, you can appreciate the devastating impact that the cancellation of classes has had on them, and I would like to read just a few.

"After months and months of my life being putting on hold I will be glad to get back," writes Shannon.

"What I would like to see is Mr. McGuinty be held accountable for his inaction. We as York students have been asked to put our lives on hold. We had to sit on the sidelines and have our education stolen from us, our careers ruined, and face economic hardship. Those who sought election to represent us within and outside of the university remained silent. I ask that when York and Ontario return to the polls we as students remember this, remember who sat on the sidelines and let this happen, remember who stood up for us and who played politics. As was once so famously said, a government that seeks another mandate seeks to do nothing. I can finally move on with some certainty in my life," writes Mario.

From Anisa: "I am so happy that my life will be back."

Again, I hope that while you may feel inclined to not vote in support of this legislation, you will feel compelled not to stand in the way of students getting back to their classrooms at the earliest opportunity—this

to my friends in the NDP. Delaying a vote will only succeed in creating additional hardships for students who, as you can see, have already suffered more than their fair share.

Finally, I want to send a special message to all the students that I had the chance to meet and speak with during the course of the strike.

Aside from attending the rallies and joining students at media interviews and other events, last Monday our leader, John Tory, our critic for training, colleges and universities, Jim Wilson, and I had the opportunity to sit down at the campus and speak with some of the students, as well as a parent or two, to discuss the impact of the strike and the options open to them to salvage their year. I want to reassure the members of this House that if these are the people looking to lead us in the future, there is much reason for optimism.

Lyndon Koopmans, Catherine Divaris and Matthew Geigen-Miller: You and your fellow students have been instrumental in getting the Premier of Ontario to this Legislature, and while I know that this wasn't the type of education you were setting out for when you started your year, I hope that you are able to take something away from it. My thanks to all the students for their continued support and kind messages. I, along with the members of the PC caucus and, I am certain, MPPs from all parties, wish you all the very best of luck in your studies and all your future plans.

The Acting Speaker (Ms. Andrea Horwath): Thank you. Member for Simcoe–Grey.

Mr. Jim Wilson: It's with regret that I rise, actually, as the critic for training, colleges and universities for the Progressive Conservative Party. I regret having to be here today; it was so unnecessary. But I will share a few thoughts about Bill 145.

Before I do that, I do want to thank John Tory and our colleague from Thornhill, Peter Shurman, who, right from the very beginning, way, way back just a few days after the November 6 strike began, introduced his private member's bill. The government, of course, refused to deal with it, but he stuck with it. He's been persistent day after day, hour after hour, not only representing all 50,000 students and their need to get back to their education, but also the thousands of students and faculty who live in his riding, as the riding of Thornhill abuts the campus of York University. So he was best suited and on his own initiative took the leadership of this issue, along with John, and for that we are truly grateful.

1400

We're here today because for 80 long days the Liberal government and the self-styled education Premier refused to act to bring an end to the strike at Canada's third-largest university, shutting out about 50,000 students in the thick of a major economic crisis, resulting in the longest university strike in Canadian history. Because of the unashamed inaction of this government, the education of those 50,000 students and their school year were under threat of being entirely wiped out. For over 80 days now, the students have lived in fear as they've watched their

financial resources dwindle and employment opportunities disappear while their education and graduation plans teetered on the brink of destruction. This is and was unacceptable.

The Progressive Conservative caucus wants an end to this strike immediately. We believe in putting students first. This strike has been devastating for students and their parents, which is evidenced by the thousands of e-mails that they have sent almost daily to all MPPs in this House, pleading for action. Most of the e-mails went like this:

“To whom it may concern:

“I feel like I am being held hostage for months since November 6, 2008. I am a student at York University and CUPE 3903 is on strike. Against my will, I (and about 50,000 other students) have not been able to attend classes. I am asking for your assistance in bringing an end to this unfortunate situation. Please do not ignore my plea. Help me. I want to return to my classes.

“Your assistance in this matter will be viewed most positively during the next election.”

This same e-mail was sent thousands of times to members of the Liberal government dating back to November, and all that these innocent students got in response from the Liberal government was shoulder-shrugging indifference. The Liberals have repeatedly refused to act in the best interests of students.

There were more e-mails and pleas for help. Some of them went into greater detail about their particular situation, like this one from my constituent Darlene, from Collingwood:

“Dear Mr. Wilson:

“I am writing you in response to today’s overwhelming rejection of York University’s latest contract offer by the members of the CUPE union. As you are aware, this strike has been ongoing since November 6, 2008. I am appalled that this strike has been allowed to continue for this period of time. It appears to me that the members of this union are not aware of, nor care about, the financial constraints that the entire country is facing at this time. Many contracts throughout Ontario have been settled with raises of 1% to 3%, yet these students and faculty members are asking for over 15% in the next two years. I am wondering how many of these students on strike are collecting OSAP.

“My son is currently enrolled at York and he has paid over \$12,000 in program and residence fees. The university is now saying that they will make up the time by extending the school year. My son has always worked over the summer as his contribution to his fees and for his spending money. Extending the term into the summer will place a hardship not only on my family, but also on those students who rely on summer employment to finance their year. I am also concerned about new residence fees that might now be incurred due to an extension as he is not able to commute on a daily basis.

“I am asking that the government of Ontario step in and order these members back to work under binding

arbitration so that these students can get back to work on their programs of study.

“Yours truly,

“Darlene.”

There were more e-mails:

“Dear Jim:

“As a parent of a student who should be attending York, I wish that you would put pressure on the government to get the strikers back to work and the students back in class.

“There is a great deal of harm being done, and back-to-work legislation should have been introduced long before now.

“Thanks for your assistance,

“Ross.” He’s from my town of Wasaga Beach.

Another one from a gentleman in Newmarket:

“Dear Mr. Wilson,

“I’m writing to you about my frustration over the strike at York University.

“My daughter, Jennifer, is in her first year and has been out of school for over two months now. CUPE 3903, representing the teaching assistants and part-time teaching staff, are preventing over 50,000 students from obtaining the education they’ve paid for.

“I’m a single parent raising two teenage daughters. I’m making support payments to my ex-wife. With this financial burden, I worry about being able to afford a university education for my daughters.

“Jennifer has a part-time job and only works on weekends while enrolled at York University. My ex-wife and I contributed to Jennifer’s tuition as best we could. OSAP offered just over \$100 toward her tuition.

“That was a big disappointment given our limited finances. Anyway, with Jennifer’s small savings and with scholarships, Jennifer was able to get into York. Jennifer commutes from Newmarket to save on the cost of residence. This strike is threatening her school year. My youngest daughter, Beki, is in grade 12 this year and would like to attend York next year. I’m worried about her chances of getting into York in September not knowing what impact this strike will have on the current and September semesters. I’m hoping that my finances will permit both Jennifer and Beki to get their university education over the next few years.

“CUPE 3903 has rejected the latest contract offer. Their demands seem out of touch with today’s economic situation. Students are losing job opportunities they had planned for the summer due to the uncertainty of the school year. Students living away from home are going into debt trying to pay their rent as they wait for the strike to be settled. I believe that the Legislature does not return from its Christmas break until February. If the government does not get involved until then, it could be too late to save the school year that should normally be ending in April. Can you please do what is in your power to end this strike and get the students back? Your help is greatly appreciated. Thank you.

“Sincerely,

“David from Newmarket.”

Of course, there are hundreds, thousands of others with the same sentiments as those I've just read. While these e-mails were being sent and while students held rallies and signed petitions, nobody from the Liberal government did anything. They sat on their hands until yesterday in the face of a crisis. As I said, the Progressive Conservative Party is in favour of this back-to-work legislation. We will support this bill. Our party has been calling for it since November. But as I said too, there's no reason, really, for us to be here today. This bill could have and should have been passed before the Legislature adjourned for Christmas. We urged that, and my colleague from Thornhill even introduced his own bill to bring the students back to class, which the Liberals refused to support.

This situation is clearly an embarrassment for this government, but their management of our colleges and universities in general is equally bleak. The real underlying issue here is the overall negligence of post-secondary education in Ontario by this Liberal government.

Jeff Rybak, a blogger for Maclean's magazine, explained one of the reasons why he thinks the situation at York is a lot more about government policy than it is about labour unrest. He wrote:

"Viewed only as a labour action you'd certainly tend to think this strike is about compensation for work, wouldn't you? Not for all the graduate students on strike, it isn't. This strike includes teaching assistants, research assistants and contract faculty all in the same bargaining unit. With the exception of the last group, they're almost all graduate students. These aren't ordinary workers on strike. These are students in their own right. And they have all the same concerns common to all students, including the cost of their education."

Mr. Rybak claims that one of the issues is that "this is a cost-of-education strike disguised as a labour action." If this is indeed the case, then that speaks volumes to how this government has completely mismanaged post-secondary education in Ontario. The Liberals have long claimed to be funding an additional \$6.2 billion for post-secondary education through their Reaching Higher plan, when in fact, when you actually look at the estimates and you actually question the minister, you see that there's really a little less than \$250 million in new funding each year. If 50% of what is being invested today is going right out the window to finance their higher enrolment or increased utility and energy costs, you're not that far ahead when you actually crunch the numbers and pay the bills. That's what the Council of Ontario Universities has said. In fact, they said that "when university ... inflation ... is factored in, the resources per student are likely to leave Ontario still near last place among provinces in per student funding for universities."

A report by the Ontario Undergraduate Student Alliance confirms it. They say, "Unfortunately, statistics indicate that with the marked increase of students into post-secondary education," the government's investment "will have little impact." Undeniably, after five years of Liberal government, students in Ontario know that only

Alabama has a more disgraceful funding record in all of North America. In Canada, we are dead last, 10 out of 10 of all the provinces, in terms of per capita funding for universities. We're second-last with respect to per student funding; we're dead last if you count it on per capita funding and we have the second-highest tuition fees in all of Canada, right here. Only Alabama, in all of North America, has a worse record.

We also have the largest class sizes, on average, in all of Canada and the worst student-to-faculty ratio in all of Canada. In fact, in 1988-89, there was a 17-to-1 student-to-faculty ratio in Ontario. Now, under the Dalton McGuinty government, in 2007 and 2008, there was a 27-to-1 student-to-faculty ratio. Again, the Ontario Undergraduate Student Alliance reports that if Ontario is to meet the national average, it needs to decrease its student-to-faculty ratio to 22 to 1. If it wants to compete with peer jurisdictions, it needs to decrease the ratio to 15 to 1. They also say that it has been estimated that Ontario requires—I've heard this from the faculty association too—beginning this year, 11,000 new faculty to meet increased enrolment capacity and retirements.

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All these are more broken promises from the Liberals. Back in 1999, Mr. McGuinty not only made a promise, he signed a pledge as opposition leader that, if elected, he would bring per student funding in Ontario up to the national average in his first term in office. If you walk into my office, I've got a big, blown-up picture of that photo op of Mr. McGuinty signing the pledge. It's quite like the one that said he wouldn't raise our taxes, and it has about as much value. Well, your first term, I say to the government, has passed, it's now been over five years since you came to office, and we're still 10 out of 10, dead last in Canada, the laughingstock of our country when it comes to funding our universities. The Liberals like to talk about throwing a little money here for books and a little money there for travel or some for new classrooms, but they need to get tuitions in line and get per student funding up. There's no point in building new classrooms if you don't have the faculty and teachers to put in them.

Then there's the issue of the student access guarantee. The government has said that no qualified Ontario student will be prevented from attending Ontario's public colleges and universities due to a lack of financial support programs, and yet they don't keep statistics, so you wouldn't know. Unless people write to us directly and say, "I couldn't afford to go. That's why I didn't go," we wouldn't know. There's no way of keeping statistics. But we do know, and the minister admitted it when I asked him in estimates late last year, that 20,000 students a year are turned away from OSAP. So where are those 20,000 going? We don't know that, but we can assume they applied for OSAP because they needed it and we can assume they wanted to have a post-secondary education. So for them to say that no qualified Ontario student is or will be prevented from attending is just a bunch of—

Interjection: Hooey.

Mr. Jim Wilson: —hooey. It doesn't sound like much of a guarantee; it sounds like just a bunch of rhetoric.

Not only that, but part-time students don't even qualify for OSAP, and students are only allowed to earn \$2,300 through part-time employment without being penalized with lower loan assessments or repayments. Rather than prioritizing the government's existing resources to properly fund post-secondary education—and by the way, the budget has gone up how much, 30%, since they've come to office? Where did the money go? We now have an almost \$100-billion budget, and when they came into office it was \$68 billion. It's about prioritizing your programs and what's important to you. You would think, if you were the education minister, that you would be doing exactly that because that's what you told people you would do.

Certainly, the students at York University know that their lives have not improved under the McGuinty government and this education Premier. The Ontario Undergraduate Student Alliance in their pre-budget submission to the Standing Committee on Finance and Economic Affairs called for a long-term vision for post-secondary education in Ontario. It's badly needed, and yet again this government has no plan; again, five years in office and still no plan. Students and parents know that this is true, and it's evidenced by our being here today.

The Progressive Conservative Party believes it is crucial that we find ways to improve access to higher education in the face of higher tuition fees. We know that it's becoming a barrier to so many of Ontario's youth, particularly those from disadvantaged backgrounds, and we have urged the government to act. Yet, the Liberals seem to have no plan to even have a plan to help students.

Again, these are all part of the reason that we're here today. This is not just about a disagreement between CUPE and the administration at York University; this is about Liberal mismanagement of the post-secondary education system. I suspect that maybe one of the reasons the government has been so reluctant to call the Legislature back to have this debate—again, I say they are embarrassed. The fact that we are here today speaks volumes of failed leadership. Until yesterday, they refused to act while 50,000 students feared the loss of their school year and wondered how they will possibly make ends meet if the strike is allowed to continue. It's completely irresponsible, and this government should be ashamed of their inaction. This legislation is embarrassingly late but, as John Tory said, it's better late than never.

So I say to the students watching today that John Tory and the Progressive Conservative Party and caucus are on your side and we have been throughout this strike, and we will do our very best to help you get back to class as soon as possible. We will continue to fight for you in this Legislature by urging the government to use its resources better, to help ensure that you and your friends are able to access post-secondary education, and we will push the

government to come up with a long-term plan so that you can get the best education money can buy.

The Acting Speaker (Ms. Andrea Horwath): The member for Kitchener–Waterloo.

Mrs. Elizabeth Witmer: I want to compliment, first of all, my colleague from Thornhill for the outstanding presentation he made on behalf of getting the York students back to class. Certainly, his advocacy on their behalf has been strong. He has been pushing for this to happen now for almost 80 days, and it's long overdue. And, of course, my colleague from Simcoe–Grey, our critic, has very, very competently pointed out the mismanagement of our post-secondary educational system by this government and their failure to develop a plan to address the needs of our students.

Of course, this is what we see in almost every area of life in the province of Ontario. Not only do they not have a plan for post-secondary education; they don't have a plan to restore the economy to economic health; they don't have a plan for health care. As a result, we now see long waiting lists, we see people without doctors, we see hospitals unable to balance their budgets, we see about 24,000 people waiting for long-term-care beds, we see people in hospitals who should be in alternative levels of care, we see the nurses who were going to be hired no longer on track—an additional 9,000. The family health teams aren't going to be here. This government simply has no plan.

It is very ironic that we are here today and the Liberal government now, after 80 days of no action, is trying to blame the NDP for blocking this back-to-work legislation. They had an opportunity to respond on many occasions. They were urged to do so by the members for Simcoe–Grey and Thornhill and by our leader, John Tory. However, they did not respond until the very last minute, when it now appears that this is the longest strike in Canada ever. They should be very embarrassed that they failed to respond to the concerns of parents and students and that this strike has created a tremendous amount of hardship and there is going to be financial loss for the students.

This government would have been well advised also, as they considered what action they could take, to have taken a page out of the book of President Obama. They could have attempted to act in a non-partisan way. This is not a partisan issue. All three parties in this House were, I believe, committed to getting these students back into class. However, this government, in its usual manner, failed to consult with the other two parties. There was no House leaders' meeting. I've been here; I've been here since the strike started, and I know the NDP have been as well. Nobody brought us together to point out to us that there was a problem and ask, were we prepared to look at solutions to resolve this issue? Oh no. This government, one more time, decided to go it alone and, of course, at the last minute, shortly after 9 o'clock on Saturday, informed the opposition parties that there was a bill. Suddenly it had become an emergency and suddenly we

were going to have to sit on a Sunday. Why? I don't know.

Mr. Jim Wilson: Drama.

Mrs. Elizabeth Witmer: We could have come back a week ago.

Mr. Jim Wilson: Just drama.

Mrs. Elizabeth Witmer: We could have done this before Christmas.

Mr. Jim Wilson: Political drama.

Mrs. Elizabeth Witmer: It was simply, as my colleague said, political drama. It was an attempt to make sure that the whole world, particularly here in the province of Ontario, was focused on this issue. It's really quite regrettable.

Mr. Jim Wilson: Now you're blaming the NDP.

Mrs. Elizabeth Witmer: And now you're trying to blame the NDP. This is not the fault of the NDP; this is your fault. You have mismanaged this issue from day one. You knew, as all of us knew, that all of the consultation and the negotiations that had been going on before the strike were resulting in deadlock. You knew that. This didn't just happen with the start of the strike. You refused to put students first. You refused to bring the House leaders together. You refused to try to work at a solution in a very non-partisan way. You just didn't want, I guess, to behave as we're seeing south of the border.

1420

So here we sit. We've now wasted two more days. These students, by the way, when they heard the announcement on Saturday, were very hopeful that classes could have started today. They were very, very hopeful. If you had called us together, you would have known the position of the NDP and you could have taken steps to deal with it. So there's no excuse whatsoever. You're now trying to shift the blame to the NDP for keeping the students out and preventing the passage of the bill. If you'd taken action earlier, if you'd called the House leaders together, this issue could have been resolved. Well, I can tell you, the public is not buying it. Everybody knows about the virtual deadlock in the negotiations well before the strike began, and there's—

Interjections.

The Acting Speaker (Ms. Andrea Horwath): Member for Kitchener–Waterloo. I'd like to have order in the House, please. Member for Brant, member for Hamilton East–Stoney Creek, please. We still have many hours to go this afternoon, and I would ask that the members get back to a more respectful tone within the chamber. Thanks very much.

Mrs. Elizabeth Witmer: So I hope today that all people in this House, from all three parties, will put partisanship aside, will focus on the needs of the students and the families who have suffered terribly and that we can take the decisive action that is necessary today and support this bill. Let's get the students back in the classroom, and then, at some point in time, deal with the other issues, which, as my colleague our critic has pointed out, are huge. We have huge problems in post-secondary education, but today our priority needs to be

on the students and getting them back into school. I urge you to support this bill at the earliest possible chance.

Hon. John Milloy: On a point of order: I seek unanimous consent that, notwithstanding standing order 81(c), Bill 145 may be called during orders of the day in both morning and afternoon meetings tomorrow, January 27, 2009.

The Acting Speaker (Ms. Andrea Horwath): The minister has asked for unanimous consent. Agreed? I heard a no.

Hon. John Milloy: On a point of order: I wish to inform the House that the government has no business to be called tomorrow morning.

The Acting Speaker (Ms. Andrea Horwath): Thank you. Questions and comments on the remarks from the member for Kitchener–Waterloo, the member for Simcoe–Grey and the member for Thornhill?

Mr. Michael Prue: Two minutes will allow me to do only one comment, but I would like to commend my friends from the Progressive Conservative caucus. I agreed with much of what they had to say. There was only one thing that I took some umbrage with, and I'm going to deal with that, and that was the statement made by the member from Thornhill. In leading up, when he first started, he said that the union had, over the course of the time, made a series of unreasonable demands.

The question I have to ask of him is: What were the unreasonable demands that the union was making? Were the demands that there be tenure for some of the staff unreasonable? Was that unreasonable? Was the unreasonable demand that \$17,000, that being the highest pay that a person can get as a teaching assistant or a contract professor—was that what was unreasonable, because the workers thought that was not sufficient money? Was it unreasonable that they were seeking job security? I think that was the major element in the whole process: that they were trying to get some form of job security so they didn't have to go back each and every year and apply for their jobs back and hope to get them.

Last but not least, and the fourth element of the whole negotiation, was an improvement to benefits. They were seeking improvement to benefits that included dental care for themselves and for their children. Was that what was an unreasonable demand? In the end, this was a union trying to do what I think was best for its members and, in large part, for the long term, what was best for the university and for the students who go there.

So the question is, was the union being unreasonable in seeking these four things: the tenure, a wage increase above the poverty line, job security for its faculty and improvements to benefits for themselves and for their children and families? I hope that the member, if he gets an opportunity to respond—and I know he may not because his two colleagues may respond—can tell me whether or not those were unreasonable.

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

Mr. Paul Miller: I, too, would like to commend the member for his tenacity on this subject—and also the

nice comments from the front bench. However, I have some questions for the member.

I asked the member if any of his constituents are union members and if he asked for their opinions. Did the member discuss the position of the union with the leaders of the union? Is the member in possession of the last union offer, which was filled with concessions? Was the member aware that they were four points away from a settlement? Would this member suggest that all collective agreements in this province be deemed an essential service so there would be no more unions? Would this official opposition suggest that none of the students graduating from their courses will become future members of unions? Would he suggest that they give up their bargaining rights in the future? If that's the case, we're in a sorry state of affairs.

I suggest to the official opposition, I suggest to the government, that the whole bargaining process, since back into the 1930s and 1940s when unions were formed in Ontario, has brought Ontarians a lifestyle that can be matched nowhere else in the world. They did hard work, they fought hard, they went on strike. I myself have been on three strikes. We fought for what we've got. All these young kids who are coming out of university are going to have the ability to live a good life because of unions and because of their ability to negotiate contracts and agreements.

Will this government, will the official opposition, stamp out the rights of unions in this province to negotiate and call them all essential services in the future? Are they going to do this with all the universities? I'll tell you right now, you're going to have a heck of a fight in Hamilton, because we've probably got up to 20,000 members at McMaster who are with CUPE and other organizations.

This isn't going to go away. You can't stamp out the rights of people to negotiate in this province. What's going on here is a disgrace.

I'll tell you right now—my final comment: This is going to be challenged in the courts and all of you are going to retract what you've done.

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

Mr. Peter Tabuns: The Conservative members of the House have talked about the situation we find ourselves in. They've talked about the actions of the government. I think it's fitting that we're here debating this today, because in the end, the decisions that have driven the strike at York University were decisions made in budgets that have been brought down over the last decade, decisions that have left Ontario in last place for funding per capita for post-secondary education.

There's no question at all that there's fallout when you make decisions like that. If you throw people into a room without food, without water, without adequate air, they come into conflict. If you put people into universities where there are not adequate resources for teaching, if you tell university administrations, "Make it up as you go along. See how you can pull together the ends that

ultimately don't meet," you will find that there will be conflict; you will find that there will be intransigence.

A man who styles himself as the education Premier has put us in a situation now where there is conflict on our campuses that need not have been there at any point. If in fact funding had been adequate, if in fact full-time staff, tenured faculty, had been hired consistently, if in fact we didn't have to increasingly rely on part-time temporary work, that would change the nature of the relations between the union and the administration in this university—and not just here. Be well aware that strike votes have been taken at other universities in this province. Be aware that when you talk to the people who teach in our community colleges, those who are part-time have been in a desperate situation for years. They have been deprived of the right to strike, deprived of the right to organize, and finally now will begin to assert their rights. This is only the beginning.

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

Mr. Dave Levac: I look forward to voting on this bill as quickly as possible.

The Acting Speaker (Ms. Andrea Horwath): Response? The member for Thornhill.

Mr. Peter Shurman: The question here is not whether collective bargaining works or doesn't work. It's not whether I or any of my colleagues support collective bargaining or not, because we do. It is about the question, when is enough too much? Enough became too much when we considered the fact that this was a contract that expired mid-2008 and was still being negotiated, had negotiations persisted, even now, and for how long we don't know—50,000 students being affected, and there was something more below the surface. This was the thing that, I suppose, caught my fancy when I went out to that original rally and was handed a piece of paper by somebody that listed 18 universities in Ontario that are attached in one way or another through labour agreements with CUPE.

1430

CUPE has obviously been orchestrating these agreements to expire at approximately the same time. Over half of the universities in the province are now affected. If York goes ahead, as the union would want, then we would go above half, U of T the same thing, and ultimately approximately 14 of the 18 universities would be affected. So the end game would appear to be to bring the province to its knees, with over 300,000 students being affected midway through 2010. If you connect the dots, that's not only an economic hardship; it's not only an educational hardship; it takes the individual student who entered university at a place like York this year and says, "Guess what? You just went through 11 or 12 weeks of strike and, by the way, 15 months from now you're going to do it again." I heard one of the members say that there were only four demands left, and one was for a two-year contract. That was precisely what this was about. I thank my friends from Beaches—East York, Hamilton East—Stoney Creek, Brant and Toronto—Danforth.

As far as union members in my riding, there are plenty of them, including ones in York, and there's one in me. That's the card.

The Acting Speaker (Ms. Andrea Horwath): Further debate? The leader of the Ontario NDP.

Mr. Howard Hampton: I'm pleased to be able to participate in this debate. I want to say at the outset that this is an important debate. This is our job, to ensure that good legislation is passed and to ensure that bad legislation is not passed. There are a number of issues surrounding this legislation that I think the people across Ontario ought to know about.

In contrast, the McGuinty Liberals suddenly, in a sudden mood of panic, are saying, "This legislation should be passed with no debate, no discussion, no examination of the facts, no questions, no answers, no thought, no criticism." This is, all a sudden, panic. These students were out of the classroom in the fall. What did the McGuinty Liberals do? I remember being in this House and debating material that was, frankly, of little consequence. I remember coming here some mornings and seeing that the House was recessed because the McGuinty Liberals had nothing to present to the Legislature. But now suddenly it's a panic, and we're all supposed to forget our brains and we're all supposed to forget our jobs. We're not supposed to ask any questions. We're not supposed to ask about the facts or conduct any examination or demand any answers. Well, I intend to do my job. I intend to ask some questions. If Liberals want to behave like some kinds of mindless automatons, you do that, but there are serious questions that need to be asked here. The government had better come up with some answers.

But I want to deal first with: How could this government suddenly have a panic attack? Suddenly this is an immediate emergency. I want to ask: What do the McGuinty Liberals have to hide? What are they afraid of in debate or discussion? What are they afraid of in democracy? Isn't that what democracy is about: thoughtful discussion, debate, asking questions, examining the facts? What are the McGuinty Liberals so afraid of in democratic debate, in democratic discussion?

Let me suggest what the McGuinty Liberals are afraid of. The McGuinty Liberals start from one end of the province, talking about education. Oh, they talk about education. They want everyone to believe that they're the most wonderful thing to happen to education in this province since Egerton Ryerson. What are the facts? What are the facts in particular when it comes to post-secondary education? Here are the facts: There are 10 provinces in Canada, 10 provinces that have university systems. Guess which one has the lowest government financial support measured on a per capita basis? Is it Newfoundland? Is it Prince Edward Island? Is it those miserly Conservatives out in Alberta? Is it Manitoba? No. The province that has the lowest level of financial support for its university system, based on a per capita system, is the McGuinty Liberals in Ontario. The people who go around pretending to be holier than thou, more

moral than the most moral, who want to lecture everyone in education, have the worst record on the funding of post-secondary education in Canada.

But we're lectured by the McGuinty government that we live in an international world and we should think internationally, so let's compare ourselves to the United States. Do you know that when you include four-year universities in the United States, the McGuinty government's record on funding post-secondary universities would be almost at the bottom in the United States? You might be able to find a state like Alabama or like Mississippi that has a worse record, but you're digging pretty deep there; you're getting right down to the bottom of the well.

May I suggest that the real reason the McGuinty government wants this passed with no debate, no discussion, no questions, no examination is because of their own abysmal record? The government that goes around holier than thou, lecturing people about education, has failed miserably to fund post-secondary education in Ontario. That is the reality, and that is what McGuinty Liberals are trying to cover up here today.

But that's not the only thing that's happening here. There is much more. The government says that they really care about the students. Many of the people who are out there on the picket line, who have been trying to bargain a better collective agreement, are students. Some of them are students who put in four years of undergraduate, two years at a master's degree, three years working on their Ph.D. They've racked up debts. Thanks to the McGuinty government habit of jacking tuition fees through the roof, they've racked up student loans like something you've never seen, like something you can't imagine. These are the very people—they are students. You think they don't want to pursue their studies? You think they don't want to be able to move on? But here's the reality that they face: They are limited, very limited, in their income. Many of them live below the poverty line. Some of them are working very hard doing contract work in the university for less than \$10,000 a year. Some others who have responsibilities, such as teaching, that would rival a full professor's responsibilities are being paid \$17,000 a year. For God's sake, they're living below the poverty line. They are taking on more and more responsibility, and they are living below the poverty line. Does the McGuinty government care about them? They are students. They've invested years in their education. Does the McGuinty government care about them? Obviously not.

I would say that the McGuinty government's care for university students is very superficial at best. It amounts to a headline, and that's about it. How else could you see a sorry situation where after five years their funding of post-secondary education is among the worst in North America? How else could you have graduate students, how else could you have contract teachers, living on salaries below the poverty line? It's a government that continues to talk the game but a government that continues to neglect its responsibilities.

I think there's something more that the McGuinty government wants to avoid. Here we have Bob Drummond, the dean of arts at York University, who confirmed just a couple of weeks ago that York University, as professors retire, is by and large not replacing those professors with new professors. No; because it is short of funding, it goes to the very folks who are the subject of this legislation, the people who have been trying to bargain a better contract, and it says to them, "You take on more responsibility. You teach more classes. You do more supervision. You do more marking. You take on more responsibility." But is there any job security? No. Is there a significant increase in pay? No. A benefit package? No. I think most Ontarians would be shocked and appalled to learn this. That's why we need to have this debate and this discussion, so that people across Ontario will learn the real facts about what's going on in Ontario's universities.

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I think there's something else the Liberals want to cover up in this. York University is not alone. York University is not some anomaly. It's not some anomaly where this is only happening at York and it's not happening elsewhere. Go to Carleton. Go to the University of Ottawa. Go to Trent. Go to the University of Toronto. Go to McMaster. Go to Brock. Go to Laurier. Go to Windsor. The situation is happening in university after university across this province.

The only people who think this is good for the university system are the McGuinty Liberals. They think it's so good that we shouldn't even debate this and discuss it. They think it's so wonderful that we should just shut up and behave like automatons and pass this piece of legislation. Let me say, I don't think having one of the worst-funded university systems in North America is good for the students, is good for the workers, is good for the university, is good for the economic future of Ontario. I don't think it's good. McGuinty Liberals may think it is; I don't think it's good.

What's happening at York is going to happen in very short order in other universities in Ontario. I think the people of Ontario need to know that. I know the McGuinty Liberals are desperate for people not to know this, but I think people ought to know it. The government that goes around lecturing people about education has our university system on the wrong road, and the more we go down that road, the more trouble we're going to have. I think people need to know that.

But there are some other things that the McGuinty Liberals want to hide as well, and that's why they are so panic-stricken about avoiding any debate and any discussion. When these students were out of the classroom for 30 days, did the McGuinty Liberals find anything urgent? Any panic? No. When they were out of the classroom for 60 days, did they see any panic or any urgency? No. It's only when they introduce their legislation that suddenly they see panic. Why? Because they don't want their own flimsy record analyzed. They do not want people to see this.

I have a few things that I think need to go on the record. I think we need to understand fully what is happening here. At York and in other universities, as I say, as professors retire in Ontario, those professors are by and large not being replaced by the appointment of new professors. More and more of the work at our universities is being done by part-time, temporary, on-call, contract workers. Here at York, the situation is such. These workers that the government wants to point fingers at and say that they are irresponsible and they're terrible; these workers who are working for under \$17,000 a year; these workers, some of whom are working for under \$10,000 a year—these workers now do 54% of the teaching at York University. They do the lion's share of the teaching. Do you know what they get of the university's budget? Less than 7.5%.

As far as I know, teaching is supposed to be a big part of university. Yes, there's research. These folks also do some research. But as far as I know, teaching is supposed to be a big share of what universities do—teaching young minds. These folks do 54% of the work, yet the McGuinty government says they should settle for less than 7.5% of the budget. I think any reasonable person in Ontario, any reasonable person, if they reflected on this, has to ask the question, "Where is the McGuinty government's head? Where is their dedication to post-secondary education? Where is their thoughtfulness in all of this?"

That's part of what the McGuinty government is trying to hide. That's why this debate is so urgent that you pass it now. Shut off your brain, turn off any sense you have of being a responsible legislator and just behave like an automaton, because the McGuinty Liberals don't want these facts known out there in the public.

There's something else that needs to be examined, and I think it needs to be examined carefully. There's another Liberal government. It's in British Columbia. It advertises itself as a progressive government, just like this one does, but it runs around doing the same things: chopping up collective agreements, cutting health care workers, cutting funding to universities. And they got the bright idea back in early 2000 that they would just take an axe to health care funding in British Columbia. They introduced legislation which would totally scrap collective agreements, which denied all kinds of workers' rights, cut the hearts out of budgets, and said, "This is going to be fine." Except, some of the workers, just as these workers, had the gumption and the courage to stand up to that government and ask some questions.

In fact, they actually had the gumption to go to the Supreme Court of Canada and ask the questions. Here's what the Supreme Court of Canada said—it's a well-known decision now, and it's a decision that I would urge all members of the McGuinty government to read. Rather than turning off your brains, acting like automatons and pretending that everything has to be passed without examination and without thought, I'd actually urge you to read the decision which originated out of British Columbia and dealt with the Liberal government there, because you may find yourself, in very short order, folks, having

to answer some of the same questions that that Liberal government was forced to answer, questions which they couldn't answer to the satisfaction of the Supreme Court of Canada.

As I said, the case arose out of the Liberal government in BC's decision that they were going to take the axe to the rights of unionized health care workers in that province. They drafted Bill 29, the Health and Social Services Delivery Improvement Act—sounds like the kind of title the McGuinty Liberals would give to a piece of legislation that attacks the rights of workers. It gutted health care workers' collective agreements and placed limits on the union's future ability to re-establish rights lost through the unilateral government action. As I said, the workers challenged that, and they had the courage to actually take it to the Supreme Court of Canada. The Supreme Court of Canada, after they heard the arguments, made a very important decision. The decision was this: the Supreme Court of Canada recognized that workers coming together to negotiate their terms and conditions of employment has a long history in Canadian labour relations. The Supreme Court of Canada said that this needs to be protected; it needs the protection of the Charter of Rights. The Supreme Court of Canada set out some criteria under which governments could impose binding arbitration, or governments could impose legislation which abridges or otherwise interferes with those rights.

Here's what the Supreme Court said. It said that governments might be permitted to interfere with the collective bargaining process "on an exceptional and typically temporary basis, in situations, for example, involving essential services, vital state administration, clear deadlocks and national crisis."

Do we have a national crisis here? I don't think so. Do we have an essential service? Is this an essential service where somebody might be denied health care, or somebody might be denied something which would have an immediate effect on their life—dire consequences, life or death? I don't think you could make that argument. Is this a vital state administration? If it's vital, why has the state in effect transferred the administration off to other bodies, colleges and universities which are supposed to decide a number of these matters themselves? I don't think that.

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The only thing this government could hang its hat on when it introduced this legislation was something they called "deadlock," which is why the very same McGuinty Liberal members who want to shut off their brains and tell the rest of us to shut off our brains and don't ask any questions, don't examine, don't think and don't give any answers, constantly repeat "deadlock, deadlock, deadlock," like the child who believes that if you repeat something long enough, it might become true.

One of our jobs is to examine what these McGuinty Liberals call deadlock, because there is some interesting history to the bargaining that went on here. The McGuinty Liberals say, "Oh, the kids have been out of the

classroom for 77 days." That's true, and I have a lot of sympathy for those students, some of whom are members of the union and some of whom are not. I have sympathy for both. Having been a former university student, like most of us in this Legislature, and having kids of my own who will be going to university in the not-too-distant future, I understand that.

But I think the McGuinty government is trying to cover up some things on behalf of the university. Yes, the students have been out 77 days. But do you know how many days the university actually went to the bargaining table to bargain, to try to reach a settlement? Did they go half the days? Did they go 35 days? Did they go 30 days, 25 days, 20 days, a third of the time? Did they go 15 days? No, the university was so interested in getting a collective agreement, they were so interested in getting the students back into the classroom, that they wouldn't meet on more than 12 occasions. On no more than 12 occasions would they meet.

In the last week, the university insisted on a vote on their offer. The workers voted; they voted democratically. They said, "No, this offer is not good. We turn it down." The workers prepared a counter-offer. Do you know what the university said? "We're not going to look at it. We're not going to bargain. We're not even prepared to discuss it." Does that sound like a university that wants to get the students back in the classroom? Does that sound like deadlock? No, what it sounds like is a university that is saying, "We're not going to bargain."

Let me give you another example. We left here before Christmas. There was about a three-week break in the university schedule over Christmas before they'd return to class—the last exams; ample opportunity to bargain. Was York University willing to bargain during those three weeks over the so-called winter break? Lots of opportunity: three clear weeks. Was the university willing to bargain? No.

They tell us, and the McGuinty Liberals tell us, that it is absolutely essential to get these students back to the classroom today. They had three weeks, the end of December, the beginning of January, where they could have, should have been bargaining and they wouldn't do it. And where were the McGuinty Liberals? Were the McGuinty Liberals calling up the York University administration, saying, "You'd better get to the table, and you'd better work within Ontario's labour relations system and try to find a collective agreement"? No. The McGuinty Liberals weren't doing anything either.

This isn't deadlock. This is a university that decided, "We'll lock out the students. We'll put them in the street. We'll go through the motions of making it look like we're interested in bargaining and we'll just string it out, string it out, and then we'll go to the McGuinty government and ask them to end it."

I don't think that kind of conduct on behalf of an employer should be rewarded. I think that rewarding that conduct by passing this kind of legislation without any examination, without any thought, without asking any questions, does a disservice not only to the students at

York University but it does a disservice, potentially, to university students and college students at every institution in Ontario. It does a disservice, potentially, to all workers who work in the broader public sector.

I have never seen a situation where one party, for three weeks, says, "We don't want to bargain," where one party says, after their offer has been voted down, "We refuse to respond. We refuse to look at anything else. We refuse to bargain." The McGuinty Liberals say this is deadlock. The McGuinty Liberals sent in—they tried to make it sound as if this guy is the latest coming of Christ—Mr. Pearson as their mediation person. But even he said, when he talked to the union, "I can't get a response from the university. It's almost as if the university is playing for time, waiting and hoping and asking that the McGuinty government will legislate this." Does that sound like deadlock to you? No, that sounds like the York University administration saying, "Wink, wink, nudge, nudge, we're not going to bargain, but we'll go through the appearance. Wink, wink, nudge, nudge, we want the McGuinty government to put an end to this collective bargaining nonsense, to put an end to negotiation and just legislate—and do it quick so that nobody asks any questions." That's what it looks like and sounds like to me.

I have to say, I don't have the hard evidence of that now, but I think we're going to have an opportunity over the next few days to inquire into some of this.

I am not prepared to play a part in that kind of kangaroo court process. And do you know what? If I were a member of the McGuinty Liberal government, I wouldn't play a part in it either. I'd be asking some questions of your own government about this because, let me tell you, if this is challenged in court and they do an examination of when bargaining was conducted and when bargaining wasn't conducted, and the court finds that this is a sham process, each and every one of you is going to wear the embarrassment on your head. You're not elected to come here and be a trained seal. You're not elected to come here and say, "Aye, aye, sir; five bags full, sir. How high do I jump, sir?" You're elected to come here and ask questions. You're elected to come here and demand answers. You're elected to come here and exercise some thought. You're elected to come here and be responsible to the people of Ontario. So far, from what I've seen in this, there are a lot of questions that need to be asked and there are a lot of answers that need to be provided.

Coming here as you have and saying, "Oh, the NDP is holding this up"—what have I have done to hold it up? I'm simply asking what I hope are some thoughtful questions. We haven't rung any bells. I remember Liberals who used to ring the bells. I remember Liberals who used to engage in every kind of nefarious delay tactic. We're simply asking the kinds of thoughtful questions that should be part of democratic debate in a democratic society, yet Liberals are so full of scorn for that.

Be careful, my friends. Be careful, because this may all come back on you.

I want to—

Interjection.

Mr. Howard Hampton: You want to talk about Bob Rae. Why are Liberals so mean to Bob Rae? My God, he's a Liberal. He always was a Liberal. I know that. Why are you so mean to one of your own? He's doing exactly what you want him to do. I never understand why these Liberals are so mean to their friend Bob Rae. Why do they criticize him? Why do they say that everything Bob Rae, that well-known Liberal, did was wrong? My, my, my. These Liberals have no loyalty.

Again, this is about the students and the workers who are caught in this situation.

I want to speak a little more broadly, because what's happening here at York is also happening at other universities. What it amounts to is this: It is really about the degradation of the work that these people do. As I said, much of this work, 20 years ago, would have been done by full university professors. They would have been paid well, they'd have a pension plan and they'd have some job security and they'd have other things which attach to the job. But as those professors retire, the work is now being put upon contract workers—these workers. Do they have a pension? No. Do they have job security? No. Do they have much of a benefit package? No. Do they have much in terms of wages? No. You know what this almost sounds like? It almost sounds like the McGuinty Liberals want to introduce Wal-Mart to Ontario's university system: have them work for less, have them work with no job security, have them work without pensions, have them work without benefits, and then say to the world, "We have a wonderful university system."

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Let me tell you, the last time I checked, Wal-Mart was being sued to the tune of hundreds of millions of dollars in the United States for denying workers their rights—immigrant workers; taking advantage of new Americans. The Supreme Court of the United States has ordered Wal-Mart to pay hundreds of millions of dollars in damages for that kind of work concept. But if I look at what's happening today in Ontario under the McGuinty Liberals, it's not much different in Ontario's university system: no pension, no benefits, no job security, low wages. And the McGuinty Liberals say it's wonderful, that this is a wonderful system.

Let me say that this kind of degradation of work that is being done in our universities is not good for the students, it's not good for the workers, it's not good for universities like York University, it's not good for Ontario and it's not good for Ontario's economic future. This is a bad road to be on; a very bad road to be on.

I say to other workers across Ontario who are facing the same kind of scenario, workers who have struggled hard to create jobs that pay reasonably well, that have some security to them: Watch out, because what the McGuinty government has in mind for these workers at York University—you may not be far behind. You may not be very far behind at all. So we can call this the casualization of labour, the devaluation of labour.

But I want people to think a minute—I hear the Premier's speeches where he waxes on about the knowledge economy. Yes, we live in a knowledge economy, but these are knowledge workers: They teach; they think; they criticize; they analyze; they synthesize; they formulate; they conceptualize. These are knowledge workers. Is this your future for knowledge workers: low pay, no benefits, no job security, and by the way, if you have the temerity to stand up and say, "This isn't fair," we'll simply legislate you back to work? Is this your future for knowledge workers in Ontario under the McGuinty Liberals?

I don't think we're going to see one Liberal get up and speak, so I can only assume from their silence that they don't have anything to say in this debate. They don't have anything to say on these points. I invite McGuinty Liberals to take part in this debate, to take part in this discussion.

There's another piece to this. Ontario now has the second-highest tuition fees in all of Canada. If the projections are correct, Ontario is very soon going to have the highest tuition fees in all of Canada. So there's something terribly out of whack here; terribly out of whack. Once again, I think the people of Ontario ought to know this. I think the people of Ontario, in fact, ought to be concerned about this.

I say again, the reason the McGuinty Liberals are so panic-stricken to have this legislation passed with no thought, no examination, no questions, no answers, is that they don't want people to have this discussion. They don't want people to know what is really going on in Ontario's universities.

But there is more, there is much more, and I want people to have a picture of what is, in fact, going on. As I said earlier, Bob Drummond, who is the dean of arts at York University, has confirmed that as faculty retire, as professors retire, they are not being replaced by other full-time professors. More and more of their work is being placed on the shoulders of these contract workers, these contract workers that the McGuinty government, one way or another over the past few days, has started out to vilify.

But it's more than that. I want to read from an Ontario Confederation of University Faculty Associations—OCUFA—report entitled *A Failing Grade: Ontario's Treatment of Post-Secondary Education Is Falling Behind Its Global Competitors*. Here's what they have to say, and I'm quoting here, Speaker, because I think this needs to be on the record:

"Currently Ontario universities are addressing their budget crunches by hiring a high proportion of faculty on short-term contracts—more than half of new faculty hires—who, in spite of their ability and dedication, cannot hope to give students the continuity, and the research opportunities, that tenure-stream faculty can."

Further, this report recommends that "The government must commit to raising Ontario's support for universities to the national average," citing an additional \$125 per person per year in operating and capital investment, or

\$1.6 billion every year for the next three years. They say that such an investment "would allow Ontario to hire the 11,000 full-time professors that it needs by 2009-2010"—unless I'm mistaken, we are just about to enter fiscal year 2009-10—"to keep up with enrolment and ensure internationally competitive student-faculty ratios. Increasing the number of faculty would also reduce class sizes, and provide more student-faculty interaction."

As I said, that's not me; this is, in effect, the collective university faculty speaking. This is their analysis of what needs to happen.

Are we debating that here today? Is that what this bill is about? No. That's not what this bill is about. This bill is about ramrodding some workers, who happen also to be students, back to work and denying them their right to bargain for better pay, better working conditions and some job security.

There are some other pieces of this bill that I think we need to look at, because we did have a chance to speak to some of the folks who were here watching today about what they were able to negotiate, and I want the government to know what they were able to negotiate. In fact, despite the university's attempts at avoiding bargaining, despite the university's refusal to bargain for three weeks over the Christmas or winter break, despite the university's refusal to bargain over the last week, these workers had been able to agree on some things. Local 3903 had reduced its demands to four items. The workers were prepared to accept the administration's salary increase offer, most of the major benefit articles had been agreed to, and the local was prepared to negotiate and move on the remaining two issues. So even there, when you're making headway towards a collective agreement, how could the government call this deadlock? The only appearance of deadlock here is simply the university's refusal to bargain further. How can you have unilateral deadlock in our collective bargaining system?

The union dropped their salary demands from 9.4% to 8.3% over two years. In fact, the union was prepared to say, "Wages and salaries are no longer the issue; we recognize we have probably gone as far as we can in terms of that." But the union did want to talk about ensuring that some of those professors who retired were, in fact, replaced by other professors. The union wanted eight tenure conversions in year one and seven tenure conversions in year two. I think that's a good thing. If you're having full-time professors retire, why wouldn't you want full-time professors replaced by full-time professors? What is the university afraid of? What's the McGuinty government afraid of? York said they're willing to create 17 five-year contract positions over three years. The union said that this is inadequate since there are already 67 contract faculty members with more than 10 years of experience. Imagine that. Some of these workers have essentially been doing the work of full-time professors for over 10 years and still have minimal job security and very low pay. It seems to me that these are real issues. These are real issues, and the university refused to bargain them. The university said, "Well,

we're not going to talk about this anymore. We're refusing to talk about it."

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The union asked for guaranteed funding for graduate students. York graduate students currently can earn \$17,000 per year in wages and scholarships, which is below the poverty line. The union is asking for a huge increase: \$19,000. I'm not sure that would bring you above the poverty line, but it would make a meaningful difference. No, in fact it wouldn't bring you above the poverty line, because the poverty line in Toronto is \$22,000.

Due to rising tuition and crippling debt, as many as 50% of the grad students in some grad programs are forced to leave before they can get their Ph.D. That's what's happening here. They're good students, they're dedicated students—they're also dedicated teaching assistants—but they simply can't afford to continue. They were simply trying to bargain something that would allow them to continue as students, but under the current system, they're forced to drop out. They simply don't have the financial wherewithal. Imagine. The university refused to bargain this.

This doesn't sound like deadlock to me; this sounds like a university that is just not prepared to engage in a realistic discussion about the real issues that are happening under its very nose.

The union wanted some improvements in benefits. In fact, there has been some improvement on that front. The union felt that they had pretty much achieved what they could live with on that front.

I think that by any reasonable person's review of this—any reasonable, objective person looking at what was going on here would find it pretty hard to say that there was a deadlock. In fact, there was, in some cases, an attempt by the university to avoid bargaining for three weeks over Christmas, to avoid bargaining over the last week and to avoid a collective agreement. I think there's potentially evidence of the university failing to act in good faith, which, as we know, is an offence under Ontario's labour relations law. Failing to act in good faith cannot ever be termed a deadlock, which is what this government hangs its hat on in this legislation.

There, again, are some other issues that I want to raise because I think they are important. I've heard McGuinty government members suddenly, just in the last day, suddenly talk about "Oh, the poor students." I didn't hear them say that three days ago. I didn't hear them say that five days ago, 10 days ago, 15 days ago. It's as if, all of a sudden, somebody wrote the members of the McGuinty Liberal government a speech and said, "Repeat it, repeat it, repeat it." Where was this concern? Where were members of the McGuinty Liberal government when the university refused to bargain for three weeks over the Christmas winter break? Where were they? Where was the McGuinty government when the university refused to go to the bargaining table over the last week and refused to reply to the counter-offer that these workers, who are also students, put on the table? Where did this sudden

concern come from when it wasn't evident over the Christmas break and it wasn't evident a week ago?

As I said, I don't think there's any real concern here at all. This is a government that's interested in avoiding having its own sorry record put to analysis, and it's a government that wants to avoid having the university's refusal to bargain put to analysis. If this government really wants to see the students back in the classroom, this government should get on the phone today to the president of the university and say to the president of the university, "Get back to the bargaining table. Get back to the bargaining table and do what you should have been doing all this week and what you should have been doing for the three weeks over the Christmas break."

I said earlier that members of our caucus have students who are at university. Members of our caucus have young people at home who have just finished their university course of study and have the debts to prove it. Members of our caucus have students in high school who, within the next year or so, are going to be going to university. So when the McGuinty Liberals say, "Oh, only the McGuinty Liberals care about the students"—please. Please. We all know that being a university student in Ontario today is a difficult undertaking. It's expensive; it involves a lot of hard work; it involves a lot of sacrifice. I have great empathy for these students. I think, in fact, the university, by its conduct, has victimized the students and victimized the workers. Workers are not getting a fair deal, and students who have been out of the classroom for 77 days aren't getting a fair deal either. But I do not think that is an excuse for members of the Legislature to come here and to turn off their brains, to ask no questions, to give no examination of the legislation and to give no examination of the facts.

I have great empathy for those students. I know what it's like to have to pay off student debts. I know what it's like not to be certain of your future. But I also want to say to the students that today is important, but where this government is headed in terms of post-secondary education, the consistent and persistent underfunding of post-secondary education, the loss of full-time professors and more and more reliance on contract workers who are underpaid and with no job security, means that not only are we in difficult straits today, but this is going to become more difficult as we go down the road over the next weeks and months ahead.

One of the other members said that contract teachers, contract workers, at the University of Toronto are also bargaining and could be in a strike position. That's true. They're facing many of the same working conditions that these workers at York are facing. I've talked with people at other universities who acknowledge the same thing, that it's only a matter of time when their collective agreement is up, when they've had a chance to bargain further. This is not just about concern for these students today; it's a concern about where the university system in Ontario is headed in the short term, the medium term and the long term, because the more you look at what is happening here, it's not getting better; it's getting worse, and the prospects are getting worse.

I also have sympathy for the parents. As somebody who's trying to save right now for our own kids to attend university, I know the size of the undertaking and the commitment that has to be made. As someone who came from a working-class family where my father—I was the oldest of three kids—made it very clear to me early on, “There's not enough money in the household to put you through university, and you're going to have to look after that yourself,” I have a lot of empathy for those parents. I understand what they are going through. But let me tell you that the phony crocodile tears that we've seen in this place over the last day or so are not going to help those parents and those students, either in the short run or in the long run. These are very phony crocodile tears and this is very, if I may, phony positioning by the McGuinty Liberal government.

Some have said, “Oh, you know, you can just have a legislated collective agreement and it will be fine.” I heard the Deputy Premier, in his usual hyperbole, today say, “The NDP was willing to legislate transit workers back to work four or five months ago.” Well, four or five months ago we spoke with both the TTC management and union representatives, who said to us very clearly, “We've accomplished all we can accomplish at the bargaining table. We do need the help of a mediator-arbitrator and we're prepared to go through a binding arbitration process.”

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That was the situation then. That is not the situation today. The workers have expressed over and over again their willingness to bargain. Their latest offer was a series of givebacks, a series of things that they were prepared to make concessions on to York University. This is not a case where the workers have said, “We can't make any further headway at the bargaining table.” This is a case of a university administration that has avoided bargaining from the beginning and avoided bargaining over the last week. It has made it clear that it doesn't want to bargain. That's the difference.

I just say to members of the McGuinty Liberal government that one of the reasons this legislation is a bad idea is that, if you think you can simply legislate these workers back to work, if you think you can continue the trend line that has been set up over the last few years, where they take on more and more responsibility but work for substandard wages, with no job security and very little in the way of benefits, if you think you can continue that, let me tell you that I think the workplace will be more difficult than ever. Even though these workers love to teach—they love to teach; they love being in the classroom; for them this is a labour of love—do you really want to poison the workplace atmosphere by doing this? I don't think you do. I think the eventual results will be much, much worse.

This brings me to another question. Throughout this whole process, not once did I hear the Premier or the Minister of Training, Colleges and Universities say in any public way that he wanted the administration of York University to get to the bargaining table and to use its

best efforts to arrive at a collective agreement. I saw the McGuinty government, all fall, try to pretend that this was not an issue. I saw the university avoid bargaining for the three weeks over the Christmas break. Not once did I hear the Premier or the Deputy Premier or the Minister of Training, Colleges and Universities give any sort of public indication to the university administration that it was important for them to go to the bargaining table and work out a negotiated collective agreement. And so the result: We have the mediator, appointed by the Premier at the last moment, who tells the union collective bargaining committee that he can't get a response from the university administration. It almost seems as if the university administration is waiting for the McGuinty government to legislate an end to collective bargaining. How could this be? How could this be by a government that says, at least, that it believes in collective bargaining?

I just want to emphasize again, in the little bit of time that's remaining, because I know some people watch this on television and sometimes they don't tune in until the end, a couple of the points I made. The first basic point is this: Our job in this Legislature is to be thoughtful. Our job is to ask questions. Our job is to examine the facts. Yet we've been met with a McGuinty government here over the last two days that insists we should all turn off our brains, we should ask no questions, we should not examine the facts, we should engage in no thought, and at no time should we demand any answers. I say to people, why is the government panic-stricken all of a sudden? What are they trying to hide from? What are they trying to avoid? I want people to understand very clearly that part of what the McGuinty government is trying to avoid is their own sorry record, their own failure to adequately fund post-secondary education in the province of Ontario.

There are 10 provinces in Canada. Ontario, under the McGuinty Liberals, ranks last—10th out of all the provinces in government financial support for the university system when measured on a per capita basis. Not only that, but if you make an international comparison and include the United States, the McGuinty government would rank next to last in North America in terms of government financial support for post-secondary education as measured on a per capita basis. If you look at other comparators, the university system in Ontario ranks last in Canada in terms of the faculty-student ratio. The university system in Ontario, if you again make the international comparison, ranks near the bottom if you include peer-level American universities in this comparison. And that's part of the reason why the McGuinty government has tried so hard to avoid any debate, any discussion with respect to this bill, because, as the president of the York University students' association said when he was asked, “Who do you think is the biggest culprit here?” he was quick to say, “The McGuinty government, for failing to adequately fund my university.”

The second thing that I think the McGuinty government wants to avoid in introducing this legislation: This

government is very nervous that it cannot meet the test set out by the Supreme Court of Canada for the interference in collective bargaining. It knows that it can't hang its hat on essential service; it can't hang its hat on national urgency; it knows that it can't hang its hat on one of the other criteria, so it's trying to hang its hat on deadlock. That's why you hear the McGuinty Liberal members, almost as if they've been trained as robots, repeat the words, "Deadlock, deadlock, deadlock, deadlock, deadlock"—because they hope if they say it often enough, it might become true. But when you examine the facts, it's very difficult to make out the case of deadlock.

The university refused to bargain. In the three weeks over Christmas, they just refused to bargain. That doesn't sound like deadlock; it sounds like one of the parties doesn't want to reach a collective agreement. In the week leading up to this Legislature being here today, the university refused to bargain. That doesn't sound like deadlock; it sounds like one of the parties doesn't want to take part in collective bargaining. It is a unilateral decision. It is trying to avoid the collective bargaining process. I think that's why this government expresses almost panic and urgency when it speaks to the press and when any of the members of this government say anything about this issue: They don't want their own sorry record of underfunding post-secondary education examined, and by God they don't want anyone to look at York University's sorry and deplorable behaviour in terms of their avoidance of collective bargaining and their attempt to refuse to bargain any further. Because I think members of this government know that their efforts at establishing deadlock, deadlock, deadlock are flimsy at best.

So I would not be surprised if, in the next couple of days, we see an announcement from lawyers representing these workers and other workers that they're prepared to challenge the constitutional viability and the constitutional basis of this legislation.

I urge all members of the McGuinty Liberal government—I know your training as seals has progressed now for five years. I know you have been told to say nothing—"Don't participate in the debate, don't ask any questions, don't examine the facts, don't demand any answers"—but I would urge you to do just that. I don't think you want to wind up where the Liberal government in BC ended up: having to admit that they had breached the constitutional rights of hundreds if not thousands of workers, having to admit that they were going to have to make financial and other reparation for their breach of constitutional rights. That is why we raise these issues.

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We're not going to engage in any bell-ringing. We're not going to engage in any kind of process that is designed to waste time around here. We're going to ask these questions, and we have many more questions to ask. They're questions that need to be asked, because at the end of the day this is certainly about these workers and these students, but the implications also apply to other workers and other students within the Ontario

university system and, ultimately, probably apply as well to any workers who work within the broader public sector in Ontario.

So there needs to be thoughtful examination. There needs to be an asking of tough questions. There needs to be an examination of the facts. Most of all, we need to have some real answers from the government other than the repeated rhetoric of "deadlock, deadlock, deadlock, deadlock."

I know that many other members of our caucus want to speak to this legislation. I'm even hopeful that we might see some members of the McGuinty Liberal caucus stand and speak to this legislation. I'm even hopeful we might hear one of them ask a thoughtful question about this legislation.

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

Mr. Dave Levac: While I don't agree with the characterization of the member opposite, I do look forward to voting on this bill as soon as we possibly can. I appreciate that.

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

Mr. Michael Prue: I listened intently for the whole hour, because I think this is an important issue. The leader of the third party made a cogent and clear case. He cited examples; he cited pieces of Health Services and Support versus the BC government. He asked the question—and I'm still waiting to hear this, because when I listened intently as well to the Minister of Labour when he stood here and talked and tried to make the case about the clear and present deadlock that was there, he never once made the case for where that exists. I've heard what the leader of the third party has to say, and he has made a compelling case.

Really, what I'm asking, in the absence of anything from the minister, is for one of the people, particularly one of the members of the executive committee of government, to stand up and outline for this House where that clear deadlock exists. What made you come to the conclusion that it exists? Was there somebody—was it Mr. Pearson, who seems to have said something contrary—who says it exists? Was it someone from the university who says it exists? Where is it? Where is it? Because this whole bill will not be legal unless it meets that test. Someone, surely, has to stand up in this House to defend where that deadlock is. It's not enough to say that there is one. Where has it come from? Who says it's there? What proof is there that a deadlock exists?

If there is other information to show that it conforms, then I think that we have an obligation to hear it not only on this side of the House, but on your side of the House. The people of Ontario have an obligation to hear where that deadlock is, because in the absence of the deadlock, this bill cannot be constitutional. This bill will trample on the rights of citizens, and it ought not to do so.

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

Mr. Pat Hoy: Like my colleague from Brant, I look forward to voting on this bill as soon as possible.

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

Mr. Peter Shurman: Deadlock, deadlock, deadlock, deadlock, deadlock, deadlock: How many more times do I have to say it? Do you know how I know it's deadlocked, I say to the leader of the third party? Because I've been there and you haven't.

Let's vote on this bill.

The Acting Speaker (Ms. Andrea Horwath): Response? Response?

Interjection.

The Acting Speaker (Ms. Andrea Horwath): There have been four questions and comments already. It's now time for a response.

Mr. Howard Hampton: I want to thank my colleagues for those learned comments. I found them very enlightening. I think, in listening to the comments of my colleagues, they illustrate exactly the points I was trying to make. The McGuinty Liberals insist that members should come to the Legislature and park our brains at the doorstep: ask no questions, examine no facts, engage in no debate, and not require any answers. To my colleague for the Conservatives—and I appreciate his philosophical position—I'd just have to say to him that repeating the words “deadlock, deadlock, deadlock, deadlock” does not make it so. I can give you other examples of that, where people have protested their innocence over and over and over again and it has not made it so. Conrad Black might appreciate your repetition of his case, but I don't think it's going to get him out of jail.

We engage in this debate because this is serious legislation. These are serious times, these are serious issues, and these are serious questions that need to be asked. Frankly, I find it objectionable that the McGuinty government simply wants to ratchet up the rhetoric that somehow this is a panic situation and there should be no examination, there should be no thought, there should be no questions asked, there should be no examination of the facts and there should be no answers demanded. I think that is an injustice not only to the workers and the students, but to the people of the province.

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

Mr. Peter Kormos: This not only may well be, but I am confident is, the single most important debate that has occurred in this chamber since this government's re-election in 2007. It's a debate that has been ill-attended both by government members, who are in a majority caucus and who determine what happens in this chamber, how quickly it happens and when it happens—and I should make it very clear at the outset that I don't feel I have to distinguish myself from my Conservative colleagues. We come from two very different ideological perspectives. There's a huge ideological gulf, and I understand the positioning that they have taken on this issue. Indeed, Mr. Shurman, in December, before this House rose for the Christmas break, was telling this government, “Get on with it. Introduce back-to-work legislation.” And indeed the government knew, because Mr.

McGuinty has had occasion to indicate, that the New Democrats were not going to acquiesce and let this type of legislation with respect to the York University workers pass without due process in this chamber.

It is the single most important debate why? Because collective bargaining, free collective bargaining, is the hallmark of a democratic society. The right to withdraw one's labour is critical in a democratic society, and it's with great pleasure that I've witnessed the jurisprudence, the Supreme Court of Canada acknowledging that collective bargaining as a right which is protected by the Canadian Constitution, by the Charter of Rights and Freedoms.

Let's also make this other oh-so-simple observation: The best settlements, the best resolutions, are negotiated settlements, negotiated resolutions. They are the ones that have the greatest likelihood of surviving. They are the ones that have the greatest likelihood of cultivating and nurturing a mature and positive relationship between workers and management. It should be a rare day when workers are forced into a third-party decision-making process about the things that they want to be able to negotiate at the bargaining table.

1540

I want to say this about CUPE and its members and I could say it about any worker: No worker wants to go on strike. In the case of these workers, again, some of our brightest people in this province, their passion is academia, research, mentoring and teaching. They've made great personal sacrifices so they can be doing that, as compared, in many cases I'm sure, to being out there making some interesting amounts of money in what's left of the private sector in this province. No workers, least of all York workers, want to be on a picket line.

Again, these CUPE members, these trade unionists as well as workers, understand what it means to negotiate. They know what it means to sit down and identify problems and then brainstorm and find joint collective solutions. They know that doing that sometimes means to concede certain things. You generate that give and take, and these workers, through their bargaining team, have done precisely that.

It is shameful, the scarce number of days that York University management has spent at that bargaining table—some of the highest-priced help in the province, with salary and benefits packages to the tune of darn near half a million a year. I presume they're educated people in their own right, and I presume, perhaps inappropriately, that they're people who understand that their actions are designed to have certain consequences. The actions of York University management sure as heck weren't designed to reach a negotiated solution. Indeed, Mr. Pearson, the government's most senior labour mediator, reported back that he was left with the very clear impression—and he's nobody's fool; make no mistake about that—that York management wasn't really interested in negotiating resolution, that they were simply waiting for back-to-work legislation.

Mr. McGuinty, the Premier, in a rare moment of excessive language, as has been noted by members of the

press, talked about sending Mr. Pearson up to York campus to “knock some heads together.” Well, isn’t it clear that what Mr. McGuinty should have been doing was getting on the phone and using his clout, amongst other things, as the major funder of York or any other university or community college, and telling the president of York University, “Quit playing games. Get into the bargaining room with CUPE’s representatives and stay there as long as it damn well takes until you reach a resolution”?”

I certainly know parties who are involved in disputes and who reach difficult stages. I also know that you don’t resolve the difficult stages by walking away. You sit down and you hammer things out, and York University has failed to do it.

By the way—and I hope this isn’t held against York—I’m a graduate of York University and the law school there from many, many years ago. So I have a fondness, quite frankly. I was there when it was a small campus surrounded by farmers’ fields, when, if you missed the last bus after an evening down at—what’s that tavern on Bloor Street, on the south side? If you missed the last bus, you walked home in some very cold, slushy weather from Yonge Street all the way over to Keele. So I have some very personal fondness for the university. I’ve had occasion to take courses up there any number of times since graduating many, many years ago. As recently as a couple of years ago, I was up there on that campus taking some courses. I know the people who are teaching, the TAs, the sessional professors—is that correct?—the contract professors. You’ve heard that they’re doing over 50% of the teaching work and being paid—please—grossly substandard salaries.

Salaries are about sustaining yourself, supporting and feeding yourself and your kids and your spouse, but they’re also about dignity, aren’t they? Aren’t they also about indicating one’s value? As I say, these are some of the brightest people in our province, these M.A. and Ph.D. students. Substandard wages are about poverty and about forcing some of these people out of their graduate programs because they can’t afford to do it anymore. It is also about recognizing one’s value.

I think that students—and on that, I don’t know about this language about “kids.” These aren’t kids; these are young women and men who are students, and some old women and men—some not-so-young ones, I’m sorry—who are students up at York or its satellite campus. They’re not kids. They don’t need recess. They don’t have lunchroom monitors. They’re not taken by the hand to the bathroom after they ask for permission. They’re young women and men and some not-so-young women and men, and again, very bright in their own right, and eager; eager to work academically.

Is a work stoppage a painful process? Of course it is. It’s painful for the workers; it’s painful for the consumers. In the private sector, they’d be consumers; in the public sector, students. But I say that the real loser here, and this is so tragic, is York University, because York University has established a reputation now as a univer-

sity that has very bad labour relations, as a university that doesn’t treat its staff with dignity or respect. The message is clear because, you see, when you negotiate at the bargaining table, as I say, that’s an agreement that’s far more likely to be kept, and not just according to the letter but also be kept in spirit. When decisions are imposed upon people, that’s far less likely to happen. So it’s a university that is going to leave young students fearful, because of its bad labour relations, of completing their year in the normal academic year. It’s a regrettable thing. York’s not the only university to go to in this province, but it hasn’t served itself well at all.

One would think that of all the places in the world it would be a university senate that would want to sit down with its president and say, “Let’s demonstrate to the world that we are the leader in labour relations and that students at this school on this campus have got the most committed staff, because they’re staff who can bargain collective agreements when the time comes due, and this is the campus where there is the least likelihood of a work stoppage.” I’ve got to tell you, this strike looks far more like a lockout than it does a strike. It’s a lockout via the back door, if you will.

Do you know one of the other interesting things? Some of the courses I have taken at York are around dispute resolution. York University holds itself out as a leader in dispute resolution.

Mr. Gilles Bisson: Wow.

Mr. Peter Kormos: It does. Osgoode has a wonderful master’s program in dispute resolution. As professors and TAs at York and Osgoode, you’ve got some of the leaders in dispute resolution and negotiation, don’t you? Obviously, the president didn’t take any of those courses, and he might have been well advised, even now, to maybe audit a couple. I’m sure there are professors there who would be more than pleased to tutor him or at the very least lend him some of the literature.

1550

The most important debate since this government’s re-election, the most important single debate, because workers are under attack in this province and in this country—globalization: How do you like it so far? Capitalism: Has it been good to you, too? Workers are under attack. Workers are under attack by globalization. Workers are under attack by privatization forces in the public sector, by a mania for partnerships, which really means corporate ownership not just of the building and the logo, but almost inevitably of the content of the curriculum. That’s scary stuff. It’s scary to me.

The disdain for workers, the perspective and the attitude of, “Well, you should be happy with what you’re getting; you’re lucky you even have a job,” I find a very sordid trend. The message that’s being cultivated, the spin about these workers in their fight, their struggle, is that somehow they’re a bunch of spoiled dilettantes who should be grateful rather than being interested in exercising fundamental collective bargaining rights. So I have no regrets or shame about standing here opposing back-to-work legislation and telling this government that

New Democrats are doing our job when we subject this bill to the minimum of due process here in this Legislature.

There is a reason for the historical first, second and third reading of legislation. It's so that there can be studied and reflective consideration of the bill and what it does and what it means. I've got to tell you, this bill has implications far beyond ordering workers back to their workplace; far beyond that. This bill is very much about post-secondary education, its quality, and its quality is determined by the level of funding.

The province of Ontario, number 10 out of 10 provinces—give me all the guff you want about percentage increases; the fact is, you're still in 10th spot. It's about quality post-secondary education. It's about collective bargaining, because this government has sent the message loud and clear, at least to the college and university sector, which it insists on underfunding, "Don't worry, because when you have disputes around developing a new contract, we'll just order the buggers back to work—solution." I don't buy that kind of attitude; I don't buy that kind of perspective. Workers in this province and in this country have struggled too hard for too long and shed too much blood—we have, indeed, reached the top of a mountain with a Charter of Rights that embraces and guarantees collective bargaining—for us to abandon that or undermine it now.

I suspect that because of the procedural tactics that the government is using—and, God bless, I have no qualms about that; I enjoy procedural tactics—this thing may wrap up, oh, give or take, Thursday. But I am so proud of Howard Hampton and my NDP colleagues for having subjected this agenda to the lens of workers, the lens of students, the lens of fair-minded people and the lens of commitment by young academics to academic excellence here in Ontario and across this country.

New Democrats will not be supporting this legislation. We can't block it. We can't defeat it. I would love—and probably the most effective thing Mr. McGuinty could do would be to announce tomorrow morning, "You know what? Let's go home for a week while I make that phone call to the president of York University, because I, Mr. McGuinty, know that a negotiated agreement is a stronger one and a healthier one. It's simply better policy and it will make for a stronger university." I am fearful that that is but a passing fantasy on my part.

So I tell you: I applaud the students, those who have, in fact, stood with their teachers, with their teaching assistants, their sessional professors, and those who have withstood the university management's intransigence around this matter. I applaud their families for trying as hard as they can to understand what the real issues are here, no matter how difficult it's been for everybody—except, it appears, for the president, because he knew back-to-work legislation was coming, didn't he? I get the feeling that he slept well at night knowing that, "No sense worrying, because I've got Mr. McGuinty on my side with back-to-work legislation." Because Mr. McGuinty—I don't know. Somehow he supported collective

bargaining last week, but there was, on that road, a transformation. I don't know what his new name is. Last week Mr. McGuinty supported collective bargaining; as of Sunday, somehow he didn't. I don't know whether it was like going to the refrigerator early on Sunday morning, you take a gulp of milk out of the carton and it's sour and you want to vomit—whether that's the sort of thing that acted as a catalyst to cause him to do this 180-degree turn. I don't know how it happened. I'd be fascinated to read the case study.

We oppose this legislation—it's bad policy, friends; it's the wrong thing to do and it sends the wrong message—and we'll continue to do that.

Thank you kindly, ma'am.

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

Mr. Ernie Hardeman: I'd like to thank the member from Welland for a fine, fine presentation. I think, now that we've fairly much heard everything, we should get to a vote on this bill.

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

Mr. Paul Miller: I also would like to commend my colleague from Welland for a fine presentation, and I don't think we should rush into a vote just so people can get out of here. I think this has to be debated. I think it has to continue to be debated. I think that people are running away from the issue; they don't want to touch it with a 10-foot pole. "Let's get it over with and let's go home."

Well, we don't feel that way. We have depth. We think about things. We make the proper decision. We don't just follow the wand. We, as a party, have the ability to decipher, to think about things and to come back with the proper and the moralistic answer and the right thing to do.

I have sat in this House and watched things go on in the last year and a half that have simply amazed me. Bills that fall on the floor at committee level don't even get read. Once again, I'd like to reiterate: I have supported nine Liberal bills when it's been for the good of the people of Ontario. I have supported nine. You have supported none from us. I can't say they have either. So all I can say is this: You say, "Let's work as a team." Well, let's also represent people.

Would anyone in this House deny people the ability to negotiate? Would anyone deny the rights of a collective agreement? You say, "No; we respect collective agreements." The Conservatives say, "We respect collective agreements." Nonsense. You wouldn't be doing what you're doing if you respected collective agreements. What are we doing—putting us back to 1932, when there were no unions, no rights to negotiate? What are we doing? Are we going backwards? I believe we are. And I think this is the poster child for universities that's going to go on throughout this province in the next few years. They want to crush the rights of these people, TAs and people working in universities: the right to strike, the right to have the ability to negotiate to have a decent living.

What do we have here at these universities? Are these boards dictators who are making half a million or a million a year and telling some person with a degree and an MA and—

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

Mr. Paul Miller: —working on their Ph.D to work for less than \$20,000? Unbelievable.

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

Mrs. Maria Van Bommel: I certainly, along with many of my colleagues, look forward to the vote on this particular bill.

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

Mr. Peter Shurman: I'm Thornhill; he's Richmond Hill.

The Acting Speaker (Ms. Andrea Horwath): Thornhill; sorry.

Mr. Peter Shurman: Thank you, Speaker.

I believe the member from Hamilton East–Stoney Creek should probably introduce an act called Collective Bargaining Until Hell Freezes Over Act, 2009, but we won't talk about that today. Let's just get on with the vote.

1600

The Acting Speaker (Ms. Andrea Horwath): Response?

Mr. Peter Kormos: I've been around here a little while. I was skinny when I got elected and I had colour in my hair, but I am just distressed when an issue so important is being discussed when there are people out there across Ontario who have such a strong interest in that discussion—people from any number of perspectives. I acknowledge that.

I don't know whether the majority of Ontarians support the NDP view on this matter or not. Quite frankly, it's one of those things where that should not be determinative, because I know that there are a whole lot of people New Democrats are speaking for, and we speak as much for those generations of workers who struggled so hard, so long—many died—to build a free, collective bargaining regime here in this province and in this country.

I just find it somewhat distressing that there is a trivialization of the issue by people who use the two-minute questions-and-comments slot to rather cheekily say, "Let's get on with it. Let's get on with it." No. Let's have thorough consideration of it. As I say, it can't go on forever. We know that. I expect this thing will wrap on Thursday morning. But there seems to be a marked trivialization of the issue by people who stand and say, "Well, that's it. Let's get on with it." Is that a genuine fulfillment of the responsibilities that a quite well-paid member of the provincial Legislature—is that how they should be fulfilling their responsibilities? Again, many will disagree, but I say no, and I'm saddened by that; I truly am.

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

Mr. Michael Prue: I am standing to speak to this bill because I think it needs to be spoken to, and I must state at the outset: I am saddened that there is so little debate coming from other parties.

I want to preface my remarks by two statements of things that I hold to be self-evident and absolutely important. The first was that for a brief time in my life, back in the 1970s, I was a teaching assistant, not at York University but at Carleton University. I was there and it was a rewarding and wonderful experience, but it was also a very difficult job. It was not a job that paid very much money, but I understand why people want to get into it. The imparting of knowledge to students—and some of them were older than me because I taught a class to civil servants; some were younger—was an exciting thing in my life. I take my hat off to those people at York University who work under very difficult circumstances for very low wages. We need to support what they are doing.

The second thing I hold self-evident is the 20 years that I have spent in government, both in municipal government and for the last seven-plus years here. In all that period of time I have felt and I have honoured what I think is the most important part of life in Canada, and it is not what goes on in this Legislature, as important as it is. The thing that distinguishes us in this country, the thing that distinguishes us in this province is the rule of law. It is governments and Legislatures doing things in accordance with the law of the country. It is having the ability to look at decisions that have come before us, political decisions that have been made and, most importantly, court decisions that impact upon our actions.

As a mayor, one of the most difficult things I had to do was to bypass and go beyond what the laws were and the official plan in the borough of East York when the Muslim community wanted to have a mosque. I remember on one occasion quoting the Constitution. I hold that Constitution very dear to my heart, and I think all Canadians should. The Constitution sets out the rights and privileges of the people of this country, and we ought never to trample on those—ought never to trample on them—without grave cause. That grave cause is set out in section 1, and a government has to show that there is some national emergency or something else in order to do it. This government has not shown anything today in the four minutes from the minister and not anything from the five- or 10-second hits that have been given by the members of why they are prepared to take away the constitutional rights of the workers at York University. I ask the members opposite, particularly the government members—you all read the newspapers. There's a little line that I like to read once in a while. It's in the Globe and Mail in the "Comments" section—it's always on the editorial page—and it says, "The subject who is truly loyal to the chief magistrate will neither advise nor submit to arbitrary measures." They print that every single day, and I think we as legislators should look at

that. It's quoted from Junius. It's there every day. We should not submit to arbitrary measures. I have asked, and I will repeatedly ask: What is the government's position? Where is the evidence of the clear deadlock? Without evidence of a clear deadlock, this is an arbitrary measure that breaches the Constitution. I ask that question at the outset, before I make any other statement. If someone has that clear deadlock, if you can show evidence of that which is sustainable in a court, and this may in fact be challenged in a court, please present it to me and to this Legislature. If you present it to me, I am willing to look at it, I am willing to consider it and I would even be willing, perhaps, to change my opinion if it is in fact there. I have yet to hear a single sentence setting that out.

The case in point, the Supreme Court of Canada in the case of the Health Services and Support versus the British Columbia government, and they ruled against the British Columbia government on a very similar action based on the government's "failure to comply with the duty to consult and bargain in good faith" and it "should not be lightly found, and should be clearly supported on the record." That's what they said. It had to be clearly supported on the record. You couldn't just lightly take it away. I haven't heard it clearly supported on the record. I ask again and again: Please, somebody from the government benches, particularly the Premier or one of the members of the executive council, stand up and clearly set for the record what it is, because I haven't heard it and I haven't heard it from any of the backbenchers.

The government did, however—and I read Bill 145 through twice; it's not a long bill—clearly they set out their own preamble and they use the identical words of the Health Services and Support versus BC decision. They used the identical words, as set out in the court, to carefully craft that there was somehow a clear deadlock. I have to think that that is the only case they have. When I put the question to the minister after his four minutes, it was clear he wasn't relying on any of the other factors. Other than the clear deadlock, there is nothing else in the Supreme Court decision which will benefit this government or this bill.

The decision that the Supreme Court rendered declared collective bargaining as a constitutional right. They went further to state that it was a fundamental freedom and not a modern right, which the BC government had intended and tried to convince them of. But in fact, the right to collective bargaining predated Confederation in Canada and was much older than that, as it existed both in Britain and Europe.

The government negotiator whom this government sent in, Mr. Pearson, clearly pointed out that it was the university's failure to bargain that was the problem here. It wasn't that the workers were failing but that the university was unwilling or unable, or just simply thought they were going to bide time and they were not prepared to collectively bargain. This is a unilateral deadlock if ever there was one. This is not a clear deadlock; this is a unilateral deadlock. I want to quote Mr. Pearson. He said,

"Everything I've seen has been not quite there, and frankly they"—meaning York University—"are not prepared to move out of their ballpark. That could be because they're waiting for government to fix the problem"—Reg Pearson. That's what he had to say, and if that is all that the government has to rely on, then I don't think a case has been made for clear deadlock.

1610

The Supreme Court stated further in the decision that reasonable alternatives have to be found before a government can make a move like they're making here. They set out the reasonable alternatives that could have been suggested in British Columbia. I'm not sure that they are all applicable here, but the government does have an obligation under law to look at those reasonable alternatives. Was it reasonable to send the negotiator for a longer period of time? Was it reasonable to have the minister or the Premier come in and try to use their good offices to some avail? Was it reasonable to offer the university additional funds or monies in order to accommodate it? Was it reasonable to sit down with the union and find out why they were not happy and see whether something else could be accommodated? All of these things have to be tried, if you follow the Supreme Court of Canada decision; not a single one of these things was tried. Where is the evidence of this government that you acted in accordance with the law? Where is the evidence that you did anything that the Supreme Court demands?

As recently as last week, while reading the paper, I saw Mr. McGuinty unwilling to trample on those rights for precisely these reasons. The Premier said, "No, it cannot be done for precisely these reasons." Please tell me what happened in the last few days that has changed the mind of the Premier and of this government that you can now unilaterally take this action.

The Supreme Court said, as well, in the decision, "The record discloses no consideration by the government of whether it could reach its goal by less intrusive measures, and virtually no consultation with unions..." They stated that as the reason for turning over the government bill in British Columbia. If that was the reason there, it is clearly, in my view, a reason here. Where is the proof that this government has done anything? I want the students to go back to school, too. I want the workers to get a good agreement too. I want York University to flower and to grow too. We all want the same things, but the question is, how do we get there? Is the only way to get there, in the government's mind, to unilaterally abrogate and rip up the constitutional rights of the people who work at York University? I find it hard to believe that that is the only alternative.

This is a comment, first of all, before the Supreme Court: "This was an important and significant piece of labour legislation. It had the potential to affect the rights of employees dramatically and unusually. Yet it was adopted with full knowledge that the unions were strongly opposed to many of the provisions, and without consideration of alternative ways to achieve the government objective, and without explanation of the government's choices."

Then it goes on, in this comment, to actually quote the Supreme Court. The Supreme Court states: "We conclude that the government has not shown that the act minimally impaired the employees' s. 2(d) right of collective bargaining. It is unnecessary to consider the proportionality between the pressing and substantial government objectives and the means adopted by the law to achieve these objectives. We find that the offending provisions of the act (ss. 6(2), 6(4) and 9) cannot be justified as reasonable limits under s. 1 of the charter and are therefore unconstitutional."

This was the opinion of the learned judges of the Supreme Court. This is the test that this government is going to have to meet if it goes to court. This is also the test of this government in this Legislature. You are asking for all-party approval; you are asking for us to support legislation which may indeed be flawed; you are saying, "Trust us and vote for our legislation," without having even given it to us until this morning; you are asking us to take that leap of faith, when the minister will not stand up and defend his bill. You are asking us to support it when not one person on the government side of the House will name even one iota of evidence that you have done what is required of you as a government in this land to meet the Constitution.

Clearly, I think this bill is probably illegal. We will be forcing back these workers—because I agree with my colleague Mr. Kormos from the riding of Welland that the government has the legislative muscle and the votes necessary to push this bill through, probably on Wednesday or Thursday, and that's precisely what's going to happen. But if it happens and if it is illegal, and I believe it is, this is going to be so toxic. This is going to be so bad for York University; this is going to be so bad for every other university. This is going to be so bad for every public sector union and every quasi-public sector union, that a government could come in and ram this through contrary to the Constitution. In the end, it's going to be very harmful for Ontario.

For some 20 years before I became a full-time politician, I was a worker for the federal government. I worked in the Department of Employment and Immigration. I was involved in the union. I was counsel to the Minister of Employment and Immigration before the Immigration and Refugee Board here in Ontario, as well as in Quebec, British Columbia and the Maritimes.

I fully understand what governments do, and I also understand how badly they sometimes do it. I remember back in 1991 when I, as a federal civil servant, and some 100,000 of us across Canada who had the right to strike walked out when the government of the day, the Mulroney government, offered us zero and zero. We struck because we didn't think zero and zero in a two-year agreement was a very good offer, particularly since inflation was running at 4% or 5% at that time and particularly because we didn't think we were earning enough money for the kinds of work that we had to do and the difficulties of that job. We struck, and after two weeks the Parliament of Canada ordered us back to work

with zero and zero. They abrogated all of our rights and imposed a collective agreement which was substantially different and worse than the one that we had struck. They didn't listen to anything we had to say.

I want to speak to the members opposite. The poisoned relationship between the civil servants of Canada and the government of Canada exists to this day. It exists to this day not only for the government of Brian Mulroney, although he certainly suffered in the next election when I'm sure every single civil servant in Canada voted against him and reduced that once-mighty party to two seats. It continues to this very day, when civil servants are very mindful of their rights and very free to go to court to protect them.

We have here a situation where an arbitrator-mediator is going to be appointed. I looked through the act, and I read it several times to make sure what the authority of that arbitrator-mediator is and how that may not benefit, and probably will not benefit, the workers who have been on strike these 11 long weeks, because section 15 sets out the conditions that the arbitrator must be aware of.

The first one is for the employer's ability to pay. So therefore, if York University says, "We don't have any money," the arbitrator can't do anything.

The second one is the reduction of services, so that if York University turns around and says, "Yes, we're prepared to give you a little more money" or some tenure or something else that you're asking for or some dental benefits for your kids, the arbitrator can say, "Fine, you can have that," but at the cost of how many people being laid off? Because that's the second thing: the reduction of services.

The third thing is that the arbitrator has to look at the economic situation, and I'm sure this is where the government will come in and cry that they don't have any money to help the universities and that the budget that's coming down in February or March is not conducive.

The fourth thing is the comparison with the public and private sectors and how much money they're getting, and I suppose that since the private sector is running around a 2% settlement, that's what they're going to try to do there.

Finally, last but not least, is the university's ability to attract and retain qualified personnel. I'm sure they're going to have something to say about that during the arbitration-mediation process. So everything that these workers have fought for, everything they have stood for, everything they have dreamed of is going to be put at risk because it is stacked. No wonder they don't want it. No wonder they're here and hoping against hope that this government will do the legal and right thing. I have yet to see any evidence of that. It is despairing: 20 years as an elected politician; 20 years trying to follow the rules of this country, trying to look at the jurisprudence and how it fits into governance; 20 years of upholding the Constitution as the best saviour to all of the people of this country and the best saviour particularly of minority rights and those who are seeking redress, to see it all dashed away for expediency.

1620

I know we have some excellent members on the other side. I know we have a university law professor sitting on the front bench. Surely to God one of them can stand up and can be clear on what the clear deadlock is so that all of this is justifiable. Surely one of them will do that. Surely one of them will offer an iota of evidence that will justify this action. I haven't seen it. I have to tell you, it is despairing to me. I know there are people out there who want the kids back to work and, as I said, I want them back, but the longer this goes on and the longer people start to report—and I hope the press is looking at this. There is really no foundation for this action. There is nothing that will be sustainable in the courts in the long term, and therefore this is an empty piece of legislation. It will do far more harm than good if this is struck down. It will do far more harm, as it did in British Columbia, and it will harm not only the workers at York University, not only the school system, not only the university system, but in the end, the integrity of this wonderful institution that we love to be in, and that is this Legislature.

I thank you very much for your time, Madam Speaker, and for those who have listened intently without heckling me at all.

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

Mr. Kevin Daniel Flynn: This bill is about students and returning to class, and I look forward to voting and supporting this bill.

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

Mr. Robert W. Runciman: I appreciate the member's comments; I do indeed. I think it's regrettable, though, that the strategy by the NDP, the third party in this place, has detracted from the responsibility of the Liberal government with respect to the situation we find ourselves in today and the fact that in the neighbourhood of 50,000 students have been unable to attend school for a significant period of time.

I criticize the government as well for not consulting with both opposition parties. I think this could have been handled in a way that did not continue to hurt students at York. Through negotiations with the various House leaders, we could have had an extended one-day session to midnight, for example, on Sunday. The NDP could have put their points on the record, their concerns on the record during that one-day session, voted against the legislation and made their position eminently clear to those who share their perspective on this, and we would not have gone on to continue to punish the students.

I'm saying, all you're accomplishing by what you're doing here today is simply extending the challenges and difficulties for the students and their families; not accomplishing anything more than that. Your position could have been done in an extended session on Monday. I share the view of others that we should get on with this. Let's not further the pain of these students and their families.

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

M^{me} France Gélinas: Thank you, Madam Speaker, and given that it's my first time talking to you, I will wish you a happy new year.

My colleague talked about constitutional rights to bargain. I come from Sudbury. Sudbury is known as a labour town. If you have any type of business of more than five or six employees, you are unionized. People understand their rights to unionize, they understand their rights to bargain and they understand that those are part of our basic constitutional rights as residents of Ontario and as Canadians.

Of course, when a union and its members decide to go on strike, it has an effect on people—in this case, on 50,000 university students.

As the NDP, we value education, and we want to make sure that the education being delivered in our universities is of top quality and that the degrees that our universities give out have a lot of meaning. We understand that people work really hard to get those degrees, and they are deserving. But the people who teach those students also have to be rewarded for the hard work that they do. In order for that to happen, you bargain; you bargain for a new collective agreement. This is how the process works. This is what our constitutional rights tell us we have. It's easy to chastise other countries that don't respect rights—sorry; too long?

The Acting Speaker (Ms. Andrea Horwath): Thank you. Questions and comments? The member for—I can't remember.

Interjection: Oak Ridges–Markham.

The Acting Speaker (Ms. Andrea Horwath): The member for Oak Ridges–Markham.

Ms. Helena Jaczek: Thank you, Madam Speaker. On behalf of the York University students from my riding, I look forward to voting on this bill as soon as possible.

The Acting Speaker (Ms. Andrea Horwath): Response? The member for Beaches–East York.

Mr. Michael Prue: First of all, to my two colleagues, the one from Oakville and the one from—

Ms. Helena Jaczek: Oak Ridges–Markham.

Mr. Michael Prue: —Oak Ridges–Markham: They look forward to voting on the bill as soon as possible, and I am sure, with the clout of the Liberal Party and the government in this Legislature, you'll get your wish in a day or two. Okay. All right. I'm sure that that's going to happen. Thank you for your comment. You will get what you want, we're sure.

Mr. Peter Kormos: Leave your weekends clear.

Mr. Michael Prue: Yes. My colleague from Leeds–Grenville made a statement that he doesn't want to further hurt students. I think nothing could be further from my mind or the minds of anyone in this room, that we are out here to hurt students. We are here to help the students. We wish them all the best in their university studies. We want to make sure that they have a university to go to which is not poisoned, where it is an opportunity for them to study and an opportunity for them to work

along with graduate students and others who will help them in their studies and who want to help them and who will.

But we also have to look—and this is something I haven't heard from my colleagues elsewhere, other than in the New Democratic Party—at the constitutionality of this bill. Does everyone accept the constitutionality of the bill? Has anyone from the other parties read the Supreme Court decision? Does everyone accept that there is a clear deadlock that would necessitate this action? I have not heard that from another speaker. I have not heard it from anyone.

I would simply remind them that we are a people of laws. We make laws in this Legislature, but they must be in accordance with the Constitution. They must be in accordance with the laws and the decisions that have been set out by the Supreme Court of Canada. To do less than that is to do a disservice to the people of this province.

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

Mr. Paul Miller: I'd just like to start off by saying that, on a personal note, I worked in a steel plant for over 30 years as a tradesperson, and I, to get ahead, to get decent wages, to get decent benefits, walked the picket line. At one point in one of the strikes, we were out for almost six months. I almost lost my house. I missed a few mortgage payments. I had to borrow from my parents to get by, to feed my three daughters.

All three of my daughters have finished post-secondary. One is now working towards becoming a nurse practitioner as we speak. I had a discussion with her. She said, "Dad, I'm going to be first joining the RNs' nursing society"—that's a union—"and then I will be going as a nurse practitioner." She said, "You know, if you hadn't fought for me for better wages, if you hadn't given us a decent living and the ability to go to post-secondary education through your hard work and your fight, through your union experiences, to get better wages, I wouldn't be here today." She said, "God bless what you're doing."

Those university students one day are going to leave that university and a lot of them may join the Public Service Alliance; they may join other unions. I would ask them: 20 years from now or 25 years from now, when someone comes to stomp on their rights as union members, how will they react? I'm sure they're going to say, "I'm with my union. I'll walk that picket line. I'm not going to be pushed around." I'll bet you, if they were honest, every one of those 50,000 kids, if they joined a union, would react that way 20 years, 10 years, 15 years from now.

1630

Sometimes you've got to stand up and fight. Sometimes you've got to stand up for what's right. We're the only party in this House that's doing the right thing. It's going to come back to haunt the Liberals through legislation and through law. It's going to come back to haunt the Conservatives. Every one of them has stood up and

said, "I want to vote on the bill." Boy, what a debate. What an exchange of ideas. What a real concern about the other guy. It takes two to fight. It takes two to negotiate. If you don't go to the table, you can't solve it. That university executive won't go to the table. Twelve days out of—what?—eleven weeks; that is disgusting.

I remember the days when our unions used to fight. We'd be in there 24 hours a day, all weekend; they'd bring lunches in; you couldn't go home and see your wife because you were negotiating, trying to come to a deal. I remember those days. Is it now going to be a rubber stamp, back to work? Slave wages, no benefits, no future. What a great society we're headed for. Sorry; I don't want to be part of it.

I'm not going to give up my views, my life. I fought I don't know how many fights for unions. I've negotiated against governments; I've gone to Ottawa; I've gone lobbying; I've gone fighting for—we went back one time for 25 cents an hour. We were out for five months; the company was pounding us. We went back for a quarter. But you know what? We didn't give in and we got our quarter an hour. It wasn't what we wanted, but we at least got something out of them. They would have taken it away if they could have.

So what are we going to do here? Are we taking away the bargaining rights of unions in this province? Are we taking away the ability to better our lives? Are we creating dictatorships? Are we creating corporate giants like what's going on in the States? These guys are flying around in \$20-million planes and they're telling some poor guy on the assembly line, "Take a \$3-an-hour cut or we're going to close your plant and move to Mexico." Wow.

Where are we headed? Have the people in this room got their heads in the sand? We're in an economic crisis; we're in a world crisis; we're in a global crisis. NAFTA stinks. Globalization isn't all it's cracked up to be. Our universities, our kids—sure, why has the enrolment gone up in universities? Because the kids can't get jobs; they can't get good-paying jobs. If you can't get a job, you go back to school and try to get more education so you can get a decent job. What do they do when you go to get more education? They slap you on the head and say, "Here's \$20,000"—below poverty. It's unbelievable that you just don't get it.

Now, we've jotted down a few notes. New Democrats share in the concerns of students and parents. I had three daughters who went through post-secondary education, so it's not like none of us are parents who don't have kids who were in university. It's not like the big, bad NDP is doing the wrong thing here. Many of us are parents, and we understand the frustration. We have been speaking to students who are anxious and upset, and with workers, many of whom are students too, maintaining their resolve for a fair resolution. We want to see students and academic workers back to teaching and learning.

We're not short-sighted in this. We're looking to what kind of campuses and classrooms they're being returned to. Can you imagine the animosity in those rooms? Let's

face it: We're human. You're going to go back there and you're going to give it all, teaching these kids, after the university has screwed you? You're going to go back and do your best to share all the knowledge you've gained? I'm not sure that's going to happen. If you've got a bad atmosphere on the campus and if you've got people begrudgingly going to work for slave wages, I'm not quite sure what kind of quality of education those kids are going to get at York.

We want to ensure that the place the students return to, the climate, is one conducive to learning; that any year salvaged now is one of high calibre, not a secondary, begrudging, poor-morale type of atmosphere. Our concerns are not limited to the implications on the academic year alone but, beyond that, on the quality of education in Ontario for generations to come. We want students and academic workers to return to the campus and the classroom as soon as possible, to the kind of place where teaching and learning are done at the highest quality, in the best environment. A negotiated settlement is the only way to avoid the toxic environment that is created when a settlement is imposed on workers. Adequate funding to the post-secondary education system that is desperately required is the only way to ensure quality, accessible higher learning.

This current dispute boils down one primary cause: this so-called education Premier's inaction: the unwillingness to encourage the employer, the university, to get to the bargaining table seriously; the refusal to address the deteriorating state of post-secondary education in our province, last—last—in per capita funding nationally, with the second-highest tuition fees and skyrocketing debt. Something's not working, folks. Maybe we should be taking a closer look at it.

The fact is aptly demonstrated by the increasingly popular strategy of hiring casual or part-time workers to do the same work as tenured faculty but for a lot less pay and less job security as a cost-saving measure, only serving to degrade the quality of education in Ontario. These instructors are stretched to the limit.

In the best interests of students, parents and academic workers, we cannot agree with this back-to-work legislation. We do not support such contempt for the collective bargaining process. Only a negotiated settlement can hope to address salary, job security, benefits and other issues unique to preserving the integrity of post-secondary instruction. It is still not too late for this to happen. Premier McGuinty still has the opportunity to step up to the plate, tell the university administration to get to the table and fulfill their obligation at the bargaining table.

Twelve, 13 days out of 11 weeks of serious negotiation, and I'm not quite sure it was serious: That's unbelievable. We used to go for weeks on end until it was done, 24 hours a day. We brought in our dinners, brought in our lunches, worked all weekend, didn't see our wives for a couple of weeks at a time, but we hammered out an agreement. We didn't just come into the Legislature and say, "We've had enough. The press is

pressuring us. The students' families are pressuring us. We're just going to do what's popular. We're not going to talk it out. We're not going to see how close the two sides really were. We're just going to accept the fact that it's not working. Our top guy went in"—gee, I think he was there about two days, not really a big effort: two days to try to get them together. I think he's just going through the motions, to be honest with you. He came back: "Nothing I can do." He's their top negotiator; he's done all kinds of contracts all around Ontario. Two days and he gave up? I don't know about that.

Post-secondary spending in the Liberal and NDP platforms: There is one item that must be made absolutely apparent. There was an assertion by the Acting Premier today that somehow the NDP 2007 platform only had \$200 million allocated to post-secondary education. This, of course, is anything but the case. In its 2007 platform, the NDP allocated a \$1.1-billion increase to post-secondary education and training to 2007-08 and 2011-12. As to the increase in post-secondary education and training over the same period in the Liberal platform, the corresponding number is \$800 million, a little short of our mark, even though the numbers got twisted today.

Unilateral deadlock: That's an interesting statement—unilateral. You know, I have the opinion that any negotiation, any collective agreement, comes to a deadlock every day, but they talk it out. They go back to the table. They take a break. They yell and scream at each other. They go away, they have a coffee, and they come back until it's civilized.

1640

No; it's easier to send it to arbitration. It's easier to get someone that the government picks to hammer out a deal and send them back to work: "If you don't like it, lump it. If you don't like it, we'll replace you with replacement workers; you're history." That's a wonderful way to handle things.

The process of negotiated settlement, when it comes to the collective bargaining process, is an intense one. It can be an incredibly demanding task that requires both parties to act willingly as participants. When there's too much distance between the parties, the back and forth must continue to close the gap. Two days to close the gap? I don't think so.

The York University administration did not bargain in good faith. The inaction of the McGuinty government only sought to exacerbate the crisis created by York's obstructions. They weren't serious. They could have hammered out an agreement weeks ago if they were serious—and the union came back with concessions. Last week there were major concessions on wages, on benefits, and they wouldn't even look at it. They had no intention of settling.

Since the strike began, the York University administration has bargained for less than two weeks, total. In approximately three months, they have scarcely given the pressing issue 12 days of attention. Moreover, the York University administration refused to bargain over the winter holiday. "We've got to have our holidays. We've

got to have our 14 or 16 days off before we get back to the bargaining table.” They should have been at the bargaining table right through and hammered out an agreement and gotten these kids back to school, but they didn’t.

The university president has been markedly absent and disengaged from the entire process. Maybe he’s in the Bahamas; I don’t know. I don’t know where he is on his \$700,000 or \$600,000 salary, whatever he makes. Some of these grads and teaching assistants work for \$20,000; this guy’s making \$500,000 or \$600,000 with a golf membership, driving a brand new car—

Ms. Cheri DiNovo: And a housing allowance.

Mr. Paul Miller: And a housing allowance. What’s wrong with this picture? But nobody says anything about them. The fat cats are at it again.

Even after the government appointed a mediator and had the union’s offer pared down, even after the union local put forward a substantially altered offer and requested repeatedly a return to the bargaining table, the university refused. Maybe he was having a nice drink or something, or a nice dinner in a rich club. I don’t know.

Mr. Gilles Bisson: A steelworker bar?

Mr. Paul Miller: Maybe.

Mr. Gilles Bisson: I’m sure there’s one somewhere.

Mr. Paul Miller: Local 3903—those bad union people—had reduced its demand to four items. We were four items away—from all the hundreds of items, four away from an agreement. They were prepared to accept the administration’s salary increase. Most of the major benefit articles had been agreed to. The local was prepared to negotiate and move on the remaining two. Did you hear that? The local was prepared to move on the remaining two issues. Well, if you’re not at the table and you’re not negotiating, I guess you can’t be prepared to move. Interesting: the big, bad union. I can’t believe it.

The government’s own head mediator, Reg Pearson, made it clear to the local that the York administration had no intention of bargaining and were just waiting for legislation—your own guy that you appointed, and you come here today and you’re going to go through it anyway, even though the guy you appointed said, “They’re playing games.” But you’re going to do that because you’ve got public pressure, because you’ve got media pressure. “The big, bad NDP”? Give me a break.

Everything that I’ve seen has been not quite there, and quite frankly, they’re not prepared to move out of their ballpark and into the real world. It could be because they are waiting for government to fix their problem. “We’ll just let the government force them back to work and we won’t be the bad guys.” But, believe me, if they do force them back to work, it’s going to be pretty ugly around that campus for a long time because there are going to be a lot of disgruntled people.

Is this what they want for education? Will it be attractive for students to go to York if they know these staff—who do 51% of the work, by the way, of the teaching—are upset, mad? I don’t know. They may have done themselves irreparable damage, for all I know.

In view of this fact, will the Premier not even admit that it was not a deadlock but the unilateral refusal to negotiate on the part of York University administration, a move that might be unwarranted and may be—this is the kicker—illegal? You may be doing something here against the Supreme Court decision in BC. You may be doing something wrong, because if you can’t prove that it was a deadlock—and that’s the kicker you’re using, the technicality. If the union showed goodwill and good-faith bargaining, which I think they did when they were ready to talk every day, not 12 out of 11 weeks—and all the other things that went on, which I can go on about forever, with the stunts the administration pulled. If that is proving good-faith bargaining, I’d like to be the lawyer on that case, because I think I’d have a good chance of winning.

Mr. Gilles Bisson: Even a bad lawyer would have a good chance at winning.

Mr. Paul Miller: Even if I was a bad lawyer, I think I could win.

It’s pretty clear, and believe me, folks, it’s going to come back to haunt you. We are going to stay steadfast in our belief in negotiations, proper bargaining. We will stick to this as a party, and my leader will stick to this. Believe me, we’re taking the hit right now because of popular demand, but by the end of it you’ll wish you’d been an NDP member.

Mr. Gilles Bisson: Run, Paul.

Mr. Paul Miller: I’m not running.

The union dropped their salary demands, dropped their benefits. All they wanted was guaranteed funding for graduate students. The union wants to improve some benefits—a little bit of dental, a little bit of this, a little bit of that—that everybody is entitled to in this province usually. So they aren’t asking for much, and they get pounded.

All I can say is that going through this process has been really enlightening for me. I think this is just the start of the avalanche. What you’re doing here is forcing people back to work when they are in a legal position to strike. They have a negotiated contract, they have the ability to negotiate, and you’re forcing them to accept something that they don’t want.

The last time I looked, this was a free country. The last time I looked, you still had the ability to fight. The last time I looked, it’s not a dictatorship.

Believe me, one day those 50,000 kids will be standing here doing the same thing I’m doing, sticking up for people, if they ever choose this line of work.

Mr. Gilles Bisson: And he or she will be a New Democrat.

Mr. Paul Miller: And I hope he or she—thank you—picks the right party, that had the guts, had the will, to stand up and do the right thing and not just follow like sheep down the road and do as they’re told.

Once again, all the hands went up—not one detractor, not one person, stood up to debate it from that side.

At least the member from Thornhill talked about it. I give you that, not that I like what you said.

In closing, thank you, and this will continue.

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

Mr. Reza Moridi: Our students at York University need to be back in their classrooms, and teaching and learning processes and activities need to resume at the university—the sooner, the better. Therefore, I look forward to voting for this bill.

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

Mr. Peter Shurman: I listened with interest to my colleague from Hamilton East–Stoney Creek. I thank him for the compliment and hope we can get on with the vote shortly.

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

Ms. Cheri DiNovo: It's very sad, really, for anybody watching this program—and I was watching it from home until I rushed back in—to see the little response on behalf of the Tories and the Liberals.

We are standing here on a matter of principle. This is a matter of dignity for working people in this province. It's a matter of standing for collective bargaining and for the collective bargaining process. It's a matter of standing for students and the right to an education—not just any education, not just a Wal-Mart education, but a good education. Instead of debate, instead of informed discussion, what we have are people collapsing. They simply want to push this legislation through, and that's very, very clear.

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I'm so proud of my New Democratic Party colleagues. I'm so proud of democratic socialists in this place who stand up for the rights of workers. I'm so absolutely proud that we come together and that we're the only voice that workers have in this place—the only voice. You know what they say about Liberals? There's an old story—Liberals and principles, that is. They say the Liberal will say, "I've got principles. And if you don't like those, I've got some others." That's the Liberals and that's principles. We know where the Tories stand. We know the Tories stand with management. We know the Tories stand with those who are making over half a million dollars a year and can't be bothered to get off the golf course and come down to bargain. We had better hopes for our Liberal friends in the House. Clearly that's unfounded. Only here, only in the New Democratic Party are you going to get a voice for workers in collective bargaining. Only here, anywhere in the legislative process in this country, in this province, are you going to get a say—with the NDP. So I look forward to saying more about this and more about my poor husband who is also contract faculty at Humber. Let's hope they strike on too.

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

Mr. Yasir Naqvi: I'm standing here for students today, and I would like to vote on this bill as soon as possible so they can be back in the classroom.

The Acting Speaker (Ms. Andrea Horwath): Response?

Mr. Paul Miller: Actually, I don't know how to respond, because there's no content. There's nothing there. They just keep saying, "Get on with it. Let's vote." I really don't have an argument. How do you argue with people who stand up and say, "Let's have the vote. Let's have the vote?" Really, I guess I'm arguing with myself. So if I argue with myself, I probably could win. All I can say—this is a short two minutes—is, "Paul, you can do this." The NDP is doing the right thing. And I've got—actually, I have to go for another minute, so I'm going to have to improvise.

I'd like to say that I'm looking forward to one of the other people in this House other than the NDP standing up and actually saying a few words about this. We have a very captive audience that's been sitting through this all day, and bless you for your patience because it's been a one-group show today. The other show is non-existent. They might as well be on a bus home, because all it is is, "Let's get back to what we were doing before we got called back and you aggravated us by calling us back. Now let's get this done and get out of here." Not happening, folks. We're going to aggravate you some more.

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

Mr. Robert W. Runciman: I want to say on the record how much I appreciate the member for Hamilton East–Stoney Creek. I think he's been a terrific addition to this assembly. He's full of energy. He's not a very subtle guy, but I appreciate that. I appreciate his frankness and his honesty and his passion about issues. Certainly this is one where we happen to strongly disagree with the view his party is taking with respect to this legislation.

I think the member for Parkdale–High Park summed it up pretty nicely, although she contradicted herself at the outset, talking about lack of participation in the debate. Then later in her comments she said, "We know the positions of every party in this place. We know the Progressive Conservative position on it," and she tried to cast some aspersions upon us at the same time, but we'll let that go by. She mentioned the Liberal Party and, of course, their support of this legislation. We're very critical of the way the Liberal Party has handled this whole issue from the get-go and their failure to consult with the opposition parties on a way to assist in getting out of this very difficult situation.

It's now clear, and that's been substantiated by the member for Parkdale–High Park, that only one party in this House—the NDP—still wants to debate this bill. That party, as you can appreciate, holds 10% of the seats in the Legislature, while the remaining 90% of the seats are held by members who are clearly satisfied with the amount of debate on this crucial issue. The positions of all three parties have been made abundantly clear over the past three days, both in the media and in this assembly. Swift passage of this bill is of urgent importance to at least 50,000 students and their families, as every moment lost to House procedure is a moment lost in education to York University students. I think we in

this place can all agree that these students and their families have lost enough already.

I'm not going to add any more of my own words to hold up passage of the bill other than to say that I move that the question be now put.

Mr. Peter Kormos: Point of order—

The Acting Speaker (Ms. Andrea Horwath): I'd like to deal first with the motion brought forward by the Leader of the Opposition. It is my opinion that the debate has not been sufficiently brought forward. There are other members who wish to speak on this issue, and so, with respect, I will ask that the debate continue.

Mr. Peter Kormos: With respect, that in fact was my point of order. We saw it the way you have.

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

Mr. Gilles Bisson: No, it's questions and comments.

The Acting Speaker (Ms. Andrea Horwath): Sorry, you're correct. Questions and comments?

Mr. Peter Kormos: I like the member from Leeds–Grenville, and I've known him for a long, long time. He has very strong Conservative credentials and he also has a history as a strong trade unionist. He was in a leadership role in his particular trade union when he was still a working man.

As has been said before, the Conservatives have been consistent. Mr. Shurman has been calling for back-to-work legislation since December. We disagreed with him then; we disagree now. But the remarkable thing here is that—and it certainly wasn't a road to Jerusalem—last week Mr. McGuinty supported collective bargaining, and something happened. For the life of me—I did remember that tavern on Bloor Street; it's the Brunswick House—as much as Mr. Shurman and the Conservatives have been consistent, Mr. McGuinty's been inconsistent, and that's why there has to be some explaining done. It's the absence of that explanation that is, amongst other things, what irks members like her, my colleague from Parkdale–High Park, and leaves her shaking her head in dismay and bewilderment.

New Democrats are going to speak to this matter. I suspect there will be a couple who will speak to it, and I assume this same bill is going to be called tomorrow afternoon. In the absence of any further speakers—of course, New Democrats haven't used their resources—the bill will go to a vote. We'll be voting against it.

As much as I'm certain that the Conservatives won't change their minds, I'm still hopeful that on that road that he appears to be travelling, Mr. McGuinty may undergo yet another conversion and delight us all.

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

Mr. Gilles Bisson: To the honourable member: I can take two or three minutes to go through all of the reasons why what the government is doing is wrong. We know that there is movement in bargaining. That's been clearly established. We know clearly that there's a lack of funding. Ontario finds itself number 10 when it comes to funding. I can go on to talk about how even the mediator

who was sent in said, "The deal's been cooked. The government has decided that it was going to use time allocation, so the employer said, 'Let's not get to the bargaining table.'"

But to the point that my friend from Leeds–Grenville makes, which is that somehow or other New Democrats are usurping the rights of students and others in our society: I remind you that we live in a democracy, and we do have the right in a democracy to have full debate on issues that are of public importance.

1700

I remind you that that's something pretty recent. It's not a new thing in the world that we know today, because barely over 100 years ago, women didn't have the right to vote, First Nations didn't have the right to vote and most of the world was under the tyranny of kings and other types of monarchies that didn't allow people—never mind to have a debate, but even to have rights. People through the ages, unfortunately through the first war, the second war and others, have gone out and defended the right to have those democracies.

Yeah, at times democracy is a bit messy: We have debates. And yeah, every now and then, we have elections and they get in the way of people—and yeah, we have some debates in those elections as well, and we bother you with pamphlets on your door and knocking on your door and giving you a call. And on election day, we bother you again to come and vote. But I remind you that we've built up a democracy so that we could make sure that we have the institution of democracy to protect the rights of people.

Yes, students have a right to an education; there's no question. But we need to counterbalance that against the rights for workers to organize and to freely bargain. When members of this assembly make the argument that somehow or other New Democrats are getting in the way, I would just say that we're doing what is democratically our right, and that I will continue to stand for.

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

Mrs. Liz Sandals: I must say that I will not be changing my mind, that I will be supporting this legislation. Forty-five thousand students are without education. I know from hearing from my constituents, many of whom go to York, that they are very concerned about losing their school year. I will be supporting this legislation, and I would like to get on with the vote.

The Acting Speaker (Ms. Andrea Horwath): The member for Oxford.

Mr. Ernie Hardeman: I, too, want to get up and congratulate my colleague from Leeds–Grenville for a very wise presentation, shall we say.

I think it's been brought up in some of the other comments that in fact we have to continue to debate because we have so many more people within the party who want to speak. But I think debate really requires that the people who are going to speak have something new to add to the cause. I think at this point, if we're all saying the same thing, we don't need to say it too often. So far, I've been

attentively listening to the presentations, and there's very little difference in the comments from the individual members. So I agree with the member from Leeds-Grenville that we should put this to the vote.

The Acting Speaker (Ms. Andrea Horwath): Response?

Mr. Robert W. Runciman: I thank all of the members who participated, providing commentary on my comments. I also want to put on the record with respect to the member from Welland that yes, we have known each other for many, many years, and I like him, too.

Interjections.

Mr. Robert W. Runciman: We're not having dinner later, though, just in case you're wondering.

I respect the perspective of the NDP with the position they're taking here on a matter of principle. I'm not questioning that this is a matter of principle for that caucus. What I guess I am questioning is the strategy being utilized to deliver that message and to express their concerns with respect to the process that has been undertaken here.

My view of this is that if the Liberal Party, the governing party, had dealt appropriately with the opposition, the House leaders in the opposition parties, had sat down and discussed their tactics, what their intents were, we perhaps could have worked something out differently. I suggested here earlier an extended Sunday sitting so that all members of the NDP who wished to participate could have had an opportunity to put their views on the record ahead of their negative vote—which we know is going to be the case whenever the voting day does arrive—and deliver the same message without further penalizing students at York University. I guess that's the concern that I want to put on the record.

It's unfortunate that the Liberal government once again failed to match their actions with rhetoric in terms of co-operation with the opposition party. It's just another indication of this majority government, the dark side of majority government, with the way this Liberal government has handled this whole process from day one.

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

Mr. Peter Tabuns: I have to say that the opportunity to speak today in this chamber is a privilege. Often I say it's a pleasure, and today it is not a pleasure; it is distinctly not a pleasure.

For those men and women who are students at York University, for those women and men who are teaching assistants who are part of CUPE Local 3903, for parents who were drawn into this, for all who've been part of this conflict, I have to say I've watched it very closely, as my son is a student at York. I saw him idle through the fall. My partner is a prof at York. I have seen what she has gone through, trying to figure out how to make things work, and go at it again, how to make things work, because she respects the strike; she respects all those who work at the university. I know the personal price that people have paid and I know the financial price that

many will pay. So it is not a pleasure to talk about this issue. I wish it weren't here. I wish it didn't have to be here; I wish it had been resolved.

I want to talk about the context within which all of this is happening. Understand it very clearly. For the most part, those who will read a newspaper, who will see a headline—I think the headline I saw in the Star the other day, the Sunday Star, was “NDP to Block End of Strike.” It is as if a certain Dalton McGuinty was walking down the street one day, noticed that someone had fallen, and was going over to help them. It is as if this government, this province, had nothing to do with the situation that the people at York—the students, the workers—were encountering, as if he were simply a very helpful bystander who was trying to resolve a conflict in which he had no interest and no history.

I want to say to you all that there's a very different way of understanding the context within which we all find ourselves today. For those of you who have had—I find it hard to call it “fortune,” but let me say this for those of you who have had the fortune to be here on the days when the budget is presented and to look at the numbers and to hear the hosannas from the government benches about how finally, finally, paradise has been brought to earth, goodness has been delivered, and in this budget is salvation. In the days that come, we debate that budget. Our critic, Rosario Marchese, in all the time I've been here, has been pointing out the inadequacy of the funding for post-secondary education, for elementary, for secondary, for the whole range. We have made that point consistently. We have voted against their budgets because we know what the outcome is. We know what the outcome is. It is logical, it is consistent, and it is predictable.

So when I hear people on the government benches saying, “Oh, the students,” I think, “The alligator can indeed cry; the crocodile can shed tears,” because the crocodile for a while has been setting up a situation in which money has not been given to the universities, has not been given to post-secondary education, has not been given to the colleges. Are you surprised? Are you taken aback that there is conflict? Not for a moment. You shouldn't be, because the situation was set up years ago.

We have before us a bill to impose arbitration, to end this strike. Before Christmas, people were hurting at York University: the people who were freezing out on the picket line—and it didn't matter which picket line they were on; they were all cold—the people who were at home, trying to figure out what to do with the time on their hands; the people who were trying to figure out whether they should go back to Calgary or Victoria, whether they should go back overseas and come back, because they didn't know when school would resume. It was a very hard time.

Did this government, in December, rise, speak, and say, “We need to put in someone who is going to bang heads now”? Did they in fact say, “Okay, you know what? We've been making a mistake with post-secondary education. We've been underfunding it. We know it is

critical. We know it is critical and we say, in this case, we're going to put some money in so we can get things sorted out, and then in the next budget we're actually going to start addressing post-secondary education"? I have to tell you, those who have gone through it know that this has been a long, long, long process, but I have to say it was very long before Christmas as well. And yet Mr. McGuinty continued to walk down the street while the fight went on, acting as if he had no history or commitment or responsibilities. No mediator was sent in.

1710

For all those who are watching this debate and asking themselves, "Why is there a debate about this bill? Why are we in this situation?" you need to look at the full range of what is happening in the public services in Ontario. You have to understand that it is not simply post-secondary education that is getting hit. It is not simply post-secondary education that is suffering from neglect. When I talk to friends of mine in public health, when I talk to nurses, people who went through SARS, who watched their colleagues get sick, who were frightened about what would happen in this society if yet one other thing happened—because we don't have the capacity to deal with more than one crisis like that at a time. You talk to them and you ask them, "So what has actually been done to deal with the SARS crisis, since it hit us so hard?" I'll tell you what. Committees have been set up. I'm glad that you all feel comforted to hear that, because if a committee hadn't been set up, then nothing would have happened at all.

We are seeing in this province an ongoing decay of public services, an ongoing reduction in the infrastructure that we depend on, not only for our daily lives but for our future. Are we going to see a future in which we have health care that is adequate? Are we going to see a future where we have a large, educated body of citizens who can take on the challenges of this century? At the rate we're going, probably not, because this is not a government that thinks in those terms. This is a government that tries to manage along and tries to just make sure that things don't break down on their watch or overtly. If they break down, they step in, they take the participant in the conflict who they judge is weakest and they put them to the wall and say, "You're going to suck it up"—which is what they're doing now—"You are going to take a hit, and we're going to continue to underfund post-secondary education."

This is not a strategy for success for a province. This is not a strategy for protection of our hard-won rights in this society. Unionization, the rights to organize and to strike, are human rights. The societies that respect them are societies that have gone through long struggles, struggles to establish the ability of the great mass of people in the society to actually have power to determine their own destiny. So when a government takes a step, as this one has, having set up a situation where people were in an impossible strait, and then said, "Okay, we're going to force the workers in the situation to take a hit," there's no question we're going to respond. There is no question

we must respond, because, in fact, the history of our party and the history in this society is one of people fighting, struggling, taking risks and taking losses in order to give themselves a future.

I want to go into a little bit of detail on the question of funding because I've set the larger context. I've set the context of a government that started this whole process off by aiding and abetting the retention of Ontario's triumphal position of number 10 in terms of post-secondary education funding per capita. It's clear that this government isn't providing adequate funding to post-secondary institutions. I tell you, when you ask questions, you will hear anecdote after anecdote and lists of funding that has been provided. I've heard the minister, when challenged on funding, give us little stories of people who in some way may well have been helped, but when asked about the overall impact, is distraught that we've dismissed the anecdote and says that we are neglecting the human element. Well, that isn't the way to run a ministry, that's not the way to run a government and that's not the way to run a society.

When you add up all the numbers, when you go through all the lists, we're still number 10. And when you're in last place, even fighting to get to the middle is a struggle. I don't even see this government fighting to get to the middle, fighting for some mediocrity. Fight for mediocrity, you guys. It would be a bigger stretch than what you've got now. Go for it.

Ontario has the second-highest tuition in Canada, and we'll likely beat out Nova Scotia. That's an extraordinary reality. Here we are, the industrial centre of Canada, a jurisdiction that is facing tremendous challenges, that faces the risk of a rust-belt future, and where we look at the population of young women and men in this province and we don't see that we have to help them build our future, we see that we're going to impose a burden on them and in many cases either discourage them or put them in impossible debt situations. If we look at student-faculty ratios, we're behind every other province, and we're the worst amongst our American peer institutions.

I have to say I had an opportunity in the 1980s—and not that money flowed then. I was a part-time teacher, part-time faculty, at George Brown College. I remember the experience because, when I calculated my prep time and my classroom time and my marking time, I was making less than the minimum wage that then prevailed, so I got out. I had another job; I stuck with that job. I decided I wasn't going to get into this racket. But I have to say, there are a lot of people you talk to in colleges who are doing that part-time teaching, that part-time faculty role, and that may be what they can get. Many people who graduate from our universities now find that a degree is not getting them what they need to get. They are being forced into those part-time teaching jobs and they are not a happy group. They are not a group facing a bright future; they are facing an ongoing decay of public services, something that is at the heart of what we're debating today.

The Ontario Confederation of University Faculty Associations talks about how Ontario universities are

dealing with their budget crunches: “by hiring a high proportion of faculty on short-term contracts—more than half of new faculty hires—who, in spite of their ability and dedication, cannot hope to give students the continuity, and the research opportunities, that tenure-stream faculty can.” Well, I would like to suggest to all of you here that if you want to have high-quality education, you don’t consistently downgrade the status of, the resources of, the livelihoods of those who are teaching.

I had an opportunity before Christmas to visit a variety of people, some of whom were teaching assistants at York. They live in my riding. They were not living high off the hog; I can tell that you right now. They were living in small apartments. They were talking to me not about the difficulties they were facing on a day-to-day basis during the strike but the difficulties they faced before the strike and why they, even though they had very little and they were facing a very lean Christmas, were willing to stay out because they would not accept what was being offered to them. You don’t stay out that long if you’re happy. You don’t stay out that long if things are going well. If you’re pushed to the wall then, yes, you will find the reserves within yourself to keep going. But people I met in my riding before Christmas, dealing with the strike, living through the strike, living through the working situation they had to live through, were people who felt they had to fight and they didn’t have a choice. I have to say, I deeply regret the fact that they found themselves in that situation and that I’m deeply appalled at this government for putting them, the students and everyone associated with York through the meat grinder that they’ve been put through.

1720

When you look at what’s being put into universities, when you look at the investments that are needed—when you look at OCUFA, they talk about an investment needed to hire 11,000 full-time professors to keep up with enrolment and ensure internationally competitive student-faculty ratios. They call for an increase in the number of faculty to reduce class sizes and provide more student-faculty interaction. We aren’t even talking about that with this government. All that we’re talking about is trying to close the lid on a situation that is boiling over.

When are they going to catch on that calling yourself the education Premier doesn’t make you the education Premier? It just makes you someone who looks like a poser, someone who is aspiring to a role but not actually playing it.

Ask students about their debt. Ask faculty about the number of faculty who have been hired. The number hired across Ontario in 2007-08 was 1,800. That doesn’t meet the number that was required. It doesn’t meet the numbers that are required at York. It also has to be noted, and Howard Hampton spoke about this earlier, that as tenured professors retire from York, tenure-track faculty haven’t been replacing them. I know that some people are getting tenure, but the numbers of those who are getting tenure as compared to those who need it are far too inadequate.

So I’ve talked about the context, the government’s responsibility. I want to talk briefly about the government and its relationship to collective bargaining and its inability, apparently, to respect collective bargaining, whether there’s a Supreme Court decision or a Court of Appeal decision or simply a tradition in this province of having some respect for people’s labour rights.

We shouldn’t be surprised that this legislation is here. We shouldn’t be surprised that when the United Food and Commercial Workers won a court decision from the Ontario Court of Appeal saying that agricultural workers could be organized, this government appealed that to the Supreme Court of Canada. The UFCW was entirely correct, in the press release that it put out, in saying that this government is simply continuing the practices of Mike Harris.

Now we have a Supreme Court ruling on actions in British Columbia. As you read the decision, it’s pretty clear that shutting down collective bargaining is something that is only done in extreme situations. They prescribed those situations. I think the argument has been made very well by my colleagues today that in fact we haven’t seen the proof before us that there was a deadlock.

For those who are at York, in the bargaining unit or as students, they have experienced paralysis. I don’t argue with that. But in fact, was bargaining going on and could bargaining go on? Did the union change its negotiating position and come back with counter-offers? From the documents we’ve seen, yes. Did they moderate their offer in an attempt to come to an agreement? Yes. I don’t know what went on within the senior management at York University. I can’t speak for them. But I do have to speak to this government and say to them: Okay, you’ve made a very substantial decision, and you are asking us to take very substantial action. Where is the evidence? Show us the evidence. Show us that there was no movement by the parties, and if there was no movement on the part of one of them, what did you do to press them to move?

For all of those who have gone through this experience, for all of those who have been hurt by this experience, they need to understand the roots of it. They need to understand why those of us in this party would oppose the action of the government, call them to account, make sure that the arguments were presented in this House so the public in this province knows that it is not just a question of a distant fight that this government is trying to sort out, but in fact it’s a conflict that was set in motion by this government itself.

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

Ms. Cheri DiNovo: I want to praise the member from Toronto–Danforth for his eloquent words and his eloquent exposition of the background of this piece of legislation.

I want to use my minute and a bit to talk about Mr. Milloy. I have a great deal of respect for him, the Minister of Training, Colleges and Universities, and I

know he has been instrumental in this piece of legislation. I want to talk about the cars he drives because I share a parking spot right next to him.

He has a Volvo and a Mercedes. I want to point out that they're both unionized cars. Neither of them are produced by CAW or Canadian union workers. The Volvo comes from a country where there is free post-secondary education. The Mercedes comes from a country where there is free post-secondary education. Both of them are produced by union labour; they're not our union labour but their union labour. If you were a Swede or if you were a German, there would be incentives to buy unionized—

Hon. John Milloy: On a point of order, Madam Speaker: I drive a Chevrolet Impala. Thank you very much.

The Acting Speaker (Ms. Andrea Horwath): That's not a point of order.

Member for Parkdale—High Park.

Ms. Cheri DiNovo: Someone looking very much like him got out of a Volvo and a Mercedes.

Interjections.

Ms. Cheri DiNovo: Just to complete my comments—

Interjections.

The Acting Speaker (Ms. Andrea Horwath): I have to say, I've been very impressed with the members for most of the afternoon. We have about 35 minutes left, and I would please ask that we keep a better tone for the next 35 minutes. And remember that reaction is a result of action, and so I would ask all members to be respectful of each other in this chamber, please.

I also want to say to the member for Peterborough: There were other members mingling around, standing up. I didn't notice you, so that's why that happened.

Ms. Cheri DiNovo: I'll leave some seconds; I'm almost off the clock. Suffice it to say that in those two countries, an 85% unionization rate in Sweden, a comparatively high one in Germany—let's have it for here.

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

Mr. Jeff Leal: I can tell you for the record that the Minister of Training, Colleges and Universities has been driving an Oldsmobile, too, for many, many years. I know that for a fact.

I look forward to voting on this bill.

Interjections.

Mr. Jeff Leal: I'm supporting this bill, and certainly the impression I got from the parents of students in Peterborough riding—and the students themselves have called me since yesterday to support this piece of legislation.

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

Mr. Peter Shurman: I want to thank the member for Toronto—Danforth.

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

Mr. Paul Miller: I don't want to get into the car debate; it really isn't part of this bill.

Anyway, I've heard from my colleagues from the official opposition. I can say that I appreciate their complimentary words, but I have to disagree with Mr. Hardeman's comment about the lack of creativity. I think that every one of our members has stood up and everything's been different. We made a point of making sure that the materials were different and very creative.

I'd like to compliment the member from Toronto—Danforth for his presentation, and all presentations by our caucus. I can safely say that we actually made a presentation, and we took our full time to explain the situation that's going on at York.

Mr. Peter Kormos: It wasn't very much time at all.

Mr. Paul Miller: Not much time at all; I would have liked to have seen more debate. I would have liked to have actually been able to have some content from the government and a little more—they did have some—content from the opposition, but they've tried to expedite this process.

Really, I'm shocked that I haven't had an ability to debate or talk to the governing body of this province about something so important to collective agreements and the future collective agreements of our province. Frankly, it surprises me and shocks me that there has been no full debate on this from the governing party, and I'm hoping that they'll still have an opportunity to do the right thing before this is over and order York University back to the table and do the right thing by the people who work for them, and the students, and we can be out of here in no time if they order them back to the table. We'd be happy to co-operate in that adventure, I would like to call it, because it definitely has been an adventure.

1730

The Acting Speaker (Ms. Andrea Horwath): Response?

Mr. Peter Tabuns: Thanks to those who commented, including those who made comments clarifying the vehicular habits.

Mr. Peter Kormos: Vehicular tendencies.

Mr. Peter Tabuns: Yes, vehicular tendencies.

I want to say that I'm afraid this is not the last time this is going to happen. When I hear the people around this chamber, on the government benches, saying that they want to vote quickly for students, I look forward to seeing how they respond to the budget and whether they are going to be demanding an increase in funding for post-secondary education, an action to deal with the problems that are facing students, teachers and part-time faculty. Will we hear them cry out for the students at that point, cry out for the universities and colleges? This is a fairly cheap vote for you—this is a very cheap vote for you—but will you actually put the money on the table so that we don't, on another day, stand here with students from Humber, from Seneca, from U of T, from McMaster, from Guelph, from Algoma? There are many choices. There are many universities that are facing difficulties. Will we actually see you stand up and call out for the students? Then you'll have a very different base on which to stand. But right now, having been

complicit for years in driving down our status as a province that adequately funded education, you don't have much of a moral base to speak from. You've set up the situation of conflict, it's erupted, and now you're shutting it down. But that doesn't mean you've solved the problem; you've just postponed it.

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

Mr. Vic Dhillon: There are many students from my riding who go to York University and they're eager to return, so I look forward to voting on this bill as soon as possible.

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

Mr. Peter Kormos: The economy of those comments is remarkable. I know it's something people work on, to develop the ability to generate that type of economy.

It reminds me of the story about the prison inmates who would tell each other jokes in the middle of the night. One inmate would holler out "19," and everybody would break into laughter. Another cell inmate would holler out "27," and everybody would burst into laughter. A newly incarcerated guy said, "What's going on?" They said, "We have codes for these jokes. We just have to tell the number and we know what the joke is and the punch line." So that new inmate said, "Well, let me try one." He hollered out "47," and nobody laughed. He turned to his cellmate and said, "What's going on?" He said, "I don't know. Some people just can't tell a joke." But I anticipate that in reasonably short order this type of tendency will have Liberal backbenchers standing up and simply citing paragraph 22b, so that we'll have to have the Coles Notes for the Liberal caucus to know what in fact they mean.

It's that kind of trivialization of this issue that some of us find very disturbing. Look, this is going to wrap up. Don't give me crap about this going on forever and about it being blocked. It's not going to be, because the time allocation process is being utilized. We're here because we think this is a very serious issue. We think that the public, our voters, our constituents have a right to know why we're doing what we're doing, and New Democrats have attempted to be very clear about that. I find that type of utilization of a 20-minute speaking slot to be, quite frankly, shameful and not much of a service to that member's constituents. I hope that member's constituents have a chance at some point in the near future, when they read a Hansard on the computer, to see what the great contribution was by that member here, standing on his feet for a 20-minute slot and telling us that.

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

M^{me} France Gélinas: I agree with my colleague that the statement by the member from the Liberal Party was rather short. We've had some students in here for the whole day.

I'd like to take you back to 1985. I was a student entering a master's degree, my first day at Laurentian University as a master's degree student. I had held a full-

time job, I had three young kids at home, but I was going back to school. On my first day, Laurentian faculty walked out on strike, and they would stay out for a full month, putting my first year as a master's degree student in jeopardy.

I know exactly how you're feeling. I had to organize my life; I had to organize my finances to make it and apply for a university degree, a master's degree. It was hard to get into the program, but I had finally made it. I had made arrangements with my employer so that I could be excused from work for a period of six months so that I could go back to school and get a master's degree. I had made all sorts of arrangements for my three kids to be looked after before school, after school, before daycare, for the bus. The neighbours and the grandmothers all pitched in so that I could go back to school, and Laurentian University went on strike for a month, putting in jeopardy all the hard work I had put in so that I could go back to school. But I came from a labour town where collective bargaining means something. It means that the right of workers is a constitutional right, a right that you cannot take away. This is what makes this province so great and this is what makes this country so great. We have rights and we respect them, and the right to bargain is ours.

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

Ms. Cheri DiNovo: I'm going to be speaking shortly, and I'm going to take my full 20 minutes on this. Suffice to say I'll use my two minutes here to say thank you to CUPE. Thank you, CUPE 3903. It always is a test of character, of ethical backbone, when you stand in the face of no agreement. They have stood in the face of no agreement, and, boy, do we get it in our caucus now, because my phone's been ringing off the hook and our BlackBerries are buzzing every minute. About a third of the responses, I have to say, are very positive and supportive; about two thirds of them are not, and they range from all over Ontario.

When you stand for something that's right in principle and right ethically, even if the majority of the population stands against you, you are standing for history, so thank you, CUPE 3903. And thank you for standing up for all of the teaching assistants, all of the contract faculty around the province of Ontario, not just your own local, and that is so telling.

There was an article in NOW Magazine that said, "Did you know that your professor makes less than you do?" And it's absolutely true. My husband, on some days, I believe, makes about \$10 an hour by the time you factor in his travel time, his marking time, his teaching time. There's no job security, there are precious few benefits, and there's certainly no pension plan. You stand for him, and he doesn't teach at York. You stand for quality education. A degree that actually means something is what you're standing for, and I'll go into more on that in a little while. You stand for a real degree that gets you a real job with benefits and good pay and all that goes with a real and dignified workplace. Finally, that's what you

stand for, CUPE 3903: You stand for dignity. You stand for the dignity of the workplace.

For all of those out there who say, "They should be glad they've got any kind of job," I'd love to have seen them back in the day when unions started. I'd love to have seen them talk to Charles Dickens about child labour, about the rights of workers back then when there were no rights of workers.

More later. Thank you.

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

Hon. John Milloy: Today's debate is about one thing and one thing only: getting 55,000 students back into the classroom. That's why we want to have a vote as soon as possible.

1740

The Acting Speaker (Ms. Andrea Horwath): Response, the member for Brampton West? Further debate?

Ms. Cheri DiNovo: It's a privilege to stand up.

I'd like to address the comment that was just made by the Minister of Training, Colleges and Universities: "It's about getting 55,000 students back to school." Yes, it is, so where were you, on the other side, 76 days ago? Where were you over the Christmas break, when you could have been forcing the administration to sit down and bargain in good faith? Where were you until two days ago, when all of a sudden we heard on CP24 that we were coming back to debate this closure issue that's absolutely antithetical to collective bargaining? Come on.

They know, as well as everybody, by now, who has been listening to this debate, that they are verging on illegality here. They know, as well as anyone who's watching this debate, that the Supreme Court has already ruled on this, that they have ruled already on a very similar case in BC. They know, as well as everybody knows, that the administration, many of whom are making six figures—certainly, a president who has a housing allowance, a car allowance, a \$1-million-plus pension plan as well as a six-figure salary. Why aren't people sending e-mails to him? Why aren't they picketing him? Why aren't they phoning him, ringing his phone off the hook, and saying, "Why don't you take a pay cut, Mr. President? Why don't you at least bargain in good faith and get down there and talk to the strikers who are out there in the cold? Why don't you get off the golf course and do the right thing for those 55,000 students so they can get back to the classroom?"

Why don't you, across the aisle, and the administration of York University do the right thing for those students by guaranteeing them a quality of education and a degree that means something?

What do I mean by "a degree that means something"? Many of those on the picket lines are students. That seems to go by the wayside. Nobody understands that many of them are students, that they're still paying tuition. They're getting their pittance as TAs, but they are also paying their tuition, and that's why many of them have to drop out. That certainly has changed over the

years, as well. They have degrees: They've got master's; they're working on doctorates. Many of them are working on master's, as well. They want their degrees to mean something.

I talked to a woman who was on the picket line at CUPE, who had taught 16 years and every year reapplied for her job, with an advanced degree. Does that degree mean something? Does that degree actually carry any weight when you don't have a pension plan, when you don't have benefits, when you have to reapply every single year for your job? Is that what those students are getting at York: a devalued degree from a devalued university? Is that what you want? Because that's what you're getting with this piece of legislation, and that's what you are getting with your attitude that says that a post-secondary degree could be taught by anybody. You're saying, "It could be taught by anybody. Let the TAs teach it. It's not important to have a professor teach a course." Right? When over 50% of the teaching is done by students themselves, you are saying that it's not all that important to have a professor; it's not all that important to have an accredited university where others around the world look to it as a beacon of some kind of academic excellence.

You are devaluing education. How are you devaluing education? First and foremost, by simply not funding it. It's outrageous to me that if you're a European student, you can get a free post-secondary education. Some of us in this House went down to Cuba for a week-long, government-inspired trip. Did you know that in Cuba, post-secondary education is free? This is a country of 11 million that runs on a budget the size of Mississauga; a poor, developing country that can afford to give post-secondary education for free. You can't even afford to fund post-secondary education better than the other nine provinces. We are in fact 10 out of 10 for per capita funding. This is disgusting. This is egregious.

I'm noticing that a number of the ministers are laughing at this. That's sad. It's very, very sad when the Minister of Training, Colleges and Universities is laughing at the fact that a poor, developing country can give to its students what you cannot or will not.

What is sad about this, what is truly sad, is that then, when the students who are TAing to try to help pay for their courses to get through university, and can't, many of them, when they are teaching the courses to all of our children—and I'm a graduate of York University, by the way. I went there; I know the atmosphere there. I know it's had a huge, long history of pathetic bargaining. My husband was a graduate student at York University and was out on the last strike, where again you saw management refuse to come to the table until pushed to the final, last moment. So instead of saying something to management, instead of saying something to overpaid administrators, you are saying this to those who are underpaid, to students. Instead of doing what's right, what's ethical and what's principled, instead of funding post-secondary education in a way that says that education is a right, you fund it as if it's a privilege, and

you fund it as if it's a privilege for only the very wealthiest of students. You fund it as if it's a privilege for a TA to make below the poverty line just to be able to walk in the door to teach the courses that tenure-track professors should be teaching, if they had enough tenure-track professors to teach them, which is, after all, what the union's asking.

You know what's so sad about this? What is so sad about this is when you see the media arrayed against what's right, when you see the official opposition party and the government arrayed against what's right, and you only see what amounts to a handful of people standing upon principle. What principle are they standing upon? The principle of collective bargaining, good-faith bargaining, and that's what CUPE has done.

You know, when you look at the four simple demands that they have made, one that they were willing to give a great deal on is salary. They don't, by the way, make \$63 an hour. So much misinformation has gone out about this strike. These TAs and contract faculty make, many of them, below the poverty line. What are they asking for? They are asking that the students get a quality of education that they deserve, a degree that's worth something, so if you get a Ph.D., you can teach at a university and get a full-time job. You don't have to drive a cab; you don't have to reapply for your job every single year. You can get a pension. You can get benefits. You can get a living wage. Isn't that what a doctorate is supposed to allow you to do? That's not what York doctorates allow you to do. That's not what any doctorates in Ontario allow you to do.

Why is that, and why do they cost so much? These are fundamental questions that we have to ask, and CUPE is asking them for us—not just for us, but for the entire province. They are saying that education is a right, that it is a right for everyone, not just those with money, and that a degree should count for something. And what it should count for is what it's designed for: that if you are getting a doctorate or a master's and you want to teach and you want to be an academic, there is a job there for you, and it's not just a contract temporary job, but it's a permanent job with some status, with some benefits, with some security. That's what a degree was meant for.

You know, it's horrifying when you talk to Europeans about our education system. It makes me ashamed, it absolutely does: in England, where after four years you are guaranteed a full-time job if you teach on contract; in Europe, where equal pay for equal work is the law throughout the European Union. What does that mean? That means that if you do the same job as your neighbour, you should get the same pay, that if you are teaching an hour and they are teaching an hour, your hours should be paid the same. That is the law throughout the European Union, and I'm not even talking about the countries where post-secondary education is free or virtually free. When I was in Sweden, the graduate students I met were thinking about going on strike to be paid more to go to school. Can you imagine: to be paid

more to go to graduate school? Their tuition was free; they were just not getting enough pay.

Brothers and sisters, come on. Liberals, Tories, whoever you are, wherever you sit ideologically around this place, think of your children. Think of your children and your grandchildren, and think of the kind of education that we are offering them now compared to even the education we got as boomers. We paid off our education very quickly because our education was, relatively, much cheaper, loans were much easier to get and degrees were much more valued.

1750

Every single year since I have been a graduate—I've gotten my master's, I've gotten my doctorate—every single year those degrees have been devalued and devalued some more. That's the reality of our education system in Ontario, and it's become more and more expensive. Is this the future we want? Is it? Is it the future you want for your grandchildren?

I know for my grandchildren, for my children—both of whom are graduates of Ontario universities—what I would like are degrees that mean something, and if that has to be fought for in the cold on a picket line by CUPE members, so be it. Thank you, CUPE 3903. If that has to be defended in this place by those who want to get up and exercise what they were elected to do, which is to defend the rights of their constituents, I'll do it. If it means working long hours, if it means dragging myself back in when I could be on TV, I'll do it. If it means pointing out the Volvo behind me or the Mercedes in front of me, I'll do it. So be it. Why? Because I care about my children and my grandchildren. I want them to not only have an education they can afford, that they can pay for, that they're not going to be \$30,000 in debt for just a B.A. that guarantees you nothing, but I want an education in a university that is valued around the world, that says a doctorate means something, a master's means something. It should mean security, an academic career. It should mean that you are valued; that your knowledge is valued, that it's valued enough to guarantee you a job year to year; that it's certainly valued enough to give you benefits year to year; that it's certainly valued enough to give you some kind of pension when you retire, not just the overpaid college administrators who happen to know and have friends in the right political parties but for everyone.

When I actually tell all those people who have e-mailed me and all those people who phoned me what's really going on at York University—that the administration has come to the bargaining table 12 times out of 77 days, when the administration basically, even as far as the government's negotiators are concerned, is not necessarily bargaining in good faith, and you tell them, "There are two sides to negotiation," that this isn't the union's fault; this is the fault of the Liberal government and their friends in administration at York University. That's whose fault it is. And if you're going to send your e-mails and angry phone calls to somebody, you should send them to them. They're not standing out in the cold

on a picket line; they're not making poverty line wages. No, they're not getting master's and Ph.D.s. that are devalued from a devalued institution. They're actually sitting pretty. Really, they're sitting pretty well, right?

I know the president has a housing allowance, he gets a car allowance, he gets a six-figure salary and he gets a nice pension package. Why aren't we angry with him? Where's he? Is he here? I don't see him in the stands. Why isn't he here? Why is he not here in this chamber? He should be here, he should be facing us, and I hope he's watching this on television. I'd love to have a meeting there.

I remember meeting with the last president of York University, Lorna—what's her name?—when my husband was on strike just a little bit before. She didn't know that. She just knew me as an MPP. She didn't know that I had ties to the labour movement that had gone on strike against her. I remember being ushered into this plush office with gorgeous overstuffed couches and chairs, brought a cup of coffee in beautiful china by a very well-heeled administrative assistant, and of course what did she want from me? She wanted a subway. It was a subway discussion. I happened to slip into the conversation, "My husband was on strike here for many, many weeks." All of a sudden it was like the air was sucked out of the room. The air was sucked out of the room at that point because all of a sudden she realized that she had in her office exactly what she had been trying to keep out of her office for, those many years. Okay?

So I would say, invite us. Invite the NDP caucus to your office, Mr. President of York University. Let us sit around in your overstuffed chairs, and explain to us why you're not out in the cold. Explain to us why you're not negotiating in good faith. Explain to all those 55,000 students why you've kept them out for 77 days, why you have kept them out. And then explain to us why you got your friends in government to do the dirty work for you. Explain that to us.

It would be very interesting to see, not suggesting anything, not making any inferences, who they support come election time, wouldn't it? I mean, I'd love to know who the president of York University gives money to in his political contributions—interesting to see that.

Invite us, I say. Invite us to those overstuffed chairs and explain to us why you've kept 55,000 students out of classes for 77 days when CUPE tried to get them back, when CUPE and the union movement tried to get them back, tried to fight for quality education, tried to fight for the collective bargaining process, tried to fight for what is ethical and what is principled, and that is the right to a college education, the absolute right to an education—not just until you're 18 years old but until you're 28 years old, whatever it takes—the right. Education is a right—should be a right. It isn't in this province, but it should be a right all the way through. That's what they're fighting for. They're fighting for the students and the education of the students, whereas the administration is sitting back

and doing nothing to make that come to pass. Twelve days out of 77 is nothing. Nothing.

So what else? What else do I have to say on this topic? Let's wrap up with this wonderful letter I got. Of all the letters I got, this one will warm the cockles of your little hearts. It says, "I am a first-year master's student at York University, a teaching"—

The Acting Speaker (Ms. Andrea Horwath): Member for Parkdale–High Park, BlackBerry are not allowed.

Ms. Cheri DiNovo: I'm not allowed to read a letter?

The Acting Speaker (Ms. Andrea Horwath): Not off your BlackBerry. If you had it in print, you could.

Ms. Cheri DiNovo: Sorry, I didn't have time to print it off. I'll paraphrase. This young woman, a member of CUPE 3903, a master's education teaching assistant, wrote to me and said she had been in negotiation with Mr. Pearson. She was there on that Saturday morning and she said she got the conspiracy that was at work here. She got that this government was just going to mandate CUPE back to work and that they weren't doing it fairly, and that the government was just waiting for this back-to-work legislation because they knew it was coming down the pike.

She concluded her letter by saying, "I used to be a member of the Liberal Party. I used to work for the Liberal Party," but she said, "No more. Now I understand that they're on the side of management just like the Conservatives, and so from now on I'm supporting the New Democratic Party." And I said, "Right on, Sister."

Finally, it has taken this, standing in the cold, to make you understand what we have understood for so long in this place: that there are very big differences between you and us, all of you and us; that there's only one party that you can guarantee will stand up for collective bargaining rights; that Liberals will go wherever the polls tell them and that they will not stand on ethics or principles; that the Tories, although standing on ethics and principles, stand on the wrong ones; and that there's only one party that will stand for working people who are trying to fight for better working conditions for all workers, for better social services for all people, for a better Ontario for all of our children, a better Ontario for all of our grandchildren, not just the grandchildren of the NDP but the grandchildren of the Liberal Party, the grandchildren of the Conservative Party, the grandchildren of all political persuasions. Only one party will stand for them, and that's the New Democratic Party.

I'm so proud of my colleagues. I'm proud of everyone here for speaking, and speaking eloquently, on this topic. I'm proud because we've shown our true colours in this issue. We've finally made the headlines for all the right reasons. We're not a byline; we're the headline, and the headline says, "NDP on the Side of Workers." That's what it says, and that's where we'll always be. Mark my words: We'll always be on the side of workers. When you collapse and when they collapse and when everybody collapses, here we'll be, only 10 of us—a magic number today, 10—

Mr. Peter Kormos: Then 20, then 30.

Ms. Cheri DiNovo: Then 20, then 30, then 2,000 and 3,000. Thank you, Madam Speaker.

Second reading debate deemed adjourned.

The Acting Speaker (Ms. Andrea Horwath): It being 6 of the clock, I declare this House adjourned until tomorrow, Tuesday, January 27, at 10:30 a.m.

The House adjourned at 1800.

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Flynn, Kevin Daniel (LIB)	Oakville	
Fonseca, Hon. / L'hon. Peter (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
Gerretsen, Hon. / L'hon. John (LIB)	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / Ministre du Développement du Nord et des Mines
Hampton, Howard (NDP)	Kenora–Rainy River	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Hon. / L'hon. Deborah (LIB)	London North Centre / London- Centre-Nord	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
McGuinty, Hon. / L'hon. Dalton (LIB)	Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	Minister of Government Services / Ministre des Services gouvernementaux
McNeely, Phil (LIB)	Ottawa–Orléans	
Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
Milloy, Hon. / L'hon. John (LIB)	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (IND)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
Peters, Hon. / L'hon. Steve (LIB)	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
Phillips, Hon. / L'hon. Gerry (LIB)	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres
		Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches–East York	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Pupatello, Hon. / L'hon. Sandra (LIB)	Windsor West / Windsor-Ouest	Minister of International Trade and Investment / Ministre du Commerce international et de l'Investissement
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Leader, Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme
		Deputy Government House Leader / Leader parlementaire adjointe du gouvernement
Smitherman, Hon. / L'hon. George (LIB)	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre
		Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga–Erindale	Minister of Small Business and Consumer Services / Ministre des Petites Entreprises et des Services aux consommateurs
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
Watson, Hon. / L'hon. Jim (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L'hon. John (LIB)	Perth–Wellington	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
Wilson, Jim (PC)	Simcoe–Grey	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du Comité plénier de l'Assemblée législative
Witmer, Elizabeth (PC)	Kitchener–Waterloo	Opposition House Leader / Leader parlementaire de l'opposition officielle
		Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Zimmer, David (LIB)	Willowdale	

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

Standing Committee on Estimates / Comité permanent des budgets des dépenses

Chair / Président: Tim Hudak
Vice-Chair / Vice-président: Garfield Dunlop
Gilles Bisson, Kim Craitor
Bob Delaney, Garfield Dunlop
Tim Hudak, Amrit Mangat
Phil McNeely, John O'Toole
Lou Rinaldi
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Finance and Economic Affairs /
Comité permanent des finances et des affaires économiques**

Chair / Président: Pat Hoy
Vice-Chair / Vice-président: Jean-Marc Lalonde
Sophia Ageloniitis, Ted Arnott
Wayne Arthurs, Toby Barrett
Pat Hoy, Jean-Marc Lalonde
Leeanna Pendergast, Michael Prue
Charles Sousa
Committee Clerk / Greffier: William Short

**Standing Committee on General Government / Comité
permanent des affaires gouvernementales**

Chair / Présidente: Linda Jeffrey
Vice-Chair / Vice-président: David Oraziatti
Robert Bailey, Jim Brownell
Linda Jeffrey, Kuldip Kular
Rosario Marchese, Bill Mauro
Carol Mitchell, David Oraziatti
Joyce Savoline
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Government Agencies / Comité
permanent des organismes gouvernementaux**

Chair / Présidente: Julia Munro
Vice-Chair / Vice-présidente: Lisa MacLeod
Michael A. Brown, Kevin Daniel Flynn
France Gélinas, Randy Hillier
Lisa MacLeod, Julia Munro
David Ramsay, Liz Sandals
Maria Van Bommel
Committee Clerk / Greffier: Douglas Arnott

**Standing Committee on Justice Policy / Comité permanent de
la justice**

Chair / Président: Lorenzo Berardinetti
Vice-Chair / Vice-président: Jeff Leal
Lorenzo Berardinetti, Christine Elliott
Peter Kormos, Jeff Leal
Reza Moridi, Yasir Naqvi
Lou Rinaldi, John Yakabuski
David Zimmer
Committee Clerk / Greffière: Susan Sourial

**Standing Committee on the Legislative Assembly / Comité
permanent de l'Assemblée législative**

Chair / Président: Bas Balkissoon
Vice-Chair / Vice-président: Kevin Daniel Flynn
Laura Albanese, Bas Balkissoon
Bob Delaney, Joe Dickson
Kevin Daniel Flynn, Sylvia Jones
Norm Miller, Mario Sergio
Peter Tabuns
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on Public Accounts / Comité permanent
des comptes publics**

Chair / Président: Norman W. Sterling
Vice-Chair / Vice-président: Jerry J. Ouellette
Laura Albanese, Ernie Hardeman
Andrea Horwath, Phil McNeely
Jerry J. Ouellette, Liz Sandals
Norman W. Sterling, Maria Van Bommel
David Zimmer
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Regulations and Private Bills / Comité
permanent des règlements et des projets de loi d'intérêt privé**

Chair / Président: Michael Prue
Vice-Chair / Vice-président: Paul Miller
Bas Balkissoon, Mike Colle
Kim Craitor, Gerry Martiniuk
Paul Miller, Bill Murdoch
Michael Prue, Tony Ruprecht
Mario Sergio
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Social Policy / Comité permanent de
la politique sociale**

Chair / Président: Shafiq Qaadri
Vice-Chair / Vice-président: Vic Dhillon
Laurel C. Broten, Vic Dhillon
Cheri DiNovo, Helena Jaczek
Dave Levac, Shafiq Qaadri
Khalil Ramal, 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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