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**Official Report  
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**Journal  
des débats  
(Hansard)**

**Tuesday 27 January 2009**

**Mardi 27 janvier 2009**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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Deborah Deller

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 27 January 2009

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 27 janvier 2009

*The House met at 1030.*

*Prayers.*

**The Deputy Speaker (Mr. Bruce Crozier):** We'll have the Lord's Prayer, followed by the Baha'i prayer.

### INTRODUCTION OF VISITORS

**Mr. Tony Ruprecht:** The students I'm about to introduce have been planning this trip to Queen's Park to see us here for over a year, and they're very excited about this. They're from Fairbank Memorial Community School. Their teachers are Mrs. Morton and Mr. Thoeny. Thank you very much for coming.

**Mr. Michael Prue:** I would like to introduce Professor Brian E. Brown, the president of OCUFA, the Ontario Confederation of University Faculty Associations, who is here to watch question period and the debate this afternoon.

**Ms. Andrea Horwath:** I'm proud to introduce someone who's in a placement in my office from Ryerson University's social work program, and her name is Danielle Pearson.

### ORAL QUESTIONS

#### POST-SECONDARY EDUCATION

**Mr. Jim Wilson:** My question is for the Premier. Given the current crisis at York University, a severe risk of a strike at the University of Toronto next month, and as many as 10 universities set to possibly go on strike in the middle of next year, this is going to be your legacy as the so-called education Premier if you don't take corrective action. So I ask you, Premier, isn't the real underlying issue here your negligence, and the fact that your minister has no long-term plan for keeping students in class at our colleges and universities?

**Hon. Dalton McGuinty:** I appreciate the opportunity and thank the member for the question. The member makes a good point insofar as he's raising the notion that we don't have an Education Relations Commission equivalent for the post-secondary sector. I have already had the opportunity to chat with the Minister of Training, Colleges and Universities, and asked him to give some thought to us putting in place a comparable body that would keep track of the students' interests at all times. We would like to consult on that before we move further

with that, but again, I think the member makes a good point in this regard.

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

**Mr. Jim Wilson:** My point was the competency of your minister. Premier, you have no plan for post-secondary education, no plan for health care and no plan for the economy. You've got a minister overseeing a portfolio where only the state of Alabama has a worse student funding record in all of North America. He's managing a Second Career program where the uptake should be 20,000 but it's less than 4,000. You're dead last in terms of per capita student funding in our post-secondary sector, and you've got the second-highest tuition fees in all of Canada. Now your minister made a mess for 50,000 students at York University. How many more Ontarians have to suffer because of your hapless minister?

**Hon. Dalton McGuinty:** Again, I can't agree with the premise of that question. I think most objective observers would argue that we have made some dramatic new investments in our post-secondary education system. I think they would also argue that we've had some significant positive results as a result of those investments. We're investing \$6.2 billion over five years in our colleges, universities and apprenticeships. We've enhanced student assistance by \$1.5 billion. We're helping 150,000 more students with financial assistance. We have 100,000 more students in our colleges and universities, and 3,300 new faculty members have been hired. I could go on and on. But I think that surely there is more—

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

**Hon. Dalton McGuinty:** In a knowledge-based global economy, there will always be more to be done, but I think by any objective standard we have made some real progress.

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

**Mr. Jim Wilson:** You can talk all you want, Premier, but the public has lost confidence in your minister. During these tough economic times, your minister has shown disrespect for taxpayers' dollars. When you do the math, in the Second Career program he has spent \$100,000 in advertising for each person enrolled in the program. Clearly it's time for your Minister of Training, Colleges and Universities to start looking for a second career himself. The future of our young people is too precious to allow this minister to continue messing up.

So I ask you, given his incompetence, have you demanded his resignation, and if you haven't, will you do so today?

**Hon. Dalton McGuinty:** I will take the opportunity to thank Minister John Milloy for the work he has been doing and in particular for being so bold as to move ahead with our Second Career strategy. We have a \$1-billion Employment Ontario program in place. The Second Career strategy is an overlay on top of that. That original \$1-billion program deals with thousands and thousands of Ontarians and provides them with everything from short-term training opportunities to other kinds of help when it comes to getting a job. What we decided to do, and Minister Milloy was instrumental in helping us to see the need, was to put in place a long-term training strategy, which is not in existence anywhere in Canada. We have about 4,000 people enrolled in that so far. We are firmly convinced that by the end of the program we will achieve our target of 20,000 long-term trainings.

#### UNIVERSITY LABOUR DISPUTE

**Mr. Peter Shurman:** My question is also for the Premier. It's great to see you here today, Premier. I'm sure the students are relieved that you have found some time to devote to this crisis at York University.

In the relatively short time that I've been here, I have watched your Minister of Training, Colleges and Universities try to justify job-killing apprenticeship ratios, an inappropriate tax-funded union venue for a Liberal fundraiser and now his dereliction of duty in not acting sooner to avoid the mess that brings us here today. I've repeatedly asked for his resignation, and he refuses. When are you demanding it?

**Hon. Dalton McGuinty:** We can argue over how we got here, but I certainly think that the member and I are of one mind when it comes to moving as quickly as we can now to get the students back in the class.

I ask him to take a look at the Conservative government's record in the face of a similar circumstance. It was on day 71 of the strike that they had a supervised vote back in 2001. For us, it was on day 75 of the strike that we had a supervised vote. Four days after that, their strike was settled, and that was great. Four days after that, it became clear to us that it wasn't going to be settled, so we brought in back-to-work legislation. If he checks the record, we moved at about the same pace.

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

1040

**Mr. Peter Shurman:** I've checked that record, Premier, and in 2001 we didn't have an entirely shut down university.

You appear to be the only one who has confidence in this minister, because 50,000 students and their parents certainly do not. This fiasco at York University has shown Ontario your true colours. The truth is, you dragged your feet in ending this strike because you were

afraid of a union taking you to court. This is really about protecting your reputation with the unions, rather than protecting the students of the province, isn't it?

**Hon. Dalton McGuinty:** I want to introduce my friend to the notion of balance. There is such a thing as collective bargaining and from time to time it produces a frustrating result, an impasse or a deadlock, as it did in this particular circumstance, but most times it works pretty well. I think we all prefer an agreement which has been arrived at by the parties working things through, but from time to time that doesn't happen. I think we have to attach some real respect to the collective bargaining process even when it's not particularly popular to do so. We have done that. We came to the conclusion after some 75 days—it was 72 days in 2001—that it was time for us to move. We have done so. Now there are some in Ontario who would argue that we're moving too quickly. We think that we've got it just about right; we think we've brought some real balance to this challenge.

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

**Mr. Peter Shurman:** Many other people, ourselves on this side included, came to that conclusion a lot sooner, Premier. Why are you so concerned about being taken to court by the unions when you had no hesitation in dragging the parents of autistic children through the courts, going after them for legal fees just because they dared to demand what you promised for their children? When it comes to the unions you put on the kid gloves; when it comes to the parents of our youngest citizens you haul out a sledgehammer. Is that the way it works in Dalton McGuinty's Ontario?

**Hon. Dalton McGuinty:** I'm going to, as much as I can, stay focused on the job at hand. The reason that we are here today, the reason that we are here this week, is to step in and assume our responsibility because the collective bargaining process has failed. It has gone on for too long and the educational interests of our young people are being compromised. That's why we're here. We've introduced a bill. We'd like to move on that bill as quickly as we possibly can; we'd like to have those students back in class as quickly as we possibly can. I'll let my friend undertake some armchair quarterbacking about what went on before and what we need to do in the future. I've opened my mind to that; I think there's some real progress that we might make in that regard and we look forward to hearing from the opposition there, but I think it's important for us to stay focused on the job at hand. Let's do everything we can to get those students back in the classroom as soon as possible.

#### UNIVERSITY LABOUR DISPUTE

**Mr. Howard Hampton:** My question is for the Premier. The workers at York University are prepared to file a legal challenge to the government's back-to-work legislation, so we want to be sure that the Premier knows the difference between a bargaining deadlock and a unilateral refusal to negotiate. My question to the Premier is

this: When the workers agree to accept the employer's salary offer and the employer does not respond to that, is that a deadlock or a unilateral refusal to bargain on the part of the employer?

**Hon. Dalton McGuinty:** I appreciate the question. I'm not prepared to get into legal semantics because I'm not qualified to do so, but what I can say is that, from a layman's perspective, talks failed. We sent in our top arbitrator, top mediator, Reg Pearson. He came back and said, "I can't get the parties to move." He didn't assign blame to any particular side. He said that there was not a possibility for us to find an agreement here. Given those circumstances, we feel we have no option but to do the right thing, which is to bring in back-to-work legislation. That's why we're seeking to move ahead with this as quickly as we can.

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

**Mr. Howard Hampton:** Premier, these aren't legal semantics. These are the facts of what was going on in terms of the York University administration, so let me try again. When the workers reduce their demands, come to an agreement on the vast majority of benefit package issues and indicate they desire to negotiate adjustments to their few remaining issues, and the employer refuses to respond, is that a deadlock or, again, a unilateral refusal to negotiate by the employer?

**Hon. Dalton McGuinty:** Again, I'm not privy to all of the positions put forward and the decisions taken by the parties on both sides. What I am privy to is the result and the outcome. There's been a failure to achieve a resolution, a failure to achieve a negotiated settlement, a failure to get young people back in the classroom where they belong. In view of those three failures, we had no option but to step in and do what's right. That's why we're here. I'll let my friend engage in, "What about this and what about that?" But all I know is, based on the advice I got from our mediator, that talks had failed, and there was no reasonable prospect of progress. That's why we're here today.

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

**Mr. Howard Hampton:** Did it ever occur to the Premier that maybe there was a failure because York University never really intended to bargain; that they determined from the outset that they were not going to bargain for three weeks over Christmas; that they were only going to meet 11 times in 77 days?

So let me ask the Premier another question: When the workers are prepared to negotiate a balance between the conversion to tenure positions and long-term contracts for instructors that will improve the quality of service to students, and once again the employer refuses to respond, is that a deadlock or, again, a unilateral refusal to bargain by the employer?

**Hon. Dalton McGuinty:** I'm sure that others will attach legal interpretations to the actions or absence of actions taken by one or two of the parties, but I don't think that's our responsibility. I think our responsibility

as legislators, those who have been entrusted with upholding the greater public interest, is to ensure that we move as quickly as we can in the face of evidence that talks have failed. I can't pretend to know exactly why they failed. I can't pretend to know exactly the position taken by each side, but I do know that the talks have failed. I also know that, on the basis of the information received from our mediator, there was no reasonable prospect of achieving any kind of success here, which again is why we are here today, which is why I would urge my colleague to co-operate so we can get this bill passed as soon as possible.

#### UNIVERSITY LABOUR DISPUTE

**Mr. Howard Hampton:** To the Premier again: Even your hand-picked mediator, Reg Pearson, when he met with worker representatives, didn't say there was a failure. I want to quote what he said: "Everything that I've seen has been not quite there, and quite frankly, they are"—meaning the York University administration—"not prepared to move out of their ballpark. That could be because they're waiting for government to fix the problem."

Premier, you also have a legal responsibility because there are constitutional rights and legal rights involved here. One of the things that I've learned in life is, you don't do away with bad behaviour by encouraging it, but it seems that your government is encouraging York University. They refuse to bargain. They refuse to respond. They refuse to meet. Even your mediator says it looks like they're delaying, hoping the government will fix the problem. Do you think that's really a good thing to do, to reward that kind of behaviour—

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

**Hon. Dalton McGuinty:** I just don't see it that way. There comes a time when—

*Interjections.*

**Hon. Dalton McGuinty:** There comes a time, Speaker, if I might—

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** Order.

**Hon. Dalton McGuinty:** It's my view that Ontarians are people of goodwill and they are patient and they are generous, but they also have a limit. I think that we are now representing the view of Ontarians that we have reached our limit. There comes a time when, frankly, we are no longer so concerned about the issues themselves and the particular approach brought by each side, but rather we've become very interested in getting young people back in the classroom. This has gone on for too long. We have a shared responsibility now, I would argue, to do what we need to do to get these young people back in the classroom.

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

1050

**Mr. Howard Hampton:** Premier, here, again, is the reality: York University demanded, as is their legal right,

that their offer be put to a vote. In a democratic vote, that offer was rejected by the workers. What was York's response? The response was, "Well, we refuse to meet and we refuse to negotiate."

Premier, no negotiations have gone on in the last week. I haven't heard you call up York University and say to them, "Get back to the bargaining table and use your best efforts to get a deal." It seems to me that option is still open to you. If you really want the students back in the classroom, why haven't you called up York University and said, "Get back to the bargaining table and bargain a good contract and stop this conduct of refusing to negotiate items that are on the table"?

**Hon. Dalton McGuinty:** I do encourage the sides to keep talking. They can pursue discussions now; they can pursue discussions should this bill pass. I want to be clear, they can also continue to pursue discussions notwithstanding the passage of this bill if there's consent, but the important thing is that young people be back in the classroom.

I say to my colleague, as well: He says that one particular side was not prepared to continue to talk and for that reason we shouldn't move. Well, how long are we supposed to wait? What if they refuse to talk for another month, for two months or three months or four months or beyond that? At some time, we have a responsibility here to interpret and give expression to the greater public interest. The greater public interest demands that at some point in time we blow the whistle and say, "Time is up. Young people have to be back in the classroom." That's why we're here today, and again, that's why I ask my colleague for his support to ensure we get those young people in the classroom as soon as possible.

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

**Mr. Howard Hampton:** The Premier wants to talk about public interest. Where was the Premier's concern for public interest when York would only meet four times before Christmas? Where was the Premier's concern for public interest when, in the three weeks over Christmas, York University administration refused to meet and bargain? Where was the Premier's concern with public interest when York simply walked away from the table and said, "Since you rejected our offer, we are not prepared to negotiate or talk any further"? Premier, if you are really concerned about public interest, you should have been calling on York to get to the bargaining table before Christmas and during Christmas when they refused to bargain and last week when they refused to bargain.

Are you going to call York University now and tell them, "Get back to the table and bargain"? That is how these kinds of issues should be settled, through negotiation and bargaining, not a refusal to bargain, which has been York's position all along.

**Hon. Dalton McGuinty:** Just for the record, in fact my office had a number of conversations with York University strongly encouraging them throughout this process that they return to the bargaining table. But my

friend, I know, also understands that we cannot compel the parties to come together and to negotiate; we can only create those kinds of opportunities. Ultimately, we decided it was important to send in our particular mediator.

I'm also more than prepared to phone the president of York University again and to encourage him to go back to the table and do everything that he possibly can. But we will move ahead with this bill. We will assume our responsibility. We will do everything we can to make sure that we get the young people back in the classroom at the earliest possible opportunity.

## AUTOMOTIVE INDUSTRY

**Mr. Robert W. Runciman:** My question is for the Premier. Premier, there's a news story today indicating that General Motors intends to access all of the financial assistance you've made available to them by the end of March. In the past, we know you've indicated that for taxpayers' dollars to flow to the automakers, one of the requirements would be participation by the Canadian Auto Workers. Again, I think it was yesterday that Ken Lewenza, the president of the CAW, reiterated his position that his union has no interest whatsoever in worker concessions. Premier, given Mr. Lewenza's public pronouncements and your government's stated need for CAW being part of the solution, is the support package offered to the Big Three now in jeopardy?

**Hon. Dalton McGuinty:** Let me say this at the outset: We've heard from GM on a few things. First of all—and I'll give a supplementary to my colleague the Minister of Economic Development—GM is saying they don't need money immediately, but they do plan to call upon us to help with transformation dollars.

I can also say that in my discussions with the CAW, I certainly made it clear to them that we're all going to have to bring something to the table. I told them that we cannot rely exclusively on the goodwill of Ontario taxpayers to help sustain a struggling industry or a struggling auto company. Mr. Lewenza certainly made it clear to me that they were prepared to do their part. We didn't get into any details in terms of what that might entail, but I would certainly suspect that we cannot move forward with these kinds of support packages—loans are what we're talking about here—as a one-off with only one party bringing something to the table. So we'll be counting on the CAW to do its share as well.

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

**Mr. Robert W. Runciman:** Maybe the Premier can give the hard-pressed taxpayers in this province some of the details today. Just tell us exactly what he expects the contribution to be from the CAW. I'm quoting you last month from the Toronto Star. You said, "What I asked the CAW is to understand that if taxpayers are going to be involved in lending support ... it's really important that we all be seen to be coming to the table to be part of the solution."

That was last month. We know now that in another two months General Motors wants the money to flow.

Mr. Lewenza is apparently saying, “Concessions be damned.” If it was important last month that all parties be involved in the solution and one party is refusing to come to the dance, how can you proceed with this package? Let’s have some details. Where do we go from here?

**Hon. Dalton McGuinty:** To the Minister of Economic Development.

**Hon. Michael Bryant:** I do want to assure the member that, as the Premier said, it’s not only our position that all parties need to come to the table, that there be an equality of sacrifice, but that has been agreed to. The CAW has said several times that they will come to the table, that they will in fact work with management and work with the government in order to come forth with a viable package that’s in the public interest.

Exactly what does that mean? That is something that management and labour are going to be in discussion about for some time. The issue is, are they going to come to the table and is there going to be equality of sacrifice? As the Premier said, not only is it the Ontario government’s position that that’s the case, but that’s the case as has been articulated by Mr. Lewenza, both to the government and to the federal minister, Tony Clement.

#### INFRASTRUCTURE PROGRAM FUNDING

**Mr. Paul Miller:** To the Premier: Boosting investment in local infrastructure like roads, bridges and public transit meets a serious need and helps us to sustain jobs in troubling times. Yesterday the Premier agreed to match new federal infrastructure dollars. Municipalities have historically been asked to contribute one third to the projects. The problem is that the cash-strapped municipalities simply do not have the money to fund such projects, and many shovel-ready projects will never get off the ground. Will the Premier commit to covering the one-third municipal share on shovel-ready projects?

**Hon. Dalton McGuinty:** To the Minister of Energy and Infrastructure.

**Hon. George Smitherman:** First off, I think on the matter of matching funds, it was very well established yesterday by our government that as a matter of principle the government of Ontario is prepared to match any additional incremental resources that the government of Canada makes available for the purpose of investing in a wide array of much-needed infrastructure. I think we could all agree on that.

I think, as well, the principle of trying to leverage as much as possible the participation of as many governments as possible is a very, very good one. We are all extraordinarily mindful—and I know the government of Canada is mindful of this as well—that there are differing capabilities out there amongst municipalities, but before we say that no municipality in the province of Ontario is prepared to be a one-third participant, we really should speak to them. I’ve been doing that, my federal colleague has been doing that, and many of them have been indicating that they have a variety of shovel-ready projects

that they are more than ready to contribute a one-third share to. The key point is flexibility, and we’ll—

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

**Mr. Paul Miller:** I’ll take that as a no, maybe.

Addressing the economic crisis means getting shovels in the ground in 2009. The Federation of Canadian Municipalities has identified billions of dollars in shovel-ready infrastructure projects in Ontario alone, helping to sustain or create thousands of jobs. But the one-third municipal cost-share requirement means that some critical job-sustaining infrastructure projects may not be able to go ahead as quickly as we need them to. As the president of FCM said, “Cost-sharing requirements pose a challenge for cash-strapped municipalities.” Why won’t the Premier commit to covering the one-third municipal share now?

1100

**Hon. George Smitherman:** The honourable member didn’t like the answer because it didn’t jive with the question that he had already written by way of supplementary. But he’s going to have to work through this. What we said is “flexibility.” We recognize differing circumstances out there, but there are municipalities that are prepared to be participants on a one-third basis.

I remind the honourable member, as an example, that at the heart of the communities component of the Building Canada fund is very much established the principle of one third, one third, one third. We all want to enhance the opportunity for investment in infrastructure. Many municipalities stand at the ready to be active partners in that model. Wherever possible, it benefits the investment in infrastructure to leverage as much as possible from those sectors.

My own city here in the province of Ontario, the city of Toronto, has a very, very large infrastructure budget. Within their ask are projects on which they themselves have indicated their willingness to participate as a funding agent.

#### POVERTY

**Mr. Charles Sousa:** My question is to the Minister of Children and Youth Services. Poverty affects us all. A recent report found that the federal and provincial governments are losing as much as \$13.1 billion per year because of poverty. That puts the cost of poverty at almost \$3,000 for every household in the province.

But more importantly, poverty takes a human toll. That’s why my community celebrated the release of Ontario’s first-ever poverty reduction strategy last December. In its preparation, the minister engaged in extensive consultations across the province, including the Peel region. In addition, I know many members of this House were proud to contribute by hosting their own consultations in their communities. The result is a plan that sets an aggressive target of reducing child poverty by 25% over five years.

The residents of Mississauga are pleased that this government is taking poverty seriously. Now they want to

know how we will meet our targets, how progress will be measured, and can the minister please share with the House—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. The Minister of Children and Youth Services?

**Hon. Deborah Matthews:** Thank you to the member for his question. I was very happy to join with the member from Mississauga South, and other members from that area, to meet with community partners and constituents to talk about how we can move forward with the implementation of the poverty reduction strategy.

I have to tell you it's very exciting to see how committed community members are about getting on board and supporting the poverty reduction strategy. They're committed to making a difference.

We have recognized in our strategy that our success depends on community partners coming together with a shared goal. It's exactly the kind of collaboration we need to achieve our 25% reduction in child poverty. We need everyone working together—communities, businesses and governments—to reduce the number of kids living in poverty by 25% over the next five years. We've laid out a comprehensive plan, substantial new provincial investments built on the foundation of—

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

**Mr. Charles Sousa:** After multiple meetings with stakeholders in my riding, I've learned the importance of community involvement when it comes to addressing poverty. Our network sessions include a wide diversity of stakeholders, including the Compass, a south-Mississauga organization of church groups and volunteers that not only provides food, but acts as a resource centre; the Lakeshore Corridor Community Team; a great number of local businesses and individuals; as well as Foodpath, which collects and distributes food every day; and the United Way of Peel. I'd also like to recognize and applaud the region of Peel for their decision to use \$67 million of provincial infrastructure funding to build 200 units of social housing.

I've seen first-hand the good work that these groups do, and I know that any strategy to reduce poverty will be successful only in partnership with the community. My question is, how will local communities in Mississauga South be engaged? How will the government draw on their strengths in order to help those less fortunate—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Minister of Children and Youth Services.

**Hon. Deborah Matthews:** Communities are at the heart of change. We can and we will take action at the provincial level to raise incomes and create opportunities. But we know that dynamic and thriving communities are every bit as important. That's why our poverty reduction strategy includes a communities opportunities fund to encourage local partnerships with groups like Foodpath, with the Compass and with the United Way. The fund will enable better collaboration and drive innovation at the local level. We want to work with community leaders

to affect change in their communities, and this will go a long way towards doing that.

But when it comes to breaking the cycle of poverty, nothing's more important than education, and that's why I'd encourage the NDP to quit their grandstanding and let the York University students get back to their classrooms as soon as possible.

#### ELEMENTARY TEACHERS

**Mrs. Joyce Savoline:** To the Minister of Education: Yesterday, I asked what your government's plan was for resolving the contract dispute with ETFO, and again, there was a non-answer. Minister, you made your best offer to ETFO and they turned it down. We've seen this scenario before. What assurance can you give parents across Ontario that their young children will not be locked out of schools in March?

**Hon. Kathleen O. Wynne:** As I said yesterday, I'm actually extremely proud of this government's record on our labour relations, and particularly in the education sector. As of today, 380 of the 394 potential local agreements across the province have been settled. We have agreements with secondary teachers, with support workers, and with French and Catholic elementary teachers. We have a broad sweep of agreement across this province.

On the issue of ETFO, as I said yesterday, it's extremely important that the federation and the boards keep kids at the centre of those discussions. The local table discussions have to have an opportunity to roll out. Because of our very good relationship with the federations, because of our record of a good dialogue, I have every confidence that the boards and the federations are going to be able to work this out.

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

**Mrs. Joyce Savoline:** Minister, you and your government will be judged by how you deal with difficult issues in difficult times. It is not well known in the public, but the contracts that you boast about settling have the meetoo clause in them. There are almost one million elementary school students in Ontario. That's hundreds of thousands of parents who will certainly not be laughing when it's time to stay home and look after their children when they should be at work. Your government has been negotiating with the elementary teachers' federation since this past summer and you still can't close to a resolution.

Minister, what is your plan? Will you wait until February when the strike vote is taken or will you knock a few heads now? Or will you wait for another strike?

**Hon. Kathleen O. Wynne:** It's my experience that working with people actually works better than fear-mongering and creating a conflict where it doesn't exist. It actually works better to build relationships and to be able to then have a difficult discussion.

What we have done over the last year is we have had those difficult discussions with federations and boards.



We have managed to bring home agreement across this province. The member opposite is part of a party that has a legacy of 26 million days of school lost in this province. I actually wouldn't expect the member opposite to understand the value of building relationships. I'm going to continue doing what this government does best: We work with people, we listen to people, we come to agreement, and we make difficult decisions when that is necessary.

#### HOME CARE

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre de la Santé et des Soins de longue durée. Mina Mettinen is a Sudbury woman. She's young. She has Asperger's; she has amyotrophic lateral sclerosis, or Lou Gehrig's disease. She's paralyzed, in a wheelchair, incontinent, and she eats with a feeding tube, but since November she hasn't received any home care services she desperately needs. Even after an 11-day hunger strike, she was not able to get home care.

Our home care system doesn't work. It has failed Mrs. Mettinen. It is broken. What concrete steps will the minister commit to today to ensure home care services to Ontarians who need them the most?

**Hon. David Caplan:** In fact, our government has made tremendous efforts to increase home care right across the province, over a billion dollars invested in our first five years alone, which has vastly expanded home care services right across the province.

What's incredibly disappointing here—and the member herself is subject to the same patient confidentiality, as she has had a chance to look at the particular files for this case—is her attempt to politicize this particular issue, to inject her ideology into the conversation about the care of this particular client.

1110

I can tell you that in Sudbury, I can tell you that—

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** Order.

**Hon. David Caplan:** —right across the province, CCACs and home care workers provide excellent quality of care for clients right across the way.

The narrow ideology of my friend opposite prevents her from seeing the increase in quality, the measures that—

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

**M<sup>me</sup> France Gélinas:** If the measure that the minister is talking about is changing the ratio of 75 to 25, the bidding system doesn't work. I've been working to get home care reinstated for this severely disabled woman; it is true. I have spoken with representatives of the CCAC. They are compassionate and skilled people who work really hard, but they work with a broken home care system.

Mrs. Mettinen was failed by a system that puts profit ahead of people. There is no collaboration as a result of the government's privatization of home care. Minister, before more people suffer like Mrs. Mettinen is suffering,

will you do away with the competitive bidding process for our home care system?

**Hon. David Caplan:** In fact, the member opposite is quoted as saying, "Not every home care patient is a cute little grandmother waiting for you with hot cookies ... out of the oven."

This is the attitude that we have; this is the attitude and the denigration that this member has brought to personal support workers, to nurses right across the province. It is a shameful attitude that this member has brought. The home care system—

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Hamilton Centre.

**Hon. David Caplan:** —in fact is providing much better care to Ontarians right across the province. In fact, I would quote to you the executive director of the Ontario Home Care Association, who says: "We're pleased to be involved in helping to improve the transparency and quality of home care services in Ontario. The best way to ensure high quality care is through constant feedback from clients and service providers," measures that this member and her narrow ideology oppose. On this side of the House, we're—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you, Minister. New question?

#### AFFORDABLE HOUSING

**Mr. Phil McNeely:** My question is for the Minister of Municipal Affairs and Housing. As you know, there was speculation over the weekend and yesterday that the federal government would be committing funds to affordable housing. I know, from listening to the minister in the House, that he has been advocating this for quite some time, and it now appears that the federal government is heeding that advice.

Throughout our province, and in my own community, people are asking all levels of government to respond to the need for affordable housing. I read with interest an article in the National Post from Monday, discussing the need for more affordable housing. The article said that Canada had an estimated 200,000 homeless people. The cost for health, criminal and social services for these individuals is approximately \$6 billion each year.

Could the minister please tell the House how his ministry, in partnership with other levels of government, is addressing the pressing concerns?

**Hon. Jim Watson:** Let me begin by thanking the honourable member for Ottawa-Orléans, who has been a great advocate, both when he was a city councillor in Ottawa and now as an MPP, for affordable housing.

I was pleased to speak with the federal minister responsible for housing, the Honourable Diane Finley, last week, who confirmed that the federal government will be back in the affordable housing business. This is something that this government, provincial governments from coast to coast, housing advocates and municipalities in Ontario have been asking for for some time. We're

cautiously optimistic that there will be some good news in the federal budget.

But the McGuinty government has not been waiting for the federal government to come to the table. In fact, we have been initiating expenditures from the old affordable housing program. Just last week, for instance, a \$6.3-million project for the West Don Lands for 91 units was announced, and \$770,000 for 11 units in London. Last week, I was in Markham with Minister Chan and other officials from York and Markham, when we announced funding and the construction that began for 120 units—

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

**Mr. Phil McNeely:** Thank you, Minister. I'm pleased to hear of this co-operation and what is getting done for affordable housing.

I know that our government has worked well in partnership with other governments, particularly municipal governments. Many people in my community of Ottawa-Orléans were optimistic about the government's announcement last fall of the provincial-municipal review.

The current transit strike in Ottawa has also exposed how difficult life can be when vital services are not there. More than ever, residents in my riding are telling me that they want to see more affordable housing in Ottawa, to assist those who need it most. As a member representing an Ottawa riding, I'm particularly interested to know what projects under the AHP program our city is benefiting from. Can the minister outline what projects under the affordable housing program Ottawa has benefited from and what funds in general our government has provided for housing in Ottawa?

**Hon. Jim Watson:** Thanks to the work of people like the honourable member, our colleague the honourable member from Ottawa Centre, and other Ottawa Liberal caucus members, we have ensured that Ottawa has received its fair share of funding. In fact, to date Ottawa has received \$44 million under the affordable housing program. That is going to create close to 1,000 affordable housing units in the city. This is in addition to the \$8.2 million that the city of Ottawa received for repair and rehabilitation, as part of the McGuinty government's \$100-million commitment to repairing old housing stock. Five hundred thousand dollars has gone to the city of Ottawa in the innovative program called the rent bank. The Beaver Barracks project that's ready to get under way will provide 248 units in downtown Ottawa—\$1.6 million for 24 units on Richmond Road. I was recently in the east end. The member knows Fiona Faucher place, which is a new affordable housing unit that is up and running and housing people—

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

#### HIGHWAY SERVICE CENTRES

**Mr. Robert W. Runciman:** My question is for my old friend the Minister of Transportation, and I am optimistic he's going to give me a favourable response.

Last week, it was announced that two 401 service centres in the Front of Yonge township in eastern Ontario will be closed for refurbishment at the end of March for at least three years, throwing close to 200 people out of work. Minister, as we know, the province is in a recession. We're seeing job losses mount every week. As you know, this is a particularly hard-hit area of the province. This plan was clearly designed in better economic times. Minister, I ask you, why is your government unnecessarily throwing 200 people out of work in the midst of a recession?

**Hon. James J. Bradley:** The member was kind enough to contact my office about this matter and has been in the forefront of defending the interests of his constituents in this regard, and I commend him for that.

What has happened with many of these service centres is that the leases that were there with the various oil companies who provide gas are expiring. As we refurbish and renew them, the companies have to actually go through an environmental cleanup of the area. When you have any old gas site or oil site you have to go through that. So there is a temporary closing of these. We put out a request for proposal for renewing and refurbishing them.

I think the member would agree with me that it would be desirable to see even better service centres out there. But I am looking into the matter to see if there's an opportunity to keep them open for a longer period of time, at the request of the member.

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

**Mr. Robert W. Runciman:** I appreciate that response. I know the minister recognizes that we're talking about primarily low-income wage earners here with very few other opportunities, in terms of employment, available for them.

The Minister of Agriculture and I were recently at the Eastern Ontario Wardens' Caucus, where they indicated that in our region we've lost almost 12,000 jobs in the last 24 months. So the refurbishment of these centres, in my view, can either wait until the economy improves, or perhaps you could look at doing it on a more gradual basis that doesn't incur such significant job losses.

Minister, I'm heartened by your response that you're going to do, hopefully, the right thing here and ensure that these families are not thrown onto the unemployment lines and welfare rolls.

**Hon. James J. Bradley:** It is very understandable that the member has that as a primary concern, and so he should and does on so many occasions.

We are indeed endeavouring to see if there's an opportunity to extend the interim time in which these sites can remain open. Unfortunately, some of the oil companies have indicated that they are not interested in continuing. So we have a request for a proposal out there. The Ministry of Transportation is working with Infrastructure Ontario to try to refurbish and provide brand new sites on the same location. It does require remedial work, but I am attempting to comply with the desire of

the member to see if there's a longer period of time that we can extend these to look at the entire situation in view of the fact that we have very challenging economic times across the province, including in his area.

1120

#### NORTHERN HEALTH TRAVEL GRANT

**Mr. Gilles Bisson:** Ma question est pour la ministre des Services sociaux et communautaires. Minister, you will know that in northern Ontario, if you need to travel for medical care that's more than 100 kilometres away, you get the northern health travel grant. You will also know, as you're the minister, that if somebody is on ODSP, the person who is on the disability support program is able to get an advance if they don't have the cash to travel in order to attend their medical appointments. Can you tell me why some ODSP recipients receive travel payments that are less than what the ODSP program provides?

**Hon. Madeleine Meilleur:** Thank you very much. That's a good question. I would like to have more detail, and I will get back to you about this, because usually it's evaluated by our official up there, and then they decide if they will provide the money in advance or if they will reimburse. This is a local decision and each case is reviewed individually.

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

**Mr. Gilles Bisson:** Let me give you one case in particular. I have a constituent by the name of Daniel in my riding who had to travel to Sudbury three times for medical appointments from the city of Timmins. He received a \$480 advance from ODSP, but ODSP was reimbursed \$700 by the northern travel grant, not giving him the difference. Can you tell me why ODSP hangs on to the surplus and doesn't give it directly to the person who did the travelling?

**Hon. Madeleine Meilleur:** No, I cannot answer that question because it's an individual question. I'd like to have all the details, and I will provide you the reason why. I don't understand why, if they were reimbursed \$700, they only reimbursed this individual \$400. It may be a mistake or there may be a good reason for that, but I'll get you the answer. Thank you very much.

#### RESEARCH AND INNOVATION

**Mr. David Zimmer:** My question is for the Minister of Research and Innovation. There is a phenomenal shift taking place around the idea of energy conservation and security in the United States as the Obama administration comes into office. As we hear of the substantial investments in renewable and efficiency energy projects the Obama administration is preparing, I am concerned about how well Ontario is positioned to be a part of this shift in the United States.

Many companies right here in Toronto are at the leading edge of renewable and efficient energy produc-

tion. One such company is Regen. Their technology is used for electrical demand management and remote facility automation services for commercial and industrial consumers. The technology is low-cost, easy to install, operations-free, and its intended goal is to reduce energy usage.

Minister, what is our government doing to ensure that companies like Regen are in the best position to market their technology as the—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Minister of Innovation, response?

**Hon. John Wilkinson:** I want to thank my friend from Willowdale for the question. I couldn't agree more: There is a tremendous global opportunity for clean technologies and for demand management of electricity consumption. A company here in Ontario, Regen, was successful in receiving up to \$500,000 from the investment accelerator fund. First of all, I want to thank our delivery partners, OCE, the Ontario Centres of Excellence, and MaRS for helping us with that program.

Regen has a novel software-hardware combination that they believe can save companies, all building owners and factories some 30% on their electricity. It is a great example that we have a company right here in Toronto that will be able to capitalize on a growing US market because of the election of President Obama. It's part of what we're doing in our Ministry of Research and Innovation: making sure that when there are great opportunities around the globe that are arising for clean technology, our companies can—

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

**Mr. David Zimmer:** Green technology is more than simply energy use. Access to fresh water will become hugely important in the 21st century. We've got to find ways to use less water and to use water more efficiently.

A Toronto company that is tackling this challenge is Echologics Engineering. Echologics is a leader in the development of acoustic technologies for the detection and location of leaks in fluid-delivery pipelines. They develop technologically advanced leak detection systems that are available for a spectrum of uses. The flagship product, LeakfinderRT, is a collaborative effort between Echologics and the National Research Council of Canada to enable them to detect leaks in pipes while still buried underground, leading to more efficient water use.

Minister, what are we doing here in Ontario to ensure that we're fostering companies like Echologics that will face today's global challenges and create the jobs of tomorrow?

**Hon. John Wilkinson:** I can share with the House that Ontario is considered a jurisdiction that is at the cutting edge when it comes to water technology. Echologics, another company that we are investing up to \$500,000 in, is a great example of that.

It's based on an interesting principle. I think we'll all remember that back in the days of rail, they used to say that if you put your ear on the rail, you could hear the train coming before you could see it. It's that exact same

acoustical principle that's being used with this company. They actually send sound waves through the pipe to hear whether or not there's a leak. There are vast quantities of water that are lost in our public infrastructure because of undetected leaks. Of course, right now, the only way to do it is to actually dig up the road and to try to find the leak. This way they're able to use this new cutting-edge technology to determine where those leaks are and to be able to deal with that. That allows us to conserve water, our most precious of resources. It's an Ontario company, right here in Toronto, that is leading the world. That's why we're so proud to invest in that company, Echologics.

#### SKILLS TRAINING

**Mrs. Elizabeth Witmer:** My question is for my colleague the Minister of Training, Colleges and Universities. Minister, your government's Second Career strategy program has let down a deserving Ontarian in Waterloo. He's a 45-year-old man and father of three. He was employed for 20 years in the tool and die automotive industry, but he was laid off last year. At his own expense, he proactively enrolled in a training program as a commercial pilot because he was already licensed as a private pilot. He has now—good news—received a written offer of full employment from a Kitchener company, provided that he complete the 46 flight hours required by their insurance company. He has no benefits. The money has run out. He's applied for funding to the Second Career program, but he was denied. Can you explain why he might have been denied funding?

**Hon. John Milloy:** I thank my colleague for the question. I think she would recognize the fact that, based upon a 90-second question, which is the basis for question period here, I can't give an analysis on the case that's brought forward. I am very pleased to hear that the gentleman is moving forward to receive employment, and I'd be happy, if she sent the details, to look into it.

I've been very pleased to reiterate what the Premier said: that, since Second Career came into being in June, we've had 4,000 people come forward and have a multitude of success stories of people who have gone back to community colleges and private career colleges and on their way to transitioning. At the same time, again, as the Premier pointed out, Employment Ontario has a range of services and programs, both short-term and long-term, for individuals. We'll continue to work with everyone, including the constituent that she mentioned, to make sure that we help them transition back into the workforce.

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

**Mrs. Elizabeth Witmer:** Here is a gentleman who has been very proactive. He had a transferable skill. He has invested his own time and his own money into expanding his job opportunities, and certainly I would send you his case. I would ask that you review it, and hopefully you can support him in order that he can take on this well-paying job that would allow him to support his three children and his family.

**Hon. John Milloy:** As I said, I'm happy to look into any case that's brought forward by members of the Legislature. But again, I think it is worth reiterating the fact that Employment Ontario has a whole menu of services and supports that are available for laid-off individuals. Although Second Career is a high-profile program, there are a number of other programs that are available to individuals. Second Career is not for everyone who is looking to get back into the workforce.

I'd remind members about the Ontario skills development program, which is a more short-term program. Last year, 12,000 people participated in that program. I'll remind members about the rapid re-employment and training service, which goes into cases of major layoffs. Last year, it supported 53,000 laid-off workers. I can remind members about the job creation partnerships: 1,203 job creation partnerships have been given out in the last year to provide unemployed job seekers with work experience that will lead to long-term employment.

#### DOMESTIC VIOLENCE

**Ms. Andrea Horwath:** My question is for the Premier. The Minister of Community Safety and Correctional Services pledged that the McGuinty government would leave no stone unturned in answering all the questions about the March 2006 murder of eight-year-old Jared Osidacz by his father. Why isn't domestic violence being considered in the context of the coroner's inquest that will begin on March 2?

**Hon. Dalton McGuinty:** I want to say to my colleague that I appreciate the question and I can only speculate in this regard. I'm assuming that the coroner has responsibility for scoping the inquest and can make a determination as to what is a consideration and what is not a consideration. The assumption that I'm making is that that decision rests exclusively with the coroner's office.

**Ms. Andrea Horwath:** Well, the Premier might be interested to know that Dr. Peter Jaffe, a highly respected expert for his government, was commissioned to write the report for the inquest. Dr. Jaffe's thoughtful report clearly linked the horrific domestic violence against Jared's mother in 2002 to the child violence that resulted in Jared's untimely and tragic death four years later, but the coroner is not allowing that crucial evidence to be presented. After pledging to leave no stone unturned, why is this government allowing the coroner to quash the most crucial aspects of the death of Jared Osidacz at his father's hands?

**Hon. Dalton McGuinty:** I express, on behalf of all members of the Legislature, our sympathies to the family affected by this terrible tragedy. To remind my colleagues, as well, of some of the steps that we have taken, we have supported Kevin and Jared's Law and enacted it in 2006. We are both honouring and following this legislation. We are doing more for victims than any previous government. I won't get into the list of things that are in here, but it brings me back to, I think, the

essence of my colleague's question. Again, I think this is something that is properly within the purview of the coroner; I'll seek to confirm that. But I don't believe that we have the authority to influence when an inquest is going to be held, how it's going to be held, and, in particular, the scoping or terms of reference which a coroner is going to adopt, but I will confirm that for my colleague.

#### HEALTH CARE

**Mr. Kevin Daniel Flynn:** I have a question today for the Minister of Health and Long-Term Care. I know that many Ontarians are looking for access to family health care. It's an issue that my constituents always talk to me about. I am sure that many other members of this House have had similar experiences.

Ontarians were intrigued to read an article in the Star yesterday. It outlined a new program that is going to help connect unattached patients with a family health care provider. I'm asking that the Minister of Health and Long-Term Care tell the House more about the program and explain the ways in which Ontarians who need access to health care can benefit from it.

**Hon. David Caplan:** I want to thank the member from Oakville not only for the question, but for his tremendous advocacy to ensure that Ontarians have access to family health care.

I am extremely excited about the program, which we'll hear a great deal about in coming weeks, called Health Care Connect. It's a unique, made-in-Ontario solution. As far as I am aware, no other jurisdiction is attempting to do what we are. In 2007, during the election campaign, we committed to Ontarians to help another half a million Ontario families find a family doctor. Our new program, Health Care Connect, will help us to make this happen.

Starting next month, our telephone hotline will help to link unattached patients with a family health care provider. By dialing the special 1-800 number, Ontarians will be able to let a Telehealth staff member know that they are looking for a doctor. A nurse known as a "care connector" will then try to match the unattached patient with a family health care provider who is accepting patients. This strategy will help more Ontarians be able to access family health care and help us track the number of patients who are looking for family health care—

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

Deferred votes: There are none.

This House will recess until 3 of the clock.

*The House recessed from 1134 to 1500.*

#### HOUSE SITTINGS

**Hon. Monique M. Smith:** On a point of order, Mr. Speaker: I wish to advise that pursuant to standing order 8(e), there is no business to be called during orders of the

day tomorrow morning and the House should accordingly meet at 10:30 a.m.

#### INTRODUCTION OF VISITORS

**Mr. Paul Miller:** It's my privilege to welcome York University graduate students and members of CUPE 3903: Imola Ilyes, Nick Fenn, Susan Dieleman, Vanessa Lehan, Ross Sweeney, Andrew Hryhorowych, Justin Cholette, Jason Breen, Marianna Azar and Hilary Martin. Welcome.

#### MEMBERS' STATEMENTS

##### BY-ELECTION IN HALIBURTON-KAWARTHA LAKES- BROCK

**Ms. Sylvia Jones:** On January 9, my colleague Laurie Scott unselfishly announced she was stepping aside in her riding of Haliburton-Kawartha Lakes-Brock to allow our leader, John Tory, to run in a by-election in that riding. Since then, Premier McGuinty has promised the constituents of Haliburton-Kawartha Lakes-Brock and all Ontarians that he would call a speedy by-election. As usual, Mr. McGuinty has failed to live up to his promise. Today, I ask Mr. McGuinty for his definition of "speedy." It has been three weeks since he agreed to call a speedy by-election. He continues to delay.

The York University strike is currently in its 12th week. My colleague Peter Shurman of Thornhill introduced back-to-work legislation almost two months ago. Mr. McGuinty's version of a speedy resolution has 2.5 million instruction days lost. I doubt the students and families of York University take comfort in Mr. McGuinty's version of speedy.

Today I am asking Mr. McGuinty to redefine "speedy" and to not continue the delay in the best interests of Ontarians for his own personal ambitions. Mr. McGuinty, find the courage to call the by-election in Haliburton-Kawartha Lakes-Brock immediately.

#### UNIVERSITY LABOUR DISPUTE

**Mr. Peter Shurman:** I would like to read an e-mail I received from a York University student.

"Dear Mr. Shurman:

"I personally have lost out on my dream opportunity because of the consequences of this strike. This is my last semester of studies at York and I was set to graduate next spring. I had been chosen for an internship at NBC studios in New York, provided I completed my studies this term. This week I had no other choice but to turn down the opportunity and allow someone else to take it as it would have been unfair for me to accept it under these circumstances. I doubt an opportunity like this will

present itself again and I truly regret moving from BC to Ontario to attend York. I have shared my story with York administration. They told me I shouldn't have banked on 'tomorrow coming.' The union has also been unsympathetic to me. The NDP party has sent replies telling me I am wrong to not support the union, and the Liberal Party has not replied...."

This is just one of the hundreds of letters that I have received with stories like this. I could stand up here every day for the rest of my term and read a story from a student or a parent who has been negatively affected by the McGuinty government's inaction. This is a person who did not leave Ontario to go to another province, which is what we hear so often. This is a person who came to Ontario to get their education here. Look at what the other two parties have done to this student's future. You should be ashamed of yourselves.

#### UNIVERSITY LABOUR DISPUTE

**Mr. Michael Prue:** Yesterday, I stood in this House and I quoted something that I think many people have seen in the past but seldom read. It is the top of the editorial page of the Globe and Mail. It's a quote from Junius. It's more than 2,000 years old. The quote is, "The subject who is truly loyal to the Chief Magistrate will neither advise nor submit to arbitrary measures."

I have received dozens of calls, thanks to Ms. Blizzard of the Toronto Sun. But I ask humbly: How do the Toronto Sun and this government address the legality of the legislation? How does this government or the Toronto Sun have evidence of a clear deadlock? How does this government or the Toronto Sun have proof that will satisfy the legal requirements in the landmark case of the health workers versus British Columbia? Is there any evidence that all of the processes have been used?

Two hours ago I did learn something, and that is, following the call from Howard Hampton, the Premier has called the sides together; bargaining has resumed. Let us hope that saner heads prevail. Let us hope the students get back to class. Let us hope that Christina Blizzard and the Toronto Sun ask its readers to thank all of the members of the Legislature for putting the issue before us.

#### UNIVERSITY LABOUR DISPUTE

**Mrs. Julia Munro:** I am making this statement on behalf of York students in my riding who are excluded from the process but are drastically impacted. We have 50,000 innocent victims who watch the posturing of the two sides in this dispute and the posturing of politicians while their academic futures hang by a thread, their finances disintegrate and the emotional toll creates anger and despair.

One of my constituents writes: "I'm a single parent of two kids, a part-time worker and a full-time student at York U.

"Of the 50,000 students at York" University, "over 9,000 of us are over the age of 25, and many thousands have children to support.

"As you are aware, York" University "is the nearest university for members of our community. The ongoing strike has been devastating to me and my family in terms of finances and plans for 2009.

"I paid my tuition fees for 2009 and I expect the 13-week terms and uncompressed exam periods that I paid for. This strike has been very distressing. I feel that a compressed schedule will negatively impact on how I can perform." She asks that I vote for back-to-work legislation.

When I cast a vote in this chamber that will bring an end to this strike, the two sides will go back to life as before. It will be those 50,000 people who struggle to cope with the academic and financial costs, those 50,000 who are not represented at the bargaining table, those 50,000 who are the victims of the process.

#### UNIVERSITY LABOUR DISPUTE

**Mr. Charles Sousa:** I rise today to offer my support for getting our York University students back to class as soon as possible.

Some of the toughest calls I have been making these past weeks are to parents and students in my riding who are affected by the strike. Students are anxious and worried about their year, about their summer jobs and about their future. Parents are concerned that their children are losing valuable time and opportunity to get ahead. They want the strike to end now.

While I support and respect collective bargaining, the deadlock at York has negatively affected too many people. Negotiations have reached an impasse, and it comes at the expense of our students.

Given that all other options have been exhausted, we in this House have a responsibility to step in. Forty-five thousand students are in clear danger of losing their year, and we must think of them.

I do not offer my support lightly. I still believe in the collective bargaining process and that it deserves every opportunity to succeed. After all, the best settlement is a negotiated settlement agreed to by both parties. But it has become clear, after every attempt to resolve the dispute has failed, that a settlement is out of reach in this situation. This is simply not acceptable to anyone.

This is a difficult decision, one that is not made easily. However, in these tough economic times we need everyone at their best. We simply cannot afford to have 45,000 of our brightest young people sitting idle. I encourage all my colleagues to help us to put a swift end to the strike so that our students can get back to class.

#### UNIVERSITY LABOUR DISPUTE

**Mr. David Zimmer:** Since the labour dispute at York University began 78 days ago, my office has been overwhelmed by phone calls, faxes and e-mails from students

and parents suffering from the strike. I do respect a well-functioning collective bargaining process. However, the recent deadlock has put the academic year for York's 50,000 students in jeopardy. With no reasonable prospect of a negotiated settlement, the McGuinty government's back-to-work legislation is an urgent necessity.

**1510**

On January 21, I received a letter from my Willowdale constituent Mr. John Richardson, whose daughter is a fourth-year student at York University. He writes:

"With every day of delay in ending the strike, there is increasing risk that" my daughter's "graduation will be delayed so long that her applications to teachers' colleges in" the fall of "2009 will receive no consideration."

This is a tragedy. Bill 145 represents the McGuinty government's dedication to education and our determination not to stand by while the ongoing dispute puts the academic year at risk.

In these challenging economic times, the need for a well-educated workforce is clear. Ontario must remain competitive. We cannot afford to delay the education of 50,000 of Ontario's best and brightest young people. It's for these reasons that I support back-to-work legislation.

## PETITIONS

### TUITION

**Mr. Jim Wilson:** I have a petition from the Canadian Federation of Students 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 past 15 years to over \$25,000 for four years of study; and

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

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

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

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

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

"(1) Reduces tuition and ancillary fees annually for students;

"(2) Converts a portion of every student loan into a grant; and

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

I will sign that.

### UNIVERSITY LABOUR DISPUTE

**Ms. Cheri DiNovo:** This petition is 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 absolutely agree with this and will affix my signature, and give it to William.

### UNIVERSITY LABOUR DISPUTE

**Ms. Helena Jaczek:** "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 will be delighted to affix my signature to this petition, as I agree wholeheartedly.

### MULTIPLE MYELOMA

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

“Whereas Health Canada has approved the use of Revlimid for patients with multiple myeloma, an incurable form of cancer; and

“Whereas Revlimid is a vital new treatment and must be accessible to all patients in Ontario for this life-threatening cancer of the blood cells; and

“Whereas multiple myeloma is treatable with the proper therapies, thereby giving hope to the 2,000 Canadians diagnosed annually;

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

“Immediately provide Revlimid as a choice for patients with multiple myeloma and their health care providers in Ontario through public funding.”

I agree with this petition and affix my name to it.

#### UNIVERSITY LABOUR DISPUTE

**Mr. Bill Mauro:** 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 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 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.”

#### 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 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 am in agreement and would affix my signature thereto.

#### UNIVERSITY LABOUR DISPUTE

**Mrs. Liz Sandals:** I have a petition from my constituents 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 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 with the petition and I will add my signature.

#### UNIVERSITY LABOUR DISPUTE

**Ms. Cheri DiNovo:** This petition is 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 certainly agree with this and will affix my signature thereto and give it to usher Kalin.

1520

#### UNIVERSITY LABOUR DISPUTE

**Mr. Vic Dhillon:** “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 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.

#### UNIVERSITY LABOUR DISPUTE

**Mr. Paul Miller:** Stay tuned; this one is different.

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

"We, the students of York University, strongly recommend that you drop this back-to-work legislation and order the York administration back to the bargaining table in good faith.

"We believe that this legislation is a slippery slope for all university sector employees' right to collective bargaining. We have faith that you will pressure York to come up with a good agreement, and fast, because we want to get back to class" too. We request that not only will you intervene, but" that you "do so in a way that reflects good governance.

"Prove yourselves as rightly fit to govern, respectful of democracy and, most of all, respectful of the collective bargaining process by calling on a new, non-partisan mediator—it is not too late" to do that.

"We support the right of workers to collectively bargain, and see that the only enemy in this process has been the York administration and its board of governors, which include many cabinet members from the Harris years.

"We request that, if the government wants a quick end to this strike, two things have to happen:

"(1) That they appoint a non-partisan mediator to spend the next few days working out a contract that reflects a decent living wage and job security;

"(2) That they appoint a team of accountants to overview York's budget and see how York is mismanaging our tuition dollars by not putting our dollars toward the education of the students."

I agree with this petition and hereby affix my name to it.

#### UNIVERSITY LABOUR DISPUTE

**Mr. Reza Moridi:** "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 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 with this, and as a former professor and educator myself, I put my signature on this petition.

**Mr. Michael Prue:** On a point of order, Mr. Speaker: The petition that has been read in the Legislature cannot be answered by the third party. It is to be addressed and must be answered by a government minister. I think that it is clearly out of order.

**The Deputy Speaker (Mr. Bruce Crozier):** Actually, the table is supposed to receive those petitions before. I don't know whether it's been stamped, but the table will review the petition.

#### UNIVERSITY LABOUR DISPUTE

**M<sup>me</sup> France Gélinas:** I have a petition 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 fully support this petition, will affix my name to it and send it to the table with page Kalin.

#### UNIVERSITY LABOUR DISPUTE

**Mr. Phil McNeely:** I petition 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 the NDP's continuing opposition to resolving the strike could

threaten the academic year for York University students;”—

**Mr. Michael Prue:** On a point of order, Mr. Speaker: I think this is the same petition and I wonder whether this petition has been vetted by the table?

**The Deputy Speaker (Mr. Bruce Crozier):** Is the petition stamped by the table?

*Interjections.*

**Mr. Phil McNeely:** It's not, Speaker.

**Mr. Jerry J. Ouellette:** Mr. Speaker, on a point of order—

**The Deputy Speaker (Mr. Bruce Crozier):** Just a moment. We're dealing with one here. I remind all members that petitions are supposed to be initialled by the table. So if you have a petition that hasn't been authorized by the table, I would ask that you not read it.

Your point of order, member from Oshawa.

**Mr. Jerry J. Ouellette:** According to the rules, there is no specific statement that says that the petition which is being read has to be identified as being stamped prior to being read. This would be a change of the rules at this particular time.

**The Deputy Speaker (Mr. Bruce Crozier):** I think you should review the standing orders, but there is a requirement that it be authorized.

Now, the time for petitions has expired.

## 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

Resuming the debate adjourned on January 26, 2009, on the motion for second reading of 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):** In yesterday's orders of the day, the member for Parkdale–High Park had concluded her comments, and we will, then, entertain comments and questions.

The member for Eglinton–Lawrence.

**Mr. Mike Colle:** I look forward to voting on this bill as soon as possible.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mrs. Liz Sandals:** I, too, hope that we will be able to vote on this bill as quickly as possible.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Paul Miller:** I'd like to thank the member for her presentation yesterday. It was well thought, well researched—mind you, it kind of fell on deaf ears because there was no response other than from us, which seems to be the order of the day, so to speak.

In reference to the third party's comments about getting on with this—I was quite shocked yesterday when the member from Thornhill stood up and waved his union card—

*Interjections.*

**Mr. Paul Miller:** —waved his union card in front of me. I suggested he might want to rip it up or burn it, because I really don't think that he is giving the position of the unions. I think it's more of a right-wing thing that he is doing. So I'm quite shocked that he would stand up and wave his card in front of us, because I don't know how anyone who could be a union member would have a card that says he's a member of a union and vote against collective bargaining. That's unbelievable.

So, in that order, I would also like to say that I am very proud of our caucus for standing up for the students and the workers at York. I believe, at the end of the day, that we will be proven right when it's challenged in court and it's overturned, from the BC Supreme Court order. I will be glad to remind everyone in the House who the only people were who stood up for working people in this province.

1530

*Interjections.*

**Mr. Paul Miller:** That will—as they say, it will come back, and this gentleman says we're delaying it. I guess we're delaying democracy; I don't know what he means. I guess we're delaying the fact—

**The Deputy Speaker (Mr. Bruce Crozier):** Order.

**Mr. Paul Miller:** —that people don't have a right to say anything. They want to bury it. They want to bury it and they want to bury it. We're the only party—

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Ms. Andrea Horwath:** It's my pleasure to make some remarks on the excellent words of my colleague from the riding of Parkdale–High Park yesterday afternoon. I look forward, in fact, in a very few brief moments to being able to make my own comments on the record in regard to the way that this government is treating the workers, particularly at York University.

The member from Parkdale–High Park was very passionate in her remarks yesterday. She laid out quite a clear review of the issues before this Legislature, but also the issues before, I think, the people of Ontario. The issues that she laid out quite clearly indicate that in this province, workers have a right to collectively bargain. They have a right to negotiate with their employer until a settlement is reached. In fact, Supreme Court decisions have also indicated that there is a very narrow focus whereby those rights are set aside. Those circumstances do not occur in this particular case; in this particular case, those circumstances are not in play. Therefore, we know that the union will likely be taking other action against

this government because they have taken a high hand, a high and inappropriate hand—

**Mr. Peter Kormos:** A heavy hand.

**Ms. Andrea Horwath:** —a heavy hand that takes away the constitutional rights of workers: the constitutional rights of workers to bargain with their employer and come to a negotiated settlement. What this government is prepared to do over the next couple of days is to impose on these workers and their management an agreement through arbitration that is not negotiated. So you tell me, members across the House—government members and members of the opposition—what kind of atmosphere are you setting up in that place of higher learning for those workers and those students? It will not be a pleasant place for anyone, and it is shameful that this government is not prepared to protect the rights of workers in this province and so easily sets them aside.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Parkdale–High Park, you have two minutes to respond.

**Ms. Cheri DiNovo:** It's my privilege to stand, and to stand with the collective bargaining process, to stand with the members of CUPE 3903, who have braved this strike for over 80 days now, to stand with the members of CUPE 3903, who dropped all of their salary demands, by the way, in the last round of negotiated, if we can call it that, bargaining—it was one-sided because York never showed up to the bargaining table—who dropped everything but simply asked for some job security where York is actually offering a rollback of job security.

My husband is a contract faculty teacher and he was in the doctoral program at York University. He thought that his graduate degrees would actually count for some benefits, for some job security, would actually count, when teaching in an academic environment, to have a job where you don't have to reapply for the same job year in, year out, year in.

We in the NDP, those in CUPE 3903 and the Canadian Federation of Students are standing for students. We're standing for a valued degree from an institution that should be valued for the degrees it offers. It is not a valued degree if the person who receives that degree gets less in benefits than a Tim Hortons worker and has to reapply for an academic professorship every single year, where 52% of the teaching is done by students, TAs, contract faculty who receive a bit over 7% of the university's budget. That's not fair. That's not a valued degree. That's not fair for students.

We stand for education. We want to get the students back. But certainly the York administration has been bargaining in bad faith. This is not a deadlock; this is bargaining in bad faith, and the Liberal Party has stood behind those who bargain in bad faith. You, my friends, are strikebreakers.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Ms. Andrea Horwath:** It's my pleasure and privilege to make some remarks on the record today in regards to the back-to-work legislation that the government has put

in front of us forcing the workers of CUPE Local 3903 back to work when, in fact, what they should be doing is allowing the workers their democratic right to bargain collectively with their employer until a settlement has been reached. I say that because it's very clear that this government, in their heavy-handed approach, is taking the wrong path. It's taking the wrong path for these workers and it's taking the wrong path for all workers in Ontario.

But first, I want to talk a little bit about the fact that everyone in this chamber, regardless of which party, which side you're on, acknowledges and recognizes that this a difficult time for everyone involved. It's a difficult time for the families; a difficult time for the students, absolutely, and their parents; a difficult time for the workers who are trying to get a fair deal out of the university. It's a difficult time all the way around. People are worried about whether they're going to be able to get their year, whether they're going to be able to be competitive in terms of—

*Interruption.*

**Mr. Gilles Bisson:** I've never seen that in all my years.

**Ms. Andrea Horwath:** I think this is a message. I believe the falling of the mace is a signal that democracy is being crushed in this very chamber today.

The reality is that within this context of hardships there are certain things that we have to acknowledge. What we have to know is that in this province, in this country, workers have a right to negotiate. They have a right to join unions and they have a right to negotiate collectively so that they can get from their employers, who have—and this is regardless of what sector you're in, public sector, private sector—the greatest amount of power in an employment relationship. The only power that workers have is their power to withdraw their labour in order to be able to get a settlement that is fair and just with their employer. That's exactly what the situation is before us. There has been a process of negotiations that have been undertaken for many months. In fact, interestingly enough, members of the government side would like us to believe that the process of negotiations that has been going on has been arduous, has been lengthy in terms of the amount of actual time that negotiations have been ongoing. The physical calendar time may have been significant, but the actual amount of time that the university has deigned to bargain with this bargaining unit is about 11 days. In fact, much of the time prior to the Christmas break was wasted. Only four times did the university sit down with the bargaining unit to negotiate prior to the Christmas break. Already, you have to think, how serious is this management group? How serious is this employer, if it's not prepared to put its nose to the grindstone and hammer out an agreement with its workers, if it's only prepared to come to the table four meagre times?

Nothing happened during the break, of course. A couple of weeks went by; no negotiations, nothing happening. After the break, apparently there were a couple

more attempts at bargaining. But it became very clear over the process that the university had a card up its sleeve, and the card wasn't a joker, but it was like a joker. It was a bad joke, because it was the Liberal government; that's the card that was up the university's sleeve. The Liberal government was up the university's sleeve, and they knew that they could play that card when push came to shove. And here we are: Push has come to shove, and the government of Ontario, the Liberal government, has decided that no longer do workers have a right to a negotiated settlement in Ontario. No longer do workers have that ability to bargain collectively and get a negotiated agreement with their employer. This government has decided that, regardless of the willingness of the bargaining unit to come to the table and bargain, the university can unilaterally say, "We don't care to bargain anymore. We don't want to bother anymore, so please, government, help us out. Give us a break, and legislate these workers back to work so that the students can get back to classrooms."

It's a sad day in Ontario when we see that kind of heavy-handed action by a government, when we see a government so willing to strip the rights of workers so easily with the stroke of a pen, to say to workers, "You no longer have your constitutional right to bargain collectively and gain a contract from your employers."

**1540**

The government likes to say that this action is because the parties were deadlocked. We've talked about this in our remarks in the past. A deadlock happens when neither side is prepared to move. We know very clearly that that's not the situation before us. From that issue arise a number of other initiatives that I expect the union will be undertaking. That will happen, I believe, if there is no success this afternoon.

My understanding is that this afternoon parties will be getting back to the bargaining table. I really hope that they do end up with a settlement, because that would be the best outcome all the way around. In fact, that's really the only outcome that will lead to a positive result and a positive work environment and a positive learning environment when the students eventually do get back to class.

It was absolutely not the case that neither side was prepared to move in negotiations. In fact, what was the case was that the union wiped a whole bunch of their demands off the table in those last couple of hours of hard negotiating with the mediator in place. The union was prepared to move. The union moved. The union only had four items left on the table. But the university was not prepared to move. They stuck their feet in the ground and they said, "We're not moving. We're not going anywhere. We're done bargaining," because they had the card up their sleeve. They had the Liberal government up their sleeve, and they knew very well that they didn't have to bargain.

So shame on the McGuinty government for sending out those signals. Shame on you for sending the signals to the university that gave them that positioning and that

power. This strike is on your heads, the length of this strike is on your heads, and the result will be on your heads too. I hope that result will be negotiated today and over the next 24 to 48 hours. Everyone hopes that. But if it does not, you will know—and the former labour minister is listening closely. The labour minister is listening closely, because he knows very well what this means in terms of the atmosphere of labour relations in this province.

Make no mistake, and we know this: This is not the first university that's going to be going through this process. In fact today, outside at the rally, we heard from someone from the University of Toronto who said the same issues and items are on the table, the same concerns around the fact that tenured professors are retiring but universities are not providing any more tenure tracks for their instructors. We know that's happening in universities across the province. We know that instructors and professors are not being given long-term contracts. These educational workers do not know from one term to the next what they're teaching. If you look at a student's agenda of their classes, every single class under where it says "instructor" is TBA, to be announced. Why? Because the university is not providing these workers with solid, reliable work. It has all been casualized. It has all been Walmartized. They're lucky if they know from one term to another whether they're going to be teaching at all. What kind of job security is that, I ask. Who would put up with that kind of insecurity, that kind of uncertainty, in their workplace? Why would we expect these very dedicated people, these people who care so much about the role that they play in the education not only of our young people but of many other people who go to university for all kinds of different courses, to take pitiful wages that keep them below the poverty line?

Remember, many of these people who are instructors, who are part-time professors, who are doing this work, are also students. So they have the expenses of their university education as well that they have to deal with. In most cases, because they're graduate students and Ph.D. students, they have huge debts already that they're trying to cover off. So we underpay them, we give them no job security, and then, when they try to collectively bargain to improve their condition and improve the situation that they teach in, they are stripped of their rights. What kind of a message is that that a government gives to workers?

It's not only university workers. We know that this is coming up in other public sector situations as well. We will see very shortly, I'm sure, a situation where we have OPSEU workers who are going to be, perhaps, in a strike position. We'll see what the government is going to do. What it looks like is happening here now is that this government has decided unilaterally, outside of the context of Supreme Court decisions and jurisprudence, that they don't care about the constitutional rights of workers, of people in this province and in this country; they don't care. They are so arrogant that they think they have the power to simply legislate away those rights, not only for

university workers, educational workers in universities, but likely for other workers as well.

That's why it was absolutely inspiring to see, over the last little while, the solidarity that has come from the rest of the labour movement in regards to this particular strike. We've seen the Ontario Federation of Labour, we've seen the CAW, and we've seen other unions come out and support CUPE Local 3903—OPSEU and others as well.

When I was on the picket line over at York, a number of the rallies there were quite diverse in terms of the representation of the broader labour movement in Ontario, and for a really important reason: because this government is opening a can of worms here. They're opening a situation here where the labour unrest in this province is going to become severe if this government refuses to acknowledge and recognize that they have an obligation to hold up the rights of citizens, not simply toss them aside.

There are a number of specific things that the union did to come closer to the table with management, but unfortunately, because they had their card up their sleeve of a complicit government, there was no need for the university to move at all. As a result, we're here today dealing with back-to-work legislation that is not necessary.

It's going to be interesting to see how the government manages their next steps, because I suspect—and I say "I suspect" because this has been, obviously, something that has come to light already—there is going to be a challenge of this government's actions. I think it was my colleague from Beaches—East York yesterday who very eloquently set out the reality around whether or not the tests that are supposed to be met for a deadlock are actually being met in this case.

We know that there has been a Supreme Court decision. That decision recognizes collective bargaining as, and I'm going to quote, "The most significant collective activity through which freedom of association is expressed in the labour context." That's pretty important. That's a pretty important precedent that this government so easily rolls over. "The right to bargain collectively with an employer enhances the human dignity, liberty and autonomy of workers by giving them the opportunity to influence the establishment of workplace rules and thereby gain some control over a major aspect of their lives, namely their work." It goes on, of course, to talk about the difference between modern rights and fundamental freedoms, and speaks to the fact that those rights belong to workers from here on in.

That decision was in, I believe, 2007, if I'm not—yes, as a result of a 2002 decision that was taken in BC by the BC government of the time, which was trying to strip health care workers at the time of their bargaining rights. In effect, what the Supreme Court said was that they had to do a number of things: There had to be a clear deadlock in negotiations; the public interest required an exceptional temporary solution to address the matter so that a new collective agreement could be concluded.

Basically, the issue that we bring to the table is the one of deadlock, because what we have seen very clearly is that there was no deadlock, that in fact, right up until today—today, in fact, makes it even more clear that there's no deadlock, because the sides are bargaining again. So if the sides are bargaining again, where is the deadlock? That's what I'm asking, and that's what the government needs to ask itself.

**1550**

They put everyone in this mess, and now here we are because the government didn't do the right thing in all these months. They didn't force the university back. They didn't use the card up their other sleeve to get the university to the table. Instead, they told the university they could take a pass on the rights of workers. So, instead, we're all in limbo.

The government is going to get this legislation passed regardless, workers are going to have their rights trampled on, the labour relations atmosphere in the province is going to go down the tubes, and we're setting up an atmosphere for big trouble, I believe, over the next several months if this government continues in this wrong-headed fashion.

We're bringing these petitions forward, asking the government to back away from this legislation. It doesn't have to be passed. You don't have to call it. We can all just leave today and not have to come back tomorrow to continue debating this legislation. That would be the right thing to do: Give some more breathing space and give some more room to the parties, who apparently are starting to talk this afternoon. That would be the responsible thing, the respectful thing, for a government to do. In fact, that's probably the only way to get to a place where we can know for sure that the parties are going to be able to go back into the university and create an atmosphere of positive learning and positive instruction for the students and the teachers.

I wanted to talk about two other things very briefly. One is that the issues CUPE 3903 is fighting for are not new. In fact, I have a report that was written by a good friend of mine named Vicky Smallman. She wrote a paper back in 2004 called *Contingent Academic Work in the Canadian Context—organizing and collective bargaining officer*, Canadian Association of University Teachers. This paper that Vicky wrote clearly outlines the trend in Canadian universities, and this was like five years ago now. The trend was very clear: away from tenured professors, toward the casualization of labour, toward underfunding of universities. That's a basic fact.

All of this problem that we have in front of us now is very much related to the underfunding of our university system: The province of Ontario is 10 out of 10 in the nation. We're the 10th in terms of per capita funding for students in post-secondary in this country. What a shameful record that is, and this is the government that talks about the knowledge economy. This is the government that says we're transitioning to a knowledge economy, yet they're not doing anything to ensure that that knowledge base is being robustly supported through a

well-funded education system, through a well-funded post-secondary education system particularly.

I'm happy to share this, if you want to have a look at it. It's quite an interesting paper that set out the exact same issues five years ago that these workers are fighting for. Yes, they're fighting for their own jobs, but they're also fighting for the quality of education in this province, and they're putting on the table the reality that the quality of education in this province is going to continue to erode, with a government that's not prepared to fund its universities at the proper levels.

There's one other thing that I think members of this Legislature should have a quick look at. It was sent to me by Bob Hanke, one of our friends at CUPE 3903, and it's The CUPE 3903 Unit 2 Chronicle. It's the January 2009 edition, so it was published before this back-to-work legislation came forward. This Chronicle sets out very clearly the issues that the bargaining unit has been dealing with and the attempts to get the university to take seriously the concerns they raised at the bargaining table. I'm not going to be able to read much of it into the record—in fact, probably none at all—but I do want to thank Bob for giving it to me. I encourage members of this Legislature: If you really want to know what's happening here, if you're not just going to be blindly led like sheep on this issue, you should have a look at what this Chronicle talks about in terms of the issues that these workers are fighting for. They're not just their own issues, they're the educational issues in this province that will affect everyone. It's about quality of education and the dignity and rights of workers.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Bill Mauro:** I look forward to voting on this bill as soon as possible.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Peter Kormos:** I would ask that government members like the member for Thunder Bay—Atikokan read the order paper and notice that your government House leader has filed a time allocation motion, so you don't have to plead like that. Don't whimper; don't beg. The time allocation motion will allow you to vote on this at the first available opportunity.

I am grateful to my colleague from Hamilton Centre for her contribution to this discussion, and I'm proud of all of my colleagues here in the New Democratic Party caucus.

Healthy labour relations are the result of effective negotiation between the disputing parties. I have been impressed by the persistent efforts of this CUPE local to address these matters at the bargaining table. I suggest that perhaps the proper bill for the government to have brought would have been a back-to-the-table bill for the management at York University.

This government has failed miserably at encouraging, cultivating and nurturing a responsible labour relations role by York University management. Let's make that very clear.

If this government gives management the out with back-to-work legislation, then notwithstanding all of the best efforts of workers at York University, York University management will be able to maintain a poisoned, toxic and high-capacity-for-failure relationship with its workers, to the detriment of students for decades to come.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Kevin Daniel Flynn:** This bill puts students back in the classroom. I look forward to supporting this bill and to voting on it as soon as possible.

**The Acting Speaker (Mr. Jim Wilson):** Final questions and comments?

**Mr. Michael Prue:** I listened intently to my colleague from Hamilton Centre and she had a lot of very intelligent things to say.

At noon, there were hundreds of people out in front of the Legislature. There were hundreds of police officers to watch those hundreds of people too, but they were absolutely charming and wonderful members of our society. Most of them were under 30 years of age. They're going through considerable strain and stress around this legislation and around everything that has happened at York University over the last 11 or 12 weeks. They let up a cheer, to my friends in the Liberal Party, when it was announced that a call had gone out from Howard Hampton this morning to the Premier and that the Premier in turn had agreed to make telephone calls, and had indeed made telephone calls, both to the union and to the management at York University, and that there would be ongoing negotiations in this strike, at least in the short term. They let out a cheer because this is really all they are asking for.

I would ask the members opposite to please have someone go up to the Premier's office. Please understand that the Premier is trying to be part of the solution and not part of the problem. Ask yourselves why those who stand up here are trying to be part of the problem and not part of the solution. Are you not listening to what your leader has to say? Are you not cognizant that he is trying to do something other than force this legislation through? Maybe he's trying to do both, but at least he's giving this opportunity. Why are none of you standing up and saying that this is an opportunity that should be seized and saying something positive about what the Premier is finally trying to do? I'm asking that legitimate question. My colleague raised it. Why are none of you willing to stand up and say, "Good for the Premier"?

1600

**The Acting Speaker (Mr. Jim Wilson):** The honourable member for Hamilton Centre, you have up to two minutes for your response.

**Ms. Andrea Horwath:** I thank the members for their comments. There are really some basic, fundamental issues here that New Democrats are standing for. We're standing against legislating these workers back to work. We're standing in favour of a quality, post-secondary education system in the province of Ontario. We believe

that the province is underfunding education and that that is the root of this problem, that is the root of this strike and that is the root of why these workers have to fight so hard for basic rights.

What are those basic rights? The right to a decent benefit package, the right to a decent salary, the right to know what kind of work you're going to be having within the next three to six months. It's called job security. It's not something that anybody in this chamber, I don't think, would not want to have.

We're talking about the casualization of labour in our university system. Did you know, in fact, that about 54% of the teaching that goes on in this university is done by these very workers who are on strike? And yet, only 7.5% of the annual budget of the university goes to the salaries of these workers. That's kind of the opposite of most organizations. If I recall, in most organizations, the largest cost is their labour cost. That's really the way it works. In most cases, the highest cost is labour, and you would think in a university, considering that the biggest product there is education, that, in fact, would be the largest amount of money as well. If these workers are doing the most amount of work—they have a very, very small amount of the budget—where is the budget going to? We know from the list that, like most universities, a lot of it is going to the president of the university. Right? That's where it's going.

This government needs to get its priorities straight, give these workers the dignity and respect they deserve and get this legislation off the table.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**M<sup>me</sup> France Gélinas:** I understand that there are 50,000 students who are being affected by this strike. I wanted to talk a little about what it means to be on strike. When workers make the decision to take the vote to go on strike, they don't make that decision lightly. To go on strike means real hardship for the people on strike. It means real hardship for their families and friends. It means terrible disruptions to their way of living, but they do this because, as part of the bargaining process, they see this as the only way to change their conditions of work. It is not a decision that anybody takes lightly.

I have had the opportunity to live through a lot of strikes. My husband was on strike for nine months when his employer, International Nickel Co., refused to bargain. It was nine months of hell, nine months of relying on grocery coupons to pay for the food, nine months of missing car payments and mortgage payments. It was nine, hard months for the 20,000 people who were on strike in Sudbury for nine, long months. When they decided to go on strike, they didn't take that decision lightly; nobody does, but it was the only way to bring changes to their working conditions.

When the CUPE local made that strike vote, the people didn't take it lightly. They knew it was going to have an impact on the students. They knew it was going to have an impact on their lives, but that is part of the process. They had come to a point where the situation

could not be changed in another way, so they chose to go on strike.

I remember the strike by the nurses at the public health unit in Sudbury. Those women picketed in the worst winter of them all. Every day they went on strike in the dead of winter in Sudbury. Every day they stood out there in minus 20, minus 30. It was a winter pretty much like the winter we have now—really, really harsh. They stood out there on the picket line, lots of them new nurses, but they held on. When they made the decision to go on strike, they knew it was going to be tough. And my, did they have it tough. The weather was not keen on them. Nothing was going well, and it dragged on for months. Here again, those nurses lost their wages, they lost their way of living, and their clients certainly suffered a great deal. But that was part of the process to change what was going on within human resources. They wanted parity with the nurses at the hospital. It was quite ironic, actually, because the health unit in Sudbury shared its parking lot with one of the hospitals, so every morning you would have 1,200 nurses go into what was then Laurentian Hospital and pass those 70 or so nurses from the public health unit who were toughing it out in a very harsh northern Ontario winter to get parity with their sisters across the way. But they held on and they got a negotiated settlement that everybody could be proud of.

When they went back to work, those nurses worked like nobody could believe to make up all of the lost time and to make sure that any suffering their clients had during those months of the strike was put behind them as quickly as possible. But that was only possible because after many months of striking, they got a settlement.

I was also involved, at the Ministry of Health, actually, when the public service union went on strike. That didn't go as well. Those workers were forced back to work. The ambience within the workplace was untenable. The stress and the bad faith became an everyday occurrence. To try to do your work was almost impossible, because in order for a department to work, managers and unionized workers had to work together hand in hand. They had to collaborate. This collaboration was there no more. It was very antagonistic; it was very bitter. One part had been told that what they wanted didn't matter, it didn't count; they had to go back to work. So, humans being what we are, they brought those hard feelings back into the workplace, and it took years for the department to be functional again. It certainly made for a very unpleasant place to go to work. Lots of people left; lots of people found jobs someplace else. I was one of those people who left. I couldn't take it anymore. To go to work every day, to live the stress of people's rejection of one another, of refusal to collaborate—rightly so—was just untenable.

There are lots of people who go on strike, and we all know that it will be a hardship. We know that it has been a hardship for those 50,000 people.

Yesterday, I mentioned that after I had been at work—I was a physiotherapist—for a few years, I decided to go back to school. I decided to enroll in a master's degree. It

was not a decision that I took lightly. By that time, I had a good job, with good pay, with good benefits; I had a spouse and children. I got accepted, and I was really excited on my first day. That was September 1985. Our kids were small: three, four and six. I had the perfect plan. I had figured it all out. I had people covering my shifts at the hospital, taking my holidays, lined up with a few weeks of leave of absence that the hospital had given me. My life was scheduled like nobody could believe so that I could go back to school. On my first day at school—I'm going back to school; I'm enrolling in a master's degree; I can't wait to go there—I get to Laurentian University a little bit early, because I'm kind of excited, and there's a picket line. I can't get through. The workers have walked off the job.

#### 1610

You can't imagine everything that went through my mind at that point. We could barely make our payments if I took that many weeks off to go to school. If this had to be extended, we were not going to make our payments. We were going to run out of money. I was going to run out of people to cover my shifts at the hospital. I was not going to be able to pay the debts I already—all of this went through my mind. And the strike keeps on going. Every day, the strike keeps on going, and it went on for weeks.

But those teachers wanted to change their working conditions. They had tried to bargain in good faith and they couldn't. So part of the process is that you take a strike vote and you go on strike. You're telling your employers how important it is for you to change.

That doesn't come freely; it comes at a cost. To our family, it came at a great cost: the cost of babysitters and shifts at the hospital and payments not made. But they negotiated a settlement. When those teachers came back, they welcomed us back with open arms. They went way beyond the call of duty to make sure that we made up those weeks of learning. We ended up stretching the terms a little bit longer. I missed some shifts at the hospital and some good friends covered for me and I was able to pay them back.

The point of the story is that they were able to work out a settlement. They were able to bargain. So when they came back, rather than the bad-faith situation I was telling you about before when people got ordered back to work, it was quite the opposite. It was, "Let's all pull in the same direction. Let's all row in the same direction and let's make sure that those kids"—and I wasn't really a kid at the time, but anyway—"those young people who want to learn have an opportunity to learn," and everybody went at it 110%. We finished our terms and I got a degree. I got a master's degree from Laurentian University that I'm very proud of.

I'm not sure I would have been as proud, or even if I would have made it, if it hadn't been a negotiated settlement. All of those extra hours of teaching, of helping me out—see, my background was in health care, but I was going into business administration. I had to make up some classes. I was the one who lagged behind; most of

my colleagues were coming from business and had a lot of knowledge that I didn't. I went and saw the teachers after classes. They helped me out. They gave me extra work to do, sure, but they also made sure that I kept up with the rest of the people in my class. They wanted me to succeed. They wanted me to succeed even more because they didn't want me to have the weight of that strike on my shoulders and they felt that they could do something to help me. The goodwill was overwhelming.

This is what we want to happen to the kids at York—I know they're not all kids—to the students and the learners at York. We want them to go back to school in a university where everybody works and gives it their 110% so that those days and weeks that you've missed can be made up by the extra help, by the extra miles that those teachers and teaching assistants, I'm sure, are going to be willing to go. This will only happen if there's a negotiated settlement.

Back-to-work legislation robs all of those students of those opportunities. Some students need the extra help, and more and more of them will need the extra help because they've already missed quite a few days. But if you go back in there—because those people are legislated back in there and hold their heads in shame—we are all human beings.

As much as the students, their families, their friends are suffering right now; as much as they see opportunity wasted; as much as they have to realize that those teachers, teachers' assistants and part-time faculty who took that vote to go on strike are also suffering, they are your key to success. Let them do fair bargaining. Let them get a bargained settlement and you will see that they will want you to thrive. They want their students to succeed. They will help you like they helped me, because this is what teachers do. Those people have been going at it for years with no job security, poor pay and no benefits. Those people wouldn't be there if it wasn't because they want to help their students learn. They would have jumped ship a long time ago. Those people are still there because they want to help the learners, they want to help their students. Give them the chance to negotiate a settlement and see how York University is going to bloom. It's going to bloom into something we're all going to be proud of.

This is what the NDP is trying to facilitate because we believe in education. We certainly believe in higher education, and we believe that those 50,000 people have registered to get an education that will give them a good job, a job with security and a job with benefits—exactly what those people are on strike for right now, exactly what they're trying to achieve for themselves.

To the 50,000 people out there, I'm sure some of them have stories that are way more compelling than mine, but I wanted to share mine with you, nevertheless, because sometimes the best-laid plan, when you think you have your life all figured out, falls apart. But you know what? In life, there will be many more times where your life will fall apart like this. I guess this is why we call it life. It is all part of life.



J'aimerais parler un peu de la position du parti néo-démocratique face aux gens qui sont présentement en grève à l'Université York. Les gens qui sont en grève ont pris un vote de grève. Ce n'est pas le genre de décision qu'on prend à la légère. Ils prennent ce genre de décision parce qu'ils se rendent compte qu'il n'y a pas moyen de faire avancer les choses pour améliorer leurs conditions de travail. Ces gens-là, depuis qu'ils ont pris le vote de grève et qu'ils ont commencé leur grève il y a maintenant 82 jours, eux aussi ont eu de la difficulté. Eux aussi ont perdu leur salaire; ils ont dû commencer à faire du piquetage. Puis laissez-moi dire que même s'ils sont à Toronto, l'hiver n'a pas été clément. Il a fait très froid et très venteux par ici.

On sait également que cela a eu un gros impact pour 50 000 apprenants de l'Université York. La plupart sont des jeunes personnes qui n'ont pas pu avoir accès à leurs cours, qui ont peur de perdre une session ou même une année complète d'université. Cela pourra avoir des effets terribles sur leur avenir.

On sait qu'une grève, c'est difficile. Mais on sait également que la meilleure façon de régler une grève est avec des négociations qui mènent à une convention collective qui a été négociée. Les gens qui sont là n'ont presque pas d'avantages sociaux. Ils ne sont vraiment pas très bien payés et ils n'ont aucune sécurité d'emploi. Mais il y a des gens qui sont là depuis deux, quatre, six, neuf ans, des professeurs qui continuent d'enseigner même dans des conditions comme ça parce qu'ils ont vraiment l'avenir de leurs étudiants et étudiantes à cœur.

**1620**

Si on donne une chance à ces gens-là de revenir en classe la tête haute parce qu'ils ont été capables de négocier une convention collective, je vous garantie que tout le monde va travailler très fort pour s'assurer que tous les étudiants reçoivent l'appui dont ils ont besoin pour réussir leur année. Si on les force à retourner au travail avec la loi qu'on veut passer en ce moment, ils vont retourner la tête basse et ils vont retourner dans un environnement de travail qui n'est pas vraiment idéal pour apprendre. Nous sommes tous des êtres humains. On amène avec nous notre passion pour l'éducation. Ils amènent avec eux également le fait qu'ils trouvaient que leurs conditions de travail étaient tellement intenable que la seule façon de se faire entendre était d'aller en grève. Si on les force à retourner au travail, on est en train de leur dire, « Les conditions de travail n'étaient pas si pires que ça. Retournez au travail, puis soyez contents avec ce que vous avez. »

Qu'est-ce qu'on est en train de leur dire ? On est en train de leur dire qu'eux autres, ils ne comptent pas. Pour le parti néo-démocratique, ces travailleurs-là comptent, parce que tous les travailleurs comptent. On croit en l'éducation supérieure et on veut que les 50 000 étudiants et étudiantes de York retournent à l'université le plus tôt possible dans un environnement qui va leur permettre d'apprendre, d'avoir du succès et d'obtenir leur degré. C'est ce qu'on veut, et on obtiendra ça quand on aura une convention collective qui aura été négociée par les deux

partis et qui permettra aux professeurs de revenir en classe la tête haute.

**The Acting Speaker (Mr. Jim Wilson):** Merci. Questions and comments?

**Mr. Dave Levac:** Merci, monsieur le Président. Given the latest developments referenced in the House today, I really, truly look forward to having the students back in class as soon as possible.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Peter Kormos:** I am so proud of my colleagues in the New Democratic Party, and the comments, regrettably, for about 20 minutes by our sister France Gélinas from Nickel Belt confirm that pride. What an articulate and visceral understanding of what should be happening here in this Legislature and what should be happening in the management offices of York University: an incredibly effective comprehension of what labour disputes that result in strikes—and I say this one has more characteristics of a lockout than it does a strike—what incredible impact they have on all the parties. She indicated our regret, and the regret is that at the end of the day it will be York University as an institution that will suffer for decades to come, because it hasn't been served well by its management. Potential university students and graduate students will not have York among their top three universities to go to, because they recognize that it has a history, and York management appears to want to do nothing to change that history, of very poor labour relations.

When you've got poor labour relations, you've got an unhealthy workplace, you've got a toxic workplace, you've got a poisoned workplace. You don't have a workplace in which children and youth and adult learners learn as effectively as they can. That's what our sister France Gélinas was talking about, something that the government doesn't seem to understand.

I repeat: Mr. McGuinty should have been more focused on back-to-the-table legislation for York University management than he and his caucus are on back-to-work legislation for the sessional professors at York University.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Reza Moridi:** It's time to reopen the third-largest university in this country and send the students back to the classrooms. I look forward to voting on this bill as soon as possible.

**The Acting Speaker (Mr. Jim Wilson):** Final questions and comments?

**Mr. Michael Prue:** I listened intently to my colleague from Nickel Belt. As she was speaking and talking about her experiences in Sudbury, it made me think of some of my own all of those years ago as a young lad, with my father on strike and the difficulty around our family and all of the neighbours and the people I knew. The strike dragged on for a long time. As you know and as I've said many times in this Legislature, growing up in Regent Park, we were not rich people. To have your mother or

your father, or sometimes both, on strike and having no money come in was an extreme hardship, and it was never taken lightly. I remember as a young boy asking my father why he had voted to go on strike, why he was putting that at risk. It was going to be difficult for my family. He very cogently and carefully explained to me that it had to be done. It had to be done in terms of the longer-term prosperity of himself and of our family. It had to be done in order that there would be some better future. It was not a future, working in a factory, and one could aspire to do a lot of things that he had great dreams for: dreams of educating his children, dreams of getting out of Regent Park, dreams that I think most people would hold to be normal. That was why he went on strike.

Of all the strikes that have affected me in my life—I have been on strike myself as well—whether I was a striker, once, or whether I was inconvenienced by the strike, dozens and dozens of times, I have never stopped and forgotten the sacrifice that is made by the people who have no option but to choose that route. I am absolutely convinced that the people here today, the people who are walking the picket line at York University, wish they were not there, but they are doing it for a just cause, one that they believe in and, in the end, for the benefit of everyone at York University.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member for Nickel Belt, you have up to two minutes for your response.

**M<sup>me</sup> France Gélinas:** Thank you. I'd like to thank the member from Welland, the member from Richmond Hill and the member from Beaches—East York for their comments. I also wanted to read a little e-mail I got on Facebook from a student at York:

"Hi France. I hope this message reaches you in the next 24 hours. I am a student at York University, currently in my fourth year. I have and continue to support CUPE 3903, their right to strike, and their right to resolve this dispute at the table. While I am not sure how much of an impact the NDP caucus can have on the proposed bill tomorrow afternoon, I would hope to see this caucus apply whatever pressure it can to see this bill defeated. The fundamental rights of 3,400 people should not be taken away by the influence of one individual (McGuinty) in a whip vote at Queen's Park. If you could pass this message along to" many of "your colleagues, I would appreciate it." It's signed "Justin."

I don't really know who Justin is, but what I do know is that a lot of students understand that in a strike there will be hardship, that there will be hardship on the strikers and on the people affected by this strike. Although he is a student, and I read on his Facebook page that he has great ambitions for his future, great plans for the future, all that depends on him getting his degree this year. He understands that, in order to succeed, he needs to go back to a university where the faculty, the teachers' assistants etc. are supported.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Gilles Bisson:** I find it sad that here we are debating a bill that deals with the fundamental rights of workers, the fundamental rights of citizens. We find ourselves in the rather sad situation that the only ones really taking the time to have a discussion about what should be happening in bargaining are members of the New Democratic Party. Both the Conservatives and Liberals have decided not to participate in the debate, as a tactic to circumvent the rights of workers, the rights of citizens, to free and collective bargaining. I find that rather sad. So I want to take the 20 minutes that I have in order to lay out what I think is the situation and what I think, what our caucus thinks and what our leader, Howard Hampton, thinks about what should be happening in this situation.

**1630**

First of all, let's be clear: Every worker in the province of Ontario and across this country has a right to free and collective bargaining. We have done that by way of Legislatures across our country where we have passed labour relations acts, giving workers the right, first of all, to join a union and, when they do join a union, the process of bargaining. That right has been upheld by way of our Constitution, because if you look at our Charter of Rights and Freedoms, it gives workers the right to join a union, and those rights are protected by way of—

**Mr. Peter Kormos:** Freedom of assembly.

**Mr. Gilles Bisson:** Exactly—well, a couple of ways, but the point is that our Constitution speaks very clearly on the right of workers to be able to join a union, to assemble and to do the things that these workers are trying to do.

One of the arguments that I've heard through this debate—well, through the lack of debate, by way of the non-participation on the part of the government members and the Conservative caucus. Whenever they've had a chance to speak to the media, it's to say, "Oh, my God, how terrible that New Democrats are standing in the House and they're debating this bill," and how somehow or other we're obstructing the process here in the Legislature.

I want to first of all remind members of the government and those others who are watching that we are not being dilatory. We're not ringing bells; we're not doing the types of things to try to slow down the passage of this bill. All we are doing is what we have the right and responsibility to do, which is to debate issues on the floor of the Legislature and to bring views to what the government is doing by way of this bill. That is our democratic right, but more importantly, that's the democratic right of citizens.

For members of this assembly on the government side and the Conservative side of the House, under the McGuinty government and under the Tories, to say that somehow or other this is a bad thing—I really find that offensive. At the end of the day, all of us have rights as citizens, and every person in this Legislature and everybody within our society should be protecting those rights to the ultimate degree.

We all know that democracy is not something that came easy. We all know that democracy was won—how? It was won by blood. It was won by people standing up and saying, “Enough of being under the yoke of a king or a queen” or other tyrants at the time, who didn’t have constitutional systems as we have now with Legislatures and elected bodies. People basically took to the streets; people went out and picked up guns, unfortunately, and defended their rights as citizens in their society.

On November 11, I, as every other member of this assembly does, gather at some cenotaph somewhere where I listen to the Premier. I’ve listened to the Prime Ministers of this country over the years and others say how the God-given right we’ve got to democracy is so sacrosanct and how much we should thank those who fought in wars to protect that right. I take that seriously. But the first chance that they got, they ran back into the Legislature and they said: “To heck with those rights. We think it’s a bit uncomfortable and a bit cumbersome to give workers rights. Therefore we’ll pass a bill to get rid of those rights, and everything will be fine because we care about students.”

Well, my friends, yes, we care about students—all of us in this House. Most of all, those teachers’ aides and others who are on the picket line care about students, as my good friend France Gélinas pointed out in the speech she made earlier. But if you care about students, you should also care that they get the education they require, and that means that yes, people need to be treated fairly, they need to be compensated properly for the work that they do. And more importantly, you need to have an atmosphere within the university or school or wherever it might be so that these people, when they come to work, feel valued, are supported by their administration and are able to do the work that they love to do—and they do every day—in a way that makes sense for them as workers and works for the people who are learning.

For this government to say, “Oh, this is all about students”—I want to remind you, if it’s about students, we would be worried about making sure that these workers are well treated so that they have the ability to provide the type of service that they want to provide to the students at York University and, later, in other universities across this province.

The government has a responsibility. It’s really interesting. You listen to the government and they say, “Oh, this is all the fault of the union. These workers, they’re getting in the way. They’re walking on picket lines. They’re unreasonable.”

“They don’t want to negotiate” is the argument of the government. Well, we know what has happened. The union sat down, as a process of collective bargaining, and tried to negotiate a collective agreement with their employer. The employer has known all the way along that all they had to do was sit and wait it out, and what’s going to happen? Dalton McGuinty would come running in with a white horse and bring in legislation to order the workers back to work. Why would the employer—in this case, York University—take the process of bargaining

seriously if they know at the end of the day the government is going to legislate the workers back to work? As the strike progressed longer and longer, it became clearer and clearer at the bargaining table—or lack of a bargaining table—that in fact it would become more and more likely that the government would order the workers back to work, because they had people like Mr. Shurman and others leading the charge in order to take the rights of workers away.

I just say, the government had a responsibility and they didn’t take it. The fundamental problem was this: One, the university system is not properly funded. We are number 10 across this country when it comes to the level of funding that universities get. That’s important for this debate, because it means that the university is not able, to the degree that they would like, to meet the requirements at the bargaining table that the union has put in the way of proposals to the employer.

So the government sits back and says, “It’s the fault of the union. That bad Sid Ryan. Those bad CUPE members and others.” Well, who is really responsible for the universities? It’s the government of Ontario. We fund the bulk of the money they’ve got, and if we’re not funding them adequately, of course there’s going to be a problem at the bargaining table. So the government could have solved this by doing a couple of things. They could have sat down with the university sector and said, “Listen, how do we deal with the reality of the situation you find yourselves in, where 7% of the entire budget of the university goes to TAs and GAs, the people out on the picket line, and they represent 54% of the teaching being done in the institution?” It doesn’t make any sense.

They could have sat down with the university sector, the Minister of Training, Colleges and Universities, along with the Minister of Finance and maybe the Premier, and said, “Listen, we recognize there’s a problem. We can’t fix it in one day. We may not be able to fix it in one budget cycle. But we have a plan. We’re going to put some money on the table over a period of years in order to make sure that we can meet some of the demands that are being made, because we also value the work that these people do who are out on the picket line.” No. Instead, they choose to do what? They choose to play the blame game, not fund the universities, and in the end basically blame it on the people on the picket line and use back-to-work legislation. So I say the Premier is responsible for the situation we find ourselves in, and for him to argue otherwise, I find somewhat difficult.

I’ll tell you, if Howard Hampton had been the Premier—and quite frankly, Howard Hampton should be the Premier, because I don’t think we’d be in this situation. He was very clear today at question period and afterward with the media, saying one of things he would have done if he was Premier was pick up the phone and call the university president and say, “Get back to the table.” Then the university would have said, “Mr. Premier, Mr. Hampton, what do you mean?” “Get back to the table, because at the end of the day, if you don’t do what is right by way of collective bargaining, I’m going

to have something to say about it.” And he could have put some pressure on the university to negotiate. Why? We know an agreement is possible.

This is really what’s galling about all of this. The union had demands that they put on the table. They had retreated from some of those demands and they had come within a wisp of being able to get an agreement. If you look at what the outstanding issues are on the table, getting the president of the union to order his bargaining team back to work and the Premier holding the president of the university accountable to fair bargaining would get us an agreement. We wouldn’t to have sit here in this Legislature and debate. We would allow democracy to work and the workers to freely bargain a collective agreement. But the government says, “No.” The Premier says, “No. Those are universities. They’re independent. They’ve got nothing to do with me.”

He loves to stand up with his Minister of Training, Colleges and Universities and take credit for all kinds of stuff in our colleges and universities, but when it comes to having to take responsibility to make sure workers are treated fairly, he says, “Oh, no, it has nothing to do with me.” I’m sorry, it doesn’t cut it. Either you sit in the Premier’s chair and you act like a Premier and do what has to be done—and sometimes, yes, it’s difficult—or you basically decide to play the blame game that you’re playing now. I say to the Premier of Ontario, Mr. McGuinty, shame on you for having put the workers in this position. More importantly, shame on you for putting the students in this position. This strike has gone on for the length of time it has because of your inability and your lack of wanting to find a resolution to this problem, because in the end, the problem lies with how this government has dealt with universities. I don’t accept for one second that the Premier’s argument is, “We have nothing else to do but pass back-to-work legislation,” because, my friends, there’s a lot more that has to be done and a lot more that could have been done.

**1640**

I want to also, in regard to this debate, talk about how we would feel, as members of the Legislature, if we were applying back-to-work legislation principles to other rights that people have in our society and to what degree the media and the public would be apoplectic. This Legislature would, quite frankly, be going through the roof. Can you imagine if we were to bring legislation into this House that said we were going to take away the rights of women in some way? What would we be saying? We’d be saying, “That’s preposterous. You can’t do that.” The government across the way will say, “Well, that would never happen.” But it’s the same principle. You’re using, by way of legislation, a hammer in order to take away a person’s constitutional rights protected under the Constitution and the rights protected under the Ontario Labour Relations Act. If you were to try to do that when it came to taking rights away from gays, women, aboriginal people, francophones or whoever, we’d be jumping through the roof and the media wouldn’t buy it for two seconds. But because it’s workers, it’s okay? I really find that galling.

In the end, our Constitution is there to protect us—and why do we know that? Because there has been a Supreme Court decision. The Supreme Court decision in the case of British Columbia said a government cannot use back-to-work legislation as a tool for ending a messy negotiation—or not wanting to pay in order to get a settlement. The Constitution says you have to maintain the rights of the individual and the collectivity of the workers by way of the spirit of the Ontario Labour Relations Act or another provincial labour relations act, and if you look at the decision of the Supreme Court, they’re pretty clear about that.

There are only a few occasions where we have the ability as a Legislature, according to the Supreme Court, to order workers back to work. One is for essential services—police, fire, others. There is a rule of law that says that those are essential services and that we recognize certain services must be provided in the nature of their business, such as police or others. The only other way you can do it would be a national crisis. Well, is there a national crisis? I guess you could argue there’s a Conservative government in Ottawa—that’s a national crisis if I’ve ever seen one. And there’s a Liberal government in Ontario, so that’s a provincial crisis.

**Mr. Peter Kormos:** The Senate.

**Mr. Gilles Bisson:** And the Senate in itself is a crisis.

My point is that there’s no national crisis.

So there are three litmus tests to be able to order workers back to work, according to the Supreme Court: if you’re deemed an essential service, and that’s not the case; if you’re in a national crisis, and that’s certainly not the case; or if there’s clear deadlock.

The government says, “Well, there’s a deadlock.” I hear Mr. Shurman saying, “Deadlock, deadlock, deadlock, deadlock.” That’s all he can say. I hear Mr. Caplan and others get up in the House on the government side and say there’s a deadlock. Some deadlock. The union has basically gone to the table and said, “Listen, here were our demands. They were this big, and now they’re this big.” The union is trying to get back to the table to negotiate a collective agreement. They have done what you do in bargaining all the time, from either the employer’s side or the workers’ side, and that is give and take. The union has, in this case, given. They said, “Okay, we hear the employer. We’re prepared to moderate our demands.” So they have taken off the major stumbling blocks to getting an agreement and they have agreed to much of what the employer wanted, save for a couple of issues which they’re really not that far apart on.

So is there a question of deadlock? I don’t think so. I think it’ll be clear that when this thing goes to court—and I want to thank the Premier and others for making the argument for the lawyers to use when they go to court, because everything we say here can be used in a court of law. It was interesting to listen to some of the comments by the Premier earlier today and others in regard to this particular case. My guess is, as my friend Paul Miller said, even a bad lawyer could win this at the Supreme Court.

I say to the government, this is really sad, because now you've got a situation where you're going to get your way. You're a majority. The Conservatives and Liberals together are 90% of the House, and they will freely and gladly trump the rights of workers and take away the right to collective bargaining, and they'll feel good about that. They're going to go and have press releases after. I'm sure they're going to go down to the bistros and have a couple of beers and say, "Look at the great work we did. If it hadn't been for the NDP we could have done it on Sunday." Well, no, we're not going to let you do it on Sunday. We're going to do what we have as a responsibility, and that is to make sure you stand up for individual rights.

This is not a question where the union and the employer are asking to be ordered back to work. That's not what's happening. It's not a deadlock, it's not an essential service, and it's certainly not a national crisis.

I believe that when this thing goes to court, the Supreme Court will be pretty clear about what this government has done and what this Legislature has done, and I'll be proud to say, as a New Democrat, that I stood up in opposition to the legislation, even though it might be unpopular with some to do what is right.

I remind people of a guy by the name of Tommy Douglas. This may not be as analogous, but I want to make a point. During the War Measures Act, Tommy Douglas and the NDP stood up in Ottawa and said it was wrong to order in the army and to suspend the rights of citizens during the October crisis back in, I guess, the early 1970s. I was a young boy growing up then—I would have been 12 or 14 years old—and I remember asking my mother, "What's this all about?" She told me what it was all about—I'm not going to explain; we all remember in this Legislature—but Tommy, along with the NDP caucus, stood and opposed that. It was very unpopular to do—

*Applause.*

**Mr. Gilles Bisson:** —but we applaud him, because in the end, the NDP was proven as being right: You cannot suspend the right of citizens. Whether it be a War Measures Act or whether it be an issue of collective bargaining, you shouldn't be suspending the rights of workers by way of legislation. It's contrary to the spirit of the law, it's contrary to the spirit of this nation and what this nation and this province are all about, and it's just wrong.

Je veux complimenter ma collègue M<sup>me</sup> Gélinas, qui a parlé de son expérience personnelle à l'Université Laurentienne. C'est une histoire que je n'avais pas entendue avant, mais ça donne une face humaine, comme on dit, à la question. M<sup>me</sup> Gélinas a vécu la situation du côté d'une étudiante. Elle a reconnu même là—c'était frustrant, j'imagine—et elle a compris qu'à la fin de la journée, c'est important pour les travailleurs d'avoir le droit de s'associer et de négocier des conventions collectives, puis que l'on alloue que le processus passe. Oui, ce n'est pas le fun des fois. C'est vrai que pour les étudiants c'est difficile. On le reconnaît comme parti néo-

démocratique; il n'y a pas question. Mais à la fin de la journée elle a compris dans ce temps-là, en 1985, comme on comprend aujourd'hui, qu'il est nécessaire de passer à travers le processus de négociation.

Je vais vous conter une histoire. C'est une histoire qui m'est arrivée quand j'ai commencé à travailler au début des années 1970. Pour mon premier job, j'étais à Montréal. Un petit gars du nord de l'Ontario s'en va à Montréal pour pogner un job. Je fais les entrevues; ça prend une semaine, une semaine et demie. Je fais des applications puis je fais des entrevues et tout ce qu'on est supposé de faire pour avoir un job. C'était vraiment un bon job dans une manufacture à Montréal qui était impliquée dans l'aviation, quelque chose que j'ai toujours aimé.

La journée de travail était lundi matin. C'est la même histoire qui est arrivée à M<sup>me</sup> Gélinas, mais ce n'était pas une question d'université; c'est un « plant » de production dans l'aviation. J'arrive là, et ce qui arrive est que les travailleurs sont tous en grève—ma première journée de travail. Je ne savais pas ce qui se passait. Il y a un syndicat, ils sont tous là avec leurs « picket signs », et ils sont en train de marcher devant le « plant ». Le gars qui avait fait l'entrevue, qui voulait m'engager, était à l'autre bord et il me faisait signe comme, « Viens, viens ». Je me suis dit, « Je ne m'en vais nulle part; il ya un gang de gars ici ». Je ne voulais pas traverser la ligne de piquetage.

J'ai décidé, avec le syndicat—je pense que c'était le AEM à ce temps-là. J'ai poigné ma pancarte et je me suis promené avec eux autres pendant la journée. À la fin de la journée j'ai parlé au téléphone avec le gars qui était mon patron, et il m'a indiqué que je n'avais plus de job parce que je suis resté derrière la ligne de piquetage au lieu de venir au travail.

Donc, je comprends aussi comme travailleur que des fois la ligne de piquetage n'est pas le fun, mais c'est nécessaire. Ce qui est important dans ce cas-là est que ce monde a trouvé une entente collective qui était mise en place après une couple de semaines de travail, et ce monde-là a été capable de vivre une meilleure vie.

Donc on comprend, nous, les néo-démocrates, à quel point c'est important d'être capable de négocier des ententes—des conventions collectives. Après tout, c'est le mécanisme qui permet à nos sociétés d'être capables de donner mieux aux travailleurs, de donner plus aux travailleurs, et de pouvoir vivre la vie qu'on veut avec la dignité et le respect qu'on doit avoir et l'importance de pouvoir mettre en place—je suis en train de regarder mon ami à l'autre bord.

Peter, I want to thank you so much. I was really worried about that situation. I want to thank my friend Mr. Peter Kormos for helping me out in this particular debate the way that he has. But I think you need to go back, Peter. He's back at it again.

*Interjection.*

**Mr. Gilles Bisson:** Is there a doctor in the House? Maybe an anaesthesiologist.

I thank you very much for this time in debate. Very sadly, this legislation will move forward.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Bas Balkissoon:** I look forward to voting on this bill as soon as possible to have the students back in their classrooms.

1650

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Paul Miller:** I'm glad to see that the government is enthusiastic and on top of things, as usual.

I'd like to commend the members for Hamilton Centre, Nickel Belt and Timmins–James Bay for their fine presentations today. It warms my heart to hear that they have great concerns. They have depth, they actually have done research and they have followed up with a wonderful presentation. I can't say that for the rest of the House.

In reference to some of the comments from the member for Timmins–James Bay, we share a bit of a past. We both are steelworkers. We both come from labour roots. I can safely say that in the 34 years that I spent in the Steel Company of Canada, now US Steel, my family had over 300 years' service in that plant. Trust me; as middle-class people, we probably wouldn't have achieved that status in life at all if it hadn't been for collective bargaining, if it hadn't been for the ability to stay out for months on end to fight for our rights. I personally went through two tough strikes for months on end. Sometimes I went back for less than a dollar, but you know what? We fought, because they would have taken that dollar away. We would have been working for slave wages. I wouldn't have had a car. I would have taken the bus to work and I'd be lucky if I had a lunch pail and a lunch.

What are we doing here in Ontario? Are we taking away the right of people to strike? Are we taking away the right to bargain for a better life? I'll tell you, my three children wouldn't have finished university if I hadn't had the job I had—a hard-working job, a tough job—but I put those kids through school and I'm proud of it. I'm proud of them and I'm proud of these people.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Ms. Cheri DiNovo:** I want to commend the member for Timmins–James Bay for his presentation. I would add to it and say that it's not only our right to debate a bill that is put forward in this House, but it's absolutely our duty to do so.

Can you imagine if every bill a majority party put forward before the House was not debated and was handled the way this bill has been? I know the vast majority of the e-mails I'm receiving say that we're stalling the democratic process. We're not stalling the democratic process; we are keeping the democratic process alive in this Legislature. That's what we're doing here. I find it very, very sad that we have to justify collective bargaining. If it weren't for unions, if it weren't for collective bargaining, we wouldn't have any employment standards rights at all. We would have a Dickens world

with child labour and with women not getting jobs. I remember, from my own history, signs saying, "Help wanted male," "Help wanted female." All of those rights we experience, we get because of union work and we get because of collective bargaining. So shame on you that we have to stand here and shame on all of those who wrote e-mails challenging the right to collectively bargain. That's why we have jobs of any substance in this country.

I think it's very sad. It's a tyranny of the majority, in fact—that's what's happening here—where the majority party simply rubber-stamps some legislation and pushes it through, has nothing to say about it, nothing to say from the official opposition, and only we in the New Democratic Party are keeping the process alive in the Legislature by actually speaking to a bill—how revolutionary a thought—actually debating legislation. How radical is that? How radical is that to actually say something about legislation? So that's what we've got here. We have the government tyranny of the majority standing in the face of democratic process and standing in the face of collective bargaining. That's what CUPE has defended, the Canadian Federation of Students has defended and the NDP.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mrs. Linda Jeffrey:** I look forward to voting on Bill 145 as soon as possible.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Timmins–James Bay, you have two minutes to respond.

**Mr. Gilles Bisson:** I just say to my honourable Liberal colleagues that your speech writers shouldn't be paid too much today because those speeches were not very long. It's just unbelievable that you've got to read that. My God. Anyway, that's just beside the fact.

I just want to say—this is the last two minutes at second reading—this is a sad moment. In fact, what we're doing here in this Legislature, quite frankly, is trying to take away the rights of workers to free and collective bargaining. The employer had an opportunity to resolve this dispute by getting to the table. The employer at any time could have gone to the table. They still can go to the table—because there's time—and resolve this because we know the union is prepared to negotiate and has put on the table a reasonable counterproposal to the employer that allows a settlement to happen quite quickly.

I say to the government: Shame. The Premier could have picked up the phone, as was suggested by our leader, Howard Hampton, and said to the president of the university, "Get back to the table." That is something that could have been easily done, and we could have been in a situation of resolving this particular dispute tonight. If this were to happen, I would guarantee you—and I'm looking for nods; they're saying yes—they would be able to get an agreement, probably by tomorrow morning, if the Premier were just to pick up the phone and force the president to call the bargaining team back to the table and

work out an agreement. But instead, the government is going to use the heavy hand of the majority. It's what they call the tyranny of the majority, where, every now and then in a democracy, the majority runs over the rights of individuals and runs over the rights of the minority. I think this is a sad day for Ontario.

I say to the government: You still have a chance. The government still has a chance to do what's right and try to get it resolved at the bargaining table by ordering the employer to get back to the table. I would be the first one to congratulate the government that they did so. I just look forward to the government finally coming to their wits and doing what's right.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Does any other member wish to speak?

On January 25, Mr. Fonseca moved second reading of Bill 145, An Act to resolve labour disputes between York University and Canadian Union of Public Employees, Local 3903. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

We'll call in the members. This will be a 30-minute bell.

I have received a deferral notice in proper order that, pursuant to standing order 28(h), a deferral on Bill 145 is requested. This vote will be taken tomorrow after question period.

*Second reading vote deferred.*

Orders of the day.

**Hon. Monique M. Smith:** We have no further business, Mr. Speaker. I move adjournment of the House.

**The Deputy Speaker (Mr. Bruce Crozier):** The deputy House leader of the government has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

This House is adjourned until 10:30 of the clock, Wednesday, January 28.

*The House adjourned at 1658.*

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Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
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Jeffrey, Linda (LIB)	Brampton–Springdale	
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Martiniuk, Gerry (PC)	Cambridge	
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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	

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
<b>Peters, Hon. / L'hon. Steve (LIB)</b>	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
<b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	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
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	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	
<b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Nipissing	Minister of Tourism / Ministre du Tourisme
		Deputy Government House Leader / Leader parlementaire adjointe du gouvernement
<b>Smitherman, Hon. / L'hon. George (LIB)</b>	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	
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	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	
<b>Watson, Hon. / L'hon. Jim (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth–Wellington	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
<b>Wilson, Jim (PC)</b>	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
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	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 Ageloni, 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 Oraziotti  
Robert Bailey, Jim Brownell  
Linda Jeffrey, Kuldip Kular  
Rosario Marchese, Bill Mauro  
Carol Mitchell, David Oraziotti  
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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