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des débats
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Jeudi 1^{er} octobre 2009

**Standing Committee on
Justice Policy**

Ontario College of Trades
and Apprenticeship Act, 2009

**Comité permanent
de la justice**

Loi de 2009 sur l'Ordre des métiers
de l'Ontario et l'apprentissage

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
JUSTICE POLICY**

Thursday 1 October 2009

**COMITÉ PERMANENT
DE LA JUSTICE**

Jeudi 1^{er} octobre 2009

The committee met at 0906 in committee room 1.

ONTARIO COLLEGE OF TRADES
AND APPRENTICESHIP ACT, 2009
LOI DE 2009 SUR L'ORDRE DES MÉTIERS
DE L'ONTARIO ET L'APPRENTISSAGE

Consideration of Bill 183, An Act to revise and modernize the law related to apprenticeship training and trades qualifications and to establish the Ontario College of Trades / Projet de loi 183, Loi visant à réviser et à moderniser le droit relatif à la formation en apprentissage et aux qualifications professionnelles et à créer l'Ordre des métiers de l'Ontario.

The Chair (Mr. Lorenzo Berardinetti): I call this meeting to order of the Standing Committee on Justice Policy. Today, we have Bill 183, An Act to revise and modernize the law related to apprenticeship training and trades qualifications and to establish the Ontario College of Trades. We're doing clause-by-clause. Before we begin with that, I was just advised that Mr. Marchese is stuck in traffic and will be a few minutes late. There is an NDP amendment, and I would just ask, when we get to it, if we could have unanimous consent to hold it down until he gets here in the next five minutes. Is that okay with everybody?

Mr. Kevin Daniel Flynn: We'd agree to that; definitely.

The Chair (Mr. Lorenzo Berardinetti): Thank you very much for that consent.

Are there any comments, questions or amendments to any section of the bill, and if so, to what section?

Mr. Kevin Daniel Flynn: Our first amendment is a housekeeping amendment to section 1, the definition of "Minister's regulation."

I move that the definition of "Minister's regulation" in section 1 of the bill be amended by striking out "74(2)" and substituting "74(3)."

It's just a correction of a subsection reference, just housekeeping.

The Chair (Mr. Lorenzo Berardinetti): Any debate on this? None? All in favour?

Mr. Robert Bailey: I'll call for a 20-minute recess.

The Chair (Mr. Lorenzo Berardinetti): Sorry? You'd like to call a—

Mr. Robert Bailey: A 20-minute recess. According to clause 129(a).

The Chair (Mr. Lorenzo Berardinetti): You are asking for a 20-minute recess?

Mr. Robert Bailey: Sure.

The Chair (Mr. Lorenzo Berardinetti): Pursuant to the standing orders, that's permitted. All right. So we are then recessed for 20 minutes and will return back at 9:30.

The committee recessed from 0907 to 0927.

The Chair (Mr. Lorenzo Berardinetti): The time now being 9:30, I call the meeting back to order. We were dealing with the government motion on page 1. All those in favour?

Mr. Garfield Dunlop: Recorded vote.

The Chair (Mr. Lorenzo Berardinetti): I'm sorry.

Mr. Garfield Dunlop: I asked for a recorded vote.

The Chair (Mr. Lorenzo Berardinetti): I'm just going to make reference to—

Mr. Rosario Marchese: Mr. Chair, if I can ask you—in this room, it's a lot more difficult to hear people. So I'm going to urge everybody to speak up, because I'm getting older.

The Chair (Mr. Lorenzo Berardinetti): I'm just looking at standing order 129(a): "Immediately after the Chair of a standing or select committee has put the question on any motion, there shall be, if requested by a member of the committee, a wait of up to 20 minutes before the vote is recorded." I think you should have asked for a recorded vote before he asked for the 20-minute adjournment.

Mr. Garfield Dunlop: Okay, then; I'll withdraw that request for a recorded vote.

The Chair (Mr. Lorenzo Berardinetti): All right. All those in favour? Opposed? That carries.

The next motion is an NDP motion. Mr. Marchese, you have the floor.

Mr. Rosario Marchese: Sorry. Where are we, Mr. Chair?

The Chair (Mr. Lorenzo Berardinetti): On page 2.

Mr. Rosario Marchese: Page 2?

The Chair (Mr. Lorenzo Berardinetti): Yes, on page 2. Sorry; I'll try to speak louder.

Mr. Rosario Marchese: I move that part I of the bill be amended by adding the following section:

"Phased implementation

"1.1 This act shall be implemented in phases, as follows:

"1. Initially, the act shall apply only in respect of trades that are,"—

The Chair (Mr. Lorenzo Berardinetti): My apologies, and this is my fault. That was the only amendment under section 1, so I'm going to then ask, before we get to section 1.1: Shall section 1, as amended, carry? Section 1 stands as a separate section; we need to vote on section 1. I should ask first: Is there any debate on section 1?

Shall section 1, as amended, carry? All those in favour? Opposed? Carried.

Now we move to section 1.1, which is Mr. Marchese's motion. I do apologize.

Mr. Rosario Marchese: It's okay. Do you want me to start again?

The Chair (Mr. Lorenzo Berardinetti): Yes, please.

Mr. Rosario Marchese: I move that part I of the bill be amended by adding the following section:

"Phased implementation

"1.1 This act shall be implemented in phases, as follows:

"1. Initially, the act shall apply only in respect of trades that are,

"(i) certified trades under the Trades Qualification and Apprenticeship Act, or

"(ii) restricted skill sets under the Apprenticeship and Certification Act, 1998.

"2. The act shall apply in respect of any other trade,

"(i) when it is prescribed as a compulsory trade, or

"(ii) when a provincial advisory committee or industry committee recommends, after an industry-wide consultation, that it be brought under the authority of the college."

The Chair (Mr. Lorenzo Berardinetti): Any debate?

Mr. Rosario Marchese: Yes. The tradespeople made a good case to phase in this act in the following manner, and I believe that it makes a great deal of sense to proceed in that manner. There was some significant debate about whether or not the voluntary sector should be included at once, and there were a number of problems. A number of arguments that were made were that the voluntary sector may, for a variety of reasons, not want to jump in right away. The fees were one of the discouraging parts that they mentioned, that some of the members who were already governed by a different college would find this another burdensome problem to be part of and that the fees would be an element of discouragement in being members of this act. So they argued persuasively that it should be phased in. So, if you go with the trades, they are ready and eager to be part. Once you establish that and you create credibility around the act, it would be much easier for the other volunteer sectors to come into compliance with the bill. I think it makes sense. I think they made a good case, and I'm hoping that the government members might support it.

The Chair (Mr. Lorenzo Berardinetti): Any further debate?

Mr. Kevin Daniel Flynn: Mr. Marchese was right. The building trades did make what I think is a very good argument that has been considered. A phase-in was considered, as I said, in a very serious manner. At the end

of the day, it was decided to proceed, as the way it was originally envisioned would be a much more inclusionary way of dealing with the college. At this point, we would not support it.

Mr. Garfield Dunlop: I appreciate the comments made by Mr. Marchese. I would agree that, particularly in light of the fact that this is a new bill that has not been very well promoted anywhere, a lot of journeymen tradespeople know nothing about this as an act. I think, if we're going to move forward with this bill and look at it in the big picture and try to make people inclusive and make sure they understand what's actually happening out there, that a phase-in would add to it. So I would support the amendment made by Mr. Marchese.

The Chair (Mr. Lorenzo Berardinetti): Any further debate or comments?

Mr. Garfield Dunlop: Mr. Chair, I'd like to caucus this with my colleagues. Under standing order 129(a), I'd like a 20-minute recess.

The Chair (Mr. Lorenzo Berardinetti): A 20-minute recess; okay. So we're recessed until five minutes till 10.

The committee recessed from 0934 to 0952.

The Chair (Mr. Lorenzo Berardinetti): I'd like to call the meeting to order once again. We were dealing with the NDP motion. I'll call for a vote. All those in favour?

Mr. Kevin Daniel Flynn: Which one is this?

The Chair (Mr. Lorenzo Berardinetti): This is the NDP motion on page 2. All in favour? Opposed? That does not carry.

Now we have to vote on—

Interjection.

The Chair (Mr. Lorenzo Berardinetti): I'm sorry. There is another one here. On page 3, there's a PC motion. Either Mr. Bailey or Mr. Dunlop.

Mr. Garfield Dunlop: I move that part I of the bill be amended by adding the following section:

"Economic analysis

"1.1 Before a proclamation is issued under subsection 103(1), the minister shall ensure that an economic analysis of the impact of this act,

"(a) is conducted by a person who is independent of the government of Ontario; and

"(b) is made available to the public."

The Chair (Mr. Lorenzo Berardinetti): Any debate?

Mr. Garfield Dunlop: If I could say a few words on this, Mr. Chairman and members of the committee.

The Chair (Mr. Lorenzo Berardinetti): Certainly, yes.

Mr. Garfield Dunlop: In the province of Ontario, we have, I understand, something like 470,000 citizens who actually have a C of Q, a certificate of qualification, issued by the government of Ontario. That represents all types of apprentices from all different walks of life, and it also represents tens of thousands of businesses across our province.

When we proclaim a piece of legislation like creating a new college, which is what we're doing here—and I think we all know that the reason this legislation came

forward is because there was so much pressure and so many questions were asked to the government of Ontario on the ratio formulas; we have been adamant that they should be changed. We felt that it was kind of an excuse not to proceed with any kind of a change to create this college. That's kind of how we're interpreting the introduction of the colleges act.

When we look at the overall impact and importance of people who hold certificates of qualifications to the province, they are people who basically generate wealth in most of the sectors they belong to. I'm happy and very proud to hold a certificate of qualification myself; I actually have had papers as a plumber, a plumbing contractor, a gas fitter and an oil-burner mechanic. My colleague beside me, Mr. Bailey, who's very interested in this legislation, holds a certificate of qualification as a crane operator. We have other people in the Legislature as well. I know Mr. Bisson is a certified electrician, and Mr. Hillier is as well. I'm not sure if there are any other people who hold C of Qs, but certainly as people who are traditionally not part of the parliamentary system, we feel quite proud that we were able to be elected. We all feel that we're good elected representatives for our taxpayers.

Based on that, I'm concerned about the cost to the taxpayers. What is this actually going to cost? When we look at creating a college, and we understand that for every certificate of qualification, C of Q, there's a number floating around of \$100—that's what I'm told, that the college will want to charge everyone \$100. Maybe when my comments are done, the parliamentary assistant can clarify if there has in fact been a specific dollar value put aside to be part of the college of apprentices.

Now, based on that, we also understand that there may be a fee to business operators. We would like to know, for example, if you're a three-man shop, what will that cost be and what will the impact be on businesses? If you're a hotel or a resort industry and you have to hire licensed tradespeople to do your work, what will the impact be of that, say for example, on the tourism sector?

Today, and I don't know if everybody in this room knows about it, but people who hold a certificate of qualification in a trade pay. For example, they've done their apprenticeships; they go on and pay their taxes, but every three years, they get a letter in the mail from the Ministry of Training, Colleges and Universities, and there's a bill that is sent to them. I believe, right now, that fee is around \$60 for every three years. We don't know, and this is why we want the impact analysis by an outside agency: Will that fee still exist? Or will the fee that licensed tradespeople, or people with a C of Q, pay to the college of apprentices be their fee?

We have all these sorts of concerns that affect individuals who are already paying their taxes; they're already paying for a licence and don't have any idea that this is out there. If you can imagine trying to reach 470,000 people in the province of Ontario who hold this C of Q, you can understand why it's important that we try to make those things happen. That's one of the reasons I supported the first amendment made by Mr.—

Mr. Rosario Marchese: Marchese.

Mr. Garfield Dunlop: —of the NDP. I'm sorry about that.

But on top of that, we also have the impact on, what this will mean to, for example, the construction industry. Let's say it's a fee of \$100 for the person holding the C of Q, and \$100 per employee by the businesspeople. We're just guessing that these are the numbers that might be tossed out there. What will those numbers mean when you take 470,000 at \$200 apiece? Where will that money be spent? How will that money be spent? All these sorts of things, as far as we're concerned, need to be addressed and before this bill is proclaimed. I think the general public has the right to know, not just to be hit with it in an overnight message or announcement. Six months from now you get your first bill, and you pay that amount forever. Is this a cost-saving proposal? In the end, is it a cost saving to the Ontario government that is being passed on?

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Obviously, for anyone holding a C of Q and who already pays their fee and suddenly they're going to have to pay another \$100 per year, that's a tax increase. We in our party are adamantly opposed to tax increases at this particular time. We don't think people can handle this. As you know, a lot of the 470,000 people who hold C of Qs today are out of work. What happens to people who retire and might want to hold on to their licence in case they want to go back? These are the types of questions that we think an impact analysis would work well with, and we think it would be to the benefit of all those tradespeople, all those people who hold C of Qs in all the different walks of life. We believe those 200 and some apprentices need to know, and the general public needs to know, what this impact will be.

Once this college is established, it's going to be very difficult to move it away; it's not going to be something that will be removed overnight. So we can't just let something pass through the House, affect 470,000 of our residents and then say, "Sorry, guys. You didn't do anything about it," and it's going to have another negative impact on an already stressed economy and an already have-not province. I think the questions we ask and the concerns we have today are very important. This is a very important part of the bill, and we certainly hope the government would support this.

The Chair (Mr. Lorenzo Berardinetti): Further debate?

Mr. Kevin Daniel Flynn: The government will not be supporting this.

You know, there's a time to stand up and be counted. There's a sense of excitement in the community, as I understand it from all the presentations that came forward. Among some young people who are thinking about potentially entering the trades, there's been a feeling in the past that the trades have played second fiddle to some other occupations and professions. Those days are gone. There's a feeling that the trades should have a form of self-determination that those who are employed in the

trades and the employer sector—it's time to move forward, it's time to really get off the fence. Either you support this college or you don't.

It was interesting to hear the member already talk about removing the college when we haven't even formed the college. We're in the process of forming the college, and the members from the Conservative Party are already talking about taking it apart.

We will not be supporting this. It's time to move on. We've seen some of the games being played already this morning. This is too important an issue to play games with, and it will not get our support.

Mr. Garfield Dunlop: Mr. Chair, if I may—

The Chair (Mr. Lorenzo Berardinetti): I have Mr. Marchese, and I'll put you down next. Go ahead, Mr. Marchese.

Mr. Rosario Marchese: I have to admit that there are some points I agree with the Conservative member on, but there are many others that I disagree with. The way the bill is written suggests that there will be a negative impact, obviously, on everyone, in particular the people around whom we're trying to create regulations. If you look at the objects of the college, they say:

“To establish the scope of practice ...

“To regulate the practice of trades ...

“To develop, establish and maintain qualifications for membership ...

“To issue certificates of qualification ...

“To promote the practice of trades,” which is what Mr. Dunlop is saying we should be doing, I imagine.

“To establish apprenticeship programs and other training programs for trades,” which I'm assuming you agree with.

“To determine appropriate journeyman to apprentice ratios for trades subject to ratios,” which is something the Conservative members obviously speak frequently to.

My sense is that they will come up with a ratio that will reflect the needs of the trades and the needs of our economy as well, but it will be done by people who have expertise in the field. I think it's as objective as you probably can get.

When you look at the objects of the college, it's really very difficult to think we wouldn't be supporting this. While there are disagreements in some areas where we might make it stronger and/or weaker, I think the objects of the college—I refer to the college because I suspect the Liberals are not going to change the title, so I'm going to refer to it as the college of trades until we get to my amendment.

Mr. Kevin Daniel Flynn: That would be a safe move.

Mr. Rosario Marchese: I thought it would be.

I really do believe we need to move on. I don't believe there is a negative impact on society in general. There might be a negative impact on some of the voluntary trades that will have to fork out \$100 to become members. I think it will put a burden on many members—I'm not sure whether the parliamentary assistant will speak to that, but I believe it does. Many of these

members in the voluntary sector don't hold a certificate of qualification—some do, but many don't—so it will be a burden on many of them. On the whole, I think it is a positive thing and there will be no negative impact as far as I can determine, so it's hard to support the motion.

Mr. Garfield Dunlop: I guess what I was asking for in the amendment was an economic analysis of what it costs the citizens of the province. We've seen enough of this nonsense with the harmonized sales tax and an \$18.5-billion deficit. I think we've got to start looking after the taxpayers, and I for one cannot support anything when I don't know what the cost will be.

If this college is some kind of fancy committee, and every time they turn around they have to turn to the expertise of some organization like Courtyard, I'm going to be a little bit upset. So we're going to ask these questions now. We're getting sick and tired of this crap we've seen with this government, particularly over the last two years—the harmonized sales tax; there's nothing better than that to look at. You may not want to agree with this and with my comments, and I don't expect you to very seriously consider what the economic impact on our taxpayers may be. But we on this side of the House in the Progressive Conservative Party are interested when it costs our taxpayers in the province.

Mr. Kevin Daniel Flynn: It really comes down to the question: Do you trust the trades? Do you trust the industry in this province to run a college in the way we would all like to see it run or not? On this side of the table, we do trust the college; we do trust the trades. We do trust that, when given the self-determination this bill envisions, they will govern themselves accordingly, and that's the impact of this. So if it's a question of trust, let me put clearly on the record that this government trusts the tradespeople in the Ontario.

Mr. Robert Bailey: I trust the tradespeople of Ontario too. I was one of them, probably one of the few people at this table, other than Mr. Dunlop and some others who were. So I've got on the record that I trust the men and women I used to work with in the field every day.

I'm concerned about the consultants, and people like that, who we know will invariably work their way in. They'll ingratiate themselves, and they'll be part of this in some fashion. I've heard from the Sarnia Construction Association. They represent the construction employers in my area. They employ over 5,000 tradespeople. They have a number of people who come in from time to time who are on permit. They can't always supply them from their own workforce, so those people have to come in. They have to take people who aren't, for example, licensed pipefitters, but they'll let them work on permit. These employers are asking me how this would work.

Going on further from that is the cost. The Sarnia Construction Association and the companies they represent are worried that this is just one more cost to them, one more burden, and that if a large project is destined for the Sarnia-Lambton area or anywhere in southwestern Ontario, this will be another cost burden that those businesses will have to pass on to those employers and

that they will have to work with them to try to manage this. As my colleague Mr. Dunlop said, the question we're asking is, who has done the economic analysis? Has anyone got anything they can bring to the table to show us that they did any kind of estimate at all of what this is going to cost?

Another group that came in here one day during committee—I was in most of those sessions—used the number \$40 million, which at this time is used at the Ministry of Training, Colleges and Universities. The question they're asking is, if and when this legislation passes, will that approximately \$40 million move with it from the ministry? Will it go to this new college of trades, or will they be raising all their own revenue to fund the overhead and run the college? Those are some of the types of questions that we're asking on this side, just on this amendment, not about whether we trust individuals who will be part of this, because I've said we do; I know Mr. Dunlop does and I'm sure Mr. Marchese does as well.

1010

We worked with those people at some time or another and we know them, and we do trust them. We're concerned about the other people, and we'll get into that a little later on, about how the composition of the committee, these PACs—whatever the word is going to be, whatever they're going to be called, how they're going to be formed, where the memberships are going to come from. Are they going to be appointed? Are they going to be elected? Are they going to be elected from the shop floor or are they going to be people who actually work and make a living and hold a C of Q? Those are the kinds of questions we're asking. I just want that on the record. If the parliamentary assistant has some information or if any of the other members do, I'd be glad to hear from them.

The Chair (Mr. Lorenzo Berardinetti): Thank you. Any further debate? All right. Then I'll call for a vote.

Mr. Robert Bailey: I'd like to call for a 20-minute recess, according to 129(a).

The Chair (Mr. Lorenzo Berardinetti): All right. According to the clock I'm looking at here, it's 10:13 and question period is at 10:30.

Mr. Robert Bailey: Come back at 2?

The Chair (Mr. Lorenzo Berardinetti): We'll have to return, then, this afternoon. The committee stands recessed until 2 p.m. this afternoon. Thank you.

The committee recessed from 1011 to 1404.

The Chair (Mr. Lorenzo Berardinetti): Good afternoon, everybody. I'd like to call the meeting back to order. This is the Standing Committee on Justice Policy. We're back on Bill 183, the Ontario College of Trades and Apprenticeship Act, 2009.

Just prior to our break, we had, on page 3, a motion put forward, a PC motion.

Mr. Rosario Marchese: It's on page 3?

The Chair (Mr. Lorenzo Berardinetti): It's on page 3.

I'm just going to call for a vote on this particular amendment. All those in favour of the amendment? Opposed? That does not carry.

Just to remind members of committee: Only those that are either substituted in or are members of the committee can vote. That way—

Interjection.

The Chair (Mr. Lorenzo Berardinetti): It's okay.

We'll move on to page 4, then. This is a PC motion. Ms. Elliott?

Mrs. Christine Elliott: I move that part I of the bill be amended by adding the following section:

“Religious objections

“1.1. If the appointments council is satisfied that an individual, because of his or her religious conviction or belief,

“(a) objects to being a member of the college; or

“(b) objects to paying fees to the college,

“the appointments council shall order that this act does not apply to the individual and that he or she is not required to pay any fees to the college, provided that amounts equal to any fees are paid by the individual to a charitable organization mutually agreed upon by the individual and the college, but if the individual and the college fail to so agree then to a charitable organization registered as a charitable organization in Canada under part I of the Income Tax Act (Canada) that may be designated by the appointments council.”

The Chair (Mr. Lorenzo Berardinetti): You have the floor if you wish to speak to it.

Mrs. Christine Elliott: This is an amendment that recognizes a long-standing tradition with respect to a religious objector clause. In the past, there was a process that was established whereby, if someone had a religious objection to joining a union, they were allowed to opt out as long as they paid a similar amount to a charitable organization, such as we've set out in this amendment, which mirrors that long-standing tradition, recognizing in this case that it's certainly analogous—the situation of a union—to being a member of a college of trades.

If someone does have a religious objection, then I would submit that this is something that we should certainly honour and uphold. In fact, we do have a long-standing tradition in Ontario of respecting human rights. One is not allowed to discriminate against anyone on the basis of religious conviction. I think that people's religious views should be upheld and they should be allowed to honour them.

The government did bring forward significant amendments to the Ontario Human Rights Code several years ago. In fact, that was one of the first things that we dealt with when I first came to Queen's Park. It was the first major piece of legislation that I dealt with. At that point, although we differed significantly on the way that the code should be amended, we certainly all did agree, on all three sides, that we do feel very strongly and honour people's human rights, including religious rights.

I would submit and hope that this would be an amendment that the government side and the NDP would be in favour of.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion?

Mr. Kevin Daniel Flynn: I'd like to thank the member for raising this issue. She's right: It is a very important issue and there is some precedent that is being set in other organizations, such as unions, where this is the method of doing things.

As it is being raised as an important issue, it has been noted—the advice we're receiving at this time is that it raises some constitutional issues and that it should be dealt with, but it shouldn't be dealt with by way of this amendment; it should be noted and dealt with either through the regulations, or the college itself should deal with it.

That's not to demean or diminish the issue at all. It's the opinion of this side of the House that this is a very important issue that needs to be dealt with. I thank the gentlemen who have raised it; they have spoken to me personally. It's one that will be dealt with. I will undertake to ensure that it is dealt with in the appropriate way as the legislation moves forward.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion?

Mrs. Christine Elliott: Mr. Chair, prior to a vote with respect to this issue, I would respectfully ask for a recess, pursuant to standing order 129(a).

The Chair (Mr. Lorenzo Berardinetti): So the committee stands recessed for 20 minutes, until, according to the clock—I'm going to use the clock here because it's different from my clock—2:32.

The committee recessed from 1409 to 1429.

The Chair (Mr. Lorenzo Berardinetti): We'll call the meeting back into order. We'll call a vote for the motion on page 4. All those in favour of the motion on page 4, please raise your hands. Opposed? That does not carry.

Before we move on to page 5, members of committee, I just want to bring to your attention: On sections 2 to 8, there are no amendments, so I'm just going to ask for unanimous consent if we can collapse sections 2 to 8 together, and move on to the next motion, which would have to do with section 9. Do I have unanimous consent?

Mr. Dave Levac: Now the vote.

The Chair (Mr. Lorenzo Berardinetti): All in favour? Opposed? Okay; that carries.

So we can move on to page 5, which is an NDP motion. I'll pass the floor to Mr. Marchese.

Mr. Rosario Marchese: I move that section 9 of the bill be struck out and the following substituted:

“Standards board established

“9(1) A board is established under the name Ontario Trades and Occupations Standards Board in English and Conseil ontarien des normes régissant les métiers et professions in French.

“Body corporate

“(2) The standards board is a body corporate without share capital and with all the powers of a natural person.

“Non-application of certain acts

“(3) The Corporations Act and the Corporations Information Act do not apply to the standards board.

“Not crown agency

“(4) The standards board is not an agent of the crown in right of Ontario for any purpose, despite the Crown Agency Act, and shall not hold itself out as such.”

The main point of it is just to change the name. It was made by the Ontario Federation of Labour, and I think it's a good title to have. I do believe that the name “Ontario College of Trades” does confuse people. I, and many others, think that when we talk about the college of trades we're thinking it's a college that deals with trades—a real college—and I think this is a more appropriate title. I'm not going to go on too long, because the Liberals don't support it, so there's no point carrying on. I just think it's useful to change the name, in spite of the fact that one of the deputants said that “college” has a great Latin foundation and blah blah blah, but I think it would make it easier if we chose this title that I'm proposing than the one you have proposed.

The Chair (Mr. Lorenzo Berardinetti): Any further debate? Mr. Flynn.

Mr. Kevin Daniel Flynn: It's an interesting idea, but it's not the idea that we'll support. This is about the college of trades. That's how it has been proposed to the stakeholders. That's what people have been passing comment on.

I think it's a huge step forward; it's viewed in the community as something that they want to see, and done quickly and expeditiously because it's going to mean some good things. So we will not be supporting the change in name.

The Chair (Mr. Lorenzo Berardinetti): Any further debate? Ms. Elliott.

Mrs. Christine Elliott: I'm just wondering if Mr. Marchese could indicate whether there are any other major objections from any other organizations that would be opposed to the change.

Mr. Rosario Marchese: Actually, there were only a couple that talked about the name change. There wasn't unanimous support, as there was for including apprentices on the board, for example. So there were some, but not many. For me, it's a way to talk about the trades that is clear and to talk about occupations that is also clear and to make a distinction between the two because they're not the same. Occupations have to do with acquiring a skill set that is not similar to what you have to have in a trade. In a trade, you're required to have two years as an apprentice, or three or four; an occupation doesn't require the same length of study.

In my view, it would have been a wonderful way to distinguish between the two—from authentic trades to skill set occupations. But clearly the government doesn't support that, so there you go.

The Chair (Mr. Lorenzo Berardinetti): Ms. Elliott?

Mrs. Christine Elliott: Mr. Chair, prior to a vote, I would again, in order to consider this matter, respectfully request a recess under standing order 129(a).

The Chair (Mr. Lorenzo Berardinetti): All right. This committee stands recessed until five minutes to 3 o'clock.

The committee recessed from 1434 to 1453.

The Chair (Mr. Lorenzo Berardinetti): I'll call the meeting back to order. We're looking at the motion on page 5. All those in favour of the motion? Opposed? That does not carry.

That completes the amendments regarding section 9. Shall section 9 carry? Carried.

Section 10: Any debate on section 10? None? Shall section 10 carry? Okay, that's carried.

We'll now do section 11. There's a motion here. It's an NDP motion on page 6.

Mr. Rosario Marchese: I move that section 11 of the bill be amended by adding the following paragraphs:

"2.1 To promote and ensure compliance with part II.

"2.2 To appoint inspectors for the purposes set out in subsection 54(1)."

We've heard a number of tradespeople talk to this. I believe, as they did, that there should be an object, that there should be a duty on behalf of the college to promote and ensure compliance. It's not in the act. Secondly, there should be a requirement to appoint inspectors for the purposes set out in subsection 54(1) rather than making it permissive, which means that they may or may not. There should be a duty to appoint inspectors, is the argument we make here. I think most Liberals would like this in general. We'll see.

The Chair (Mr. Lorenzo Berardinetti): Any further debate?

Mr. Kevin Daniel Flynn: Actually, we do like it in general, but we'd ask the members to look forward a little bit to page 8, which is a government motion coming forward that's going to change the objects. That's coming up, and I think it accomplishes it in a similar way but we think in an improved way.

Also, as we move further ahead, you'll be seeing that we're proposing to remove 74(1)(i) and subsection 54(1). It gives the ability to enforce, and I think that's what we're all looking for: to strengthen enforcement. So if you look ahead to that amendment—

Mr. Dave Levac: Before the break.

Mr. Kevin Daniel Flynn: Yes. If you look ahead to that amendment, if we ever get to it, I think that does the same thing. It strengthens enforcement, and I think we agree that we're all for strengthened enforcement.

The Chair (Mr. Lorenzo Berardinetti): Any further debate?

Mrs. Joyce Savoline: Prior to the vote, under 129(a) of the standing orders, I would ask for a 20-minute recess.

The Chair (Mr. Lorenzo Berardinetti): This committee stands recessed until 20 minutes after 3.

The committee recessed from 1457 to 1517.

The Chair (Mr. Lorenzo Berardinetti): Okay. It's 3:20. We're back in session. We'll vote on the NDP motion on page 6. All those in favour of the motion? Opposed? That does not carry.

We'll move on. On page 7; it's an NDP motion. Mr. Marchese.

Mr. Rosario Marchese: I move that paragraph 11 of section 11 of the bill be struck out and the following substituted:

"11. To enforce all laws, codes and standards within the jurisdiction of the college."

The simple point about this is that there are a lot of sections in this bill that are devoted to disciplining activities. The OFL, in particular, made this point, although OPSEU and CUPE did as well, that there are many members who are subject to existing laws, rules and codes, and that this would be yet another body that would create more disciplinary activities for their members. I agree in large part with that and feel that if there was a duty on behalf of the registrar to enforce all laws, codes and standards within the jurisdiction of the college, in effect, it would serve the purposes for most of the trades. That's what I think they want and that's what I think is reasonable, so that's why I moved it.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion?

Mr. Kevin Daniel Flynn: Same argument as before: We agree with the concept; we're doing it a different way.

Mrs. Christine Elliott: I wonder, Mr. Marchese, if you could just indicate if there's any confusion with respect to what might be within the jurisdiction of the college to deal with and what the members might be subject to with respect to other bodies.

Mr. Rosario Marchese: It's in some part confusion, but many of these trades are already subject to existing laws and contract agreements they have in place at the moment, so that applies to them. Then you've got another set of disciplinary rules against their members in this bill. I suspect that this is the bill that will have the ultimate enforcement ability, rather than the current laws that are already in place, and/or both. Will this cause some confusion? I don't know, but it will set in motion a whole set of procedures that will, potentially, harass many of the members, perhaps unduly in some cases, because all you have to do is write a letter saying, "This person was incompetent or whatever," and you're subject to a whole set of disciplinary activities. There may be a role for it, but I think it's a big burden. I think that if they just had a duty to enforce the current laws, that would do it. But clearly the government is saying that it will be dealt with in some other way through another amendment that they have coming.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion?

Mr. Jeff Leal: Time for a recess.

Mrs. Christine Elliott: Chair, prior to the vote on this matter, I would ask for a recess, pursuant to standing order 129(a). Thank you.

The Chair (Mr. Lorenzo Berardinetti): So we stand recessed. It's now 3:23 p.m., so at 3:43 p.m. we come back. Is that right? We're back at 3:43 p.m., then. Thank you.

The committee recessed from 1521 to 1540.

The Chair (Mr. Lorenzo Berardinetti): We're back in session now. We'll vote on the motion on page 7, the NDP motion—

Mr. Rosario Marchese: Is it my motion?

The Chair (Mr. Lorenzo Berardinetti): Yes. This is Mr. Marchese's motion.

Mr. Rosario Marchese: I support it.

The Chair (Mr. Lorenzo Berardinetti): All in favour? Opposed? That does not carry.

The next motion is on page 8. This is a government motion.

Mr. Kevin Daniel Flynn: I move that section 11 of the bill be amended by adding the following subsection:

“Same

“(2) In carrying out the objects described in paragraph 12 of subsection (1), the college shall consult with other entities, including ministries of the government of Ontario, that have legislative authority relating to compliance issues.”

In previous comments to Mr. Marchese, I said that we were strengthening enforcement. This very clearly gives the legislative authority to the college to consult with those existing compliance and enforcement agencies we have within the government, so hopefully it accomplishes the same thing.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion?

Mr. Rosario Marchese: Just briefly, I just want to say that it's not the same as mine. It doesn't accomplish the same thing, in two ways. One, “Consult with”? It's like, “Hey, Kevin. Come over to the house; we'll chat and we'll consult with each other about this or that, in matters relating to”—it's weak. All I want to say is, it's pretty weak. As long as you know that.

Mr. Kevin Daniel Flynn: I don't agree.

Mr. Rosario Marchese: Okay. I just thought I'd tell you.

Mr. Dave Levac: Maybe we should take a break to discuss it.

Mr. Kevin Daniel Flynn: I think that deserves a recess.

Mr. Rosario Marchese: No.

The Chair (Mr. Lorenzo Berardinetti): Okay. I have Mr. Leal and I have Mrs. Savoline. Who wants to go first? Mr. Leal, do you want to go first? Actually, I did see Mrs. Savoline—

Mr. Jeff Leal: Mrs. Savoline first.

Mrs. Joyce Savoline: Prior to taking a vote, I would ask for a recess under standing order 129(a).

Mr. Rosario Marchese: Absolutely, because the profundities of this is—

Mrs. Joyce Savoline: We have to talk about it.

The Chair (Mr. Lorenzo Berardinetti): Before we do, can we take Mr. Leal's comment—

Interjections.

The Chair (Mr. Lorenzo Berardinetti): Go ahead, Mr. Leal.

Mr. Jeff Leal: Thanks very much, Mr. Chair. It's interesting and I appreciate the legislative process, that we can move recesses ad nauseam for the next number of days, but it's interesting: I've got a lot of young men and women in Peterborough who are very anxious to get Bill 183 in place so they can fill their destinies because they want to get into apprenticeship programs and they want to get the opportunity to see the ratios modernized. All this is on hold as we go through, ad nauseam, these 20-minute recesses. I'll certainly convey that message back to the good folks of my riding as quickly as I can.

Mr. Rosario Marchese: You're not planning to hold it up for the whole year, are you?

The Chair (Mr. Lorenzo Berardinetti): I'm sorry. Ms. Elliott.

Mrs. Christine Elliott: I think, by the same token, though, one doesn't want to rush things through without thoughtful pursuit of the aims and goals of the legislation to make sure that we get it done properly in the first place and not lead to problems later on.

Mr. Dave Levac: Hence the recesses to discuss it.

The Chair (Mr. Lorenzo Berardinetti): Ms. Savoline has moved the 20-minute recess. We will return at five minutes after 4. Thank you.

The committee recessed from 1543 to 1602.

The Chair (Mr. Lorenzo Berardinetti): I call the committee back to order since it's now 4:05 p.m.

We have the government motion on page 8. All those in favour of the motion? Opposed? That carries.

Shall section 11, as amended, carry? All those in favour? Carried.

We move on to section 12. Shall section 12 carry? Carried.

We'll move on to section 13. On page 9, there's an NDP motion. I don't see Mr. Marchese—

Mr. Kevin Daniel Flynn: I don't mind setting that down. With the shenanigans that are going on today, it's not surprising that somebody may be a minute or two late for one of these recesses. So, I think, just as a courtesy, if you would move ahead to the government motion on page 10, I don't mind going back to the one on page 9—although, at the time, we won't be supporting it.

Interjection.

Mrs. Joyce Savoline: I regret the use of the wording of the member. To say “trivialize” when we're using a legitimate process as set out in the standing order, I think, is totally inappropriate.

Mr. Kevin Daniel Flynn: There's a lot of inappropriate stuff going on today; you're right.

The Chair (Mr. Lorenzo Berardinetti): Let's cool it for a bit—point well-taken and point well-taken. Could we at least set this aside, as a courtesy to Mr. Marchese, on page 9 and stick to what's in front of us here and move on to page 10, which is a government motion? Mr. Flynn.

Mr. Kevin Daniel Flynn: I move that subsection 13(1) of the bill be amended,

(a) by striking out “Five members” and substituting “Four members” in paragraph 2; and

(b) by adding the following paragraph:

“3. One member shall be selected as representing the colleges of applied arts and technology established under the Ontario Colleges of Applied Arts and Technology Act, 2002.”

Very briefly, other colleges have academics on the board. It was requested by the colleges, both individually and through their parent organization. It’s a move that the government agrees with.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion on this motion? None, so I’ll put the question. I’ll ask for a vote on this.

Mrs. Christine Elliott: Chair, prior to the vote being taken, I would ask for a 20-minute recess, pursuant to standing order 129(a).

The Chair (Mr. Lorenzo Berardinetti): Ms. Elliott has moved for a 20-minute recess, so we are recessed until—what time does that take us to?—until about 4:27 p.m. We’re recessed until 4:27 p.m.

The committee recessed from 1605 to 1626.

The Chair (Mr. Lorenzo Berardinetti): It now being 4:27, I’ll call the meeting back to order. We’re on, I believe, page 10. It’s a government motion. I’m just going to call the vote. All those in favour? Opposed? That carries.

We agreed to deal with page 9, the NDP motion. I don’t see Mr. Marchese here.

Mr. Kevin Daniel Flynn: As a courtesy again, Mr. Chair, we’d be happy to stand all the NDP motions down and move to the government motion on page 14.

The Chair (Mr. Lorenzo Berardinetti): Before we do this, we’re going to vote, I think, on a couple of sections here. I need unanimous—

Interjections.

The Chair (Mr. Lorenzo Berardinetti): On page 9, the NDP motion. Mr. Marchese, you have the floor.

Mr. Rosario Marchese: You guys move quickly. I’m going to move this, and when and if it fails, I will withdraw the other ones that are coming up so that we don’t waste our time here. I’m sure this won’t pass.

I move that paragraph 1 of subsection 13(1) of the bill be amended by striking out “each of the construction, motive power, industrial and service sectors” and substituting “each of the following sectors: construction, industrial, services and other occupations.”

It’s a minor change, but I think that “motive power” connects very much to “services” and so it fits in that category. We would add “occupations,” because occupations are separate from everything else. As we argued earlier—the royal we—occupations are different from the trades because the trades are authentic inasmuch as you’ve got to go through an apprenticeship program of two, three, four, five years, and occupations are broken down into various skill sets and don’t have the same length of time in terms of what one does to be able to become an authentic tradesperson. So “occupations” would distinguish one and the other, rather than making them one and the same. I think this is a better way to

divide these sectors. I’m looking for Kevin’s support on this.

The Chair (Mr. Lorenzo Berardinetti): Any further debate?

Mr. Kevin Daniel Flynn: I appreciate the intent, and it is an interesting amendment. I also appreciate the member’s intent to expedite the process by removing any associated amendments, should this fail. As we see it from this side of the table, each trade has the authority to govern its own scope of practice. The idea behind the concept, and I’m sure the member will agree with me, is to give the college some power itself. We feel that by supporting this, you wouldn’t be doing that. The scope of practice and the authority are already contained within the bill, as it’s proposed.

Mrs. Christine Elliott: I’d just like to clarify with Mr. Marchese that the amendment that you’re proposing really distinguishes between the actual functionality of what’s being done in the various categories.

Mr. Rosario Marchese: That’s what it would do. I just disagree with Kevin’s assessment of the whole thing. I don’t want to repeat my argument, but “occupations” is very different from “trades,” and this would distinguish one from the other. This bill lumps the two together and it creates a problem, because it doesn’t define what a trade is. It could be the various skill sets as they would follow under occupations and/or it could be a trade. There’s no distinguishing between the two. It’s one or the other; they’re both at the moment. This amendment, in my view, distinguishes between one and the other.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion?

Mr. Rosario Marchese: We need time to reflect on this for sure.

The Chair (Mr. Lorenzo Berardinetti): We’ll put the motion to a vote. I’ll put the question forward—

Mrs. Christine Elliott: I again would respectfully ask for a 20-minute recess, pursuant to standing order 129(a).

The Chair (Mr. Lorenzo Berardinetti): We are then recessed until—

Interjections.

The Chair (Mr. Lorenzo Berardinetti): Thank you. Until 4:54 p.m. But let’s be on time so that we can least get a couple more done.

The committee recessed from 1631 to 1651.

The Chair (Mr. Lorenzo Berardinetti): We’re back in session. We have the motion by Mr. Marchese on page 9. All those in favour? Opposed? That does not carry.

That completes section 13. Shall section 13, as amended, carry? Carried.

Sections 14 to 17: There are no amendments on those sections. Shall 14 through to 17 carry? Carried.

We’re on to section 18: an NDP motion. Mr. Marchese. It’s on page 11, section 18.

Interjections.

Mr. Kevin Daniel Flynn: The member offered to withdraw any associated—

The Chair (Mr. Lorenzo Berardinetti): I’m sorry. Are you withdrawing this?

Mr. Rosario Marchese: Yes, I am. I'm sorry; I was reading—

The Chair (Mr. Lorenzo Berardinetti): On page 11. I'm on page 11.

Mr. Rosario Marchese: Right. I'm just looking to see—I thought we had just dealt with that. Oh, yes we did, before; I got it. Yes, I'm withdrawing that.

The Chair (Mr. Lorenzo Berardinetti): Okay. So that's withdrawn.

We'll move on to page 12.

Mr. Kevin Daniel Flynn: That would be the same.

The Chair (Mr. Lorenzo Berardinetti): Page 12: Are you withdrawing that one as well?

Mr. Rosario Marchese: Yes.

The Chair (Mr. Lorenzo Berardinetti): Yes. Okay. Page 13.

I'm sorry; my apologies. Because you withdrew the one on page 12, I have to ask for a vote on section 18. Shall section 18 carry? Carried.

So now we're on section 19. On page 13, there's an NDP motion.

Mr. Rosario Marchese: I move that paragraph 1 of subsection 19(3) of the bill be struck out and the following substituted:

"1. Four members shall be selected from the relevant sector. Two of the members shall be nominated by the Ontario Federation of Labour and the Ontario Building Trades Council and selected as employee representatives. Two of the members shall be selected as employer representatives."

All I'm doing here is to give the Ontario Federation of Labour and the Ontario Building Trades Council the ability to nominate their own reps because they have a good sense of their own membership and a good sense of who they would like to have represented at that table, so I feel that they should be nominated by those two groups. Of course, they would be therefore selected as employee reps.

The Chair (Mr. Lorenzo Berardinetti): Any further debate?

Mr. Kevin Daniel Flynn: Should the process ultimately end up as this, and I don't think that would be quite satisfactory, we don't think at this point in time that it's a time to be exclusionary; it's a time to be inclusive. What we're saying is that when you review the guidelines that will be reviewed when we're doing the appointments council process, it's a time for the college and the appointments council to make up its mind as to how they would like to see the people appointed. If this was their choice, I don't think they'd get any argument from this side, but we really think it's a decision of theirs to make.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion? None? So I'll put the question.

Mrs. Joyce Savoline: I would ask for a 20-minute recess prior to the vote, according to clause 129(a).

The Chair (Mr. Lorenzo Berardinetti): Okay, so we'll recess for 20 minutes before you vote on the motion, which means that we'll come back at 5:18.

The committee recessed from 1654 to 1715.

The Chair (Mr. Lorenzo Berardinetti): I'll call the committee back to order with the motion on page 13.

All those in favour of the motion? Opposed? It doesn't carry.

Shall section 19 carry? Carried.

We'll move on to section 20. There's a government motion here on page 14.

Mr. Kevin Daniel Flynn: I move that subsection 20(1) of the bill be struck out and the following substituted:

"Trade boards

"(1) The board may establish a body, to be known as a trade board, for a trade or a group of trades in a sector, and shall specify whether the trade board is to have four, six, eight, 10 or 12 members."

This is a good idea that was put forward actually from the building trades unions themselves and the employers.

The Chair (Mr. Lorenzo Berardinetti): Any debate? All those in favour? Opposed? Carried.

We'll move on to page 15. This is an NDP motion. Mr. Marchese.

Mr. Kevin Daniel Flynn: Is this one—

Mr. Rosario Marchese: Do you have it written up there, Kevin? What do you have?

The Chair (Mr. Lorenzo Berardinetti): Page 15.

Mr. Rosario Marchese: The Liberals were on page 15, actually. The Liberals are making some suggested changes which our legal assistant is helping to modify, and the Conservatives need a copy.

Interjection.

Mr. Rosario Marchese: Yes, they're making some changes. And the Conservatives need a copy.

So Cornelia, can I just move this instead of the other, then? Is that the way we do it simply?

Ms. Cornelia Schuh: Sure.

Mr. Rosario Marchese: Or, instead of what I have there, I move this?

Ms. Cornelia Schuh: Well, I gather that what everyone is happy with is this wording.

Interjections.

Mr. Rosario Marchese: So I'll just move this instead of that? Can you do that—

Ms. Cornelia Schuh: Certainly. You could withdraw this one and move that one.

Mr. Rosario Marchese: Yes. So Mr. Chair, I will withdraw what's on page 15 and I have another motion in its stead.

The Chair (Mr. Lorenzo Berardinetti): Which relates to the same section?

Mr. Rosario Marchese: That's right, and everyone has a copy in their hand, except the—

The Chair (Mr. Lorenzo Berardinetti): I don't.

Mrs. Joyce Savoline: We don't.

Interjections.

The Chair (Mr. Lorenzo Berardinetti): Okay, one moment—

Mr. Rosario Marchese: We have copies. Cornelia's ahead of us; she's ahead of everyone. You see?

The Chair (Mr. Lorenzo Berardinetti): Okay, just a two-minute recess to make copies. We've got to get copies in front of everybody. It's only fair that everyone have a copy.

Mrs. Joyce Savoline: You're moving a recess?

The Chair (Mr. Lorenzo Berardinetti): Just to photocopy.

The committee recessed from 1718 to 1722.

The Chair (Mr. Lorenzo Berardinetti): Mr. Marchese's moving a motion regarding subsections 20(2) and (2.1). Go ahead.

Mr. Rosario Marchese: I move that subsection 20(2) of the bill be struck out and the following substituted:

"Functions

"(2) A trade board

"(a) shall advise the divisional board for its sector on issues relating to the trade or group of trades in relation to which it was established;

"(b) may make recommendations, relating to the trade or group of trades in relation to which it was established, to the divisional board; and

"(c) shall perform such other functions as may be assigned by the divisional board or the board.

"Duty of divisional board

"(2.1) A divisional board shall, within a reasonable time after receiving recommendations from a trade board under clause (2)(b),

"(a) consider the recommendations, make a decision about them and send a written response to the trade board; and

"(b) advise the board of the recommendations, decision and response."

We have collaborated with the Liberals on this. That's why I think it's going to pass.

What is new here is (b), that they "may make recommendations, relating to the trade or group of trades in relation to which it was established, to the divisional board"; and the second part, that the divisional board shall, within a reasonable time after receiving the recommendations, respond, basically.

We think this is good. We think that everyone will feel better by way of making recommendations and having a response to them within a reasonable time. This is, I think, a very useful recommendation we're making.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion?

Mr. Kevin Daniel Flynn: We'll be supporting the motion, and we thank the member for his co-operation. Rather than being obstructionist, he's being very co-operative in this case. I think that's great. The genesis was that Mr. Marchese put forward a motion that had a lot of merit. It was examined in detail. Some small changes were made. Some stakeholders were consulted. As Mr. Marchese says, it turned out to be a win-win-win situation for everybody, so we're happy to support it. It strengthens the bill.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion?

Mrs. Christine Elliott: Again, a question to Mr. Marchese: While I appreciate the trade board having some input, I'm just wondering, in practice, do you think that it's going to have a meaningful impact on the decisions being made by the divisional board?

Mr. Rosario Marchese: I think it will. What it does is to have a trade board make recommendations and force a response from the divisional board within a reasonable time. That is good in terms of the trade board feeling that it's making a recommendation and that somebody's going to respond rather than not having that ability to do so and not knowing whether or not you're going to be listened to. So I think it's a good thing.

The Chair (Mr. Lorenzo Berardinetti): Any further discussion? I'll put the question to vote on this. All those in favour? Ms. Elliott?

Mrs. Christine Elliott: If I may, before a vote, I would ask for a 20-minute recess pursuant to standing order 129(a).

The Chair (Mr. Lorenzo Berardinetti): Okay, thank you. Yes, Mr. Levac?

Mr. Dave Levac: Could I ensure that when you call for the vote that Ms. Elliott get in front of that? Does that not make any difference when you call for a vote?

The Chair (Mr. Lorenzo Berardinetti): According to the standing orders, she's supposed to wait until—

Mr. Dave Levac: After you call for the vote?

The Chair (Mr. Lorenzo Berardinetti): Yes.

Mr. Dave Levac: I think we should change that in order to—

The Chair (Mr. Lorenzo Berardinetti): So we are recessed—Mr. Zimmer?

Mr. David Zimmer: It being 5:30, I'd like to move that we grant Ms. Elliott, rather than 20 minutes, 30 minutes, which takes us to 6 o'clock, so we can all go home.

The Chair (Mr. Lorenzo Berardinetti): Unfortunately, that would require a change in the standing orders. If the committee wants to adjourn, it can, but in 20 minutes' time, we can at least vote on this motion here.

Mr. Dave Levac: Is it not on the table to vote on?

The Chair (Mr. Lorenzo Berardinetti): Yes. However, adjournment—

Mr. Dave Levac: It does not interfere with the voting if it comes up the next time. That would be the first order of business. I would accept that if—the next time around that we not ask for 20 minutes, because it says "up to." Do you have any problems with adjourning now?

Mr. Rosario Marchese: Whether we recess for 20 minutes or adjourn, the effect is the same after the next one, right?

The Chair (Mr. Lorenzo Berardinetti): Yes.

Mr. Kevin Daniel Flynn: We could argue about this for 20 minutes.

The Chair (Mr. Lorenzo Berardinetti): I'm in the committee's hands. If you want to bring forward a motion to adjourn or—

Mrs. Joyce Savoline: Does it take precedence?

The Chair (Mr. Lorenzo Berardinetti): Adjournment is in order, in my understanding, at any time—unless legislative counsel or the clerk tells me otherwise.

Mr. Kevin Daniel Flynn: I'm at the pleasure of the committee. We'll keep working or we'll adjourn. It really doesn't matter right now, I don't think, at 5:30 p.m. on a Thursday.

The Chair (Mr. Lorenzo Berardinetti): We need unanimous consent for the adjournment, though.

Mr. Dave Levac: Right, but I'm under the impression that we're not trying to interfere with the opposition's right to invoke the section.

Mr. Rosario Marchese: Dave, you're wasting time. Let's come back to it. It's fine.

Mr. Dave Levac: But we could leave now, though.

Mr. David Zimmer: For those folks who live out of town, they'll get a 20-minute—

Mr. Dave Levac: What we're saying now is that we're not trying to interfere with the opposition's right to do the 20-minute breaks; what we're saying is the 20-

minute break is going to take us so close to 6 o'clock, why don't we simply adjourn now with the vote coming on the next time.

Mr. Rosario Marchese: I understand, but we need unanimous consent. Do we have that?

Mr. Dave Levac: Yes, you need unanimous consent. I'm just trying to make it clear that we're not trying to usurp that; we're simply saying the point's been made, we're fine with it, and we move on.

Mrs. Joyce Savoline: Then what happens on Thursday with this motion?

Mr. Dave Levac: On Thursday, we pick up the vote—

The Chair (Mr. Lorenzo Berardinetti): The first thing on the agenda would be the vote on this motion here. Is there unanimous consent, then, to adjourn? Agreed?

So this committee stands adjourned, then, until Thursday, October 8, at 9 a.m.

The committee adjourned at 1728.

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Mr. Peter Kormos (Welland ND)

Mr. Jeff Leal (Peterborough L)

Mr. Dave Levac (Brant L)

Mr. Reza Moridi (Richmond Hill L)

Mr. Lou Rinaldi (Northumberland–Quinte West L)

Mr. David Zimmer (Willowdale L)

Substitutions / Membres remplaçants

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Mr. Garfield Dunlop (Simcoe North / Simcoe-Nord PC)

Mr. Kevin Daniel Flynn (Oakville L)

Ms. Helena Jaczek (Oak Ridges–Markham L)

Mr. Rosario Marchese (Trinity–Spadina ND)

Mr. Shafiq Qaadri (Etobicoke North / Etobicoke-Nord L)

Mrs. Joyce Savoline (Burlington PC)

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