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**Official Report  
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**Journal  
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**Monday 28 February 2011**

**Lundi 28 février 2011**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 28 February 2011

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 28 février 2011

*The House met at 1030.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by the non-denominational prayer.

*Prayers.*

### INTRODUCTION OF VISITORS

**Mr. Randy Hillier:** I'd like to welcome to the House today Al McDonald, the mayor of North Bay and former member of this Legislature.

**Mr. Jim Brownell:** I would like to introduce Ron MacDonell, sitting in the gallery. Ron was reeve of Loch-eil township and served on council from 1973 to 2004 in Glengarry county. He was warden of the united counties of S, D and G in 1991, and he was also chair of ROMA in 1990. As well, we have with us his son Darcy MacDonell and his friend Katherine Davis. Welcome to the Legislature.

**Mr. Randy Hillier:** I would also like to welcome my sister Wendy to the House today—I see she's here. Her son Ben is page captain in the House this week.

**Hon. Monique M. Smith:** I'm delighted to see in the members' gallery today some representatives from the North Bay Literacy Council, which is doing some amazing work. They're here for the Laubach lobby day. We have Linda Fetterly, Johanna Mutch and a fantastic learner, Keith Allen. They're here representing our North Bay Literacy Council, and I understand that Jack is here too. He's not in the chamber yet, but he will be joining us as well.

**The Speaker (Hon. Steve Peters):** I'd like all members to join me in welcoming guests seated in the Speaker's gallery today. This welcome is on behalf of myself and the member from Eglinton–Lawrence. I'd like to welcome students from Sterling Hall School to Queen's Park today. Enjoy your visit to the Legislature.

### MEMBER'S CONDUCT

**The Speaker (Hon. Steve Peters):** On Thursday February 24, 2011, the member for Brant, Mr. Levac, raised a point of order respecting the distribution of what he considered to be objectionable material to members' desks in this chamber. Subsequently, the member for Wellington–Halton Hills, Mr. Arnott, indicated that it was he who had distributed the material in question. The third party House leader, Mr. Kormos, and the govern-

ment House leader, Ms. Smith, also contributed to the submissions on this matter.

Members will know that the only material that is to be distributed in this chamber is that which relates to parliamentary proceedings. The orders and notices paper and the committee meeting notices are two examples of such material. Some of you will have encountered the steely resolve of our intrepid Sergeant-at-Arms or Mr. Butt as they intercept pages delivering personal or non-parliamentary material on your behalf.

As a result, members on occasion have taken to personally placing things such as announcements, invitations or even apples on their colleagues' desks in the chamber. Since most of this material is benign in nature and not, in and of itself, objectionable to any member, the Speaker has traditionally exercised a moderate level of tolerance, provided that House staff or resources are not used to distribute it. This practice, I would suggest, is well known to most members.

It disturbs me that any member would take advantage of the Speaker's forbearance in this regard and risk compromising the neutrality of assembly staff by asking pages to deliver, or even delivering himself, material that is neither parliamentary nor benign but, in fact, quite blatantly political.

That the material in question was enclosed in a sealed envelope signals to me that the member either knew it was inappropriate for distribution in the House or that he was acting as the messenger and was unaware of its contents. Neither possibility gives me much reassurance. I will consider that the member from Wellington–Halton Hills has, by this ruling, been duly warned, and I will consider any repetition a deliberate disregard for the authority of this chair.

Further, I caution all members to refrain from distributing such partisan material in the future in respect to the long-standing traditions of this House; otherwise, as the member for Welland suggests, the Speaker will be left with no option but to apply a more rigorous standard.

I want to thank all the members.

### ORAL QUESTIONS

#### ENERGY POLICIES

**Mr. Tim Hudak:** My question is to the Minister of Energy. Before I pose the question, I want to offer, on behalf of the Ontario PC caucus, my warm welcome to

all the municipal leaders attending the Rural Ontario Municipal Association and Ontario Good Roads Association conference.

To the Minister of Energy: These municipal leaders have recently been elected. They have been given the faith of their local residents to carry out and make decisions. However, the Premier is down at ROMA today, hopefully giving an explanation to the municipal leaders as to why he doesn't trust their judgment. For example, Minister, when it comes to industrial wind farms, what makes the Premier so smart? Why does he know more than locally elected officials?

**Hon. Brad Duguid:** I've already been down to the conference, and I know that my caucus colleagues have been down as well. We're looking forward, as always, to having a record number of ministers attend—many more ministers than attended in the old days.

Let me tell you what I'm hearing from some of the delegates. They're trying to figure out where the Leader of the Opposition stands, because over the weekend, the PC Party's campaign secretary was speaking at the AGM for the member for Nepean, and she said explicitly that they do not know where they stand on these issues. She said, "If you're knocking on doors after May 1, you're going to have an idea of what we stand for."

The Leader of the Opposition's caucus and party don't even know how he stands. How do you think municipal leaders feel? How do you think Ontario families feel? This leader has not indicated—

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

*Interjections.*

**The Speaker (Hon. Steve Peters):** The members from Renfrew, and Simcoe–Grey, and Halton.

Supplementary?

**Mr. Tim Hudak:** Our plan is clear. Locally elected officials should have their say on whether these projects are welcomed in their ridings or not. The minister and the Premier do not trust locally elected officials. You think you know better than everyone else, Minister, and your policy is entirely bizarre. You have communities like Kingston, where the council has suggested they wanted projects, and you've stripped projects away from there, but in communities like my own, the township of West Lincoln has opposed your projects and you're forcing them down their throats. Even the mayor of Kingston, Mark Gerretsen, the son of one of your ministers, says your decision was "purely political."

Minister, what kind of chaos have you created where you're forcing projects on unwilling communities and taking away from those where council supports it? Shouldn't the Premier actually be apologizing today to municipal leaders for stripping away their local decision-making?

1040

**Hon. Brad Duguid:** Let's be very, very clear—

**Mr. Garfield Dunlop:** Maybe he'll show up someday.

**The Speaker (Hon. Steve Peters):** Member from Simcoe–Grey.

*Interjection.*

**The Speaker (Hon. Steve Peters):** Pardon me; Simcoe North. My apologies, member from Simcoe–Grey.

Please continue.

**Hon. Brad Duguid:** Let's be very, very clear: A renewable energy application process totally respects the municipalities and their positions. In fact, it's absolutely mandatory that municipalities are consulted. When they're not, the Ministry of Energy turns those applications—

*Interjections.*

**The Speaker (Hon. Steve Peters):** I think the honourable members would like to hear the answer to their leader's question and I would just ask them to be respectful.

Minister.

**Hon. Brad Duguid:** Let's talk about respect for municipalities. That Leader of the Opposition and the government he served in downloaded costs to municipalities for public health, downloaded costs to municipalities for land ambulances, downloaded costs for the Ontario drug plan, downloaded costs for roads and highways—let's see if they'll be talking about that this weekend at the conference—downloaded costs for court security, downloaded costs for Ontario Works, downloaded costs for ODSP and downloaded costs for social housing. Talk about disrespect for our municipalities.

We're working hand in hand with municipalities right across this province, in the north, in the south, in the east and in the west.

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

**Mr. Tim Hudak:** The minister knows we respect the decisions of locally elected councils and would restore that authority. When it comes to your industrial wind farm projects, you have one rule, Minister, for your own riding in Scarborough and another rule for everywhere else in the province. Your approach has been the NIMSIAR approach: not if my seat is at risk. We reject that approach. There should be one rule across the province of Ontario, and local councils will have their say under a PC government.

Minister, you have made an expensive mess of our hydro system. One day you do a moratorium; the next day you plunge ahead with projects in communities that don't want them. It's clear that by backtracking here and plowing ahead there, the Premier's motto is that he's not happy until no one is happy.

Minister, will you do the right thing and tell the Premier to apologize to our locally elected officials that he stripped away their power under the Green Energy Act?

**Hon. Brad Duguid:** As this Leader of the Opposition continues to chirp about our efforts to turn around his ugly legacy in energy, this past weekend the federal Conservatives announced \$52 million in new funding for clean energy projects. The Conservative Minister of Natural Resources said this: "Moving forward aggressively with investments in clean energy technologies will help us balance our need for energy with our need to protect the environment." He went on to say, "Investing

in clean energy technologies stimulates the growth of a domestic clean energy industry, creating high-quality jobs for Ontarians. Even the federal Tories get it. This is the last political party left in the world that wants to go back to the days of dirty coal and that does not understand or see where the rest of the world is going.

We're a global leader. We're creating jobs right across this province. It's time for that party to catch up with the—

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

### ENERGY POLICIES

**Mr. Tim Hudak:** Back to the Minister of Energy. Here is where we stand: Make sure that we have local officials have their say in these decisions and that contracts are affordable to the Ontario families who get stuck with the bills at the end of the day.

Minister, 75 municipalities and counting have asked to have their local decision-making restored at that level, but when it comes to your approach you have one rule for Scarborough in your riding and one rule for everywhere else. You had your moratorium in ridings, and then last week you announced projects, all of which, when it came to industrial wind farms, were in Ontario PC ridings. Minister, obviously you must be looking at an election map because none of the ridings where you dropped these projects were Liberal-held ridings.

This is the problem: You've focused all decision-making in your office and in the Premier's office. Why are you making decisions based on who people elect instead of what local councils have to say?

**Hon. Brad Duguid:** We are building a clean, reliable, modern energy system. We're making investments right across this province. I challenge—

*Interjection.*

**The Speaker (Hon. Steve Peters):** Member from Lanark.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. Member from Eglinton.

Minister?

**Hon. Brad Duguid:** I challenge the Leader of the Opposition to come with us to Windsor, where 700 jobs are being created, look those workers in the eye and tell them his plan wants to take away their jobs. I challenge him come to Tillsonburg and tell the 900 workers who are getting jobs there that he wants to take away their jobs. Why doesn't he come to Cambridge, Guelph, Hamilton, Burlington? Why doesn't he come to Kingston? Why doesn't he go up to Sault Ste. Marie, where they're producing steel to build our wind turbines, and tell those thousands of clean energy workers that he wants to put them out of work?

Our clean energy policies are impacting positively in communities right across this province. He doesn't get it. He wants to take those opportunities away. The people of—

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

**Mr. Tim Hudak:** Minister, I'd ask you to look into the eyes of the 300,000 people who have lost jobs in the manufacturing sector largely because of your high taxes and skyrocketing energy bills. I ask you to look in the eyes of Ontario families—average, hard-working Ontario families—who are struggling each and every day to balance their family budget because of your HST tax grab, because of your skyrocketing hydro bills. Look into their eyes and read their lips. Do you know what they're saying? It's time for a change in the province of Ontario.

It is clear, Minister, that you have set one rule for PC-held ridings and another rule for Liberal-held ridings when it comes to your wind energy projects. This decision-making now is purely political in your office and in the Premier's office, and Ontario families are stuck with the bill.

Will you do the right thing, support the PC position, have a moratorium on these projects till you clean up the—

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

**Hon. Brad Duguid:** I would be very delighted to share with the Leader of the Opposition the amount of time that I spent with his caucus members out across this province, announcing many of these important job-generating projects, like in Burlington, where his member from Burlington—I've got a photo of her here giving a great little wave to us—

**The Speaker (Hon. Steve Peters):** Stop the clock.

**Hon. Brad Duguid:** I'm not showing it.

**The Speaker (Hon. Steve Peters):** You made reference to what you are holding in your hand. Please.

**Hon. Brad Duguid:** I have a photo of the member from Burlington giving a wave of acknowledgement, but at that event she snuck out pretty quick afterwards and didn't take questions from the media because the question the media wanted to ask her was, how can you support a Leader of the Opposition who wants to kill those thousands of jobs that are being created across this province in places like Burlington, in places like Cambridge, in places like Tillsonburg, in places like Fort Erie—for crying out loud—a neighbouring community to his riding, where hundreds of people from this member's very riding are being employed because—

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

*Interjection.*

**The Speaker (Hon. Steve Peters):** The member from Hamilton East will please come to order as well.

Final supplementary?

**Mr. Tim Hudak:** The problem is, Minister, that you and your Premier have made an expensive mess out of our hydro system, and you don't respect the fact that Ontario families are getting stuck with the bills.

Your policy of having one rule for Liberal-held ridings and one rule for everybody else shows you have a Premier who is ready to divide Ontario into rural versus urban, to divide those communities from offshore to

land-based, to divide Ontario between Liberal and PC. Ontario families reject that approach of dividing the province. They want one clear rule across the province. Sign projects that are affordable to families who pay the bills, and restore local decision-making to democratically elected councils.

Will you do the right thing and support the Ontario PC position?

**Hon. Brad Duguid:** If this Leader of the Opposition and this PC Party actually respected—

*Interjections.*

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

**Hon. Brad Duguid:** If this PC leader actually respected Ontario families, he would not have voted against reducing electricity bills by 10% through our clean energy benefit, and he would not have voted against a tax cut of 93% for Ontario families. If this Leader of the Opposition—

*Interjections.*

1050

**The Speaker (Hon. Steve Peters):** Stop the clock.

*Interjections.*

**The Speaker (Hon. Steve Peters):** There's lot of cross-floor discussion taking place. I think it's always helpful that both sides of the House speak to each other, but doing so in a disruptive manner that gets in the way of question period is not helpful. I would encourage those members to have those discussions outside, please.

Minister?

**Hon. Brad Duguid:** If this PC leader and PC Party actually respected Ontario families, they would not have plans to kill thousands of clean energy jobs that those families are counting on. If this PC Party actually respected Ontario families, they would not be opposing every effort we've made to move away from coal, clean up our air and build a healthier future for our kids and grandkids. I haven't met an Ontario family yet that's not concerned about the health or future health of their kids. This Leader of the Opposition continues to place political opportunism ahead of his responsibility to level with Ontario families. Tell them what your plan is—

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

#### GASOLINE PRICES

**Ms. Andrea Horwath:** My question is to the Minister of Energy. In 2005, the all-party Standing Committee on General Government unanimously approved a motion to look into gasoline prices and what Ontario could do to protect consumers. Why did the McGuinty Liberals kill that report?

**Hon. Brad Duguid:** This is an issue that's been talked about for many, many years. There have been private members' bills, I think, on all sides of the House looking for ways that, somehow or another, a province like Ontario can impact these important issues. There's been federal combines legislation that has looked into the pricing of gasoline for decades.

The fact of the matter in this particular case as to what's going on right now—I think Ontario families recognize, when they read the papers, that there is a lot of uncertainty right now in the Middle East, and that's contributing to the challenges that we're seeing at the pumps today. I think Ontario families understand that. I think Ontario families would also recognize efforts to try to distort that and blame it on other things that are not impacting the price of gas today. There are things that are happening internationally, things that are happening in the Middle East—

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

**Ms. Andrea Horwath:** Well, there was a study that was supposed to be done. Five Liberal MPPs, including the current Minister of Energy and the Minister of Health, actually voted back then to take a hard look at protecting drivers from being gouged and regulating gasoline prices. Can the Minister of Energy explain to this House why the committee that he voted to establish was never even allowed to meet?

**Hon. Brad Duguid:** I understand the question from the leader of the third party. I think we all, as we go to the pumps, feel the same as other Ontarians when we see the price of gas fluctuate. Often there are questions raised, normally on the national level, about the fluctuation of these prices. There's the anti-combines legislation. There have been task forces set up federally to look into these issues. I haven't seen a lot of results from those task forces over the years.

At the end of the day, I know Ontario families get it. They understand that when there are issues going on in places like the Middle East that may be disruptive to the flow of petroleum around the world, it does affect gas prices. We're one province in a very large world. Surely the member doesn't think that we have control over the politics in the Middle East. She may want us to have control over that, but that's just something that's beyond our reach.

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

**Ms. Andrea Horwath:** Once again, the McGuinty Liberals just don't seem to care about the challenges that people are facing here in this province. Gas prices are shooting through the roof. Here in Toronto, people are paying \$1.20 per litre for gas. In Thunder Bay it's \$1.26 a litre. In Sudbury it's \$1.28 per litre. Now, that might not matter to this government, but for people who need to drive to work each and every day it puts even more tension on the family budget, which we know is extremely stretched. How can the McGuinty Liberals sit there and shrug as families take another hit to their budget?

**Hon. Brad Duguid:** I think the NDP are very, very good at defining challenges and very, very good at communicating problems that we all know exist. We're very aware of the price at the pumps because we, like all Ontario families, need to fill up ourselves when we're taking our kids—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. Minister?

**Hon. Brad Duguid:** The leader of the third party may want us to insert ourselves into the politics of the Middle East. I'm not sure there is a role for Ontario to play over there. But let me tell you what we are doing to help Ontario families as they deal with constrained family budgets.

Ontario's seniors' and property tax credit is providing a considerable amount of support, up to \$1,025 for seniors and over \$900 for low- and middle-income families, along with a series of other tax credits and tax cuts that are going to low- and middle-income families. We understand where low- and middle-income families are at today—

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

#### G20 SUMMIT

**Ms. Andrea Horwath:** My next question is to the Acting Premier. Later this morning, the Canadian Civil Liberties Association and the National Union of Public and General Employees are expected to release another damning report about the human rights abuses at last summer's G20 meeting. The McGuinty Liberals, who passed a secret law that gave police more powers, played a major role in what happened last summer. Why won't the McGuinty Liberals, then, establish a joint federal-provincial inquiry and resolve once and for all the serious questions that are still outstanding from that summer event?

**Hon. Dwight Duncan:** To the Minister of Community Safety and Correctional Services.

**Hon. James J. Bradley:** As the member would probably be aware by now, there are a number of inquiries that are taking place specifically dealing with this matter. One is the—

*Interjection.*

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

**Hon. James J. Bradley:** One is—you should worry about Norm Sterling. You should quit putting the knife—

*Interjections.*

**The Speaker (Hon. Steve Peters):** I'm just going to ask the honourable member to withdraw the comment that he just made.

**Hon. James J. Bradley:** I would be delighted to withdraw the comment—

**The Speaker (Hon. Steve Peters):** Just an unequivocal "I withdraw."

**Hon. James J. Bradley:** I withdraw.

As the member would know, the Toronto Police Services Board is conducting a review under Judge Morden. The Office of the Independent Police Review Director is conducting a systemic review and taking complaints from the public. Retired Chief Justice McMurtry is reviewing the Public Works Protection Act, and the Ombudsman of Ontario has conducted a review and provided a report,

the recommendations of which are being implemented by the government.

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

**Ms. Andrea Horwath:** Hundreds of innocent people were arrested, many just walking through their own neighbourhoods and doing their jobs; frankly, minding their own business. Despite reviews by the Ombudsman that this minister refers to and others, questions still remain about policing policy and training. Those questions are still outstanding. To do it properly, to get at the answers, a joint federal-provincial inquiry is absolutely necessary. Why won't the McGuinty Liberals commit to such a public inquiry?

**Hon. James J. Bradley:** Well, as the member has some close connections with the federal leader of the New Democratic Party, Mr. Jack Layton, who seems to be on a very friendly basis with the Prime Minister and seems to be meeting frequently with the Prime Minister, perhaps she might suggest to the leader of the New Democratic Party federally that he direct that question to the Prime Minister of Canada.

As the leader of the third party would realize, this was a federal event. It was convened by the federal government, was organized by the federal government. The federal government was the lead, and a committee of the Parliament of Canada suggested that if there is to be an inquiry, the federal government conduct this inquiry.

**1100**

So my recommendation to the member—I'm always helpful to give advice in this regard—is that she bring this to the attention of her federal leader, who is very close to the Prime Minister and very persuasive with the Prime Minister.

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

**Ms. Andrea Horwath:** All I can say is shame on this minister. It was Ontario residents, Toronto residents, who were devastated last summer by their regulation. It was this government that took away the fundamental rights of Ontarians.

Last summer's G20 cost \$1 billion, but that's not all we lost. As a society, we lost some of our sanity, too. Reporters were thrown in jail. One senior had his prosthetic leg torn from his body on the grounds right here at Queen's Park. And innocent people in or near their own homes were kettled for hours in the pouring rain.

It's time we closed off this chapter in the history of our province by ensuring that it never happens again, and the only way to get that assurance is to have the inquiry. Why won't the McGuinty Liberals do the right thing by the people of their province and call a public inquiry into the G20 fiasco?

**Hon. James J. Bradley:** I say to the member again that she would recognize that the federal government chose to hold the summit of world leaders in the city of Toronto, in downtown Toronto, in fact. The federal government was the lead, the federal government gave all of the recommendations, the federal government was in charge of supervision.

I have indicated clearly that the Toronto Police Services Board is investigating this matter under an esteemed justice, Judge Morden. The Office of the Independent Police Review Director is conducting a systemic review, and that's very extensive, receiving complaints from the public. Former Chief Justice Roy McMurtry is reviewing the Public Works Protection Act, an act that came before your government, and you refused to review it at the time, in 1990, when you had the opportunity to make recommendations on its change at that time.

I note the member does not like—

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

#### ABORIGINAL LAND DISPUTE

**Mr. Tim Hudak:** My question is to the Attorney General. Today is the five-year anniversary of the occupation of Douglas Creek Estates in Caledonia. It has been five years since a group of militant lawbreakers who splintered from the elected and hereditary Six Nations leaders began their occupation in Caledonia. The militants remain on-site, the community is badly divided, and the militants are occupying the abandoned homes of the former Douglas Creek Estates subdivision.

Minister, for some reason, the lights remain on in those abandoned homes in the subdivision. I ask you, why are Ontario families paying the hydro bills for homes that have been turned over to lawbreaking militants?

**Hon. Christopher Bentley:** Here's an opportunity for the Leader of the Opposition—

*Interjections.*

**The Speaker (Hon. Steve Peters):** The members from Durham, Simcoe–Grey, Simcoe North, I'd like to hear the answer, please.

*Interjection.*

**The Speaker (Hon. Steve Peters):** Member from Durham.

Minister?

**Hon. Christopher Bentley:** Here's an opportunity for the Leader of the Opposition to show some leadership, the leadership that's being shown by the mayor of Caledonia and Six Nations; by the mayor of Brant, my colleague from that area, and Six Nations; and by the children in Caledonia and Six Nations. They quite understand that the roots of a long-term solution here are two-fold. One begins at the community level: Find ways to bring community members together, not split them apart. The second part of it, of course, is the federal government needs to settle a land claim, and I ask my friend opposite to call the Prime Minister—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. It amazes me. The moment I sit down, the noise will start again.

*Interjection.*

**The Speaker (Hon. Steve Peters):** I wonder if the leaders of the respective parties would appreciate that, member from Halton.

Supplementary?

**Mr. Tim Hudak:** Minister, the book on you is that you have some ambitions, and I would have expected to hear from you some acknowledgement that this has now gone on for some five years and an apology to the people of the Caledonia area and Six Nations for the extraordinary drift in leadership by the McGuinty government that has allowed this to continue on and on. You've disrupted the lives of people in the community. It has cost jobs and it has cost investments for those who live on Six Nations and those who live in the surrounding area. It continues to drift.

Surely you are sending the wrong kind of signal by having Ontario families pay the hydro bills into the homes that are occupied in the former subdivision known as Douglas Creek Estates. Law-abiding Ontario families cannot set a foot on this now provincially owned land. The lawbreakers remain on-site, and Ontario families are being forced by your government to pay the hydro bills.

Minister, will you stop the hydro—

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

**Hon. Christopher Bentley:** The children in the two communities get it, and I don't know why the Leader of the Opposition doesn't. The children are exchanging art; they realize that the opportunities for them lie in building a stronger relationship. The children and the mayors of the communities get it; they're working together.

Why is the Leader of the Opposition trying to support those who would so discord? Why is he looking for opportunities to take people apart rather than bring them together? Why doesn't he work with the Ontario government to get the federal government to the table in a more active way on a 200-year-old land claim? Why doesn't he look, read and accept the lessons of the Ipperwash inquiry which speak to the dangers of division and the necessity of bringing people together and working through things through peaceful discussions, however long they take? That's the only route. I call for the leader to show—

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

#### EDUCATION FUNDING

**Mr. Rosario Marchese:** To the Minister of Education: Minister, today's Toronto Star points out that rich schools are getting richer while students at poor schools don't get much benefit from the \$600 million fundraised by parents province-wide. In fact, a few well-to-do schools are bringing in more than \$1 million a year through student fees, private revenues and fundraising. Why is it that in today's public schools some children get an education worth a million bucks while others get pennies for their thoughts?

**Hon. Leona Dombrowsky:** I think it's very important that we are clear: In the province of Ontario, every student in every school receives the same number of dollars of support from this government. Since coming to

government—and we did inherit a school system that had been decimated—we have invested 40% more, we have invested fully \$6 billion more, to support the education of our students. Those investments are supporting students in a positive way that has had positive outcomes because test scores are up, class sizes are down and more students are graduating.

Is there more that we can do? Absolutely. We are looking at funds that are raised within school communities. We have draft guidelines around student fees, and very soon we will be presenting guidelines around fund-raising in our—

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

**Mr. Rosario Marchese:** Minister, access to and quality of public education should not depend on the wealth of parents.

Six years ago, the McGuinty government promised to limit fundraising and ensure that essentials are provided by the system. That's what he said. Last September, you said that "at no time should students in the province of Ontario be required to pay fees for any item, any article that relates to their program." Today, we read that parents are fundraising for computers, art programs, music programs and classroom supplies, and they are paying exam fees and student activity fees. When will the government stop playing games and stop parents from fundraising for essentials?

1110

**Hon. Leona Dombrowsky:** As a matter of fact, the honourable member should know that we have posted, very publicly, our guidelines for student fees. The position of this government is, because we have made such significant investments in education, that no student should be required to pay a fee for any program necessity.

We are now going to be posting guidelines around fundraising. That has been very clearly the position, and we are going to follow through on that. I would invite the honourable member to review what our guidelines—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Order. Minister of the Environment.

Minister?

**Hon. Leona Dombrowsky:** I would also like to remind folks in this assembly, and for the public to understand, that the NDP have voted against every investment we have made in education to better support student learning. So it really strikes me as strange that in this assembly, they criticize student support, yet the NDP have voted against every one of those six billion dollars that we have invested in our schools. It really is very strange.

*Interjections.*

**The Speaker (Hon. Steve Peters):** I'm just going to remind members that it is important that—I don't know whether people were up too late and watched the Academy Awards and have drunk a lot of coffee today, but I just find it's very disruptive.

**Mr. John Yakabuski:** Did you see the performance by the Minister of Energy today?

**The Speaker (Hon. Steve Peters):** I think I could probably deliver some raspberries to some people in here.

**Interjection:** Ontario raspberries?

**The Speaker (Hon. Steve Peters):** Of course they're going to be Ontario raspberries.

I just would ask all members on both sides of the House: Some of the comments on both sides of the House are getting—

**Mr. Paul Miller:** Stop the clock.

**The Speaker (Hon. Steve Peters):** Excuse me? If the honourable member doesn't like the fact that the clock is running, I'm sorry, but the chatter has been coming from both sides of the House.

New question.

## IMMIGRANT SERVICES

**Mr. Yasir Naqvi:** My question is for the Minister of Citizenship and Immigration. Minister, my riding of Ottawa Centre is home to many new immigrants, and my constituents firmly believe in the important contribution newcomers make in our community and to the economy.

When immigrants arrive in our province, they rely on settlement services run in the community to help them get settled and find a job. Recently, I was disappointed to hear that the federal government slashed \$53 million in national funding to settlement agencies, and \$44 million, or 85%, of that cut was targeted at Ontario.

These actions cause concern for other agencies that deliver front-line immigrant services, like the English Language Tutoring for the Ottawa Community program. These cuts mean that there are fewer resources available to help newcomers succeed in our communities.

Mr. Speaker, through you, can the minister tell us how the McGuinty government is helping settlement agencies left in the lurch by the federal cuts?

**Hon. Eric Hoskins:** First, I'd like to thank the member from Ottawa Centre for the question and for his hard work on behalf of Ontario's newcomers.

The federal government's unilateral funding cuts to settlement agencies in our communities are absolutely devastating. I'm deeply disappointed that this unilateral federal decision will result in significant job losses, estimated at more than 1,000 province-wide, and a loss of vital services that are helping Ontario's newcomers hard hit by the recent economic downturn.

The McGuinty government respects the important work of our front-line newcomer settlement agencies. That's why last week I announced that we have created a one-time stabilization fund to assist eligible settlement agencies whose funding was completely, 100% slashed by Ottawa.

I will continue to call on the federal government to reverse their ill-informed, ill-advised funding cuts, and I urge all opposition parties to do the same.

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

**Mr. Yasir Naqvi:** There is no doubt that the agencies serving newcomers in Ottawa are impacted by these cuts. In fact, every single settlement agency in my community has had their funding cut by the federal government.

Minister, this demonstrates very clearly that we need to have a stable and sustainable agreement with the federal government on immigration. We need an honest partner in our federal government for reliable, adequate funding of Ontario's newcomers, and the province should have greater governance over newcomer settlement and a stronger voice in planning.

As members recall, the Legislature unanimously passed a resolution calling on the federal government to honour the \$207 million still owing from the first Canada-Ontario immigration agreement, which expires next month, and to immediately begin negotiations on a successor agreement. Minister, I understand that once the resolution passed, the federal government agreed, and negotiations are under way.

Will the minister tell us what progress Ontario has made in its negotiations with the federal government on a new—

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

**Hon. Eric Hoskins:** Ontario is fighting to help newcomers integrate more quickly and strengthen our economy. That's why the McGuinty government is asking the federal government to treat Ontario's newcomers fairly.

I find it rich coming from the official opposition that they're telling us to pick up the phone and call our federal counterparts when they've done absolutely nothing to help our newcomers settle and they have been completely silent in reversing these cuts.

Our negotiations will only succeed if the federal government treats Ontario the same way that it treats Manitoba and British Columbia. We're asking for a reversal of these ill-informed, ill-advised funding cuts. We're asking for an arrangement that is similar to other provinces. This is a shared responsibility between the feds and the provincial authorities that requires co-operation from our federal partners.

Unfortunately, Ontario's repeated requests and our negotiations for a fair agreement that benefits our newcomers have been met with inflexibility. Ontario will continue, however, to negotiate with Ottawa in the best interests of our newcomers and our economic prosperity.

#### ELECTRICITY INFRASTRUCTURE

**Mr. Toby Barrett:** A question to the Minister of Energy. Five years ago, militants shut down the Niagara-to-Caledonia hydro tower project. Today, never used, white elephant power towers march into Caledonia, unfinished, worthless and wireless; five years of trestles from these power towers being used as blockades, festooned with warrior flags.

Minister, Ontario taxpayers paid for these powerless monuments to your inaction. What headway have you

made since 2006 with respect to restarting this power tower project?

This is an electricity question; it's not a native question.

**Hon. Brad Duguid:** This is a partnership question. What's really important is that we move forward with all of the communities in the Haldimand tract area working in partnership.

I was just out about a week and a half or so ago to Six Nations, and I met with their chief and council. We had a wonderful meeting about moving forward together.

**Hon. James J. Bradley:** This is a canine question.

**Hon. Brad Duguid:** About three weeks ago, I met with the new mayor of Haldimand county. We had a very good meeting about moving forward together.

I think the Minister of Aboriginal Affairs will tell you that if we can all move forward together, if we can refrain from playing politics with these issues, if we can ensure that we're always encouraging partnerships, if we can work with leaders like the member from Brant on building a green energy future for that community, we can accomplish a great deal.

That's what we're doing: working in partnership, making sure all partners are at the table together. We're going to accomplish great things by working together—

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

Supplementary?

**Mr. Toby Barrett:** Minister, it's been five years. The Niagara reinforcement project runs the length of the Niagara Peninsula to the Caledonia transfer station and beyond to Middleport—800 megawatts meant to serve 300,000 people. I can tell you this project won't deliver one megawatt until you and your Premier can figure out how to get those wires up.

All the while, Big Becky forges on in Niagara, some \$600 million over budget to supply the increased power—green power, clean power—to the same upgrades that they're meant to deliver.

Minister, hundreds of millions of taxpayers' dollars are being spent to send clean hydroelectricity to those towers, but there are no wires. How much longer will you and your government permit this construction to be blockaded?

**Hon. Brad Duguid:** Let's enter into a debate about the importance of investing in transmission and distribution, because when that government was in power they refused to make these investments. Today, we're investing double what they invested in transmission and—

*Interjections.*

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

1120

**Hon. Brad Duguid:** Since 2003, we have invested \$7 billion in our transmission upgrades. Get in a car in Halifax and drive all the way to Vancouver—5,000 kilometres of transmission upgrades.

We're committed to delivering a reliable system of energy. We're committed to making the investments that that government did not make. But get this: They have

opposed our efforts to make these investments every step of the way. If you don't support the investments, you can't try to take credit for the results. We're making the tough decisions. We're making the investments—

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

#### ACCESS TO HEALTH CARE

**Ms. Cheri DiNovo:** My question is to the Minister of Health. Bev Swerling is a constituent from my riding, and she's at Queen's Park today. Ms. Swerling has always lived a very active and a very healthy life, but now Ms. Swerling lives in excruciating pain and with very limited mobility because she is in desperate need of hip replacement surgery. The surgery was supposed to take place in a Toronto hospital within three months, but recently, the hospital told her she would be waiting at least six months.

Does the minister think it is fair that Ms. Swerling has to live with agonizing pain because their wait-time strategy is clearly failing?

**Hon. Deborah Matthews:** Let me welcome Ms. Swerling to the Legislature today.

When we were elected in 2003—in the campaign leading up to that election, where we were all out knocking on doors, we heard two stories over and over again about our health care system. The first was about access to primary care. I'm very pleased that we have more than a million new Ontarians attached to primary care than when we took office. The second one was unacceptably long wait times. We have made enormous progress getting those wait times down. The government prior to ours did not even bother to measure wait times. Over the past seven and a half years, we have gone from not measuring to measuring, to publicly reporting, to making strategic investments—

*Interjections.*

**The Speaker (Hon. Steve Peters):** I ask the honourable members—people want to hear the answer to the question.

Supplementary? The member from Nickel Belt.

**M<sup>me</sup> France Gélinas:** It is all fine and dandy to measure, but if what you're measuring is failure, we're no further ahead. It is no surprise that this strategy is a failure, because it does nothing to prevent the growing need for these kinds of procedures, it does nothing to drive innovation and it does nothing to drive efficiency. All it is is a numbers game.

The Globe and Mail recently reported on some of the problems with this government's wait-time strategy, and we see today that it is people like Ms. Swerling who end up suffering. The minister says that she is proud that her government is measuring wait times, but how can she be proud when it continues to fail Ontarians so miserably?

**Hon. Deborah Matthews:** I am very pleased to have the opportunity to talk about the results we have achieved when it comes to wait times. Let me share these results with you: Hip replacements are down by 54%; we've

taken 189 days off the wait for a hip replacement. Knee replacements are down by 53%, CT scans are down by 58%, cancer surgery is down by 20% and general surgery is down by 17%.

No matter what the people opposite want to say, our wait-time strategy has been a very, very strong success for this government. We are not done. We still have work to do; we know that. But now we know exactly what the wait times are in every hospital across this province for a number of procedures. We are determined to continue with the success in bringing down those wait times and we are absolutely committed to continuing to invest in health care. We are not committed to cutting health care—

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

#### ENVIRONMENTAL PROTECTION

**Mr. Reza Moridi:** My question is for the Minister of the Environment. Minister, while countries around the world are dealing with the issues of climate change, we know that the most profound actions to help our environment happen in our own backyard. We all have a role to play by walking to school, biking to work, or taking transit whenever possible.

Today, environmental organizations are launching a website to ask all of us in this House what we will do to protect the environment. Minister, I will ask for them: Will you come clean and actually step up to protect the environment?

**Hon. John Wilkinson:** I want to thank these groups for keeping the environment on the public radar. We have spent the last seven years making sure every Ontarian has safer water to drink, cleaner air to breathe and more green space to enjoy.

It's important to note that many of the policies the groups want protected are the very ones that this government has passed. Our government passed the cosmetic pesticides ban, the toughest such ban in the world. Parents want their kids to play on their front lawns, free of chemicals. We are the only party truly committed to harnessing the renewable power of the sun, the wind, the water and the earth, getting out of dirty coal. We'll ensure that our kids have clean air to breathe, safe water to drink and good jobs in the new economy.

It's important for us to have all of the parties in this Legislature come clean and tell the people of Ontario what their platform is in the coming election. I can tell you that we are firmly committed to making sure that our children have safer water to drink, cleaner air to breathe and more green space to—

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

**Mr. Reza Moridi:** Minister, thank you for reaffirming the McGuinty government's commitment to protecting the environment. I know parents in my riding will rest easier knowing that pesticides are no longer getting into our drinking water or being sprayed on lawns, and that

we are getting rid of dirty coal, a cause of asthma attacks in kids.

The same website also points out that the Hudak PCs and the NDP don't have a coherent plan on the environment. My constituents are concerned. Minister, can you tell my constituents what they could possibly expect the opposition to deliver in terms of the environment?

**Hon. John Wilkinson:** I've always said that past actions are the best indicator of future ones. This website that just came out is very timely, because this week is the sixth anniversary of the greenbelt—1.8 million acres of protected land that the Leader of the Opposition voted against. He voted against the Clean Water Act, against 33 additional water inspectors, and a source-to-tap protection system to prevent another Walkerton tragedy. He even voted against the cosmetic pesticides ban, believing that spraying these chemicals indiscriminately was more important than our children's health. But I'm not surprised, because he's one of the few people who voted against the Smoke-Free Ontario Act, all designed just to protect our children.

So I want to make it clear to the environmental groups and to every Ontarian that we are the only party that they can count on to protect the air they breathe, the water we drink and the green space that we all enjoy.

#### FOOD SAFETY

**Mr. Ted Arnott:** My question is for the Minister of Agriculture and Food. Miller's Scottish Bakery of Georgetown has been in business for more than 20 years and they make the most delicious Scotch pies I've ever tasted. Unfortunately, the Ministry of Agriculture and Food's food inspection branch appears to want to put Miller's bakery out of business. The ministry is telling Miller's bakery to spend up to \$50,000 on capital upgrades because they wholesale meat pies. It is a relatively small but profitable part of their business, and crucial to their bottom line. The ministry is treating Miller's as if they were a meat processing plant, but they are not a meat processing plant; they are a bakery. Does the minister know the difference?

**Hon. Carol Mitchell:** I certainly want to thank the members from the opposite side of the House for the question. I can tell you that food safety is our number one priority. I'm going to just speak specifically to the abattoir issue, and then I'm going to expand even more in my supplementary.

We recognize that—

*Interjections.*

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

Minister?

1130

**Hon. Carol Mitchell:** I do want to thank you for speaking to this. Specifically, with the small abattoirs, as I said, I'll speak to that first; then, in the supplementary, I'll speak to that.

We recognize the contribution that our rural, local abattoirs—how critical of a piece they are in the local

food. We committed \$1.5 million in order to assist, to bring—

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

**Mr. Ted Arnott:** Georgetown families are paying the price for the McGuinty government being so out of touch that they appear not to know the difference between a meat plant and a bakery.

Because of this ministry's arbitrary decision, Miller's bakery laid off all their staff—eight people—in that first week. It's ironic that Miller's bakery is allowed to sell their meat pies directly to their customers—which implicitly acknowledges that the ministry believes the food is safe—but they are unable to wholesale the very same pies without pushing their business into a loss position, costing jobs for Ontario families. This is overkill. The McGuinty nanny state has gone way too far. It's time for a change in Ontario.

Will the minister commit to reviewing this matter, instructing her staff to find a reasonable solution which will allow this small business, Miller's bakery, to remain open, profitable, employ their staff and serve their customers as they've done for the last 20 years?

**Hon. Carol Mitchell:** I can tell you—

*Interjections.*

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

**Hon. Carol Mitchell:** I hope they give me the opportunity to answer this very important question.

On this side of the House, we invested \$80 million in local food. I can tell you that food safety is our number one priority. It isn't on that side of the House. They fired meat inspectors—we hired meat inspectors—as if food safety was not what the people of Ontario wanted. That's why it's our number one priority. It is not their priority. They did not make the investments in local food, they did not make the investments in rural economic development, and then they stand in the House and say that if they were given the opportunity again they would fire meat inspectors again.

They don't care about the quality of food. They don't care about the safety of their food. On this side of the House, we care. It's an important, critical piece, and we stand—food safety is our number one priority, and we're proud of our record and the investments we have made in rural Ontario. I can—

*Interjections.*

**The Speaker (Hon. Steve Peters):** The member from Lanark will please come to order. The insistent heckling is hard on my ear.

New question.

#### ONTARIO DRUG BENEFIT PROGRAM

**Ms. Andrea Horwath:** My question is for the Minister of Health. Leslie Anne Jenkins from London has a rare disfiguring disease. It makes eating a challenge, sleeping difficult and working absolutely impossible. Her doctor says it can be treated with a modestly priced drug, but her request for coverage under the Ontario drug bene-

fit exceptional access program was denied, even though other therapies failed to help her. This minister promised to review this case over a month ago. When will she finally respond to a desperate woman's pleas?

**Hon. Deborah Matthews:** Thank you for the question. I met Ms. Jenkins at an event in my riding, and I can assure you that this is a case that we are working on to ensure that she gets access to this drug if at all possible.

As the member opposite knows, it is not politicians who make decisions any longer about who gets what drugs. We do have a system where experts can review specific cases and review drugs. What I can tell you is that I was very moved and touched by the conversation I had with Ms. Jenkins, and we are working to make sure that if there is a way to fund this drug, we will do that.

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

**Ms. Andrea Horwath:** It's not like this is one of those really expensive million-dollar drugs. It's a reasonably priced drug. The Ontario government has a responsibility to fulfill the health care needs of Ontarians.

For Ms. Jenkins the clock is ticking. When a sick woman from the minister's own riding has to rely on the generosity of private citizens from Saskatchewan, it says something about the state of health care in London.

When will the minister make this drug available under compassionate grounds through the exceptional access program to help Ms. Jenkins, her suffering constituent?

**Hon. Deborah Matthews:** Let me repeat: This is a woman who has a very rare condition. We are making sure that her doctor and this—I have to be careful. I cannot speak about cases specifically, but when someone needs access to a drug there are ways to use the system to—we have to rely on experts, and that is exactly what's happening here. The committee to evaluate drugs looks at drugs. The executive officer makes determinations.

This is not a question for an elected person. This is a question for the experts. Heartbreaking as it is, I cannot and will not overrule the experts.

#### ONTARIO FILM INDUSTRY

**Mr. Tony Ruprecht:** I have a question for the Minister of Tourism and Culture. Yesterday, as millions of people across North America were watching the Oscars, they were reminded again about the economic power and strength that exists in our film industry.

This industry contributes millions directly to our economy; it creates and supports jobs around the world and right here in Ontario. Ontario, as you know, is at the forefront of film production. We are recognized throughout the world for our expertise, and we need to continue to attract to this market and encourage more global investments.

Minister, what plan does this government have in place to take Ontario's film industry to the next level of opportunity?

**Hon. Michael Chan:** I want to thank the honourable member for the question. Our government understands the strength of the film industry. Last year, it generated

over \$2 billion to our economy. But the industry needs to go further, and our government has a plan to support the industry moving ahead.

One, we have invested over \$145 million in the Ontario Media Development Corp., and we are going to continue such investment. Two, we are investing in Ontario's emerging talent. This is why we are supporting world-class training through the Canadian Film Centre—\$19 million in support since 2005.

There's much more to do, but our government's plan to get ahead of global competition is working. This is why we are seeing real results right here in Ontario.

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

**Mr. Tony Ruprecht:** Investments are critical, no doubt about it. But, Minister, shouldn't our plan be broader? It should give Ontario a competitive edge on the global market. The world must be assured that investing in Ontario makes good business sense. This is one of Ontario's fastest-growing industries. Jobs have been increased by 12% since 2003. That represents 23,000 new jobs. It would be smart to put measures in place that are going to support further growth. We have the locations; we have the experts. All we need is further support to take this industry to the next level, and that is why we need a broader plan, a plan that will make Ontario more competitive—a job plan.

What further support will the minister commit to so that we can give Ontario a stronger competitive edge on the global market stage?

**Hon. Michael Chan:** I again thank the honourable member for the question. Yes, investments alone are not enough. This is why our plan to get ahead of global competition includes key tax credits. These tax credits help the industry attract business, from the production services tax credit, to the film and television tax credit, to the computer animation and special effects tax credit.

We are helping the industry put its best foot forward. The total value of these tax credits is \$290 million annually.

Our government believes in an Ontario that is open for business. Our investments, tax credits and support for the emerging talent are opening doors to more investments. Our plan is working. We are moving ahead of the competition.

#### MEMBER'S COMMENTS

**Mr. John Yakabuski:** On a point of order, Mr. Speaker: Earlier today during a question by the leader of the official opposition, the Minister of Community Safety and Correctional Services made a comment—which you heard and I heard—I found to be offensive. The comment was: "This is a canine question." We know what that is referring to.

There have been comments made on that side of the House that you have ruled against. The standard practice in this House is if a comment from one side of the House causes disruption on the other side of the House and causes a reaction, in the past you have always stood and

asked that member to withdraw that comment. I do believe that today you should have done the same and asked the minister to withdraw that comment so those kinds of things do not go on in this House, these things being thrown from one side to the other that have no place in this House.

**The Speaker (Hon. Steve Peters):** I want to thank the honourable member for his point of order. I did hear the comment and it certainly didn't cause the disruption that in many cases other language that's used in here has caused. I will say to the honourable member, in future if I hear it I certainly will call any member on that because, as we all know, you can't say indirectly what you would even say directly within this chamber. I just ask all members to be cognizant of language that's been used and any sort of codified language that can cause disruption.

I will give the honourable member, if he chooses, the opportunity to withdraw the comment that the other member took offence to.

**Hon. James J. Bradley:** Of course. I withdraw.

**The Speaker (Hon. Steve Peters):** There being no deferred votes, this House stands recessed until 1 p.m. this afternoon.

*The House recessed from 1143 to 1300.*

### INTRODUCTION OF VISITORS

**Mr. Steve Clark:** I'm proud today to introduce a number of people from municipalities in Leeds–Grenville here for my member's statement to honour Westport mayor, Bill Thake: from Brockville, Mayor David Henderson; from North Grenville, Mayor David Gordon and Deputy Mayor Ken Finnerty; from Edwardsburgh/Cardinal, Mayor Bill Sloan and his wife, Janice, Councillor Pat Sayeau, Councillor Joe Scott and his wife, Cherie, and Councillor Charlie Burrell and his wife, Gail; from Merrickville-Wolford, Mayor Doug Struthers; from Elizabethtown-Kitley, Mayor Jim Pickard, Councillor Rob Smith, Councillor Dan Downey and his wife, Vicki, Councillor Earl Brayton, Councillor Susan Prettejohn and roads superintendent Dale Kulp; from Augusta, Councillor Pauline Cyr, Councillor Doug Malanka and Councillor Bill Pakeman; from Athens, Mayor Herb Scott, Councillor Greg Kearney and roads superintendent Chris Fenlong; from Leeds and the Thousand Islands, Mayor Bruce Bryan, Deputy Mayor Heidi Conarroe, Councillor Velma Kelsey, Councillor Brigitte Lesage-Tye and Councillor Tom Lawler; from Rideau Lakes, Councillor Anders Carson, Councillor Bob Lavoie, Councillor Robert Taylor, and Betty Holman, wife of Mayor Ron Holman.

With us today is—he's not from Leeds-Grenville, but I want to recognize Red Lake mayor Phil Vinet, former Edwardsburgh/Cardinal mayor Larry Dishaw, and Lawrence Levere representing the South Nation Conservation authority. Welcome to Queen's Park, Leeds–Grenville.

**Hon. John Gerretsen:** Today must be eastern Ontario day because I'm very pleased to welcome today His

Worship, the mayor of Kingston, Mark Gerretsen, who also happens to be my son. He's in the audience here, together with my constituency assistant, Mauro Sepe.

**The Speaker (Hon. Steve Peters):** I, too, want to take this opportunity today to welcome all of our guests here from Leeds–Grenville. Particularly, I want to take this opportunity to introduce the mayor of the village of Westport, Bill Thake, and his wife, Marlene. Thank you, Your Worship, for your 50 years of committed service to the people of Ontario. Congratulations.

As well, on behalf of the member from Eglinton–Lawrence, we want to take this opportunity to welcome the students from Sterling Hall who are visiting Queen's Park today. We hope the students enjoy their day here at the Legislature.

### MEMBERS' STATEMENTS

#### BILL THAKE

**Mr. Steve Clark:** I'm overwhelmed that so many municipal officials from Leeds–Grenville have visited the Legislative Assembly today. Thank you very much for coming.

It is a privilege to rise today and celebrate Bill Thake, the mayor of the village of Westport. Whoever said that there are no guarantees in life obviously never met Bill Thake, who has been a sure bet at the ballot box since Leslie Frost sat in the Premier's chair here in Queen's Park. In fact, his incredible legacy of public service has made him the longest-serving head of a municipality in Canada.

Mayor Thake was acclaimed in last October's municipal election, ensuring that he will mark his golden anniversary in elected office. That's right—such a remarkable level of trust he has built with the voters of Westport that he has had an uninterrupted 50-year run since his election as councillor in 1961. He then settled into the reeve's chair in 1969 and held that office as head of council long enough to see the title change to mayor of Westport in 2004. His term last year as warden of the united counties of Leeds and Grenville was his fourth—another record.

When asked by a reporter about his longevity, he offered an answer that speaks volumes about his integrity. Thake said, "I learned that if you give your word to somebody, you were not to change your mind about it the next day...."

Earlier this month, the united counties of Leeds and Grenville presented the first-ever Bill Thake economic development award for leadership in recognition of volunteer achievements.

It is a fitting tribute for our beloved mayor. A boardroom in the county's administration office also bears his name.

I ask all of my colleagues to join me in saluting Mayor Bill Thake for his unmatched record of political

leadership. On behalf of the residents of the village of Westport and all of Leeds–Grenville, I want to offer my personal thanks to his wife, Marlene, and their family for sharing him with us. Thank you very much.

#### CREDIT VALLEY HOSPITAL

**Mr. Bob Delaney:** I rise today to congratulate the organizers, volunteers and participants who raised \$50,000 for the Credit Valley Hospital Foundation during the Family Day weekend. Abdul Qayyum Mufti, of the Islamic Circle of North America, organized the Family Day Walkathon. Mufti reached out to such community groups as the Shaarei Beth El Synagogue of Oakville, the Halton Sikh Cultural Association, the Mississauga Baha'i Community, the Al-Falah Islamic Centre of Oakville, the Solel Congregation of Mississauga, the Al-Rehman Islamic Centre of Meadowvale and the Islamic Centre of Milton.

In addition to the precious \$50,000 for the Credit Valley Hospital Foundation, organizers brought together both faith communities and families for a bracing walk in the cold winter air. Some 500 participants walked to raise funds for a maternal care unit, a neonatal intensive care unit and a pediatric cancer care unit. These will allow kids with cancer in Peel region to receive treatment close to their families.

Credit Valley Hospital serves its fast-growing community in new and refurbished facilities because our families meet western Mississauga's local commitment when we need to build and keep pace with growth. Thanks also to our Mississauga Halton Local Health Integration Network for helping us make locally the timely health care decisions that Mississauga badly needs.

#### SYLVIA LEAL

**Ms. Sylvia Jones:** I rise today on behalf of Tim Hudak and the Progressive Conservative caucus to commemorate the life of a community champion, Sylvia Leal. Ms. Leal was the CEO of PLASP, the Peel lunch and after-school program, for 33 years until she passed away last month. Under her leadership, PLASP, a small child care centre, grew to an incredible 182 school-age locations, 20 early learning and child care centres, and 10 locations for children in the full-day learning program.

Sylvia Leal spent her days at PLASP implementing a vision for what child care should be: a warm, caring environment where children are respected, valued and understood. Because of her hard work and dedication, PLASP and their 690 employees are an award-winning child care organization. They've been named "Best Child Care" and "Best Before and After School Program."

Ms. Leal's passion for children extended far beyond her role at PLASP. She served on the Child Development Resource Connection Peel, Success by 6 Peel, Council of Champions, Fair Share for Peel Task Force and many other organizations throughout her career.

Ms. Leal was the recipient of Credit Valley Hospital's Dr. Robert Bates Award for outstanding contributions to the physical, emotional social and well-being of children. She leaves behind a legacy of excellence in child care throughout Peel and Toronto. It is important that we remember Sylvia Leal for her long-time dedication to children, volunteerism and the community.

#### BLACK HISTORY MONTH

**Mr. Yasir Naqvi:** I'm pleased to take this opportunity on the last day of February to recognize Black History Month in Ontario and to offer my congratulations to Black History Ottawa on their 25th anniversary in our community. This year is even more special for such an anniversary, as it is the International Year for People of African Descent, declared by the United Nations two years ago.

Earlier this month, I was pleased to join with local Ottawa artists, activists, youth leaders and people throughout the community to launch Black History Month. It was a fantastic event with a great turnout of over 300 people and a real testament to the good work and well-earned community respect of Black History Ottawa. Black History Ottawa was created in 1986, when 10 different black community associations came together to organize Black History Month activities. These activities honour the numerous achievements and contributions of people of African descent in fields such as sciences, medicine, literature, the arts, sports and more.

#### 1310

Moreover, Black History Ottawa works with dozens of community associations and local services to help Ottawans of African descent with employment, family support and public education campaigns throughout the year.

I'd like to personally congratulate Godwin Ifedi, president of Black History Ottawa, who was presented with a United Way community builder award at the launch event.

I'd also like to recognize the other members of the board for their good work in our community, both during Black History Month and throughout the year: June Girvan, Jean-Marie Guerrier, Sarah Onyango and Ketcia Dorsainville.

#### ENVIRONMENTAL PROTECTION

**Mr. John O'Toole:** Since I last rose in this House to warn the government that potentially contaminated fill was being dumped on the Oak Ridges moraine, tens of thousands of trucks have continued to dump fill day in and day out, six days a week, for the last three months.

Because of this government's promises and lack of action, residents no longer feel safe drinking the water from their tap. In fact, recently, Naomi Enns, who lives beside the dump site on Lakeridge Road in my riding of Durham, told the Toronto Star, "We don't feel safe drinking our water." She went on to say, "I don't think we would ever forgive ourselves if we let our children drink

our water and they became sick from it. That's the bottom line."

Safety is the bottom line here. Why won't this government simply stop the dumping until it's clarified that it is clean fill?

This government needs to snap out of it and realize what is going on here; the people of my riding certainly have. Over 200 gathered just a few weeks ago to show their concern and demand action from the government. They have organized meetings, chaired by David Langille, Ian McLaurin and Camilla Marshall of Lakeridge Citizens for Clean Water, a group dedicated to protecting the Oak Ridges moraine and our drinking water.

I call on this government to show the same courage as the citizens' group and take action to protect and preserve our water.

On March 3, this Thursday, Uxbridge mayor Gerri Lynn O'Connor is hosting a discussion on this very topic. I call on the Minister of the Environment to issue a ministerial order to halt—

**The Speaker (Hon. Steve Peters):** Thank you. The member from Hamilton East–Stoney Creek.

#### ERAMOSA KARST

**Mr. Paul Miller:** The Eramosa karst network of sinkholes and tunnels houses one of the longest caves in Ontario. While the karst is protected, the 32 hectares of feeder lands are not. These historic caves and the surrounding wildlife are particularly in jeopardy.

Since being elected, I have called on the Liberal government to recognize the importance of these environmentally sensitive lands. In 2009, Hamilton city council passed a motion that the feeder lands should be protected. The member from Niagara West–Glanbrook, PC leader Tim Hudak, and I co-sponsored Bill 59, the Eramosa Karst Feeder Lands Protection Act, 2010, that would require the government to take immediate action to protect these lands from development.

After years of dragging their feet, could the Liberal government finally be hearing the calls of environmentalists, Friends of the Eramosa Karst, Tim Hudak, the people of Stoney Creek, Hamilton city council and me, and legislate protection from development of these lands?

When the minister from Hamilton Mountain speaks of a fundraiser held by the Friends of the Eramosa Karst on March 5, we anticipate and encourage her announcement to be good news for the feeder lands, finally guaranteeing that these precious lands will be protected now and forever.

#### RECYCLING

**Mrs. Amrit Mangat:** On February 9, the Minister of the Environment and I had the pleasure of attending the grand opening of a Sims Recycling Solutions Canada facility in my riding of Mississauga–Brampton South.

Sims is a world leader in electronics recycling. Their facility will not only create over 100 good green jobs in

my community; it will also make my constituents proud to have a green profile.

This new, 287,000-square-foot facility is equipped to process 75,000 tonnes of electronics annually and offers the most advanced technology. Hazardous substances will be diverted from our landfills while a significant amount of recyclable material will be recovered. Residential consumers, businesses and governments will all benefit from these services.

I would like to congratulate Cindy Coutts, president of Sims Recycling Solutions Canada, for her important role as head of the largest e-waste recycling facility in my riding.

#### VARIETY VILLAGE

**Mr. Lorenzo Berardinetti:** I would like to take this opportunity to acknowledge the remarkable contributions that Variety Village has made to the Scarborough South-west community and to Ontario.

Variety Village and its Children's Charity provide essential programs and services for people suffering from physical and cognitive disabilities. Its mission is to facilitate the achievement of life goals through sports, fitness, wellness, educational training and skills development.

Last year alone, Variety Village served over 37,000 individuals, 50% of whom had disabilities. Visitors and guests use an assortment of services at the facility, including the field house, weight room and even an aquatic centre. In addition, Variety Village offers an array of recreational programs, from tae kwon do to reading classes, in order to help invigorate the mind, body and soul.

The good work being done at Variety Village was made possible by the support of our government. Over the past seven years, the McGuinty government has provided over \$9.5 million in provincial funding to Variety Village and its Children's Charity.

The McGuinty government understands the vital services that Variety Village has brought to our community. That's why, when Variety Village was in desperate need of aid, our government provided over \$1 million in emergency funding to help keep the doors open.

I'd like to take this opportunity to thank the staff and volunteers, under the stewardship of their CEO, John Willson, for the great work they do for our community and for Ontario.

#### RENEWABLE ENERGY

**Mr. Khalil Ramal:** I rise today to recognize some fantastic green energy projects that are being implemented at schools in the Thames Valley District School Board in my hometown of London. The schools received funding made available by the Minister of Education for green energy projects in Ontario schools. With this funding, seven schools will be installing solar panels on their roofs in order to offset a portion of their energy

consumption needs with a clean, renewable energy source.

Clarke Road Secondary School in my riding of London-Fanshawe, Sir Frederick Banting Secondary School, Westmount Public School, College Avenue Secondary School, Parkside Collegiate, East Oxford Public School and West Elgin Secondary will all be participating in these green energy initiatives, and I commend them for their efforts.

In addition to the solar panels, each school will install a monitor in their front lobby so that students can see in real time how much energy their solar panels are creating.

I commend the Thames Valley District School Board for their initiatives in making schools in the London area greener, and I would encourage all the schools in Ontario to consider what they can do to encourage conservation and to implement a green school strategy across the province of Ontario.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mr. Peter Shurman:** I beg leave to present a report on infection prevention and control at long-term-care homes from the Standing Committee on Public Accounts and I move the adoption of its recommendations.

**The Speaker (Hon. Steve Peters):** Does the member wish to make a brief statement?

**Mr. Peter Shurman:** As Vice-Chair of the Standing Committee on Public Accounts, it is my privilege to present the committee's report on infection prevention and control at long-term-care homes.

In the past few years, there has been increased awareness about infection control, especially in hospitals. We need to ensure the 75,000 Ontarians living in long-term-care facilities—our parents and grandparents—are protected from preventable infection. I believe one of the best ways to ensure any government partner is doing its best is to require public reporting, so I want to highlight two of the committee's recommendations.

The committee requested that the Ministry of Health and Long-Term Care respond as to whether it will require long-term-care homes to publicly report influenza immunization rates of residents and staff. The committee has also asked when the ministry will require long-term-care homes to publicly report patient safety indicators, comparable to the information required of hospitals. This would include information such as C. difficile cases.

I want to thank the Auditor General, the members of the committee, and the Ministry of Health and Long-Term Care representatives for their participation in our hearings, and with that I move adjournment of the debate.

**The Speaker (Hon. Steve Peters):** Mr. Shurman has moved adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

*Debate adjourned.*

## PETITIONS

### WIND TURBINES

**Mr. John O'Toole:** I am very, very pleased to be able to present a petition. In fact, I have thousands of them from my riding of Durham. I will read it.

"To the Legislative Assembly of Ontario:

"Whereas industrial wind turbine developments have raised concerns among citizens over environmental impacts as well as health, safety and property values; and  
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"Whereas the Green Energy Act"—Bill 150—"allows wind turbine developments to bypass meaningful public input and municipal approvals;

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

"That the Minister of the Environment revise the Green Energy Act to allow full public input and municipal approvals on all industrial wind farm developments and that a moratorium on wind development be declared until an independent, epidemiological study is completed into the health and environmental impacts of industrial wind turbines."

I'm pleased to thank the many constituents who have signed some of these petitions, and thank them for their input.

### DIAGNOSTIC SERVICES

**M<sup>me</sup> France Gélinas:** I have this petition from the people of Azilda and Chelmsford, which are in my riding of Nickel Belt:

"Whereas the Ontario government is making ... PET scanning a publicly insured health service available to cancer and cardiac patients...; and

"Whereas," since October 2009, "insured PET scans" are being performed "in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We ... petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens" of northeastern Ontario.

I fully support this petition, will affix my name to it and ask page Simon to bring it to the Clerk.

### DOMESTIC VIOLENCE

**Mr. Jim Brownell:** I have a petition to the Legislative Assembly of Ontario.

"Whereas all Ontarians have the right to a safe home environment; and

“Whereas the government of Ontario works to reduce all barriers in place that prevent victims of domestic violence from fleeing abusive situations; and

“Whereas the Residential Tenancies Act does not take into consideration the special circumstances facing a tenant who is suffering from abuse; and

“Whereas those that live in fear of their personal safety and that of their children should not be financially penalized for the early termination of their residential leases;

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

“That Bill 53, the Escaping Domestic Violence Act, 2010, be adopted so that victims of domestic violence be afforded a mechanism for the early termination of their lease to allow them to leave an abusive relationship and find a safe place for themselves and their children to call home.”

As I agree with this petition, I shall sign it and send it to the clerks’ table.

#### PROTECTION FOR PEOPLE WITH DISABILITIES

**Ms. Sylvia Jones:** My petition is to the Legislative Assembly of Ontario.

“Whereas supportive living residents in southwestern Ontario were subjected to picketing outside their homes during the labour strike in 2007; and

“Whereas residents and neighbours had to endure megaphones, picket lines, portable bathrooms and shining lights at all hours of the day and night on their streets; and

“Whereas individuals with intellectual disabilities and organizations who support them fought for years to break down barriers and live in inclusive communities;

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

“That the Liberal government quickly schedule committee hearings for Bill 83, the Protecting Vulnerable People Against Picketing Act, which passed second reading on October 28, 2010, so individuals with intellectual disabilities do not have to endure picketing outside of their homes during times of labour unrest.”

I obviously support this petition. I affix my name to it for Beau to take to the table.

#### REPLACEMENT WORKERS

**M<sup>me</sup> France Gélinas:** I have this petition from the people of Hamilton.

“Whereas strikes and lockouts are rare: 97% of collective agreements are settled without a strike or lockout; and

“Whereas anti-temporary replacement workers’ laws have existed in Quebec since 1978; in British Columbia since 1993; and successive governments in those two provinces have never repealed those laws; and

“Whereas anti-temporary replacement workers’ legislation has reduced the length and divisiveness of labour disputes; and

“Whereas the use of temporary replacement workers during a strike or lockout is damaging to the social fabric of a community in the short and the long term as well as the well-being of its residents;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to enact legislation banning the use of temporary replacement workers during a strike or lockout.”

I fully support this petition, will affix my name to it and ask page Madeline to bring it to the Clerk.

#### CEMETERIES

**Mr. Jim Brownell:** I have a number of petitions from throughout Ontario, especially the Sarnia/Oil Springs area. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas members of the Ontario Genealogical Society are concerned about protecting and preserving Ontario’s cemeteries in their original locations; and

“Whereas protecting and preserving Ontario’s cemeteries is a shared responsibility and the foundation of a civilized society; and

“Whereas the Legislature failed to enact Bill 149, the Inactive Cemeteries Protection Act, 2009, which would have prohibited the relocation of inactive cemeteries in the province of Ontario; and

“Whereas the Cooley-Hatt Cemetery (circa 1786) is located in the Niagara Escarpment plan within Ontario’s greenbelt plan in Ancaster, city of Hamilton; and

“Whereas this is one of the earliest surviving pioneer cemeteries in Ontario, with approximately 99 burials, including at least one veteran of the War of 1812;

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

“The government of Ontario must take whatever action is necessary to prevent the desecration of any part of this sacred burial ground for real estate development.”

As I agree with this petition, I shall sign it and send it to the clerks’ table.

#### HIGHWAY CONSTRUCTION

**Mr. Jerry J. Ouellette:** I have a petition which reads:

“To the Legislative Assembly of Ontario:

“We, the residents and businesses of southern Ontario, oppose any decision to terminate Highway 407 east in Oshawa or Clarington and petition the Legislative Assembly of Ontario to proceed with the Highway 407 East extension project as planned and promised, in one continuous phase, from Brock Road in Pickering through to Highway 35/115, with a completion date of 2013.”

I affix my name in full support.

#### TAXATION

**Mr. Peter Kormos:** This is certified by the Clerk and addressed to the Legislative Assembly of Ontario:

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

“Be it resolved that Dalton McGuinty immediately exempt electricity from the harmonized sales tax and home heating bills.”

I have affixed my signature. Thank you, Oliver.

### WIND TURBINES

**Mr. John O’Toole:** I’m pleased to present a petition on behalf of Jane Zednik and Heather Rutherford of Clarington Wind Concerns, as well as Joseph Hamilton. It reads as follows:

“Whereas industrial wind turbine developments have raised concerns among citizens over health, safety and property values;

“Whereas the Green Energy Act, Bill 150, allows wind turbine developments to bypass meaningful public input and municipal approvals;

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

“That the Minister of the Environment revise the Green Energy Act to allow full public input and municipal approvals on all industrial wind farm developments and that a moratorium on wind development be declared until an independent, epidemiological study is completed into the health and environmental impacts of industrial wind turbines.”

I’m pleased to sign and support it, and present it to page Nicolas.

### ACCESS TO HEALTH CARE

**M<sup>me</sup> France Gélinas:** I have this petition from the Right to Health Care Coalition.

“Whereas the government of Quebec exempts landed immigrants from the three-month wait for medical coverage for a number of conditions, notably pregnancy, domestic violence and serious infectious disease, we, the undersigned, call on the Ministry of Health to provide the same OHIP coverage to newly landed immigrants in Ontario.”

I support this petition, will affix my name to it and ask page Emily to bring it to the Clerk.

### CEMETERIES

**Mr. Jim Brownell:** I have a similar petition to the last one from a number of people in the Hamilton area.

“To the Legislative Assembly of Ontario:

“Whereas the Ontario Historical Society, founded in 1888, is a not-for-profit corporation, incorporated by the Legislative Assembly of Ontario April 1, 1899, with a mandate to identify, protect, preserve and promote Ontario’s history; and

“Whereas protecting and preserving Ontario’s cemeteries is a shared responsibility and the foundation of a civilized society; and

“Whereas the Legislature failed to enact Bill 149, the Inactive Cemeteries Protection Act, 2009, which would

have prohibited the relocation of inactive cemeteries in the province of Ontario; and

“Whereas the Cooley-Hatt Cemetery (circa 1786) is located in the Niagara Escarpment plan within Ontario’s greenbelt plan in Ancaster, city of Hamilton; and

“Whereas this is one of the earliest surviving pioneer cemeteries in Ontario, with approximately 99 burials, including at least one veteran of the War of 1812;

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

“The government of Ontario must take whatever action is necessary to prevent the desecration of any part of this sacred burial ground for real estate development.”

Again, as I agree with this, I shall sign it and send it to the clerks’ table.

### ASSISTANCE TO FARMERS

**Mr. Ted Arnott:** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

“Whereas PC MPP Bob Bailey has introduced a significant tax credit for farmers who donate agricultural goods to food banks, to help provide tax relief to farmers and assist local food banks; and

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“Whereas stagnating economic growth and increasing unemployment over the last two years have strained the ability of food banks to support Ontario’s most vulnerable citizens; and

“Whereas over 25 million pounds of fresh produce is disposed of or plowed back into Ontario’s fields each year while local food banks across Ontario face an uphill battle as they struggle to assist those most in need; and

“Whereas PC MPP Bob Bailey’s ‘A Bill to Fight Hunger with Local Food’ provides an inexpensive and common-sense solution to a critical problem for Ontario’s most vulnerable;

“Whereas if the McGuinty Liberals truly support a healthy Ontario and wish to fight poverty, the Legislative Assembly of Ontario should immediately pass MPP Bob Bailey’s bill;

“We, the undersigned, call upon the Legislative Assembly of Ontario to call MPP Bob Bailey’s private member’s bill, Bill 78, the Taxation Amendment Act (Food Bank Donation Tax Credit for Farmers), 2010, to committee immediately for consideration and then on to third reading and implementation without delay.”

### HYDRO RATES

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

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

“Be it resolved that Dalton McGuinty immediately exempt electricity from the harmonized sales tax (HST).”

I agree with this and will sign my name to it.

### OAK RIDGES MORaine

**Mr. John O'Toole:** I'm pleased to present a different petition, but also a protest, from my riding of Durham, which reads as follows:

"Whereas citizens are concerned that contaminants in materials used as fill for pits and quarries may endanger water quality and the natural environment of the Oak Ridges moraine; and

"Whereas the Ministry of the Environment has a responsibility and" indeed "a duty to protect the Oak Ridges moraine; and

"Whereas the government of Ontario has the lead responsibility to provide the tools to lower-tier government to plan, protect and enforce clear, effective policies governing the application and permit process for the placement of fill in abandoned pits and quarries; and

"Whereas this process requires clarification regarding rules respecting what materials may be used to rehabilitate or fill abandoned pits and quarries;

"Therefore we, the undersigned, ask that the Minister of the Environment initiate a moratorium on the clean fill application and permit process" currently under way "on the Oak Ridges moraine" at Lakeridge Road "until there are clear rules; and we further ask that the provincial government take all necessary actions to prevent contamination of the Oak Ridges moraine" and the associated aquifer.

I'm pleased to sign this in support of my constituents and give it to Amanda, one of the pages.

### HYDRO RATES

**M<sup>me</sup> France G linas:** I have this petition from the people of Nickel Belt and Timmins–James Bay.

"To the Legislative Assembly of Ontario:

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

"Be it resolved that Dalton McGuinty immediately exempt electricity from the harmonized sales tax (HST)."

I fully support this petition, will affix my name to it and ask Nicolas to bring it to the Clerk.

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Sylvia Jones:** My petition is to the Legislative Assembly of Ontario.

"Whereas there are over 7,000 people with disabilities waiting for the Ontario Ministry of Community and Social Services' special services at home (SSAH) funding and almost 4,000 on wait-lists for Passport funding; and

"Whereas such programs are vital and essential to supporting Ontarians with developmental disabilities, and their families, to participate in community life;

"ARCH Disability Law Centre supported by Family Alliance Ontario, People First of Ontario, Community Living Ontario, Special Services at Home Provincial

Coalition, Individualized Funding Coalition for Ontario and the undersigned individuals and organizations urge the Ontario government to take quick action to substantially improve developmental services.

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

"—Ensure that all qualified Passport and SSAH applicants immediately receive adequate funding;

"—Make the application and funding allocation processes transparent; and

"—Ensure that sufficient long-term funding is in place so that eligible Ontarians with disabilities can access the supports and services they need."

I support this petition, am pleased to affix my name to it and give it to page Holly Rose.

### TAXATION

**M<sup>me</sup> France G linas:** I have this petition from the people of Ottawa.

"To the Legislative Assembly of Ontario:

"Be it resolved that Dalton McGuinty immediately exempt home heating fuels and gas from the harmonized sales tax (HST)."

I support this petition, will affix my name to it and ask page Emily to bring it to the Clerk.

### ORDERS OF THE DAY

#### TORONTO TRANSIT COMMISSION LABOUR DISPUTES RESOLUTION ACT, 2011

#### LOI DE 2011 SUR LE R GLEMENT DES CONFLITS DE TRAVAIL   LA COMMISSION DE TRANSPORT DE TORONTO

Resuming the debate adjourned on February 24, 2011, on the motion for second reading of Bill 150, An Act to provide for the resolution of labour disputes involving the Toronto Transit Commission / Projet de loi 150, Loi pr voyant le r glement des conflits de travail   la Commission de transport de Toronto.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Peter Kormos:** Thank you kindly, Speaker.

I should acknowledge with some gratitude that the parliamentary assistant is monitoring this debate via, in this instance today, his surrogate, the member for Etobicoke North. That's a long-standing tradition in this chamber, one that isn't maintained, from time to time, by younger members of the Legislature. So I thank the parliamentary assistant, and in this instance his surrogate, for complying with a long-standing tradition and demonstrating their regard, at the very least, for some modest level of process.

I started the response to the minister's lead on this last week; I didn't have a whole lot of time. We went over a few things. You heard me say last week, and I'll say it again because it warrants being said, that in a free and democratic society, one of the most fundamental of those freedoms is the right of a working woman or man to withdraw their labour. That's not something that we should be dismissing in a trivial way.

I walk to work here at Queen's Park in the morning. I come from the east, at least east of Queen's Park, and as I reach the driveway entering into Queen's Park, on the northeast corner of Queen's Park Crescent East and Grosvenor Street, there's a historical plaque; some of you may have seen it. If you haven't had occasion to stop and pause and read it, I'd invite you to do so tonight. It commemorates the printers' strike of 1872. Let me explain to you what that plaque says.

It says, "The Nine-Hour Movement of 1872 was a broad labour effort to achieve a shorter workday through concerted strike action. The printers of the Toronto Typographical Union went on strike for a nine-hour day in late March. On April 15, they paraded with union supporters to Queen's Park. Near here," where that plaque is situated, "a crowd of 10,000 strong rallied in their support." Now, here's where some things just don't change: "Employers"—that's the bosses—"led by Liberal George Brown of the 'Globe'"—the precursor to the Globe and Mail—"had strike leaders charged with criminal conspiracy." So I must say this: The Liberal Party of Ontario has a long-standing tradition of being anti-labour, anti-union, anti-worker. Why, in 1872, George Brown, Liberal, had these strikers charged with conspiracy. "Seeking workers' support, Prime Minister John A. Macdonald passed the Trade Union Act which established the legality of labour organizations. Although certain restrictions remained on union activity, the strike won the TTU"—that's the Toronto Typographical Union—"a nine-hour day and significantly altered relations between workers, employers and the government."

One of the cornerstones in a civil society is the fundamental of free collective bargaining by workers with their employers, with their bosses. An integral part of free collective bargaining is the power to withdraw one's labour. But that isn't the case in all parts of the world. Our frequent guests to this chamber include delegations of politicians from Communist China. Some members applaud them; others prefer not to. But, you see, in Communist China there's no right of a worker to strike. It's considered counter-revolutionary. Stalin's Soviet Union denied workers the right to strike. It was considered counter-revolutionary. And now Dalton McGuinty, Liberal Premier of Ontario, has identified one group of workers—workers who work for the Toronto Transit Commission—and Dalton McGuinty has legislation before this chamber that appears to have, however embarrassing it is, the full support of his Liberal caucus, and will deny workers in Ontario the right to strike.

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Let's make one thing very clear: This is not essential-service legislation. I know that's what the government

spokespeople—that's what the parroting has been. That's what the Coles Notes that are handed out from the Premier's office to the minions who serve that office here in their backbench duties—I know that's what the notes say. But understand the difference between essential-service legislation and what we have here: Essential-service legislation is what we have in the public sector in Ontario, most noticeably amongst, for instance, correctional officers, where, before there can be any strike action, there has to be a successful negotiation with the boss, with the employer, to talk about minimum levels of staffing to maintain core services. That's what happens in the instance of the prospect of a strike by correctional officers.

Correctional officers, through their union—in this case it's OPSEU here in the province of Ontario—are required by law to negotiate, and they have, with their employer—the Ministry of Correctional Services, Management Board, the whole nine yards—what will constitute a minimum level of staffing during the course of any other withdrawal of labour.

That's not what the government proposes here. The government has created an outright prohibition. The government has repealed, the government has undermined, that fundamental right in a free and democratic society, and it's the right to withdraw one's labour.

I know that the bill in its preamble tries to perform some alchemy, if not outright sleight of hand, some legerdemain, by talking about how work stoppages involving these parties—that is to say, the workers of the Toronto Transit Commission—give rise to serious environmental and economic concerns. I was particularly pleased at how cute the environmental concern was. I suppose it's irrefutable: If the buses aren't running and the subway isn't running, there are more cars on the street. Okay. But we're not talking about global warming here; we're not talking about melting the icecap. But fair enough. I'll cut the government that much slack. It was cute to try to throw in that somehow this legislation is a part of the government's green package—cute at the best.

Are there economic concerns? Of course there are. Lord love a duck, for the life of me I can't understand why somehow people don't think that there's going to be an inconvenience when there's a withdrawal of labour by a community of workers. Of course there is.

Let's make one thing very clear: No worker ever takes to a picket line with joy. No worker ever exercises his or her right to withdraw their labour capriciously. If you want to talk about economic grief, talk to those workers who are compelled to take a place on picket lines and what it does to their families and their kids. When they're not working, they're not earning an income. I know that there's some very modest strike pay. So let's understand that first and foremost. No worker ever capriciously casts his or her ballot in favour of a strike, and no worker ever joyfully takes to the picket line.

I said this on Thursday as well. When Frank Stronach of Magna, Belinda's old man, enjoys yet another multi-million dollar payday come the end of Magna's corporate

year, hell's bells, he gets on the front page of Maclean's magazine. There's another glossy profile done of him in the National Post. He's a hero. But when a worker in this province, when a working woman or man, dares to suggest that maybe a 10- or 15- or 20-cents-an-hour pay increase might be in order, they're painted as slothful and indolent and somehow very un-Canadian and unpatriotic. Horse feathers. I'll refrain from quoting any Oscar award winners from last night's television broadcast, but bull spit.

Workers never had anything given to them. Hell's bells, we can go back to 1872 and the nine-hour workday. We aren't talking about a five-day workweek; we're talking about a nine-hour workday. Heck, it wasn't until my time in the 1950s, as I recall—my father was a factory worker; worked in a steel mill down in Welland. I was a kid when the five-day workweek was an issue for working people in this province—like my father, a factory worker.

We somehow seem to oh-so-conveniently forget, all too often and over and over again, that if it weren't for the worker creating the wealth—let's make something clear. Casinos don't create wealth. They separate people from their wealth, but casinos don't create it. Bay Street, quite frankly, doesn't create wealth. It has its Ponzi schemes and it plays fast and loose with working people's pension funds. But Bay Street people don't create wealth. Workers create wealth with their labour.

If TTC workers, people who work in public transit, are important enough to the welfare of the community, to the day-to-day operations of the community, to warrant special attention from Mr. McGuinty and the Liberals when it comes to this obscene legislation, how come they're not important enough to be treated fairly at the bargaining table?

Let's make some other observations while we're at it. It is a given that arbitrated settlements undermine collective bargaining. I've heard the malarkey coming from the government henchmen reading their Coles Notes and their spin briefs, somehow suggesting that a regime that Mr. McGuinty wants to impose on workers in Ontario that prohibits them from striking, denies them the right to strike, doesn't prevent them from collective bargaining. Once again, horse feathers. You know full well that management has no incentive, no motivation whatsoever—the bosses have no intention or desire to sit down at a table and bargain in good faith when they know that, at the end of the day, they'll be able to make their pitch to an arbitrator. That observation has been made so many times.

I refer back to the submission by the Ontario Federation of Labour back in 1956 to Mr. Justice Ivan Rand—the Rand commission. Rand had become somewhat enamoured—I made reference to this a little bit on Thursday past—with the Australian regime of arbitration as compared to collective bargaining. Quite frankly, workers and their unions were frightened that he was swaying that way. So the case was put to Rand very forcefully by any number of authorities that that regime was not a

healthy one. The OFL told Rand in 1966, "Arbitration is no substitute for free collective bargaining. Where both sides know that arbitration is the terminal destination of bargaining, then the vitality and calibre of collective bargaining is greatly weakened."

**1350**

The "vitality and calibre of collective bargaining is greatly weakened." This is a given; that is, a settlement or resolution of a dispute that is arrived at through the collaborative work of the disputing parties—the bosses and the workers—is a resolution that is healthier, more robust and more likely to be complied with voluntarily, and nurtures a healthier and more mature relationship between management and labour.

Maybe it's time to look at this consideration as well, because herein lies, I believe, the real futility of this legislation. As I told you, it's a hell of a way to make public policy: Because Rob Ford asked for it, he gets it. We've been through that. It made me recall—some of the folks here aren't old enough to recall, but many are—the old RCA Victor ad. There was the little terrier looking at the speaker of an old-style Victrola, and the title of that painting was His Master's Voice. Perhaps unfairly—I'm not sure—I was immediately compelled to create in my mind the image of the Minister of Labour, like the little dog listening to his master's voice, which in this case happens to be Rob Ford's. Rob Ford may have been elected mayor of Toronto, but he sure as heck wasn't elected to this Legislature, and it seems to me a pretty darned sloppy way of creating dramatic new public policy; in other words, extending the prohibition on strikes to a class of workers for whom the prerequisites don't exist, and I'm going to get back to that in just a minute.

But during the course of fostering that image of the Minister of Labour sitting there like the little terrier listening to Rob Ford's voice, I learned that the dog's name in the painting is Nipper. So, here we are, a Minister of Labour who is but Nipper to Rob Ford. But I shouldn't be too hard on the minister, because we know that this type of initiative doesn't come from the minister or his office. Reasonably, he's a newly anointed minister, and he's a minister in that pre-election period when ministers are discouraged from freelancing and are encouraged to simply follow the line because things are precarious. This stuff comes out of the Premier's office; make no mistake about it.

For the life of me, in view of the fact that he's been a minister for around a month now, and we have seven or eight months till October 6, I'm disappointed that the minister would squander his good name for what will amount to a mere seven more months of limo rides to and from Mississauga. I don't want to turn this into an ad hominem debate; far be it from me. But when I look at the minister's bio, I see that his adult working life was in the Royal Bank sphere, where unions are a dirty word.

Again, that actress last night got away with what she did. If she said "union" in a Royal Bank of Canada board meeting, she would have been condemned. She would

have had to do more than apologize. Her little slip of the tongue, her F-bomb, was minor compared to saying “union” at a meeting of the board of directors of the Royal Bank, or any other banking institution in this country, for that matter.

So I’m not sure; I can’t speak to the matter with certainty. I’m not sure that the minister was very strong in his advocacy for workers when it came to this piece of legislation. I try to understand; I try to be an understanding person. When I learned that his whole adult life was spent in managerial positions in the Royal Bank, and again, the banks are the biggest anti-union employers in this—hell, they don’t have workers’ comp; did you know that?

If you work for a bank, you don’t have workers’ comp coverage. The banks have been successful at being kept out of the workers’ comp regime. If you’re a bank employee and you get injured—quite frankly, those injuries tend to be some of the most egregious ones, the things like repetitive strain, the injuries that creep up on you as you get a little older and cripple you—don’t even think about workers’ comp coverage, because you don’t have it, working for a bank in the province of Ontario, in Dalton McGuinty’s Ontario.

Let’s go back to where Mr. McGuinty and his gang were trying to turn a sow’s ear into a silk purse. In the preamble to this legislation—again, it’s not essential-services legislation; we know that. That then throws it into the category—I think the government may have bought itself some grief in this regard—of legislation that prohibits firefighters, police officers and some health care workers from striking. These are, in fact, jobs, careers, professions—policing, firefighting—that have a direct impact on life, health and safety.

Interestingly, Marcus Gee, a columnist for the *Globe and Mail*—the same *Globe and Mail* of George Brown, the Liberal, who back in 1872 tried to have workers convicted of conspiracy for daring to strike for a nine-hour workday—questions very capably the wisdom of banning strikes. He also queries whether the government has bought itself some grief by trying to argue—the government thinks that just by putting it in the preamble, it makes it a reality—that a TTC worker on strike is a threat to public health or public safety.

We recall the garbage strike, and we recall the Premier of the day looking to the medical officer of health to see when the medical office of health would tip its hand and indicate that public health and safety were at risk. That’s when the Premier of the day brought in back-to-work legislation, relying upon the medical officer of health, because the Premier of the day knew there had to be some prerequisite met, and that was danger to health and safety. I hear the argument that it’s unsafe when people don’t have the TTC to take them to work. No, I’m afraid you’re not talking about things quite like policing and firefighting.

However, I find it remarkable, because if the legislation passes, and there’s every indication it will, notwithstanding that New Democrats want no part of this

bill or what it stands for, I think Mr. Ford is going to have the surprise of his life. He’ll swallow his bubble-gum when he sees the arguments being made that if indeed TTC workers are the parallel of police and firefighters, then maybe that’s something the arbitrator should be considering when the arbitrator considers salary.

If TTC workers are critical to the health and safety of the community, and if they’re going to pay for that by having their right to strike repealed by Dalton McGuinty and the Liberals—if you take a look at subsection 10(2) of the legislation, it indicates six criteria that an arbitrator shall consider, although it’s not an exhaustive list. One of the criteria is reference to the salaries and work conditions of comparable workers in both the public and private sectors. Fine. You want that comparable, Mr. Ford? Here’s Mr. Ford, who says no, no, no, he understands; he’s not going to be coming to the province for more money. He’s got a \$3-million consultant in the wings; he’s going to grease somebody’s hand. That’s not a gravy train; that’s a caviar train. Name some exotic sauce that a saucier would make. Hollandaise sauce: It’s a hollandaise train. By God, Mr. Ford the revolutionary has been co-opted so quickly. Now he’s into \$3-million consultants. Mr. Ford is also back here at Queen’s Park with his hands out.

#### 1400

Let’s get back to the TTC. The minister, when he spoke to this bill the day it was introduced, cited this bit of data: Since 1974, there have been five occasions when the provincial Parliament has enacted legislation to end or prevent a TTC work stoppage, most recently in April 2008. That sends a clear signal—not that the province intervened, because one of the problems, and I was witness to it, was that the parties to these contract negotiations became increasingly aware that the province was going to intervene anyway. The effectiveness of the bargaining table was diminished; it was undermined. I saw it. The TTC’s position was, “Oh, what the heck. We’ll get back-to-work legislation anyway. Why go to the table and hammer out an agreement?”

But you’ve also got something far more fundamental, because there are unionized workplaces in this province, both private and public sector, that have never had a strike in their history of 30, 40, 50, 60 years—never had a strike. And there are others with a much rockier history of labour relations where lockouts or strikes are almost the norm rather than the exception. You don’t have to be a rocket scientist to understand that that history speaks volumes about the lack of relationship between management and its workers in any given enterprise.

There’s a problem at the TTC. If you don’t know that, you’re living under a rock somewhere. Look, I read the *Toronto Sun*, too, and I’ve seen the sensationalistic exposés of one worker or another worker, amongst thousands of workers who work faithfully and patiently with the demanding public and sometimes—many times—less-than-pleasant bosses, where the agenda of the day seems to be the game of gotcha. It seems to me that

there's a problem at the TTC, and I'm not about to tell you what it is. I suspect that workers at the TTC, whether they're ATU workers or others, could tell you what some of those problems are. I'm suggesting that there are some management types who could probably tell you what some of those problems are.

This legislation doesn't solve the problems. If anything, it makes them worse. If anything, this legislation will aggravate the problems because it's an attempt to merely cover things up. You're not getting to the core here. You're not addressing what I believe, were you to drill down, is probably a serious problem when it comes to management and communications, when it comes to a lack of respect for workers in the TTC system, when it comes down to a constant game of gotcha.

I, for one, am just amazed—I told you about the little essay I read a couple of months ago by Professor Frankfurt, the professor emeritus at Princeton University in moral philosophy. The title of the book was *On Bull Spit*, and I'm paraphrasing the title of the essay, because it wasn't really "bull spit," but I can say "bull spit" and I can't say—I probably could if I wanted to, but then the Speaker would say I'd have to withdraw it. Or I could withdraw it in advance, because Lord knows that there's enough of it goes on here, isn't there, Speaker? If you want to see bull spit, you're at the right place.

One of the things that Professor Frankfurt remarked on—and I told you he made the distinction between lying and bull spitting. It helped me to understand that this government can engage in both with equal levels of skill. But he also then talked about opinions. He bemoaned the fact that we live in a Twitter society where everybody is expected to have an opinion, even on stuff that they know absolutely nothing about. And when you listen to the right-wing radio talk shows during the round of collective bargaining with, let's say, the TTC here in Toronto, you're bombarded with people who have opinions about things that they know absolutely nothing about. And one of them, of course, is the myth about the high pay and the soft jobs of TTC workers, and I find that embarrassing. I find it embarrassing that our airways would even host such libel and slander and I find it embarrassing that people who are in a position to put a halt to that don't say, "Please be careful," because that's simply not the case. I find it embarrassing that these people don't rise to the occasion.

As I say, it's remarkable how, when Frank Stronach grabs the brass ring yet one more time and cashes in to the tune of millions of dollars, he's some kind of folk hero, but when a working woman or man struggles to get a 10- or 15- or 20-cent an hour raise or maybe a little safer workplace or maybe a little more control over their pension fund, that worker then is vilified as being greedy and ungrateful. Ungrateful? If it weren't for the TTC workers, there wouldn't be a TTC; end of story. Hell would freeze over in our lifetimes before you'd see buses running themselves, or subways, for that matter, or streetcars.

As I say, we've got a problem when we don't respect the workers who work in a particular working commun-

ity. In this instance, we're talking about the TTC. When those workers become the target of regrettable gotcha games and when those workers become fodder for right-wing radio talk shows and their highly opinionated listeners and callers or, for that matter, for the occasional right-wing editorialist—although, I must say, Marcus Gee was a breath of fresh air because he, notwithstanding writing for the *Globe and Mail*—I don't suppose I should stigmatize him for that. He had a very clear understanding of the risk that the government is taking on with this ill-thought-out, ill-conceived and ill-planned, knee-jerk legislation that's a response to Rob Ford's wishes.

If only it were that easy. I told you the other day that in the township of Wainfleet, the hard-working mayor and four councillors passed a resolution at their township council meeting calling upon this government to increase the food allowance for people on social assistance by \$100 a month. The city of Port Colborne down in the riding of Welland did the same thing. Their city council passed the same resolution. Heck, if that is how it's done, gosh, there are two communities already that want social assistance rates increased by \$100 a month to provide a food allowance that will—if you want to talk about a public safety and health issue, there's one, as sure as God made apples. But no, the government doesn't find itself compelled to respond to those requests. It does, in this instance.

Let's talk about the people in the official opposition, the Conservatives, who support this legislation enthusiastically—or at least appear to. I understand. I didn't expect anything else from them. My colleagues in the Conservative ranks have never been on the side of the trade unionists or the trade union or the worker. They haven't, and they don't pretend to be.

I was here; I remember. I chaired the committee that held the public hearings on Bill 40—Bob Mackenzie, the member from Hamilton, a great MPP, a great trade unionist, a great workers' advocate, a great politician; he passed away a couple of months ago now. I chaired that committee as it travelled across the province and I heard the Conservative opposition to it during the course of the committee hearings: proposals by the NDP on things like anti-scab legislation, embraced by the NDP, and on things like card-based certification. Then I watched the Conservatives, with the Liberals, hand in hand, arm in arm, repeal those core elements of Bill 40 after the Conservatives were elected in 1995.

The Liberals will say what they have to say during the course of this debate, and their opposition to workers and their support for the bill doesn't surprise me. But across the way we've got a gang of Liberals who want to have it every which way. They want to suck and blow at the same time. They want to, on the one hand, say that they're the friend of the working man. I don't think so. Which working man or woman? I'm not sure. Certainly not the ones at minimum wage; certainly not the ones who lost their jobs across the province of Ontario to the tune of 300,000 good unionized jobs in the manufacturing sector—value-added jobs, wealth-creation jobs. They

don't have any friends across the way in the Liberal Party or the Liberal government or the Liberal cabinet, with Dalton McGuinty and his minions in his office.

**1410**

Now you've got a Liberal government that's undermining the right to withdraw labour, a core and fundamental right; a Liberal government that is joining the ranks of the People's Republic of China. You see, in the People's Republic of China, workers aren't allowed to strike either. You remember China—Tiananmen Square, Tibet? Those Chinese. Or the old Stalinist USSR.

The Liberals are doing this with such haste, with a sense of urgency. Rob Ford will treat it as an election promise kept, because it does appear that Ford—that is to say, Mr. Rob Ford, Mayor Rob Ford—and Premier Dalton McGuinty have far more in common than they ever imagined.

**Mr. Paul Miller:** Buddies.

**Mr. Peter Kormos:** Tight. Who would have thought? This is Mayor Rob Ford, the one who beat the daylight, who kicked the bejesus, out of George Smitherman.

When I was making reference to the bio of the Minister of Labour, I did note that he was the co-chair of John Tory's campaign for mayor in the 2006 election. That just helps us understand—

**Mr. Paul Miller:** Connections.

**Mr. Peter Kormos:** It fleshes this out. You connect the dots. You know those games you got for your kids or your grandkids where you connect the dots and they're numbered, and eventually a picture emerges on the page? I had forgotten about those until just the other day when I was thinking about how here, you connect the dots and then you see what the real picture is. You discover that Liberals and Tories can share a whole lot, including an intense anti-worker agenda, and they'll lie, cheat and steal, if necessary, to get it done. They're going to insist that this legislation is essential-service legislation when in fact it's not. It's a prohibition of the right to strike; it's not essential-service legislation. It doesn't create that kind of structure that exists for correctional officers and other crown employees.

They're going to insist that they have the right to do it because it has to do with public health and safety, not because it has anything to do with public health and safety but because they said it did in the preamble to their bill. Maybe that's where the Liberals will be hoisted on their own petard, when a judge is called upon to examine the legitimacy of this legislation and to apply principles to the prohibition of the right to strike, as they require that there be a direct impact on public health and safety. I'm not about to say what clever lawyers, far smarter people than I am, are prepared to do with that sort of thing, but obviously the Liberals will have egg on their faces, come the litigation that flows.

I also see the Liberals putting themselves in a position, as we are coming into an election October 6, where they have so much less now to distinguish themselves from the Conservatives in the province of Ontario. Liberals would go to great lengths to try to vilify the Conserva-

tives, to resurrect horror stories, real or imagined. I don't have to be reminded of them; I was there. I have my own views; so do the voters of Ontario.

In this instance I'm particularly proud of Andrea Horwath and the NDP. Andrea Horwath and the NDP are being clear about where they stand, where they stand with respect to this legislation. We're not supporting it; we're opposing it. We're going to be voting against it and will be forcing it into committee. Unless the government uses time allocation, the closure motion, to restrict and terminate debate, we'll do our best to make sure there's at least some access to the committee by the public and by people who are impacted by the legislation.

The folly, the naiveté, the danger that's being courted by this legislation is amazing. Free collective bargaining entails the right to withdraw one's labour. The two are interrelated; the two are one and the same. As I see other organized public sector workers in this province, like teachers, saying, "Oh, well, it's just those transit workers," I would ask them to pause for a moment and reflect, because if it's transit workers today, why not teachers tomorrow? If it's transit workers today, why not community college teachers? If it's transit workers today, I would just go down the list. And don't think for a minute that that won't throw the monkey wrench into collective bargaining and good-faith bargaining when it comes around time to negotiate a new contract.

The stability of our communities, of our economy relies upon there being this agenda of adversarial, but nonetheless, at the end of the day, joint gain as the goal when you're talking about labour—working people—and their bosses, their management. This government is throwing us into and creating the prospect of economic chaos. If you've got a disgruntled workforce, if you've got a workforce that feels put upon, if you've got a workforce that feels that they're the constant victims of gotcha games, if you've got a workforce that doesn't feel respected and a workforce that feels it's being denigrated at every turn of the way, abolishing the right to strike is not going to abolish those grievances. What it will do is force workers to express their anger, their mistrust of management, their frustration in 1,001 other ways. That will be authored by Premier Dalton McGuinty.

I'm pretty impressed by Toronto's bus system. We've got one down in Welland, too. We have a bus system. We don't have any subways. We used to have streetcars. We don't have any trolleys, though. I know the workers down at the Welland bus service and the St. Catharines bus service. I'll be darned. The Welland bus service is unionized. They've had some pretty fierce rounds of collective bargaining when it comes time to contract, but for the life of me I can't ever remember a strike taking place down in Welland, or St. Catharines, for that matter. What gives here? There's a problem that isn't being looked at, that isn't being probed. I'd like to think it was just oversight on the part of the McGuinty Liberals, but my more rational, thoughtful part—yes, I have a rational and thoughtful part—compels me to conclude that it is an agenda. It's the Wisconsin agenda, if you will.

**Mr. Paul Miller:** Crush them. Break them. Break unions. Crush them.

**Mr. Peter Kormos:** Now is the time to do it, according to the Mr. McGuintys of the world. Now is the time to do it, according to the Liberals of Ontario, and when this engine starts rolling, this ban-strike engine, that locomotive—it will undoubtedly be diesel because it's a Liberal locomotive, dirty diesel—will just go off hell-bent for destruction.

1420

Again, there are members of the public who say, "Okay, so what if none of them have the right to strike, so what if none of them have any alternative than to submit to compulsory arbitration?" We're starting out with Toronto transit: not just the ATU but several other unions are involved who represent workers in their respective roles working with the Toronto Transit Commission. But think about what it will do to teachers in a public education system who are still struggling with a highly underfunded system and working double and triple duty to compensate for the lack of funding in our public schools, whether it's at the elementary, secondary or, as I said, the college level.

If you want to see all hell break loose, this legislation is but the thin edge of the wedge and there will be more to come. This legislation is licence to any subsequent Parliament—and there will be subsequent Parliaments; there will be a new one come October 6—to simply do as it wishes with workers and their rights here in the province of Ontario.

Hell, McGuinty has already managed to drive 300,000 jobs out of the province—

**The Acting Speaker (Ms. Cheri DiNovo):** I would ask the member to refer to the position, not the name.

**Mr. Peter Kormos:** Hell, Premier McGuinty has managed to drive 300,000 good manufacturing jobs—I apologize, Speaker, I should have said "Mr. McGuinty," to be precise, so that the people know exactly whom I was talking about.

He has already driven 300,000 good jobs out of the province—good jobs, union jobs. When new jobs have been created, they tend to be low-wage jobs, minimum-wage jobs, contract jobs, part-time jobs, temporary jobs—certainly not career jobs. If he wants to start cutting the unions off at the knees—after all, Premier McGuinty has dragged his heels when it comes to card-based certification. He thought it was great for construction building trades—good for them—but not for the most vulnerable workers, the Walmart workers, the ones in the lowest-paid jobs, women workers, immigrant workers who don't have access to card-based certification and who need it most.

He again has limped along with a minimum wage that's below poverty, and shows no intention of ever allowing catch-up there. We see the workers dying at an alarmingly frequent rate in this model of First World country government here in the province of Ontario; workers being sacrificed at the altar of profit.

So I wrap up: New Democrats will be voting against this on second reading, we will be participating in public

hearings, we will be voting against it at third reading and we appeal, however futile that appeal seems, to the Premier's office to please reconsider. Let there be an election campaign on this issue. Let's see what the voters of Ontario really want.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Mario Sergio:** I was hoping, since I have the opportunity to rise and make some comments on my colleague from Welland—I had the grade 5s from St. Jude, and it would have been nice to have them in the House and introduce them. They were here, they had a wonderful time and I hope they will come back.

In response to the member from Welland, let me say that he is always up for a good debate, and most of the time he is very sensitive to the real issues. As he just ended saying that he hopes this will go for some public hearings, indeed, this is the first step. I hope that we will have good input—it's got a long way to go—and hear from various individuals, groups and all the stakeholders who are willing to come out and make submissions.

Let me say briefly, for the interest of the people in attendance and for those watching, that we have the director here from the city of Toronto executive committee recommending exactly the same thing. Then we have a recommendation from the TTC itself declaring the same thing. Then we have the council of city of Toronto requesting the province of Ontario to do exactly what they are requesting, and they did that by a vote of 28 to 17.

This could be the perfect situation where, if the city of Toronto, for once, had sent to the province a reasonable request, if I may say—if we had said, "No, we're not going to deal with it," probably the wonderful member would have said, "Ha, look at this. The province of Ontario has thumbed its nose at the request"—

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Questions and comments?

**Mr. Jerry J. Ouellette:** I appreciate the opportunity to comment on the member from Welland's comments.

I know that to which the member is referring. The concern is the impacts outside the direct relationship of the workers inside. Everyone is concerned, at least from my perspective, with ensuring that there are fair and reasonable wages and working conditions for all the individuals there.

The member did specifically mention Bill 40 and its impacts and how it was bad. We all hear these things, but quite frankly, I can tell you that in Oshawa, the Oshawa Times was shut down specifically, according to Sharon Young, the managing editor, because of Bill 40 and the inability to disclose the financial aspects of management to the workers during the negotiations—a paper that had been in existence for over 100 years in what has happened in our community. Since then, we haven't had a daily paper. That's just one example of some of the things that happened.

Some of the other aspects that need to be brought forward are—quite frankly, I can tell you that in 1995, in

that era, moving forward right to after 2000, the number one question in Oshawa was, “Do I have to work another weekend?” If you’re talking about parties, groups and organizations, or people making a difference in making sure there are jobs out there for people, we certainly had more people working more overtime on a regular basis then than today. You spoke about the 300,000 manufacturing jobs that were lost in the province and the impact there. But the biggest aspect is—now the number one question is, “Do I still have a job?” People are out there looking, whether it’s the forestry sector and what we were able to do there in maintaining those individuals—speak to your own members and find out how we worked with your members to ensure that.

The last thing I wanted to say was that there are a number of us who, if you take a look deep inside—I didn’t get much support when I tried to change the components of the Free Trade Act so that it was 62% of production time as opposed to 62% of cost of production, which would have had a huge impact on labour in this province.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Paul Miller:** I’d like to stand up and say that my father and my grandfather worked at 1005 Stelco. They’d be rolling over in their graves if they saw what was going on in this House. This is an absolute disgrace. To take away collective bargaining from people is unconscionable.

I’ll tell you one thing: In all the years I worked there, I went through two strikes myself. Do you think that company, Stelco, was going to voluntarily give me a raise? Were they going to give me more benefits and improve my dental and eyeglasses? No. We had to go out on the street for months to fight for a 25-cent-an-hour raise. We fought, but we won.

Now this government is going to take away the right, the only thing that strikers have—when you go on strike, the only ability you have to fight ruthless management, ruthless corporations, is through the strike process, to remove your labour. That’s the only thing. In the Magna deal, withdrawing the right to strike was another mistake.

Any union member or any union leader in this province who does not fight to maintain collective agreements is going to have a real problem down the road. This is just the start, as the member from Welland mentioned. This is just the start. The train is rolling off the track.

Do you think the workers at Dofasco, next door to Stelco, would have gotten the money and the good life they had? They never had to go on strike because we did, next door. We fought the fight for them. They always thanked us, and they always donated to our picket lines, because they knew that what we got, they would get without having to go on strike. That’s the way it works: No company, no corporation, is going to come and hand you more money and more benefits without a fight.

This government is making a big mistake. You can see what’s going on in Wisconsin. That’s just the start. It’s going to happen all over North America.

1430

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments? The member from Durham.

**Mr. John O’Toole:** I would say that—

**The Acting Speaker (Ms. Cheri DiNovo):** Sorry; I didn’t see you. Member from Mississauga–Brampton South.

**Mrs. Amrit Mangat:** We introduced this legislation in response to a request from Toronto city council to declare the Toronto Transit Commission as an essential service and refer all outstanding collective bargaining matters to binding arbitration.

The city of Toronto is an elected government. We are respecting their wishes, and we are just the facilitators. We have listened to representatives of the city and the bargaining agents involved, as well as the Toronto Transit Commission.

This is the right thing to do right now for the city of Toronto and transit riders in the greater Toronto area. The city estimates that TTC labour disruptions cost the economy about \$50 million a day. With a city the size of Toronto, transit is critically important to the environment and economic well-being of the city, as well as the province.

It’s the right thing to do, and it’s the best thing to do. We are listening to all the bargaining agents and the city of Toronto, as well as the TTC. So I ask all members of this House to support this legislation.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Welland has up to two minutes to respond.

**Mr. Peter Kormos:** I have so much affection for the member from Mississauga–Brampton South. Why she allowed herself to be used here today, to be set up with that bit of spin out of the Premier’s office, just boggles the mind. The message is clear: “Oh, it’s not us. Blame Rob Ford. We’re only doing what Rob Ford told us to do.” What a gutless, gonadless, gonad-absence approach to leadership, or what they, the Liberals, would want us to believe is leadership. You either agree with the proposition or you don’t.

**The Acting Speaker (Ms. Cheri DiNovo):** I would ask the member to withdraw that comment, the unparliamentary language.

**Mr. Peter Kormos:** Which one?

**The Acting Speaker (Ms. Cheri DiNovo):** The one that started with “g”.

**Mr. Peter Kormos:** “Gutless”? I withdraw. I withdraw anything that was unparliamentary.

This is pathetic. This is outrageous, that they’re hiding behind the suit jacket of Rob Ford and arguing that the only reason they are bringing this legislation in is because Rob Ford asked for it. You can’t have it both ways. What that suggests to me is that they know that all hell is going to break loose. What that suggests to me is that they know this is going to make things worse at the TTC, and then they’re going to be able to say, “Well, Rob Ford made us do it.”

He didn’t make you do it. This Premier’s office chose to do it. Liberals weren’t forced to do anything. Liberals

chose to assault workers here in the province of Ontario and to create a path, to create a direction, that is going to undermine core workers' rights across the board, public sector and private sector. The government is simply showing its true stripes. It has no qualms about going to workers asking for their votes, but when workers come to them asking for protection or card-based certification or fair treatment when it comes around to labour relations, this government's nowhere to be seen.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate? The member from Etobicoke North.

**Mr. Shafiq Qaadri:** I feel it my duty to rise in the House today to contribute to this debate on the second reading of Bill 150, the Toronto Transit Commission Labour Disputes Resolution Act, 2011.

I feel privileged to speak to this proposed legislation because it's all about listening to the people of Toronto, their duly elected council, the board that reports to them and, yes, also the unions, and helping them to navigate the legislation when they ask for it. It's about meeting our citizens' needs and acting in the public interest, which is ultimately what we are empowered to do here. It's about acknowledging the unique role that the city of Toronto plays in the province of Ontario, indeed in Canada, and the unique role that the TTC plays in the city of Toronto.

Comme les députés de la Chambre le savent, le 16 décembre 2010, le conseil municipal de Toronto a présenté une demande au moyen d'une motion voulant que la province « désigne comme service essentiel les transports en commun de Toronto ». Notre gouvernement respecte le droit du conseil municipal de Toronto de parler au nom de la population de cette ville. Le projet de loi se rapporte à une circonstance vraiment unique en son genre.

The Toronto Transit Commission was formed in 1925 in an effort to provide quality public transit throughout Toronto and into the outlying suburban communities. It was formed because it was a necessary component of a growing city. The city of Toronto has, of course, continued to grow, as has the TTC. The mutual relationship between the city and its transit system can only grow more important and essential over time.

Public transit is an essential component of a great city. Transit helps people who live all over the city negotiate their way around all over the city. This is true for daily commuters and for people visiting Toronto's many shopping and entertainment attractions. It is an essential part of the lives of Torontonians, whether for work, school, businesses, factories, colleges, universities, hospitals and even government.

As a Toronto member of provincial Parliament, I was heartened to learn that the TTC is the third largest transport system in North America, after New York and Mexico City. To appreciate its scale, I ask this chamber to realize that, on a daily basis, the TTC transports the same number of people who live in Hamilton, Kitchener, London, Sudbury and Windsor combined. The TTC is a vital link that helps make this city work, helps make it great.

The people of Toronto believe in their city, and they believe in the absolute importance of having a dependable, functioning transit system to help keep their city moving. The people of Toronto have made a request of the province through their city councillors, and it was incumbent upon us to consider that request.

I quote for you, Speaker, and for my honourable opponent opposite an excerpt from the motion from the TTC board that was endorsed by city council on December 16, 2010. Through this excerpt, I think we can understand clearly how dependent the city is on its transport system in many different ways.

“Over one million Torontonians rely on the TTC to get to work, school and conduct their lives each day. The city of Toronto is simply not designed to function without an operating ... transit system...”

“TTC strikes are an economic, social and environmental disaster that grinds the ... GTA to a standstill. The cost of transit strikes in Toronto has been estimated to be \$50 million per day in lost economic activity. The environmental harm caused by the complete absence of transit and thousands of additional vehicles on the road is incalculable.”

Out of this motion from the TTC board came a resolution by city council with a request to the provincial government to make work stoppages at the TTC a thing of the past. We on the government side of this House have seriously and responsibly considered that request.

In doing so, we considered the following: One and a half million rides are taken on the TTC every business day. The TTC is the largest transit system in Canada. It serves as a vital transportation link for hospital and nursing home workers to get to health care facilities, where the work they do saves and improves people's lives. Children take the TTC to school every day, as do their teachers. Our seniors, grandparents, neighbours and friends rely on the system to get to a doctor, pharmacy, laboratory, rehab facility—the list is endless. Moms and dads use the TTC to drop their kids off at daycare and then continue on to work.

Il y a des milliers de passagers qui n'ont ni le temps ni l'argent de conduire et de se garer au centre-ville, en supposant qu'il y ait des places de stationnement libres en cas d'arrêt de travail de la CTT.

Thousands and thousands of students at our colleges, universities and other post-secondary institutions often have no other mode of transport. The people of Toronto work in offices, factories, retail stores, food markets—the thousands of businesses in Toronto that contribute so much to the fabric of the city. We see those who cannot afford a car or even a driver's licence using a transit system that takes them where they need to go.

But during TTC work stoppages, we see that world grind to a near halt. We see our roads and highways choked with traffic. We see police cars, fire service vehicles and ambulances trying to negotiate through clogged streets and roads. We see many of the most vulnerable in our society left stranded. We see our emergency room and operating staffs, along with nursing-home-care

workers, either stuck in traffic or trying to hitch a ride if they can.

**1440**

As a physician as well as a legislator, I will highlight for you in urgent terms that the city of Toronto has the largest concentration of hospitals, nursing homes, pharmacies, physiotherapy centres, rehab centres, radiology centres, testing laboratories and other health care facilities in the province. There are 40 hospitals, 84 long-term-care homes and 21 community care centres in the greater Toronto area, as well as many retirement homes.

Dans le grand Toronto, il y a 40 hôpitaux, 84 maisons de soins de longue durée et 21 centres de soins communautaires, ainsi que de nombreuses maisons de retraite. Nombre des membres du personnel de ces établissements utilisent les transports en commun pour se rendre chaque jour au travail.

Many of the people who staff these facilities get to work every day by public transit. I know that that is particularly true for health care staff in my own riding of Etobicoke North. Without the TTC, many of the people who staff Toronto's hospitals would have no way in to work.

We considered the operating rooms and the emergency rooms, the long-term-care facilities and retirement homes, as well as home care health workers. The primary job of any government should be the safety, health and economic and physical well-being of its people. We are the stewards of the greater public good, and I believe the record shows that the health of Ontarians has been and continues to be a priority for this government.

Government cannot afford to look the other way when our largest city and its people come to a virtual standstill because that city's public transport system is shut down. You will recall, Speaker, as I do, Sunday, April 28, 2008, when all parties, including the very eloquent third party, in this Legislative Assembly joined together to ensure that transit service resumed across Toronto.

That day in 2008 was unique and important for many reasons, not the least of which was the all-party support that was achieved in determining that the work stoppage at the TTC could not be allowed to continue. My colleagues in the PC Party and the NDP, under the leadership of their House leader the member from Welland, joined the government to get the parties back at the table and get the people of Toronto moving again. In 2008, partisan differences were put aside. Why? In the greater interest of the people of Toronto. Public policy took precedence over partisan politics.

That type of all-party consensus is likely rare, but we on the government side are hopeful that the official opposition and the third party will support this important government initiative on behalf of the people of Toronto.

As a Toronto member, I am very well aware of the role that the TTC plays in the lives of my constituents, and I'm pleased that the government is taking this step. The constituents of my riding in Etobicoke North have been in touch with me to express their support for this bill. They have told me how important dependable,

uninterrupted TTC services are for them in their daily lives. They have told me that they are pleased to see the government acting, taking a fair-minded approach that continues to respect the collective bargaining process.

Toutefois, dans les cas où les parties se trouveraient dans une impasse de la négociation collective, les questions en suspens seraient résolues suivant un processus équitable et neutre de tiers : l'arbitrage exécutoire des intérêts.

My constituents are a diverse reflection of Torontonians as a whole, and they are telling me that they need the TTC. I'm sure that my colleagues from all parties are hearing this. It is important to get this type of feedback from our constituents because it reinforces what the numbers so clearly tell us about the importance of the TTC to the lives of Torontonians.

The statistics are impressive, and I'll share some with you: 1.5 million rides are taken on the TTC each and every business day. In 2009, there were almost half a billion passenger trips on the TTC. The TTC has over 1,600 accessible buses in its system, travelling over 150 accessible bus routes. In addition, there are approximately 200 light rail vehicles, along with about 50 LRV routes. When you take these individual pieces and put them together, you get the full picture of what Canada's largest mass transport system looks like.

As a medical doctor, I'm keenly aware of the legitimate and research-based impact of the overall effect on human health and a clean environment. The air that we breathe has a significant impact on our overall well-being. As a government, we have acknowledged that we have been working diligently towards cleaner air across Ontario. I can tell you, for example, that our air quality directly impacts the number of attacks of asthma, COPD, chronic bronchitis, emphysema and airborne allergies.

It is obvious that the public transport system, especially in the city the size of Toronto, is a key element in our efforts to move to a cleaner, greener and healthier society.

The Toronto Transit Commission estimates that a subway train replaces over 900 cars at peak times on most routes. The TTC also estimates that, on average, one bus replaces 50 cars, and a four-car Scarborough rapid transit system train at rush hour takes approximately 200 cars off the road. Obviously, TTC work stoppages have a major impact on automobile use, and the emissions from this increase from cars on the road has a significant impact on the environment.

A 2008 report prepared for the Amalgamated Transit Union, ATU Local 113, estimated that without TTC services there would be in the order of 200,000 additional cars on the road in Toronto and about 350,000 new car trips on any business day. It's a significant amount of added pollution: fossil fuel gases, particulate matter, airborne pollutants and so on.

The TTC is large, complex and of vital importance to the health, safety, economic and social well-being of the people of Toronto. It is for these reasons that our

government has taken the request by Toronto city council to prohibit work stoppages on the TTC seriously.

In saying that, however, it is important to underline with due respect to the way my colleague opposite honours labour relations in Ontario, even going so far back as 140 years. Our government has spoken with the TTC, with the city and the impacted unions. Following these consultations, we were left with a decision to make. By introducing this legislation, we are taking responsible, fair and reasonable action on behalf of the people of Toronto.

Ensuring continuity of service at the TTC is the right thing to do. Through the government's consultations with the parties, it has become clear that if the government were to act, doing so quickly would be to the benefit of all involved. The members of this House and many Torontonians are aware that the collective agreements between the TTC and its unions expire on March 31, 2011. The parties have a right to know the rules that will apply in the coming round of collective bargaining.

We are supportive of the collective bargaining process and believe that the best agreements are those that are reached at the bargaining table. A key component of the impending collective bargaining process will be knowing the rules under which the parties are operating. By acting now, and if this proposed legislation passes, the parties will benefit from that understanding.

I want to speak for a moment on the labour relations record of the McGuinty government. As the Minister of Labour has said, our government is proud of its labour relations record over the seven-plus years we have had the privilege of serving the people of Ontario. Indicative of those labour relations and that climate in the province is that over the past year, from January 1, 2010, to December 31, 2010, more than 99% of labour contract negotiations have resulted in settlements with no work stoppages. In fact, over the past number of years, approximately 97% of negotiations have resulted in settlements with no strikes and no lockouts. This is an outstanding result that I believe all members of this House can cite with pride.

Maintaining an environment that promotes the fair and stable labour relations that are instrumental to Ontario's economic success has been an important priority for this government. We all know that some negotiations can be very challenging. Speaking with the minister, I know that he has, as do we all, the utmost respect for individuals who represent employers and unions at the bargaining table, including many who are here to listen to me in person. These individuals work together through negotiations to develop an agreement that reflects the needs of both parties.

Agreements reached at the negotiating table are the best agreements, the most stable agreements and most productive agreements. We have made it clear that nothing in our proposed legislation—nothing—prevents or limits the parties from collective bargaining. On the contrary, the bill only prohibits strikes and lockouts at the TTC.

Notre gouvernement croit fermement au droit de la négociation collective et au fait que les meilleures

conventions collectives sont celles qu'on conclut à la table de négociation. Le projet de loi ne supprimerait ni ne limiterait le droit à la négociation. La loi proposée n'interdirait que les grèves et les lock-out.

Our government has listened to city council's request. This bill acknowledges that the safety, health, economic and social well-being of Torontonians is significantly impacted by dependable access to their public transport system. We know that the absolutely vital role that the TTC plays in the lives of Torontonians is what is under consideration today. We know that all parties have agreed previously, when a work stoppage occurred, that the best thing to do, the responsible thing to do on behalf of the people of Toronto, was to ensure that the TTC got back to work—most recently, as you will recall, in April 2008.

#### 1450

By introducing this bill, we are again acting responsibly on behalf of the people of Toronto. Our government respects the right of Toronto city council to make a request on behalf of the people of Toronto. Our response to this request takes into account the unique situation in Toronto and the unique role that the TTC plays within that city.

Notre gouvernement respecte le droit du conseil municipal de Toronto de parler au nom de la population de cette ville. Notre réponse à la demande de la ville de Toronto tient compte des préoccupations de cette ville au sujet des circonstances uniques en leur genre de Toronto et de son réseau de transports en commun.

The safety and health of our citizens is of the highest priority for our government. We say to the people of Toronto, "We have listened." We have said to these citizens, "We care about your well-being." In this bill, we have responded to Ontarians.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Ted Chudleigh:** I find myself in a very unique situation in this House in that this government has finally brought in a bill that I can agree with. I don't agree with it entirely. There are some aspects of the bill, in the appointment of the mediator and the appointment of the arbitrator, which I have some reservations about. I think there would be better ways to do that, but I support the essence of the bill.

It does centre around the rather huge margin that the mayor of Toronto received from the people of Toronto, and I think it goes back to the very basics of our democratic system: Does the government lead the province or does the government react to the needs of the province? I would be a strong supporter of the second, in that the people of the province lead the government. In this case, it has been very clear that the people of Toronto respect the difficulties they've had in the past and they don't wish to be put in that situation again. They feel very strongly, given that the mayor of Toronto had a huge mandate and that declaring the TTC an essential service was a major plank in his platform. I therefore would find it difficult not to support this piece of legislation as it moves through the House.

Again, there would be some nuances that could be changed. I'm sure the government will take this to committee and have hearings on the subject, because it does disenfranchise some members of our society who have had this right in the past. Therefore, I would think that there would have to be some hearings on this particular subject, on this particular bill.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Kormos:** I should indicate that NDP leader Andrea Horwath will be speaking to this bill later today, as will Paul Miller, our member for Hamilton East.

We're being told about problems at the TTC, problems that are long-standing, problems that surely stem from faults at the management level as much as, if not more than, anything else. Prohibiting the right to strike by TTC workers, whether they're ATU or CUPE or CAW—what have you—is not going to address any of those problems. If anything, because it undermines free collective bargaining—the right to withdraw labour is a critical part of free collective bargaining—it will probably aggravate the unhealthy environment at the TTC and will increase consumer concern about the performance of their public transit system.

Mr. Ford, the mayor, may well see himself as some sort of a hero as a result of this assault on workers and their rights. Mr. McGuinty may well see himself as riding some sort of right-wing populist wave. But neither Mr. McGuinty nor his caucus members are demonstrating any serious reflection on the impact, the repercussions and the implications of this attack on fundamental rights of working people in the context of a free, collective bargaining system. This will have major, major, major consequences for the people of Toronto and Ontario.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Mario Sergio:** I look forward to when I'll have a bit more time to address the issue a bit more in depth, but I'd like to comment on the member from Etobicoke North—by the way, I share a boundary. We are divided solely by the wonderful Humber River on what would be my west side and his east side. Of course, we have Steeles all the way to the north end.

As well, I have people in my area, especially in the last while when I meet them at the coffee shop, the supermarket, at Shoppers Drug Mart or at church, who said, "You'd better watch what you're going to do." And I said, "What's that?" "Oh, well, you know, you will be deciding, you'll be talking, you'll be voting on the TTC and what the city of Toronto wants and stuff like that." I said, "Look, we'll take it into consideration. It hasn't come to the House. We'll certainly be debating it. Hopefully, it will be sent to committee, where everyone will have an opportunity to have some input, and then we'll take it from there." "No, no, no. I'm living up here. Can you imagine if I had to go downtown, which I normally do, and my kids go to school to St. Michael's—imagine what would happen." We have to be very much aware of the concerns of the people as well. At the same

time, I have to say that I love the workers. All municipal employees do a hell of a good job.

We have a request here by the city of Toronto. As I was ending my comments to the comments of the member from Welland, I wondered what the debate would be like in this House if we had received a request from the city of Toronto and Mr. McGuinty and his government had said, "No, we're not going to deal with it." I wonder what the debate would be like in this House. I'll speak on it later on.

**The Acting Speaker (Ms. Cheri DiNovo):** Member from Durham.

**Mr. John O'Toole:** I was listening carefully to the member from Etobicoke North. It's sort of like a recurring dream: Every time the Liberals stand up to speak, they say the same thing. It's because it's carefully scripted. They don't want to take any blame or any fault for doing certain actions that might not be popular. It's sort of like Premier Dad has spoken, and it's not going to be anything more than Rob Ford's fault. That's the way I hear it.

Are they the government or not? Are our hydro bills too high because of Rob Ford? The point is that their government, and even the members over there now, chatting away, can't make up their minds on anything. In fact, respectfully, the Premier has lost his way on this and many issues.

The member who spoke earlier today, I think, spoke honestly and compassionately—the member from Welland. There's no one more compassionate in this House with respect to this issue. The member, Paul Miller—I should get his riding name here; I know him as Paul—Hamilton East—Stoney Creek, he spoke with honesty and openness. This is what should happen in this Legislature instead of these carefully crafted speeches that are deceptive. Is that permissible? They're words that make you think it's not their fault. But they're either the government or they're not. I think the people of Ontario are waiting for that kind of response.

Now, I can only say this: There's one member over there who I think has been thinking about a lot of things ever since he left cabinet—Mr. Caplan, from Don Valley West. He had a private member's bill that would have—

**Mr. David Caplan:** East.

**Mr. Ted Chudleigh:** East. Don Valley East.

**Mr. John O'Toole:** East; pardon me. I should have looked more closely here. Don Valley East. In fairness, he speaks up.

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. The member from Etobicoke North has up to two minutes to respond.

**Mr. Shafiq Qadri:** First of all, this is an important issue that deserves more than just theatrics or excessively long history lessons.

Of course, I thank, on behalf of this chamber and with reference to this bill, the MPPs from Halton, Welland, York West and Durham.

**1500**

We certainly welcome the support of our Conservative colleague the MPP from Halton. I would respectfully ask

him to perhaps confer with his near seatmate in order to at least synchronize their messaging and perhaps have a unified voice of support from the Conservative Party.

Again, I respect the MPP from Welland for his heartfelt and very long devotion and knowledge within the subject of labour relations. But I think, ultimately, we're looking at answering the question that was posed by the MPP from Durham: Are we a government? Yes. In acknowledgment of that answer, we are stewards of the greater public good. I say that not only to you, Speaker, but to my honourable opponent from Welland and also to the many men and women who are here from the TTC itself.

As stewards of the greater public good, knowing about the extraordinary economic impact—numbers have been quoted; the extraordinary ridership; the idea of it being the third largest transport system; and perhaps more importantly, that your collective bargaining agreements expire on March 31, 2011. An attempt was made by ministry officials, by the Amalgamated Transit Union, Local 113, by the International Association of Machinists and Aerospace Workers, Lodge 235, and the relevant workers from CUPE, on February 10, 2011—not too long ago—and an impasse was reached. That only heightened the urgency with which we in the government, as stewards of the greater public good, need to move forward with this particular legislation.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. John O'Toole:** I'm going to get a drink of water because my throat—I'm getting choked up here.

**Interjection:** It's emotional.

**Mr. John O'Toole:** It's an emotional thing. I understand. I quite respectfully mean that, having worked in an industrial environment for 30-plus years. A portion of that was in labour relations, and a portion of that, certainly, was trying to resolve disputes.

I should sort of frame this whole debate about essential services. I wanted to make sure that I read things correctly here, so I went to the Hansard when Bill 150 was introduced. That's the official transcript or record of what the government is attempting to do.

More importantly, I have before me a copy of Bill 150, An Act to provide for the resolution of labour disputes involving the Toronto Transit Commission. It's important to start with that. Mr. Sousa, the new Minister of Labour—I want to put on the record, too, that I think it was premature for Mr. Fonseca to leave.

**The Acting Speaker (Ms. Cheri DiNovo):** Could you refer to the member's riding rather than by name?

**Mr. John O'Toole:** Yes; pardon me. He's not a minister, so now I have to call him—he's from Mississauga East-Cooksville.

He did serve in a pretty interesting time, but as soon as the water got hot, he jumped out. In fact he is going to run federally, it's my understanding. I wish him some luck but not as much as he'll need.

The point here really is that Mr. Sousa's bill was probably started right after Rob Ford was elected.

"The bill addresses potential labour disputes between the Toronto Transit Commission and bargaining agents representing employees of the Toronto Transit Commission under the Labour Relations Act, 1995: see sections 1 and 2.

"The bill prohibits strikes and lockouts and provides for arbitration as the mechanism for achieving a collective agreement when the parties are unable to negotiate an agreement: see sections 3 to 21.

"The bill also requires that a review of the act be initiated within one year following the fifth anniversary of the coming into force of the act...." In 5 years it will be reviewed. That's actually a reasonable provision.

In fact, if you look at the implications here, sort of setting the framework—Mr. Sousa, the Minister of Labour, said right at the opening, "It's a privilege to rise to speak to Bill 150, the Toronto Transit Commission Labour Disputes Resolution Act.

"The legislation we are considering today follows a request by Toronto city council that the TTC be made an essential service."

I'm wondering—they're so agreeable on this—about the number of requests that I've had from my riding. Why don't they roll back some of this HST? I'm hearing that regularly. Why don't they roll back—they're hearing it widely, Madam Speaker; you know that. In fact, one of the bills that they passed just before Christmas was to give back some of the increase in energy costs, for a while—probably till just after the election—and they'll roll it back in again. That's the kind of thing where you have to have certainty and confidence when you're dealing with the government.

They've set up a review, which is five years, which will get them through one election term without having to deal with it again. The question then remains, is this only the TTC? That's grossly unfair.

*Interjection.*

**Mr. John O'Toole:** Mr. Caplan is way ahead; he should have replaced Mr. Fonseca.

**The Acting Speaker (Ms. Cheri DiNovo):** Could you refer to the riding?

**Mr. John O'Toole:** Pardon me, Don Valley East. I'm so used to calling him "Minister," and his mother before him, that I'm surprised that he's not there.

The point I'm trying to make is that he said in a bill back in 2010—this is interesting. I believe I'm correct—I could be mistaken—Ms. Wynne, who is the Minister of Transportation, didn't support him. That's my understanding. There's the conundrum. There's the very essence of why this is so confusing for us: It comes down to trust. Can you trust what they say?

*Interjections.*

**Mr. John O'Toole:** I'm hearing people say no. Look, I'll let them speak in their two-minute rebuttals. I'm trying to get to the point of our position here, and I will. I want everyone to stick around. I have 15 minutes left, and I'm going to tell you in the last two minutes what I think is a reasonable position.

I think my good friend the member from Halton had it right: There should definitely be hearings on this. We have with us today members of the TTC union, and they are concerned. It's their future. Now, I will say that any time when I was on council—not in Toronto but in Durham—these arbitrated solutions tend to be a bit risky. Quite honestly, they often go to—you might like this part—an increased settlement. But what then happens, if you look at transit across—why are the Durham transit people making less? What about the benefits? You get into the one big union situation or the ratcheting effect of one negotiation versus another, ratcheting the various incremental costs.

I look back to history to anticipate the future. I don't want to upset the member from Hamilton Mountain or—

**Mr. Paul Miller:** Depends on what you say.

**Mr. John O'Toole:** No, no, I'll try not to—and the member from Welland, certainly. Here's the deal: I was on council, in fact, I was chair of budget, at the time when Bob Rae was government. They were going into the ditch rapidly. The budget was about \$48 billion a year, and the deficit was \$12 billion. They tried to implement a few things. One was called the expenditure reduction plan. It's funny how history repeats itself. I met with Floyd Laughren—not me personally—along with other mayors and people like that and people who were in the budget process, and Mr. Rae as well. Yes, it was Bob Rae—

**Mr. Ted Chudleigh:** He's a Liberal.

**Mr. John O'Toole:** He's with Ignatieff now. Sometimes it's hard to keep track of them.

The fact is, at that time, they were trying to get municipalities and regions to work co-operatively with them, and it wasn't going to fly. This dog would not hunt, for sure.

So they had to implement the—let me hear it now—social contract. Paul Miller wasn't here at the time, nor were you, Madam Speaker, but respectfully, I'm sure—

**The Acting Speaker (Ms. Cheri DiNovo):** Riding names.

**Mr. John O'Toole:** There were people who were—in fact, the whole party was quite upset about opening all these contracts. I'd reflect on it. Back then, their budget was about \$48 billion, and the deficit was \$12 billion. Today, the budget is about \$115 billion, and the deficit is about \$20 billion; if you count the WSIB debt, it's about \$30 billion. So the deficit is still about 25% of the total budget. That's money they don't have.

Now when you look at municipal budgets—the city of Toronto—a municipal budget is 78% payroll. Some people say it's more, about 80% payroll. So when you have these tight times, and you have these things defined as essential services—that would be police, fire, ambulance. Now for municipal workers, your whole budget, basically, is there. Policing is a huge part of the budget.

1510

And now you're going to make the TTC—we know that transit across the world is heavily subsidized. I don't know what the revenue from the fare box is, but it's

probably in the order of 30%. I'd like to see the audited numbers. Anyway, it's heavily subsidized, and some people could respond to that. I know in the way the gas money flows now, provincially, it's all based on how many miles we travel. It's not how many passengers, it's by how many miles you travel. But what does this have to do with it? Transit is critical. This morning coming in from Durham region, I listened to the radio early, and there was an accident which stopped the eastbound train from Union, and so I immediately kept driving. I take the GO Train frequently and I take the TTC frequently too. I have my tokens with me all the time. In fact, if I go down to the ROMA-Good Roads meeting I'll take the subway, not some posh taxi or ministerial car—with the people, on the subway.

It is essential. Let's cut to the chase. In my view, once you give up the car, everybody here knows transit is number one. So, respectfully, you provide an essential service, right alongside things like police and fire. It's tough, but the solution is a mediated solution; quite frequently, the settlements are higher.

Is it fair? This is why on our side we've been calling—my good friend from Halton said we've been calling for public hearings. Let's let the members of the TTC organization speak up. Let them be heard. Let Premier McGuinty face them and explain this intervention into their traditional relationship with their employer, the city of Toronto.

On the one hand they're always just railing against the new mayor of Toronto, despicably railing, criticizing, slashing at him, and then on the other hand they're sucking up to him. They're saying, "What a great guy Rob is. We're just going to go along with him without any pushback." You can't have it both ways. This is the real point. I would say that you want to talk and you want to listen to the record here.

The legislation is, as our leader Tim Hudak has said to us and our critic has said, in Hansard—I have it in front of me here—the request of Mayor Ford and a vote of the council to make the TTC—Mayor Ford was given an enormous mandate during the election from the city of Toronto. This was a plank in his platform, so obviously he's concerned with the people of Toronto. There have been a few occasions where it's been very unhelpful. The PC caucus, I should say, supported Mr. Caplan's bill, Bill 150, a private member's bill on essential services. We support Mr. Ford's efforts to respect the taxpayers of Toronto by ensuring that the TTC operates fiscally responsibly, with stability and in the best interest of Ontarians—more importantly, the city of Toronto.

Here's what's going to happen. I see it rolling out pretty much as the member from Don Valley East forecast—very intuitive. It's hard to say complimentary things of a person on the other side, but you've got to recognize that he gets it. Where does Premier McGuinty stand in this? That's where the ambivalence comes up. It's half a loaf here. The bill here will allow an arbitrator to be appointed by the minister. If the conciliation officer is unable to reach a collective agreement, the minister

will have final say over who the arbitrator is, and it is not subject to judicial review. If the two parties could reach an agreement on an arbitrator themselves, they're allowed to select the method of arbitration. If they are unable to do so, mediation and arbitration will automatically be selected. If the parties are unable to reach an agreement on the method of arbitration, the minister will once again select mediation unless the minister believes there is a more appropriate method.

So it leaves all the options to the government, and I hope that includes sitting down with the union leadership, as I think responsible organizations do. The arbitration will take into account criteria that include the employer's ability to pay—very critical. This has been an old issue for years. Arbitrated settlements over the past—and the member from Ottawa–Orléans would know; he was at one time a councillor in Ottawa, so he knows. They've always come in much higher. The peer groups, the reference groups—usually, you end up paying more. That will automatically happen. The arbitration will take into account criteria that include the employer's ability to pay in light of its fiscal situation, the economic situation in Ontario and the city of Toronto, comparisons between public and private sector employees' terms and conditions of employment, and the extent to which services may have to be reduced in light of the decision if current funding and taxation levels are not increased. It must be noted that the ability-to-pay criteria set by this bill are lacking in detail and as such would be interpreted as a weakened criteria by an arbitrator. That's very important.

The Toronto Transit Commission is not considered an essential service, and thus, the Labour Relations Act, 1995, permits the employees to go on strike and the employer to lock out employees in the case of labour disputes. The unionized TTC employees have used strike action nine times, most recently in 2008, when it was put forward that the strike was costing upwards of—listen up—\$50 million a day to the city of Toronto.

Toronto's very dependent—essentially dependent, you might say—on having an effective and operating transit system.

Mayor Ford was elected in the 2010 municipal election with the largest mandate ever. One of his core—I would love to have been there that night to see George Smitherman. He was so arrogant when he was here; he could do no wrong. Well, he's in the penalty box now. I just had to stick that in there.

The unionized TTC employees have the right to strike, and it's an essential service. Given Mr. Ford's enormous victory, it is clear that the essential-service designation is a priority for families of Toronto.

In 2010, David Caplan—I said that before.

The mayor is pushing quite publicly his urge to have this legislation pushed through before March 31, when the TTC labour contract is set to expire. There's the rub right there. I'm saying that this thing is going to get lost in all of the rolling of the dice around here because there's very little legislation on the order paper.

I see Mr. Murdoch has joined us. Come on in, Bill. You can do a two-minute—

**The Acting Speaker (Ms. Cheri DiNovo):** Please mention the riding, not the name.

**Mr. John O'Toole:** I can only say this: These timetables and these dates that are set in here—I put on the table here that there will be a budget in March. There's a couple of bills; this is one of them. Our position here would probably be to have this time-allocated. Call them in for a recorded vote. We're not going to let them sneak out from under the radar and blame Rob Ford. They're the government, they're doing the decision and they're in charge. If people don't like it, they should give them an X beside their name. That is a not, I mean; insert the word "not" in there.

I listened to Tim Hudak, and he thinks that people should be—first, he always talks about fairness for the family. He starts almost every one of his concerns about his family, your family, my family, the families. Fairness comes into it, and this is very important in these times when the economy isn't as strong as one would like it. In the last 10 years, the economy has been fairly respectable. Maybe the last two years out of that it has kind of gone in the ditch a bit, mostly under Premier McGuinty.

I don't blame it all on him, but do you know how he solved every problem? He raised taxes—eco tax, electricity. All he has done is raise taxes and spending. He has increased spending by 70%, and you should ask yourself: Are you any better off? The children's aids are in trouble. Early learning is in trouble. Special needs children are in trouble. The courts are in trouble. The whole thing is going into the ditch. I cannot believe that the people aren't—just look at your energy bill. It is frightening to think what's happening in Ontario. Property taxes—the same thing. I don't know where it's going to end.

I think of my family—we have five children—and I hope that they have a future. I hope that the future is bright for them.

**1520**

When I get back to the essential nature of this, I think it's a solution where it is an important service. I use it. I recognize it. Regular families and transit are a big deal. We spent, on a private member's bill last week—I have to put this on. Metrolinx wants an additional \$5 billion a year for the next five years and beyond, and we already have a deficit of about \$20 billion. They want \$5 billion a year. They're spending money like drunken sailors. The idea of buying all the electrification of the rail to the airport thing is another scandalous event.

I say to this: The workers should be listened to. There should be public hearings. We should always keep in focus what it means to families, especially to families of modest means. They need transit to get to their job, whether it's part-time or not. That's what Tim Hudak said to us. It's an essential service, by its definition.

I want to be on the record as making sure that the front-line people are treated fairly and that there's no irresponsible management intervention in how it oper-

ates. These are important functions. Look at how we treat our firemen and police with the statues over here, with the memorials that we have.

It's not something that would be pleasantly received here. I know that. The NDP are honest about it, but who is not being honest with the workers at TTC is the McGuinty side.

**The Acting Speaker (Ms. Cheri DiNovo):** I would ask you to withdraw that comment.

**Mr. John O'Toole:** Well, it's unpleasant. I withdraw that part. But I'm just saying: I hope that, once and for all, they be straightforward. Mr. Kormos spoke passionately, as did Mr. Miller. I want to see someone over there—

**The Acting Speaker (Ms. Cheri DiNovo):** I would ask you to refer to the riding—

**Mr. John O'Toole:** —not always sticking to the script. Tell the facts.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Paul Miller:** I just want to bring forward the point that they've been out "exactly 11 days ... in 20 years" of service being disrupted in the city of Toronto by the transit workers—11 days in 20 years. Not too big, is it?

"Declaring the TTC an essential service by law will do three things.

"Yes, it will ban strikes; that's clearly number one" for the government. "That doesn't mean they couldn't have an illegal strike. We've had those before, but it's unlikely. We will have work-to-rule campaigns instead of strikes; they could still happen." These are quotes from the former leader of the Conservatives, John Tory, on his show. He predicts that they will happen more often—work to rule—and the people won't like that.

Second, "The essential service declaration will render largely meaningless any negotiations between unions and management when it comes to the TTC, negotiations which, let's face it, have been successful most times in the past decade. That's why we only had 11 days lost to strike in total. Issues that go far beyond wages will fester in the absence of negotiations and not get addressed." This is coming from John Tory.

Third, and most important, "The key expensive issues—wages and benefits and things that really cost all the money—will be decided upon now by an arbitrator, someone who, in my view, could care less about the interests of subway riders or taxpayers, someone who, as of history—I don't mean a particular person, but I mean arbitrators generally have shown themselves quite willing to capitulate to the union position nine out of 10 times. That will cost millions—\$23 million is one estimate, which means big fare increases and big tax increases for the people of Toronto, or both. I hope that when you're thinking about removing the risk of 11 days over the period of many years it's worth those big fare increases or tax increases, or both—and the inevitable work-to-rule campaign." My guess is, you're going to forget about this

legislation real quickly and not like what this government is doing.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Shafiq Qaadri:** At the outset, again on what is a very important and serious issue going forward for the city and the people of Toronto and ultimately for us as stewards of the public good, the first thing I would say is that this is not about an attack on the unions or working men and women. This is about listening responsively to the city of Toronto, to the duly elected people and officials. This is about moving Ontario forward in order to declare what is, after all, an essential service in terms of the economic, money and social impact that we've talked about.

I would also say that, listening to some of the individuals within this particular chamber, there's a bit of a disconnect. My honourable opponent from Durham: Although I share and honour your respect for working people and the collective bargaining process, it seems to be somewhat lately found. I was very amused to hear my opponent from Hamilton East–Stoney Creek complaining, I think using John Tory, saying that arbitration leads to bigger increases for workers. If that's true, what I would simply suggest to you is, why would you not then support it, if it does actually, as you quoted in this chamber—

**Mr. Paul Miller:** You say you're sticking up for the taxpayers. You're not sticking up for the taxpayers; you just want to get re-elected.

**The Acting Speaker (Ms. Cheri DiNovo):** I would ask the member from Hamilton East–Stoney Creek to come to order. Thank you.

**Mr. Shafiq Qaadri:** Sir, I appreciate the passion with which you speak, but I respectfully listened to you. I would ask you to do the same, if it is possible.

I think as well that to disparage arbitrators as a group, as a case, as a class, as an entire profession is really not appropriate for this chamber. Arbitrators are agreed to by all individuals involved, whether it's CUPE here, the Amalgamated Transit Union, Local 113, or the International Association of Machinists and Aerospace Workers, Lodge 235.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Ted Chudleigh:** As you can see, this gets to be a very passionate subject, and of course it's even more passionate as the government members try to slide out from under the responsibility of this particular bill, in that they're just passing on the wishes of the city of Toronto and taking as little responsibility for it as possible.

I mentioned earlier that I did have some concerns with the bill regarding the types of arbitration and mediation that the bill proposes. I'm a strong proponent of the final-offer-selection type of arbitration. I think that it tends to bring the two sides together as much as possible in a situation that is not to either side's liking. With the final-offer-selection process, of course, you can't risk a large loss; therefore, it tends to move you toward the centre,

which is after all what the negotiation process is all about.

I would encourage the government to look at that. I'm sure there will be presentations on all sides when the bill goes to hearings, and people will make their thoughts known. But certainly, I think it has proven in the past that it does bring sides together and it does, when there is strike legislation available to them, tend to make those strikes less onerous when the final offer selection system has been used.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Tabuns:** Just to be very clear at the outset, I oppose this bill, as do all my colleagues in the NDP caucus.

This bill is bad for the public because of the imposition of arbitration. We all are well aware that this is going to be more costly for the public at the same time as it rolls back the rights of working people who, over the last century and longer in Canada, have sacrificed a great deal to protect their rights to assemble and to withdraw their labour, if need be, to force a reasonable agreement with an employer.

We all know that people who work on the transit system are at times subject to or at risk of assault in isolated buses late at night. We know that people who drive those subway trains have seen people leap to their deaths in front of them and have suffered psychological damage because of that. We know that this is a workforce that, on a daily basis, holds the lives and well-being of hundreds of thousands of people in its hands. If you don't drive well, if you don't pay attention to the road, if you make a mistake, it can be very expensive in terms of human life. So when we deal with a workforce that is in a critical position, we have to ask, "How do we ensure that we have a good working relationship? How do we ensure that we have a good transit system?"

Madam Speaker, as you are well aware, fundamental problems with this transit system go back to its underfunding. When a system is underfunded and stressed, it causes conflict between all of those who are involved in it.

This bill will not address the root problems that we face with the Toronto Transit Commission and with other transit commissions in this province. This bill will not help public transit. This bill will damage it.

1530

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Durham has up to two minutes to respond.

**Mr. John O'Toole:** Is it only two minutes? I thought I had another half an hour. I'll have to hurry up here.

The member from Hamilton East–Stoney Creek talked about work to rule and how that will still be their way of exercising their voice; I understand that.

The member from Etobicoke North actually congratulated me—thank you very much—that I have compassion. I would say it's arrogant to think that everyone here doesn't. I really think that's one way to look at things.

I thought that the member from Halton made a very intuitive remark on final offer selection. Most of my undergraduate degree was in labour—it was in economics, but economics and labour. This was one of the options that's rarely used, actually. I think it is something where both parties have to put a reasonable, realistic offer on the table, and that should be part of it.

I think public hearings are important, but the member from Toronto–Danforth spoke with openness and compassion about their plight. I have constituents in my riding of Durham that work for the TTC. I'm quite aware of it. I know there have been many cases where they need someone to act on their behalf, whether it's a WSIB issue or whatever, and I think any reasonable member would listen and, I would say, arbitrate or work on their behalf.

That's not exactly what this is about. This is strictly about removing one of their rights today. Who's initiating it? It's Premier McGuinty. Let's not be ambivalent about it. Let him take the heat. Is it the right thing or the wrong thing? All the public sector are out there waiting. They need these services in the public. We're seeing what's going on in various jurisdictions. This is very important. Let's not take the foot off Premier McGuinty's foot—or whatever.

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you.

Further debate?

**Ms. Andrea Horwath:** I'll be sharing my time this afternoon with the member for Beaches–East York.

I do want to say first and foremost, off the top, that as my critic, the member for Welland, indicated in his remarks, New Democrats do not support this legislation. We think the government is doing the wrong thing by removing a fundamental right from the women and men of this city who provide transit services to the people of Toronto. We think that the government has taken the wrong track—no pun intended—on this legislation, and we will vigorously speak against it, as we believe that the government has lost its way in regard to what it once bragged about as having respect for workers in this province.

It is very apparent that this government has no respect for workers in this province, because they are quite happy and willing to come to the table with a piece of legislation that removes one of their fundamental rights, and that is the right to strike.

Why is that a fundamental right? Why do we call it a fundamental right in this province? It goes back to a particular decision that was made, a decision that was made in regard to showing that the right to bargain collectively, to affect the working conditions in the place that you work, is actually a human right because of the amount of time that we all spend at work. We spend a lot of time at work, so the ability to have some impact, some effect, on the rules of that workplace, on how that workday proceeds, is something that is fundamentally a human right that people should have in their possession.

The landmark ruling came in 2007 on June 8, when the Supreme Court of Canada actually confirmed that

collective bargaining is protected by the Charter of Rights and Freedoms. I'm going to quote exactly what they said: "The right to bargain collectively with an employer enhances human dignity"—something the government wants to take away. They didn't say that; that's an aside from me—"liberty and the autonomy of workers by giving them opportunity to influence the establishment of workplace rules and thereby gain some control over a major aspect of their lives, namely their work."

It is obvious that this government does not have that fundamental respect for the dignity of workers. This bill says it more clearly than anything else. They may have spent the last couple of years wooing the workers of Ontario and trying to pretend that the Liberal McGuinty government is somehow the best friend of the working woman and man in this province, but this bill lays it all to rest. The evidence is clear: The McGuinty Liberal government has no interest in the interests of workers.

New Democrats proudly are opposed to this bill. We think it is the wrong thing to do, yes, because it takes away the fundamental rights of workers, but also, as has been mentioned already, it will force up the costs for the operating of the TTC. Whether you believe it or not, the evidence is clear and documented that arbitrated settlements end up being more costly; they just do.

We already have a system that is underfunded. We already have a system that no longer enjoys 50% funding for operating from the provincial government. That used to be the case. The provincial government used to actually fund 50% of the operating costs of Toronto transit. That's no longer the case. We have a system that's in crisis. We have a system where the fares are the highest in North America. We have a system that is not able to expand and provide as many services as are demanded by the people of this community, of the city of Toronto. Yet we have a piece of legislation here that is just going to drive those costs up more. What's that going to mean? That's going to mean either further reductions in service or it's going to mean increases in fares, because those are the only places that the municipal government, the city of Toronto, is going to be able to get the money from. It makes no sense whatsoever on a financial analysis that this is going to be the case.

What's going to happen then? The system is going to become even more expensive for the people who need it the most, the people who need to get back and forth to work every day, the people who need to move around the vastness of this huge city. It's very, very clear that not only does this take away workers' rights, but it does so in a very costly way to the city of Toronto.

I think the other reality is that this move is not going to prevent the workers of the Toronto Transit Commission from taking other job actions—and you can't blame them. What this basically does is set up a big fail for everybody, because the workers are going to have a contract forced upon them that they didn't freely negotiate. There's going to be some resentment, I would think, and I would suspect that they are going to find other ways to try to get some control over their work-

place, over the place where they spend a great majority of their time. I would suggest that, in fact, this is not going to be a successful move if the point is to create a sense of assurance around delivery of service. I wouldn't blame them one bit.

I think it is absolutely unacceptable that the workers of the Toronto Transit Commission are going to be forced into a situation where they have to abide by a collective agreement that they did not freely negotiate. It sets up a very, very bad scenario in terms of everyday relations in that workplace, and I suspect it's not going to be very pleasant for a very long time at the Toronto Transit Commission. I don't think it's going to prevent what the government is hoping it will prevent in terms of possible work actions.

Finally, the other thing, I think, is that it shows that this government really has no values when it comes to protection of workers' rights in this province. The question, then, is an open-ended one: Who's next? There are members of other public sector unions who are here today, and everybody is wondering: If the McGuinty Liberal government is prepared to take away the right to strike from Toronto Transit Commission workers, then who is next in line? What other set of workers is going to lose that fundamental right? What does it say about a government that's prepared not only to take that right to strike away from this group of workers but to create that pall, that sense, that worry, that concern across all workers in this province that at any moment their government can, in such a disrespectful way, in such a callous way, remove one of their very fundamental rights, one of their rights that is protected under the Canadian Charter of Rights and Freedoms. It says a lot about the expediency of this government in terms of its willingness to simply cut the union off at its knees and allow for the removal of the one tool they have to get a fair shake in the workplace.

#### 1540

I have to say that I think the government has miscalculated this in a very major way. I think that what is going to end up happening when this legislation is passed—of course, the government has a majority here and they're going to have their way no matter what. But I think what's going to come back to haunt governments of Ontario in the future is that they're going to end up having to pay the freight in terms of the spiralling cost of the TTC system.

I think the government will realize at the end of the day, and it will be far too late, that it wasn't worth it to take away the fundamental rights of these workers, to create, really, a black eye on this government and a negative sense of labour relations in this province for the expediency of this situation. Why? Because we know that in this particular collective agreement, there was already a salvo given by the union. The union said, "We will not strike. We will not strike during this round of negotiations. We'll hold off on that action. We understand that there is a great deal of concern and anxiety here, so we're not going to do that. We're going to guarantee that we

are going to work through the negotiating process and get to a negotiated collective agreement.”

I'm not necessarily pointing the finger at the mayor of Toronto; he's got to do what he's got to do. I don't support his position by any stretch. But it's this government that has decided to take away the right to strike of workers. It wasn't the city of Toronto. They don't have the ability to do that. It's this government that's doing that. They can try to pretend that it's all the mayor of Toronto's dirty work, but in fact the blood is on their hands. The blood is on their hands.

New Democrats will speak against this every chance we get. We're looking forward to the committee process, where stakeholders can come to the table and have a word about what this means for the broader labour relations picture in this province.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Beaches–East York.

**Mr. Michael Prue:** It's with a very heavy heart that I rise here today. I think back to my own history. Some 38 years ago this very week, I joined as a fledging immigration officer at Pearson International Airport. I went there to a place that I knew was unionized. There was a union right there in the workplace, and I discovered, to my chagrin, in that very first week that we did not have a contract. In fact, the contract had expired, but it had gone to binding arbitration. It went to binding arbitration because, back in February 1973, although we were unionized, the government of Canada, in its wisdom, had determined that we were an essential service because we were at the port of entry. Because we were officers, as they liked to call us, we did not have the right to strike.

What did the officers do at Pearson airport when I first arrived there? They worked to rule. What else could they do? They couldn't go out on strike. They couldn't do anything except perhaps tie up the lines a little bit: write longer reports, check things in the manual, do all the things that workers who have no rights are forced to do.

It took a few years, but an enlightened Liberal government in Ottawa changed the rules. They took us out of binding arbitration and put us into conciliation with the right to strike. Now isn't that a switch? This is an enlightened Liberal government saying that we should have had the right to strike, and they gave us that right. And in all the time I worked there, more than 20 years, we went on strike once. We got legislated back, but I'll tell you, the arbitration wasn't a problem for us in terms of the amount of money we made. The arbiter always gave us about what we thought we could get if we were on the conciliation route. And when we were on the conciliation route, there was always the odd gripe that we might have done better had we stayed in arbitration.

That is not the issue.

The issue for me, the issue for all of the people with whom I worked all those years, is that we had the right to conciliation and strike on a whole broad range of topics that the arbitrator traditionally would not look at. We had the opportunity to look at things like contract language. We had the opportunity to look at workers' rights. We

had the opportunity, and it was a big one and an important one, for health and safety legislation, for health and safety in the workplace, and to ensure that immigration officers, who worked sometimes in horrendous conditions, not just at the airport, not just at the port of entry but on the streets of Toronto, where they often faced attack and potential death, had the right to full collective bargaining, which protected them in the long term.

That was the most important thing we had. It wasn't the few bucks extra we were going to get from some kind of collective agreement imposed on us by an arbitrator. It was the right to withdraw our labour unless our health and safety was looked after and unless we had the legislation that went with it. That was the important thing.

I am sure the TTC workers in this city will take whatever money they get from an arbitrator or that they got from conciliation. But that, to them, is not the real issue. That ought not to be the real issue while you take away their rights. The real issue is that they have to be able to control their work environment; they have to be able to control the health and safety of their members.

I looked at this government, I read this legislation, and I felt like crying. I listened today to what some of the members had to say. They're doing this because the mayor of Toronto, Rob Ford, asked them to do it.

Rob Ford in today's newspaper is asking for \$150 million from this government. Are you going to do that because he's asking for that too? I'm expecting the same argument from him, and I'm going to make the same argument on behalf of the people of Toronto if you ram this through. The mayor is asking you today for \$150 million. How many heads are nodding over there? How many people think that just because he's asking for it, it's a good thing? I'll tell you, just because he's asking for this doesn't make it a good thing.

In other jurisdictions, people have rights. This government is hell-bent on taking them away. Surely it will cost more. People have said this. I don't know if other people have referred to this, but I cut out a couple of articles in the last few days.

One was from the *Globe and Mail*, Adam Radwanski, who writes, “The fact that contract talks will almost automatically be sent to arbitration is good news for their members. And that's not just because, as has been widely documented, the process usually awards generous wage settlements.

“Beyond adjusting pay, arbitrators don't tend to significantly alter the status quo. So pensions and other benefits will remain intact, and there will be no major changes to pay structures aimed at improving efficiency (or customer service). In other words, TTC labour costs are guaranteed to continue going up, adding to the squeeze Mr. Ford will face as he attempts to cut revenue without significantly affecting services.”

Then I read the *National Post*, the same day, February 23, from Peter Kuitenbrouwer, who writes, “Although banning TTC strikes is an easy decision for Mr. McGuinty, the fallout for the city of Toronto will be more complicated, expensive, and potentially troublesome.

“TTC management, in 2008 and again in December, made it clear it does not support making the TTC an essential service. A study by the C.D. Howe Institute in 2008 estimated that making the TTC essential would cost the city about \$23 million more over a three-year contract.”

This government needs to listen to the workers. They need to look at what is happening in other jurisdictions. We are asking for public hearings in committee on this bill. The government may choose, after having listened to TTC management, after having listened to the Amalgamated Transit Union and after having listened to the people of Toronto—who, after all, will be affected—to look at an alternative to what you’re proposing here.

**1550**

Montreal clearly found a good alternative. Montreal allows for designations, the same designations we had in the immigration department after we got the right to strike. We didn’t shut down ports of entry, but we did shut down processing of family-class applications. The same can happen here. In Montreal, they run the service in both the morning and afternoon rush hours and allow the workers the opportunity to strike in the other periods, to make sure that the city is not shut down; to make sure that business goes ahead. The transit union in Montreal seems to get along very well under those circumstances. Why not look at that as a possible example? Why not look at what is happening in other jurisdictions around the world, where workers do have that right but are willing to make accommodations?

I think that the workers here have been very accommodating. I watched as the Amalgamated Transit Union suggested that they are willing to forgo their right to strike in this round of bargaining in order to sit down and have a meaningful discussion with this government and with the city of Toronto, and that has all been ignored.

I don’t know why this government is so hell-bent on proceeding so rapidly without looking at people’s rights. There have to be alternatives. There can be designations. There can be morning and after-rush-hour rituals that are adhered to. They can find ways not to disrupt the service. If you don’t, there will be working to rule; there will be. As sure as I’m standing here, there will be. But at the same time, something terrible will have been lost.

I received today a letter from the Elementary Teachers’ Federation of Ontario. I just got it as I was walking up the stairs. They closed their letter by stating:

“We cannot let the rights of workers be threatened because a mayor or a political party decides to ride out a troubled economy on the backs of working people. Working people did not cause the global recession; that was caused by the greed of a few. Undermining fundamental worker rights, rights enshrined in the ILO covenant signed by Canada, is not an appropriate response,” and they urge me to defeat this bill.

That may be a long shot, but I ask the government to at least hear the workers out, to have committee hearings and to do the right thing, not the wrong thing, by the people of Toronto.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Shafiq Qaadri:** In replying to the very legitimate concerns of some of my colleagues from the NDP—the member from Hamilton Centre as well as Beaches–East York—I would just simply offer a couple of remarks.

First of all, with reference to the Amalgamated Transit Union’s offer of engaging in these particular negotiations and essentially agreeing not to strike, it is my understanding that the Ministry of Labour met with members of CUPE as well as the Amalgamated Transit Union, Local 113, and the International Association of Machinists and Aerospace Workers, Lodge 235, on February 10, 2011. An impasse emerged from those particular deliberations. As I mentioned earlier in my more substantive remarks, that is part of the reason why we are moving forward, as the collective agreements expire on March 31, 2011.

With due respect to the third party’s long-standing view on labour relations, I would simply cite to them that it was, in fact, in 1993, under something called the social contract, which was probably the largest and most vilified abrogation of collective bargaining contracts in the history of the province of Ontario—\$2 billion in public sector wages were cut. Civil service wages were frozen. It was an effect on massive numbers of unionized workers, and it was enacted by precisely the party opposite. As Oscar Wilde said long ago, no man can escape his past. I would simply offer that to you in terms of a mirror effect in the middle of your espousing the rights of workers across Ontario.

Part of what was mentioned was labour relations. We have a massive record: 80% without arbitration in 10 years and 99% in the last year. I think it’s a record that speaks for itself.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mrs. Christine Elliott:** I have been listening very intently to the debate this afternoon on Bill 150, which of course would, if passed, declare the TTC as an essential service and would require that any disputes be settled by arbitration rather than by allowing strikes.

Many interesting points have been made this afternoon, but there are a couple that I would just like to make. One is the issue that the McGuinty Liberals are raising that they only are bringing this forward because Mayor Ford asked them to. Of course, Mayor Ford did campaign on the strength of that, and I applaud him for having the courage of his convictions and being true to his promise. But in return, I would expect that the Liberals would do the same thing. Either do it or don’t do it, but at least have the courage of your convictions with respect to it. That’s one point.

The second point is that this is a serious matter, and we are taking this seriously. It is a very serious matter to take away the rights of workers to settle their differences by way of withdrawing their work. It is a matter of balancing the rights of workers, on the one hand, and the interests of the public, on the other hand.

I would say that there are some significant concerns there. One concern is that a lot of workers do require the TTC to be operating in order to be able to get to their work. It's not just a question of lost productivity or loss of convenience: There are people who need to get to work in hospitals and other places where their services are essential.

Secondly, there are a lot of very vulnerable people who do depend on the TTC and associated services in order to get around. That's what really concerns me in all of this: that we have people who really do rely on this in order to get around and, frankly, in some cases, even to survive.

I do think that we should be taking this very seriously. I look forward to having this matter come into committee so that we can actually have a serious discussion about this and look at that balance and find out where we should end up with this.

I thank you for the opportunity to participate this afternoon.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Kormos:** Recalling the history, indeed: Bob Rae the Liberal screwed over workers in 1993, and now it's Dalton McGuinty—

**The Acting Speaker (Ms. Cheri DiNovo):** Excuse me. I'd ask you to withdraw that comment. Thank you.

**Mr. Peter Kormos:** Well, the workers got plucked back in 1993 by Bob Rae, the Liberal Premier of the day, and they're getting plucked again by Liberal Dalton McGuinty. So if there's consistency when it comes to who's plucking workers in this province, it's Liberals like Bob Rae and Dalton McGuinty.

I'm looking forward to hearing the comments by the member from Hamilton East–Stoney Creek, who's going to be up on this matter before the afternoon is over. I know he's a passionate advocate of working people, working women and men. I suspect his comments will be hard-hitting, sharp, biting and, indeed, to the point, and won't leave any room for misinterpretation.

I'm proud that Andrea Horwath, as leader of the New Democratic Party, has stated her position and the position of the NDP very, very clearly on this issue. That, again, is unequivocal: New Democrats oppose this legislation. We will not be supporting it. We will be voting against it. We will be using our power under the standing orders to force the bill to committee, unless, of course, the government invokes time allocation, and it has something of a pattern of doing that.

I say that it's the Liberals who should be explaining to working women and men in this province about the Liberal history when it comes to workers and workers' rights. It's those little workers, the women, the immigrant workers working at Walmart and places like that, who aren't entitled to card-based certification, or it's workers out on picket lines, locked out or otherwise, who see their jobs being taken every day by scabs because the Liberals insist on maintaining their repeal of the NDP anti-scab

legislation. Those are some interesting observations, aren't they?

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Hon. Madeleine Meilleur:** I am pleased to rise today in the House to contribute to the debate on second reading of Bill 150, the Toronto Transit Commission Labour Disputes Resolution Act.

We introduced this legislation in response to a request from Toronto city council to declare the Toronto Transit Commission an essential service and refer all outstanding collective agreement matters to binding arbitration.

It's almost a *déjà vu* for me, because I was a member of a union organizing the hospital and health sector in the 1970s. Yes, at the time we had the right to strike, but it was quite difficult for all of us to abandon our patients and to go on strike.

**1600**

Soon after, the government of the day declared the hospital sector workers—the nurses—as an essential service. And do you know what? The leadership may not have shown great encouragement to that, but the membership did. They were very pleased, because we went and took our issues to an arbitrator and, at the time, we got a good collective agreement. We got a 35% increase in our raise, because we were very much underpaid at the time.

I want to say today that this decision will not be taken lightly. It's a very essential service for the 1.5 million Torontonians who need that service on a daily basis to go to work, to earn their living and to provide the good services that Torontonians need.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Beaches–East York has up to two minutes to respond.

**Mr. Michael Prue:** I thank the members from Etobicoke North, Whitby–Oshawa, Welland and the Minister of Community and Social Services for what they had to say.

The member from Etobicoke North quoted Oscar Wilde. I'm always impressed. He uses quotes in this place from time to time. But you know, "escaping my past": When Bob Rae instituted the biggest assault on working people, as he puts it, in a generation, I wasn't here. I was a mayor. I was a mayor who had to sit down with the people and see the fallout of what happened. I learned first-hand the fallout of that draconian and terrible legislation.

So no, I'm not escaping my past. I'm telling you my past. It was the wrong thing to do then and it's the wrong thing to do now. If you are a mayor, as Mayor Ford finds himself today, he will find out in very short order that what he wishes for is not the right thing to do. And three and a half years from now, he will not be able to escape his past any more than the rest of us.

To the member from Whitby–Oshawa, I thank you for what you had to say, because we need a serious discussion. I haven't heard any promises that there's going to be a serious discussion around all of this. And I'm

living in some dread that, after six and a half hours, this government will stand up and invoke closure, and just cut off all debate and do whatever it wants. I suspect that's their game plan, because they would be very upset to hear from those who are opposed to this draconian legislation for the violation of the rights of workers under the ILO and everything else. I think they would be quite upset.

To the Minister of Community and Social Services, I think there are some workers who like arbitration, because they like the security of it. But believe you me, I don't believe that those workers work for the TTC or are members of the Amalgamated—

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Further debate?

**Mr. David Caplan:** It's a pleasure to rise on behalf of the people of Don Valley East and speak to Bill 150, An Act to provide for the resolution of labour disputes involving the Toronto Transit Commission.

Public transit, whether one is a transit user or not, is incredibly vital to the health, to the social and economic well-being of our city, indeed of our province. I am concerned, and I think we should all be concerned, as many Ontarians and many Torontonians are, about the reliability of our public transit services. Simply put, our cities cannot function properly without a fully operational public transit system. More than one and a half million Torontonians rely on the Toronto Transit Commission, the TTC, daily, to get to work, to school, to medical appointments—simply to live.

Toronto, in particular, our provincial capital, is not able to function without a working transit system. Toronto is the capital city of Ontario, the fifth most populous city in North America, the economic and financial capital of Canada, and the world's seventh-largest host city of headquarters. It headquarters the majority of Canadian major employers' corporations, and major educational and medical institutions.

Given the above unique factors of population, of size, of special area and vital economic function of our city, it becomes quite clear to me that a public transportation system in our city must be reliable and consistent.

I've been listening to the debate as it's been taking place here today, and I think that the opposition, particularly the third party, has mischaracterized this as somehow being anti-worker. I had the opportunity to meet with Amalgamated Transit Union president Bob Kinnear, who's here in the gallery today, just a few short weeks ago. I can tell you that, at that time, I had the opportunity to share with Mr. Kinnear and Gaetano—I'm sorry, I don't remember his last name—the view that I hold: that it is not because of workers, but rather because of management and workers who have not been able to come to a resolution of these matters very often in our lifetime. I'll go over the history of it, but the current system, as it stands today, is fundamentally flawed. Both sides know that the province will, within a 24-hour period of time, reconvene to end and send these matters to arbitration.

In fact, this has happened throughout our city's history. Various transportation service disputes have too often left our city paralyzed—and not just the city of Toronto. Ottawa saw a crippling nine-week transit strike quite recently, and I know many other cities have as well. Although public transit was identified by Metro Toronto's founders as one of the essential services, there have been too many instances where the TTC has failed to be just that.

The first of many strikes to come took place in 1952. It lasted 19 days. Another one followed in 1970 and lasted 12 days. The longest strike in the system's history took place in 1974, and that took 23 days. An eight-day-long strike occurred in 1978. In 1989, TTC workers staged a 41-day slowdown; although technically it was not a strike, it severely damaged the service provided and caused unbearable slowness and chaos within our city. The strike in 1991 lasted eight days, followed by a two-day strike in 1999. On May 29, 2006, a one-day wildcat strike took place—or, as I'm told, an incident took place after TTC employees suddenly walked off the job, causing severe disruption without notice on what was then an extremely hot and sweltering day.

The most recent disruption occurred after the TTC voted down a contract, and as of midnight on April 26, 2008, the Toronto Transit Commission was officially on strike. This move quickly shut down buses, streetcars and subways that carry over 1.5 million people across the city every day, every week. Our province convened over the weekend for an emergency session, having no real option but to act to send people back to work to avoid more hardship and disruption to our fellow citizens. In fact, the whole matter was sent to binding arbitration.

This is not unusual. It's a recurring and repeated pattern of a dysfunctional system which needs to have the proper tension put back into it.

It has become quite clear that any type of work stoppage or threat of work stoppage makes commuters second-guess whether they can trust transit to be there when they need it. In fact, the ridership numbers speak for themselves. After each and every one of these disruptions take place, ridership numbers plummet because the riders of transit no longer believe that it's reliable and that they can count on service being there. I'll get into some of the environmental and health-related challenges of more cars on our road.

In my opinion, we've had too many work stoppages over the course of recent years, and a majority of Toronto residents want to see legislation that would put an end to labour disruptions. Bill 150 would do just that.

I heard some of the earlier comments as members were speaking, whether in favour or against. Somebody said, "Well, you know, I'm on the side of workers"—and fair enough. Or "I'm on the side of management"—fair enough. I want to put it very straight and squarely on the record: I'm on the side of the people of the city of Toronto. I think that that's what the appropriate stance and view of members of this Legislature should be: to pick one side or another. To be responsive to the people

of the city of Toronto is, in fact, why I was sent to this Legislature and why I'll continue to speak on their behalf.

#### 1610

Bill 150 designates the Toronto Transit Commission as an essential service. What it does, if enacted, is that it would essentially prohibit strikes by the union—by labour—and it would prohibit lockouts by management in connection with labour disputes between the Toronto Transit Commission and its employees. If both sides cannot reach a negotiated settlement, issues would be determined through a fair and neutral third party process called binding-interest arbitration.

It's interesting to note that there are other workers in our province who are deemed essential workers. They are able, with their employers, to come to a settlement of their issues at the bargaining table; most recently, firefighters did here in the city of Toronto. My wife is a nurse, and I can tell you that through the work of the Ontario Nurses' Association, they too have been able to come to an agreement with their employers at hospitals around the province. Simply because this designation is in place does not automatically mean, as some have led this Legislature to believe, that these matters will be sent to arbitration. In fact, it's only if both sides cannot come to an agreement at the bargaining table.

Some might argue that making transit an essential service and potentially having arbitrated settlements will cost the city more money. I don't buy that argument. In fact, even the most pessimistic predictions made by the C.D. Howe Institute foresee a potential cost of a measly half a cent per ride added to the cost of a TTC token—\$23 million over three years, half a cent per ride. I don't think that is, as some radio show host—Mr. Tory—would predict, a massive tax increase or a massive increase to the cost of a transit fare in the city of Toronto. It's half a cent per ride, just to put it into some perspective.

By the way, that doesn't take into account the \$4-million-per-day strike cost that the TTC faces when that occurs. That also doesn't take into account the \$50 million per day: Every 24 hours that there is a strike of the transit system within the city of Toronto, the economy of the city of Toronto suffers to the tune of \$50 million. I believe that most of the 1.5 million Torontonians who rely on the TTC every day would be willing to pay that extra cent per day when they ride the TTC if it would ensure that they had a reliable transit system.

Overall, in order for Toronto to function properly, the TTC needs to be declared an essential service. Like police, like fire, like some of the EMS, it's time to recognize that public transit systems like the TTC are vital to the social, economic and healthy reality of our city; to our environment; to workers; to the poor; to the disabled; to students; and to seniors, many of whom simply have no other means to get around.

There are several reasons or factors that I would note for a reliable transit service. Citizens need something that's reliable for many important reasons. The cost of

driving, when you figure in gas, parking and insurance, is prohibitive for many residents here in the city of Toronto. The age and diversity of our city's population: We have a significant number of children below the legal driving age and an equally significant number of seniors above the age of 75, meaning that a large proportion of the population can legally drive but does not.

Indeed, our road and parking infrastructure simply cannot handle increased use by more vehicle traffic. We need a transit system to be able to handle the population and employment growth that will make our city healthy and vital.

Overall, the average ridership of the TTC exceeds almost 2.5 million passengers: 1.2 million by bus, 328,000 by streetcar, 35,000 by intermediate rail and over 900,000 by subway.

Traffic congestion: Another reason that we need a healthy and vital transit system. The Toronto region is one of the top five most congested in North America. The cost of additional congestion due to strikes is usually in the millions, as I said earlier. According to a survey done by the Ontario Ministry of Transportation, road congestion in the Toronto region costs us all approximately \$2 billion in lost time and productivity.

Toronto road infrastructure has been developed as a system that accommodates both public and private transportation, not for primary use by private transportation. The roads, as well as parking facilities, cannot handle a period of usage that functions without the public transit system, and we all know that the public transit system affects the economy, our environment and the health of our residents.

Gridlock caused by transit strikes paralyzes the city. It causes many detrimental effects on our local economy, our environment and the health and well-being of our residents.

I touched briefly on the economic loss. The TTC is one of the most important economic drivers of our city. The men and women who work for the TTC are some of the most important people in our city to be able to help us to be prosperous, vital and socially coherent. They are essential to our well-being. The economic loss to the city of Toronto due to a day of strike, estimated by the city manager, is \$50 million per day. It's equivalent to about 10% of the city's daily economic activity. That comprises loss of business due to employee absence or lost customers, loss of wages for individuals—and the member from Whitby-Oshawa touched on this—who could not get to work and whose employers would not be expected to pay for their absences, and loss of service to taxpayers who, during a strike, cannot access government services, health care, education and the like for which they have paid.

The environmental effects: During a public transit strike, the environmental damage from an increase in motor vehicle use and pollution, along with the accompanying traffic congestion, can be calculated in the tens of millions. Our public transit system contributes to cleaner air, cleaner water, less non-renewable fuel use

and less vehicle waste. It helps preserve our green spaces from highway construction; reduces traffic noise; helps keep our trees, plants and forests green; and helps sustain our water systems.

We know that there are health and medical costs as well because the decrease in air quality from additional vehicle use during transit strikes affects the health of our population, leading to a rise in health problems that individuals see.

The additional vehicles on the road due to transit strikes cause extra congestion, frustration and stress, which cause mental and emotional distress and eventually lead to job loss, indeed to disability. The ripple effects are incalculable and can be prevented by making our transit system more reliable and essential.

To understand how important and vital our city's public transit system is, and to sum up the effects of a TTC strike on our city, I'd like to point to some facts of a report done by one of Ontario's most prominent environmentalists, Marilyn Churley, in her work, *What If the TTC Just Disappeared?* According to Churley, the loss of the TTC would mean more than \$6.2 billion in lost economic benefit, \$23 million in environmental and energy costs, \$309 million in additional medical expenses, \$3.5 billion in additional travel time costs, \$1.5 billion in new vehicle operating and ownership costs, and \$195 million in long-term highway and parking construction costs—a total of about \$12 billion or over \$1 million per TTC worker annually.

Thus, it becomes clear—at least to me—that making the TTC an essential service is essential and unavoidable. If Toronto is to continue to work and expand in the future, we require a transit system that is reliable, but beyond those economic and environmental losses, one cannot forget that, most importantly, the TTC is a vital mode of transportation for those everyday Torontonians and Ontarians, for seniors, for the disabled, for students and for people of low income, whether they're headed to the doctor's office, to school, to local community centres or to work, and for this reason, declaring the TTC as an essential service is only the next logical step.

**1620**

In conclusion, based on the facts that the TTC is a public and not a private institution, paid for by the riders and by taxpayers who are therefore its owners and users, that the TTC operates the main transportation system in Toronto, Canada's key economic and most populated city and the fourth most heavily used transportation system for all of North America, and that Toronto's road infrastructure is set up for both private and public use, it's time to pass this legislation designating the TTC an essential service, prohibiting its workers from striking and prohibiting management from walking out.

I know that in the last round, about three years ago, I heard from many Don Valley East residents who were fed up and were stranded following that abrupt work stoppage. Poll after poll of city residents reveals that declaring public transit an essential service is something that the vast majority of Torontonians would like to see,

and based on the feedback that I've heard over the course of the last year, I can certainly attest to that. At the end of the day, Torontonians just want buses, trains and streetcars to be there when they need them.

It was aforementioned that there's a tremendous economic and social cost to our city every time a public transit strike occurs, including lost business, lost wages, lost service, lost time, traffic congestion and environmental damage. But above all of these economic and social effects, many of the benefits of declaring the TTC as an essential service are priceless: better trust in a public transit system by its citizens, which leads to better health, less stress, a longer life, stronger communities, a stronger city, and indeed a stronger province. This step is a necessary one.

We're living in a city that continues to add high-rise buildings and new businesses and residents each and every single day. In order to keep up, we need to improve and expand our public transit service to avoid congestion and gridlock. The TTC moves 1.5 million people per day. For many of these riders, the TTC isn't the better way; it's the only way. Enough is enough. Citizens all over this city have come to this point. It's time to regain their trust. Making public transit an essential service will do just that.

I hope that all members of the Legislature will support Bill 150. I look forward to and hope that there is an opportunity for members outside to comment on the effect of this legislation. Ultimately, I hope that Bill 150 passes and is in place to the benefit of the people of the city of Toronto and the people of Ontario.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. John O'Toole:** The member from Don Valley East was being as straightforward as you can, and he's at least coming forward and not blaming it all on Rob Ford. It's unique in the fact that they've been trying to hide the whole thing as if it's sort of Rob Ford's fault, that this is just a one-time, one-off kind of thing.

It's actually a sign of the times. They would say and do anything to get elected. They're doing it on energy every day, whether it's offshore, onshore, natural gas. It's absolutely unconscionable that they would stoop to any measure just to hold on to power. There's an awkwardness about it. It's so obvious, but there again, Mr. Caplan has spoken quite honestly about it. He's going to throw them under the bus, so to speak. That's kind of it. He's expunging the right to strike, a fundamental right, taking it away from them, just yanking it out of their hand.

*Interjection.*

**Mr. John O'Toole:** I can't for a moment—see, here's the difference: You know where the NDP stand. You know where the Conservatives stand—

**Mr. Ted McMeekin:** I want to know where you stand.

**Mr. John O'Toole:** I've just told you, if you were listening, but of course you weren't.

Here's the deal. Now we know that on that side, the only person—

*Interjection.*

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Ancaster.

**Mr. John O'Toole:** —that has been straightforward about it is Mr. Caplan.

I think at the end of the day what Tim Hudak has said to us clearly on this is that it's about fairness for families, fairness for workers and integrity. In this thing, they fail on all three marks, except Mr. Caplan. I think he's a party of one over on the other side. I think he should be running in the leadership against a couple of other—I think Ms. Wynne will be running for leadership, right after Premier McGuinty falls under the bus. That's the way I see it. I think Mr. Bentley will be in the leadership race as well. He's—

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Questions and comments?

**Mr. Paul Miller:** I listened intently to the submission from the member from the other side. He has some points, but I'd like to deal with one. He seemed to emphasize the health aspect of it.

I worked in the steel industry for many years in Hamilton and I would safely say that from maybe two stacks in my plant, thousands of tonnes of pollution come out probably daily—thousands of tonnes. In fact, the plants in Hamilton alone would probably pollute more than every car that drove in the city of Toronto in a given week, in a matter of three days. So if this government is really serious about people's health and protecting people, you might want to do something about all those stacks all over Ontario that are putting out tonnes and tonnes of pollution.

He talks about congestion of cars. In any strikes that I went through or anything that happened that I've been involved in, people carpooled, they bicycled, they got friends to drive them if they were elderly; the daughters and sons would make an effort to get mum and dad to the doctor. There are alternatives if there's a disruption in service, but as he kindly pointed out, there weren't all that many disruptions in 20 years—I believe 11 days in the last 12. Eleven days of disruption is not a heck of a lot for collective bargaining.

He talks about the taxpayers of Toronto and how he wants to protect the taxpayers of Toronto. That's great. Are those guys and their members and all the other unions not taxpayers of Toronto? Are you protecting their rights or are you selling them down the river? I think you're selling them down the river. You're not protecting their rights. They pay taxes too. That's another point.

There's more than one union involved in this set of negotiations. There are probably four or five different unions, so you've also cut them off at the legs too. So don't make it look like you're doing a big favour for the people of Toronto.

**The Acting Speaker (Ms. Cheri DiNovo):** Member from Oak Ridges–Markham.

**Ms. Helena Jaczek:** I'm certainly very pleased to enter into this debate on Bill 150 and in particular to

make a few remarks in support of my colleague from Don Valley East's comments on this issue. I'd like to speak particularly on behalf of my residents in Oak Ridges–Markham. I represent four municipalities in the greater Toronto area. I have four GO stations in my riding; in fact, a fifth one is just across the street.

I spend a great deal of my time trying to encourage most of my residents to make use of the public transit that does exist. We have three GO train lines that all converge on Union Station, and the vast majority of my residents then need the TTC to access their place of work or university or college. During the last TTC strike I heard from the residents of Oak Ridges–Markham—I heard loud and clear—how disturbed they were about the disruption to their lives. People were incredibly anxious about getting to work using the TTC. Whether they were going to school or to work, there was tremendous uncertainty in those days, until, of course, we legislated the TTC workers back to work.

I would certainly say that in this place we obviously hear about competing interests. It is our duty, in fact, to weigh those competing interests very carefully. I have certainly heard very clearly from the residents of my riding where they stand on this issue. It is something that has already been pointed out in the health sector—nurses and hospitals. We've heard from the Minister of Community and Social Services and the member for Don Valley East. The vast majority of settlements are still reached through negotiations, and only as a very last resort is there a need for binding arbitration.

I'm firmly convinced that this is important legislation and we need to pass it.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Kormos:** I've listened to the comments by the member for Don Valley East and couldn't disagree more. He comes by his position honestly; I have no doubt about that. Liberals have a strong tradition of setting labour up, setting working people up, just to knock them down, and it's happening again.

**1630**

The problem is, this isn't just about denying TTC workers the right to strike. This is a blow to the fundamentals of free, collective bargaining. Inherent in free, collective bargaining is the right to withdraw one's labour. The zeal with which this is being embraced by the Liberals should cause all of us a great deal of concern. There appears to be no hesitation, no second thought, no doubt at all by the Liberals who have been speaking to this matter that it's perhaps more complex than they would have us believe.

There may be Liberal members who have some of those doubts and concerns, but I suspect that they will not prevail during the course of the second reading debate. They may have used their influence in caucus and may be frustrated at the response that their insights received. They may have left shaking their heads about how damned stupid the Premier's office could be, to embark on this sort of tack—and again, not for what's happening

now. You see, it's not just about the ATU, as has been noted, and it's not just about TTC workers and it's not about union leadership. It's about whether or not we cultivate a healthy and mature collective bargaining framework in this province or whether we destroy it and roll us back into the last century.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Don Valley East has up to two minutes to respond.

**Mr. David Caplan:** I want to thank the members from Durham, Hamilton East–Stoney Creek, Oak Ridges–Markham and Welland for their comments.

Actually, I was going to pick up exactly where the member from Welland left off. This is about cultivating a bargaining environment that works. As I've demonstrated in my remarks, we currently have a bargaining system, when it comes to the public transit system, the TTC management and the TTC workers, which doesn't work.

The notion that, as the member from Hamilton East says, "Well, you know, they've only been out 11 days"—I think that's a little bit of playing fast and loose. That's true, but that's only because this Legislature reconvened to immediately send the workers back to work. I don't think that really is much of a factor, I say to the member from Hamilton East–Stoney Creek. I think what it points to is that we have a collective bargaining system where both sides—this isn't about the workers or the management, because both sides know that if they cannot come to an agreement, if they come to an impasse, if that breaks down, they will be sent to an arbitration system. So why not take a step back? Why not say, "Okay, we're going to do something differently; we're going to put some tension back into the system and try to come to a resolution, but if not, we're going to send the matter to binding interest arbitration"? That's de facto what we have already, but with the \$50-million daily loss and with rider confidence being shattered, and you see that in the ridership numbers lost.

This is about putting confidence back into the Toronto Transit Commission and making sure that the system is reliable, that it's well-run and that the city has confidence in it once again.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Garfield Dunlop:** I'm pleased to be able to stand today and speak for a few moments on Bill 150, the Toronto Transit Commission Labour Disputes Resolution Act, 2011. I was asked to speak on this today, and I wanted to put a few points on the record so I had it clear. I want to read the explanatory note, which is mentioned in the bill, and then go on to a number of other messages and background on it.

"The bill addresses potential labour disputes between the Toronto Transit Commission and bargaining agents representing employees of the Toronto Transit Commission under the Labour Relations Act, 1995.

"The bill prohibits strikes and lockouts and provides for arbitration as the mechanism for achieving a collective agreement when the parties are unable to negotiate an agreement.

"The bill also requires that a review of the act be initiated within one year following the fifth anniversary of the coming into force of the act."

We have some other things I wanted to point out here. The key message from our caucus as we looked at this piece of legislation—it's in response to the request by Mayor Ford, the mayor of the city of Toronto, to make the TTC an essential service. Mayor Ford, as we know, was given a large mandate by the people of Toronto. It was, of course, a plank in his election platform. Why I found this bill a little awkward when I first heard it was going to be introduced immediately was that we know full well that the current members of the government were not supporters of Mayor Ford during his election campaign. We recall that just prior to the election campaign—the week before—they said that there was something like 200 or 300 staffers from the Liberal government offices and MPPs all campaigning against Mayor Ford as he campaigned to be the mayor of the city of Toronto. So what was amazing to see was, suddenly, when the government members saw this shift in the vote—because they thought it was going to be so close for Mr. Smitherman at the time—how they wanted to jump on that kind of a bandwagon and say, "We'd better get onside with Mr. Ford because a large percentage of the people of the city of Toronto are out with Mr. Ford, so we'd better try to jump onside with him on this."

I was amazed to see this introduced the first day back. I thought this would be something that might have been introduced later in the spring week, maybe after the budget, have more time to debate it, maybe not even be passed in this session, maybe passed later on. But I understand that this bill is to be passed very, very quickly; I think even, to my understanding, by the end of March. That's what I think they might want to have happen. I was curious and interested to see that suddenly this shift towards the support for Mayor Ford now caught the government members offside.

I do know, and I do appreciate the fact that the member from Don Valley East spoke on this a while ago in the House. He did have a private member's bill. With due respect to Mr. Caplan, he had a private member's bill, and he has spoken on this in the past, and that's something that he's very serious about. But on the other hand, things, economically, are not sound here really yet, so I'm amazed why it would take eight years of this government—why, in the last session of the eighth year of government, would they decide that this had to be pushed through like that? Why is that? Why wouldn't have this been done three or four years ago, about the time they were going to close the coal-fired generation and those types of things?

**Mr. Paul Miller:** there are 20 seats in Toronto.

**Mr. Garfield Dunlop:** There are a lot of things; there's a lot at stake here. I tell you, I think a lot of it has to do with the seats in the city of Toronto. That's what I think. I've got other things to support that. Not that I don't think that making a certain agency an essential service isn't good at times, but the problem I have as a

member of the PC caucus and as a member of this Legislature is: If we make the Toronto Transit Commission an essential service, what are we going to do about all the other transit commissions in the province? Because, do you know what? I can see those boards sitting in their discussions when they're having their annual—and it might be a labour dispute—and the next thing—we do one; we will be asked to do many others, and that may happen. What did we do for Ottawa? Ottawa was out for months. Am I correct on that? Maybe somebody can correct me. I think it was a number of weeks at least that Ottawa was out. And do you know what? I don't think this—we were asked over and over again, "Can we get back-to-work legislation? What are you going to do about it?" The Minister of Labour said, "We're working in good faith. We're bargaining, we're bargaining, we're bargaining. We're not going to do anything."

But I'll tell you, we come back here for the last session, after the last Parliament, after Rob Ford is sworn in, and here we are creating this legislation just like that. Surely we won't pass it by the end of March; there'll be a lot of consultation with the gentlemen behind this and with the people in the city of Toronto, because the reality is, they deserve a chance to be consulted properly under debate, not pushed through, hammered through and done here within three or four weeks. You've got to remember that in those three or four weeks, we have a constituency week as well, so we've got that to deal with as well. If they want this done by the end of March, they've got to pass it very, very quickly, and I don't really think that's right to the ladies and gentlemen behind this and I don't think it's right for the city of Toronto; they don't get a fair shot at this. I don't see what the urgency really is when we're not doing it for other communities in the province, and we haven't done it for eight years. That's why I'm very, very concerned about it.

**1640**

With that, I wanted to go into a little bit of the other background on it. The value of the Toronto Transit Commission to the city of Toronto: We've heard that over and over again here today. I don't think there's any question: This is an important agency that we have here in the city of Toronto, if we can call it an agency. The work that's done on the bus routes, on the streetcars and on the subways is what makes the city of Toronto run. There's no question that when it's down, it's down badly, and it does have an impact.

What I think that we have to do at the end is look at what the government has done up to this date. Other than listen to the member from Don Valley East's private member's bill, what have they done is to consult with the general public in the province of Ontario?

So Rob Ford becomes the mayor of Toronto. Great. I like Rob Ford. I think he's a great guy. I wish him well in the next four years. But has there been any other consultation done with the people of the city of Toronto to make this an essential service other than Rob Ford's mandate? I'm not sure if there has or there hasn't, and I would be interested in hearing some of the comments

coming from the members of the government because, obviously, if there has been consultation, they must have been involved in those consultations.

What I want to say is that we're seeing a real trend here, a reaction to what seats the government may win in October or are in jeopardy, and how people are elevated into positions or how projects are cancelled just to make someone look good or weaken the opposition to them.

I think we've seen it really in Oakville. The member from Oakville was just basically written off because of the natural gas generating plant. Suddenly, out of nowhere, there's an announcement, and God only knows how many billions of dollars that's going to cost the people of the province of Ontario in lawsuits and in just overall incompetence on behalf of the government to pull the plug on that project, and then to say back, "Do you know what? We didn't really need it after all. We're building too many solar and wind farms."

Then we look at something like the Minister of Energy's riding, Scarborough Centre, and the Minister of Agriculture's riding, Huron-Bruce. Suddenly, after all these significant projects are announced and there are proposals put forward to create offshore wind turbines, out of nowhere, there's a moratorium on them. Why would that be? Well, I can tell you why: We've done the polling in a couple of those ridings, and that's one of the reasons, particularly in Huron-Bruce—

*Interjection.*

**Mr. Garfield Dunlop:** It doesn't look good.

You can just go around. There's other seats in jeopardy here as well. Surely we're not making these decisions—did we make the Minister of Labour the Minister of Labour because he might be weak in Mississauga South, and this might prop him up in the city of Toronto? I'm not sure.

But it would look to me as though there's a movement to strengthen the Liberal government MPPs so they won't have quite as much opposition in their ridings come October 6, because we know that the overall polling doesn't look good for them. I think this is a really serious, serious concern of this Legislature. Why are these things sort of coming and going, and they're making these quick announcements?

Yet when they move the natural gas generation from—

**Mr. Ted Chudleigh:** Oakville.

**Mr. Garfield Dunlop:** —Oakville, now I understand they're possibly contemplating it in Cambridge. Did I get that? Is that what I actually heard? I actually heard that it might happen in Cambridge. Why would you go from Oakville to Cambridge, let somebody spend all that money, and then have it built in another area? It's really and truly—that's the kind of stuff we're seeing.

I'm not sure. I hope I'm wrong on all this that I'm saying, but it would appear that I'm correct on this. I think if we move through—I can go through a lot of ridings here. I wrote them all down here. I don't want to spend all that time on it.

We even heard that with the cancellation of the offshore wind generation, even the new mayor of

Kingston has been critical of the government. He was supportive of the offshore wind generation—

**Mr. Ted Chudleigh:** He has a father here.

**Mr. Garfield Dunlop:** Yes, and apparently he's got someone related to him here in the Legislature.

So this list goes on and on. That's what it looks like is happening. The government is actually making these decisions, and I think this is one of the reasons. I think the government wanted to be on the Rob Ford bandwagon and grab that charisma, grab that movement of the vote, the "get off the gravy train" type thing. This is one thing that doesn't really cost the government anything. It doesn't cost the government anything to put this legislation through, because if they were sincere about this legislation, they would have supported Rob Ford's request today for \$350 million. I'm told that the Premier has denied him flatly. So you give him the legislation that doesn't cost him a nickel but will cost, one way or another, the taxpayers of the city of Toronto money, but you won't give him any of the infrastructure money or whatever the \$350 million is for. That's what I'm hearing here.

*Interjections.*

**Mr. Garfield Dunlop:** Do you know what? I can hear some people heckling me over there. But the reality is, that's what I'm hearing.

Also, I'm curious about the costing of this, what it costs when you do away with collective agreements. If you have arbitration with this particular union, the Toronto Transit Commission union, and we do go to arbitration, there's no question that they will get a higher salary. It will cost the taxpayers more—probably not in terms of net impact on the city of Toronto. But then what does that do to all the other municipalities around us that still have fairly substantial transit systems, in the GTA: Ottawa, Kitchener, maybe even in the Windsor area? They do have transit systems, and when they're down, they're down as well and they do have an economic impact on those cities as well. So I think the cost of arbitration is something—I wonder who has actually examined what happens. We all know that police, fire, nursing and those sorts of things are resolved in arbitrated settlement. They don't even talk about settling anymore. I know that the firefighters just know they're going to arbitration, and that's going to be the end of the path for them.

I can go into a lot of other little details on this but I wanted to just put a few of the things on the record. The bill deals with labour disputes between the TTC and the bargaining unit that represents the employees of the TTC. The bill supersedes anything in the Labour Relations Act, 1995, that allows TTC employees to strike or the TTC the ability to lock out their employees. If the two parties can reach an agreement on arbitrators themselves, they're allowed to select the method of arbitration. If they're unable to do so, mediation/arbitration will automatically be selected. If the parties are unable to reach an agreement on the method of arbitration, the minister will once again select mediation/arbitration unless the min-

ister believes there is a more appropriate method. I'm not sure what that really means.

The bill will allow an arbitrator to be appointed by the minister if the conciliation officer is unable to reach a collective agreement. The administrator will have the final say over who the arbitrator is, and this is not subject to judicial review. The arbitration will take into account criteria that include the employer's ability to pay in light of its fiscal situation, the economic situation in Ontario and the city of Toronto, comparisons between public and private sector employees' terms and conditions of employment, and the extent to which services may have to be reduced in light of a decision if current funding and taxation levels are not decreased. It must be noted that the ability-to-pay criteria set by this bill are lacking in detail and, as such, would be interpreted as weakened criteria by any arbitrator.

Finally, the Toronto Transit Commission is not considered an essential service. Thus, the Labour Relations Act permits employees to go on strike and the employer to lock out the employees in case of labour disputes. That's the current situation. The unionized TTC employees have used strike-to-action nine times, most recently in 2008. The government of Ontario has had to use legislation to end work stoppages five times since 1974.

I didn't realize, in any of my research on this, that there have only been a few days of actual lost time; 11 days is what I'm told today. That's something I'm very curious about knowing what the economic impact was on those 11 days. Maybe some of the members of the government will be able to say what the actual impact was, because I think we have to really and truly deal with that. It was put into force that the strike was costing upwards of \$50 million a day to the city of Toronto in lost economic benefits. I'd like to see the research on that exactly.

I'm curious also—it goes back to the G20 and those sorts of things. Did the city of Toronto make money on the G20 overall or did they lose a lot of money on the G20? I don't know. I'd like to finally see those numbers.

Finally, Mayor Ford and David Caplan, the member from Don Valley East, are both supportive of this. Again, I'll give Mr. Caplan, the MPP for Don Valley East, credit for knowing where his position is on this. I appreciate what his comments were.

**1650**

I do think, though, that there are a lot of unanswered questions that I hope the government will answer not only in debate, as we walk our way through this second reading debate, but also in the actual criteria and the actual data and background they'll give us as we get to the committee hearings, because I'm sure there'll be a number of citizens from the city of Toronto. A number of other unions from other communities, I think, would probably want to be part of this. Transit boards in other cities—I think this is going to have an impact on them as well down the road, because I'm sure they'll be asking for arbitration, and I don't know how the government can

turn them down when they've done it for the Toronto Transit Commission. I think we've got some huge areas to deal with there and some huge problems.

Finally, I'm just going to sum up. I don't believe this bill was really a bill that people thought had to happen now. I think we're dealing with it because there's a fall election and they're trying to ride the coattails of Rob Ford into the 2011 election. I'm going to repeat again: We've already seen it with other ridings. We've seen overnight changes—decisions made out of the Premier's office—that have had an impact on other ridings and, as they said, as a result, have strengthened the Liberal members. That will give them an opportunity maybe to have a little more of a battle in October as they try to resolve the loss of a majority government.

On behalf of our caucus, I appreciate the opportunity to say a few words. This is an interesting bill to follow through on, and I think that the city of Toronto and the people of Ontario deserve some real strong answers as we go to third reading and committee on exactly what their intent was on this, because they had eight years to do this. They could have done this back in 2003, and they haven't done it. They've waited until this moment when they're very weakened in Toronto, when there's a real opportunity for defeat of the government of Ontario in the fall election. I think it's more politics making this decision to put this legislation through than any real thought for the people of Toronto's transit system or for these men and women behind us.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Paul Miller:** I'd like to thank the member from Simcoe North. I certainly listened to what he said carefully. I could be wrong, but I get the impression that he would like to see this go to committee. He would like to see people from the transit union and other unions that are involved have their day in court. I certainly hope it isn't one day, and I certainly hope it's not forced through with no discussion through a time allocation motion.

**Mr. Ted Chudleigh:** Surely they wouldn't dare.

**Mr. Paul Miller:** They might. If I see a time allocation motion, I'm going to be one unhappy camper.

I really get offended when I see members from the Liberal Party stand up and say that they're for collective bargaining. I don't think so. Take a look at the York University strike. Take a look at what happened here and what they're trying to do. They say they're for the working families of Ontario—not. Don't believe that for a minute. I certainly can't believe that they can stand up and say that they're for collective bargaining.

Collective bargaining is the base of any union: the ability to withhold labour. I guess it's your ace card in the hole. When I saw them give Magna a deal and give away their right to strike there, I almost died on the spot because that group set us back 30, 40 years in bargaining and in union business—40 to 50 years they set us back.

Now this government is about to do the same thing, to join in on the demolition and destruction of collective bargaining in our province, and it's not going to stop

here. Who will be next for essential service? Who knows? If I was a union leader in this province, I'd certainly be very concerned, whether it was public unions or private unions, about where this is going and who's next.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mrs. Liz Sandals:** I'm pleased to comment on the comments by the member from Simcoe North, which, quite frankly, I found a little odd, because if I'm following him correctly, he's miffed because the McGuinty government is doing something that Rob Ford would like, and he thinks only Tories should do things Rob Ford likes, not us. I think that's what he said. But quite frankly, this has absolutely nothing to do with whether or not you happen to like Rob Ford. This has to do with whether or not the TTC should be deemed an essential service.

Toronto city council, on behalf of the populace of the city of Toronto, said to us in December—not eight years ago, but in December—"We believe that you should designate the TTC as an essential service." We have taken some time to look at that, and we think that is a reasonable request by the city of Toronto, by the people of the city of Toronto; hence the legislation that's before us.

As I think back through the importance and the integral nature of public transit in Toronto, I think of my aunt and my uncle who bought a house probably 50 years ago in Toronto. They located it so they were a block away from a bus line that my uncle could walk to. He could take the bus and get on the subway and get downtown, a few blocks from here, to work. That has been going on for 50 years in the city of Toronto, that people depend on the TTC to get to work, to get to school.

In fact, my own constituents who live in Guelph, but people all along the GO line that heads out west and east of here, depend on the TTC as well, because when the GO trains bring them in, when the Greyhound buses bring them in, when the GO buses bring them in, they need the TTC.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Ms. Sylvia Jones:** I'm pleased to comment on my caucus colleague from Simcoe North. I think he has raised some excellent points in his speech, talking about the timing of it and wondering if and hoping that we will, in fact, ensure that we get public consultation on a bill that's going to so dramatically affect the city of Toronto.

He raised the interesting fact of the timing of it, that it wasn't important when the private member's bill came forward from—I'm sorry—David Caplan, who is from—

**Mr. Ted Chudleigh:** Don Valley East.

**Ms. Sylvia Jones:** Don Valley East. Thank you very much. This was brought forward by him as a private member's bill and has, of course, languished, as many private members' bills seem to do, sitting in second reading, waiting for public input, waiting for the consultation that needs to happen between second and third reading.

Yet, magically, we seem to be able to bring forward this legislation on the first day back of the spring session.

So I do question the timing and the optics of it, but as my colleague from Simcoe North mentioned, if we can have the public hearings, if we can get the public input, I think it's an important piece of legislation that we need to look at.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Kormos:** What we have learned this afternoon, what has been displayed so clearly by the Liberal speakers, is that the nicest thing about being a Liberal is that you don't always have to be a Liberal. You can change your principles the way other people change their Jockey shorts and their socks. If one principle doesn't suit you, you just try another one. I appreciate that opportunity so the people of Ontario can learn that the nicest thing about being a Liberal is that you don't always have to be a Liberal, and these Liberals are demonstrating that, oh, so clearly.

I'm excited because speaking next is our member from Hamilton East–Stoney Creek, who will be splitting his time, sharing his time with our member for Nickel Belt. The member for Hamilton East–Stoney Creek is a fiery, take-no-prisoners speaker. He will be ripping some people some new ones this afternoon, I'm sure, in the brief period of time allotted to him. They'll be walking out of here not knowing whether they've been drilled, punched or bored. Again, he brings passion to this. He brings a lifetime of experience on the shop floor. He's a committed trade unionist and has not abandoned those principles or those values, like so many of us that are the children of industrial workers, myself included—it's part of our DNA. I mean, heck, I spent more Sundays at the Ukrainian Labour Temple than I ever did in a church. That's maybe to my detriment, but it just demonstrates, I suppose, where the direction was and the focus was and the value systems were in that small town, Crowland, that I was born in and grew up in.

1700

As I say, people should pay close attention, because in around two minutes' time the member from Hamilton East–Stoney Creek and the member for Nickel Belt will be speaking to this matter, both strong New Democrats, both strong trade union supporters, both strong advocates for working women and men in this province.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Simcoe North has up to two minutes to respond.

**Mr. Garfield Dunlop:** I'd like to thank the members from Guelph, Hamilton East–Stoney Creek, Dufferin–Caledon and Welland for their comments to my speech.

I don't expect that the Liberals wouldn't want to be supportive of Mayor Ford somehow. I just can't believe that back on October 24 they had 500 or 600 people out of their Liberal offices knocking on doors all through Toronto so he wouldn't get elected, and now he snaps his fingers wanting this legislation put through—in what looks like warp-speed time—and they're on his side. It's

unbelievable. These are the people who did not want Rob Ford as the mayor of Toronto. That was clear and you can read their comments on it; they wanted George Smitherman to be the mayor of Toronto, plain and simple. That's the way it was. But what's happened is that Rob Ford snapped his fingers and Dalton McGuinty put this legislation through, like that. I'm guessing that it will go through at warp speed. Probably everything will be time-allocated—that's my bet—and the third reading will be time-allocated as well, because they do want it.

They had eight years to do this bill. You had eight years to put this legislation through if you were really—you could have consulted in that period of time. You could have done all kinds of preliminary work. I'm really interested as to who really consulted on this at all. I don't think there was any consultation done at all, only with Rob Ford's office and Dalton McGuinty's office, because he's seen the Rob Ford steamroller coming through Toronto and he wants to be on that as much as possible so that he won't get beat badly in the city of Toronto on October 6 of this year. Mark my words: That's the reason.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate? The member from Nickel Belt.

**M<sup>me</sup> France Gélinas:** Thank you, Madam Speaker. It's always a pleasure to see you in the chair. I'd like to start by saying that I will be sharing my time with the member from Hamilton East–Stoney Creek, who has been very much looking forward to his time to speak, so I'll be brief.

I feel like we are playing a bit of a numbers game here when it comes to calling public transit an essential service and basically taking away basic rights of workers in this province. If we look at other cities—I know Toronto is all-consuming. We are all very proud of our capital city in Ontario, but there is life outside of Toronto. I happen to live in northern Ontario, where we also have public transit for the city of Sudbury.

When I hear some of the arguments that if the TTC were to go on strike, then health care workers couldn't go to long-term-care homes, they couldn't go to the community health centres and they wouldn't be able to go to the hospital—well, that applies to every city in Ontario. In every city that has public transit, people take public transit to go work their shift at the hospital, to go work their shift at the long-term-care homes, to go work their shift at the community health centre or anywhere else. People take public transit everywhere, but it seems that if it's people in Toronto doing work, that work becomes way, way more important than the same work being done anywhere else in the province. If somebody goes in a long-term-care home in Sudbury, well, you know—but if somebody needs the TTC to go to a long-term-care home in Toronto, well, this is it. This cannot be put aside, because maybe there could be a strike at some point. This makes no sense from the view that I'm looking at it.

It seems to me that the numbers game—it's like there are magic numbers in there. I keep hearing that 1.5

million people take the TTC. Is this like, it doesn't matter where you are in Ontario, but once you've reached 1.5 million users, automatically you're an essential service? Hey, Tim Hortons could be next on the list, because, believe me, there's a lot of people that go there. We will reach 1.5 million users and they'll be deemed an essential service, won't they? And we will take away their right to strike also, won't we?

Or is it a percentage thing? If there were to be a strike, there could be a blow of \$50 million to the economy of Toronto. Here's another magic number: If we reach \$50 million in possible economic impact, we can take away your basic rights. Your rights are for sale. Every single worker in Ontario, your rights are up on eBay, and if we get \$50 million for them we're going to sell them away. You're going to lose your right to strike. You're going to lose your liberty, your dignity, your basic rights for \$50 million. I didn't know there was a price on rights; I really didn't know. But today the Liberals told me that the price is \$50 million.

I find this a very slippery slope, because what if those numbers then become percentages? So if 25% of the people in any given city take transit, like is the case in Toronto, then you become an essential service. You are deemed essential, and we take away your right to strike. I could just imagine—Sudbury ridership has really gone up. I'm really proud of the people in Sudbury and Nickel Belt using public transit more and more. We're about to reach this 25% ridership capacity, similar to Toronto, but does that mean that our transit workers' rights are at risk also, that we are about to take their right to strike away?

Then I start thinking, if they are deemed essential, then the road maintenance, the snowplow operator, have to be deemed essential also, because there's no point in having buses on the road if nobody clears them. Okay, so now we have transit workers as essential workers who have lost their right to strike. The next ones will be the maintenance workers because, hell, we live in northern Ontario. We live in Canada. It snows in the winter, so if you don't have people clearing the roads—they must be essential. I'll throw in Tim Hortons again, because if the snowplow operator doesn't get his coffee at 4 a.m., believe you me, it's not going to be a pretty sight. So now every worker in Ontario is deemed essential and our rights have been given away for a cup of coffee.

This is a slippery slope. Think about your arguments. Your argument doesn't hold. The arguments that because there's more people that live here, because there's a higher percentage, because there's more business being done here, this puts your rights basically to the back of the bus where nobody cares about them anymore—this is a very, very slippery slope.

I don't know why we would go down this slope. Look at any other countries that don't have labour rights. I was in Brazil last year where they are fighting for the right to have a 50-hour work week. I remember those fights, way, way back then. I'm not interested in going back there. I like our standard of living the way we have it now, and much of it is because of the labour battles that we have

won. I'm not interested in a step back. I'm not interested in selling our labour rights for \$50 million or any other amount of money, for that matter. To me, this makes no sense whatsoever. But as my colleague from Welland said, it is so typical of a Liberal government—a Liberal government that sometimes says yes and sometimes says no.

I have been doing a lot of work on temporary replacement workers, which was a huge issue in my riding. We had brought this for second reading of a private member's bill in October 2009. Let me read you the number of Liberal members still here who through the years have either voted against repealing temporary replacement workers or spoken in favour of having temporary replacement workers legislation—better known as anti-scab—but who have changed their minds.

We start with the member from York South-Weston, the member from Scarborough—Rouge River—the Minister of Housing changed his mind; he even went down to a conference in Florida and said how important anti-scab legislation was for this province, and now votes against it—the Minister of Health Promotion, the Minister of Community Safety and Correctional Services, the member from Algoma—Manitoulin, the member from Stormont—Dundas—South Glengarry, the member from Etobicoke Centre, the member from Eglinton—Lawrence, the member from Essex, the Minister of Finance—a fine speech he gave, how important it was when Mike Harris was trying to repeal the law that the NDP had brought forward. You see, the NDP had brought forward anti-scab legislation. Mr. Harris at the time wanted to take those rights away. Our Minister of Finance was in opposition at the time and he just let them have it, how it wouldn't make sense to take away those rights. But here he sits today and refuses to support it.

#### 1710

We have the member from Kingston and the Islands, we have the Minister of Northern Development, Mines and Forestry, we have the member from Chatham—Kent—Essex, the member from Oak Ridges—Markham, the Minister of Natural Resources, the member from Glengarry—Prescott—Russell. The member for Brant—I raise my hat to you—voted in favour of anti-scab legislation. We have the member from Mississauga—Brampton South. The Premier even talked about how important it was to have anti-scab legislation when he was in opposition. He didn't want Mike Harris to take those rights away, but now that he has been sitting in the Premier's chair for the last eight years, he says that he won't bring temporary replacement workers or scabs in if the public sector strikes, but he's not ready to give that security to all of the other workers. We have the member from Ancaster—Dundas—Flamborough—Westdale, we have the member from Richmond Hill, the member from Scarborough—Agincourt—my handwriting is really bad—the Minister of Economic Development and Trade, the member from London—Fanshawe, the member from Northumberland—Quinte West, the member from Davenport, the member from Guelph, the member from York

West, the Minister of Labour and the Minister of Transportation.

Those are a lot of people who, when it was time to act—and they have been in positions where they can—are not doing it. But yet we see on the ground right now the devastating effect that this has on our communities, that this has on people, on workers, on families. It tears apart the social fabric of our community. It's really easy to say that we want to build healthy communities and we don't want the TTC to have the right to go on strike because this will hurt our communities, but yet they're ready to let other labour laws tear apart the social fabric of our community.

*Interjection.*

**M<sup>me</sup> France Gélinas:** I'm told by my gentle colleague here that I have to stop my little rant, but I still have a lot of it left in me and I'm really sorry that my time is up.

What I want people to remember is that with this bill, we are starting on a slippery slope. We are starting on a slope that says that if the numbers are big enough, if the money is high enough, we will sell your basic rights. How can we have this in this province, in Ontario? Workers have rights. They have fought for each and every one of them, and we now have a government that's ready to take that away.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Hamilton East–Stoney Creek.

**Mr. Paul Miller:** Thank you, Madam Speaker, and my colleague from Sudbury. I didn't think she was going to stop. She was wound right up.

I'd like to continue. I had a flow going about some of the comments from John Tory, the former leader of the Conservative Party, and they were good points. Mr. Tory also said on his show:

"I also think it is irresponsible and highly political, the kind of fostering they really haven't been doing at Rob Ford's city hall. I think it's highly political not to sit down and seriously consider the 'no strike' offer made by transit union president Bob Kinnear.

"If this really was about not having a strike, if you think about it for a minute, and if it wasn't about political points or ideology or settling old scores, which it shouldn't be about, then Karen Stintz and Rob Ford should be sitting down day and night with Bob Kinnear to really aggressively explore whether they can work out, say, a three-year or ... five-year no-strike deal with Bob Kinnear.

"He made an unusual opening offer and Dalton McGuinty should be telling Rob Ford and Karen Stintz that he insists they sit down and talk to him about this or at least make every effort before he, Dalton McGuinty, will pass the legislation declaring the TTC an essential service.

"Because once that's done, then it's done. Get your wallet out; get your wallet out. And I think Dalton McGuinty's failure to at least to do that and tell them to sit at the table and talk to Bob Kinnear would suggest he too is playing politics in an election year.

"To just move ahead like a bull in a china shop when the union has expressed its willingness to talk will cause more bitterness and more conflicts and it will be very, very expensive, and fails to even consider another way to avoid a strike."

This is a reasonable analysis by Mr. Tory of the essential service designation and a strong message about the failure in their duties by the mayor, the TTC chair and the Premier to act responsibly for and truly represent the citizens and taxpayers of this city. Hear, hear.

These are my words now: In addition to the impact on the TTC drivers, the essential service declaration will also affect the Canadian Union of Public Employees, CUPE; the International Association of Machinists, IAM; and likely some IBEW members. This essential service designation is not just about the TTC drivers; it's also about the other unionized employees, who may not have the same negotiation or contract issues, who may not have had anything to do with the ATU issues, and who may not have been on strike for even 11 days over the past 20 years. Why are they, no pun intended, being dragged under the bus? The reality of only 11 days lost to strikes at the TTC over 20 years must be understood by every member of this Legislature. It's a little more than half a day a year.

This essential service legislation is using a sledgehammer when a tack hammer would do the job and when a solution is already before their eyes and ears in Local 113's president's guarantee of no strike during these negotiations. What more could a union president do than step up to the plate and say, "Look, I want to talk; I understand the importance of my members and their jobs in Toronto. I want to talk" But this government is saying no, and Rob Ford is saying, "No, you'll do what you're told, and you'll eat it."

This legislation is all about playing politics in an election year and playing to a hammer-fisted, poorly-thought-out, ideologically-driven, fiercely right-wing agenda at the municipal level. It is clear that the mayor of the city of Toronto should never have more power; he can't handle what he's got now. But for this Premier to aid and abet him in this strong-arm legislation tells us that he is prepared to use his majority in this Legislature, and to use all of us, in his blatant attempt to gain votes in Toronto.

Every card-carrying union member in Ontario and, more specifically, every single union leader should pay very, very close attention to the real Dalton McGuinty. He will strip you of whatever he wishes for his own political gain. Stop supporting this anti-union government. Send Dalton McGuinty and the Liberal union-busters a strong message. Stand up for what unions believe in. Stand up for your brothers and sisters. Stand up for the membership you represent. Don't let this happen. Don't support Dalton McGuinty or any Liberal or PC, for that matter, who supports Rob Ford's right-wing essential service designation for the TTC.

I know that many of our union brothers and sisters are already designated as essential services—police officers

and firefighters, for example. However, when this designation is solely for political purposes and not for the health and safety of the citizens, all of us should be able to agree that this is wrong.

Yes, I know that many decisions are politically and ideologically motivated, but when the record shows that this particular action will end up costing Torontonians more, we really must take a large step back and stop this out-of-control attack on collective bargaining.

The stats show that when there is no right to strike, when disputes go to a conciliator, and ultimately to an arbitrator, decisions more frequently go in favour of the union, which isn't a bad thing, but it will cost. They want a collective agreement; they don't want to force arbitration. They're actually doing due diligence for the people of Toronto; they want to be fair. When you put it to an arbitrator, it may even cost the taxpayers more money—not a smart move, I don't think.

One also has to remember that this legislation does not prohibit work-to-rule, which is really working exactly to the terms of an existing contract. I don't think that our TTC drivers would stop their vehicle to perform safety drills, but that might be possible, like they did on the BC ferries several years ago. They worked to rule and held fire and emergency drills and practices on their ships, and they were in the middle of the crossings when they did it.

Are you naive enough to think that these union members cannot slow things down with work-to-rule? "Oh, your bus won't be ready until next week; it needs more work on the engine," when the bus might well have been ready—or other ways to do things to slow down the process because they're not being treated fairly, because this government and that city would not deal with them fairly. They have ways; unions have ways. It may cause delays, but it was not permitted in the contract.

**1720**

It was also likely a good drill in the eyes of those advocates for health and safety practices in the workplace.

In this situation, the legislation only affects the TTC employees, but this is the thin edge of the wedge. Will GO Transit be next? How about schoolteachers? How about government workers, hospital workers, doctors, nurses and everyone else who provides a public service? Will they become essential? With this ideologically driven piece of legislation so happily tabled by the McGuinty Liberals, who is next going to demand what of him? Who else will they throw under the bus or the train and for what reason?

This McGuinty government dances to a tune played by Mayor Ford while ignoring the very generous offer by Amalgamated Transit Union, Local 113, president Bob Kinnear to guarantee no strike action during these contract negotiations. Why on earth did Premier McGuinty ignore this offer? Why has this government completely dismissed what is surely a unique opportunity to bring about labour peace at the city for a few years? Why have the McGuinty Liberals ensured that unionized workers have every reason to fear their government? What is really behind this legislation?

Certainly, it's not because there might be a strike that could cause a loss of votes in Toronto. Would it be that? The union has already guaranteed that there would be no strike. It makes absolutely no sense, unless one looks at the other attacks on organized labour by this government. They tried to impose a zero-wage increase this year, only to be found wrong by the very conciliators and mediators and arbitrators or judiciary they appoint.

Let's look at this in a broader context. This government has attacked grandparents raising their grandchildren. They know that they have wrong directives, but they flatly refuse to fix the errors. This goes on and on and on. I could read forever.

This does not make sense. It's going to cause more problems for the city of Toronto and the people of Toronto. I'd like to talk to these people a couple of years from now and see what they think because it could be a very interesting response.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments.

**Mr. Shafiq Qadri:** I have some remarks with reference to some of the preceding commentary. My honourable colleague the MPP from Nickel Belt spent considerable time referring to Tim Hortons as a possible essential service. Be that as it may, I, too, share her affection for coffee, but if such a request were to emerge, I suspect or hope that it would be subject to the same consultation, report from the appropriate union and commission and probably a vote on council. Then and only then would the government of Ontario be willing to consider it.

My colleague from Hamilton East–Stoney Creek quite rightly and legitimately cited the offer of the union president Bob Kinnear, the no-strike offer as it would enter into this particular round of negotiations, the contract which is expiring March 31, 2011. But on my desk, I'm in possession of the correspondence that emanated from the most recent consultations between the various unions involved—ATU 113, IAM 235, CUPE and the Ministry of Labour—dated February 10, 2011, which have not moved forward and from which they emerged at an impasse. That adds to the urgency, particularly given, as well, the December 16 vote by Toronto city council.

A great deal has been said about the timing—some of the issues that we've mentioned. But I would like to announce—not only to you, Speaker, but also to those who are listening and watching and to those who are in this audience—that as of April 2008, on a fateful Sunday, the NDP joined with the Conservative Party and with our government in order to effect immediate back-to-work legislation to the TTC, whose contract, as you know, had expired. It's for precisely those reasons that we are enacting this as a fundamental legislation—

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you.

**Mr. Paul Miller:** On a point of order, Speaker: The member is giving false information.

**The Acting Speaker (Ms. Cheri DiNovo):** No, that's not a point of order.

Questions and comments?

**Mr. Ted Arnott:** I'm pleased to have this opportunity to respond briefly to the speeches that were given this afternoon by the member for Nickel Belt and the member for Hamilton East–Stoney Creek. I gather one of them will be responding shortly to the comments.

Certainly, the New Democrats in the House, on this Bill 150, An Act to provide for the resolution of labour disputes involving the Toronto Transit Commission, have been quite principled and consistent in their opposition to this bill.

Let's take a quick look at what the bill will do if passed:

"The bill addresses potential labour disputes between the Toronto Transit Commission and bargaining agents representing employees of the Toronto Transit Commission under the Labour Relations Act, 1995....

"The bill prohibits strikes and lockouts and provides for arbitration as the mechanism for achieving a collective agreement when the parties are unable to negotiate an agreement: see sections 3 to 21.

"The bill also requires that a review of the act be initiated within one year following the fifth anniversary of the coming into force of the act...."

I know that most members of this Legislature will recall a number of emergency sessions where we've been called into session, in some cases on a Sunday, to discuss, debate and vote upon legislation to end transit strikes in the city of Toronto.

I would certainly agree that in 2011 and future years going forward, transit service in Toronto is an essential service for the well-being of the city: to allow people to get to work, to get to medical appointments, to get to school—all of the important trips that people need to take on a daily basis. There are a substantial number of people who live in downtown Toronto who don't have cars because they use transit; they buy a transit pass.

Certainly, I make use of the TTC frequently. This evening, in fact, I'll be using the subway to go down to the ROMA-Good Roads Conference. Many members of the Legislature, I know, use the TTC as well.

I would again compliment the New Democrat members for the consistency of their presentations and look forward to their replies.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Kormos:** You see, that's precisely the problem, and that's why the research and the analysis, for over 50 years now, talks about how compulsory arbitration regimes undermine collective bargaining and, rather than reinforce, they scuttle a mature relationship between workers and management, because there's no need to develop that mature relationship; there's no need to work collaboratively. Both the TTC, the commission, as well as the union, the ATU, have, over the course of years, been trained that at some point there will be back-to-work legislation, probably sooner rather than later. That's not helpful. That's not conducive to developing a responsible collective bargaining relationship between management and labour.

What this bill does is it entrenches that, and the scenario will become worse rather than better. It will become worse and worse rather than better. The relationship between workers—labour—and management will deteriorate to a point where there will be, I have no doubt about it, grief for the city of Toronto, grief for consumers, grief for the workers and untold levels of grief for management.

This is a wrong-headed policy decision. It's this government slavishly responding to the beck and call of newly elected Mayor Rob Ford, who was going to cut the gravy train but now, almost within hours of being elected and having the popular support of the people of Toronto, announces he's going to spend \$3 million on consultants. As I said earlier, that's not a gravy train, that's a caviar train. We'll see whose friends those consultants happen to be once they're made public.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Jerry J. Ouellette:** I want to comment on both members' comments.

The member from Nickel Belt does hit on a point that is very concerning as well, although she should probably expand on that point about the \$50 million; look at it as a percentage of the local income as well. So with Sudbury, when you talk about the ridership hitting the 25% mark, is it a matter of—in Sudbury there's certainly not going to be a \$50-million impact. What would it take in Sudbury, Ottawa or London or the other components around?

As well, some of the other aspects: the Tim Hortons one I don't necessarily agree with. I think that's a private enterprise, whereas taxpayers are paying for the ridership here.

I do agree with asking where the line comes in and where it does not. What is the deciding factor? Are we going to do garbage—because that could be the next one. Are there other options that are potentially available, such as introducing competition? All of a sudden, as opposed to contractual agreements, is it going to be allowed to deregulate busing to allow competitive busing or other transit users into the areas? There are all sorts of options that have not been discussed that could be brought forward.

1730

As well, it's good to hear the member from Hamilton Mountain mentioning the John Tory show. It's good to hear that somebody's listening to it. Frankly, I'm not.

**Mr. Peter Kormos:** Oh, that's mean.

**Mr. Jerry J. Ouellette:** Just a little bit of jest there.

But it is a serious issue. We certainly want to ensure that it does go to committee, that there are fair hearings, so that all of these aspects can be brought forward and discussed in the Legislature because, quite frankly, when you look around the world and see what's happening worldwide, I don't think it's a slippery slope. I think it's an intent to try and deal with an issue that may impact the economy here, the so-called centre of the province of Ontario. Although a lot of us don't like to agree that it supposedly is, it certainly has a huge impact. How that

impacts in other parts of the province and the country may unfold there. We only need to look around and see what's happening to know that it's not over yet. There are a lot more things coming in this world.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Nickel Belt has up to two minutes to respond.

**M<sup>me</sup> France Gélinas:** I'm sort of sorry that everybody listened to Tim Hortons and didn't listen to the rest of the things that I had to say because Tim Hortons was a joke.

What I was trying to say was that we are entering a slippery slope. The slippery slope is right here, right now. We are taking rights away from Ontarians. When you take rights away from people, you are making serious decisions. Those serious decisions will lead you down a slope. The example I was giving is that they keep saying the ridership is 1.5 million, the economic impact is \$50 million, and somehow those two numbers are supposed to be justification in and of themselves to take away people's rights. I disagree with this. There is no magic number.

Then what I did was a parallel. If the ridership in Toronto is 1.5 million, what does that translate to in Ottawa, Sudbury or Kingston? When we reach those magic numbers, the 25% ridership in all of those cities, they will be deemed essential, they will lose their right to strike?

We're talking about a \$50-million economic impact. If there was ever to be a strike at TTC, is this \$50 million by itself compared to how much money rolls into Toronto on a daily basis?

I had gone on to say that that slippery slope could bring us really far down. At the end of the day, it is a serious decision. We are taking basic rights that we take for granted for all Ontarians. All workers have this one right to withdraw their labour when negotiations have come to an impasse, and we're taking that right away. Let's make sure that we have full, lengthy public hearings on that.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate.

**Mr. Mario Sergio:** Amen. Further debate, yes. I'm the last speaker of the day.

**Mr. Ted Chudleigh:** Are you sure?

**Mr. Mario Sergio:** I think so. I'm the main speaker, then there's the two minutes and the two minutes and the two minutes, but I have a few minutes in which I'd like to address the House.

Let me say that everyone in the House will soon—I have no idea how soon, but everyone is going to have a chance to decide how they're going to be voting on this particular item. I am somewhat confused here because they all wanted to have a serious debate. They wanted to have a serious debate, and I'm still waiting to hear that serious debate because the only thing I've heard from the opposition is pointing the finger at McGuinty and the Liberals, forgetting the real issue. If there are people who are playing politics with this issue, not considering it as seriously as they should, it's the opposition. Soon they

will have to declare who they will be standing for. Absolutely.

I have no problem where I'm standing, but to come to this chamber and play politics with the highest octane does not serve the interests of the people here, does not serve the people out there, does not serve the people of Metro Toronto, does not serve the people up in the Nickel Belt area—does not help anyone.

I hope that we all get a good chance when it goes for public hearings, because they know better. They don't have to say "if" or "I hope." They know that this is going to go for public hearings, and I think they should be lining up themselves with the people who have an interest in the issue and saying, "We want you to come and give it your best." It would be very interesting if there would be a recommendation coming out of those consultations where Mayor Ford and council would say, "Whoa, whoa, hold it a second here. We want you people not to do anything more about it." I would be very interested to find out where these people, where the opposition would stand.

They come to the House with the intention to debate a very important issue and then they go and trivialize it, and I'll tell you why, because I've been here all afternoon listening to every speaker. I haven't missed a word and I have chosen the best.

An "assault on workers": Can you believe that? An assault on workers from us, from the Liberals? Can you believe that?

McGuinty's agenda: Wow. Are they addressing the real issue? No, it's McGuinty's agenda. McGuinty has an agenda. My goodness gracious.

The Wisconsin case: the same Wisconsin case as this particular issue? A little bit of hilarity. It's like saying that spaghetti with tomato sauce and basil is the same as linguine alfredo. Can you believe that? Can you see the two of them? Tomato sauce and alfredo sauce: Can you call those the same? I don't think so. You cannot compare the Wisconsin case with this particular issue.

**Mr. Peter Kormos:** Why not?

**Mr. Mario Sergio:** Ford asking for \$195 million—  
*Interjections.*

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Welland will take his seat, please, if he's going to make comments.

**Mr. Mario Sergio:** Because it doesn't—

**The Acting Speaker (Ms. Cheri DiNovo):** Could the member stop for a second?

Stop the clock. I would ask the member from Welland to take his seat if he's going to make comments, thank you.

Continue, please.

**Mr. Mario Sergio:** He's being jovial. That's okay. He can kid around, I don't mind.

**Mr. Ted Chudleigh:** Can you explain to him what alfredo sauce is?

**Mr. Mario Sergio:** If you don't know, you're missing something.

Are we jumping when Ford is going to call again? How short of a memory we pretend to have. They don't have a short memory; they pretend. The McGuinty government has given the former administration of the city of Toronto, led by Mayor Miller, more money than any other time in the history of the province of Ontario. But you know what? If and when the mayor comes asking for money and they deserve it, I am sure this government will respond accordingly because it is not Ford, it is the people of Toronto who will benefit from it.

Only Toronto: I have the greatest respect for the member from Nickel Belt. Only Toronto? With all due respect, we can't compare. I have all the respect for her and for whatever she's doing for her people, but we can't compare Toronto, the needs of Toronto, two and a half million people surrounded by another three or four million people here, with Nickel Belt or any other area. I'm sure that if Nickel Belt or any other area were to come up and ask, this Premier would be listening as well.

Let me tell the members one particular story, because time is going fast. I can still see, at the corner of Islington and Rowntree Mill, the bus shelter, which was full. It was 7:30 in the morning, and there was a little old lady shivering outside hoping that every car that went by would recognize her, or she would recognize some of the drivers and hitch a ride.

1740

I had to slow down because I was making a right turn, and she saw me. She was holding a little bag. She looked through the window and she said, "Oh, Mario, Mario." I opened up and I said, "What are you doing here? There is no bus coming." "Can you please take me?" I said, "Come on in, come on in."

Then I saw the bus shelter full of people. I said, "Anybody else want to come in?" So I had six people in my car by then.

I said to the lady, "What are you doing at this hour in the morning?" "Well, I'm going every day to the nursing home to see my husband." I said, "But there is no service, so what are you doing? There is no service." She said, "Oh my goodness. What am I going to do now? How long? By 12 o'clock it's coming back?" I said, "I don't think so. You won't get a bus by 12 o'clock. Maybe in a few days." "Oh, no. What am I going to do in a few days? I've got to go every day to see my husband."

**Mr. Peter Kormos:** This is a long story.

**Mr. Paul Miller:** Is that the best you can do?

**The Acting Speaker (Ms. Cheri DiNovo):** Order.

**Mr. Mario Sergio:** You know what? They don't like to hear how the people of Toronto feel. But let me say, where I come from—Islington and Steeles all the way to Scarborough—Rouge River—all the major amenities are located in downtown Toronto. You come and tell my people up in Humber Summit—it takes me an hour and 20 minutes to come by car. How long would it take them by bus, if there is a bus? You tell those people that they have to come to see the amenities in downtown Toronto when there is no service.

The people in my area are hard-working working-class people. A lot of them are students. They can't afford cars.

They can't afford the insurance. York University has some 45,000 to 48,000 students. We get an average of 1,861 buses daily. Can you imagine not having that for a week or three weeks or a month? Can you visualize that?

We think we are funny. Just because the request came from the mayor of Toronto—

*Interjections.*

**The Acting Speaker (Ms. Cheri DiNovo):** Order.

**Mr. Paul Miller:** Eleven days—

**The Acting Speaker (Ms. Cheri DiNovo):** Member from Hamilton East.

**Mr. Mario Sergio:** With all due respect, Madam Speaker, I don't mind. They can talk as much as they want. But I have been sitting here all afternoon listening to each one of them, and I never interrupted once. The more they do that, the more they attract attention to themselves. Because you know what? We don't listen to Mayor Ford; we listen to the people of Toronto and beyond.

They pretend they don't know. If we can say that Ontario is the engine of Canada, Toronto certainly has to be the engine of Ontario. Would they disagree with that? I don't think so. But it's okay for them to snicker when there are some political issues that are convenient for them.

The member from—where is it?—Hamilton-Stoney Creek?

**Mr. Paul Miller:** No, it's Hamilton East—Stoney Creek.

**Mr. Mario Sergio:** He says the only reason we are debating this item here is for political reasons. Isn't that nice? I hope that the people here and the people outside will be paying attention to that. Then he says, "I really would like to know what the people of Toronto think about this." If they were seriously interested, they would know what the people of Toronto think. The figures are there. The data, the information, is all out there. It's been provided to them. They just don't want to know because it's not convenient to them. But that is not fair, that is not honest, and that is not the right type of debate we should be having in this House on behalf of the people not only of Toronto—we say Toronto because it's here, but the people of Ontario would feel the consequences.

*Interjections.*

**The Acting Speaker (Ms. Cheri DiNovo):** Order. Member from Hamilton East—Stoney Creek.

**Mr. Mario Sergio:** I will give my colleague, the member, the figures. In the most recent poll done by the city of Toronto, 75% would like to see the TTC declared an essential service. Sometimes that goes to 90%. One better for my Conservative friends as well: 83% of the candidates who ran for council in the last elections who were supporting the idea of declaring the TTC an essential service all won; 83%, if they want to know where the people of Toronto stand on the issue.

So what was it exactly that the city of Toronto requested? Well, first it was Ford's idea during the election, and we can—

*Interjections.*

**The Acting Speaker (Ms. Cheri DiNovo):** Stop the clock for a second. I have asked for order, and I've asked the member from Hamilton East–Stoney Creek to please not yell across the aisle several times now. Please, order. Let's hear the rest of the speech of the member from York West.

**Mr. Mario Sergio:** Thank you, Speaker.

During the campaign, Mr. McGuinty said if Ford or whoever is going to win asks the province to take some action, we will so do. And he did. He did say we will act swiftly if we get a request to do so. And he did, and here it is. Where did the request come from? Because it came from the mayor of Toronto, oh, now we are accusing McGuinty. Isn't that convenient?

**The Acting Speaker (Ms. Cheri DiNovo):** Will you please mention the title rather than the name as well?

**Mr. Mario Sergio:** Premier of Ontario, Mr. McGuinty. I apologize, Speaker.

So the council of the city of Toronto, what did they do? They debated it. They did. They may not be aware, but they did. They have met with all the interested parties to the deal. They voted 28 to 17 in favour. The executive committee, what did they do? They recommended approval. The brass, the commissioners of the TTC itself, what did they do? They voted in favour. They voted to recommend, and so did the executive; then, ultimately, so did council say yes, we should request the province to pass legislation and declare it an essential service.

We said before that fire, police and health workers are also governed by such type of legislation. Have we seen any problems? Have you seen any problem, Madam Speaker? We haven't.

You know what? The TTC workers in my area and other workers who work for the city, for other ministries or for other departments, love it. This is what they told me: "We would rather work and do our job. As long as we do our job, we know we're going to have a job and we're going to get paid."

Who said—the member from Welland? I think no, it was Ms. Horwath, the leader herself, who said that ultimately they're going to get more money when they go to arbitration. Well, then, what's the problem? They still have the bargaining tool, only if they don't agree, they will be referred to an arbitrator. Now, isn't that nice? So if I go by the poll in my area, by the people in my area when they say, "I want to make sure that I have that convenience, that I can go shopping"—see, the area that we have, far north, east and west, is not so well served by transit, and when you have people coming and going seven days a week, they rely on that transit. They rely on that convenience. Why should we deny it, provided that we do not hinder the jobs of our employees? I think this is the most important thing that we should be looking at.

**1750**

This item here is a first step. This is going to go to public hearings. And I would love to see the members sitting on that committee coming forth and then bringing to this House their optional recommendations, as the member from Beaches–East York said. Is there any other

option? Well, let's explore it. Let's see which way we can do even better. But don't come to this House pretending, wanting to sit on both sides of the fence.

You know what? We have a very educated workforce out there. We know that. And they will see that, so we cannot pretend, as the Conservatives did, that we are in support of the bill, and then come to the House and point fingers. At least the NDP are being consistent. They say no; bingo. Good or bad, they say no. That's fine. But soon we are going to have the opportunity where each member of the House will have to vote on this issue: amend it, optional, somehow—I have no idea—or as it is. When the city of Toronto is asking the province to do something that, for a change, I have to say, they come forward with a reasonable request, and we don't even look at it—I would like to ask the two opposition parties there how they would be attacking McGuinty and the Liberals if we were to say—

**Mr. Peter Kormos:** "Mr. McGuinty."

**Mr. Mario Sergio:** Not Mr. McGuinty; the Premier of Ontario.

**The Acting Speaker (Ms. Cheri DiNovo):** I would remind the member: the Premier, not his name.

**Mr. Mario Sergio:** If the Premier of this province—the Premier, Mr. McGuinty himself—were to say, "We're not even looking at it," can you believe the cry coming out from that side? "Premier McGuinty is not even paying attention, not even looking at what the mayor of Toronto, the mayor of 2.5 million people, affecting another three million people—he's not even listening. He doesn't want to talk to him and doesn't want to listen to him. A council vote of 28 votes versus 17: The Premier does not want to hear them." I said we should hear them and we would welcome any other reasonable request for the benefit of the people of Toronto and Ontario.

In so doing, I look forward to when this item comes back, having travelled, and the opposition has had a say, they will have heard, and they will come back to this House and vote.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**M<sup>me</sup> France Gélinas:** It was quite an interesting 20 minutes. The first bit of it really had me puzzled. How can anybody say that you cannot compare the good people of Toronto with anybody else in Ontario? I'm sorry; the people of Toronto get up in the morning, get dressed and go to work just like the people in every single one of our ridings do. Toronto is not that different, and this is where the numbers game starts again. It's to justify a very important decision, to justify taking away rights. We quote numbers: 1.5 million ridership. We quote money: \$50 million. And now we quote the number of buses: 1,889 buses is the magic number that allows you to take away the rights of workers in Ontario. What is this? This makes no sense whatsoever.

Then he talks about how popular this idea is. Well, popularity does not make something right. It's not because—hey, I'm a francophone. If you look at funding

of francophone activities and you poll it, I'm pretty much ready to bet that we're not going to have a popularity contest. Does that mean that francophones should not exist in Ontario? Of course not. We have the French Language Services Act because we know that popularity does not make for good policy. It does not justify taking away people's rights, and this is the argument that this member was bringing forward: the number of buses and the 75% or 33% of ridership who want to take workers' rights away.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Shafiq Qaadri:** My honourable colleague from Nickel Belt spoke about the value and importance of francophonie to Ontario.

Comme les députés de la Chambre le savent, le 16 décembre 2010, le conseil municipal de Toronto a présenté une demande au moyen d'une motion voulant que la province « désigne comme service essentiel les transports en commun de Toronto ». Notre gouvernement respecte le droit du conseil municipal de Toronto de parler au nom de la population de cette ville. Le projet de loi se rapporte à une circonstance vraiment unique en son genre.

Il y a des milliers de passagers qui n'ont ni le temps ni l'argent de conduire et de se garer au centre-ville, en supposant qu'il y ait des places de stationnement libres en cas d'arrêt de travail de la CTT.

Dans le grand Toronto, il y a 40 hôpitaux, 84 maisons de soins de longue durée et 21 centres de soins communautaires, ainsi que de nombreuses maisons de retraite. Nombre des membres du personnel de ces établissements utilisent les transports en commun pour se rendre chaque jour au travail.

Toutefois, dans les cas où les parties se trouveraient dans une impasse de la négociation collective, les questions en suspens seraient résolues suivant un processus équitable et neutre de tiers : l'arbitrage exécutoire des intérêts.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Ted Chudleigh:** I'm glad the member for Nickel Belt made the comments that she did, because I was sitting here listening to the debate and I couldn't believe what I was hearing from the member from York—from York wherever. York West.

**Mr. Mario Sergio:** You weren't listening.

**Mr. Ted Chudleigh:** Yes, I was listening very carefully, but I couldn't believe what I was hearing: that there are some people in Ontario who matter more than other people in Ontario.

**Mr. Ted McMeekin:** That's not what he said.

**Mr. Ted Chudleigh:** That's exactly what he said. He said that in Toronto we don't need—

**Mr. Mario Sergio:** On a point of order, Madam Speaker: That is not exactly what I said.

**The Acting Speaker (Ms. Cheri DiNovo):** That's not a point of order, but thank you very much.

**Mr. Ted Chudleigh:** It is exactly what he said. Of course, the people in the House who were listening heard him say it. He said that there are some people in Ontario who need public transit and there are other people in Ontario who don't need public transit. My goodness, you've been drinking too much of the Kool-Aid. You really have been. When you start making statements like that, you're just out of control, as your party is also out of control.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Paul Miller:** Well, you know, the member over there and the other member like to quote numbers. That's interesting. They say the vote at city council was 28 to 17. Well, let's see now: 17 members, roughly 60,000 people they represent, comes to a million Torontonians who don't agree. How many people did you say: 2.5 million? So that's almost 40% of them who don't agree, and their elected officials voted for the situation—against it. So those numbers don't add up.

I really appreciate the member who added a human face to it and stopped and helped that elderly lady at that bus stop and blamed the poor drivers because they were on strike and didn't pick her up. That was a low blow. You can do better than that. Did you actually know her, or did she actually tap on the window? Could we have her name? I'd like to hear if the story is true. And secondly—

**The Acting Speaker (Ms. Cheri DiNovo):** I'd ask the member to withdraw that.

**Mr. Paul Miller:** I withdraw it.

Second, he stands up and talks about all the people in his riding. Well, how many of those million people who supported their representatives live in his riding? And he mentioned TTC drivers who live in his riding. I'd like to talk to them after and see if they agree with your comments about how they're all happy and everybody's happy and they're making lots of money and they'll never have to go on strike again because an arbitrator is going to rule in their favour all the time—great deal. You guys are getting a great deal. I don't know what planet this member is on, but it isn't this one.

**The Acting Speaker (Ms. Cheri DiNovo):** The member for York West has up to two minutes to respond.

**Mr. Mario Sergio:** Soon we're going to find out where these guys are going to stand, and their vote is going to be recorded. It is appalling, completely appalling, that some members would twist some words to suit their idiotic political agendas—

**The Acting Speaker (Ms. Cheri DiNovo):** Excuse me. I'll have to ask the member to withdraw that, please.

**Mr. Mario Sergio:** I'll withdraw—with no logic whatsoever. There is no comparison between 2.5 million and a million. That was not the reference. The intention was to make a comparison between Toronto's 2.5 million people—you can say no. You can change that. You can say it's Hamilton, Ottawa, Nickel Belt. Toronto is 2.5 million people, surrounded by another three million people, and that is the difference. If we can't see that, that is very unfortunate. That is very unfortunate.

The thing is this: The city of Toronto has already met with the bargaining people, with the minister and with other interested agents. They couldn't come to an agreement. They made a request. We are dealing with the request. We are debating it. It's going to go to committee. Let's find out what the public is going to say. Let's see what the city of Toronto is going to say. Let's see what the mayor of Toronto is going to say. I want to see where the Conservatives are going to stand on that, when their mayor—it's not our mayor; it's their mayor. Let's see what they're going to say.

For me, I think for this side here, we see it as an important issue. We have responded, and we hope that when it comes, we'll be solid enough that we'll decide once and for all and declare the TTC an essential service, as the mayor of Toronto has requested.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you to all members. I now declare that, it being just after 6 o'clock, this House stands adjourned until tomorrow morning at 9 a.m.

*The House adjourned at 1802.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

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<b>Brotten, Hon. / L'hon. Laurel C. (LIB)</b>	Etobicoke–Lakeshore	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Cansfield, Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
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<b>Chiarelli, Hon. / L'hon. Bob (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Infrastructure / Ministre de l'Infrastructure
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Clark, Steve (PC)	Leeds–Grenville	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
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<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Energy / Ministre de l'Énergie

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Gélinas, France (NDP)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Kingston and the Islands / Kingston et les Îles	Minister of Consumer Services / Ministre des Services aux consommateurs
<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP) Hardeman, Ernie (PC)	Kenora–Rainy River Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
<b>Hoskins, Hon. / L'hon. Eric (LIB)</b>	St. Paul's	Minister of Citizenship and Immigration / Ministre des Affaires civiles et de l'Immigration
Hoy, Pat (LIB) Hudak, Tim (PC)	Chatham–Kent–Essex Niagara West–Glanbrook / Niagara-Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
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Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
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Mauro, Bill (LIB)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>	Ottawa South / Ottawa-Sud	Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
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<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
<b>Mitchell, Hon. / L'hon. Carol (LIB)</b>	Huron–Bruce	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
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Murdoch, Bill (PC) <b>Murray, Hon. / L'hon. Glen R. (LIB)</b>	Bruce–Grey–Owen Sound Toronto Centre / Toronto-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
Naqvi, Yasir (LIB) O'Toole, John (PC) Oraziotti, David (LIB) Ouellette, Jerry J. (PC) Pendergast, Leeanna (LIB) <b>Peters, Hon. / L'hon. Steve (LIB)</b> <b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Ottawa Centre / Ottawa-Centre Durham Sault Ste. Marie Oshawa Kitchener–Conestoga Elgin–Middlesex–London Scarborough–Agincourt	Speaker / Président de l'Assemblée législative Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Prue, Michael (NDP) <b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Beaches–East York Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB) Ramal, Khalil (LIB) Ramsay, David (LIB) Rinaldi, Lou (LIB) Ruprecht, Tony (LIB) Sandals, Liz (LIB) Savoline, Joyce (PC) Sergio, Mario (LIB) Shurman, Peter (PC) <b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Etobicoke North / Etobicoke-Nord London–Fanshawe Timiskaming–Cochrane Northumberland–Quinte West Davenport Guelph Burlington York West / York-Ouest Thornhill Nipissing	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Government House Leader / Leader parlementaire du gouvernement
Sorbara, Greg (LIB) <b>Sousa, Hon. / L'hon. Charles (LIB)</b> Sterling, Norman W. (PC) Tabuns, Peter (NDP)	Vaughan Mississauga South / Mississauga-Sud Carleton–Mississippi Mills Toronto–Danforth	Minister of Labour / Ministre du Travail  Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB) <b>Wilkinson, Hon. / L'hon. John (LIB)</b> <b>Wilson, Jim (PC)</b>	Lambton–Kent–Middlesex Perth–Wellington Simcoe–Grey	Minister of the Environment / Ministre de l'Environnement First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
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Vice-Chair / Vice-président: Vic Dhillon  
Vic Dhillon, Cheri DiNovo  
Rick Johnson, Sylvia Jones  
Jean-Marc Lalonde, Ted McMeekin  
Shafiq Qaadri, Khalil Ramal  
Elizabeth Witmer  
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Group and the London Stock Exchange Group / Comité  
spécial sur la transaction proposée entre le Groupe TMX et le  
London Stock Exchange Group**

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Vice-Chair / Vice-président: Frank Klees  
Laura Albanese, Wayne Arthurs  
Gilles Bisson, Michael A. Brown  
Frank Klees, Gerry Phillips  
Peter Shurman, Maria Van Bommel  
David Zimmer  
Committee Clerk / Greffier: Trevor Day

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