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of Debates
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**Journal
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Thursday 19 September 2013

Jeudi 19 septembre 2013

Speaker
Honourable Dave Levac

Président
L'honorable Dave Levac

Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 19 September 2013

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 19 septembre 2013

The House met at 0900.

The Speaker (Hon. Dave Levac): Good morning. Please join me in prayer.

Prayers.

ORDERS OF THE DAY

The Speaker (Hon. Dave Levac): Orders of the day.

Hon. John Gerretsen: Good morning, Speaker, and good morning to everyone here in the Legislature and to those who may be watching today on television. The government is pleased to call government order G21.

EMPLOYMENT STANDARDS AMENDMENT ACT (LEAVES TO HELP FAMILIES), 2013 LOI DE 2013 MODIFIANT LA LOI SUR LES NORMES D'EMPLOI (CONGÉS POUR AIDER LES FAMILLES)

Resuming the debate adjourned on September 18, 2013, on the motion for second reading of the following bill:

Bill 21, An Act to amend the Employment Standards Act, 2000 in respect of family caregiver, critically ill child care and crime-related child death or disappearance leaves of absence / Projet de loi 21, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne le congé familial pour les aidants naturels, le congé pour soins à un enfant gravement malade et le congé en cas de décès ou de disparition d'un enfant dans des circonstances criminelles.

The Speaker (Hon. Dave Levac): Further debate?

Mr. Ted Arnott: I'm very pleased to have this opportunity this morning to speak, on behalf of our Progressive Conservative caucus as well as my constituents in Wellington–Halton Hills, on this Bill 21, which was introduced in the Ontario Legislature on March 5, 2013, by the Minister of Labour. The long title of the bill is An Act to amend the Employment Standards Act, 2000 in respect of family caregiver, critically ill child care and crime-related child death or disappearance leaves of absence, and the short title of the bill, or how we've been referring to it here, is the family caregiver leave bill.

It's an amendment to the Employment Standards Act that would provide for unpaid leave from work for certain families and individuals as well—up to eight weeks of unpaid leave—if there's a sick child in the family, perhaps an elderly parent who needs care, or a spouse or sibling. The government has announced, in its

introduction of this bill, that this is intended to stand up for the principle that no one should have to worry about losing their job if they have a family member who is ill and in need of attention and care.

As you know, Mr. Speaker, we on this side of the House have participated in the debate quite enthusiastically, and a number of our members have had the chance to speak to this bill. There are 107 members of provincial Parliament, and obviously, we all have this opportunity to respond to government legislation and bring forward our own ideas and suggestions. In this minority Parliament, our caucus is very enthusiastic about participating in debates on pieces of legislation, and this one is no different.

I recently had an opportunity to send a newsletter to my constituents, and I included in my newsletter a survey. I tend to do this, because I appreciate the feedback from my constituents.

A gentleman from Fergus responded to my survey just this week, and his comments were: “I wish you would stop being so negative and critical of this Liberal government. You were elected to represent us and to work with the government in solving our problems.”

I want to respond to him in public. I haven't got permission to use his name, of course, but I do want to respond to him in public that, certainly, I do make an effort every single day to work with this government. I feel honoured and privileged to be here in this Legislature, and I reach across the aisle all the time on issues that matter to my constituents.

Certainly, this piece of legislation is another example, because our party intends to support it in principle. We agree that there need to be changes to the Employment Standards Act to ensure that families who have this sort of situation, where there's someone ill in the family who needs the care of other family members—people should be given the opportunity to take up to eight weeks of unpaid leave from work, so as to look after that loved one.

Our caucus has, of course, made a number of observations over the course of this bill. We are glad that the Liberals actually listened to our concerns last session and have made significant changes and improvements to this bill from the previous version of the family caregiver leave act that was introduced in this House some time ago. We're pleased that this legislation actually eliminates inconsistencies between the federal labour code and provincial labour laws, instead of creating inconsistencies.

I think it's important to point out a little more detail about the bill this morning, so that people who are listening to the debate and perhaps watching on TV can understand a little bit more about it. The bill proposes several amendments to the Employment Standards Act, to mimic similar changes that the federal government has made to the labour code of Canada and to introduce a proposed family caregiver leave for up to eight unpaid weeks per year.

To qualify for the leave, the employee must be caring for an individual whom a physician has deemed to have had a critical injury or illness and cannot care for themselves. The leave would mirror the family medical leave significantly, except that it will not include the provision of significant risk of death within a 26-week period.

It introduces a critically ill child care leave and unpaid job-protected leave for up to 37 weeks for parents caring for a critically ill child.

It introduces a crime-related child death or disappearance leave and unpaid job-protected leave of up to 104 weeks for an employee whose child dies, if it is probably the result of a crime, or up to 52 weeks for an employee whose child disappears, if it is probably the result of a crime.

As you'll recall, Mr. Speaker, this legislation was originally introduced as Bill 30, the Family Caregiver Leave Act, in the last session, and originally only contained provisions to introduce the family caregiver leave without any necessary consultation with stakeholders or demonstration that there was actually a demonstrated need for these changes. However, this legislation actually closes up inconsistencies between the Canada Labour Code and the Employment Standards Act, which our caucus maintains is a good thing.

In June 2013, the federal government started paying out benefits for the federal equivalent of the proposed critically ill child care leave. As of January 1, 2013, earlier this year, the federal government began providing grants lasting 35 weeks for the equivalent of the proposed crime-related child death or disappearance leave.

This provincial legislation, if passed by the Legislature, will incur no costs provincially; just protect the job from termination. I think that's an important point that has been made by our caucus: This is not something that will replace the income of the family caregiver who has to take time off from work. In fact, there is no cost to the government for this bill, but perhaps a cost for small business and business owners. Again, this is why this bill should go to committee for further discussion.

There are currently only two leaves available to workers in Ontario that are protected under the Employment Standards Act. Family medical leave is an unpaid job-protected leave of up to eight weeks in a 26-week period. To be eligible, a qualified health practitioner must issue a statement stating that the individual to be cared for has a serious medical condition with a significant risk of death occurring within a period of 26 weeks. Under the federal Employment Insurance Act, six weeks of employment

insurance benefits may be paid to EI-eligible employees for this leave.

The other one is personal emergency leave. Some employees have the right to take up to 10 days of unpaid job-protected leave each calendar year due to illness, injury and certain other emergencies and urgent matters. Only individuals who work for a company that regularly employs more than 50 employees are eligible for this leave.

0910

Again, I think the principle of this bill, that people should be given the opportunity to take a period of time away from work to care for family members who are ill, or if there has been an accident or if there's an elderly parent who requires that sort of family support—that their job should be held open for them, is a principle that our caucus supports. When this debate at second reading does conclude, we certainly intend to support it and send this bill to committee.

The committee process is very important as well with bills such as this, because there are other organizations and individuals who have an interest in this. Some will want it strengthened; others will want it clarified; others will want it improved in other ways. Certainly, the Canadian Federation of Independent Business, the organization that represents, I think, hundreds of thousands of businesses across Canada, may very well want to participate in a discussion on this issue because they represent small business owners and small business people generally. Of course, this bill will certainly have an impact on them, but I also think that every responsible small business owner who wants to retain employees would be very compassionate in these sorts of situations and in the vast majority of cases would be willing to provide assurance that a job will be maintained while an employee has to attend to a family matter such as this.

I think that process through the standing committee will ensure that this bill will be strengthened and improved, and those public hearings will be important. For those reasons, we want to continue this debate. I know there are other members of the House who will want to speak to this bill, certainly members of our caucus who want to stand up on behalf of their constituents as well, so as to ensure that their constituents' views are represented in this House.

We have an outstanding caucus, and it has been strengthened by the emergence of a new member for Etobicoke–Lakeshore, Doug Holyday, who has done an extraordinary job in just two weeks here. You heard him yesterday in question period. We're very pleased to have his participation in the House.

I also want to congratulate the other four members who have been elected in the by-elections on August 1. This is the second week we've been back, but I hadn't really had the opportunity to do that. Each of them, I'm sure, brings to this House the views of their constituents and their own beliefs, and they want to make a difference to make the province of Ontario a better place. We all

certainly wish them well as we embark upon the remaining days of this Parliament.

We look forward to the opportunity to continue to participate in debates and to bring forward our ideas, our concerns and our suggestions. But certainly, those of us in the opposition have an obligation and a responsibility—and I say this to my constituent who sent the survey back—to point out the flaws and the drawbacks of the government's legislation, because you can know one thing for sure: The government is not going to do it. In our system of parliamentary democracy, that's the role of the opposition and it's a role that we cherish as an opposition party. Thank you very much.

The Deputy Speaker (Mr. Bas Balkissoon): Thank you. Questions and comments? The member for Essex.

Mr. Taras Natyshak: Thank you very much, Mr. Speaker. Good morning, to members in the chamber. I wanted to thank my colleague the member for Wellington–Halton Hills for his submission this morning. I think he has reiterated some of the very scenarios that apply to this Bill 21, the family caregiver leave act.

As we've debated this bill for many hours in this chamber—maybe too many hours—I think we've heard submissions from a whole host of members in terms of how this level of support, or protection, rather, will benefit members of our communities. Therefore, I think it has broad support. When I spoke to the bill last week, as we resumed, I talked about the fact that my mother has travelled to British Columbia to give care to her sister, my Aunt Patti—I want to again say hi to Aunt Patti; I love you and we're all cheering for you—as Aunt Patti is going through radiation treatment and chemotherapy for cancer, and has just recently had a mastectomy.

I talked to Aunt Patti last week, and she was doing great; she was doing fantastic. I told her about this bill. I said, "We're debating a bill that kind of is the scenario that you're going through. It's a family member who is there to provide care for another family member." I said, "What do you think about that?" She said, "Taras, you can't believe the difference of care that it makes when a family member is there, rather than an outside support agency, someone who you don't have a connection with."

It just goes so much further in terms of the healing process and the fact that that patient, that family member who is undergoing treatment or stress or whatever the scenario is, can have that space to heal properly and get back to normal living. So the ramifications of this bill go far beyond simply protection under the law, under the Employment Standards Act. It goes to the fundamental aspects of society: caring for each other as a family.

I applaud the bill and I look forward to supporting it.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Mike Colle: I appreciated the comments from the member from Wellington. He's always a very thoughtful member of this House, and it's true that he does have a lot of good relationships with all parties here. But he knows full well that we've got to get on to passing some

legislation—like this one—that needs to be passed for the good of the people of Ontario. There's no need to be filibustering all these bills, especially as these are bills that the members of the official opposition agree with. Yet they filibuster and filibuster and filibuster and delay and delay and delay and obfuscate. This is about helping people who are in a very vulnerable situation when they have to take care of their loved ones. So if we can't get on with passing one bill—but every bill is being filibustered.

The public housing bill, the co-op bill—poor Harvey Cooper. Poor Harvey has been here crying in the audience for—what?—a year. Poor Harvey has been on his knees begging to help the people with a minor change in the housing bill.

I would hope the good member from Wellington, who is, as I said, very thoughtful, would have some persuasion over the party elite there to get away from this nonsense and this obfuscation of delay, delay, delay, and help people who need this help at home, the caregiver support—and poor people like Harvey and all the people in co-op housing who are asking for one little change, yet it gets filibustered and filibustered. For the sake of Harvey, for the sake of people who need help at home and all the Harveys out there, please, let's get on and pass this very significant piece of legislation that may not be a huge one, but it is significant.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mrs. Jane McKenna: I hope Harvey is watching this today. He has had his name mentioned quite a few times, and we all really appreciate all the efforts that Harvey has done.

I'd like to get up and reiterate what our statesman from Wellington–Halton Hills has said today. As legislators, we're constantly asked to consider the merits of legislation that is brought before us. We are expected to open it up and shine a light around the inner workings of each proposed bill. We are obligated ultimately to ask serious and thoughtful questions about the intent, language and mechanisms of this proposed legislation; to applaud the forward-looking aspects but also to point out the blind spots; to go over what has been included and what has been left out; and to discuss the bill in the larger context of what government does and how society operates.

I expect that this bill would benefit from public input at committee. I also hope that the government would, at the same time, give serious consideration to addressing shortcomings in the wider system that family caregivers rely on. If this government really wishes to demonstrate compassion and make it possible for every working man and woman in the province meet their commitments to family when a crisis occurs, they have to look at the larger dynamic.

As I've said before, what we're looking at is unpaid leave for a family member to fill in the blanks that exist in a system that is in considerable disrepair. Bill 21 is a good-hearted bill, but it seems to operate with only one

foot in reality. And reality is where the bill will succeed or fail.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Percy Hatfield: It is my honour today to stand up and to speak on this bill.

I have very good friends in Windsor; Steve and Madeline Cernak have been very active in the community for many years. They took this past summer off to look after Steve's elder sister. Steve's parents had passed away when he was relatively young, and the elder sister sort of became the mother in the family and looked after Steve, and over the summer Madeline and Steve put their jobs aside and went out and looked after her before she passed on.

0920

So this bill does mean a lot to me. I think of all my friends in the Royal Canadian Legion who are at that age now—they're in their 80s and 90s—and they're becoming more and more frail. They need the extra care and caregiving as well.

I had the honour, last weekend, with the Minister of Children and Youth Services, to lay a wreath at the Windsor Cenotaph. I'll be doing another wreath for the Legion tomorrow and another one on the weekend in the town of Tecumseh. Tomorrow is with branch 255 of the Royal Canadian Legion. But every time I hang out with my Legion buddies, I'm reminded of how frail they are and the extra care that they need.

I think neighbours looking after neighbours is part of this as well. I know in my neighbourhood in the Blue Heron area in Windsor, we have two friends, Paul and Rick, who mow the lawn, shovel the snow and help everybody out. Our neighbourhood association is very tight like that, looking after each other. In fact, last weekend, we had our annual celebration and they gave me a small stone with a blue heron on it to bring here to Queen's Park as a paperweight, and I value that very much.

When it comes to this bill, I fully support it and all the caregiving that we need in our communities.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Wellington–Halton Hills, you have two minutes.

Mr. Ted Arnott: I am very pleased to reply to the members who have offered comments. Thank you to the member for Burlington for her compliments, certainly; to the members from Essex and Windsor–Tecumseh, who sit with the New Democrats, thank you for your comments and your compassion and approach to this issue. I want to thank the member from Eglinton–Lawrence, the government member who responded, as well. I wish to respond to a couple of the core points that he made.

He suggested that our side was filibustering this bill. I would submit and suggest we are not filibustering this bill; we are in fact debating this bill. This is what it's all about in this Legislature. We have the opportunity, as elected members, to come in here and respond to the government's initiatives. Certainly, a huge number of our

members want to speak to these pieces of legislation and we have every right to do so.

I spoke for 10 minutes earlier. Maybe it seemed longer than 10 minutes to some who were listening, but in fact, it was 10 minutes. It's hardly a filibuster when it's a 10-minute speech.

The member for Eglinton–Lawrence suggested that we on this side of the House need to get on with it and allow the passage of some of these bills that have been debated extensively. I agree with that. In fact, I think that it would be great if we could get on some of these pieces of legislation and get them to committee where they can be given public hearings and then referred back again, which is the normal process here, nothing out of the ordinary.

I also think and suggest that the provincial government needs to bring forward legislation to deal with jobs and the economy and the deficit crisis that the province is facing. These are huge issues that are facing the province of Ontario. Our unemployment rate is at an unacceptably high rate, hovering around 8% in many regions in the province. The deficit this year is \$11.7 billion. I wonder if the government members are even aware of that in some cases. Do they pay attention to that? There's a huge cost overrun again this year. The provincial debt is going up \$20 billion this year, from \$253 billion to \$273 billion. The provincial debt has doubled under the tenure of this Liberal government.

These are important issues too, and we would call upon the government to introduce legislation to deal with those huge challenges facing the province, and we're prepared to debate those, too.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Ted Chudleigh: Oh, Mr. Speaker, nobody else wants to speak to this bill. That's disappointing. Bill 21 is an interesting bill in that it comes back to the House after it fell off the order table after the House prorogued for two or three months while the Liberals got their house in order—never mind the business of the province, never mind the unbelievable debt that we faced, never mind the record deficits that this government has run up, and never mind the 600,000 jobs that are facing the government. Never mind all those things; the government had to prorogue the House in order to get its house in order, and left bills like Bill 21 unattended.

However, they have returned. They have brought this bill back, the Employment Standards Amendment Act. They brought it back to the House, and it's much amended. It's changed from the bill that fell off the table during the proroguing of the House. It brings this bill much more in line with the Canada Labour Code, something that we harped on.

You have to talk a long time before this government begins to listen. They talk about us filibustering. We're not filibustering; we're talking a long time in order to get this government to listen, because they don't hear very well. They don't hear the people of Ontario, who are extremely concerned about the debt this government has run up. They're extremely concerned about the record

deficits, and they are even more concerned about the record number of jobs and jobless that are sitting idle in Ontario. That's what people want to talk about, and yet here we are talking about Bill 21.

The member for Eglinton–Lawrence talked about filibustering, which I totally disagree with. But let's suppose for a moment that we take Bill 21 and we pass it, and we pass four, five or six other bills that are sitting before the House and that have had some discussion before this House. If I look at the order paper, sitting on the order paper—what bills would we then discuss?

Would we discuss a bill to reduce the debt of Ontario? I can't see a bill that deals with the debt of Ontario on the order paper, Mr. Speaker. There's not one there to discuss.

Would we discuss a bill, let's say, to reduce the debt in Ontario and balance the budget? Is there a bill on the order paper that would help do that, Mr. Speaker? I can't find it. Perhaps the government could give me some assistance. I can't find a bill there to discuss.

Would there be a bill on the order paper that would help create jobs in Ontario? Isn't that the primary purpose of a government in Ontario, creating private sector jobs? Show me on the order paper: Where is the bill that we could discuss in front of this House that would help create jobs in Ontario? I can't find it here. I can't find it. It might be that there's a job here—that would create the Financial Accountability Officer, and that's going to create one job. It's going to create the officer's job, but it's not going to solve the 600,000 unemployed.

Bring in some legislation that is worthy of discussing, on the three main issues that Ontario faces today, and we'll see what happens to these other bills. You would like us to pass them, and then on faith—you say, "Oh, yes, we'll bring in some substantive legislation on the financial issues facing Ontario. Trust us; we'll do that."

Well, Mr. Speaker, of all the governments in Ontario—and I've known either Premiers or members of the Legislature of the governments of Ontario going back to 1943, the year I was born; my grandfather sat here, and I knew him. Going back to 1943, I cannot think of a government that is less trustworthy than this one. Until legislation comes before us, I think we—

Hon. Tracy MacCharles: Point of order.

The Deputy Speaker (Mr. Bas Balkissoon): Point of order. The Minister of Consumer Services.

Hon. Tracy MacCharles: Speaker, I defer to you, but it sounds like we're far off the bill, and the language that's starting to be used is concerning. I'd just refer to the standing order that requires the member to speak to the bill at hand.

The Deputy Speaker (Mr. Bas Balkissoon): Thank you. Will the member continue? But I'd ask you to stay on the topic of the bill that's in front of us.

Mr. Ted Chudleigh: Speaker, the moment that I was interrupted, I had just had the words "Bill 21" come out of my mouth. I say to the member that I'll try to stay on topic, and I think I am on topic. I'm talking about Bill 21, but I'm talking about what Bill 21 is not. I know the

government doesn't want to hear what it's not; it would far sooner have me talk about how this bill is a far better bill than it was in the last session, prior to proroguing the House. Of course, it's almost impossible to mention proroguing the House without mentioning that it had to be done in order to choose a new leader. It had never been done before in Ontario's history. They had no faith in their old leader, and their new leader is a carbon copy—still not trustworthy; still can't take their word for anything that happens.

0930

Mr. Speaker, the member for Windsor talked about his experiences with his Legion friends and how their children quite often are called upon to look after them. I had that experience in Milton just this past summer, in August, where a good friend from the Legion fell down and broke her hip, and her three children are taking turns, rotating, looking after their mother and looking after their father, who is also getting to that age. I wouldn't want to tell him that he's frail, but to watch him move about, you know that he is somewhat frail. This bill will help that family cope through a difficult situation where somebody in their—well, I won't attach an age to her. I'll see her, probably, Saturday evening, and I wouldn't want to be faced with—

Interjection: The wrath.

Mr. Ted Chudleigh: —the wrath. "Wrath" is a good word. But she has reached that age when she's not going to be completing any Terry Fox runs anymore, although I'm sure she would try to be there at the start line.

So yes, this bill has great merit, and it has much better merit than it had the last time it appeared before this House, and I'm glad the government listened to us. I think we had eight or nine hours of discussion on this bill prior to proroguing, and after eight or nine hours the government did begin to listen. So if I harp away on things like the deficit, the debt and jobs at every opportunity I get, even though I'm speaking to Bill 21 and what's not in it—and certainly, there's nothing in it to reduce the debt, there's nothing in it to balance the budget and there's nothing in it to create jobs. But if I harp away on those three items long enough and if we all do that, maybe it'll begin to sink in with this government as they wend their way towards the next budget of March.

You know, you bought off the NDP this time with about \$1 billion of promises that the NDP insisted on. I can tell you, next year's budget is going to be a little bit more expensive. So get ready for that.

Mr. Taras Natyshak: How do you know that?

Mr. Ted Chudleigh: I know the NDP and I know the Liberals. It'll be interesting to see what happens next March.

The Deputy Speaker (Mr. Bas Balkissoon): I would ask the member to keep on topic, please.

Mr. Ted Chudleigh: We'll see if Bill 21 brings the two parties together over the budget of next March to solve the problems of Ontario. I don't think Bill 21 is going to be the bill that brings this government and the

third party together. However, there will be something, and there will be much discussion on it. It will be interesting to see whether or not the government can actually survive the onslaught of the desires and wishes of the third party. Partnerships can be a very expensive business.

I would like to close, Mr. Speaker, by saying I'll be pleased to support Bill 21 when it comes to a vote. By the time it comes to a vote, I sincerely hope that there will be some substantive legislation in front of this House that will deal with the debt, the deficit and jobs in Ontario.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Michael Mantha: I always enjoy hearing the different views in debates. I really liked the presentation and the words that the member from Halton brought into the House.

On his theme in regard to what's not in this bill, there are a few things that are not in there that are of great concern to some of the people I represent in Algoma-Manitoulin, particularly farmers, who are losing thousands and thousands of dollars because of their battle with an elk population that is just destroying their fields. That's not in this bill either. The operating costs for small municipalities and their water treatment plants—this bill is not going to deal with that. And the small municipalities that are struggling with infrastructure dollars or a steady complement of infrastructure dollars—that's not in this bill either.

I do feel the frustration from the member from Halton, however. He has his perception as to what happened in the last round of budgets. I have a different perspective. We actually rolled up our sleeves and we went to work. We accomplished quite a few things in the last round of budgets, and austerity is not always the best measure—in order to cut things. You sometimes have to invest in the people of this province, and we also have to look at these individuals who are most in need and help them. Although I understand your frustration, it's not really factual as to what happened in the last round of negotiations with the budget.

What I do want to speak about is an individual who was very instrumental—who helped my aunt. I attended her funeral on Monday. This is what this bill could bring, and unfortunately, I've got 10 seconds left and I won't be able to bring it up. But I'm looking forward to making these comments in the next round so I can give you a really good perspective of how this bill could actually help an individual get a job.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Hon. Yasir Naqvi: Let me tell the member opposite what is in this bill. This bill is about a compassionate society, Speaker. This bill is about loved ones being able to look after their family members who may be elderly or a child who may be severely sick. This is what this bill is about, and that is why it is so important that we pass this bill.

It was back in February that I, as the Minister of Labour, introduced this bill. There has been now more than 11 hours of debate, which sounds like all parties agree, and it does not make sense as to why this bill is not in front of the committee. Just two days ago, I had the opportunity to meet with the Alzheimer Society of Ontario, and that's exactly the same question they asked of me. They said, "Why is this bill not at the committee? When can we come and present to this bill?" I urge all the members to not just listen to the government, but listen to the caregiver coalition as to why they want this bill to be past second reading and in front of the committee so that whatever necessary amendments need to be made could be made to this bill and be brought back for third reading—because it is about how we build a compassionate Ontario.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mrs. Julia Munro: I'm pleased to be able to offer a couple of comments with regard to that given by the member for Halton. One of the things that the government finds itself doing is, on the one hand, justifying the importance of this bill and, on the other hand, saying we've had enough time to debate it when, in fact, the mechanics of this place are very simple. The government holds the key to what is going to be debated, so I think that it needs to be clarified for people to understand why this particular aspect keeps resurfacing and being tossed around in order to be able to justify what has happened in terms of the length of debate.

The other point that I would just like to make is that when the member for Halton spoke, he made reference to the fact that we as the opposition support this. We don't see that there's anything particularly egregious about the bill. I would suggest, and will later, that one of the problems that it represents is the smooth ability to actually bring it about. No one has talked about the kind of mechanics that will have to be created in order to make this a smooth transition for people to be able to take advantage of it. I think that is, perhaps, something that needs to be addressed.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

0940

Ms. Peggy Sattler: I'm very proud to stand up today, on behalf of my constituents in London West, to speak to Bill 21, the family caregiver leave act.

I listened carefully to the comments from the member from Halton and also to many of the comments that have been made in this place since I arrived here over two weeks ago. I've heard lots of personal stories from members who have spoken to this bill. I'm really pleased to hear that there is so much support from all sides of the House. Certainly, the NDP fully supports this bill and we want to do whatever we can to ensure that it's passed. However, we also have some concerns.

For example, I've heard from one of my constituents in London West who is struggling to care for her adult child with a serious mental illness. This legislation would

certainly help people like my constituent—when her son is facing a crisis, to take some unpaid leave to care for him, but she just can't afford to do that. She can't afford to take advantage of the provisions of this bill.

Another concern is that we need to make sure that employers are aware of the changes and that there are no reprisals for employees who take the leave. I worked at a small business in London West and was fortunate enough to have an understanding employer who enabled me to take leave to help care for my brother-in-law who was dying of cancer.

This bill will ensure that all employees have the ability to take leave to care for family members and don't have to rely on the goodwill of their employers. That's one of the key reasons that the NDP and I, myself, as the representative for London West, fully support this bill.

The Deputy Speaker (Mr. Bas Balkissoon): The member from Halton, you have two minutes for a response.

Mr. Ted Chudleigh: I'd like to thank the member for Algoma-Manitoulin. There is lots wrong with the world, and this bill will take a step, as the member points out, to fix some of those things that are wrong with the world, and that's why I'm supporting this bill. There are some huge things wrong with the province of Ontario. I say to the member, you can't spend yourself into prosperity. When you double the provincial debt and double the provincial budget over a period of nine years—this government is a spendthrift. There will never be enough money. Right now, they're out looking for new sources of revenue to build transit. Good heavens, if you can't trim a billion dollars out of the budget a year and use that money for transit—trimming a billion dollars out of that budget would be a piece of cake; \$10 billion would be easier. Anyway, you can't spend your way to prosperity, I say to the member. When you have some very difficult times, it's time to get on with that process.

I say to the Minister of Labour—he wants to move on. He wants to pass this legislation. He wants to get it to committee. All kinds of people would like to see that happen. I say, "What's next?" Bring us a piece of substantive legislation that talks to the debt of Ontario, that talks to the deficit of Ontario and that talks to the lack of jobs in Ontario. Bring us that substantive piece of legislation. It's government legislation. The government, as the member from York-Simcoe said, puts bills before the House. That's why they're called government bills. For heaven's sake, bring us substantive legislation that will make a difference to the people of Ontario; that will make a difference to the debt in Ontario, the deficit in Ontario and the jobs in Ontario. Bring us that piece of legislation that we can get our teeth into. For heaven's sake, get on with the business of governing.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Jim McDonell: I rise today, quite proud to debate this bill on the caregiver, critically ill child care and crime-related child death or disappearance leaves of absence. This being the former Bill 30 that died with pro-

rogation, I think it speaks to some important principles that we have in our society, where we try to protect people in their most desperate times.

I think that this brings it a little bit more home to me: I had a friend that went through this past summer looking after a child, who, in her early 20s, had a relapse of cancer. She took time off work—a new job, little security—to look after her child until she passed away this past June.

The mother lost her job because of the lack of legislation like this; it's unfortunate. The community rallied and helped raise some money to sustain her and her daughter Allie at home; through great sacrifice, tried to make some rearrangements to the house so that she could actually live there. But it was difficult: bills to pay, rents—something that we really don't want to have to go through and we don't like to see anybody we know or anybody in the community have to go through.

After all that sacrifice, after having to bury your family member and then go back and have to start looking for a job—makes it even that much harder in a time of your extreme need.

In our office, we tried to help, but really, in this government, there are no programs. There was so much red tape, so many conditions that were there, that really, it all timed out—and even after amassing a significant debt, there is no plan. You look at the health care costs that this person saved the government by keeping her home. This would have been a very extreme, expensive case in the hospital, but the wishes were to look after her at home.

I think, in looking at the costs of some program that would—this bill doesn't include that, but it would allow somebody to stay at home and save the overall system money but still allow people to look after loved ones. It probably would be something we'd like to see in this bill.

Job protection in this case would have been extremely helpful, as now they're forced to go back looking for a job, but still having to maintain your bills—rent and food—is extremely difficult. Unfortunately, as I said, in this case the mother lost her job.

We look back and this bill, in its current state, was brought up in March. I think some attention could have seen this bill go through. Certainly, former Bill 30 died—prorogation. You really wonder why that occurred. I guess it was a government desperate to stay in power—one of the tools in their box. The bill at that time died. Again, if some attention—if this government really cared, they would have pushed that bill through.

The legislation eliminates the inconsistencies between the federal labour code and the provincial labour laws, and we're happy they listened to some of the comments we made on the previous bill and took care of those issues, because we think it's important to reduce as much as possible the red tape and make some of the laws clearer. We saw that when we tried to go back to help this constituent of mine—very difficult, first of all, to go through. There was a lot of legislation we looked at; there's some potential there, but really, in the end there was no help.

Speaker, it's only right that we should be allowed to take some time off for a family member. I look forward to seeing this bill pass. But I believe there's always a fear that legislation gets misused. When you look at a study, it shows that 46% of the people working today can't afford to go even without one paycheque, so I don't think there's the opportunity that this bill would be misused. I think people will be very serious and very careful about taking time off and it will only be done in a time of extreme need.

I look at my own case. My mother is 95 years old and unable to live on her own, but we're able to keep her on the family farm. We have a large family, many of them living within just a couple of metres or a couple of minutes away from the family farm, so we don't have as big of an issue there. But again, that's unusual. In today's smaller families, that's not the case. People must take time off to help out and generally quit their jobs because they just don't have the numbers it would take to allow that time-sharing to happen.

I don't think there's a lack of compassion. It's just a lack of today's ability for families. Both parents are generally working and unable to take time off just to make ends meet because this province has become very expensive to live in. We see people coming in all the time, especially people in their senior years—they have a pension, it's a fixed income, and they're in trouble because they can't afford their hydro bill. They can't afford the taxes they pay. It has got so difficult to survive here.

0950

Another thing, times have gone by—and it relates to a story of something that happened in my area back in the 1930s, just to give you an example of how things used to be. There was an elderly stranger during the Depression—no place to live, no family, no relatives—and he stopped in at my grandparents' farm. He stayed there for over 20 years until he passed away. Maybe that wasn't all that common, but it wasn't that uncommon, where people of the community got together. In this case here, it was not a relative and not even someone from the area, but in those days, people used to jump on a train and try to look for a job. Times were desperate. Just a funny end to that story: When he died, I guess in the mid-1950s, my uncle was looking for his wedding suit. He had lost some weight and asked his wife, and his wife said, "Well, sorry, that suit got buried with Alex when he passed away," because he had no suit. Of course, that was just expected. They grabbed whatever was available. Anyway, poor Clarence lost his wedding suit.

But times are hard. When times are desperate, it's great to see some legislation. It's unfortunate to see that this—the member from Halton talked about what's on the order paper. This bill has been around. Sure, it's been around a long time. It has been debated, and I'm happy to have the opportunity to debate it.

I think that this government is trying to use this as an example of not co-operating to move legislation through, but I think that the opposite couldn't be further from the

truth. There has been co-operation with the House leaders. We could move this legislation through; we've been quite willing to meet. For some reason, I'm not sure what the issue was, but the government was unable to meet this summer to discuss some of this legislation and what we could move through. We have other legislation, non-partisan as well, that we're supporting. We're supporting this bill. We're supporting a number of their bills and looking to try to move this through because we really believe that there's no time to debate bills like this.

We should be moving on to bills that would actually reduce the cost of living in this province, bills that might attract business back—manufacturing jobs. But no, there's nothing there to actually discuss. There's nothing we see on the order paper that would actually do something to bring Ontario back to the way it used to be.

So yes, we're debating this bill. If we were to see something that really needed some debating and something that would attack the debt—I mean, we're looking at a debt here that's growing at \$1.2 million an hour. We don't see any bills that would actually cut that. I haven't seen any discussion.

We were at the plowing match earlier this week, and I think that all three leaders talked about energy in one form—windmills came up. But the government side did not talk about the real issue with energy, and that's the cost of energy and how it has doubled over the tenure that they've had in 10 years. It's unacceptable. That alone has driven away so many of our manufacturing jobs. We just have to get a plan, and we don't see a plan. We don't see any bills on the order paper that even suggest that there is a plan coming.

So we look forward to new legislation, and we look forward to getting some of these bills through because they are necessary. In this case here, I think everybody in the House would have some stories about somebody that they knew who really could use this legislation.

I want to thank you, Speaker, for an opportunity to discuss this bill.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Michael Mantha: I want to thank—the comments that came from my colleague.

I do want to bring across that, affordability measures—we don't need to always wait for bills to do those things; however, they are a good avenue to do that.

There is an opportunity, when it comes time to having those discussions, at the budget area. When we're talking about affordability, which he alluded to in some of his comments, there's a lot of great things that were done through home care. There's a lot of good things that were done through car insurance affordability measures that we had proposed. They were tweaked, they were taken, they were considered, they were added. They're not exactly what we had wanted, but they're in there; they're in the budget. There are different mechanisms for us to accomplish a lot of our goals, not only through bills.

Je suis content que j'ai la chance de parler de ma tante. C'est seulement à cause qu'on passe à travers des

expériences personnelles qu'on a la chance de parler de comment ce projet de loi va avoir un effet sur la vie de quelqu'un.

Ma tante Muriel Mantha est décédée voilà la semaine passée. Je suis allé à ses funérailles. J'ai vu ma parenté, ce qui est tout le temps une belle affaire. C'est de valeur qu'on ne prend pas le temps de voir notre famille plus souvent pendant une année, puis on attend tout le temps soit un mariage ou des funérailles; c'est là où on se voit. Mais on devrait tout le temps prendre la chance de se donner une caresse ou bien de se donner un coup de main ou un petit bisou quand on est alentour de notre famille, parce qu'on ne sait jamais quand ils vont être pris de nous autres.

Ma tante a pogné l'Alzheimer. C'était rendu dans ses années tard et puis ça l'a vraiment affectée physiquement. C'est son gendre Gord qui a pris soin d'elle, qui a pris l'initiative de prendre soin d'elle. C'est à cause qu'il a pris soin d'elle qu'il a été aperçu par une autre agence. L'autre agence a vu l'ouvrage et le soin qu'il a pris de ma tante et ils lui ont donné une chance et lui ont offert un emploi.

Il y en a des façons qu'on peut utiliser le « bill » que ça peut être productif pour nous créer un emploi aussi. Je voulais apporter cette avenue-là et cette perspective-là dans la discussion.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments? The Minister of Community—

Hon. Tracy MacCharles: Consumer Services. Thank you, Speaker.

As people here know, as my constituents in Pickering—Scarborough East know, I'm very supportive of Bill 21, Leaves to Help Families, and I don't want to spend any more time talking about it. I think all the good points have been made.

The MPP for Halton—I don't know if he was really talking about the bill, but he was saying, "What else could we be talking about?" Well, there's a long list of bills that we could be talking about, everything from the Great Lakes act to the highway traffic statute act; of course, Bill 60—one of my favourites—the wireless services agreements that I introduced; that needs more debate, as does electronic personal health information protection; protection of public participation; the companies statute law amendment; waste reduction; and security for courts, electricity generating and nuclear facilities—there's a list of things we could talk about.

We have talked about Bill 21 for over 11 hours. I encourage all members of the House to support getting on with this. Let's get this to committee and let the committee work on it. Let's pass Bill 21, Leaves to Help Families, for Ontarians.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. John O'Toole: I listened intently to the member from Stormont—Dundas—South Glengarry. He made it very clear that we're supportive of the bill—also very clear that our democratic right here in the House is to speak. "Parliamentarian" means "parler"—that's the

French version for "to speak"—and I'm saying that they're intending or implying that they should deny each member the right to speak. That's simply not acceptable.

Now, if the House leaders were able to agree, under the gas inquiry going on, that there would be truth and reconciliation, then the House leaders could make some agreement. That's why for this bill and others, even though we support it, they won't play ball with the opposition. They won't work together moving forward—all this compassion and collusion stuff.

This bill itself has some really positive things in it. It's an improvement on Bill 30—the original one—but here's the real issue: Small business creates most of the jobs in Ontario and, indeed, in Canada today. The CFIB say that in all of their reports. But let's just apply this bill, which gives a number of days off to a person for family leave—which we agree with. It's a feel-good bill. It's been said by the NDP in almost every response on this bill.

What does that mean in real life? Let's say there's a mom and dad—possibly people that are new to Canada. Next door to me—that's what I'm thinking of—is a small restaurant. The mother, the father, their two children and two other people work there, and if one of them is home sick, they have to get someone else to work the cash register. They have to pay somebody to work the cash register.

1000

Here's the issue now: Yes, the person at home who had the job as a waitress or whatever, they've got the minimum wage going on now and they're not even getting the tips. So there's no money in this to help working people—

The Deputy Speaker (Mr. Bas Balkissoon): Thank you. Questions and comments?

M^{me} France Gélinas: I too listened to the member from Stormont—Dundas—South Glengarry. Yes, it is a feel-good bill. We're talking about caregiving. We know that throughout Ontario, in every part of Ontario, there are people who give of their time generously, of their skill, of their effort to look after a loved one, to look after a neighbour, to look after a friend. To talk about caregiving makes all of us feel good, but our job as legislators is really to look at what this bill is going to change in our day-to-day lives. Well, the bill will give you the opportunity to leave work to look after a loved one. But it won't pay you to do that. You will have to take time off without pay.

The bigger problem that we face most of the time is that you're looking after a frail, elderly relative, friend, neighbour, and you need to take them to the doctor. Usually, you would ask your employer for half a day off or a full day off, depending on how slow the waiting time is in the physician's waiting room, but this is not in the bill. The one thing that people ask most of the time of their employers is not in the bill. In the bill, you have to take a full week off. Well, the opportunities where you need a full week off are a lot smaller than people looking after frail, elderly people that need to take a day off so that they can take them to a doctor's appointment. It's a

feel-good bill that comes with no money attached that will cost what the member was saying, that will cost small business something, but that won't be that useful.

The Deputy Speaker (Mr. Bas Balkissoon): The member from Stormont–Dundas–South Glengarry, you have two minutes to reply.

Mr. Jim McDonell: Thank you, Speaker. I'd like to thank the members from Algoma–Manitoulin, the Minister of Consumer Affairs, the members from Durham and from Nickel Belt.

I just had the opportunity in talking with the member from Algoma–Manitoulin about what turned out in some ways to be a good-news story as the home care turned into a job, which is great news. Unfortunately, it's so rarely the case.

I think, as the member from Durham mentioned, the problem with this bill is that there's no money in it. In most cases, the issue is the job; that's, of course, a big part of it. It's trying to maintain your livelihood. Generally, there's no money to pay the rent and pay for food. Of course, people I know that have had to go through this in many cases have run up their credit cards and run up their debt. So getting back to work is a huge issue and, of course, a huge penalty to them. Overall, it saved a lot of work.

Also, the discussion from the member from Durham when he talked about this bill: There are many bills like this that we'd like to see get through, but we would like to see some co-operation from the government. As we say, we've had very few House leader meetings which would actually allow this to happen. Although on one hand they talk about holding up the Legislature, they're actually holding it up. We'd like to get some more important legislation. We've talked about that and our leaders talked about it many times—every day, actually—but we just don't see it. We don't know if it's time to wake this government up, and maybe it's too late. Maybe they're fast asleep and can't be woken up. It's time maybe to give them a shock, and that shock may be the needed election that would turn this province around.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mrs. Julia Munro: I'm pleased to be able to add a few comments this morning on Bill 21.

One of the things that I think comes to mind for me first in looking at Bill 21 is yet another example of what others have coined as "gesture politics." "Gesture politics" means simply that it is something upon which there would be general agreement; no one would say, "Oh, it's a bad thing." But at the same time, it's something that looks at a fairly complex problem and offers a relatively benign and simple kind of response. When you look at it a little more closely, it looks good at a distance—for some, that's the purpose in life, by the way, Mr. Speaker, to look good at a distance.

If no one really looks at the notion, it certainly seems to be something upon which we could all agree. In the words of the Minister of Labour a few moments ago, this is a demonstration of us as a compassionate society.

Again, it falls into that realm of gesture politics. Who's going to say, "No, we're not"? We know that these are huge issues for individual families. When you start going beyond looking from a distance at this issue, when you start looking at the details, it's a different story.

One of the things is that with the details of this come a great many problems. One of them, for instance, is the fact that you're looking at up to eight weeks' unpaid leave. Well, for many, that's the end of the conversation. Being able to pay the bills, meet the mortgage and things like that are things that take up the resources of an individual. Obviously, they're already under huge emotional stress because of the circumstances of illness in the home, so the notion of then having this as "a gift" becomes in itself something that is beyond reach. That's a huge practical problem for anyone.

If we were to look at this bill in terms of how it would set out a regulatory environment, there are all kinds of details that beg to be answered. There is some question of the fact that you can only ask for a week off at a time when, in fact, for many caregivers, it's sporadic. It's a flexibility they need, in some cases actually on a daily basis. They're trying to juggle appointments, and they're trying to juggle the rest of the needs of the family.

Then you get into the whole regulatory framework under which this might operate, and the kinds of things that you get into: needing recourse if you don't quite fit into the criteria and the parameters that have been set. A lot of people would just find it, at a point when they are being overwhelmed in their own home, very difficult, then, to actually access this.

Whenever you talk about something, it's "We're making it available." Well, the question always should be, "Someone is paying; who is paying?" The question, then, is that you are not paid for the eight weeks, but obviously you have to pay the bills, and you have to be able to manage. There's the cost for the person who is going to get the benefit of the eight weeks, so there is a cost there for them—a huge cost.

But there is also a cost in terms of the employer. I think people sometimes think, "Well, those in larger workplaces would be absorbed more easily than in small." That's debatable. I'm not saying it's one or the other. I think it becomes quickly obvious in a small business. The member from Durham, a few moments ago, was talking about a family restaurant, for instance, and how do you fill in that gap?

There's no question that since most of the business in this province falls under the category of small business, if we're going to say that it's harder for small business, then it's harder for most businesses in the province, because that's who they are. For them to absorb the work of the individual and spread it around other people may or may not be possible. It may require out-of-pocket expense for the small business. Well, the same can be said in the context of larger business where somebody's pivotal role in production is now taken away. Who is going to be there and how much is it going to cost?

So, to look at this as simply something that is all going to be done gratis—this point means that the government, in this bill, is not writing a cheque for this process, but trust me, others are. I think that it will be very difficult for some to meet the requirements of this legislation without a significant financial burden.

When we look at this bill, as I say, to me it meets the test of being gesture politics. Of course, we have said that as an opposition party we would support the government in this, but I think that it's in the knowledge that there are going to be significant barriers, that it's not the panacea that we would all like it to be. I think it will bear investigation, if we look at the manner in which the bill rolls out and provides opportunity in the community. It would be prudent on the part of this government, at that point, to be looking at the real cost and the measures and the ability of people to actually take advantage of the offer that is provided in this piece of legislation.

To those who think we've talked about it long enough, as I said a few moments ago in my two-minute response, that's the responsibility of the government party. It's the government that sets the agenda on our manner and on the pieces of legislation that we're going to debate, and so it is their choice in how long is set aside. It also speaks to a different part of a political agenda, which is simply that it is our responsibility as elected members to have the freedom to be able to debate as we feel compelled or moved to do so. That is part of the process.

Since I see that the clock has moved along since I began, I would just want to give the Speaker the opportunity to rise and make a decision for us. Thank you.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bas Balkissoon): This House stands recessed until 10:30 a.m.

The House recessed from 1014 to 1030.

INTRODUCTION OF VISITORS

Mrs. Christine Elliott: I'm very pleased to welcome friends and family members from the Dundas Living Centre. They're here today to observe question period proceedings. Welcome.

Hon. Yasir Naqvi: It's my great honour to welcome a very good friend of mine who is visiting Queen's Park—a total surprise to me—in the public gallery and a constituent of mine as well, Mr. Andrew Cardozo. Andrew, welcome to Queen's Park. It's good to see you.

Ms. Peggy Sattler: I'd like to welcome Marilyn Savage, who is here today with us in the gallery. She's here once again on behalf of her 93-year-old parents, Everett and Simone Price, who are constituents of mine in London West.

Hon. Michael Coteau: It gives me great pleasure to welcome Kathleen Garner to the Legislature. She's a Toronto District School Board superintendent of education, who I had the pleasure of working with for eight years. I'd like to welcome her to the Ontario Legislative Assembly.

Hon. Reza Moridi: It's my pleasure to introduce and welcome Daniel and Florian Lippold, from Germany, visiting Toronto.

Mr. Todd Smith: It's a pleasure once again to welcome the grandmother of our page Ian Chapelle from Prince Edward–Hastings. Gloria Lanthier is back for a second day. Also, his mom, Deanna, is here as well. Welcome to the Legislature.

Ms. Soo Wong: I'm pleased to rise today to recognize some of the visitors in the east gallery: Bob Garner, who is also a former superintendent with the old Toronto Board of Education and now a citizenship judge; Kathleen Garner, who my colleague the Minister of Citizenship talked about; as well as Pat Meighan. They are parents and grandparents of page captain Sean Garner.

Hon. Teresa Piruzza: I'm proud to welcome an amazing constituent of mine, 12-year-old Sarah Lewis, and her mother, Jody, today. Sarah is the recipient of the We to Me award for her amazing work with the Street Help homeless agency. At the age of six she began collecting socks for homeless people and has since expanded her efforts to raise awareness for the drop-in centre. Sarah is a terrific example of young people improving their community, and I'm so thrilled that she's here with us today.

Ms. Catherine Fife: It's my pleasure to welcome my good friend, oldest and best friend, Kendal Beckett, to the House, on his first time visiting Queen's Park today.

Mr. Harinder S. Takhar: I'm really pleased to introduce Sikander Singh Maluka. He's currently the Minister for Education and Higher Education and Languages in the present government of India. He's also the president of the Punjab Kabaddi Association and chairman of the All India Circle Style Kabaddi and vice-president of the Punjab Olympic Association. Joining him today are Charanjit S. Behniwal, the son of the minister; Harprit Singh; Sukhbir Sidhu, an outstanding radio host; Gurmit Singh; and also Kuldip Deepak.

The Speaker (Hon. Dave Levac): Welcome. Further introductions?

On behalf of the Minister of Economic Development, Trade and Employment, for page Sean Garner: his mother, Kathleen Garner; his father, Bob Garner; his brother Adam Garner and grandmother Pat Meighan are here in the gallery to observe and support Sean. Welcome.

MEMBERS' PHOTO

The Speaker (Hon. Dave Levac): I just want to take a short moment to address all of our female members. By now, you will have received a letter from the Clerk inviting you for a group photograph to be taken of all currently serving women parliamentarians. The photograph will be taken on the steps outside of the legislative chambers on Tuesday, September 24, 2013—

Mr. Garfield Dunlop: What about the guys? What's going on here?

Interjections.

The Speaker (Hon. Dave Levac): Holy—immediately following question period on Tuesday, September 24. It'll only take a few minutes. Would you please schedule this time in your calendar.

Miss Monique Taylor: This is our moment. Keep quiet.

The Speaker (Hon. Dave Levac): If the men feel put on, I will arrange a photograph for you, too.

Interjections.

The Speaker (Hon. Dave Levac): You want the evidence eliminated? Is that what you're talking about?

It is now time for question period.

ORAL QUESTIONS

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Tim Hudak: My question is to the Minister of Community and Social Services. We're joined today, as my colleague and deputy leader, Christine Elliott, pointed out, by families representing the Dundas Living Centre—quiet heroes fighting for children with developmental disabilities.

We met earlier with Matthew and his folks, Martha and George Fox. Matthew has a developmental disability. He is a Special Olympian. He is an active volunteer in his community. He is a champion of the McMaster Marauders basketball team and works at McMaster University. We should all applaud Matthew's work in the community.

The challenge is, his family has asked for help with supportive housing. We have a motion on the floor of the Legislature for a select committee in the name of Christine Elliott. Minister, will you support that motion today and move forward on this important cause?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Minister?

Hon. Ted McMeekin: I'm pleased to respond to the question—a leadoff question. That's great. That shows the importance of the issue that the Leader of the Opposition and his member from Whitby–Oshawa have brought to this.

Speaker, we all have a common goal when it comes to developmental services. I was proud to support the member opposite's motion for a select committee. She knows that. I applauded her at the time, and I continue to applaud her for that and will look forward actually to working on a select committee.

I just want to say that the member opposite and the leader know that the member opposite and I—

The Speaker (Hon. Dave Levac): Thank you. Supplementary?

Mr. Tim Hudak: I know the minister would agree with this statement: that one of the great accomplish-

ments of the latter half of the last century was the de-institutionalization of individuals, to see them not only as our family members, our neighbours, our co-workers—side by side as volunteers.

One of the great measures of the strength of a society is how they treat their most vulnerable, and I worry, Minister, as we stand now 13 years into the new century, that many areas are failing that test. It gives me, my colleagues and, I know, colleagues opposite, great concern when we hear about people being reinstitutionalized—those with developmental disabilities, who risk losing their friends, their co-workers; losing their jobs and being put into long-term-care homes. One of the significant reasons for the select committee to investigate and to act in the name of Ms. Elliott is to address that situation.

Minister, will we have your support to actually get that select committee going, hit the pavement and bring solutions to these families who are in desperate need?

Hon. Ted McMeekin: Absolutely. The member opposite had my support when she introduced her motion. I look forward to working with the select committee.

But I want to remind the House that the member from—

Mr. John Yakabuski: Well, you've got to appoint the select committee first.

Hon. Ted McMeekin: Yes, you do. The member from Whitby–Oshawa and I can stand in the House and be as supportive as we want, but we don't create the select committee. We don't put the venue in place.

1040

Interjection: It's the House leaders.

Hon. Ted McMeekin: It's the House leaders that do that, so—

Mr. John Yakabuski: Oh, poppycock, and you know it.

Interjections.

The Speaker (Hon. Dave Levac): Order.

Hon. Ted McMeekin: I'm not party, by definition, to those discussions, but I have certainly—

Mr. John Yakabuski: If you want the committee, the committee will be struck.

The Speaker (Hon. Dave Levac): The member from Renfrew will come to order.

Finish, please.

Hon. Ted McMeekin: I have certainly supported this select committee and have spoken to my House leader about it. So any further specific question would have to be to the Minister of Government Services and—

The Speaker (Hon. Dave Levac): Thank you. Final supplementary.

Mr. Tim Hudak: Let me tell you another story we heard today from the folks at the Dundas Living Centre, a story about Margot and her daughter Sheila. All of us who raise children know that there are always challenges in raising a kid, and additional challenges and burdens are placed on a family with children with developmental disabilities. We do it out of love, and we do it out of compassion. But imagine being Margot, who is legally blind and 82 years of age; her daughter Sheila is now 42.

The day-to-day struggle of simply helping Sheila have a bath and get out of the tub, for an 82-year-old woman, who I believe is a widow—surely it is time to act.

Surely it's not a time to play legislative games. Surely it's time to move forward with a select committee to bring the best and the brightest before all parties to actually move forward and give the kind of relief to Sheila and Margot that they deserve as Ontarians. Wouldn't you agree?

Hon. Ted McMeekin: I'll pass this to the Minister of Government Services and our government House leader.

Hon. John Milloy: As a former Minister of Community and Social Services myself, I certainly share the concern of the members opposite. I'm also very proud of our government's record; our most recent budget had \$42.5 million more in funding for this sector, and as I say, as minister, I worked very closely with it.

I know the honourable member wouldn't want to rewrite history on this. The idea of having a select committee is something that is achieved through a consensus amongst all three parties, and those of us remember that last June, there was a series of meetings between House leaders where we talked about a potential summer schedule, and there was no consensus on how to move forward. We're now at the start of a new session, and there will be opportunities for the House leaders to meet and put this on the agenda.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mrs. Christine Elliott: My question is also to the Minister of Community and Social Services. Minister, on two occasions, most recently in May of this year, this House has unanimously voted in favour of a select committee to develop a comprehensive strategy for developmental services. To date, however, the committee has not been struck, despite the fact that the motion that was adopted by this House would have had an interim report prepared by October 31 of this year.

Minister, will you commit today to striking the select committee immediately so it can begin its work right now?

Hon. Ted McMeekin: Let me just also join the members opposite in welcoming our friends from Dundas. They are indeed the quiet heroes, as the Leader of the Opposition has indicated.

Listen: I support the creation of a select committee. The government House leader just indicated that there have been some discussions about that, so I support that—

Interjections.

Mr. John Yakabuski: Don't hide behind procedure.

The Speaker (Hon. Dave Levac): I'm going to make a comment to ask you just to please listen to the answer. It's a reasonable policy question, and I think it deserves attention without the yelling. Please.

Hon. Ted McMeekin: I don't know how other members of the House spent their summer, but I invested my

summer in a six-week intensive tour around the province—the entire province—talking to 173 different groups, many of them from the developmental services area. So I know the angst, and I support the member opposite in her call for a select committee. I hope the House leaders get it sorted out.

The Speaker (Hon. Dave Levac): Supplementary?

Mrs. Christine Elliott: Well, supporting the call for a select committee—and calling for the committee to be established and commencing its work is quite another issue.

The minister will know from his tour that the need in this sector is urgent and growing rapidly. There are over 15,000 people in this province right now who are waiting for appropriate housing. Their parents are frightened and desperate. They have no idea what's going to happen to their children when they're gone.

The people who are here from the Dundas Living Centre today and thousands of parents and other groups across this province are depending on us, as legislators, to help them. Will you commit today to strike the committee immediately so it can begin its important work?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Minister?

Hon. Ted McMeekin: Mr. Speaker, I think I've answered that question a couple of times already.

Interjections.

The Speaker (Hon. Dave Levac): The member from Bruce-Grey-Owen Sound, come to order. The member from Dufferin-Caledon, come to order.

Hon. Ted McMeekin: This year, we are investing, as a government, more than \$1.7 billion in developmental services, and the previous budget allocated an additional \$43 million to help with some of the housing issues. The increase in funding to this area since we came to government is some 68%. We understand that there are some challenges, and I will fulfill my role as best I can to continue to be an advocate. That is going to require some budgetary adjustments, which I'm fully in favour of. I hope when we get to that point where we have a budget figure, that those opposite will stand in their place and vote for it. They didn't the last time we increased the funding—

The Speaker (Hon. Dave Levac): Thank you. Final supplementary.

Mrs. Christine Elliott: The minister and the members of this government cannot continue to hide behind this charade of this being a House leaders' issue. They have the ability to strike this committee, and they should do the right thing. In the end, this is a matter of priorities. We have an obligation to take care of our most vulnerable citizens.

People like Matthew and thousands of other young people across this province have the right to live in safe, clean homes. Their parents have the right to know that their child is going to be cared for and valued when they're not here anymore. If we can't do that basic work

on behalf of the people of Ontario, then I think we all have to ask ourselves, why are we even here?

Minister, will you do the right thing and agree to strike the—

The Speaker (Hon. Dave Levac): Thank you.

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock.

Be seated, please. Thank you.

Interjection.

The Speaker (Hon. Dave Levac): The member for Halton, that does not help. Please, everyone, race to the top.

Minister?

Hon. Ted McMeekin: I don't disagree with anything the member from Whitby–Oshawa said. I think we do have to get on with it.

I'd like to share a quote from Chris Beesley, the CEO of Community Living Ontario, who sent this to me recently: "We have spent many years advocating for an inclusive society—a world where all people are valued and included in all aspects of community life. We actively supported the plan to close institutions"—the Leader of the Opposition referenced that—"and communities across the province celebrated when this occurred."

Interjection.

The Speaker (Hon. Dave Levac): The member from Bruce–Grey–Owen Sound, second time.

Hon. Ted McMeekin: "Congregate, isolated living should not be an option any longer—although we certainly understand and appreciate"—

Interjection.

The Speaker (Hon. Dave Levac): The member from Stormont can hide his mouth all he wants, but he's still too loud.

Hon. Ted McMeekin: —"why some are desperately seeking" solutions "for their family members."

Speaker, I'll continue to work on this. I know clearly that the members opposite will, and hopefully together we can move it forward.

PUBLIC TRANSIT

Ms. Andrea Horwath: My question is for the Acting Premier. Since the House resumed, we've been pushing the government hard to deliver results for Ontario families that deserve good jobs, better health care and affordability in their daily lives. Yesterday, the Premier launched yet another study into new, unfair fees. How many more conversations does this government plan to have about this topic?

Hon. Brad Duguid: Yesterday in this Legislature, we had a very good debate on public transit, and there appears to be a little bit of a gap between that side and this side. We all want public transit, Mr. Speaker. We all recognize the connection between gridlock, the economy and the need for investment, but only one party in this Legislature right now is anteing up to pay for the very important infrastructure that we need to build. So I say to the leader of the third party: We're all for your support

for public transit. Mind you, when it gets down to the nitty-gritty, the NDP have been against just about every public transit project we've brought forward in the last 10 years. We're looking forward to your support for public transit, but you've got to be straight with the people of Ontario and tell them how you're going to fund it.

1050

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please.

Supplementary?

Ms. Andrea Horwath: What everybody recognizes—and the Liberals have made it quite clear that they think Ontario families should have to pay up to \$1,000 more a year in new taxes and tolls, while at the same time they're opening new corporate tax loopholes that will cost families billions and billions of dollars.

Is this government's new panel about information? Or is this government's new panel just about slapping a new paint job on an unpopular idea?

Hon. Brad Duguid: We've been building public transit in record amounts over the last 10 years. We have plans in the very near future to continue that build.

Looking forward into the future, we know that gridlock is a serious issue in the GTA. But right across this province, we need to keep building public transit. But you can't build it for free. You've got to be visionary about this. You've got to get out from under the politics of this issue. Be straight with the people of Ontario. Be honest with the people of Ontario and tell them that, look, if we're going to spend \$32 billion over the next dozen or so years, we're going to have to find a way to pay for it. That's all we ask from the leader opposite: Be straight up with the people of Ontario—

The Speaker (Hon. Dave Levac): Thank you. Final supplementary.

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock. Be seated, please.

Final supplementary.

Interjection.

The Speaker (Hon. Dave Levac): The member from Trinity–Spadina.

Mr. Rosario Marchese: I beg your pardon.

The Speaker (Hon. Dave Levac): Thank you.

Ms. Andrea Horwath: I think what the people want is for their government to be fair with the people of Ontario. That's what they want to see, some fairness.

Yesterday, we learned that the Premier will be paying the chair of her taxes and tolls panel up to \$90,000 for three months' work. That means in three months she'll make more money than the average Ontario family earns in an entire year.

People see the Liberal government asking them to pay more and more as it's telling corporations that they get to pay less and less. And they see the lucrative fees being handed out to people who write a study about a study.

Does the Acting Premier really think that that looks fair to the people of Ontario?

Hon. Brad Duguid: To the Minister of Infrastructure and Transportation.

Hon. Glen R. Murray: I know the leader of the third party knows we're in a minority government. The only revenue tool that that party has supported so far wouldn't build you more than about three subway stops.

We have a \$50-billion major plan. The Ministry of Transportation, if you've been following this, and the response to the Metrolinx panel has generated several new ideas on funding models that we are pursuing aggressively—and the Ministries of Infrastructure and Transportation and Metrolinx are working, Mr. Speaker. As you know, we've also had responses from almost every municipality in the region, who also have advanced ideas and new ideas for partnerships, which we are also going to include in this.

This is not an advisory committee as much as an implementation committee, because right now we have two parties in opposition who don't want to fund transit, don't want to build it. They just want to pass motions and debate it. We're over debating it; we're building it.

GOVERNMENT'S AGENDA

Ms. Andrea Horwath: My next question is to the Acting Premier as well. People are looking to this government for real results that will make their lives more affordable. Instead, they see Liberals planning study after study and having hundreds of conversations about plans to make their lives more expensive. And the only people who seem to be getting results from the Liberals are consultants and the lucky few who benefit from new corporate tax loopholes. Would the Acting Premier agree that this isn't fair?

Hon. Brad Duguid: What's fair is working to reduce auto insurance rates for Ontario families across this province, and we're working on a 15% reduction. What's fair is working to create jobs for our young people, and our youth jobs strategy is going to create 30,000 jobs over the next two years for young people across this province. What's fair is making sure that we have home care available to our parents and our grandparents, and we're investing to make sure that that's the case. What's fair is making sure that people in the GTA and across this province can get to and from work and to and from school in a reasonable amount of time by reducing gridlock, and that's why we're the only party in this Legislature that's investing in public transit, funding public transit. You ought to get on with us with that initiative. We need your support. We need you to tell us how you're going to pay for your plan.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Andrea Horwath: People are looking to the government for results that make their lives easier, but the government seems to be determined to make life less affordable. Media reports today quote Liberal insiders saying that they would like to raise the HST but that it is "politically unsaleable."

Will the Acting Premier confirm that hiking the unfair HST is off the table—or is the government still hoping that enough conversation will actually make it acceptable?

Hon. Brad Duguid: It's becoming increasingly obvious as we go through challenging times, as we have to make decisions to keep building a strong economy and creating jobs, that the opposition are going to continue to—

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock. I've noticed a rather interesting trend today, it's not always the case, but today: When the questions are put, it's quite quiet; as soon as the answer starts, it gets extremely loud and boisterous. I think that—

Interjection.

The Speaker (Hon. Dave Levac): And I don't need the member from Halton editorializing while I'm speaking either—so I'm asking you all to lower the temperature.

Please answer.

Hon. Brad Duguid: Mr. Speaker, this is a time for leadership. We have a Premier that's standing up for the people of Ontario to ensure that when we make commitments on things like public transit, we're going to fund it. I don't think that's too much to ask. I would think the people of Ontario would want the party opposite and the other party opposite to be that straight up with them. If they're going to support things like investments in public transit, if they're going to support the initiatives we're taking to build a strong economy, that they'll also be straight up with the people of Ontario about how they're going to fund them.

The Speaker (Hon. Dave Levac): Final supplementary.

Ms. Andrea Horwath: Over the summer we heard from a lot of people, and they made it clear that they expected us to make their lives affordable and get results for them. That's why we're focused on getting action for drivers, getting action for seniors waiting for home care, getting action for young people who need jobs, and fairness so people can actually start rebuilding some trust in their government again.

My question, and it's a simple one: When is the government going to stop having endless conversations about how to make life less fair and start focusing on real results for the people who sent us here?

Hon. Brad Duguid: That's exactly what we're doing, getting real results for the people of Ontario. We're in the process now of putting in place a 15% reduction in auto insurance—thank you for your support on that. We're in the process of putting together a \$295-million strategy to help 30,000 young people find jobs. We would appreciate your support on that too. We're in the process of ensuring that we expand home care across this province so our seniors can stay in their homes longer. We're determined to get that done, and we're well on the way. We're in the process of building reliable roads and a public transit system we can be proud of that will rid us

of the gridlock that we have in places like the GTA, help us create jobs and build a stronger economy. We need your support on that too. We need you as well, though, to fess up to the fact that we need revenue sources in order to be able to pay for that going forward.

PUBLIC TRANSIT

Mr. Douglas C. Holyday: My question is for the Minister of Transportation. Metrolinx has conducted more than 100 meetings, had 12 public round tables, had a residents' reference panel consisting of 36 people that met for four weeks. I find it totally unnecessary that we have to now put another panel in place and that the result of this panel, of course, is going to undermine the work that Metrolinx has already done.

I'd like to point out, also, that the city of Toronto council met on this matter and resoundingly rejected these revenue tools. Now, I don't know what more information you need. The board of trade met on this. The board of trade had public meetings. The other citizens' group CivicAction had public meetings. The public has met until they're blue in the face on this. It's time for action.

I want to know: Is this just another Liberal stall?

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Hon. Glen R. Murray: They are getting action. We have boring machines right now drilling all across the GTHA. We have the Viva bus service operating, we announced, and have the Pulse service bus. We have 15 major projects. We are in the middle of the biggest build-out of transit in the history of this province, and that's action.

The member opposite had a very insightful observation yesterday, and I want to commend him on it. He pointed out to this House that when the Tories got elected, the NDP had promised \$3 billion of transit investment. The NDP put no money into it, very similar to today, and the Tories did what we know they do: They filled in the holes and cancelled the project. So here we are: a party that promises billions of dollars in transit can't deliver the money, and one that only knows how to fill in holes.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Douglas C. Holyday: Minister, what I would like to know is that when you instituted the all-day kindergarten, did you have a panel to show how you were going to pay for that? Or is it that when you want something, you don't need a panel, but when you want to stall and not do the work, then you put up a panel so that you don't have to?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Minister.

Hon. Glen R. Murray: Mr. Speaker, I—

Interjections.

The Speaker (Hon. Dave Levac): All right, stop the clock.

I tried one way; now I'll do it the other way. The next person who gets carried away when somebody is trying to answer will be warned, and you know what happens after you're warned: Next time you're out.

Minister.

Hon. Glen R. Murray: The member opposite should know Anne Golden. You can say many things about Anne, but one thing you can't say is she doesn't get results. She is one of the toughest, most experienced people I know. On this panel are Iain Dobson and other people from the private sector, and Gordon Chong, who are some of the leading experts on value planning and value capture.

One of the things that we are looking at—I know the members opposite, from the volume of talking, aren't interested in reading or listening, which is why they are not in government.

Right now, for example—

The Speaker (Hon. Dave Levac): Thank you.

New question.

LONG-TERM CARE

Ms. Peggy Sattler: My question is for the Acting Premier. Simone and Everett Price are a 93-year-old couple in my riding of London West who have been separated over a year by the long-term-care system after 67 years of marriage. In March, their daughter Marilyn Savage came to Queen's Park to plead for their reunification. It wasn't the first time this family reached out to this government for help, and it wasn't the first time this government failed to act.

Marilyn Savage is here once again today, hoping for a better result. Will the government finally respect the principle of spousal reunification in the long-term-care act and bring her parents back together?

Hon. Brad Duguid: I'm delighted to welcome the guests who are here today, and I thank them for attending question period. I want to tell them, as our Minister of Health has said time and time again, we are investing in long-term care in record amounts. We have provided, in fact, a full transformation within long-term care.

There is still more work to do, but this is an area that we've put a considerable amount of attention to because we understand the challenge when a couple is separated. We all, as members in this Legislature, have seen this in our own constituency offices, where we've seen these circumstances. Our hearts go out to the couple who are involved in this particular case. I know that the Minister of Health is dedicated to continuing to make improvements and continuing to drive forward on a policy that we've brought a very, very long way in the last number of years.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Peggy Sattler: I want to point out to the Acting Premier that when this question was asked six months ago, the Minister of Health and Long-Term Care stood in her place, wrung her hands and passed the buck to the local CCAC, even while acknowledging that accommo-

dating the Prices is the right thing to do. The CCAC is only following the rules set out by the government, and it is the rules that must change.

The emotional impact of this forced separation is taking its toll on this 93-year-old couple. This isn't the way a seven-decade love story is supposed to end in Ontario.

Will the government finally show some compassion, respect the spirit of the Long-Term Care Homes Act and take responsibility for reuniting the Prices before it is too late?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Be seated, please.

Acting Premier.

Hon. Brad Duguid: Thank you to the member for one of her first questions. That is a good question, and I really appreciate you raising it here today.

Spousal reunification is incredibly important, and that's why, in 2008, we introduced new regulations under Ontario's long-term-care homes legislation, to enable residents in different homes to switch places if the move is mutually desired. We gave the highest priority to residents who are seeking to be reunited with a spouse or a partner. We've also ensured that nobody—nobody—will be financially penalized for wanting to stay together, by ensuring that rate reduction systems are in place for couples as well.

The minister is quite aware that there's still more work to do in this area. I know the minister is working hard to do all that we can to continue these improvements that we got started. We're proud of how far we've come, but certainly I'd encourage the member to work with the local CCAC, and I'll bring this to the attention of the minister as well.

SCHOOL SAFETY

Mrs. Laura Albanese: My question is for the Minister of Education. Parents in my riding of York South-Weston and across Ontario take pride in knowing that they are sending their children to some of the safest schools in the world.

Minister, you have spoken to this House before about several of the efforts this government has made to make our schools safe. Initiatives such as the Safe Welcome Program and our Accepting Schools Act are just a few examples.

These initiatives would not be possible without the dedication of our teachers to their students. However, in extremely rare circumstances, there have been issues around teachers' professionalism and interaction with their students.

Mr. Speaker, through you to the minister: In these rare cases, how do we ensure that our students are protected and safe?

Hon. Liz Sandals: Thank you to the member for York South-Weston for her advocacy for school safety.

The member is absolutely correct. We know that the vast majority of our teachers are professionals who care about their students' safety and well-being, along with their student achievement. We know that they put their students first.

However, last year, Justice LeSage released a report that contained 49 recommendations to modernize the Ontario College of Teachers' investigation and discipline practices. Since the release of this report, my ministry has been working very closely with the college to address all of these recommendations. I'm pleased that the college has moved quickly and has already begun to implement some of these changes.

But in order to fully implement the report, to fully implement all of the recommendations, we need to make legislative changes as well. Yesterday, I was pleased to table the Protecting Students Act to do just that.

The Speaker (Hon. Dave Levac): Supplementary?

Mrs. Laura Albanese: Thank you to the minister for that initial response.

It is important—very important—for parents to know and have access to as much information as possible when it concerns their child's safety. In the past, parents have had difficulty accessing information regarding disciplinary decisions made by the college, and often these decisions can take years to be resolved.

Mr. Speaker, through you to the minister: How will this legislation ensure that parents have access to this important information and that decisions can be made in a timely way?

Hon. Liz Sandals: Again, the member raises a couple of absolutely excellent points around transparency and fairness, and they are addressed in the proposed legislation.

If passed, the Protecting Students Act would require the college to publish all of the college's discipline committee decisions. Furthermore, the legislation would impose timelines to resolve cases more efficiently.

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Both of these pieces of the legislation will ensure that parents have easily accessible data and that the overall efficiency of the investigation and discipline process will improve. Furthermore, this proposed legislation will strengthen the authority of the College of Teachers to take action while ensuring the process is open and transparent for everyone involved. That's why it's important that this legislation be passed quickly.

I hope that every member of this House will support the legislation.

PUBLIC TRANSIT

Mr. Frank Klees: My question is to the Minister of Transportation. The people of this province are tired of unelected people being appointed to panel after panel to make the important decisions that should be made here. Once again, we have a panel now being appointed by the minister to deal with funding of infrastructure.

We have a recommendation for the minister: Will the minister agree to appoint an all-party committee made up of equal membership of all three parties, that would be mandated to find the necessary funds to fund our infrastructure needs out of our existing \$128-billion budget and the appropriate private sector investments? Will the minister agree to that kind of appointment of parliamentarians and give them a 60-day mandate to find the solution? We're looking forward to working with the government to do exactly that.

Hon. Glen R. Murray: Right now, this region alone in the greater Toronto and Hamilton area is competing with London. The national government in the UK is putting \$24 billion into subways. Our national government in our economic capital is putting less than 1% total in that. That's what we're competing with.

Liberal governments now have invested over \$15 billion; that's currently being invested. Conservative-run governments at the other levels have put zero into the transit. We cannot continue with the horrible neglect in Ottawa of our economic capital. Toronto deserves the same support from Canada that London gets from Britain, that Paris gets from France and that New York gets from the Federal Department of Transportation, and we're doing more than our part: 90% of the funding. Four percent—

Interjection.

The Speaker (Hon. Dave Levac): I know you don't want to eye me because you know I'm going to say something, so I'm just going to leave it this way. You are on the edge.

Supplementary?

Mr. Frank Klees: I'd like to readdress my question to the Minister of Transportation because we agree that the funding challenge is great. The proposal that we're making to the minister and to the government—

Interjection.

The Speaker (Hon. Dave Levac): Minister of the Environment, come to order.

Mr. Frank Klees:—is that we strike an all-party committee of this Legislature, with equal membership from all three parties, that is charged with the responsibility to find the funding necessary for our infrastructure out of our existing \$128-billion budget and the appropriate private sector investments, so that we don't have to defer that decision to a panel that is simply going to tax people to death in this province. Why will the minister not accept our proposal that parliamentarians be charged with that responsibility? Give them 60 days to get the job done. Let's get on with the work.

Hon. Glen R. Murray: We on this side of the House will be more than glad to consider that kind of option or partnership when the member opposite can find a single Conservative politician in Canada or Ontario who will write a cheque for a subway or an LRT. You can't keep playing politics. You can't talk subways and talk rapid transit and not invest.

Mr. Cameron, in the United Kingdom, understands that for London to compete with Toronto, Berlin and

Shanghai, the British government has to make sure London is the most mobile centre. When the member opposite and when the Conservatives opposite can engage the Conservatives at city hall or in Ottawa and demonstrate where they do control government to write a cheque, I will take some comfort in that, but they should start getting on the phones. Mr. Harper's phone number is 613-992-4211.

ECONOMIC DEVELOPMENT

Ms. Catherine Fife: My question is for the Acting Premier. People in Kitchener-Waterloo are looking at the headlines, and they are concerned about the possibility of layoffs at BlackBerry. They are also concerned about this government's notable silence on job creation. BlackBerry has been at the heart of Kitchener-Waterloo's growth and its world-class technology centre. Over time, the core of innovative thinkers and engineers have created an ecosystem where small and large tech companies have helped each other grow.

When are we going to hear a plan from this government that supports Kitchener-Waterloo's growth, whether it's our tech sector, manufacturing, food processing or other important parts of our local economy?

Hon. Brad Duguid: For the member to see a plan that supports all of those sectors, she just has to open her eyes. We've been working on this for a very long period of time. We have an economic development strategy here that has created 477,300 net new jobs since the recession. That's not bad; in fact, that's better than most other jurisdictions anywhere in North America, and most economies anywhere.

Let me say this about the Kitchener-Waterloo area: We're working very closely with the city there, we're working very closely with the business community, and we're working very closely with an organization that we have a great deal of respect for, Communitech, to ensure that any displaced workers, as a result of the challenges that they are facing, are assisted. The Tech Jobs Connex program that has been set up there has been doing an excellent job because of the expertise in that area, something that I know the member is proud of, and something that all Ontarians should be proud of, because Kitchener-Waterloo will get through this.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Catherine Fife: People in my riding are concerned about the future of their jobs. They want good jobs, not part-time, precarious poverty jobs, especially because they haven't heard a comprehensive plan that inspires confidence in Ontario's economy.

I look forward to a strong future for BlackBerry, and I look forward to the growing diversity of our tech sector.

When people are concerned about their jobs, they want to know that there is a plan to create good jobs. Does the government actually have a jobs plan, or are they waiting for more ideas from New Democrats? Because that certainly can be arranged.

Hon. Brad Duguid: I think the member ought to have a little more confidence in her own community. When you look at that community, there are over 1,000 high-tech companies operating there, with over 30,000 people employed. Yes, we all know that BlackBerry is going through challenging times, but we also know that that region is a hub of innovation, a hub of entrepreneurialism.

We have invested in that region. We've invested in Communitech, we've invested in the universities there, and we're helping to drive that sense of innovation, that can-doism that exists in that community. We have a member, our House leader, who is one of the local leaders in that community. He will ensure that we'll continue to work with the business community and we'll continue to work with our stakeholders to ensure that Kitchener-Waterloo remains one of the strong areas of growth in our province.

FAMILY CAREGIVER LEAVE

Ms. Soo Wong: My question is for the Minister of Labour. Minister, we all know how tough it is to balance work when caring full-time for your children, your aging parents, or both. That is why I am proud to support Bill 21, the Leaves to Help Families Act, which will provide Ontarians with three different leaves so that they can be there for their families when they need to be there.

Having worked as a nurse, I feel strongly about this bill and its intent to ease stress on Ontarians. More importantly, my constituents in Scarborough-Agincourt strongly support this bill. My office continues to receive petitions each week, and I have heard from hundreds of residents what they want to see about this bill. To date, I have presented petitions on this issue to the House a total of 12 times. What is truly disappointing is the last line of the petition, which states, "That the Legislative Assembly ... pass and enact, during spring of 2013, Bill 21, the Leaves to Help Families Act."

Mr. Speaker, through you to the minister: Can he please remind the House how important it is to pass this bill for all Ontarians?

Hon. Yasir Naqvi: I want to thank the member from Scarborough-Agincourt for her absolutely incredible advocacy on this matter. She is correct; she has actually submitted quite a few petitions and has been speaking quite actively on this very important matter of the family caregiver leave act, Bill 21.

1120

This bill is about compassion. It is about building a compassionate Ontario, an Ontario where we look after each other, and it is disheartening to see that in this Legislature the debate on this bill continues to go on and on. We're literally, I think, running into the eleventh hour of debate on this legislation. I understand that all members support the bill. However, we're not sending the matter back to the committee for consideration.

Just two days ago, I had the opportunity to meet with a representative from the Alzheimer society, who stressed

to me how important it is that this bill gets to the committee so that they and other members of the caregiver coalition are able to speak to this bill—

The Speaker (Hon. Dave Levac): Thank you. Supplementary?

Ms. Soo Wong: I want to thank the minister for his remarks. I must admit, it is frustrating to hear, day after day, about this bill and the wide support across both parties opposite. Also, every Ontarian supports this bill—those I've spoken to. But we know that this bill has been stalled in the House time and time again, and I just want to remind the members that we have so many bills in this House. I'll give you examples: Bill 55, the Stronger Protection for Ontario Consumers Act, was debated for 18 hours and 39 minutes; Bill 11 on air ambulances was debated for 19 hours and 14 minutes; Bill 36, the Local Food Act, has been debated for 25 hours and 35 minutes.

Mr. Speaker, through you to the minister: Can he please explain some of the finer points of this bill that might be missed to the House?

Hon. Yasir Naqvi: I agree with the member from Scarborough-Agincourt that there are many other pressing and important bills in this House that have taken a lot of debate. We need to pass this bill. This bill, at its core, is about building a compassionate society. It's about making sure that members of our families are able to look after each other if they're not feeling well.

Speaker, through you, I'm asking all the members of the opposition today to think about the Ontarians who are struggling every day to balance their work and family responsibilities. Let's come together. Let's work together and call this bill for a second reading vote. Let's send this bill to committee so that we can hear from our communities and pass this bill into law.

TENDERING PROCESS

Mr. Michael Harris: My question was for the Premier; however, I'll ask the Minister of Labour. Minister, we've heard the Premier talk a lot about the need to restore fairness in Ontario's construction industry. Well, the Fair and Open Tendering Act would do exactly that. By passing this bill, we would save Ontario taxpayers hundreds of millions of dollars every year, by preserving and restoring the ability of municipalities and school boards to openly tender contracts for large infrastructure projects.

To take a stand for taxpayers, the Association of Municipalities of Ontario, the Mayors and Regional Chairs of Ontario and the Large Urban Mayors' Caucus of Ontario have all endorsed this important legislative reform.

Minister, will you take a stand for Ontario municipalities and taxpayers by voting in favour of the Fair and Open Tendering Act today?

The Speaker (Hon. Dave Levac): Before I go to the Minister of Labour, the question was put in a way that I do want to use it as a reminder, including some of the things I've heard from this side: We do not refer to some-

body's presence here one way or the other or try to find a way to make comment on somebody's presence or not being here. So I'm asking all members to respect that tradition and stay on track.

Minister of Labour.

Hon. Yasir Naqvi: I want to thank the member from Kitchener-Conestoga for the question and for the work he's been doing on this bill. He and I had the opportunity to meet as well. We've spoken a couple of times now. I appreciate the work he is doing and I look forward to a very meaningful debate this afternoon on this bill.

Our government believes in fair and balanced labour relations. When bargaining a collective agreement, parties are free to negotiate terms that restrict the ability of the employer to contract only with unionized contractors. Some broader public service employers have become bound to province-wide construction industry collective agreements that contain restrictions on contracting out when the employees unionize. However, if a party feels that they should not be bound to a province-wide collective agreement, they do have options. In the legislation, there is a non-construction employer exemption that exists that municipalities can apply to—

The Speaker (Hon. Dave Levac): Thank you. Supplementary?

Mr. Michael Harris: Minister, when the Premier was talking about Ontario's construction industry last week, she said, "It only makes sense for there to be some fairness in the system...." So I hope you would agree that the province should no longer stand by and allow thousands of qualified contractors to be deprived of their right to work on public infrastructure in the community where they live, work and pay taxes.

This labour practice is wrong and you know it. Discriminating against qualified contractors on the basis of who they have chosen to associate with is patently unfair and unacceptable.

Minister, will you stop dividing Ontarians and take action to restore fairness in Ontario's construction industry today?

Hon. Yasir Naqvi: Speaker, as I was mentioning earlier, there is a very specific non-construction employer exemption that exists under the Ontario Labour Relations Act, and if a municipality or a public entity feels that they're not a construction employer, they can file an application with the Ontario Labour Relations Board. In fact, the member opposite must know that that exemption was actually brought in by the then Minister of Labour, Jim Flaherty, in 1998. Very clearly, those criteria and that exemption was renewed or refined again in 2000 by the Progressive Conservative Party when they were in government.

In fact, Speaker, I find it very interesting that at Hamilton city council, when a debate was taking place on this particular private members' vote that will be debated this afternoon, the city councillor from Stoney Creek and former PC Minister of Labour, Brad Clark, refused to support the motion. He said, "What is proposed here is draconian. It would terminate all collective agreements."

THUNDER BAY GENERATING STATION

Ms. Andrea Horwath: My question is to the Minister of Energy. I was in Thunder Bay last week speaking with municipal leaders, energy and mining experts and the chamber of commerce. They want answers from the minister about Thunder Bay's generating station. Liberals promised a conversion and then cancelled it, then promised it again and then cancelled it again.

People of Thunder Bay want some certainty. The Premier and the minister have had enough time to make a decision, and now the northwest deserves an answer. Will this government be converting the Thunder Bay Generating Station to natural gas?

Hon. Bob Chiarelli: I thank the leader of the third party for the question.

Mr. Speaker, we have been putting in a lot of time and attention, and indeed consultation, with people from Thunder Bay and the Dryden area. We had some very significant meetings at the AMO conference. We are well into finalizing details on that particular issue.

One thing we have done is acknowledge, in a recent report that just came out from the Ontario Power Authority, the tremendous requirement for new generation in the northwest. That particular report is online and I encourage the leader of the third party to read it.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Andrea Horwath: Thanks for the advice. I've read the report, Speaker.

The people of northwestern Ontario need to know that their region has the energy necessary to grow, to create new jobs, and to take its place as an economic leader in the province. They can't do that if there is uncertainty over how they will meet their energy needs going into the next years and decades ahead. When can the people in northwestern Ontario expect this government's decision about the future of the Thunder Bay Generating Station gas conversion?

Hon. Bob Chiarelli: Mr. Speaker, I'm concerned that the leader of the third party is speaking only about Thunder Bay and that one particular generating station. There is a very significant challenge in northwestern Ontario, including north of Dryden, including Thunder Bay and including west of Thunder Bay. We are looking at all of those. We will be providing an answer which will include very significant investments in transmission and generation in that part of the province, probably within three or four weeks.

I would ask the leader to be a little more patient and also be mindful that any future generating plant in Thunder Bay will be used six hours per year.

RESEARCH AND INNOVATION

Mr. Phil McNeely: My question is for the Minister of Research and Innovation. Our government has continued to help companies in their efforts to commercialize innovative technologies in Ontario because it leads to more high-skilled jobs and better opportunities for eco-

nomic growth. Providing the support needed to companies undertaking innovative technologies develops the opportunities to create leading-edge, globally competitive companies. By supporting great ideas, innovative thinking and new-tech companies today, we will help create the products, services and jobs that will drive Ontario's economy in the future. Many of these technologies need to be proven on a small scale before they can be implemented in larger-scale real-world applications.

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Mr. Speaker, through you to the minister: What is this government doing to support these companies with promising and innovative technologies?

Hon. Reza Moridi: I would like to thank the member from Ottawa–Orléans for that question. Our government recognizes the importance of providing financial assistance to innovative companies in order to thrive not only in Ontario but in the global market.

One of our initiatives is the Innovation Demonstration Fund. This fund provides assistance to companies looking to commercialize new green technologies. To date, the Innovation Demonstration Fund has assisted 41 projects, with a total commitment of \$96.1 million, and helped create over 4,100 jobs.

Our government also recognizes the importance of investments in early-stage innovative companies. Another initiative of our government is the Investment Accelerator Fund. This fund provides assistance to companies who are in the early stage. To date, the Investment Accelerator Fund program has made investments in 68 promising Ontario companies and invested \$35 million.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Phil McNeely: I'm pleased to hear that our government is making investments that will help support early-stage innovative companies. With high-growth companies creating 50% to 60% of the net new jobs in Ontario, access to capital is critical for start-up and early-stage innovative companies.

Our government's budget reiterated its commitment to support early-stage companies through our \$50-million investment in the Ontario Venture Capital Fund II. This fund, with the expertise to accelerate commercialization of new products, services and ideas, will help foster the right climate to attract investment, support innovation, create jobs and grow Ontario's economy.

Mr. Speaker, back to the Minister of Research and Innovation: What else has the government done to support early-stage innovative enterprises?

Hon. Reza Moridi: I want to thank, again, the member from Ottawa–Orléans for that question.

Access to risk capital is the key, and critical to start-up and early-stage companies. That's why our government, in 2008, has created the Ontario Venture Capital Fund, with an investment of \$95 million, which leverages, actually, \$115 million from the private sector to form a venture capital fund in the amount of \$205 million. That created 1,500 jobs.

This year, we committed \$50 million to create another venture capital funding collaboration with our federal

government. This fund is going to create \$300 million from the public sector, and it will contribute to the economy of this province in the amount of \$4.4 billion in the next 12 years.

Mr. Speaker, our government supports great ideas, innovative thinking and new technology today in order to grow our economy tomorrow.

YOUTH SERVICES

Mr. Rod Jackson: My question is to the Minister of Children and Youth Services today. At the historic Queen's Park Youth Leaving Care hearings almost two years ago, I learned of a significant problem in child welfare. Youth who find themselves in need for the first time at age 16 or 17, whether they slipped through the cracks or their situation has suddenly changed, are denied access to the very support services that are available to their same-age peers who are already in the child welfare system. Speaker, I don't want to mince words here: This is discrimination. And it is a contravention of the Canadian charter and the UN Convention on the Rights of the Child. The greater child welfare community has been lobbying for this change for over a decade.

Minister, please tell me, why has this Liberal government been tolerating this injustice for so many years?

Hon. Teresa Piruzza: Thank you for bringing forward the recommendations that came forward from the Youth Leaving Care and their blueprint. Frankly, our government has been responding to those recommendations and we've been following their advice. We've developed new resources and supports to help new youth, many of them having been announced this summer, in terms of increased supports, in terms of mental health workers in our community, in terms of access to post-secondary university.

We are certainly listening to our Youth Leaving Care. We have followed up on many of their recommendations. We will continue to work with the group to move forward to ensure that all our youth are able to succeed in this province.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Rod Jackson: Lack of service to these youth in need doesn't just impact them; it impacts all of us as a greater Ontario community. Under the current system, these children are erroneously treated as adults. Their limited options include homeless shelters, suing their parents and making a case for Ontario Works. It should come as no surprise that they struggle to stay in school, they're frequently victims of violent crime, as well as have elevated rates of incarceration and have more hospitalizations due to high-risk street behaviours.

In the developed world, Ontario lags behind all jurisdictions, doing the least amount of work for this group of youth. You must understand that this isn't a personal battle down a dark path for these children. It's all of our battle. It's a province-wide crisis.

Minister, leaving no child behind requires more than lip service. This systemic error cannot be tolerated any

longer. Will you and your caucus see the light and support Bill 88 this afternoon, which corrects these problems?

Hon. Teresa Piruzza: Again, I want to thank the member opposite for your question. I'm glad you're bringing forward the concerns of our youth—again, something that we've been working on for some time. My children are in that age group, so certainly I have a personal connection to youth and the supports that are available to them.

I look forward to the debate this afternoon. The ministry will carefully consider the proposed amendments and how we can improve services to youth—again, an issue that I've been working quite diligently on since becoming minister.

HEALTH CARE

Mr. Paul Miller: My question is to the Acting Premier. On April 24, I asked a question to the Minister of Health on behalf of the Cassavetes family. On the first anniversary of their daughter's passing, they were in this Legislature still trying to get answers to the very simple questions about what went horribly wrong at Sick Kids. The minister met with the family but, Speaker, why has this minister done absolutely nothing to respond to the concerns of this family?

Hon. Brad Duguid: As always, our concern and our thoughts are always with the family in these kinds of circumstances. I'm not familiar with this particular situation, Mr. Speaker; I'm sure the Minister of Health, having received the question before, is. I'm sure she would take every measure she can to help the member in any way that she can.

We're working really hard, and have been for a number of years, to continue to invest in health care and continue to make improvements. We are very determined to transform our health care system to ensure that it continues to be sustainable into the future. We've gone from having the highest wait times in the country to the lowest, which is something that we can all be proud of. But with regard to this particular issue, I'll be happy to pass along to the minister that you asked another question on it.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Paul Miller: Speaker, on April 24, the minister said, "As I said in the first question, I will be more than happy to meet with the family after question period, and I can learn more about this situation and make sure that you get answers that you deserve." But has she done this or anything for the family? No. The minister has done absolutely nothing. Yet another broken Liberal promise, this time to a grieving family.

Will this minister finally do what she said she would do and get the answers this family deserves, while ensuring implementation of Ombudsman oversight?

Hon. Brad Duguid: I appreciate the question from the member opposite and commend him for going to bat for his constituents. At the same time, this province has never had a health minister that has been so dedicated to

working to ensure that we have the best-quality health care system in this province. As I said before, we've gone from some of the highest wait times in the country to a province now that is seen nationwide as having the lowest wait times. That wasn't easy. It took a lot of investment. It took a lot of work. But I'll certainly ensure that the minister is made aware of the question that the member asked. I'm sure the minister will be happy to get back to the member.

Mrs. Christine Elliott: Point of order, Mr. Speaker.

The Speaker (Hon. Dave Levac): The member from Whitby–Oshawa on a point of order.

Mrs. Christine Elliott: Given the support that I've heard this morning, I wish to seek unanimous consent of this Legislature to immediately strike the select committee so that it can begin its work on developmental services.

The Speaker (Hon. Dave Levac): The member from Whitby—

Interjection.

The Speaker (Hon. Dave Levac): I would like to put the question first before we make any decisions on anything.

The member from Whitby–Oshawa has asked for unanimous consent to strike a committee immediately. Do I hear agreement? I heard a no.

Interjections.

The Speaker (Hon. Dave Levac): I'm not going to give up on this.

There are no deferred votes. Therefore, this House stands recessed until 1 p.m.

The House recessed from 1140 to 1300.

INTRODUCTION OF VISITORS

Ms. Helena Jaczek: From the Armenian-Canadian community, in the east members' gallery, we have Hratch Aynedjian, Vahan Ajamian and Krikor Baghdasarian. Welcome to Queen's Park.

Mr. Rob Leone: I would like to introduce Jan Liggett and Les Kadar from Cambridge, who are here to witness the proceedings of Bill 73. I know Jim Kelly is also from Cambridge; he is also going to be witnessing the proceedings on Bill 73. Welcome to Queen's Park.

Mr. Paul Miller: Today it's my pleasure to introduce my brother Bob. His lovely wife, Rosemary, and, of course, my lovely wife Carole are here in the west gallery.

The Speaker (Hon. Dave Levac): You know I can't resist: So that's why you're behaving today?

Interjections.

The Speaker (Hon. Dave Levac): The Minister of Children and Youth Services.

Hon. Teresa Piruzza: I'm standing, actually, on a bit of a point of order, to correct my record from earlier today.

When I introduced our guest, I may have said "We to Me" instead of "Me to We" of the award that Sarah

Lewis won. I just wanted to ensure that the record had it correct.

The Speaker (Hon. Dave Levac): Thank you. The member does have a right to correct her record.

I will ensure that, if there are lots of introductions, we'll get them all done.

Mrs. Jane McKenna: It gives me great pleasure to introduce to the Legislature a constituent of mine, Stephen Bauld, who is in the west wing today.

MEMBERS' STATEMENTS

TALL SHIPS

Mr. Bill Walker: Thousands of Ontarians sailed back to the year 1812 during this summer's Tall Ships tour. The tour, presented by Redpath Sugar and the Ministry of Tourism, Culture and Sport, and locally by the city of Owen Sound's economic development department, saw majestic tall ships sailing to 16 Ontario ports throughout the summer, commemorating the bicentennial of the War of 1812.

The tour proved to be a godsend for my riding of Bruce-Grey-Owen Sound, where it was held in conjunction and cross-promoted with the very successful annual Summerfolk festival.

The Pride of Baltimore II, a 157-foot reproduction of an 1812-era topsail schooner privateer; the Playfair, a 72-foot two-masted square-rig brigantine; and Liana's Ransom, an 85-foot steel-hulled schooner, sailed the Owen Sound harbour between August 16 and 18.

Early estimated attendance in Owen Sound, including both ticket purchasers and others who came to the area to watch the tall ships, was well in excess of 15,000 people. Attendance at southern Georgian Bay was over 70,000 people and, for all Tall Ships venues across Ontario, was over 900,000 people. Tall Ships festival organizers Paul Eichhorn and Doug Cleverley said the ships were so successful, they could have sold twice as many tickets.

With tourism playing a key economic role in Bruce-Grey-Owen Sound, events such as this are a valued and wonderful boost to our local business community and help to provide jobs at a time when they are surely needed.

The next time a fleet of tall ships sails into the Great Lakes is 2016, so I hope the House joins me in encouraging the government to get on board and support the next one.

HAMILTON MUSIC COLLECTIVE

Mr. Paul Miller: The Hamilton Music Collective program An Instrument for Every Child is a successful Hamilton inner-city free music program for children from grades 1 to 4. So far, it is in six Hamilton schools.

Last Tuesday evening in Ancaster, it was my honour to attend the event marking the commencement of the fourth year of this program and to present the Trillium

Foundation cheque for \$35,000, which will purchase 140 musical instruments and provide free music instruction for the children.

I want to thank businessman Paul Lloyd, who provided the initial seed money of \$125,000 in 2010 to get this program launched.

The result of the program will be that children from challenged neighbourhoods will have increased access to creative instruction, a wonderful initiative that I am pleased is now supported by our Ontario Trillium Foundation.

But I'm particularly proud to thank my brother Bob, who is here today with his wife Rosemary and is the volunteer CEO of the Hamilton Music Collective, for his ongoing good work with this group for our inner-city children. It's a wonderful program, and I hope the government gets behind this in a big way.

ARMENIAN COMMUNITY

Ms. Soo Wong: I'm pleased to rise and lend my voice to the others here today in offering congratulations as we celebrate 22 years of Armenian independence. I know that I join my colleague and friend, the member for Oak Ridges-Markham, in offering greetings to the members of our Armenian community who are here at Queen's Park today, and also to the many Armenian leaders and families living in our great province.

On September 21, 1991, Armenians voted overwhelmingly in favour of independence after 70 years of Soviet rule, and today Armenia grows and prospers as a free and independent state.

In Ontario we have been fortunate to welcome many Armenians into our community since the first Armenians arrived in Canada in the late 1980s. Armenians have a rich culture and history, and no doubt contribute to our great province called Ontario.

The Armenian Community Centre of Toronto serves my riding of Scarborough-Agincourt, and I've had the pleasure of working closely with many community leaders as well as residents in my riding. On this day of celebration and remembrance I would like to thank the Armenian Community Centre for the great work they do in our community.

Congratulations to Armenian Canadians all across the province for 22 years of independence.

WALSH'S SNUG

Mr. John O'Toole: I'd like to congratulate Walsh's Snug in Newcastle on being named the number one Irish restaurant in all of Ontario. I want to congratulate John and Leslie Walsh and their staff on this very well-deserved award. The award is from TripAdvisor, the world's largest online travel website. The Snug was reviewed and received raving reviews from visitors who report that the food is excellent and the owners and staff are always attentive and friendly.

The Snug was named after a small private room in an Irish pub at the heart of the pub itself. The room was typically the place for private meetings, convivial conversations and perhaps a business deal or two. The Snug is a great example of a small business in my riding that is committed to excellence and outstanding customer service for the convenience and consideration of their patrons. I am pleased to learn that this little bit of Ireland in downtown Newcastle has been recognized throughout Ontario.

For true Irish fare and atmosphere, plan a visit to the King Street Newcastle pub called the Snug. I'd encourage everyone to do it.

The Speaker (Hon. Dave Levac): We wouldn't want to snub the Snug.

RUN FOR HEROES MARATHON

Mr. Taras Natyshak: Thousands of runners of all ages are expected at this year's Run for Heroes Marathon in Amherstburg this weekend. Trumpeted by organizers as one of the flattest and fastest such foot races, only 10 metres separate the lowest from the highest elevation. This official run for the battle of 1812 bicentennial is a Boston Marathon qualifier.

This weekend includes a 42-, 21-, 10- and five-kilometre race and walk events, with the 42-kilometre full marathon starting at 7 a.m. on Sunday, October 23. A health and fitness expo at the United Communities Credit Union will also take place in Amherstburg, and it's being held in conjunction with the races. On Saturday, we'll see a five-kilometre walk and a 300-metre kids' dash around Fort Malden.

For more details people can visit www.runningflat.com. All proceeds benefit the caregiver program of the Alzheimer Society of Windsor-Essex County, and pledge forms can be found at alzheimerwindsor.com.

According to the organizers, heroes live amongst us. They raise the bar and make us all better people. This run allows you to say, "I'm running for the person who made a difference in my life."

I want to give some credit and a shout-out to Chris Uszynski, who is the organizer, and the town of Amherstburg, which puts on a wonderful series of events throughout the year. In particular, I want to acknowledge a runner from the community of Stoney Point, Cathy Chauvin, who is a special constituent who will be running for her son Joe this weekend. I wish her Godspeed. Have a great run and have a great time.

LLOYDTOWN REBELLION

Ms. Helena Jaczek: This September marks the 175th anniversary of the death of Jesse Lloyd, who, along with his close ally William Lyon Mackenzie, was a leading reformer and advocate for responsible government in Upper Canada during the 1830s.

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In the late 1820s, he founded Lloydtown, a hamlet located in King township, in my great riding of Oak Ridges-Markham, which played a significant role in the Upper Canada Rebellion of 1837. Lloyd's passion for democracy spread, and his grist mill in Lloydtown became a meeting place for citizens to express their displeasure against the anti-democratic governing establishment, the Tory Family Compact. These meetings became the foundation of the Lloydtown rebellion.

A plan finalized at a meeting in Lloydtown was eventually established for groups of reformers to meet at Montgomery's Tavern, where they would march down Yonge Street to further their cause. On their march, the reformers originally outnumbered the local militia. However, reinforcements arrived, and the reformers were forced to retreat. Known today as the Battle of Montgomery's Tavern, it is seen as one of the most significant events of the Upper Canada Rebellion. Although the battle was lost, the war was not, as responsible government was a key recommendation of the Durham report of 1839.

Today a statue of Jesse Lloyd stands proudly in Lloydtown as a monument to the quest for responsible government and the people who fought for it in Ontario.

ONTARIO JUNIOR CITIZEN OF THE YEAR AWARDS

Mrs. Jane McKenna: Founded in 1950 and based in Burlington, the Ontario Community Newspaper Association—OCNA for short—is a non-profit industry association made up of more than 300 member newspapers across the province. Those papers reach virtually every household in Ontario. It's quite an accomplishment, and the OCNA is dedicated to making sure that this remarkable success continues.

One of the ways they do that is by strengthening community connections. Case in point: This week, with the support of program sponsors TD Bank Group and Direct Energy, the OCNA launched its 2013 Ontario Junior Citizen of the Year Award program. Every year, these awards celebrate wonderful examples of courage, leadership and community spirit among young people across Ontario. This program spotlights the exceptional contributions that the young leaders of tomorrow are making in their communities every year.

You can help to make sure that these exceptional young people are recognized. Any resident of Ontario aged six to 17 is eligible. Nominations may come from anyone in the community. You can learn more about the program at www.ocna.org/juniorcitizen, and you can make nominations until November 30, 2013.

I would invite everyone to celebrate the best of our children and youth.

ABSOLUTE WORLD TOWERS

Ms. Dipika Damerla: Speaker, I was just thinking that if there was ever a situation that came to pass that you or any of these MPPs were driving through Mississauga and were wondering where the heck is Mississauga East—Cooksville, well, it's gotten a lot easier. All you have to do is look up, way up, and you will see skyscrapers like no other. I'm referring to Mississauga's Absolute World Towers 1 and 2. An iconic structure right in the centre of downtown Mississauga, these two towers define the Mississauga skyline.

It was back in 2006 that the city of Mississauga called for an international competition to be held for the design of the fourth tower of the Absolute World complex. This competition was the first in over 40 years held by a private development group for a building in the greater Toronto area—not done since after the Toronto city hall competition.

Over 600 registrants and 92 submissions from architects in 70 countries participated. Of six finalist designs, the public voted on its preferred design, and in March 2007, Yansong Ma, founder of the MAD office architectural design firm, was announced as the winner.

I'm proud to share with this House that just six years later, Mississauga's Absolute World Towers 1 and 2 has been recognized for its innovative design and has been named as the world's best skyscraper of 2012.

GLENGARRY FINE CHEESE

Mr. Jim McDonell: I am proud to acknowledge Margaret Peters from my riding of Stormont—Dundas—South Glengarry, whose hard work, skill and determination has achieved world-class recognition in the agri-food business. Brought up on a South Glengarry dairy farm and equipped with a bachelor of science in agriculture and food, Margaret opened Glengarry Fine Cheese on her family farm just north of Ancaster in 2008. It has established a name for quality specialty cheeses and has won countless awards across North America.

Many of you have already sampled some of her cheeses because they are often highlighted right here at Queen's Park at many of our events. Recently, Glengarry Fine Cheese entered two cheeses into the Frome agricultural society cheese show in England, which has judged cheeses for over 150 years as one of the oldest and most prestigious cheese fairs in the United Kingdom, gathering competitors from all over the world. Amongst thousands of entries from all around the world, Margaret's Lankaaster loaf earned the title of global champion cheese, proving what local residents and countless lovers of Glengarry Fine Cheese products have known all along: We do produce the best cheese in the world.

The judges also awarded Glengarry Fine Cheese a bronze medal in the hard blue vein cheese class for their Celtic blue.

I congratulate Margaret on this great achievement and look forward to many more world-class awards. Congratulations, Margaret, and well done.

The Speaker (Hon. Dave Levac): Thank you, and, I suspect, samples all around.

INTRODUCTION OF BILLS

PROTECTION OF MINORS IN AMATEUR SPORTS ACT, 2013

LOI DE 2013 SUR LA PROTECTION DES MINEURS PARTICIPANT À DES SPORTS AMATEURS

Mr. Ouellette moved first reading of the following bill:

Bill 104, An Act to provide protection for minors participating in amateur sports / Projet de loi 104, Loi visant à protéger les mineurs qui participent à des sports amateurs.

The Speaker (Hon. Dave Levac): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Dave Levac): The member for a short statement?

Mr. Jerry J. Ouellette: For the thousands of volunteers participating in sport and ensuring that we develop youth through the action of sports, whether it's coaching, managing, training, and all other aspects, there's always that one bad apple that spoils the entire bunch. Essentially, what this bill does is it requires background checks to ensure that those individuals who should be out there developing our kids are with kids.

PETITIONS

PHYSIOTHERAPY SERVICES

Mr. John O'Toole: Thank you very much, Mr. Speaker, for the privilege of being first.

"Whereas the Ministry of Health and Long-Term Care plans to eliminate OHIP-funded physiotherapy services currently provided to seniors in retirement homes—and changing the current provider of the service as of August 1st, 2013; and

"Whereas last year the government spent \$110 million on physiotherapy for seniors in long-term care, but with the proposed changes this will decrease to \$58.5 million; and

"Whereas, instead of the 100 to 150 visits per year a senior may receive now from their dedicated, on-site OHIP physiotherapy staff, the change would mean a CCAC therapist would provide only five to 10 visits on-site only to seniors who are bedridden or have an acute injury; and

“Whereas this change not only reduces the funding available, but also moves funds from the lowest-cost provider (OHIP physiotherapy providers at \$12.20 per treatment) to the highest-cost provider (CCAC at \$120 per treatment); and

“Whereas these services are proven to help seniors improve in their activities of daily living, mobility, pain and fall risks;

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

“To review and reverse the decision to eliminate OHIP physiotherapy services to seniors in retirement homes and continue with the provision of at least 100 treatments per year with a mechanism to access an additional 50 treatments, if medically necessary, with the current low-cost OHIP physiotherapy providers.”

I’m pleased to sign and support this great petition from my riding.

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FAMILY CAREGIVER LEAVE

Ms. Soo Wong: I’m pleased to rise to bring a petition to the Ontario Legislative Assembly.

“Whereas the people of Ontario deserve to be able to look after their sick or injured family members without fearing that they will lose their jobs at such a vulnerable time;

“Whereas the people of Ontario deserve to be able to spend time looking for a child that has disappeared, or take time off to grieve the death of a child that was murdered without fearing that they will lose their jobs;

“Whereas the federal government has recently extended similar leaves and economic supports to federal employees;

“Whereas the government of Ontario, and the Premier of Ontario, support Ontario families and wish to foster mental and physical well-being by allowing those closest to sick or injured family members the time to provide support free of work-related concerns;

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

“That the Legislative Assembly of Ontario pass and enact, during spring of 2013, Bill 21, the Leaves to Help Families Act.”

I fully support the petition and give it to page William.

AIR QUALITY

Mr. Steve Clark: I have a petition to the Legislative Assembly of Ontario.

“Whereas Ontario’s Drive Clean program was implemented only as a temporary measure to reduce high levels of vehicle emissions and smog; and

“Whereas vehicle emissions have declined so significantly from 1998 to 2010 that they are no longer among the major domestic contributors of smog in Ontario; and

“Whereas the overwhelming majority of reductions in vehicle emissions is the result of factors other than Drive

Clean, such as tighter manufacturing standards for emission-control technologies; and

“Whereas the environment minister has ignored advances in technology and introduced a new, computerized emissions test that is less reliable and prone to error; and

“Whereas the new Drive Clean test has caused the failure rate to double in less than two months as a result of technical problems with the new emissions testing method; and

“Whereas this new emissions test has caused numerous false ‘fails,’ which have resulted in the overcharging of testing fees for Ontario drivers and car dealerships, thereby causing unwarranted economic hardship and stress;

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

“That the Minister of the Environment take immediate steps to begin phasing out the Drive Clean program.”

I’m pleased to support this petition, affix my signature and send it to the table with page Taylor.

REPLACEMENT WORKERS TRAVAILLEURS SUPPLÉANTS

Mr. Taras Natyshak: I’m pleased to present a petition to the Legislative Assembly of Ontario that reads:

“Whereas strikes and lockouts are rare: on average, 97% of collective agreements are negotiated without work disruption; and

“Attendu que des lois contre le remplacement temporaire des travailleurs existent au Québec depuis 1978 et en Colombie-Britannique depuis 1993, et les gouvernements successifs de ces deux provinces n’ont jamais abrogé ces lois; et

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

“Attendu que le remplacement temporaire des travailleurs pendant une grève ou un lock-out compromet le tissu social d’une communauté à court et à long terme ainsi que le bien-être de ses résidents;

“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 agree with this petition, will affix my name and deliver it to the Clerks’ table through page Kyle.

PUBLIC TRANSIT

Ms. Soo Wong: I have a petition to the Legislative Assembly of Ontario.

“Whereas Scarborough residents north of Ontario Highway 401 and east of Don Mills are without a rapid transit option; and

“Whereas a strong transit system is critical for increasing economic development and tackling income disparity; and

“Whereas this geographical area continues to grow and the demand for strong rapid transit continues to increase; and

“Whereas Sheppard Avenue is a major artery for automobile traffic for commuters travelling from suburbs to downtown Toronto, and travelling from suburb to suburb; and

“Whereas ground-level rapid transit would increase traffic, restrict lanes for automobiles, and add further risk for pedestrians and commuters at dangerous intersections along Sheppard Avenue; and

“Whereas demands for underground rapid transit along Sheppard Avenue have been part of public discourse for over 50 years; and

“Whereas the province of Ontario previously approved a plan from the city of Toronto to extend the Sheppard subway line from Downsview to Scarborough Centre; and

“Whereas an extension to the Sheppard subway line will require contributions and co-operation from the city of Toronto, the province of Ontario and the government of Canada;

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

“To support the extension of the Sheppard subway line east to Scarborough Centre; and

“To call upon all levels of government to contribute multi-year funding for the construction and operation of an extension to the Sheppard subway line.”

I fully support the petition and give it to Erica, the page.

FISHING AND HUNTING REGULATIONS

Mr. Jerry J. Ouellette: I have a petition to the Legislative Assembly of Ontario.

“Whereas the” Wynne “government has drastically reduced the number of Ontario hunting and fishing regulation booklets available to the public; and

“Whereas regulations in printed booklets are the most portable and convenient format for outdoorspersons to consult in the field, while hunting or fishing; and

“Whereas in addition to the Internet being unavailable in remote locations, many Ontarians do not have Internet access, or prefer information in print rather than electronic format; and

“Whereas those who hunt and fish pay substantial amounts each year to purchase outdoor cards, hunting licences and fishing licences and it is reasonable to expect that a booklet explaining the regulations should be provided as a courtesy; and

“Whereas Ontario hunters and anglers need to access the most current regulations to ensure” that anyone “hunting and fishing” can do so “safely and lawfully;

“Therefore we, the undersigned, ask the Ministry of Natural Resources to respect the wishes of Ontario

anglers and hunters by providing hunting and fishing regulations in a booklet format to everyone who needs one.”

I affix my signature in full support.

LONG-TERM CARE

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

“Whereas Ontario ranks ninth of 10 provinces in terms of the total per capita funding allocated to long-term care; and

“Whereas the Ontario Ministry of Health and Long-Term Care data shows that there are more than 30,000 Ontarians waiting for long-term-care placements and wait-times have tripled since 2005; and

“Whereas there is a perpetual shortage of staff in long-term-care facilities and residents often wait an unreasonable length of time to receive care, e.g.,” for attending to “toileting needs; to be fed; to receive a bath; for pain medication,” etc. “Since 2008, funding for 2.8 paid hours of care per resident per day has been provided. In that budget year, a promise was made to increase this funding to 4.0 hours per resident per day by 2012. This has not been done; and

“Whereas the training of personal support workers is unregulated and insufficient to provide them with the skills and knowledge to assist residents who are being admitted with higher physical, psychological and emotional needs. Currently, training across the province is varied, inconsistent and under-regulated;

“We, the undersigned, petition the Legislative Assembly of Ontario to:

“(1) immediately increase the number of paid hours of nursing and personal care per resident per day to 4.0 hours (as promised in 2008);

“(2) develop a plan to phase in future increases so that the number of paid hours per resident per day of nursing and personal care is 5.0 hours by January 2015;

“(3) establish a licensing body, such as a college, that will develop a process of registration, accreditation and certification for all personal support workers.”

I agree with this petition and will be passing it off to page Jasper.

HIGHWAY IMPROVEMENT

Mr. Norm Miller: I’ve received a number of petitions from the London area in support of Bill 79, paved shoulders on provincial highways. It reads:

“To the Legislative Assembly of Ontario:

“Whereas pedestrians and cyclists are increasingly using secondary provincial highways to support healthy lifestyles and expand active transportation; and

“Whereas paved shoulders on highways enhance public safety for all highway users, expand tourism opportunities and support good health; and

“Whereas paved shoulders help to reduce the maintenance cost of repairs to highway surfaces; and

"Whereas the member from Parry Sound-Muskoka's private member's bill provides for a minimum one-metre paved shoulder for the benefit of pedestrians, cyclists and motorists;

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

"That private member's Bill 79, which requires a minimum one-metre paved shoulder on designated provincially owned highways, receive swift passage through the legislative process."

I support this petition.

SHALE BEACH

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

"Whereas the Ministry of Transportation closed public access to Shale Beach off Highway 26 in the town of Blue Mountains suddenly and with no consultation; and

"Whereas the closure will impact fisherman, swimmers and visitors who have been frequenting the beach for generations with no problem; and

"Whereas the closure will remove one of the only wheelchair-accessible fishing locations in the area; and

"Whereas the McGuinty-Wynne Liberal government won't let Ontarians enjoy anything for free anymore without implementing a new tax or a new fee;

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

"That Premier Kathleen Wynne and the Minister of Transportation immediately restore access to Shale Beach so that residents can continue to enjoy the beach and all that it has to offer for generations to come."

I certainly agree with this petition and I will sign it.

1330

WIND TURBINES

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

"Whereas the Auditor General confirmed that no comprehensive evaluation was completed by the" McGuinty-Wynne "government on the impact of the billion-dollar commitment of renewable energy on such things as net job losses and future energy prices, which will increase another 46% over the next five years; and

"Whereas poor decisions by the" McGuinty-Wynne "government, such as the Green Energy Act, where Ontario pays up to 80 cents per kilowatt hour for electricity it doesn't need and then must pay our neighbours to take it for free, and the billion-dollar cost of the seat-saving cancellation of the Oakville and Mississauga gas power plants, have contributed to making the cost of Ontario power the highest in North America; and

"Whereas there has been no third party study to look at the health, physical, social, economic and environmental impacts of wind turbines; and

"Whereas Ontario's largest farm organizations, the Ontario Federation of Agriculture and the Christian Farmers Federation of Ontario, have called for a suspension of industrial wind turbine development until the serious shortcomings can be addressed; and

"Whereas the" McGuinty-Wynne "government has removed all decision-making powers from the local municipal governments when it comes to the location and size of industrial wind and solar farms;

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

"That the Liberal government support Huron-Bruce MPP Lisa Thompson's private member's motion which calls for a moratorium on all industrial wind turbine development until a third party health and environmental study has been completed."

I agree with this petition and will be signing it.

AIR QUALITY

Mr. John O'Toole: Thank you very much, Mr. Speaker, for the privilege.

"Whereas Ontario's new Drive Clean tests are recording higher-than-normal failure rates, even in cases where there is nothing wrong with a vehicle's emissions system; and

"Whereas this causes added inconvenience and higher costs for Ontario drivers; and

"Whereas in the case of pre-1998 vehicles, it is becoming increasingly difficult for owners to find an establishment that will provide the 'tailpipe' test for vehicles without the required on-board computer; and

"Whereas this provincial government has made no effort to reduce Drive Clean fees, even though the new Drive Clean test using a car's on-board computer takes less time and offers a more simplified testing process;

"Therefore we, the undersigned, ask the Ontario government take immediate action to correct the flaws in its Drive Clean testing program and also make an immediate commitment to phase out Drive Clean based on the consensus that this program has outlived its usefulness," as stated by the Auditor General of Ontario.

I'm pleased to sign and support this and give it to Ravicha, one of the pages.

AIR QUALITY

Mr. Jim Wilson: I want to thank Larry Moore of Tottenham for sending this petition to me.

"To the Legislative Assembly of Ontario:

"Whereas Ontario's Drive Clean program was implemented only as a temporary measure to reduce high levels of vehicle emissions and smog; and

"Whereas vehicle emissions have declined so significantly from 1998 to 2010 that they are no longer among the major domestic contributors of smog in Ontario; and

"Whereas the overwhelming majority of reductions in vehicle emissions were, in fact, the result of factors other than the Drive Clean program, such as tighter manu-

facturing standards for emission-control technologies; and

“Whereas from 1999 to 2010 the percentage of vehicles that failed emissions testing under the Drive Clean program steadily declined from 16% to 5%; and

“Whereas the environment minister has ignored advances in technology and introduced a new, computerized emissions test that is less reliable and prone to error; and

“Whereas the new Drive Clean test no longer assesses tailpipe emissions, but instead scans the on-board diagnostics systems of vehicles, which already perform a series of continuous and periodic emissions checks; and

“Whereas the new Drive Clean test has caused the failure rate to double in less than two months as a result of technical problems with the new emissions testing method; and

“Whereas this new emissions test has caused numerous false ‘fails,’ which have resulted in the overcharging of testing fees for Ontario drivers and car dealerships, thereby causing unwarranted economic hardship and stress;

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

“That the Minister of the Environment must take immediate steps to begin phasing out the Drive Clean program.”

I certainly agree with this petition, and I’m happy to sign it.

The Deputy Speaker (Mr. Bas Balkissoon): The time for petitions has expired.

PRIVATE MEMBERS' PUBLIC BUSINESS

CULTURAL DIVERSITY

Mr. Monte Kwinter: I move that, in the opinion of this House, the government of Ontario should oppose any legislation that would restrict or prohibit people’s freedom of expression and religion in public places and affirm that Ontario greatly values our diverse population and the social, cultural and economic contributions they make to help our society thrive.

The Deputy Speaker (Mr. Bas Balkissoon): Mr. Kwinter has moved private member’s notice of motion number 42. Pursuant to standing order 98, the member has 12 minutes for his presentation.

Mr. Monte Kwinter: It is with great pride that I rise today to speak about one of our province’s greatest strengths: our diversity. This is such an important issue in my community, and because there is an ongoing national debate that has Ontarians concerned, I thought it would be an excellent opportunity to reaffirm our commitment to diversity.

Certainly, this debate has been sparked by Quebec’s proposed legislation that, if passed, would ban all public

employees from wearing religious symbols such as turbans, hijabs, kippahs and crucifixes in the workplace. But this motion isn’t about Quebec. This is about Ontario. This is about reaffirming our commitment to diversity. This is about bringing peace of mind to the people across our province who go to work each day wearing symbols of their religious background.

The goal of my motion is simple but important. It seeks to reaffirm our government’s commitment to diversity and religious freedom in Ontario. I’ve been fortunate enough to live in Ontario for most of my life, and in that time I’ve seen our diversity flourish and grow. I’ve seen people from all across the world, people from all religions, move to our province and join our communities. According to the latest census data, this province is home to over 13.5 million people. Many come from different areas of the world, and our newcomers arrive from over 200 countries and speak more than 250 languages.

People come to Ontario because it’s a great place to live, to work and to raise a family. But they also come because they know they will be greeted with tolerance and appreciation, and that their right of religious expression is not only protected; it’s guaranteed. We are, after all, one Ontario. We do not divide ourselves along cultural, geographical or religious lines. I’m proud to say that our province and our country have a reputation throughout the world as a place where people can live together in peace, a place where cultural and religious differences are celebrated and not criticized.

But the unfortunate reality is that not every country is like this. Not every country protects the right of freedom of religious expression. As I speak here today, there are people in this world who can only dream about having the rights and the freedoms that we enjoy here. That’s why people come to Ontario. That’s why people come to Canada. And that’s why this proposed legislation in Quebec has so many Canadians concerned.

For the people of Ontario, our diversity is a point of pride. We are proud of our Sikh population, our Hindu neighbours; we are proud of our Christian friends and our Muslim and Jewish brothers and sisters. But we’re also proud of our rights and our freedoms. The people of Ontario are proud to live in a province where the freedom of religious expression is protected. There is a national debate going on right now on this subject. People have been calling our MPPs’ offices asking what this message means for Ontarians. My intention is that this motion will bring peace of mind to a diverse population, to the people who go to work in government or publicly funded offices each day wearing religious clothing or other displays of diversity. I want the members of my community and communities across the province to know that the Ontario government feels our diversity is a strength that should be celebrated.

I first took notice of how passionately people in my riding felt about this issue earlier this month, during the Jewish High Holidays. While attending my synagogue, I spoke to many of my constituents, and a popular topic of

conversation was this proposed legislation in Quebec. As the members of this House may know, many members of Ontario's Jewish population once lived in Montreal. About 30 years ago they left due to the policies of the then provincial government in Quebec, and when I was speaking to these individuals, many of them were saying, "You see what they are doing in Quebec? It's a good thing we left when we did. It's a good thing that we came to Ontario."

1340

Other members of my community expressed concern. They were worried about the potential ramifications that such legislation would have for Ontarians. If religious expression is being targeted in our neighbouring province, could it happen here?

As a parent of four children, a grandfather to 10 grandchildren, an elected member of this province and a citizen of this great country, I would like to send a strong message to all Ontarians. This motion states that the government of Ontario would oppose any legislation that would restrict an individual's right of freedom of religious expression in public places. This motion reinforces that we are one Ontario. This motion will provide peace of mind not only to our diverse population, but to the many people across the world who one day hope to call Ontario home.

Since first tabling this motion, I have received a number of phone calls and emails of support. Speaker, I'd like to share a couple of these emails with the House.

This one says:

"Mr. Kwinter,

"I am not a resident of York Centre but I am writing to applaud your having introduced a motion to make it clear that Ontario does not support the Quebec charter of values.

"As Ontarians and Canadians, we need to stand up and make it clear that we oppose any legislation that undermines people's freedom of expression and religion in public places.

"Thank you for having taken this very important position in attempting to further identify Ontarians as people who foster a culture of inclusiveness."

Here's another one that I really liked:

"Dear Mr. Kwinter,

"I suggest the province post a huge sign on the border that reads 'Welcome to Ontario; come as you are.'"

These are just a few of the sentiments that I have been hearing, and I trust these are the sorts of sentiments that other MPPs are hearing as well. In fact, the member from Halton expressed these beautifully himself in a poem, and I understand he's going to be joining this debate and is going to deliver that poem again.

To conclude, I am so proud to live in Ontario. We are all so fortunate to live in a province where you can be who you want to be, a province where the role of the Ontario government is to foster a culture of inclusiveness, not one of division.

I'd like to echo the sentiments of Premier Wynne and our Minister of Citizenship and Immigration and say that

Ontario's diversity and freedom of expression and religion is a model to the world. Canada's diversity is a source of strength and pride, not weakness. As Premier Kathleen Wynne stated, "It's very important that Ontario is a diverse province, that our laws and our policies reflect that diversity. I believe that it is fundamentally one of our strengths."

Mr. Speaker, that's why I'm asking all MPPs from all parties to join me in reaffirming Ontario's commitment to diversity and support this motion. Thank you.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Ted Chudleigh: It's a pleasure and an honour to stand up today to comment on the motion from Monte Kwinter, the member for York Centre. It's a wonderful motion. It's a very positive motion in that it talks about what Ontario should do, not what other people should not do. That's a wonderful thing about this motion, I think.

It has, I think, inspired perhaps a tiny bit of movement in our sister province around their Charter of Quebec Values. Just in the last couple of days, there has been a bit of reporting in the paper that suggests that perhaps they would like to moderate their views a little bit. It needs a great deal of moderation, but the fact that they're starting in that direction—I thank the member for York Centre for his efforts on that behalf, and I think he's been responsible for some of that movement, so congratulations, Monte.

When I read my poem a week or so ago, it was very well received in the House, and it's gone—I don't know. The kids will tell you if it's gone viral or not. I'm not sure what that means, not being of that generation, but I've received a tremendous amount of comment on it and thanks for it.

I felt a little bit guilty because people have given me tremendous credit for this poem. It might not surprise many of my friends, but it might surprise others, that I didn't write it. I have a ghostwriter who wrote it for me, and I've got to give him credit because it's a tremendous poem.

Ben Ellis was an executive assistant of mine. We've stayed in touch over the years. Every once in a while when I read a poem, you'll know that it does come from Benjamin Ellis, who's currently living in Ottawa. This is the poem that Ben Ellis wrote:

An Ode to Freedom and Diversity.

In La Belle Province, they may dare

To tell you what you may not wear,

What symbols you may never bear

or what you can't put on your hair.

Muslims, Christians, Jews, beware!

You give the separatists quite a scare.

Buddhists, Hindus, Sikhs, take care!

You are not welcome over there.

Ontario, thank God, need not despair

of such hateful laws or divisive hot air.

We are free in thoughts, free in prayers,

Free in expression and all private affairs.

We value our rights over laws doctrinaire

Our diversity gives us such richness and flair.
When it comes to our faith, we say “laissez-faire”
and follow the words of the wise man Voltaire.
Voltaire said once that, “Man is free
the moment that he wants to be.”
In Ontario I’m glad to see
We don’t forfeit rights so easily.
PC, Liberal and NDP,
I commend all three parties here before me
We may fight over details, but never shall we
court voters that hate those who dress differently.
So say what you want, say it with ease
in English, Arabic, Greek or Chinese
Show us your faith, it’s not a disease,
And wear whatever you damn well please.
Thank you.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate? The member for Bramalea—Gore—Malton.

Applause.

Mr. Jagmeet Singh: Thank you to my colleagues as well. Thank you very much, Mr. Speaker.

I first would like to commend the member for taking on this initiative to raise awareness on this issue. It’s something that deserves recognition, and it definitely receives my support and my thanks for raising this issue, so let’s give him a round of applause too.

Applause.

Mr. Jagmeet Singh: I think it’s important in talking about this issue to take a step back and understand why the issue of religious freedom and expression is so important. In my opinion, it is one of the most important and valuable principles in democracy. It is essentially the root of freedom of thought, and in freedom of thought the other most cherished principle of democracy is the right to dissent. The belief that we can oppose the views of the government, we can think what we want, we can organize the way we want: These are some of the most fundamental rights we have as human beings. It’s for that reason that an attack on our freedom of thought and expression, embodied in our religious beliefs, is so abhorrent, so troubling and so concerning.

If we truly believe as a democracy that we want to protect these cherished values, then we must see the inalienable connection between the right to think, the right to express and the right to believe in what you will. So this notion that in public areas, as we are seeing in the charter of rights and values that’s being proposed by Quebec, we will, as a society, ban the practice of expressing your thoughts and your beliefs is very troubling. It’s something that our charter has protected. Under section 2 of the charter, we have enshrined in the law of this land, in the law of Canada, that wherever you are, no matter what laws are enacted, the supreme law in Canada is the charter, and it has embodied a protection for your right to express yourself and your right to express your religion.

It’s important to make it clear where we stand: that we certainly stand, as a province and as a nation, in support of these freedoms. In fairness, if we look at Quebec, Quebec itself is a divided province on this issue. It’s not

the case that everyone in Quebec supports this notion. Many of our brothers and sisters in Quebec have raised an issue with the type of message this sends to people of diverse backgrounds and of various religious beliefs: This is not something that we stand for even in Quebec, let alone in Canada.

1350

While I support the spirit of this motion, and support the principle that we want to make it clear that here in Ontario we protect the rights of religious minorities and of religious expression, particularly in public places—that is a fundamental right we should indeed want to see protected—I think that what we need to do, though, to make that message even more strong, is to move beyond simply a motion that indicates our desire to protect these freedoms and move to some concrete protection.

I want to talk about three areas where we could actually make a strong impact—make a very meaningful impact—on protecting these rights. In Ontario, we actually are facing this problem—it exists in Ontario—where religious expression is impeded, where religious expression is banned in certain public spheres. We need to address that in our own homes, so that we can send a clear message that we support religious freedoms. In addition to a motion, let’s actually have some concrete legislation that protects these freedoms.

One concrete example is in our courthouses. Courthouses—public, open courthouses—are a hallmark of democracy. In societies where we have a free and democratic society, we have the ability to go into a courthouse and see what’s going on, to view democracy and view the rule of law at work.

In societies that are based on the rule of law, it is incumbent upon those societies to make sure that anyone can access a courthouse; that it’s a place where the public can enter and actually see what’s going on. Whether you’re a participant because you are charged with an offence or you are a witness to an offence, whether you are a spectator who wants to see the way the law works in this country and this province, courthouses should be open and should be accessible.

In this province, those members of the Sikh faith who wear a kirpan are not able to enter the Brampton courthouse. That has a significant impact on their religious expression and their right to access a public space. It is a barrier to their ability to express their religion.

In Toronto, an accommodation has been made. That accommodation took years and years of courtroom battles through the human rights tribunal, and thankfully an accommodation was made that acknowledged that wearing your kirpan did not pose a threat to anyone’s security. Given the multitude of items in a courthouse—the ready access to glass, to metal, to pens and pencils—the notion that carrying your kirpan would create any threat whatsoever was denied and rejected.

We see an accommodation made in Toronto courthouses, but there is no accommodation made in Ontario, broadly speaking. And in Brampton, where the majority of Sikhs reside, there isn’t that accommodation. So this

issue still exists in our own province, and we need to take steps to improve that.

As a member of the NDP, I presented an amendment to the proposed law that would rescind the Public Works Protection Act and create a court security act. We as the NDP presented an amendment to the legislation that indicated that there should be an accommodation for religious symbols and articles of faith, as well as those with disabilities, to make sure they are accommodated in courthouses, so that we can ensure they are maintained in an open and accessible way. That is a meaningful way of protecting this right.

Muslim brothers and sisters, Hindu brothers and sisters in this society, Christians, the Jewish community, Zoroastrians, Buddhists: All these members of our society should be welcomed and not simply tolerated. When we have laws that say we will not impede your access to public spaces and we will protect your rights, that's going one step of the way. The next step, friends and members of this place, is that we need to make sure that people are not simply tolerated; they are accepted.

How do we move from tolerance to acceptance? The key step is that people know about each other. A great quote that I read is that the breeding ground for hatred is ignorance. If you have ignorance, ignorance leads to fear, and when you fear someone, you're likely to hate that person. Replace that breeding ground of ignorance with understanding or with knowledge, and knowledge leads to understanding and from understanding comes acceptance. If we are truly committed to this principle of ensuring the people in our society feel accepted and not simply tolerated, then we need to make sure that we take our responsibility seriously and ensure that people are educated about the various faith groups that exist, about their beliefs, about their culture, about what their principles entail, so that we can move away from this lack of knowledge, this ignorance that breeds the fear and the hatred, and move towards true understanding and acceptance.

If we're truly committed to protecting religious expression and freedom of thought, then we also have to look at our institutions and the fact that on the opposition side I am the only member of a visible minority—on the entire opposition side. In our Legislature, while I'm very, very encouraged by the fact there are members of visible minorities from Asian heritage, from South Asian heritage, from Caribbean backgrounds, from African-Canadian backgrounds—that's encouraging—we need to have more representation to make sure that our societies are not simply saying that we accept people, simply saying that we are multicultural and diverse, but we actually show it in a meaningful way in our institutions.

That's just political. In our private sectors, in our schools, in all of our institutions, our societies aren't representative of the communities that exist. Whether it's in school boards that are in communities that are quite diverse—the school board, whether it's the teachers or the principals, often doesn't reflect the members of that community. It's important to increase that representation

so that we really give credence to this belief that we support multiculturalism and diversity. We need to tear down the systemic barriers that exist, because those barriers create a real impediment to other communities from diverse backgrounds from actually accessing resources, from actually becoming a part of our society. We need to take some concrete steps to make that happen.

While this motion is significant in a response to clarify our position in Ontario, that Ontario is a place where we accept diversity and accept multiculturalism and plurality of religion, we need to go beyond that. So, friends, brothers and sisters, we need to move towards legislation that protects our rights. We need to move towards concrete steps of creating a climate of acceptance through education, through awareness campaigns, and we need to move towards a more representative society in which the systemic barriers that people face are torn down so that people from any background can be represented in society in every field, whether it's public or private.

One of the most troubling things I've seen as an elected official is the fact that racism and sentiments of hatred exist to this day in my society and across Ontario. In my community I can think of many examples where anti-Semitism is still alive and well, and it hurts me and troubles me that it still exists. We need to take steps to ensure that that no longer exists whatsoever. There's Islamophobia. There is a perpetual or an existing fear of members of the Muslim community, and we need to take steps to eradicate that fear and that prejudice. That goes with education. That comes with a campaign where we as leaders in our community take the steps to ensure that that's something that we do not accept, that we do not support, and that we need to be champions of creating a more accepting society.

As well, there are significant examples of racism against members of the South Asian community, including the members of the Hindu community in my riding, as well as Sikh members. There was recent vandalism of a Khalsa school, which is a school where there is a large percentage of Sikh students. There was vandalism and comments of a racist nature. So these are issues that exist, and we need more steps to move forward toward a society where we truly accept all people. We need to do that with concrete steps. So I acknowledge this motion and support it, but we need to move beyond that towards some real steps to protect our society. Thank you.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mrs. Amrit Mangat: I applaud the member from York Centre for bringing forward this motion to affirm that Ontario greatly values its diversity. This motion is a timely motion in the face of the Quebec government's Quebec charter of values, which will bar people from wearing articles of faith. I will support this motion.

1400

Mr. Speaker, to me, diversity means respecting each other's freedoms in a civil society. Ontario's strength lies in its diversity. It not only enriches us socially, culturally and economically; it also connects us globally. Diversity in this province is about people, not about symbols. People from different parts of the world, with different cultural and religious backgrounds, have made Ontario their home and have greatly contributed to building this beautiful province.

Diversity is not a wooden ship. It is like a beautiful bouquet of flowers. Diversity in this province is what we embrace, and we respect and celebrate our differences. I see it every day in every walk of life in my riding of Mississauga–Brampton South. I see it in the schools, colleges, universities, playgrounds, hospitals, religious institutions and religious symbols, and in the private and public sectors.

Our government believes in one thing, where every person counts. Especially on the Liberal side of the benches, I'm very delighted to see that our caucus is very diverse. I have said it many times before, and I would like to reiterate it again: I'm proud to be part of a government that encourages its citizens to protect and promote their religion, culture and heritage.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mrs. Christine Elliott: I do appreciate the opportunity to speak to this motion and to congratulate and thank the member for York Centre for bringing it forward. It is an important issue and one that is certainly worthy of debate in this chamber.

In my current role as the citizenship and immigration critic and as the chair of the community relations committee for the Ontario PCs, I've met with hundreds of members from various communities across the province. Many chose Ontario for its inclusiveness and openness to all. Some left their countries due to the fear of persecution for beliefs or because of their religious values. Whether they belong to Sikh, Muslim, Christian, Jewish or Hindu families, all are proud to live, work and raise families in Ontario. Whether they wear a turban, a hijab, a kippah or a cross, they are contributing to our communities economically, socially and culturally.

Many people dedicate their lives to public service as police officers, nurses or working in our armed forces. They're running thriving businesses and contributing to our economy. They are actively involved in politics, helping us shape the direction of our province. In Brampton, the Civic Hospital's emergency wing was named after Guru Nanak Dev Ji, founder of the Sikh religion, after the Sikh community donated millions of dollars to the hospital. In Mississauga, Muslims have been taking on initiatives to help feed those less fortunate by organizing food drives during Eid. The Jewish community is actively involved in providing support programs for seniors and others. These are all invaluable contributions to our province.

I'm also very happy to see an initiative that has been launched by Lakeridge Health Corp. in Durham region. They have started a recruitment drive to promote recruitment and hiring health professionals in their hospitals in Oshawa, Whitby, Port Perry and Bowmanville. The poster reads, "We don't care what's on your head. We care what's in it." This slogan really showcases, I believe, what Ontario and Canada are all about. We fought long and hard for our rights, including the right to have freedom of religion. We've made significant strides in building a province that believes in unity and togetherness. As Ontarians, we all share the same values. We believe in giving back to our communities and helping those who are less fortunate. Divisive policies like the one proposed in Quebec hurt us as Canadians. It goes against the values we treasure as Canadians. Regardless of our religion, the colour of our skin, our sexuality, we are all one: We are Canadians.

Again, the PC caucus is proud to be supporting this motion, and we all must remember that Ontario is stronger when we're all together.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Vic Dhillon: Thank you very much, Mr. Speaker, for giving me the opportunity to speak on this very important issue. What we're doing here is making sure that Ontario opposes any legislation which would restrict wearing of religious symbols anywhere.

Like many of my colleagues, I too have received many calls from constituents who are worried, concerned, upset about what's happening in Quebec, and this bill is exactly what was needed to alleviate their concerns and put them at a peace of mind. I'm glad to know that all three parties have agreed to support this bill and will make sure that this does not happen here in Ontario.

If we weren't to agree with this bill, we would be sending a very negative message about Canada, which is a dream for many people across the world to live in, because we don't put up barriers in our differences. We celebrate our differences, we believe in tolerance and we make it a point to ensure that diversity is one of our greatest strengths.

What's happening in Quebec is they're targeting only a small percentage of their population, but this will be a huge injustice to most Quebecers. When this bill was introduced, I read a story in one of the papers about a Sikh doctor who was contemplating moving out of Quebec because this ban would not allow him to practise while wearing a turban. That's a huge injustice to his patients, because I'm sure he's built up a long history with them, treating them, knows their conditions, and it would be very unfair if he had to leave Quebec because of the restriction being imposed on his religious freedoms.

I want to reiterate what the member from York West stated in his press conference earlier this morning. He stated that this is an answer to a problem that doesn't exist. What Quebec is doing is a problem for me, I think it is a problem for this entire House, and we'll make sure,

by passing this motion, that we won't let this problem occur in Ontario.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mrs. Jane McKenna: I'm happy to rise today to speak to the motion from the member from York Centre, which seeks a unified expression of opposition to the intolerant mindset of the Quebec charter of values. Before I do so, however, I would like to acknowledge my colleague from Halton and the fabulous commentary he offered last Thursday and again today during members' statements. That inspired comment was delivered in the form of rhyming verse. The all-party standing ovation that followed that poem was a memorable moment, and I believe we'll see that shared purpose here today.

I am very supportive of the motion from the member from York Centre and roundly reject the substance and spirit of the Quebec charter of values. That legislation's assault on individual rights and freedoms is a betrayal of this country's ideals and values.

The Ontario Progressive Conservative Party stands in opposition to any policy that aims to divide our society. The Ontario PCs also vigorously oppose any legislation that will restrict or prohibit an individual's freedom of expression. We don't believe that government should be making the choice for people about how they elect to display their faith publicly, as long as doing so respects the rights of others.

Wherever we sit on the political spectrum and wherever we live in this great province, I believe we can all agree that Ontario's diverse population is a great and wonderful thing. People have been immigrating to Ontario for centuries, and since the beginning, these newcomers have enriched our province with diverse cultures, fresh perspectives and a willingness to build a remarkable future.

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The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Hon. Linda Jeffrey: I'm really pleased to be able to speak today in support of MPP Kwinter's private member's motion. I really would like to echo the sentiments of so many of my colleagues in the Legislature, and I commend Mr. Kwinter for bringing this forward.

This motion, I believe, is one that all Ontarians can stand behind. I think our diversity in Ontario is a point of pride. It's something we brag about whenever we leave Ontario, and I think it's something that attracts people to Ontario. I guess I know that first-hand, being a former city councillor.

When I was first elected back in 1991, I would say the bulk of my riding was from Europe and they pretty much looked like I do. But over the last decade, things have changed tremendously; there has been huge growth. I would say at least half of my community, if not more, are now people who are South Asian in extraction, and they come from all parts of India.

They have only improved my community in such a dramatic way through their investments, through their

culture and through their philanthropy—one of the most generous groups I have dealt with. Whenever there is an emergency or any kind of chaos somewhere else in the province or anywhere else in the world, they are the first people who step forward, do fundraisers, send goods, send volunteers, and it's something I'm very proud to be a part of.

I think it's something that we as a province have embraced and see as a huge opportunity. We can do business with people in other parts of the world knowing that we have someone here who speaks that language and knows the cultural dynamics related to it. It only strengthens our province. So I know that the people of Brampton are proud of that diversity and the fact that it's been cultivated in this province.

We're also proud of the rights and freedoms we enjoy in Ontario and especially in Canada. For us, I think that means the freedom of religious expression. I don't think anybody in Ontario who knows how hard we worked to get those rights wants to take any chance of having them jeopardized. The ongoing national debate concerning this proposed prohibition of religious symbols and coverings in public places has certainly concerned people across Canada and around the world, and definitely the people in my diverse riding.

MPP Kwinter's motion demonstrates that Ontario values our diversity, and we think it should be celebrated and shouldn't be hidden. Our openness, our freedom of religion and, most importantly, our tolerance is why I think we have such a strong province. We are one Ontario. We are all Ontarian, no matter what race or what creed, wherever we come from in the world, and that's an important quality and a strength of our communities.

I believe Premier Wynne did state, "It's ... important ... that Ontario is a diverse province, that our laws and our policies reflect that diversity." As I said earlier, it is our strength. It's something that I think we believe to be of value. It is something that we hold in high esteem, because so many of us are immigrants from other countries, and we know how challenging it can be to come to this country. Knowing that Ontario is a safe place to live and work and raise your family is a strength we've worked very hard to deliver and to embrace, because we know that the ethnocultural texture of our province defines who we are.

It's also a continuous source of innovation and creativity and growth for this province. People who invest here see that as a strength, and we should capitalize on the richness of that diversity and the excitement and energy it brings to Ontario. The power of that diverse community to enrich and strengthen our communities, and particularly Canada, is part of our identity. It's something we're all very, very proud of.

Certainly in my community, I have been the beneficiary of having a strong South Asian community that helps me do my job and reminds me of what's important. I think we all have the same dreams and wishes at heart. We want to have strong, healthy families; we want them to go to school and get a good education;

we want to take care of our seniors. Part of that faith is what makes our families and our communities strong.

I think the member for Bramalea—Gore—Malton talked about the kirpan and how important that article of faith is, and I don't have the details in front of me but I know that Peel Regional Police felt it was important enough to make a policy so that they were allowed in courthouses in Peel. I think that isn't knowledge that is public as much as it should be, but I think it's something that certainly our chief of police felt was an important step to make in order to respect and to acknowledge the importance of that article of faith in our Peel courthouses. I commend Peel Regional Police for having taken that step and having done that important work of developing something public that demonstrates how important—and what value we place on that community.

I think this motion is about protecting the gains we've made in diversity and tolerance and ensuring that it is allowed to continue. I am very supportive of the effort that it took for my friend from York Centre to put this together. I think he has done an admirable job. I was at the press conference this morning, and I appreciate that he was thoughtful in his approach. He put a lot of effort into presenting a balanced approach for Ontario and reminding people that this is a safe haven. It's one where we respect all and that we want to provide that welcoming place for all Ontarians, no matter where they come from in the world.

I'm certainly pleased to support this motion, and I'm honoured to stand beside the member from York Centre.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Todd Smith: It's a pleasure and actually an honour to speak as well to this motion put forward by the member from York Centre, Mr. Kwinter.

If you are just tuning in, the motion says that in the opinion of this House, the government of Ontario should oppose any legislation that would restrict or prohibit people's freedoms of expression and religion in public places and affirm that Ontario greatly values our diverse population and the social, cultural and economic contributions they make to help our society thrive. I fully support this as well, and I should tell you that this is obviously in response to what's happening in Quebec.

In the early days when this was announced in Quebec, I was at the Hastings County Plowing Match and Farm Show. I was in our Conservative tent at the show, and I went and spoke to this gentleman who is a senior, who was sitting in our tent. He was shaking his head and he said, "Mr. Smith, I can't imagine that our province would bring in this kind of a piece of legislation." I said, "Well, I'm sure it's not our province."

I'm really happy to hear the comments being made on all sides of the House here today. This won't be happening any time soon in Ontario, what's happening in Quebec right now.

Interjection: Ever.

Mr. Todd Smith: It won't be happening ever. You're right.

I'm proud, as all of us are, of our rich cultural history in Ontario, a province that originally was inhabited, of course, by aborigines and made way for the subsequent waves of people from France and then Britain. In the area where I'm from, in Hastings and Prince Edward counties, Empire Loyalists fleeing the revolution settled and set the trend for those who would come after them, whether it was Irishmen fleeing the potato famine; the Underground Railroad; Ukrainians; Poles fleeing pogroms; Jews fleeing the Holocaust; or Italians seeking a safe place to escape from war.

Whether we're talking about the Irish Catholics or the Ukrainian Orthodox or the Jews or the Muslims or whoever we might be talking about, or this elderly gentleman who was in our tent that day—he said, "I just want to wear my hat that says 'Praise the Lord,' and I don't want to have somebody telling me that I can't wear that hat. And if they're going to take that hat, they're going to take my head with it," was basically what this gentleman said. We cannot have this type of intolerance anywhere in this country.

I was saddened, of course, to hear, as we all were, that Quebec has turned its back on these traditions of our common history. The strength of our province and the success of our future lie in our ability to embrace rather than to reject.

I've been proud to represent my caucus for the last two years on behalf of our leader, Tim Hudak, at events from Vaisakhi to Diwali. I walked in Nagar Kirtans right here in downtown Toronto and toasted the lunar new year in Markham and Richmond Hill, on behalf of our PC caucus.

As Canadians—and we are all Canadians here—we share similar values like tolerance. The mortar and brick of this country is the sweat and blood of every Catholic and Protestant, Jew and Muslim, Sikh and Hindu who came here to work and give their children a better way of life.

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As Ontario Progressive Conservatives, we know that our articles of faith are central to our cultural communities. In Ontario, you can wear the crucifix, the yarmulke and the turban in this Legislature with pride, and we will continue to do that well into the future.

The Deputy Speaker (Mr. Bas Balkissoon): The member for York Centre, you have two minutes for a response.

Mr. Monte Kwinter: I want to thank those who participated in this debate—first of all, the member from Halton; I sent him a note earlier today saying, "If you don't read that poem, I will," so I'm delighted that he did that—the members from Bramalea—Gore—Malton, Mississauga—Brampton South, Whitby—Oshawa, Brampton West, Burlington, Brampton—Springdale and Prince Edward—Hastings.

I would like to close with a quote, and this is from Charles Evans Hughes. Charles Evans Hughes was a former Chief Justice of the US Supreme Court, a former governor of New York and a former presidential

candidate who lost narrowly to Woodrow Wilson. He said, "When we lose the right to be different, we lose the privilege to be free."

Thank you, Mr. Speaker.

The Deputy Speaker (Mr. Bas Balkissoon): We'll take the vote on this item at the end of private members' business.

FAIR AND OPEN TENDERING ACT
(LABOUR RELATIONS FOR CERTAIN
PUBLIC SECTOR EMPLOYERS IN THE
CONSTRUCTION INDUSTRY), 2013

LOI DE 2013 POUR DES APPELS
D'OFFRES ÉQUITABLES ET OUVERTS
(RELATIONS DE TRAVAIL CHEZ
CERTAINS EMPLOYEURS DU SECTEUR
PUBLIC DANS L'INDUSTRIE
DE LA CONSTRUCTION)

Mr. Harris moved second reading of the following bill:

Bill 73, An Act to amend the Labour Relations Act, 1995 with respect to certain public sector employers in the construction industry / Projet de loi 73, Loi modifiant la Loi de 1995 sur les relations de travail en ce qui concerne certains employeurs du secteur public dans l'industrie de la construction.

The Deputy Speaker (Mr. Bas Balkissoon): Pursuant to standing order 98, the member has 12 minutes for his presentation.

Mr. Michael Harris: Speaker, I'll never forget when I got that first call in January of this year. I wasn't expecting anything out of the norm, and of course I wasn't expecting to hear that a decision made by two individuals would affect every single person in the region of Waterloo, but that's exactly what I was about to hear. After answering the phone that afternoon, I was told by a local contractor that Waterloo region was about to become a closed shop. In other words, the region would be required to tender infrastructure work only to companies represented by a specific union.

My first reaction to this news was one simple and obvious question: How could this possibly happen? To my surprise, I was then told that on a Saturday in December of last year, two workers building a blue garden shed in Wilmot township had signed union cards with the Carpenters' Union. Because they had constituted a majority of the workers on the job site that day, they were able to file an application with the Ontario Labour Relations Board to certify the region as a construction employer. There was no local bargaining. There was no negotiating with the region. There was just an application to unionize the region under collective bargaining rules that were designed and only ever intended for construction companies. Now, if the labour board approves this application, the entire region will become locked into a collective bargaining agreement that will give one union a monopoly over regional infrastructure.

If you're wondering how any of this makes sense, trust me, you're not alone. This convoluted process raises more questions than answers. For example, why can two people set the infrastructure policy for an entire region? Or why do municipalities have absolutely no role in this collective bargaining process? Or why are collective bargaining rules for construction companies being applied to municipalities, as well as school boards, in the first place?

Well, for my speech, I would like to focus on the latter by highlighting the aims and the logic of my bill, Bill 73, the Fair and Open Tendering Act.

Over the summer, I've had the opportunity to travel across the province and to meet with municipal leaders and contractors to discuss Bill 73. Everywhere I go, I have found that everyone can agree that municipalities and school boards have a different purpose and mandate than construction employers. We all know that municipalities and school boards are not trying to make a profit like a business in the construction industry. Instead, they are trying to provide quality roads, bridges and buildings at the best possible value for taxpayers.

Unfortunately, when the Labour Relations Act was amended more than 35 years ago to introduce new collective bargaining rules for construction companies, the government forgot to make this very important distinction in law. The government set up province-wide collective bargaining for the industrial, commercial and institutional sector, or the ICI sector. At the time, it was assumed that everyone would recognize that this system was clearly designed only for the private sector and would be in no way applied to the public sector.

Well, we all know that assumption was wrong. Although the spirit of the law is clear, there is not a bright line distinguishing who is and who is not a construction employer. As a result, a loophole has been created within the Labour Relations Act. That loophole has been repeatedly exploited by certain unions to subject municipalities and school boards to collective bargaining rules for construction companies operating in the private sector. Even if the work being performed is as simple as putting together a garden shed, a municipality can be declared a construction employer and lose its ability to openly and fairly tender infrastructure contracts to all qualified contractors.

To date, several public sector employers have fallen victim to this legal loophole, including Hamilton, Kitchener, Toronto, Sault Ste. Marie and the Greater Essex County District School Board. This has happened at great expense to the taxpayers. The reason is that once a municipality or school board is unionized under these rules, they become bound to a collective bargaining agreement that is negotiated at a provincial level by construction companies and unions for construction companies.

That means that municipalities and school boards can become bound to a collective bargaining agreement that they had nothing to do with. What's worse is that these agreements include strict subcontracting-out restrictions that force local officials to hand over a monopoly on

publicly funded projects to build new bridges, water treatment facilities and public buildings to just one union.

Now, you don't need a degree in economics to understand that when there's little to no competition, prices will go up. Just consider what happened in Hamilton: After the city was certified by the carpenters' union in 2005, costs soon went up. At first, city staff pegged the increase at just 5%, while the carpenters argued it was only 2%, but a consultant retained by the city soon determined that costs had actually increased by as much as 40% and rose even higher in some cases. For example, the first waste water treatment project tendered after the city was certified came in 83% over budget, or \$24 million more than expected.

In 1998, our party tried to solve this problem by creating a process for municipalities and school boards to apply at the labour board to become a non-construction employer. If approved, this status would free a public sector employer from a labour monopoly, but unfortunately the process hasn't worked out the way it was intended to. In fact, no municipality has ever been designated as a non-construction employer by the labour board.

Clearly, the system is broken, especially since 70% of qualified contractors in closed-shop municipalities are excluded from working on publicly funded infrastructure. They're excluded just because they don't hold the right union card or they have chosen not to hold one at all. Now, can anyone say that this practice is fair? Of course not. Discriminating against qualified contractors on the basis of who they have chosen to associate with is patently unfair, and it's unacceptable.

So, to correct this situation and restore fairness, all we need is clarity in Ontario's labour laws, and that's what my bill, the Fair and Open Tendering Act, would offer. If passed, Bill 73 would add a very clear definition to the Labour Relations Act for public sector employers that would exempt municipalities and school boards from the province's collective bargaining rules for the construction industry. By making this legislative change, we would save Ontario taxpayers hundreds of millions of dollars every year by preserving and restoring the ability of municipalities and school boards to openly tender contracts for large infrastructure projects.

More importantly, we would reinstate the rights of qualified contractors who have been unfairly barred from working on public infrastructure in cities like Hamilton and Sault Ste. Marie. Because Bill 73 would exempt municipalities and school boards from the construction sections of the act, I took great care to ensure that the bargaining relationship between workers and their employers would be preserved.

1430

My bill does this by transitioning the relationship from the construction sections of the Labour Relations Act to the industrial sections of the act. If municipal employees still choose to be affiliated with the Carpenters' union, they would be able to do so under my bill, but only sections 1 to 125 of the act would apply. Carrying out

this transition falls well within the purview of the province's constitutional authority to shape the bargaining structure for its workers and it protect workers' freedom of association under 2(d) of the Charter of Rights and Freedoms. The Divisional Court, the Ontario Court of Appeal and the Supreme Court of Canada have all established the precedent which provides the legal foundation for my bill.

Chief Justice Beverley McLachlin pointed out as much in *Ontario v. Fraser* when she said, "The Ontario Legislature is not required to provide a particular form of collective bargaining rights.... The affirmation of the right to collective bargaining is not an affirmation of a particular type of collective bargaining.... What section 2(d) protects is the right to associate to achieve collective goals ... not a particular process or result."

In a lengthy legal opinion, which I gave to all members of the House, Mark Freiman, a Lerners law firm lawyer, points out that case law precedent and Supreme Court jurisprudence establish that Bill 73 is, in fact, constitutional.

Given the sound case for the proposal and the added provision to protect workers' rights, I think it's quite clear Bill 73 is not a union or a non-union issue. It is truly an issue of fairness—fairness for municipalities, for contractors, for workers and, ultimately, for taxpayers. Because of this balanced and fair approach, Bill 73 has won the support of unionized contractors, construction associations and municipalities across the province.

In fact, Bill 73 has been officially endorsed by the Association of Municipalities of Ontario. So I would like to thank AMO president Russ Powers for the endorsement and for being with us here today. I appreciate your support both in your role at AMO and as a Hamilton city councillor when you voted to support open tendering.

Now, we have heard some fear-mongering from a different Hamilton city councillor who unfortunately doesn't really understand this issue. He has made some demonstrably false statements about Bill 73 this summer, to the detriment of his constituents.

So I would just like to caution members of the opposite side, listening to one lone voice while ignoring the voice of 440 municipalities. I think it would be a tragic mistake to accept the comments of one misinformed councillor at the expense of alienating and undermining hundreds of municipalities, thousands of contractors and millions of hard-working Ontarians.

Let me be clear: Members opposite can stand with one councillor or with the entire municipal community which includes the mayors and regional chairs of Ontario and the Large Urban Mayors' Caucus of Ontario.

I hope every member of this Legislature agrees with our municipal colleagues because, at a time when the province is facing a \$60-billion infrastructure deficit, we need to do everything in our power to stretch our infrastructure dollars as far as possible. So I'm asking all members of this House to take a stand for taxpayers today and vote in favour of Bill 73. Thank you for your time.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Ms. Catherine Fife: When first approached by the member from Kitchener-Conestoga about the certification issue and his private member's bill, I genuinely felt that he was looking to solve a local problem. But upon further investigation and research, the bill revealed itself to be quite problematic.

This is a reactionary and premature bill that will create more problems than it solves. It is unfortunate that the member from Kitchener-Conestoga has crafted a bill that tramples and undermines current existing collective agreements in Toronto, Hamilton, Sault Ste. Marie and the Windsor-Essex school board, deliberately making it impossible for us to support.

The last time this Legislature tried to tear up existing collective agreements, we were talking about Bill 115. The mess that that process—supported by the Liberals and the PCs at the time—created is ongoing, and the resolution through the court system will be costly to every Ontarian.

Just as we stood against the draconian legislation of Bill 115, which, like this bill is attempting to do, undermined existing contracts, this legislation would effectively render the current municipal—and one school board—master agreements, collectively bargained, fairly bargained with the building trades in Toronto, Hamilton, Windsor, Essex, and Sault Ste. Marie, null and void.

Instead of proposing exemption options for municipalities and perhaps reviewing the current system, this legislation uses a hammer when careful consideration is required. The fact that the entire Ontario construction trades sector strongly opposed this bill and that the construction contractors in the Kitchener-Waterloo region are split suggests that this bill is not the answer to a very complex situation.

While in principle there are valid arguments pro and con as to whether municipalities should be considered construction employers under the Ontario Labour Relations Act, Bill 73 is a badly constructed piece of legislation which is premature. This matter is still before the Ontario Labour Relations Board. No decision has been made under the relevant sections of the act. What is needed is an objective and thoughtful look at the process and consideration potentially for modernization by an objective and respected voice, perhaps like Harry Arthurs.

To suggest that costs will go up by hundreds of millions of dollars is false. The numbers cited don't add up. I realize it may very well be too late to inject some facts into this story, but it is worth trying.

Please note that an exhaustive city of Toronto report on the possible impact of going non-union estimates savings at 1.7%, and that's assuming that the savings would be passed on to the city by a lower bid. This report is a staff report, Labour and Training Costs in Construction Procurement, 2007. It is a matter of public record. The Toronto report is by far the best evidence-

based study on this issue, but of course it is not referenced by the member from Kitchener-Conestoga.

While the PC Party would like to tear up existing collective agreements, we feel strongly that negotiating contracts on the floor of the Legislature comes with a cost. We have processes in place in this province, and one is playing out at the Ontario Labour Relations Board right now. When we ignore the processes that we have previously agreed to, we end up creating problems, not solving them.

In this place, in this House, we need to be talking about the problems facing Ontarians and coming up with solutions to those problems. I hear from my constituents about how we can create more and better jobs in Ontario, how we can build a stronger, more effective health care system, and how we can implement changes to make life more affordable for people feeling the squeeze in this province. This bill has been used to divide rather than unite in a common cause. It is ironic that the member referenced fear-mongering in his comments.

In summary, Bill 73 is like using a sword to do surgery, which will significantly alter existing labour relations in this province. It is not the solution, but I remain open to exploring options that could modernize what everyone would agree is an overly complex system of province-wide master agreements, a function of countless legislative and collective bargaining compromises going back many decades.

To suggest that this private member's bill is a panacea and/or a solution to how provincial master agreements are struck is false. Legislation is premature. The matter is still before the Ontario Labour Relations Board, and it would be premature to legislate on this issue. The last time this assembly opened collective agreements on the floor of this Legislature, we paid the price: We compromised trust. In this House and in this process, I would urge the members of this House to not support Bill 73.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Hon. David Zimmer: It's my pleasure to join in this debate. First of all, I'm going to try to distill very simply what I understand is the intent of the bill and then tell you why I think it's a bad thing.

It's a short piece of legislation, only two pages long, but there are a couple of difficult concepts to understand here. I think if we get our heads around those two or three basic concepts, then right-thinking people will vote the right way, which is to vote against it.

1440

It's passing strange that today the member opposite—the PC Party—is bringing this legislation forward, and it's designed to do this: Right now, there is a provision for province-wide bargaining in certain municipalities and school boards for the construction industry in Ontario. So the construction trades hammer out a contract, and it applies to all the municipalities and all the school boards. That's the way the law stands today. This bill is designed to change that law to say that province-

wide bargaining in the construction industry does not apply across the board in the public sector throughout Ontario, but it should be left up to individual municipalities or individual hospitals or other public institutions to say, “We want to opt out of the province-wide agreement.” So those are the two choices: province-wide agreement and a bill that is designed to let everybody in the public sector opt out, if they want.

Now, what’s really interesting is that the legislation the member opposite’s bill is trying to attack is legislation that the Conservative government brought in in the year 2000 and then refined a little later while they were still in power. In effect, they brought in the bill and then brought in some amendments to make it even stronger, so that there was province-wide bargaining in the construction trades with public sector entities—hospitals, school boards and so on.

It’s passing strange that here we are—we’ve been in government 10 years—10 years later. Their legislation has been in place. They brought it, they introduced it in the year 2000, we’ve lived with it through their years and through our years, and now they want to amend it. They say this is necessary because there are some hospitals, some municipalities and other public sectors that want to opt out of these province-wide agreements in the construction trades.

But here’s the rub: The provision to opt out of these province-wide agreements already exists. I take the example of the member opposite, from the riding of Kitchener-Conestoga. Take the city of Kitchener. Frankly, I don’t know what the situation is there, but let’s take the example that the city of Kitchener wants to opt out of the province-wide agreement regarding construction contracts that the city of Kitchener is engaged in; they don’t want to be a part of that province-wide bargaining regime. There is provision in the Ontario Labour Relations Act, and in other legislation, where the city of Kitchener can come down to Toronto, file an application before the Ontario Labour Relations Board and say, “We, the city of Kitchener, do not want to be part of across-the-board public sector construction; we don’t want to be caught by these broad agreements.”

Interjection.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Renfrew–Nipissing–Pembroke, if you wish to heckle, I would ask you to sit in your seat.

Hon. David Zimmer: Then, what the Ontario Labour Relations Board quite fairly and quite properly says to the city of Kitchener, because this is its job: “All right. The existing regime is that these collective agreements involving the construction trades and municipalities, hospitals and other public sector things apply across the board province-wide. But if you tell us why and it’s a good argument, and it makes sense and meets some other criteria, we will give you permission to opt out.” That’s what the city of Kitchener could do: come down, make the application, make their argument why they want to opt out—the trade union would probably make the argument why they should not be allowed to opt out—

and the independent members of the Ontario Labour Relations Board would hear both sides of the argument and make their decision: “Yes, Kitchener, you can get out,” or, “No, Kitchener, you can’t.”

That provision exists for every municipality, every hospital and every public sector entity that has to deal with the construction trades. So I scratch my head on one side, I scratch my head on the other side and I say, “Why is the member bringing forward this bill, because what he wants to achieve by this bill is already possible in the Ontario Labour Relations Act?” So it doesn’t make any sense. I can only suspect that there is some local political issue there that the member is trying to deal with.

In short, this is a piece of legislation that is unnecessary because what the member is trying to achieve by the legislation is already possible under the act. All the municipality or the hospital or the other public sector entity has to do is make an application to the Ontario relations board, make an argument why they should be opted out, let the construction trade respond why they shouldn’t be opted out, and the independent members of the Ontario Labour Relations Board will decide the issue.

Members of the Ontario Labour Relations Board are made up of representatives from the private sector, the union sector, the public sector and so on. They usually strike these panels—it might be a panel of three labour relations board members. It might be someone—typically they have someone representing the private sector, they have someone representing the public sector and they have someone representing the union sector. They’ll hear the arguments and they’ll make their decision.

So, this is a piece of legislation—with this provision to go to the Ontario relations board and make an argument to opt out—that is something that the Conservative government brought in. They brought it in because they thought that was the fair way to do it: province-wide agreements for the construction trades in all the public sector and municipalities, with a provision that any municipality or public sector entity has a mechanism to opt out.

I just stand to be corrected; I gave the wrong date there. The original legislation was brought in by the Conservative Party in 1998. They brought the original legislation in 1998 and they refined it and amended it in the year 2000.

So I ask why, after all these years, they suddenly want to wreck a piece of legislation that has worked well across the province. It has got that safety provision in it that it is possible to opt out of it. So I say to my friend opposite from Kitchener-Conestoga: If your municipality wants to opt out of it, if they’re the ones that are encouraging you to bring forward this private member’s bill, you should go to them and refer them to the Ontario Labour Relations Act. I’ll dig up the section number and the subsection numbers. I’ll even give you some case law on it, and you can take it in a folder, give it to them and say, “Go to the Labour Relations Board and make your application to opt out, because that’s what the safety mechanism is for.”

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Steve Clark: As the Ontario PC critic for municipal affairs and housing, I'm pleased to have a few moments to speak about Bill 73. I first want to commend the member for Kitchener-Conestoga for the tremendous amount of work that he has done prior to bringing this legislation forward.

In the finest traditions of this place he has identified a long-standing problem facing municipalities and school boards across the province, and he has drafted a very reasonable bill, I suggest, to deal with those issues. Open tendering gives municipal councils the tools to ensure that they can go out and get the best possible price for infrastructure projects.

I'm so proud to stand in support of this bill, which protects local taxpayers by giving them the highest quality and the best bang for the buck. But my colleague has done much more than that prior to bringing this excellent bill forward. I'm so proud at how he has worked to reach out to municipalities and school boards to earn their support, and it's this tremendous amount of support that he has received from those municipal leaders in every corner of the province that I'm going to focus my comments on today.

1450

It's important, as legislators, that we listen to our municipal partners. What the member has done today with this legislation is really something that I suggest the Minister of Municipal Affairs and Housing should have done, as she was out having a conversation with our municipal leaders. If she'd done that, then I think she would have been able to walk across to the Minister of Labour and get those reforms that the member has proposed into a bill. But I did notice that we've got some good news that perhaps we can get both those ministers on the record today. I saw the minister over in the west members' gallery speaking to the AMO president. I hope he talked some sense in to you, Minister, and I hope you will support this legislation.

The member for Kitchener-Conestoga did have a meeting at the AMO conference regarding Bill 73. I had the pleasure of attending that meeting and met with a number of municipalities about the subject. I can tell you, Speaker, that mayors and councillors across this province spoke in the hallways at AMO and spoke very favourably of that.

Speaker, I don't want you to take my word for it. I want to put some comments on the record. I mentioned AMO, and I want to quote the letter from Russ Powers, the AMO president, who is here with us in the west members' gallery. I might want to remind members that AMO represents the 444 municipal governments that are in the province. This letter says:

"Dear Mr. Harris,

"At its August board of directors meeting, the AMO board supported a private member's bill that you tabled....

"Municipalities should be able to tender construction work in a free and open competitive environment to gain the most value for construction expenditures.

"We agree with your approach.... Thank you for recognizing the fiscal constraints under which municipalities operate and for tabling this bill."

That's a pretty resounding letter of support, and I'm far from finished with the endorsements.

MARCO, the Mayors and Regional Chairs of Ontario, of single-tier cities and regions, endorsed a motion supporting Bill 73 in a letter. MARCO chair and Waterloo region chair Ken Seiling writes, "We wish to emphasize that this is not a question of being anti-union. Rather, it is a question of what best serves the public interest....

"Given the substantial number of capital works projects undertaken of municipalities in Ontario every year, the implications are staggering. Our concern is that the cost escalations resulting from this situation may very well delay the implementation of key infrastructure projects that are critical to Ontario's economic success."

You know, Speaker, I could go on and on, but I have to wrap up in a few moments. Let me just give you a list of some supportive municipalities, including LUMCO, the Large Urban Mayors' Caucus of Ontario; cities like Hamilton, Kitchener, Stratford, Woodstock; the towns of Orangeville, Kirkland Lake, Penetanguishene; as well as committees at the regions of Waterloo and Niagara. Municipalities recognize that reforming the Labour Relations Act in the manner set out in Bill 73 is a critical part of addressing our infrastructure needs in the province.

Yes, we do need funding for these projects, but we also require a level playing field that ensures that every penny is spent wisely. Bill 73 does it. Again, I want to commend the member for Kitchener-Conestoga, and I want to encourage every MPP to support Bill 73.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate? The member for Essex.

Mr. Rob Leone: He's going to vote yes.

Mr. Taras Natyshak: No, I am not going to vote yes, as many of my colleagues to the right of me would probably have already guessed. But I do appreciate all the comments.

Interjection.

Mr. Taras Natyshak: I do, and I wear it proudly. Maybe that's the perspective that has not been brought to this debate today that I hope to offer members in the gallery and my colleagues here in the House: the perspective of the worker.

Prior to being elected in this House, I was and still am a proud card-carrying member of the Laborers International Union of North America, a construction worker. I worked in the heavy sector for about 10 years. I worked on the roads and bridges and sewers and water mains and in the ditches—a great field of work. I was proud of the work that I did and accomplished. To this day, whether it's a municipal project or a provincial

project, when we go over those projects, I tell my kids, “Daddy worked on that bridge,” and I enjoyed it.

What that did for me was it afforded me, really, a wonderful living. It afforded me the ability to be married, to buy our first home, to raise two kids, to purchase vehicles and to make ends meet.

Now, the workers that sign a card to become unionized: They don’t do that arbitrarily, Mr. Speaker—at least the ones who did that prior to me coming on board—to ensure that the company that I worked for was signatory to a union. They made a conscious decision to elevate, to raise, the standards of their working conditions. They knew that within that jurisdiction, within that scope of work, there was a fair wage that they should be compensated by.

This goes to the heart of the debate: that we have unions in this country, we have legal representation and the right to be represented by a collective agreement and by a bargaining unit. And those rules have never changed and will never change—I hope, I trust. That’s one of the reasons why I do not think that this House should intervene in that long-standing, well-nuanced process.

Now, I certainly have some compassion for municipalities. The member from Kitchener-Conestoga had mentioned that there are 440 that are supportive, and I can imagine why. The massive amount of downloading that has happened historically to municipalities, whether in social services or infrastructure needs, has created such an enormous burden that municipalities would be scratching at every opportunity to save a nickel there or a dime here. Yet, the argument put forward by my friend the member from Kitchener-Conestoga is not one that is convincing. By and large, in the aggregate, union contractors are competitive with non-union contractors. They’re doing the same scope of work. The margins on these jobs are really not that wide. So when the member mentions that in—

Interjections.

Mr. Taras Natyshak: Member from Renfrew, forgive me for speaking while you were interrupting. I’ll continue on in my speech, but I certainly extended the same courtesy—

Interjections.

The Deputy Speaker (Mr. Bas Balkissoon): Member for Renfrew–Nipissing–Pembroke, this is your last warning. I have asked you to relocate to your seat if you’re going to heckle. I would just like to carry on business.

Mr. Taras Natyshak: Thank you, Speaker. I certainly didn’t mean to get him in that much trouble. I quite often enjoy the interjections by the member.

Needless to say, some of the facts that he presents almost sound like an infomercial. I had to scratch for that word. It really sounds as though, “If you get rid of or dismantle this collective agreement right now, things are going to be cheaper across the board, day one.” That is implausible. He has no facts or figures to back that up. In fact, what he is quoting, I believe—I will quote him: “As soon as closed tendering began in Hamilton,

infrastructure costs spiked by as much as 40%,” Mr. Harris said at the Construction House of Hamilton.” What Mr. Harris was referring to, I believe, was the Ivor Wynne Stadium project with Infrastructure Ontario for the Pan Am Games 2014.

Interjection.

Mr. Taras Natyshak: He’s saying, “No,” but these are the facts that are related to your comments. The original staff and aldermen had confirmed that \$80 million of the Ivor Wynne Stadium was approved. Infrastructure Ontario was not satisfied that the renovations to the existing structure would be sufficient and they decided to build a brand new stadium which was estimated at \$140 million. So of course, when you’re using ambiguous facts like that, it’s going to sound like an infomercial: 40% more. Well, in fact, Mr. Speaker, it was a totally different scope of project. It’s not fair to make that comparison.

Ultimately, I understand. Again, back to the constraints that municipalities and school boards have these days. It’s well known. We debate those issues in this House each and every day. One of the requirements for a healthy community and healthy municipality is a good base of good-paying jobs to contribute to the tax base of that municipality. What I’ve seen in this House is a valiant attempt not only by the Conservatives—it’s in your DNA; it’s something that you’re preprogrammed to do, ideologically driven, and I get it. That’s why we get along sometimes. I get you; you get me; we get where we’re coming from—but joined by the Liberals. We’ve seen a bill come through this House similar in its intent to dismantle or circumvent a collective bargaining agreement between EllisDon and several building trades. That’s going to happen; you’re going to do that. But today, they’re going to say, “We’re not helping with you this one.” Tomorrow, they’re going to say, “We’ll help you with Bill 74,” as you did—and a piecemeal approach with Bill 115, to circumvent the bargaining rights of teachers in this province.

1500

In this party, the New Democratic Party, we don’t make a habit of doing that, and we’re not going to start now, because the equation that you’re—

Interjection: Social contract.

Mr. Taras Natyshak: The social contract was a guy named Bob Rae, and if I’m not mistaken, he’s on your team and should have always been on your team.

I want to tell you that—

Interjections.

The Deputy Speaker (Mr. Bas Balkissoon): Order.

Mr. Taras Natyshak: When the social contract was enacted, I was 13 years old. I’ve grown up since then. I would hope the two other parties would have grown up since then as well, and understand that you can’t continue to bash the workers in this province and expect any menial increase in our quality of life. You can’t do it. Stop doing it. You’re going to continue to do it, but we’re telling you here that you’re making a mistake.

We proved that you made a mistake with the teachers. This, again, is a cautionary tale, a slippery slope that I would caution members before embarking on.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Bob Delaney: Why is this debate happening here in the Legislature and not before the Ontario Labour Relations Board? The answer comes down to one word and just one word, and that word is “ideology.” The fact of the matter is that this is just another piece of right-wing union-bashing. This is just part of the right-wing agenda to see what they can do to take apart unions in the province of Ontario.

The member for Kitchener–Conestoga, as my colleagues have explained, has made no case for why we need Ontario-wide legislation to hammer away at an issue that hasn’t even been resolved within the Ontario Labour Relations Board. Why don’t you leave it to the Ontario Labour Relations Board? The so-called solution would have the effect of imposing a Wild West legal status on province-wide labour agreements, and the member offers up a case that a matter before the Ontario Labour Relations Board may be imbalanced, thus trying to pre-empt the Ontario Labour Relations Board. However, he doesn’t offer any solutions using the existing remedies that, the member from Willowdale pointed out, exist aplenty.

His solution basically says that if his type of thinking and his party have their way and you get unionized—while today they say “construction,” tomorrow it could be anything and everything—if you get unionized, you can simply just opt out. I just don’t think that’s much of a solution. If you’ve got a problem with whether a particular agreement is balanced, then resolve it using the tools available to you at the Ontario Labour Relations Board. This is somewhat similar to saying, “Why don’t we just use a paint roller?” when what you really need is an edging brush.

This is a government that does believe in fair and balanced labour negotiations. The fact of the matter is that when you’re bargaining a collective agreement, the parties are free to negotiate terms that do restrict the employer to contract only with unionized employees. However, if a party feels they should not be bound to a province-wide collective agreement, then they have the options that the member from Willowdale set out very clearly.

Speaker, this is not the answer to any problem. This is just an expression of right-wing ideology, and I’m urging members to vote against it.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Douglas C. Holyday: There are only a couple of points I want to make here. One: This is not about ideology at all. This is about fairness and it’s about what’s right and what’s wrong.

Is it right to treat municipalities—who build bridges, provide public service, and do it all at taxpayer expense—that they’re treated the same way as for-profit

construction companies? It certainly is not, and it was never intended that that would happen. But the result of making that happen costs millions and millions of dollars. I know at the city of Toronto alone it’s been estimated that we lose \$100 million a year because of limited tendering.

I’ll make my point quite quickly here. If the people on that side of the room over there were the only ones in this room that could bid—if we were all contractors and all of a sudden only those people could bid—are we going to get the best prices? We’re not, because certainly someone on this side at some occasion is going to have a better price than those people. But because we don’t get the benefit of that, the taxpayers have to pay more.

This is only about saving and protecting tax dollars. This is a way for the province of Ontario to help municipalities cut their costs without reducing service and without spending any tax dollars to do it. It makes common sense, and if you people can’t see it, I don’t know what the heck is wrong with you.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Monte McNaughton: It’s a pleasure to rise in the House as the PC labour critic to support my colleague’s bill, Bill 73, the Fair and Open Tendering Act. This is a government—and we’re seeing it again today—supported by the NDP, that refuses to ensure that public infrastructure contracts are negotiated in a fair and unbiased way. That is something that my colleague’s bill is seeking to remedy.

A fair, open tendering process will ensure that projects are being funded as efficiently as possible, allowing municipalities and school boards to undertake additional projects, creating even more jobs for the people of this province. Of course, I don’t need to remind anyone in this House that we have nearly 600,000 men and women today out of work, so it is vitally important that we make changes to allow companies and businesses to hire more people and to start growing our economy.

Recently, the London and District Construction Association conducted a month-long vote which culminated with their endorsement of this bill. The London and District Construction Association covers all aspects of the industry, from suppliers to contractors, and both unionized and non-unionized workers. The result of their vote was a unanimous show of support for this important bill today. What the LDCA said was that for public infrastructure projects, the process should be opened up to as many contractors as necessary to get the best price and best value for Ontario taxpayers. As the member from Etobicoke–Lakeshore said, this is total common sense.

This bill is about making sure that hard-earned tax dollars are spent wisely. It is about making sure that we, as elected representatives, put in place the framework to build an open tendering system that gives more contractors the right to bid for public infrastructure jobs. The unnecessary red tape that is inherent in our labour laws and costing us jobs will be reduced by removing the

barriers from contractors that they're facing when attempting to offer their services to the public sector. A government that truly wants to see a stable and prosperous Ontario would know that removing these barriers and streamlining the process for contractors—getting behind Ontario workers instead of standing in their way—must be a top priority.

I am pleased to join with the member from Kitchener-Conestoga today to support this bill. I hope that all members will make sure that job growth, fairness, transparency and efficiency will be a top priority in this House when we are making decisions.

I know that I am supporting this bill because my constituents in Lambton-Kent-Middlesex have told me loud and clear that they are tired of having their tax dollars wasted, spent ineffectively by the McGuinty-Wynne-Horwath government. This is just a government—again, supported by the third party—that is refusing to put forward good ideas. In fact, they are holding back important infrastructure projects here in the province of Ontario. I encourage all members—hopefully the third party will have a rethink before the vote shortly.

I'm proud to support this.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate? The member for Kitchener-Conestoga, you now have a total of two and one.

Interjection: Three-thirty-five.

Mr. Michael Harris: Three-thirty-five? All right. Thank you, Speaker.

I'd like to thank the comments from my colleagues, but I will especially thank those on this side of the House who have stood up for the public purse and taxpayers today: Steve Clark, our municipal affairs critic; Doug Holyday from Etobicoke-Lakeshore, former deputy mayor of Toronto; and, of course, our new labour critic, Monte McNaughton.

1510

Speaker, the reactionary responses by my honourable colleagues are both over the top and misinformed. I am saddened and deeply disappointed to see that certain members have resorted to fear-mongering and a deliberate campaign of misinformation.

For the record, Bill 73 does not tear up any collective bargaining agreements. It would simply transition the collective bargaining relationship from the construction sections of the Labour Relations Act to the industrial sections of the act. In other words, it would remove municipalities and school boards from existing province-wide agreements that apply to construction companies and require that public sector employers negotiate contracts with their workers under sections 1 to 125.

As my honourable colleagues should have realized after reading the lengthy legal opinion I provided them with, it is well within the purview of the province to shape the bargaining structure for workers. With all the due diligence done on this bill, I find it unbelievable that any of the members opposite could be confused with its contents. In fact, when I met with the member for Kitchener-Waterloo, I would have been happy to take

into consideration any of her suggestions, but she offered none.

So it's clear that the NDP and the Liberals have chosen to reject the interests of their constituents, their contractors that are here today, their municipalities and, of course, Ontario taxpayers—first and foremost, Ontario taxpayers, the folks whom this party have stood up to protect today. And the NDP and the Liberals have decided to oppose restoring fairness in the construction industry simply to appease the demands of the special interest groups who support them. Shame on you.

So we will continue. We respect the right of people and workers to work on public infrastructure. That is their right here in Canada. We talk a lot about rights. If they're a qualified contractor, like many folks in the Legislature today, it is their right to work on public infrastructure, but you're denying that right. You're saying no. It's not fair. Well, today I have proposed a sound, logical, clear bill that would protect fairness in Ontario and give workers their rights back—the ones who have lost that right to work on public infrastructure. Today I am proud to stand up, on behalf of my colleagues and our leader, Tim Hudak, to restore that fairness, to stand up for hundreds of municipalities across the province, thousands of contractors and millions of taxpayers. We have done that and will continue to do it.

The Deputy Speaker (Mr. Bas Balkissoon): We'll take the vote on that item at the end of private members' public business.

CHILD AND FAMILY SERVICES AMENDMENT ACT (CHILDREN 16 YEARS OF AGE AND OLDER), 2013

LOI DE 2013 MODIFIANT LA LOI SUR LES SERVICES À L'ENFANCE ET À LA FAMILLE (ENFANTS DE 16 ANS ET PLUS)

Mr. Jackson moved second reading of the following bill:

Bill 88, An Act to amend the Child and Family Services Act with respect to children 16 years of age and older / Projet de loi 88, Loi modifiant la Loi sur les services à l'enfance et à la famille en ce qui concerne les enfants de 16 ans et plus.

The Deputy Speaker (Mr. Bas Balkissoon): Pursuant to standing order 98, the member has 12 minutes for his presentation.

Mr. Rod Jackson: I'd like to start by explaining how this flaw in the system came to light. About a year and a half ago, there was something called the Youth Leaving Care hearings. What happened was that we had a number of youth who had spent their whole youth or parts of their youth living in care of the state. They lived with foster families or in some way, shape or form have actually found themselves without a family. It might be because they were abused or maybe because their parents passed

away. There are so many different reasons that these children have found themselves in care.

In the Youth Leaving Care hearings, what we heard from them was, now that they've left care or they are leaving care, their experiences within the system. What we found was that there was a need in the system to fill a gap. If you're 16 or 17 years old and you have a tragic circumstance that leaves you without parental guidance, without parents, anyone responsible for you, you're treated as an adult. I don't think anybody in this House can look at me and tell me that they think a child who's 16 or 17 years old, especially if they have had a difficult childhood, is prepared to care for themselves in a way that will create a meaningful and successful succession for themselves into the future.

What the system is saying to 16- and 17-year-olds at this time, if they go and knock on the door and say, "Hey, I'm being abused by my family," or, "My parents have passed away," or any guardian of theirs has passed away—they're left with nothing. The door is closed in their face. They're left to be treated as adults.

This means that the only things that are available to them are services like homeless shelters. Many of them don't even know where to find a homeless shelter. They've never experienced that before. Suing their parents—what youth is (a) going to know that they have the right to do that, or (b) have the resources to be able to go ahead and do it? Should that be a resort that they have to take on themselves? Or they have to make the case for Ontario Works. These are systems that are there for adults. We should not be sending our children who are 16 and 17 years old to the street. This is where many of them end up. This is a gap, though.

Right now, and this is the part that stuns me, Mr. Speaker, if you're 15 years old and you have one of those tragic circumstances where you find yourself without a parent, you can get care. You have provisions for care for yourself to go into foster care. All the different funding models that are available for those children to go to post-secondary education are available to you until you are an adult. If you go into care when you're 15, you have access to all those provisions. If you go into care when you're 16 or 17 years old, you don't get them. It's unfair. It's a violation of the human rights charter of Canada. It's a violation of the UN convention on the rights of children as well.

I will say, Mr. Speaker, that I don't believe this is done by any government of Ontario, I don't believe this is done by this government, in any way maliciously or anything like that. I'm not accusing this government of anything—perhaps inaction. I would like to know why, for 10 years, no action has been taken on filling this gap for 16- and 17-year-olds. But more importantly, I want to get this done. I want to make sure that this is taken care of.

It should come as no surprise to you that these children will struggle to stay in school. Most of them will never see an end to their education—not in the way that we want to see, a real graduate. They leave because they

have to take care of themselves. They have to earn a living. They have to have a roof and food.

They have elevated rates of incarceration. They have more hospitalizations due to high-risk street behaviours. These are facts. We know this. The children's advocate has done a study on this. There have been many studies done on it. We don't need to have another panel, another discussion about this. We know these facts to be true.

So, in practice, these children are set on a path where they are accessing reactive emergency services to cope once they find themselves in trouble, as opposed to the services that set them up for future opportunity, meanwhile keeping them safe.

Like the social costs of ending up homeless or in the prison system, the monetary costs of these things are also too steep. The numbers speak for themselves. I know even some of my own party and certainly some from across the way will wonder how much this will cost. Well, it won't cost you money; it's going to save you money, and here's how it's going to do it.

An economic analysis from Justice for Children and Youth, who provide legal services to street youth, found this: \$2,500 is the cost of providing a youth with emergency shelter for one month, which, by the way, is the maximum many youth shelters allow children to stay. They found that \$8,000 is the cost of incarcerating a youth for one month. Finally, \$4,500 is the monthly cost of support services to a homeless person provided by the police, health care and other community supports. I would even argue that that number's a little low.

None of these have a good outcome, necessarily. Many of these are just people hanging on by their fingernails. They're just hanging on by a thread. What kind of message are we sending to those youth—that we're not going to take care of them or give them the chance to succeed that they deserve as youth in our system and in our communities? Look them in the eye and tell them that you don't care and you're going to slam the door on them and send them to Ontario Works, to the hospital or somewhere worse. Many of them have the worst outcome. That's the saddest part.

1520

Overall, the cost of supporting homeless youth is between \$6,500 and \$8,000 per homeless youth per month. But what if we did more to ensure that youth who enter into the child welfare system at 16 or 17 years old stay off the street by providing them with the same protections as their peers who happen to go into care a little bit earlier? Well, in comparison to supporting a homeless youth, the cost of supports, such as an income supplement or supportive housing arrangements, including a community support worker for that youth, are found to be much less costly: as low as \$1,000 per month.

So we can see that there is a significant economic argument here. Not only that, not only do we benefit economically; our society and communities benefit immensely from this. We're giving these kids a chance to succeed. Just by treating youth who enter the system at

16 or 17—children under 18—by providing them with the same types of supports as their peers already in the system, we can help ensure that no child has to sleep on the street; no child ends up in prison due to the stressors and risks associated with homelessness. We can also potentially save the province up to \$7,000 per month for every youth that's in care.

Beyond the obvious cost of homelessness, we also need to remember that without providing youth with the care they deserve, it's harder for them to receive an education or to find a stable job, and they're more likely to end up on the street as adults. So without providing youth who enter the system at 16 or 17 years old with the care they deserve and need now, not only does the province lose money but our society also potentially loses tradespeople, scientists, doctors, nurses, teachers—advocates of all sorts—and entrepreneurs. We allow for the loss of potential of the people who make this province great.

I have seen many great examples of this in my own life, where people have been given a chance through that system. Today I met Kayla, who is in the gallery today, who had a great story and spoke from her heart about what the system has given her and how other children who are 16 or 17 years old may not have that advantage and may not have the opportunity to succeed like she did. She has got a voice for hundreds, maybe even thousands, of kids who need it. She wouldn't be up there today speaking at that press conference if she wasn't given the chances and opportunities that we need to get to all these 16- and 17-year-olds who go into care.

With this bill we can make a small but important step by stopping these losses. We can ensure that every child has a fair opportunity to achieve his or her potential and to have a decent standard of living. We can ensure that Ontario will prosper into the future.

Furthermore, there's a more all-encompassing issue here to discuss as well: human rights. The circumstances that the current legislation imposes on these children are a contravention, as I mentioned, of the UN Convention on the Rights of the Child. Specifically, each child has the right to develop to the fullest and have protection from harmful influences such as abuse and exploitation. This, clearly, is not being fulfilled when you treat these youth as adults.

Similarly, the Canadian Charter guarantees the right to life, liberty and security of person. But when Justice for Children and Youth, who provide legal services for street youth, did an analysis, they found that 76% of street youth were victims of violent crimes—76%. Can any of us here say that we've—many of us can't even say we've ever experienced violence against us. Many of us can, but certainly not 76% of us. The mere fact that these 16- and 17-year-olds in need for the first time are treated asymmetrically to their same-aged peers who have accessed the child welfare system prior to 16 years of age is discrimination—flat-out discrimination—based on their age.

In the developed world, Ontario lags behind all jurisdictions doing the least amount for this group of youth. The child welfare community has been lobbying for this for over a decade, to no avail. The consequences for this systemic error are not limited to the individual children that it affects, but is a province-wide crisis. Justice for Children and Youth, which provides legal services to children; the Ontario Association of Children's Aid Societies; the Provincial Advocate for Children and Youth; and the Barrie CAS all support this bill.

In conclusion, these children are the same as their same-age peers who have previously benefited from this system. They deserve consideration and support as would any child in need under the age of 18. I shouldn't have to appeal to your logic on this, folks. I should only have to appeal to your heart and your compassion as leaders in your communities to pass this bill.

The current system sets these children on the most difficult life path possible. At the same time, it strains costly emergency services that can easily be remedied by respecting human rights—it seems like it's pretty simple, doesn't it?—and doing the right thing by investing in these youth in the same way as the rest of Ontario's children who are under the age of 18.

It's a true pleasure to see the support for this bill by all the people here in the gallery today. I'm really emboldened by their participation in this. I have said this before, and I repeat myself over and again: This is your bill. The input for all of this bill came from you. It started with the leaving care hearings, and it continued throughout the past year of consultations. It's your bill. This is your House. We're here for you. Hopefully, everybody in this House understands that and will put their hand up and stand in support of it.

Interruption.

The Deputy Speaker (Mr. Bas Balkissoon): I will just remind our audience in the gallery: We welcome you here to participate, but I would ask you to refrain from cheering or clapping or participating in a very active way in the debate.

Further debate?

Miss Monique Taylor: I want to thank and congratulate the member from Barrie for bringing this bill forward. I think it's a really great bill. I'm so thrilled to see some of the folks from Youth Leaving Care here with us today. Welcome again to Queen's Park. Hopefully, we can move this forward and continue with all of the work necessary to be done.

When I first arrived at Queen's Park, one of the very first functions I attended was the Youth Leaving Care hearings. Those were held in November of the same year, 2011. Our Provincial Advocate for Children and Youth, Irwin Elman, had met with and heard from a group of Ontario's 8,300 children and youth in care, a group that was making sure they were going to be heard by their parent, the Ontario government.

With the support of the advocate and his office, they organized the Youth Leaving Care hearings. It was the youth coming together and making sure we had changes

to our welfare system. Those hearings were wonderful, educational, inspirational and, at the same time, a heartbreaking experience. No one who took part could fail to be touched by the testimonies presented or to be impressed by the organization of the two days of hearings.

The result of those hearings was a report called My Real Life Book, a reference to the life books that record the life of a child in care—some with more details, some with very little. The report made a number of recommendations: Raise the age for extended care maintenance to 25; allow youth to stay in foster care and group care until they are ready for independence; ensure that every child has ongoing access to health and education services; monitor and improve the experiences of children and youth in care by gathering, tracking and publishing information; use online resources to make it easier for children and youth in care to find out about their rights, jobs, volunteer opportunities and scholarships. These were some of the recommendations of the Youth Leaving Care team, but their number one recommendation was that the government of Ontario complete an action plan for fundamental change.

The hearings, the creative videos, the youthful yet mature enthusiasm of the participants and the eye-catching report served not only to highlight the issues as seen from the youth in care, but also to fuel a broader discussion about how we might improve the system.

In January of this year, we got the action plan in the form of a Blueprint for Fundamental Change to Ontario's Child Welfare System, the report of the Youth Leaving Care Working Group. Let me quote one tiny part of that report, and you can find it on page 21 in the report. "It is essential and urgent that the ministry extends the age of protection to 18."

1530

I agree with the working group, and I agree with the intent of this bill. Currently, we are saying to 16- and 17-year-olds who are perhaps in an abusive situation at home, "Tough luck. There's nothing we can do to help you out." That's simply not acceptable. We give them no options, no supports, and for many the only escape is the streets. What sort of escape is that? No money, sleeping in shop doorways, begging for a few pennies to try to have a little bit of food in their stomach, and constantly in fear of what or who will come around the corner next. It's a sad reality, and there are way too many people out there ready to exploit these youth. But escape they must. Home is a place that for most of us is a refuge, a place of comfort and unconditional love, but for them it is a place even more terrifying than the street.

The hard thing to understand is the fact that these kids, if they were in the system before the age of 16, could be in care until the age of 18. But if they're over 16 when they first come to the attention of the child welfare agencies, the Child and Family Services Act says that we cannot get involved. It makes absolutely no sense. We're letting our youth down, and quite frankly, I think we're letting ourselves down in this House. The fact that we

keep youth in care until the age of 18 means that we recognize that 16 is too young to expect them to be able to support themselves.

As a society, we see children staying home longer and longer. More than half of Ontarians between the ages of 20 and 24 still live at home with their parents; many don't leave until their late 20s. Yet, as a province, we cut off potential for support and refuge at the tender age of 16. With this bill, children who are 16 or 17 years old who are needing it for the first time can choose to access our child welfare system, a move that would bring us in line with the expectations of the global community. We in Ontario fail to meet our obligations under the UN Convention on the Rights of the Child, which speaks to a child's right to protection from abuse and neglect and defines a child as anyone who is under the age of 18. It would bring us on par with Quebec, Alberta, Manitoba, British Columbia and the Yukon, all of which protect children from abuse and neglect until they're up to the age of 18 or 19.

Mr. Speaker, as the Association of Children's Aid Societies points out, elsewhere in Ontario law, a child is defined as under the age of 18. The Age of Majority and Accountability Act requires a litigation guardian to represent children under 18 in court proceedings. The Education Act requires children to attend school until graduation or until the age of 18. The law reform act recognizes parents' obligations to provide financial support well past the age of 18 if their child is attending a post-secondary institution or cannot be self-sufficient due to illness or disability. It's time to bring Ontario's child welfare system more in line with other Ontario laws, more in line with other Canadian jurisdictions and more in line with other international agreements.

As I said, I support this bill, but I do have some concerns. I'm concerned about the challenges that will be faced by the children's aid society as it works to meet this added obligation. Don't get me wrong; I know that they agreed to this fundamental change that needs to happen and want to be able to provide services to 16- and 17-year-olds. But I have spoken in this House before about the cuts to funding being suffered by children's aid societies. I know that the government will claim, as they have before, that funding has not been cut but that it's only being redistributed across the province. Many children's aids are already challenged by the impact of the new funding model and are receiving little understanding or help from the government in meeting those challenges. But beyond that, the idea that there are no cuts is simply not accurate, and they know it isn't accurate. They know, whether they admit it or not, that because the government has put an end to the year-end funding, less money will flow to children's aid societies this year than last year or the year before. If the government was to come clean on this and have an honest conversation, we might be able to get somewhere.

This is a very important bill and one that I can absolutely easily support, but we have much more to do. Our Voice, Our Turn laid the groundwork with the Youth

Leaving Care hearings and brought the key issues forward in the My Real Life Book. The minister responded by establishing, along with the advocate for children and youth, the Youth Leaving Care Working Group. The group made a number of excellent recommendations that provide a useful road map for us all to consider. For example, a key recommendation in both My Real Life Book and the blueprint for fundamental change was to raise the extended care maintenance to 25. Our government decided that they would make a move on that, but they limited it to youth who are attending a post-secondary institution, so we have a bit to go before we can actually put a tick in that box.

Where are we with allowing youth to stay in foster or group homes until they're ready to leave? Where are we in ensuring that every child has their ongoing health care needs met? Have we started to monitor and collect the needed information to track the experiences of our youth in care as recommended by the youth leaving care teams? Are we developing resources that will allow youth to access information on their rights, on jobs, on extracurricular activities or volunteer opportunities? Has anything been done to establish an accountability framework that promotes consistent child welfare practices across this province? These are just a few of the recommendations, and we need to push forward and see some action on them, and see some real action for our youth in care.

In closing, I want to thank the youth who have made their voices heard in advocating for all of these changes. It's because of their hard work that we see these changes happening. It's because of their hard work that we have as many bills in front of this House at this time to deal with their issues.

I think it's absolutely fabulous that you brought this forward. Like I said, we will be supporting this bill. We know we need many changes. I'm happy to see the minister here today listening, nodding her head. I hope that means a good thing, that she's here and that she looks like she would be in agreement to making this move forward, because it is an important step.

We do need to make sure that we're taking care of 16- and 17-year-old children of this province. I know myself, I have heard from residents and parents and grandparents saying, "What am I going to do? I need to move forward with this. Things need to happen. My child's going to be 16 in a month. Then what happens?" Right? Anything can possibly happen after a child turns 16, and then they're left on their own. I know what I was doing at 16 and 17, and I don't know if I could have done that without my parents or without someone to make sure that I was on the right track. So thank you for the time to allow on this bill. Let's hope that it moves forward and that we get the support from the government.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Hon. Teresa Piruzza: First, let me say I appreciate the member's comments and the member from Hamilton Mountain as well, in terms of the comments that she's just made as well in terms of this bill moving forward,

and your efforts to promote the well-being of all youth in Ontario, which is certainly something that I think everybody in this House can agree to and work together on. Bill 88, of course, highlights the need to support 16- and 17-year-olds whose parent are unable to care for them.

A key purpose of the Child and Family Services Act is to promote the best interests, protection and well-being of children. This private member's bill will enable youth aged 16 and 17 with no previous child welfare involvement to access support in the system. This is a concern that we heard from the Youth Leaving Care Working Group, which we've heard about. I thank the youth that did come out for those hearings, whom I listened to as well, for the courage and the strength that they demonstrated in terms of coming forward.

1540

I'd say this government has listened closely and we have worked with our partners, especially the young people in this province who have bravely brought their concerns and ideas to Queen's Park. We've heard as well from the provincial advocate on this topic, as well as the Ontario Association of Children's Aid Societies, and Justice for Youth. I'd like to welcome all the reps who are here today. Thank you for your ongoing commitment promoting the well-being of all our children and youth.

Our partners have told us that youth aged 16 and 17 would benefit if we built on the progress that we've already made, so I appreciate this bill coming forward. At its root it shows that you and your party and everyone in the House agrees with our government's plan to help young people in this province reach their full potential.

We've made a lot of progress in creating a child welfare system that focuses on the needs of our children and youth. Even with this progress, we know we can do more to support. Youth without supportive placements don't have the opportunity to reach their full potential.

I can tell you that this government will certainly consider the proposed amendments. Part of what my ministry does on a regular basis is examine how we can better support youth, specifically those who are most vulnerable. I, along with my stakeholders, can see that these specific young people face significant challenges. While there are no simple solutions, a continued debate at committee is necessary in order to secure a sustainable future for these youth.

I want to ensure that all young people in Ontario have the best tools to prepare them for their future, whether that's attending university or college or landing their first job. I want to share our government's strong record in recognizing where improvements can be made and then responding with the right supports and services.

Immediately after receiving the insightful Blueprint report, we responded by taking a number of important steps to improve the lives of children and youth in, and leaving, care. These young people now have access to a range of new resources and supports that will help them stay in school, pursue post-secondary education training, maintain strong relationships, and better prepare them for leaving care.

We know how important a good education is to future success. That's why we're taking steps and making investments to encourage and help these young people get a strong education. For example, we're providing \$500 a month to crown wards enrolled in OSAP-eligible programs; expanding eligibility so that more youth can access the Ontario Access Grant; partnering with 29 publicly assisted colleges and universities in Ontario to jointly cover 100% of tuition fees.

Our government knows how important stability is to young people who have experienced upheaval. That's why we've also increased the minimum monthly financial support to youth aged 18 to 21 from \$663 to \$850, and are enhancing opportunities for mentorship.

These new resources and supports are big strides forward and they build on a number of steps that we've already taken, but there's always more to move forward. Youth age 16 and up who have left the care of CAS can now return and receive the financial and emotional supports they need until they turn 21. There are 50 youth-in-transition workers to support youth leaving the child welfare system to move towards independence.

I'd like to speak to support that youth aged 16 and older have access to. These include a range of mental health, health care and housing services and supports available in their communities. There are housing providers, youth drop-in centres and youth outreach workers. Specifically, our youth outreach workers in our communities connect young people to the right services and supports.

Investing in young people truly makes a difference. Our government is proud of the progress we've made and the supports we've enhanced for our young people. The Youth Leaving Care hearings at Queen's Park in 2011 taught us a very important lesson: Decision-makers need to respect young people's capacity to make decisions over their well-being and future. This bill has the potential to provide that opportunity to youth.

We appreciate that all 16- and 17-year-olds may require supports and services beyond those already available. As the Minister of Children and Youth Services and as a mother, I acknowledge the challenges this group of young people face. My oldest son is 17; he's in that age group. So I can certainly appreciate the needs of that age group. Unlike my son, many youth, unfortunately, don't experience a nurturing family environment their entire life.

We will continue working diligently to provide Ontario's children and youth with the services and supports they need to reach their full potential. I ask that members vote in favour of this bill and send it to committee for a more fulsome debate.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mrs. Jane McKenna: As Ontario PC critic for children and youth services, it is my pleasure to rise today to speak to Bill 88. Thank you to the member from Barrie, who is bringing this legislation forward in the spirit of the Youth Leaving Care hearings, which took place here

at Queen's Park in November 2011. Those hearings made an enduring mark. The voices we heard continue to resonate with us.

But one of the hard truths we need to admit to ourselves, as legislators, is that not all children in need are part of the province's child welfare system. In fact, that system has a significant blind spot. As things stand, 16- and 17-year-olds who find themselves in need for the first time, perhaps because they're trying to escape a family environment of abuse and neglect, are denied access to support services that are available to their same-age peers.

Bill 88 would amend section 1 of the Child and Family Services Act to recognize that services provided under the act should be provided in accordance with the United Nations Convention on the Rights of the Child. Doing so would allow children who are 16 and 17 and have never been in the public protection system to enter temporary care agreements—something now prohibited under the Child and Family Services Act—and access voluntary limited support services through the children's aid society until they turn 18.

As the member from Barrie has noted, the current exclusion is not simply a systemic failing but also a charter violation of both section 7, the right to life, liberty and security of the person, and section 15, the right to equal benefit of law without discrimination, since the current Child and Family Services Act discriminates against 16- and 17-year-old children.

The government's stand is that a 16-year-old looking for help for the first time is an adult and must find their way alone. That's not the reality we know. Statistics Canada tells us that over half of young people age 20 to 24 live at home with their parents, and something like a quarter live at home until they're 30 years of age. Yet not all young people are so fortunate. Study after study has shown that at-risk youth simply do not fare as well in life as other young adults. They're less likely to finish high school, pursue post-secondary education or even earn a living wage. They're more likely to spiral into poverty and mental health issues, and become entangled in the justice system. Early intervention that reduces the risk of those outcomes is both the moral and sensible thing to do.

Making this change will involve minimal new costs, and in fact will reduce the high social service costs associated with homelessness, addiction, mental health issues, criminal behaviour and so forth in later life. It will also hold out hope to young people. It will improve the odds that they are able to stay on track. It will increase their ability to reach their full potential and become happy and productive members of society.

I am happy to support Bill 88, and I look forward to further debate. I am very proud of the member from Barrie for bringing this forward; thank you so much for what you've done. And thank you, all of you out there, for all you've contributed to this.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Ms. Mitzie Hunter: I would like to speak here today in support of Bill 88, and I would like to thank the member for Barrie for bringing this bill before the Legislature. This bill seeks to acknowledge and improve services to some of Ontario's most vulnerable youth, and it's an issue of importance to the people of my riding of Scarborough-Guildwood. It is an important bill that warrants discussion.

The goal of the Ontario government is to give children and youth in this province every opportunity to reach their full potential. This government is committed to improving the lives of Ontario's vulnerable children and youth.

1550

Since 2003, the Ontario government has increased funding for child protection by 40%. The Liberals continue to work hard to assist all youth, especially those who are considered to be at risk.

Investing in people and investing in youth is one of the main goals of the Ontario government. We have a strong record of investing in child welfare, helping the system become modern and accountable.

This bill seeks to continue this government's strong tradition of supporting youth. The youth of this province are our future, and the Ontario government has and will continue to invest in Ontario youth. This government's investment in youth services and supports will empower youth to reach their full potential.

Youth in this province, and in Scarborough-Guildwood, already have a wide range of large-scale programs and initiatives that will help them achieve a brighter future: Ontario's Youth Action Plan, Ontario's comprehensive Mental Health and Addictions Strategy, the Poverty Reduction Strategy and the ongoing development of an Aboriginal Child and Youth Strategy. It is clear that the Liberal government believes in the youth of this province, and we want to give them every opportunity to reach their full potential.

We have listened to the youth within the system and the youth leaving the care of children's aid societies. Following the advice of the Youth Leaving Care Working Group, the Ontario government has developed and will continue to develop new resources and supports to help youth succeed as they leave care.

Our minister has acknowledged the recent supports and resources which include raising the monthly financial support to youth receiving continued care and support for youth aged 18 to 20 to \$850; the Living and Learning Grant, which provides \$500 per month during the school year to students aged 21 to 24 enrolled in OSAP through post-secondary institutions or training programs; developing mentorship opportunities for young people in care; improving training for caregivers; and funding up to 50 youth-in-transition workers across the province to support young people leaving care. We are committed to developing and creating additional supports and resources to help youth succeed as they leave care and start their lives as adults. This government's goal is to prepare the youth of this province for independence by support-

ing them while they secure housing, finish their education, pursue post-secondary education and training, develop and maintain strong relationships, and gain more stability in their lives.

Bill 88 seeks to enhance supports for a specific group of young people in this province. There is a need to provide these services for youth ages 16 and 17. This bill would close the gap and extend support to those who otherwise may not have access to these resources. This bill invests in Ontario's most vulnerable youth and seeks to help them on the path to reaching their full potential. Bill 88 reaffirms this government's plan for investing in people and helps make Ontario a more fair and prosperous society.

This bill will be well received by the child welfare sector. In particular, the Provincial Advocate for Children and Youth and the Youth Leaving Care Working Group have both publicly called for an extension of service to youth ages 16 and 17. Both groups are here today. I'd like to acknowledge their commitment to improving services for vulnerable children in Ontario. It's this type of commitment that has inspired me to come to Queen's Park.

As such, our government will continue to be supportive and respectful to the opposition and their ideas. Speaker, our government does not want to let politics get in the way of good ideas that benefit all Ontarians. For that reason, I will support Bill 88. Thank you for this opportunity.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mrs. Christine Elliott: I am very pleased to rise again to speak in support of Bill 88, the Child and Family Services Amendment Act.

I would like to add my thanks for all of the people, all the supporters in the gallery today, particularly the young people, who have made it their mission to make sure that this legislation comes before us. Thank you for your dedication and commitment. We truly appreciate it. You're the ones who are making this happen, so kudos to you.

Before I address the substance of the bill, I would like to say something about my friend and colleague the member from Barrie. In the relatively short time that he has been a member of this Legislature, he has really made a name for himself as a passionate defender of human rights and for supporting the interests of vulnerable people.

In a previous private member's bill, he protested the use, by some school board personnel, of blocker pads in dealing with children with autism and other special needs. Now he's bringing forward another bill that's dealing with vulnerable people: young adults, or children, who are still 16 and 17 years of age.

I commend him for his efforts in this. We appreciate all that you're doing to support vulnerable people in our society. Thank you.

As people have mentioned, Bill 88 works to protect Ontario children. Today there is an anomaly in that youth

who are 16 and 17 years of age cannot seek the services of children's aid societies if they have not already done so by the time they are 16.

We're currently letting these youth slip through the cracks of our system, with the result that often they end up without a place to live, so they couch-surf without a permanent home, they end up homeless on the street or, in some cases, they get caught up in our criminal justice system and end up in jail or other institutions that are not exactly welcoming.

This bill would equalize the young adults who are currently in the children's aid system with those who are seeking help for the first time at age 16 or 17.

As has been noted, in Canada 76% of homeless youth suffer victimization. This bill would help to solve the issue of youth living on the streets and ensure that all young people under the age of 18 have a safe place to live if they can no longer live at home for whatever reason.

Canada has signed the UN Convention on the Rights of the Child, which states that all individuals under the age of 18 are guaranteed basic rights. We clearly are not in compliance with this convention at this time in Ontario. In fact, Ontario is the only jurisdiction in the developed world that tolerates this human rights violation. As a society which prides itself on the services and the protections that we provide to individuals, as a province we are failing these young people, both now and into their future.

Allowing 16- and 17-year-olds the option to seek assistance from the children's aid society, if needed, not only would help keep our children off the streets; it would also help the rest of our social services system. By giving our young people the ability to seek care, it will reduce the high cost of homeless shelters, medical care and hospitalization resulting from living on the streets. In other words, with a very small investment up front that truly helps people, we can stave off some of the unwanted complications and needless costs resulting from our failure to deal with this situation.

In Ontario, we need to work to protect the vulnerable members of our society. Our youth are an invaluable resource. Bill 88 will help keep young people from a life of homelessness and ensure that they have the tools necessary to succeed in life. We want to be able to offer hope and a future for our young people.

I'm very pleased to stand here to lend my support for this bill and urge all members to support it, which it sounds very much as if they will be doing.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Rob Leone: I'm pleased to rise on behalf of my constituents of Cambridge to talk about Bill 88, An Act to amend the Child and Family Services Act with respect to children 16 years of age and older.

I very much want to highlight what's in the explanatory note, which states that the "act is amended to include a new purpose of the act, which is to recognize that services provided under the act should be provided in

accordance with the United Nations Convention on the Rights of the Child."

1600

It strikes me that we are here, in 2013, debating a bill that actually, frankly, neglects a certain segment of the population from getting the care that they need and deserve. I think it's certainly the fundamental role of government to be able to talk about the things that help society's most vulnerable people.

In saying that, I want to commend my good friend from Barrie on the work that he has done, not only in devising this bill but in other pieces of legislation that he has brought forward. Certainly he has brought forward—previous to this, we debated a bill that protects autistic kids from the blocker pads. He has developed a brand of compassion and of fighting for our most vulnerable children. He should be commended and congratulated for that. So thank you very much to the member from Barrie.

Mr. Speaker, I received an email not too long ago that talked about some of the challenges that our social services groups are facing—our homeless shelter, in particular. This suggests that the numbers in Ontario for August were very high. In fact, it was the highest month they had ever had with a 25% increase in bed nights over August of last year, which was our highest month at that point in time. We are maxed out and beyond capacity in all areas for the shelter. All shelters in our region are experiencing the same kind of stress. There does not appear to be any kind of long-term plan to deal with it.

A lot of the reasons why there are issues with respect to our shelters is because the discretionary benefits were actually cut in the budget of the government that was supported by the NDP, which has led to a burgeoning homelessness crisis right here in our region and particularly in the province of Ontario.

This bill has the capacity to rise above that, to allow us to talk about how we can help our young people from avoiding that plight of losing their home, by enforcing and helping these people who are 16 and 17 years of age from getting the services that they need. And why wouldn't we do that, Mr. Speaker? It makes a whole lot of sense, because the small investments we will make today will help these people gain the mentorship, be able to stand on their feet, will help them even get the education they need so they become productive members of their society.

In saying that, Bill 88 speaks right to the heart for me, as a father of three kids. I think that we should all congratulate the member for Barrie for bringing this thoughtful piece of legislation forward. It's about protecting our kids. It's about ensuring that even our most vulnerable children have the rights and accessibility to a good life that all children in the province of Ontario should have. Therefore, I will wholeheartedly support the member from Barrie.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Barrie, you have two minutes for a reply.

Mr. Rod Jackson: I'd like to thank, in no particular order, the member from Scarborough-Guildwood, the

minister, the member from Hamilton Mountain, the member from Cambridge, the member from Whitby–Oshawa and, of course, our own critic, the member from Burlington, for standing up in support of this bill.

It is one of those rare occasions in this House where we have something fairly important in front of us that we all can agree on. It heartens me a lot, in the true sense of the word, to be able to stand here and know that we have the support of everybody on this bill and some of the great things that we can get done.

It is just the beginning, though. There are so many other things that we need to get done as far as dealing with our child welfare system. This is just the beginning, and we've got a long way to go. It's going to happen. We need to have more of a discussion at committee. I look forward to having that discussion in committee.

If that's what this bill does, too—if this starts a greater discussion about the needs for children in our welfare system, and it has to do with the health, the mental health, and the ability to create a successful model for our kids so they can have success into the future and become excellent contributing members of our society, then we've accomplished something here in this House today that I think speaks more than to just Bill 88. It speaks to our willingness to be leaders in our community, to be able to stand up for what's right. Some of the most vulnerable people in our community—there's a gap here that they're falling into many times, and we're actually filling that gap. Hopefully, we can come together, Minister, and hopefully you'll advocate for this to go to third reading. I know that's rare for a PMB, but this is something that—you know what?—I'm even willing to give to you to make your own. It needs to get done. Let's get it done.

The Deputy Speaker (Mr. Bas Balkissoon): The time provided for private members' public business has expired.

CULTURAL DIVERSITY

The Deputy Speaker (Mr. Bas Balkissoon): We will deal first with ballot item number 37, standing in the name of Mr. Kwinter.

Mr. Kwinter has moved private member's notice of motion 42. Is it the pleasure of the House that the motion carry? I heard a bunch of noes.

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. Carried.

Interjections.

The Deputy Speaker (Mr. Bas Balkissoon): I'm sorry; I didn't see you. We will take the vote at the end of regular business.

Interjection.

The Deputy Speaker (Mr. Bas Balkissoon): I missed them.

FAIR AND OPEN TENDERING ACT
(LABOUR RELATIONS FOR CERTAIN
PUBLIC SECTOR EMPLOYERS IN THE
CONSTRUCTION INDUSTRY), 2013

LOI DE 2013 POUR DES APPELS
D'OFFRES ÉQUITABLES ET OUVERTS
(RELATIONS DE TRAVAIL CHEZ
CERTAINS EMPLOYEURS DU SECTEUR
PUBLIC DANS L'INDUSTRIE
DE LA CONSTRUCTION)

The Deputy Speaker (Mr. Bas Balkissoon): Mr. Harris has moved second reading of Bill 73, An Act to amend the Labour Relations Act, 1995 with respect to certain public sector employers in the construction industry.

Is it the pleasure of the House that the motion carry? I heard a bunch of noes.

All those in favour of the motion, please say "aye."

All those opposed to the motion, please say "nay."

In my opinion, the ayes have it.

We'll reserve the vote till the end of private members' business.

CHILD AND FAMILY SERVICES
AMENDMENT ACT (CHILDREN
16 YEARS OF AGE AND OLDER), 2013

LOI DE 2013 MODIFIANT
LA LOI SUR LES SERVICES
À L'ENFANCE ET À LA FAMILLE
(ENFANTS DE 16 ANS ET PLUS)

The Deputy Speaker (Mr. Bas Balkissoon): Mr. Jackson has moved second reading of Bill 88, An Act to amend the Child and Family Services Act with respect to children 16 years of age and older.

Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

The Deputy Speaker (Mr. Bas Balkissoon): Mr. Jackson?

Mr. Rod Jackson: I'd like to refer it to the Standing Committee on Regulations and Private Bills, please.

The Deputy Speaker (Mr. Bas Balkissoon): The member has requested that the bill be sent to regulations and private bills. Agreed? Agreed.

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

The division bells rang from 1608 to 1613.

CULTURAL DIVERSITY

The Deputy Speaker (Mr. Bas Balkissoon): Mr. Kwinter has moved private member's notice of motion number 42.

All those in favour, please rise and remain standing.

Ayes

Albanese, Laura
Armstrong, Teresa J.

Gerretsen, John
Gravelle, Michael

Miller, Paul
Milloy, John

Arnott, Ted	Hardeman, Ernie	Moridi, Reza
Bailey, Robert	Harris, Michael	Munro, Julia
Barrett, Toby	Hatfield, Percy	Murray, Glen R.
Berardinetti, Lorenzo	Holyday, Douglas C.	Naqvi, Yasir
Bradley, James J.	Hoskins, Eric	Natyshak, Taras
Campbell, Sarah	Hudak, Tim	Nicholls, Rick
Cansfield, Donna H.	Hunter, Mitzie	O'Toole, John
Chan, Michael	Jackson, Rod	Piruzza, Teresa
Chudleigh, Ted	Jaczek, Helena	Prue, Michael
Clark, Steve	Jeffrey, Linda	Sandals, Liz
Colle, Mike	Jones, Sylvia	Schein, Jonah
Coteau, Michael	Klees, Frank	Scott, Laurie
Crack, Grant	Kwinter, Monte	Sergio, Mario
Damerla, Dipika	Leone, Rob	Singh, Jagmeet
Del Duca, Steven	MacCharles, Tracy	Smith, Todd
Delaney, Bob	MacLaren, Jack	Tabuns, Peter
Dhillon, Vic	Mangat, Amrit	Taylor, Monique
Dickson, Joe	Marchese, Rosario	Walker, Bill
Duguid, Brad	Matthews, Deborah	Wilson, Jim
Dunlop, Garfield	Mauro, Bill	Wong, Soo
Elliott, Christine	McDonell, Jim	Wynne, Kathleen O.
Fedeli, Victor	McKenna, Jane	Yakabuski, John
Fife, Catherine	McMeekin, Ted	Yurek, Jeff
Flynn, Kevin Daniel	McNaughton, Monte	Zimmer, David
Forster, Cindy	McNeely, Phil	
Fraser, John	Miller, Norm	

The Deputy Speaker (Mr. Bas Balkissoon): All those opposed, please rise and remain standing.

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 82; the nays are 0.

The Deputy Speaker (Mr. Bas Balkissoon): I declare the motion carried.

Motion agreed to.

The Deputy Speaker (Mr. Bas Balkissoon): Can we open the doors before I take the next vote?

**FAIR AND OPEN TENDERING ACT
(LABOUR RELATIONS FOR CERTAIN
PUBLIC SECTOR EMPLOYERS IN THE
CONSTRUCTION INDUSTRY), 2013**

**LOI DE 2013 POUR DES APPELS
D'OFFRES ÉQUITABLES ET OUVERTS
(RELATIONS DE TRAVAIL CHEZ
CERTAINS EMPLOYEURS DU SECTEUR
PUBLIC DANS L'INDUSTRIE
DE LA CONSTRUCTION)**

The Deputy Speaker (Mr. Bas Balkissoon): Mr. Harris has moved second reading of Bill 73, An Act to amend the Labour Relations Act, 1995 with respect to certain public sector employers in the construction industry. All those in favour, please rise and remain standing.

Ayes

Arnott, Ted	Holyday, Douglas C.	Miller, Norm
Bailey, Robert	Hudak, Tim	Munro, Julia
Barrett, Toby	Jackson, Rod	Nicholls, Rick
Chudleigh, Ted	Jones, Sylvia	O'Toole, John
Clark, Steve	Klees, Frank	Scott, Laurie
Dunlop, Garfield	Leone, Rob	Smith, Todd
Elliott, Christine	MacLaren, Jack	Walker, Bill
Fedeli, Victor	McDonell, Jim	Wilson, Jim
Hardeman, Ernie	McKenna, Jane	Yakabuski, John
Harris, Michael	McNaughton, Monte	Yurek, Jeff

The Deputy Speaker (Mr. Bas Balkissoon): All those opposed, please rise and remain standing.

LEGISLATIVE ASSEMBLY OF ONTARIO

Nays

Albanese, Laura	Forster, Cindy	Milloy, John
Armstrong, Teresa J.	Fraser, John	Moridi, Reza
Berardinetti, Lorenzo	Gerretsen, John	Murray, Glen R.
Bradley, James J.	Gravelle, Michael	Naqvi, Yasir
Campbell, Sarah	Hatfield, Percy	Natyshak, Taras
Cansfield, Donna H.	Hoskins, Eric	Piruzza, Teresa
Chan, Michael	Hunter, Mitzie	Prue, Michael
Colle, Mike	Jaczek, Helena	Sandals, Liz
Coteau, Michael	Jeffrey, Linda	Schein, Jonah
Crack, Grant	Kwinter, Monte	Sergio, Mario
Damerla, Dipika	MacCharles, Tracy	Singh, Jagmeet
Del Duca, Steven	Mangat, Amrit	Tabuns, Peter
Delaney, Bob	Marchese, Rosario	Taylor, Monique
Dhillon, Vic	Matthews, Deborah	Wong, Soo
Dickson, Joe	Mauro, Bill	Wynne, Kathleen O.
Duguid, Brad	McMeekin, Ted	Zimmer, David
Fife, Catherine	McNeely, Phil	
Flynn, Kevin Daniel	Miller, Paul	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 30; the nays are 52.

The Deputy Speaker (Mr. Bas Balkissoon): I declare the motion lost.

Second reading negatived.

1620

ORDERS OF THE DAY

**WIRELESS SERVICES
AGREEMENTS ACT, 2013**

**LOI DE 2013 SUR LES CONVENTIONS
DE SERVICES SANS FIL**

Resuming the debate adjourned on September 12, 2013, on the motion for second reading of the following bill:

Bill 60, An Act to strengthen consumer protection with respect to consumer agreements relating to wireless services accessed from a cellular phone, smart phone or any other similar mobile device / Projet de loi 60, Loi visant à mieux protéger les consommateurs en ce qui concerne les conventions de consommation portant sur les services sans fil accessibles au moyen d'un téléphone cellulaire, d'un téléphone intelligent ou de tout autre appareil mobile semblable.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Bramalea—Gore—Malton.

Mr. Jagmeet Singh: It would be my distinct pleasure to continue this debate, so thank you so much for the opportunity.

Mr. Speaker, I said this before and I want to stress this point—

Mr. Rosario Marchese: Repeat it many times.

Mr. Jagmeet Singh: My friend from Trinity—Spadina encourages me to do so, and I will, because the problem here is that there is a limited amount of time that we have in this Legislature. It's a limited time. We don't have a lot of time here. Given the fact that we don't have a lot of time here, we have to use our time here wisely. That makes sense, right? We need to use our time here wisely. Using it wisely means prioritizing certain bills and recognizing that other bills may not be as necessary to bring forth.

There was a time, a distinct time, when Ontario did not have an adequate piece of legislation that governed wireless contracts—it didn't. Other provinces did have it. So naturally Ontario felt the need, understandably, to bring forth some legislation to provide protection for consumers. But the federal government then stepped in and introduced a significant code called the wireless code. The CRTC put that forward. It's now enacted. It was presented in June of this year—June 3, 2013—and it will be in effect by December 2, 2013. This bill, which is a federal bill, applies across the country and it provides for almost every point that's in the proposed bill, G60. In fact, it goes further because federally there is a broader mandate and the CRTC has the ability to provide for certain provisions that were not available to the province.

So the CRTC covers things like putting a cap on roaming charges, putting a cap on data charges. If you're travelling overseas—we heard those examples of people that were on vacation and inadvertently their cellphone were turned on or a young child was playing with the phone and turned it on and ended up racking up thousands of dollars in roaming charges, in data fees. People were up in arms, saying, "How could this be possible? How could it be so easy to rack up a bill of \$20,000 and there are no checks and balances in place?" People were understandably upset. The CRTC intervened and created a pretty broad wireless code that provides for a lot of protection.

The reason I mention this is because there was a time when Bill G60 was relevant—when it was G82. At this point in time, given the limited time that we have in this House, its relevance isn't what it was before. There are a number of other bills that I think it would be so important to bring forward. I'm commending the Attorney General for bringing this forward in the first place. Good job—many, many years too late.

There have been a number of recommendations brought forward requesting anti-SLAPP legislation. The NDP presented a very similar bill, requesting this government to follow suit and actually enact anti-SLAPP legislation. Years and years had passed, but, in fairness, finally the Attorney General brought it forward. It was an important piece of legislation, the reason being that the anti-SLAPP legislation essentially protects people who are voicing dissent.

I'm a strong advocate of the right to dissent. I think that's really one of the most important hallmarks of democracy. The ability to get up and say, "I disagree with the government," or, "I disagree with what's going on in my community," or, "I don't like this" is your right. SLAPPS are essentially strategic lawsuits brought against people, raising their concerns.

The fact that that bill wasn't brought forward, which I think is very timely, very relevant and something that the community is crying out for—the community of activists, the people who are engaged in their communities, who want to stand up for issues that matter, are saying, "This is something we need to see enacted. We needed to see this 10 years ago, but now is good, if we can bring it

forward." I think a bill like that would have been a more appropriate use of the time that we have here.

Let's speak about some of the things in this bill that I think are quite strong.

One of the things that has come up time and time again is that when we provide people with a protection, when we give them a guarantee, all too often what happens is, two problems come up. One, there's no enforcement. So you say that someone has a particular right or they're guaranteed a certain protection, but then they try to make use of that protection or that right, they end up suffering the consequences because there is no enforcement of that right; there is no enforcement of that protection. The second problem is that if you apply a penalty to someone for doing something that's inappropriate, there's no sanction.

In this case, I have to actually admit that there is a strong provision for a sanction. In this bill presented by the government, G60, one of the key pieces of this legislation is open disclosure of contracts. As a consumer, if I want to buy a cellphone or I want to sign up for an agreement, there needs to be a transparent contract, which has clear language, which is easy to understand. If any of those criteria aren't met and I wish to cancel my contract because it turns out I didn't understand there was a particular fee that was slipped in there or there was some piece of that contract that I didn't understand, this bill provides for a remedy or a sanction. The remedy in this case is that you can cancel your bill. That's good. You can cancel your wireless agreement—no penalties. You're able to cancel your contract if the language wasn't clear, if it didn't disclose all the costs. That, to me, is a good remedy, and it was a good step forward, saying, "We are going to give a right but also provide a sanction or a penalty or a remedy." That, to me, is a meaningful type of law.

Another example of where this bill does something that I think we need to emulate in other areas is that if, for some reason, the wireless provider charged you too much—you cancel your contract, and they charge you far too much, more than you're supposed to be charged—the bill provides for a provision where you can sue the company for doing that, and it gives you the right to sue for three times the amount you're owed. I think a good reason for that is—maybe you were charged \$100 more than you should have been charged, and you look at your options. You could sue for \$100, go to Small Claims Court, spend a whole day in court, and maybe it's not worth it to you. Maybe you think that \$100 isn't worth it. "I want the \$100. Times are tough. But if I take a day off work, I could have made almost \$100 anyway. It's not really worth it to me." But if you can actually sue for three times the amount you're owed, which is \$300, you might say, "You know, it's worth it for me to take the time to get out there and actually proceed with this legal action." That, to me, is a real remedy. You're giving a right, but you're also giving a protection, or a penalty, or a sanction, so that the right actually has some meaning, some value. I think that makes a lot of sense.

1630

What I had mentioned before, and I think it deserves some reiteration, is that the reality is that in Ontario, and really across the world, cellphone usage is increasing. That's something we're commonly aware of. But more than just increasing, cellphones are now more and more the primary means by which people communicate with one another. There are many households now where they don't have land lines and instead they have cellphones.

The other particularly interesting fact that I've noted is that cellphones now are increasingly the actual preferred way that people are using to access the Internet. For me, this is a particularly important point, because the Internet, in my opinion, is a resource now that's no longer simply a luxury or a pastime or a source of entertainment. The Internet is becoming increasingly an important resource. People can access information. It's a way to make applications for services. Many of the government services that we receive—there are ways to access that information online. School applications now are primarily online applications. So, really, access to the Internet is a serious and important way of accessing important resources.

If the Internet is an important resource—it's something that provides us with the information that we need, access to that information and provides us with access to the resources that we would like to take part in or to access or to enjoy or to use—then our ability to access the Internet is quite important, and the more accessible the Internet is, the more free our societies will be, if that's an important resource.

If cellphone usage is the primary way that people are going to access the Internet, then we need to make sure that cellphones and that data uses, particularly, are affordable, that people can actually access the Internet through their cellphones in an accessible way and in an affordable way.

While I agree with the idea of open disclosure of contracts, and I agree with the protections afforded by this bill with respect to cancellations and not overcharging individuals when it comes to cancelling a plan, and if they were given a cellphone as an incentive to sign up a plan, that they shouldn't have to pay twice or triple the costs of that cellphone—I agree with all of that. But where I think consumers need mere protection is actually the cost of cellphone plans. Right now, in Ontario, and in Canada, we're paying some of the highest cellphone rates—not only in Canada, but in the world. That's a serious problem. Again, if we're talking about accessibility, and it's so expensive to actually pay for the wireless services, that's an area where consumers need some protection. We need to step in and ensure that wireless services are affordable and that we're not paying the highest prices in the world.

By comparison, Scandinavian countries pay far less than us; India, China and Hong Kong pay far less than us. We're, again, amongst the highest cost for cellphone wireless usage.

So that's an area that I think the government should take some action, in terms of trying to take some steps to make sure that it's more affordable. That's an area where the consumers would see some concrete protection and it would be an area that would be something important, necessary and, again, would promote and support accessibility.

What I mentioned in the couple of times I had an opportunity to speak on this bill is that one of the encouraging things that has come as a result of this bill—as a result of this discussion about wireless service agreements and the open disclosure and just the issue of wireless in general—is the way that this issue made it to this House today.

One of my big concerns, and I notice this in my riding, is that there is a lot of apathy. People are not engaged in politics. They're not participating in politics. They've been turned off. To me, a vibrant democracy requires people to be engaged in politics. They have to come out and turn out to vote. When they don't, to me, it's troubling, because I want to see people engaged in their communities and in governing themselves.

But sometimes voting isn't the only way you can get engaged politically. It's not the only way that you can voice your concerns. When it comes to this issue about cellphone wireless services, the way this issue made it to this House is that it was the primary area of complaints received by the ministry, particularly the organizations that are tasked with reporting and recording the complaints received regarding telecommunications services.

The Commissioner for Complaints for Telecommunications Services, for the year 2010-11, received 8,007 complaints regarding telecommunications generally, which represents a 114% increase over previous years. Of these complaints, 75% were in relation to wireless services. So a vast majority of the complaints received by the CCTS were about cellphones, about wireless service issues, the fact their bills were too high or the fact that the contracts were hard to understand. These were issues brought up by the consumers, by the people, and their complaints and their raising of this issue resulted in this becoming a Ministry of Consumer Services issue that made it to the legislative floor.

Why I mention this is that I encourage people to engage in your community. If you don't want to engage in it politically—I hope you do, and I hope folks listening take the time to vote and exercise their right. But not only during election time; that's not the only time that you should be involved in your community. Complain. Complaining about things that aren't working, complaining about things in your community, is important. I also think that along with the complaint should be a solution; we should work towards brainstorming on solutions as well. But starting off with a complaint is a good starting point to get the issues forward, to bring them forward, to commence the discussion, to begin the discussion.

So I urge everybody to make sure in your communities, in your homes, in your neighbourhoods, in your cities, in your province, that you complain about things that you don't like. If you don't like the way the services are being delivered, make sure you voice that concern. Voice it to your local councillor. Voice it to your MPP, to your MP. It's important to bring up these issues because this is one mechanism for democracy. By complaining about things going around you, you can raise the awareness on that issue.

In this case, this is an example of where, with the 114% increase in complaints and the fact that 75% of those are related to wireless service agreements, it became an issue that this government actually took a stance on. So I encourage people, whatever it may be, if you're concerned about the high cost of auto insurance, then contact your local MPP and say, "Hey, what are you doing about that?" If you're concerned about the lack of home care services that are being delivered, complain about that as well. Because that is one of your ways of voicing your concern; that's one of your ways to engage in politics without waiting for an election.

One of the other areas this bill talks about, and we've touched on it briefly, is the type of language used in the agreements. The bill talks about open and clear and transparent language. All too often, consumers have complained to me, as a critic for consumer services, that in general when they sign an agreement, whether it's for door-to-door gas energy services or whether it's for a water heater, the contracts that are used are very hard to understand. They're not something that a layperson or a person who hasn't had the advantage or privilege of legal training can understand. I think it's a basic requirement that language in contracts should be accessible, easy to understand. And it shouldn't actually only be for wireless service agreements. This is a principle that should exist in all contracts.

So I encourage the ministry to look at this issue of having agreements, whatever area they may be in, whether it's in telecommunications, whether it's in home services that you receive, whether it's in appliance sales, whether it's in car sales, banking services, whatever falls within the purview of the province, so that, wherever we can, as the government—I urge the Ministry of Consumer Services to look at all agreements in any industry and make sure there is transparent language, easy-to-understand language, so it's not something where the consumer is simply reading an agreement and doesn't understand and doesn't appreciate all of the facts and all the considerations and signs on to something unwillingly or unknowingly. I think it should be legislation that is set out for all agreements that the language should be transparent and should be something that's clear and accessible.

1640

Now, one of the reasons this bill has come forward is that there has been a lot of coverage in the past perhaps two years, more so in the past year. There has been clear indication that wireless service is an area of complaint,

and even now, it's an issue that Ontarians are concerned about.

But I turn back to my earlier comment: The wireless code covers things that are not covered by this province. The bill was brought forward knowing that the wireless code existed. One of my concerns is that there's redundancy created by this bill. What was the point of creating two pieces of legislation that do the exact same thing? My constructive criticism is this: We could have carved out portions of this bill that were already dealt with by the CRTC, which is a code, a guideline, that supersedes our provincial jurisdiction and applies across the country. That would have made this bill, in my mind, a bit more effective, a bit more clear.

The redundancy—the fact that there are two overlapping bills that cover the same territory—does not benefit the consumer, particularly when the CRTC goes further and provides greater protection with caps on data charges and caps on roaming charges. Having two pieces of legislation that overlap is not effective. I think we could have kept some of the sanctions and some of the remedies that are in this bill and, recognizing that the CRTC already exists, made this a stronger bill by not having those redundancies. Perhaps that's something we can look at when this bill finds its way to committee.

Another area of concern that's coming up—it doesn't fall underneath our provincial purview, but it's an area of concern in terms of what we can do to actually bring down the rates we're seeing here in Ontario. There has been discussion, on the federal side, of opening up competition. Right now, there's a bid that will be happening very soon. In my mind, it draws to mind some serious concerns.

The concern is this: The bidding process now moving forward is for new bandwidth, so that other providers and existing providers can bid on more airwaves or more cellphone ranges so they can either provide more services or new competitors can come into the market. One of the requirements that has been set out is that local authorities have requested full access to be able to surveil transmissions. It's an area of concern in that, more and more in this digital age, we're seeing that our privacy interests are being superseded by technology and by surveillance by the government.

The issue is quite relevant when you look at what has happened with the NSA in the States and issues around a charter-protected right. We have the right to security. We have the right not to be unlawfully searched. We have the right not to be arbitrarily detained. These rights are cherished rights. Our privacy concerns are something that we recognize as important. And while we need to certainly ensure that we have affordable rates—

Interruption.

Mr. Jagmeet Singh: It's okay. You can take it if you want.

Interruption.

Mr. Jagmeet Singh: You know, you might as well just take it, because it's making so much noise. I don't even know how to turn it off. Thank you.

Applause.

Mr. Jagmeet Singh: All my thoughts and all my comments don't get any applause, but my cellphone going off does. Thank you. That's democracy for you. That's the Legislature for you.

Interjection: Because of Bill 60.

Mr. Jagmeet Singh: All because of Bill 60.

That's an area of concern, though. In the pursuit of trying to make sure that our wireless services are more affordable, they're opening up the bidding process, and other companies will bid on it.

But this caveat that there has to be full access by local authorities for surveillance, given some of the privacy concerns that have been raised in the US around the government randomly having access to our interactions by cellphone and by email—I'm also concerned that our province and our country don't go down that route. We need to protect or find a balance between protecting our communities, protecting our societies, through strategic use of our powers, strategic use of our law enforcement but at the same time protecting individual's right to privacy. It's an important area to find that right balance. I bring that up because as we're talking about cellphones and we're talking about wireless codes and wireless agreements, we have to ensure that we have respect for the privacy of our citizens and that in our pursuit of security we don't trump our civil rights and our civil liberties—a cautionary note for members of this Legislature to consider that that's something we must protect.

All in all, it's a bill that will provide some consumer protection. I would like to see it go further by providing some means and mechanisms to actually reduce the costs for wireless services, which is one of the real issues here.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Hon. Tracy MacCharles: It's my pleasure to get up and speak about Bill 60, the Wireless Services Agreements Act, which I introduced. I know my colleagues will be speaking in further debates today and beyond about the features of our bill and how it strengthens protections for consumers in Ontario. I thought, since the member from Bramalea—Gore—Malton raised a couple of issues around the CRTC and different things, that I would speak to that and why our bill is different.

The proposed bill in Ontario is different and stronger in certain aspects, such as requiring all-in pricing, and also the enforcement mechanisms at this point are quite stronger in Ontario than what I understand the CRTC would propose. There are other aspects of the bill we can drill down on if we can get this to committee.

I want to say, too, that of all the legislation I've introduced this season, this one has had the most pickup, the most interest. As I've talked about before, it's early days for the CRTC. The code is largely a voluntary code. There are legal challenges to that code right now. We already heard before, at the CRTC hearings, that the CRTC themselves said that our bill can coexist with this

national voluntary code. As we know, other provinces have this kind of legislation.

The member opposite talked about complaints that have been filed with the CRTC. Those are interesting, but what is important to me is what's going on in Ontario with Ontario consumers. For the interest of the House, in 2012, my ministry received 740 complaints and inquiries about wireless services in Ontario. That's almost two a day. So I think that's what's really important.

I think we need to keep going on our bill. We are watching the CRTC thing closely, and we'll see what happens.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. John O'Toole: The member from Bramalea—Gore—Malton, I think, spoke very well. I think he had a complete and thorough understanding of the bill he was addressing and he made very clear his position on a number of fronts.

Our side would be pretty much the same. I always think it's sort of like Shakespeare—much ado about nothing, really.

Interjections.

Mr. John O'Toole: I mean that complimentarily. In fairness, the Minister of Natural Resources, David Orazietti, did a lot of work on this. I have great respect for the work that Ms. MacCharles does as the minister. I mean that.

It's unanimous; we agree with it. It needs some structural changes. I'll be making some comments later this afternoon, but it should get to committee. This is another case where they're being obstructionists. They're not helping us get this stuff to committee where we can do the real work to make this place work.

With all due respect, I think the member from Bramalea—Gore—Malton—as I said, he's a lawyer. His arguments were very concise and accurate and poignant to the extent of the legislation itself.

But when I go through it, really, there's a lot of stuff—this is the second attempt on this bill as well. It's important to say that, and it's important to recognize that the federal government, under the CRTC, has much of the jurisdiction under the communications.

1650

Because of the mobility factor of cellphones, really it should be a national plan, and I think working with the federal government, which they're trying to do, would improve the outcomes.

Now, the consistency in billing is important, the disclosure piece is important, and also that the customer service component is addressed as well. Much of this bill will need to be discussed later.

I can hardly wait for our member from Burlington and her insightful comments.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Michael Prue: I listened intently to my colleague from Bramalea—Gore—Malton, as always, because he has a way of speaking so insightfully. He has a way of

looking at a complex issue or a multifaceted issue that goes over several jurisdictions and getting really to the nub of the issue. He got to the nub of several of the issues, talking about the rates, talking about the jurisdictions between Ontario and the federal government, and mostly I want to talk about that, because very often in this House we have long, long debates on Ontario legislation which is designed to compliment or which is in step with the legislation of the federal government. All 10 provinces, more or less, either have to, or fall into line and do it anyway, so that our laws are consistent across the country.

I think that is what needs to happen here. I think the legislation needs to go to committee, and probably will go to committee, and then we have to make sure that the legislation that is being put forward in Ontario is as strong as or stronger than the other pieces of provincial legislation and that all of it meshes with what has to happen in Ottawa.

This is a huge issue for many people. People walk around with cellphones everywhere. Even my poor friend who was up making a speech found that that cellphone will not leave him alone. I am one of those people from the old school who refuses to bring my cellphone and my BlackBerry and my computer into this hall, because I think that this is a place for debate, not a place for communications of the wireless kind. In any event, I think most of my colleagues would disagree, and most of them will have a BlackBerry with them right now. Some of them may even be using them. Perhaps the member from Eglinton–Lawrence can tell us whether or not it's being used.

But the issue is that it's everywhere and that it must be debated and we must resolve it to the benefit of consumers.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Rob Leone: I want to stand and congratulate the comments made by the member from Bramalea–Gore–Malton, who spoke for about 23 minutes this afternoon with respect to Bill 60.

I actually just wanted to say that it was kind of humorous to watch him juggle his phone and make a speech at the same time. I think we're all used to doing the multi-tasking that our job requires, but it was pretty interesting to see how the member for Bramalea–Gore–Malton tried to juggle the turning off of his cellphone. I almost rose on a point of order so that you could have a few minutes just to figure it out—unlock your phone and swipe it off.

But, you know, this is good legislation. I think the member for Beaches–East York makes a valid point in terms of trying to be in lockstep with what's happening with federal legislation that may in fact do a lot of what this bill seeks to do and seeks to accomplish.

This is an interesting field. I still think, as the member for Bramalea–Gore–Malton stated in his comments, that we should look at some of the priorities of all parties and start debating those pieces of legislation that we can

really move on. Perhaps we won't agree on all those pieces of legislation, but I would suggest that if we are focusing on legislation that helps the economy, that fixes the jobs crisis in the province of Ontario, we would be far better serving our constituents than talking about a piece of legislation that overlaps to some degree with what's happening at the federal level.

So those are my comments for now, Mr. Speaker. I look forward to enjoying the debate that we're going to have this Thursday afternoon.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Bramalea–Gore–Malton, you have two minutes for a response.

Mr. Jagmeet Singh: Thank you very much, Mr. Speaker. I've noted all the great comments and have ensured that my cellphone is quite far away from me at this point in time and fully shut off, so thank you. Thank you to the Minister of Consumer Services, the member from Durham, the member from Beaches–East York and the illustrious member from Cambridge as well.

I appreciate the Minister of Consumer Services addressing, I think, a very valid point that two pieces of legislation can certainly exist at the same time. My main thrust of my submission or my argument is that, given the limited time here, there are other priorities, I think, that we could bring forward. If a particular issue is already being addressed somewhere else, perhaps, if we have limited time, we should focus on other priorities.

That being said, this is certainly a concern that's raised by, I'm sure, all of our constituents. Many people have complained about these issues, and it certainly will provide a way to address those concerns.

Again, the thing that I think is quite important about this bill, and it's something I'd like to see in other bills moving forward, is that where we provide a protection or a guarantee—in this bill, we provide a number of protections. Language should be clear and transparent. We provide for certain provisions around cancelling a cellphone contract: If you cancel it, there can only be a certain amount of a cost associated with that. Where we provide these guarantees and these protections, we should also provide similar sanctions, remedies or penalties. That's what this bill does, and that's something I think is something important.

I think we need to ensure that all future bills—if they give a protection, you have to give some sort of remedy or some sort of way of enacting a penalty or sanction so that there's some strength behind the legislation. This bill does do that, and that's something I'm encouraged by. I look forward to seeing more bills with that same protection in place, that same penalty or sanction or remedy in place, so we can further strengthen our province.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Mike Colle: It's a pleasure to speak on behalf of Bill 60 because, as we've heard here today, it is an area of concern for many ordinary citizens of Ontario, because it's kind of surprising to notice over the last number of

years that the cellphone bill is probably more than the hydro bill. It's not unusual to see bills of \$400 or \$500 a month if you've got a couple of kids in the family. It's not unusual to see that. It's a huge financial concern, and it's just so common that every family certainly is affected by the rules and the protections and the lack of protections that exist with cellphone use. It's a new normal in Ontario where we have these devices that are part of our everyday life.

I'll be sharing my time, Mr. Speaker, with the member from Mississauga—

Ms. Dipika Damerla: Mississauga East–Cooksville.

Mr. Mike Colle: Mississauga East–Cooksville. I remember that I got my driver's licence in Cooksville because there was too much of a lineup in Toronto, so I had to drive to Cooksville to get my driver's licence. I always remember that. Everybody forgot: "Where's Cooksville?" "Well, it's in Mississauga." Anyway, sorry. Sorry to diverge.

Mr. Paul Miller: What year was that?

Mr. Mike Colle: Oh, God. It was a 1956 Ford, I think.

Every family sees this bill that comes to their home every month, and if you look at the bill, you've got to try to look at it in detail, because there are so many line items. To try to understand the bill—it is not easy.

You can imagine, so many people in this great province don't have English as their first language. So you can see, when the bill comes, whether they're being overcharged or whether they're being given extra charges for roaming or all these hidden charges that come about, it is very difficult for an ordinary citizen to really find out if that bill is accurate.

I know that I rarely have the time or the patience to look through that bill. Thankfully, my wife has that kind of patience and looks at the detail. But it's a very complex bill that we get, not to mention the contract. I've seen those contracts, and those contracts, really—the size of the print, first of all. Who could ever make it out? Never mind understanding the legal language that is used with so many provisos that protect the company. It is really difficult to understand what you're agreeing to, and the agreements, in many cases, can lock a person up for years, if not months. You don't really know how to extricate yourself from a contract, what your rights are as a consumer and what the implications are of what you've signed.

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When you sign it is a very serious commitment you're making, and sometimes you don't realize because, as you know, Mr. Speaker, the come-on—if you go to Costco or go down to Main Street in Scarborough, up Victoria Park along Eglinton, you'll see that there's all these shops that sell these cellular plans. They say, "Zero down. You get a free phone." That's the other come-on: a free phone. So the ordinary person says, "Oh, I get a free phone if I walk in there." But essentially they hammer you when you sign up, because sure, you get a free phone, but the monthly charges are through the roof. That's misleading advertising. It's not a free phone. Basically, you're

paying for that phone in your monthly charges. But the advertising is always there about some giveaway, about the phone that's not going to be of any charge to you, and then people are in a hurry, because of the glitz of the device that you're buying with the multiple facets. They're very impressive bits of technology that are very alluring to people, so you get these phones and these devices that can do almost everything. They probably could even cook for you now, they've got so many apps on them. They've got an app for everything.

That's another come-on too, I guess. Once you get the phone and the package, then they're always pushing these apps at you: "You can get this app to do this. You can use an app to get a restaurant. You want to get the weather. You want to get the temperature in Saigon?" or whatever it is. There's an app for everything. Then, is there a charge for these extra apps? In most cases, there is. So then you're downloading apps and then that's downloaded onto your cellphone bill. There's all these things going on. It's not a contract that's fixed. It's not a contract that is, certainly, understandable.

And then it's a changing contract. There's all these charges that are changing. Then you find out, well, there's also these negative options in the contract too sometimes, where they'll send you some note saying, "Well, if you don't tell us that you don't want this service, we're going to give you this service." Most of us don't even notice that part of it. Then we've got this new service, and they say, "Well, wait a minute. I thought in the contract there wasn't anything added." "Yes, but you basically gave us permission to add on this other feature." So the complexity of these contracts requires some kind of sanity. The acceleration of the complexity is beyond the normal family's ability to deal with.

This is why, over the last number of years, there have been so many complaints coming to the Ministry of Consumer Services. When this was first raised, I know the member from Sault Ste. Marie was dealing with this, and the new member, Minister MacCharles, will tell you that, next to hot water heaters, this is where the biggest number of complaints are coming from. Because in many cases people don't know—in fact, if people knew who to call when they had a complaint about their cellphone bill, there would be more calls, because they're really confused in terms of determining who can help them with their cellphone bill. Do they go to their lawyer? Do they go to their city councillor? God forbid you should go to the offices of Rogers or Bell or one of these companies. You're not going to get any satisfaction. So the consumer doesn't know where to go for help, for information, to see, first of all, whether that bill is correct and there are no mistakes in it, that they're not being overbilled, and if there's any way of checking that that contract they signed doesn't violate their basic consumer rights.

That's why this bill is an attempt to bring in some protections. These protections are necessary. Sure, we've heard discussions about the CRTC doing this, that and the other thing, but we know that many of the things the CRTC does are either voluntary or subject to legal

interpretation. To safeguard the consumers of Ontario, it's our obligation to put these protections in for the people of Ontario.

Hon. Tracy MacCharles: Like other provinces.

Mr. Mike Colle: I think there are three or four other provinces that have done the same thing. We can't say, "Well, Ottawa will take care of it," because we know, whether it's the CRTC or other things, Ontario is usually last on the list that Ottawa thinks about.

Therefore, we've got to make sure the people of Ontario have protections when it comes to these cellphone bills and wireless services, smart phones or mobile devices, whatever they're called. They're going to be more and more important, in terms of the household budget, because they're making them indispensable.

My niece, who I think was in grade 8 last year, was the only girl in grade 8 without a cellphone. My sister-in-law and brother said, "Listen, we don't want you to have a cellphone," and my niece would constantly say, "Dad, everybody else has a cellphone. I'm the only person in the class without a cellphone. I think I'm the only kid in the school without a cellphone." A lot of parents know that our children can be really addicted to these devices, and it's not necessarily a good thing—but it is good in terms of safety for kids, so you can call them. Therefore, my brother and sister-in-law gave in and said okay. For her birthday last year, they gave her a cellphone. The member for Wellington knows. He has gone through the same thing with his kids. It's hard, because you don't want them to be addicted to these devices. If I walk up any street in Toronto, I see they've all got that BlackBerry hunch. They're all walking like this. We're going to get into serious trouble if we keep on walking hunched over all the time with our cellphone or BlackBerry. We're all going to have this disease.

The thing is, they're indispensable. As I said, that's how young people, especially, communicate. A lot of people, in fact, are taking out their land lines because it's a savings. They get rid of the land lines, and all they have are cellphones. I've talked to a lot of people who've done that in the last year. They've gotten rid of the land lines and just have cellphones. Therefore, the cellphone is not a matter-of-choice consumer item; it's almost a necessity. You have to have one, whether you're in business, whether—again, the mom or dad in a family, you want your grandparents to have one for safety reasons etc. That's why there need to be some protections in place. It's not a luxury item anymore. It's not something that is an add-on anymore. It has almost become an indispensable item in all of our households.

This is why I commend the minister for being relentless and sticking to her guns—the need for our ministry of consumer affairs to protect Ontario consumers and not to leave it up to Ottawa. God forbid, if we left things up to Ottawa on so many fronts—don't get me going down that route about what Ottawa is doing for us, or to us.

Hon. Tracy MacCharles: Or not doing.

Mr. Mike Colle: Or not doing.

Anyway, we need to have these kinds of protections for people. I think they're essential.

There's probably more work to be done on this front because it's a moving target. It is complex. It is challenging for all of us in terms of keeping up with this whole issue of contracts.

The good Canadian Tire English—they use Bay Street English in these contracts all the time in the billing. I say, use basic Canadian Tire English, God forbid, and print that you can see and you can read, not that pillbox print where you need a magnifying glass to see what it is. They use small, small print.

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So use good Canadian Tire English in the contracts, good-sized print, and God forbid, put a phone number or someone you can call, a human being, and not someone in Afghanistan that you have to try and explain your cellphone bill to.

Mr. Joe Dickson: Or Timbuktu.

Mr. Mike Colle: Or Timbuktu. Yes, you phone Timbuktu and they tell you, "Can I help you with your cellphone?" It should be a local person who tries to help you explain that cellphone bill. That would be really helpful. God forbid they should have a real, live person who answers the phone and says—they're in the phone business and they don't have anybody to answer the phone.

Anyway, God bless. Where would we be without them? It's like the Vatican—Rogers, Bell. We bow down to them every day, and they own every baseball team, hockey team, arenas. They own everything. That's the new world order of Bell and Rogers. God forbid—

Mr. Michael Prue: You promised to share your time.

Mr. Mike Colle: The NDP is even trying to tell us how to share our time. They should talk about sharing time. You guys hog all the time and you leave out other members. Don't tell me about sharing time. You should share your time.

Anyway, I will allow my esteemed colleague, who asked for about five minutes where she wants to add to this important debate—my esteemed colleague from Mississauga—Cooksville.

Ms. Dipika Damerla: I'm very pleased to rise and speak in support of Bill 60, the Wireless Services Agreements Act, 2013. I'd like to begin by congratulating the Minister of Consumer Services, because in a very short while she has done so much for consumer protection, whether it's payday loans, whether it's condo legislation, whether it's protecting us from door-to-door salespeople, and now with this wireless bill. Great job there, Minister MacCharles. This is a great bill.

One of the things that we struggle with as politicians is to connect with our constituents and talk to them about meaningful policy. Often I go door to door and knock on doors. You talk about policy and they tune out, but you start talking about something like this—protection on cellphone bills—and you've got their attention. That tells me that this is the kind of legislation that this government

needs to work on, so I am so pleased we are working on this.

I know some of my colleagues on the other side of the aisle have said that there is no need for this because the CRTC is coming up with their own code. Well, I think some of them have, after saying that, admitted that this bill does have certain provisions that the CRTC code does not, starting with all-in pricing. Speaker, I'm sure you have, on many occasions, seen an ad that says \$20 or \$19.99 for a month for a cellphone bill, but when the bill comes it's really \$35 because there are all sorts of things in there that were never advertised. So all-in pricing is definitely very timely. It is something that consumers want and it is something that the CRTC code does not have.

The other issue is stronger enforcement, and I know that my colleague from Bramalea—Gore—Malton spoke very eloquently, saying that this bill has strong sanctions that the CRTC code lacks, so again, a very good reason to proceed with this bill.

Lastly, as the minister herself pointed out, the CRTC code is being challenged, so going ahead with this bill is really important because we don't know where the CRTC code will land. Certainly, if there is some duplication we can look at it in committee, but there is absolutely no reason not to go ahead because this bill is much, much stronger than anything that the CRTC code is suggesting. It's also very important to recognize that the CRTC code is voluntary, while this bill actually has enforcement tools and will strengthen consumer protection.

I know that my colleague from Stormont—Dundas—South Glengarry, who is not here but spoke to the bill the other day, was saying—

Mr. Rob Leone: Speaker, she can't say that.

The Deputy Speaker (Mr. Bas Balkissoon): I would remind the member that we do not make notations of those who are not here.

Ms. Dipika Damerla: I withdraw on that.

Anyway, he was concerned about the lack of cellphone access and was suggesting that somehow, this bill is not important because of the lack of cellphone access. I would like to say to this House that cellphone access really is a federal issue. It is something that the provincial government can work on with the federal government. I have some experience in this area, because when I worked at the Ministry of Economic Development and Trade, we were actually working with the federal government to try and get more broadband access for northern Ontario. It was unfortunate that the federal government turned down Ontario's application. So my recommendation to anybody who wants greater cellphone access in northern Ontario: Talk to your member of Parliament.

On the other issue that was also brought up, I believe by the member from Bramalea—Gore—Malton, around the issue of pricing of cellphones: Again, that is not something that can be addressed through legislation; it's a free market issue. Indeed, I agree that there is a need for more competition, but again, that's a federal issue. Talk to your member of Parliament. Talk to the Prime

Minister. Send in a letter asking for more competition. But this is not the place to be discussing greater cellphone access or pricing, because those are federal issues.

Finally, I just wanted to say—and this has been talked about by other members as well—that cellphones really are not a luxury anymore. For me, it's really a safety issue with my daughter. She is 15 years old. She commutes sometimes. If she is walking through a parking lot, I'm talking to her on that phone, because that's the way I make sure she's safe, and I'm sure that each of us has done that at some point. So it really is a lot more than just communication. It has become a security tool. It has become, of course, a data tool. How many of us have used it as a GPS?

So putting all that into consideration, given that today cellphones are really a necessity, I believe that this bill is timely. I'm very, very pleased that we are bringing this forward. I hope that everybody in this Legislature will support it. I really don't know how you will be able to face your constituents if you vote against this bill, because I know that in one Ontario, whether you live in northern Ontario, whether you live in southern Ontario, whether you live in rural Ontario, everybody wants more protection when it comes to their cellphone bills. So I urge every single member to vote in favour of this bill when it comes up for debate, and I look forward to that vote.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Rob Leone: I listened intently to the debate, the comments made by both the member for Eglinton—Lawrence and the member for Mississauga—Cooksville.

I'm kind of puzzled on how to address this, because I noticed that some of the commentary made by the member for Eglinton—Lawrence actually didn't discuss the very nature of the bill. And speaking of that, he made a comment that these cellphones are obviously a necessity for a lot of people. I was interested in the news article that came out probably a few weeks ago that talked about this family from Guelph that was disappointed about the excessive use of their cellphones, and so they've made a pledge to live life like it was 1986. They got rid of their cellphones; they got rid of their tablets, their video games and so on and so forth. It's a pretty interesting story. If you haven't read the story, I think it was in the Toronto Star and other newspapers; it sort of made the rounds a few weeks ago, maybe at the beginning of September or at the end of August.

You know, there are obviously some federal issues. The overlap of the bill is a concern that we have, of course. What's the necessity of bringing a bill forward that might have some duplication with what's happening federally is certainly a concern.

I know the member from Mississauga—Cooksville asked: How could we face our constituents if we didn't vote for this bill? My question is: How are you going to face your constituents in the absence of actually talking about jobs and the economy, which is what we should be talking about in this Legislature? We see bill after bill

after bill that avoids the topic that is most important to the people in my riding, which is jobs and the economy.

So let's talk about those kinds of bills. Let's get Ontario working again. This is what we're supposed to be doing here. Let's move on with it, folks.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Michael Prue: I listened intently to my two colleagues from the party opposite: to the member from Eglinton–Lawrence and then, all too briefly, to the member from Mississauga–Cooksville. I was trying to remind the member from Eglinton–Lawrence that he needed to give more time to the member from Mississauga–Cooksville, because I actually enjoy listening to what she has to say. I think it was only fair that she be given a greater opportunity, because I had the opportunity to meet her father this morning, and he's here in the audience watching her. He could have listened to a much better speech, I am sure, had she been given the appropriate time from the member from Eglinton–Lawrence. So I would ask in the future that he pay a little bit more deference to his colleague because what she had to say, in my view, made a lot of sense in terms of the bill.

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There's no doubt that the Liberal backbench is going to support the minister on this bill—there's no doubt. We all know that that's going to happen, and we all know that they will pick the best parts out of the bill and talk about those best parts, as she did and as the member from Eglinton–Lawrence did.

There are some good parts in the bill. No one would deny that. The only question is, how is this overlapping with the federal bill? Is it going to mesh? I don't think we're going to know that until we see how the federal bill unwinds and how the court case happens in Ottawa and until we start to listen to some of the experts coming forward to give opinions, should this pass second reading and go for the final third reading and possible proclamation. What we need to do is start listening to the people and to the experts. What we need to do is start looking at what is happening in Ottawa and around the CRTC and the court cases.

In the meantime, I thank the member from Mississauga East–Cooksville for adding to the debate. Your father should be very proud of you.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Joe Dickson: I'd like to address Bill 60, the Wireless Services Agreements Act. Maybe just to oversimplify what this process is going to do: It's for the benefit of the buyer, the benefit of the purchaser. Finally some dialogue would be put in place that would do the appropriate job to make things safer and legible and understandable for the average man and woman going to acquire another wireless device.

It's important that there is full disclosure of goods and services. I know all of the members here are very cognizant of this bill that is before us, but some people out

there might not be aware that service providers would need to clearly explain which services are included and which would result in added charges. The suppliers would be obligated to disclose manufacturer's warranty information or if the phone supplier offers supplemental warranty coverage.

When it gets to the comprehensive, easy-to-understand agreements, let's think about contracts because they would now have to have clear disclosure of key terms consumers can understand. Companies would have to provide an agreement in a form that a consumer can keep, such as an electronic document that could be printed.

In the all-inclusive pricing, service providers would have to include the total cost of an agreement in any price advertisement so prices are transparent. The all-inclusive cost would need to be the most prominent price information shown in the advertisement. When I looked at it, I realized something that it didn't cover: Does it include tax or does it not include tax? It's something you might want to just firm up.

We look forward to having this bill passed. The minister has done a great job.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. John O'Toole: Again, comments to the Minister of Consumer Services but also to the member from Eglinton–Lawrence. I was surprised that on an important bill like this, protecting consumers' rights, he wouldn't have used all 20 minutes. It's important to get into the meat and the sinew of this bill, but he did give the member from Mississauga East–Cooksville a refreshing opportunity. She should have spent 20 minutes, especially with her father here. Welcome as well. I had an occasion to meet him earlier this morning.

But she did mention something on a personal level which I thought was quite touching. I take the GO train quite a bit. I was down at Union station one evening, and I ran into the member from Mississauga East–Cooksville with her daughter. In fact, I was quite impressed by what she said today, that the cellphone acts as an important connection for safety and security. I complimented her on the practical application of how important wireless communication is to each and every one of us. I do the same thing with my wife and members of the family.

But when I get down to the bill, though, we support the bill. I'm looking forward to our member from Wellington–Halton Hills, who will be speaking next and will get into the technical nuances of the bill. The viewer might be interested in staying tuned. This isn't program messaging. We are supportive of the bill; we need to strengthen the bill.

There are some explanations that are important: The role of the CRTC, the national, how cellphones move from Nova Scotia to BC and all over. There's a need for a federal framework here for billing and for licensing and such. I'm sure our member from Wellington–Halton Hills will bring that forward.

Again, I commend both the member from Eglinton–Lawrence as well as the member from Mississauga East–Cooksville for their comments. I look forward, on Monday, perhaps, to when I might get a chance myself to speak and bring some clarity to this discussion as well.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Eglinton–Lawrence, you have two minutes for a reply.

Mr. Mike Colle: I want to thank my colleague from Mississauga East–Cooksville for her wonderful support of this bill, the member from Cambridge, the member from Beaches–East York, the member from Ajax, the esteemed member from Durham and the minister, Tracy MacCharles, Minister of Consumer Affairs, for her resilience, her perseverance and her determination to help working families basically pay a fair price for these services.

Right now, many of us know there's no way of knowing how fair they are or not because a lot of it is all in that fine, fine print that's complicated, that's not transparent, so this is her attempt to make sure that we make, as I said, these bills in Canadian Tire English with large print, and make big daddy Bell and big daddy Rogers accountable, because right now we're saying that the federal government is somehow going to do it. We know the federal government has got other issues on their plate, so we've got to take care of our people here in Ontario.

People in my riding of Eglinton–Lawrence care deeply about fairness and making sure they're not being ripped off. As MPPs, we have a job to protect the interests of our consumers in our ridings. I know the member from Cambridge disagrees, but I think this is why we're here: to protect the interests of ordinary working people who are being ripped off, in many cases, by these complex bills that are not understandable and not transparent. It's our job to help people get treated fairly and justly, and I commend the Minister of Consumer Affairs for standing up for these working people who deserve a fair break when they're paying good money for these wireless services. Congratulations to the minister.

The Deputy Speaker (Mr. Bas Balkissoon): Further debate?

Mr. Ted Arnott: I'm very pleased to have this opportunity this Thursday afternoon to participate in this debate on Bill 60, An Act to strengthen consumer protection with respect to consumer agreements relating to wireless services accessed from a cellular phone, smart phone or any other similar mobile device. That's what the title of the bill is. It stands in the name of the Minister of Consumer Services, Minister Charles.

I want to thank and compliment the minister for being here this afternoon; for being here for this second reading debate. I would encourage all ministers of all parties in all governments to listen to the second reading debate of the bills that they bring in because I think it's an important part of the process and it shows respect for the Legislature. It's always exciting to stand up on a Thursday afternoon and see such a crowded House, with

all the members anxiously participating in the debate. I think we do have a quorum, in all seriousness, but it's close. But it is good, obviously, when we have this chance on Thursday afternoon, after question period and after private members' business is disposed of, to continue with the important debates.

I would say, if this Legislature is going to be taken seriously and seen to be relevant, we have to be responding to the important issues of the day, the important issues that are on the minds of constituents, the issues that people are talking about in the coffee shops and to the extent that politics comes up at the sports arenas when people gather, when they get together in their service organizations and when they're conversing about politics at the water cooler, even at work.

Ontario faces very serious and significant problems, as we all know. When I had an opportunity to send a newsletter out to my constituents in the last few days, I reminded them of the deficit in the province of Ontario. It's \$11.7 billion this fiscal year. That's the deficit that's projected for the current fiscal year that we're in, 2013–14.

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We know that the provincial debt is projected in the Liberal budget to go up \$20 billion this year, from \$253 billion to \$273 billion: obviously an issue of serious concern. The government claims to have a balanced budget plan, that by 2018 they will have balanced the budget, yet we don't see any details which give us confidence that that is achievable at their current spending rate. Their own budget documents show that the per capita debt, which is the net debt divided by Ontario's population—in effect, the amount that each of us owes, every man, woman and children in Ontario who has to be serviced—is \$19,928 at present, almost \$20,000. A family of five, like my family, is on the hook for servicing \$100,000 of provincial debt.

Of course, as we know, the debt has increased—has doubled, virtually—since the current governing party took office 10 years ago. The interest on the debt is now the third-largest item on the provincial budget, after health care and education. It's \$10.6 billion that has to be spent this year to service the provincial debt. That's money that could be going to health care, education, any number of important government services that we all value—environmental protection, or perhaps, shall we say, tax cuts to give some relief to the hard-pressed taxpayer in the province of Ontario. That money has to go to the debt. That's all because of the overspending of past governments. This is an important issue too.

We see that the provincial government's spending this year is projected to be going up again. In spite of the fact that the government would have us believe that they are, in fact, trying to hold the line on spending, spending is actually up about \$3 billion this year—\$3.6 billion, I believe—from \$127.6 billion. Actually, it continues to go up in spite of the fact that the government would lead us to believe that they believe in restraint.

Of course, we know that the government is promising to create 30,000 new jobs for young people, but we also know that at the same time—

Hon. Tracy MacCharles: That's not about Bill 60.

Mr. Ted Chudleigh: Give him a chance; he'll get to it. He's just setting it up.

Mr. Ted Arnott: Well, these are important points, I say to my member for Durham. The fact is, these are important issues that are of concern to my constituents in Wellington–Halton Hills, and they want to see a response from the government on these issues too. So I bring those issues forward at the outset to remind the government of the fundamental economic challenges with respect to the budget deficit, with respect to the growing government debt, as well as the unemployment problem that exists in the province of Ontario. We call upon the government to bring forward legislation to deal with those problems too.

Now, Bill 60—I think it's important to clarify what Bill 60 is all about, Mr. Speaker. This bill creates a new act to govern wireless agreements. The government tell us, “A wireless agreement is defined as an agreement between a supplier and a consumer in which the supplier agrees to provide wireless services that the consumer can access from a cellular phone, a smart phone or any other similar mobile device, whether or not the supplier agrees to provide goods to the consumer under the agreement. The act applies to a wireless agreement and the parties to it, in addition to the provisions of the Consumer Protection Act, 2002, that normally apply. In addition, certain provisions of that act are made applicable to a wireless agreement with certain changes. Those provisions include the power of the director designated by the minister to issue compliance orders and a prohibition against parties waiving any of their substantive or procedural rights.

“The act sets out disclosure obligations for suppliers under a wireless agreement. The obligations deal with information on the cost to a consumer that must be included in any price advertising with respect to a wireless agreement as well as extensive information that must be disclosed in an agreement itself. The latter information includes a description of the services provided under the agreement, the effect of each of the services on costs payable by the consumer and a statement of the minimum cost payable by the consumer expressed as a regular periodic amount, regardless of the consumer's usage of the services. If a wireless agreement does not meet the disclosure requirements or if the supplier does not deliver a copy of the agreement to the consumer as soon as practicable after entering into the agreement, the consumer may cancel the improperly made agreement and receive a full refund of money paid.

“The act contains other measures for protecting consumers under a wireless agreement. For example, a supplier must comply with certain disclosure requirements in order to amend a wireless agreement. A consumer is allowed to cancel a wireless agreement at any time and without any reason. The act sets limits on cancellation fees that the supplier is allowed to charge.

“It is an offence to contravene or fail to comply with a number of provisions of the act.

“The act includes authority to make regulations on matters such as specifying additional rights and obligations of consumers.”

Of course, Mr. Speaker, I read from the explanatory note. This is what the government would have us believe the bill is all about, and we accept that. We support it in principle, and we would hope that when this debate concludes—and it will, at some point, after members of the opposition, members of the government and members of the third party have had an opportunity to debate the issue in full.

I think it's important to point out as well that all of us, as members of the Legislature, have an opportunity and—I would argue in many cases—an obligation to bring forward the concerns of our constituents so that those views are known during debate. The government occasionally expresses a bit of dismay and frustration I guess with the opposition parties these days because we are engaging in debate. We have enthusiasm on this side of the House, and we want to make sure that our views and those of our constituents are brought forward. I would submit, Mr. Speaker, that that's a good thing because it allows the government to fully assess the flaws and drawbacks of their legislation.

That's certainly the role of the opposition, to bring forward those expressions of concern and point out the flaws and drawbacks to ensure that the government takes a second look at the legislation before it passes into law. If there are any drafting issues or any issues that are overlooked, or if there are improvements that can be contemplated to the bill, all of that takes place. I think that's an important part of the legislative process. I would agree that the debate is important, and I'm glad to have my chance to participate in it.

Mr. Speaker, I understand that you were first elected to council in 1988 and that you've served in elected public offices uninterrupted now for some 25 years. You deserve enormous credit for that. I was thinking about that too because when I was first elected in 1990, cellphones were a lot bigger than they were today. They were almost like a brick. Initially, I didn't have one, and I didn't want one. But members of the Legislature—at some point, the Board of Internal Economy approved the expenditure for cellphones for members. It's true that over a 25-year period or thereabouts, they have gone from being this big brick that some people had in their cars—not mobile phones that you would carry around in your pocket obviously, but they were in your car. Now we have them in our pockets or attached to our belts, somewhere that they're always handy, in purses and so forth. Things really have changed in that respect. But at the same time, I appreciate what the member for Eglinton–Lawrence had to say about this, that they have come from being a novelty 25 years ago to being ubiquitous. Almost everybody has one nowadays.

My sons, who are now 18, 16 and 14—two out of three of them have a cellphone, and one wants one. We

struggled with this because we wanted to make sure that they understood the cost. We try to make sure that our boys understand the difference between wants and needs, so that they grow up as good Conservatives and understand the difference between wants and needs and, at the same time, realize that sometimes you have to save for some of the wants that you might have. We've encouraged our boys to get part-time jobs before they get a cellphone because I think obviously they need to be able to pay for the cost of having that cellphone. But I also recognize that for many parents, the use of a cellphone for their children is an important safety consideration. I obviously understand that very, very well too.

It's also important to remind the House about the situation that's faced today by an important Ontario company. It used to be Research In Motion, now BlackBerry. They are, in fact, struggling with a restructuring that is necessitated by really strong competition from other cellphone makers. It is still very exciting Ontario-made technology, and we certainly wish them all the best for their continued future as they go through this restructuring. I know it's going to be difficult, but we're very proud of the way they have put us on the map in the province of Ontario.

Mr. Speaker, I had an opportunity about 10 years ago to meet with the Clerk of the United States Senate in Washington, DC. They were telling us about what had happened on 9/11—of course, we know the situation that the United States faced that day and the tragedy of 9/11. One of the planes that was in the air they believed was targeting either the US Capitol or perhaps the White House; they weren't sure. That was the plane that went down in Pennsylvania.

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But at the same time they were quite surprised that the communication system did not work on 9/11 in the United States or in Washington, certainly, and I guess New York as well, and the cellphone service just died. But he pulled out his BlackBerry and he said, "This is the only thing that worked on 9/11." I was quite pleased to inform him that the product was made in Ontario and actually made in my riding—in those days, I was representing Waterloo—Wellington—that there was assembly of BlackBerrys in my riding. They weren't aware that it was even a Canadian product. So I think we should be very proud of the people at Research In Motion and BlackBerry, and we certainly wish them all the very best as they continue this necessary restructuring to meet the current marketplace.

I think it's important also to acknowledge the government's points on this legislation. The government has introduced a number of public communications on this. They would want us to believe that they are bringing this bill to ensure that there are stronger rights for wireless consumers, as they call them: "Ontario Government to Introduce New Rules for Wireless Contracts and Services." They issued a press release on April 25 in advance of the introduction of the bill to inform the

general public that they're doing this. They want to be seen to be responding to consumer complaints about wireless service contracts, and that this legislation is intended to ensure that there is clear information and fewer surprises when people enter into cellphone and wireless services contracts.

They say that the province intended to introduce legislation, which has become this Bill 60, "that, if passed, would make it easier to understand the costs and terms of wireless services contracts. The legislation would also ensure wireless services providers" have clear information "before contracts are signed."

The legislation is intended to benefit wireless consumers by requiring contracts to be written in plain language—all of us understand that and all of us believe that that is in the public interest, I think; and ensuring that contracts clearly outline which services come with the basic fee and which would result in a higher bill—again, I think that clarity in these sorts of things is in the public interest and certainly in the interest of consumers, and is a necessity, really. Also, the bill is intended to require providers to get consent from the consumer before amending, renewing or extending a fixed-term contract. I think most of us would agree again that that seems fair. Certainly, the consumer should have that opportunity to provide their consent if the contract is going to change and if the supplier wishes to change it.

Enforcing a cap on the cost of cancelling a contract or no fee at all, making it less expensive for consumers to walk away from fixed-term contracts: Again, that would appear to be fair and in the public interest. I would agree that that is the case.

Our caucus, in terms of this bill, as I said earlier, does agree that this bill should pass second reading. Certainly we want to see that happen, but we will continue to debate it to ensure that the government gives it thorough examination and thought and that all members of this House have an opportunity to speak to it if they choose to do so.

I know that our critic for this piece of legislation, the member for Stormont—Dundas—South Glengarry, has brought forward a number of concerns during the course of his 60-minute response to the bill. Of course, as you know, Mr. Speaker, the critic for the official opposition does get 60 minutes. I was in the chair for part of his presentation. He did a good job. I think that he leads off the debate for our side very well, and we're pleased that he put a lot of our concerns on the record.

I think it's also reasonable and appropriate for me to point out that 80% of Ontarians have a mobile phone, and the Ministry of Consumer Services receives many complaints relating to wireless services. We acknowledge that and we're aware of that. We know that many complain that the contract terms are not particularly clear and people find out about surcharges only when they open their bill. We also know that other provinces across Canada, in many cases, have already established better consumer protection legislation than the province of Ontario currently has in the absence of this bill, and that

apparently the province of Quebec has established the gold standard in terms of consumer protection with respect to wireless services.

We also are aware that companies are currently allowed to charge a consumer the full cost of a multi-year contract upon cancellation, and Quebec and other provinces have limited these charges to the lesser of 10% of the remaining costs or \$50. Again, that's more consumer protection, which I think is something the government needs to consider here.

This new bill takes some of the advice that our party gave the government going back to 2012, and yet we still find that it is somewhat lacking. We would hope that many of those kinds of concerns that we would have to strengthen the bill would be discussed in committee. When that opportunity presents itself, we will certainly be participating.

The government, in its public comments on this bill and this issue, has focused on the idea of cell shock, the moment the consumer finds out about excess usage charges that he or she has incurred. We know that the previous bill the government brought forward on this issue forced the creation of a bespoke warning system. This bill delegates the task to regulations, effectively eliminating the original reason for creating the bill.

There are, in fact, free and cheap applications for monitoring voice, text and data usage that warn you when you are about to hit the monthly quota, and we are aware of that, and we believe that to be the case. We would submit that the bill should make use of this potential.

We know the bill would have to coexist with any CRTC legislation, regulations, the mandatory code of conduct the CRTC maintains. We want to ensure that Ontario consumers are not subject to a patchwork of legislation governing wireless services. Ultimately, costs in wireless services can only be brought down by competition, which is a federal matter.

In summary, I've tried to be fair in terms of acknowledging the government's willingness to bring forward this legislation. I thank the minister for being here today. I also had a chance to talk about some of the issues that are of concern to my constituents in Wellington–Halton Hills, and I thank you, Mr. Speaker, for allowing me that latitude.

Let me just conclude by saying that our caucus is certainly willing to work in co-operation with the other parties in this Legislature, in this minority Parliament, to ensure that we assess the legislation that the government brings forward in the public interest. When it's in the public interest, as we see it, and in the interests of the people of Ontario, we want to work with the government. We want to support good ideas that might come forward from other parties. Certainly, there are so many problems that the people of Ontario are facing today. We have, I think, an obligation, as well, to reach across the partisan divide that exists in this House that sometimes, unfortunately, makes debate unduly and overly personal,

instead of focusing on the issues and the merits of the various proposals.

Again, Mr. Speaker, thank you very much for listening to me today. As this debate continues and concludes, I hope that we will end up with a bill that is manifestly and abundantly in the public interest of the people of Ontario.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mr. Jonah Schein: I'm pleased to speak to the Wireless Services Agreements Act and to listen to the comments from the member from Wellington–Halton Hills. Speaker, this issue is important to constituents in Davenport, and I'm sure it's important to folks around the province. It basically says that our big communication companies should be clear about the contracts that consumers are signing.

We have heard quite clearly that wireless devices are something that most people in Ontario are now using, but the service agreements that people are signing are so filled with fine print that they're difficult for most people to actually understand.

I think the intent of the bill is good: that people should have access to clear communication when they sign a contract, and that if the company does not do due diligence to make that information clear, the consumer should be able to opt out of a contract.

I would also agree with previous speakers, though, who said that this is an important bill but a small bill, and I feel like I say this very often when I stand up and speak here. There are a lot of priorities that are pressing in this province. We talk about our school system, we talk about jobs, and we talk about the health of our communities. Speaker, it does feel like this government has just run out of gas and run out of ideas, so we have these small bills brought forward for debate.

I do appreciate the comments from the member for Wellington–Halton Hills, when he told us a little bit about the history of the cellphone, how it went from a larger phone and a heavier phone to a smaller phone and so forth—

Interjection: Now it's getting bigger again.

Mr. Jonah Schein: —and bigger again.

We heard some parenting tips. I'm not a parent at this point, so I don't know what it's like to have a child with a cellphone. But people tuning in at home on the parliamentary channel can always get some good information about—

Interjection: Good ratings tonight.

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Mr. Jonah Schein: Yes—some scintillating debate here at your provincial Parliament.

I'm happy to hear debate and push this through and move on to some more important things, although this is important as well.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Ms. Soo Wong: I'm pleased to rise to speak in support of Bill 60. I also want to recognize and thank and

congratulate the minister for being here today but also for bringing this bill to the Legislature.

This particular bill is about strengthening consumer protection, especially for the youngest consumers in our constituencies. You know, there are young people across Ontario, and some have one, maybe two—some may have three cellphones and BlackBerrys and all the other gadgets that go with them—

Hon. Michael Chan: Four or five.

Ms. Soo Wong: Four or five—the Minister of Tourism talks about four or five.

This particular legislation is about strengthening the protection of the consumers, especially the young people in our constituencies.

This particular bill also talks about making sure the language in the contract is understandable, and we know with young consumers, their language skills, literacy—and for many of the constituents in my riding of Scarborough—Agincourt, English and French are their second languages. So we now have proposed legislation that will make sure the language is clear language that they can understand and that the terms are clearly disclosed.

If the proposed Bill 60 is passed, consumers have a right to cancel their contract within one year of signing, and the company will need to refund all the payment that has been made under the contract because the consumer did not understand the contract they signed. I have many complaints in my riding about these kinds of contracts. They don't understand, they don't know the terms of the contract and, more importantly, some of the contracts are written in language that you either need a PhD or you have to be a lawyer to understand.

For the consumers who are the youngest members in our communities, they need to understand what they are signing, and so I applaud the minister and encourage every member of this House not only to let it pass second reading but to move it to committee so that we can improve the bill.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments?

Mrs. Julia Munro: I'm pleased to add a few comments in the time that remains this afternoon on the question of Bill 60.

As others have commented, this is one of these bills that had to have new life breathed into it after prorogation, and it's too bad, because it had a timeliness to it, frankly, when it was first introduced—

Interjection: Resuscitated twice.

Mrs. Julia Munro: Yes. I have been reminded it had to be resuscitated twice.

But our caucus had made the decision that we would support this, as we do see it as fundamentally a consumer issue, and certainly all of us have had experience, either directly or indirectly, through family and friends, of people who have been overwhelmed by the complexity of the contract that they have signed.

A friend of mine had moved from a more populated area to a more rural area without warning her daughters about the change in roaming costs and things like that,

and the family was stuck with a huge shock. The bill was in the four figures, and when you are looking at managing the groceries and the rent, this is the kind of thing that creates a huge burden for families.

So when we're talking about the kinds of changes that this bill contemplates, I think we have to keep in mind the reality today that people feel it's important that each member of the family has a cellphone, including the children, but we have to be able to pay for it.

The Deputy Speaker (Mr. Bas Balkissoon): Questions and comments? The member for Hamilton-Stoney Creek. Am I correct?

Mr. Paul Miller: You're close—Hamilton East—Stoney Creek.

I would like to suggest to the member from Wellington—Halton Hills that he maybe dig into his pocket and get that 14-year-old that cellphone. I think it's only fair. We're a fair party, and we believe that if two have got it and one hasn't—I think the third one should get it.

In all seriousness, I certainly have been exposed for the first time. I wasn't big on BlackBerrys. I didn't know a lot about them until I started using them. I got caught up in the roaming charges one time in the States, and I got a real shock when I got back. I was thinking about going to the bank and getting another mortgage. It was really, really bad.

You have to read the fine print in these deals. It's like all the others: the gas charges and the hydro people who come around and try to sell you contracts. The secret is in the details.

I think a lot of this has gotten out of hand. I'm glad to see that the minister has brought this bill forward, because I think it's about time that these companies got realistic with the consumer. A little more fair play is in order, because a lot of people get in a lot of financial difficulties because of it. It's bad enough with the crazy hydro costs we've got and the other charges that homeowners face, without the kids coming home with \$200 phone bills that dad and mom will have to dig for because they didn't understand what they were getting into—or they pay as they go, and they wonder where their allowance went, and it's on a phone.

I think technology is great. Then again, instead of texting, I'd like more people to actually use a land line and talk, because we've lost the ability to talk to each other.

Interjection: Go have a coffee.

Mr. Paul Miller: I think we need to have more coffee at Tim Hortons and more discussion.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Wellington—Halton Hills, you have two minutes to reply.

Mr. Ted Arnott: I want to express my appreciation to the member for Davenport, the member for Scarborough—Agincourt, the member for York—Simcoe and the member for Hamilton—Stoney Creek for their comments and responses.

To the member for York-Simcoe: I'm pleased that she reminded the House of the fact that this House was prorogued for four months, from around the middle of October. We came back on February 19—four months. Of course, the government needed to pick a new leader after Premier McGuinty decided to depart this place, and it does take a little time. In terms of the management of this House and the progress and the speed of legislation, when the government sort of scolds us for wanting to debate bills, I think it's important to point out that they prorogued the House for four months and some of these bills are coming back in their third iteration. I think everybody needs to keep that in mind.

To the member from Hamilton-Stoney Creek: My son Dean will be very pleased to hear of your support for him getting a cellphone. I appreciate your suggestion, and we'll have to take that under advisement. I was very proud of him over the course of the summer. He worked part-time as a soccer referee and saved enough to buy an iPad mini. That was a good lesson for him, and that's a

lesson that I think all of us need to sometimes be reminded of: You can't buy something until you can afford to pay for it. That's a lesson that we're trying to teach our boys and perhaps a lesson that some in this House need to relearn too, Mr. Speaker.

Again, thank you very much for listening to me this afternoon. I appreciate it. I certainly want to wish all members who are here a very good weekend.

We look forward to continuing, next week, the debates on issues that are facing the province of Ontario. We have a lot to say in terms of question period next week, and I'm certainly looking forward to being here, and I hope all members will look forward to that too, so that we can work together to reach out to the promise of the future in the province of Ontario.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bas Balkissoon): This House stands adjourned until Monday, September 23, at 10:30 a.m.

The House adjourned at 1759.

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Norm Miller, Jerry J. Ouellette
Jagmeet Singh
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